



Plan Amendment

Amend the ‘Structure Plan’ land use policy in the *Green Hills-Midtown Community Plan: 2005 Update*

Associated Cases

Zone change 2005Z-168U-10; PUD 2005P-032U-10

Council Bill

None

Council District

24 – John Summers.

School District

8 – Kathleen Harkey

Requested by

Paul Lockwood for Wilson S. Manning et ux, owners

Deferral

Deferred from November 10, 2005 Meeting

Staff Reviewer

Eadler

Staff Recommendation

Approve the subject request together with “Special Policy #15” as presented in this report

APPLICANT REQUEST

Change the ‘Structure Plan’ land use policy from “Residential Medium Density (RM)” to “Residential High Density (RH)” for a ±1.37 acre area located along the northeast margin of Woodmont Bv about 600 ft. southeast of Harding Pk. The applicant is proposing to build 34 condominium units on five existing parcels totaling 1.66 acres. One of the parcels is already in RH policy. The applicant is seeking the change to RH policy for the other four parcels because the current RM policy does not support the type and intensity of residential development being proposed. This request was reviewed as a “major plan amendment,” which requires notification describing the request to be sent to property owners within 500 ft of the subject site, and that a community meeting be held ahead of the public hearing. In this case, since the notification for the associated zone change included properties within 600 ft of the proposed zone change, the notification for the community meeting and the public hearing on this plan amendment was the same as that for the proposed zone change. The community meeting was held on Thursday October 20, 2005. Re-notification of the January 12th public hearing was mailed to surrounding property owners and given in newspaper ads.

EXISTING LAND USE POLICY

“Residential Medium Density (RM)” RM policy allows residential development in the range of 4-9 housing units/ac. and appropriate civic and public benefit activities. A broad general goal of the community plan for this and all other residential policy categories is preservation and protection of established residential areas.



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PROPOSED LAND USE POLICY

“Residential High Density (RH)” RH policy allows residential development above 20 housing units per acre. RH also allows appropriate civic and public benefit activities.

ANALYSIS

This request raises two key planning issues: (1) the appropriateness of the location for high density housing and (2) establishing both an appropriate and an effective transition.

Locational Suitability. Locations deemed appropriate for RH policy are those that make up centers with a fairly intense mixture of activities that serve communities or larger areas. Proximity to existing or planned transit service and access to a 4-lane arterial are additional locational criteria. The subject site and the abutting parcel to the northeast, which is already in RH policy, are next to a high-rise office building in “Mixed-Use (MU)” policy that is part of the area referred to as “Harding Town Center.” The site is within a walkable 550-900 ft. of existing transit service on Harding Pk. Woodmont Bv. is a 2-lane arterial. The site meets basic locational criteria for RH policy, except for 4-lane arterial access. The access criteria for RMH policy (9-20 units/ac.) is a collector or any arterial. If the density for this site is held close to the 20 unit/ac. break point between RMH and RH policy (which could be accomplished through a special policy), the site would reasonably meet the locational criteria. The RH policy is being requested mainly because RMH policy does not support base zoning that would allow significant building height next to the existing high-rise (for example, 10 story building height for a portion of the proposed development).

Transition. While it is possible to achieve a stable boundary and harmonious land use relationship at the interface of fairly intense mixed use development and medium density residential uses, such a relationship is more tenuous and difficult to sustain when there is little horizontal separation and there is a sharp contrast in the bulk and intensity of development at that interface. A gradual transition in intensity would be preferable. The subject request raises two particular concerns. First, it is at the edge of a predominantly developed area where the broad goal of the plan is conservation.



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Changing, rather than conserving, the edge of this neighborhood was one of the concerns expressed at the community meeting and at prior meetings at which the associated zone changes and development were discussed. Second, like MU, RH policy has the potential to be very intense and by itself is not an assurance that a desirable transition in intensity would occur. Staff concluded that the requested change to RH policy would be appropriate only if it is accompanied by a special policy that satisfactorily addresses the above concerns. With the special policy, such a change to RH policy would effectuate an acceptable transition and establish a clear intent to maintain the existing RM policy along Woodmont Bv. to the southeast of the subject site. Accordingly, staff suggests the “special policy,” as described below, to accompany the requested policy change to RH.

Suggested Special Policy. The suggested text of the special policy is as follows:

1. The intent within this area is to provide transition in the intensity of development for this side of Woodmont Bv. between the adjoining intense mixed-use development to the northwest and the established medium density residential area to the southeast. As part of that transition, the height of buildings should be varied, with the tallest ones, up to ten stories, in the northwestern section of the site, and the shortest ones, up to three stories, in the southeastern section of the site.
2. The southeastern edge of this area is intended to be the limit of residential development above medium densities (9 housing units/ac) along this side of Woodmont Bv. To reinforce this boundary, generous landscaping should be provided along this edge of the site. Generous landscaping or other design features should be provided along this edge of the site to provide an attractive buffer and reinforce this boundary.
3. Development at the low end of densities supported by “RH” policy, not exceeding 21 housing units/ac., is intended in this area.
4. Development should be implemented through zoning that provides assurance that the development



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will occur as intended, such as the SP district, or PUD or UDO overlay zoning in combination with other appropriate base zone districts.

As shown in the graphic, the special policy would apply to the area for which RH policy is being requested, plus the parcel that is already in RH policy. This would be "Special Policy # 15" in the *Green Hills – Midtown Community Plan: 2005 Update*.



Request

Associated Cases
Council Bill
Council Districts
School District
Requested by
Staff Reviewer
Staff Recommendation

Request to Amend the Southeast Community Plan: 2004 Update

None
None
31-Toler and 32-Coleman
2-Blue
Staff
Wood
Approve

APPLICANT REQUEST

Change the Structure Plan land use policy from Residential Low Medium Density and Rural to Neighborhood General and Neighborhood Center for approximately 1,190 acres for property located along Old Hickory Boulevard, Pettus Road, and Cane Ridge Road, expand the Infrastructure Deficiency Area, and make changes to the planned street system for the area, including recommended Southeast Parkway cross sections.

PUBLIC PARTICIPATION

Staff held community meetings on November 17, 2005 and January 19 and 24, 2006 to discuss the proposed amendment. They were attended by a total of about 160 people. Attendees expressed mixed opinions about the proposed amendment. There was general support for improved design guidance and recognition that there were new regulatory tools available as well as more community experience with design issues and tools. Although there were a few requests for removal from the amendment area, there were also requests for property to be added, and the amendment area has grown from its original 880 acres to 1,190.

There was some concern expressed about density, which staff expects to be between 4 and 5 units per acre overall for the area when fully developed, which would include pockets of higher as well as lower density due to the carefully arranged mixture of housing types. There was also concern about the inadequacy of transportation infrastructure in the area, and therefore staff is recommending that the portion of this area that is now in Rural policy be added to the Southeast Community Plan's Infrastructure Deficiency Area as part of this amendment.



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Existing Land Use Policies

Residential Low Medium (RLM)

RLM policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

Rural (R)

Rural is a category designed for areas that are generally physically suitable for urban or suburban development but for which the community has chosen that they remain predominantly rural in character. The predominant type of development in Rural areas is low density residential that is rural in character. Agricultural uses and low intensity community facility uses are also found in Rural areas.

Proposed Land Use Policy

Neighborhood General (NG)

Neighborhood General is a Structure Plan classification for areas that are primarily residential in character. To meet a spectrum of housing needs, ideally, Neighborhood General areas contain a variety of housing that is carefully arranged, not randomly located. Civic and public benefit activities are also characteristic of Neighborhood General areas. Transitional offices are another use occasionally found along the edges of these areas next to an intense center or incompatible district.

ANALYSIS

Staff recommends approval of the proposed amendment subject to the attendant expansion of the Infrastructure Deficiency Area because it will enable the area in question to be developed with greater attention to design with the goal of achieving a neighborhood setting as the area continues to grow rather than achieving a collection of loosely connected subdivisions. There has been a desire expressed by area councilmembers and their constituents to improve the character of development in this emerging area of Nashville, particularly with the aim of giving it a distinct identity as a community. This can be better achieved through Neighborhood General policy with its strong design guidance than through Residential Low Medium Density policy, which is more



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appropriately used for existing neighborhoods that have RLM character than for newly developing areas that are in the process of forming their character. Also, as is made clear in Land Use Policy Application, RLM is not the most appropriate for areas that are or will be very accessible, competitive locations such as this study area, which is along the future Southeast Parkway.

Since the plan was adopted in mid-2004, there has been rapid growth in this portion of the Southeast Community (known as Cane Ridge) accompanied by increased expressions of concern that the design of new development in the area is not meeting community standards. In the past 20 months, there have been 816 new residential building permits issued in the area bounded by Bell Road, I-24, and Nolensville Road since the plan's adoption, and there are also 870 lots that have received preliminary PUD or subdivision approval. This is comparable to 75% of the buildout of the entire 512-acre Carothers Crossing development, which is expected to be built over the course of a decade. Further, the number of residential building permits issued in the Cane Ridge area over that 20-month period equaled 13.75% of all building permits issued throughout the county. The number of preliminary lots approved in Cane Ridge equaled 20% of the preliminary lots issued in the county. In contrast, Cane Ridge equals about 4% of the county's land area. The next several years will be critical in the formation of the identity of this rapidly growing and changing community, and staff believe it is important to respond to the concerns that have been expressed prior to the next scheduled plan update.

Another factor to consider is that the future Southeast Parkway will bisect this area, and Neighborhood General policy with its carefully arranged mixture of housing types will provide improved flexibility in integrating the Parkway into the community. The ability to use a wider mix of residential densities, setbacks, lot sizes, and building types within the area will allow developers to better respond to the Parkway while enabling the development of a collection of neighborhoods that together will form a distinct local community.

The land use policy amendment under consideration at one time included a proposed Neighborhood Center



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area along Old Hickory Boulevard between its two intersections with Pettus Road. This proposed Neighborhood Center has been eliminated because of community opposition and uncertainty about the need for it. In addition, at one point the amendment area was proposed to extend the Neighborhood General policy all the way down to Burkitt Road. Staff decided against including this Burkitt Road frontage in the recommended amendment area because to do so would produce a problematic incursion into a portion of the Rural policy area that could and should otherwise be left intact.

The community plan amendment also includes changes to the area's local street network that are intended to facilitate the use of special zoning tools such as the Urban Design Overlay within this area. The "required street connections" in the current plan are necessary to assure at least a minimal network level across or among the scattered subdivisions. Removing the designation of required connections does not reduce the level of connection but rather increases both the number of connections and the flexibility of their locations as larger areas are planned for development under an Urban Design Overlay or through Specific Plan zoning. In addition, staff has developed recommended cross sections for sections of the parkway as they pass through different development environments based on topography and other factors.

The recommended changes are shown on the series of attached graphics:

- A. the recommended land use policy arrangement
- B. the current planned street network that is included in the community plan
- C. the recommended new planned street network
- D. Recommended expanded Infrastructure Deficiency Area
- E. Recommended Southeast Parkway Cross Sections



Request

Associated Cases
Council Bill
Council District
School District
Requested by
Deferral

Amend the Major Street Plan and the Collector Street Plan

Southeast Community Plan Amendment
None
31 – Toler and 32 – Coleman.
2 – George Blue
Staff
None

Staff Reviewer
Staff Recommendation

Wood
Approve

APPLICANT REQUEST

- (1) Amend the adopted Collector Street Plan by adding two proposed collector streets**
- (2) Amend the adopted Collector Street Plan by redesignating a section of Pettus Road as an arterial**
- (3) Amend the adopted Major Street Plan by realigning a segment of the proposed Southeast Parkway, and**
- (4) Amend the adopted Major Street Plan by redesignating the section of Pettus Road that was formerly designated as a collector as a U4 Urban Arterial**

These changes are recommended in association with the Southeast Community Plan amendment that is also on this Planning Commission agenda. The currently adopted street plans do not reflect the major and collector street plans recommended in the *Southeast Community Plan: 2004 Update* and the pending amendment. The amendments are necessary for the layout of streets in developments in the area affected by these proposed changes to reflect the location of major and collector streets as intended in the community plan as amended.

PROPOSED MAJOR AND COLLECTOR STREET PLAN AMENDMENTS

Proposed Collector Street Plan Amendments: the “Collector Street Plan” is proposed to be amended by adding two proposed collectors, one north-south and one east-west, as shown with purple dashed lines on the accompanying graphic. Also, a section of Pettus Road that is designated as a collector (shown in solid purple) would be removed from the Collector Street Plan so that it can be added to the Major Street Plan to better reflect the role of Pettus Road in connecting to the planned Southeast Parkway.



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Proposed Major Street Plan Amendments: the Major Street Plan is proposed to be amended by making a slight realignment to a section of the proposed Southeast Parkway as shown on the accompanying graphic. This realignment will provide better intersection spacing in the area. The Major Street Plan is also proposed to be amendment by adding to it as a “U4” (Urban 4-lane arterial) the above-referenced section of Pettus Road.

ANALYSIS

The adopted Major and Collector Street Plans are the official guides for determining how these types of streets are taken into account and reflected in the layout of proposed developments. There is currently an inconsistency between the adopted major and collector street plans and the plans for those streets as recommended in the community plan.

The major street plan changes were part of the community meetings and the public hearing in conjunction with the adoption of the updated Southeast Community Plan in July 2004, but had not been specifically called out as amendments to their respective street plans. The collector street plan additions were discussed at the community meetings on November 17, 2005 and January 19 and 24, 2006 as part of the overall package of amendments for this area. These proposed amendments are necessary for the provision of major and collector streets in new developments in this area to occur as envisioned in the community plan.



Request

Associated Cases

Council Bill

Council Districts

School District

Requested by

Staff Reviewer

Staff Recommendation

**Request to Amend the Bordeaux-Whites
Creek Community Plan: 2003 Update**

None

None

1-Gilmore

1-Thompson

Hawkins Partners, Inc.

Wood

Approve

APPLICANT REQUEST

Add a Special Policy for Bells Bend that would clarify the intent of the community plan regarding conservation subdivisions or similar rural residential development alternatives.

PUBLIC PARTICIPATION

Staff held a community meeting on January 30, 2006 which was attended by approximately 60 people. Most of the people present at the meeting expressed opposition to a Special Policy that would allow an increase in density to the degree proposed by this amendment. They expressed concerns about the potential increase in the Bend's population, increase in traffic on Old Hickory Boulevard, its sole access road, and the potential loss of character that currently exists in Bells Bend. Their expectations for growth absent the proposed Special Policy are low, and most do not believe Bells Bend will develop predominantly with two acre lots as is permitted by its current zoning.

Existing Land Use Policies

Rural (R)

Rural is a category designed for areas that are generally physically suitable for urban or suburban development but for which the community has chosen that they remain predominantly rural in character. The predominant type of development in Rural areas is low density residential that is rural in character. Agricultural uses and low intensity community facility uses are also found in Rural areas.

Natural Conservation (NCO)

NCO policy is intended for undeveloped areas with the presence of steep terrain, unstable soils, and floodway/floodplain. Low intensity community facility development and very low density residential development (not exceeding one dwelling unit per two acres) may be appropriate land uses.



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ANALYSIS

The Problem

Staff recommends approval of the proposed amendment as follows.

During the community plan update process, the policy for much of Bells Bend was changed from Interim Non-Urban, a now obsolete policy category calling for rural development with the expectation that at some future point the area would urbanize, to Rural, a policy also calling for rural development. The updated policy was also accompanied by text on the Structure Plan map that noted that “Conservation Subdivisions are recommended policy in Bells Bend.” In addition, the text of the community plan includes the following language in the Design Principles section (p. 21):

“Conservation Subdivisions maximize the use of developable land in order to preserve as much of the property as possible in a natural state.... Developable areas in Bells Bend are especially suited for this development pattern.”

The text of the Land Use Policy Application document regarding Rural areas, which is incorporated by reference into the Bordeaux-Whites Creek Community Plan, states that densities in these areas are generally to be limited to one dwelling unit per two acres, except that “slightly higher gross densities may be warranted when the development is clustered and a substantial portion of the site is preserved as open space.” Neither “slightly” nor “substantial” is defined.

The community plan policies are intended to provide guidance in the use and development of implementation tools. Rural policy countywide contains an incentive for clustering of development with substantial open space preservation, and it seems clear that the specific intent for Bells Bend in particular was to encourage open space preservation as the area develops. Beyond this, little guidance is found regarding the appropriate balance between open space preservation and population density.

Perspective on Place

There are a number of factors worth considering in finding the appropriate balance. One is the role of place in the equation. Bells Bend is a relatively isolated and inaccessible place because of its nature as a bend in the Cumberland River with one access point (Old Hickory



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Boulevard) and no bridge. It also contains substantial amounts of environmentally constrained land, along with a wide array of wildlife and historic features. It is thus appropriate to consider it a place of limited development opportunities within Nashville, as it is planned to be and as staff concurs it should remain. It is a site deserving of special care and effort to maintain its rural character.

Despite its relative isolation, Bells Bend is located within the central city of a large, growing metropolitan region that consists of several counties. It is one of Nashville's remaining rural areas, but these areas are "rural" within the context that they are actually captured within a city rather than on the outskirts of the metropolitan area. Expectations that these "rural" areas, many of which (including parts of the Bells Landing site) are literally within sight of skyscrapers, will have the same character as their exurban counterparts need to be tempered by the reality of their location.

Development is likely to occur and the dependence of the local economy on agriculture is likely to be lower than in rural areas that are not captured within a central city.

Perspective On Density

A way to consider potentially appropriate residential densities for clustered rural development in Bells Bend is to examine the range of densities in Nashville-Davidson County. Land use policies permit a range of 0-60 units per acre, with the preponderance of the county's developed residential areas being in the 3-5 unit per acre range. The largest lot zoning found in Nashville is AR2a, which has a two-acre minimum lot size. While the AG 5-acre minimum lot size district is available, it is not currently mapped anywhere in the county. The General Plan sets two housing units per acre as the minimum practical density needed to support the services necessary in an urban environment. A density above ½ unit per acre (AR2a) but below what is needed to support an urban environment merits consideration given this range.

An example of the differences in character related to density in similarly designed proposed developments is provided by comparing Carothers Crossing to Bells Landing. The former was approved in summer 2005 in the rapidly urbanizing, highly accessible Southeast



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Community and the latter is the development application that has prompted this plan amendment request. The Carothers Crossing development features 2,300 units on 512 acres, a density of 4.49 units per acre. 55% of the open space is to be preserved. The policies for Carothers Crossing are Neighborhood General and Neighborhood Center. Bells Landing will also conserve at least 55% of the open space on its site, but the density is considerably lower at just below 1.5 units/acre. Both developments will be served by sewers. This is normal for an urbanized area such as the Southeast Community but unusual for a rural area such as Bells Bend.

Perspective on Growth and Pattern

The availability of sewers to serve portions of Bells Bend needs to be taken into account as a factor that will affect its future. Over the long term, Bells Bend will face increasing pressures for sewer development at AR2a or greater densities, as history has shown in other places where public sewer is available. Staff is concerned about the possibility of Bells Bend developing in a predominantly suburban manner similar to Neelys Bend, which also has one main access road and no bridge. Were the Bend to be limited to the AR2a standards for all acreage outside the park and treatment plant, a total of approximately 2315 to 3440 dwelling units could be realized. Even more significant regarding the appearance of the Bend, when no zoning change is involved there are few regulations preventing extensive clear cutting or grading, including major reshaping of hillsides.

Consequently, staff has also considered the character and pattern of development that should be encouraged as a means of retaining the rural character of the Bend. The simple gathering together of new housing units may contribute little by way of complementing the existing community.

A pattern that recognizes the time-honored characteristics of rural villages or hamlets offers a greater potential to both appear as a natural part of a rural environment and to function as a community supportive of the rural character. Such a pattern, with a variety of housing and, typically, the evolution of a small area providing daily service, shopping and small home businesses, can be developed without significantly altering the perception of the Bend as rural. If there are



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no major constraints regarding access and culturally significant sites, an overall residential density of between 1 and 1.5 units per acre (gross) could be supported if important development and environmental objectives are met.

Staff has identified only two areas within the body of the Bend (illustrated on the attached proposed policy map) where this village or hamlet pattern both could occur and should be encouraged. One area exceeds 850 acres and includes the proposed Bells Landing site. Approximately 75% of this area is developable with 25% environmentally constrained (slopes over 20%, floodplain, or floodway). The other area is to the north and is about 1280 acres. An estimated two-thirds of this area is environmentally constrained.

Constraints, Other Considerations If the two areas described above were developed at gross densities of 1.5 or more units per acre, the resulting dwelling units could threaten the rural character and culture on remaining portions of the Bend. Staff has considered the known and unknown constraints, particularly the single access road, the environmentally sensitive areas, and the potential archaeological sites. These considerations suggest that gross densities should generally be less than 1.5 units per acre.

Recommendation

Bells Bend is appropriately considered a special place with a rural character that is worth preserving. Rural character includes features such as large wooded areas, undisturbed slopes, and open meadows, along with agricultural activities and a variety of wildlife. These features are lost when an area is subdivided into a predominant pattern of 2-5 acre lots or into a mixture of such a pattern with a more suburban one in areas where sewer is readily accessible.

Staff recommends the preservation of rural character in Bells Bend through appropriate conservation development practices in its most developable areas. Preservation of natural form and rural character is sufficiently important to allow sensitively designed, environmentally supportive development, with a gross density up to 1.5 dwelling units per acre.



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Special Policy Area 3

This special policy applies to Bells Bend, where a development pattern that features compact groupings of buildings set amidst substantial open space areas is preferred over a predominantly conventional 2 acre lot pattern that is likely to result from the current AR2a zoning covering most of the Bend. This development pattern is preferred because of its ability to provide a residential development option, with limited supportive development, that preserves the Bend's rural character through the careful arrangement of buildings and the preservation of large amounts of open space. The intent of this special policy is to provide clear objectives to be met and general design guidance for such development alternatives in Bells Bend. Development not following these patterns is encouraged to recognize the existing practice on the Bend, which is closer to the AG zoning of one unit per five acres.

Objectives:

- 1. Preservation in an undisturbed or minimally disturbed state of all environmentally sensitive lands, including floodplains, slopes over 20%, stream corridors, and important wildlife corridors or habitats*
- 2. Preservation of at least 50% of any development tract, with preserved land providing a buffer around the development or protecting viewsheds from major public corridors and vantage points*
- 3. Protection from development of some agriculturally valuable land*
- 4. Development that achieves a compact, environmentally protective, sustainable pattern consistent with traditional rural development practices often described as rural villages, hamlets or conservation subdivisions.*

Development Guidance:

Future development should be consistent with one of the following, both of which require dedication of 50% or more of the land for permanent protection:

- 1. Conservation subdivision standards. Such development provides an inherent benefit of minimizing costs and impacts of more extensive*



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infrastructure and does not require any zoning action.

2. *Compact arrangement of development in small groupings, with a range of building types and uses set among large areas of protected land, according to design principles associated with rural villages or hamlets. This development pattern is appropriate to a maximum of 1.5 residential units per acre (gross area) plus limited supporting uses, according to characteristics of the site and responsiveness of the development plan to the goals of this special policy. This pattern requires approval of an Urban Design Overlay (UDO) or zoning change to a Specific Plan District (SP).*
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Request

Adopt the following proposed plans:
1) East Nashville Community Plan: 2006 Update
2) Cleveland Park, McFerrin Park, and Greenwood Detailed Neighborhood Design Plan
3) East Hill, Renraw, and South Inglewood (West) Detailed Neighborhood Design Plan

Associated Cases
Council Bill
Council Districts

None
None
2-Isabel, 4-Craddock, 5-Murray, 6-Jameson, 7-Cole, 8-Hart

School District
Requested by
Staff Reviewer
Staff Recommendation

5-Hunt
Staff
McCaig/Wood
Adopt all three plans as proposed

PUBLIC PARTICIPATION

Staff conducted a combined total of 17 meetings in the community between March 2005 and January 2006 for these three plans. Attendance ranged from as few as 20 at some neighborhood meetings to around 65-80 at some of the community meetings. Staff estimates that overall, more than 390 different individuals attended and participated in at least one of those meetings.

HIGHLIGHTS
Land Use Element

East Nashville Community Plan: 2006 Update
Substantively, the land use and intensity differences between the proposed plan and the 1994 plan it will replace are limited in many areas. The vast majority of established residential areas and those committed to residential uses in the 1994 plan are envisioned to remain residential. Nonresidential areas in the 1994 plan are envisioned to evolve to a greater mixture of uses in the proposed plan with few exceptions. In some areas, such as the Cowan Street area and mixed industrial areas west of Dickerson Pike, the changes are expected to be substantial as these areas are planned to evolve to intense mixed use urban neighborhoods over the long term.

Much of the difference between the two plans is a change in appearance that results from two main format changes. The first is that major individual institutional uses (i.e. Nashville Auto Diesel College and the State office campus) are specifically recognized in the proposed plan, but were not in the 1994 plan. The second is that the newer structure



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plan policies used in conjunction with detailed design planning are applied to the neighborhoods and corridors identified for design plans. The highlights of the proposed plan are as follows:

- ❑ A major focus and goal of the plan is preservation and protection of the vast majority of the community's established residential areas.
- ❑ To allow for residential growth, opportunities for intensification and redevelopment are provided in many locations, especially along major community and neighborhood corridors west of Dickerson Pike. Zoning tools such as Urban Design Overlays and the Specific Plan district will be used to ensure that high standards of urban design are met that provide an environment that meets the needs of pedestrians as well as cars.
- ❑ Economic development is envisioned mainly through the intensification of already established areas of nonresidential development, mainly at major nodes along the Dickerson and Gallatin Pike corridors and in the planned high-intensity mixed use urban neighborhoods west of Dickerson Pike.
- ❑ Revitalization of neighborhood centers is encouraged, such as Five Points, Douglas and Lischey Avenues, and Chapel/Eastland/Scott Avenues.
- ❑ The plan promotes more active lifestyles to improve the general health of the community's residents. More mixed use development, more compact residential development, additional parks and pedestrian-oriented transportation system improvements are all aimed at fostering more active living.
- ❑ The plan identifies 27 urban neighborhoods with mixed use centers for which detailed design planning is intended. Plans for two clusters of those neighborhoods (discussed below) were prepared, and are being considered for adoption, along with this community plan.

Transportation Element

For enhanced multi-modal travel, traffic relief and greater pedestrian friendliness, selective major street widening and intersection projects, transit, bikeways, more sidewalks, greenways, and traffic management/ calming projects are recommended throughout the community.

With the exception of parts of Ellington Parkway and the street and interstate section along and west of Dickerson Pike, the recommended changes are essentially the same as those in the 1994 community plan. These recommended



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changes have not yet been adopted as amendments to the official Major and Collector Street Plans. Official adoption of the community plan transportation element is recommended to be done during 2006 as part of the network analysis and overall synchronization of the community plans and the Major and Collector Street Plans.

Cleveland Park, McFerrin Park, and Greenwood Detailed Neighborhood Design Plan [DNDP] (see following graphic for neighborhood locations)

The highlights of this DNDP are:

- ❑ Redeveloping Dickerson Pike into a vertically mixed use corridor with a substantial residential presence
- ❑ Revitalizing neighborhood centers, such as at McFerrin and West Eastland Avenues, Meridian and Wilburn Streets, and Douglas and Lischey Avenues.
- ❑ Completing the redevelopment of the former Sam Levy Homes housing complex so that it no longer seems separate from the McFerrin Park neighborhood.
- ❑ Providing a variety of housing to meet the diverse needs of current and future residents while preserving the area's predominantly single family character.
- ❑ Providing choices for travel by making transit viable, and accommodating bicycles in addition to safe pedestrian facilities for a complete multi-modal network.
- ❑ Gradually changing the industrial areas between the railroad tracks and Ellington Parkway into either public open space or mixed housing and open space.

East Hill, Renraw, and South Inglewood (West) Detailed Neighborhood Design Plan (see following graphic for neighborhood locations)

The highlights of this DNDP are:

- ❑ Managing the growth of the Nashville Auto Diesel College in a manner that is compatible with the surrounding neighborhood, improves campus circulation, and improves the area's urban design while meeting the needs of students.
- ❑ Providing neighborhood commercial services in a vertically mixed use environment along a segment of Gallatin Pike adjacent to the Nashville Auto Diesel College.
- ❑ Gradually transforming Gallatin Pike into a vertically mixed use environment with a substantial number of residential units and a high-intensity mixed use concentration at Gallatin Pike and Trinity Lane, one of



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the six Centers along the Gallatin Pike corridor that area identified in the East Nashville Community Plan.

- ❑ Providing the opportunity for the existing industrial area between the railroad tracks and Ellington Parkway to redevelop as a either public open space or mixed housing and open space.
- ❑ Providing a variety of housing while preserving the area's predominantly single family character.
- ❑ Providing choices for travel by making transit viable, and accommodating bicycles in addition to safe pedestrian facilities for a complete multi-modal network.

The Commission should be aware that there have been a few changes from the draft that was presented at the community meeting to the one that was included with this staff report. These changes resulted from the community meeting and subsequent discussion with Councilwoman Pam Murray. Most of the changes affect the DNDPs. A summary of the changes is as follows:

- Special Policy Area 16, located on East Trinity Lane adjacent to Ellington Parkway, was changed from a Transition area in Industrial policy to a Transition area in Neighborhood General and Residential Medium Density policies.
- The small Industrial area in the East Hill, Renraw, and South Inglewood (West) DNDP that is also on Trinity Lane at Ellington Parkway was changed to Civic or Public Benefit to reflect the fact that it is to be the site of the new East Precinct.
- A portion of Special Policy Area 19 (Mixed Housing) on Strouse Avenue in the East Hill, Renraw, and South Inglewood (West) DNDP was changed to be Special Policy Area 21 (limited Mixed Use).
- Special Policy Area 22 (Commercial) was established for the Cleveland Park, McFerrin Park, and Greenwood DNDP to allow for a Transition area between the commercial development and the neighborhood to the south.
- Subdistricts 2 (Mixed Housing) and 3 (Sam Levy Homes redevelopment) in the Cleveland Park, McFerrin Park, and Greenwood DNDP were merged to better reflect the desired full integration of the former Sam Levy Homes site into the neighborhood.



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- The section on Subdistrict 6 (formerly 7), the site of the above-referenced Special Policy 22, was added. It was inadvertently left out of the copy that went on the website in advance of the community meeting.



Project No.
Project Name

2005P-029U-05
Nashville Auto Diesel College Institutional Overlay District

Associated Case
Council Bill
Council District

Subarea Plan Amendment for East Nashville
BL2005-907
5 – Murray
6 – Jameson
7 – Cole
5 - Hunt

School Board District
Requested By

Councilmember Pam Murray and Al Raby for Nashville Auto Diesel College.

Re-Referral

This item was disapproved by the Planning Commission on December 8, 2005, to allow more time for the applicant to meet with the Community and to update the plan to address concerns from the community and the Planning Commission. The Metro Council held a Public Hearing on January 3, 2006, and re-referred this item to the Planning Commission for reconsideration.

Staff Reviewers
Staff Recommendation

Leeman
Approve with conditions

APPLICANT REQUEST
Institutional Overlay District

Request to apply an Institutional Overlay (IO) district to 86 properties on 35.73 acres between Gallatin Avenue and Emmett Avenue, along McClurkan Avenue, Strouse Avenue, Douglas Avenue on the west side of Gallatin, and between Chester Avenue and Douglas Avenue on the east side of Gallatin Avenue.

Proposed Zoning Overlay
IO district

The purpose of the Institutional Overlay district is to provide a means by which colleges and universities situated wholly or partially within areas of the community designated as residential by the General Plan may continue to function and grow in a sensitive and planned manner that preserves the integrity and long-term viability of those neighborhoods in which they are situated. The institutional overlay district is intended to delineate on the official zoning map the geographic boundaries of an approved college or university master development plan, and to establish by that master development plan the general design



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concept and permitted land uses (both existing and proposed) associated with the institution.

SUBAREA 5

COMMUNITY PLAN (Existing Plan)

Residential Medium Policy (RM)

RM policy is intended to accommodate residential development within a density range of four to nine dwelling units per acre. A variety of housing types are appropriate. The most common types include compact, single-family detached units, town-homes, and walk-up apartments.

Commercial Arterial
Existing (CAE)

CAE policy is intended to recognize existing areas of "strip commercial" which is characterized by commercial uses that are situated in a linear pattern along arterial streets between major intersections. The intent of this policy is to stabilize the current condition, prevent additional expansion along the arterial, and ultimately redevelop into more pedestrian-friendly areas.

Policy Conflict

No. The IO district is intended for areas designated wholly or partially as residential by the General Plan. The area included in the NADC plan is both residential and commercial.

PROPOSED EAST NASHVILLE COMMUNITY PLAN

Major Institutional Policy (MI)

MI is intended to apply to existing areas with major institutional activities that are to be conserved, and to planned major institutional areas, including expansions of existing areas and new locations. Examples of appropriate uses include colleges and universities, major health care facilities and other large scale community services that do not pose a safety threat to the surrounding neighborhood. On sites for which there is no endorsed campus or master plan, an Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in this policy area.

Mixed Housing

MH is intended for single family and multi-family housing that varies on the size of the lot and the placement of the building on the lot. Housing units may be attached or detached, but are not encouraged to be randomly placed. Generally, the character should be compatible to the existing character of the majority of the street.



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Mixed Use

MU is intended for buildings that are mixed horizontally and vertically. The latter is preferable in creating a more pedestrian-oriented streetscape. This category allows residential as well as commercial uses. Vertically mixed-use buildings are encouraged to have shopping activities at street level and/or residential above.

PLAN DETAILS

Staff has reviewed the plan and finds that it meets the requirements outlined in the Zoning Code. The plan establishes future uses of buildings, design standards, setback standards, and height standards. It establishes proposed parking as well as open space, buffering, screening, and lighting standards. The plan also establishes a phasing plan.

Code Requirements

The Zoning Code intends for the application of the Institutional Overlay district to be limited to those land areas encompassed by a college or university master development plan. The plan must adequately describe the extent of the existing and proposed campus of the institution along with long-range growth objectives and an assignment of institutionally related land uses. The master development plan and accompanying documentation shall be sufficient in detail to provide the public with a good understanding of the developed campus's impact on the adjoining neighborhood(s).

The master development plan must distinguish between the following types of generalized campus activities: academic areas, such as classrooms and labs; general administrative offices; support services, such as major parking areas, food services and bookstores; campus-related residential areas, including dormitories, fraternities and sororities; operational areas, such as maintenance buildings, power plants and garages; and athletic areas, including gymnasiums, intramural facilities, stadiums and tracks.

In the approval of a master development plan, the Council may require the inclusion of a phasing plan to insure that campus expansion occurs in a manner that can be supported by adequate public services and minimizes disruption to the surrounding residential community.



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STAFF COMMENTS

After reviewing the Nashville Auto Diesel College Institutional Overlay, staff has determined that the proposed plan, as amended by incorporating staff conditions, meets the general requirements, as outlined by the Metro Zoning Code, for applying the IO district. The applicant has held several community meetings to gather input as to the design and goals of the master plan. The applicant has also been working with staff to make changes consistent with the intent of the Code, as well as to meet basic design standards, and to provide appropriate standards to address concerns as to how the development will impact the neighboring properties.

Staff acknowledges that the community and the district council members will likely continue to work with Nashville Auto Diesel College to address additional issues.

Staff recommends that the following conditions be addressed in the plan prior to third reading at Council, or made conditions of the approval, if approved.

CONDITIONS

Prior to third reading by the Metro Council, the following conditions should be amended into the bill, or included on the Master Plan.

1. Prior to the issuance of any building permit for the development of any part of this plan the existing fencing around the parking areas shall be removed or reduced in height to a maximum of 3.5 feet tall. Chain-link fences are prohibited.
2. The plan shall be revised to add a requirement that development site 4 be designed to front both McClurkan Avenue and the proposed park at the corner of McClurkan Avenue and Emmett Avenue.
3. The plan needs to provide a maximum setback for new buildings or additions to existing buildings along Gallatin Pike of 10 to 15 feet from the property line, or that approved by Planning Commission staff to meet the intent of an urban campus. The intent of this plan is for the NADC to be an urban campus with a strong street wall along Gallatin Pike, including the phasing out of parking



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in front of buildings. The buildings need to be close to the street with visual and direct pedestrian access, and an adequate sidewalk width provided (greater than 5 foot standard).

4. Regarding Architectural Standards, revise/rework the proposed standards as follows:

Academic

- Entry doors (vehicular and pedestrian) on principal facades shall create a sense of entry through a recess or projection.
- Blank walls facing streets shall be avoided. Building facades shall be broken into distinct bays of no more than 30 ft. in width. Recesses and projections that simulate openings may be appropriate in achieving this standard.
- New buildings and expansions shall be made of similar, durable materials with similar colors and texture to ensure a unified campus. The use of metal siding should be avoided; metal is permitted as a secondary material. Pre-engineered buildings shall be prohibited.
- Temporary buildings other than those used during construction shall be approved by the Planning Commission.
- Building design shall be consistent with neighborhood residential compatibility standards as identified in the site development chapter.

Mixed Use and Residential, shall include all of the above, as well as the following:

- Corridors accessing residential units shall be enclosed and not visible from a public street.
5. All bicycle routes shall be signed.
 6. The plan shall provide more detail as to what standards will apply when the plan lacks detail regarding signage. The minimum requirements of the Zoning Code shall apply when the plan does not specify a standard.
 7. All Open Space and Park areas shall be maintained appropriately by the College.



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8. "Food Dispensing" shall be defined as allowing vending machines and sales of pre-made foods such as sandwiches, pastries, and drinks. Restaurants, as defined by the Metro Zoning Code do not qualify under this definition.
9. The Interim Parking standards outlined in the Plan shall be changed from a maximum of 10 years to a maximum of six years.
10. The following Traffic conditions must be completed, bonded, or satisfied prior to any new development, as outlined by the Traffic Impact Study and/or Metro Public Works:

PUBLIC WORKS RECOMMENDATION

Any approval is subject to Public Works approval of the construction plans. Final design and improvements may vary based on field conditions.

Nashville Auto Diesel College Conditions

A revised Traffic Impact Study shall be completed when the student population exceeds 3,500 students. In accordance with Metropolitan Nashville Institutional Overlay ordinance, submit an updated Traffic Impact Study at least every five years.

Douglas Avenue and Ellington Parkway southbound ramps

Nashville Auto Diesel College (NADC) shall conduct traffic signal warrant analysis at the intersection of Douglas Avenue and Ellington Parkway southbound ramps upon the enrollment of 2,500 students, and with the updated Traffic Impact Study submitted at least every five years. Upon approval of a traffic signal by the Traffic and Parking Commission, NADC shall submit a signal plan with signal interconnect and pedestrian facilities per ADA standards and install signal upon approval.

Emmett Avenue

1. NADC shall construct the extension of Emmett Avenue from Strouse Avenue. Public roads shall be designed in accordance with the guidelines and



Metro Planning Commission Meeting of 2/9/06

standards of Public Works. The extension of Emmett Avenue should intersect Strouse Avenue at a 90-degree angle directly opposite the existing intersection of Strouse Avenue and Emmett Avenue. The extension of Emmett Avenue should intersect Douglas Avenue at a 90-degree angle directly opposite the existing intersection of Douglas Avenue and Emmett Avenue.

No new construction along Emmett Avenue shall be approved until Emmett Avenue is extended to Douglas Avenue, or as approved by Public Works if traffic counts indicate there is sufficient capacity to handle the development.

2. NADC shall construct the northbound approach of Emmett Avenue at Strouse Avenue to include a separate left turn lane with at least 50 feet of storage and tapers designed to AASHTO standards. Also, a stop sign should be installed on the northbound approach of Emmett Avenue at Strouse Avenue.
3. NADC shall construct the southbound approach of Emmett Avenue at Douglas Avenue to include a separate left turn lane with at least 50 feet of storage and tapers designed to AASHTO standards. Also, a stop sign should be installed on the southbound approach of Emmett Avenue at Douglas Avenue.
4. NADC shall construct a separate eastbound left turn lane and westbound left turn lane at the intersection of Douglas Avenue at Emmett Avenue Extension construction. The eastbound left turn lane on Douglas Avenue should be designed to include at least 125 feet of storage with tapers designed to AASHTO standards. The westbound left turn lane shall be design to include at least 50 feet of storage with tapers design to AASHTO standards.

Turn lane construction on Douglas Avenue shall be at time of construction of Emmett Avenue extension.

5. NADC shall conduct a traffic signal warrant analysis at the intersection of Emmett Avenue and Douglas Avenue upon an enrollment of 2,500 students, or at the time of parking facilities on



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Emmett Avenue, and submit to Metro Traffic Engineer. Upon approval of a traffic signal by the Traffic and Parking Commission, NADC shall submit a signal plan with signal interconnect and pedestrian facilities per ADA standards and install signal upon approval.

Gallatin Pike and Douglas Avenue

1. NADC shall dedicate additional right of way and construct a southbound right turn lane on Gallatin Pike at Douglas Avenue with at least 100 feet of storage at the time of development of the northwest corner of Gallatin Pike and Douglas Avenue.
2. NADC shall reserve right of way along Gallatin Pike to provide right of way for a U-4 arterial classification in accordance with Metro major street plan at the time of redevelopment of properties along Gallatin Pike.

McClurkan Ave. and Trevecca Ave. Roundabout

The master plan indicates that a roundabout is to be installed at the intersection of McClurkan Avenue and Trevecca Avenue. NADC shall construct the proposed roundabout at the intersection of McClurkan Avenue and Trevecca Avenue as a single-lane modern roundabout in accordance with current AASHTO and Metro Public Works Standards. This roundabout should be designed to include striping and signage in accordance with current MUTCD standards including striping and signage for pedestrians on each approach.

Site Access

1. Individual focus access studies shall be conducted as specific NADC sites are developed. Once a specific development of significant size is within the design stages, all access points shall be analyzed for levels of service and evaluated for sight distance and traffic operations.
2. Direct access to the campus from Gallatin Pike shall be reduced, subject to ownership and development patterns. The current NADC master plan indicates that no direct access points are to be provided along



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the east side of Gallatin Pike. Along the west side of Gallatin Pike the current Master Plan indicates that one existing access point is to remain.

3. NADC shall develop a way-finding master plan to be implemented in phases as new areas are developed and buildings constructed.
4. NADC shall retain all public street connectivity with no street privatization.

Pedestrian Facilities

1. NADC shall improve existing pedestrian facilities as well as construct new pedestrian facilities along the public roadway network, as required by Metro Zoning Ordinance 17.20.120.
2. NADC shall develop and install pedestrian way-finding system directing pedestrians to marked crosswalks and pedestrian signals.
3. NADC shall re-stripe the intersection of Gallatin Pike and McClurkan Avenue/Chester Avenue to include a crosswalk across the northbound approach of Gallatin Pike. NADC shall relocate pedestrian signals to align with the crosswalk, if necessary.
4. Developer shall submit 4-way stop analysis study for the intersection of Strouse Avenue and Emmett Avenue and the intersection of McClurkan Avenue and Emmett Avenue, and submit to Metro Traffic Engineer for approval at the time of any redevelopment or construction of facilities west of Gallatin Pike and north of Straightway Avenue.

Transit TDM

1. NADC shall pursue a school sponsored Traffic Demand Management program in the way of a partnership with MTA to allow students, faculty and staff to ride the MTA buses for a reduced rate or no charge upon approval of the master plan UDO.
2. Upon redevelopment along Gallatin Pike, NADC shall construct a bus bay at MTA bus stop locations along Gallatin Pike property frontage in accordance with MTA standards.



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Parking

For a student population of 3,500 students and a supply-demand ratio of 85 percent, NADC shall provide a minimum of 2,363 parking spaces.



Project No.
Project Name
Council District
School Board District
Requested By

Subdivision 2005S-304G-03
The Meadows of Fontanel
3 - Tucker
3 - Garrett
Fontanel Properties, LLC, owner, Advantage Land, surveyor.

Deferral

This item was deferred from the January 12, 2006, Planning Commission Meeting at the request of the Councilmember.

Staff Reviewer
Staff Recommendation

Fuller
Approve with conditions

APPLICANT REQUEST
Preliminary Plat

Request for preliminary plat approval for 14 lots abutting the east side of Whites Creek Pike, approximately 1100 feet north of Lloyd Road (37.81 acres).

ZONING
R15 District

R15 requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25% duplex lots.

RS20 District

RS20 requires a minimum 20,000 square foot lot and is intended for single-family dwellings at a density of 1.85 dwelling units per acre.

SUBDIVISION DETAILS
Existing Structures

There are two homes existing on the site that will remain - one each on proposed lots 8 and 14. An estate home exists at the rear of the remaining tract that will later be developed as Phase II and will use the existing drive between lots 3 and 4 for access.

Floodplain

Approximately 36 acres of the subdivision are encumbered with floodplain. Approximately 12.3 acres of the floodplain (33%) have been marked as disturbed; the remaining 67% will be undisturbed. The borrow area to fill the proposed lots is located on the east side of the creek.

Greenway

A conservation easement has been shown on all of the land encumbered by floodway and the first 75 feet beyond the floodway on both sides of Whites Creek. A



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greenway easement has been shown in the last 25 feet along the outside edges of the conservation easement.

The Metro Parks Staff and the applicant have agreed on an acceptable design: the developer will build a 10-foot wide asphalt trail, meeting Metro Greenway standards, on both sides of Whites Creek. The public will be allowed access to the creek and the trail, the trail, and a 20 foot greenway buffer on the opposite side of the trail from the creek which will extend the length of the creek and the trail. The developer will also construct a 10-foot pedestrian easement in compliance with Section 2.6-1 G of the Subdivision Regulations from Whites Creek Pike to the greenway. On September 26, 2003, Greenways Staff and Planning Staff met with the applicant and preliminarily agreed to the trail location. All further details will be worked out prior to final plat approval.

The applicant has requested a variance from the last 25-feet of the conservation easement on the west side of the creek for the following reasons:

- The floodway is uniquely wide along Whites Creek Pike and provides more than enough room to protect the natural environment and habitat of Whites Creek.
- Under the alternative location of the greenway path agreed to by the applicant, planning and greenways staffs, the 25-feet will not be used for the location of the path.
- The applicant is constructing the greenway path on both sides of the creek at their own expense.
- By eliminating the 25-foot easement the lots along Whites Creek Pike can be enlarged to continue the rural character of Whites Creek Pike.

Staff recommends approval of the request to reduce the conservation easement by 25-feet on the west side of the Whites Creek because of the uniquely wide floodway and the alternate location of the greenway path.

Sidewalks

Sidewalks are not required on this subdivision because it is located along an existing road in the General Services District and is not is a Sidewalk Priority Index Area.



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**PUBLIC WORKS
RECOMMENDATION**

No Exception Taken

**STORMWATER
RECOMMENDATION**

Approve

**WATER SERVICES
RECOMMENDATION**

A Pressure Regulating Device will be required where static pressures exceed 100 psi and individual water and sewer lines will be required for each lot. The water main should be located within the proposed 50' ingress/egress and public utility easement.

CONDITIONS

1. All areas designated as an undisturbed conservation areas must be fenced off prior to the issuance of grading permits.
2. Comply with the recommendations from Public Works, Stormwater and Water Services as listed above.



Project No.
Project Name
Associated Case
Council Bill
Council District
School District
Requested by
Re-Referral

Zone Change 2004Z-163U-11
Brentwood Landscapes
2004P-038U-11 (BL2005-566)
BL2005-565
16 – McClendon
7 – Kindall
Hawthorn Group, owner.
This item was re-referred to the Commission for consideration of a SP district.

Staff Reviewer
Staff Recommendation

Harris
Approve with conditions.

APPLICANT REQUEST

Rezone 0.27 acres from residential single-family (RS5) to Preliminary Specific Plan (SP) district, to permit an existing landscaping office, at 104 Glenrose Avenue, approximately 225 feet east of Foster Avenue.

Existing Zoning
RS5 district

RS5 requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre.

Proposed Zoning
SP district

Specific Plan is a zoning district category that provides for additional flexibility of design, including the relationship of buildings to streets, to provide the ability to implement the specific details of the General Plan.

- The SP District is a new base zoning district, not an overlay. It will be labeled on zoning maps as “SP.”
- The SP District is not subject to the traditional zoning districts’ development standards to the extent other standards or requirements are specifically stated in the plan or included as a condition by the Commission or Council. Urban design elements can be determined **for the specific development** and can be written into the zone change ordinance, which becomes law.

Use of SP **does not** relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control.



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- Use of SP **does not** relieve the applicant of responsibility for subdivision regulation and/or stormwater regulations.

SUBAREA 11 PLAN

Mixed Use (MU)

MU policy is intended to encourage an integrated, diverse blend of compatible land uses ensuring unique opportunities for living, working, and shopping. Predominant uses include residential, commercial, recreational, cultural, and community facilities. Commercial uses appropriate to MU areas include offices and community, neighborhood, and convenience scale activities. Residential densities are comparable to medium, medium-high, or high density. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Policy Conflict

As proposed the site plan is consistent with the Mixed Use policy.

PRELIMINARY PLAN DETAILS

A zone change request to CS and a Planned Unit Development (PUD) was disapproved by the Commission in December 2004. The disapproval was based on the inconsistency of CS zoning with the Mixed Use policy called for in the area. The PUD also did not meet all of the technical requirements of the Zoning Ordinance, including meeting landscape buffer yard and setback requirements. The Commission also recommended disapproval of those variance requests to the Board of Zoning Appeals.

The current plan proposes to use the existing 911 square foot building as an office with gravel parking to the rear. An existing garage and shed is also proposed to be used.

RECENT REZONINGS

Yes. The Planning Commission approved an SP zoning district on the adjacent property at the January 12, 2006 meeting. It has not been to Metro Council yet.

There is a Council bill for this property for a PUD (2004P-038U-11) disapproved by the Commission in



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December 2004. The bill for the PUD will be withdrawn if this bill is approved for SP.

TRAFFIC PUBLIC WORKS RECOMMENDATION

No Exception Taken.

Typical Uses in Existing Zoning District: RS5

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	0.27	0.42	2	20	2	3

Typical Uses in Existing Zoning District: SP

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.27	--	911	11	2	2

Change in Traffic Between Typical Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				-9	0	-1

CONDITIONS

1. The only permitted uses are Office, Building Contractor Supply, and Residential (single-family or live work). There shall be no car lots, automotive repair, fast food, or bar/nightclub permitted.
2. The existing structure is to remain and shall be maintained in good conditions, as it is now, and shall not be enclosed in another structure.
3. No more than 1,000 sq. ft. of additional floor area is allowed. Any addition must be located within the rear yard, behind the existing structure, and can be attached or detached.
4. All new development must meet the Metro Stormwater Regulations and Metro Public Works requirements.
5. Any form of outside storage is prohibited.



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6. Only the eastern access point to Glenrose Avenue is allowed.
7. Parking is only allowed within the side and rear yard.
8. Setbacks are as follows from the property line:
 - a. Front: 20 feet
 - b. Rear: 3 feet
 - c. East: None
 - d. West: 15 feet
9. Existing fencing to remain in current type and location. No fence allowed along the front portion of the lot along Glenrose Avenue.
10. The only signage shall be one sign, no larger than 4 foot high by 6 foot long, and shall be no taller than 5 foot from the ground. No other signs or billboards shall be permitted.
11. No cell phone or other telecommunications towers or antennas shall be allowed.
12. The front yard of the house shall not be used for parking (except for on gravel driveways). Parking of employee vehicles and business-type vehicles will be allowed in existing parking lot.
13. Low lux lighting shall be used and positioned so as not to shine into residences on Glenrose Avenue.
14. No wrecked vehicles shall be allowed to sit on premises, nor any other mechanical parts that are not stored in permanent buildings.
15. A final landscaping plan shall be submitted as part of the SP approval.
16. For any development standards, regulations and requirements not specifically listed above, the property shall be subject to the standards, regulations and requirements of the MUN zoning district.
17. Any changes on the final development plan from this preliminary site plan may require a new preliminary plan if the changes are deemed significant by planning staff.



Project Name
Project No.
Council Bill
Council District
School District
Requested by

Stammer Parke
Zone Change 2005SP-099U-10
None
34 - Williams
8 - Harkey
Gresham, Smith & Partners, engineer, for Ruth Campbell, Ray O'Steen, William Gaw and Mary Buckner (Buckner Family Charitable Foundation), owners.

Staff Reviewer
Staff Recommendation

Fuller
Approve

APPLICANT REQUEST

Request to rezone from R20 to SP district property (2.34 acres) to permit 8 duplex structures (a total of 16 units) located at 2201 Hobbs Road, 4207 and 4211 Stammer Place, 2200 Castleman Drive.

Project History

This application was presented to the Planning Commission on September 22, 2005, as the Stammer Parke PUD and was approved for 20 townhomes. The application was met with community opposition at Council and was referred back to the Planning Commission. The application has been revised to address the community concerns and returned as a Specific Plan application for a total of 16 units.

Existing Zoning
R20 zoning

R20 requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25% duplex lots.

Proposed Zoning
SP district

Specific Plan is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan.

- The SP District is a new base zoning district, not an overlay. It will be labeled on zoning maps as "SP."
- The SP District is not subject to the traditional zoning districts' development standards to the extent other standards or requirements are specifically stated in the plan or included as a condition by the Commission or Council. Urban design elements can be determined **for the specific**



Metro Planning Commission Meeting of 2/9/06

development and can be written into the zone change ordinance, which becomes law.

- Use of SP **does not** relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control.
- Use of SP **does not** relieve the applicant of responsibility for subdivision regulation and/or stormwater regulations.

GREEN HILLS-MIDTOWN COMMUNITY (SUBAREA 10) PLAN POLICY

Existing Plan Policy
Residential Medium

RM policy is intended to accommodate residential development within a density range of four to nine dwelling units per acre. A variety of housing types are appropriate. The most common types include compact, single-family detached units, town-homes, and walk-up apartments.

Policy Conflict

No. The requested zone change is consistent with the plan policy of Residential Medium that was adopted July 28, 2005.

METRO SCHOOL BOARD REPORT

Projected student generation

1 Elementary 0 Middle 0 High

Schools Over/Under Capacity

Students would attend Julia Green Elementary School, Moore Middle School, or Hillsboro High School. Julia Green been identified as being over capacity by the Metro School Board. There is capacity at an elementary school within the cluster. This information is based upon data from the school board last updated August 2, 2005.

PUBLIC WORKS RECOMMENDATION

Any approval is subject to Public Works' approval of the construction plans. Final design and improvements may vary based on field conditions.

Solid waste collection and disposal must be approved by the Public Works Solid Waste Division.



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Typical Uses in Existing Zoning District: R20

Land Use (ITE Code)	Acres	Density per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single Family Detached (210)	2.34	1.85	4	55	13	6

Typical Uses in Proposed Zoning District: RM9/PUD

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/townhome (230)	2.34	9	21	169	15	17

Change in Traffic Between Typical Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				114	2	11

PLAN DETAILS

Site Design

The proposed development fronts on three streets. The primary streets are Hobbs Road and Castleman Drive. The duplex units are designed to look like a large single family home from the front. Elevations have been submitted that are consistent with the "big house" concept. All but one of the structures fronts Stammer Place. The parking garages are located behind and away from view along the primary frontages. The units are accessed by a shared driveway with one curb cut on Castleman Drive and one curb cut on Stammer Place. The driveway curb cut of Stammer Place has been located opposite the Belmont Village assisted living driveway court. Landscape buffering is provided along the property line bordering R20 zoned property and along the Hobbs Road frontage.

STORMWATER RECOMMENDATION

Approved except as noted. There is a buffer disturbance at the north section of the site. A variance to disturb the buffer must be approved through the Stormwater Management Committee for the layout to be accepted with this design.

CONDITIONS

1. Comply with Public Works conditions listed above.



Project No.
Associated Case
Council Bill
Council District
School District
Requested by

Zone Change 2005Z-168U-10
Planned Unit Development 2005P-032U-10
None
24 – Summers
8 – Harkey
Barge, Waggoner, Sumner and Cannon, applicant for
Wilson S. Manning Et al., owners.

Re-Referred

This application was originally heard, and disapproved by the Planning Commission on November 10, 2005, because the request was not consistent with the Green Hills/Midtown Community Plans' Residential Medium Policy. At the January 5, 2006 Council meeting the request was referred back to the Planning Commission to be heard with the policy amendment for this area.

Staff Reviewer
Staff Recommendation

Swaggart
Approve with conditions if the associated policy amendment to change the policy from RM to RH is approved, but disapprove if the policy is not changed.

APPLICANT REQUEST

A request to change approximately 1.66 acres from residential single-family and duplex (R10) to residential multi-family (RM60) district property located at 110, 112A, 114, 116 and 118 Woodmont Boulevard.

Existing Zoning
R10 District

R10 requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25% duplex lots.

Proposed Zoning
RM60 District

RM60 is intended for single-family, duplex, and multi-family dwellings at a density of 60 dwelling units per acre.

**GREEN HILLS MIDTOWN
COMMUNITY PLAN**

Residential Medium (RM)

RM policy is intended to accommodate residential development within a density range of four to nine dwelling units per acre. A variety of housing types are appropriate. The most common types include compact,



Metro Planning Commission Meeting of 2/9/06

Residential High (RH)

single-family detached units, town-homes, and walk-up apartments.

RH policy is intended for new and existing residential development with densities above twenty dwelling units per acre. Any multi-family housing type is generally appropriate to achieve this density. The most common residential type will generally be mid or high-rise structures.

Policy Conflict

The proposed policy for this area is RH, which allows over 20 dwelling units per acre. However, if the policy is not changed, the majority of the property is within a RM policy, which is intended for development within a density range of four to nine dwelling units per acre. The associated PUD plan calls for approximately 15.7 dwelling units per acre. Although one parcel is within a RH policy, the entire site should be within a RH policy to be consistent with this request.

Subarea Amendment

Applicants have requested that the RM policy be amended, and that the new policy be RH. If the request is approved this application, and the associated PUD plan, will be consistent with the new policy.

Staff Recommendation

If the area policy is amended to RH, then staff recommends that the request be approved; however, if the policy is not amended, then the request should be disapproved.

PUBLIC WORKS RECOMMENDATION

1. As recommended in the access study, developer shall construct a 3 lane cross section along Woodmont Blvd frontage with a 2 way center turn lane with adequate transition per AASHTO standards at the eastern property line. Widening shall accommodate existing bike lanes.
2. At the western property line Developer shall align center turn lane with westbound left turn lane on Woodmont Blvd at Harding Rd and extend this turn lane to connect with the 2 way left turn lane. Woodmont widening shall incorporate existing right turn lane on Woodmont at Harding.



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3. Project driveways shall align with opposing driveways. Driveway shall be opposite Park Manor Blvd. Driveway shall be 24 ft wide for 2 way travel operation.
4. As recommended in the access study, Developer shall construct an eastbound left turn lane with 75ft of storage on Woodmont Blvd at Woodmont Circle with adequate transition per AASHTO standards. Existing Bike Lanes shall be accommodated.
5. Vehicular cross access to property along Kenner shall not be allowed.

Typical Uses in Existing Zoning District: R10

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single Family Detached (210)	1.66	3.7	6	58	5	7

Typical Uses in Proposed Zoning District: RM60/PUD

Land Use (ITE Code)	Acres	Density	Total Square Footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/Townhome (230)	1.66	60	34*	258	22	25

*Based on Associated PUD

Typical Uses in Existing Zoning District: R10/PUD

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single Family Detached (210)	1.66	3.7	3*	30	3	4

*Based on associated PUD (3 existing lots included in the PUD)

Change in Traffic Between Typical uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				230	20	22



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METRO SCHOOL BOARD REPORT

Projected student generation*

1 Elementary 1 Middle 1 High

Schools Over/Under Capacity

Students would attend Julia Green Elementary School, Moore Middle School, and Hillsboro High School. All three schools have been identified as having capacity. This information is based upon data from the school board last updated August 2, 2005.

* Student generation numbers are based upon the assumption of three units, at 1,000 square feet each.



Project No.
Project Name
Associated Cases
Council District
School District
Requested by

Planned Unit Development 2005P-32U-10
Woodmont Condominiums
Rezoning 2005Z-168U-10
24 – Summers
8 – Harkey
Barge, Waggoner, Sumner and Cannon, applicant for
Wilson S. Manning Et al., owner.

Re-Referred

This application was originally heard, and disapproved by the Planning Commission on November 10, 2005, because the request was not consistent with the Green Hills/Midtown Community Plans' Residential Medium Policy. At the January 5, 2006 Council meeting the request was referred back to the Planning Commission to be heard with the policy amendment for this area.

Staff Reviewer
Staff Recommendation

Swaggart
Approve with conditions if the associated policy amendment to change the policy from RM to RH is approved, but disapprove if the policy is not changed.

APPLICANT REQUEST
Preliminary PUD

A request for preliminary approval of a Planned Unit Development overlay district located at 110, 112A, 114, 116 and 118 Woodmont Boulevard, and 111, 113 and 115 Kenner (2.35 acres), to permit 34 multi-family units and three single-family units.

PLAN DETAILS
Site Plan

The request is for the development 34 condominiums and three single-family residences. As proposed, three new multi-story residential buildings will front Woodmont Boulevard, and the three existing single-family homes along Kenner Avenue will remain. The three new multi-story buildings will consist of a 10-story, a 6-story and a 3-story building, which will step-down from north to south.

Zoning and Density

Currently, the property is zoned R10. The parcels along Woodmont are proposed for RM60. The RM60 allows for 60 dwelling units per acre, but the plan only calls for approximately 15.7 units per acre. Although the density is more consistent with RM20, it would not allow buildings to be over 30 feet in height; therefore, the RM60 is being used, which allows buildings to be at a maximum 65 feet in height.



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Parking

As proposed, 91 parking spaces are required. A total of 96 parking spaces are being provided.

Buffer Yards

Buffer yards are required to reduce the negative impact this development could have on adjacent areas in different zoning districts. The code requires a "C" class buffer yard between the RM60 and adjacent R10. The plan shows a "B-1" buffer yard.

Detention Area

As proposed the detention area is within the boundaries of the 3 single-family lots along Kenner. Typically detention areas should be within open space, and should not be counted towards lot area.

PUBLIC WORKS RECOMMENDATION

Approvals are subject to Public Work's review and approvals of construction plans.

As recommended in the access study, developer shall construct a 3 lane cross section along Woodmont Blvd frontage with a 2 way center turn lane with adequate transition per AASHTO standards at the eastern property line. Widening shall accommodate existing bike lanes.

At the western property line Developer shall align center turn lane with westbound left turn lane on Woodmont Blvd at Harding Rd and extend this turn lane to connect with the 2 way left turn lane. Woodmont widening shall incorporate existing right turn lane on Woodmont at Harding.

Project driveways shall align with opposing driveways. Driveway shall be opposite Park Manor Blvd. Driveway shall be 24 ft wide for 2 way travel operation.

As recommended in the access study, Developer shall construct an eastbound left turn lane with 75ft of storage on Woodmont Blvd at Woodmont Circle with adequate transition per AASHTO standards. Existing Bike Lanes shall be accommodated.

Vehicular cross access to property along Kenner shall not be allowed.



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STORMWATER RECOMMENDATION

Detention/water quality facilities can not be located within residential lots.

WATER SERVICES

A new availability letter is required. The availability letter should reflect the total number of proposed units.

CONDITIONS

1. Buffer yards must meet buffer yards requirements as specified in Section 17.24.210 of the Metro Zoning Code.
2. Prior to final PUD approval, the detention site must be approved by Stormwater. If it is not approved, then the plan may need to be revised or possibly amended.
3. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.
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. This final approval includes conditions which require correction/revision of the plans. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission.



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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 re-approval by the Planning Commission.



Project No.
Associated Case
Council Bill
Council District
Requested by

Staff Reviewer
Staff Recommendation

Zoning Text Change 2006Z-020T
None
BL2006-936
Countywide
Councilmember Murray

Carlat
Approve

REQUEST

Amend Title 16 of the Metropolitan Code, section 16.28.190, to establish a process for issuing demolition permits for properties on, or eligible for, the National Register of Historic Places or which meet the criteria of T.C.A. § 7-51-1201 (demolition of residential structures).

NOTE: Although it is unusual for the Metro Planning Commission to provide recommendations on changes to Metropolitan Code *outside* Title 17 (the chapter on Zoning), the Commission was asked to consider this ordinance due to its ramifications on land use.

Amend 16.28.190
Issuance of Demolition Permits

The proposed amendment would require that:

1. For a property on, or eligible for, the National Register of Historic Places or which meets the criteria of T.C.A. § 7-51-1201 (demolition of residential structures), but is not included in a historic overlay district, a demolition permit cannot be issued by the Director of Codes until the Executive Director of the Historical Commission approves the permit.
2. The Executive Director of the Historical Commission must act on the demolition permit within ninety days of the filing of the application, unless a longer period is agreed to by the applicant.
3. For structures built before 1865, the applicant for the demolition permit must provide, with the demolition permit, at least two reports, each



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prepared by a Qualified Historic Restoration Consultant (defined in the ordinance), stating:

- a. The name and qualifications of the person making the report,
 - b. The condition of structural elements of the building proposed to be demolished (further defined in the ordinance),
 - c. An estimated cost of repair for those item(s) identified in the structural report as damaged or decayed and which affect the structural integrity of the structure, and
 - d. A valuation from a Qualified Historic Properties Real Estate Appraiser (defined in the ordinance) of the building(s) proposed to be demolished.
4. Upon reviewing the reports, the Metropolitan Historic Zoning Commission shall hold a public hearing and make the determination of whether or not the structure meets the criteria of T.C.A. § 7-51-1201. If the criteria of T.C.A. § 7-51-1201 are met, the Historic Zoning Commission shall initiate legislation to allow the Metropolitan Council the opportunity to approve or disapprove the demolition in accordance with T.C.A. § 7-51-1201.

BACKGROUND

At its December 8, 2005, meeting, the Metro Planning Commission (MPC) approved BL2005-864 unanimously. The ordinance has since been enacted into law (January 21, 2006). BL2005-864 was one of three ordinances related to demolition of historic structures, developed by Metro Codes Department and Metro Historic Zoning Commission after the demolition of historic Evergreen Place.

BL2005-864 amended the Powers and Duties of the Metro Historic Zoning Commission (MHZC) to state that the MHZC is the entity charged with determining whether a residential structure meets the criteria in state law to require Metro Council approval for its demolition.

One companion bill created a review period of up to ninety days for demolition permits for properties on or eligible for the National Register of Historic Places or meeting the criteria of T.C.A. § 7-51-1201. The other



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companion bill created a process for determining if a structure to be demolished meets the criteria in T.C.A. § 7-51-1201.

Initially these companion bills were referred to the Metro Council Codes Committee for review, since they amend the Metropolitan Codes chapter on building codes and permits, not Zoning. Since that time, however, the Metro Legal Department has determined these ordinances should be reviewed by the Metro Planning Commission due to their ramifications on land use policy. These two ordinances have been combined into one ordinance (2006Z-020T), which is before the Commission today.

ANALYSIS

Tennessee Code Annotated § 7-51-1201 provides specific criteria which, if met by a residential structure, dictates that the structure is historic and stipulates that the structure cannot be demolished unless the legislative body of the county or municipality approves the demolition. The criteria are as follows:

1. The residential structure was originally constructed before 1865;
2. The residential structure is repairable at a reasonable cost; and
3. The residential structure has a historical significance besides age itself, including, but not limited to, uniqueness of architecture, occurrence of historical events, notable former residents, design by a particular architect, or construction by a particular planner.

A further section of the Tennessee Code establishes that if the legislative body of the county or municipality does not approve the demolition, then it shall proceed with a condemnation proceeding or purchase the property in question within 90 days.

BL2006-936 creates a process whereby the MHZC can determine if the structure for which a demolition permit is sought meets the criteria of T.C.A. § 7-51-1201. If the structure does not, then the demolition permit may be issued by the Metro Codes Department. If the structure does meet the criteria of T.C.A. § 7-51-1201, then the MHZC will initiate legislation to allow Metro



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Council to make the decision on the demolition of the structure.

The 90 day review period established for National Register listed or eligible properties will allow MHZC and the applicant to discuss alternatives to demolition or mitigation of the loss of the structure such as documentation of the structure's value, relocation of the structure, salvaging of materials from the structure etc.

The MHZC estimates that there are approximately 100 pre-1865 residential structures in Davidson County that, if their owners sought to demolish them, could be impacted by this ordinance.

The MHZC estimates that there are approximately 6,000 structures in Nashville/Davidson County that are listed on, or eligible for, the National Register of Historic Places; approximately 3,000 of those properties are protected within existing zoning overlays.

Metro Planning has received letters of support from Metro Codes Department and MHZC for the original three ordinances – support which remains for the new bill before Metro Planning Commission today.

RECOMMENDATION

Approve. BL2006-936, in conjunction with BL2005-864 approved by Metro Planning Commission in December 2005, utilizes existing state law to give Metro Government the authority to weigh demolition decisions involving historic structures. Together, the two bills create a process that should facilitate public consideration and review of the future of these historic structures.

ORDINANCE NO. BL2006-936

An Ordinance amending Title 16 of the Metropolitan Code by amending section 16.28.190 relative to demolition permits for historic structures (Proposal No. 2006Z-020T).

Whereas, the Metropolitan Government established the Historical Commission pursuant to Metropolitan Code Section 2.128.010; and

Whereas, historic structures are an invaluable part of history of Nashville and Davidson County; and



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Whereas, historic structures are an inherently irreplaceable, finite resource, of substantial community and public value; and

Whereas, historic structures are important to the economic well-being of Nashville and Davidson County in attracting visitors and providing unique locations for businesses; and

Whereas, historic structures provide housing for all income levels; and

Whereas, historic structures can be adapted for new uses and revitalize communities; and

Whereas, the continued use of historic structures preserves irreplaceable craftsmanship and building materials; and

Whereas, historic structures serve as visible reminders of the history and cultural heritage of the community, state and United States; and

Whereas, allowing up to ninety days before a demolition permit issues will allow the Historical Commission time to attempt mitigation of a planned demolition, including but not limited to documentation, salvage of historic materials, dismantling of historic structure for education in construction technology, relocation, or other appropriate measures; and

Whereas, T.C.A. §7-51-1201 states that no residential structure may be demolished, without Metropolitan Council approval, if it meets the following criteria:

- (1) The residential structure was originally constructed before 1865;
- (2) The residential structure is repairable at a reasonable cost; and
- (3) The residential structure has a historical significance besides age itself, including, but not limited to, uniqueness of architecture, occurrence of historical events, notable former residents, design by a particular architect, or construction by a particular builder; and

Whereas, the Metropolitan Historic Zoning Commission is uniquely qualified to make the necessary determinations under these criteria.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That chapter 16.28 of the Metropolitan Code of Laws be and the same is hereby amended by deleting Section 16.28.190 in its entirety and substituting in lieu thereof the following new Section 16.28.190:

16.28.190 Issuance.

A. If the application for a permit under this chapter and the drawings filed therewith describe work which does not conform to the requirements of this chapter or other pertinent laws or ordinances, the director of codes administration shall not issue a permit, but shall return the drawings to the applicant with his refusal to issue such permit. Such refusal shall, when requested, be in writing and shall contain the reasons therefore.

B. When the Department of Codes Administration receives an application for a demolition permit for a structure which, individually or as part of a group of structures, is listed or is eligible for listing on the National Register of Historic Places, or meets the criteria of T.C.A. § 7-51-1201 as determined by the Historic Zoning Commission, but is not included in a historic overlay district, the Director of Codes



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Administration shall not issue a demolition permit for the structure until the Executive Director of the Historical Commission approves the demolition permit. The Executive Director must take action on the demolition permit within ninety days of the permit application, unless a longer period is agreed upon by the applicant and the Executive Director.

C. The following requirements shall be satisfied prior to the issuance of a demolition permit for a structure that was originally constructed before 1865:

1. The property owner or the owner's agent applying for a demolition permit for a structure that was originally constructed before 1865 shall, with the application for the permit, present to the Director of Codes Administration and the Executive Director of the Metropolitan Historical Commission at least two reports, each prepared by a Qualified Historic Restoration Consultant, stating the following:

- a. The name and qualifications of the person making the report.
- b. The condition of structural elements of the building proposed to be demolished. Such report should include an assessment of damage or decay, if any, to foundations, flooring, floor supports, walls and other vertical supports, ceilings, roofs and their support systems and other horizontal elements, fireplace, chimneys, exterior cladding and other exterior elements that may affect structural integrity, windows, window frames and doors and/or any fault, defect or condition that might affect the structural integrity or the water-tightness of the building.
- c. An estimated cost of repair for those item(s) identified in the structural report as damaged or decayed and which affect the structural integrity of the structure.
- d. A valuation from a Qualified Historic Properties Real Estate Appraiser of the building(s) proposed to be demolished.

2. For purposes of subsection C.1., the following definitions shall apply:

"Qualified Historic Restoration Consultant" is defined as a professionally licensed Architect or General Contractor with a specialty in historic buildings, i.e., one who has worked directly on the rehabilitation or restoration of historic buildings for a minimum of ten years and/or a minimum of fifteen long-term (lasting six months or more) historic building projects. The consultant shall provide a list of qualifying historic projects, detailing their scope, budget, the consultant's scope of involvement, specific historic issues/challenges, date of completion, and client contact information. The MHZC will determine whether the consultant meets these criteria.

"Qualified Historic Properties Real Estate Appraiser" is defined as an individual who has a minimum of five years of professional experience working as a real estate appraiser, specifically including the valuation of historic property, buildings, and their appurtenances. For these purposes, "Historic" shall be defined as 100 years old and older. The Appraiser shall provide a listing of historic properties evaluated, with accompanying date of service and client contact information. The MHZC will determine whether the consultant meets these established criteria.

3. Upon receipt of the demolition permit application, the Metropolitan Historic Zoning Commission shall, at a scheduled public hearing, make the determination as to whether or not the structure meets the criteria of T.C.A. § 7-51-1201. If the Historic Zoning Commission determines that the structure at issue meets the criteria of T.C.A. § 7-51-1201, it shall initiate legislation to allow the Metropolitan Council the opportunity to approve or disapprove the demolition in accordance with T.C.A. § 7-51-1201 et seq.

Section 2. This ordinance shall take effect from and after its passage, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

Sponsored by: Pam Murray



Project No.
Associated Case
Council Bill
Council District
Requested by

Zoning Text Change 2006Z-022T
None
BL2006-937
Countywide
Councilman Briley

Staff Reviewer
Staff Recommendation

Carlat
Approve

REQUEST

Amend Title 17 of the Metropolitan Code, Section 17.04.060B, to modify the definition of “two-family” structure to include two detached dwelling units.

Amend 17.04.060.B
Definitions of general terms

Amend the definition of “two-family” structures by adding the following provision at the end of the definition:

“, or two detached dwelling units separated by at least ten feet, provided that the distance can be less than ten feet if the facing walls on both units are rated according to the Standard Building Code as adopted by the Metropolitan Government pursuant to Chapter 16.08 of the Metropolitan Code of Laws.”

ANALYSIS

Existing Law

The current definition of a “two-family” structure in zoning code is “two attached dwelling units forming a single structure connected by not less than eight feet of continuous floor, roof and walls.”

In the past, two-family structures were largely built as two units within one large structure. In recent years, however, more two-family structures are being built as two buildings with a connector, often referred to derisively as the “umbilical cord.” One of the most frequently heard complaints about two-family structures designed as two buildings with a connector is that they are out of character in neighborhoods with single-family homes or two-family homes designed to look like a single, unified structure.

The proposed change to the definition of “two-family” structures will allow for additional options in the design of two-family structures. Meanwhile, the proposed definition requires that the facing walls on detached



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two-family structures be built to the specifications of the Standard Building Code.

RECOMMENDATION

Approve. The proposed change to the definition of “two-family” structures in the zoning code will provide for additional design options property owners seeking to build two-family structures. It addresses one design complaint surrounding two-family structures while continuing to allow two-family structures to meet the housing needs of residents of Nashville/Davidson County.



Project No.
Project Name
Associated Cases
Council District
School Board District
Requested By

Subdivision 2006S-055G-06
Travis Place Subdivision
None
35 - Tygard
9 - Warden
Civil Site Design Group, surveyor for William and Robert Travis, owners.

Staff Reviewer
Staff Recommendation

Leeman
Disapprove

APPLICANT REQUEST
Preliminary Plat

Subdivide 43.70 acres into a 140 single-family lots in a cluster lot subdivision, along the east side of McCrory Lane, north of Newsom Station Road.

ZONING
RS10 District

RS10 district, requiring a minimum lot size of 10,000 square feet. The subdivision proposes a density of 3.2 dwellings units per acre. A maximum of 162 lots are permitted under the RS10 district on this parcel, while 140 are proposed. Although the Planning Commission recommended disapproval of RS10, the property was rezoned in September 2005, by the Metro Council.

BELLEVUE COMMUNITY PLAN

This subdivision falls within Bellevue Community Plan’s Residential Low-Medium (RLM) policy that calls for residential development within a density range of two to four dwelling units per acre. The proposed subdivision meets the intent of the subarea policy.

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 square foot lots) to RS5 (minimum 5,000 square foot lots) with the protection of environmentally sensitive features, or when appropriate open space is provided. The proposed lots range from 5,500 square feet to 20,200 square feet with most lots being in the 8,000 to 9,000 square foot range.

Hillsides

The Commission recently adopted a memo regarding cluster lot requirements of the Metro Zoning Ordinance. This memo references section 17.28.030 A of the Metro Code (the Hillside Development Standards), which states that “the development of residentially zoned



Metro Planning Commission Meeting of 2/9/06

property shall minimize changes in grade, cleared area, and volume of cut or fill on those hillside portions of the property with 20% or greater natural slopes.” When the Commission is exercising its discretion to allow a cluster lot subdivision, the Commission can also require that a proposed development comply with this section of the Code by staying completely out of any area with contiguous slopes of greater than 20%. The application should be revised to comply with the Hillside Development Standards **by setting aside all areas with 20% or greater slopes as common open space to remain undisturbed.** This plan includes 18.7% “scenic” Open Space, plus the detention pond areas. Staff recommends disapproval since many of the lots do not conform to the Zoning Code requirements for cluster lot subdivisions, including the preservation of slopes over 20%. This plan includes over 20 lots with slopes greater than 20%.

The Commission would be within its authority to recommend disapproval of this application based on the failure of the application to meet these standards.

SUBDIVISION DETAILS

The 43.70 acre tract, lies along the east side of McCrory Lane, north of Newsom Station Road. The plan provides 19% total Open Space, while only 15% is required.

The development proposes access from McCrory Lane and proposes to connect to one of the two stub-streets in the Boone Trace development to the east.

Stub-Streets

The plan includes one new stub-street to the east. Staff requested to the applicant to redesign the project to provide an additional stub-street to the east to provide for more internal connectivity. The applicant has indicated that due to the steep topography in the area, this connection will be very difficult to make.

The applicant has also indicated that the second connection to the existing stub-street in Boone Trace is not possible due to steep topography.

Stream

The Metro Stormwater Division of Water Services identified a Blue Line stream running through the site that would require additional buffering parallel to



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McCrary Lane. The applicant has revised the plan to provide the appropriate buffer. A variance from the Stormwater Management Committee will be necessary since the entrance road crosses this stream.

PUBLIC WORKS RECOMMENDATION

Any approval is subject to Public Works approval of the construction plans. Final design and improvements may vary based on field conditions.

Document proof of adequate sight distance at the local road "A" and McCrary Lane.

There is an existing stub street to the southeast property boundary located off Beautiful Valley Drive. Provide connectivity, if required.

Developer shall construct 1 entering lane and 2 exit lanes with a minimum of 150 ft storage and transition per AASHTO standards. Adequate sight distance shall be documented at development.

Developer shall construct a southbound left turn lane with a minimum of 150 ft of storage with transition per AASHTO standards on McCrary Rd at project access.

Developer shall allow cross access along the undeveloped portions of the main access road in order to access the adjacent properties and allow for future drive or road connection. Location of access points shall be determined at future development of adjacent properties.

STORMWATER RECOMMENDATION

There is a 40 acre drain cutting through the far left portion of the property. They have put in the required buffer, however, they labeled it, "Floodway Buffer," which is incorrect. The label should be changed to simply, "Buffer" Furthermore, the 'top of bank' must be labeled as well as the drain centerline. They are currently showing the buffer as 25' from centerline. This is incorrect. The buffer is either 30' from C.L. or 25' from top of bank. This distinction must be clearly shown on the plat.

1. Show FEMA Floodway



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2. Show subdivision number
3. Show 50' Floodway buffer
4. Show and label top of bank + 25' buffer on each side of stream bank for the two over-40 acre drains located on the property.
5. (FYI) An appeal will be required prior to final plan approval for the road crossing and stream buffer disturbance.

CONDITIONS (if approved)

1. Prior to the issuance of any building permits, a final plat shall be recorded, including the posting of any necessary bonds to secure the satisfactory construction, installation, and dedication of all required public improvements.
2. Final Plat shall include all required Landscape buffer yards in Common Open Space, not in the rear of the lots. This may require a reduction of lots to be accomplished.
3. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
4. All Traffic Conditions listed above must be completed or bonded to the appropriate phase of final plat approval.



Project No.
Project Name
Council District
School District
Requested by

Subdivision 2006S-060G-12
Turner Farms, Preliminary Subdivision
31 - Toler
2 - Blue
Karen G. King, owner, C. Michael Moran, surveyor

Staff Reviewer
Staff Recommendation

Pereira
Disapprove. Planning Department and Stormwater comments have not yet been adequately addressed.

APPLICANT REQUEST
Preliminary Plat

Request for preliminary plat approval to create 151 lots on 46.8 acres, located on the south side of Burkitt Road, to the east of Nolensville Road.

ZONING
RS10 district

RS10 requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre.

PLAN DETAILS
Cluster Lot Option

The proposed plan utilizes the cluster lot option available in the Metro Zoning Code in order to preserve open space area. The plan proposes to utilize the bulk standards (setbacks, lot coverage, etc.) of the RS10 district, with lots ranging from 5,058 to 15,110 square feet in size.

Open Space and Drainage Area

The applicant is proposing 26.5 percent of the subdivision, or approximately 12.2 acres, to be used as open space, which exceeds the minimum requirement of 15 percent. Staff has also evaluated this open space on the basis of the clarified criteria for cluster lot subdivision requirements as recently approved by the Commission. This proposal complies with these criteria, indicating that 16.8 percent of the open space is for the “use and enjoyment” of the residents. Prior to final plat approval, the applicant shall provide a pedestrian easement around the natural pond that is to be preserved, as well as parallel to the stream that flows on the southeastern side of this plat.

Access and lot layout

This subdivision proposes lots to be accessed off of new public roads, and it connects to one existing approved public road – in the Burkitt Place Planned Unit Development on the western side. There are three stub streets on the eastern side of the plat, one of which



Metro Planning Commission Meeting of 2/9/06

Sensitive lands

is a private alley, and two of which are public roads. There are also three cul-de-sacs proposed on the eastern side of this plat.

Lots 91 through 121 have principal vehicular access from a private 20-foot wide alley to the rear. Likewise, lots 1 through 4 will front on Burkitt Road, with vehicular access from a private 20-foot wide alley to the rear (this same alley may also serve lots 5 through 8). The applicant has also indicated verbally the intent for the lot pairs of 14 & 15, 24 & 25, and 45 & 46 to have principal access via a rear shared private driveway (access easement). Prior to final plat approval, the plat must label all such shared driveways. Finally, this plat proposes several loop blocks with a high degree of internal connectivity, and one more stub street on the northwestern side of this plat, into parcel 030. The western stub street right-of-way must be extended to the property line.

The Commission recently adopted a policy to require increased scrutiny of cluster lot subdivisions. The policy is based, in part, on section 17.28.030 A of the Metro Code (the Hillside Development Standards), which states that “the development of residentially zoned property shall minimize changes in grade, cleared area, and volume of cut or fill on those hillside portions of the property with 20% or greater natural slopes.” When the Commission is exercising its discretion to allow a cluster lot subdivision, the Commission can also require that a proposed development comply with this section of the Code by staying completely out of any area with contiguous slopes of greater than 20%. While the current proposed plat includes only minimal contiguous areas with slopes greater than 20%, it does include lots with slopes greater than 20%. The plat must be revised to remove any lots from areas with slopes greater than 20%. In addition, any revision to the plat to address lot sizes should not be permitted to result in the disturbance of any areas with 20% or greater slopes.

The above analysis is supported by the Hillside Development Standards of the Metro Code. The Commission would be within its authority to recommend disapproval of this application based on the failure of the application to meet these standards.



Metro Planning Commission Meeting of 2/9/06

Critical lots

Given the Commission's recently adopted cluster lot policy, all proposed lots on this preliminary plat that include slopes of 20% or greater must be eliminated and converted to open space areas.

The initial plat submittal identified twelve critical lots. The latest plat resubmittal (dated January 27, 2006) identified lots 84, 122, 136, 137, and 138, as critical lots, which have slopes greater than 20 percent. The applicant has indicated with a note on this preliminary plat that roadways adjacent to these lots will be altered in such a way so as to create lots upon which only minor grading will need to be performed. The applicant's intent is that when the final plat is submitted, these lots will no longer be deemed critical. (Minor grading indicated as being limited to +/-2 feet of cut/fill, and retaining walls being no higher than 3 feet in height).

Prior to final plat approval, any/all remaining critical lots, as explicitly authorized by the Metro Planning Commission, must be labeled with a star, and as per the Hillside Development Standards of the Metro Zoning Ordinance (section 17.28.030), and those critical lots with natural slopes that generally rise away from, or are parallel to, the fronting street must provide a building envelope on less than twenty percent natural slope and a minimum lot width of eighty-five feet* at the building line. (*Eighty-five feet is calculated as the seventy-five foot requirement of sec. 17.28.030, and the two five foot side setbacks.

Turn-around requirements (Subdivision Regulations and Fire Marshal's Office)

There are three permanent cul-de-sacs on the eastern side of this plat. These cul-de-sacs do not comply with Section 2-6.2.2.D.5 of the Subdivision Regulations, which states that "the use of cul-de-sac or looped streets shall be permitted **where topographic features or configuration of property boundaries prevent street connections.**" As there are no topographic concerns that prevent street connections where these three north/eastern cul-de-sacs are located, the cul-de-sacs must be eliminated. The applicant may choose to connect the cul-de-sacs with a single loop street.



Metro Planning Commission Meeting of 2/9/06

Stub streets

The permanent cul-de-sac on the western side of this plat complies with Metro ST-331 dimensions. This cul-de-sac is justified due to steeper topography.

As the two public stub roads on the eastern side of the plat exceed 300 feet in length, both require temporary turnarounds, as per section 2-6.2.2E of the Subdivision Regulations. The plat shows the two southernmost stub streets with temporary turnarounds

⇒ Prior to final plat approval, the plat must be revised to modify the hammerhead turn-around design near lots 39 and 40 to be parallel and immediately adjacent to the property line.

As indicated above, there is also a stub street on the western side of the plat. The western stub street (at the terminus of lots 132 and 133) must be constructed to the property line (parcel 30).

Landscape bufferyards

The applicant has provided various open space areas around the perimeter of this subdivision. This, in combination with the fact that this subdivision abuts RS10 zoning on the southwest and AR2a zoning on the north, means that no further landscape bufferyards are required.

Sidewalk Requirement/Variance

New subdivisions require sidewalks on both sides of the proposed public streets. Sidewalks have been shown on both sides of all public streets, and in an open space area that consists of an existing natural pond and trees to be preserved, the sidewalks are substituted with a pedestrian trail. Staff recommends approval of a sidewalk variance for one side of the street for approximately 1,200 feet along the north eastern and western perimeter of facing the natural pond area. In return an alternative pedestrian trail shall be required as a substitute for the sidewalk. The trail must be constructed by the developer to Metro Greenway standards and be maintained by the homeowners' association along with the open space.

Worthy of Conservation (WOC)

Parcel 009 has been designated on Metro maps as having "Worthy of Conservation" status, due to the historic presence of a home and cemetery located at 6943 Burkitt Road. Parcels 009 and 179 were created by a recent subdivision by deed, and the farmstead and cemetery that are now deemed Worthy of Conservation



Metro Planning Commission Meeting of 2/9/06

are located on what became parcel 179. Parcel 179 was not included in the recent zone change and is also not a part of this subdivision. However, this proposed subdivision may have impacts on this home given the proximity to it. A memo from Historical Commission staff dated December 7, 2004, recommended that new development [around this farmstead on parcel 179] be screened with some combination of tree lines and fencing, to preserve the visual sense of a rural farmstead.

Planning staff recommends that prior to final plat stage, the plat be revised to demonstrate adequate screening between this subdivision and the rural farmstead.



Fig. 1. House located on parcel 179 (image courtesy of the Davidson County Property Assessor Office).

PUBLIC WORKS RECOMMENDATION

Revise and Resubmit

1. Any approval is subject to Public Works approval of construction plans. Final design and improvements may vary based on field conditions.
2. Within residential developments all utilities are to be underground. The utility providing the service is to approve the design and construction. The developer is to coordinate the location of all underground utilities. Street lighting is as required by Planning and the electric provider in the General Services District.
3. Document adequate sight distance at project access.
4. Identify road names.
5. Dimension right of way of proposed roadways.
6. Show 50' pavement radius for circular turnaround that exceed 150'.
7. Show 110 feet minimum horizontal radius for minor local streets.



Metro Planning Commission Meeting of 2/9/06

8. The maximum lengths of streets leading to turnarounds shall be 750 feet.
9. Show radius on "bulb-out" street intersections returns.

Traffic comments:

Comply with the following conditions for Turner Farm rezoning to RS10 on Burkitt Road (2004Z-164G-12) (52 acres):

1. Per the TIS, located project access road on Burkitt approximately 210 feet east of the west property line and provide adequate sight distance.
2. Per the TIS, construct a westbound left turn lane with 75 ft. of storage and transition per AASHTO standards on Burkitt at project access road.
3. Per the TIS, construct an eastbound right turn lane with 75 ft. of storage and a 90 ft. transition on Burkitt at project access road.
4. Construct Burkitt Road with 12 ft. wide turn lanes and travel lanes along the property frontage on Burkitt Road.
5. Dedicate ROW for turn lanes and reserve 1/2 ROW required for U-4 Major Street Plan classification on Burkitt Rd.
6. Per the TIS, construct 4 ft. wide shoulders along property frontage on Burkitt Road.
7. Per the TIS, construct project access road with 1 entering lane and 2 exiting lanes with 100 ft. storage and transition per AASHTO standards.
8. Construct access road to provide adequate site distance of signal heads to allow signalization when the proposed collector road is constructed opposite the access road.
9. Provide a stub street connection to adjacent properties east and west of the development.
10. Provide an access easement from a development street to adjacent historic home property on Burkitt Road (parcel 179).
11. Construct development streets to provide adequate SU-30 truck turning movements without impacting any onstreet parking.
12. Conduct traffic counts at the Burkitt Road and Nolensville Road intersection at 50% and 100% completion of development and submit traffic signal warrant analysis to Metro Traffic Engineer for approval of signal by Metro Traffic and Parking Commission. Developer shall submit signal plan



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for Metro approval and install signal when approved.

13. Align main subdivision road with future Burkitt Place PUD road.

STORMWATER RECOMMENDATION

Returned for Corrections, 12/19/05

Stormwater needs the following comments addressed prior to preliminary approval:

1. Add the subdivision number, 2006S-060G-13, to the plat.
2. Note number 9 is not acceptable. Cite the appropriate FEMA map number and associated publication date. Further, cite the flood zone. It appears that the platted property falls within panel 0432; however, determine the appropriate panels and list accordingly. The FEMA map format is as follows: FEMA Map #47037CO432F. Panel 0432 was not printed since it was determined not to be in a special flood hazard area.
3. Cite a bearings reference.
4. Show and label a buffer for the 40 acre blue-line stream that traverses the platted property. The buffer must be 25' from top of bank or 30' from channel centerline, whichever is greater. See markup. Lots cannot reside in buffered areas. This may affect development since it appears that lots 6-7, 14-16, 48-55, 61-67, and 74-76 reside in the buffered area. Other lots may be affected, as the markup shows the approximate location of the buffered areas.
5. Add the standard buffer note.
6. The blueline pond cannot be used as a detention area unless a variance is granted from the stormwater management committee as well as TDEC.
7. Currently, the plat references only detention areas. There are no specific indications of a water quality concept. Clearly show and label the water quality concepts.

CONDITIONS (if approved)

1. The applicant must comply with Stormwater comments above.
2. Prior to plat approval, all proposed lots on this preliminary plat that include slopes of 20 percent or



Metro Planning Commission Meeting of 2/9/06

greater must be eliminated and converted to open space areas.

3. The applicant must comply with Fire Marshal's Office turn-around requirements, as indicated above. Prior to plat approval, the plat must be revised to eliminate the three eastern cul-de-sacs and connect them to one another with a loop street.
4. Prior to plat approval, all proposed private access easements/alleys should be labeled as "private alleys", and dimensioned accordingly.
5. Prior to plat approval, a note must be added to the plat to indicate whether the existing house on Lot 94 is to be preserved/will remain.
6. Prior to **final** plat approval, the plat must be revised to modify the hammerhead turn-around design near lots 39 and 40 to be parallel and immediately adjacent to the eastern property line.
7. Prior to **final** plat approval, the plat must have labels and dimensions on all shared private driveways, as well as indicate via a plat note all lots to be served principally by a rear private alley.
8. Prior to **final** plat approval, any lots that remain as critical must be labeled with a star, and as per the Hillside Development Standards of the Metro Zoning Ordinance (section 17.28.030). Those critical lots with natural slopes that generally rise away from, or are parallel to, the fronting street must provide a building envelope on less than twenty percent natural slope and a minimum lot width of eighty-five feet* at the building line. For any critical lots, a critical lot plan must also be provided with the final plat submittal.
9. Prior to **final** plat approval, the plat must be revised to demonstrate adequate screening between this subdivision and the rural farmstead located on parcel 179.
10. Prior to **final** plat approval, the applicant shall provide a pedestrian easement around the natural pond that is to be preserved, as well as parallel to



Metro Planning Commission Meeting of 2/9/06

the stream that flows on the southeastern side of this plat.

11. The applicant must obtain approval of Public Works conditions above.
12. Prior to **final** plat approval, the applicant must obtain approval of a variance from the Stormwater Management Committee and TDEC for the blue line pond that is proposed to be used as a detention area



Project No.
Project Name
Council District
School District
Requested By

Urban Design Overlay 2001UD-001G-12
Lenox Village Section III
31 – Toler
2 – Blue
Batson and Associates, applicant for Lenox Village I, LLC, owners

Staff Reviewer
Staff Recommendation

Swaggart
Approve with conditions

APPLICANT REQUEST
Final UDO

Request for final approval for Section 3 of the Urban Design Overlay district located along the south side of Lenox Village Drive, and the east side of Nolensville Pike, classified MUL, to develop 36 condominiums, and 31 single family lots.

PLAN DETAILS
Site Plan

The plan calls for 31 single-family lots and 36 condominiums. The 31 single-family lots will be along a new street, and will have rear access. The 36 condominium units will be within three separate buildings with each building having 12 units. Condominiums will be along a new street with rear parking.

PUBLIC WORKS RECOMMENDATION

1. Submit signal plan and modify signal at Lenox Village Drive upon approval.
2. Submit signal warrant analysis for Bienville / Nolensville Rd intersection upon construction of Bienville Drive. Upon approval of signal by T&P commission ,submit signal plan and install signal . Signal plan shall include ped signals and ADA facilities if sidewalks are required along Nolensville Rd.

Comply with previous conditions of approval as follow:

Along Lenox Village property frontage on Nolensville Road

1. Install 2-way left turn lane from Lord's Chapel to access #5 with transition per AASHTO standards.
2. Reserve 1/2 ROW for Nolensville Road U6 classification. (1/2 Of 132 ft)



Metro Planning Commission Meeting of 2/9/06

Lord's Chapel Way, northernmost access point (access #1)

The northernmost access point (access 1) to Lenox Village has already been constructed.

1. The pavement shall be striped to provide WB left turn lane and WB right turn lane.
2. No on-street parking shall be allowed for 300 feet from intersection on the north side of access 1 in order to allow adequate storage.
3. Install 12-foot wide southbound (SB) left turn lane on Nolensville Rd with 75 feet of storage length.

Bradford Hills / Lenox Village Drive and Nolensville Road intersection (access #2)

The Bradford Hills / Lenox Village Drive and Nolensville Road intersection is currently signalized.

1. Re-stripe WB Lenox Village Dr for left/thru lane and a WB right lane.
2. Install NB right turn lane.
3. Install 150 ft SB left turn lane in 2-way left turn lane.
4. Provide no parking on north side of access road for 200 ft from intersection.

Project access #3, private drive for Commercial

1. Install separate 11 ft wide WB left turn and right turn lanes and 11 ft wide entering lane for access #3
2. Install 12 ft wide SB left turn on Nolensville RD with 75 ft of storage length in 2-way left turn lane
3. Install NB right turn lane



Metro Planning Commission Meeting of 2/9/06

Project access #4 (Porter House Drive)

1. Install separate 11 ft wide WB left turn and right turn lanes and 11 ft wide entering lane for access #4 road
2. Install 12 ft wide SB left turn on Nolensville RD with 75 ft of storage length in 2-way left turn lane
3. Install NB right turn lane
4. No on street parking shall be provided for 75 ft from intersection
5. Provide adequate sight distance

Project access #5 (Bienville)

1. Install separate 11 ft wide WB left turn and right turn lanes and 11 ft wide entering lane for access #5 road
2. Install 12 ft wide SB left turn on Nolensville RD with 75 ft of storage length in 2-way left turn lane
3. Install NB right turn lane
4. Install signal when warranted. Traffic counts and warrant analysis shall be conducted annually and submitted to Metro traffic Engineer for signal approval. Signal plan shall include pedestrian signal and associated ADA standard facilities.
5. Provide adequate sight distance

Signal at project access #5, Bienville, to be bonded with recordation of final plat.

At project access #5, Bienville, traffic counts and signal warrant analysis shall be conducted at 80% completion of project. Upon approval by the T & P commission, Developer shall Submit signal plans to traffic engineer and install signal.



Metro Planning Commission Meeting of 2/9/06

STORMWATER RECOMMENDATION

1. Sign the EPSC note (ensure that the person signing this note has had the EPSC Level 1 class).
2. Design the silt fence per TCP - 13 (serves 1/4 acre, turn up at the ends, follow the contours, etc.).
3. Provide more detailed information on final stabilization of the site per TCP - 05.
4. Label the rock check dam with Metro's BMP detail number.
5. Specify which inlet protection will be used and ensure that the detail matches that particular inlet protection.
6. Add a note stating that detention for this section is handled in the proposed pond.
7. Submit calculations to size the temporary sediment pond (include a drainage area map for the area draining to the pond).
8. Where is the downstream information for the pond outlet and pipe 42-43?
9. Add the FEMA note to the plans.
10. Pipe 64-65 shows a total flow that is greater than the capacity. Verify that this information is correct.

CONDITIONS

1. Correct Map and Parcel numbers on plans.
2. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
3. 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.
4. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must



Metro Planning Commission Meeting of 2/9/06

be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees.



Project No.
Project Name
Council District
School District
Requested By

Urban Design Overlay 2001UD-001G-12
Lenox Village Section D
31 – Toler
2 – Blue
Batson and Associates, applicant for Lenox Village I, LLC, owners

Staff Reviewer
Staff Recommendation

Swaggart
Approve with conditions

APPLICANT REQUEST

Final UDO

A request to revise a portion of the approved final UDO, and for final approval for Phase D of the Urban Design Overlay district located along the north side of Lords Chapel Drive, east of Nolensville Pike, classified RM9, to develop 21 condominium units.

PLAN DETAILS

Site Plan

The plan calls for 21 condominiums. The units will be distributed amongst 5 separate buildings. Because of topographical issues, the layout has been modified from the previous approved plan. Applicants have worked with planning staff with the current plan, and the layout is consistent with the UDO document.

**TRAFFIC
PUBLIC WORKS
RECOMMENDATION**

1. Submit signal plan and modify signal at Lenox Village Drive upon approval.
2. Submit signal warrant analysis for Bienville / Nolensville Rd intersection upon construction of Bienville Drive. Upon approval of signal by T&P commission, submit signal plan and install signal. Signal plan shall include ped signals and ADA facilities if sidewalks are required along Nolensville Rd.

Comply with previous conditions of approval as follow:

Along Lenox Village property frontage on Nolensville Road

1. Install 2-way left turn lane from Lord's Chapel to access #5 with transition per AASHTO standards.



Metro Planning Commission Meeting of 2/9/06

2. Reserve 1/2 ROW for Nolensville Road U6 classification. (1/2 Of 132 ft)

Lord's Chapel Way, northernmost access point (access #1)

The northernmost access point (access 1) to Lenox Village has already been constructed.

1. The pavement shall be striped to provide WB left turn lane and WB right turn lane.
2. No on-street parking shall be allowed for 300 feet from intersection on the north side of access 1 in order to allow adequate storage.
3. Install 12-foot wide southbound (SB) left turn lane on Nolensville Rd with 75 feet of storage length.

Bradford Hills / Lenox Village Drive and Nolensville Road intersection (access #2)

The Bradford Hills / Lenox Village Drive and Nolensville Road intersection is currently signalized.

1. Re-stripe WB Lenox Village Dr for left/thru lane and a WB right lane.
2. Install NB right turn lane.
3. Install 150 ft SB left turn lane in 2-way left turn lane.
4. Provide no parking on north side of access road for 200 ft from intersection

Project access #3, private drive for Commercial

1. Install separate 11 ft wide WB left turn and right turn lanes and 11 ft wide entering lane for access #3
2. Install 12 ft wide SB left turn on Nolensville RD with 75 ft of storage length in 2-way left turn lane
3. Install NB right turn lane



Metro Planning Commission Meeting of 2/9/06

Project access #4 (Porter House Drive)

1. Install separate 11 ft wide WB left turn and right turn lanes and 11 ft wide entering lane for access #4 road
2. Install 12 ft wide SB left turn on Nolensville RD with 75 ft of storage length in 2-way left turn lane
3. Install NB right turn lane
4. No on street parking shall be provided for 75 ft from intersection
5. Provide adequate sight distance

Project access #5 (Bienville)

1. Install separate 11 ft wide WB left turn and right turn lanes and 11 ft wide entering lane for access #5 road
2. Install 12 ft wide SB left turn on Nolensville RD with 75 ft of storage length in 2-way left turn lane
3. Install NB right turn lane
4. Install signal when warranted. Traffic counts and warrant analysis shall be conducted annually and submitted to Metro traffic Engineer for signal approval. Signal plan shall include pedestrian signal and associated ADA standard facilities.
5. Provide adequate sight distance

Signal at project access #5, Bienville, to be bonded with recordation of final plat.

At project access #5, Bienville, traffic counts and signal warrant analysis shall be conducted at 80% completion of project. Upon approval by the T & P commission, Developer shall Submit signal plans to traffic engineer and install signal.



Metro Planning Commission Meeting of 2/9/06

STORMWATER RECOMMENDATION

Approve

CONDITIONS

1. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
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 adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees.



Project No.
Council Bill
Council District
School Board District
Requested by

Mandatory Referral 2005M-268U-11
None
17 – Greer
7 - Kindall
Councilmember J.B. Loring

Staff Reviewer
Staff Recommendation

Kleinfelter
Approve

APPLICANT REQUEST

Request to rename P Pool Avenue to “Lannie Boswell Avenue.”

What is being requested?

Councilmember J.B. Loring has proposed to change the name of P Pool Avenue to Lannie Boswell Avenue.

Why is this being requested?

This street renaming is being proposed to honor Mr. Lannie Boswell. According to documentation provided by Public Works: “Mr. Boswell was born in Henderson, KY, on November 22, 1890. He was a supporter and influential in the starting of a Henderson business known as Boswell’s Harley-Davidson in 1950. He moved with that business to Nashville in 1963. That original business is still in operation at 401 Fesslers Lane today. A spin-off company known as Boswell’s Golf Cars since 1963 is also still in operation today at 111 Transit Avenue. Mr. Boswell died on July 20, 1974.”

What are the procedures for a street name change?

Street names can only be changed by the Metro Council through the adoption of an ordinance. The Planning Department is required to notify all property owners on the street of the proposed name change, and to give residents the opportunity to provide written comments in support of or in opposition to the proposed name change.

What public response has been received?

One letter has been received opposing the name change. The letter is from an area manufacturing company. The company is concerned about giving directions to their facilities because the current street name is a “one part name,” but the new name is a “two part name.” The company states that they would not oppose naming the street “Boswell Avenue.”



Metro Planning Commission Meeting of 2/9/06

Staff Recommendation

Councilmember Loring's original proposal was to name this street simply "Boswell Avenue." Section 13.08.015 of the Metro Code prohibits the naming of streets for the purpose of promoting a private business. Staff from Planning and Public Works sought advice from the Department of Law as to whether naming this street "Boswell Avenue" would be a violation of this Code section. It was determined that naming the street "Lannie Boswell Avenue" would appear less to promote the existing Boswell-named businesses in the area and more to honor the late Mr. Boswell.

In order to comply with the spirit of the Code provisions that prohibit naming a street to promote a private business, therefore, staff recommends approval of renaming P Pool Avenue to Lannie Boswell Avenue.