

MINUTES
OF THE
METROPOLITAN PLANNING COMMISSION

Date: April 12, 2001
Time: 1:00 p.m.
Place: Howard Auditorium

Roll Call

Present:

James Lawson, Chairman
Frank Cochran
William Manier
Ann Nielson
Vicki Oglesby
Councilmember Phil Ponder

Absent:

Mayor Bill Purcell
Tonya Jones
Douglas Small
Marilyn Warren

Staff Present:

Richard C. Bernhardt, Executive Director
Ann Hammond, Director of Planning
Jeff Lawrence, Director of Operations
Amy McAbee-Cummings, Planner I
Carolyn Perry, Administrative Assistant II
Jerry Fawcett, Design Studio Manager
Jennifer Regen, Planner III
Robert Leeman, Planner II
Marty Sewell, Planner I
Chris Wooton, Planning Technician I

Others Present:

Jim Armstrong, Public Works
Brook Fox, Legal Department
Chris Koster, Mayor's Office

Chairman Lawson called the meeting to order.

ADOPTION OF AGENDA

Staff announced item 5. 2001Z-017U-10 should be a rezoning to R10 and R40.

Ms. Nielson moved and Ms. Oglesby seconded the motion, which unanimously passed, to adopt the agenda.

APPROVAL OF MINUTES

Ms. Nielson moved and Councilmember Ponder seconded the motion, which unanimously passed, to approve the minutes of the regular meeting of March 29, 2001.

RECOGNITION OF COUNCILMEMBERS

Councilmember Vic Lineweaver spoke in favor of proposal 93-86-P-06, Lakeshore Meadows, Section 5.

Councilmember Melvin Black spoke in favor of proposal 2001M-032U-03. This street name needs to be change for safety purposes because of previous incidents concerning street name confusion.

PUBLIC HEARING: ANNOUNCEMENT OF DEFERRED ITEMS

At the beginning of the meeting, staff listed the deferred items as follows:

2001S-072G-02 Deferred indefinitely, by applicant.

2001M-034U-11 Deferred indefinitely, by applicant.

Ms. Nielson moved and Mr. Manier seconded the motion, which unanimously passed, to close the public hearing defer the items listed above.

PUBLIC HEARING: CONSENT AGENDA

Ms. Nielson moved and Mr. Manier seconded the motion, which unanimously carried, to close the public hearing approve the following items on the consent agenda:

ZONING MAP AMENDMENTS

7. 2001Z-040U-08

Map 92-6, Parcels 607 (.17 acres) and 608 (.17 acres)

Subarea 8 (1995)

District 21 (Whitmore)

A request to change from IR to R6 district properties at 2508 and 2510 Clifton Avenues, approximately 200 feet west of 25th Avenue North (.34 acres), requested by Masjid Al-Islam, appellant/owner.

Resolution No. 2001-161

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2001Z-040U-08 is **APPROVED 6-0**):

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."

PRELIMINARY PLAT SUBDIVISIONS

- 11. 2001S-109U-03**
Shields-Taylor Subdivision
Map 70, Parcels 1 and 2
Subarea 3 (1998)
District 2 (Black)

A request for preliminary approval for 18 lots abutting the northwest margin of West Hamilton Road, approximately 300 feet southwest of Pheasant Drive (6.98 acres), classified within the RS10 District, requested by I.S.A. Inc. and Elvea V. Taylor, owners/developers, Wamble and Associates, surveyor.

Resolution No. 2001-162

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2001S-109U-03, is **APPROVED WITH CONDITIONS (6-0).**”

FINAL PLAT SUBDIVISIONS

- 12. 2001S-080G-04**
Brown Subdivision
Map 43-15, Parcels 162-164
Subarea 4 (1998)
District 9 (Dillard)

A request 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 (.47 acres), classified within the OR20 District, requested by Jeff W. Brown, owner/developer, Land Surveying, Inc., surveyor.

Resolution No. 2001-163

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2001S-080G-04, is **APPROVED WITH CONDITIONS (6-0).**”

- 13. 2001S-106U-13**
Hickory Highlands Place, Section 2, Phase 2
Map 163, Part of Parcel 371
Subarea 13 (1996)
District 28 (Alexander)

A request for final plat approval to create 26 lots abutting the northeast terminus of Highland Ridge Drive, approximately 115 feet northeast of Winton Drive (8.84 acres), classified within the RS7.5 District, requested by Hickory Highlands, LLC, owner/developer, Barge, Waggoner, Sumner & Cannon, Inc., surveyor.

Resolution No. 2001-164

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2001S-106U-13, is **APPROVED SUBJECT TO BOND OF \$219,500.00 FOR EXTENSION OF ROADS AND UTILITIES (6-0).**”

PLANNED UNIT DEVELOPMENTS (revisions)

14. 36-76-G-14
Bell Acres, Section Two
Map 95-5, Parcel 99
Subarea 14 (1996)
District 15 (Loring)

A request to revise the preliminary plan for a portion of the Residential Planned Unit Development District located abutting the north margin of Lebanon Pike at Mill Creek, classified RS10, (34.2 acres), to permit 135 multi-family units, replacing 240 multi-family units, requested by Dale and Associates for Lebanon Road Properties, LLC, owner.

Resolution No. 2001-165

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 36-76-G-14 is given **CONDITIONAL APPROVAL TO REVISE A PORTION OF THE PRELIMINARY PUD PLAN (6-0)**. The following conditions apply:

1. Prior to the issuance of any building permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. Prior to the issuance of any building permits, a final plat shall be recorded, including all necessary bonds for public improvements, including all off-site traffic improvements as conditioned below.
3. Prior to the issuance of any use an occupancy permits for the first phase of this section, the developer shall construct a 100 foot long left-turn lane from Lebanon Pike at the project site’s entrance with a transition that meets AASHTO standards.
4. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
5. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and fire flow water supply during construction must be met prior to the issuance of any building permits.”

16. 179-83-U-06
Hillmeade Apartments
Map 129, Part of Parcel 1
Subarea 6 (1996)
District 23 (Bogen)

A request to revise the preliminary plan and for final approval for a portion of the Residential Planned Unit Development District located abutting the north margin of Memphis Bristol Highway at Brookmont Terrace, classified RM4, (.75 acres), to permit the addition of 54 individually enclosed parking garages to be constructed where existing surface parking spaces exist now, and the addition of 30 new parking spaces for a net gain of 17 parking spaces, requested by Barge-Cauthen for AIMCO Apartment Investment and Management Company, owner.

Resolution No. 2001-166

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 179-83-U-06 is given **APPROVAL OF THE PRELIMINARY AND FINAL APPROVAL FOR A PORTION OF THE RESIDENTIAL PUD (6-0)**. The following conditions apply:

1. Prior to the issuance of any building permit, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and fire flow water supply during construction must be met prior to the issuance of any building permits.
3. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
4. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require re-approval by the Planning Commission."

19. 93-86-P-06
Lakeshore Meadows, Section 5
Map 141, Part of Parcel 14
Subarea 6 (1996)
District 35 (Lineweaver)

A request to revise the preliminary plan and for final grading plan approval for a portion of the Residential and Commercial Planned Unit Development Districts located abutting the south margin of Coley Davis Road and the west margin of Scenic River Lane, classified CL, (6.93 acres), to redesign the approved grading plan for a 10,000 square foot, unbuilt, commercial building to elevate a portion of the site by approximately 18 feet, while maintaining the same building location for the commercial building, requested by Ragan-Smith and Associates for Lakeshore Meadows Inc., owner.

Resolution No. 2001-167

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 93-86-P-06 is given **APPROVAL OF THE REVISION TO PRELIMINARY PUD PLAN AND CONDITIONAL FINAL APPROVAL OF THE GRADING PLAN (6-0)**. The following conditions apply:

1. Prior to the issuance of any building permit, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. The perimeter landscaping shown on the PUD plan shall be planted and maintained, along the perimeter of this site, by the developer or property owner within 6 months of the approval date.
3. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
4. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.

5. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.”

MANDATORY REFERRALS

22. **2001M-035U-08**
Sale of Surplus Property on Batavia Street
Map 92-6, Parcel 193
Subarea 8 (1995)
District 21 (Whitmore)

A request to sell surplus Metro property located on Batavia Street, adjoining 30th Avenue North and I-40, classified R6, (0.02 acres), requested by the Public Property Administrator.

Resolution No. 2001-168

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 2001M-035U-08 is **APPROVED (6-0).**"

23. **2001M-036U-07**
Sale of Surplus Property
Map 91-10, Part of Parcel 411
Subarea 7 (2000)
District 21 (Whitmore)

A request to sell a portion of surplus Metro property to the State of Tennessee abutting Briley Parkway, classified within the RS6 district (0.68 acres), requested by the Public Property Administrator.

Resolution No. 2001-169

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 2001M-036U-07 is **APPROVED (6-0).**"

This concluded the items on the consent agenda.

PUBLIC HEARING

GENERAL PLAN with ZONING MAP AMENDMENTS

1. **Subarea 12 Plan Amendment Request**

Residential Low-Medium Density to Mixed Use Policy (approximately 14 acres) and Residential Medium Density Policy with Designation of Special Urban Design Treatment Area (approximately 88 acres) located on the east margin of Nolensville Pike, across from Bradford Hills Drive. (Deferred from meeting of 03/01/01).

2. **2001Z-005G-12**
Council Bill No. BL2001-670
Map 172, Parcels 88 (35.87 acres), 89 (13.75 acres),

205 (2.0 acres), 206 (2.0 acres), 212 (2.0 acres) and
218 (2.0 acres)
Map 173, Parcel 62 (43.92 acres)
Subarea 12 (1997)
District 31 (Knoch)

A council bill to rezone properties located at 6016 and 6026 Nolensville Pike and Nolensville Pike (unnumbered) from AR2a to RM9 district (81.77 acres), and AR2a to MUL district (19.77 acres) for a total of 101.54 acres, requested by Rick Blackburn of Regent Development, appellant, for The Lord's Chapel Trustees and Suntrust Bank, Trustee, and Raymond M. Resha, and Louis J. Resha, owners. (Deferred from meeting of 03/01/01).

3. 2001UDO-001G-12
Council Bill No. BL2001-671
Lenox Village Urban Design Overlay
Map 172, Parcels 88 (35.87 acres), 89 (13.75 acres),
205 (2.0 acres), 206 (2.0 acres), 212 (2.0 acres) and
218 (2.0 acres)
Map 173, Parcel 62 (43.92 acres)
Subarea 12 (1997)
District 31 (Knoch)

A council bill to apply the Urban Design Overlay (UDO) District to properties located at 6016 and 6026 Nolensville Pike and Nolensville Pike (unnumbered) (101.54 acres), requested by Rick Blackburn of Regent Development, appellant, for The Lord's Chapel Trustees and Suntrust Bank, Trustee, and Raymond M. Resha, and Louis J. Resha, owners. (Deferred from meeting of 03/01/01).

Mr. Fawcett stated 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

Mr. David McGowan stated he had met with the School Board and discussed what type of site they would like for a school, have acquired land for that intent, and will meet with the Board again regarding options for that property.

Mr. Hunter Gee explained the proposal, addressed traffic concerns and gave a slide presentation of examples of how Lenox Village might look when developed.

Ms. Nielson moved and Ms. Oglesby seconded the motion, which carried unanimously, to close the public hearing.

Mr. Manier asked who would assume responsibility for the compound.

Mr. Fawcett stated the homeowners association would take that responsibility.

Mr. Manier expressed concerns regarding school overcrowding and stated he did object to the project but that the school situation should be resolved before development.

Mr. Cochran expressed concerns regarding staff doing the work the developer should be doing.

Councilmember Ponder moved and Ms. Nielson seconded the motion, which carried with Mr. Manier and Mr. Cochran in opposition, to approve the following resolution:

Resolution No. 2001-170

WHEREAS, the Metropolitan Planning Commission adopted the *Subarea 12 Plan: 1996 Update* on May 5, 1997; and

WHEREAS, Chapter 3 Section 3.42 C on page 47 of this plan contains a Residential Low-Medium Density land use policy for Area 3F; and

WHEREAS, the zoning regulations require that for an area to be eligible for application of “Urban Design Overlay” zoning, the Metropolitan Planning Commission must first designate the area as one where special regulation of design is warranted and establish design goals and objectives for the area in the affected subarea plan; and

WHEREAS, a public hearing was held on March 1 and continued to April 12, 2001 to consider the merits of a) designating a certain area on the east side of Nolensville Pike opposite Bradford Hills Drive as a special urban design treatment area; b) establishing design goals and objectives for this special urban design treatment area; and, c) changing the land use policy category for a portion of Residential Low-Medium Density Area 3F to Mixed Use and Residential Medium Density policies as described on Attachment A; and

WHEREAS, the Metropolitan Planning Commission finds that these changes are warranted;

NOW THEREFORE BE IT RESOLVED that the Metropolitan Planning Commission hereby **ADOPTS** Amendment No. 3 to the *Subarea 12 Plan: 1996 Update* as set forth in “Attachment A” to this resolution and incorporates the amendment into the *Subarea 12 Plan: 1996 Update*.”

“Attachment A” to Resolution 2001-170”

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 at 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

"BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2001Z-005G-12 is **APPROVED (4-2)**:

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. With the adopted amendments to the Subarea 12 Plan, these zoning districts will enable traditional neighborhood design principles to be incorporated into future development on this properties."

"BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2001UDO-001G-12 is **APPROVED (4-2)**:

The UDO has a comprehensive objective of building neighborhoods that promote a strong sense of community. The UDO will incorporate proven techniques of traditional neighborhood design used successfully in many parts of the country. The essential features of the UDO plan and guidelines are a compactness and mixture of land uses, pedestrian orientation through sidewalks, bike trails, and orientation and placement of buildings, interconnected streets and trails, open space, and the design of buildings and structures which build and enhance their relationship within the environment and context they are located."

ZONING MAP AMENDMENTS

4. **2001Z-011U-10**
Council Bill No. BL2001-672
Map 117-11, Parcel 27 (1.63 acres)
Subarea 10 (1994)
District 25 (Shulman)

A council bill to apply the Neighborhood Landmark Overlay District to property located at 2021 Woodmont Boulevard, approximately 480 feet east of Hillsboro Pike, classified R40 (1.63 acres), requested by Mark Simmons of Mark Simmons Interiors, appellant, for P. C. Childs et ux, owners.

Ms. Regen stated staff is recommending approval. 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.

Councilmember Jim Shulman spoke in favor of the proposal.

Mr. David Kleinfelter, attorney representing Mr. Mark Simmons of Mark Simmons Interiors, appellant, explained the proposal for this property and stated the property would be used for an interior design business.

Ms. Nielson moved and Ms. Oglesby seconded the motion, which carried unanimously, to close the public hearing and approve the following resolution:

Resolution No. 2001-171

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2001Z-011U-10 is **APPROVED (6-0)**:

The Neighborhood Landmark Overlay District (NLOD) meets all of the criteria set forth in Article XI of the Zoning Ordinance. The district will allow the reuse of this structure, while maintaining its context to the surrounding 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."

5. 2001Z-017U-10
Map 117-12, Part of Parcel 1.01 (0.30 acres)
Subarea 10 (1994)

District 25 (Shulman)

A request to change from R40 and R10 districts to R10 district a portion of property located at 3427 Richards Street, north of Woodmont Boulevard (.30 acres), requested by Allen Crawford of Crawford Land Surveyors P.C., appellant, for Nashville Y.W.C.A., owner. (Deferred from meeting of 02/01/01).

Mr. Leeman stated 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.

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

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.

Mr. Allen Crawford spoke in favor of the proposal.

Councilmember Jim Shulman stated the YWCA would like to get rid of the property and that they would follow any procedures that need to be done to dispose of this property.

Ms. Nielson moved and Mr. Manier seconded the motion, which carried unanimously, to close the public hearing and to approve the following resolution:

Resolution No. 2001-172

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2001Z-017U-10 is **DISAPPROVED (6-0)**:"

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. The property owner's situation is a self-created hardship when the property's use was changed from a duplex to an office and a parking lot was added through a conditional approval granted by the Metro Board of Zoning Appeals. Under the existing R20 zoning, the existing home can be used as a single-family residence."

8. 2001Z-041U-08
Map 92-2, Parcel 301
Subarea 8 (1995)
District 21 (Whitmore)

A request to change from CN to IWD district property at 2420 Jefferson Street, approximately 367 feet west of the Nashville-Ashland City Railroad (.07 acres), requested by John H. Montgomery, appellant, for James Montgomery Jr., owner.

Mr. Sewell stated 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.

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.

Mr. James Woodyard spoke in opposition to the proposal.

Mr. John Montgomery, appellant, spoke in favor of the proposal and stated that people had been dumping trash on that property and that he had bulldozed it and leaned it up to park some cars on and that no one else would want the property for anything else.

Ms. Nielson moved and Ms. Oglesby seconded the motion

Ms. Nielson stated that not only was it contrary to the General Plan but that it was spot zoning.

Ms. Oglesby agreed.

Ms. Oglesby moved and Ms. Nielson seconded the motion, which carried unanimously, to approve the following resolution:

Resolution No. 2001-173

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2001Z-041U-08 is **DISAPPROVED (6-0) as contrary to the General Plan:**

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 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."

Chairman Lawson did not vote.

PRELIMINARY PLAT SUBDIVISIONS

- 9. 2000S-394G-04**
Anderson Village
Map 43-6, Parcels 5 and 6
Subarea 4 (1998)
District 9 (Dillard)

A request for preliminary approval for 13 lots abutting the north margin of Anderson Lane, approximately 308 feet west of Snow Avenue (2.62 acres), classified within the RS7.5 District, requested by Bobby Huffines, owner/developer, Burns and Associates, surveyor. (Deferred from meeting of 03/29/01).

Ms. Regen stated this item had been requested for deferral just before the meeting began.

Ms. Nielson moved and Councilmember Ponder seconded the motion, which carried unanimously to defer this matter until April 26, 2001.

PLANNED UNIT DEVELOPMENTS (revisions)

15. 111-79-U-13 and 1-74-U-13

Logan's Roadhouse Restaurant/Bell Forge PUD
Map 163, Part of Parcels 241, 298, and 299
Subarea 13 (1996)
District 28 (Alexander)

A request to revise the preliminary plan and for final approval for a portion of two adjoining Commercial (General) Planned Unit Development Districts located at the southwest corner of Bell Road and Mt. View Road, classified AR2a and SCR, (5.61 acres), to permit the existing restaurant on parcel 241 (Logan's Roadhouse) to make a driveway connection to parcel 298 for 60 overflow parking spaces, paving an unused parking area of the new and used car sales facility on parcels 298 and 299, requested by Design and Engineering, P.C., for Broadway Realty Co., owner.

Mr. Leeman stated 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 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.

Mr. Byron Moore, representing Logan's Roadhouse, stated he was present to answer any question the Commission might have.

Ms. Nielson moved and Councilmember Ponder seconded the motion, which carried unanimously, to close the public hearing and approve the following resolution:

Resolution No. 2001-174

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 111-79-U-13 and 1-74-U-13 is given **APPROVAL OF THE PRELIMINARY PUD PLANS AND CONDITIONAL FINAL PUD APPROVAL (6-0)**. The following conditions apply:

1. Prior to the issuance of any building permit, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. Prior to the issuance of any permits the Board of Zoning Appeals shall approve the variance to the internal landscaping requirements (Section 17.24.160) of the Zoning Ordinance.
3. Planning Department staff shall review the parking situation on-site and review the plans every three years to evaluate the overflow parking situation.
4. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and fire flow water supply during construction must be met prior to the issuance of any building permits.
5. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
6. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.”

17. 47-86-P-02
Brick Church Business Center
Map 50, Part of Parcel 1
Subarea 2 (1995)
District 2 (Black)

A request to revise the preliminary plan and for final approval for a portion of the Industrial Planned Unit Development District located abutting the south margin of Brick Church Lane, east of Interstate 24, classified IWD, (.05 acres), to permit the addition of a 50 foot tall, 672 square foot, double-sided, monopole, Type II billboard, requested by Pinnacle Media, LLC for NWI Warehouse Group, II, LLC, owner, and Duke-Weeks, leasee. (Deferred from the 03/15/01 and 03/29/01 meetings).

Mr. Leeman stated 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.

The 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 stated “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.

Mr. Bob Hannon, attorney representing the applicant, spoke in favor of the proposal and reminded the Commission that some PUD had recently been allowed to add billboards. All separation requirements from residential property have been met.

Ms. Nielson moved and Mr. Manier seconded the motion, which carried unanimously, to close the public hearing.

Ms. Nielson stated she did not see that anything had changed since the last meeting.

Ms. Nielson moved and Councilmember Ponder seconded the motion, which carried unanimously to approve the following resolution:

Resolution No. 2001-175

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 47-86-P-02 is given **DISAPPROVAL (6-0).**”

18. 67-86-P-05
Mini-Storage Billboard
Map 60-4, Part of Parcels 35
Subarea 5 (1994)
District 4 (Majors)

A request to revise the preliminary plan and for final approval for a portion of the Commercial (General) Planned Unit Development District located abutting the east margin of Dickerson Pike, 200 feet south of Maplewood Lane, classified CS, (3.84 acres), to permit the addition of a 50 foot tall, 672 square foot tall, doubled-sided, monopole, Type II billboard, requested by Goodview Outdoor of Tennessee, for Partners Preferred Yield, Inc., owner.

Mr. Leeman stated 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.

Councilmember Ponder stated this billboard could advertise off site businesses.

Mr. John L. Jennings, III, and Mr. Richard Smyer spoke in favor of the proposal and stated billboards were still permitted in PUD's because the ordinance to prevent them had not passed. He stated he wanted to turn in the Pear Tree Inn building permit in - in exchange for permission to build the billboard on Dickerson Road.

Ms. Oglesby moved and Ms. Nielson seconded the motion, which carried unanimously, to close the public hearing and approve the following resolution:

Resolution No. 2001-176

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 67-86-P-05 is given **DISAPPROVAL (6-0)."**

MANDATORY REFERRALS

20. 2001M-032U-03

Proposed Renaming of North Hydes Ferry Road
Map 69-11, Parcel(s) Various
Map 69-12, Parcel(s) Various
Map 69-16, Parcel(s) Various
Subarea 3 (1998)
District 2 (Black)

A request to rename North Hydes Ferry Road in its entirety to "John Mallette Drive", beginning at a junction with Ashland City Highway and terminating at the intersection of South Hamilton Road and River Drive, requested by Councilmember Melvin Black.

Ms. Regen stated 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.

Letters were mailed to all property owners on March 23, 2000 abutting North Hydes Ferry Road.

Ms. Frances Utley spoke in opposition to and presented a petition in opposition to the proposal. She stated she had been living on Hydes Ferry for 39 years and would have to have numerous documents changed if this proposal were approved.

Mr. Henry Hill, Jr., spoke in opposition and stated he did not see any public safety problem. The incident Councilmember Black spoke about was a human error.

Ms. Jane Campbelle Kennedy spoke in favor of the proposal and stated the incident Councilmember Black spoke about concerned her husband's heart attack and the safety equipment being unable to locate her house.

Ms. Nielson moved and Ms. Oglesby seconded the motion, which carried unanimously, to close the public hearing.

Ms. Nielson stated she was confused and would like further information.

The Commission asked for information from or representatives to be at the next from Fire, Police and 911.

Ms. Nielson moved and Councilmember Ponder seconded the motion, which carried unanimously, to defer this matter two weeks.

OTHER BUSINESS

1. Legislative update

ADJOURNMENT

There being no further business, upon motion made, seconded and passed, the meeting adjourned at 3:30 p.m.

Chairman

Secretary

Minute Approval:
This 26th day of April 2001

