

1. AMENDMENT NO. 3 TO THE SUBAREA 12 PLAN: 1996 UPDATE

The *Subarea 12 Plan: 1996 Update* is amended as follows:

- a) by inserting the following into page 59 of Section 3.42 immediately before Section 3.43:

F. Special Urban Design Treatment Area. There is a certain area within the subarea that warrants extraordinary planning guidelines in order to ensure that new development carries out desired design objectives. The Urban Design Overlay District provisions of the zoning regulations are intended to assist in implementing such extraordinary planning guidelines. In order to apply the Urban Design Overlay District provisions, the eligibility of areas for such regulation of design must first be established in the subarea plan by designating the areas where special urban design treatment is intended and by providing general design goals and objectives for each area.

The purpose of this section is 1) to present the area within Subarea 12 that is designated as a special urban design treatment area and 2) the general goals and objectives that have been established for the area. This area has been designated as a special urban design treatment area because there is a desire to achieve a specific design objective for new development in the area. This design objective cannot be achieved through the standard zoning regulations. The application of appropriate regulatory measures to this area is strongly recommended.

1) SPECIAL URBAN DESIGN TREATMENT AREA

a) Designation of Area. The area designated as a special urban design treatment area is shown on Figure 3-3, “Lenox Village Special Urban Design Treatment Area.” It is located on the east side of Nolensville Pike opposite Bradford Hills Drive. Under this amendment to the subarea plan, the area designated for specialized design standards is expandable to include property that is contiguous or across a public way so long as the expanded area maintains a fully interconnected and compatible pattern of development.

b) General Design Goals and Objectives. The General Design Goals and Objectives for the Lenox Village Special Urban Design Treatment Area are intended to accommodate a diverse mixture of land uses and housing options, while also insuring a high standard of urban and architectural design. More specifically, these design goals and objectives are intended to:

- Insure the compatible integration of retail, office and institutional uses with residential uses;
- Insure the compatible integration of a variety of housing types, including single-family homes, townhouses and multi-family, in order to accommodate the housing needs of a diverse population;
- Maintain a scale and form of development that emphasizes sensitivity to the pedestrian environment, as well as to other non-vehicular modes of transportation;
- Minimize the intrusion of automobiles into the setting through strategies such as “shared parking,” in which adjacent land uses having different peak-hour parking demands can share parking facilities;

- Minimize the need for vehicles to travel on Nolensville Pike, or to travel significant distances on Nolensville Pike, by providing neighborhood commercial uses within close proximity to residents;
- Achieve “traffic calming” benefits through: an integrated street network providing options for traffic flow, the avoidance of excessively wide streets, and the provision of on-street parking.
- Provide for a variety of strategically-located and carefully-designed public and/or common spaces, including streets, greens and informal open space;
- Insure the compatibility of buildings with respect to the specific character of their immediate context within the Urban Design Overlay District boundary
- Encourage active ground floor uses, such as restaurants, shops and services, to animate the street within the Village Center portion of the area.

b) by inserting a new Figure 3-3 as illustrated on Exhibit A of this attachment on page 59 after the new section 3.42 F created in item (1) above, and referencing Figure 3-3 as page 59a;

c) by changing the Land Use Policy Plan graphic identified as Figures 3-1 (color graphic) and 3-2 (black and white version) to reflect the change in land use policies, so as to correctly illustrate Amendment No. 3 (see attached Exhibit B).

d) by changing the next to last sentence of the paragraph entitled “Residential Medium Density (RM) Policy” on page 47 to read as follows:

RM policy applies to nine areas identified as 4A-4F on the Land Use Policy Plan.

e) by inserting the following text into page 48 immediately before the paragraph entitled “Residential Medium-High Density (RMH) Policy”:

Area 4F: This RM policy area is the residential portion of the Lenox Village neighborhood, which also contains a mixed-use Village Center along the frontage of Nolensville Pike. This RM area is located on the east side of Nolensville Pike opposite the Bradford Hills subdivision. It is bordered by MU area 14A and RLM area 3F to the west and by RLM area 3F on the north, east, and south. RM policy is applied to this area to support a diverse, compact mixture of housing types. Design goals and objectives have been established to guide the development of Lenox Village (see Section 3.42 F on page 59 of this document), which should be implemented through Urban Design Overlay zoning.

f) by inserting the following text into page 57 immediately before the paragraph entitled “Special Use Area (SUA) Overlay Policy”:

Mixed-Use (MU) Policy. The general intent and standard policies for the MU category are as follows:

- MU is a policy category designed to encourage an integrated, diverse blend of compatible land uses ensuring unique opportunities for living, working, and shopping. Land uses found in this category include residential, commercial, recreational, cultural, and community facilities. Commercial uses appropriate to MU areas include offices and community, neighborhood, and

convenience scale activities. Residential uses will most likely be medium, medium-high, or high density. Other types of uses may be appropriate if they can be successfully integrated with other uses.

- The different land uses and sections of MU policy areas are functionally and physically integrated. In appropriate areas, horizontal and vertical integration can range from the turn of the century apartment above the butcher’s shop to modern multi-storied office and hotel towers connected by a retail concourse at street level. Pedestrian connections, both at street level and above, and focal points such as landscaped open space and parks, artwork, water features, and street level plazas are not merely amenities but a fundamental and necessary unifying component. This integration and pedestrian orientation is a major distinction between mixed-use and other policy categories.
- Mixed-use areas should be developed in accordance with a coherent plan or overall working concept of a desired end. For each area to which MU policy is applied, the Land Use Policy Plan should give guidance to the types and scale of land use, appropriate ranges of intensity, and, if needed in a particular application, general locations within the area where different types of development should be encouraged. Plans including an architectural and/or design review component, such as some type of historic or special district overlay, are appropriate to help ensure compatible development and protection of valuable existing resources.

MU policy is applied to one area within Subarea 12, Area 14A. This area and any additional policies, guidelines, or other provisions are as follows:

Area 14A: This MU area is located along the east side of Nolensville Pike opposite Bradford Hills Drive. It is the Village Center portion of the Lenox Village neighborhood, which also includes RM area 4F. It is bordered by RLM area 3F to the west, by RM area 4F to the north and east, and RLM area 3F on the south. The portion of adjacent RLM area 3F that is on the west side of Nolensville Pike includes an unmapped retail node that surrounds the intersection of Bradford Hills Drive and Nolensville Pike. MU policy is applied to support the integrated mixture of neighborhood-scale residential, retail, restaurant, office, and live-work uses intended within the Village Center. This area is part of the Lenox Village Special Urban Design Treatment Area. Design goals and objectives have been established to guide the development of Lenox Village (see Section 3.42 F on page 59 of this document), which should be implemented through Urban Design Overlay zoning.

- g) by amending the “Table of Contents” by adding to the list of Figures on page x the following figure:

FIGURE 3-3: Lenox Village Special Urban Design Treatment Area 59a

2. **Zone Change Proposal No. 2001Z-005G-12** (Council Bill No. BL2001-670)

Staff recommends *approval*.

- **Subarea Plan Amendment required?**
Yes, and one was submitted by the applicant.
- **Traffic impact study required to analyze project impacts on nearby intersections and neighborhoods?**
Yes, and one was submitted by the applicant.

This proposed zone change and Urban Design Overlay (UDO) district are for Nashville's first traditional neighborhood development (TND). The TND concept is new to Nashville, but has been used successfully in other parts of the country such as California, Maryland, Alabama, Texas, Colorado, North Carolina, and Florida. In our own state, there are two TND projects called Harbortown and South Bluffs in Memphis and a new project is proposed in Franklin called WestHaven.

This TND project involves a subarea plan amendment plus a zone change and an application for an Urban Design Overlay (UDO) district. The rezoning involves changing 102 acres of land from AR2a (agricultural) to RM9 (multi-family residential) (80%) and MUL (mixed-use limited) (20%). These properties are located at 6016 and 6026 Nolensville Pike. The existing AR2a district is intended for single-family homes, duplexes, and mobile homes at 1 unit per 2 acres of land. The proposed RM9 district is intended for multi-family uses at up to 9 units per acre, and the proposed MUL district is intended for a mixture of commercial, office, and residential uses at moderate intensities. The applicant has applied for a UDO in lieu of a PUD due to design considerations. The UDO will incorporate principles that have made areas like Hillsboro Village/West End and East Nashville vital parts of the Nashville community. The UDO will also help promote an architectural design that will help to keep this development a significant part of the community.

Traffic

Installation of a traffic signal at the Nolensville Road/Holt Road intersection is required, along with an associated northbound left-turn lane on Nolensville Road and eastbound turn lane on Holt Road.

Schools

A multi-family development at RM9 density will generate approximately 92 K-12 students (41 elementary, 28 middle, and 23 high school). The proposed TND project will generate approximately 104 K-12 students (46 elementary, 32 middle, and 26 high school). There is insufficient capacity at Tusculum Elementary School and Antioch High School. When reviewing school capacity, sufficient elementary school capacity is critical for determining future school needs.

Presently, Tusculum Elementary School is an impacted school. The school's capacity is for 631 students and current enrollment is 660 students, exceeding capacity by 4.6%. The applicant's proposed TND indicates that the existing church on this property will be used as a church or a school in the future. If it is used as an elementary school, then some of the school capacity issues may be resolved.

3. **Urban Design Overlay Proposal No. 2001UDO-001G-12 Lenox Village**
(Council Bill No. BL2001-671)

Staff recommends *approval*.

The development concept embodied by this proposal represents a substantial departure from the conventional development you are used to seeing. It has a more comprehensive objective than just providing housing for a growing population. It is intended to build a neighborhood that will promote a strong sense of community by employing proven techniques of traditional neighborhood design that are being used successfully in many parts of the country. The essential features of the plan and guidelines that reflect these techniques and thereby carry out the goals and objectives of the proposed Subarea 12 Plan amendment are listed and described below.

Compactness All but a few of the dwellings and other land uses are within a 5 minute walk (1/4 mile) of the center of this development. This will encourage pedestrian travel and enable walking trips to be a very realistic alternative to short automobile trips.

Mixed Use A variety of housing types (building types II through VI) and sizes are intended to attract a diverse population and satisfy a variety of housing needs, all within close proximity to one another. It will be possible for someone to satisfy housing and life style needs from the time they are young and single through the time they are seniors. Whatever bonds with someone's neighborhood are established when a person first moves in can be maintained for as long as desired. By also providing some frequently needed retail goods and services and workplaces (building types I and II), residents can choose to live, work, shop and enjoy leisure activities within walking distance in their neighborhood. This is a choice not made possible by conventional development. Higher density housing types are positioned closer to recreational open space and retail land uses in order to optimize convenience and value.

Pedestrian Orientation By connecting all land uses with a system of sidewalks that are pleasant to use, walking trips are enabled and encouraged in place of some automobile trips. This is particularly important for children too young to drive, some children and adults with disabilities and seniors that cannot drive or don't want to suffer the stress and demands of driving. It frees up those drivers who

would otherwise have to chauffeur dependents to their destinations. It also provides a place to walk for exercise and recreation.

Interconnected System of Bicycle- and Pedestrian-friendly Streets By incorporating a system of streets that are fully interconnected, there is always more than one way to get to a destination and trips internal to the system are by and large shorter than would be necessary with a conventional cul-de-sac system. In order to encourage bicycle travel on the streets and pedestrian travel on the sidewalk system, it is extremely important that automobiles are slowed to compatible speeds for bicycle and pedestrian safety and comfort. Making the streets narrower than conventional designs and allowing on-street parking, a sense of confinement is maintained that has been demonstrated as an effective traffic calming design technique. You will notice that there are a variety of street cross sections proposed, each tailored to achieve an appropriate sense of confinement for a specific set of circumstances. To the extent acceptable to the surrounding communities, the street system is proposed to tie into the surrounding area.

Because of concerns raised about access by emergency vehicles, a field test of the most restrictive street cross sections was conducted at the Metro Fire Department Training Academy. A large three axle ladder truck was used for the test. Metro government observers on hand included a fire chief, a fire marshal, a traffic engineer and planning staff. The tests showed the need to make some adjustments in curb radii, minimum distance of parked cars from intersections and street width of the narrowest street cross section. The specifics of these adjustments are still being discussed. It is critical to achieve workability without compromising other essential operational characteristics like pedestrian and bicycle safety and encouragement of pedestrian and bicycle travel.

Open Space A system of usable open spaces is provided, from a formal village green to a segment of greenway that can tie into the greenway system along Mill Creek. It is essential in compact developments to provide convenient access to usable high quality open space for recreation use, leisure enjoyment and visual relief from the built environment.

Urban Building Typology One of the essential characteristics of design for traditional neighborhoods is the orientation of buildings to face fronting streets and open spaces (the public realm). All of the proposed building types are designed to face an abutting street or open space. This contributes strongly to a sense of community by sending the message that the buildings are part of the larger community. The streets and open spaces act as the connective tissue of the community. The extensive use of front porches and shallow setbacks reinforces this community orientation. This relationship combined with a diverse population also increases public safety by placing more eyes on the street than in conventional development. In order to de-emphasize the automobile, garages are

either to the rear or set back from the front of the building. Parking lots are to the rear.

Appendix Provisions The provisions of the UDO that are intended to be regulatory are contained in the appendix. These are the standards that must be met in lieu of or in addition to the base zoning code provisions during design review of any final construction plans for the development. These are provisions that staff consider to be minimums that must apply to ensure provision of the essential physical characteristics of traditional neighborhood design.

4. Zone Change Proposal 2001Z-011U-10 (Council Bill No. BL2001-672)

Staff recommends *approval*.

- **Subarea Plan Amendment required?**

No.

- **Traffic impact study required to analyze project impacts on nearby intersections and neighborhoods?**

No, the proposed overlay district preserves the home. Traffic generated by any future use will be analyzed with the actual neighborhood landmark development plan. That plan will be submitted once the overlay district is approved by Council.

This council bill is to apply the Neighborhood Landmark Overlay District (NLOD) on 1.63 acres of property located at 2021 Woodmont Boulevard, approximately 480 feet east of Hillsboro Pike. This home is located within an R40 district and is thought to have been built around 1927. The NLOD was created to allow for the adaptive reuse of neighborhood features such as this “estate-style” home, which is situated between an apartment complex and the Easter Seals facility on Woodmont Boulevard. The applicant has indicated that the house will be used for an established interior design business, Mark Simmons Interior Design, Inc.

Creating the Neighborhood Landmark District is the first step in a two step process. After the NLOD district has been approved by Council, a Neighborhood Landmark Development plan must be approved by the Planning Commission. The development site plan will address site design, specific uses, building, scale, landscaping, massing issues, parking lot access, and lighting. At the NLOD stage, the application is reviewed against the following criteria outlined in the Zoning Ordinance:

- The feature is a critical component of the neighborhood context and structure;
- Retention of the feature is necessary to preserve and enhance the character of the neighborhood;
- The only reason to consider the application of the Neighborhood Landmark district is to protect and preserve the identified feature;
- There is acknowledgement on the part of the property owner that absent the retention of the feature, the base zoning district is proper and appropriate and destruction or removal of the feature is justification for and will remove the Neighborhood Landmark overlay designation and return the district to the base zoning district prior to the application of the district;
- It is in the community’s and neighborhood’s best interest to allow the consideration of an appropriate Neighborhood Landmark Development Plan as a means of preserving the designated feature.

Staff recommends approval since the NLOD will allow the reuse of this structure, while maintaining its context to the neighborhood. By applying the NLOD, the specific needs of the community, in conjunction with those of the actual site and structure, can be accommodated, without applying commercial zoning.

Preserving the existing “estate” home, will preserve an important element of this neighborhood’s fabric. The applicant has indicated that the property is currently in a serious state of disrepair, while the costs of maintaining this large home have gone beyond the resources of the owner.

5. Zone Change Proposal 2001Z-017U-10

Staff recommends *disapproval*.

- **Subarea Plan Amendment required?**
Yes, but in this instance, due to the lot's non-conforming size and there being no ability to create additional lots, no plan amendment was required.
- **Traffic impact study required to analyze project impacts on nearby intersections and neighborhoods?**
No. Proposed residential use of property is consistent with zoning.

This item was deferred at the February 1, 2001 Planning Commission meeting to allow the applicant more time to research other options. A request to change 0.30 acres of land from R20 and R40 (residential) districts to R10 and R40 (residential) districts a portion of property at 3427 Richards Street. The existing R40 district is intended for single-family homes and duplexes at up to 1 unit per acre. The existing R20 district is intended for single-family homes and duplexes at up to 1.5 units per acre. The proposed R10 district is intended for single-family homes and duplexes at up to 3.7 units per acre.

Currently this property (parcel 1.01) encompasses both a YWCA parking lot and office facility. The YWCA wants to subdivide this portion of the property and sell it as a duplex. The existing R20 zoning requires a minimum 20,000 square foot lot, while the proposed lot would be 13,084 square feet. The largest lot size that can be achieved without encroaching into the parking lot is 13,084 square feet. This rezoning is attempting to rectify a situation created by the YWCA when it placed a parking lot on a portion of this residential lot. The Codes Department permitted that to occur when the home was converted to a YWCA office. The Codes Department will not issue a use and occupancy permit for the home as a duplex since the lot is non-conforming to the R20 zoning (20,000 square feet) and has a portion of the YWCA parking lot on it. Therefore, the YWCA wants to create a lot that does not include the parking lot and is less than 20,000 square feet. By rezoning the property to R10 district, the proposed 13,084 square foot lot would become conforming and the home could be sold as a duplex.

The Zoning Administrator has indicated that the Board of Zoning Appeals (BZA) cannot consider a lot size variance because the Zoning Ordinance prohibits the BZA from granting density variances. Approving a substandard lot would have the same effect as approving a density variance.

Staff recommends disapproval since this is a self-created hardship and since the lot could be used for a single-family home as it exists today (not a duplex). The hardship was created when YWCA changed the use from a duplex to an office under a conditional approval granted by the BZA. The existing R20 district is the preferred zoning since it is consistent with the established development pattern in

the area. Rezoning this property to R10 is inconsistent with the Residential Low (RL) policy which calls for 2 units per acre or less.

Traffic

The Traffic Engineer indicates that Richards Street can sufficiently accommodate residential traffic generated by R10 zoning.

Schools

Due to the small size of this property, no students are anticipated to be generated from a single-family or duplex development of R10 density.

6. **Zone Change Proposal 2001Z-033U-10**

Staff recommends *disapproval*.

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

This item was deferred at the March 15, 2001 meeting to allow the applicant more time to discuss this with the neighbors. This request is to rezone 7 acres of land from R40 (residential) to R20 (residential) district at 4609 Granny White Pike and Belmont Park Terrace (unnumbered). The existing R40 district is intended for single-family homes and duplexes at up to 1 unit per acre and would allow 6 single-family lots of which 2 lots may contain duplex units. The proposed R20 district is intended for single-family or duplex homes at up to 1.5 units per acre and would allow 13 single-family lots of which 3 lots may contain duplex units.

Staff recommends disapproval since the R40 district is the established development pattern in this area with average lot sizes of 1.13 acres. The property is located within the Subarea 10 Plan's Residential Low (RL) policy. That policy calls for less than 2 dwelling units per acre in recognition of the estate lots in this area.

Traffic

The Traffic Engineer indicates that Granny White Pike can sufficiently accommodate residential traffic generated by R20 zoning.

Schools

A single-family development at R20 density will generate approximately 3 K-12 students (1 elementary, 1 middle, and 1 high school), while the existing R40 will generate only 1 elementary. There is insufficient capacity at Percy Priest Elementary School and Walter Stokes Elementary School. When reviewing school capacity, sufficient elementary school capacity is critical for determining future school needs. Presently, Percy Priest and Walter Stokes elementary schools are impacted schools. Percy Priest has a capacity for 319 students and current enrollment is 437 students, exceeding capacity by 37%. Walter Stokes Elementary School has a capacity for 300 students and current enrollment is 351 students, exceeding capacity by 15%. There are 12,788 dwelling units that could be built on vacant land zoned for residential use in Subarea 14. Currently no new schools are planned for this area. As more residential rezonings occur in this area, sites for potential school locations must be identified and necessary improvements should be programmed into the Capital Improvements Budget.

7. Zone Change Proposal No. 2001Z-040U-08

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 .34 acres from IR (industrial) to R6 (residential) district property located at 2510 Clifton Avenue. The existing IR district is intended for industrial uses. The proposed R6 district is intended to provide for higher intensity one-family and two family developments at a density of 6 units per acre. It also allows for a variety of institutional uses as special exceptions and permitted with conditions.

The applicant seeks to rezone to the R6 district in order to gain the Board of Zoning Appeals (BZA) approval of a special exception permit for the Masjid Al-Islam, a mosque. The mosque is located on parcel 608 while parcel 607 is vacant. The mosque is a religious institution, a use not permitted in the IWD district. It is a legal non-conforming use on parcel 608. As such, it cannot be expanded onto parcel 607. To receive a special exception, the Zoning Ordinance requires the applicant to show compliance with the standard on-site parking requirements and includes a list of stringent criteria for any off-site parking. The applicant plans to maintain all parking on-site.

Staff recommends approval because the R6 zoning is consistent with both the existing and updated General Plan. This property currently falls within the Subarea 8 Plan's Residential Medium (RM) policy. The RM policy provides for housing at the density of 4 to 9 dwelling units per acre. The proposed R6 zoning is consistent with the plan. The Planning Department is currently updating the Subarea 8 Plan. During the planning process, residents said they wanted this area to include a mix of low to medium density housing types and institutional uses. The developing policy supports R6 for the two proposed parcels as well as the parcels along Clifton Avenue and 26th Avenue North zoned IR, but currently vacant or occupied by non-industrial uses.

Traffic

The Traffic Engineer indicates that Clifton Avenue can sufficiently accommodate commercial traffic generated by R6 zoning.

Schools

The R6 district would allow for a maximum of four dwelling units (two duplexes) on this property. Based on the School Board's student generation rates, these dwelling units would not result in an increase of the school age population.

8. Zone Change Proposal No. 2001Z-041U-08

Staff recommends *disapproval as contrary to the General Plan*.

- **Subarea Plan Amendment required?**
Yes, and one was not submitted by the applicant.
- **Traffic impact study required to analyze project impacts on nearby intersections and neighborhoods?**
Yes, since proposed industrial zoning is inconsistent with subarea plan. Study would need to examine applying industrial policy to other properties in the area.

This request is to change from CN (commercial) district to IWD (industrial) district property located at 2420 Jefferson Street. Access to the vacant lot comes from a narrow rear alley approximately 160 feet east of Beasley Avenue's terminus, a narrow local street. This situation occurred due to the intestate's construction. An overpass blocks access to Jefferson Street. Staff recommends disapproval as contrary to the General Plan because the zoning request is consistent with both the existing and updated General Plan.

The existing CN district is intended for less intense neighborhood commercial uses. The proposed IWD district is intended for warehousing and distribution uses. IWD is intended to implement industrial policies of the general plan that provide opportunities for wholesaling, warehousing and bulk distribution uses. These uses generally require a large amount of flat land and good access to major arterial streets for truck traffic.

Metro Codes recently issued the applicant a citation for operating an automotive repair service illegally on the lot. The applicant appeared before a General Sessions Court judge in March 2001. The judge set a court date for July 11, 2001 to check the progress of the rezoning case. The applicant owns the automobiles currently stored on the lot as well as those on the lot to the east. The applicant also owns the tow trucks and other vehicles stored in the alley behind the rear yard of several single-family homes. If the property is rezoned the applicant plans to construct a building for his towing operation and move the vehicles that are not currently stored on his property to other locations in the city.

The IWD district would allow the current and future owners of the property the following permitted uses: medical or scientific laboratories, automobile service, automobile parking, automobile repair, carpet cleaning, custom assembly, liquor sales, restaurants, retail and wrecker service among many other uses. The size of the lot and current access limitations would make some of the allowed uses infeasible, while other uses would be inappropriate across the alley from single-family homes.

The current CN zoning recognizes the limitations of the lot. It allows personal and business services such as barber shops, beauty shops and consulting services that would be a better fit for this property.

This property currently falls within the Subarea 8 Plan's Commercial Arterial Existing (CAE) policy. Predominate uses in the CAE policy include retail and office activities with an emphasis on the revitalization of areas that are marginal or obsolete. The CAE policy does not support IWD.

The Planning Department is currently updating the Subarea 8 Plan. During the planning process, residents said they wanted this area to include a mix of housing types and limited, less intensive commercial uses. The plan will explicitly specify the parcels where commercial uses will be desired. The developing policy does not support IWD or any other zoning district that allows automotive repair for this area.

Traffic

The Traffic Engineer indicated that no traffic study was required, however, the IWD zoning for this site would be unreasonable and unsafe. Beasley Avenue is too narrow and would need to be extended to parcel 301 to accommodate the IWD zoning district. An extension of Beasley Avenue would create a wider roadway in the back yard of the existing homes that staff would not support.

9. Subdivision Proposal 2000S-394G-04 Anderson Village

Staff recommends *disapproval*.

The applicant deferred this plat from the March 29, 2001 agenda to discuss the project's access further with staff. This request is for preliminary approval for 13 lots on 2.6 acres abutting the north margin of Anderson Lane, approximately 308 feet west of Snow Avenue. The proposed density of 5 dwelling units per acre is consistent with the Subarea 4 Plan's Residential Medium policy of 4 to 9 units per acre. The applicant proposes a cul-de-sac with access from Anderson Lane, which is classified as a collector street.

The intersection of Anderson Lane/Becklea is approximately 170 feet from the centerline of the proposed cul-de-sac. Section 2-6.2.1 H 2 of the Subdivision Regulations requires that the centerline to centerline distance between offset T-type intersections shall be at least 300 feet when they occur along a collector street. The Metro Traffic Engineer has indicated that the minimum separation requirements need to be met, and staff does not support a variance.

In addition, Lots 1-4 should be realigned to front the cul-de-sac, or redrawn in a way that would ensure access to the lots comes from the cul-de-sac rather than Anderson Lane. Section 2-4.3 of the Subdivision Regulations says the Planning Commission may require, if avoidable, that lots not derive access from the arterial or collector streets. The applicant has agreed to make this revision to the plat. Staff recommends that the future development of this parcel be completed in coordination with the surrounding vacant properties to ensure a high level of connectivity and to provide for the required distance separation between the new intersection and existing intersections along Anderson Lane.

10. Subdivision Proposal 2001S-072G-02 North 40 Estates

Staff recommends *indefinite deferral* since there are a number of technical issues that need to be resolved. These issues include 4:1 lot width to depth variance, landscape buffer yards, left-turn lane on Old Hickory Boulevard into the development, a relocated project entrance, and sidewalks.

The applicant deferred this plat from the March 29, 2001 meeting to revise the plat addressing staff's concerns. This request is for preliminary approval for 71 lots within a cluster lot subdivision on approximately 39 acres abutting the south margin of Old Hickory Boulevard and the west terminus of Good Morning Drive within the RS20 district.

Staff recommends indefinite deferral on this plat complies with the Zoning Ordinance and Subdivision Regulations regarding landscape buffer yards and sidewalks. In addition, the plat needs to be revised to eliminate the 4:1 lot length to width ratio, to remove the temporary cul-de-sac at the end of the most southern street, to provide a left-turn lane into development from Old Hickory Boulevard, and to relocate the project entrance.

Street Connectivity

- Good Morning Drive connects the subdivision to Lawing Drive and Old Hickory Boulevard. While there is a topographical constraint to the west and east, the land becomes flatter to the south. Although the initial plat did not have a street connection to the south, the revised one does stub-out to the property line. The applicant needs to remove, however, the temporary cul-de-sac at the end of the street. That street will need to be constructed to the property line in conjunction with this development. With any future redevelopment of parcels 64 and 65, the stub-out street could be extended to connect to Marydale Drive and Bell Grimes Lane.
- In addition, the Traffic Engineer is requiring that the project entrance be moved 255 feet west on Old Hickory Boulevard due to sight distance issues. A left-turn lane with 75 feet of storage and 150 feet of transition also needs to be provided into the development off of Old Hickory Boulevard.

Sidewalks

The applicant needs to show sidewalks on both sides of the street and along the property's Old Hickory Boulevard frontage, as required by the Subdivision Regulations. While a phase of this plat was approved on April 29, 1999, this plat is not grandfathered under the old Subdivision Regulations. Section 1-8.2 of the Subdivision Regulations provide that revised preliminary plats and new preliminary plats are subject to the new Subdivision Regulations as adopted on December 7, 2000. The portion of this plat previously approved has been revised by this latest plat as well as 47 lots being added.

Development Entrance

The applicant needs to relocate the project entrance on Old Hickory Boulevard 225 feet further to the west to improve sight distance.

Left-Turn Lane on Old Hickory Boulevard

The applicant needs to show a left-turn lane into this proposed development as required by the Traffic Engineer. The turn lane should contain 75 feet of storage and 150 feet of transition.

4:1 Lot Length to Width Ratio

The current plan includes 12 lots that do not meet the 4:1 length to width ratio requirement. Staff does not support a variance to the 4:1 ratio for the following lots: 13, 15-17, 46, 47, 49, 50 and 53-56. The applicant could easily redraw the lot lines to comply with the regulation since this is a cluster lot option and no topographical conditions exist that keep the applicant from meeting the requirement. Staff does not support the requested variance.

Landscape Buffer Yard

The plan also does not show the required landscape buffer yard "C" since perimeter lots were reduced two zoning districts (RS20 to RS10).

11. Subdivision Proposal 2001S-109U-03 Shields-Taylor Subdivision

Staff recommends *approval*.

This request is for preliminary approval for 18 lots located on approximately 7 acres abutting the northwest margin of West Hamilton Road in the RS10 District. The applicant proposes a cluster lot subdivision with a minimum lot size of 7,500 square feet. The proposed density is 2.57 dwelling units per acre with 43% of the site in permanent open space (3.02 acres).

Staff recommends approval of this preliminary plat. This plan's residential density and open space are consistent with the Subarea 3 Plan's residential and natural conservation policies. By reserving the area along the northwestern drainage way as common open space, the drainage area will be protected as called for by the subarea plan. A landscape buffer yard B is also being provided along the development's perimeter, as required by the Zoning Ordinance. In addition, the applicant is proposing a cul-de-sac street that complies with the Subdivision Regulations; it is less than 750 feet long. No stub-out streets are proposed since the property is located between two existing developments that have no stub-out streets into this parcel.

12. Subdivision Proposal 2001S-080G-04 Browns Subdivision

Staff recommends *approval*.

This request is for final plat approval to consolidate six lots into two lots abutting the south margin of Old Hickory Boulevard, approximately 505 feet east of Larkins Springs Road. The property is zoned OR20 district. Water service shall be provided by Cumberland Utility and sewer service by Metro Water Services. Active availability letters have been secured by the applicant. Staff recommends approval of this final plat.

13. Subdivision Proposal 2001S-106U-13 Hickory Highlands, Section 2, Phase 2

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

This request is for final plat approval to create 26 single-family lots. This portion of the development was approved as part of a preliminary plat for 87 lots on May 28, 1998. This final plat conforms to the preliminary plat. A note has been placed on lot #120 which contains a sliver of AR2a zoning. The note indicates that prior to a building permit being issued for lot #120, that sliver of land will have to be rezoned to RS7.5 district. Active availability letters have been secured by the applicant for water and sewer. Bonds will be required for the extension of roadways and public utilities. Staff recommends approval of this final plat.

14. PUD Proposal 36-79-G-14 Bell Acres, Section Two

Staff recommends *conditional approval*.

This request is to revise Section Two of the preliminary plan of a Residential PUD district located abutting the north side of Lebanon Pike and the south side of Mill Creek. The plan is to permit 135 townhome units in three phases, replacing 240 apartment units and a clubhouse. This plan replaces the preliminary plan approved in 1983, which had similar building layouts and access points.

Although a large portion of this site is encumbered by the Mill Creek floodplain, this plan proposes all of the units outside of the floodplain, except for an 80-foot wide conservation easement for the future Mill Creek greenway trail. This plan also proposes an emergency access gate on the south side of the site at Lynmeade Drive. This section includes three phases with the following number of units: Phase 1- 59 units, Phase 2- 42 units, and Phase 3- 34 units. The Parks Department has indicated that they are satisfied with the location of the conservation easement, and the Traffic Engineer is requiring a 100-foot long left-turn lane from Lebanon Pike into the site with a transition that meets AASHTO standards. Staff recommends conditional approval provided Public Works approves the grading and drainage plans prior to the meeting.

15. PUD Proposal 111-79-U-13 and 1-74-U-13 Logan's Roadhouse/ Bell Forge PUD

Staff recommends *conditional approval* with a variance to Section 17.24.160 of the Zoning Ordinance for interior landscaping.

This request is to revise a portion of two developed Commercial PUD districts located along the south side of Bell Road, west of Mt. View Road to permit the existing Logan's Roadhouse ("Logan's") restaurant to utilize an unused parking area for the auto dealership on the adjacent property to the east (parcel 298). This parking area will allow 60 overflow parking spaces for the restaurant, where 51 parking spaces were approved for a gravel storage area on the preliminary plan for the auto dealership. Staff is recommending conditional approval of this overflow parking with a variance for interior parking lot landscaping. Allowing the restaurant to use these spaces is the safest and most convenient parking for its customers. It would be impractical for customers to park on the other side of Bell Road. If this revision is approved, the Planning Commission will make a recommendation to the Board of Zoning Appeals (BZA) on the requested variance.

When Logan's burned down in 1999, the site was rebuilt in 2000 and the Codes Department required that the overflow parking spaces be brought into compliance. Although Logan's was rebuilt with the required number of on-site parking spaces, they have still been using the adjacent parking lot for overflow parking. Currently, the overflow parking spaces were approved within a separate PUD (111-79-U-13) to the east of the Logan's site. These spaces were originally approved as auto storage parking spaces for cars not on display at the car dealership; they were not required parking spaces.

Logan's has met all of the landscaping and parking requirements on-site, however, this plan is intended to legitimize the use of the overflow parking spaces on the car dealership site. In order for Logan's to use these spaces, they must pave the parking lot with a chip and seal type pavement and provide the interior parking lot landscaping required by Section 17.24.160 of the Zoning Ordinance. Logan's is unable to comply with these standards because the spaces are located on top of an existing Columbia Gulf Transmission Company gas line easement where several lines are located beneath the surface of the lot. Columbia has indicated that it is their current policy to prohibit any landscaping on top of their gas line easements. Therefore, Logan's is proposing to place the required landscaping (8% of the parking area = 4 trees) at a location to be determined by the Metro Urban Forester. Staff is recommending conditional approval provided Public Works approves the drainage plans prior to the Planning Commission meeting and with a condition that Planning Department staff reviews the plans every three years to evaluate the overflow parking situation.

16. PUD Proposal 179-83-U-06 Hillmeade Apartments

Staff recommends *conditional approval*.

This request is to revise the preliminary plan and for final approval for a portion of the Residential PUD district to add 54 garage parking spaces in 12 structures over existing parking spaces, and to add 30 new parking spaces. The addition of the parking garages eliminates 13 spaces, however, this plan also adds 30 spaces in various locations for a net gain of 17 parking spaces. Since there is not an overall reduction in parking spaces, the plan still meets the Zoning Ordinance parking requirements. The plan utilizes the existing driveways, where restriping is proposed for the 30 additional parallel parking spaces. Staff recommends conditional approval provided Public Works approves the drainage plans prior to the Planning Commission meeting.

17. PUD Proposal 47-86-P-02 Brick Church Business Center

Staff recommends *disapproval*.

This item was deferred at the applicant's request at the March 15, 2001 and March 29, 2001, meetings. The request is to revise a portion of the preliminary plan and for final approval for a portion of the Industrial PUD to add a 50 foot tall, two-sided, 14' x 48' monopole, Type II billboard. This billboard will be located in a landscaped area along Brick Church Lane and will be oriented toward motorists on Interstate 24. With 672 square feet of sign area, this billboard is three square feet less than the maximum sign area of 675 square feet permitted by the Zoning Ordinance. Staff recommends disapproval since placing a billboard in this location will detract from the visual appeal of the existing landscaping and open space. A billboard is not consistent with the aesthetic intent and purpose of a PUD master development plan in that the billboard does not encourage a higher quality development than under a regular zoning district.

Subarea 2 Policy Statement:

Subarea 2 Plan, Section 3.42, "Land Use Policy Plan", sub-section C. For Policy Area 9B, Industrial Park off Brick Church Pike and Brick Church Lane:

"IND policy applies here in recognition of an existing zoning commitment for an industrial park that was under development at the time this plan was adopted. The IND area is not intended to extend beyond the boundaries of the industrial zoning. Because of its proximity to existing and emerging residential areas, intensive industrial uses are not appropriate."

While the IWD base zoning district does permit billboards, the addition of a billboard in this location visually "extends" the effects of non-residential zoning into the existing and emerging residential areas described in the policy statement for area 9B, by the fact of the billboard's visual intrusion.

This billboard will create unnecessary visual clutter and will impact the rural quality still existing to the east. Although not oriented toward Brick Church Lane, adding a 50-foot tall billboard will also be visually intrusive to motorists along Brick Church Lane who live in the nearby residential neighborhood on the west side of I-24. Furthermore, billboards were not permitted in PUDs at the time the master plan for this site was originally approved, therefore, this proposal is not consistent with the original master development plan.

18. PUD Proposal 67-86-P-05 Mini-Storage Billboard

Staff recommends *disapproval*.

This request is to revise a portion of the preliminary plan and for final approval for a portion of the Commercial (General) PUD district to permit the addition of a 50-foot tall, Type II, 672 square foot, two-sided billboard. This billboard is proposed to be oriented toward Dickerson Pike and will be located at the rear portion of an existing office building for a mini-storage facility. Although the CS base zoning permits billboards, staff does not support a billboard at this location. A billboard is not consistent with the aesthetic intent and purpose of a PUD master development plan in that the billboard does not encourage a higher quality development than under the base zoning district. The proposed site is not appropriate for a new billboard since there is an existing pole sign for the Attic Space Mini-Storage and a new 50-foot tall billboard would create an unnecessary amount of visual clutter on this parcel.

19. PUD Proposal 93-86-P-06 Lakeshore Meadows, Sections 5

Staff recommends *conditional approval*.

This request is to revise the preliminary plan and for final grading approval for a portion of the Residential and Commercial PUD located along the south side of Coley Davis Road, west of Scenic River Lane to grade and level the site in preparation for an already approved 10,000 square foot commercial building. The applicant has indicated that the fill necessary to elevate this building pad is coming from the leftover cut from a previous phase of this development, which has been sitting idle on the adjacent property. This proposal does not include final approval for the building. This proposal elevates a portion of the site near the intersection of Scenic River Lane and Coley Davis Road by approximately 20 feet, with a slope of 5:1 at the edges of the parcel. This plan also adds several landscaped berms along the Coley Davis Road street frontage. The developer will be required to plant and maintain the proposed landscaping near Coley Davis Road at the completion of the grading. Staff recommends conditional approval provided Public Works approves the grading and drainage plans prior to the Planning Commission meeting.

20. Mandatory Proposal 2001M-032U-03

Staff recommends *approval*.

This request is to rename North Hydes Ferry Road in its entirety to “John Mallette Drive”, beginning at a junction with South Hamilton Road and terminating at Ashland City Highway. Councilmember Black has initiated this street renaming due to there being two streets with similar names adjacent to one another, Hydes Ferry Road and North Hydes Ferry Road.

The proposed street is being named in honor of Dr. John Mallette. Mr. Mallette died in 1995 and so more than two years has been since his death, as required by Metro Public Works. Dr. Mallette began his professional career at Tennessee State University in 1962. In 1970 he was elected Teacher of the Year. For five years he served as Vice-Chancellor of Academic Affairs at the University of Tennessee at Nashville. From 1971-1994 he was a Charter faculty member of the United Negro College Fund Pre-Medical Summer Institute at Fisk University. He was also a Charter member of Leadership Nashville, the National Conference of Christians and Jews, and a founding member of the Metropolitan Arts Commission. Dr. Mallette was a Papal Knight of St. Gregory and a Knight of St. Peter Claven. In 1974 he was ordained a Deacon by the Diocese of Nashville and served as Deacon at St. Vincent DePaul Church.

Dr. Mallette served on the boards of St. Thomas Hospital, Meharry Hubbard Hospital, the Council of Community Services, St. Bernard School for Exceptional Children, Catholic Charities, Cumberland Science Museum, The Samaritan House, the Boy Scouts, and he was elected to the Aquinas College Board of Governors in 1995. Dr. Mallette was married to the former Pazette Berryman and is the father of three children.

Staff recommends approval of this street renaming. Letters were mailed to all property owners on March 23, 2000 abutting North Hydes Ferry Road. No comments have yet been received. Should any opposition to the renaming be received, staff will inform the Commission at the meeting.

21. Mandatory Proposal 2001M-034U-11

Staff recommends *approval*.

This request is to encroach into the public right-of-way to install a fiber optic cable running several miles through Davidson County. MCI WorldCom will install this cable beginning downtown at 1st Avenue North and Molloy Street and terminating at an existing MCI building on Herron Drive.

MCI WorldCom has executed a license agreement for private encroachments into the public right-of-way and furnished a \$2 million certificate of insurance to Metro Government. The agreement and certificate of insurance protect Metro Government from all claims or demands that may result to persons or property as a result of this fiber optic cable within the public right-of-way. These legal documents are standard for any underground encroachment.

Staff recommends approval of this underground encroachment provided all reviewing agencies and departments recommend approval. At this time, staff has not received final input from Metro's Information Services Department or NES which are still reviewing the proposed route.

22. Mandatory Proposal 2001M-035U-08

Staff recommends *approval*.

This request is to sell vacant residential property on Batavia Street (unnumbered), near the intersection of 30th Avenue North. The property was obtained by Metro Government through the prior owner's failure to pay property taxes. Staff recommends approval of this property sale since there is no need governmental need for it. The Public Property Administrator has set the minimum sale price at \$300 for this portion of a lot.

23. Mandatory Proposal 2001M-036U-07

Staff recommends *approval*.

This request is to sell vacant residential property on 57th Avenue North (unnumbered) owned by Metro Government. The State of Tennessee is in need of .68 acres of this property as part of Briley Parkway's right-of-way (Project #19003-2184-44). The state will pay Metro Government \$5,755 for the property. Metro does not currently use this property which is heavily encumbered by Richland Creek's floodplain. Metro Water Services has indicated that there is a 10" sewer line and easement that encumber this property. Staff contacted the Parks Department concerning the future Richland Creek greenway. That staff is still reviewing this proposal. The Public Property Administrator has indicated this land which will be used for Briley Parkway's widening will not interfere with the future greenway. Staff recommends approval provided the Parks Department is not in need of this property for the Richland Creek greenway.