

Staff Report - Metro Planning Commission - For June 7, 2001 Meeting

1. Zone Change Proposal 2001UDO-002U-10 Music Row Urban Design Overlay  
(Council Bill BL2001-685)

Staff recommends *approval*.

This council bill is to apply the Urban Design Overlay (UDO) District to Music Row. This proposal conforms to and implements the mixed-use (MU) land use policy applied to Music Row by Amendment #2 to the Subarea 10 Plan. It also conforms to, and implements, the objectives of the Music Row Special Urban Design Treatment Area as part of the aforementioned Amendment #2. The discussion below provides an overview of the content and organization of the UDO Design Guidelines document, a synopsis of the zoning standards that vary from those of the CF district, and a summary of the administrative review process of development applications in the UDO.

**Content and Organization of the Design Guidelines.** The design guidelines, entitled “Music Row Design Guidelines,” contain nine sections plus an appendix. It accompanies this report. The first four sections are narratives and illustrations that describe: Statement of Intent, Creation and Use of the Guidelines, History, and Public Input Results. The fifth section establishes and describes the Sub-districts within the UDO. In the latter sections, the development guidelines for the UDO are presented for various aspects of development, such as building bulk and placement, architectural treatment, parking and access, and signage. Included in these sections, along with guidelines that are regulatory in nature, are a number of voluntary design guidelines that further clarify the particular form and character of the development encouraged within the UDO. In the appendix of the Design Guidelines document, all of the specific zoning standards applicable within the UDO that are varied from the base district regulations are presented.

**Description of Sub-Districts.** There are three sub-districts within the UDO. **Sub-district 1** establishes the UDO core and covers areas on the roundabout and a portion of Broadway and 16<sup>th</sup> Avenue South at the northern edge of the UDO. **Sub-district 2** addresses corridors leading to the roundabout and covers areas on the North and South of Demonbreun Street to Interstate 40; areas on the North and South of Demonbreun near Music Square West, Division, and 17<sup>th</sup> Avenue South; and areas of 16<sup>th</sup> Avenue South and McGavock Street. **Sub-district 3** acts as support to the other sub-districts and covers areas on the North and South of Division Street to Interstate 40, areas on the North and South of Division Street at Music Square West and 17<sup>th</sup> Avenue South; areas on the East and West of 17<sup>th</sup> Avenue South, and areas on the North and South of McGavock Street near 17<sup>th</sup> Avenue South.

## **Synopsis of Sub-Districts and Variations on Base Zoning Requirements**

**Building Placement, Mass, and Treatment.** For each sub-district the following issues are addressed: Build-to-Line/Setback, Height, Massing, Facades, Roofs, Materials, Canopies and Awnings.

### Build-to-Line

The requirements regarding placement of buildings are different than the base zoning throughout the UDO in two ways. In sub-districts 1 and 2, a significant portion of the fronts of buildings are required to be at the established setback line which serves also as a “build-to-line.” In sub-district 3, a maximum setback line is established from the back edge of the public sidewalk.

### Building Height

The building height requirement in each sub-district varies from the base zoning in two ways. The first variation occurs in sub-districts 1 and 2, where a minimum and maximum building height is established. The minimum building height establishes a minimum building mass to ensure the design intent of the UDO. The maximum building height increases as development approaches the roundabout, as intended in the design. In sub-district 3, only a maximum height is required. The second variation occurs in all sub-districts where a minimum first floor height is required to ensure continuity along the street.

### Massing, Façade, Roofs, and Materials

In each sub-district, requirements for massing, façade, roofs, and materials are in addition to variations from the base zoning.

- Massing requirements ensure that long, uninterrupted facades along public streets are avoided.
- Façade requirements address issues of transparency on the ground level of buildings facing public streets to encourage activity along the street. Public entrances are required along building facades that face public streets.
- Roof requirements address issues of roof type along public streets.
- Material requirements address the issue of where changes in material are acceptable, as well as addressing materials that are prohibited or limited in their use or location.

### Canopies and Awnings

Material requirements for canopies and awnings are the same for each sub-district. Canopies and awnings are encouraged above entrances in each sub-district.

**Access and Parking.** For each sub-district the following issues are addressed: Location of Access and Parking and Design of Access and Parking.

#### Location and Parking

A limit on access and location of parking areas de-emphasizes the automobile and encourages a more pedestrian friendly environment in the Music Row UDO. In sub-district 1, no access points for parking are allowed on the roundabout and no parking is allowed to front public streets. In sub-district 2, no additional access points are allowed beyond those already provided. Surface parking lots are allowed to front public streets on Music Circle East, McGavock Street, and Music Square West. In sub-district 3, parking lots located to the side of buildings may be a maximum of 60 ft. In all sub-districts, no parking is allowed between a building and a public street.

#### Design of Parking

A portion of the ground level of parking garages must be devoted to retail/service use in sub-districts 1 and 2 to minimize pedestrian inactivity along streets. This is encouraged by requiring a portion of the ground floors to be transparent. This is not required for parking garages that front Music Circle East, McGavock Street, and Music Square West. In sub-district 3, parking garages not built to the sidewalk must be setback from the sidewalk and treated with landscaping to enhance the pedestrian experience. All parking structures that front public streets are required to have architectural cladding and minimum widths on driveways. All parking structure access drives are required to have sidewalks that connect to the sidewalk system. All parking lots that front public streets must be screened from the street and sidewalk with landscaping. Cross-access between all parking areas is encouraged.

**Signage.** Signage in all sub-districts shall adhere to the requirements in this portion of the document.

The intent of the signage requirements is to encourage pedestrian-scaled signage. All of the signage within the UDO is encouraged to be of creative design. Any proposed sign that does not follow the guidelines must be submitted for approval for determination of its merit and contribution to the design intent of the area. Signs that are allowed within the UDO are applied letter signs, façade painted signs, awning signs, projecting signs, ground mounted signs, object signs, façade mounted signs, restaurant menu signs, and window signs. Each sign type has specific requirements that are outlined in the guidelines and the document.

**Review of Development Proposals.** Development proposals within the UDO will undergo a review process like that currently followed for PUDs. A final site development plan will be submitted for staff review and, if the development is extensive (new construction or additions to existing buildings), Planning Commission consideration and action.

**2. Neighborhood Landmark Development Plan 2001NL-002U-10**

Staff recommends *conditional approval*.

This request is for final development plan approval for the Neighborhood Landmark located on the south side of Woodmont Boulevard, east of Hillsboro Pike, to permit the existing 3,215 square foot home to be used for an interior design office, and to allow a 1,000 square foot addition to be built in the future. This plan converts a portion of the existing driveway area next to the home into five parking spaces and adds two additional parking spaces in the front of the home, approximately 55 feet from the front property line along Woodmont Boulevard, for a total of 7 parking spaces. Staff recommends conditional approval provided Public Works and Water Services approve the plan, prior to the Planning Commission meeting.

*Signage, Lighting, and Hours of Operation*

The proposed hours of operation are from 8:00 AM to 6:00 PM Monday through Friday, and 8:00 AM to 5:00 PM on Saturday. This plan proposes two carved stone plaques to be added to the existing stone piers, one on each side of the driveway entrance from Woodmont Boulevard. The plaques are approximately 17 inches wide by 17 inches tall. There will be one low-voltage uplight in the ground at the base of each sign. Each sign will read:

MARK  
SIMMONS  
INTERIORS

*Development Schedule*

The proposed development schedule is that all work will be completed 120 to 180 days from the day the first permit is issued from the Codes Department, excluding the 1,000 square foot addition to the rear of the home. The addition will require plans be submitted to the Planning Department staff for administrative approval by the Executive Director of the Planning Department, prior to the issuance of any permits for the addition, including foundation, building, grading, or retaining walls.

*Access*

This plan proposes to use existing driveway access points on Woodmont Boulevard and Boensch Street where there is an existing driveway connection to the adjacent apartment complex. Staff is recommending conditional approval of this plan provided the cul-de-sac on Boensch Street remains public. Should this portion of the Boensch Street right-of-way be closed by Metro Council, the driveway connection from the interior design offices shall be gated, or an access easement shall be recorded at the Register of Deeds office.

3. **Zone Change Proposal No. 2001Z-052G-13**

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 rezone .58 acres from RS10 (single-family) to RM4 (multi-family) district property at 934 Massman Drive. The existing RS10 district is intended for single-family homes at 3.7 dwelling units per acre. The proposed RM4 district is intended for multi-family dwellings at 4 units per acre. Although the current property records show the size of the property is .58 acres, the applicant has completed a survey indicating the property's size is actually .458 acres. At .458 acres, only one single-family lot would be permitted under RS10 zoning since it is less than 20,000 square feet. The RM4 district would permit 2 single-family, duplex, or multi-family units. The applicant intends to build two townhomes on this property.

Staff recommends approval since the proposed RM4 district falls within the Subarea 13 Plan's Residential Low Medium (RLM) land use policy calling for 2 to 4 dwelling units per acre. The subarea plan states that there is a mixture of housing types in the area and that the RLM density should be preserved. This property is surrounded on one side by the Five Oaks Planned Unit Development (PUD) and the Meadow PUD, approved for a total of 70 multi-family units for both PUDs at a density of approximately 10 dwelling units per acre.

*Traffic*

The Traffic Engineer indicates that Massman Drive can currently accommodate the traffic generated by the proposed RM4 zoning on this property.

*Schools*

Due to the small size of this property, no students are anticipated to be generated from RM4 density on this property. However, Glenview Elementary is currently over capacity, while Cameron Middle School and Glencliff High School have sufficient capacity.

4. **Zone Change Proposal 2001Z-053U-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 .30 acres from RS7.5 (single-family residential) to CL (commercial limited) district property at 2415 Brick Church Pike. The existing RS7.5 district is intended for single-family residential dwellings at 4.9 dwelling units per acre, while the proposed CL district is intended for retail, consumer services, banks, restaurants, and office uses.

Staff recommends approval since the proposed CL district falls within the Subarea 3 Plan's Commercial Mixed Concentration (CMC) land use policy calling for a wide variety of commercial uses, including, retail, restaurants, and offices. This proposal matches the existing CL zoning pattern surrounding the property on the east side of Brick Church Pike and to the north and south on the opposite side of the street.

*Traffic*

It is important that areas zoned for CL have good access due to the amount of traffic generated by the allowed commercial uses. The Traffic Engineer indicates that Brick Church Pike can currently accommodate the traffic generated by the proposed CL zoning on this property.

**5. Zone Change Proposal 2001Z-054G-14**

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 5.34 acres from R10 (single-family and duplex) to RM4 (multi-family) district property at Tulip Grove Road (unnumbered). The existing R10 district is intended for single-family and duplex homes at 3.7 dwelling units per acre. The proposed RM4 district is intended for multi-family dwellings at 4 units per acre. The RM4 district would allow 21 multi-family units, while the R10 currently allows 20 single-family lots.

Staff recommends approval since the proposed RM4 district falls within the Subarea 14 Plan's Residential Low Medium (RLM) and Natural Conservation (NC) land use policies calling for 2 to 4 dwelling units per acre. A multi-family development would allow private driveways, which require less grading than a public street in a single-family subdivision, and a more concentrated area of development, thus, minimizing the disturbance to the Stoner Creek floodplain. More than half (2.8 acres) of this property includes areas that cannot be disturbed due to the Stoner Creek floodway and floodplain.

*Traffic*

The traffic engineer indicates that Tulip Grove Road should be widened before additional units access this road, however, the overall street network in this area can currently accommodate the traffic generated by the proposed RM4 zoning on this property. Access should be from Leesa Ann Lane until Tulip Grove Road is improved.

*Schools*

A multi-family development at RM4 density will generate approximately 3 students (1 elementary, 1 middle, and 1 high school). There is sufficient capacity at Tulip Grove Elementary School, DuPont Tyler Middle School, and McGavock High School.

6. **Zone Change Proposal No. 2001Z-056U-09** (Council Bill BL2001-727)

Staff recommends *approval*.

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

This council bill is to change 1.93 acres from RM20, IR, CS, and OR20 (multi-family, industrial, commercial, and office/residential) to MUL (mixed-use) properties at 9<sup>th</sup> Avenue North, across from the Farmer's Market. The Metropolitan Development and Housing Agency (MDHA) and Councilman Morris Haddox have requested this rezoning to develop this property with 30 dwelling units. Currently, the properties include one single-family dwelling, an auto-dealership, a parking lot and 10 vacant parcels.

The existing RM20 district is intended for multi-family residential at 20 dwelling units per acre; the IR district is intended for a wide range of light manufacturing uses; the CS district is intended for a wide range of office, retail, restaurant, and service uses, including light manufacturing and self-storage facilities; and the OR20 district is intended for office and residential uses at 20 dwelling units per acre. This property falls within the Hope Gardens neighborhood. The proposed Mixed Use Limited (MUL) district is intended for a moderately intense mixture of residential, retail, and office uses. Staff recommends approval since the proposed MUL district falls within the Subarea 9 Plan's Mixed-Use (MU) land use policy and is consistent with the Hope Gardens neighborhood plan.

*Traffic*

The Traffic Engineer indicates that 9<sup>th</sup> Avenue North, and 8<sup>th</sup> Avenue North can accommodate the traffic generated by the proposed MUL zoning on this property.

*Schools*

A multi-family development with 30 dwelling units will generate approximately 4 students (2 elementary, 1 middle, and 1 high school). There is sufficient capacity at McGavock Elementary School, Two Rivers Middle School, and Hillsboro High School, while Buena Vista Elementary has insufficient capacity.



## **7. Subdivision Proposal 2001S-110U-03 West Hamilton Subdivision**

Staff recommends *approval with conditions*.

This request is for preliminary plat approval of nine lots located on 70 acres abutting the south margin of West Hamilton Road, approximately 200 feet west of Clarksville Pike. The applicant proposes nine lots on approximately 3.5 acres, leaving the remaining 66 acres for future development. Staff required the applicant to submit a future plan of subdivision due to these 66 acres remaining undeveloped. The applicant did provide a conceptual plan; however, approval of this preliminary plat does not include approval of that plan. The 70-acre property falls predominately within the Whites Creek floodplain. A large portion falls within the creek's floodway. Staff recommends conditional approval provided the plat is revised prior to the Planning Commission meeting. The revised plat needs to show a 50-foot floodway buffer, a 75-foot open space conservation easement, lots that are comparable in size to surrounding lots in terms of lot frontage and area,

**Floodway Buffer:** The Stormwater Management Regulations require a 50-foot floodway buffer measured from the floodway boundary along Whites Creek. The floodway buffer prohibits alteration of existing vegetation in order to preserve the water quality of the creek. The applicant included no such buffer on the preliminary plat. A variance to this buffer must be obtained from the Stormwater Management Appeals Committee. No variance application has been submitted by the applicant to the Committee. Staff recommends conditional approval of this preliminary plat provided the required 50-foot floodway buffer is shown on the plat.

**Easement:** Section 2-7.5 of the Subdivision Regulations requires a 75-foot Open Space Conservation Easement along Whites Creek measured from the floodway boundary. The Subdivision Regulations require 75 feet because the Countywide Greenways Plan includes a multi-functional greenway along this portion of the creek. The greenway would provide recreation, transportation and habitat protection along a major waterway. The applicant has not included the Open Space Conservation Easement along Whites Creek on the preliminary plat although it is shown on the conceptual plan. Approval of the preliminary plat as presented would require a variance from this standard. Staff recommends conditional approval of this preliminary plat provided the 75-foot easement is provided as shown on the conceptual plan.

**Comparability Analysis:** In areas previously subdivided and predominately developed, Section 2-4.7 of the Subdivision Regulations requires that new lots be comparable in size (frontage and area) to lots within 300 feet of the proposed subdivision boundary. The 300 foot distance includes lots located on the same and opposite side 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. A comparability analysis was done for the proposed nine lots using various methods. The proposed lots failed to meet comparability. Approval of this preliminary plat would require a variance to the lot comparability requirements. Staff recommends conditional approval provided the nine lots are redrawn to be comparable in size to the surrounding lots.

**Street Connectivity:** Meadow Road currently terminates in a “T” intersection with West Hamilton Road. The applicant plans to place Lot 3 south of the terminus of Meadow Road. Lot 3 would block a future connection across West Hamilton Road into the residual property. Staff recommends conditional approval provided the plat eliminates lot 3. By removing this lot, future connectivity of the west and east side of this property is ensured.

Staff recommends approval with the following conditions:

1. Provide 50-foot Floodway Buffer as required by the Stormwater Management Regulations measured from the edge of the floodway boundary
2. Provide 75-foot Open Space Conservation Easement as required by Section 2-7.5 of the Subdivision Regulations measured from the edge of the floodway boundary
3. Redraw the lot lines to comply with the comparability requirements of Section 2-4.7 of the Subdivision Regulations
4. Provide ROW for the future extension of Meadow Road across West Hamilton Road to open the east side of the property for future development.

## **8. Subdivision Proposal 2001S-116G-04 Mardalee Subdivision**

Staff recommends *approval* subject to a bond for sidewalks and demolition of any structure and a variance to the lot comparability requirements.

This request was deferred from the May 10, 2001 meeting so the applicant could revise the plat to comply with the Subdivision Regulations' comparability requirements. This preliminary plat approval is for 11 lots on 2.48 acres of land at the intersection of North DuPont Avenue and Nix and Scalf Drives. This newly revised plat proposes a density of 4.43 dwelling units per acre, a density slightly less than the 4.9 dwelling units per acre permitted by the RS7.5 district. An existing duplex shall remain on lot 8 and an existing home on lots 10 and 11 shall be relocated within this subdivision or sold for relocation elsewhere. A variance has been requested to the lot comparability standard of the Subdivision Regulations.

The Subdivision Regulations require that in-fill development, like that proposed by this plat, have lots comparable in size (frontage and area) to lots within 300 feet of the proposed subdivision boundary. The 300 foot distance includes lots located on the same and opposite side 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. Using this standard, lots #2 and #3 fail lot frontage and lot area.

A variance to the 300 foot comparability standard has been requested by the applicant since the neighborhood is composed of single-family homes, duplexes, triplexes, and quadplexes. These larger units are on larger lots that skew the comparability analysis. The comparability standards in the Subdivision Regulations assume all lots contain similar housing types. Therefore, staff analyzed all single-family lots (excluding duplexes, triplexes, and quadplexes) located between May, Nix, Scalf and McArthur Drives. All proposed lots on Scalf Drive and Nix Drive passed when the larger single-family area was considered. Lots oriented to North DuPont Avenue were not considered in the analysis since there are no comparable lots nearby.

Staff recommends conditional approval of this plat subject to bonds for sidewalks and demolition of any structure that cannot be relocated, and a variance from the 300 foot comparability analysis. The larger single-family area should be considered for the comparability analysis since the 300 foot standard includes larger units such as duplexes, triplexes, and quadplexes.

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

Staff recommends *conditional approval* subject to a revised plat and water and sewer availability letter being submitted.

This request is for preliminary and final plat approval to subdivide 1.43 acres containing one parcel into five (5) lots abutting the northwest margin of Old Matthews Road, approximately 272 feet northeast of Yokley Road. 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).

The Subdivision Regulations require that in-fill development, like that proposed by this plat, have lots comparable in size (frontage and area) to lots within 300 feet of the proposed subdivision boundary. The 300 foot distance includes lots located on the same and opposite side of the street. The regulations require that these proposed lots have 90% of the average street frontage (48 feet) and contain 75% of the square footage of existing lots (5,958 s.f.) considered in the comparability analysis. All of the proposed lots passed comparability.

Staff recommends conditional approval subject to a revised plat and water and sewer availability letter being submitted prior to the Planning Commission meeting. The plat needs to show a 5' sidewalk and 4' planting strip along the property's frontage on Old Matthews Road.

**10. Subdivision Proposal 2001S-166G-12 Addition to Sugar Valley**

Staff recommends *approval*.

This request is for preliminary plat approval to subdivide 87 acres into 232 single-family lots in six phases at the northwest terminus of Sunnywood Drive and the northern terminus of Campton Road. Under the RS10 zoning, the applicant can develop 322 lots at a density of 3.7 dwelling units per acre. This plat proposes 232 lots at a density of 2.66 dwelling units per acre or 28% fewer lots than the zoning allows. Due to the site's topography, the applicant is proposing a cluster lot subdivision, as provided in the Zoning Ordinance. Under the cluster lot option, the applicant can drop two zoning districts (RS5) with a landscape buffer yard C around the perimeter of the subdivision. The proposed lots range in size from slightly over 6,000 square feet to 15,000 square feet. The applicant proposes a network of local and minor local streets for the majority of the development. A collector street, Sunnywood Drive, is proposed to continue through this development, connecting to Lenox Village and Barnes Road in the future. Upon build-out of this area, Sunnywood Drive will serve over 1,000 homes. If the proposed middle-school is constructed to the north, Sunnywood Drive would be the primary internal neighborhood route to this school site. Sidewalks have been provided on both sides of the street. The required stream buffers are also provided along a creek running parallel to Sunnywood Drive. Existing structures are proposed for removal and will be bonded upon final plat approval for demolition.

Staff recommends approval of this preliminary plat subject to Public Works approving the drainage concept, prior to the Planning Commission meeting.

*Traffic*

A traffic impact study was prepared for this development which analyzed both existing and future traffic conditions in the area. The Metro Traffic Engineer reviewed that study and agrees with its findings. The study concluded that no improvements were needed to existing streets in the area by this project.

**11. Subdivision Proposal 2001S-030G-12 Uselton Subdivision**

Staff recommends *conditional approval* subject to a revised plat submitted prior to the Commission meeting and a bond for sewer extension.

This request is for final plat approval for four lots on 6.25 acres within the R40 District. The preliminary plat was approved on March 1, 2001. With the preliminary plat approval, the Planning Commission approved variances for lots 3 and 4. Lot 3 had a variance for lot width-to-depth and lot 4 had a variance for exceeding three times the minimum lot size. Metro Water & Sewer Services will provide sewer service and White House Utility District will provide water. Staff recommends approval of the final plat subject to a revised plat and a bond for sewer extension. The revised plat needs to show the appropriate drainage easements, prior to the Planning Commission meeting.

**12. Subdivision Proposal 2001S-077U-04 Walton Oaks, Section 1**

Staff recommends *approval* subject to a revised plat and a bond for sidewalks and utility extensions.

This request is for final plat approval to create 9 lots at the intersection of Saunders Avenue and Walton Lane. The preliminary plat was approved by the Planning Commission on May 10, 2001 for a cluster lot subdivision containing 27 lots at a density of 3.2 dwelling units per acre. Staff recommends approval of this plat subject to a revised plat and a bond for sidewalks and utility extensions. The plat needs to be revised to name the new public street proposed in this subdivision. It also needs to show shared access drives along Saunders Avenue and Walton Lane, prior to the Planning Commission meeting.

**13. Subdivision Proposal 2001S-155G-10 Lyle Hunter Lot**

Staff recommends *approval* subject to a variance for maximum lot size.

This request is for final plat approval to subdivide one parcel into one lot totaling 1.62 acres on Campbell Road. The property totals 19.35 acres, and with this subdivision, a parcel totaling 17.73 acres would remain with frontage on Campbell Road (#2 on sketch). No sidewalks are required per the Subdivision Regulations since this property is zoned R20 district. The property contains an existing house with a private septic system. A variance has been requested since the R20 district permits a maximum lot size of 60,000 square feet and the proposed lot is 70,567 square feet (18% larger). The lot width to depth ratio complies with the Subdivision Regulations. Staff recommends approval of this final plat subject to a variance for maximum lot size. While property in this area is zoned R20 district, lots are much larger than 20,000 square feet. There is also no sewer service presently and none planned in the near future.



**14. Subdivision Proposal 2001S-162U-14 The Atrium, Phase 2, Part 1, Resubdivision of Reserve Parcel E**

Staff recommends *disapproval*.

This request is for final plat approval to remove the reserve status on a lot abutting the west margin of Atrium Way and east margin of Briley Parkway. This lot lies behind the LaQuinta Hotel adjacent to Briley Parkway. The applicant wants to place a billboard on the property.

Staff recommends disapproval of this plat since the property is entirely within the floodplain. Public Works has indicated there is no way to alter the floodplain to bring the lot above the floodplain. While the applicant has indicated an intent to construct a billboard on the property, once the parcel's reserve status is removed and converted into a lot, the lot's use cannot be restricted to a billboard.

**15. Subdivision Proposal 2001S-164G-04 Cumberland Station at Wilson Camp**

Staff recommends *approval* subject to bonds for the extension of roads and utilities.

This request is for final plat approval to create 32 single-family lots in Section 1 abutting the northeast terminus of East Cedar Lane and the northwest terminus of Pawnee Trail. The preliminary plat was approved by the Planning Commission on September 28, 2000 for 225 single-family lots. The proposed plat conforms substantially with the approved preliminary plat. Metro Water and Sewer Services will provide sewer service and Madison Suburban Utility District will provide water. Staff recommends conditional approval subject to Public Works approving the drainage plans, prior to the Planning Commission meeting, and bonds for the extension of roads and utilities.

**16. Subdivision Proposal 2001S-165G-14 The Meadows of Seven Points, Section 2**

Staff recommends *approval* subject to Public Works approval of drainage plans and bonds for the extension of roads and utilities.

This request is for final plat approval to create 25 single-family lots in Section 2 at the present terminus of Seven Points Trace. The preliminary plat was approved by the Planning Commission on February 24, 1999 for 154 single-family lots. The proposed plat conforms substantially with the approved preliminary plat. Metro Water and Sewer Services will provide sewer service and Cumberland Utility District will provide water. Staff recommends conditional approval subject to Public Works approving the drainage plans, prior to the Planning Commission meeting, and bonds for the extension of roads and utilities.

**17. PUD Proposal No. 163-73-G-06 Bellevue Place Commercial PUD**

Staff recommends *conditional approval*.

This request is to revise a portion of the preliminary plan of the Commercial (General) PUD district to permit a 93,800 square foot retail and restaurant commercial center, including two outparcels that are proposed for a 4,800 and a 8,000 square foot retail, restaurant, or bank use. The remainder of the proposal includes 81,000 square feet of retail uses to the rear of the site with parking spaces between the outparcels and the retail center. This proposal replaces two 15,000 square foot auto dealership buildings totaling 30,000 square feet of floor area and 135,036 square feet of auto display area. The auto dealership use was approved by the Planning Commission in March 2000, replacing 95,500 square feet of retail and restaurant uses. Although this plan revises the buildings, parking layout, and uses, the access points have not changed. The site will continue to get access from Highway 70 via two ingress/egress driveways on both the east and west sides of parcel 215 (i.e. Taco Bell driveway and Applebee's driveway).

Staff recommends conditional approval since this proposal is consistent with the Subarea 6 Plan's Regional Activity Center (RAC) land use policy for this part of Bellevue. The RAC policy is intended for all types of retail activities; offices; public uses; and higher density residential area. It is also consistent with the uses originally approved for this part of the PUD.

**18. PUD Proposal 36-76-G-14 Belle Acres, Section Two, Phase One**

Staff recommends *conditional approval*.

This request is for final approval for a phase of a Residential PUD district located abutting the north side of Lebanon Pike and the south side of Mill Creek. The plan is to develop 55 townhomes in the first phase, as approved by the Planning Commission on the preliminary PUD plan on April 12, 2001. Although a large portion of this site is encumbered by the Mill Creek floodplain, the plan proposes all of the units outside of the floodplain, and includes a conservation easement along Mill Creek. A 50-foot floodway buffer has been provided for the entire length of the property, and an additional 25-foot wide conservation easement for a portion of the site outside of the floodway area of Mill Creek. Metro Parks has indicated that this will sufficiently accommodate the future Mill Creek greenway trail by allowing enough area for the trail to transition from the higher grades to the creek where it will go under the bridge at Lebanon Pike. This plan also includes an emergency access gate on the south side of the site at Lynmeade Drive, as was approved on the preliminary PUD plan. This phase is one of three phases in Section Two which includes the following number of units: Phase 1- 55 units, Phase 2- 42 units, and Phase 3- 34 units. This plan also includes a 100-foot long left-turn lane from Lebanon Pike into the site, as required by the Traffic Engineer. Staff recommends conditional approval provided sewer capacity is purchased and Public Works approves the grading and drainage plans, prior to the meeting.

**19. PUD Proposal No. 68-87-P-03 Northside Station**

Staff recommends *conditional approval*.

This request is to revise a portion of the preliminary PUD plan and for final approval for a portion of the Commercial (General) PUD district located on the east side of Clarksville Pike next to the new Bordeaux Library and the Kroger's. This request to permit the development of a gas station with a 100 square foot kiosk on an outparcel approved for 4,000 square feet of retail. This proposal eliminates the outparcel since the proposed gas station will be a part of the existing Kroger store, located behind the gas station. The plan includes five (5) pump islands with no direct access to Clarksville Pike. All access will be through existing private driveways on the Kroger site. Staff recommends conditional approval provided Water Services and Public Works approve this plan prior to the Planning Commission meeting.

The site's CL base zoning allows automobile convenience (i.e. gas station) uses as a PC use (Permitted with Conditions). This plan complies with the Zoning Ordinance requirements, including a minimum street frontage of 100 feet, gasoline pumps that are at least 20 feet from the nearest property line and 20 feet from Clarksville Pike, no outdoor loudspeakers, and a screened trash dumpster.

The Metropolitan Codes Department is also requiring several conditions to meet Metro Plumbing Codes since the gas station at a retail facility is a new concept in Nashville. This approval will be conditioned as follows:

- Required restroom facilities for the retail store and gas station shall be located (or relocated) inside the main entrance of the retail store prior to the issuance of any building permit for the gas station.
- The travel distance from the restroom facilities to the gas station kiosk shall not exceed 500 feet. "Travel distance" shall be measured along a pedestrian path of travel from the most remote point inside the kiosk to the doors of the restroom facility.
- The kiosk shall not exceed 100 square feet.
- The employee working in the gas station shall be connected via intercom, or other acceptable means of communication, to the retail store.
- The gas station shall be on the same or contiguous parcel of land as the main retail store.
- The employee operating the gas station shall be an employee of the retail store.
- Hours of operation of the gas station shall be the same or less than the hours of operation of the retail store.
- No customers shall be permitted in the kiosk.
- The gas station and retail store shall remain under common ownership, management, or control. The gas station may not be operated independently of the retail store.

**20. PUD Proposal No. 88P-040G-06 Auto Body of America**

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

This request is for final approval for a portion of the Commercial (General) PUD located along the west side of Old Hickory Boulevard, south of Interstate 40 to develop a 10,900 square foot, 16 bay, autobody repair shop. There is also a final plat to create two lots, including a lot for the existing detention facility for Sam's Club. The final PUD plan and plat shall be conditioned that lot 2 (detention facility) remains a non-building site. All appropriate maintenance agreements have been created for the detention facility. The preliminary plan was approved by the Planning Commission on February 1, 2001, and included a zone change request from CL to CS district (see 2001Z-020U-06). Metro Council approved this proposal on third reading in May 2001. This is part of the existing PUD that was originally approved in 1988 and includes the Sam's Club, a Sonic, and a putt-putt golf course. The autobody repair shop is proposed with access through an existing private driveway and will not have direct access to Old Hickory Boulevard. Staff recommends conditional approval provided sewer capacity is purchased and Public Works approves the detention facilities, prior to the Planning Commission meeting.

**21. Mandatory Referral Proposal 2001M-048G-14**

Staff recommends *disapproval*.

This request is to close an unbuilt portion of Chandler Road between Dodson Chapel Road and Central Pike and an unbuilt portion of Dodson Chapel Road south of Old Lebanon Dirt Road to where it terminates at Old Hickory Boulevard. Easements are to be retained. Nashville Gas has improvements within the right-of-way of Dodson Chapel Road. The Interim Director of Public Works has proposed these closures indicating the right-of-way is not needed. Staff recommends approval of these street closures since there is no need to extend Chandler Road in the future. The extension of Dodson Chapel Road, south of Old Lebanon Dirt Road, is highly unlikely in the future since it would require tunneling under Old Hickory Boulevard or constructing a bridge. With the nearby intersection of Andrew Jackson Parkway/Old Hickory Boulevard, there is safe and easy access across Old Hickory Boulevard.



**22. Mandatory Referral Proposal 2001M-049G-14**

Staff recommends *approval*.

This request is to rename Chandler Road between Old Hickory Boulevard and Dodson Chapel Road to “Dodson Chapel Road” and Dodson Chapel Road between Chandler Road and its terminus beyond Dodson Chapel United Methodist Church to “Dodson Chapel Court”. The Interim Director of Public Works is proposing these street renamings for E-911 system efficiency and effectiveness. In addition, Councilmember Ponder has received complaints about Chandler Road since two separate roads are named the same within the Hermitage area. Public Works has also received a complaint from a police officer in the field.

Staff recommends approval of these two street renamings. Chandler Road is located in two different places within the Hermitage area on tax maps 75 and 86. The other Chandler Road runs parallel to, and bisects, Tulip Grove Road. Understandably, this has led to confusion. Renaming these streets would help to ensure a quick response by emergency personnel. All agencies and departments have reviewed this request and are recommending its approval.

**23. Mandatory Referral Proposal 2001M-050U-07**

Staff recommends *approval* subject to all abutting property owners having signed the application.

This request is to close an unbuilt portion of Long Meadow Drive from West Hillwood Drive to its terminus at Hillwood Country Club. All easements are to be abandoned. An abutting property owner, Ms. Denise M. Smith, has requested this closure and easement abandonment so she could possibly remodel her home at 403 West Hillwood Drive in the future.

Staff recommends approval of this street closure and easement abandonment subject to Ms. Smith's husband signing the application, as an abutting property owner, prior to the Planning Commission meeting. There is no future plan to extend Long Meadow Drive through Hillwood Country Club. All agencies and departments have reviewed this request and are recommending its approval.

**24. Mandatory Referral Proposal 2001M-051U-09**

Staff recommends *approval*.

This request is to close several alleys between 7<sup>th</sup> Avenue South and 8<sup>th</sup> Avenue South, south of Drexel Street. Specifically, alley #142 from Drexel Street to its terminus at alley #87; alley #87 between 7<sup>th</sup> Avenue South and 8<sup>th</sup> Avenue South; and alley #86 from alley #87 to its terminus at parcels 208 and 218 on tax map 93-14. Easements are to be retained. Business and property owners adjacent to these alleys have requested these closures, including MDHA. These alleys surround MDHA's Campus for Human Development and the newly opened Nashville Rescue Mission. According to the application, the alleys have become places for people to loiter, accost and threaten customers of the surrounding businesses and a place to deal drugs. Staff recommends approval of these alley closures. A morning field-check of the alleys by staff found more than 15 people walking and standing around in these alleys. All agencies and departments have reviewed this request and are recommending its approval.

**25. Mandatory Referral Proposal 2001M-052U-11**

Staff recommends *approval*

This request is to lease a portion of the fairgrounds to Senior Citizens, Inc. for 40 years. Senior Citizens, Inc. is a not-for-profit corporation in the State of Tennessee. The Metro Board of Fair Commissioners is requesting approval of this lease agreement. The leasee intends to construct on the property a senior citizens center for the use and enjoyment of senior citizens in Davidson County. The annual lease payment is \$1.00 per year. Staff recommends approval of this lease agreement. All agencies and departments have reviewed this request and are recommending its approval.

**26. Mandatory Referral Proposal 2001M-053U-05 (Council Bill No. BL2001-712)**  
Staff recommends *approval*.

A council bill authorizes the sale of surplus Metro Government property located at 1112 Lischey Avenue. The property is zoned RS5 district and is within the Urban Zoning Overlay District. The property was acquired by Metro through a plea bargain agreement. The Public Property Administrator has indicated the property will be sold for its fair market value, approximately \$27,000. All agencies and departments have reviewed this request and are recommending its approval.