

**MINUTES  
OF THE  
METROPOLITAN PLANNING COMMISSION**

Date: March 29, 2001  
Time: 1:00 p.m.  
Place: Howard Auditorium

**Roll Call**

**Present:**

James Lawson, Chairman  
Frank Cochran  
Tonya Jones  
William Manier  
Ann Nielson  
Vicki Oglesby  
Councilmember Phil Ponder  
Marilyn Warren

**Absent:**

Mayor Bill Purcell  
Douglas Small

**Executive Office:**

Richard C. Bernhardt, Executive Director  
Ann Hammond, Planning Director  
Jeff Lawrence, Operations Director  
Carolyn Perry, Administrative Assistant II

**Current Planning & Design Division:**

Jennifer Regen, Planner III  
Robert Leeman, Planner I  
Chris Wooton, Planning Technician I

**Others Present:**

Jim Armstrong, Public Works  
Brook Fox, Legal Department

Chairman Lawson called the meeting to order.

**ADOPTION OF AGENDA**

Staff announced item 9. 2001P-005U-10, Residence Inn by Marriott PUD, should be for 121 rooms.

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

## **APPROVAL OF MINUTES**

Mr. Manier moved and Ms. Oglesby seconded the motion, which unanimously passed, to approve the minutes of the regular meeting of March 15 2001.

## **RECOGNITION OF COUNCILMEMBERS**

Councilmember Ron Nollner stated he wanted to make everyone aware that the original caption for item 2000Z-134G-04 was listed as RS20 to R10, which is now correct as RS20 to RS10, and that he supported his constituents in his district who were opposed to the proposal.

He also asked if item 14, 2001S-072G-02 North 40 Estates, had been requested for deferral.

Ms. Hammond stated it was being requested for deferral.

Councilmember J. B. Loring expressed concerns regarding proposal 2001Z-012G-14 and asked that the infrastructure be completed before building construction starts.

## **PUBLIC HEARING: ANNOUNCEMENT OF DEFERRED ITEMS**

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

2001Z-030U-03 Deferred indefinitely, for a traffic study.  
2001Z-031U-12 Deferred indefinitely, by applicant.  
2000S-026G-14 Deferred indefinitely, by applicant.  
2000S-394G-04 Deferred two weeks, by applicant.  
2000S-072G-02 Deferred two weeks, by applicant.  
2001S-097U-12 Deferred indefinitely, by applicant.  
2001S-098U-13 Deferred two weeks, by applicant.  
2001S-099U-08 Deferred two meetings, by applicant.  
2001M-029U-08 Deferred two meetings, by applicant.

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

## **PUBLIC HEARING: ADOPTION OF 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**

**9. 2001P-005U-10**  
Residence Inn by Marriott PUD  
Map 104-6, Parcels 58 (.62 acres), 59 (.26 acres)  
and 60 (.58 acres)  
Subarea 10 (1994)  
District 21 (Whitmore)

A request for preliminary approval for a Planned Unit Development district located abutting the east margin of Murphy Court and the south margin of Murphy Road, classified CS and proposed for ORI, (1.46 acres), to permit an 89,507 square foot, 123 room, 6-story hotel, requested by Moore and Associates for Fitzgerald, Greer, and Wilson, owners.

**Resolution No. 2001-132**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 2001P-005U-10 is given **CONDITIONAL PRELIMINARY PUD APPROVAL (8-0)**: The following conditions apply:

1. Prior to the issuance of any building permit, 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. 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.
3. 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.
4. Approval of preliminary PUD and associated zone change (Zone Change Proposal #2001Z-006U-10) by the Metropolitan Council.
5. Prior to or in conjunction with the submittal of any final PUD plan, the applicant shall submit a PUD boundary plat to the Planning Commission for approval and recordation.
6. Prior to the issuance of any building permits, a final plat shall be recorded, including the posting of any bonds for necessary improvements.
7. Any future revisions to the hotel plan may not increase the Floor Area Ratio (FAR) or building height over that approved on this preliminary PUD plan (1.74 FAR, while ORI allows an FAR of up to 3.0); and 6-stories in height, while this site could be developed at up to 10 stories under ORI).
8. Any future use other than the hotel in the ORI district shall be limited to a .75 FAR and consistent with the Urban Zoning Overlay goals and intent.
9. A PUD amendment, requiring Council action, shall be required if any use is added to this site that would create an FAR of greater than 1.74 for the entire site.”

**FINAL PLAT SUDIVISIONS**

**18. 98S-219U-13**  
Mt. View Subdivision, Section 2  
Map 150, Part of Parcel 176  
Subarea 13 (1996)  
District 29 (Holloway)

A request for final plat approval to create 14 lots approximately 1,200 feet southeast of Mt. View Road and approximately 210 feet southwest of Kenton Court (4.26 acres), classified within the R10 District, requested by Mt. View LLC, owner/developer, Dale and Associates, Inc., surveyor.

**Resolution No. 2001-133**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-219U-13, is **APPROVED WITH CONDITIONS, SUBJECT TO A BOND FOR \$117,500.00 (8-0).”**

**20. 99S-426U-12**  
Aberdeen Woods, Phase 3, Section 2  
Map 160, Part of Parcel 239  
Subarea 12 (1997)  
District 32 (Jenkins)

A request for final plat approval to create 17 lots abutting the east terminus of Brentview Hills, approximately 230 feet east of Kincannon Drive (5.76 acres), classified within the R15 Residential Planned Unit Development District, requested by Zaring Homes, Inc., owner/developer, Gresham, Smith and Partners, surveyor.

**Resolution No. 2001-134**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-426U-12, is **APPROVED WITH CONDITIONS, SUBJECT TO A BOND FOR \$207,000.00 (8-0).”**

**22. 2001S-034U-14**  
Stewartwood, Resubdivision of Lot 2  
Map 96, Parcel 55  
Subarea 14 (1996)  
District 14 (Stanley)

A request for final plat approval to subdivide one lot into two lots abutting the east margin of Stewarts Ferry Road, opposite McCrory Creek Road (4.57 acres), classified within the CS District, requested by Richard A. Nelson, owner/developer, Cherry Land Surveying, Inc., surveyor.

**Resolution No. 2001-135**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 2001S-034U-14, is **APPROVED, SUBJECT TO A BOND FOR \$53,000.00 (8-0).”**

**23. 2001S-074U-11**  
Mt. Ararat Baptist Church  
Map 93-16, Parcls 231-236 and 240  
Subarea 11 (1999)  
District 19 (Wallace)

A request for final plat approval to consolidate six lots into one lot abutting the east margin of Winfrey Street, between Lewis Street and Fairfield Avenue (.85 acres), classified within the CS District, requested by Mt. Ararat Missionary Baptist Church, owner/developer, Dale and Associates, Inc., surveyor.

**Resolution No. 2001-136**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 2001S-074U-11, is **APPROVED (8-0).”**

**24. 2001S-089G-14**  
Truxton Park, Section 2  
Map 64-16, Part of Parcel 26  
Subarea 14 (1996)  
District 11 (Brown)

A request for final plat approval to create 45 lots abutting the northwest terminus of Brookmeadow Lane, approximately 110 feet northwest of Stone Hollow Court (9.28 acres), classified within the R10 District, requested by Phillips Builders, Inc., owner/developer, Anderson-Delk and Associates, Inc., surveyor.

**Resolution No. 2001-137**

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2001S-089G-14, is **APPROVED, SUBJECT TO A BOND FOR \$308,000 (8-0).**”

**25. 2001S-090G-12**  
Highland Creek, Section 3  
Map 172, Part of Parcel 14  
Subarea 12 (1997)  
District 31 (Knoch)

A request for final plat approval to create 28 lots abutting the northwest terminus of Sherbrooke Lane, approximately 90 feet northwest of Century Oak Court (12.1 acres), classified within the RS10 District, requested by Holt Valley, LLC, owner/developer, Anderson-Delk and Associates, Inc., surveyor.

**Resolution No. 2001-138**

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2001S-090G-12, is **APPROVED, SUBJECT TO A BOND FOR \$687,500.00 (8-0).**”

**26. 2001S-093G-06**  
Lexington Point, Section 2  
Map 126, Part of Parcel 66  
Subarea 6 (1996)  
District 23 (Bogen)

A request for final plat approval to create 61 lots abutting the north terminus of Lexington Point Drive, approximately 115 feet north of Commonwealth Court (19.64 acres), classified within the RS15 District, requested by Phillips Builders, Inc., owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

**Resolution No. 2001-139**

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2001S-093G-06 is **APPROVED, SUBJECT TO A BOND FOR \$600,000.00 (8-0).**”

**27. 2001S-094G-02**  
Skaggs Property  
Map 17, Parcel 57  
Subarea 2 (1995)  
District 10 (Balthrop)

A request for final plat approval to subdivide one parcel into three lots abutting the north margin of Lickton Pike and the west margin of Luster Road (8.47 acres), classified within the AR2a District, requested by Sue Cockhart, owner/developer, Burns and Associates, surveyor.

**Resolution No. 2001-140**

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2001S-094G-02, is **APPROVED (8-0).**”

**28. 2001S-095G-14**

Baypointe, Phase 1, Resubdivision of Lots 30, 31 and 32  
Map 98-5-B, Parcels 30, 31 and 32  
Subarea 14 (1996)  
District 12 (Ponder)

A request for final plat approval to reconfigure three lots abutting the south margin of Baypointe Drive, opposite Lampe Court (.76 acres), classified within the RS15 District, requested by Landmark Homes, owner/developer, SEC, Inc., surveyor.

**Resolution No. 2001-141**

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2001S-095G-14, is **APPROVED (8-0).**”

**PLANNED UNIT DEVELOPMENTS (revisions)**

**29. 149-69-G-04**

Rivergate Mall (Jewelry Store)  
Map 34-2, Parcel 67  
Subarea 4 (1998)  
District 10 (Balthrop)

A request for final approval for a portion of the Commercial (General) Planned Unit Development District located abutting the east margin Two Mile Parkway, opposite Glancy Street (1.25 acres), classified SCR, to permit a 5,865 square foot retail jewelry store, replacing a 5,535 square foot restaurant, requested by Ragan-Smith and Associates, for Shoney's Inc., owner.

**Resolution No. 2001-142**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 149-69-G-04 is given **CONDITIONAL FINAL PUD APPROVAL FOR A PHASE (8-0)**: The following conditions apply:

1. Prior to the issuance of any building permits, 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 building permits, a revised subdivision plat shall be recorded or an instrument shall be recorded to relocate the existing access easement from Two Mile Parkway to the adjacent property to the north on Map 34-2 Parcel 67.
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. 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 re-approval by the Planning Commission.”

**30. 94-71-G-06**  
 Bellevue Mall (Designer Floors)  
 Map 128, Parcel 152  
 Subarea 6 (1996)  
 District 23 (Bogen)

A request to revise a portion of the preliminary plan and for final approval for a portion of the Commercial (General) Planned Unit Development District located abutting the north margin of Memphis Bristol Highway, south of Interstate 40, classified SCR, (1.82 acres), to development an 11,900 square foot floor covering retail store and to approve a deferred parking arrangement, requested by Littlejohn Engineering Associates for Charles D. and Esther Frost owners.

**Resolution No. 2001-143**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 94-71-G-06 is given **APPROVAL OF A REVISION TO PRELIMINARY AND CONDITIONAL FINAL APPROVAL FOR A PHASE AND APPROVAL OF THE DEFERRED PARKING PLAN (8-0)**: 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. 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.
3. 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.
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 re-approval by the Planning Commission.”

**32. 46-83-U-14**  
 Metropolitan Airport Center  
 Map 108, Parcels 27 and 34  
 Subarea 14 (1996)  
 District 14 (Stanley)

A request to revise the preliminary plan for a portion of the Commercial (General) Planned Unit Development District located abutting the south margin of Elm Hill Pike, opposite McCrory Creek Road, classified CS, (9.45 acres), to permit the development of a 85,000 square foot office building and final grading plan approval to replace the approve 94,578 square foot office distribution facility, requested by Gresham Smith and Partners for Duke-Weeks Construction, Inc., owners

**Resolution No. 2001-144**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 46-83-U-14 is given **CONDITIONAL APPROVAL FOR A REVISION TO PRELIMINARY PUD PLAN FOR A PHASE (8-0)**: The following conditions apply:

1. Prior to the issuance of any building permit, 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 or in conjunction with the submittal of any final PUD plans, the applicant shall submit construction plans for improvements to Elm Hill Pike to widen the roadway pavement to include a center turn lane from the existing turn lane east to McCrory Creek Road. The construction plans shall also include a left turn lane from Elm Hill Pike to the new office complex driveway across from McCrory Creek Road, as specified by the Metro Traffic Engineer.
3. Prior to the issuance of any Use and Occupancy permits for the office building a traffic signal shall be installed at Elm Hill Pike and McCrory Creek Road and all road improvements to Elm Hill Pike shall be completed.
4. Prior to the issuance of any building permits, a final plat shall be recorded, including the posting of a bond for any necessary improvements.
5. 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.
6. 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.”

**33. 98-85-P-14**  
Woodland Pointe, Phases 5, 6 and 7  
Map 121, Parcel 74  
Subarea 14 (1996)  
District 13 (Derryberry)

A request for final approval for three phases of the Residential Planned Unit Development District located abutting the east margin of Bell Road, opposite Pleasant Hill Road (34.6 acres), classified RM9, to develop 40 lots in Phase 5, 49 lots in Phase 6, and 44 lots in Phase 7 for a total of 133 lots, where 133 lots were approved on the preliminary PUD plan, requested by Land Design, for James Carbine, trustee, and Bell Road Development Company.

**Resolution No. 2001-145**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 98-85-P-14 is given **CONDITIONAL FINAL PUD APPROVAL FOR A PORTION (8-0)**: The following conditions apply:



1. Prior to the issuance of any building permits, a final subdivision plat shall be recorded including the posting of a bond for all required public improvements.
2. 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.
3. With the submittal of any final PUD plans to the Metropolitan Planning Commission for review and approval, the applicant shall provide all drainage calculations and plan details for this phase that comply with Metro Stormwater Management Regulations, including Water Quality compliance.
4. Prior to the completion of the 59<sup>th</sup> dwelling unit in the overall development, and prior to the issuance of the first Use and Occupancy permit in each subsequent phase thereafter, the developer shall conduct traffic count surveys at Bell Road and the site entrance to determine when actual traffic volumes meet signal warrants for a traffic signal at Bell Road at the entrance to the site. These surveys shall be submitted to the Metro Planning Commission and the Metro Traffic Engineer for review and approval.
5. Once the signal warrant has been met for the traffic signal in Condition #4 above, the developer shall be responsible for the purchase, installation, and any other necessary improvements for that traffic signal, as required by the Metro Traffic Engineer.
6. Prior to the issuance of any Use and Occupancy permits, the three-lane cross-section between Pleasant Hill Road and the site entrance shall be constructed by the developer, and inspected and accepted by the Metro Public Works Department, as required by the Traffic Impact Study. This cross-section shall include the following turning lanes:
  - A southbound left-turn lane on Bell Road into the project site with 200 feet of storage and a transition 135 feet.
  - A northbound left-turn lane on Bell Road onto Pleasant Hill Road with 200 feet of storage and a transition of 150 feet.
  - A northbound right-turn lane on Bell Road into the site shall be constructed with 200 feet of storage and a transition of 180 feet.”

**34. 98-85-P-14**  
 Woodland Point PUD, Phase 11  
 Map 122, Parcel 102  
 Subarea 14 (1996)  
 District 13 (Derryberry)

A request for final approval for a phase of the Residential Planned Unit Development District abutting the east margin of Bell Road, opposite Pleasant Hill Road, classified RM9 district (19.25 acres), to develop 240 multi-family units, where 240 multi-family units are approved on the preliminary PUD plan, requested by LDI Design, for Bell Road Development Company GP. (Deferred from meeting of 11/30/00 and 1/04/01).

**Resolution No. 2001-146**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 98-85-P-14 is given **CONDITIONAL FINAL PUD APPROVAL FOR A PORTION (8-0)**: The following conditions apply:

1. Prior to the issuance of any building permits, a final subdivision plat shall be recorded including the posting of a bond for all required public improvements.

2. Prior to the issuance of any building permits, 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.
3. Prior to the completion of the 59<sup>th</sup> dwelling unit in the overall development, and prior to the issuance of the first Use and Occupancy permit in each subsequent phase thereafter, the developer shall conduct traffic count surveys at Bell Road and the site entrance to determine when actual traffic volumes meet signal warrants for a traffic signal at Bell Road at the entrance to the site. These surveys shall be submitted to the Metro Planning Commission and the Metro Traffic Engineer for review and approval.
4. Once the signal warrant has been met for the traffic signal in Condition #3 above, the developer shall be responsible for the purchase, installation, and any other necessary improvements for that traffic signal, as required by the Metro Traffic Engineer.
5. Prior to the issuance of any Use and Occupancy permits, the three-lane cross-section between Pleasant Hill Road and the site entrance shall be constructed by the developer, and inspected and accepted by the Metro Public Works Department, as required by the Traffic Impact Study. This cross-section shall include the following turning lanes:
  - A southbound left-turn lane on Bell Road into the project site with 200 feet of storage and a transition 135 feet.
  - A northbound left-turn lane on Bell Road onto Pleasant Hill Road with 200 feet of storage and a transition of 150 feet.
  - A northbound right-turn lane on Bell Road into the site shall be constructed with 200 feet of storage and a transition of 180 feet.”

**36. 98P-007U-12**  
 Town Village of Brentwood (Seven Springs)  
 Map 160, Parcel 46  
 Subarea 12 (1997)  
 District 32 (Jenkins)

A request to revise a portion of the final site plan of the Planned Unit Development District located abutting the north margin of Old Hickory Boulevard, opposite Cloverland Drive, classified OR40, 8.27 acres, to permit a deferred parking plan for the deferral of 60 parking spaces for the approved and undeveloped independent-living facility, requested by Barge Cauthen and Associates for Cypress Senior Living, Inc., owner.

**Resolution No. 2001-147**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 98P-007U-12 is given **CONDITIONAL APPROVAL OF THE DEFERRED PARKING PLAN (8-0)**: 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. 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.

3. 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.
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. Deviation from these plans will require re-approval by the Planning Commission."

**MANDATORY REFERRALS**

**38. 2001M-033U-09**  
 Council Resolution No. RS2001-552  
 Lease Agreement for Metro  
 Social Services Commission  
 Map 93-15, Parcel 11  
 Subarea 9 (1997)  
 District 19 (Wallace)

A council resolution to extend the existing lease of the Metro Social Services Commission at 806 4th Ave. S. until 1/1/2002 increasing the monthly rental payment to \$3,324.00.

**Resolution No. 2001-148**

"BE IT RESOLVED by the Metropolitan Planning Commission that the following Zone Change Proposal No. 2001M-033U-09 is **APPROVED (8-0)**."

**OTHER BUSINESS**

1. 2001-2002 through 2006-2007 Capital Improvements Budget Recommendation

**Resolution No. 2001-149**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** the 2001-2002 through 2006-2007 Capital Improvements Budget Recommendation"

2. Contract with Walkable Communities, Inc. to provide eight (8) Pedestrian workshops

**Resolution No. 2001-150**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** the Contract with Walkable Communities, Inc. to provide eight (8) Pedestrian workshops"

This concluded the items on the consent agenda

**PUBLIC HEARING**

**ZONING MAP AMENDMENTS**

**1. 2000Z-134G-04**

Map 42-11, Parcels 81 (1.77 acres); 82 (1.80 acres)  
Subarea 4 (1998)  
District 3 (Nollner)

A request to change from RS20 to RS10 district properties at Old Hickory Boulevard (unnumbered), opposite Heritage Drive (3.57 acres), requested by Earl G. Pate, Jr., appellant, for Earl G. Pate, Jr., and Earl G. Pate, Sr., owners.

Ms. Regen stated staff recommends disapproval as contrary to the general plan since the RS10 district exceeds the Subarea 4 Plan's Residential Low policy calling for a maximum of 2 units per acre.

Mr. Tommy Holt, Mr. Stan Davis, Ms. Michelle Ramon, Mr. Paul Woen, Ms. Helen Stafe, Mr. Dennis Liggett and Mr. John Bridgeford expressed concerns regarding property depreciation and small lots.

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

Ms. Jones stated there wouldn't be many more lots on RS10 as there would be on RS 20, and there is RS10 on one side of this property and R10 on the other side.

Councilmember Nollner stated he had discussed that with staff and that he couldn't imagine the developer would have smaller lots than the ones next door.

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

**Resolution No. 2001-151**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-134G-04 is **DISAPPROVED (8-0) as contrary to the General Plan:**

**The property lies within the Subarea 3 Plan's Residential Low (RL) policy. That policy calls for between 1 to 2 dwelling units per acre. The proposed RS10 zoning would permit up to 3.7 dwelling units per acre which exceeds the RL policy. The existing RS20 zoning should remain since it is consistent with the area's established zoning pattern."**

**2. 2001Z-012G-14**

Map 97, Parcels 4 (44.66 acres), 5 (40.65 acres),  
(4.35 acres), 6.01 (8.8 acres), 13 (.33 acres),  
14 (64.41 acres), 16 (58.4 acres), and 134 (1.97 acres)  
Subarea 14 (1996)  
District 12 (Ponder)

A request to change from RS15 to RM9 district properties at Hoggett Ford Road (unnumbered) and 3816, 3824, 3846, 3858, and 3866 Dodson Chapel Road, abutting the north margin of I-40 (223.57 acres), requested by Kevin Guenther of CSP Associates for LDI Design Inc., for Joe Kidd Brown et ux, Chris C. Pardue, Margaret Brown, and W. D. Dodson et al, owners.

**3. 2001P-002G-14**

Villages of Riverwood  
Map 97, Parcels 4, 5, 6, 6.01, 13, 14, 16 and 134  
Subarea 14 (1996)  
District 12 (Ponder)

A request for preliminary approval of a Planned Unit Development district located abutting the west margin of Dodson Chapel Road and the south margin of Hoggett Ford Road, classified RS15 District and proposed for RM9 District, (223.57 acres), to permit 529 single-family lots, 300 condominium/townhome units, and 400 apartment units, for a total of 1,229 total dwelling units, and to dedicate a conservation easement for a public greenway trail along the Stones River, requested by Kevin Guenther of LandDesign Inc., appellant, for CSP Associates LLP, optionee, for Chris C. Pardue, Margaret Brown, W.D. Dodson et al, and Joe Kidd Brown et ux, owners.

Mr. Leeman stated this item was deferred at the February 15, 2001 Planning Commission meeting. The staff has worked closely with the applicant and there is a new staff report before the Commission. Staff is now recommending conditional approval. There is an area proposed for a greenway trail along the Stones River, which will extend north through the site. There are several conditions regarding the design and layout of the plan, including sidewalks on both sides of the street and off site improvements.

Ms. Nielson asked if there were variances to the street grade.

Mr. Leeman stated staff would look at that with the final review.

Mr. Manier asked if the Commission had the legal right to ask the developer to do the off site improvements.

Mr. Fox stated they did.

Ms. Karen Schaffer, developer, spoke in favor of the proposal and stated she would be happy to answer any questions.

Mr. Bobby Miller Jr., president of the Fleetwood Homeowners Association, Mr. Ron Jarrell, Mr. Roddy Clemens, Mr. Joe Marcum, Mr. Steve Sites, Ms. Amanda Griggs, Ms. Theresa Ray and Ms. Gwinn Free expressed concerns regarding traffic, utilities, density, fire protection, safety, narrow roads and too many apartments.

Ms. Warren asked what would be done to Hoggett Ford Road.

Mr. Leeman explained there would be a divided road with median cuts for vehicle turnaround.

Mr. Manier expressed concerns regarding the road and the traffic. He said he would like to see a condition placed on this proposal that the road be complete before construction begins.

Mr. Bob Murphy, traffic consultant, explained they're extensive review and the conditions that had been placed on this development. He also explained improvements the State has planned for area intersections.

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

**Resolution No. 2001-152**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2001Z-012G-14 is **APPROVED (7-1)**:

**The property lies within the Subarea 14 Plan's Residential Medium (RM) policy. That policy calls for between 4 to 9 dwelling units per acre. The proposed RM9 zoning is consistent with that policy since it permits up to 9 dwelling units per acre."**

“BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that Proposal No. 2001P-002G-14 is given **CONDITIONAL PRELIMINARY PUD APPROVAL (7-1)**: The following conditions apply:

1. Approval of preliminary PUD and associated zone change (Zone Change Proposal #2001Z-012G-14) by the Metropolitan Council.
2. Prior to or in conjunction with the submittal of any final PUD plan, the applicant shall submit a PUD boundary plat to the Planning Commission for approval and recordation.
3. Prior to or in conjunction with any final PUD plan, a geotechnical study for any portion containing sinkholes shall be submitted to the Planning Commission for review and approval.
4. Sidewalks: Sidewalks shall be provided on both sides of all streets and drives, including the frontage of Hoggett Ford Road and Dodson Chapel Road.
5. Pedestrian Connection/Greenway: The developer shall provide an easement, and construct an 8’ wide, paved pedestrian trail that’s ADA compliant (at developer’s cost) through or alongside the Riverwood tract connecting the Stones River public greenway trail (funded by Metro) with the greenway trail on tax map 97, parcel 153 located across Dodson Chapel Road, and which was constructed as part of the Alta Lake PUD (98P-001G-14). The exact location of the pedestrian connection shall be determined in conjunction with Metro Parks, Metro Planning, and the developer.
6. Apartment Parking Standard: All resident parking associated with multi-family buildings shall be provided behind the principal plane of the front facade. Side yard parking, if provided, shall be screened from the fronting street/drive by a 3 ½ foot masonry wall or a vegetative screen, minimum size of shrubs 2 ½ feet at installation, placed no more than 4 feet apart on center.
7. Apartment Street/Drive Standard: Streets/drives serving the apartment buildings shall meet the standard of one or more of the approved street sections common to the single-family phases of the development. At a minimum, sidewalks shall be provided on both sides of double-loaded streets/drives and on the built side of single-loaded streets/drives.
8. Apartment Building Placement: Apartment buildings shall observe a consistent build-to line along fronting streets/drives. The build-to line may range between 5 and 15 feet behind the right-of-way.
9. Apartment Building Layout and Design: The arrangement of streets and buildings in Section IV, “apartments”, indicates the general intent of the developer and a minimal level of street connectivity. In reviewing the preliminary and final plat, the Planning Department shall require of the implementing builder/developer a modified street and building layout that increases integration with other phases of the development and improves pedestrian access and the quality of the pedestrian experience.
10. Townhouse Parking and Relationship to Street:
  - A. In general, on-site parking shall be provided at the rear of each building, accessed from a private rear alley or common drive. Minimum finished first floor elevation for rear-accessed building shall be 24” above the finished grade, measured at the sidewalk.
  - B. Exception to private alley access for townhouses: In the event that parking provision from private rear alleys will cause excessive clearing, grading and environmental disturbance, front access to townhouse units can be provided, so long as all of the following standards are met.
    - Finished first floor elevation is, at a minimum, 30 inches above the finished grade, measured at the sidewalk;

- A single bay front-loaded garage is provided, accessed from the fronting street, and is recessed a minimum of 10 feet behind the principal plane of the front façade;
  - The single car front-loaded garage is recessed a minimum of 20 feet behind the sidewalk edge abutting the private space of the front yard; and,
  - No two front-loaded garages in a row of attached townhouses may abut one another.
11. Townhouse Street/Drive Standard: Streets/drives serving the townhouse buildings shall meet the standard of one or more of the approved street sections common to the single-family phases of the development. At a minimum, sidewalks shall be provided on both sides of double-loaded streets/drives and on the built side of single-loaded streets/drives.
  12. Single-Family Home On-Site Parking Standard: All on-site parking associated with single-family detached homes may be provided by way of a private rear alley, giving access to a rear-loaded garage; on lots 50 feet or less in width, private rear alley access to home is required. Where lots are greater than 50 feet in width, front-opening garages are permitted, so long as the following standards are met:
    - A. Front loaded garages shall be detached and located in the established rear yard; or
    - B. Front loaded garages shall be attached and recessed a minimum of 10 feet behind the principal plane of the front façade and a minimum of 20 feet behind the sidewalk edge abutting the private space of the front yard.
  13. Building Orientation: Each principal building within the development shall front another building across a street/drive or front upon a street/drive overlooking a public space. Each principal building within the development that is adjacent to a formal open space shall front the open space or address the open space through facade treatment. No building fronts shall face the rear of other buildings.
  14. Stream Buffers: All structures shall comply with required stream buffers, as specified by the Public Works Department and may result in fewer units and/or lots.
  15. Notes to the Plan: In the event of conflict between a specific requirement of these notes and a graphic representation on the master site plan, these notes shall control.
  16. Traffic: The Metro Traffic Engineer is requiring several off-site road improvements, which will be required to be completed at various stages of development, including:
  17. Prior to the issuance of any use and occupancy permits for Phase 1, a traffic signal shall be installed at the intersection of Dodson Chapel Road and Bell Road by the developer.
  18. Prior to the issuance of any use and occupancy permits for Phase 1, Dodson Chapel Road shall be widened to collector standards with a three-lane cross-section by the developer from the I-40 overpass to the south side of parcel 137, a distance of approximately 2,950 feet. The construction plans shall be submitted by the developer with the final PUD plan for Phase 1 and Public Works shall approve the construction plans at this stage.
  19. Prior to the completion of 50% of the entire project (614 units and/or lots), if the State of Tennessee has not begun improvements at the intersection of Central Pike and Dodson Chapel Road, the developer of this project shall be required to install a traffic signal and make roadway improvements, including a left-turn lane at all approaches of Dodson Chapel Road and Central Pike, and to widen Dodson Chapel Road from the south side of parcel 137 to the intersection of Dodson Chapel Road, as specified by the Metro Traffic Engineer.
  20. Prior to the completion of 75% of the project (922 units and/or lots), the developer shall construct a northbound right-turn lane from Bell Road onto Stewarts Ferry Pike, as specified by the Metro Traffic Engineer.

21. Prior to the completion of 75% of the project (922 units and/or lots), the developer shall construct a right-turn lane from Bell Road onto Dodson Chapel Road, as specified by the Metro Traffic Engineer.
22. Prior to the issuance of any use and occupancy permits for Phase 1 (137 single family lots and/or 72 condominium/townhomes), the developer shall make all improvements to Hoggett Ford Road, including a landscaped median, as specified on the preliminary PUD plan.
23. Prior to or in conjunction with the submittal of any final PUD plans for any phase, the developer and Metro Parks Department and Metro Planning Department shall determine the appropriate construction schedule for the portion of the greenway trail to be constructed by the developer, and in conformance with the Metro Parks Department and Public Works specifications.
24. In conjunction with any final plat that includes landscaped medians or circular islands, a landscape agreement requiring the Homeowner's Association to maintain all medians and islands, shall be submitted to the Planning Department, and reviewed by the Planning Department and Public Works Department, for the maintenance of those landscape improvements in that phase. This agreement shall be signed by the Metro Public Works Department prior to the issuance of any building permit for that phase. This includes the landscaped median on Hoggett Ford Road.
25. Prior to the issuance of any building permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Department by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works."

**6. 2001Z-032G-12**

Map 173, Parcel 73

Subarea 12 (1997)

District 31 (Knoch)

A request to change from AR2a to RS10 district property at 6350 Hills Chapel Road, approximately 670 feet east of Nolensville Pike (15 acres), requested by Mike Anderson, appellant, for Patricia Taylor et al, owners.

Ms. Regen stated staff is recommending approval since the RS10 district is consistent with the Subarea 12 Plan's Residential Low Medium policy calling for up to 4 units per acre and the area's emerging zoning pattern.

Mr. Manier expressed concerns regarding overloading the schools in the area.

No one was present to speak at the public hearing.

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

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

**Resolution No. 2001-153**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2001Z-032G-12 is **APPROVED (6-2)**:

**The property lies within the Subarea 12 Plan's Residential Low Medium (RLM) policy. That policy calls for between 2 to 4 dwelling units per acre. The proposed RS10 district is consistent with that policy and the area's emerging zoning pattern."**



**7. 2001Z-034G-12**

Map 181, Parcels 201 (6.12 acres) and 202 (.32 acres)  
Subarea 12 (1997)  
District 31 (Knoch)

A request to change from AR2a to RS10 district properties at Culbertson Road (unnumbered), approximately 2,100 feet east of Nolensville Pike (6.44 acres), requested by Ali Mohsenzadeh, appellant, for Ali Mohsenzadeh and M.B.Salehzadeh, owners.

Ms. Regen stated staff recommends approval since the RS10 district is consistent with the Subarea 12 Plan's Residential Low Medium (RLM) policy calling for up to 4 units per acre. The RS10 district is also consistent with the area's emerging zoning pattern. Since the western portion of this property falls within the Mill Creek Greenway, the applicant will have to designate an open space conservation easement when the property is subdivided.

The Traffic Engineer indicates that no access will be permitted to Culbertson Road when the property is subdivided. Access to this property will be through a future phase of the Autumn Oaks PUD to the south, which is approved with two stub-out streets to this property. When that phase is developed, the Traffic Engineer indicates that the streets in the Autumn Oaks Subdivision can sufficiently accommodate residential traffic generated by RS10 zoning.

A single-family development at RS10 density will generate approximately 5 K-12 students (2 elementary, 2 middle, and 1 high school). There is insufficient capacity at Tusculum Elementary School and Antioch High School. When reviewing school capacity, sufficient elementary school capacity is critical for determining future school needs. Presently, Tusculum Elementary School is an impacted school. Tusculum Elementary school has a capacity for 631 students and current enrollment is 660 students, exceeding capacity by 4.6%. There are 8,969 dwelling units that could be built on vacant land zoned for residential use in Subarea 12, including 2,334 dwellings within the Tusculum Elementary School district, which will have an impact on future school capacity. As more residential rezonings occur in this area, sites for potential school locations must be identified and necessary improvements should be programmed into the Capital Improvements Budget.

Mr. Manier expressed the same concerns regarding the schools

Mr. Manier moved to disapprove. With no second, the motion failed.

Councilmember Ponder moved and Ms. Warren seconded he motion, which carried with Mr. Manier in opposition, to close the public hearing and approve the following resolution:

**Resolution No. 2001-154**

"BE IT RESOLVED by the Metropolitan Planning Commission that the following Zone Change Proposal No. 2001Z-034G-12 is **APPROVED (7-1)**:

**The property lies within the Subarea 12 Plan's Residential Low Medium (RLM) policy. That policy calls for between 2 to 4 dwelling units per acre. The proposed RS10 district is consistent with that policy and the area's emerging zoning pattern."**

**8. 2001Z-038U-05**

Map 71-6, Part of Parcel 68 (6.41 acres)  
Map 71-7, Part of Parcel 260 (7.13 acres)  
Subarea 5 (1994)  
District 2 (Black)

A request to change from CS to IWD district a portion of properties at Dickerson Pike (unnumbered), abutting the southern terminus of Lucas Lane and the eastern margin of Interstate 65 (13.54 acres), requested by Jack Jenkins, appellant, for Jenkins Properties, L.P., owners.

Ms. Regen stated staff is recommending deferral since this application is incomplete. The applicant has not submitted a request to amend the Subarea 5 Plan from CMC (Commercial Mixed Concentration) to Industrial (IND) policy. For a subarea plan amendment, a traffic impact study is required to determine if the existing road network can accommodate the land uses permitted with in the proposal.

Mr. Jack Jenkins gave the Commission some history on the property and stated he and Councilmember Black agreed on this application. He asked the Commission to act on this proposal today so it could go forward to the Council public hearing in May.

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

**Resolution No. 2001-155**

"BE IT RESOLVED by the Metropolitan Planning Commission that the following Zone Change Proposal No. 2001Z-038U-05 is **DISAPPROVED (8-0) as contrary to the General Plan:**

**The property lies within the Subarea 5 Plan's Commercial Mixed Concentration (CMC) policy. That policy calls for a mixture of commercial, office, and residential uses. The proposed IWD district which permits industrial, warehouse, and distribution uses is inconsistent with that policy. A subarea plan amendment and traffic impact study are needed to evaluate the proposed IWD zoning."**

**PRELIMINARY PLAT SUBDIVISIONS**

**11. 2000S-128G-02**

Havens of Nashville  
Map 41, Parcels 105, 132-137 and 142-146  
Subarea 2 (1995)  
District 3 (Nollner)

A request for preliminary approval for 56 lots abutting the west margin of Brick Church Pike, approximately 840 feet south of Finland Drive (70.34 acres), classified within the RS20 District, requested by Hillenglade Inc., owner/developer, Wamble and Associates, surveyor.

Ms. Regen stated this proposal requires a variance to allow a dead-end street of approximately a half-mile long. The applicant proposes a cluster lot development with 54% of the PUD designated as open space (38 acres). The applicant placed majority of the open space behind the proposed lots to preserve the areas with steep topography, which is one of the objectives of the cluster lot option.

The applicant proposes one stub-street to the north, while staff has determined that additional stub-streets are impractical due to the steep topography on surrounding parcels. Stub connections to the north or south would require crossing steep terrain and unnecessarily altering the natural features of the property. The proposed stub-out is on the eastern section of the property that includes fewer topography challenges than the western section. The steep topography and natural features of the western section of the development justify the applicant's request for a variance to the cul-de-sac length. Staff is recommending approval.

Mr. Bob Terrell and Mr. Paul Bolin expressed concerns regarding the narrow road and traffic.

Mr. Richard Hodges asked if there was a restriction on the size of the homes to be built.

Chairman Lawson stated the Commission dealt with strictly land use.

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

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

**Resolution No. 2001-156**

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2000S-128G-02, is **APPROVED (8-0).**”

**12. 2000S-359G-02**  
Hidden Valley Subdivision  
Map 32, Parcel 124  
Map 33, Parcel 45  
Subarea 2 (1995)  
District 10 (Balthrop)

A request for preliminary approval for 69 lots abutting the south margin of Campbell Road and the north margin of Lowes Lane (41.94 acres), classified within the R20 District, requested by Patricia A. and Thomas L. Cunningham, owner/developer, Burns and Associates, Inc., surveyor.

Ms. Regen stated staff's previous recommendation for disapproval has been changed to conditional approval with conditions recommended by Water Services to improve the water pressure/volume in the Campbell Road area.

Mr. Gale Lutes, Mr. Kevin Colert, Mr. Wayne Johnson, Mr. Jen W. Shen, Ms. Mildred Best, Ms. Norma Camley, Mr. Ralph Shore and Mr. Charles Miller expressed concerns regarding the water pressure, traffic, drainage and flooding.

Chairman Lawson stated that many of these issues would be looked at in the final review.

Mr. Tommy Cunningham, developer stated he was present to answer any question and that he would build nice homes.

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

Ms. Oglesby stated the zoning was not being changed and that she felt this proposal should go forward.

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

**Resolution No. 2001-157**

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2000S-359G-02, is **APPROVED (8-0).**”

**FINAL PLAT SUBDIVISIONS**

**19. 99S-256G-14**

Gannon Hill  
Map 98, Parcel 91  
Subarea 14 (1996)  
District 12 (Ponder)

A request for final plat approval to create one lot abutting the east margin of Earhart Road, approximately 808 feet north of Hessey Road (2.27 acres), classified within the RS15 District, requested by Marjorie B. Gannon, owner/developer, John D. McCormick, surveyor.

Ms. Regen stated Staff recommends approval of the final plat subject to a variance for exceeding three times the minimum lot size.

The applicant requests final plat approval to make one parcel into one lot containing 90,000 square foot lot near the intersection of Earhart Road and Hessey Road. The proposed parcel is zoned RS15, which fails to comply with the three times the minimum lot size requirement. The Subdivision Regulations allow a maximum of 45,000 square feet in an RS15 zoning district, however, they also allow the Commission to approve a variance of this nature when private sewage disposal systems are utilized. The Health Department has approved the septic fields proposed for this lot. Staff recommends approval with a variance to three times the minimum lot size. The proposed lot is similar in size and shape to those in the area.

No one was present to speak at the public hearing.

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

**Resolution No. 2001-158**

**"BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-256G-14, is **APPROVED (8-0)."**

**21. 2000S-239 U-14**

Margaret Allen School  
Map 106, Parcel 12  
Subarea 15 (Loring)

A request for final plat approval to consolidate five lots and two parcels into one lot abutting the east margin of Spence Lane and the south margin of Marwood Court (11.62 acres), classified within the RS7.5 District, requested by Metropolitan Government of Nashville and Davidson County, owner/developer, Cherry Land Surveying, Inc., surveyor.

Ms. Regen stated staff recommends approval of the final plat subject to a variance for exceeding three times the minimum lot size, and subject to posting a bond to cover the demolition of the existing structures.

This request is for final plat approval to consolidate five lots and two parcels into one approximately 11.6 acre lot abutting the east margin of Spence Lane and the south margin of Marwood Court within the RS7.5 district. The consolidation provides a lot large for expansion of Margaret Allen Elementary School. Staff recommends approval with a variance to the three times the minimum lot size requirement of the Subdivision Regulations, and subject to the posting of a bond to cover the demolition of the existing structures.

No one was present to speak at the public hearing.

Councilmember Ponder stated the cul-de-sac should be marked some way or have a fence, and not provide a drop off for the school.

Chairman Lawson stated that was not in the Commission's purview.

Councilmember Ponder stated he would talk to Councilmember Loring and Joe Edgens about that.

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

**Resolution No. 2001-159**

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2000S-239U-14, is **APPROVED (8-0).**”

**PLANNED UNIT DEVELOPMENTS (revisions)**

**31. 191-72-G-14**  
Priest Lake Commercial Park  
Map 86, Parcel 199  
Subarea 14 (1996)  
District 12 (Ponder)

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 north margin of Interstate 40, east of Old Hickory Boulevard, classified CS, (3.25 acres), to permit the addition of a 50 foot tall, monopole, billboard with 672 square feet of advertising space on each side, requested by Pinnacle Media for Krishna Associates owners.

Mr. Leeman stated staff is recommending 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 Interstate 40 at the rear portion of an existing PUD that includes the Ramada Limited hotel. Although the CS base zoning permits billboards, staff does not support a billboard at this location since it would be inconsistent with the original PUD master development plan. 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. Furthermore, the proposed site is not appropriate for a new billboard since there is an existing pole sign for the Ramada Limited, and a new 50-foot tall billboard would create an unnecessary amount of visual clutter on this parcel. Staff is also concerned that the proposed location of the billboard is too closely in line with the existing pole sign for the Ramada Limited, which may cause visual interference. The applicant has provided no means to assess this line-of-site issue. Staff recommends disapproval since a billboard will create unnecessary clutter, and may interfere with the existing Ramada Inn sign.

Mr. Bob Hannon, attorney representing Krishna Associates, spoke in favor of the proposal and asked the Commission for approval.

Councilmember Ponder stated to be consistent he would be in opposition to this proposal.

Mr. Cochran stated the Commission couldn't discriminate and that if billboards are permitted in some PUD's they should be permitted in all PUD's.

Chairman Lawson stated not if there is a good reason for them not to be permitted.

Mr. Cochran stated he did not see any reason not to allow it.

Ms. Warren asked if the applicant's billboard would obscure the view of the existing Ramada sign.

Mr. Hannon stated it would not.

Ms. Oglesby moved and Ms. Nielson seconded the motion, which carried with Mr. Cochran in opposition, to close the public hearing and to approve the following resolution:

**Resolution No. 2001-160**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 191-72-G-14 is given **DISAPPROVAL (7-0).**”

**35. 47-86-P-02**  
Brick Church Business Center  
Map 50, Part of Parcel 001  
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 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, two-sided, monopole, billboard, requested by Pinnacle Media, LLC for NWI Warehouse Group, II, LLC, owner, and Duke-Weeks, leasee (Deferred from the March 15, 2001 meeting).

Mr. Leeman stated staff is recommending disapproval. This item was deferred at the request of the applicant at the March 15, 2001, meeting since the applicant was not able to attend that meeting. This 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, 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.

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 asked for deferral on this item.

Ms. Nielson moved and Ms. Oglesby seconded the motion, which carried unanimously, to close the public hearing and defer this matter one meeting.

**OTHER BUSINESS**

1. Legislative update

Councilmember Ponder provided an update on the current legislative status of items previously considered by the Commission.

2. Update on Administrative Subdivision review Process

Ms. Hammond stated the Commission did not need to spend any time on this item and that she had sent out a memo regarding administrative approvals that was discussed at the last meeting.

**ADJOURNMENT**

There being no further business, upon motion made, seconded and passed, the meeting adjourned at 4:15 p.m.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary

Minute Approval:  
This 12th day of April, 2001

