

MINUTES OF THE MEETING
OF THE
METROPOLITAN PLANNING COMMISSION

Date: Thursday, August 10, 1995
Time: 1:00 p.m.
Place: Howard Auditorium

Roll Call

Present:

Gilbert N. Smith, Chairman
William Harbison
Janet Jernigan
James Lawson
William Manier
Councilmember Larry McWhirter
Stephen Smith

Absent:

Mayor Philip Bredesen
Arnett Bodenhamer
Ann Nielson

Also Present:

Executive Office:

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

Current Planning and Design Division:

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

Advance Planning and Research Division:

Deborah Fleming, Planner III
Jeff Lawrence, Planner III

Community Planning Division:

Gary Dixner, Planner III

Others Present:

Jim Armstrong, Public Works

Chairman Smith called the meeting to order.

ADOPTION OF AGENDA

Mr. Owens announced two minor corrections to the agenda; page 2 Proposal No. 95P-006U should be 91P-006U and on page 3 item number 151-82-G, the final plat approval should be removed.

Mr. Lawson moved and Mr. Harbison seconded the motion which was unanimously passed to adopt the agenda with the above changes.

ANNOUNCEMENT OF DEFERRED ITEMS

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

95S-180U Deferred two weeks by request of applicant.

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

APPROVAL OF MINUTES

Ms. Jernigan moved and Mr. Lawson seconded the motion, which was unanimously passed, to approve the minutes of the regular meeting of July 27, 1995.

RECOGNITION OF COUNCILMEMBERS PRESENT

Councilmember-elect Ron Turner from the 33rd District was present to speak in favor of the revised plan for High Ridge Subdivision, 95S-207G.

Councilmember Charles French was present to speak in favor of zone change 95Z-080U.

ADOPTION OF CONSENT AGENDA

Mr. Lawson moved and Mr. Harbison seconded the motion, which was passed unanimously, to adopt the following items on the consent agenda.

APPEAL CASES:

Appeal Case No. 95B-135G
Map 5, Parcel 15
Subarea 1
District 1

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 1,960 square foot home within the R2a District, on property located on the north margin of Ridgewood Road, approximately 800 feet east of Greenbriar Road (1.83 acres), requested by R. W. Johnson, appellant/owner.

Resolution No. 95-587

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 95B-135G 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. 91P-006U
Thompson Station (Hermes Cleaners)
Map 147-11, Parcel 141
Subarea 12
District 30

A request for final approval for a phase of the Commercial (General) Planned Unit Development District (.54 acres) abutting the west margin of Nolensville Pike, approximately 300 feet northwest of Cotton Lane, to permit the development of a 5,300 square foot laundry and dry cleaning facility, requested by Dale and Associates, for Leo Hermes, owner. **(Deferred from meetings of 07/13/95 and 7/27/95).**

Resolution No. 95-588

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 91P-006U is given **CONDITIONAL FINAL APPROVAL FOR A PHASE**. The following condition applies:

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

Proposal No. 151-82-G
Somerset Farms, Section Four
Map 141, Part of Parcel 15
Subarea 6
District 35

A request for final approval for Section Four of the Residential Planned Unit Development District abutting the east margin of Buffalo Road, approximately 500 feet south of Coley Davis Road (20.1 acres), to permit the development of 100 single-family lots, requested by Barge, Waggoner, Sumner and Cannon, Inc., for George Gianikas, owner.

Resolution No. 95-589

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 151-82-G is given **CONDITIONAL FINAL PUD APPROVAL**. The following conditions apply:

1. Written confirmation of approval from the Stormwater Management and Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. Revised plans approved by the Traffic Engineering Section of the Metropolitan Department of Public Works which show a sight distance easement across Lot 79.
3. Recording of a final plat of subdivision and the posting of bonds as may be required for public improvements.
4. Prior to final plat approval, all building envelopes shall be straight and not curved."

Proposal No. 84-87-P
The Crossings (Hampton Inn)
Map 163, Part of Parcel 362
Subarea 13
District 29

A request for final approval for a phase of the Commercial (General) Planned Unit Development District abutting the southwest corner of Mt. View Parkway and Crossings Boulevard (1.87 acres), to permit the development of an 87 room motel, requested by Walter Davidson and Associates, for C. B. Harbour, III, owners.

Resolution No. 95-590

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

1. Written confirmation of approval from the Stormwater Management and Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. Recording of a final plat of subdivision and posting of bonds as may be required for public improvements.
3. Revised landscaping plans which show compliance with the visibility sections of the Zoning Code.
4. Revised drainage plans which have been approved by the Stormwater Management Section of the Metropolitan Department of Public Works.”

Request to Revise/Amend a Site Development Plan:

Proposal No. 74-73-G
Music Valley PUD, Tract 6
Map 62, Parcel 112
Subarea 14
District 15

A request to revise the approved preliminary site development plan and for final approval for a phase of a Commercial (General) Planned Unit Development District abutting the north margin of McGavock Pike, west of Music Valley Drive, to permit the development of a restaurant facility, requested by Ragan-Smith Associates, for John Hobbs, owner.

Resolution No. 95-591

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 74-73-G is given **CONDITIONAL APPROVAL FOR REVISION TO PRELIMINARY AND FINAL FOR A PHASE**. The following conditions apply:

1. Receipt of written confirmation of approval from the Storm Water Management and Traffic Engineering sections of Public Works.
2. Receipt of written confirmation of purchase of sewer capacity from Water & Sewer Services.”

Proposal No. 40-87-P
Peninsula Point, Phase 1

Map 151, Parcel 6 and Map 137, Parcel 18
Subarea 13
District 29

A request to revise the approved final site development plan for Phase 1 of the Residential Planned Unit Development (13.54 Acres) abutting the north margin of Smith Springs Road opposite Percy Priest Lake, to permit the development of 45 single family lots, requested by MEC. Inc., for, Mr. Jerry Butler, owner.

Resolution No. 95-592

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 40-87-P 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 Sections of the Metropolitan Department of Public Works.
2. The recording of a final plat of subdivision upon the posting of all bonds as may be required by the Metropolitan Department of Public Works and the Metropolitan Department of Water and Sewer Services.
3. The recording of a boundary plat.”

Proposal No. 88P-039U
Blakemore
Map 104-8, Parcel 240
Subarea 10
District 18

A request to revise the approved preliminary site development plan and final approval for a phase of the Commercial (General) Planned Unit Development District abutting the northwest margin of Wedgewood Avenue and 19th Avenue South (0.26 acres), to permit the removal of an existing 432 square foot accessory building and the addition of 1,950 square feet to the existing 2,350 square foot building on Lot 4, requested by Littlejohn Engineering Associates, Inc., for Roy Flowers, owner.

Resolution No. 95-593

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 88P-039U is given **CONDITIONAL APPROVAL FOR REVISION TO PRELIMINARY AND FINAL FOR A PHASE**. The following conditions apply:

1. Receipt of written confirmation of approval from the Storm Water Management and Traffic Engineering sections of Public Works.
2. Building permits shall not be issued until such time as the Metro Historical Commission issues a letter of final approval for the architectural improvements.
3. All unfulfilled conditions of previous approvals shall remain in force.”

SUBDIVISIONS:

Final Plats:

Subdivision No. 134-84-G
Devon Woods, First Revision
Map 142, Parcels 325-334

Subarea 6
District 35

A request to permit enlargement of a drainage easement and consolidation of two lots into one abutting the east margin of Hicks Road, approximately 572 feet north of Bellevue Road (14.65 acres), classified within the R20 Residential Planned Unit Development District, requested by Devon Hills Partners, LP, owner/developer, Thomas, Miller and Partners, surveyor. **(Deferred from meeting of 07/27/95).**

Resolution No. 95-594

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 134-84-G, be **APPROVED.**”

Subdivision No. 95S-203G
Meadows of Tulip Grove, Section 4
Map 75, Parcel 127
Subarea 14
District 13

A request to create 12 lots abutting the southeast margin of Richard Lee Circle and Netherlands Drive (4.51 acres), classified within the R10 District, requested by Meadows of Tulip Grove Joint Venture, owner/developer, Ragan-Smith Associates, Inc., surveyor. **(Deferred from meeting of 07/27/95).**

Resolution No. 95-595

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 95S-203G, be **APPROVED** subject to posting a performance bond in the amount of \$20,000.00.”

Subdivision No. 95S-212U
Friedli Subdivision
Map 91-9, Parcels 43 and 43.2
Subarea 7
District 22

A request to subdivide two lots into three lots abutting the north margin of Robertson Avenue, opposite Stevenson Street (1.6 acres), classified within the CG District, requested by David H. Friedli et al, owners/developer, John J. O’Connor, surveyor.

Resolution No. 95-596

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 95S-212U, be **APPROVED.**”

Subdivision No. 95S-220A
Haywood Development, Reserve Parcel A
Map 148, Parcel 186
Subarea 13
District 30

A request to remove the reserve status of a lot abutting the southwest corner of Haystack Lane and Bakertown Road (.52 acres), classified within the CH District, requested by Saeed Sean Monemi, owner/developer.

Resolution No. 95-597

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 95S-220A, be **APPROVED.**”

Subdivision No. 89-86-P
Brittany Park, Phase 1A
Map 162, Parcels 171 and 241-244
Subarea 12
District 31

A request to create 32 lots abutting the north margin of Bell Road, approximately 1,270 feet west of Blue Hole Road (7.91 acres), classified within the R10 Residential Planned Unit Development District, requested by Carlton Enterprises, Inc., owner/developer, Thomas, Miller and Partners, surveyor.

Resolution No. 95-598

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 89-86-P, be **APPROVED** subject to posting a performance bond in the amount of \$320,700.00.”

Request for Bond Extension:

Subdivision No. 88S-206G
Peebles Subdivision
Katherine K. Peebles, principal

Located on the north side of Poplar Creek Road, approximately 421 feet east of Rolling River Parkway.

Resolution No. 95-599

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 88S-206G, Bond No. 88BD-014, Peebles Subdivision, until October 1, 1995, as requested, said approval being contingent upon posting an amended letter of credit in the increased amount of \$8,000.00 by September 14, 1995 and extending the expiration date to April 1, 1996. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

Subdivision No. 94S-388G
J & G Subdivision
Bell Sudekum, co-principal
Gerlie Richard, co-principal

Located abutting the west margin of Dickerson Pike, approximately 300 feet south of Mulberry Downs.

Resolution No. 95-600

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 94S-388G, Bond No. 94BD-107, J & G Subdivision, until October 1, 1995, as requested, said approval being contingent upon posting an amended letter off credit in the full amount o \$24,000.00 by September 14, 1995 and extending the expiration date to April 1, 1996. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

Request for Bond Release:

Subdivision No. 61-74-G

Lake Shore, Phase Three-B
B & P Developments, Inc., principal

Located abutting the northeast margin of Regatta Boulevard, 0 feet north of Schooner Cove.

Resolution No. 95-601

"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-094, Lake Shore, Phase Three-B, in the amount of \$20,000.00, as requested."

Subdivision No. 70-85-P
Somerset, Phase Five-C
Phillips Builders, Inc., principal

Located at the east terminus of Quaise Moor East, approximately 85 feet east of Dove Creek Road.

Resolution No. 95-602

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 70-85-P, Bond No. 93BD-050, Somerset, Phase Five-C, in the amount of \$23,000.00, as requested."

Subdivision No. 88S-303G
Forest View Park, Section Nine
Fox Ridge Homes, Inc., principal

Located abutting the north margin of Hamilton Church Road, approximately 1,300 feet northeast of Murfreesboro Road.

Resolution No. 95-603

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 88S-303G, Bond No. 93BD-003, Forest View Park, Section Nine, in the amount of \$29,630.00, as requested."

Subdivision No. 94S-129G
Peppertree Forest, Section Nineteen
Jerry Butler, principal

Located abutting the north margin of Maxwell Road, approximately 310 feet east of Hickorylawn Court.

Resolution No. 95-604

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 94S-129G, Bond No. 94BD-037, Peppertree Forest, Section Nineteen, in the amount of \$207,800.00, as requested."

Subdivision No. 94S-368U
Elam Subdivision
Dannie Hodges and Son, principal

Located abutting Croley Drive and Freedom Place, approximately 161 feet south of Freedom Drive.

Resolution No. 95-605

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 94S-368U, Bond No. 94BD-108, Elam Subdivision, in the amount of \$3,500.00, as requested."

MANDATORY REFERRALS:

Proposal No. 95M-083G
Council Bill No. O95-1524
Myatt Drive Widening
Anderson Lane to Edenwold RR Bridge Area
Subarea 4
District 10

A council bill authorizing the addition of a 12 foot wide travel lane and 10 foot wide shoulder on Myatt Drive from Anderson Lane to 262 feet north of the Edenwold railroad bridge in the Rivergate area. **(Project No. 67-R-40).**

Resolution No. 95-606

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-083G.

Proposal No. 95M-084U
Council Bill No. O95-1525
Music Valley Drive Reconstruction and Widening
McGavock Pike to Pennington Bend Road
Subarea 14
District 15

A council bill authorizing the reconstruction and widening with curb, gutter and sidewalk drainage improvements of Music Valley Drive from McGavock Pike to Pennington Bend Road in the Opryland area. **(Project No. 94-R-1).**

Resolution No. 95-607

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-084U.

Proposal No. 95M-085U
Council Bill No. O95-1540
Antioch/Edge-O-Lake Drainage Improvements
Subarea 13
District 28

A council bill authorizing drainage improvements in the Rural Hill Road area (from Edge-O-Lake Drive to Mossdale Drive), Luna Drive area (between Luna Drive and Denise Court), and Cherokee Hills area (from Cherokee Hills Court to Antioch Pike). **(Projects No. 95-D-3, 6, 7).**

Resolution No. 95-608

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-085U.

Surplus Property:

Proposal No. 95M-088U
Council Bill No. 095-1522
1102 Third Avenue North
Map 82-9, Part of Parcel 424
Subarea 8
District 20

Resolution No. 95-609

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 95M-088U, is recommended to be declared surplus and sold."

This concluded the items on the consent agenda.

APPEAL CASES:

Appeal Case No. 95B-139G
Map 176, Parcel 28
Subarea 13
District 29

A request for a conditional use permit under the provisions of Section 17.124.120 (Community Assembly) as required by Section 17.24.030 to use an existing 4,000 square foot barn as a private dance club within the AR2a District, on property located on the south margin of Maxwell Road, approximately 1,750 feet east of Lavergne Couchville Road (7.65 acres), requested by Mike Mayo, for Judith A. Butler, appellant/owner.

Mr. Henry stated this proposal was intended for weekend activity and the applicant presently lives in a house on the property and has been hosting dance activities inside the house. He stated the traffic engineer has recommended approval and the 7.65 acre lot satisfies the minimum lot size required for this activity. A fence along the property line provides screening. There are residential developments nearby, but this site and the parcels immediately adjacent have not been developed. Staff feels this indoor activity of dancing on a limited basis as proposed will not be incompatible with the current surrounding development.

Mr. Manier stated this was an undeveloped area but would not stay that way.

Chairman Smith stated it would be appropriate that the Commission's recommendation to the Board of Zoning Appeals ask the Board to consider some type of time limit on this proposal.

Mr. Henry stated that as the property developed in the area and they found this use objectionable, they can ask the Board of Zoning Appeals to take another look at this use and make a determination that it is no longer compatible.

Mr. Owens stated that as a conditional use, it must continue to satisfy the conditional use criteria throughout its life, one of which is that it is not a nuisance to the adjacent properties.

Mr. Harbison moved and Mr. Lawson second the motion which carried unanimously to approve the following resolution.

Resolution No. 95-610

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 95B-139G to the Board of Zoning Appeals.

The site plan appears to comply with the conditional use criteria. While the location of the barn on this site is well-removed from any nearby residences and should not present an incompatible situation, the property is located in a fast-growing area of the county and future residential development is expected on neighboring properties. Future residents may someday find this activity objectionable. The Planning Commission recommends that this conditional use be monitored to insure that it does not adversely affect the future use of residential properties within the surrounding area' as required by Section 17.124.120(E)of the zoning code."

ZONE CHANGE PROPOSALS:

Zone Change Proposal No. 95Z-080U
Council Bill No. O95-1501
Map 107-13, Parcel 127
Subarea 11
District 16

A request to change from RM8 District to CS District certain property abutting the north margin of Thompson Place, approximately 400 feet east of Murfreesboro Pike (.63 acres), requested by Robert E. Baker, owner. **(Re-referred from Metro Council 07/18/95).**

Ms. Dudley stated this proposal was the matter Councilmember French had spoken to the Commission about. She stated the property to the east and across the street is zoned RM8, with the property to the west oriented toward Murfreesboro Pike zoned CS. With the steep topography involved, the subject property is oriented more to the residential area than to the commercial area, and it is for that reason, even though it is an edge situation, staff believes it is more logical to place this property in residential policy. Therefore staff is recommending the Commission reaffirm the previous disapproval. This site is sufficient to redevelop as part of the adjacent multi-family development.

Mr. R. E. Baker, owner of the property was present to ask the Commission to approve this zone change because the property is not suitable for residential use, and he has a client available to lease the property to if he were able to build an auto detail shop.

Mr. Harbison asked Ms. Dudley if the orientation between residential and commercial were based mainly on the grade issue of the road because the property looked like it was right on the line.

Ms. Dudley stated the property was right on the line and it is the topography that makes it a convincing case that it is more logical to put the property with the residential.

Mr. Harbison stated this piece of property was clearly not being used for a very good use the way it stands.

Mr. Lawson said the Commission should exercise great care in interpreting policy boundaries in cases like this, and should be careful to articulate reasons for change which do not set precedents for commercial encroachment into residential properties.

Mr. Harbison moved and Mr. Steve Smith seconded the motion to recommend rezoning of the property to CS.

The motion failed with Commissioners Harbison, Steve Smith and Gilbert Smith voting in favor of the motion, and Commissioners Jernigan, Manier, McWhirter and Lawson voting against the motion.

By this action the Commission's previous position of disapproval of the rezoning was reaffirmed.

PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:

District Applications and Finals:

Proposal No. 95P-021U
Council Bill No. O95-1509
Epiphone Guitar Assembly Facility
Map 94, Parcel 98 and Parts of Parcels 93 and 96
Subarea 14
District 15

A request to grant preliminary approval for a Commercial (General) Planned Unit Development District abutting the south margin of Lebanon Pike, opposite Clovernook Drive (5.01 acres), classified CS, OP and CG, to permit the development of a 65,000 square foot limited manufacturing facility, requested by Heibert and Associates, for The Epiphone Company, owner. **(Re-referred from Metro Council 08/01/95).**

Mr. Martin stated there were residential areas across the street and residentially zoned and policied land to the east. The policy for this property is commercial arterial existing which is appropriate for retail and office facilities. The CG property is at the rear of the site

Mr. Martin stated that the proposed limited manufacturing development is proposed primarily within the CS and OP base zones. The change that has occurred to the site plan is to realign the entrance opposite Clovernook Drive which is the entrance to the residential area. It is staff's opinion that this plan does not mitigate the introduction of this intrusive activity into an area that is intended to serve as a land use transition and staff recommends disapproval.

Chairman Smith asked Mr. Martin what Councilmember Dale's position was on this matter when it was before the Commission earlier.

Mr. Owens stated Councilmember Dale spoke in favor of the proposal and was the sponsor of the bill.

Mr. Dave Berryman, president of Gibson Guitar Corporation, was present to speak in favor of this proposal stating there was a public meeting held with Councilmember Roy Dale present on July 17th and several concerns were raised. All the concerns were addressed and there were no objections by any of the area residents.

Mr. Harbison asked about the issue of orienting traffic toward the residential area instead of Lebanon Pike Circle.

Mr. Berryman stated there was a State easement in the front that makes it difficult to position the building properly to use the site.

Mr. Martin stated there was an unmapped parcel that had been created to the west of this site which had been subdivided by deed and not by plat.

Mr. Owens stated they had elected to divide the larger area by deed and sell the property and there is now under construction another commercial building to the west.

Mr. Harbison asked if the Commission had approved that subdivision.

Mr. Owens stated the Commission had not approved the parcel creation, and now the Commission is dealing with the effect of those earlier development decisions on the part of the property owners. The Commission is being told that nothing different can be done with the traffic because of earlier decisions made with the property.

Mr. Martin stated the traffic and parking engineer had approved the plan but was not in favor of a traffic signal.

Mr. Harbison asked what the legal effects were to subdividing property without approval.

Mr. Owens stated that if the piece of property that has been created by deed is less than five acres, it is not legally recognized as a legitimate subdivision.

Mr. Randy Wolcott spoke in favor of the proposal stating the subject property could be used for auto repair and storage which would cause more traffic than Epiphone with its sixty-five employees.

Mr. Manier moved and Mr. Harbison seconded the motion which carried unanimously to approve the following resolution.

Resolution No. 95-611

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 95P-021U is DISAPPROVED DUE TO AN INADEQUATE DESIGN TO PROTECT NEARBY RESIDENTIALLY POLICED AREAS.”

Subdivision No. 78-87-P
Fredericksburg, Section 4, Lot 226
Map 171-3-A , Parcel 98
Subarea 14
District 12

A request to modify the building envelope within a lot abutting the southwest corner of Fredericksburg Way East and Potomac Lane (.18 acres), classified within the R20 Residential Planned Unit Development District, requested by Radnor Homes Inc., owner/developer, Anderson-Delk and Associates, Inc., surveyor. **(Also requesting approval of Final Plat amendment). (Deferred from meeting of 07/27/95).**

Mr. Martin stated the house was located improperly on this lot and therefore the house now encroached into the required yards by approximately 2.5 feet. Staff’s investigation indicated the stakes delineating the lot lines were removed during excavation for the foundation. When the stakes were replaced, an error occurred, which led to the encroachment.

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

Resolution No. 95-612

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 78-87-P is given APPROVAL TO MODIFY BUILDING ENVELOPE.”

Mr. Lawson asked that the staff investigate the costs incurred to investigate these encroachments, and to bring to the Commission recommendations for charging these fees to the developer.

SUBDIVISIONS:

Preliminary Plats:

Subdivision No. 95S-207G (*Public Hearing remains open*)
High Ridge
Map 159, Parcels 49, 50, 55 and 120
Subarea 10
District 33

A request to create 35 lots abutting the east margin of Granny White Pike, approximately 660 feet south of Camelot Road (49.97 acres), classified within the R40 District, requested by URBCON, optionee, Ragan-Smith Associates, Inc., surveyor. (**Deferred from meeting of 07/27/95**).

Mr. Bracey stated the Commission was faced with a decision between approving the original plan of subdivision or a substitute plan proposed by the developer during meetings with residents of Camelot Subdivision. Staff is recommending approval of the original application as it meets all requirements of the subdivision regulations. These regulations include requirements to interconnect adjoining subdivisions by extending streets when possible. All Metro departments have responded that the original application is the preferred plan. Mr. Bracey informed the Planning Commission that the adjacent residents in Camelot Subdivision preferred the amended plan which would not connect the two subdivisions.

Mr. Randy Caldwell, with Ragan-Smith Associates, stated they were willing to do whatever the Commission agreed upon and either application would be satisfactory.

Mr. Howard Whyner, the developer, stated their goal today was to have a plan approved. The substitute plan would be preferable but they would implement either plan.

Mr. Larry Marnett, Ms. Maria Holland, Ms. Ann Thomas, Mr. Patrick Moulton and Mr. Haywood Winter were present to speak in favor of the substitute proposal expressing concerns regarding traffic, safety and drainage.

Mr. Randy Caldwell and Mr. Jim Armstrong stated the drainage problems had been reviewed and that a retention pond would be provided in a dedicated open space and some upgrading on the ditches would occur.

Mr. Lawson moved and Mr. Harbison seconded the motion, which passed unanimously, to close the public hearing.

Ms. Jernigan asked about the water issues and the differences between the street being a through street and having the two cul-de-sacs.

Mr. Bracey stated there would be very little effect on the drainage.

Mr. Manier asked why there was a seven hundred fifty foot cul-de-sac limit and stated that if they gave a variance for twelve hundred feet the Commission would have to grant variances for everyone.

Mr. Browning stated that was a long cul-de-sac and some subdivision regulations called for a three hundred foot limit. When granting a variance it is not so much the length of the cul-de-sac but rather the basis for granting that variance which matters. These residents have raised the issue that there are other subdivisions in that area that have very long cul-de-sacs. Many of them are in different jurisdictions where different planning commissions are reviewing them like Forest Hills and Oak Hill. There are some situations where the streets climb ridges and there must be a cul-de-sac. However, Mr. Browning stated neither circumstance was applicable in this particular case; in fact, no legitimate reason for granting a variance was apparent.

Chairman Smith asked if there was currently a cul-de-sac at the end of Camelot Road.

Mr. Browning stated a cul-de-sac was not built because the street was to be extended at a later date.

Mr. Harbison stated the Commission had to plan with rules that applied uniformly throughout the county.

Mr. Lawson moved and Mr. Manier seconded the motion which carried unanimously to approve the following resolution.

Resolution No. 95-613

“BE IT RESOLVED by the Metropolitan Planning Commission that the Plan of Subdivision No. 95S-207G, be given **PRELIMINARY APPROVAL of the initial plan requiring extension of Camelot Drive. The Commission further directed that no construction traffic is to use Camelot Drive.**”

Subdivision No. 95S-210U (Public Hearing)
Jesse L. Mooney and Richard A. Lewis Property
Map 105-3, Parcel 121
Subarea 11
District 19

A request to create six lots abutting the northwest corner of Chestnut Street and First Avenue South (1.12 acres), classified within the R6 District, requested by Metropolitan Development and Housing Authority, developer, Thornton and Associates, Inc., surveyor. **(Also requesting final plat approval).**

Mr. Bracey stated the plan did not involve any street construction and staff was recommending both preliminary and final approval.

Mr. Phil Ryan with MDHA stated they were proposing to buy this property and subdivide it into six units for single family housing. This is in the Nashville Enterprise Community and they are trying to develop single family housing in the area. He stated this was a special program called the Lease-Purchase Program for low income families and asked the Commission for approval.

Ms. Gladys Johnson and Ms. Ellen Rosser were present to ask the Commission to reduce the number of lots for this area because of traffic and congestion problems.

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. 95-614

“BE IT RESOLVED by the Metropolitan Planning Commission that the Plan of Subdivision No. 95S-210U, be given **PRELIMINARY AND FINAL APPROVAL.**”

MANDATORY REFERRALS:

Proposal No. 95M-081U
Council Bill No. 095-1545
Church Street Alley Closure
Map 92-12
Subarea 10
District 19

A council bill closing Church Street Alley No. 375 and the east property line of Parcel 229 on Map 92-12. **(Easements are to be retained). (Re-referred from Metro Council 08/01/95).**

Ms. Dudley stated this bill was to close the Church Street alley which the Commission had considered before. The Commission had recommended disapproval before, and staff was recommending the Commission reaffirm the disapproval. Ms. Dudley stated arrangements had been made to erect a crash gate at night and on weekends for security purposes, which negated the need for the closure.

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

Resolution No. 95-615

"BE IT RESOLVED by the Metropolitan Planning Commission that it **DISAPPROVES** Proposal No. 95M-081U.

Closure of a segment of this through alley would produce two dead-end alley segments. Without the provision of adequate turn-around facilities at the termini of these dead end alleys, the result would be the necessity of vehicles performing difficult and hazardous backing motions."

Proposal No. 95M-086U
Council Bill No. O95-1550
McGavock Pike Closure
Map 95-15
Subarea 14
District 15

A council bill closing a portion of right-of-way at the intersection of McGavock Pike and Merry Oaks Drive. **(Easements are to be retained).**

Ms. Fleming stated that Metro had recently done a major intersection improvement at this location and an adjacent property owner was interested in closing a portion of the right-of-way that was left over from the project. The piece they are interested in is on the west side of McGavock Pike. Staff has consulted Public Works who recommends maintaining the property in case increased traffic necessitates future widening or further intersection improvements. There could be future plans for sidewalks and there are several water and sewer lines in this area. Public Works concurs with staff's recommendation that this mandatory referral be disapproved.

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

Resolution No. 95-616

"BE IT RESOLVED by the Metropolitan Planning Commission that it **DISAPPROVES** Proposal No. 95M-086U.

This portion of right-of-way may be needed in the future for the installation of sidewalks and/or additional roadway widening or further intersection improvements. Metro also has several major water and sewer lines on this property."

OTHER BUSINESS:

1. FY '96 Operating Budget

Mr. Browning presented an overview of the operating budget to the Commission.

Mr. Lawson moved and Mr. Harbison seconded the motion which carried unanimously to approve the first quarter report on the FY '96 operating budget.

2. Employee Contract Renewal: Thomas G. Martin

Mr. Lawson moved and Mr. Harbison seconded the motion which carried unanimously to approve the contract renewal for Thomas G. Martin.

3. Visioning. Report on staff attendance at Urban and Regional Information Systems Association (URISA) annual conference - Kim McDonough, Jake Brooks, Jeff Lawrence

Kim McDonough reported that URISA is an international organization with an attendance of between 2,000 and 3,000 people at its annual conference each year. The conference provides tremendous opportunities to keep abreast of the rapidly changing world of information management.

The principal focus of the URISA conference concentrates on the technology of GIS (Geographic Information Systems). Widely divergent issues in database management, law, navigation and public policy are also covered, but nearly always from the standpoint of how they affect GIS. Those in attendance learned about important developments in several technologies at URISA this year. One, Spatial Database Engine, or SDE, will provide an extremely valuable tool for the management of Nashville's large GIS database covering the entire county and over 200,000 parcels. The second, Geographical Positioning System, or GPS, is a satellite navigation system that will enable quickly and cheaply locating any point in the county within a centimeter of its true location. Last, new and better ways of using GIS are constantly being developed, from the electronic submission of plats to real time tracking of emergency vehicles, so that as Nashville's GIS is developed, it will become an invaluable tool for tying the entire city together for more efficient operation and better service to its citizens.

Jake Brooks stated that in addition to the conference sessions and workshops, over 100 companies displayed and demonstrated a wide array of mapping products and services at the URISA conference in San Antonio, Texas. He noted that the increased power of personal computers and the trend toward open access by developers were evident. Creation of partnerships by local, state and federal entities and development of data standards were cited as trends to better access the vast amount of data now available.

Mr. Brooks summarized how some of the conference participants were using mapping systems to provide public access to public information, and described two applications that were demonstrated, including an automated zoning notification application and a property information application on CD-ROM. He stated that the mapping system currently being developed by staff will allow for the same kinds of analyses, providing for better information services.

Jeff Lawrence commented on three aspects of the URISA Conference. He described an example of a city that used GIS technologies to develop a user fee schedule for stormwater run off. He mentioned the efforts that the US Census Bureau is taking to correct the TIGER files that they use to mail out the Census questionnaires. Finally, he described the MPC's web page and how Internet access is emerging in the public information function of local government agencies.

4. Legislative Update

Shawn Henry provided an update on the current legislative status of items previously considered by the Commission.

PLATS PROCESSED ADMINISTRATIVELY:

- 95S-098U Riverside Industrial Park
A plat to relocate a portion of the common line between two lots.
- 95S-215U Hoyte M. Snow, Resubdivision of lot 13
A plat to relocate the common line between two lots.
- 95S-216U Wakefield-Smith Subdivision
A plat to divide one lot into two.
- 95S-221A Villages of Brentwood, Lot 64
A plat amendment to revise the side setback line.
- 95S-224G Mulberry Downs, Lot 98
A plat amendment to revise a portion of a drainage easement.
- 95S-237A Oak Highlands, Lot 81
A plat amendment to revise a portion of the rear yard set back.

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 24th day of August, 1995