

1. Zone Change Proposal No. 2001Z-075G-12

Staff recommends *conditional approval*.

- **Subarea Plan Amendment required?** No
- **Traffic impact study required to analyze project impacts on nearby intersections and neighborhoods?** No, please see *Traffic* note.

This request was deferred at the July 19, 2001 meeting in order for staff to research the property address that was stated on the public hearing notice. An adjacent property owner, Mr. Mark Dugger, informed the Commission of an error in the notice. Staff found the property identified on the sketch was correct, the map and parcel number were correct, but the address was incorrect. Parcel 35 was originally a part of parcel 198 to the north, but when it was subdivided the address never changed in the City's Land Information System. It has now been corrected. Staff sent a letter to Mr. Dugger informing him the street address has been corrected.

This request is to change from AR2a to RS15 district property at 5722 Cane Ridge Road on the east side of Cane Ridge Road, south of Old Franklin Road. The current AR2a district requires a minimum lot size of 2 acres and is intended for uses that generally occur in rural areas, including single-family dwellings and mobile homes. The requested RS15 district is intended for low-medium density residential single-family homes at a density of 2.47 dwelling units per acre.

Staff recommends conditional approval since the application coincides with the Residential Medium Density (RM) Policy within the Subarea 12 Plan. RM policy is intended for new residential developments that are within a density range of 4 to 9 units per acre.

Traffic

The Traffic Engineer indicates that a center-turn lane is necessary from the Blairfield Drive/Cane Ridge Road intersection to the Cane Ridge Road/future project entrance of this property. In 1996, an alternatives analysis was conducted for the Southeast Arterial. Through the analysis a preferred alternative alignment was chosen, and that alignment is proposed to cross a corner of this site. If the alignment of the planned Southeast Arterial remains unchanged on the Major Street Plan when the plan update is concluded toward the end of this year, the subdivision design for this parcel will need to "reserve" a corridor for the future Southeast Arterial.

Schools

A single-family development at RS15 density will generate approximately 16 students (7 elementary, 5 middle, and 4 high school). While Maxwell Elementary and Antioch Middle schools may not be impacted by the development of this property under the proposed zoning, Antioch High School will be impacted. The school's capacity is 2,000 students while the current enrollment is 2,015 students, thus exceeding capacity by .01%. As more residential rezonings occur in this area, necessary improvements should be programmed into the Capital Improvements Budget.

2. Zone Change Proposal No. 2001Z-080G-06

A complete staff recommendation will be presented at the Planning Commission meeting.

The petitioned property is located in Subarea 6 and is designated a Natural Conservation policy area. The zoning request is to change 89 acres from AR2a (agricultural) and R40 (residential) to RS20 (residential) at 7401 Highway 100. The existing AR2a district is intended for single-family homes, duplexes, and mobile homes at 1 unit per 2 acres of land. The existing R40 is intended for residential single-family and duplexes at 1 dwelling unit per acre. The proposed RS20 district is intended for single-family homes at 1.85 dwelling units per acre. The property is located adjacent to Edwin Warner Park on Highway 100. Current zoning on the property would allow for 23 lots in the portion zoned R40 and 14 lots in the portion zoned AR2a. This only includes the 28 acres of AR2a outside of the floodway. There are 47 total acres within the regulated floodway, where homes cannot be built.

The Planning Commission deferred this request at its July 19, 2001 meeting in order to allow time to elicit more specific information from the Parks Department and the Historic Commission on this site's constraints.

On its face, the proposed RS20 zoning could be viewed as consistent with the Subarea 6 Plan's Natural Conservation (NC) policy that considers 2 to 4 dwelling units per acre as an appropriate density, based on the sensitivity of the site's natural environment. Therefore, planning staff had initially recommended approval contingent upon the applicant meeting conditions prescribed by the Metro Traffic Engineer – that no more than 94 single-family lots be created and that a new traffic signal and left-turn lane be provided at the future project entrance from Highway 100.

However, input at the Planning Commission's hearing on July 19, plus subsequent information provided by the Historical Commission and the Parks Department, have confirmed the need to more thoroughly analyze the site's constraints in order to evaluate the impact of the 94 homes being proposed. The site's constraints include:

- a very large portion of the parcel lying in the Harpeth River floodplain,
- a substantial portion of the parcel in the *regulated floodway itself*,
- an historic farm home with outbuildings and 30 acres of its site, all of which are listed on the National Register of Historic Places,
- a large TVA transmission line across the site,
- the presence of Highway 100 to the west of the site (Highway 100 is designated a *scenic* arterial in the Subarea 6 Plan, requiring conservation easements along its borders to protect scenic viewsheds), and
- a relationship to Edwin Warner Park, east of the site, requiring sensitivity in the design of this site to avoid adversely affecting the park.

A full report on the effects of the above constraints will be provided at the Planning Commission's meeting. Staff will present its analysis of the impact of the proposed zoning on the natural and historic features on and around the site, and make a recommendation regarding the rezoning's consistency or lack of consistency with the Natural Conservation (NC) policy of the Subarea 6 Plan.

3. Zone Change Proposal No. 2001Z-083U-11

Staff recommends *approval*.

- **Subarea Plan Amendment required?** No.
- **Traffic impact study required to analyze project impacts on nearby intersections and neighborhoods?** No.

This request is to change 41 acres from IWD (industrial, warehousing, and distribution), IR (industrial restrictive), and R6 (residential) to MUL (mixed-use limited) at 609 Bass Street and 800 Fort Negley Boulevard at the Cumberland Science Museum. The current IWD district allows for industrial warehousing and distribution uses. The IR district is intended for a wide range of light manufacturing uses at moderate intensities. The R6 district is intended for residential single-family and duplexes at 6.17 dwelling units per acre. The proposed MUL is intended for a mixture of residential, commercial, restaurant, retail, and office uses. The Metro Parks Department owns this property which includes the Cumberland Science Museum. The proposed MUL zoning will allow for the museum's expansion and other offices. This property also includes Fort Negley, a historic star fort built by Union forces during the Civil War. Fort Negley is listed on the National Register of Historic Places.

Staff recommends approval of the MUL district. This property is designated in the Subarea 11 Plan as Major Public Open Space (MPOS). That policy is intended to compliment the mixed-use (MU) policy to the southeast. The MU policy encourages a mixture of uses similar to the MUL district. The subarea plan states the MPOS and MU policy areas should be integrated to create an attractive environment for both residential and non-residential uses---a place that supports entertainment, work, shopping, dining, and residential uses.

Traffic

The Traffic Engineer has indicated that the existing streets in this area can accommodate traffic that would be generated by the proposed MUL zoning district.

4. Zone Change Proposal No. 2001Z-087G-02

Staff recommends *approval*.

5. PUD Proposal No. 2001P-008G-02 Autumn Ridge Village

Staff recommends *conditional approval*.

- **Subarea Plan Amendment required?** No. The subarea goals are supported by this mixed-use project.
- **Traffic impact study required to analyze project impacts on nearby intersections and neighborhoods?** Yes – one will be required prior to final PUD approval.

This zoning request is twofold:

- To change 45 acres from R20 (single-family and duplex) to MUL (mixed-use limited) district properties at 7585 Old Hickory Boulevard and Old Hickory Boulevard (unnumbered);
- To apply a new PUD to the property to permit 37 single-family lots, 239 multi family units, 125,200 square feet of retail and office uses, and a 4,725 square foot clubhouse.

This property was previously proposed for IWD zoning in 1999 for a future Coca-Cola Bottling distribution plant (99Z-167G-02). In December 1999, staff prepared a subarea plan amendment analysis regarding the industrial zoning. Staff recommended disapproval of the plan amendment and disapproval as contrary to the General Plan the IWD rezoning. Neither Coca-Cola Bottling nor IWD zoning is a part of the current application. A different request to rezone this property was also disapproved as Contrary to the General Plan in July 2000. That request included a request to rezone a portion to RM9 and the other portion to CL. This proposal was inconsistent with the existing single-family development to the north.

The current rezoning request is different. The applicant is seeking approval of mixed-use zoning and a PUD for a mixed-use development. The existing R20 district is intended for single-family and two-family dwellings at a density of 1.85 dwelling units per acre. The proposed MUL district is intended for a moderate intensity mixture of residential, retail, restaurant, commercial, and office uses with a maximum floor area ratio of 1.0. Surrounding uses include single-family homes to the north, a terminal distribution warehouse and light manufacturing and single-family homes to the west, vacant land to the south across Old Hickory Boulevard, and vacant land to the east.

The MUL zoning is proposed to allow for a new development, one with single-family residential, townhomes, retail, restaurant, commercial, and office uses. This mixture of land uses compliments the existing development pattern along Old Hickory Boulevard and the adjacent residential subdivision, Timbertrail. The PUD provides for single-family lots containing a minimum of 10,000 square feet abutting existing Timbertrail. The plan also incorporates elements of a traditional neighborhood where people live within a 5-minute walk to restaurants, grocery, office, and retail uses. A pedestrian

walkway and a street connection is provided to the Timbertrail subdivision, and to the east (parcel 3).

While the proposed rezoning and PUD plan do not allow for strictly residential uses as was intended by the Subarea 2 Plan's Residential Low (RL) policy, the mixture of uses does support other subarea plan goals. These goals include promoting commercial where there is existing commercial development in lieu of opening up other areas to commercial development, providing opportunities for a variety of land uses, providing convenient and attractive shopping areas for resident needs, providing a mixture of housing types, and discouraging strip commercial development. The compact nature of this development plus its mixture of land uses will make it a neighborhood center. This center will differ from the surrounding highway-oriented commercial found at the I-24/Old Hickory Boulevard interchange. The center will provide a community focal point providing economic and housing opportunities for a variety of households.

Staff recommends approval of the zone change and conditional approval of the PUD provided Public Works and Water Services approve the plan, prior to the Planning Commission meeting.

Traffic

The applicant has submitted a letter committing to complete a traffic impact study subject to the Metro Traffic Engineer's review and approval. This study will be completed prior to final PUD approval for any portion of this site. The study will analyze at a minimum the need for the following improvements:

- A left-turn lane from Old Hickory Boulevard into the project entrance;
- A right-turn deceleration lane on Old Hickory Boulevard at the project entrance, if warranted;
- A traffic signal at the Old Hickory Boulevard entrance, if warranted;
- Any additional improvements required by the TIS.

Schools

The existing R20 district could generate 37 students (16 elementary, 11 middle, and 9 high school). The proposed PUD could generate 43 students (19 elementary, 13 middle, and 11 high school). There is currently insufficient capacity at Alex Green Elementary School, while there is sufficient capacity at Ewing Park Middle School, and Whites Creek High School to accommodate new development in this area.

6. Subdivision Proposal 2000S-396G-04 Canton Pass Subdivision

Staff recommends *conditional approval*.

This request is for preliminary plat approval for a 130-lot residential subdivision located on approximately 95 acres at the terminus of Canton Pass, east of Cheyenne Boulevard in the RS15 district on the south bank of the Cumberland River. The proposed density is 1.37 dwelling units per acre. A similar preliminary plat was approved on January 7, 1999 for 133 single-family lots, but that plat expired on January 7, 2001. A previous preliminary plat was approved in April 1996, but it also expired. A significant portion of this property is encumbered by the Cumberland River floodway and floodplain. A greenway trail along the river will be dedicated and constructed by the applicant.

This property's floodplain has been filled by the landowner over the years with various materials, resulting in concerns about soil conditions and compaction. When the plat was originally approved in 1996, it was conditioned with the requirement for a geotechnical study. That study shall be required in conjunction with the final plat to determine roadbed compaction, prior to Public Works approving any street construction plans. In addition, prior to final plat approval, an engineering report shall be required to verify the viability and integrity of all proposed lots to support residential structures. Finished floor elevations for all lots will also need to be shown on the final plat.

Staff recommends conditional approval of this plat subject to the following variances:

Variations:

- **Dead-End Cul-de-Sac**

In order to avoid an excessively long dead-end street, two connections to streets to the west were required. Even with these connections, there is still an 800 foot long cul-de-sac which requires a variance from the 750 foot maximum length permitted by the Subdivision Regulations.

- **Maximum Lot Size and Lot Depth to Width Ratio**

Variances from the maximum lot size (45,000 square feet) and the 4:1 lot depth-to-width ratio in the Subdivision Regulations are also required for 52 lots. Due to the floodplain in the area, there is really not a better pattern for development of the property.

- **Lot Frontage**

A very unique lot design is proposed within this subdivision. A design not previously used in Metro, but has been used in waterfront communities along the seashore or lakeshore. The actual lot will be bisected by an Open Space Conservation Easement for the floodway portion of this site. That easement will include a 40-foot wide Greenway Easement for the public access trail. A secondary portion of the lot will exist along the Cumberland River to enable a dock to be constructed. Staff was not comfortable with allowing an open space conservation easement or public trail within the actual lot area of a homeowner. Staff developed this alternative design to address Metro needs to construct a trail without homeowners perceiving this land as their own. Signs will be posted prior to the issuance of building permits along this open space easement notifying future homeowners that a public access trail will be

constructed as part of the project along the Cumberland River. By providing full disclosure to future homeowners about these public improvements, planning and greenways staff hope to avert future homeowners expressing surprise or discontent with a public access trail at the rear of their properties along the river. This layout requires a variance to the public street frontage requirement since the two portions of the lot are physically separated by the conservation easement. Staff supports the variance and alternative lot design because it offers the best possible location for the greenway.

- **Floodway Buffer**

The applicant received a variance from the Stormwater Management Board on April 19, 2001 to eliminate the required 50-foot floodway buffer along the Cumberland River. The buffer's elimination allowed the applicant to provide lots with a reasonable building envelope. The Board approved the variance with the following conditions:

1. Metro Greenways staff shall provide a letter to Public Works to verify that all of their requirements have been adequately addressed
2. Only one boat dock shall be allowed for every six lots that back up to Hill Island. A common access pathway shall be provided for each six lots so that only one footpath shall cross the Greenway trail for each boat dock.
3. All filling of the property to prepare the lots for construction shall be completed by August 5, 2001. No filling shall take place after that date. All disturbed areas shall be covered with seed and straw for stabilization immediately at the conclusion of the filling.
4. The undisturbed buffer area along the river shall include the entire floodway and shall be platted as a conservation easement. Restrictions for the use of the easement shall be in writing and provided to Public Works and Metro greenways for review and approval.
5. No fences will be allowed on any portion of the lots within the floodway

- **Open Space Conservation Easement**

The Subdivision Regulations require an open space conservation easement in addition to the floodway buffer. The 50-foot floodway buffer coincides with the 75-foot open space buffer except for the remaining 25 feet. The Greenways Commission has agreed to not requiring the 75 foot buffer. The river's floodplain is so extensive on this site that if the trail were provided at the floodway fringe, as provided in the Subdivision Regulations, it would be far away from the actual riverbank. Therefore, the Greenways Commission agreed to waiving the 75 foot buffer since developer has agreed to construct the greenway trail at the river's edge. The greenway trail is a public access trail with a width of 14 feet. The developer will be providing a 14-foot wide crusher with room for Metro to pave a 10-foot wide trail in the future. The trail will have two-foot wide shoulders.

- **Sidewalks**

The applicant plans to construct the 14-foot wide crushed rock public access trail in the greenway easement. Due to the significant investment this represents, staff recommends a variance to the sidewalk requirement for Arabian Court and Morgan Court, two cul-de-sac streets. The applicant also plans to provide pedestrian access easements and build three pedestrian paths connecting the subdivision to the public access trail (greenway).

7. Subdivision Proposal 2001S-098U-13 Ransom Park Subdivision

Staff recommends *approval*.

This request is for preliminary plat approval for a six lot commercial subdivision located on approximately 9 acres abutting the northeast margin of the intersection of Murfreesboro Pike and Ransom Place in the SCC district. The property is located across from the Kroger and Walgreen's in Nashboro Village. The applicant proposes access to the properties from Capital Court, a cul-de-sac that accesses Ransom Place. No access to the lots is allowed via Murfreesboro Pike, according to the Traffic Engineer. The applicant has provided the required sidewalks along Murfreesboro Pike, Ransom Place, and Ransom Court. Staff recommends approval, as this plat conforms with the Zoning Ordinance and Subdivision Regulations.

8. Subdivision Proposal 2000S-355U-12 May Lands (1st Amendment)

Staff recommends *conditional approval* subject to a revised plat submitted prior to the Planning Commission meeting and variances for maximum lot size and sidewalks.

This request is for final plat approval to subdivide 4.9 acres into two lots and to abandon easements. The property abuts the southeast corner of Hill Road and Stone Box Lane within the R40 district. The Planning Commission approved a preliminary plat for this property on November 9, 2000 with a variance for lot 1 due to topography. There is an existing home on lot 1.

The Subdivision Regulations require that subdivided lots be comparable in size (frontage and area) to lots within 300 feet of the proposed subdivision boundary. The 300-foot distance includes all abutting lots as well as lots located on the same and opposite sides of the street. The regulations require that proposed lots have 90% of the average street frontage and contain 75% of the square footage of existing lots considered in the comparability analysis. Lot 2 of this subdivision fails the comparability test for lot area. According to the analysis, the minimum allowable lot area for this subdivision is 58,268 square feet. Lot 2 contains only 51,976 square feet.

A proposed lot cannot exceed three times the minimum lot size of the base zoning within which it is located. The minimum lot size for the R40 district is 40,000 square feet. This means that the lots within this proposed subdivision cannot exceed 120,000 square feet. Lot 1 of this subdivision contains 162,952 square feet. Staff recommends approval of a variance for lot size due to topography.

A variance to Section 2-6.1 of the Subdivision Regulations requiring sidewalks is required. Although this proposed subdivision is within an established neighborhood, the Subdivision Regulations require sidewalks in infill situations. In this case, however, the staff feels that a variance is acceptable based on the fact that this property is unique and the conditions on which the request for a variance is based are not applicable generally to other property. There are no sidewalks on Hill Road, a collector street. A sidewalk at this location could represent a safety hazard due to the variation in street width that would be necessary to accommodate a sidewalk.

Staff recommends conditional approval subject to the applicant providing a revised plat prior to the Commission meeting and variances for lot size and a sidewalk along Hill Road. The plat needs to be revised so that lot 2 meets the minimum lot area requirements based on the comparability analysis.

9. Subdivision Proposal 2001S-099U-08 Historic Preston Taylor Homes Phase 2

Staff recommends *conditional approval* subject to a bond for the extension of roads, sidewalks, and public utilities, Council approval of BL2001-770, and a revised plat prior to plat recordation.

This request is for final plat approval for 23 lots on approximately 20 acres abutting the southeast corner of Clifton Avenue and 39th Avenue North within the RM9 district. The project is the second phase of the redevelopment of Preston Taylor Homes into a residential neighborhood with a mixture of housing types and ownership options. These new lots tie into the existing street network, connecting the development to the neighborhood. The development includes the 23 lots along the eastern side of the development and a combination of multi-family, single-family and duplex housing types in the remainder of the lots. Lots fronting Clifton Avenue and 37th Avenue North between Indiana Avenue and 34th Avenue North include a rear alley.

The Planning Commission approved the preliminary plat for this subdivision on April 26, 2001. The preliminary plat was approved provided that the applicant showed on a final plat the relocation of the water and sewer lines to be abandoned through a mandatory referral. The applicant has satisfied this requirement on this final plat. The mandatory referral (2001M-029U-08) was also approved by the Planning Commission on April 26, 2001. The Council is to consider BL2001-770 on 3rd reading on August 21st. The staff recommends conditional approval subject to Council approval of this bill. A revised plat must also be submitted prior to plat recordation along with a bond for the extension of roads, sidewalks, and public utilities.

10. Subdivision Proposal 2001S-182U-10 Russwood Heights Resubdivision of Lot 20

Staff recommends *disapproval*.

This request is for final plat approval to subdivide one lot into two lots on 1.1 acres abutting the northwest corner of Colewood Drive and Trimble Road. This proposed subdivision is located within Green Hill in the R20 district.

The Subdivision Regulations require that subdivided lots be comparable in size (frontage and area) to lots within 300 feet of the proposed subdivision boundary. The 300-foot distance includes all abutting lots as well as lots located on the same and opposite sides of the street. The regulations require that proposed lots have 90% of the average street frontage and contain 75% of the square footage of existing lots considered in the comparability analysis. The lots in this subdivision meet the frontage requirements, but they fail to meet the minimum requirements for area. The minimum square footage allowable based on comparability is 30,500 square feet. The lots as proposed are only 23,958 square feet.

Lots 143 and 144, located on Colewood Drive next to the proposed subdivision, are similar in size to the proposed lots. These lots are approximately 26,753 square feet, but they were subdivided by a "Zone Lot Division." From 1982 to 1986 Zone Lot Divisions allowed the creation of 2 single-family lots by creating a lot line through a duplex. Comparability was not an issue when that plat was approved in 1983.

Staff recommends disapproval of this plat. Additional land area would be required to meet the lot comparability requirements. This would require the applicant to purchase an adjoining lot. The surrounding lots in this subdivision are larger than the minimum required by the R20 district (20,000 square feet). Therefore, each lot needs 30,500 square feet, however, they are proposed to have only 23,958 square feet.

11. Subdivision Proposal 2001S-198U-07 Realty Savings Bank and Trust Company's Resubdivision of Part of Block 19

Staff recommends *conditional approval* subject to a variance for sidewalks and lot comparability as well as revisions to the final plat prior to plat recordation.

This request is for final plat approval to subdivide part of one lot into two lots on .41 acres abutting the northwest corner of Idaho Avenue and 51st Avenue North. This subdivision is located in Sylvan Park within the RS7.5 district.

A lot comparability analysis was performed on this proposed subdivision, and there is a need for a variance for lot comparability. The Subdivision Regulations require that subdivided lots be comparable in size (frontage and area) to lots within 300 feet of the proposed subdivision boundary. The 300-foot distance includes all abutting lots as well as lots located on the same and opposite sides of the street. The regulations require that proposed lots have 90% of the average street frontage and contain 75% of the square footage of existing lots considered in the comparability analysis. The minimum allowable lot area for this subdivision is 5,889 square feet. Lot 2 more than satisfies this requirement with 7,660 square feet. Lot 2 fails the comparability test, however, for lot frontage. The minimum allowable lot frontage for this subdivision is 48 feet, and Lot 2 has only 45 feet of frontage along 51st Avenue North. The minimum side setback for the RS7.5 district is 5 feet. The proposed lot line is currently 15 feet from the existing home on Lot 1. This lot line could be moved down 5.45 feet in order to satisfy lot frontage requirements and still adhere to the 5 foot side setback regulation.

A variance to Section 2-6.1 of the Subdivision Regulations requiring sidewalks is also required. Although this proposed subdivision is within an established neighborhood, the Subdivision Regulations require sidewalks in infill situations. In this case, however, the staff feels that a variance is acceptable based on the fact that this property is unique and the conditions on which the request for a variance is based are not applicable generally to other property. The Sylvan Park area contains very wide streets. The right-of-way for 51st Avenue North is 80 feet, and the right-of-way for Idaho Avenue is 60 feet. In this neighborhood, these kinds of wide streets do not have sidewalks. The nearest sidewalk to this proposed subdivision is a quarter of a mile away. For this reason, staff recommends conditional approval subject to a variance for sidewalks, lot comparability, and a revised final plat prior to recordation.

12. Subdivision Proposal 2001S-219G-04 Woodlawn Estates Subdivision

Staff recommends *conditional approval* subject to a variance for sidewalks and final plat revision prior to plat recordation.

This request is for final plat approval to subdivide one lot into two lots on .41 acres abutting the southeast corner of Duling Avenue and Thelma Street. This proposed subdivision is within the Amiqui Station neighborhood and the RS7.5 district.

A lot comparability analysis has been performed on this subdivision. The minimum allowable area for a lot within this subdivision according to the lot comparability analysis is 6,448 square feet. These lots contain 10,164 square feet and 7,986 square feet. They also easily pass the lot comparability test for frontage with 85 feet of frontage for Lot 1 and 72.6 feet of frontage for lot two. The minimum allowable frontage for this subdivision is 46 feet.

While this subdivision will not require a variance for lot comparability, a variance to Section 2-6.1 of the Subdivision Regulations will be required. This proposed subdivision is within the established Amiqui Station neighborhood. This neighborhood has no sidewalks, but the Subdivision Regulations require sidewalks in infill situations. The only sidewalks in the vicinity are along North Gallatin Pike in the CS district. Staff feels that a variance is acceptable based on the fact that this property is unique and the conditions on which the request for a variance is based are not applicable generally to other property. Staff recommends conditional approval subject to a variance for sidewalks and the submission of a final plat revision prior to recordation.

13. Subdivision Proposal 2001S-221U-10 James Beard Subdivision

Staff recommends *approval* subject to a revised plat prior to recordation.

This request is for final plat approval to consolidate one parcel into one lot and to reconfigure two lots on .43 acres abutting the south margin of Blair Boulevard, approximately 465 feet east of 25th Avenue South. This proposed subdivision is in the Belmont-Hillsboro neighborhood within the R8 district. There are existing homes on parcels 169 and 171. A gravel drive currently exists on parcel 170 between the two homes. This subdivision intends to consolidate the existing gravel drive and parcel 171.

A lot comparability analysis has been performed on this subdivision, and a variance will not be needed. The proposed frontage for parcel 171 is 73.29 feet, and the proposed frontage for parcel 169 is 71.36 feet. The minimum allowable lot frontage for this subdivision is 50 feet. Both lots also exceed the 5,328 square feet minimum allowable lot area for this subdivision. Parcel 169 contains 11,094 square feet and parcel 171 contains 7,484 square feet. Staff recommends approval subject to a revised plat prior to recordation.

14. Subdivision Proposal 2001S-227G-13 Woodland Pointe Phase 5

Staff recommends *conditional approval* subject to a bond for extension of roads, sidewalks, and public utilities.

This request is for final plat approval to create 40 lots on 16.39 acres abutting the southwest terminus of Woodland Point Drive.

15. Subdivision Proposal 2001S-228G-13 Woodland Pointe Phase 6a

Staff recommends *conditional approval* subject to a bond for extension of roads, sidewalks, and public utilities.

This request is for final plat approval to create 17 lots on 3.95 acres abutting the east terminus of Branch Oak Trail and the southeast portion of Woodland Point Drive.

16. Subdivision Proposal 2001S-229G-13 Woodland Pointe Phase 6b

Staff recommends *conditional approval* subject to a bond for extension of roads, sidewalks, and public utilities.

This request is for final plat approval to create 17 lots on 7.38 acres abutting the southeast terminus of Deep Wood Trail and the northeast terminus of Branch Oak Trail.

These three proposed final plats are part of an overall subdivision located within the RM9 Residential Planned Unit Development District. The Planning Commission approved with conditions a final PUD plan, which this plat is consistent with, on March 29, 2001 (98-85-P-13). Staff recommends conditional approval subject to a bond for the extension of roads, sidewalks, and public utilities for all three plats.

17. Subdivision Proposal 2001S-231U-09 Fleming Property Subdivision

Staff recommends *conditional approval* subject to a revised plat prior to recordation, and bonds for removal of trailer homes and construction of sidewalks.

This request is for final plat approval to subdivide part of one lot into two lots on 1.82 acres abutting the west margin of South 5th Street, between Crutcher Street and Davidson Street. This proposed subdivision is in East Nashville within the IR zoning district. There is an existing gas station, residence, and warehouse building on this lot. The plat subdivides the property to create a separate lot for the gas station. The residence and warehouse building will continue to remain on the same lot. This plat does not increase the degree of non-conformity that already exists for this property with respect to the Zoning Ordinance.

Staff recommends conditional approval of this plat subject to a revised plat prior to recordation. Nearly 100% of this site is within the floodplain of the Cumberland River. Public Works requires that minimum finish floor elevations be specified for new construction on lots within the natural floodplain. Along with meeting the requirements for subdivisions within a floodplain, this request must also have construction plans approved for sidewalk construction by Public Works, prior to plat recordation. Easements must also be shown around existing utilities as required by Water and Sewer. Staff recommends conditional approval subject to a revised plat prior to recordation as well as bonds for removal of two trailer homes and the construction of sidewalks.

18. **Subdivision 2001S-232G-14 Andrew Jackson Business Park, Phase 1, Resubdivision of Lots 18 and 19**

Staff recommends *conditional approval* subject to a bond for extension of roads, sidewalks, and utilities.

This request is for final plat approval to consolidate two lots into one lot abutting the north margin of Jackson Meadows Drive, approximately 460 feet west of Andrew Jackson Parkway. The property is located in Hermitage within the CS zoning district. Since this property is located within a commercial area, lot comparability does not apply. This final plat complies with the Zoning Ordinance and Subdivision Regulations. Staff recommends conditional approval of this plat subject to a bond for extension of roads, sidewalks, and utilities.

19. PUD Proposal No. 163-73-G-06 Bellevue Place PUD

Staff recommends *conditional approval* of the PUD and *conditional approval* of the final plat subject to a bond.

This request is to revise a portion of the preliminary plan and for final approval (lots 1 and 3) and final grading for portions of the Commercial (General) PUD district to permit the development of five retail tenant spaces containing 79,573 square feet and two outparcels along Highway 70 S. One outparcel includes an 8,000 square foot bank/office and the other includes a 4,800 square foot restaurant for a total of 92,373 square feet. The plan replaces the preliminary PUD plan approved for 93,800 square feet of retail, restaurant, and bank uses on June 7, 2001. There is also a request for final plat approval to subdivide one lot into three lots.

Staff recommends conditional approval of the final PUD plan for the five retail tenant spaces, and final plat approval for all three lots with a graphic note that lots 2 and 3 are not building sites. A mandatory referral must first be acted upon by the Metro Council to abandon an existing Harpeth Valley Utility District sewer line that bisects the property before these outparcels can receive final PUD approval. The applicant will be required to amend the final plat to remove the graphic note, as well as submit a revised final PUD plan, after Metro Council approval of the sewer line's abandonment and relocation.

At the time of this report, staff is also working with the applicant to determine the feasibility of a conservation easement from the rear of the property to Highway 70 for a future pedestrian connection from the Harpeth River Greenway to the Bellevue Mall. The Parks Department and the Greenway's Commission have indicated that a trail connection would be desirable on this site. The applicant has agreed to do an analysis to determine the best location for the connection. Given the severe topography at the rear of this site, the applicant has indicated that it may be cost-prohibitive to provide the connection on this site. Therefore, they are analyzing other alternatives. Staff will present to the Commission a recommendation on the greenway.

20. PUD Proposal No. 88P-054G-13 South Shore

Staff recommends *conditional approval*.

This request is to revise the preliminary plan and for final approval for a portion of the Residential PUD district located abutting the south margin of Hamilton Church Road. This revision eliminates one public street connection to Hamilton Church Road and adds two stub-streets (one to the west and one to the south). Staff recommends conditional approval provided Public Works approves the drainage plans and a revised plan is submitted eliminating the temporary access driveway to Hamilton Church Road from Shoreline Circle, prior to the Planning Commission meeting.

A revised preliminary PUD plan was approved by the Planning Commission in February 2000 for 224 single-family lots. That plan was consistent with the original plan approved by Metro Council in 1988 for 224 single-family lots, including no stub-out streets to surrounding properties. After recent meetings with staff regarding this PUD's relationship to the surrounding parcels, the applicant has agreed to revise the PUD plan to provide two street connections to the surrounding properties. This plan relocates two lots within the PUD in order to allow for the two new stub-streets, while eliminating one of the two public street connections to Hamilton Church Road (a 600 foot long road). Staff supports this change since it will provide better connectivity in the future. The second street connection on Hamilton Church Road is not a vital access point.

21. PUD Proposal No. 2000P-009U-13 Hamilton Church Road Property

Staff recommends *conditional approval*.

This request is to revise the preliminary plan and for final approval of an undeveloped PUD district to permit 19 single-family lots, replacing 22 single-family lots. The property is located abutting the south side of Hamilton Church Road, approximately 370 feet east of Owendale Drive. The Subarea 13 Plan's Residential Medium (RM) policy calls for 4 to 9 units per acre. This PUD would provide a density of 3.3 units per acre due to environmental constraints.

This plan is designed with a public road connecting to Hamilton Church Road and extending east and west to parcels 121 and 125. The plan proposes two stub-out streets—one to the east and one to the west. Due to a large sinkhole on the south part of the property, the applicant is clustering the homes to a greater extent than the cluster lot provisions normally allow. Within PUDs, the Zoning Ordinance allows a reduction in lot sizes greater than two zoning districts when the PUD provides extraordinary protection of environmentally sensitive areas. This PUD plan preserves approximately 51% of the site as open space, where only 15% is required, and preserves the sinkhole with a substantial area surrounding it. This development will have 15 lots below 5,000 square feet in size. Six (6) lots within the sinkhole area are designated as critical lots requiring further review and approval by the Public Works Department, prior to issuance of a building permit.

Staff recommends conditional approval of the plan since this proposal is consistent with the RS10 district and the area's zoning pattern. Staff's recommendation is conditioned upon Public Works approving the drainage plans, prior to the Planning Commission meeting and staff receiving revised plans showing a sidewalk along Hamilton Church Road.

22. Mandatory Referral Proposal 2001M-068G-04

Staff recommends *approval*.

This request is to abandon an 8” sewer line measuring 2,106 feet long within a 20 foot sewer easement located in the Ravenwood subdivision. A new sewer line was constructed (99-SL-214) and this line is no longer needed. All agencies and departments were notified of this request and recommend approval.

23. Mandatory Referral Proposal 2001M-070U-10 (Council Bill BL2001-760)

Staff recommends *approval*.

This council bill is to amend a lease agreement for office space at 1900 Church Street used by the Metro Police Department's "Pass Program". The office is located between 19th and 20th Avenues North within the CF district. The lease is from July 1, 2001 to July 30, 2006. Monthly rent increases from \$7,570.31 to \$8,030.59 over the five-year lease term. Total of all payments for lease term is \$377,134.80. All agencies and departments were notified of this request and recommend approval.

24. **Mandatory Referral Proposal 2001M-077U-09**

Staff recommends *conditional approval*.

This request is to permit an aerial encroachment for three vertical, decorative banners to hang from existing Metro street light posts above the public sidewalk on Demonbreun Street. The banners measure approximately 20" wide and 62" long at a height of 10' above the public sidewalk along Demonbreun Street.

These lights posts are located at the rear property line of the Frist Center for the Visual Arts, across from Cummins Station. Staff recommends approval subject to all reviewing agencies and departments recommending approval.