

1. **Zone Change Proposal 2001Z-066U-03**

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 5.27 acres from IWD (industrial) to CL (commercial) at 2422 and 2426 Brick Church Pike. The current IWD district is intended for a wide range of warehousing, wholesaling, and bulk distribution uses. The proposed CL district is intended for retail, consumer service, banks, restaurants, hotel/motel and office uses.

Staff recommends approval of the CL zoning, as it is consistent with the Subarea 3 Plan's Commercial Mixed Concentration (CMC) policy. The CMC policy calls for mixed commercial development that provides retail trade, commercial services, offices, research activities and medium-high density residential. The CL zoning should extend no further than Dennis Drive located to the north of the property. Zoning north of Dennis Drive should be industrial (IND or IR) to be consistent with the Subarea 3 Plan's industrial policy for that area.

2. Zone Change Proposal 2001Z-078U-10

Staff recommends *conditional approval*.

- **Subarea Plan Amendment required?** No.
- **Traffic impact study required to analyze project impacts on nearby intersections and neighborhoods?** Yes; one was submitted and is currently being reviewed by the Metro Traffic Engineer.

This item was deferred by the applicant at the August 16, 2001, meeting to allow more time to discuss traffic issues with Public Works. This request is to change .82 acres from ORI (office-residential intensive) to MUI (mixed-use intensive) district property at 1912, 1914, 1916, and 1918 Adelia Street and Chet Atkins Place (unnumbered), at the intersection of Chet Atkins Place and 20th Avenue South. The existing ORI district is intended to provide for high intensity office uses that are mutually compatible with high-density residential uses. The proposed MUI district permits a mixture of high intensity residential, office, and compatible commercial uses. The MUI district is intended for portions of the downtown core and along major traffic arteries extending from the downtown core. The property is located on the boundary of the Subarea 10 Plan's Office Concentration (OC) and Mixed Use (MU) policies. These policies encourage a mixture of intensive office, residential, retail and restaurant uses.

The applicant has stated that he is requesting the MUI district to construct a mixed-use development. Two residential towers are proposed with associated parking structures: Tower 1: 28 stories for Vanderbilt student housing and Tower 2: 22 stories of market-rate housing with retail uses on the bottom floor. The proposed development would represent a major investment that would provide professional/graduate student housing that the applicant feels is needed in this area. This infill development promises to restore underutilized parcels with new uses that would encourage this area to function as a walkable, mixed-use district.

Staff has met with the applicant on several occasions in order to discuss design issues relating to a pedestrian-scale development at street level, and parking and traffic issues. Staff recommends approval of the rezoning subject to conditions that may be required by the Metro Traffic Engineer to address safety concerns in the area. Staff will address the design issues if, and when, the applicant requests a variance from the Board of Zoning Appeals that would permit the height required to develop the proposed towers.

Traffic

A traffic impact study is still under review by the Metro Traffic Engineer. That study has not yet been approved, however, staff anticipates the review will be completed by the time of the Planning Commission meeting.

3. **Zone Change Proposal 2001Z-089U-03** (Council Bill BL2001-801)

Staff recommends *disapproval*.

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

This council bill is to rezone .37 acres from R10 (residential) to IWD (industrial warehousing and distribution) district property at 3401 Knight Drive. The existing R10 district is intended for single-family homes and duplexes at up to 3.7 units per acre. The proposed IWD district is intended for warehousing and bulk distribution uses. The applicant wants to operate a sheet metal operation within the existing structure on this property, which requires IWD zoning. Limited manufacturing is not permitted in R10 zoning.

The Planning Commission disapproved this same request in December 2000 (2000Z-150U-03) and it subsequently failed at Council (Council Bill BL2001-661). Councilmember Nollner has introduced this rezoning as a new council bill for the September public hearing. Staff recommended disapproval since this property is located within an area of stable residential homes. While this is a small site, allowing industrial zoning to expand in this area would prematurely implicate the properties across the street and to the north. The Commission previously felt that it was premature to intensify zoning with inadequate infrastructure in the area. This property falls within the Subarea 3 Plan's IND (industrial and distribution) policy. IND policy is intended for industrial and distribution uses, including storage, business centers, wholesale centers, and manufacturing. Staff, however, recommends disapproval since the proposed zone change is premature, as is indicated in the text of the Subarea 3 Plan.

The Subarea 3 Plan reads as follows:

“The existing infrastructure is inadequate to support industrial activities, which is likely a major reason this area has only partially developed. In order for this area to reach its full development potential during the planning period, adequate infrastructure must be made available, more specifically adequate accessibility. It is the intent of this IND area that the existing residential and institutional uses within this area will over time convert to industrial uses. It is recommended that industrial access to the area be improved both to accommodate the areas in industrial uses and to minimize the impacts of industrial traffic on existing residential areas.” (Subarea 3 Plan, page 76).

Public Policy on Industrial Expansion in the “12A” policy area of Subarea 3

A consistent public policy is needed for this and other premature zone changes that may be requested. The appropriateness of this area for industrial policy was specifically linked to access from a future industrial access road. “Currently, the road network for this industrial policy area is inadequate. Heavy truck traffic is co-mingling with residential traffic, which is negatively impacting the established residential areas.” (p. 118, Subarea 3 Plan) The subarea plan reiterates that access to industrial areas by way of local streets that are residential in character is inappropriate. Metro and/or private sector developers may decide, at some point

in the future, to construct appropriate access that would support increased industrial activity in this area. Such access would need to channel industrial traffic to the Briley Parkway/Whites Creek Road interchange on road(s) built to industrial standards. As a matter of public policy, staff recommends that no more industrial rezonings be approved in this future industrial development area until such time as standard industrial access is available to direct industrial vehicles to the Whites Creek Pike/Briley Parkway interchange without traversing residential areas on substandard streets.

Traffic

The Traffic Engineer indicates that Brick Church Lane, Knight Drive, and Green Lane should be upgraded in the future to commercial street standards to sufficiently accommodate industrial development in this area. However, he also indicated that this sheet metal operation would not significantly impact these roads currently.

4. Zone Change Proposal 2001Z-090G-12

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 5 acres from AR2a (agricultural) to RS10 (residential) at 5485 Blue Hole Road, north of Pettus Road. The current AR2a district is intended for single-family homes, duplexes, and mobile homes at 1 unit per 2 acres of land. The proposed RS10 district is intended for single-family homes at 3.7 dwelling units per acre. With RS10 zoning, up to 19 single-family homes could be constructed on this property.

Located on this property is the Simpson family cemetery. The applicant has contacted the surviving decedents and inquired about the family's wishes for the cemetery. The decedents expressed that they wanted the remains placed in a permanent cemetery. The applicant has agreed to have a licensed mortuary arrange and coordinate the moving of the remains to a location satisfactory to the Simpson decedents. Upon submission of the preliminary plat the relocation of the remains will be confirmed or the applicant must provide protection for the area.

Staff recommends approval of the proposed RS10 zoning. This zone change is consistent with the Subarea 12 Plan's Residential Low Medium (RLM) policy, which calls for 2 to 4 dwelling units per acre and the area's emerging zoning pattern.

Traffic

The Traffic Engineer has indicated that Blue Hole Road can currently accommodate the traffic generated by the proposed RS10 zoning.

Schools

A single-family development at RS10 density will generate approximately 5 students (2 Elementary, 2 middle, and 1 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 2,003 students, thus exceeding capacity slightly. As more residential rezonings occur in this area, necessary improvements should be programmed into the Capital Improvements Budget.

5. **Zone Change Proposal 2001Z-091G-13**

Staff recommends *disapproval*.

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

This request is to change 2.4 acres from AR2a (agricultural) to R40 (residential) at 510 Franklin Limestone Road. The current AR2a district is intended for single-family homes, duplexes, and mobile homes at 1 unit per 2 acres of land. The proposed R40 district is intended for single-family and duplex homes at 1 dwelling unit per acre. With R40 zoning one additional single-family home could be constructed on this property.

The applicant is requesting this zone change to construct an additional dwelling on this property. This zone change represents a “timing” issue. This rezoning is consistent with the Subarea 13 Plan’s Residential Low Medium (RLM) policy, which calls for 2 to 4 dwelling units per acre. However, Franklin Limestone Road according to the Metro Traffic Engineer is a substandard collector road. Therefore, rezoning property along Franklin Limestone Road is not appropriate until this road is brought up to collector road standards.

Staff recommends disapproval of the proposed R40 zoning. Rezoning this small property at this time could set in motion a series of similar rezoning requests on surrounding properties, which would cause more problems with the substandard collector Franklin Limestone Road. As a matter of public policy, staff recommends no rezonings be approved that would increase vehicle trips on Franklin Limestone Road until such time as this road is improved. Presently, no funds have been allocated or appropriated for this road’s improvement in the Capital Improvements Budget. Once Franklin Limestone Road is brought up to collector road standards rezoning this property will be more feasible.

6. PUD Proposal No. 2001P-009G-13 Maxwell Place

Staff recommends *conditional approval*.

This request is for preliminary approval for a Planned Unit Development district located on the south side of Maxwell Road, east of LaVergne-Couchville Pike to permit 62 single-family lots. The developer also plans to designate 6 lots for affordable housing. The PUD is proposed on 15.3 acres at a density of 4.05 dwelling units per acre. The existing RS10 zoning permits a maximum density of 3.7 single-family dwelling units per acre. Under the RS10 zoning, 57 single-family lots would be permitted. However, using the 10% affordable housing density bonus that is permitted in PUD districts (Section 17.36.090B), 62 single-family lots are permitted. Staff recommends conditional approval provided Public Works approves the plans prior to the Planning Commission meeting.

Although the overall proposed density is 4.05 dwelling units per acre, which is slightly higher than the Subarea 13 Plan's Residential Low Medium (RLM) policy of 2 to 4 dwelling units per acre, it is consistent with the goal of providing a diversity of housing types. This plan includes a mixture of market rate housing and affordable housing in close proximity to each other. The plan provides two public roads from Maxwell Road, with one stub street to the east to provide a connection for future development. It also provides private alleys internally to create a streetscape with homes fronting the public streets and garages in the rear. The southern portion of the PUD will remain undeveloped in common open space since there are two sinkholes on this portion of the property. Public Works will require approval by the State of Tennessee prior to final PUD approval since these will be utilized for stormwater runoff.

Traffic

The Metro Traffic Engineer has indicated that the developer will be required to widen Maxwell Road along the frontage of this property to collector street standards. The Traffic Engineer has also indicated that no other off-site road improvements will be required at this time since the roads in this area can currently accommodate the traffic that will be generated by this development.

Schools

A single-family development with 62 lots could generate approximately 13 students (6 Elementary, 4 middle, and 3 high school). Mt. View Elementary, Kennedy Middle School, and Antioch High School are currently over capacity and will be impacted. The RS10 zoning district has been in place since 1998. As more residential rezonings occur in this area, necessary improvements should be programmed into the Capital Improvements Budget.

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

Staff recommends *conditional approval*.

This request was deferred indefinitely from the Planning Commission meeting on August 2, 2001. The applicant needed more time to work with Planning, Greenways, and Public Works staff. 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.

The applicant plans a future FEMA map amendment that would alter the existing location of the floodway based on the changes created by filling. The amendment would remove some of the floodway from the applicant's property and add floodway to properties across the Cumberland River from the site. The FEMA map amendment process requires notification of all affected property owners. The amendment will not take place prior to this Planning Commission meeting, which will mean that Lot 58 cannot be developed, as the applicant indicates on the plat. Lot 58 does not include enough of a building envelope outside of the existing floodway on which to build. The map amendment would create enough building envelope for Lot 58 as well as create room for the other lots backing up to the river to construct decks and out buildings. The applicant plans to seek the map amendment following the Planning Commission approval of the preliminary plat and before he submits the final plat to staff.

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

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 that also provides for private boat docks.

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. Instead, the applicant will show the entire floodway as the open space conservation easement, as well as the pedestrian access trails that connect the greenway to the subdivision sidewalk system. 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 altering the 75-foot buffer since the 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 conditions of approval will include that the developer will finish his portion of the greenway in phase one. Construction drawings for Phase 1 must include the drawings for the entire greenway. 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.

The developer must complete the grading for the entire greenway before he can receive his first building permit. Signs indicating the presence of a public greenway trail must be located every 100' along the property at the edge of the conservation easement prior to the first building permit. The developer shall be responsible for the maintenance of all signs until all lots within the subdivision have been sold to the ultimate home purchaser. He must build the subsurface

crusher layer prior to receiving building permits for homes that won't be used for models. We want the greenway to be visible to people buying the lots.

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).

8. Subdivision Proposal 2001S-137U-03 Old Matthews Road Subdivision

Staff recommends *conditional approval* subject to a variance for a sidewalk along Old Matthews Road.

This request is for preliminary and final plat approval to subdivide 1.43 acres containing one parcel into five lots along Old Matthews Road, south of Silas Drive. The property is located in Trinity Hills within the RS7.5 district. The applicant is proposing to dedicate between 17 to 25 feet of land along Old Matthews Road to bring the street's width up to local street standards. The plat proposes a density of 3.5 dwelling units per acre; less density is proposed than permitted by the RS7.5 district (4.9 dwelling units per acre).

There is an existing home on lot 1 that will remain. This home was constructed 3 feet from the rear property line. It does not conform to The Zoning Ordinance's current 20 foot rear setback requirement. This plat does not, however, increase the home's degree of non-conformity since the rear property line is not being altered from its original configuration.

A lot comparability analysis was performed on this proposed subdivision, and no variances are required. 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 5,958 square feet while the minimum lot frontage is 48 feet. All lots meet or exceed these minimum requirements.

The applicant is also requesting a variance to the sidewalk requirement of Section 2-6.1 of the Subdivision Regulations. Although this proposed subdivision is within an established neighborhood without sidewalks, the Subdivision Regulations require sidewalks in infill situations. In this case, however, the staff feels that a variance is acceptable. There are no existing sidewalks along Old Matthews Road or in this neighborhood.

Staff recommends conditional approval subject to a variance for a sidewalk along Old Matthews Road.

9. Subdivision Proposal No. 2001S-216G-14 Abbington Park

Staff recommends *conditional approval*.

This proposal was originally scheduled for the July 19, 2001, Commission meeting. It was deferred indefinitely by the applicant in order to work out design issues with the staff. This request is for preliminary plat approval for 399 single-family lots on 158 acres abutting the south margin of Pennington Bend Road and the west terminus of Paddle Wheel Drive. The plan involves three properties, this large parcel, an adjacent property (parcel 1), and a portion of the River Trace Estates PUD. Homes will be built on the large parcel with access from Pennington Bend Road via parcel 1 and a portion of the adjoining PUD.

This is a cluster lot development within the RS15 district at a proposed density of 2.52 dwelling units per acre. The Zoning Ordinance allows residential developments to cluster lots within the manipulated areas of the natural floodplain under the cluster lot option. Lots may be reduced in area the equivalent of two smaller base zone districts, which means that this subdivision within the RS15 district may create lots equivalent in size to the RS7.5 district. The cluster lot option has been used in this case in order to protect a large wetland area on the site. This allows for greater design flexibility in order to protect the wetland, while providing a similar number of lots allowed on 158 acres within the RS15 district.

The applicant appeared before the Stormwater Management Committee on August 17, 2001, seeking approval for the disturbance of a stormwater buffer area. Appeal Case #2001-42 was approved by the Committee allowing the relocation of an existing creek provided it be placed within a 60-foot bufferyard. The Committee's ruling enabled the applicant to resume working with the Planning Commission staff. A revised plan was submitted by the applicant following the Stormwater Management Committee's decision. This plan reflects changes requested by the staff to create a more useable, contiguous open space. The applicant pledges to continue to work with the staff through the final plat stage to create open space for this subdivision that makes optimal use of the existing wetland and is accessible by all of the residents, including those in the existing River Trace Estates. Although this plan has been revised several times, certain concerns still remain.

Streets and Street Connections

Abutting property owners are concerned about two proposed access points: Pennington Bend Road and Delta Queen Drive. Residents of River Trace Estates (a PUD development) favor access from Pennington Bend Road to this site as an alternative to driving through their neighborhood.

Delta Queen Drive

This plan proposes street connections to two of the three existing stub-streets in the River Trace PUD. No connection has been proposed to Delta Queen Drive since existing residents along that street oppose the connection. Staff has indicated to the applicant a connection is necessary to disburse traffic and for public safety. Delta Queen Drive was shown on the original PUD approved in 1986 as a thru street, as well as on the recorded plat. It was never intended or

approved as a permanent dead-end street. Staff recommends that there be a connection to Delta Queen Drive as designed in the River Trace PUD to reduce the potential impacts on Cain Harbor Dr. and Paddle Wheel Dr.

Pennington Bend Road

Residents along Barton Lane have expressed opposition to access from Pennington Bend Road because they fear that it will create an even more dangerous intersection. This plan proposes a permanent green space easement along the frontage of Barton Lane and Pennington Bend Road that extends 210 feet into this property. The green space has been set up to abut parcel 72 to the east and parcel 1 to the west. As a result, the applicant is showing access to this site through parcel 1 (See PUD Proposal 18-86-P-14). A final plat that is submitted for this subdivision must have the signature of the owner of parcel 1 in order to create the proposed access to Pennington Bend Road.

The Metro Traffic Engineer has confirmed that the proposed intersection of Longfellow Drive (the new road proposed in this subdivision) and Pennington Bend Road is acceptable. A traffic signal will be required at this intersection. The signal's cost and installation will be the developer's responsibility. A left-turn lane with 100 feet of storage and an appropriate taper will also be required at this intersection. The developer is also proposing a right-turn lane, which the Metro Traffic Engineer has not required, but has indicated will work at this location. The cost and installation of these turn lanes will be the developer's responsibility. According to the Metro Traffic Engineer, an alternate proposal to access this development via Lock Two Road through River Trace Estates would produce traffic exceeding 2,000 vehicles per day. This traffic volume would normally call for roadways built to collector standards, but the roads within River Trace Estates were not constructed to carry that amount of traffic. Therefore, the Traffic Engineers does not recommend approval of this alternative.

Conditions of Approval

- The property owner of tax map 62-2, parcel 1 shall be named on the final plat submitted showing access from Pennington Bend Road into the proposed subdivision.
- In conjunction with the final plat's submission, construction plans for the signal at the Pennington Bend Road/Longfellow Drive intersection shall be submitted to Public Works. The signal shall be bonded prior to final plat recordation.
- In conjunction with the final plat's submission, construction plans shall be submitted for all proposed turn lane(s) to Public Works.
- The final plat shall show Longfellow Drive as a 60-foot collector road with 37 feet of pavement from Pennington Bend Road to Ibsen Road; it will then transition to 50 feet of right-of-way with 27 feet of pavement to the roundabout, as required by the Metro Traffic Engineer.
- The final plat shall show the Cain Harbor stub-street to the east of Longfellow Drive as a 60-foot collector road with 37 feet of pavement, as required by the Metro Traffic Engineer.
- The final plat shall provide rear access to lots 278-289. The staff considers the proposed roundabout in Phase 5 to be an amenity, but accessing the lots fronting the roundabout from the street could present a safety hazard. This is

especially true since the roundabout occurs on a road that directly connects this subdivision to River Trace Estates and the Cumberland River.

- Delta Queen Drive shall be constructed as a local street, connecting to the existing River Trace Estates, as required by the River Traces Estates PUD and final plat. This street will be constructed to match the existing Delta Queen Drive right-of-way and pavement.
- Street names shall be revised with the final plat to avoid duplication and to ensure public safety.

Greenways

There are 57 acres of open space within the proposed subdivision of which 39 acres have been reserved as a Conservation Easement/Public Greenway Trail. The applicant has proposed a 25% density bonus for the greenway dedication. This bonus has been applied to the area dedicated for public greenway use and would allow 28 additional lots for a total of 418 lots. The applicant is requesting only 399 single-family lots.

Conditions of Approval

- The final plat shall show areas now shown on the plat as greenway easement or open space area as dedications instead of reservations. The 25% density bonus requires the land be dedicated to Metro. In addition, these areas shall be relabeled on the plat as “Conservation Easement/Public Greenway Trail” to ensure future homeowners are aware a public trail will be constructed in these areas to which their rear yards will back up.
- Signs indicating the presence of the public greenway trail must be located every 100’ along the property at the edge of the conservation easement prior to the first building permit. Signs shall be posted with the text facing inward on the lot. The developer shall be responsible for the maintenance of all signs until all lots within the subdivision have been sold to the ultimate home purchaser.
- The final plat shall have a phasing plan for trail construction and sign posting. Trails shall be ADA compliant, compatible with the requirements of the Stormwater Management Committees decision in Appeal Case #2001-42, and Metro greenway standards. Specifically, all trails shall 10’ of pavement with 2’ stable shoulders as shown in the Greenway Design Standards. Proposed 5’ trails should be labeled as “Primitive Foot Trails built to Greenway Standards.” Cross-section drawings depicting the proposed trails shall be provided as part of the phasing plan.
- Trail crossings on roads will need at a minimum: 1) a center removable bollard per Greenway Design Standards, 2) either bollards or boulders immediately on either side of the trail, and 3) ADA compliant ramps at curbs.
- The final plat shall relocate the 60’ bufferyard required by the Stormwater Management Committee for water quality purposes to maximize useable open space.
- A note shall be added to the final plat indicating that open space used for alternate storage for stormwater quality purposes shall be the developer’s responsibility within the Conservation Easement/Public Greenway Trail areas.
- The final plat shall be redesigned such that open space areas to which lots back up to along the site’s periphery are reduced, eliminated, or made part of the proposed contiguous, useable open space areas.

10. PUD Proposal No. 18-86-P-14 River Trace Estates (See also 2001S-216G-14)

Staff recommends *conditional approval*.

This request is to revise a portion of the preliminary plan of the Residential PUD district located abutting the eastern terminus of Paddle Wheel Drive, north of Pennington Bend Road, to allow a new road from the proposed Abbington Park subdivision (See 2001S-216G-14) to extend through a portion of this PUD to the south. Paddle Wheel Drive has always been proposed and approved with a stub-out street to the east for future development. This plan provides for that street connection, as well as a street connection to Pennington Bend, located to the south. The stub-street connection to Pennington Bend goes through a portion of this PUD originally approved as open space area for an overflow parking lot/recreation area. Although this revision reduces the overall open space area by approximately 0.14 acres, there are still 53.4 acres of open space in this PUD (32% open space). Only 15% open space is required. With this revision, this open space area south of Paddle Wheel Drive is proposed for repaving and a new fence is proposed around this existing parking area. The plan also proposes new landscaping along the frontage of Paddle Wheel Drive. Staff recommends conditional approval, provided the preliminary plan for the Abbington Park Subdivision is approved by the Planning Commission.

11. Subdivision Proposal 2001S-251G-04 Warren Place

Staff recommends *conditional approval*.

This request is for a preliminary plat approval of a cluster lot subdivision containing 12 lots located on approximately 3.7 acres on Blue Hole Road in the R10 district. The proposed density is approximately 3.2 dwelling units per acre with 21.6 % of the site in permanent open space (0.80 acres). A stub-street has been provided to the north for a future connection to Cinder Road. A small portion of the site is within the floodplain of a small creek located at the rear of the property.

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 regulation require that proposed lots have 90% of the average street frontage and contain 75% of the square footage of existing lots considered in comparability analysis. All lots of this subdivision pass the comparability test for lot area and frontage. According to the analysis, the minimum allowable lot area is 8,381 square feet and minimum frontage is 67 feet.

Staff recommends conditional approval as the plat conforms to the Zoning Ordinance and Subdivision Regulations. Sidewalks will be provided along Warren Drive and Swinging Bridge Road as well as Warren Avenue, the new proposed street.

12. Subdivision Proposal No. 2001S-258U-08 5th Avenue North and Van Buren Street

Staff recommends *conditional approval* subject to a bond for extension of public utilities.

This request is for preliminary approval for seven lots on .71 acres abutting the southeast corner of Van Buren Street and 5th Avenue North within the MUN district. This proposed subdivision is within the Subarea 8 Plan's Mixed Use policy area and is located in the Germantown neighborhood. The policy calls for a mixture of residential and nonresidential uses that are integrated at a pedestrian scale to create an attractive, exciting environment for both residents and businesses. The staff feels that this subdivision will reinforce these policy objectives. The proposed homes will help to create a comfortable pedestrian environment that is crucial in this historic area by bringing the homes closer to the street and providing alley access to the rear of these homes.

Lot comparability is not an issue in this case. Although the proposed development is intended for residences, comparability only applies to subdivisions within a residential zoning district. This request is also located within the Urban Zoning Overlay District. The Urban Zoning Overlay District is intended to promote reinvestment in areas of Nashville originally developed before the mid-1950s. This district allows developers to preserve and protect existing development patterns and to ensure the compatibility of new development in older portions of the city. As a result, the applicant will be able to build closer to the street and on smaller lot sizes than may be allowed in typical zoning districts. No sidewalk variance is needed since sidewalks already exist along both Van Buren Street and 5th Avenue North.

Staff met with the applicant and Public Works concerning a proposed detention/drainage easement area located within this development's parking lot. Public Works has approved the grassy detention area which will be bordered by shrubs to create a visual barrier and wheel stops to prevent cars backing up into it. Staff recommends conditional approval subject to a bond for extension of public utilities.

13. Subdivision Proposal 2001S-058U-05 L. M. Ezell Resub. Part of Lots 38 and 39

Staff recommends *conditional approval* subject to a variance for a sidewalk and a revised plat prior to recordation.

This request is for final plat approval to subdivide .37 acres containing part of two lots into two lots on West Avenue, east of Cline Lane. The applicant is proposing to dedicate 25 feet along West Avenue since this street narrows considerably. The Public Works Department has agreed to the applicant dedicating the right-of-way, but not improving it with either paving or a sidewalk. In addition, the applicant has shown a reservation of 5 feet of right-of-way along Douglas Avenue. This reservation must be shown as a dedication of right-of-way on a revised plat prior to recordation. Also, a note needs to be added to the plat indicating no access will be gained from Douglas Avenue to serve either of these two lots. Lot 2 is a flag-shaped lot with approximately 8 feet of frontage along Douglas Avenue. The property was originally configured with this strip of land.

A lot comparability analysis was performed on this proposed subdivision, and no variances are required. 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 5,227 square feet while the minimum lot frontage is 48.6 feet. Both lots meet or exceed these minimum requirements.

The applicant is also requesting a variance to the sidewalk requirement of Section 2-6.1 of the Subdivision Regulations. Although this proposed subdivision is within an established neighborhood, the Subdivision Regulations require sidewalks in infill situations. There are no sidewalks along West Avenue although sidewalks do exist along Cline and Douglas Avenues. In this case, however, staff feels that a variance is appropriate since there are no existing sidewalks along West Avenue and since Public Works is not requiring West Avenue in front of this property to be improved by the applicant.

Staff recommends conditional approval subject to a variance for sidewalks along West Avenue and submittal of a revised plat prior to recordation, a 5 foot dedication of right-of-way for Douglas Avenue, and a note indicating no access to these lots will be provided from Douglas Avenue.

14. Subdivision Proposal 2001S-177G-12 Old Hickory Hills, Section 1

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

This request is for final plat approval to subdivide 34.65 acres into 119 single-family lots on Old Hickory Boulevard between Pettus Road and I-24. The applicant is proposing a cluster lot subdivision within the RS10 district. As a cluster lot development, the applicant can reduce the lot sizes down two base zoning districts to the RS5 district. Lots within this section range in size from 6,188 to 11,018 square feet. The Planning Commission approved a preliminary plat for 412 single-family lots on October 28, 1999 (99S-388G-12). This section represents 29% of the total lots proposed within this development.

There is a blue-line stream that runs through this property. Along that stream a 50 foot buffer is required for stormwater management. The Stormwater Management Committee approved the applicant's variance request to encroach 25 feet into that buffer with lots thereby reducing the buffer to 25 feet (Appeal Case #2000-26). A 60 foot collector road named Legacy Drive is proposed for this development which begins at Old Hickory Boulevard and stubs-out into future phases of this development. Sidewalks are proposed along one side of the streets within the development since the preliminary plat was approved under the old Subdivision Regulations. The applicant is also dedicating approximately .30 acres for Old Hickory Boulevard's realignment. The applicant will be realigning the road to reduce its severe curvature in front of the subdivision's entrance. Staff recommends conditional approval subject to bonds for the extension of roads, sidewalks, and public utilities.

15. Subdivision Proposal 2001S-200G-14 Stoners Bend Business Park, Resub. Lot 2

Staff recommends *disapproval*.

This request is for a sidewalk variance along Stoners Bend Drive. The Planning Commission conditionally approved on July 19, 2001 a final plat for a three lot subdivision subject to sidewalks along the road being shown prior to plat recordation. Since the final plat was approved, the applicant has decided not to construct the sidewalks. The applicant is not eligible to apply for the sidewalk in-lieu fee program administered by the Public Works Department. The Zoning Ordinance permits payment of a fee in-lieu of sidewalk construction where such sidewalk construction is currently programmed by Metro Government within an adopted capital improvements budget, and where the property fronts on an arterial or collector street. This business park fronts a local street; and therefore, is not eligible.

Staff recommends disapproval of the proposed variance. Staff field-checked this site and has determined there is no topographic constraint to constructing these sidewalks. The property is flat and there is an existing, wide gravel shoulder with a gentle ditch section along Stoners Bend Drive. A sidewalk could be accommodated within the existing right-of-way.

16. Subdivision Proposal 2001S-240G-14 River Glen, Phase 3, Sec. 1

17. Subdivision Proposal 2001S-241G-14 River Glen, Phase 5, Sec. 1

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

These requests are for final plat approval for Phase 3 (20 single-family lots) and Phase 5 (21 single-family lots) on 7 acres abutting the west margin of Lock Two Road and the northern terminus of Sonar Drive. This property is classified within the R15 Residential Planned Unit Development District.

The Planning Commission approved with conditions a final PUD plan that encompassed these phases on August 16, 2001 (75-87-P-14). These plats are consistent with the approved final PUD plan. Staff recommends conditional approval subject to a bond for the extension of roads, sidewalks, and public utilities for both plats.

18. **Subdivision Proposal 2001S-246G-14 Truxton Park Subdivision Section 6 (formerly Remington Park and Oakwood Farm)**

Staff recommends *conditional approval* subject to bonds for roads, sidewalks, and utilities.

This request is for final plat approval to create 70 cluster lots abutting the eastern margin of Sherwood Forest, approximately 850 feet west of Andrew Jackson Parkway. The Planning Commission approved the preliminary plat on August 1, 2000. This final plat conforms with the approved preliminary plat. Cumberland Utility will provide water service and Metro Water and Sewer Services will provide sewer service. Staff recommends conditional approval subject to bonds for the completion of roads, sidewalks and utilities.

19. Subdivision Proposal 2001S-250U-10 Derryberry Property

Staff recommends *conditional approval* subject to a revised plat prior to plat recordation for stream buffering and right-of-way dedication.

This request is for final plat approval to subdivide 5.29 acres containing part of three lots into two lots abutting the south margin of Battery Lane and the east margin of Granny White Pike by adjusting the lot line between lots 1 and 2. The lot lines today are as they were approved on a plat in 1923 called J. T. Jenkin's Home Tract. The existing structures on both lots will remain.

A stream traverses the rear portion of these lots. A revised plat shall need to be submitted prior to plat recordation showing the stream and a 25 foot buffer along both sides of the stream. The buffer is required for stormwater management. In addition, right-of-way dedications need to be shown on the plat for Battery Lane and Granny White Pike.

The applicant is also requesting a variance to the sidewalk requirement of Section 2-6.1 of the Subdivision Regulations. Although this proposed subdivision is within an established neighborhood, the Subdivision Regulations require sidewalks in infill situations. There are no sidewalks along Battery Lane or Granny White Pike. While there are no plans presently to widen these roadways within the adopted Capital Improvements Budget, given the volume of daily traffic on these roads, some widening is anticipated in the future. Therefore, constructing sidewalks today would not be advisable.

Staff recommends conditional approval subject to a variance for sidewalks along Battery Lane and Whites Creek Pike and submittal of a revised plat prior to plan recordation. The revised plat needs to show a 25 foot stream buffer, a 12 foot right-of-way dedication along Battery Lane, and a 11 foot right-of-way dedication along Granny White Pike.

20. Subdivision Proposal 2001S-252G-06 Riverwalk, Ph. 1A, Sec. 1 and Ph. 1B, Sec. 1

Staff recommends *conditional approval* subject to a bond for the extension of roads, sidewalks, and public utilities as well as a revised plat prior to recordation that shows a paved trail as approved in the final PUD.

This request is for final plat approval to create 113 single-family lots on 57 acres abutting the north margin of Newsom Station Road and the southwest margin of CSX Transportation Railroad. This property is classified within the RS15 Residential Planned Unit Development District. This plat is to record all of Phase 1A and parts of Phase 1B as approved by the Planning Commission on the final PUD plan on March 15, 2001 (2000P-003G-06).

A variance for sidewalks on both sides of the street was granted for the final PUD since it would help to preserve more of the natural features of the site and since a portion of this site has cross-slopes of greater than 9%. In lieu of the sidewalk, the PUD plan provides an 8-foot wide paved trail that extends from the entrance all the way to the one-mile long greenway trail along the Harpeth River. This trail will serve as a pedestrian link to access the greenway trail. The trail as agreed upon for final PUD approval is not clearly denoted on the final plat, and therefore, a revised plat will be required prior to recordation which clearly denotes the 8-foot wide paved trail as it is reflected in the final PUD.

Staff recommends conditional approval subject to this revision as well as a bond for the extension of roads, sidewalks and utilities. A PUD boundary plat shall be recorded prior to the recordation of this final plat. The applicant currently has a contract with the Harpeth Utility District for the extension of public utilities. Bonds shall include the following off-site road improvements and land dedication as approved with the preliminary and final PUD plans:

- An eastbound left-turn lane from Newsom Station Road into the project site with 100 feet of storage and a transition to be determined by the Metro Traffic Engineer with a 12 foot wide travel lane.
- A right-turn lane from McCrory Lane onto Newsom Station Road with 100 feet of storage and a transition to be determined by the Metro Traffic Engineer with a 12 foot wide travel lane.
- A right-turn lane from Newsom Station Road onto McCrory Lane with 100 feet of storage and a transition to be determined by the Metro Traffic Engineer with a 12 foot wide travel lane.
- A left-turn lane from Newsom Station Road onto McCrory Lane with 100 feet of storage and a transition to be determined by the Metro Traffic Engineer with a 12 foot wide travel lane.
- Widening Newsom Station Road to rural collector standards with 20 feet of pavement width and 8 foot wide shoulders on each side of the road from the Riverwalk project entrance to the Boone Trace PUD entrance, with varying shoulder widths as approved by the Metro Traffic Engineer and in conformance with the approved construction plans. This improvement will include the straightening of the 90 degree curve in the road, the reverse curve, and will utilize the dedicated right-of-way along the frontage of the Boone Trace PUD. This does not include the portion of Newsom Station Road in front of the Lexington Point Subdivision, where a left-turn lane will be constructed by the developer of that site.
- Dedication of 5 feet of right-of-way along Newsom Station Road.

21. Subdivision Proposal 2001S-254U-13 Bayview Estates, Phase 6

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 25 lots on 3.32 acres abutting the northwest terminus of Tinney Place. This final plat is located within a R10 Residential Planned Unit Development District. The Planning Commission approved with conditions a final PUD plan, which this plat is consistent with, on May 25, 2000 (97P-010U-13). The applicant also needs to revise the final plat for Phase 2 (lots 59-64) prior to this plat's recordation to address the 20 foot public utility drainage easement shown in this phase that affect lots within that previous phase. Staff recommends conditional approval subject to a revised plat submitted for Phase 2, showing a drainage easement, prior to this plat's recordation and a bond for the extension of roads, sidewalks, and public utilities.

22. Mandatory Referral Proposal 2001M-078U-12

Staff recommends *approval*.

This request is to close Old Welch Road from where it intersects with Old Wallace Road, between Wallace Road and Harding Place. Easements are to be retained. HCA Realty Inc. is requesting this closure to accommodate an expansion of an office building on an abutting property. Currently, the street right-of-way appears to be part of parking lot for an office building owned by HCA Realty Inc. No properties will be landlocked by this closure. Staff recommends approval subject to all agencies and departments notified of this request recommending approval.

23. Mandatory Referral Proposal 2001M-079U-12

Staff recommends *approval*.

This request is to close Old Wallace Road from where it intersects with Old Welch Road, between Wallace Road and Harding Place. Easements are to be retained. HCA Realty Inc. is requesting this closure to accommodate an expansion of an office building on an abutting property. No properties will be landlocked by this closure. Staff recommends approval subject to all agencies and departments notified of this request recommending approval.

24. Mandatory Referral Proposal 2001M-081U-00 (Council Bill BL2001-774)

Staff recommends *approval*.

This council bill adopts the property identification maps for The Metropolitan Government of Nashville and Davidson County. These maps are adopted annually by Council and become the official maps for the identification of real estate for tax assessment purposes. Staff recommends approval of this bill since these maps are used to identify all parcels of land within the county.

25. Mandatory Referral Proposal 2001M-082U-05 (Council Bill BL2001-782)

Staff recommends *approval*.

This council bill is to lease the parking lot of the Davidson County Sheriff's Office Training Academy located at 710 S. 5th Street to the Sheriff's Project for Organized Recreation and Team Sports (S.P.O.R.T.S.). The parking lot will be used by S.P.O.R.T.S. for charitable fundraising. This not-for-profit service organization will park cars during Tennessee Titan football games and Fan Fair. Funds raised by the parking cars will be used to develop sports programs for children in Nashville and Davidson County. Metro will receive no revenue from the lease or the parking fees. The lease will be for one year with a provision for four lease renewals of one year each. Staff recommends approval since all agencies and departments were notified of this request and recommend approval.

26 . Mandatory Referral Proposal 2001M-083U-09 (Council Bill BL2001-787)

Staff recommends *approval*.

This council bill is to obtain a consent to easement from the U.S. Army Corps of Engineers for maintaining the Shelby Street Bridge. Staff recommends approval since all agencies and departments were notified of this request and recommend approval.