



**Project No.**  
**Associated Case**  
**Council Bill**  
**Staff Reviewer**

**Zone Change 2002Z-128U-10**  
None  
None  
Hardison

**Staff Recommendation**

*Disapprove*

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**APPLICANT REQUEST**

**Rezone 1.03 acres from Residential (R40) to Residential (R20) at 1920 A Woodmont Boulevard.**

**Existing Zoning**  
R40 zoning

R40 zoning is intended for residential single-family and duplexes at 40,000 sq. ft. per lot.

**Proposed Zoning**  
R20 zoning

R20 zoning is intended for residential single-family and duplexes at 20,000 sq. ft. per lot.

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**SUBAREA 10 PLAN POLICY**

Residential Low (RL)

The RL policy is intended for residential dwelling units at no more than 2 units per acre.

**Policy Conflict**

Yes. The proposed rezoning would allow the construction of two duplexes, or four units on this 1.03-acre property, if the property is later subdivided. The Subarea 10 Plan specifically addresses a strip of RLM policy on both sides of Woodmont Boulevard just to the west of this property, which would allow densities of 2-4 units per acre. The strip of RLM policy was “deemed necessary because of the impact from the busy Woodmont Boulevard / Hillsboro Road intersection. **Benham Avenue is recommended as the eastern-most boundary of this area**” (Subarea 10 Plan, page 49-50, emphasis added). Staff recommends disapproval of the proposed rezoning of this property because it is not consistent with the Subarea 10 plan for this area.

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**RECENT REZONINGS**

None

**TRAFFIC**

With R20 zoning the applicant would be allowed to construct 2 single-family homes or 2 duplex units, which would create 4 living units. Approximately 19 to 23 trips per day could be generated by these uses (Institute of Transportation Engineers, 6<sup>th</sup> Edition, 1996). Other uses at different densities could generate more or less traffic.

**Traffic Engineer’s Finding**

No recommendations were received from the Public Works Department by the staff report deadline.

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## Metro Planning Commission Meeting of 1/9/03

### SCHOOLS

Students Generated

0 Elementary    0 Middle    0 High

Schools Over/Under Capacity

Students will attend Julia Green Elementary School, J.T. Moore Middle School, and Hillsboro High School. Julia Green Elementary, J.T. Moore Middle, and Hillsboro High Schools have all been identified as being overcrowded.

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**Project No.**  
**Associated Case**  
**Council Bill**  
**Staff Reviewer**

**Zone Change 2003Z-001U-08**  
None  
None  
Hardison

**Staff Recommendation**

*Approve*

**APPLICANT REQUEST**

**Rezone 0.52 acres from Industrial Restrictive (IR) to Mixed Use Neighborhood (MUN) at 504, 506 Madison Street and 1201 5<sup>th</sup> Avenue North.**

**Existing Zoning**  
IR zoning

IR zoning is intended for a wide range of light manufacturing uses.

**Proposed Zoning**  
MUN zoning

MUN is intended for a low intensity mixture of residential, retail, and office uses.

**SUBAREA 8 PLAN POLICY**  
Neighborhood Urban (NU)

NU policy calls for a mixture of residential and neighborhood scale commercial development.

**GERMANTOWN DETAILED NEIGHBORHOOD DESIGN PLAN (DNDP)**  
Mixed Live Work (MLW)

MLW is primarily residential in character, allowing all housing types found in the Mixed Housing category, while providing opportunities for small commercial establishments, mostly home-run professional or retail services.

Mixed Use (MxU)

MxU includes buildings with a horizontal and vertical mix of uses (retail and offices at the street level and residences above). Residential uses and commercial uses are allowed but single-family detached homes are not included.

**Policy Conflict**

None. The Subarea 8 Plan defines this area as NU policy. This property is also within the Germantown DNDP. Lots 279 and 280 Madison Street and the southern portion lot 281 are located within the Mixed Use area of the DNDP. The northern portion of lot 281 is located within the Mixed Live/Work area of the DNDP. The proposed MUN zoning is consistent with the intent of the NU, Mixed Live/Work, and the Mixed Use policies.



## Metro Planning Commission Meeting of 1/9/03

### RECENT REZONINGS

Yes. MPC recommended approved on 12/12/02 (2002Z-123U-08) rezoning parcel 108, located at 4702 4<sup>th</sup> Avenue North, from IR to MUN. Metro Council has heard this bill on first reading (BL2002-1260), second reading scheduled for January 7, 2003.

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### TRAFFIC

Based on typical uses in MUN districts, this proposed zoning would generate approximately 38 to 194 trips per day could be generated by these uses (Institute of Transportation Engineers, 6<sup>th</sup> Edition, 1996). Other uses at different densities could generate more or less traffic.

### Traffic Engineer's Findings

Approve



**Project No.** 2002S-064G-13  
**Project Name** Hallmark  
**Associated Cases** None  
**Staff Reviewer** Leeman

**Staff Recommendation** *Approve with conditions*

**APPLICANT REQUEST**

Preliminary Plat     Preliminary and Final Plat     Final Plat

This is a request for preliminary plat approval for 206 single-family lots in a cluster-lot subdivision on 55.73 acres between Hamilton Church Road and Pin Hook Road.

**ZONING**

RS10 district

The RS10 district requires a minimum lot size of 10,000 square feet and a maximum density of 3.7 dwelling units per acre. RS10 allows a maximum of 208 single-family lots on this property. The proposed development has 206 single-family lots at a density of 3.7 dwelling units per acre.

**CLUSTER LOT OPTION**

Under the proposed cluster lot option, lot sizes can be reduced up to two zoning districts (5,000 square feet) with the installation of landscape buffer yards along the perimeter of the site where the proposed lots are less than 10,000 square feet.

The plan proposes lots that range in size from 5,000 to 15,400 square feet.

Pursuant to Section 17.12.080 (D) of the Zoning Code, cluster lot subdivisions require a minimum of 15% open space per phase.

**PLAN DETAILS**

The proposed plat provides 8 stub-streets to be extended in the future should the adjacent properties redevelop. These stub-streets are necessary to provide an interconnected street network in this rapidly developing area. These connections will provide alternative travel routes to schools and future neighborhood centers outlined in the Subarea 13 Plan.



## Metro Planning Commission Meeting of 1/9/03

The proposed plan includes a north/south connector street and an east/west connector street, as was the intent of the Subarea 13 Plan adopted by the Planning Commission on October 10, 2002. Although the Subarea 13 Plan identified these as collector streets, the Community Plans Division has indicated that the intent of the plan was to allow several different standards of collector streets to serve different types of development. It is anticipated that the future Major Street Plan will incorporate many of these different standards. The Community Plans Division has also indicated the north/south and east/west connector streets will meet the purpose envisioned by the Subarea 13 amendment if they are built to current local street standards with 27 feet of pavement width.

The proposed plat provides a tie-in to the undeveloped Weatherstone PUD to the south, while providing 8 future stub-streets to the north, south, east, and west. Prior to the issuance of any grading permits, a revised preliminary plat shall be submitted to the Planning Department staff, including the realignment of Sandyside Drive to line up with Lakewalk Drive to provide a through street as shown in the approved Subarea 13 Plan. Sandyside drive should be renamed to Lakewalk Drive.

The plat includes the required 20 foot "C" landscape buffer yards along the perimeter of the site.

Staff has designated 9 lots as critical lots due to adjacent sinkholes. A revised preliminary plat needs to be submitted, including a (\*) designating lots 2, 4, 11-15, and 153-154 as critical lots, and including a note stating: "Lots designated with an asterisk (\*) on this plat are near a sinkhole. A geotechnical investigation of these sinkholes will be required prior to final plat approval for any lots in the drainage area of a sinkhole in danger of having water back up on them from detention and or the floodplain of the sinkhole during a 100 year storm, shall have a minimum lowest floor elevation established, including any unfinished basement. Prior to the issuance of any building permits for lots designated with an (\*), a geotechnical inspection shall be required before footings are poured."



## Metro Planning Commission Meeting of 1/9/03

Staff recommends conditional approval, including a condition that the final plat must include the required Open Space Conservation Easement along the stream on the western portion of the site, since the recently amended Subarea 13 Plan included this greenway corridor to Percy Priest Lake.

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### SUBAREA 13 PLAN

These properties fall within the Subarea 13 Plan's new Neighborhood General (NG) policy that allows for conventional residential single-family development, and provides an option for Traditional Neighborhood Development (TND). The Subarea 13 Plan also designates several new Neighborhood Center (NC) areas, which are intended to serve as nodes that are accessible within a 5 to 10 minute walk. Street connectivity is one of the central components of the success of implementation of the NG policy.

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### VARIANCES

No variances requested.

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### TRAFFIC

This subdivision is proposed between Pin Hook Road, Lavergne-Couchville Pike, and Hamilton Church Road, approximately 3,000 feet east of Hobson Pike. Pin Hook Road, Hamilton Church Road, and Lavergne-Couchville Pike are classified as collector streets on the Collector Street Plan, requiring 37 feet of pavement width.

Currently, Pin Hook Road has approximately 22 feet of pavement, Hamilton Church Road has approximately 23 feet of pavement, and Lavergne-Couchville Pike has approximately 22 feet of pavement width.

The Traffic Impact Study states that the traffic generated by this plan will have minor impacts on the roadway system in the study area. It also states that the current width of Hobson Pike, Pin Hook Road and Lavergne-Couchville Pike do not meet the requirements of the Major Street Plan, but due to the "minor" impact the Hallmark development will have on the local street system, as shown in the capacity analysis, it is not necessary to upgrade these streets as part of this project. "The projected traffic volumes will be well below the capacity levels of these streets." (Page 20, Hallmark TIS).



## Metro Planning Commission Meeting of 1/9/03

### Metro Public Works Findings

A left-turn lane on Pin Hook Road into the project entrance through the Weatherstone PUD to the south was required as part of the Weatherstone development, while clearing vegetation at the project entrance on Pin Hook Road will also be required to improve site distance.

“One of the stub streets will be extended to Hamilton Church in the future. The volumes on this roadway will exceed the standard for a local collector. Planning should identify this roadway and it should be designed from the first intersection within this development to the boundary of the development as a collector.”

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### CONDITIONS

1. Prior to the issuance of any grading permits, a revised preliminary plat shall be submitted to the Planning Department staff, including all road classifications labeled (i.e. minor local, local, etc.). Lakewalk Drive and Pin Oak Drive shall be labeled as local roads with 27 feet of pavement.
2. Prior to the issuance of any grading permits, a revised preliminary plat shall be submitted to the Planning Department staff, including the realignment of Sandyside Drive to line up with Lakewalk Drive to provide a through street as the Subarea 13 Plan was approved. Sandyside drive should be renamed to Lakewalk Drive.
3. Prior to the issuance of any grading permits, all relevant permits (TDEC) for roads crossing sinkholes areas shall be submitted to Planning Department staff, Public Works and the Stormwater Division of the Metropolitan Department of Water Services.
4. A revised preliminary plan needs to be submitted to the Planning Department staff, including a (\*) designating lots 2,4, 11-15, and 153-154 as critical lots, and including a note stating: “Lots designated with an asterisk (\*) on this plat are near a sinkhole. A geotechnical investigation of these sinkholes will be required prior to final plat approval for any lots in the drainage area of a sinkhole in danger of having water back up on them from detention and or the floodplain of the sinkhole during a 100 year storm, shall have a minimum lowest floor elevation established, including any unfinished basement.



## Metro Planning Commission Meeting of 1/9/03

Prior to the issuance of any building permits for lots designated with an (\*), a geotechnical inspection shall be required before footings are poured.”

5. Any final plat shall include the required “dedicated conservation greenway public access trail easement area” labeled along the stream on the western portion of the site, as outlined in the amended Subarea 13 Plan.



**Project No.**  
**Project Name**  
**Associated Cases**  
**Staff Reviewer**  
**Action**

**Subdivision 2002S-342G-12**  
**Brookview Forest Subdivision**

None  
Mitchell

*This item was scheduled for the December 12, 2002 Planning Commission meeting. It was deferred to the January 9, 2003 meeting.*

**Staff Recommendation**

*Approve with conditions, subject to a variance to permit sidewalks along one side of only the following streets: Brookview Court, Creekside Court, Creekside Lane, Brookview Place, Buckeye Court, and Ridgecrest Drive; and subject to a variance for a sidewalk along Nolensville Road from the connection road south to the property line.*

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**APPLICANT REQUEST**

Preliminary Plat       Preliminary & Final Plat       Final Plat

Subdivide 56 acres into a 165-lot cluster lot subdivision, at a proposed density of 2.94 dwellings units per acre, a variance for a sidewalk along Nolensville Road from the connection road south, and a variance for the placement of sidewalks along both sides of all internal streets.

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**ZONING**

RS10 district, requiring a minimum lot size of 10,000 square feet.

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**CLUSTER LOT OPTION**

The cluster lot option allows the applicant to reduce minimum lot sizes two base zone districts from the base zone classification of RS10 (minimum 10,000 sq.ft. lots) to RS5 (minimum 5,000 sq.ft. lots). The applicant has chosen to use the RS5 district as the alternative lot size for bulk standard compliance since proposed lots range from 6,213 sq.ft. to 20,579 sq.ft.

Pursuant to Section 17.12.080(D) of the Metro Zoning Ordinance, open space provisions require a minimum of 15% open space per phase. The applicant successfully complies with, and exceeds, this requirement by proposing anywhere from 18% to 31.5% open space per phase.

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## Metro Planning Commission Meeting of 1/9/03

### HILLSIDE DEVELOPMENT STANDARDS

#### *Critical Lots*

Pursuant to the Metro Subdivision Regulations, before application for a building permit on a lot designated as “critical”, a plan shall be submitted to the Planning Commission staff for approval. No clearing or grading may take place before approval of the critical lot plan and issuance of a building permit.

Applicant has justified utilizing the cluster lot option because of the steep hillside topography associated with this site; however, even when utilizing the cluster lot option, the Hillside Development Standards of the Code only authorize lots on natural slopes ranging up to 25% subject to the hillside special standards and conditions.

The applicant is proposing seven lots that exceed a natural slope of 25%. The lots exceeding 25% range from 26% to 28% natural slope. As stated above, pursuant to Section 17.28.030(A)(2) of the Metro Code, “the Planning Commission may authorize lots on natural slopes ranging up to 25%, subject to the special standards and conditions noted above. Large contiguous areas containing natural slopes in excess of 25% should be recorded as common open space and permanently maintained in a natural state.”

Having met with the applicant after the December 12, 2002, Planning Commission meeting, staff agreed that the determination of slope for proposed lots should be based upon the standard of contour interval found in Tables 17.28.030(A & B) of the Zoning Code. Slopes may be averaged for the entire lot area, employing slope contour intervals of two feet. Following recalculation, should the seven lots fall below 25% slope, staff would support their inclusion into the subdivision as proposed lots.

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### PLAN DETAILS

The plan provides three points of access to the subdivision by providing connections to Nolensville Road, Holt Road, and Hickory Run, as well as a temporary cul-de-sac future connection to the Melvin Barnes property (tax map 173, part of parcel 150).

#### *Oliver Middle School*

Based upon the future construction of Oliver Middle School, the applicant is proposing a connection to Nolensville Road from the proposed subdivision.



## Metro Planning Commission Meeting of 1/9/03

Oliver Middle School is scheduled to begin construction in spring of 2003 and open for classes the fall of 2004.

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### **SUBDIVISION VARIANCES**

#### *Sidewalk Variance*

The applicant is seeking a subdivision variance for the construction of sidewalks along both sides of all roads within the proposed subdivision, as well as a variance for the construction of a sidewalk along Nolensville Road from the connection road south to the property line.

Based on existing topographic conditions and the applicant's desire to minimize impacts on the hillside, staff partially supports the applicant's request to place sidewalks on only one side of the streets. Staff recommendation is that Brookview Court, Creekside Court, Creekside Lane, Brookview Place, Buckeye Court, and Ridgecrest Drive be provided with sidewalks on one side; however, based upon the potential pedestrian activity along Brookview Forest Drive because of the Hickory Run and Holt Road access points, sidewalks should be placed along both sides of Brookview Forest Drive and Hickory Run. Regarding the request for a sidewalk variance along Nolensville Road, staff supports the request for a variance from south side of the connection road south to the property line because of very steep topographic features along Nolensville Road.

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### **SUBAREA 12 POLICY**

This subdivision falls within the Subarea 12 Policy's Residential Low Medium (RLM) policy, which supports a density range of about 2 to 4 dwelling units per acre. The applicant is proposing a unit density of 2.95 units per acre.

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### **TRAFFIC ENGINEER'S FINDINGS**

Approve

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### **CONDITIONS**

Staff recommends conditional approval of this plat subject to the submission of a revised plat:

1. Following recalculation of slope pursuant to the above standard, all lots with a natural slope greater than 25% must be removed from the proposed lot count, recorded as common open space, and permanently maintained in a natural state.



## Metro Planning Commission Meeting of 1/9/03

2. Lots found to include areas greater than 25% slope must fence off those areas greater than 25% prior to the issuance of building permits.
3. Sidewalks must be provided along both sides of Brookview Forest Drive and Hickory Run.
4. Before application for a building permit on a lot designated as “critical”, a plan must be submitted to the Planning Commission staff for approval.
5. No clearing or grading may take place before approval of the critical lot plan and issuance of a building permit.
6. Add the following note, “Wheelchair accessible curb ramps, complying with applicable Metro Public Works standards, shall be constructed at street crossings.”
7. A temporary cul-de-sac must be provided at the temporary terminus of Brookview Forest Drive.
8. Performance bonds must be posted to secure the satisfactory construction, installation, and dedication of all required public improvements.



**Project No.**  
**Project Name**  
**Associated Cases**  
**Staff Reviewer**

**Subdivision 2003S-001G-04**  
**Montague Falls, Resubdivision of Lots 3 & 4**  
None  
Scott

**Staff Recommendation**

*Approve with conditions*

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**APPLICANT REQUEST**

Preliminary Plat

Preliminary & Final Plat

Final Plat

Revise two lots by shifting the lot line between them.

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**ZONING**

The R10 district requires a minimum lot size of 10,000 square feet.

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**PLAN DETAILS**

The purpose of this resubdivision is to adjust the lot line so that a sidewalk and HVAC pad will be located on the same lot as the house and not encroach upon on the adjacent lot.

This property lies within the floodplain of the Cumberland River and is contiguous to a greenway as indicated on the Countywide Greenways Plan.

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**SUBDIVISION VARIANCES**  
**(Sec. 2-7.5, Conservation Easements)**

The subdivision regulations require a greenway easement with a minimum width of 75 feet, measured from the edge of the floodway. Currently, a house is located within the required easement area on lot four and a pool and greenhouse are located within the required easement area on lot three. With these existing uses, adding a greenway easement at this time is not reasonable. The following note will be added to the plat: "A dedicated greenway public access trail easement area, with a minimum width of 75 feet, measured from the edge of the floodway will be applied as follows: On Lot 4 the easement shall be applied if the existing house is removed. On Lot 3 the easement shall be applied if the existing pool and greenhouse on lot 3 are removed. Except as authorized by approved construction plans, no grading, cutting of trees, or disturbance of natural features shall be performed within this easement."



## Metro Planning Commission Meeting of 1/9/03

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### TRAFFIC ENGINEER'S FINDINGS

Recommends approval.

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### CONDITIONS

1. Subject to a revised plat prior to recordation.
2. Add the following note, "A dedicated greenway public access trail easement area, with a minimum width of 75 feet, measured from the edge of the floodway will be applied as follows: On Lot 4 the easement shall be applied if the existing house is removed. On Lot 3 the easement shall be applied if the existing pool and greenhouse on lot 3 are removed. Except as authorized by approved construction plans, no grading, cutting of trees, or disturbance of natural features shall be performed within this easement."
3. The names of adjacent property owners and corresponding plat book and page numbers must be included.
4. NES approval is needed.
5. The councilmanic district is 8; please show this on the plat.
6. Stormwater approval must be obtained before recordation.
7. Signatures from both property owners are required.



**Project No.**  
**Project Name**

**Subdivision 2003S-009G-12**  
**Lenox Village, Section 2, Revision of lots**  
**47,48,63-69,72 & 73**

**Associated Cases**  
**Staff Reviewer**

None.  
Scott

**Staff Recommendation**

*Approve with conditions*

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**APPLICANT REQUEST**

Preliminary Plat       Preliminary & Final Plat       Final Plat

Resubdivide lots 47, 48, 63-69, 72 & 73.

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**ZONING**

The RM9 district allows 9 units per acre.

The Lenox Village Urban Design Overlay allows for a variety of housing types and commercial uses, identified by block location.

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**PLAN DETAILS**

The purpose of this resubdivision is to divide 11 lots into 22 lots located at the intersection of Leveson Way and Porter House Drive.

This request is consistent with the Lenox Village Urban Design Overlay in design and the allowed number of units. The UDO allows for a maximum of 594 primary dwelling units in Lenox Village.

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**TRAFFIC ENGINEER'S FINDINGS**

Recommends approval

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**CONDITIONS**

1. Approval from Metro Water Services must be obtained prior to recordation.



**Project No.**  
**Project Name**  
**Associated Cases**  
**Staff Reviewer**

**Subdivision 2003S-011U-10**  
**Elder Place Subdivision**  
None  
Mitchell

**Staff Recommendation**

*Approve with conditions*

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**APPLICANT REQUEST**

Preliminary Plat       Preliminary & Final Plat       Final Plat

Subdivide a 5.07-acre tract into an 8-lot cluster lot subdivision, at a proposed density of 1.58 dwellings units per acre.

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**ZONING**

R20 district, requiring a minimum lot size of 20,000 square feet

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**CLUSTER LOT OPTION**

The cluster lot option allows the applicant to reduce minimum lot sizes two base zone districts from the base zone classification of R20 (minimum 20,000 sq. ft. lots) to R10 (minimum 10,000 sq. ft. lots). Although allowed to reduce minimum lot size two base zone districts, the applicant will use the R10 district as the alternative lot size for bulk standard compliance for lots 3, 4, 5, 6, and 7 and the R15 alternative bulk standards for lots 2 and 8. Proposed lots range from 11,277 sq. ft. to 40,283 sq. ft.

Applicant has justified utilizing the cluster lot option because a tributary to Sugartree Creek encumbers the easternmost portion of the property. In addition, the applicant is proposing that 22% of the site will be preserved as natural vegetation or open space. Pursuant to Section 17.12.080(D) of the Metro Zoning Ordinance, open space provisions require a minimum of 15% open space per phase. This subdivision is proposed to be constructed in one phase.

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**SUBAREA 10 POLICY**

This subdivision falls within the Subarea 10 Policy's Residential Low-Medium (RLM) policy that supports and provides opportunities for new residential development within a density range of 2 to 4 units per acre. Total lot yield permitted for this subdivision is nine lots. The applicant proposes eight lots, at a density of 1.58 dwelling units per acre.

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## Metro Planning Commission Meeting of 1/9/03

### SUBDIVISION DETAILS

The 5.07-acre tract is located along the east margin of Estes Road, between Harding Pike and Hillsboro Boulevard. The proposed eight lots are located on either side of a single, curvilinear, spine road that dead-ends into a permanent cul-de-sac west of the Sugartree Creek tributary. The proposal includes one possible detention area located in the northeast corner of the subdivision and adjacent to the tributary. Additionally, the applicant is proposing to extend the head of the cul-de-sac into the open space area to promote utilization of the open space and tributary as recreational space for the residents.

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### SUBDIVISION VARIANCES

None

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### TRAFFIC ENGINEER'S FINDINGS

Recommends approval

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### CONDITIONS

Staff recommends conditional approval of this plat subject to a revised plat being submitted before the Planning Commission meeting:

1. Add the following note: "Wheelchair accessible curb ramps, complying with applicable Metro Public Works standards, shall be constructed at street crossings."
2. A standard C landscape buffer yard must be provided within and to the rear of lots 6 & 7.



**Project No.**  
**Project Name**  
**Council Bill**  
**Associated Case**  
**Staff Reviewer**

**Planned Unit Development 210-73-G-14**  
**Deloitte & Touche**  
None  
None  
Scott

**Staff Recommendation**

*Approve with conditions as a PUD amendment*  
*Disapprove as a revision to the preliminary*

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**APPLICANT REQUEST**

Preliminary PUD     Revised Preliminary     Revised Preliminary & Final PUD  
 Final PUD     Amend PUD     Cancel PUD

This applicant has requested to revise the preliminary plan and for final plan approval for a portion of the Commercial Planned Unit Development to permit a new, gated access point to the parking lot on the southwest side of the PUD.

The Metro Zoning Code (17.40.120.G.2e) requires that an introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access be considered an amendment to the previously approved PUD and be referred back to Metro Council for approval. Staff has not identified any previously approved plan that depicts an access point at Hermitage Lane.

The applicant is aware that this request must be an amendment, but still decided to pursue the revised preliminary.

**Existing Zoning**  
CL/Commercial PUD

The property is currently zoned CL with a Commercial PUD overlay.

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**PLAN DETAILS**

The existing Commercial PUD was approved with only one access point that connects to Sells Drive.

Hermitage Park Lane will be extended onto the PUD for the rear entrance. A cul-de-sac turnaround will be added to the terminus of Hermitage Park Lane. The applicant will dedicate the cul-de-sac to Metro upon completion.



## Metro Planning Commission Meeting of 1/9/03

The proposed plan eliminates 32 parking spaces, while 782 parking spaces will remain. The Zoning Code requires 522 parking spaces.

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### TRAFFIC

Access to this parcel is from Sells Drive, which intersects with Old Hickory Boulevard. The proposed entrance at the end of Hermitage Park Lane will be gated.

### Traffic Engineer's Findings

Approve

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### CONDITIONS

1. Prior to the issuance of any permits, the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Departments of Public Works and Water Services shall forward confirmation of final approval of this proposal to the Planning Commission.
2. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
3. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met prior to the issuance of any building permits.
4. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
5. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
6. A sidewalk variance will be granted for the cul-de-sac at the terminus of Heritage Park Lane. This cul-de-sac will have a gate to limit access to the parking lot. There are currently no other access points to Hermitage Park Lane and no sidewalks. Adding a



## Metro Planning Commission Meeting of 1/9/03

sidewalk around the cul-de-sac would create an isolated sidewalk at an entrance created for vehicular access only.



**Project No.**  
**Project Name**  
**Council Bill**  
**Associated Cases**  
**Staff Reviewer**

**Planned Unit Development 8-74-U-11**  
**Jolly Ox Restaurant**  
None  
None  
Hardison

**Staff Recommendation**

*Disapprove the cancellation of this portion of the PUD.  
Staff would support cancellation of the entire PUD.*

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**APPLICANT REQUEST**

Preliminary PUD     Revised Preliminary     Revised Preliminary & Final PUD  
 Final PUD     Amend PUD     Cancel PUD

**Existing Zoning**  
MUL zoning

The applicant has requested the cancellation of a portion of the existing PUD.

MUL is intended for a medium intensity mixed-use of residential, office and commercial uses.

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**CANCELLATION DETAILS**

The cancellation of this portion (parcel 146) of the PUD would render the adjacent property unusable. The adjacent parcel was the site of the Steak and Ale and Jolly Ox restaurants but has been reported to staff to be no longer in use due to fire damage. Without parcel 146, the existing restaurant use on parcel 144 does not have adequate parking. In 1974 when this PUD was approved, the restaurant had to provide 55 parking spaces, which was achieved by providing parking on parcel 146.

Although staff is recommending disapproval of cancellation of this portion of the PUD, staff would recommend approval of canceling the entire PUD, as this would not render parcel 144 unbuildable.

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**TRAFFIC**

Based on typical uses in MUL zoning such as office, multi-family, retail or restaurant, approximately 111 to 1,279 trips per day could be generated by these uses (Institute of Transportation Engineers, 6<sup>th</sup> Edition, 1996). Other uses at different densities could generate more or less traffic

**Traffic Engineer's Findings**

Public Works has indicated that canceling this portion of the PUD would leave the remaining restaurant with inadequate on-site parking.



**Project No.**  
**Project Name**  
**Council Bill**  
**Associated Case**  
**Staff Reviewer**

**Planned Unit Development 65-82-U-10**  
**Merchant’s Walk – Maryland Farms PUD**  
None  
None  
Mitchell

**Staff Recommendation**

*Approve with conditions*

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**APPLICANT REQUEST**

Preliminary PUD     Revised Preliminary     Revised Preliminary & Final PUD  
 Revise Final PUD     Amend PUD     Cancel PUD

Revise a portion of the Maryland Farms PUD plan to allow for the reconfiguration and/or addition of 47 parking spaces along the north property line, and a request for variances to Sections 17.24.070 and 17.24.150.1 to allow for parking to be located within a scenic landscape easement along Scenic Arterial roadways and to reduce the required minimum 10-foot landscape strip to zero feet, respectively.

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**TRAFFIC ENGINEER’S FINDINGS**

Recommend approval

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**STAFF FINDINGS & CONCLUSIONS**

Pursuant to staff examination of the variance request in light of the Zoning Code variance review standards, staff has determined that the granting of the requested variances would be justified based upon the following:

Old Hickory Boulevard is designated on the Major Thoroughfare Plan as an S4, or a 4-lane scenic arterial highway, which requires a minimum right-of-way width of 150 feet. Although this portion of Old Hickory Boulevard is designated as Scenic Arterial, the subject property is located near the intersection of Old Hickory Boulevard and Franklin Pike – an area that is predominantly developed with commercial and office uses. In addition, there is a generous grade change – exceeding 10 feet – between Old Hickory Boulevard and the subject property. This grade change is managed by a concrete retaining wall that extends near the entire length of the property. With the existence of the retaining wall and such a significant grade change, no vegetation or other natural features would be disturbed



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by allowing additional parking spaces to encroach into the scenic landscape easement or perimeter landscape strip.

Based on the aforementioned information, in addition to the fact that 31 parking spaces, in the northeast corner of the property, currently exist directly adjacent to the property line, staff supports the applicant's request to reconfigure the parking area and provide for additional spaces.

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### CONDITIONS

1. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
2. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met before the issuance of any building permits.
3. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
4. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.



<b>Project No.</b>	<b>Mandatory Referral 2002M-133U-09</b>
<b>Project Name</b>	<b>Option to purchase 432 3rd Avenue North</b>
<b>Council Resolution</b>	RS2002-1293
<b>Associated Case</b>	None
<b>Staff Reviewer</b>	Mitchell
<b>Staff Recommendation</b>	<i>Approve</i>

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**APPLICANT REQUEST**

A Resolution authorizing and directing the Director of Public Property to exercise an option to purchase property (Map 93-02, Parcel 24) at 432 3rd Avenue North for the Metropolitan Government of Nashville & Davidson County, where funds for this option agreement will be taken from Fund No. 40150, BU 15901002.

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**APPLICATION REQUIREMENTS** None

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**DEPARTMENT AND AGENCY COMMENTS** None

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**RECOMMENDATION** All reviewing departments and agencies recommend approval.



**Project No.**  
**Project Name**

**Mandatory Referral 2003M-001U-08**  
**Lease Agreement between Metro**  
**Government and MDHA for 1611 Jo**  
**Johnston Avenue**

**Council Bill**  
**Associated Case**  
**Staff Reviewer**

None  
None  
Mitchell

**Staff Recommendation**

*Approve*

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**APPLICANT REQUEST**

An Ordinance approving a lease agreement by and between Metropolitan Government of Nashville & Davidson County acting through the Metropolitan Juvenile Courts and MDHA for the lease of space at 1611 Jo Johnston Avenue for a truancy reduction program and suspension school in the John Henry Hale Housing Development, where the lease is for a period of three (3) years from October 1, 2000, to September 30, 2003, with an option to renew for one (1) additional year at no additional cost to Metropolitan Government.

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**APPLICATION REQUIREMENTS**

None

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**DEPARTMENT AND AGENCY COMMENTS**

None

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**RECOMMENDATION**

All reviewing departments and agencies recommend approval.



**Project No.**  
**Project Name**

**Mandatory Referral 2003M-002U-11**  
**Lease Agreement between Metro**  
**Government and MDHA for**  
**83 University Court**

**Council Bill**  
**Associated Case**  
**Staff Reviewer**

None  
None  
Mitchell

**Staff Recommendation**

*Approve*

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**APPLICANT REQUEST**

An Ordinance approving a lease agreement by and between Metropolitan Government of Nashville & Davidson County acting through the Metropolitan Juvenile Courts and MDHA for the lease of space at 83 University Court for a truancy reduction program and suspension school in the Tony Sudekum Housing Development, where the lease is for a period of three (3) years from October 1, 2000, to September 30, 2003, with an option to renew for one (1) additional year at no additional cost to Metropolitan Government.

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**APPLICATION REQUIREMENTS**

None

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**DEPARTMENT AND AGENCY COMMENTS**

None

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**RECOMMENDATION**

All reviewing departments and agencies recommend approval.



**Project No.**  
**Project Name**

**Mandatory Referral 2003M-003U-08**  
**Lease Agreement between Metro**  
**Government and MDHA for**  
**2306 26th Avenue North**

**Council Bill**  
**Associated Case**  
**Staff Reviewer**

None  
None  
Mitchell

**Staff Recommendation**

*Approve*

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**APPLICANT REQUEST**

An Ordinance approving a lease agreement by and between Metropolitan Government of Nashville & Davidson County acting through the Metropolitan Juvenile Courts and MDHA for the lease of space at 2306 26th Avenue North for a truancy reduction program and suspension school in the Cumberland View Housing Development, where the lease is for a period of three years from October 1, 2000, to September 30, 2003, with an option to renew for one additional year at no additional cost to Metropolitan Government.

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**APPLICATION REQUIREMENTS**

None

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**DEPARTMENT AND AGENCY COMMENTS**

None

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**RECOMMENDATION**

All reviewing departments and agencies recommend approval.



**Project No.**  
**Project Name**

**Mandatory Referral 2003M-004U-05**  
**Lease Agreement between Metro**  
**Government and MDHA for**  
**302 Foster Street**

**Council Bill**  
**Associated Case**  
**Staff Reviewer**

None  
None  
Mitchell

**Staff Recommendation**

*Approve*

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**APPLICANT REQUEST**

An Ordinance approving a lease agreement by and between Metropolitan Government of Nashville & Davidson County acting through the Metropolitan Juvenile Courts and MDHA for the lease of space at 302 Foster Street for a truancy reduction program and suspension school in the Sam Levy Homes Housing Development, where the lease is for a period of three (3) years from October 1, 2000, to September 30, 2003, with an option to renew for one (1) additional year at no additional cost to Metropolitan Government.

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**APPLICATION REQUIREMENTS**

None

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**DEPARTMENT AND AGENCY COMMENTS**

None

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**RECOMMENDATION**

All reviewing departments and agencies recommend approval.



**Project No.**  
**Project Name**

**Mandatory Referral 2003M-005U-09**  
**Washington Regulator Land & Easement Acquisitions**

**Council Bill**  
**Associated Case**  
**Staff Reviewer**

None  
None  
Mitchell

**Staff Recommendation**

*Approve*

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**APPLICANT REQUEST**

A request to acquire property at 140 North 1st Street and to acquire easements at Map 82-14, Parcels 61, 66, 95, 65, 60, 82, & 83 and Map 82-15, Parcel 219 for Project No. 94-SC-005B, Washington Regulator.

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**APPLICATION REQUIREMENTS**

None

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**DEPARTMENT AND AGENCY COMMENTS**

None

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**RECOMMENDATION**

All reviewing departments and agencies recommend approval.



<b>Project No.</b>	<b>Mandatory Referral 2003M-006U-07</b>
<b>Project Name</b>	<b>Close Portion of Alley #1504</b>
<b>Council Bill</b>	None
<b>Associated Case</b>	None
<b>Staff Reviewer</b>	Mitchell
<b>Staff Recommendation</b>	<i>Approve</i>

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**APPLICANT REQUEST**

A request to close a portion of Alley #1504 from Croley Drive to its terminus at the south margin of parcels 124 and 134, requested by Robert McGowan, abutting property owner.

**(Easements are to be abandoned)**

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**APPLICATION REQUIREMENTS**

*Application properly completed and signed?* Yes

*Abutting property owners sign application?* Yes

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**DEPARTMENT AND AGENCY COMMENTS**

None

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**RECOMMENDATION**

All reviewing departments and agencies recommend approval.