

MINUTES
OF THE
METROPOLITAN PLANNING COMMISSION

Date: July 13, 1995
Time: 1:00 p.m.
Place: Howard Auditorium

Roll Call

Present:

Gilbert N. Smith, Chairman
Jimmy Allen
William Harbison
Janet Jernigan
James Lawson
Councilmember Larry McWhirter

Absent:

Mayor Philip Bredesen
Arnett Bodenhamer
William Manier
Ann Nielson

Also Present:

Executive Office:

T. Jeff Browning, Executive Director and Secretary
Carolyn Perry, Secretary I

Current Planning and Design Division:

Mitzi Dudley, Planner III
Tom Martin, Planner III
John Bracey, Planner III
Shawn Henry, Planner II
Charles Hiehle, Planning Technician II

Advance Planning and Research Division:

John Palm, Planning Division Manager
Marie Darling, Planner I

Community Plans Division:

Jerry Fawcett, Planning Division Manager

Others Present:

Leslie Shechter, Legal Department

Chairman Smith called the meeting to order

ADOPTION OF AGENDA

Mr. Lawson moved and Ms. Jernigan seconded the motion, which was unanimously passed, to adopt the agenda without Subdivision 95S-175A, which was withdrawn by the applicant..

ANNOUNCEMENT OF DEFERRED ITEMS

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

91-P006U Deferred by request of the applicant.

Mr. Harbison moved and Ms. Jernigan seconded the motion, which carried unanimously, to defer the above matter.

APPROVAL OF MINUTES

Mr. Lawson moved and Mr. Harbison seconded the motion, which was unanimously passed, to approve the minutes of the regular meeting of June 29, 1995

ADOPTION OF CONSENT AGENDA

Mr. Lawson moved and Ms. Jernigan seconded the motion to adopt the following items on the consent agenda, which carried unanimously.

APPEAL CASES:

Appeal Case No. 95B-129U
Map 71-14, Parcel 203
Subarea 3
District 5

A request for a conditional use permit under the provisions of Section 17.124.360 (Floodplain) as required by Section 17.116.030 to locate an office trailer on property within the CG District, on the southeast margin of Vashti Street and the north margin of 1-265 (.44 acres), requested by Carol Gammon, for Music City Taxi, appellant.

Resolution No. 525

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 95B-129U to the Board of Zoning Appeals.

The site plan complies with the conditional use criteria."

Appeal Case No. 95B-132U
Map 94, Parcel 164
Map 94-6, Parcels 1 and 10

Subarea 11
District 16

A request for a conditional use permit under the provisions of Section 17.124.360 (Floodplain) as required by Section 17.116.030 to construct a 54,000 square foot addition within the IR District, on property located on the north margin of Pumping Station Road and the south margin of Visco Drive, approximately 910 feet east of Omohundro Place (approximately 13 acres), requested by Walter Knestrick, for, Ajax Turner, appellant.

Resolution No. 526

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 95B-132U to the Board of Zoning Appeals.

The site plan complies with the conditional use criteria."

PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:

District Applications and Finals:

Proposal No. 94P-004U
Mt. View Apts.-Baby Ruth Lane Relocation
Map 163, Parcels 119 and 135
Subarea 13
District 29

A request for final approval for a phase of the Residential Planned Unit Development District abutting the north margin of Mt. View Road at Baby Ruth Lane, to permit the development of a replacement portion of Baby Ruth Lane (a public street), requested by MEC, Inc., for Houston T. Ezell, owner.

Resolution No. 527

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 94P-004U is given **CONDITIONAL FINAL APPROVAL FOR A PHASE**. The following conditions apply:

1. Receipt of written confirmation of approval from the Stormwater Management and Traffic Engineering sections of the Department of Public Works.
2. Approval of construction plans for the replacement waterline to be placed in the new section of Baby Ruth Lane."

Proposal No. 93P-005G
Poplarwood
Map 155, Parcel 72
Subarea 6
District 35

A request for final approval for the Residential Planned Unit Development District abutting the south margin of Poplar Creek Road approximately 166 feet west of Montcastle Drive (18.93 acres), to permit the development of 47 single family lots, requested by the Harpeth Group, Inc., for Nile Al-Barak, owner.

Resolution No. 528

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 93P-005G is given **CONDITIONAL FINAL PUD APPROVAL**. The following conditions apply:

1. Written confirmation of preliminary approval from the Stormwater Management and Traffic Engineering Section of the Metropolitan Department of Public Works.
2. The recording of a boundary and a final subdivision plat upon the posting of a bond for all road improvement as required by the Metropolitan Department of Public Works and all water and sewer line extensions as required by the Harpeth Valley Utility District.
3. Contribution to the Poplar Creek Road Improvement Fund in the amount of \$647 per acre at the recording of the Final Plat.”

Proposal No. 93P-021G
Holt Woods, Section Seven
Map 172, Part of Parcels 208 and 211
Subarea 12
District 31

A request for final approval for Section Seven of the Residential Planned Unit Development District abutting the west margin of Holt Hills Road, approximately 80 feet north of Crosswind Drive (2.19 acres), to permit the development of seven single-family lots, requested by Anderson-Delk and Associates for Paul E. Johnson, owner. **(Also requesting final plat approval).**

Resolution No. 529

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 93P-021G is given **CONDITIONAL FINAL PUD APPROVAL FOR A PHASE; APPROVAL OF PLAT SUBJECT TO POSTING A BOND IN THE AMOUNT OF \$191,800.00**. The following conditions apply:

1. Receipt of written confirmation of approval from the Stormwater Management and Traffic Engineering sections of Public Works.
2. Recording of the final plat and posting of bonds as may be necessary to assure the completion of the required public facilities.”

Proposal No. 84-87-P
Crossings at Hickory Hollow
Map 163, Parcels 147, 150 and 190
Subarea 13
District 29

A request to revise the approved preliminary site development plan and for final approval for a phase of the Commercial (General) Planned Unit Development District abutting the south margin of Mt. View Road at the intersection of Old Franklin Road (12.5 acres), to permit the development of an 85,000 square foot office facility (request for final approval is for 50, 000 square foot Phase 1), requested by T. W. Frierson Contractor, Inc., for Christian Network International, owner.

Resolution No. 530

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 84-87-P is given **CONDITIONAL APPROVAL FOR REVISION TO PRELIMINARY AND FINAL APPROVAL FOR A PHASE**. The following conditions apply:

1. The capacity of the downstream detention basin shall be increased so that it includes capacity for all phases of the commercial PUD. No further final approvals shall be granted until a final plan for the detention improvements is provided, the plan and timing for its installation are agreed upon by the Metropolitan Government, and performance bonds are posted for any public improvements which have not yet been installed.
2. Approval of construction plans for a left turn lane from the westbound lane of Mt View Road at the project entrance. The first phase shall not receive its final Use and Occupancy Permit from the Metropolitan Government until such time as the turn lane is constructed and accepted by the Department of Public Works.
3. Recording of a plat which combines the properties into a single parcel, as well as posting of bonds as may be necessary for any public improvements.”

Proposal No. 90-86-P

Harborview
Map 108, Parcel 233
Subarea 14
District 13

A request for final approval for a phase of the Residential Planned Unit Development District abutting the west margin of Timber Valley Drive at Harborwood Circle (18.6 acres), to permit the development of 62 single-family lots, requested by MEC, Inc., for Gil Smith, owner.

Resolution No. 531

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 90-86-P is given **CONDITIONAL FINAL APPROVAL FOR A PHASE**. The following conditions apply:

1. Written confirmation of final approval from the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. The recording of a final subdivision plat upon the posting of a bond for all road improvements as required by the Metropolitan Department of Public Works and all water and sewer extensions as required by the Metropolitan Department of Water Services.”

Proposal No. 46-83-U

Metropolitan Airport Center (Autographic
Publishing Company)
Map 108-5, Parcel 2 and Part of 3
Subarea 14
District 13

A request for final approval for a phase of the Commercial (General) Planned Unit Development District (.66 acres) abutting the southeast margin of Airport Center Drive, to permit the development of a 3,256 square foot publishing office facility, requested by Waste Water Engineers, for Forkum Properties, owner.

Resolution No. 532

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 46-83-U is given **CONDITIONAL FINAL APPROVAL FOR A PHASE**. The following conditions apply:

1. Written confirmation of final approval from the Stormwater Management and Traffic Engineering Section of the Metropolitan Department of Public Works.

2. The recording of a subdivision plat.”

Request to Revise/Amend a Site Development Plan:

Proposal No. 47-86-P
Briley Parkway Business Center
Map 50, Parcel 130 and Part of 21
Subarea 2
District 11

A request to revise the approved preliminary site development plan of the Industrial Planned Unit Development District (64 acres) abutting the southwest and northwest quadrants of Briley Parkway Boulevard South and Brick Church Lane, to permit the development of a 532,000 square foot industrial/warehouse facility, requested by Ragan-Smith Associates, for Brick Church Limited Partnership, owner.

Resolution No. 533

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 47-86-P is given **CONDITIONAL APPROVAL AS A REVISION TO THE PRELIMINARY PLAN**. The following conditions apply:

1. Receipt of written confirmation of approval from the Stormwater Management and Traffic Engineering sections of the Department of Public Works.
2. Compliance with all previous conditions of approval.
3. Recording of a final plat of subdivision as well as the posting of bonds as may be required for any necessary public improvements.”

SUBDIVISIONS:

Final Plats:

Subdivision No. 98-73-G
Hickory Hills Commercial
Map 40, Parcel 36
Subarea 3
District 11

A request to divide a tract into two lots within a Commercial (General) Planned Unit Development District abutting the northwest corner of Old Hickory Boulevard and Hickory Hills Boulevard, MTA Distributors, owner, Barge, Waggoner, Sumner and Cannon, surveyors. (**Deferred from meeting of 06/29/95**).

Resolution No. 534

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98-73-G, be **APPROVED** subject to posting a performance bond in the amount of \$35,000.00.”

Subdivision No. 93S-197G
Meade Vue Subdivision

Map 128, Parcel 43
District 35

A request to create 27 lots abutting the southeast margin of Sawyer Brown Road, approximately 100 feet northeast of Hicks Road (7.95 acres), classified within the RS10 District, requested by Buddy Dunn Contractors, L. P., owner/developer, Dale and Associates, Inc., surveyor. **(Deferred indefinitely from meeting of 06/30/94).**

Resolution No. 535

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 93S-197G, be **APPROVED** subject to posting a performance bond in the amount of \$150,000.00.”

Subdivision No. 177-80-U
Bell Crest, Section Two
Map 162, Part of Parcel 72
Subarea 12
District 31

A request to create 39 lots abutting the east margin of Hickory Park Drive, opposite Clubhouse Lane (5.5 acres), classified within the R10 Residential Planned Unit Development District, requested by MCR Development Corporation, owner/developer, Anderson-Delk and Associates, Inc., surveyor.

Resolution No. 536

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 177-80-U, be **APPROVED** subject to posting a performance bond in the amount of \$174,700.00.”

Subdivision No. 95S-178U
Smith Springs Church of Christ Property
Map 136, Parcels 115 and 116
Map 136-14, Parcels 4, 5 and 6
Subarea 13
District 29

A request to consolidate five lots and two reserve parcels into one lot abutting the northeast margin of Castlegate Drive, approximately 300 feet southeast of Smith Springs Road (7.97 acres), classified within the R10 District, requested by Smith Springs Church of Christ, Trustee, owner/developer, John D. McCormick, surveyor.

Resolution No. 537

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 95S-178U be **APPROVED.**”

Subdivision No. 95S-188G
Burkett Road Subdivision
Map 187, Parcels 136 and 139
Subarea 12
District 31

A request to subdivide two lots into three lots abutting the south margin of Burkitt Road, opposite Whittmore Lane (15.86 acres), classified within the AR2a District, requested by Bobby J. Hall and Pamela D. Poteat, owners/developers, Dale and Associates, surveyor.

Resolution No. 538

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 95S-188G, be **APPROVED.”**

Request for Bond Extension:

Subdivision No. 78-87-P
Fredericksburg, Section Four
Radnor Homes, Inc., principal
(Request received 06/15/95)

Located abutting the south margin of Fredericksburg Way and both margins of Potomac Lane.

Resolution No. 539

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of a performance bond for Subdivision No. 78-87-P, Bond No. 94BD-042, Fredericksburg, Section Four until October 1, 1995, as requested, in the full amount of \$50,000.00, said approval being contingent upon submittal of a letter by July 19, 1995 from Frontier Insurance Company agreeing to the extension. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

Subdivision No. 91S-039U
Woodland Hills, Phase Two, Section One
Vista Mortgage & Realty Company, principal
(Request received 06/15/95)

Located on the north margin of Paragon Mills Road and the southerly boundary of I-24 South.

Resolution No. 540

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of the performance bond for Subdivision No. 91S-039U, Bond No. 92BD-050, Woodland Hills, Phase Two, Section One, until October 1, 1995, as requested."

Request for Bond Release:

Subdivision No. 86-591-G
Pebble Creek Apartments, Phase Two
Harold Moore & Associates, Inc., principal

Located on the west side of Una-Antioch Pike, opposite Pebble Creek Drive.

Resolution No. 541

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 86-591-G, Bond No. 87BD-011, Pebble Creek Apartments, Phase Two, in the amount of \$4,000.00, as requested."

Subdivision No. 83-151-U
Addition to McMillan Heights

Tidwell & Tidwell, Inc., principal

Located on the south side of Antioch Pike, approximately 270 feet west of Colby Drive.

Resolution No. 542

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 83-151-U, Bond No. 88BD-013, Addition to McMillan Heights, in the amount of \$9,350.00, as requested."

Subdivision No. 61-74-G
Lake Shore, Phase Two-B
B & P Developments, Inc., principal

Located abutting the west margin of New Hope Road, approximately 534 feet north of John Hager Road.

Resolution No. 543

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 61-74-G, Bond No. 93BD-045, Lake Shore, Phase Two-B, in the amount of \$5,000.00, as requested."

Subdivision No. 57-84-U
Valley Brook Townhouses (Sewer)
Valley Brook Limited Partnership, principal

Located abutting the south margin of Old Hickory Boulevard and both margins of Zermatt Avenue.

Resolution No. 544

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 57-84-U, Bond No. 93BD-091, Valley Brook Townhouses (Sewer), in the amount of \$10,900.00, as requested."

Subdivision No. 84-465-G
Village by the Creek, Section Eight
Robert E. Earheart, principal

Located at the easternmost terminus of Village Trail, approximately 80 feet east of Valley Creek Lane.

Resolution No. 545

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 84-465-G, Bond No. 94BD-005 Village by the Creek, Section Eight, in the amount of \$12,000.00, as requested."

MANDATORY REFERRALS:

Proposal No. 95M-072U
Sewer Line and Easement Abandonment
Jackson Downs Commercial
Map 85, Parcel 55
Subarea 14
District 14

A mandatory referral from the Department of Water Services to abandon approximately 700 feet of 8-inch sanitary sewer line and easement on the Jackson Downs Commercial property at Lebanon Pike and Jackson Downs Boulevard in Donelson.

Resolution No. 546

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-072U.

Proposal No. 95M-073U
Sewer Line and Easement Abandonment
The Grove at Whitworth
Map 104-10, Parcel 275
District 25

A mandatory referral from the Department of Water Services to abandon approximately 300 feet of 8-inch sanitary sewer line and easement on property of the Grove at Whitworth residential development at Elmington and Richardson Avenues.

Resolution No. 547

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-073U.

Proposal No. 95M-074U
Sewer Line and Easement Abandonment
Airpark XIII
Map 134, Parcel 20
Subarea 13
District 28

A mandatory referral from the Department of Water Services to abandon approximately 400 feet of 8-inch sanitary sewer line and easement on the Airpark XIII property on Donelson Pike at Harding Place.

Resolution No. 548

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-074U.

This concluded the items on the consent agenda.

ZONE CHANGE PROPOSALS:

Zone Change Proposal No. 95Z-079U
Map 162, Parcels 191 and 192
Subarea 12
District 31

A request to change from AR2a District to CS District certain property abutting the south margin of Bell Road, approximately 1,880 feet east of Old Hickory Boulevard (4.63 acres), requested by Ann Shirley, for Richard C. Argo and J. R. Miller, owners.

Ms. Dudley stated this site was adjacent to a site the Commission had considered for CS at the June 1st meeting and disapproved as contrary to the General Plan. This proposal is also contrary to both the commercial and residential policies of the subarea plan. It is clearly outside the commercial activity center to the east and is contrary to the General Plan.

Ms. Jernigan moved and Mr. Lawson seconded the motion, which carried unanimously, to approve the following resolution:

Resolution No. 549

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No.95Z-079U is **DISAPPROVED as contrary to the General Plan.**

This site lies west of the Hickory Hollow activity center and is clearly beyond the scope of the small neighborhood oriented commercial node at the intersection of Bell Road and Eulala Drive. The area between the neighborhood commercial node and the Hickory Hollow activity center is all within residential policy, placed there to prevent the commercial stripping of Bell Road. This proposal is in conflict with both the commercial and residential policies of the General Plan."

SUBDIVISIONS:

Preliminary Plats:

Subdivision No. 94S-053U
Hunters Run (formerly Cripple Creek)
Map 149, Parcels 37 and 210
Subarea 13
District 29

A request to revise the approved preliminary street and lot pattern and increase the number of lots from 90 to 91 on property abutting the east margin of Una-Antioch Pike, opposite Richards Road (28.0 acres), classified within the RS10 District, requested by Jerry Butler, optionee, MEC, Inc., surveyor.

Mr. Bracey stated this item was scheduled for public hearing and that the Commission had approved this plan in March 1994. The applicant is proposing a new design configuration which offers a more economical road construction and lot configuration. This plan was previously approved for ninety lots and the new proposal is for ninety-one lots. All involved departments have reviewed the proposal and recommend approval with these conditions: concurrent with submittal of any final plat that additional right-of-way reservation be provided at the intersection of Richards Road and Una-Antioch Pike, lots four through ten and lots thirty-three through thirty-nine be designated critical lots on any final plat, and that a geotechnical report addressing sink hole treatment be filed.

Ms. Alma Johnson, a resident of the area stated there is a private drive that runs beside her property to a cemetery and wanted to make sure it would still be accessible after the development.

Mr. Bracey stated the Commission was aware of the situation and that the easements would be maintained to the cemetery.

Ms. Johnson also asked if the proposal was for single family dwellings.

Chairman Smith stated yes they are.

Mr. Lawson moved and Mr. Harbison seconded the motion, which carried unanimously, to close the public hearing and to approve the following resolution:

Resolution No. 550

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Plan of Subdivision No. 94S-053U, be given **PRELIMINARY APPROVAL** subject to the following conditions:

1. Additional right-of-way be reserved at the intersection of Una-Antioch Pike and the Richards Road extension.
2. Lots 4-10 and 33-39 be designated “critical lots” on any final plat.
3. Concurrent with any final plat submittal, a geotechnical report shall be submitted regarding sinkhole treatment.
4. Any final plat along the southern boundary of the property shall preserve a private cemetery easement, or a suitable alternative easement.”

Subdivision Nos. 95S-161G and 95S-181G

Davis Farm, Section Two
Map 16, Part of Parcel 86
Subarea 2
District 11

A request for preliminary approval for 23 lots and final approval for four lots and utility easement dedication for property abutting the southeast margin of Union Hill Road, approximately 6,545 feet southwest of Greer Road (103 acres), classified within the AR2a District, requested by Frank Davis Enterprises, owner/developer, Walter Davidson and Associates, surveyor.

Mr. Bracey stated this item was also open for public hearing and the proposal meets all requirements of the subdivision regulations and staff is recommending approval.

No one was present to speak during the public hearing.

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

Resolution No. 551

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Plans of Subdivision Nos. 95S-161G and 95S-181G, be given **PRELIMINARY APPROVAL for 23 lots AND FINAL APPROVAL** for 4 lots.”

Final Plats:

Subdivision No. 95S-182U

Forest Acres Estates, Section One
Resubdivision of Lot 15
Map 172-8, Parcel 17
Subarea 12
District 31

A request to subdivide a lot into two lots abutting the northeast margin of Hawkdale Drive, approximately 252 feet southeast of Kinhawk Drive (.95 acres), classified within the R15 District, requested by Ann M. and Michael J. Schmidt, owners/developers, Gaylon W. Northcutt, surveyor.

Mr. Bracey stated that frontage wise this proposal did not meet the rules of comparability. The history to the development was that there were two phases to the development. One area developed on sewers and smaller lots; one area developed on septic fields and larger lots. When applying the comparability formula, the lot is being compared to the larger lots across the street from it. In December of 1994, the Commission approved a plan for resubdivision of two lots into four lots in the same area. At that time it was noted that sewers are now in the entire subdivision and that resubdivision of the larger lots is appropriate, and staff is recommending approval of the application with a variance from the comparability requirements.

Mr. Lawson moved and Mr. Harbison seconded the motion, which carried unanimously, to approve the following resolution:

Resolution No. 552

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 95S-182U, be **APPROVED** with a variance from lot frontage rules of comparability.”

Subdivision No. 95S-141G
Yowell Place, Block A
Resubdivision of Lot 32
Map 43-14, Parcel 138
Subarea 4
District 10

A request to subdivide a lot into two lots abutting the west margin of Hillcrest Drive, approximately 575 feet south of Old Hickory Boulevard (.69 acres), classified within the R10 District, requested by Thomas Charles Adkisson, owner/developer, Bruce Rainey and Associates, surveyor.

Mr. Bracey stated that in this area it is very difficult to apply comparability because of the varied lot pattern. He stated staff was recommending approval with an exemption from the rules of comparability.

Mr. Lawson moved and Mr. Harbison seconded the motion, which carried unanimously, to approve the following resolution:

Resolution No. 553

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 95S-141G, be **APPROVED.**”

OTHER BUSINESS:

1. Appointment of the Citizens’ Advisory Committee for the Jefferson Street Corridor Study.

Mr. Browning stated the Commission had a list of the citizens the staff was recommending for the Citizens Advisory Committee for the Jefferson Street Corridor Study, and that in addition to the those on the list, there had been a recommendation that Ms. Evelyn Suggs be added.

Mr. Lawson stated he also had a recommendation of Mr. Dan Lane, owner of ABL Realty on Jefferson Street.

Chairman Smith asked if there was a limit to the size of the CAC.

Mr. Browning stated there was no limit.

Mr. Allen moved and Mr. Lawson seconded the motion, which carried unanimously, to approve the list with both additions named.

2. Presentation and distribution of revised Fiscal Impact Analysis Report.

3. Visioning.

Mr. Browning led the visioning session by telling the Commission about a conference he attended in mid-June on the subject of urban sprawl. The conference was held in Fort Lauderdale, Florida, and used the southeast Florida area as a laboratory for the discussion of urban sprawl. About two-thirds of the 80 attendees were from Florida; however, those from other parts of the United States were able to identify with the concept, since most cities experiencing any growth are faced with the concept of urban sprawl.

Mr. Browning stated one-third of the session was devoted to hearing arguments against allowing urban sprawl. One-third was devoted to those who believe urban sprawl is the pattern of urban growth favored by most urban dwellers, and who therefore argued it is inevitable. The final one-third of the conference looked at measures being proposed in the southeast Florida area to curtail the spread of urban development into the environmentally sensitive wetlands and everglades area.

While convincing arguments were offered on both sides of this issue, no conclusions were reached other than most planners felt an intuitive sense that urban sprawl has negative influences and connotations. There was also some consensus that urban sprawl should not be debated as being a good or bad phenomenon, but should be recognized as a very real growth pattern in today's cities. Rather than approaching urban sprawl as a qualitative concept that is evil and should be stopped, Mr. Browning suggested cities should deal with it on a quantitative basis. It may be tolerated to the extent it is not harmful to the natural environment (and some areas are more tolerant to urban sprawl than other areas) and to the extent it provides a preferred lifestyle to urban dwellers.

Mr. Browning showed a series of slides indicating the amount of growth expected over the next twenty years in southeast Florida, how this growth was tending to march westward toward the fragile everglades wetlands, and which illustrated the reasons for concern that continued urban sprawl could conflict with protecting the ecological system of south Florida. Other slides illustrated long range plans being made to increase densities in the already developed coastal region of southeast Florida to accommodate expected population growth, and plans for a rapid rail transit system paralleling Interstate 95 from Miami to West Palm Beach.

Mr. Browning compared southeast Florida's growth problems with those in Nashville and its eight county metropolitan statistical area (MSA). Mr. Browning stated southeast Florida has more severe environmental problems and a faster growth rate, both complicating the issue of urban sprawl. However, he stated Davidson County is confronted with steep slopes in a significant portion of the county, where growth has been retarded in the past. Current growth in the county continues to occur in the few remaining developable areas. The concern is that as the usable areas are used up, growth will either begin to invade the environmentally fragile steeper slopes, or growth will continue to exit the county into surrounding counties at an accelerated rate. Mr. Browning's slides indicated that the process of urban sprawl was already well underway in the Nashville area, with surrounding counties experiencing more growth than Davidson County.

Mr. Browning concluded by saying the Commission should not approach the issue of urban sprawl as if it is a bad concept which should be discontinued completely; it is a concept that will continue until urban residents accept as desirable an alternative urban environment which likely will include higher densities. Our task is to make that more dense urban pattern desirable to urban residents.

4. Legislative Update.

Legislative Report of the Metro Council

July 11, 1995 Public Hearing

There were 52 bills considered at public hearing in which 14 were disapproved by MPC and Council approved 6 of the 14 re-referring 2 to the Planning Commission for the next meeting (July 27): The approved bills were Franklin-Limestone Road R10 and R-PUD for 55 single-family lots. The PUD bill was amended to require completion of all public improvements (sidewalks and road widening) before obtaining building permits. Arron Holt's R8 to CS on Robertson Ave. (an old grocery store). Jimmy Summer's day care text amendment. Ronnie Steine's Substitute Bill (text amendment) pertaining to distance between buildings. Julius Sloss' RM8 to CS on Thompson Place.

Action on other MPC Disapprovals

The text amendment to extend public hearing notification to 28-days **PASSED** with an amendment making it effective January 1, 1996.

Tom Alexander's four bills on Blue Hole Rd/Bell Rd: 25-acre CS **WITHDRAWN**

RS20, RS8 and R-PUD **DEFERRED INDEFINITELY**.

Gary Odom's neighborhood C-PUD on U.S. 70S: **WITHDRAWN** by request of Randy & Dianne Knowles.

Roy Dale's C-PUD on Old Lebanon Pk Circle: **DEFERRED** for neighborhood meeting.

Roy Dale's two bills (cancel portion of C-PUD for CS on Music City Circle for Billboard): **DEFERRED** for neighborhood meeting.

Controversial MPC Approvals

Councilman Harrison's Ellis Jakes Produce (Oct. 1991 MPC) on Whites Creek Pike **PASSED** 21-13 after the sponsor's motion to defeat failed by 16-13. (SA-3 Regional Commercial Concentration policy). [SA-3 Retail Commercial Concentration policy].

Tom Alexander's Culbertson Road AR2a to R15 **DEFERRED INDEFINITELY**, concern that Culbertson cannot handle traffic.

Charlie Tygard's two Hicks Rd. Bills (R15 to CS and RM8) **DEFERRED AND RE-REFERRED** to MPC (July 27).

Old Hickory Blvd. in Hermitage (R15 to CS) next to Vulcan Quarry: **APPROVED** after much discussion.

Councilman Kincaid's two bills (R-PUD revision to reduce apts and deepen CS on Murfreesboro): **APPROVED AND DEFERRED** for neighborhood meeting.

Gary Odom's two bills (C-PUD cancellation for RM8): **DEFEATED**.

Tim Garrett's AR2a to IR on Springfield Hwy: **DEFERRED** for neighborhood meeting.

Lorinda McLaughlin's R15 to CH on Ashland City Hwy next to Briley Pkwy: she wants staff to **evaluate non-residential zoning across the street** were 4 or 5 homes sit.

Plats Processed Administratively:

June 29 Through July 12, 1995

- 92-86-P Brighton Close, Phase II
 A plat to create three units within a condominium development.

- 95S-174G Robert Montgomery Property
 A plat to divide one lot into two.

- 95S-187U C. C. Vernon Farm
 A plat to divide one lot into two.

Before adjournment, Chairman Smith announced the Council had referred back to the Planning Commission the Hicks Road/Highway 70S rezoning in Bellevue. He said it appeared the neighborhood groups in that area want the Commission to make a definitive statement of boundaries in policy and zoning that will remain in place. Mr. Smith acknowledged the potentially frustrating position in which residents may find themselves in facing land use change in the Bellevue area, when they may think the subarea plan locks the land use into place. However, Mr. Smith pointed out that land use is a constantly evolving phenomenon in any growing locality, and it is the Planning Commission's role to interpret proper adjustments to growth.

Mr. Browning stated he had attended the community meeting in Bellevue after the Commission's action on the zone change at Hicks Road, and said many residents thought, because that issue was so specifically debated during the subarea committee meetings, and was adopted by the Planning Commission in this form, that part of the subarea plan had been locked in with a very definite boundary. The Commission's more recent actions seemed to indicate specific boundaries would never be delineated, but that all boundaries were subject to interpretation by the Planning Commission. This raised concerns among residents of how any degree of assurance could be realized from a subarea plan.

Mr. Browning stated these are the concerns that likely will be raised when this matter comes before the Commission in two weeks. There are no more technical matters to be worked out with any of these rezonings. The question that will be raised is how the community understands that there will not be the continual strip development along Highway 70S? How do they understand where boundaries are established? He stated even if the rezonings go through and Hicks Road is not the boundary, the question that may come before the Commission is to show a future stopping point for commercial development along Highway 70S.

Mr. Harbison stated the Commission had to apply the same rules in every part of the county. They cannot say that Bellevue has a certain approach different from any other, or that their subarea committee had this approach and should be treated differently. He said he felt the Commission should make the same kinds of calls county wide and on the same criteria.

Mr. Allen stated that the Bellevue citizens developed a plan and any plan is subject to be changed.. He stated it would be inappropriate to create a plan that was not subject to interpretation and change in a community growing as rapidly as Bellevue is growing.

Mr. Browning said that did raise an interesting point. If it is a matter of interpretation, than that means that there is that discretion to be used and it does not require an amendment process. However, since there is an amendment process to the subarea and general planning procedure, than that would indicate there are those instances where interpretation is not proper, but amendment of the plan is required.

Councilmember McWhirter said he thought that was the problem. If everything is discretion, if everything is the Commission sitting there changing the plan, then there is not any plan, and he thought that was probably the Bellevue citizens' concerns. Even though he voted with the majority, he did not see conditions

had changed sufficiently to justify an adjustment of policy lines through interpretation. If the Commission is going to justify it saying circumstances had changed, it seems they should articulate what those changed circumstances are and he did not see where proper justification had been given to the Planning Commission.

Mr. Browning stated the General Plan policy that is governing here is one that says Highway 70S will not be strip commercial; staff will be working to determine what are reasonable boundaries that will say this is appropriate rezoning and that this can be a stopping point. If the citizens that show up say they want that to be established as a firm boundary, then the Commission is going to have this very issue to deal with.

Mr. Harbison said a boundary was established with the higher density residential zoning that was placed along Highway 70S; the Commission did not approve just commercial zoning.

Chairman Smith said he thought they took some relatively undeveloped land and did something with it and felt it was the right thing to do. There have only been those two pieces in Bellevue that were obviously underutilized for some reason.

Ms. Jernigan said it seemed to her the whole subarea planning process is weighted toward the neighborhood and residential interests, and the development and business interests are not heard as clearly. She stated her vote in favor of the rezoning was influenced by the Bellevue Chamber of Commerce representative's statements favoring the expansion of business opportunity in the area.

Chairman Smith said he wanted all of the Commission to be thinking about this matter before the next meeting.

Mr. Harbison said there was some guidance that he had read a one point in the subarea plan which differentiates between an interpretation and an amendment.

ADJOURNMENT:

There being no further business, upon motion made, seconded and passed, the meeting adjourned at 3:00 p.m.

Chairman

Secretary

Minute Approval:
This 27th day of July 1995