



Project No.

Public Hearing: Plan for Subarea 8 – the North Nashville Community 2002 Update Amendments

Staff Recommendation

Approve

APPLICANT REQUEST

Text Amendments

Approve changes to Chapter 3 for the Subarea 8 Plan (Structure Plan amendments).

Detailed Neighborhood Design Plans (DNDP)

Adopt DNDP for Fisk-Meharry, Hadley-Washington, McKissack Park and Watkins Park

SUBAREA PLAN

MPC adopted the *Plan for Subarea 8: the North Nashville Community: 2002 Update* on January 24, 2002. The plan called for the completion of DNDPs for the planning neighborhoods within Subarea 8 that would expand upon the Structure Plan. The changes to Chapter 3 (the Structure Plan) arose from the planning processes for two of the DNDPs.

CHANGES TO CHAPTER 3 AND APPENDIX C

The proposed changes are detailed in the accompanying document entitled: *Amendment #3 to the Plan for Subarea 8: the North Nashville Community: 2002 Update*. The changes to the “Structure Plan” are needed for consistency between it and the DNDPs discussed below.

DNDP FOR FISK-MEHARRY, HADLEY-WASHINGTON, MCKISSACK PARK AND WAKTKINS PARK

Public Participation

Staff met with approximately 50 residents and property owners in these four neighborhoods during two workshops held on April 8 and April 10 and one follow up meeting on April 17. Staff presented the final land



Metro Planning Commission Meeting of 7/10/03

FHMW Plan Objectives

use plan, transportation plan and detail drawings at the follow up meeting.

The plan overall seeks to provide opportunities to do the following:

- Enhance connections to other neighborhoods
- Link important landmarks with greenways
- Revitalize and reenergize historic Jefferson Street
- Transform railroad industrial areas to mixed use communities
- Provide more housing serving Fisk and Meharry
- Revitalize the Merry Street-Booker Street residential area
- Maintain residential neighborhoods

Description of each neighborhood

The DNDP outlines the uniqueness of each planning neighborhood.

Fisk-Meharry

The DNDP focuses mixed use development along Jefferson Street, mixed housing along 12th Avenue overlooking Interstate 40 and between 14th Avenue and Fisk University as well as in the Hermosa Street area. It provides single family attached and detached areas west of 14th Avenue and east of 12th Avenue and along Herman Street and Britt Place.

Hadley-Washington

The DNDP covers most of the neighborhood with single family detached, but allows for single family attached and detached along Herman Street and 28th Avenue. The mixed housing designation covers the Merry Street and Booker Street areas where the plan also calls for street extensions that would add connectivity that would make the property better suited for mixed housing development.

McKissack Park

The DNDP mixes single family attached and detached; single family detached and mixed housing throughout the neighborhood. Mixed use lines the boundary along the railroad with commercial facing the frontage along Charlotte Avenue

Watkins Park

The DNDP allows for the mixed use development on the properties near the rail road in the northern portion of the neighborhood. Single family detached and mixed housing fill the remainder of the neighborhood.



Metro Planning Commission Meeting of 7/10/03

METROPOLITAN PLANNING COMMISSION OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE

Resolution No. 2003-

“WHEREAS, on January 24, 2002, the Metropolitan Planning Commission adopted “*The Plan for Subarea 8: the North Nashville Community – 2002 Update*” [the *Updated Plan*], and

WHEREAS, the *Updated Plan* defines planning neighborhoods, a goal of the *Updated Plan* is the preparation of “Detailed Neighborhood Design Plans” [DNDPs] for those planning neighborhoods, and the *Updated Plan* calls for said DNDPs to be made a part of the *Updated Plan* through their adoption and incorporation into the *Updated Plan* (by reference) as elements of Appendix E, and

WHEREAS, from in April of 2003, the Metropolitan Planning Department staff working extensively with residents, property owners, and civic and business interests, including conducting three workshops and public meetings in the community, prepared a DNDP for a group of four planning neighborhoods [see Part II in Attachment A], and

WHEREAS, modifications are needed to the “Structure Plan” section of the *Updated Plan* to provide the basis for some of the provisions of the DNDP as presented in Section II of Attachment A [see Part I of Attachment A], and

WHEREAS, a public hearing was held by the Metropolitan Planning Commission on July 10, 2003 to obtain additional input regarding the proposed DNDP and modifications to the *Updated Plan* presented in Attachment A and,

WHEREAS, the Metropolitan Planning Commission is empowered under state statute and the charter of the Metropolitan Government of Nashville and Davidson County to adopt master or general plans for smaller areas of the county;

WHEREAS, the Metropolitan Planning Commission finds that the modifications to the *Updated Plan* as presented in Part I of Attachment A are proper and are important to the achievement of the vision and goals of the *Updated Plan*, that the DNDP as presented in Part II of Attachment A has been prepared in accordance with the guidelines in the *Updated Plan*, and that these amendments are supported by the community,

NOW, THEREFORE, BE IT RESOLVED that the Metropolitan Planning Commission hereby **ADOPTS** Amendment No. 3 to *The Plan for Subarea 8: the North Nashville Community – 2002 Update* as set forth in “Attachment A,” incorporates Part I of the amendment into the *Updated Plan*, and incorporates Part II by reference into Appendix E of the *Updated Plan*.

/s/ _____
James Lawson, Chairman

Amendment Adoption Date: July 10, 2003

Attest:
/s/ _____
Rick Bernhardt
Secretary and Executive Director



Metro Planning Commission Meeting of 7/10/03



ATTACHMENT A



Metro Planning Commission Meeting of 7/10/03

AMENDMENT NO. 3

TO

THE PLAN FOR SUBAREA 8: THE NORTH NASHVILLE COMMUNITY – 2002 UPDATE [the Updated Plan]

This amendment consists of two major sections.

Section I spells out all of the changes made to the *Updated Plan* except for the Detailed Neighborhood Design Plan that is being added to Appendix E by reference.

Section II is the document that comprises the Detailed Neighborhood Design Plan for the Fisk-Meharry, Hadley-Washington Park, McKissack Park and Watkins Park neighborhoods [Appendices E-8, 11, 13, & 21 of the Updated Plan].

Part I: the *Updated Plan* is hereby amended as follows:

By changing Figure 18, entitled “Subarea 8/North Nashville Community Structure Plan” on page 75 as shown in accompanying Illustration #1.

Part II: the *Updated Plan* is hereby amended as follows:

Section 1. by adding by reference to Appendix E the accompanying document that is under separate cover entitled:

*“Appendices E-8, 11, 13, & 21
Detailed Neighborhood Design Plan
Fisk-Meharry, Hadley-Washington, McKissack Park & Watkins Park*



Illustration 1





Project No.

Request to adopt the Antioch/Priest Lake Community Plan: 2003 Update

**Associated Case
Council Bill
Staff Reviewer**

None
None
Wood

Staff Recommendation

Approve

REQUEST

Adopt the Antioch/Priest Lake Community Plan: 2003 Update.

This plan replaces the Subarea 13 Plan: 1996 Update.

Public Participation

Staff met with over 150 residents, property owners, and business owners during a series of workshops and meetings held during October 2002 – April 2003. Staff presented the final plan at a meeting on March 11, 2003. Staff held two additional meetings at the requests of in one case, Councilmember Tony Derryberry (March 27, 2003), and in the other case, the Four Corners Neighborhood Association (April 22, 2003) to discuss the draft plan.

Highlights

Land use policies for the developed portions of the community remain substantially unchanged, although in some cases the old land use policy categories used in the 1996 version have been replaced by the equivalent Structure Plan policy used in the new community planning system. An example of this would be the replacement of Major Public Open Space policy with Open Space policy.

The land use policies for undeveloped and developing portions of the community have changed substantially from the 1996 plan to the 2003 version. Most of these undeveloped and developing areas are in the southern portion of the community flanking the Murfreesboro Pike corridor. In the Subarea 13 Plan: 1996 Update, the land use policies for most of this land were divided among Residential Low-Medium, Residential Medium, and Residential Medium-High Density policies. Staff and community participants were concerned that implementing these land use policies over such a large area would result in unattractive, dysfunctional development patterns with different types of housing



Metro Planning Commission Meeting of 7/10/03

isolated from one another into single-use communities. This is the development pattern that is now most common for newer development in the Antioch/Priest Lake community, and residents dislike it very strongly. Participants were especially concerned about the possibilities for the development of large areas of purely multifamily housing, a phenomenon many referred to as “the Hickory Hollow mistake.”

Unlike the land use policy arrangement for these areas called for in the 1996 plan, the new plan calls for the development of nearly forty compact new neighborhoods that will each contain an integrated, compatible mixture of housing types. Most of these new neighborhoods will also contain neighborhood centers that could range from small, neighborhood-focused mixed use areas to small open space areas or civic gathering places. An interconnected open space system of greenways has been laid out for these new neighborhoods. Potential sites for new parks and schools have also been identified to serve the growing community, not only in the developing areas, but also within the older developed neighborhoods.

Although community participants largely accepted the fact that the Antioch/Priest Lake community is and will continue to be one of the county’s fastest growing, they still hope to preserve some of the community’s rural character. The plan addresses this in part through the recommended park and greenway system. In addition, a new Structure Plan category called “Corridor Edge” was developed and applied to the scenic Hobson Pike corridor. Corridor Edge calls for very large lot development and farms to preserve the corridor’s rural quality. Finally, the Rural Structure Plan category was applied to the isolated, sparsely developed area east of Percy Priest Lake. This area is not now served with sewers, and neither Metro nor neighboring Wilson County has any intention of providing sewer service to the area.

Another difference worth pointing out between the 1996 plan and the 2003 version is the fact that somewhat more industrial development opportunity has been provided east of the airport. Most of this has occurred due to the replacement of Office Concentration policy with Industrial policy. This was



Metro Planning Commission Meeting of 7/10/03

done both because of the weak airport-area office market and the need for more industrial development opportunity.

There have been some changes to the draft since the Commission deferred the draft plan at the June 12 meeting. Planning staff have held additional discussions with Public Works Department staff about the proposed required street connections language that will be part of the transportation plan. The current revised language is shown below.

Transportation Plan Language (pages 28-29)

This community plan update identifies *Required Street Connections* on Figure 7. The connections are also shown on the Structure Plan maps (Figure 4). In addition to providing increased neighborhood access to the network of streets with greater functional classifications [i.e. collectors and arterials], the purpose and intent of these required roadways is to allow multiple options for movements of all types facilitating short trips within the community at a speed appropriate for and supportive of neighborhood livability. These connections provide strong connectivity among neighborhoods that will result in less dependence, hence less congestion, on streets with greater functional classifications.

The local street network as a result of 'required street connections' is intended to support reduced travel distances by accommodating multiple travel modes with careful attention paid to non-motorized modes. The emphasis on non-motorized travel modes will create a transportation environment that encourages walking and cycling and provides increased access to transit, while creating a strong sense of community.

The 'required street connections' are meant to show the minimum degree of roadway connectivity and the general locations of where roadway connections are necessary. This roadway network has been designed to reflect a highly interconnected pattern of streets. These facilities are located at a sufficient distance from the existing and proposed collector and arterial roadway system, as well as each other, to support the



Metro Planning Commission Meeting of 7/10/03

efficient movement of motorized and non-motorized travel modes. In most instances, these new streets are classified as local roads.

The design of the local streets providing 'required street connections' will support the goal of improved neighborhood connectivity and mobility while discouraging "high speed" or "cut through" traffic. Examples of typical street and network design techniques are:

1. Creating a discontinuous path of travel through the design and alignment of intersections or the location of formal public spaces such as greens and squares;
2. Framing the street through landscape treatments, on-street parking, pavement markings, and building setbacks;
3. Using street geometric designs consistent with a design speed appropriate to the neighborhood context. The preferred target speed of such roadways will recognize adjacent land uses, a lower degree of through movement and a higher focus on neighborhood livability.

Roadways classified as Collector Streets may also provide connections between residential neighborhoods. The design of such collectors shall provide a greater degree of through movement, but shall be designed to support alternative modes such as walking and cycling and be given design consideration appropriate to the neighborhood context. The preferred target speed of such roadways will recognize the greater degree of through movement of such roadways and be given design consideration appropriate to the neighborhood context.



Project No.
Associated Case
Council Bill
Staff Reviewer

Zone Change 2003Z-096U-13
None
None
Bond

Staff Recommendation

Disapprove

APPLICANT REQUEST

Rezone 3.58 acres from residential single-family (R10) and Office Limited (OL) to Commercial Services (CS) district property, along the north side of Jansing Drive and south of Antioch Pike.

Existing Zoning
R10 district

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

OL district

Office Limited is intended for moderate intensity office uses.

Proposed Zoning
CS district

Commercial Service is intended for retail, consumer service, financial, restaurant, office, auto-repair, auto sales, self-storage, light manufacturing and small warehouse uses.

SUBAREA 13 PLAN POLICY

Residential Low-Medium (RLM)

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

Policy Conflict

Yes. The proposed zoning district (CS) is not consistent with the RLM policy. This area is predominantly residential in character. In addition to the general RLM policies, there are specific guidelines for this area:

- “This area’s character is intended to be preserved and any infill development should be of similar density and character to that which exists.
- The adjacent commercial area (11C) should not extend south of the lots fronting on Perimeter Hill Drive. Extension of this commercial area further



Metro Planning Commission Meeting of 7/10/03

south would disrupt the stability of this residential area.

- Care should be taken to limit commercial and residential traffic from the south from having access to the residential streets in this policy area.”
(Subarea 13, Area 4D, p.53)

RECENT REZONINGS

Yes, a portion of this property was rezoned from OG to OL in 1998 with the overall zoning update for the county.

TRAFFIC

Based on the trip generation numbers for commercial services (CS) district, this proposal will generate 363 to 3,805 daily trips. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Traffic Engineer’s Findings

Trip generations will possibly be comparable, but can not be determined without final development plan. Therefore, Public Works recommendation is:
“With the submittal of Final Development Plans and review by the Traffic Engineer, a Traffic Impact Study may be required to determine the additional traffic generated by the proposed level of development and required mitigations.”



Project No.
Project Name
Associated Cases
Staff Reviewer

Subdivision 2003S-163G-12
Cottage Grove Subdivision
None
Mitchell

Staff Recommendation

Approve with conditions, with a recommendation to disapprove a request for a sidewalk variance.

APPLICANT REQUEST
Preliminary Plat

Subdivide a 10.37-acre tract into a 38-lot cluster lot subdivision, at a proposed density of 3.7 dwellings units per acre. A maximum of 38 lots are permitted under the RS10 district.

ZONING
RS10 District

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

CLUSTER LOT OPTION

The cluster lot option allows the applicant to reduce minimum lot sizes two base zone districts from the base zone classification of RS10 (minimum 10,000 square foot lots) to RS5 (minimum 5,000 square foot lots). The proposed lots range from 5,428 square feet to 14,622 square feet.

The applicant is utilizing the cluster lot option because the site is partially constrained by hillside, – which requiring designation of 8 lots as critical lots. The cluster lot option is also intended to preserve significant vegetation within the open space areas for each phase.

Pursuant to Section 17.12.080(D) of the Metro Zoning Ordinance, open space provisions require a minimum of 15% open space per phase. The applicant meets this requirement.

SUBAREA 12 PLAN

This subdivision falls within Subarea 12 is Residential Low-Medium (RLM) policy that supports and provides opportunities for new residential development within a density range of 2 to 4 units per acre. The preliminary plat proposes a density of 3.7 dwelling units per acre, which falls within the RLM density range.



Metro Planning Commission Meeting of 7/10/03

SUBDIVISION DETAILS

The 10.37-acre tract, approximately 1,500 feet deep, lies along the south margin of Barnes Road in the southern portion of the county and just east of Nolensville Pike. The proposed 38 lots are located on either side of a single, curvilinear, spine road that provides for a temporary dead-end to the property located west of the subject site. The properties to the west have not yet been subdivided. The proposal includes a possible detention area that is located in the south end of the subdivision within the proposed open space areas.

SUBDIVISION VARIANCES (Sec. 2-6.1, Sidewalks)

The applicant is seeking a sidewalk variance for the construction of a sidewalk along Barnes Road.

The subdivision regulations require a 5-foot wide public sidewalk and a 4-foot wide grass strip to be constructed within the public right-of-way along the frontage of residential properties that are zoned for less than 20,000 square feet. If an applicant believes that the installation of a sidewalk creates an undue hardship, a variance may be sought before the Planning Commission. In making a recommendation to the Planning Commission, staff has reviewed the four criteria outlined in the Metro Subdivision Regulations and determined that:

- The granting of this variance may not be detrimental to the public safety, health, or welfare of the residents in which the property is located; however, the re-subdivision of land and residential development is rapidly growing in this area of the county. The likelihood that pedestrian activity will increase along Barnes Road is relatively high; therefore, sidewalks should be provided.
- The conditions upon which the request for this variance is based are *not* unique to the subject property and are applicable to other surrounding properties.
- Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, staff does not



Metro Planning Commission Meeting of 7/10/03

believe that a particular hardship to the owner would result, as distinguished from a mere inconvenience.

- The variance, if granted, would not vary from the provisions of the adopted General Plan, Major Street Plan, or Zoning Code; however, as stated above, these subdivision regulations require that all residential properties that are zoned for less than 20,000 square feet must have sidewalks constructed within the public right-of-way.

TRAFFIC ENGINEER'S FINDINGS

The Department of Public Works has recommended that the proposed roadway provide a minimum of 50 feet of right-of-way. Based on the current Subdivision Regulations, staff does not recommend a 50-foot right-of-way; but instead, requests the proposed 46-foot right-of-way be retained. The proposed density of 3.7 units per acre is consistent with the proposal of 46 feet of right-of-way.

Public Works also commented that the developer must demonstrate adequate site distance on Barnes Road in addition to providing a profile of the road and the sight distance triangles. Upon resubmittal, the applicant provided a sight distance easement across lots 1 through 3 where "no buildings, structures, or trees are to be installed in this area that may interfere with sight distance." If the provided easement is not sufficient for the Department of Public Works, the applicant may need to further address this comment at the time of final plat review.

CONDITIONS

Staff recommends conditional approval of this preliminary plat, subject to the following conditions:

1. Performance bonds must be posted to secure the satisfactory construction, installation, and dedication of all required public improvements.



Project No.
Project Name

2003S-164U-7
Parkehaven Subdivision (formerly Park Street Subdivision)

Associated Cases

Park Street Subdivision was approved on April 24, 2003.

Staff Reviewer

Fuller

Staff Recommendation

Approve with conditions and a variance for lot frontage comparability.

APPLICANT REQUEST
Preliminary Plat

Subdivide 3.85 acres into an 8 lot subdivision, located abutting the northeast corner James Avenue and Park Street.

ZONING
R8 District

R8 district allows single-family and duplex lots and requires a minimum lot size of 8,000 square feet.

SUBDIVISION DETAILS

A preliminary plat for this site was approved in April as the Parkehaven Subdivision. That approval was for a 10 lot cluster subdivision oriented on a short stub street. After preliminary engineering studies, the applicant discovered that 50% of the floodplain/floodway could not be preserved with the approved design.

The current proposal is for 8 lots (2 less) that are all oriented to the existing Park Street. The proposed lots are larger than those proposed under the cluster lot design.

Floodplain

Approximately 2.54 acres of the site are encumbered with floodplain and floodway. Approximately 1.5 acres (59%) have been marked as undisturbed. After grading, the proposed lots will be filled so that the finished floor elevation is 4-feet about the existing flood elevation.

Greenway

The previous plan did not dedicate the full 75 feet for the greenway conservation access trail easement area because of the grading associated with the stub street. This plan dedicates the full requirement.

Lot Comparability

This proposal does not meet lot comparability for frontage (lots 2-6 fail by approximately 3 to 5 feet each) staff believes this is better than the previously approved



Metro Planning Commission Meeting of 7/10/03

Public Works Recommendation

plan because it orients the new lots toward Park Street. The new orientation is more compatible with the existing character of Park Street. Lot comparability was not done on the previous application because a new street was being proposed.

The developer is responsible for ensuring that both sides of the street in front of the site meet ST-252 specifications.

CONDITIONS

1. The conservation/greenway easement needs to be corrected to include all of the floodway on the parcel in addition to the 75' of area shown outside of the floodway.
2. The 50' floodway buffer yard needs to be labeled correctly.



Project No.
Project Name
Council Bill
Associated Case
Staff Reviewer

Planned Unit Development 49-87-P-10
St. Paul Southern Methodist Church PUD
None
None
Mitchell

Staff Recommendation

Approve, with a condition that no signage be placed upon the north monument in the future.

APPLICANT REQUEST
Variance within a PUD

Request for a variance to Section 17.32.090 (Community facility on-premises signs) and 17.12.020 (District Bulk Tables) of the Zoning Code to allow for two ground monuments – one with signage – with variances to the number of signs, proposed sign height, and side yard setback requirements within a Residential PUD. The subject site is located along the west margin of Hillsboro Pike, 700 feet south of Castleman Drive, and is within the RM15 district.

PROPOSAL DETAILS

Since this sign is located within a Planned Unit Development district, the Planning Commission will make a recommendation on the requested variance to the Board of Zoning Appeals (BZA). The BZA has jurisdiction over variance requests.

The applicant is proposing two, 12-foot, non-illuminated monuments within the RM15 district. Both monuments are to be placed along the west side of Hillsboro Pike, at the entrance to St. Paul Southern Methodist Church. The monument placed on the south side will be the only one with signage.

The Zoning Code states that signs for community facilities located in residential districts shall conform to the size provisions applicable to the ON district. The maximum height of a ground sign shall be eight feet; the minimum street setback shall be fifteen feet; the sign shall not encroach into required side setbacks of the district; and only one such ground sign shall be permitted per street frontage.



Metro Planning Commission Meeting of 7/10/03

Having conducted an on-site inspection of the site and reviewed the submitted site plan, staff recommends approval of the three variance requests for the following reasons:

- Although they are proposing two monuments, only one is proposed with signage. The two monuments frame the entrance to the church and apartment complex to the rear of the site, and would be complimentary to the *Burton Hills* subdivision monument signs across Hillsboro Pike.
- Only a 3-foot by 3-foot portion of the proposed monuments will be 12 feet in height. The remaining portions of the structures will not exceed 7 feet 6 inches.
- The north sign, which encroaches into the side yard setback of this zoning district, will be located in an area of other utility services and should not create a visual nuisance for the abutting property to the north.



Project No.
Project Name
Council Bill
Staff Reviewer

Mandatory Referral 2003M-066U-10
Close Portion of Alley #889
None
Mitchell

Staff Recommendation

Approve, subject to the applicant providing a new alley connection from Louise Avenue across parcel 99 to the existing alley, and that the actual location of the new alley connection is finalized with the Department of Public Works prior to Metro Council approval. In addition, the applicant must consolidate parcel 208 into one of the parcels to be developed so as to not create a landlocked parcel.

APPLICANT REQUEST

A request to close an approximate 200 linear foot portion of Alley #889 (right-of-way varies) extending west of Louise Avenue, as requested by Horace Spoon of Spoon Architecture.

DEPARTMENT AND AGENCY COMMENTS

This item was originally scheduled for the June 12, 2003 MPC meeting. It was deferred due to accessibility and circulation concerns from the Department of Public Works.

The applicant offered to relocate a portion of the alley so as to not disrupt circulation. Public Works agreed with this suggestion, and offered the following comments: "The dedication would have to be entirely from parcel 99 [to Louise Avenue] and would have to be constructed to [Metro Public Works'] standards. It would require 20 feet of right-of-way." They also suggested that the applicant extend the closure request to include the portions of alley not originally requested for closure that will be south of the relocated area.



Project No.
Project Name

Mandatory Referral 2003M-068G-06
Granting of Sewer Easement to
Ensworth High School

Council Bill
Staff Reviewer

None
Mitchell

Staff Recommendation

Approve

APPLICANT REQUEST

An Ordinance approving the granting of a permanent, non-exclusive, sewer easement by Metro Government to The Ensworth School for the purposes of ingress, egress, installation, construction, operation, inspection, repair, maintenance, and replacement of sewer lines and related equipment and improvements. Requested by the Metropolitan Department of Law.

DEPARTMENT AND AGENCY COMMENTS

This ordinance, which is married to the following ordinance and mandatory proposal (2003M-069G-06) is an ordinance approving the granting of a permanent sewer easement to The Ensworth School, a new private school in the Bellevue area. This easement begins at approximately the CSX railroad right-of-way and extends across the Edwin Warner Parks to the new school site.

This ordinance is married to the following ordinance because The Ensworth School is granting a Greenway easement to Metro Government, along the Little Harpeth River, for further development of the Harpeth River Greenway System.

The Metro Parks Department and the Department of Finance recommended approval of this legislation as part of their submittal to the Planning Commission.



Project No.
Project Name

Mandatory Referral 2003M-069G-06
Greenway Easement Acceptance from
The Ensworth School

Council Bill
Staff Reviewer

None
Mitchell

Staff Recommendation

Approve

APPLICANT REQUEST

An Ordinance authorizing the Director of Parks and Recreation to accept, execute and record an agreement for the granting of a *150-foot Trail And Access Easement* and a *Conservation Easement* by The Ensworth School for the Metro Greenway System. Metropolitan Government shall construct and maintain a pathway for pedestrian or bicycle travel or a nature trail, twelve (12') feet in width, on and within a portion of the easement area. Requested by the Metropolitan Department of Law.

DEPARTMENT AND AGENCY COMMENTS

In conjunction with the previous mandatory proposal (2003M-068G-06) and its associated bill, this is an ordinance approving the acceptance of a permanent *150-foot Trail and Access Easement* for the Harpeth River Greenway System and trails.

The easement will be confined to the use of such activities that are consistent with the development of a greenway trail, which will include the construction of a twelve foot (12') pathway for pedestrian or bicycle travel or a nature trail. The trail will be located as close as reasonably possible to the north shore of the Little Harpeth River – and completely within the dedicated trail and access easement.

The Metro Parks Department and the Department of Finance recommended approval of this legislation as part of their submittal to the Planning Commission.



Project No.
Project Name
Council Bill
Staff Reviewer

Mandatory Referral 2003M-074U-13
BNA 36" Water Main Easement Acquisition
None
Mitchell

Staff Recommendation

Approve

APPLICANT REQUEST

A request, by the Metro Department of Water & Sewerage Services, to acquire an easement for the BNA / Airport 36-inch water main. The proposed easement will extend from the terminus of Karen Drive and run southward between Briley Parkway and the western margin of the MNAA and will terminate north of Vultee Boulevard.

DEPARTMENT AND AGENCY COMMENTS

Staff supports the proposed acquisition of properties for the construction of the 36-inch water main.

The Metro Department of Water & Sewerage Services recommended approval of this request as part of their submittal to the Planning Commission.



Project No.
Project Name

Mandatory Referral 2003M-076U-03
SR-65/US-431 Slope Easement
Conveyance to T.D.O.T.

Council Bill
Staff Reviewer

None
Mitchell

Staff Recommendation

Approve

APPLICANT REQUEST

An Ordinance authorizing the conveyance of a slope easement, of approximately 169 square feet, on real property to the State of Tennessee Department of Transportation (TDOT) in conjunction with the construction of sidewalks on SR-65 / US-431 from Lloyd Road to Alex Green School entrance. Requested by the Metro Department of Finance Real Property Services.

DEPARTMENT AND AGENCY COMMENTS

Staff supports the proposed conveyance of the slope easement. This conveyance will help to further the sidewalk construction in this area, which will ultimately benefit the Alex Green School.

The Metro Department of Finance, Real Property Services Division, recommended approval of this request as part of their submittal to the Planning Commission.



Project No.
Project Name

Mandatory Referral 2003M-077U-10
12th Avenue South
Streetscape Improvement Project

Council Bill
Staff Reviewer

None
Mitchell

Staff Recommendation

Approve

APPLICANT REQUEST

An Ordinance authorizing the acquisition of property by negotiation or condemnation for the 12th Avenue South Streetscape Improvement Project encompassing roadway improvements, sidewalks, curb and gutter, on street parallel parking, drainage, and street lighting from Halcyon Avenue to Ashwood Avenue. Requested by the Metro Department of Finance Real Property Services.

DEPARTMENT AND AGENCY COMMENTS

Staff supports the proposed acquisitions of properties for the streetscape improvement project. This project is a continuation of the current streetscape improvements that have been made along 12th Avenue South between Cedar Lane and Dallas Avenue. The project will continue the improvements – which include designated on-street parking, curb & gutter, improved drainage, and decorative street lighting – all of which are currently in place further south.

The Metro Department of Public Works and the Department of Finance, Real Property Services, recommend approval of this request as part of their submittal to the Planning Commission.



Project No.
Project Name

Mandatory Referral 2003M-078U-10
Lauderdale Road Public Utility & Drainage Easement Acquisition

Council Bill
Staff Reviewer

None
Mitchell

Staff Recommendation

Approve

APPLICANT REQUEST

A request, by the Metro Department of Water & Sewerage Services, to acquire an easement for the proposed Lauderdale Road (Stormwater) Public Utility Drainage Easement, for Project No. 03-SD-0404 (CIB#04WS0023).

DEPARTMENT AND AGENCY COMMENTS

Staff supports the proposed easement acquisition, as it furthers the goal of the Stormwater Division of the Metro Department of Water & Sewerage Services to ensure that stormwater within Metro Davidson County is handled in a way to reduce negative impacts on county residents.

The Metro Department of Water & Sewerage Services recommended approval of this request as part of their submittal to the Planning Commission.



Project No.
Project Name

Mandatory Referral 2003M-079G-14
Pennington Bend Sewer Line
Abandonment & Relocation

Council Bill
Staff Reviewer

None
Mitchell

Staff Recommendation

Approve

APPLICANT REQUEST

A request, by the Metro Department of Water & Sewerage Services, to abandon and relocate an existing sewer line for Project No. 03-SL-22 for the Abbington Park, Phase 1, Section 2 subdivision plat.

DEPARTMENT AND AGENCY COMMENTS

This sewer line abandonment and relocation is part of the platting of Abbington Park Subdivision, Phase 1, Section 2. The continuation of Paddlewheel Drive is such that the sewer line needs to be relocated so that the new sewer line runs underneath the roadbed.

The Metro Department of Water & Sewerage Services recommended approval of this request as part of their submittal to the Planning Commission.



Project No.
Project Name

Mandatory Referral 2003M-080G-04
U.S. Auto Pawn Tennyson Avenue
Fence Encroachment

Council Bill
Staff Reviewer

None
Mitchell

Staff Recommendation

Disapprove

APPLICANT REQUEST

A request, by U.S. Auto Pawn at 1470 North Gallatin Pike, to encroach on and under the Tennyson Avenue right-of-way to allow for the construction of a 6-foot cyclone fence down the center of Tennyson Avenue from Gallatin Pike eastward approximately 326 feet into the Tennyson Avenue right-of-way.

APPLICATION REQUIREMENTS

License to Encroach Agreement

Yes – one was submitted.

Insurance Certificate

Yes – one was submitted; however, the dollar amount of general liability for each occurrence and for aggregate coverage, as required by Metro Legal, was not provided on the submitted insurance form.

Property Owner Sign Application

Yes

Tenant Sign Application

No

DEPARTMENT AND AGENCY COMMENTS

This item is recommended for approval by Metro Public Works because encroachment requests do not come to the Planning Department until recommended for approval by Public Works.

Planning staff does believe that a cyclone fence is an appropriate use within the Tennyson Avenue right-of-way. The placement of a fence within an existing right-of-way will set a precedent that rights-of-way within Metro Davidson County can be fenced – which is problematic since there are a number of illegal fences currently located within alley rights-of-way and other unimproved street rights-of-way. Staff recommends that the applicant request a street or alley closure for



Metro Planning Commission Meeting of 7/10/03

Tennyson Avenue, since it is currently unimproved and tapers, approximately 1,100 feet east of Gallatin Pike, in a way that would not support any future improvement of the roadway.

Lastly, if this request is granted an approval by the Planning Commission, staff recommends that the insurance certificate be amended to reflect the minimum coverage amounts of general liability for each occurrence and aggregate coverage as required by Metro Legal.



Project No.
Project Name

Mandatory Referral 2003M-081U-08
Daily's 7105 (P.E.C.)
Underground Encroachment

Council Bill
Staff Reviewer

None
Mitchell

Staff Recommendation

Approve, subject to a revised Agreement and revised Insurance Certificate being submitted to the Planning Department prior to Metro Council approval.

APPLICANT REQUEST

A request, by Petroleum Equipment Company (P.E.C.) - Daily's 7105, to encroach under Alley #542 by boring and installing monitoring wells to allow for the Tennessee Division of Underground Storage Tanks (DUST) to conduct an underground storage tank investigation at the Daily's fuel and convenience station. Property is located at 1918 18th Avenue North.

APPLICATION REQUIREMENTS

License to Encroach Agreement

Yes – one was submitted; however, a request to encroach under or on the ground can only be approved by Metro Council as an ordinance. The proposed Agreement needs to be revised, prior to Council approval, to reflect an ordinance in lieu of a resolution.

Insurance Certificate

Yes – one was submitted providing general liability of \$1,000,000 for each occurrence; however, aggregate coverage, as required by Metro Legal, was not provided. If approved by the Planning Commission, the minimum aggregate coverage must be provided on an amended insurance certificate prior to Council approval of the ordinance.

Property Owner Sign Application

Yes

Tenant Sign Application

N/A

DEPARTMENT AND AGENCY COMMENTS

This item is recommended for approval by Metro Public Works. Encroachment requests do not come to the Planning Department until recommended for approval by Public Works.



Metro Planning Commission Meeting of 7/10/03

Planning staff supports the requested encroachment because it will allow for the Tennessee Division of Underground Storage Tanks (DUST) to fully delineate the groundwater contamination plume at the applicant's facility (fuel & convenience station). The boring encroachment will consist of two (2) monitoring wells, located within Alley #542, which will be finished with a 10-inch steel, bolt down, manhole cover on top of a 2-foot by 2-foot concrete pad, 18 to 24 inches thick.



Project No.
Project Name

Mandatory Referral 2003M-082U-03
Close Unnumbered Alley between
Pfeiffer Street & Powell Avenue

Council Bill
Staff Reviewer

None
Mitchell

Staff Recommendation

Approve, subject to receiving a copy of the Contract for Sale on the H.B. Binkley property or having H.B. Binkley sign the application prior to Metro Council approval.

APPLICANT REQUEST

A request to close an unnumbered alley, located between Pfeiffer Street and Powell Avenue, as requested by Ronald Laster, applicant, for Homer Simpkins and H.B. Binkley, abutting property owners.

APPLICATION REQUIREMENTS

Application properly completed and signed?

Yes

Abutting property owners' sign application?

No – Mr. Laster stated that he has purchased the Binkley property; therefore, no signature is required by H.B. Binkley – however, a Contract for Sale on the Binkley property must be submitted to the Planning Department prior to Council approval of the ordinance.

DEPARTMENT AND AGENCY COMMENTS

Staff supports the requested alley closure since both Pfeiffer Street and Powell Avenue are currently unimproved, as well as the unnumbered alley. Metro Council, with Metro Public Works' support, has recently closed unimproved rights-of-way in this area of the County since the likelihood of future improvement was not foreseen by Public Works.



Project No.
Project Name
Council Bill
Staff Reviewer

Mandatory Referral 2003M-083U-09
Rolling Mill Hill Property Dispositions
BL2003-1513
Mitchell

Staff Recommendation

Approve

APPLICANT REQUEST

An Ordinance approving the disposition of certain property owned by the Metropolitan Government of Nashville & Davidson County on Hermitage Avenue, Franklin Street, & Peabody Street as part of the Rolling Mill Hill mixed-use property redevelopment, as requested by the Metro Department of Finance, Real Property Services, and MDHA.

DEPARTMENT AND AGENCY COMMENTS

Staff supports the proposed ordinance since the property dispositions will further the efforts in redeveloping the Rolling Mill Hill area. The Metro Government, in conjunction with the Metropolitan Development and Housing Agency (MDHA), desires to redevelop the Rolling Mill Hill area as a mixed-use development and to provide housing opportunities in downtown Nashville.