

1. Subarea 6 Plan

At its January 24, 2002 meeting the Metropolitan Planning Commission directed staff to conduct a subarea plan update for the Bellevue community. This has been undertaken with six public work group meetings, along with a community-wide planning charrette, held March 25 through the 28th. A charrette is a concentrated planning session that typically takes place from morning until night over a three to five-day period. Specialists address participants and answer questions, ideas and alternative scenarios are sketched out and mapped, and public presentations and strategy sessions are held and community consensus is developed.

The Bellevue Community Design Charrette was held at the Bellevue Center Mall. The opening session featured presentations on regional growth, principles of community design, and historical preservation opportunities. Over the next three days planners, panelists and design professionals met with the public in workshop sessions. Updates of the day's events were given each evening. Agenda topics were Community Design, Transportation, Parks, Greenways, Libraries and Schools. A presentation of charrette results marked the workshop's conclusion.

Through the charrette, we established the basic framework, issues and goals of the overall community. These included policy decisions on roadway connectivity, conservation subdivisions, commercial design standards, historic and scenic preservation, vehicular and pedestrian circulation. Through continuous follow-up meetings, we have tackled site-specific issues, including treatment of the Triangle intersection of Highway 100 and Old Harding Pike, the Town Center proposal at Bellevue Road and Old Harding Pike, and the sod farm west of Coley Davis Road. Land use policy recommendations have been made for these 'hot spot' areas which will be included in the 2002 Subarea 6 Plan Update document. Ongoing meetings are scheduled through the month of June to address additional community issues and provide direction for the final plan document. Public participation in the work group meetings has been considerable. Typical meetings average 60 to 80 participants, with up to 180 attendees recorded at a single meeting.

The vision statement crafted by charrette participants calls for a Bellevue community that has a sense of place, celebrates the area's history and uniqueness, preserves areas of rural character, preserves natural features, and accommodates anticipated growth for the area.

It is anticipated that the draft plan will be presented for Planning Commission review by mid-summer. Initial land use policy statements have been crafted for the following issues:

Roadway Connectivity

The connectivity policy for the 2002 Subarea 6 Plan Update states that professional planners will aggressively promote connectivity as a standard for rezoning and new development, however roadway connections will not be imposed on existing street systems against the wishes of the current residents. This has been supported throughout the workgroup meetings and charrette process. We certainly promote and recommend connectivity of existing streets, and will try to gain that support from current residents.

Conservation Issues

The neighborhood conservation policy position is that rural and natural landscape character shall be the central focus rather than development. Buildings are incidental features in the landscape, rather than the other way around. At edges of neighborhood conservation areas abutting policies supporting urban development may be appropriate for low-medium density development, but the interface should respect and express the best qualities of both development conditions.

Nodal Concept of Commercial Development

Commercial service areas should be identified with well-defined boundaries. These commercial nodes should provide good quality vehicle, bicycle and pedestrian access from the surrounding area within a half-mile radius. The types of commercial services provided in predominantly residential areas should be neighborhood-oriented with a high standard of design. The remaining undeveloped areas around commercial nodes should be designed to accommodate complementary residential and community service uses.

2. Zone Change Proposal 2001Z-077G-06

Staff recommends *disapproval*.

- **Subarea Plan Amendment required? Yes, and one has been completed.**
- **Traffic Impact study required to analyze project impacts on nearby intersections and neighborhoods? Yes, and one has been submitted, but not revised to reflect the current proposal (see below).**

On October 25, 2001, the Planning Commission authorized staff to begin looking at the Coley Davis Road area for a Subarea 6 Plan amendment. Subsequently, on January 24, 2002, a more in-depth subarea plan amendment process was started covering several of the other “hot spots” in the Bellevue area. These areas are also included on this agenda. At the time of the Subarea 6 Plan amendment request, the applicant was considering a Traditional Neighborhood Development (TND) and an Urban Design Overlay (UDO) for 264 acres included in this zone change, however, this is no longer part of the request.

The request is now to change 198 acres from AR2a (agricultural) and 66 acres from CS (commercial) to RS10 (residential) district properties at 8161 Coley Davis Road, and Newsom Station Road (unnumbered) and McCrory Lane (unnumbered). The property is essentially landlocked and is bordered by I-40 and the Harpeth River, and is bisected by the CSX Railroad. Currently, the property is vacant except for a large metal barn, used for the commercial sod farm operation. The existing AR2a district requires a minimum lot size of two acres and is intended for uses that generally occur in rural areas, including single-family, two-family and mobile homes at a density of one dwelling unit per two acres. The existing CS district is intended for a wide range of commercial uses including retail, consumer service, banks, restaurants, office, self-storage, light manufacturing, and warehouse uses. The proposed RS10 district is intended for single-family residential dwellings at a density of 3.7 dwelling units per acre. Rezoning this property to RS10 would allow 979 single-family lots, while the current AR2a portion of the site allows 99 lots. The applicant has designed a conceptual plan that includes 716 single-family lots, with one public road onto McCrory Lane. Since the district Councilmember has requested a council bill on this item for the July 2, 2002 Council public hearing, the Planning Commission must make a recommendation to Council no later than June 27, 2002.

Staff recommends disapproval of the RS10 zoning since this proposal includes approximately 150 acres with slopes over 20% and floodplain. Staff is also recommending disapproval since there is currently no proposal for access to the site that will not impact the steep hillsides. Currently, the only access point is from McCrory Lane. Staff also recommends disapproval since a traffic impact study has not been approved by Metro Public Works. If any development is to occur on this property, a PUD should be used to ensure the appropriate density, compatibility, and protection of the environmentally sensitive areas. By applying a PUD, a more compact, cluster-lot development can be accomplished than under a regular subdivision.

Land Use Policy

During the 2002 Subarea 6 Plan Amendment process, comments were received from neighbors generally requesting no major changes to the Subarea 6 plan for this area. Several neighbors

who live off of Coley Davis Road voiced their opposition to any development that would require the extension of Coley Davis Road over the Harpeth River. Another concern of the residents of Bellevue is that the scenic, rural character is preserved through the protection of the ridgelines and environmentally sensitive areas. Allowing a new road off of McCrory Lane to be constructed to access the new lots will seriously jeopardize the hillsides on this property. Staff recommends that the NC policy remain in place on this property, and the surrounding area, to protect the environmentally sensitive areas (steep slopes, floodway/floodplain), and to preserve the existing rural character. The area should also remain NC policy since it falls in the middle of the NC policy area, as opposed to falling along the boundary.

It is also intended to recognize the lack of infrastructure in these areas, as well as to preserve the rural and semi-rural character for large areas of the county. This generally means that zoning should remain AR2a, AG, and RS80 in NC policy areas. It has been practice to allow residential development on the edge of the NC areas where pockets of land are physically suitable for urban development that can be readily served by infrastructure. This development has been allowed at a maximum density of 2-4 dwelling units per acre. Although a portion of this site (115 acres) is suitable for development at more urban densities, intensifying this area without an overall street network or grading plan will not serve the residents on McCrory Lane, Coley Davis Road, or Newsom Station Road.

Traffic

The original Traffic Impact Study (TIS), prepared in June of 2001, for the proposed Traditional Neighborhood Development plan indicated that the project would require Coley Davis Road to be extended as a two-lane roadway to the west with a bridge over the Harpeth River. It also indicated that a northbound right-turn lane and a southbound left-turn lane were required on McCrory Lane at the proposed project access.

At the time of this report, the applicant has not submitted a revised TIS taking into account the new request for RS10 zoning on 264 acres. As was stated earlier in this report, the conceptual plan for the single-family development eliminates the bridge over the Harpeth River. The Metro Traffic Engineer has not made a recommendation since the applicant has not submitted a revised TIS. The Metro Traffic Engineer has deemed the application incomplete.

Schools

A single-family development with 979 single-family homes could generate approximately 199 students (126 elementary, 75 middle, and 80 high school). Students will attend Gower Elementary School, Hill Middle School and Hillwood High School. The Metro School Board has not identified any of these schools as being over capacity.

3. **Zone Change Proposal No. 2001Z-112G-06**
4. **PUD Proposal No. 2000P-005G-06 Walgreens-Bellevue**

Staff recommends *conditional approval*.

- **Subarea Plan amendment required?** No. This item was deferred at the January 24, 2002, Planning Commission meeting in order to allow time for a Subarea 6 plan update to occur. The deferral allowed the community, staff, and applicant additional time to give input as to the future development of this site. This property falls within an unmapped commercial policy in the current Subarea Plan. The draft 2002 Subarea Plan Update recommends a mapped commercial node policy for this property with the following design objective and assumptions:

Design Objective of the Commercial Node: To provide suburban style neighborhood commercial services with well-defined boundaries that provides good quality vehicle, bicycle and pedestrian access from the surrounding area within a half-mile radius.

Assumptions: This part of Bellevue is and will continue to be developed at densities and with housing types that are suburban in character. The market for commercial services provided in the triangle area extends beyond a half-mile radius. The types of commercial services provided in the triangle area should be neighborhood-oriented but suburban in scale. The commercial area should be sized to provide a full complement of neighborhood-oriented commercial services. The remaining undeveloped areas around this commercial node should be designed to accommodate complementary residential and community service uses.

- **Traffic impact study required to analyze project impacts on nearby intersections and neighborhoods?** Yes, and one was submitted.

This item was previously deferred at the request of the applicant at the December 6, 2001, Planning Commission meeting to allow more time to address concerns with the proposal. The proposal was revised by the applicant in response to neighborhood comments on 2-05-2002 and in response to neighborhood and MPC staff comments on 4-25-2002. The request is to change from RS40 (single-family residential) and CN (commercial neighborhood) districts to CL (commercial limited) district property at Highway 100 (unnumbered) in Bellevue's Pasquo neighborhood. There is also a request for a PUD to permit a 14,560 square foot Walgreen's retail store, 17,500 square feet of retail/restaurant uses, and to dedicate a 0.78 acre portion of the site to Metro Government for a possible park or public use area. The existing RS40 district is intended for single-family homes at up to 1 unit per acre and the existing CN district is intended for a limited range of retail and service uses for nearby residential areas. The proposed CL district is intended for retail, service, and restaurant and office uses. The CN district allows a maximum Floor Area Ratio (FAR) of 0.25, while the proposed CL district allows a 0.60 FAR.

Zone Change

The proposed CL district is consistent with the unmapped commercial node and is appropriate around the Highway 100/Old Harding Pike intersection given the area's significant growth and existing commercial zoning. Staff recommends conditional approval of the zone change provided the required traffic improvements are completed by the developer (see *Traffic* below).

When the Subarea 6 Plan is comprehensively updated, the commercial policy around this node should be changed from unmapped neighborhood commercial policy to Retail Community

Concentration (RCC). That policy is intended for commercial areas exceeding 100,000 square feet in size, as is the case with the Kroger shopping center. The current policy is Residential Low Medium Density (RLM) calling for 2 to 4 dwelling units per acre within which this unmapped commercial node exists. The stream on the eastern margin of this property and the Harpeth Heights Baptist Church to the south provide boundaries between this commercial node and the surrounding residential area. Commercial and office zoning should not be extended further east along Highway 100 than parcel 113.

PUD Plan

The proposed PUD includes a stand-alone Walgreen's on the east side of the relocated Old Harding Pike and one additional stand-alone building of 6,500 square feet. A single building to house retail and restaurant uses is located on the west side of this new road. The applicant has redesigned the plan so the Walgreen's building faces the Old Harding Pike/Highway 100 intersection and the adjacent building faces north towards the existing Old Harding Pike. The Walgreen's was relocated to the other side of the new Old Harding Pike intersection to achieve its proper orientation. Staff now recommends conditional approval since the applicant has addressed all traffic issues and the Walgreen's building orientation.

Scenic Landscape Easement

Highway 100 is designated on the Major Street Plan and by the State of Tennessee as a Scenic Arterial. As a Scenic Arterial, special easements and setbacks are required to preserve the arterial's scenic quality. The proposed PUD plan is consistent with Section 2-7.4 of the Subdivision Regulations, which requires a 57-foot building setback from the 75-foot Scenic Landscape Easement along Highway 100. Furthermore, the PUD plan will be conditioned to require additional landscaping, including, the installation of evergreen shrubs that will be a minimum of 6-feet tall at maturity along Highway 100. A 10-foot wide landscaped strip will also be required, as per Section 17.24.070 (Scenic Landscape Easement) of the Zoning Ordinance.

Traffic

The applicant has submitted a traffic impact study that the Metro Traffic Engineer has reviewed. That study calls for implementing the first phase of TDOT's long-range plan for the reconfiguration of the Old Harding Pike/Highway 100 intersection. Old Harding Pike's realignment was first proposed in 1997 with the Trace Creek Center Commercial PUD south of Highway 100 (Kroger). This Walgreen's PUD proposes to re-route Old Harding Pike through parcel 113 on tax map 155 to the signalized intersection across from Kroger. Access to the Harpeth Valley Elementary School will be maintained through the existing two-lane section of Old Harding Pike between the new extension and Collins Road. A condition of this PUD approval will be that a mandatory referral is approved by the Metro Council, renaming the existing portion of Old Harding Pike between Collins Road and the new realigned road.

A further condition of this PUD approval will be that a mandatory referral is approved by the Metro Council, vacating the existing portion of Old Harding Pike between the western limits of Harpeth Valley Elementary School and Collins Road. A secondary emergency school access drive of grasscrete construction shall be provided via Collins Road. In addition, driveway access via Collins Road shall be provided to the two existing parcels that access the segment of roadway to be vacated.

Since the December 6th meeting, the applicant has revised their proposal to include the reconfiguration of the Old Harding Pike/Highway 100 intersection at Collins Road. The reconfiguration terminates Old Harding Pike at Collins Road and re-routes Collins Road

through the existing traffic signal at Highway 100. The developer has agreed to make the improvements at this intersection which will significantly improve a dangerous intersection. The Traffic Engineer has indicated that these improvements should significantly decrease the number of accidents at this intersection.

Although this PUD does not propose completing all of the state road improvements for this intersection, it does represent a significant first step toward their completion. The Traffic Engineer has indicated there is no set deadline or timeframe for the remainder of the improvements to be made. These include the relocation and widening of Highway 100 to five lanes from the county line to Old Hickory Boulevard.

5. Zone Change 2002Z-005G-06

6. PUD Proposal 2000P-002G-06 Old Harding Pike Commercial PUD

7. Urban Design Overlay 2002UD-002G-06

Staff recommends *conditional approval*.

- **Subarea Plan amendment required?** No. This item was deferred at the January 24, 2002, Planning Commission meeting in order to allow time for a Subarea 6 plan update to occur. The deferral allowed the community, staff, and applicant additional time to give input as to the future development of this site. This property falls within an unmapped commercial policy in the current Subarea Plan. The draft 2002 Subarea Plan Update recommends a mapped commercial node policy for this area, consistent with intensive design standards and implemented through application of a PUD or UDO district.
- **Traffic impact study required to analyze project impacts on nearby intersections and neighborhoods?** No, see traffic note below.

Zone Change

This request is to apply an Urban Design Overlay District and to change the underlying zoning for 5.76 acres from CL (commercial-limited) to MUL (mixed use limited) for properties at 7380, 7386 Old Harding Pike, and Bellevue Road (unnumbered). The existing CL district is intended for retail, consumer service, bank, restaurant, and office uses, while the MUL is intended for a mixture of residential, commercial, and office uses. The CL district has a maximum Floor Area Ratio (FAR) of .60 and the MUL district has a maximum FAR of 1.0. Staff recommends conditional approval since several design issues have been resolved (see *Traffic* below).

PUD Plan

There is also a request to cancel the existing undeveloped Planned Unit Development District classified within the CL district and proposed for MUL district, (5.76 acres), approved for two restaurants, one 7,475 square feet and the other 10,100 square feet, and a 5,600 square foot convenience market.

UDO Plan

The UDO plan proposes three building types (see attached plan) including the following: Building Type I: Village Core buildings, including one 30,000 square foot stand-alone building for retail or civic use, Building Type II, live-work buildings, and Building Type III, residential townhouses. The plan includes a total of 62,100 square feet, replacing 23,175 square feet of undeveloped restaurant and convenience market uses.

The applicant has also indicated that they are willing to realign Bellevue Road

The proposed MUL district is consistent with the unmapped Retail Neighborhood (RN) commercial policy node, which the Planning Commission adopted at its meeting on March 16, 2000. The UDO plan accomplishes the goal of creating a neighborhood scale mixed-use development. The proposed plan is more intense than the original plan and has more square feet than a proposed revision that was disapproved by the Commission in August 2001. That plan proposed the same retail box store (Zone II) in a shopping center with a total square footage of 49,950 square feet. At that meeting, the Commission determined that the loss of the restaurants, a strongly desired use in Bellevue, and the increase in square footage were not what was intended when this plan was approved originally.

Staff has been working with the applicant on a design that would create a vibrant mixed-use node. Extensive public input regarding design objectives has been generated through the recent

Subarea 6 Plan Update effort. The applicant has been able to accomplish the design objectives that staff and the public have suggested. These objectives include bringing all buildings, including the 30,000 square foot retail box to the street, so as to create a street presence along Bellevue Road and Old Harding Pike, and relocating Bellevue Road to align with the other side of Bellevue Road. Staff is recommending approval because the proposed design is consistent with the Commission's intent to create a neighborhood scale development where pedestrians and cars can co-exist, and because the applicant has agreed to strict design standards enforceable through UDO requirements.

Traffic

This plan proposes a land swap for the realignment of Bellevue Road to correct an existing offset between two sections of Bellevue Road on the east and west side of Old Harding Pike. The applicant has indicated that they are willing to fund the road improvements to Bellevue Road, including the realignment, off-site sidewalks, and on-street parking. Staff is recommending approval of this proposal since the road improvements will play a large part in the success of this project. The intent of the design is to create a neighborhood town center where pedestrians and vehicles can co-exist. With the road improvements and the sidewalks along Bellevue Road, the design objectives will be met. The Public Works Department has indicated that it is desirable that this realignment occur.

Special Design Standards

The proposed plan also establishes unique criteria regarding building size, materials, glazing, frontage, signage, façade treatment, landscaping, lighting, drainage and setbacks that are proposed to be conditioned as part of the plan. Should any changes be proposed in the future that do not comply with these conditions, Metro Council action would be required.

8. Zone Change Proposal 2002Z-008U-03

9. PUD Proposal 2002P-003U-03 The Park Preserve at Skyline North

Staff recommends *approval* of the zone change and *conditional approval* of the PUD.

- **Subarea Plan amendment required?** No.
- **Traffic impact study required to analyze project impacts on nearby intersections and neighborhoods?** Yes, and one was submitted.

Zone Change

A request to rezone 91 acres (parcel 135) of the 260 acres within this proposal from RS7.5 to RM4 was originally scheduled for the February 28, 2002, Planning Commission meeting, but the applicant requested to indefinitely defer the request in order to apply a Planned Unit Development district to the property. Staff recommended disapproval of the zone change request for several reasons: the topography is too steep to allow for a straight zone change to multi-family (a plan was needed to ensure that the hillsides would be preserved); the subarea plan calls for a mixture of housing types (a plan was needed to ensure a mixture of housing types in proximity to one another rather than in separate pods); and the subarea plan calls for a collector street to be constructed across the property (a plan was needed to ensure the construction of the collector street). Since the February 28th Commission meeting, the applicant has worked with staff in order to develop a plan that accomplishes the subarea plan's and the community's goals while achieving the developer's goals at the same time.

The applicant amended his rezoning request to change 260 acres in the Whites Creek area from RS7.5 district to RM9 district. The applicant has expanded the area from 91 acres to 260 acres in order to include property that was previously approved for a preliminary subdivision plat. The property is located along Whites Creek Pike, at the eastern terminus of Revels Drive and the southern terminus of Vista Lane. The existing RS7.5 district is intended for single-family homes at a density of nearly 5 units per acre. The proposed RM9 district is intended for multi-family dwellings at a density of 9 units per acre. The applicant is requesting this zone change to accommodate the development of 370 single-family affordable housing lots and 440 multi-family affordable housing units.

Subarea Policies

Staff recommends approval of the RM9 zoning. The property falls within three policies of the Subarea 3 Plan: Residential Medium High (RMH) policy area, which is intended for existing and future residential areas with densities between 9 and 20 units per acre; Residential Medium (RM) policy area, intended for between 4 and 9 units per acre; and Residential Low-Medium (RLM) policy area, intended for densities within a range of 2 to 4 units per acre. The requested RM9 zoning may allow a higher density than proposed by the RLM policy, but the proposed PUD plan demonstrates that the objectives of the RLM policy area are met. The RLM policy has been applied to this area due to the steep slopes. The subarea plan encourages the clustering of development on the flatter areas to avoid environmental problems associated with development of steep slopes, as proposed in the PUD plan.

The RM and RMH policies also apply since this area will be served by the planned community retail service areas in the vicinity of the Briley Parkway/Whites Creek Pike interchange to the north, and the West Trinity Lane/Whites Creek Pike intersection to the south. These policies have also been put in place in order to locate more people a short distance away from the planned and emerging industrial employment concentrations north of Briley Parkway and along the Brick Church Pike corridor. In addition, since a significant portion of this area is undeveloped, the opportunity to meet

the housing variety goals of the plan exists. Detached single-family housing accounts for approximately 81% of the total dwelling units in the subarea, while condominiums and apartments account for only 7%.

Planned Unit Development

This request is for preliminary approval of a Planned Unit Development District located abutting the east margin of Whites Creek Pike between Malta Drive and Haynie Avenue to permit 370 single-family lots and 440 multi-family units on 260 acres. The proposed density is approximately 3 units per acre. The applicant is requesting a zone change to RM9 because the minimum required lot size for a single-family dwelling in the RM9 district is 5,000 square feet, while the minimum required lot size in the RM4 district is 10,000 square feet. Over one-third of the property is being dedicated as common open space, and a system of walking trails is proposed to meander throughout the site. Staff recommends conditional approval of the proposed PUD plan.

Single-Family Lots

This request includes 370 single-family lots, but the original PUD request included 450 single-family lots. The applicant originally submitted a plan that included three parcels (64, 70, and 71) owned by Metro. At this time, Metro has not signed onto either the zoning or the PUD request, therefore, those parcels have not been included. This request is essentially a combination of the previously requested zone change for parcel 135 and an approved preliminary plat, also called "The Park Preserve" which contains parcel 135.

The Park Preserve

The Park Preserve preliminary subdivision plat to create 476 single-family lots on 260 acres was approved by the Planning Commission on June 22, 2000 (2000S-187U-03). Since this property was owned by the same organization requesting the rezoning of parcel 135, and since the preliminary plat will expire June 22nd of this year, staff asked the applicant to include the property in the PUD overlay. The applicant agreed to add the property to the PUD request, and staff assisted the applicant in creating a conceptual plan that achieves a mixture of housing types, preserves the sensitive hillsides, and incorporates the collector street proposed by the subarea plan.

Multi-Family Units

This request proposes the development of 440 multi-family units of which 21 units have been allocated as housing for the physically-challenged, and 104 of the units have been designated as housing for senior citizens. Four different building types have been proposed: 1) 6 units, 2-story/1-story [split]; 2) 7 units, 1-story [level]; 3) 8 units, 2-story [level]; and 4) 10 units, 3-story/2-story [split]. Many of the multi-family buildings are oriented around a common greenspace, and all of the buildings are oriented toward the street with parking in the rear of the buildings.

Traffic

Proposed Collector Street

The Collector Street Plan for Subarea 3 proposes the construction of a circular street up to collector street standards between Ewing Lane, Trinity Lane, Brick Church Pike and Whites Creek Pike. The plan recommends that the circular collector street pass directly through the site. Several subdivisions have been approved and recorded to accommodate the implementation of the proposed street. Highland Trace subdivision was recorded in 1983. This subdivision dedicates 70 feet of right-of-way, labeled as "Trinity Hills Parkway," adjacent to this property to assist in implementing the collector street. Parkwood Trace subdivision was recorded in 1987, and right of way, labeled as "Trinity Hills Parkway," was also dedicated with that plat. Trinity Hills Village subdivision was

recorded in 1971, and a portion of the “Trinity Hills Parkway” was constructed with 70 feet of right-of-way to accommodate the future circular collector street.

Staff feels that the proposed collector street has been an integral part of the subarea plan for many years. It is an essential component that will enable this area to successfully function as a community by linking people to jobs, open space, retail establishments, and to each other. The collector street proposed by the subarea plan has been provided within this PUD plan.

Traffic Impact Study

A traffic impact study has been submitted by the applicant. The Metro Traffic Engineer has recommended approval of the traffic impact study with the following conditions:

1. Construct a right-turn lane from Whites Creek Pike onto Revels Drive with 125 feet of full length and a 170-foot taper.
2. Construct a left-turn lane from Ewing Drive onto Vista Lane which is a collector street. The full length of the turn lane shall be 75 feet, with a 300-foot taper.
3. Widen Monticello Drive at Trinity Lane to provide two approach lanes. Monticello also is a collector street. The full length shall be 100 feet, with a 100-foot taper.
4. Construct Trinity Hills Parkway as shown on the collector street plan to the extent that it falls on this property.

Schools

A single-family development with the existing RS7.5 zoning could generate approximately 517 students (216 elementary, 162 middle school, and 140 high school). A multi-family development at the proposed RM9 density could generate 819 students (342 elementary, 256 middle, and 221 high school). The proposed PUD plan with a mixture of housing types will generate approximately 303 students (127 elementary, 95 middle, and 81 high school). Students will attend Old Center or Joelton Elementary School, Brick Church or Joelton Middle School, and Hunters Lane or Whites Creek High School. Joelton Middle School is the only school that has been identified as being overcrowded by the Metro School Board.

10. Zone Change Proposal 2002Z-033G-02

11. PUD Proposal 2002P-002G-02 Magnolia Station

Staff recommends *approval of the zone change and conditional approval of the preliminary PUD.*

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

This request is to change from R40 (residential) to RM4 (multi-family residential) district properties at 1900, 1906, 1910 and 1914 Tinnin Road, at the intersection of Tinnin Road and Springfield Highway. There is also a Preliminary PUD request to construct a 24-unit condominium complex. The existing R40 district is intended for single-family and duplex dwellings at 1 unit per acre. The proposed RM4 district is intended for duplex and multi-family dwellings at 4 units per acre. With the proposed RM4 zoning approximately 25 units could be constructed on this site.

Zone Change

Staff recommends approval of the proposed RM4 district since the PUD will restrict the types of uses permitted on the properties. These properties are within the Subarea 2 Plan's Residential Low Medium (RLM) policy area calling for 2 to 4 units per acre. The density proposed with the RM4 district is consistent with the subarea policy. This zone change was presented to the Planning Commission at the April 25, 2002 meeting. At that time, staff recommended disapproval due to the existing pattern of single-family homes and the uncertainty of what would be constructed with the RM4 district. The Planning Commission disapproved this request at that time, agreeing with the staff recommendation. Since then the applicant has developed a PUD plan, which better outlines and controls what the applicant will construct on the properties. Since the applicant has added the PUD overlay to the properties, staff feels the proposed development will create a sensible transition from single-family homes to multi-family dwellings. The Planning Commission agreed to rehearing the zone change again at its meeting on May 9, 2002.

PUD Plan

Staff recommends approval of the Magnolia Station preliminary PUD. This preliminary PUD is for 24 condominium units on 6.26 acres at a density of 3.83 units per acre. These properties are adjacent to RS40 and RS20 district. Therefore no landscape buffer is required. The Zoning Regulations require one parking space per bedroom when developing multi-family dwelling units. This development is for 24 two-bedroom units, which will require 48 parking spaces. There is a cemetery located on the southern portion of the property. The applicant is proposing access to the cemetery to come from within the development. Also, the applicant is providing two parking spaces for cemetery visitation. The cemetery is separated from the development by an internal walkway system and a line of trees. The northern portion of lot 4 is being reserved as a common open space area accessed by a 195-foot sidewalk.

Traffic

The PUD is accessed by one main driveway from Tinnin Road. The Metro Traffic Engineer has indicated that this development cannot have access to Springfield Highway. Tinnin Road is a planned collector street with an ultimate right-of-way of 60 feet. Currently, Tinnin Road has a 50-foot right-of-way. Therefore, the applicant has shown on this PUD plan the dedication of 5 feet of right-of-way along the properties frontage on Tinnin Road, and reservation of 36 feet of right-of-way along the properties frontage on Springfield Highway. Springfield Highway has an ultimate planned right-of-way of 172 feet.

Schools

A multi-family development at RM4 density will generate approximately 7 students (3 elementary, 2 middle, and 2 high school). Students will attend Goodlettsville Elementary School, Goodlettsville Middle School, and Hunters Lane High School. None of these schools have been identified as being overcrowded by the Metro School Board.

12. Zone Change Proposal 2002Z-045U-10

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

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

This request is to change .33 acres from RM20 to RM40 district properties within the Urban Zoning Overlay district located at 219 and 221 31st Avenue North, approximately 1,000 feet north of West End Avenue. The existing RM20 district is intended for moderately high intensity multi-family structures at a density of 20 units per acre. The proposed RM40 district is intended for high intensity multi-family developments at a density of 40 units per acre. The proposed RM40 zoning would permit 13 multi-family units on the .33 acres.

Subarea 10 Plan

Staff recommends disapproval of the proposed zone change as contrary to the General Plan. The property is within the Subarea 10 Plan's Residential Medium High (RMH) policy. The RMH policy category is intended for existing and future residential areas characterized by densities of between 9 to 20 dwelling units per acre. The proposed RM40 zoning would allow for twice as many units as intended by the policy. The Subarea 10 Plan recommends that properties in this area be consolidated to encourage well-designed developments rather than a "hit and miss" pattern of triplexes, quadplexes, and scattered apartment houses. Staff feels that this request is not only too dense for the existing policy, but it also would lend to the "hit and miss" pattern discouraged by the subarea plan.

Design Plan

A design plan is necessary to prevent the erratic pattern of development opposed by the subarea plan. Staff feels that there are three possible options that could be utilized by this and future applicants in order to ensure well-designed developments that contribute to the overall success of the area. Those options are as follows:

1. A plan amendment and a detailed neighborhood design plan along 31st Avenue North from West End Avenue to Parthenon Avenue,
2. An Urban Design Overlay applied to the 31st Avenue North corridor from West End Avenue to Parthenon Avenue, or
3. A Planned Unit Development to ensure that proposed developments along 31st Avenue North do not create a "hit and miss" pattern, but rather work together to create a sense of unity and rhythm along this important corridor.

A land use policy line has been drawn down the center of this portion of 31st Avenue North. The line creates an RMH policy on the west side of 31st Avenue North and an Office Concentration (OC) policy on the east side of the street. Offices are intended to be the predominant uses in the OC policy area, but the policy also calls for certain types of commercial uses that cater to office workers and residential uses with higher densities than proposed for the RMH policy. A subarea plan amendment associated with a detailed neighborhood design plan, an Urban Design Overlay,

or requiring PUDs along this corridor may allow for complementary uses with similar densities on both sides of 31st Avenue North. Staff feels that applying one of these options would help avoid the “hit and miss” pattern discouraged by the subarea plan, while this zone change request only promotes the unwanted pattern.

Traffic

The Metro Traffic Engineer has indicated that this zone change will not create a significant change in traffic volumes. Traffic impact studies are usually not required for small rezonings, however, rezoning small properties to higher densities in this “hit and miss” pattern may cause serious traffic problems to go un-noticed until it is too late. Staff feels that a significant change in traffic volumes may occur in this area if small properties are sporadically rezoned to higher densities.

- **I-440 Impact Area Overlay**

The property also falls within the I-440 Impact Area Overlay. The overlay states that higher density residential zoning is not appropriate unless accessibility is substantially improved to major arterial streets other than West End Avenue, such as Charlotte Pike, and traffic studies are conducted to determine that satisfactory levels of traffic service can be maintained with the higher densities in the subarea.

Staff feels that traffic concerns would be addressed through a subarea plan amendment associated with a detailed neighborhood design plan, an Urban Design Overlay, or Planned Unit Development overlay.

Schools

A multi-family development at RM40 density will generate approximately 1 student (1 elementary, no middle, and no high school). Students will attend Eakin Elementary School, West End Middle School, and Hillsboro High School. Eakin Elementary has not been identified as being overcrowded by the Metro School Board, but West End Middle School and Hillsboro High School have both been identified as being overcrowded.

13. Zone Change Proposal 2002Z-046U-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 to change 10 acres from R10 (residential) to RM4 (multi-family residential) district at 2423 Buena Vista Pike and vacant property on Buena Vista Pike (unnumbered), abutting the north margin of Buena Vista Pike. The existing R10 district is intended for single-family homes and duplexes at up to 3.7 units per acre. The proposed RM4 district is intended for single-family homes, duplexes, and multi-family dwellings at 4 units per acre. With RM4 zoning the applicant would be able to construct 41 units on the property.

Staff recommends approval of the RM4 district since the density of the proposed zoning is consistent with the Subarea 3 Plan's Residential Low Medium (RLM) policy. The RLM policy calls for 2 to 4 dwelling units per acre. The intent of the subarea plan is to create a mixture of housing types between the two commercial centers located at the intersections of Clarksville Pike and Buena Vista Pike, and West Trinity Lane and Whites Creek Pike. This property is located across from the Buena Vista Manor Apartments. When the two parcels in this zone change are later consolidated by plat, a building envelope will be required to ensure development does not occur on the severe slopes in excess of 12%.

Traffic

The Metro Traffic Engineer has indicated that Buena Vista Pike can accommodate the traffic that would be generated by RM4 zoning. The Traffic Engineer also indicated that no development on these properties would be allowed access to Mattie Street until it has been improved to minor local street standards.

Schools

A single-family development at RM4 density will generate approximately 14 students (6 elementary, 4 middle, and 4 high school). Students will attend Bordeaux Elementary School, Ewing Park Middle School, and Whites Creek High School. Bordeaux Elementary and Ewing Park Middle Schools have been identified as being overcrowded by the Metro School Board.

14. Zone Change Proposal 2002Z-047U-10

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 138 acres containing 263 properties from R20 (residential) to RS20 (residential) district properties between Abbott Martin Road and Hobbs Road, from the eastern margin of Wentworth Avenue and Ashcroft Place, to the western margin of Wallace Lane. The existing R20 district is intended for single-family homes and duplexes at 1.85 units per acres. The proposed RS20 district is intended for single-family dwelling units at 1.85 units per acre. The RS20 district prohibits duplexes, while the R20 district permits them. Councilmember Lynn Williams submitted this rezoning application after she and the planning staff met with the neighborhood residents' about concerns that the existing zoning allows construction of new duplex units on lots previously single-family or vacant.

Staff recommends approval of the request to change to RS20 zoning since it is consistent with Subarea 10 Plan and it also maintain the neighborhood's single-family character. The Subarea 10 Plan designates this area within the Residential Low (RL) policy calling for 1 to 2 dwelling units per acre. While the RL policy can include duplexes, the plan's intent is to preserve the existing single-family character. The plan calls for future zoning decisions to maintain the existing densities and predominant housing types. Duplexes and condominiums currently make up 12% of the residential dwellings within the boundaries of this rezoning. This proposal caps the number of duplexes at the existing number and prohibits new duplexes.

Traffic

The Metro Traffic Engineer has indicated that this zone change will not change traffic volumes.

Schools

The change from R20 to RS20 district will not increase the amount of students generated by this rezoning. Currently there are 6.7 acres of vacant residential property in this neighborhood, which would yield 12 single-family homes. The development of 13 single-family homes would generate an additional 3 students (1 elementary, 1 middle, and 1 high school). Students would attend Julia Green Elementary School, John Trotwood Moore Middle School, and Hillsboro High School. Julia Green Elementary and Hillsboro High Schools have been identified as being overcrowded by the Metro School Board.

15. Zone Change Proposal 2002Z-048U-10

Staff recommends *approval*.

- **Subarea Plan Amendment required?** No, this property falls along the boundary between the Subarea 8 Plan's Corridor Center policy calling for a transition between boundaries.
- **Traffic Impact study required to analyze project impacts on nearby intersections and neighborhoods?** No.

This request is to rezone 5 acres from IR (industrial) to ORI (office and residential intensive) district property located at 3000 Charlotte Pike, west of 28th Avenue North. The existing IR district is intended for light manufacturing uses at a small to moderate scale, while the ORI is intended for office and residential multi-family uses with limited retail opportunities. The ORI district allows a maximum Floor Area Ratio (FAR) of 3.0, while the IR district has a maximum FAR of 0.60. The Planning Commission approved the ORI district on the adjacent parcel (parcel 392) on October 14, 1999. The Planning Commission found that ORI was consistent with the Subarea 10 Plan's Mixed Use (MU) policy, calling for a mixture of commercial, higher density residential, and medical office uses. It was determined that ORI would serve as a transition to the Industrial and Distribution (IND) policy to the west. The applicant has indicated that the purpose of this request is to allow for medical offices and a surgery center on site, as is located on the adjacent property to the east.

Although this property falls within the Subarea 10 Plan's IND policy calling for storage, business centers, wholesale centers, and manufacturing uses, it is adjacent to an existing ORI district, and an area designated in the new Subarea 8 Plan as Corridor Center (CC) policy. The CC policy on the north side of Charlotte Pike calls for dense, predominately commercial areas at the edge of a neighborhood. It also allows for medical office, office, and residential uses. The plan emphasizes the need for a smooth transition from one area to another. The Subarea 8 Plan also states: "This area (CC policy) tends to mirror the commercial edge of another neighborhood forming and serving as a "town center" of activity for a group of neighborhoods."(page 68).

In order to better accomplish this goal, staff recommends approval of the ORI district since it will serve as a transition from the CC policy across the street to the IND policy on the south side of Charlotte Pike, and it will provide an interface between the industrial area and the Corridor Center area to the north. It is appropriate for industrial uses to remain in this area, but with the next Subarea 10 Plan update, the IND policy along the frontage of Charlotte Pike needs to be re-evaluated. Given this property's proximity to the large medical campuses of Baptist Hospital and Centennial Hospital, and the new Subarea 8 Plan's CC policy, ORI is appropriate along the frontage of Charlotte Pike. Rezoning this property to ORI will allow the opportunity for future uses on both sides of Charlotte Pike to mirror one another. Staff also recommends approval since there is an abundance of underutilized industrial properties in the West Nashville area.

Traffic

The Metro Traffic Engineer has indicated that a Traffic Impact Study is not required at the current time, but may be required at the building permit stage depending on the exact uses and the proposed square footages.

16. 2002Z-056U-09 Arts Center Redevelopment Plan (Amendment No. 2) (Council Bill BL2002-1063)

Staff recommends *approval*. The complete Amendment is attached, including the ordinance and exhibit.

The Arts Center Redevelopment Plan, approved by Council in 1998 and amended in 1999, was created to promote long range planning and economic development within its boundaries. Originally drawn to encompass the U.S. Post Office and its immediate environs, it was expanded in 1999 to include the area known as the Railroad Gulch, along with the Demonbreun Street/Music Row area. Its boundaries today are generally Broadway and McGavock on the north, 17th Avenue North and Division Street on the west and south, and the Capitol Mall Redevelopment Project on the east.

Notable development within the Arts Center Redevelopment Area has included the conversion of the U. S. Post Office into the Frist Center for the Visual Arts, construction of the Music Row Roundabout, revitalization of a number of properties along the Demonbreun Street commercial corridor, and the start of implementation of the Gulch Master Plan, a \$400 million mixed-use urban development project expected to be completed over the next ten years.

The proposed amendment, Amendment No. 2, achieves two objectives:

- 1) Replaces the existing "Preface" of the Plan with a new "Preface"; and
- 2) Modifies the current description of land uses in the Mixed Use "Music Row" District, allowing auto sales as a conditional use as long as all activity is confined to the interior of a building. This change applies only to properties, which have frontage on Demonbreun Street, west of Interstate 40.

Proposed Preface:

This Arts Center Redevelopment Plan is located in Metropolitan Nashville and Davidson County, Tennessee and is undertaken by the Metropolitan Development and Housing Agency, hereinafter referred to as "MDHA", in accordance with and in furtherance of the objectives of The Housing Authorities Law, Tennessee Code Annotated, Sections 13-20-101, et. seq. (the "Housing Authorities Law"). The Metropolitan Council of Nashville and Davidson County has declared the area to be a blighted area within the scope of Section 13-20-201 through 13-20-209, of the Housing Authorities Law.

Exhibit 1

Arts Center Redevelopment Plan

C. Land Use Plan

C.2.a. General Land Use Districts:

3. Mixed Use “Music Row” District: This district applies to the area west of Interstate 40. This area has historically served as the entrance to the Music Row area and as such was a hub of tourist activity. Due to economic and land use trends, the area has increasingly shifted its focus away from tourism and towards office development and uses ancillary to the needs of the music industry. It is recommended that the change in focus be encouraged, while to the extent possible physically incorporating the traditional retail/tourism related activities through building design. New multi-storied office development could incorporate first floor retail.

It is appropriate that development in the Music Row district, particularly at the street level, promote a pedestrian scale of activity. The intent is to create an atmosphere of excitement and a grand entrance to Music Row. This can be accomplished through building designs that relate to Demonbreun Street and the Owen Bradley Park, as well as pedestrian scale features such as lighting, open spaces, plazas that flow into expanded sidewalks, and attractive landscape treatments.

Permitted Uses

- All uses permitted under the Mixed Use Arts District

Conditional Uses: The following uses may be permitted in the Mixed Use “*Music Row*” District if they are designed, located and proposed to be compatible with surrounding land uses and operated such that the public health, safety, and welfare will be protected and will not adversely affect other property in the area.

- Auto sales
- Auto service and repair

For properties which have frontage on Demonbreun Street there will be no outside storage or display of vehicles and no auto service or repair will be allowed.

May 21, 2002

17. Zone Change 2002Z-057G-04

18. PUD Proposal 235-84-G-04 Harbor Village, Phase IV

Staff recommends *approval* of the zone change and *conditional approval* of the PUD amendment.

- **Subarea Plan Amendment required?** No, this property falls within an existing PUD approved for multi-family in 1984.
- **Traffic Impact study required to analyze project impacts on nearby intersections and neighborhoods?** Yes, and one has been submitted.

This request is to change 10.5 acres from R20 (residential) to RM9 (multi-family) district a portion of property located at Spring Branch Drive (unnumbered) within an existing PUD. There is also a request to amend the existing PUD to change the layout of a portion of the plan approved for 93 multi-family units. The existing R20 district is intended for single-family and two-family development, while the proposed RM9 district is intended for multi-family development at up to 9 dwelling units per acre. The existing PUD plan is approved for 93 multi-family units on this portion of the plan at a density of 8.9 dwelling units per acre. When this PUD plan was originally approved in 1984, the Zoning Ordinance at that time did not require the base zoning to be changed to allow for multi-family development; the PUD overlay was simply applied on top of the existing base zoning. When a new PUD is applied today, or when a previously approved PUD is amended by the Metro Council, the current regulations require the base zoning to be consistent with whatever is proposed with the PUD.

PUD Plan

The 1984 preliminary PUD plan included 125 townhomes and 46 single-family lots for a total of 171 units. Phase IV was approved for 93 two-story, 640 square foot townhomes. The current proposal to amend this phase of the plan includes 93 townhomes with approximately 1,950 square feet per unit. Although the uses are the same, the building locations, internal driveways, and open space have changed. The unit size has increased significantly, causing the elimination of some of the open space on this phase of the plan. Although the open space on this portion of the plan has decreased, it still meets the current Zoning Ordinance requirements of 15%. Coleman Lake, which is included in this phase of the PUD plan as open space, is approximately 22 acres.

Zone Change

Although this proposal falls within the Subarea 4 Plan's Residential Low (RL) policy calling for up to 2 dwelling units per acre, it is located within an existing, grandfathered PUD approved in 1984 for 93 townhomes. Since this property is currently approved for 93 townhomes within the PUD, staff recommends approval of the zone change. The RM9 district will bring the zoning into compliance with the current Zoning Ordinance, as well as the existing PUD. Staff recommends approval of the zone change since it is consistent with the approved density in the PUD.

Traffic

A Traffic Impact Study (TIS) was submitted by the applicant and reviewed by the Metro Traffic Engineer. The Metro Traffic Engineer said the TIS did not require any off-site traffic improvements. Spring Branch Drive and Twin Hills Drive can currently accommodate the traffic generated by 93 units.

Schools

A single-family development with 93 multi-family units could generate approximately 22 students (9 elementary, 7 middle, and 6 high school). Students will attend Gateway Elementary School, Goodlettsville Middle School and Hunter's Lane High School. The Metro School Board has not identified any of these schools as being over capacity.

19. PUD Proposal 78-86-P-12 Southmark PUD

Staff recommends *conditional approval*.

The applicant has requested to revise the preliminary plan of the Southmark Residential PUD to permit the development of 155 attached townhouse units, to replace a 34,000 square foot church and day care center. At issue is whether the request to revise the preliminary PUD from a church to townhouses constitutes a minor modification requiring only Planning Commission approval. Staff believes that due to the fact that the original PUD development plan approved in 1986 permitted 160 multi-family units, and then was revised in early 2000 to allow the development of the church, a revision back to townhouses – with a five (5) unit net reduction – would not require a PUD amendment before Metro Council. Although this application has been submitted as a revision to the PUD, staff believed it was in the best interest of the surrounding property owners to mail a courtesy notice, providing the time and date of the Planning Commission’s hearing of this item, to those owners within 300 feet of the subject property. Staff recommends conditional approval.

The property is located approximately 550 feet west of Nolensville Pike, south of Swiss Avenue. The proposed plan successfully meets district bulk regulations such as floor area ratio (FAR), impervious surface ratio (ISR), and parking requirements. Approximately 60% of the site is shown as open space for the townhouse site. The proposed density of 9.6 units per acre supports the Subarea 12 Plan’s Residential Medium High (RMH) allowable density of 9 to 20 units per acre.

The entire Southmark commercial and residential PUD was created in 1986 allowing for the development of 135,300 square feet of retail, office, and restaurant uses on 10 acres abutting the west margin of Nolensville Pike, and allowed for 160 multi-family units on the 16.15 acre site west of the commercial portion. In January 2000, the Planning Commission conditionally approved a revision to the multi-family portion to allow for a church, provided that a northbound left-turn lane be constructed on Nolensville Pike into the development. In September 2000, the Metro Council approved the 10-acre commercial portion of the PUD for cancellation. For this application to revise the residential portion, Metro Public Works required that the applicant carry-over the previous condition from the church or provide a new traffic impact study. The applicant has agreed to provide the northbound left-turn lane on Nolensville Pike.

Schools

A multi-family development, with 155 townhouses, could generate approximately 26 students (11 elementary, 8 middle school, and 7 high school). Students coming from the proposed townhouses will attend Granbery Elementary, Oliver Middle School, and Overton High School. The school board has provided information indicating that Granbery Elementary is over capacity; however, Overton High is currently not over capacity and Oliver Middle is slated for construction.

20. PUD Proposal No. 98P-003G-06 Bellevue Assisted Living

Staff recommends *disapproval*.

This request was deferred indefinitely by the applicant from the April 25, 2002 Planning Commission agenda. The request is for a PUD amendment for the Bellevue Assisted Living development to substitute a wooden fence with brick columns in place of a masonry wall along the northern and eastern property lines, as required through conditions approved by Metro Council. The property is located in Bellevue, on the east margin of Sawyer Brown Road, approximately 230 feet south of Esterbrook Drive.

The original request was for a revision to preliminary and final PUD. Staff felt that this request should be an amendment to the PUD requiring Metro Council action. The plan changes the basic development concept of the PUD by eliminating a masonry wall originally proposed as part of the overall PUD. The Zoning Ordinance (Section 17.40.120 G.2.a) establishes the criteria for the Planning Commission to decide whether a proposed change is an amendment or a revision: "In the judgment of the commission, the change does not alter the basic development concept of the PUD." It should be noted that a precedent was set for dealing with these type changes as a PUD amendment requiring Metro Council action with the Coventry Woods PUD (Case number: 84-300-U-04) at the January 10, 2002 Planning Commission meeting. The Planning Commission determined that PUDs are put in place with the trust of the community and any significant change should go before the council. Although the scale of the Coventry Woods request and the Bellevue Assisted Living request differ, the premise that the community should be able to trust that the conditions of approval are upheld is still the same.

The entire plan for Bellevue Assisted Living was given final approved in 1998, with a condition that a masonry wall be constructed along the north and east property lines of the development. Staff is recommending disapproval of this plan since it eliminates the masonry wall that was originally a specific requirement placed on the plan. This wall was heavily debated in the original approval because the applicant wished to remove it completely and use an earthen berm and plant materials as a screen. Meetings were held with abutting property owners to discuss this issue and the masonry wall was ultimately required as a condition of approval. There have been no changes in the development pattern of the area that would warrant removing this condition.

21. UDO Proposal 2002UD-001U-10 Green Hills Urban Design Overlay (UDO) District

Staff recommends *approval* of the UDO in order to provide an additional means of implementing the Green Hills Urban Village Plan.

Green Hills UDO development process

In 1999, the Planning Commission endorsed the Green Hills Urban Village Plan that set forth a set of recommendations addressing land use, transportation and design issues in the largely commercialized area of Green Hills. A citizen advisory committee working with staff and a consultant developed that plan. Creation of an urban design overlay district was one of the key recommendations of the plan. Accordingly, over the past two year period, staff has worked with a committee of property owners and other stakeholders to develop a draft UDO document. Technical assistance was also provided under a contract with Gresham Smith and Partners. The committee members were selected by staff and Councilmember Shulman. Numerous meetings open to the public have been held with the committee and three community-wide meetings have been held for input and feedback.

Green Hills UDO goal and objectives

The overarching goal for this UDO is to give three-dimensional form to the concept of the urban village as presented in the Green Hills Urban Village Plan.

Urban Design Overlay Objectives:

- Establish a compact multi-level mixed-use development pattern distributed along a system of streets.
- Ensure that buildings are oriented to and linked by a cohesive pedestrian system.
- Provide shared parking located conveniently to multiple destinations.
- Provide multiple transportation service opportunities (pedestrian, car, transit, bicycle).
- Provide high quality (functional and aesthetic) open spaces for assembly, relaxation, civic events, display of public art and other similar purposes.
- Provide a high level of pedestrian-generating activity along streets.

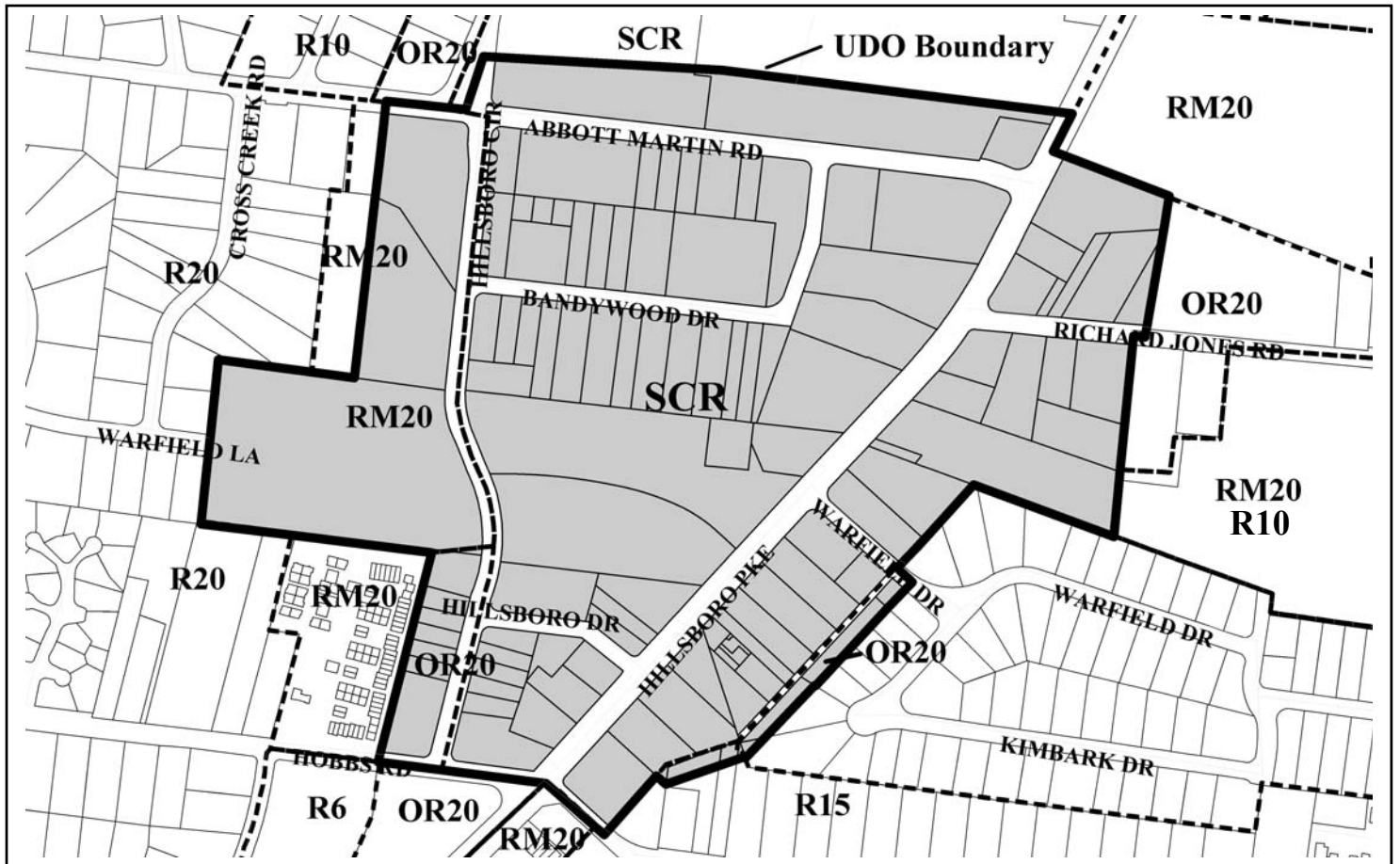
Area size and location

The UDO area is large enough to have an impact by setting an example for the rest of Green Hills (see illustration below). At the same time, it is small enough to have a reasonable chance of support from a strong majority of included property owners. The proposed area has about the same number of owners as the Hillsboro Village UDO.

The location of the area was determined based on visibility and the prospects for economic change in the near future. A substantial portion of the area has frontage along Hillsboro Pike. The underutilized H. G. Hill property is undergoing evaluation for redevelopment in the near future. The facades of mall buildings along the north margin of Abbott Martin are included to encourage future redevelopment along the following lines: use of the ground floor level of the two existing parking garages as retail space oriented to Abbott Martin and new construction to extend the mall building to the street with new ground level shops related to the street frontage.

UDO provisions – basis

The Green Hills UDO differs from other UDO's in that use of the provisions is *optional* rather than mandatory. It was determined early in working with the committee of property owners that they were only willing to pursue a UDO if the provisions were incentive-based rather than mandatory. This point of view was corroborated by other property owners in community-wide meetings and by those who attended the numerous committee meetings. The incentives used in this UDO are presented in Section B of the Appendix, starting on Page 46 of the draft document. There are some provisions that can be employed without choosing to use incentives. These are in the Appendix within subsections under "GENERAL PROVISIONS" headings.



22. Subdivision 2001S-180U-03 Creekside Subdivision

Staff recommends *deferral to the June 13, 2002 Planning Commission meeting.*

The original preliminary plat for Creekside subdivision was approved with conditions by the Planning Commission on July 19, 2001. This request is to revise the preliminary plat and for final plat approval to create 37 lots on 16.6 acres abutting the east margin of Buena Vista Pike, approximately 270 feet north of Buena Vista Court within the RS15 district. The applicant has requested to defer the request to the June 13th Planning Commission meeting in order to satisfy all of the conditions from the July approval. Staff recommends deferral, and feels that all issues will be resolved prior to the June 13th meeting.

23. PUD Proposal No. 192-69-G-12 Hickory Plaza Kroger Store

Staff recommends *conditional approval*.

This request is to revise a portion of the preliminary plan and for final PUD approval of a portion of the Commercial PUD district located on the north side of Old Hickory Boulevard, and on the west side of Nolensville Pike. This request is to permit the expansion of the existing Kroger store into the adjacent retail space previously occupied by CVS pharmacy to develop a Kroger pharmacy, construct façade improvements on the entire storefront and add a pharmacy drive-thru window.

The site's CS base zoning allows a pharmacy and is consistent with the PUD, as the previous tenant was CVS pharmacy. This expansion will not change the original concept of the PUD, with the exception of the new drive-thru window.

Traffic

This proposal includes a drive-thru window on the south end of the existing Kroger store. On May 14, 2002 the Traffic Engineer and a member of the Planning Department staff met on site with representatives of Kroger due to concerns about the turning radius of the drive-thru window. The applicant rough graded the turning radius so that a "test run" could be done. After driving a truck through the radius and taking measurements to ensure that the 30-foot radius would be adequate, the Traffic Engineer determined that the proposed configuration was adequate.

Staff recommends *conditional approval* subject to a corrected plan to be received prior to the Planning Commission meeting that indicates the following:

1. Provide 20 feet of clear width from the outside edges of the drive-thru window canopy to the driveway edge reaching to the rear of the building. The fire department connection and hydrant cannot be blocked from use at anytime.
2. Provide a stop sign for truck traffic coming from the rear of the Kroger and merging into the drive-thru traffic.

24. PUD 122-82-U-12, Grassmere Business Park, Lot 1

Staff recommends *conditional approval* subject to the administrative approval of a final plat and the posting of bonds as may be required for necessary public improvements.

This request is for a revision to the preliminary plan and for final PUD approval of Phase 1, lot 1 of the Commercial PUD located at the corner of Elysian Fields Road and Trousdale Drive to permit one office building, replacing two office buildings. The plan proposes one 11,950 square foot building, replacing two office buildings totaling 23,000 square feet. If the developer should want to build more office space on this lot in the future, they will need to submit a revised application for preliminary and final PUD approval at that time.

The plan orients the proposed building toward Trousdale Drive and maintains the same access points, as shown on the original preliminary PUD plan. One access point is from Trousdale Drive and one is through the existing driveway on Grassmere Park Drive. The required sidewalks along Trousdale Drive and Grassmere Park Drive have been shown.

Staff recommends *conditional approval* subject to the administrative approval of the final plat and the posting of bonds as may be required for necessary public improvements.

25. Mandatory Referral Proposal 2002M-040U-14

Staff recommends *conditional approval*.

This request is to acquire easements on 22 properties for water and sewer relocations that must occur to accommodate the widening and realignment of Briley Parkway by TDOT. Metro Water Services is requesting these easements as part of Project No. 01-SG-92/01-WG-89 Phase IV/01-SG-91/01-WG-88 Phase V, Capital Improvement No. 96SG0005/96WG0005. Staff recommends conditional approval subject to approval by all reviewing departments and agencies.

26. Mandatory Referral Proposal 2002M-045U-03

Staff recommends *conditional approval*.

This is a request to close an unimproved street (Hale Street) extending from the west margin of West Alpine Avenue to its terminus, north of Lincoln Avenue. All easements are to be retained. A number of designated streets in this area are unimproved. If approved, associated lands will be conveyed to the abutting property owners in equally divided amounts. The applicant, Caldwell Wright, owns the property directly north of the unimproved street. All other abutting property owners signed the mandatory referral application. Staff recommends conditional approval subject to approval by all reviewing departments and agencies.

27. Mandatory Referral Proposal 2002M-059U-14

Staff recommends *conditional approval*.

This is a request to abandon and relocate portions of water, sewer, drainage, and general public utility easements to accommodate the construction of a new commercial building within the Jackson Downs Commercial Subdivision (2002S-139U-14). This mandatory referral has been requested in conjunction with an administrative final plat request that shows the locations of existing and proposed new easements for these utilities. Staff recommends conditional approval subject to approval by all reviewing departments and agencies.

28. Mandatory Referral Proposal 2002M-061U-00 (Council Bill BL2002-983)

Staff recommends *approval*.

This council bill is to amend Section 13.08.030 of the Metro Code regarding encroachments in, on, over, or under any street, road, alley, sidewalk, or other public way of the Metro Government. The bill deletes in its entirety Section 13.08.030 and inserts new text in its place. The main difference being the current text refers to property owners getting the “permission” of the Metro Council before constructing, installing, operating, or maintaining an encroachment where the proposed text says the Council will by “ordinance” grant encroachments. Another difference is that the proposed law is broader in that it applies not only to encroachments that benefit the owner of an abutting property owner, but which may benefit the public in general. Staff recommends approval of this bill since it would require any entity wishing to place an encroachment in the public right-of-way to request a permit from the Department of Public Works and provide proof of insurance to indemnify Metro Government.

Proposed New Text

SECTION 1. Section 13.08.030 of the Metropolitan Code of Laws be amended by deleting it in its entirety and substituting in lieu thereof the following:

- A. No person, firm or entity shall construct, install, operate and/or maintain an encroachment in, on, over, or under any street, road, alley, sidewalk or other public way except when permitted by the metropolitan government. Unless specifically permitted under other sections of this code, the metropolitan county council may by ordinance grant encroachments, permits or privileges to construct, install, operate and/or maintain an encroachment in, on, over, or under any street, road, alley, sidewalk or other public way.
- B. Any person, firm or entity requesting an encroachment, permit or privilege as provided herein shall pay to the metropolitan government a fee in the amount of one hundred dollars upon making such request.
- C. The manner of constructing, installing, operating and maintaining such encroachment shall be by subject to the requirements, direction and approval of the director of public works and further the person, form or entity requesting such encroachment, permit or privilege shall provide a liability insurance policy in such amount as directed by the metropolitan attorney and in the form as approved by the metropolitan attorney, to save the metropolitan government harmless from all claims for damages that may result to persons or property by reason of construction, operation or maintenance of such installation of any encroachment.

29. **Subarea 8 Plan Amendment—Detailed Neighborhood Design Plans for 8 Planning Neighborhoods: Cumberland Gardens, Elizabeth Park, Jones-Buena Vista, Osage-North Fisk, East Germantown, Germantown, Salemtown and Metro-2nd & Hume**
Staff recommends the Planning Commission set a public hearing date for June 27, 2002

Staff worked with residents of these eight neighborhoods over the last five months developing Detailed Neighborhood Design Plans at a series of meetings and workshops. The staff developed the plans in two sets. One set includes Cumberland Gardens, Elizabeth Park, Jones-Buena Vista and Osage-North Fisk. The second set includes East Germantown, Germantown, Salemtown and Metro-2nd and Hume. The staff presented the final draft plans to the neighborhoods. The residents participating in the meetings and workshops support the adoption of the plans by the Planning Commission. Staff recommends that the Commission set a public hearing for June 27, 2002 to consider the adoption of these plans.