

**MINUTES**  
**OF THE**  
**METROPOLITAN PLANNING COMMISSION**

Date: Thursday, December 14, 1995  
Time: 1:00 p.m.  
Place: Howard Auditorium

**Roll Call**

**Present:**

Gilbert N. Smith, Chairman  
Arnett Bodenhamer  
Councilmember Stewart Clifton  
William Harbison  
Janet Jernigan  
James Lawson  
William Manier  
Ann Nielson  
Stephen Smith

**Absent:**

Mayor Philip Bredesen

**Also Present:**

**Executive Office:**

Jeff Browning, Director and Secretary  
Carolyn Perry, Secretary II

**Current Planning and Design Division:**

Edward Owens, Planning Division Manager  
Tom Martin, Planner III  
Shawn Henry, Planner II  
John Reid, Planner I  
Charles Hiehle, Planning Technician II

**Advance Planning and Research Division:**

Jeff Ricketson, Planning Division Manager  
Marie Darling, Planner I

**Community Plans Division:**

Jerry Fawcett, Planning Division Manager  
Gary Dixner, Planner III  
Bob Eadler, Planner III

**Others Present:**

Leslie Shechter, Department of Law  
Jim Armstrong, Public Works

Chairman Smith called the meeting to order.

### **ADOPTION OF AGENDA**

Mr. Owens stated that items 95S-337U, the Eastmoreland Subdivision and 95S-360G, the Red Bud Terrace Subdivision, had been withdrawn from the agenda. He made corrections to the two captions for 93P-13G stating they should read 93P-16G and added under Other Business, item number three, Consideration to Set a Public Hearing for the Public Safety Plan and item number four, Discussion of the Congested Intersection Study.

Mr. Lawson moved and Ms. Nielson seconded the motion, which unanimously passed, to adopt the agenda with the noted changes.

### **ANNOUNCEMENT OF DEFERRED ITEMS**

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

68-85-P            One meeting deferral, requested by applicant.

Mr. Owens announced the applicant had requested a one meeting deferral on item 95M-015U, the Albion Street and alley No. 582 Closure. This item had been deferred on four previous occasions by the Planning Commission. Staff recommends an indefinite deferral.

Mr. Manier moved and Mr. Bodenhamer seconded the motion, which carried unanimously, to defer 68-85-P, and to defer indefinitely 95M-015U as staff recommended.

### **APPROVAL OF MINUTES**

Mr. Lawson moved and Mr. Manier seconded the motion, which unanimously passed, to approve the minutes of the regular meeting of November 30, 1995.

### **RECOGNITION OF COUNCILMEMBERS**

Councilmember Saletta Holloway stated she had one item on the agenda but was there to introduce herself to the Commission and to observe.

Councilmember Ron Nollner stated he was in favor of Text Amendment 95Z-008T.

Councilmembers Tim Garrett, James Dillard, Bruce Stanley and Phil Ponder stated they would defer their statements until the item came up on the agenda.

### **ADOPTION OF CONSENT AGENDA**

Mr. Lawson moved and Ms. Nielson seconded the motion, which was passed unanimously, to approve the following items on the consent agenda with Mr. Harbison abstaining on item 95S-268U and Councilmember Clifton abstaining on item 95M-122U.

### **APPEAL CASES:**

**Appeal Case No. 95B-227U**  
Map 134, Part of Parcel 145  
Subarea 13  
District 27

A request for a conditional use permit under the provisions of Section 17.124.080 (Utility and Vehicular) as required by Section 17.24.030 to construct a new Metro Police Department Neighborhood Precinct within the AR2a District, on property abutting the southeast corner of Harding Place and Ezell Pike, (5 acres), requested by Moody Nolan, LTD, for Metro Police Department, Metro Government, appellant/owner.

**Resolution No. 95-1002**

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 95B-227U to the Board of Zoning Appeals:

**The site plan complies with the conditional use criteria."**

**Appeal Case No. 95B-233G**  
Map 108-7, Parcel 4  
Subarea 14  
District 13

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 315 square foot attached garage within the R10 District, on property abutting the southwest margin of East Lake Drive, approximately 88 feet east of Timber Valley Drive (.25 acres), requested by Allison D. Collins, appellant/owner.

**Resolution No. 95-1003**

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 95B-233G to the Board of Zoning Appeals:

**The site plan complies with the conditional use criteria."**

**Appeal Case No. 95B-236G**  
Map 68, Parcel 49 and Part of Parcel 48  
Subarea 3  
District 1

A request for a conditional use permit under the provisions of Section 17.124.190 (Intermediate Impact) as required by Section 17.80.030 to expand an existing demolition landfill service within the IR District, on property approximately 950 feet east of Amy Lynn Drive (96 acres), requested by Dick Adams, for Southern Services, Inc., Riverside Business Park, L.P., appellant/owner.

**Resolution No. 95-1004**

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 95B-236G to the Board of Zoning Appeals:

**The site plan complies with the conditional use criteria."**

**PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:**

**Proposal No. 149-66-G**

Amoco Food Shop  
Map 183, Parcel 32  
Subarea 13  
District 29

A request to revise the approved final site development plan for a phase of the Commercial (General) Planned Unit Development District abutting the northwest corner of Interstate 24 and Old Hickory Boulevard (.92 acres) to permit the addition of a car wash facility and a 190 square foot food service shop to the existing convenience market, requested by James E. Stevens and Associates, for Daryl and Rita Breece owners.

**Resolution No. 95-1005**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 149-66-G is given **CONDITIONAL APPROVAL OF A REVISION TO FINAL**. 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. 88P-026G**

South Harpeth Chase  
Map 154, Parcel 12  
Subarea 6  
District 35

A request to allow a temporary caretaker residence in the Residential Planned Unit Development District abutting the north margin of South Harpeth Road, approximately 5,950 feet west of State Route 100, requested by South Harpeth Farms, L.L.C.; William H. Freeman, principal.

**Resolution No. 95-1006**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 88P-026G is given **CONDITIONAL APPROVAL**. The following condition applies:

Receipt of written confirmation of approval of the septic tank disposal system from the Public Health Department.”

**Proposal No. 93P-016G**

Traceside, Section Seven  
Map 169, Part of Parcel 241  
Subarea 6  
District 35

A request for final approval for Section Seven of the Residential Planned Unit Development District, abutting the southeast margin of Highway 100, north of Union Bridge Road (13.81 acres), classified R30, to permit the development of 36 single-family lots, requested by Ragan-Smith-Associates, for Centex Homes, owners.

**Resolution No. 95-1007**

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 93P-016G, be **APPROVED** subject to posting a performance bond in the amount of \$215,000.00.”

**Proposal No. 93P-021G**  
Holt Woods, Section Ten  
Map 172, Parcel 216 and Part of Parcels 215, 163 and 211  
Subarea 12  
District 31

A request for final approval for Section 10 of the Residential Planned Unit Development District, abutting the west margin of Holt Hills Road, approximately 1,100 feet north of Holt Road (12.17 acres), classified R20, to permit the development of 36 single-family lots, requested by Anderson-Delk and Associates, Inc., for Paul E. Johnson, owner.

**Resolution No. 95-1008**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 93P-021G is given **CONDITIONAL FINAL APPROVAL FOR SECTION TEN**. 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 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 line extensions as required by the Metropolitan Department of Water and Sewer Services.
3. Prior to the recording of a final subdivision plat for Section 10 the final subdivision plat for Section Seven must be recorded.”

**Proposal No. 94P-009U**  
Music City Cafe  
Map 160, Part of Parcel 54  
Subarea 12  
District 32

A request to revise the approved preliminary site development plan and for final approval for the Commercial (General) Planned Unit Development District abutting the north margin of Old Hickory Boulevard, opposite Stone Brook Drive (10.43 acres), classified R20, to permit the development of a 34,520 square foot food service/group assembly extensive facility, requested by The Davis “MC” Group, Inc., for Elks Lodge of Nashville, owners.

**Resolution No. 95-1009**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 94P-009U is given **CONDITIONAL FINAL APPROVAL**, 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. Recording of the plat creating the parcel prior to the issuance of any permits.”

**SUBDIVISIONS:**

**Preliminary Plats:**

**Subdivision No. 95S-268U**  
Forrest Park (formerly Arbor Close)

Map 117-1, Parcel 106  
Subarea 10  
District 25

A request to create 11 lots abutting the east margin of Bowling Avenue, between Woodlawn Drive and Forrest Park Avenue (6.3 acres), classified within the RS20 District, requested by Gania Clayton, agent, Gresham, Smith and Partners, surveyor.

**Resolution No. 95-1010**

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 95S-268U, be **APPROVED** subject to posting a performance bond in the amount of \$19,000.00.”

**Subdivision No. 95S-367G**  
Chase Pointe, Section One  
Map 22, Part of Parcel 31  
Subarea 1  
District 1

A request to create six lots abutting the west margin of Union Hill Road, approximately 1,088 feet north of Clay Lick Road (2.74 acres), classified within the RS10 District, requested by Billy W. Spain et ux, owners/developers, Ragan-Smith Associates, Inc., surveyor.

**Resolution No. 95-1011**

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 95S-367G, be **APPROVED** subject to posting a performance bond in the amount of \$180,000.00.”

**Subdivision No. 93P-016G**  
Traceside, Section One, Second Resubdivision  
Map 155-16-A, Part of Parcel 241  
Subarea 6  
District 35

A request to create 2 lots abutting the north margin of Traceside Drive, approximately 325 feet east of State Route 100 (2.58 acres), classified within the R30 Residential Planned Unit Development District, requested by Centex Homes, owner/developer, Ragan-Smith Associates, Inc., surveyor.

**Resolution No. 95-1012**

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 93P-016G, be **APPROVED.**”

**Subdivision No. 93P-016G**  
Traceside, Section Four  
Map 169, Part of Parcel 241  
Subarea 6  
District 35

A request to create 28 lots abutting the south margin of Deer Estates Drive and both margins of Deerbrook Drive (14.074 acres), classified within the R30 Residential Planned Unit Development District, requested by Centex Homes, owner/developer, Ragan-Smith Associates, Inc., surveyor.

**Resolution No. 95-1013**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 93P-016G 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. Recording of the final plat and the posting of any bonds which may be required for necessary public improvements.”

**Request for Bond Extension:**

**Subdivision No. 59-69-U**  
Donelson Pike Commercial Subdivision,  
Resubdivision of Lot One  
Hotel South, General Partnership, principal

Located abutting the northeast corner of Interstate 40 East and Donelson Pike.

**Resolution No. 95-1014**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of a performance bond for Subdivision No. 59-69-U, Bond No. 94BD-053, Donelson Pike Commercial Subdivision, Resub. of Lot 1, until March 14, 1996, as requested, in the amount of \$5,000.00, said approval being contingent upon submittal of a letter by January 17, 1996 from Greater American Insurance Company agreeing to the extension. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

**Subdivision No. 86-658-U**  
Weldon B. White, Jr., Subdivision  
Weldon B. White, Jr., Trustee, principal

Located abutting the southwest corner of Royal Parkway and Elm Hill Pike.

**Resolution No. 95-1015**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of a performance bond for Subdivision No. 86-658-U, Bond No. 86BD-003, Weldon B. White, Jr., Subdivision, until October 1, 1996, as requested, in the amount of \$13,400.00, said approval being contingent upon submittal of a letter by January 17, 1996 from the Reliance Insurance Company agreeing to the extension. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

**Subdivision No. 78-87-P**  
Fredericksburg, Section Two  
Radnor Homes, Inc., principal

Located abutting both margins of Manassas Drive, approximately 154 feet northeast of Fredericksburg Way East.

**Resolution No. 95-1016**

"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. 93BD-061, Fredericksburg, Section Two, until March 14, 1996, as requested, in the amount of \$5,000.00, said approval being contingent upon submittal of a letter by January 17, 1996 from the 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. 78-87-P**  
Fredericksburg, Section Three  
Radnor Homes, Inc., principal

Located abutting the north margin of Cloverland Drive, approximately 85 feet east of Fredericksburg Way.

**Resolution No. 95-1017**

"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. 93BD-079, Fredericksburg, Section Three, until March 14, 1996, as requested, in the amount of \$5,000.00, said approval being contingent upon submittal of a letter by January 17, 1996 from the 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. 90S-229G**  
Interchange City Industrial Park,  
Resubdivision of Lot 215-B  
Interchange City Associates, principal

Located abutting the south terminus of Gould Boulevard.

**Resolution No. 95-1018**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of a performance bond for Subdivision No. 90S-229G, Bond No. 90BD-013, Interchange City Industrial Park, Resub. of Lot 215-B, until March 14, 1996, as requested, in the amount of \$3,000.00, said approval being contingent upon submittal of a letter by January 17, 1996 from the Standard Fire Insurance Company agreeing to the extension. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

**Request for Bond Release:**

**Subdivision No. 151-82-G**  
Somerset Farms, Section Two  
Somerset Farms, Joint Venture, principal

Located abutting the east terminus of Somerset Farms Circle, approximately 77 feet east of Somerset Farms Road.

**Resolution No. 95-1019**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 151-82-G, Bond No. 93BD-077, Somerset Farms, Section Two, in the amount of \$10,000.00, as requested."



**Subdivision No. 94-83-G**  
Williamsport, Section One  
Barry Construction Company, principal

Located abutting the east margin of Sawyer Brown Road, approximately 207 feet south of Cedar Crest Drive.

**Resolution No. 95-1020**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 94-83-G, Bond No. 93BD-070, Williamsport, Section One, in the amount of \$77,500.00, as requested."

**Subdivision No. 180-83-G**  
Waterford, Phase Five-A  
Waterford Associates, principal

Located abutting both margins of Waterford Drive, approximately 200 feet northeast of Riverway Drive.

**Resolution No. 95-1021**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 180-83-G, Bond No. 94BD-031, Waterford, Phase Five-A, in the amount of \$12,900.00, as requested."

**Subdivision No. 180-83-G**  
Waterford, Phase Five-B  
Waterford Associates, principal

Located abutting both margins of Waterford Drive, approximately 200 feet northeast of Riverway Drive.

**Resolution No. 95-1022**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 180-83-G, Bond No. 94BD-032, Waterford, Phase Five-B, in the amount of \$46,000.00, as requested."

**Subdivision No. 199-83-U**  
Maple Park Subdivision, Phase Four, Lot One  
Fox Ridge Homes, Inc., principal

Located abutting the south margin of Maplewood Lane at Ellington Parkway.

**Resolution No. 95-1023**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 199-83-U, Bond No. 92BD-025, Maple Park Subdivision, Phase Four, Lot One, in the amount of \$14,500.00, as requested."

**Subdivision No. 199-83-U**  
Poplar Glen, Section Five  
Fox Ridge Homes, Inc., principal

Located abutting the south side of Maplewood Lane and both sides of Maple Place.

**Resolution No. 95-1024**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 199-83-U, Bond No. 90BD-019, Poplar Glen, Section Five, in the amount of \$8,500.00, as requested."

**Subdivision No. 64-84-U**  
The Lexington, Phase One  
South Atlantic Limited Partnership, principal

Located at the east margin of Old Hickory Boulevard, opposite Ridgelake Parkway.

**Resolution No. 95-1025**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 64-84-U, Bond No. 94BD-109 The Lexington, Phase One, in the amount of \$129,000.00, as requested."

**Subdivision No. 123-84-G**  
Conway Court  
Roy Conway Flowers, principal

Located abutting the east margin of South Fork Boulevard, 0 feet west of Old Hickory Boulevard.

**Resolution No. 95-1026**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 123-84-G, Bond No. 93BD-093, Conway Court, in the amount of \$18,000.00, as requested."

**Subdivision No. 87-476-U**  
Woodland Forest, Section One  
Eagle Crest, principal

Located abutting the south side of Charlotte Pike, approximately 300 feet east of Forest Valley Drive.

**Resolution No. 95-1027**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 87-476-U, Bond No. 87BD-022, Woodland Forest, Section One, in the amount of \$30,000.00, as requested."

**Subdivision No. 89P-016G**  
Magnolia Place  
Magnolia Place Property Partnership, principal

Located abutting the south margin of Old Harding Pike, approximately 225 feet southwest of Colice Jeanne Road.

**Resolution No. 95-1028**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 89P-016G, Bond No. 94BD-034, Magnolia Place, in the amount of \$35,000.00, as requested."

**Subdivision No. 89P-017G**  
Bradford Hills, Section Fifteen  
Hurley-Y, L.P., principal

Located abutting both margins of Call Hill Road, approximately 200 feet south of Roundhill Drive.

**Resolution No. 95-1029**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 89P-017G, Bond No. 94BD-024, Bradford Hills, Section Fifteen, in the amount of \$10,000.00, as requested."

**Subdivision No. 90S-046U**  
Pebble Trail, Section Three  
Raymond Ferreira, principal

Located abutting the termini of Rader Ridge Road and Countryside Drive.

**Resolution No. 95-1030**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 90S-046U, Bond No. 90BD-018, Pebble Trail, Section Three, in the amount of \$14,300.00, as requested."

**Subdivision No. 93S-217U**  
Oakwood Subdivision, Phase Six, Section Three  
Centex Real Estate Corporation, principal

Located abutting both margins of Mountain Laurel Drive, approximately 470 feet northeast of Pebble Creek Drive.

**Resolution No. 95-1031**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 93S-217U, Bond No. 93BD-065, Oakwood Subdivision, Phase Six, Section Three, in the amount of \$5,000.00, as requested."

**MANDATORY REFERRALS:**

**Proposal No. 95M-114U**  
Council Bill No. 095-114  
Second Avenue South Fence Encroachment  
Map 93-6-4  
Subarea 9  
District 19

A council bill authorizing C. & F. Partners to install a six foot tall wrought iron fence in the right-of-way of Sparkman Street between Second Avenue South and Third Avenue South.

**Resolution No. 95-1032**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-114U.

**Proposal No. 95M-116U**  
Aerial Encroachments at 318 Broadway  
Map 93-6-4, Parcel 4  
Subarea 9  
District 19

A mandatory referral from the Department of Public Works proposing the installation of three awnings and three light fixtures over the sidewalk in front of 318 Broadway for Henry's Great Coffee, Inc., requested by Henry E. Juskiewicz, proprietor.

**Resolution No. 95-1033**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-116U.

**Proposal No. 95M-117U**  
Old Hickory Boulevard Closure  
Map 162  
Subarea 12  
District 31

A proposal to close a segment of Old Hickory Boulevard between the south margin of Old Hickory Boulevard to the east property line of Parcel No. 186 on Map 162, requested by Anderson-Delk and Associates, for adjacent property owners. (Easements are to be retained).

**Resolution No. 95-1034**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-117U.

**Proposal No. 95M-118U**  
Sixth Avenue North and Jackson Street Closures  
Map 82-13  
Subarea 9  
District 20

A request to close Sixth Avenue North between Jackson Street and Jefferson Street and to close Jackson Street between Sixth Avenue North and Alley No. 205, requested by David Moss, for Tennessee Department of Finance and Administration, adjacent property owner.

**Resolution No. 95-1035**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-118U.

**Proposal No. 95M-119G**  
Board of Health Lease Renewal

Map 53, Parcel 13  
Subarea 14  
District 11

A resolution to renew a lease of the property at 1415 Robinson Road in Old Hickory for use as a medical center, and to amend the terms of the lease (**Resolution No. R95-80**).

**Resolution No. 95-1036**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-119G.

**Proposal No. 95M-120U**  
Council Bill No. O95-100  
Conveyance of Shelby Place Pocket Park from MDHA  
to the Metropolitan Board of Parks and Recreation  
Map 83-13, Parcel 358  
Subarea 5  
District 6

An ordinance conveying Shelby Place Pocket Park, on the southeast corner of Shelby Avenue and South 14th Street, from MDHA to the Metropolitan Board of Parks and Recreation.

**Resolution No. 95-1037**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-120U.

**Proposal No. 95M-121U**  
Council Bill No. O95-101  
Lease of Property to BellSouth Telecommunications  
Map 131-09, Parcel 11  
Subarea 10  
District 33

An ordinance approving the lease of a portion of a parcel of land located on the north side of Harding Place, just east of Hillsboro Pike, to BellSouth Telecommunications, Inc.

**Resolution No. 95-1038**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-121U.

**Proposal No. 95M-122U**  
Council Bill No. O95-104  
Extension of Lease Agreement  
with Martha O'Bryan Center  
Map 93-4, Part of Parcel 73  
Subarea 5  
District 6

An ordinance approving the extension of the lease agreement with the Martha O'Bryan Center for the Metropolitan Social Services Commission, for the property located at 711 South 11th Street, for the CMO (Community Maintenance Organization) program.

**Resolution No. 95-1039**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-122U.

**Proposal No. 95M-123U**  
Council Bill No. O95-107  
Amendment to Lease with U.S. Government  
for Property located in Shelby Park  
Map 94-2, Part of Parcel 229  
Subarea 5  
District 6

An ordinance approving an amendment to the lease of 2.86 acres in Shelby Park to the United States of America, for use by the U. S. Naval Reserve.

**Resolution No. 95-1040**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-123U.

**Proposal No. 95M-124U**  
Council Bill No. O95-115  
Adoption of Official Street Map

A mandatory referral from the Department of Public Works proposing the adoption of the Official Street and Maintenance Map.

**Resolution No. 95-1041**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-124U.

**Proposal No. 95M-126U**  
Edgehill Water System Improvements  
Subarea 10  
Districts 17, 18 and 19

A request from the Department of Water Services to approve the construction of various improvements to the water transmission system in the Edgehill and Vanderbilt areas. (**Project Nos. 95-WG-74B, 95-WG-74C, 95-WG-74D and 95-WG-74E**).

**Resolution No. 95-1042**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-126U.

**Proposal No. 95M-127U**  
Briley Parkway Water and Sewer Improvements  
Subarea 14  
District 15

A request from the Department of Water Services to approve the replacement of portions of the water and sewer transmission systems in the area near Opryland, related to improvements to Briley Parkway. (**Project Nos. 95-WG-100 and 95-SG-116**).

### **Resolution No. 95-1043**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-127U.

#### **PUBLIC HEARING:**

Subarea 14 Plan: 1995 Update

Mr. Eadler began by expressing the Planning Commission and staff's appreciation to Councilmembers Roy Dale, Bruce Stanley, Phil Ponder and Mike Wooden, and to the hundreds of citizens who had participated in the planning effort to update the plan for Subarea 14. He then said that staff's presentation would include a slide presentation of the updated plan and a summary of written comments received by the Planning Commission expressing views on the plan update.

Mr. Eadler gave a brief overview of subarea planning, noting that it began about six years ago, that the plan for Subarea 14 was the first one completed in 1990, that plans have been adopted for all 14 subareas, and that the plan for Subarea 14 is the first one to be updated.

Mr. Eadler said that the slide presentation would consist of three main parts: (1) a review of the major factors taken into account in the preparation of a subarea plan that affect the make-up of the plan; (2) a discussion of the substantive changes in land use policy recommended in the final draft; and (3) a summary of the issues and alternatives for each of the five areas for which policy was not resolved through the community meetings in which the plan was reviewed. He then began the slide presentation, showing a slide of Subarea 14, at which time he described the boundaries of the subarea.

Mr. Eadler, showed and summarized a series of slides that illustrated the major factors taken into account in the review and revision of the plan. The slides of the factors and comments about each were as follows:

- Traffic Analysis Zones or Sectors -- areas for which forecasts of growth are made by the Planning Commission and are used to determine future land area and public service needs;
- Existing Land Use -- the general types of uses were summarized; he explained this slide showed what areas are currently developed versus vacant and/or under used and, for developed areas that are intended to remain, indicates the character of development which is important for determining the appropriate land use policy reflecting that development;
- Planned Arterial and Collector Street System -- the importance of providing good access was noted;
- Existing bus transit service -- he explained the importance for determining land use policies involving high traffic and/or transit-dependent attractions;
- Future Rail transit service -- it was noted that the "light-rail" concept in the 1990 plan is no longer considered feasible and in the updated plan, a "commuter-rail" transit concept is reflected that is envisioned in the existing east-west rail corridor;
- slides were shown and explained of environmental features that pose constraints to development where they exist including: a) sinkholes and wetlands, b) problem soil areas, c) steep slope areas; and d) 100-year floodplain areas;
- historic features -- it was noted that the subarea contains about 40 historic sites and areas and that the intent is to preserve and protect them; and,
- External Forces -- the example shown was the noise contours of the aircraft over flight operations in Subarea 14 which is impacted by the airport which is actually outside of the subarea. It was noted that during the planning period, these contours were forecasted to diminish in size.

Next a slide of the final draft updated plan was shown and explained; then a slide was shown of the Land Use Policy Plan (LUPP) map recommended in the final draft plan. Mr. Eadler summarized the LUPP

noting that the areas in yellow were applications of various residential policies; the red areas were applications of office, commercial and industrial policies; and the green areas were applications of policies for open space such as parks and areas recommended for natural conservation. He also pointed out the five locations where policy had not been resolved.

At this point, Mr. Eadler stated that based on some new information staff had, the Planning Commission might want to consider applying a Commercial Mixed Concentration (CMC) policy to an area recommended for Major Public Open Space (MPOS) policy between Elm Hill Pike and I-40 in Donelson and to the small adjoining triangular area to the east that is proposed for Office Concentration (OC) policy. He said that the area in question proposed for MPOS is part of the extended runway approach zone; however, that it was primarily in private ownership, the Airport Authority indicated that they probably would not pursue acquisition of this area, and that much of it is already in a Commercial PUD zone. He noted that it would be logical to include the MPOS area in the adjoining CMC policy to the west, and to include the triangular area if the Commission deemed it appropriate. While this slide was showing, he also pointed out the location of a proposal for commercial policy that was considered but not recommended next to Mill Creek on the south side of Lebanon Road.

A slide was shown of the format in the 1990 plan for expressing land use policy: a very general concept land use plan and a set of detailed land use plan maps that refined and interpreted the concept plan. Mr. Eadler explained that one of the major changes in the updated plan was the format. He said that in the new plan, there is only one map graphically expressing the application of land use policies, and that for each area of land use policy, there is a corresponding section in the text where the intent within each application of policy is articulated.

The next slide shown depicted all of the areas where a substantive change in land use policy was being recommended in the updated plan. Mr. Eadler explained the slide and showed a series of slides that illustrated each of these changes in greater detail. The first slide showed four areas in Hadley's Bend where the policies are proposed to change as follows:

- a change from *Industrial* to *Natural Conservation* and *Residential Low Medium* for an area on the west side of Swinging Bridge Road;
- a change from *Residential/Neighborhood Commercial* to *Commercial Arterial Existing* with an intent to conserve the existing residential portion for an area along Bridgeway Avenue and Rayon Drive south of Bridgeway;
- a change from *Residential/Neighborhood Commercial* to *Mixed Use* for the area within the Village of Old Hickory that includes the commercial center and the community center; and,
- a change from *Residential* and *Office Arterial* to *Retail Concentration Community* for an area in the vicinity of Robinson Road and Industrial Drive.

Mr. Eadler showed and explained two slides of design plans, one for the Bridgeway Avenue/Rayon Drive area and the other for the Village of Old Hickory Mixed Use area, that are designed to provide further guidance about the types and arrangement of land uses and protective buffering and landscaping suggested for these areas.

The next slide illustrated the Brandywine area where a policy change from *Residential Low-Medium* to *Residential Low* density is recommended. That was followed by a slide of the Hermitage area that showed four proposed changes of land use policy as follows:

- a change from *Residential Low-Medium* to *Commercial Arterial Existing* for an area along Lebanon Pike south of the Hermitage;
- a change from *Residential Medium-High* to *Residential Low-Medium* for an area along the Chandler Road corridor where there is uncertainty about the level of rail transit service, and low-medium density development is emerging now;



- a change from *Neighborhood Commercial* and *Office Transitional* to *Residential Medium-High* density for an area on the west side of Dodson Chapel Road between Central Pike and Old Hickory Blvd. by combining it with the adjoining area of RMH policy; and,
- a change from *Office Concentration* to *Residential Medium* and *Natural Conservation* for an area along I-40 between Stone's River and Dodson Chapel Road because the previously proposed light-rail transit would no longer serve this area, the planned new arterial street that would serve this area connecting to McCrory Creek Road is now questioned and likely to be deleted from the Major Street Plan, and the noise impact of the airport on this site is expected to diminish during the planning period.

The next slide showed three areas in Donelson proposed for policy changes as follows:

- along the north side of Elm Hill Pike west of Briley Parkway, a change from *Office Transitional* to *Residential Low-Medium*;
- the Stone's River Bend area (at one time referred to as the Gateway area) proposed for a change from *Office Concentration* to *Natural Conservation* and *Residential Low-Medium* density, with a text provision that densities be at the low end of the 2-4 unit per acre range until access is improved to this area. Mr. Eadler noted that planned arterial access from Hendersonville to the airport area through this area is now in question and this is also an area where airport noise impacts are expected to diminish during the planning period; and,
- a portion of the Clover Bottom site proposed for a change from *Institution* (which does not have a comparable category in the new format) to *Residential Medium* and *Natural Conservation*.

The last slide of proposed policy changes showed two areas in the North J. Percy Priest Lake area as follows:

- a change from *Retail Concentration Community* and *Retail Neighborhood* to *Residential Low-Medium* for the vicinity of Earhart Road and Hessey Road because the planned improvement and extension of Hessey Road to Bell Road as an arterial street had been deleted from the Major Street Plan and the location no longer meets the locational criteria for commercial; and
- a change from *Office Concentration* to *Major Transportation* for the area adjacent to the airport between I-40 and Pulley Road; Mr. Eadler explained that this reflects the land use concept endorsed in 1992 by the Planning Commission in conjunction with the updated airport master plan considered at that time, and that the airport has been expanded into this area.

The next slide shown and explained by Mr. Eadler illustrated all of the areas in the final draft plan recommended for *Residential Low-Medium* density policy, and within those areas, eight specific locations where, based on language in the text of the plan, residential development at *medium* densities is appropriate and could be considered on its merits. Mr. Eadler explained that this is a different approach to expressing a policy for medium density residential for small, isolated areas than had been used in prior subarea plan, in which he noted, all locations for medium density - large and small - are illustrated on the Land Use Policy Plan map. He said that this approach is new and that the Planning Commission needed to decide whether it was comfortable with expressing support for medium density development this way for these locations, or whether they would prefer the prior method of mapping them on the LUPP.

The next slide showed the five areas where policy remained unresolved. Mr. Eadler said that he would show and discuss a series of slides for each of the areas that would show the area in question, illustrate existing land use in each area, outline the proposed land use policy alternatives for each area, and describe the rationale and support that had been expressed publicly for each alternative.

The first area of unresolved policy shown and discussed involved a residential area between the Cumberland River and Pennington Bend Road from north of McGavock Pike to south of Briley Parkway in the Music Valley area of Pennington Bend. Mr. Eadler began by noting that both alternatives incorrectly described the areas as "from about 1,000 feet north of McGavock Pike to a similar distance south of Briley Parkway." He said that the correct description should be: "from about 400 feet north of McGavock Pike

to about 900 feet south of Briley Parkway.” He said the two policy alternatives are (1) *Residential Medium (RM)* or (2) a specialized *Commercial Mixed Concentration* policy that supported entertainment oriented commercial uses, recommended protection of the residential area along the river, and provided criteria according to which the residential area could transition to commercial without having to amend the subarea plan. He noted that the *RM* alternative would require an amendment of the plan for commercial to occur. He noted that current policy is commercial for entertainment uses. He also said that under either alternative, the updated subarea 14 plan would include a design plan addressing the areas in question. He noted that many people expressed a view about this area and that the overwhelming sentiment was for the *RM* policy alternative; and that representatives of Gaylord Entertainment had implied that it did not object to the proposed specialized *CMC* alternative that emphasized protection of the residential area.

The next area discussed was the northern portion of Pennington Bend on the east side of Briley Parkway. Mr. Eadler noted that existing land use was a combination of emerging low-medium density residential areas, large-lot residential along Pennington Bend Road, farms, vacant land, and a few institutional uses such as churches. He stated the two policy alternatives were: (1) *Residential Low-Medium + Natural Conservation* and (2) a specialized application of *Commercial Mixed Concentration* and *Natural Conservation* for the purpose of accommodating multimedia related development in the area. He showed a list of activities typical of the multimedia industry that could be expected in the areas based on the second alternative, such as sound stages, pre- and post-production processing facilities, artist studios, storage areas, and support activities such as lodging and restaurants.

He then described staff’s analysis of alternative locations in Nashville for this type of development, showing a list of criteria used to identify potential alternative sites, and then a slide of seven sites identified. They included: southern Bells Bend, industrial policy areas in the vicinity of Hydes Ferry Pike/Briley Parkway, along Brick Church Pike between Trinity Lane and I-24, along the north side of Briley Parkway east and west of Knight Road, northern Hadley’s Bend, and near Starwood in the vicinity of I-24/ Old Hickory Blvd; and the Pennington Bend site.

He said the primary rationale for the first alternative was that it continues current policy and would avoid the disruption to residents’ investments, that there was not a compelling need to pursue multimedia in this area because of the other available locations, and because major infrastructure improvements would be needed to support Alternative 2, which if they involved public participation, would adversely impact provision of needed services elsewhere. Rationale for Alternative 2 included proximity to an established tourist/entertainment concentration and the potential advantage of multimedia uses locating near that, and the proximity of some of the support services for multimedia (i.e. lodging and food services).

Mr. Eadler noted that many people expressed a view about this area publicly and that the overwhelming sentiment was for the first alternative. He noted that Mr. Mathews, the proponent of the multimedia use in this area, and a couple landowners/residents in the affected area indicated support for Alternative 2.

The third area of unresolved policy discussed involved the north side frontage of Lebanon Pike from about Stewart’s Ferry Pike to the Stone’s River floodplain. Mr. Eadler stated that the two policy alternatives for this area were: (1) *Residential Low-Medium* and (2) *Residential Medium* density. He noted that none of the existing development in the area was low-medium in character. It includes low density homes, condominiums, institutional uses, and some vacant parcels. He noted that many of the properties in the area in question contained historic features and that conservation zoning was being explored for those historic properties.

He explained that the proposed policies on the opposite side of Lebanon Pike were commercial and residential medium density. He stated that the main rationale for Alternative 1 is that it would be most compatible with adjoining residential to the north (the Stanford Estates subdivision), that little growth was forecasted and there was not a compelling need for more opportunity for higher density development, and that it would be least impactful on the historic sites. He said the main rationale for Alternative 2 was that the area was not an integral part of the adjoining subdivision, that it faced commercial and medium density policies, that it contained some medium density complexes, that historic features could still be adequately

protected, and that it met the locational criteria for medium density development. He noted that many people expressed a view about this area and that the overwhelming sentiment was for Alternative 1. He said that a few people expressed support for Alternative 2, including a property owner desiring to build a medium density residential complex.

The fourth area of unresolved policy discussed was the east and west sides of Stewart's Ferry Pike from the railroad to McCrory Creek Road. Mr. Eadler said that this area now contains the Clover Bottom Development Center and new Middle Tennessee Mental Health Institute on the east side, and mostly apartments and some small vacant parcels on the west side. He said the two policy alternatives were: (1) *Residential Medium-High* and (2) *Office Concentration*. He noted that the main rationale for Alternative 1 was that the state-owned facilities could be adaptively reused residentially if abandoned by the state, that the west side was residential medium high density in character, that there is little opportunity for office development and that scattered small office buildings would be the most likely result rather than an office concentration under Alternative 2, and that there was no compelling need for more office policy because of the nearby OC policy that alone would accommodate enough new office space to double the amount of existing office space in the airport office submarket.

He said the rationale for Alternative 2 is that the area meets the locational criteria for offices if this area is deemed to be part of the airport office submarket referred to in *Concept 2010*, and that there are electrical power lines encumbering one of the sites where offices are proposed, making it unattractive for residential development. Mr. Eadler noted that a couple people had expressed support publicly for Alternative 1 in the community meetings, and that the proponents of the office policy publicly expressed those views at the same meetings.

The last of the five areas of unresolved policy discussed by Mr. Eadler was an area east of the Airport between Couchville Pike and Pulley Road. Mr. Eadler noted that existing land use in the area included some lower density residential uses, some vacant land, and a few industrial uses. He noted that this is an area impacted by noise from operation of the cross-winds runway of the airport. He said the two policy alternatives were: (1) *Office Concentration* and (2) *Industrial and Distribution*.

He said the primary reasons for Alternative 1 are that they would be more compatible with remaining residential uses during the time the area transitioned to nonresidential use, and that the offices would not be occupied in the evening hours, when the cross-wind runway is most heavily used. Rationale for Alternative 2 include that the area contains some industrial uses, it would continue current policy already determined to be appropriate, that this area would be comparatively less attractive than the adjoining area of office policy to the east and would most likely not develop until that area develops, and that the likelihood of office developing in this area is low because of the large amount of potential in the adjoining area to the east. Mr. Eadler noted that the few persons who expressed a view in the community meetings about this area supported Alternative 1; that no one expressed a view for Alternative 2.

Following the slide presentation on the final draft plan, Mr. Eadler then summarized for the record the written communications that the Planning Commission had received. The communications were as follows:

- Regarding the area of unresolved policy along the Cumberland River in the Music Valley Area of Pennington Bend: 1 letter was received in support of *Residential Medium density* policy.
- Regarding the unresolved area in northern Pennington Bend east of Briley Parkway: 4 letters supported Alternative 1; 2 letters supported Alternative 2; and a summary of a petition conducted by Pennington United Methodist Church of 173 persons polled indicated 146 residents in the affected area supported Alternative 1; 11 favored Alternative 2; and 16 had no opinion. Among 74 persons polled in the adjoining Western Hills subdivision, 70 favored Alternative 1; none favored Alternative 2, and 4 expressed no preference.
- Regarding the area of unresolved policy on the north side of Lebanon Pike, 1 letter expressed support for *commercial* policy for this area.

- Regarding the area of unresolved policy along Stewart's Ferry Pike, 2 letters expressed support for Alternative 2.
- One letter was received favoring a commercial policy supportive of commercial recreational uses on the west side of Mill Creek and the south side of Lebanon Pike.
- One letter was received that expressed support for attracting multimedia uses to Nashville/Davidson County and that Subarea 14 [not necessarily northern Pennington Bend] would be very suitable for multimedia uses.
- One letter was received requesting consideration of applying *Commercial Mixed Concentration* policy to the area proposed for *Office Concentration* policy between I-40 and McCrory Creek Road (referred to as Area 7D on the LUPP).

Councilmember Roy Dale stated he was please with the level two re-evaluation and citizen participation of the plan update. He expressed concerns in area one along Pennington Bend Road regarding the two alternatives before the Commission. One was residential low-medium density and the other, commercial mixed concentration. He stated it was very clear that the overwhelming support from the community was for the residential low-medium density and asked the Commission to support alternative one in area one. Area two, which is the multimedia area, is the main concern and the majority of the community was against the multimedia concept and that there is no need for commercial mixed concentration.

Councilmember Charles French was present to endorse the district thirteen portion of the plan.

Councilmember James Dillard stated he also felt the multi media industry was unwanted in the area across the river and presented the Commission with a petition from citizens in that area.

Councilmember Phil Ponder stated members in the district twelve portion of the subarea were mostly in agreement with the proposals but there was no one in favor of the extension of McCory Creek across the river.

Councilmember Bruce Stanley spoke about area four, which deals with McCory Creek and Stewarts Ferry Pike, and asked the Commission to adopt alternative one which would ask for office concentration. He expressed his concerns regarding area three, along Lebanon Road in the Donelson area. He stated this strip along Lebanon Road near the Police Academy and YMCA and from Stewarts Ferry Pike into Hermitage is very densely congested with traffic. That traffic primarily comes from Wilson County and has a large impact on the residents of that area. Highly congestive use of this highway does not support additional multi-family or commercial fronting it. He presented a letter to the Commission from Ann Reynolds of the Metro Historic Commission regarding properties along this portion of Lebanon Road that are designated as eligible for the National Register of Historic Places. He was also concerned about the proposal for sixteen condominium units to be placed on a two acre tract on Lebanon Road where a house built in 1920 had been torn down which should have been preserved. He stated the developer was only interested in the acreage. He presented the Commission with a petition from nearby residents stating they are in favor of maintaining this area in the low-medium density level of zoning as it exists at the present time. He asked the Commission to adopt the alternative one plan, which would continue residential low-medium policy on the north side of Lebanon Pike.

Mr. Peter Possetts, a resident of Lebanon Road stated he was in favor of rezoning for commercial mixed concentration and that area residents were unaware property in the area was eligible for the National Historic Register. He asked for a deferral on this particular area.

Mr. Charles McElroy, a resident on Pennington Bend Road spoke in support of the residential medium density in the area.

Ms. Tammy Sulser stated she lived in area three, on Lebanon Road next to the property designated for the condominiums, which she was against and that she was willing for her home to be placed on the Historical Register.

Mr. Gene Chambers, with the Dupont Company, asked the Commission to remove one paragraph from the draft plan. This paragraph concerned area 14a, which is zoned industrial and part of the Dupont property and referred to limits regarding storage, distribution, or non-nuisance type industrial activity and asked the Commission to remove that paragraph from the plan.

Mr. Bob Baker spoke in support of medium density for the area near the old Donelson Hospital.

Ms. Geraldine Porter, a resident across from the old Donelson Hospital stated she was not in favor of zoning changes but was interested in the historic value of the area.

Mr. Bob Matthews requested section 7d along Elm Hill Pike be changed from OC to CMC. He also spoke about 600 to 800 acres in the area of Pennington Bend, east of Briley Parkway and north of McGavock which are under alternate consideration and would be a good area for the multi-media industry. He presented plans to the Commission that explained his strategy.

Mr. Richard Lawler, president of the Pennington Bend Neighbors Association, stated everyone in his neighborhood was in favor of returning this area to a residentially zoned neighborhood.

Ms. Pam Silas, a resident on Lebanon Road, stated she felt mixed density or commercial use would be a better zoning status for her area.

Mr. William Cooper, part owner of the property at 3000 Lebanon Pike, stated he had purchased the property for the proposed condominiums earlier mentioned and asked the Commission to approve RM density for the north side of Lebanon Road as proposed for the south side.

Mr. Robert Powell stated he lived in Madison just north of the Cumberland River and felt there was no need for the multi-media industry to be located in Pennington Bend because there was plenty of room for it in other locations of Davidson County.

Mr. Eric Weston, representing Gaylord Entertainment, stated Gaylord and Opryland had no objection to the area one residential zoning land use plan that exists currently or that is being asked for as an alternate one plan. He addressed area two and suggested that alternate plan two should not be addressed as one issue. The east side of Pennington Bend would encompass the area that had been designated for multi-media and the other side of Pennington Bend is the currently approved Bass Pro site. He presented a proposal to the Commission and pointed out the areas on a chart.

Mr. Bill Strausser, a resident on Pennington Bend, stated he was in support of Mr. Bobby Matthews' amended plan.

Mr. Mike Sturam, a resident of the Tulip Grove area, stated he had attended the area meeting and did not feel anyone in this area would be against striking the paragraph Mr. Chambers, the Dupont representative, had spoken about earlier.

Mr. Bill Dispayne, for the Pennington Bend area, stated there were too many new proposals being presented after the fact and that he was against the area two development regarding multi-media.

Mr. Mark Evans, business administrator of Two Rivers Baptist Church, stated many of the church members had expressed concerns regarding the commercialization of the area.

Ms. Ruth Wayman, a Madison resident, stated she was opposed to any development of the Pennington Bend area.

Commissioner Janet Jernigan left at this point in the Subarea 14 Public Hearing at 3:15 p.m.

Mr. Jim Robinson, a resident on McGavock Pike and pastor of Pennington United Methodist Church, stated area two was not the place for multi-media development and asked the Commission to support that type development in other areas and support residential in area two.

Mr. Dick Bradley stated he was in opposition to the commercial development and that it would be difficult for the Commission to act on this project with all the new developments during today's meeting. He stated there were plans to widen Briley Parkway but no plans to widen the Cumberland River bridge and that traffic was already bad in the area.

Mr. Don Durham, a resident on Pennington Bend, stated he was against and very concerned regarding the commercial development plans for the area.

Mr. Dan Haskell stated he wished to place into record a written statement requesting the changes Mr. Weston had presented to permit commercial use of the land between Pennington Bend and Briley Parkway.

Ms. Oletha Rudy, a resident of Pennington Bend Road, stated she was in opposition to any changes in the area.

Mr. Ed Strausser, a resident of Pennington Bend Road, asked the Commission to draw a natural boundary, which could be the Cumberland River, with the golf course on one side and not to just stop at an arbitrary line where the commercial development has been stopped at the present time. There must be space for future development or industries will go outside the county with their tax revenues where land is available.

Mr. John Stern, a Hermitage resident, stated in area one, the Pennington Bend residential corridor, there was overwhelming support for RLM policy. In area two, there were two options RLM or Commercial mixed concentration and the community wants the area residentially zoned. This area was promised no commercial projects would cross Briley Parkway. Area four, the Stewarts Ferry Pike area, presently has some institutional zoning and that RLM should remain. Area five, near the airport, would affect the property in the subarea next to it and this should be considered. There needs to be office concentration developed for this area and the Antioch area.

Councilmember Roy Dale stated the Commission had been given a lot of information and asked them to consider everything they have heard in the public hearing and to also consider the staff's recommendations and that they should not consider the last minute proposals that were presented.

Councilmember Bruce Stanley stated he felt it imperative to take in to consideration the staff recommendations regarding area three. Alternative one was supported by a majority of the residents and asked the Commission to consider adoption of alternative one with regards to area three.

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

Commissioner James Lawson left at this point in the Subarea 14 Public Hearing at 4:10 p.m.

After a brief recess, Chairman Smith stated there was one gentlemen that was present to speak regarding the Lebanon Road and Mill Creek area who thought the previous hearing was only for the Pennington Bend area. He asked the Commission if they would consider reopening the hearing for him.

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

Mr. Mike Hobbs, owner of the Mill Creek Gold Range, stated he had attended a subarea meeting in October regarding a rezoning of a portion of parcel 40 for commercial recreation use. At that meeting, in discussion of this proposal, Mr. Robert Eadler, stated his position and informed Mr. Hobbs that this request did not appear to meet the Concept 2010 guidelines, which presently calls for residential land use. Mr. Hobbs

stated he currently had approval on a thirteen acre parcel for a lighted golf driving range, recommended by the Commission and approved by the Board of Zoning Appeals through a conditional use permit. He stated it was his plan to lease approximately forty more acres on the adjoining parcel and seek the approval for a nine hole golf course in this location.

Approximately 95% of the fifty-three acres to be leased is located within the flood plain and in the area AR2a zoned district, which would seem appropriate use for this otherwise undeveloped property. Three acres of the site would contain family oriented activities such as batting cages, miniature golf, bumper boats, a snack bar and a game room. According to staff, this could be accomplished with a commercial planned unit development approved for recreational use only. This land is unsuitable for residential use and is further restrained by a TVA easement. He asked the Commission to give full consideration for an amendment to the 2010 Concept Plan to permit a small portion of the policy to be for commercial recreation.

Chairman Smith announced the public hearing was closed and suggested the Commission agree on how to defer any action at the present time to allow them time to study all the information that was brought before them.

Councilmember Clifton stated that some of these matters will be a consensus item and it would give some people peace of mind if some portions of the plan were approved today.

Mr. Manier moved and Mr. Harbison seconded the motion to defer action of the Subarea 14 Update.

Mr. Harbison asked exactly what multi-media activity was referring to. Was it high impact or is it a park like campus in a beautiful green space.

Mr. Eadler stated he did not have a clear idea of what kinds of buildings or what kind of impact this would entail.

Mr. Harbison asked if the Commission could put words into the document that if the door were left open for something of this sort it would restrict the concept to lower impact development.

Mr. Eadler stated the important issue would be that if the Commission wanted to place some sort of parameters or restrictions on what would be permitted is how that would be implemented.

Mr. Harbison stated the Commission would not want to act and slam the door to something because they did not have a tool today when they might have a tool tomorrow.

Mr. Manier stated there were many items that need to be examined particularly to the east of Briley Parkway and was curious as to how much unused land was in that area.

Ms. Nielson stated she agreed with Mr. Manier but she would like to approve the area one portion of the plan.

Mr. Bodenhamer stated he also agreed with Mr. Manier but this was a planning matter for the future and that he did not feel there was a need in area two for the multi-media.

Councilmember Clifton supported Ms. Nielson's suggestion to act on area one today.

Chairman Smith suggested that if the Commission were to approve area one, they should also approve the base plan and state the items excluded.

Mr. Browning stated staff was prepared to handle the plan in increments if that is the way the Commission wanted to handle the plan. He listed the individual items that had been brought up:

1. The strip along the river between Pennington Bend Road and the river, area one, which the Commission seemed to have some comfort level with to go forward with a decision.
2. The issue of the subarea plan being developed without mapping all of the medium density alternatives but putting in the text what criteria would be met to entertain and receive higher density zoning.
3. The area north and east of Pennington Bend Road concerning the multi media concept.
4. Gaylord's interest in some of the same area which they would like to be addressed as a separate issue.
5. The residential density along Lebanon Road opposite the old Donelson Hospital site.
6. Whether the Stewarts Ferry Pike corridor should be office or residential policy.
7. Industrial or office zoning appropriate for the Couchville Pike area east of the airport.
8. The small area between Elm Hill Pike and I-40 which is currently office concentration and has had a suggestion to change to commercial mixed concentration.
9. The commercial development along Lebanon Road concerning the golf course.
10. The Dupont area.

Mr. Manier stated this plan should involve the community and they have not had the chance to react regarding the new proposals.

Chairman Smith stated the Commission should state its position on area one and defer its position on the remaining portion of the subarea plan.

Mr. Manier and Mr. Harbison agreed to make this suggestion part of their motion.

Mr. Manier moved and Mr. Harbison seconded the motion, which carried unanimously, to accept residential policy for area one and to defer all other matters for further study.

**ZONE CHANGE PROPOSALS:**

**Zone Change Proposal No. 95Z-106G**  
 Council Bill No. O95-71  
 Map 26-11, Parcels 1 and 2  
 Map 26-15, Parcel 23  
 Map 26-16, Part of Parcel 1  
 Subarea 4  
 District 10

A request to change from R20 District to CS District certain property abutting the south margin of Gallatin Pike, approximately 1,300 feet east of Northside Drive and the west margin of Cumberland Hills Drive (approximately 18.5 acres), requested by Richard E. Buckley, for Winfred R. Vance, D. D. Alley, Marvin R. Thompson and Hanson Properties East, Inc., owners. **(Deferred from meetings of 11/02/95 and 11/16/95).**

Mr. Reid stated currently there is commercial policy along the Gallatin Pike corridor with adjacent residential policy behind the commercial. There is no question that commercial zoning will implement the commercial policy in this area. The issue is how far back should the commercial zoning go.

The subarea plan has placed a large area on the north side of Gallatin Pike into commercial policy, recognizing the large amount of flat land backing up to a major access highway, Vietnam Veterans Boulevard. There are other opportunities for large footprint commercial uses. The north side of Gallatin Pike has a large portion of flat land with lot depths from 900 to 1100 feet deep.

On the south side of Gallatin Road there are two commercial PUDs with the maximum commercial depth of 620 feet. Approximately fifty percent of this site falls on a hillside with the steepest part being on the back portion of the site. The commercial PUDs in the area, having a depth of 620 had natural grades of ten percent or less for the entire site. There are two existing residential subdivisions flanking both sides of this



proposal and the residents of these subdivisions have expressed the desire to protect this residential area. This was evidenced by last years mass rezoning of properties in this area to RS40. The main issue is how deep should the commercial zoning be extended along Gallatin Pike. Staff prefers keeping the depth at 400 feet, but no more than 600 feet, because this would provide ample commercial opportunity as well as keep the commercial orientation to Gallatin Pike and also recognizes the residential areas. Staff is not agreeable to extending the commercial depth of this zoning all the way back to 1,000 feet and recommends disapproval.

Councilmember Tim Garrett stated the reason the request was for 1,000 feet was to get the development off of the road. There are no homes immediately behind this proposed development and only two homes in the area and those owners have given their consent and have no problems or concerns with the project. This area has been placed in the general land use policy for apartment but no one in the area is in favor of apartments. He asked the Commission to consider approval of this proposal.

Mr. Tom White, representing the applicant, stated he and his client had spent a large amount of time working with Councilmember Garrett working on this project. The two neighbors are in total support of the project and the distant neighbors are only concerned about apartments being built in this location.

Mr. Harbison stated he was pretty much in favor of the project as it had been presented and asked Mr. White if there were plans for buffering or green space.

Mr. White stated the tree ordinance would certainly affect this project and there would be landscaping done on the project.

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

**Resolution No. 95-1044**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 95Z-106G is **APPROVED to a maximum depth of 890 feet:**

**The Subarea 4 Plan designates this area as commercial policy along the Gallatin Pike frontage, with adjacent residential policy extending southward to the Cumberland River. The Commission determined that it is appropriate to extend the CS district to a maximum depth of 890 feet off the south side of Gallatin Pike."**

**Text Amendment:**

**Zone Change Proposal No. 95Z-007T  
Council Bill No. O95-108**

A council bill to amend the text of the Zoning Regulations by allowing the Planning Commission to vary the provisions of the "Tree Ordinance" (17.18.070{A}) in applications that involve subdivision review or site plan review, including planned unit developments, sponsored by Councilmembers Tim Garrett and Ronnie Steine.

Mr. Owens stated the purpose of this bill is to give the Planning Commission some discretionary room when reviewing and approving PUDs and subdivisions in applying the Tree Ordinance and achieving the intent of the Tree Ordinance but at the same time having some flexibility. The Tree Ordinance as was originally approved was very straight forward and structured. In all other zoning classifications except PUDs, the Board of Zoning Appeals, has the authority either through their variance provisions or through certain other specific provisions within the Tree Ordinance itself, to grant relief as long as there is a demonstrated hardship. The code is silent in terms of the Planning Commission's authority to do the same thing. Staff

recommends approval of this bill and are full in support of its intent and recommend to the Commission that they suggest to Council they incorporate into this bill the same guidelines that the Board of Zoning Appeals has in the Zoning Ordinance for what criteria would be looked at.

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

**Resolution No. 95-1045**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 95Z-007T is **APPROVED with suggested incorporation of variance criteria:**

**It is appropriate to grant the Planning Commission some discretionary authority in administering the tree standards when approving Planned Unit Developments and subdivision plats. The Zoning Ordinance states that one of the purposes of PUD zoning is to provide flexibility in the application of the zoning regulation (s) to maximize good design by qualified professionals. The Commission furthers suggested that the correct bill be expanded to define the standards to be used by the Commission when considering variances to the tree standards."**

**Zone Change Proposal No. 95Z-008T**

A request to amend the text of the Zoning Regulations by adding "self-service storage facility" as a permitted use in CS Districts(17.60.020{C}), requested by Councilmember Ron Nollner.

Mr. Owens stated the purpose of this bill would be to allow self storage mini warehouses in the CS District. Currently mini warehouses are permitted in CG, CF, IR, IG and Commercial PUD but not in CS. Historically the Commission first endorsed allowing mini warehouses in CS as early as 1986, that went to Council as a bill and was defeated. In the proposed draft of the zoning code, recommendations have been made for this proposal. Mini warehouses have normally low impact traffic and noise generation.

Chairman Smith stated that next to his lumber yard there was a large storage facility on a corner lot and there is a solid block wall as high as ten to twelve feet high and it was a real problem being on a corner lot.

Mr. Owens stated that the way this is currently proposed is just to add this use to the table for CS uses. The visual characteristics could probably be addressed by screening or landscaping provisions that go along with them. This is not yet a Council bill so that opportunity still exists and the Commission could make this part of their recommendation.

Ms. Nielson moved and Mr. Stephen Smith seconded the motion, which carried unanimously, to defer the above matter until the next meeting to allow staff to investigate some performance criteria that could be required for this land use in the CS district.

**Zone Change Proposal No. 95Z-009T**  
Council Bill No. O95-113

A council bill to amend the text of the Zoning Regulations by elimination of scrap operations and automobile junk yards as conditional uses in the CG District (17.60.030[B]), sponsored by Councilmember Mike Wooden.

Mr. Owens stated this amendment would remove scrap operations from the CG District. As staff pointed out in their report, when remove is referred to, it means it would not allow any future scrap operations to go into the CG District. Anything that is there today would be protected under state law. The draft zoning ordinance is going in this same direction. The consultants, when they put together the first rough draft, felt that these operations are more industrial in nature than they are commercial or retail. They are usually an open operation, and it has been recommended in the draft that these operations be pushed toward the

heavier industrial zones and pulled out of commercial districts. Staff is recommending approval of this amendment which would take these operations out of the CG District.

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

**Resolution No. 95-1046**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 95Z-009T is **APPROVED**:

**'Scrap operations' is better aligned with industrial than with commercial activities due to the open, intrusive nature of these operations.'**

**PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:**

**Proposal No. 57-78-G**  
John Davis Development  
Map 43-11, Parcels 142-144  
Subarea 4  
District 9

A request to revise the approved final site development plan for the Commercial (General) Planned Unit Development District abutting the north margin of State Route 45 and the west margin of Myatt Drive (.56 acres), to permit the addition of a 720 square foot storage trailer, requested by and for Ken Johnson, owner. **(Deferred from meetings of 11/16/95 and 11/30/95).**

Mr. Martin stated this is an area that is in a very large residential zone, an R8 zone, and is in a residential medium density conservation area. The approved plan is a rather unusual one in that the approved PUD was limited, in 1978, to the specific operation of a ceramic shop. With that approval a ceramic shop operated for a number of years but has now ceased operation. The Commission disapproved in October 1987 an attempt to convert this to a boat dealership and in July of 1988 to convert this to an automobile dealership.

Staff believes the limitations of the original PUD were clear and has consistently recommended against expansion of this PUD. Staff has received correspondence on two previous occasions from Councilmember Dillard who supports staff recommendation to disapprove. The Councilmember was present earlier and stated his continued position.

Mr. Ken Johnson presented a copy of the original ordinance that was passed by the Council and stated that nowhere in the document did it limit use of the property to a ceramic shop. He stated the Council approved this property for a general PUD, which, according to Mr. Johnson, does not prohibit a ceramic shop. Mr. Johnson alleged that in the area is Anderson Marine, Brown Wrecker Service, two bars and an automobile service center. He stated he had owned the property since 1982 and had attempted to make a living for his family from the site. He asked the stigma of the ceramic shop be removed.

Mr. Harbison stated that he understood this request initially came to the Commission to permit or legitimize the storage trailer and now Mr. Johnson is dropping that. So if that is not before the Commission than what exactly is Mr. Johnson asking us to do?

Mr. Johnson stated he was asking to change the zoning of the property from a ceramic shop to sales.

Mr. Harbison stated that it seemed to him that what Mr. Johnson had was some sort of a PUD and ask if this was a request to cancel the PUD or change the PUD.

Mr. Owens said it did not sound like he was asking to cancel the PUD but to reinterpret the range of permitted uses within the PUD.

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

**Resolution No. 95-1047**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 57-78-G is **DISAPPROVED**. The basis for disapproval as determined by the Planning Commission:

**It is not appropriate to expand the range of permitted activities within this PUD given that the adopted Subarea 4 Plan classifies this general area within residential policy.”**

**SUBDIVISIONS:**

**Preliminary Plats:**

**Subdivision No. 94S-226G (Public Hearing)**

Back Forty Subdivision  
Map 108, Parcel 57 and Part of Parcel 242  
Map 108-8, Parcels 40, 41, 42 and 43  
Subarea 14  
District 14

A request to reconstruct six lots into five lots abutting the south margin of Elm Hill Pike, between Trails End Lane and Cedar Ridge Road (4.9 acres), classified within the R10 District, requested by Gerald C. Demarco, Jr. et al, owners/developers, Crawford Land Surveyors, surveyor. (Also requesting final plat approval).

Mr. Henry stated this was a public hearing; however, the applicants have requested an indefinite deferral.

There was no one in the audience to speak at the public hearing.

Chairman Smith stated the Commission would honor the request for indefinite deferral.

**Subdivision No. 95S-368G (Public Hearing)**

James T. Hayes Subdivision  
Map 51, Parcels 160, 161 and 187  
Subarea 4  
District 8

A request to subdivide three lots into six lots abutting the southeast margin of Indian Trail, approximately 307 feet southwest of Beach Avenue (23.17 acres), classified within the R20 District, requested by James T. Hayes, Sr., owner/developer, Ragan-Smith-Associates, Inc., surveyor.

Mr. Henry stated this applicant had requested a deferral until the January 11th meeting.

There was no one in the audience to speak at the public hearing.

Chairman Smith stated this would be deferred until the January 11, 1995, meeting.

**Final Plats:**

**Subdivision No. 95S-341U**  
Perry Subdivision  
Map 49, Parcel 183  
Subarea 3  
District 1

A request to subdivide one lot into two lots abutting the northeast margin of Whites Creek Pike, approximately 2,070 feet northwest of Green Lane (1.48 acres), classified within the R10 District, requested by Elmer and Jane Perry, owners/developers, H and H Land Surveying, surveyor. (Deferred from meeting of 11/30/95).

Mr. Henry stated this item was deferred because of questions regarding some of the surrounding property and policies for this area. There is a house on the front of the property which extends back to a point where they want to create a new building lot and there is a private driveway which extends back to serve a house that exists in the back as well. The proposal would be for a house, a new house and the third house as you leave Whites Creek Pike. There is commercial policy to the north with residential medium high density policy and beyond that is still residential policy with a lower density. There is a change in the topography in this area. This property is not impacted by that topography and staff erred in informing the Commission of that two weeks ago.

At that time staff was recommending approval based on the changes in topography but that is not the case. There is a gradual slope extending from Whites Creek Pike. This matter has been to the Board of Zoning Appeals and was granted a variance in the minimum street frontage to create this property. In addition to that variance, the Commission is being asked to vary the lot width do depth ratio, the twenty-five percent rule as this creates a flag shaped lot. The subarea plan long range intent for this area is for a much higher density predicated on finishing Briley Parkway which is underway. The impact of approving this subdivision plan with the two variances noted may have a precedent setting impact than any other problem and staff is recommending disapproval.

Mr. Kenneth Bell stated this property belonged to his in-laws and all he and his wife want to do is to move a trailer in to help take care of them. He said his wife was the only child and eventually the part that is being subdivided would someday be hers and the house that is behind that belongs to her aunt and uncle.

Councilmember Clifton moved and Mr. Stephen Smith seconded the motion, which carried unanimously, to approve the following resolution:

**Resolution No. 95-1048**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 95S-341U, be **APPROVED with a variance to the minimum lot frontage and minimum lot width standards.”**

**Subdivision No. 95S-342A**  
West Meade Hills, Second Addition  
Reserve Parcel A  
Map 115-5, Parcel 67  
Subarea 7  
District 23

A request to remove the reserve status on a lot abutting the east margin of Rodney Drive, opposite Rhonda Lane (1.43 acres), classified within the RS40 District, requested by Davidson Road Corporation, owner/developer, Lose and Associates, Inc., surveyor. **(Deferred from meeting of 11/30/95).**

Mr. Henry stated the applicant still has not acquired access to a public sewer system and today staff has not seen demonstration of sewer access. They were requesting a deferral and staff was ready to recommend disapproval.

Mr. David Lose stated that on the parcel it shows that the lot is high enough that they can get into the sewers and that survey work has just been done.

Mr. Henry asked if that had been presented to the Water Services Department?

Mr. Lose stated it had.

Mr. Henry stated staff had not heard back from them.

Mr. Stephen Smith asked if the Commission could approve pending an acceptance of Water Services.

Mr. Stephen Smith moved and Mr. Bodenhamer seconded the motion, which carried unanimously, to approve the following resolution:

**Resolution No. 95-1049**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 95S-342A be **APPROVED subject to verification of sewer accessibility by Metro Water & Sewer Services.”**

**Consideration of Bond Collection:**

**Subdivision No. 93P-006U**  
Montgomery Place, Section One  
Radnor Homes, Inc., principal

Located abutting the south margin of Old Hickory Boulevard, approximately 745 feet west of Copperfield Way. **(Deferred from meeting of 11/30/95).**

Mr. Henry stated that at the printing of the agenda that the paving had not been completed but was finished today and staff is recommending instead of collection, an extension of the bond covering drainage, water and sewer facilities until June 1, 1996, in the amount of \$17,000 conditioned on a revised letter from the Frontier Insurance Company by January 17, 1996.

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

**Resolution No. 95-1050**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of a performance bond for Subdivision No. 93P-006U, Bond No. 93BD-080, Montgomery Place, Section One, until June 1, 1996, as requested, in the amount of \$17,000.00, said approval being contingent upon submittal of a letter by January 17, 1996 from the Frontier Insurance Company agreeing to the extension. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

**OTHER BUSINESS:**

1. Fee structure for Yard Violations.
2. Legislative Update.
3. Set Public Hearing for Public Safety Plan.

Mr. Browning stated staff had completed the draft of the Public Safety Plan and asked them to set a public hearing date of January 11, 1996.

Ms. Nielson moved and Mr. Harbison seconded the motion, which passed unanimously, to set the Public Safety Plan public hearing for January 11, 1996.

4. Discussion on Congested Intersection Study.

Items 1, 2 and 4 were deferred by the Commission until the January 11, 1996 meeting.

Mr. Henry announced there was a request for a re-hearing on Subdivision No. 95S-347G, referred to as the Madison Annex on Gallatin Road. This matter was disapproved by the Commission. They were seeking a variance on a CG property and now are submitting documentation that there is a topographic issue that may qualify them for the variance. This will be on the January 11th agenda.

**PLATS PROCESSED ADMINISTRATIVELY:**

- |          |  |
|----------|--|
| 95S-335U | M & M Development Company<br>Parcel platted to create legal building site  |
| 95S-361U | George Burris Subdivision<br>Subdivide one lot into two lots   |
| 95S-366U | 555 Church Street<br>Consolidates two parcels into one lot   |
| 157-81-U | Opryland Complex<br>Creates 6 acre tract on which WSM Radio Station exists adjacent to McGavock Pike                     |
| 18-84-U  | Burton Hills, Resubdivision, Tract 11, Lot 1<br>Increases amount of open space for Burton Hills PUD                      |
| 126-85-P | Thrible Springs Estates, Phase 1, Resubdivision, Lots 1 & 2<br>Combines two lots into one, creates additional open space |
| 94P-016U | Williamsburg at Brentwood (PUD Boundary Plat)<br>16.4 acre Residential PUD Boundary only                                 |

**ADJOURNMENT:**

There being no further business, upon motion made, seconded and passed, the meeting adjourned at 5:50 p.m.

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Chairman

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Secretary

Minute Approval:  
This 11th Day of January, 1996