

MINUTES
OF THE
METROPOLITAN PLANNING COMMISSION

Date: Thursday, January 11, 1996
Time: 1:00 p.m.
Place: Howard Auditorium

Roll Call

Present:

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

Absent:

Mayor Philip Bredesen
Arnett Bodenhamer
James Lawson

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
Bill Lewis, Planner I

Community Plans Division:

Jerry Fawcett, Planning Division Manager
Gary Dixner, Planner III
Robert Eadler, Planner II
Cynthia Lehmbeck, Planner II

Others Present:

Leslie Shechter, Department of Law
Jim Armstrong, Public Works

Chairman Smith called the meeting to order.

ADOPTION OF AGENDA

Mr. Owens announced item number 96S-15U, the Whitworth Commercial Subdivision preliminary and final plat, had been advertised as a public hearing but had been withdrawn.

Mr. Stephen Smith moved and Ms. Nielson seconded the motion, which unanimously passed, to adopt the agenda with the above mentioned change.

ANNOUNCEMENT OF DEFERRED ITEMS

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

95B-254U	Two week deferral, requested by the Board of Zoning Appeals.
96Z-001U	Two week deferral, requested by applicant.
93P-019G	Two week deferral on final plat, requested by applicant.
95M-131U	Two week deferral, requested by Council Staff.

Mr. Owens announced that 95M-137G, The Harpeth Valley Utility District Acquisition, had been requested for deferral by attorney Robert Parker, representing Harpeth Valley Utility District, but that staff preferred to present this case to the Commission in the regular course of the agenda.

Ms. Nielson moved and Mr. Harbison seconded the motion, which carried unanimously, to defer the items listed above.

APPROVAL OF MINUTES

Ms. Jernigan moved and Mr. Manier seconded the motion, which unanimously passed, to approve the minutes of the regular meeting of December 14, 1995.

RECOGNITION OF COUNCILMEMBERS

Councilmember Eric Crafton presented the Commission with letters from the Bellevue Chamber of Commerce regarding the Harpeth Valley Utility District take over and asked the Commission to defer this matter until a later date.

Councilmember Vic Lineweaver and Councilmember Tim Garrett asked the Commission to defer the Harpeth Valley Utility District mandatory referral until after February 5, 1996.

Councilmember Saletta Holloway requested items 206-83G and 40-87-P be deferred in order to give her time to discuss, with the owner and developer, issues regarding these subdivisions.

ADOPTION OF CONSENT AGENDA

Ms. Nielson moved and Mr. Manier seconded the motion, which was passed unanimously, to approve the following items on the consent agenda.

PUBLIC SAFETY PLAN PUBLIC HEARING:

Ms. Darling began by explaining the role of the functional plan as a section of the general plan. Then she thanked the members of the working committee and introduced them to the Planning Commissioners, (each represented a Metro department that provides emergency service).

After speaking of the direction given by *Concept 2010* in formulating a plan for public safety, she proceeded to discuss the goals of the functional plan and their implementation. Some of the goals discussed included consistent countywide fire suppression service standards, moving toward community policing, incorporating many government services into a few government centers around the county, and incorporating new technology into each emergency service provider's department.

After discussing the goals, Ms. Darling referred the Planning Commissioners to the memo they received with their packets. The memo had listed a number of recommended amendments recommended by Ms. Darling and the Police Department representatives.

Ms. Darling finished her presentation with a discussion of the costs of the plan. She determined that the plan would cost at least \$67 million to implement, but most of those costs were already in the *Capital Improvements Budget and Program* and were therefore not a surprise to anyone.

No one from the public commented on the plan.

Chairman Smith stated there was no section in this plan regarding streets, roads and the identification of every location so EMS and Police can find where a call is coming from and asked if the process of naming all the streets had been completed.

Ms. Darling stated that was not part of the plan, but the way the plan dealt with that was to install mobile data terminal into the units in the future so that they would have access to the GIS system. Then they could pull up a map to find the location.

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

Councilmember Clifton asked what the effect would be of accepting this report and adopting this plan ask asked how much of it was self implementing and how much would require further action and asked if existing fire stations would be closed based on approval of this plan.

Ms. Darling stated it does but the plan called for them to be closed one at a time as they are moved.

Councilmember Clifton asked if the fire station at Twenty-first and Ashwood was stated to be closed.

Ms. Darling stated that fire station almost had to be closed and relocated at some point in time because it was a small station and a normal size fire engine would not fit into the building.

Councilmember Clifton stated he thought page 26 indicated relocation to specific other places.

Mr. Browning answered that many stations in the USD have overlapping service areas, and for greater efficiency some companies would be relocated to other areas.

Chief Glyn DeVault, Deputy Director of the Fire Department, also answered stating that that particular station was obsolete and the location makes answering calls dangerous.

Ms. Darling stated they were specific general areas, no specific parcel had been identified for relocation.

Councilmember Clifton stated he did not want to hold this up because it would obviously be adopted at this point but there was a decentralizing plan for the Police Department and a centralizing plan for the Fire Department which has the effect of creating enough data about future service to urban neighborhoods within the I-440 area he was not willing to support this plan at this point and asked that he be recorded as abstaining.

Mr. Harbison stated that those relocation problems probably could not be answered in a plan of this type. That is not the intent of the plan. It is to set a general policy.

Mr. Browning clarified that there had been a committee that had studied the county wide fire service and through that there has been some conclusion that there will be some sort of disbursal of fire stations. As the suburban areas have grown there are going to be more fire stations out there. One way to not raise the cost of fire protection is to relocate some of the stations. If you take the circles in the inner-city, that are the service areas of these fire stations, they overlap to a great extent. The plan is to discontinue some of the stations in the inner-city and establishing new stations in the suburban areas and by moving the personnel and equipment you are not creating brand new stations with additional costs and that is firmly imbedded in this plan.

Mr. Harbison moved and Ms. Nielson seconded the motion, which carried, to adopt the Public Safety Plan, with Councilmember Clifton abstaining.

Resolution No. 96-01

“**BE IT RESOLVED** by the Metropolitan Planning Commission that it **APPROVES** the Public Safety Plan.”

APPEAL CASES:

**Appeal Case No. 95B-249U
Map 59-14, Parcel 22
Subarea 3
District 2**

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 240 square foot addition to the rear of an existing residence within the R10 District, on property abutting the south margin of Mallard Drive, approximately 130 feet northwest of West Hamilton Road (.36 acres), requested by Tim Wolf, for William B. Burney, appellant/owner.

Resolution No. 96-02

"**BE IT RESOLVED** that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 95B-249U to the Board of Zoning Appeals:

The site plan complies with the conditional use criteria.”

**Appeal Case No. 95B-252G
Map 52-7, Parcel 52
Subarea 4
District 9**

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 1,080 square foot detached garage to an existing residence within the R20 District, on property abutting the south margin of Berwick Trail, approximately 175 feet west of Center Street (1.24 acres), requested by Rubin Leskoff, appellant/owner.

Resolution No. 96-03

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 95B-252G to the Board of Zoning Appeals:

The site plan complies with the conditional use criteria."

ZONE CHANGE PROPOSALS:

**Zone Change Proposal No. 95Z-116U
Map 163, Parcel 183 and Part of Parcels 155 and 358
Map 164, Parcel 182
Subarea 13
District 29**

A request to change from AR2a District to RS8 District certain property abutting the southeast corner of Mt. View Road and Old Franklin Road (4.6 acres), requested by Paul Weatherford, for Alvin Luther Hill, et ux, and Charles W. Hill, et ux, owners. (See PUD Proposal No. 95P-034U, page 4). (Deferred from meetings of 11/16/95 and 11/30/95).

Resolution No. 96-04

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 95Z-116U is **APPROVED**:

The Commission determined that the RS8 zoning district was an appropriate expansion of the existing zoning pattern in this area."

**Zone Change Proposal No. 96Z-003U
Map 108-1, Parcel 31
Subarea 14
District 15**

A request to change from R10 District to CS District certain property abutting the west margin of Claridge Drive, approximately 300 feet south of Shacklett Drive (.55 acres), requested by Herb Ruck, for Anderson Properties, owner.

Resolution No. 96-05

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 96Z-003U is **APPROVED**:

The Subarea 14 Plan land use policy for this area is ‘Commercial Mixed Concentration’, which the CS District will implement. Application of the CS District would be a continuation of the zoning pattern already emerging in this area as it transitions from residential to commercial.

PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:

**Proposal No. 95P-034U
Hill Top Center
Map 163, Parcel 183 and Part of Parcels 155 and 358
Map 164, Part of Parcels 14 and 182
Subarea 13
District 29**

A request to grant preliminary approval for a Residential Planned Unit Development District abutting the southeast margin of Mt. View Road and Old Franklin Road (6.6 acres), classified AR2A and proposed for RS8, to permit the development of 24 single-family lots, requested by MEC, Inc., for Bud Hill, owner. **(See Zone Change Proposal No. 95Z-116U, page 2). (Deferred from meetings of 11/16/95 and 11/30/95).**

Resolution No. 96-06

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 95P-034U is given **CONDITIONAL PRELIMINARY APPROVAL**. The following conditions apply:

1. Written confirmation of preliminary approval from the Stormwater Management and Traffic Engineering Section of the Metropolitan Department of Public Works.
2. With any subsequent final approval request, the recording of a subdivision plat upon the posting of all performance bonds as may be required.”

**Proposal No. 98-73-G
Hickory Hills PUD (CRT Custom Products)
Map 41, Parcel 131
Subarea 2
District 10**

A request for final site development plan approval for a phase of the Commercial (General) Planned Unit Development District abutting the eastern terminus of Hickory Hills Court, (3.413 acres), to permit the development of a 10,498 square foot addition to a Limited Manufacturing facility, requested by Rodhill Engineering, Inc., for CRT Custom Products, owner.

Resolution No. 96-07

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 98-73-G is given **CONDITIONAL FINAL APPROVAL**. The following condition applies:

Receipt of written confirmation of approval from the Storm Water Management and Traffic Engineering Sections of Public Works.”

**Proposal No. 155-74-G
Priest Point
Map 97, Parcel 130
Subarea 14
District 13**

A request to amend the approved preliminary site development plan for the Commercial (General) Planned Unit Development District abutting the west margin of Stewarts Ferry Pike, approximately 400 feet south of Interstate 40 (11.31 acres), to permit the addition of Limited Manufacturing to the allowable uses, requested by Wright Industries, Inc., for Retail Fund Limited Partnership, owner.

Resolution No. 96-08

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 155-74-G is given **CONDITIONAL PRELIMINARY APPROVAL AS AN AMENDMENT REQUIRING COUNCIL CONCURRENCE**. The following condition applies:

1. Receipt of written confirmation of approval from the Storm Water Management and Traffic Engineering Sections of Public Works.”

**Proposal No. 110-80-G
McKendree Village Condo, Phase One
Map 75, Parcel 38
Subarea 14
District 12**

A request for final approval for Phase One of a Residential Planned Unit Development District abutting the south margin Highland View Drive, approximately 830 feet east of Lebanon Pike (1.82 acres), to permit the development of a four unit residential complex, requested by Barge, Waggoner, Sumner and Cannon, Inc., for McKendree Village, Inc., owner.

Resolution No. 96-09

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 110-80-G is given **CONDITIONAL FINAL APPROVAL**. The following condition applies:

1. Receipt of written confirmation of approval from the Storm Water Management and Traffic Engineering Sections of Public Works.”

**Proposal No. 306-84-U
Country Inn Suites
Map 160, Parcel 56
Subarea 12
District 32**

A request for final site development plan approval for the Commercial (General) Planned Unit Development District abutting the east margin of Franklin Pike Circle, approximately 500 feet west of Old Hickory Boulevard (1.89 acres), to permit the development of a 68,000 square foot (112 room) motel facility, requested by Thomas, Miller and Partners, for National Lodging Companies, Inc., owner.

Resolution No. 96-10

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 306-84-U is given **CONDITIONAL FINAL APPROVAL**. The following condition applies:

Receipt of written confirmation of approval from the Storm Water Management and Traffic Engineering Sections of Public Works.”

Proposal No. 73-85-P
The Highlands
Map 128, Parcels 21 and 154
Subarea 6
District 23

A request for final approval for Phase One of the Residential Planned Unit Development District abutting the east margin of Old Hickory Boulevard, approximately 5,400 feet north of the Memphis-Bristol Highway (110 acres), to permit the development of a 540 unit residential complex and for rough grading approval for a portion of Phase Two, requested by Barge, Waggoner, Sumner and Cannon, Inc., for J. W. English Companies, owner.

Resolution No. 96-11

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 73-85-P is given **CONDITIONAL FINAL APPROVAL FOR PHASE ONE**. The following conditions apply:

1. Receipt of written confirmation of approval from the Storm Water Management and Traffic Engineering sections of Public Works.
2. Prior to the issuance of any building permits, recording of a final plat of subdivision which combines parcels 21 & 154 and posting of bonds which may be required for public improvements.
3. Conformance with the recommendations of the geotechnical investigation for the project, performed by G.E.C., Inc., dated November 15, 1995.
4. Prior to the issuance of any building permits, the developer shall post a bond in the amount of \$40,000 for the traffic signal at the project’s principal entrance on Old Hickory Boulevard. The signal shall be installed only upon demonstration that the project has achieved the warrants which justify a traffic signal, and if upon completion of total buildout the project does not achieve the necessary warrants, the bond will be canceled and the traffic signal will not be installed.
5. Prior to the issuance of any building permits, the developer shall provide a letter of approval from the Tennessee Department of Transportation certifying that the design for the detention basin above Old Hickory Boulevard (State Route 45) is acceptable.”

Proposal No. 13-87-P
BP Oil Company
Map 86, Parcel 310
Subarea 14
District 12

A request to revise the approved final site development plan for a phase of the Commercial (General) Planned Unit Development District abutting the northeast margin of Chandler Road and Old Hickory

Boulevard (1.10 acres) to permit the expansion of an existing convenience market and car wash facility, requested by Joseph G. Petrosky Associates, Inc., for BP Oil Company, owner.

Resolution No. 96-12

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 13-87-P is given **CONDITIONAL APPROVAL FOR REVISION TO FINAL**. The following conditions apply:

1. Receipt of plans modified to show striping modifications agreed for the right in/right out entrance from Old Hickory Boulevard.
2. Receipt of written confirmation of approval from the Storm Water Management and Traffic Engineering sections of Public Works.”

**Proposal No. 95P-002G
Heritage Meadows, Phase 1
Map 75, Parcel 55
Subarea 14
District 12**

A request for final approval for a phase of the Residential Planned Unit Development abutting the east margin of Andrew Jackson Parkway and the south terminus of Rachels Square Drive (10.13 acres), to permit the development of 32 single-family lots, requested by C. Michael Moran, for B & P Developments, Inc., owner.

Resolution No. 96-13

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 95P-002G is given **CONDITIONAL FINAL APPROVAL 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. Recording of a final plat of subdivision and posting of bonds as may be required for necessary public improvements.
3. Compliance with the conditions of approval for the Preliminary plan as set out in the Commission’s letter dated September 13, 1995, prior to or concurrent with the release of any permits for the construction of this phase.”

SUBDIVISIONS:

Final Plats:

**Subdivision No. 95S-308U
River Meadows, Section One
Map 80, Part of Parcel 52
Subarea 3
District 2**

A request to create 13 lots abutting the southeast margin of Hinkle Drive, approximately 120 feet east of Leawood Drive (3.75 acres), classified within the R8 District, requested by Ozburn-Hessey Storage Company, owner/developer, Young and Associates, surveyor. **(Deferred from meetings of 11/02/95, 11/16/95 and 11/30/95).**

Resolution No. 96-14

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 95S-308U, be **APPROVED** subject to posting a performance bond in the amount of \$85,700.00.”

**Subdivision No. 95S-028G
New Hope Estates, Phase 1
Map 87, Part of Parcel 20
Subarea 14
District 12**

A request to create 37 lots abutting the west margin of New Hope Road, approximately 720 feet south of Farmingham Woods Drive (8.51 acres), classified within the R15 District, requested by Raymond D. Lane, Sr. et ux, owners/developers, E. Roberts Alley and Associates, Inc., surveyor.

Resolution No. 96-15

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 95S-028G, be **APPROVED** subject to posting a performance bond in the amount of \$368,000.00.”

**Subdivision No. 96S-021G
New Hope Estates, Phase 2
Map 87, Part of Parcel 20
Subarea 14
District 12**

A request to create 17 lots abutting the west margin of New Hope Road, approximately 115 feet south of Farmingham Woods Drive (8.51 acres), classified within the R15 District, requested by Raymond D. Lane, Sr. et ux, owners/developers, E. Roberts Alley and Associates, Inc., surveyor.

Resolution No. 96-16

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 96S-021G be **APPROVED** subject to posting a performance bond in the amount of \$103,500.00.”

**Subdivision No. 96S-004U
Hunters Run, Section One
Map 149, Part 37 and Part of Parcel 210
Subarea 13
District 28**

A request to create 36 lots abutting the east margin of Una-Antioch Pike, opposite Richards Road (9.66 acres), classified within the RS10 District, requested by Butler Development, LLC, owner/developer, MEC, Inc., surveyor.

Resolution No. 96-17

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 96S-004U, be **APPROVED** subject to posting a performance bond in the amount of \$442,300.00.”

**Subdivision No. 95S-287U
Glendale Park, Resubdivision of Lot 2
Map 131-8, Parcel 107
Map 131-12, Parcel 96
Subarea 10
District 33**

A request to subdivide two lots into three lots abutting the south margin of Glendale Lane and the northeast margin of Miledale Drive (1.48 acres), classified within the R20 District, requested by Jennifer J. Small and B. A. Tanksley, Jr. et ux, owners/developers, E. Roberts Alley and Associates, Inc., surveyor.

Resolution No. 96-18

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 95S-287U, be **APPROVED** subject to posting a performance bond in the amount of \$10,000.00.”

**Subdivision No. 96S-018G
Holt Hills, Section Four
Map 172, Part of Lots 161, 188 and 189
Subarea 12
District 31**

A request to subdivide three lots into three lots abutting the west margin of Holt Hills Road, opposite Holt Hills Court (3.05 acres), classified within the R20 District, requested by Richard G. Argo et al, owners/developers, Anderson-Delk and Associates, Inc., surveyor.

Resolution No. 96-19

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 96S-018G, be **APPROVED.**”

Request for Bond Extension:

**Subdivision No. 95S-025G
Wheeler Property
Roadway Express, Inc., principal**

Located abutting the east margin of Knight Drive, approximately 975 feet south of Brook Manor Drive.

Resolution No. 96-20

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of a performance bond for Subdivision No. 95S-025G, Bond No. 95BD-027, Wheeler Property, until June 1, 1996, as requested, in the amount of \$5,000.00, said approval being contingent upon submittal of a letter by February 5, 1996 from Protective Insurance Company agreeing to the extension. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

**Subdivision No. 301-84-G
Corcoran/Maddox Property
Dan Maddox Trust, principal**

Located abutting the south margin of Highway 70 South, approximately 340 feet southeast of Hooten Hows Road.

Resolution No. 96-21

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of the performance bond for Subdivision No. 301-84-G, Bond No. 94BD-002, Corcoran/Maddox Property, until October 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the amount of \$43,000.00 by February 5, 1996 and extending the expiration date to April 1, 1997. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

Request for Bond Release:

**Subdivision No. 20-86-P
Barton Vale
Barton Development Corporation, principal**

Located abutting the north margin of Old Hickory Boulevard, approximately 940 feet east of Tribble Springs Drive.

Resolution No. 96-22

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 20-86-P, Bond No. 93BD-051 Barton Vale, in the amount of \$5,000.00, as requested."

MANDATORY REFERRALS:

**Proposal No. 95M-047U
Sign at 126 Second Avenue North
Map 39-6-2
Subarea 9
District 19**

A mandatory referral from the Department of Public Works proposing the installation of a 4' by 5' sign over the sidewalk in front of 126 Second Avenue North, requested by Robert E. Weiskeiter, for Music City Mall Corporation (Music City Shoppes).

Resolution No. 96-23

"BE IT RESOLVED by the Metropolitan Planning Commission that it APPROVES Proposal No. 95M-047U.

**Proposal No. 95M-129U
Council Bill No. O95-118**

**Royal Parkway Drainage Easement Abandonment
Map 95, Parcels 38 and 120
Subarea 14
District 15**

An ordinance authorizing the abandonment of a drainage easement in conjunction with the widening of Royal Parkway.

Resolution No. 96-24

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-129U.

**Proposal No. 95M-130U
Council Bill No. O95-120
Conveyance of Property from MDHA to
Metropolitan Parks and Recreation for West Park
Map 91-5, Parcel 171
Subarea 7
District 22**

An ordinance authorizing the conveyance of property adjacent to West Park from MDHA to Metropolitan Parks and Recreation for recreational use.

Resolution No. 96-25

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-130U.

**Proposal No. 95M-132U
Council Bill No. O95-123
Lease of Office Space for Metropolitan Social
Services Commission
Map 93-13, Parcel 84
Subarea 9
District 19**

An ordinance authorizing the lease of real estate from Lindsley Avenue Partnership for the Metropolitan Social Services Commission.

Resolution No. 96-26

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-132U.

**Proposal No. 95M-133G
Sherwood Drive Water Pumping Station
Map 158-4, Parcel 18
Subarea 10
District 33**

A request from the Department of Water and Sewerage Services to approve the acquisition of an additional easement area for the improvement and expansion of the existing pumping station. (**Project No. 95-WG-54**).

Resolution No. 96-27

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-133G.

**Proposal No. 95M-134U
Hazard Mitigation Acquisition
Map 82-4, Parcels 266-271, 286 and 292-295, and
Map 82-8, Parcel 121
Subarea 5
District 5**

A request from the Office of Emergency Management to approve the acquisition of certain floodprone properties in the vicinity of McFerrin Avenue and Ellington Parkway.

Resolution No. 96-28

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-134U.

**Proposal No. 95M-135U
Washington CSO Improvements Land Acquisition
Map 82-14, Parcels 64 and 65
Subarea 9
District 6**

A request from the Department of Water and Sewerage Services to approve the acquisition of land for the expansion of the Washington CSO Regulator. (**Project No. 94-SC-5B-1**).

Resolution No. 96-29

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-135U.

**Proposal No. 95M-136U
Alley 922 Closure
Map 104-12
Subarea 10
District 18**

A proposal to close Alley No. 922 between the northern property line of Parcel 80 on Map 104-12 and its southern terminus, requested by Preston H. Quirk, for Joel Solomon, optionee of adjacent property. (**Easements are to be retained**).

Resolution No. 96-30

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-136U.

Proposal No. 95M-140U
Bell Road/Benzing Road/Old Hickory Boulevard
Name Change
Map 162
Subarea 12
District 31

A mandatory referral from the Department of Public Works proposing to change the name of Bell Road between Eulala Drive and Benzing Road to "Old Hickory Boulevard" and to change the name of Benzing Road between Bell Road and Old Hickory Boulevard to "Old Hickory Boulevard."

Resolution No. 96-31

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-140U.

Proposal No. 95M-141U
Edgehill Water System Improvements, Revised Sites
Map 105-5, Parcel 512, and Map 105-13, Parcel 19
Subarea 10
District 17

A request from the Department of Water Services to approve two different sites for the construction of the above-ground portions of the improvements to the water transmission system in the Edgehill area, approved as Proposal No. 95M-126U on December 14, 1995. (**Project Nos. 95-WG-74B and 95-WG-74C**).

Resolution No. 96-32

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-141U.

Proposal No. 95M-142G
Council Bill No. O95-159
Property on Whites Creeks Pike
Map 22, Part of Parcel 91
Subarea 1
District 1

An ordinance approving the sale of a portion of the property occupied by the former Joelton Elementary School.

Resolution No. 96-33

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-142G.

Proposal No. 95M-143U

**315 Union Street Encroachments
Map 93-2-3
Subarea 9
District 19**

A mandatory referral from the Department of Public Works proposing the installation of two awnings over the right-of-way in front of 315 Union Street (Regions Bank), requested by James E. Varallo, for 315 Union Street, Inc., adjacent property owner.

Resolution No. 96-34

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-143U.

**Proposal No. 95M-144U
Convention Center Encroachments
Map 93-6-3
Subarea 9
District 19**

A mandatory referral from the Department of Public Works proposing the construction of various appurtenances which will encroach into and above the public sidewalk on the south margin of Broadway between Sixth Avenue North and Seventh Avenue North, requested by David E. Johnson, for The Nashville Convention Center.

Resolution No. 96-35

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-144U.

This concluded the items on the consent agenda.

ZONE CHANGE PROPOSALS:

**Zone Change Proposal No. 96Z-002G
Map 44-5, Parcels 186 to 191
Subarea 14
District 11**

A request to change from R6 District to CG District certain property abutting the southeast corner of Ensley Avenue and Rayon Drive (.42 acres), requested by V. R. Eicloe, for Margaret R Becker and Vernon Ray Eidson, owners.

Mr. Reid stated this property was located in the northeast part of the county and is in an area known a Rayon City, which has been around for a long time. The area has a lot of older housing and has a lot of under utilized commercial zoning. The Dupont plant is located behind these properties along with a railroad track and CG zoning. Across the street there is a residential neighborhood and under utilized commercial zoning along Bridgeway Avenue. The specific properties are located on the east side of Rayon

Drive. As was noted in the staff report the properties are very shallow, which is why they cannot meet the existing zoning requirements for the R6 district or any other residential district. Of the six properties, four of them are vacant, one contains a nonconforming light manufacturing use and the remaining one constrains an abandoned trailer. These properties were created prior to the inception of county wide zoning in 1940 so they are nonconforming properties. A major goal of the subarea plan is to protect the existing residential areas. This is a tough zoning case and staff feels that the main issue is achieving some viable use for these properties while still maintaining the subarea plans intent to protect existing residential areas. From the perspective of promoting the subarea plans goals, the ideal use of the property would be as a landscape buffer. This would require public acquisition of these properties through the Capital Improvements Budget process and this would clearly promote the goals of the subarea plan. The updated, but not yet adopted subarea plan mentions these properties may have limited use as residential due to their shallow lot depths. If this approach is not feasible, another approach would be to apply commercial zoning to the property. However, any type of commercial zoning is likely to conflict with the goal of protecting the residential areas across the street. In looking at the choices, staff looked at OP zoning as being the most compatible with residential uses. However, OP zoning is not in demand in this area nor is there any call by the subarea plan for OP zoning. Likewise, the CS district might be able to serve as some type of transitional district from the industrial Dupont Plant behind the railroad to the residential across the street. However, as you will note there is a lot of under utilized CS zoning already in place on Bridgeway avenue so there is no strong demand for CS. The applicant wants to rezone this property to CG. CG zoning is not viewed as being compatible with residential uses. Especially with residential across the street. However, the CG zoning district has no minimal setbacks and would allow the applicant the most gainful use of the property in the surrounding area. However, the CG district would probably adversely effect the residential uses across the street.

Ms. Jernigan asked if there was any idea on the acquisition cost?

Mr. Reid stated the total assessed value in 1993 for these properties was \$30,400 and the annual assessment would approximately \$9,200 per year.

Mr. Harbison asked what kind of uses could be made under the CG for this shape of property?

Mr. Reid stated any type of use would likely require variances, residential or commercial. The applicant wants to put mini warehouses on this property which through the variance process he could probably do.

Mr. Harbison asked if the Commission could recommend that this be included in the Capital Improvements Budget.

Mr. Owens stated that Planning staff would be preparing the budget for the forth coming year and making a recommendation to the Mayor and Council but ultimately it will be the Council's decision on whether to keep it in the budget and then to allocate funds for actual purchase.

Mr. Browning stated that now is the time that that would be done.

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

Resolution No. 96-36

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 96Z-002G is **DISAPPROVED**:"

These properties fall at the edge of an area designated as residential policy in the Subarea 14 Plan. A basic tenet of the Subarea 14 Plan is to protect the character of existing residential areas. The Commission determined that the broad range of intensive commercial uses permitted by the CG zoning district could seriously impact residential properties directly across the street.”

**Zone Change Proposal No. 96Z-004G
Map 43-15, Parcels 13 and 14
Subarea 4
District 9**

A request to change from OP District to CG District certain property abutting the north margin of Old Hickory Boulevard, opposite Farris Avenue (.72 acres), requested by Robert A Warner, for MSB Enterprises, owner.

Mr. Reid stated this request was in the northern part of the county between State Route 45 and Old Hickory Boulevard and falls within commercial arterial policy. There is residential policy to the north of State Route 45 and the south of Old Hickory Boulevard. When State Route 45 was created, it originally bypassed Old Hickory Boulevard making Old Hickory acceptable for some types of commercial services. While this is a busy highway, it is also a controlled access highway, which restricts access at specific locations to proven heavy traffic congestion. This is one way that this land use situation protects the residential policy to the north and to the south. The commercial arterial policy calls for retain office and higher density residential at appropriate locations. While a retail district, such as the CS district, would be appropriate in this general policy area, a heavier industrial type district, like CG, would go too far and would not be appropriate to implement this commercial arterial policy. The CG zoning in this area could also adversely effect the residential policy to the south of Old Hickory Boulevard. Therefore, staff is recommending disapproval.

Ms. Nielson asked if one specific area on the map was zoned CG and how long it had been that way?

Mr. Reid stated it was and the Commission disapproved that CG in 1994 because it would create an adverse impact on the surrounding properties and would also create a spot zone.

Mr. Owens stated that property was not being used as CG. It has a used car lot on it and is over zoned. It is over zoned and obviously Council over ruled and adopted this against the Commission’s recommendation.

Mr. Robert Warner, owner of the property, stated he had bought this property approximately two months ago. It has always been a vacant lot. He stated he owned a construction company and they do a lot of hotel renovation, which is interior work. He wants to build an office building with a warehouse attached to it and was told at the Codes Department that he would have to have CG usage because he wanted 75% storage and 25% office. The disapproval notice from Codes was due to truck traffic, but 120 feet to the east there is a access road to State Route 45 and approximately 1,000 feet to the west there is also an access. The only reason he needs the CG is because of the 75% storage space.

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

Resolution No. 96-37

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 96Z-004G is **DISAPPROVED**:

The Subarea 4 land use policy for this area is ‘Commercial Arterial Existing’ along the State Rt. 45 and Old Hickory Boulevard corridor, which calls for a combination of office, retail, and high density residential activities at appropriate locations. State Rt. 45 is a controlled access highway which restricts access to specific intersections, and serves to protect the integrity of the residential policy to the north and south of this commercial policy area.

CG is a district which permits intensive commercial activities often generating heavy truck traffic. Intensive commercial activities along Old Hickory Boulevard in this vicinity could eventually undermine the integrity of the ‘Commercial Arterial Existing’ policy.”

Text Amendments:

**Zone Change Proposal No. 95Z-008T
Council Bill No. O95-151**

A council bill to amend the text of the Zoning Regulations by adding “self-service storage facility” as a permitted use in the CS District (17.60.020{C}), requested by Councilmember Ron Nollner. **(Deferred from meeting of 12/14/95).**

Mr. Owens stated this was deferred from the last meeting and the Commission may recall this proposal was to add self service storage, mini warehouses, as a permitted use in the CS district. At the last meeting, explanations upon why, from a standpoint of a land use, the staff is recommending this type of operation is suitable for a commercial type area, given that it is a predominant market base for residential users, particularly in areas where there are multi-family development, apartment development or any type of residential area where there is no housing with attics, basements or a lot of storage area. From staff’s research, through planning advisory services, it appears that self storage users are generally 65% to 70% residential homeowners or dwellers and anywhere from 30% to 35% small businesses who use them to store inactive records or such. It is clear from the research that the movement throughout the country is to no longer look at mini warehouses for self storage as an industrial use. Many communities are moving towards allowing them in commercial retail areas. Some communities are going so far as to allow them, under strict control, in residential zoning districts. That is how strong the demand is for these types of uses. The trick is to locate them in such a way and to design them so that blend in reasonably well with their surroundings. That was the concern expressed by the Commission the last time this amendment was heard.

As staff pointed out, three general situations have been focused on. The first is the visual impression of these uses from the public streets. Second are the impacts of these uses from abutting residential districts. The third thing is whether or not these uses would stand out visually even among their commercial neighbors. Staff has looked at all three of these scenarios and have refined some of the recommendations since the mailout. As far as the CS district is concerned, there are a couple of advantages already built into the code that we can build on. Number one, in a CS zoning district there is already today a 15 foot minimum setback from a public street. That distinguishes the CS district from CG where these warehouses may be built right up against the street right-of-way. Unfortunately, the Codes Department has to define the front yard on a street but if it is on a corner situation, there is a zero yard allowed on the side. One thing that staff is recommending is that if these are permitted in CS, it should be a 15 foot yard along any street. Already in CS, if you are against a residential district boundary, there is a 20 foot minimum set back to the building and that has to be open. It is not allowed for parking or a maneuvering area. Fences and walls are an inherent feature to these types of uses. Unless they are designed to turn the building backs to the perimeter. There are two basic approaches you can see on the ground. One is the fortress type approach where they turn all the doors inwardly like a compound. The other approach is that sometimes you will be looking at those doors from the outside. There may be situations that there may be walls around the

perimeter and staff's suggestion is, that when there is a wall, they are going to want security and it needs to be an opaque all or fence to give the visual break. Staff would also recommend, that on the perimeter, if there is a fence or wall, it needs to a minimum height of 6 feet to give that visual relief. Staff would also recommend prohibiting chain link fencing.

There are two situations dealing with public street screening. Again, doors facing the streets and a blank wall facing the street. Either situation can bend the fabric of an area. A normal retail area does not have these long mass horizontal walls that are typical of these uses, nor do most commercial establishments have the long continuous repetitive doors. Staff is recommending standards, that if there are service doors oriented towards the street, again of a six foot opaque wall. A solid wall along the street can be just as impactive as the building wall. So what staff is recommending in most situations, is the use of the tree ordinance. This will require trees on these properties. The tree ordinance does not dictate where. Staff is suggesting when there is certain orientations along the street or along a residential property line that we capitalize on the trees that have to be planted somewhere and establish there have to be plantings in these setback areas at certain rhythms.

In the current CS provisions, the provision of a wall is an option for normal commercial uses. Staff is suggesting that if there are doors facing the property line that the fence or wall be a requirement to give good visual screening and then use the trees to supplement the character of the wall and give canopy up and above to perhaps take care of some of the lights.

Staff is looking at the possibility of these developments having an adverse effect of their commercial neighbors. That is a judgment call that the Commission may want to ponder. Most commercial development along a street, if it is going to have a parking lot in front of it, where you have got parking on both sides of an isle, those dimensions are going to push the front wall of that building back to around a 75 to 80 feet from that street. That is just the requirements of parking and a few sidewalks. If we are concerned about the side by side relationship of these, staff recommends the Commission focus only on those areas up closer to the street where we are likely to have a store front already 75 to 80 feet back from that street and only then if there is a mini warehouse that wants to come closer should we be looking at what that visual relationship is. Finally, staff recommends a prohibition on barb or razor wire in the more sensitive retail or in some communities in the commercial districts.

Councilmember Ron Nollner, sponsor of the Council Bill, stated he appreciated the Commission's interest in this bill and commended the staff on their work on the landscape and protective provisions that he felt were very appropriate.

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

Resolution No. 96-38

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 95Z-008T is **APPROVED with recommended performance standards:**

The Commission determined that self-service storage is an appropriate commercial service in the CS District if performance standards are applied to enhance compatibility with adjacent uses and the street."

PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:

Proposal No. 51-87-P

**Hickory Hollow Market Place
(formerly Mid-South Auto Mall)
Map 163, Parcel 341
Map 174, Parcel 23
Subarea 12
District 31**

A request to amend the approved preliminary site development plan for the Commercial (General) Planned Unit Development District abutting the east margin of Cane Ridge Road, approximately 2,600 feet south of Bell Road (124.27 acres), to permit the development of a 900,000 square foot retail sales and services and theater facility, requested by Barge, Waggoner, Sumner and Cannon, Inc., for OPUS South Corporation, owner.

Mr. Martin stated the Commission may be familiar with this property. It is known as the Auto Mall or the Beaman Property. It is located on I-65 southbound toward Murfreesboro. The interchange leads to Hickory Hollow Parkway and into the southeast side of the mall. The property is south of the interstate and the interchange and touches Cane Ridge Road and is behind the Target store. The proposal is a request to amend an existing PUD, which is approximately 645,000 square foot auto mall. The applicant has requested adding floor area to make a total of nearly 900,000 square feet and to make the use as general retail sales with restaurants and theaters. There is a major road through from Cane Ridge back to the interchange, which is modified by this proposal. The proposal is to be considered as an amendment for Council consideration because of the increase in floor area, which is more than 10% greater than the plan which was approved by the Council. These plans are in order and staff will recommend a conditional preliminary approval as that amendment. The Subarea 12 plan policies the area as retail concentration subregional. So the size and uses proposed here were anticipated in the subarea plan. When the applicant made the proposal, he realized that numerous improvements would be necessary for the road system, in order to insure the success of the project. The most important improvement is the revision of the interchange of Hickory Hollow Parkway and I-24. Currently it is a limited interchange which again only serves back to the northwest. The applicants proposal will be to modify the interchange to allow it to serve south and access into the property. It will also be extended further south all the way to Cane Ridge Road near its intersection with Old Franklin Pike. These modifications will allow this interchange to function almost like a full interchange. The Metro traffic engineer does recommend all these proposed improvements. The approval, which staff is recommending, will include a condition for approval of an interchange modification study by the Federal Highway Administration before any final PUD approvals. This project will require the modification of the interchange in order to be successful and feed the traffic to the 900,000 square feet. So with the condition that this is to be considered to be a conditional preliminary approval as an amendment, staff recommends approval.

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

Resolution No. 96-39

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 51-87-P is given **CONDITIONAL PRELIMINARY APPROVAL AS AN AMENDMENT REQUIRING COUNCIL CONCURRENCE**. The following conditions apply:

1. The applicant shall construct all on- and off-site traffic improvements offered in the Traffic Impact Study performed by Barge, Waggoner, Sumner & Cannon, Inc. (*Traffic Impact Study Opus South/Beaman*: file No. 10387-09, dated December, 1995) and as further clarified in the applicant’s memorandum to Mr. Jeff Campbell of the Department of Public Works, dated December 22, 1995. The applicant shall be responsible for acquisition of necessary rights-of-way for off-site improvements not currently under public

control. The timing of the improvements shall be established by the applicant in consultation with the Department of Public Works and the Metropolitan Planning Commission prior to any final PUD approvals.

2. Prior to any final approvals, the applicant shall receive final FHWA approval of an Interchange Modification Study for the project, which the applicant shall perform and submit to the Tennessee Department of Transportation.
3. Prior to any final approvals, the applicant shall provide written approval for any grading within the Columbia Gulf gas line easement.
4. Prior to any final approvals, the applicant shall demonstrate the ability of the storm drainage system which passes through the site to adequately convey the runoff from the areas upstream in a developed state.
5. Recording of a boundary plat and a plat of subdivision upon posting of bonds for any necessary public improvements.
6. Receipt of written confirmation of approval from the Storm Water Management and Traffic Engineering sections of Public Works.”

**Proposal No. 93P-019G
Lakeridge, Phase Two
Map 109, Part of Parcel 226
Subarea 14
District 13**

A request for final approval for a phase of the Residential Planned Unit Development District abutting west margin of Bell Road, opposite Lincoya Bay Drive (9.56 acres), to permit the development of 30 single-family lots, requested by C. Michael Moran for B & P Developments, Inc., owner.

Mr. Martin stated this plan is in order and staff would be ready to recommend approval but there is, however, a cul-de-sac that is 850 feet long. That is 100 feet longer than the maximum standard allowed by the subdivision regulations. This is on top of a ridge. It is a feature of the preliminary plan and is generally the only way to reach that point and staff recommends that the Commission approve this final with a variance to the subdivision regulations for the length of the one cul-de-sac.

Chairman Smith asked if the Commission would be approving that with the anticipation of a longer length.

Mr. Martin stated that was the total length.

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

Resolution No. 96-40

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 93P-019G is given **CONDITIONAL FINAL APPROVAL FOR A PHASE, WITH A WAIVER TO THE SUBDIVISION REGULATIONS FOR THE LENGTH OF ONE CUL-DE-SAC; FINAL PLAT DEFERRED BY APPLICANT.** The following conditions apply:

1. Receipt of revised calculations for storm drainage and plans for storm drainage improvements which adequately account for the downstream conveyance of stormwater flows and are acceptable to Public Works.
2. Receipt of written confirmation of approval from the Traffic Engineering section of Public Works.
3. Recording of a final plat of subdivision and posting of bonds for any public improvements which may be required.”

SUBDIVISIONS:

Preliminary Plats:

**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. **(Deferred from meeting of 12/14/95).**

Mr. Henry stated there was request for deferral from the applicant. The public hearing was left open at the last meeting.

Chairman Smith asked what seemed to be the problem, because it was advertised for public hearing and the public had been asked to come in and it was not fair to the public.

Mr. Henry stated there are attorneys representing a land owner who uses a private access drive across this property for access and there is also the land owner who wants to subdivide this property which has that private access driveway. Those two parties are negotiating but have not concluded the issues and have requested two more weeks to try and finalize their arrangement.

Ms. Nielson moved and Ms. Jernigan seconded the motion, which carried unanimously to defer the above matter for two weeks.

**Subdivision No. 95S-297U (Public Hearing)
Antioch Woods
Map 163, Parcels 1, 212 and 213
Subarea 13
District 28**

A request for preliminary approval to create 32 lots abutting the northeast corner of Moss Road and Una-Antioch Pike (9.23 acres), classified within the RS8 District, requested by Houston T. Ezell, owner/developer, MEC, Inc., surveyor.

Mr. Henry stated this proposal was located in the Hickory Hollow area of Antioch. Una-Antioch Pike is intended to continue across this property and re-intersect with Hickory Hollow Parkway which will eventually continue on in a different alignment. That was adopted in the Subarea 13 Plan. The is proposing

thirty-two lots and he has pulled those lots from the part of the site where Una-Antioch will continue south. There are two cul-de-sacs. One off of Moss Road and one off of Una-Antioch serving those thirty-two lots. Staff is recommending approval of this preliminary plan. It satisfies the density policy adopted in the subarea plan.

No one was present at the public hearing to speak in favor or in opposition of the proposal.

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

Resolution No. 96-41

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Plan of Subdivision No. 95S-297U, be given **PRELIMINARY APPROVAL**.”

**Subdivision 96S-014U (Public Hearing)
Haynies Free Silver Subdivision,
Resubdivision of Part of Lot 45
Map 70-7, Parcel 78
Subarea 3
District 2**

A request to subdivide a lot into two lots located between West Trinity Lane and Youngs Lane, approximately 338 feet east of Old Buena Vista Road (3.59 acres), classified within the R8 District, requested by Gladys Nuby et al, owners/developers, Ralph Roberson, surveyor. **(Also requesting final plat approval.**

Mr. Henry stated this proposal is to take one large lot and split it down the middle to create a 1.3 acre tract and a 2.3 acre tract. One of the issues involved with this subdivision is that the lots are being created larger than three times minimum size of the base zoning district. Greater than three times the 8,000 square foot minimum size. Staff asked the developer to show a future plan of the subdivision and it looks acceptable. In the future they will bring a cul-de-sac in off of West Trinity Lane to serve up to fourteen lots and then the other lot will be created with a frontage on Youngs Lane. Staff feels that future plan for the subdivision should be approved, both the preliminary and final. There is also a seven foot right-of-way reservation along West Trinity Lane for future widening of that street.

No one was present to speak at the public hearing.

Ms. Nielson asked if the developer was going to put a subdivision in that area then why would he want to divide it into two separate lots?

Mr. Henry point out the developer had sold a smaller lot to the left of the subject property already. That was sold by deed before the plat was developed.

Mr. Harbison asked if that was why the configuration was the way it was?

Mr. Henry stated it was and they also intend for the two lots that front on Youngs Lane to deepen in the future.

Chairman Smith asked if the cul-de-sac would be entirely on lot two?

Mr. Henry stated it actually incorporated a little of lot one.

Chairman Smith asked if he sells the lot then how does he get that land to do that?

Mr. Stephen Smith stated it should not make any difference, it is his and if he wants to subdivide it and it is legal, why would the Commission care?

Chairman Smith stated that the rules are that the Commission tries to make sure that more than three times what is around it can be resubdivided and we just want to make sure it can be resubdivided and if he does not own the other side then it can't be unless the other owner agrees.

Mr. Stephen Smith stated he did not think he could sell the other side until it is subdivided.

Mr. Harbison stated he already had sold the other side. He just did a deed, he did not do a subdivision because it must be more than five acres.

Mr. Browning stated he understood the road would running along side that piece of property that is in question so that that property has access to that street for further subdivision.

Mr. Henry stated that was correct and the main thing was that when either party, in the future, tries to subdivide either side of it, staff will be looking that cul-de-sac being struck on the property to serve those new lots.

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

Resolution No. 96-42

“BE IT RESOLVED by the Metropolitan Planning Commission that the Plan of Subdivision No. 96S-014U, be given **PRELIMINARY AND FINAL APPROVAL.**”

**Subdivision No. 96S-017U (*Public Hearing*)
Sneed Estates, Resubdivision of Lot 12
Map 130-8, Parcel 90
Subarea 10
District 34**

A request to subdivide one lot into two lots abutting the southwest corner of Colewood Drive and Lindawood Drive (.94 acres), classified within the R20 District, requested by Doris Ruth Webb, owner/developer, H. & H. Land Surveying, surveyor. **(Also requesting final plat approval).**

Mr. Henry stated staff was recommending disapproval of this plat. Please note that at the bottom of the caption it says ‘also requesting final plat approval.’ This is a final plat. The reason it shows up here is because they are seeking a variance to accommodate this proposed subdivision and staff is recommending against that variance. The subject site is on a corner and has an existing residence. The subdivision regulations contain a provision for maintaining lot size compatibility in older urban areas. In areas previously subdivided and predominantly developed, new lot size shall be general in keeping with the frontage in the area surrounding lots. Staff ran that comparability test and this proposed subdivision would comply with the average street frontage in the area, you only have to have 90% anyway, but when you run the area comparison the average lot size in the area is about an acre. In order to satisfy the 75% rule, which would be 33,541 square feet or roughly three quarters of an acre, and this proposal is for a 20,000 square foot lot. So roughly these two lots would become a little less than a half acre and the average is three quarters of an acre. There is also a zoning change. There is a property zoning boundary along Wallace

which is zoned R20, allowing for duplex development but these properties are zoned RS20, allowing only single family development. Staff is recommending disapproval because this property does not satisfy the lot comparability test in the subdivision regulations.

Ms. Kitty Hobbs, owner of the property, stated she had letters from the neighbors voicing their preference that she build a single family dwelling versus the attached or duplex version. It would be more desirable for the neighborhood and there is not opposition to the single family dwelling other than Mr. Henry. She presented the Commission with two sets of plans showing the single family dwelling and the attached version and ask the Commission to approve the single family dwelling plan.

No one was present to speak in opposition to the proposal.

Mr. Stephen Smith stated that the duplex would not look as good or be as practical in the neighborhood and that he understood the rule.

Mr. Harbison moved and Mr. Manier seconded the motion, which carried, with Mr. Stephen Smith in opposition, to close the public hearing and approve the following resolution:

Resolution No. 96-43

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Plan of Subdivision No. 96S-017U, be **DISAPPROVED** since the proposed lots do not comply with lot area comparability (Sec. 2-4.7).”

**Subdivision No. 96S-019G (Public Hearing)
Homeland Heights, Section Four
Map 58, Part of Parcel 94
Subarea 3
District 1**

A request to create five lots abutting the south margin of Stevens Lane, approximately 877 feet west of Homeland Drive (6.21 acres), classified within the R40 District, requested by Sherrod and Roe P.L.C., owner/developer, Turner Engineering, surveyor. **(Also requesting final plat approval).**

Mr. Henry stated this proposal was located just west of Clarksville Pike and north of Briley Parkway. There is significant topography here that slants down toward Stevens Lane. This is a very large tract with forty-eight acres remaining after these five one acre plus tracts are subdivided. The proposal is to strike subdivision lines to create five lots of similar size fronting on Stevens Lane. Each lot would be considered a critical lot for subdivision purposes due to the topography. Staff is recommending approval of this subdivision provided the condition is satisfied that requires a final grading plan detailing driveway design and location of all structures on the site, by a licensed engineer, be submitted at the time a building permit is issued.

Mr. John Burton, surveyor of the project, stated he was in favor of the project.

Mr. Winston Walker, developer of the adjoining property, stated his concerns regarding this proposal. Most of the lots in that area are one to three acres in size with \$150,000 to \$300,000 type homes. The neighbors are concerned and want to protect their properties. They are concerned about the type of houses that are going to comprise this five acres, the type of structure these houses are going to be built of, whether or not it is going to be rental property, the square footage of the homes and obviously the setback. He stated he had met with Mr. Roe, the attorney settling the estate for the Hailey family and also with Mr. Summers, the developer for the property owner, and has not received anything in writing regarding the concerns.

Mr. Manier reassured Mr. Walker that most people do not build a three room house on a relatively expensive lot and from a practical standpoint the developer will comply with reasonable standards but the Commission could not dictate that.

Mr. John Burton, surveyor of the property, assured Mr. Walker that he had seen a copy of the restrictions and the call for brick or stone.

Mr. Charles Blackman, a homeowner and property owner on Stevens Lane, voiced his concern that these new homes should flow with the existing neighborhood.

Mr. Inman T. Otey, a resident of Homeland Drive, stated he was in opposition to the proposal because the neighborhood did not have time to understand what was going on in the development. He received a notice last week, called a neighborhood meeting but were unable to get a response from their Councilmember. He asked for more time to address concerns regarding averaging and topography and asked for a deferral until they could see something in writing and had time to meet with their Councilmember and with the property owners and developers.

Chairman Smith stated this developer intended to come back with some type of development plan for the remainder of the property but that these five lots are in compliance with subdivision regulations.

Mr. Henry stated the lots are in compliance with the subdivision regulations but they will not be back before the Commission. That development plan will be submitted at the time they pull a building permit but if they tried to subdivide the rest of the property they would be back before the Commission.

Mr. Otey stated he trusted the Commission's technical staff but felt he should have a roll somewhere in this process given the nature and steepness of that property.

Mr. Henry explained to Mr. Otey what was involved in a critical designation.

Mr. Otey again asked for a deferral and stated he had asked for a member of the Planning staff to be at the neighborhood meeting on January 18th, and would like to defer until after that date.

Ms. Jernigan stated even if the Commission were to defer this matter, it would have no effect on their decision because the owner had a right to develop the property.

Mr. Otey stated Commissioner Lawson was out of town but had met with the neighborhood and assured he would make the effort to speak to the Commission regarding the request for the deferral.

Mr. Stephen Smith moved and Councilmember Clifton seconded the motion, which carried, with Mr. Harbison abstaining, to close the public hearing and to approve the following resolution:

Resolution No. 96-44

“BE IT RESOLVED by the Metropolitan Planning Commission that the Plan of Subdivision No. 96S-019G, be given **PRELIMINARY AND FINAL APPROVAL.**”

**Subdivision No. 96S-023G (Public Hearing)
Old Mill Stream, Section 1
Map 40, Part of Parcel 3
Subarea 3
District 1**

A request for preliminary approval to create 40 lots abutting the north margin of Old Hickory Boulevard and the west margin of Whites Creek Pike (20.8 acres), classified within the RS10 and R15 Districts, requested by William H. Thompson, Sr., owner/developer, Rick Fussell, surveyor.

Mr. Henry stated staff was recommending disapproval because the applicant had not had time to complete the necessary changes to the plat that staff or other departments had requested and they are requesting a two week deferral to have time to address those issues. They are primarily flood plain issues just north of Old Hickory Boulevard. He stated he could continue with the presentation if the Commission preferred.

Chairman Smith asked if anyone was present to speak in favor or in opposition to this proposal.

No one was present to speak.

Mr. Stephen Smith moved and Ms. Nielson seconded the motion to leave the public hearing open and defer above proposal for two weeks.

Request for Rehearing:

**Subdivision No. 95S-347G
Madison Annex, Resubdivision of Lots 2 and 3
Map 43-5, Parcels 37 and 38
Subarea 4
District 3**

A request to rehear a proposal to subdivide two lots into two lots abutting the west margin of Gallatin Pike, approximately 640 feet south of Nesbitt Lane (1.78 acres), classified within the CG District, requested by Bob Payne, agent for Joe Corley, owner/developer, GCG Land Surveyors, surveyor. **(Disapproved on 11/30/95).**

Mr. Henry stated this request for rehearing was disapproved by the Commission on November 30, 1995, because the lot frontage variance requested, to reduce the lot frontage from fifty to twenty-six and a half feet was not supported by a finding of a hardship or practical difficulty in complying with the subdivision regulations. Staff feels there has been no new information added for the requested variance and recommends the Commission not be readvertised this for a public hearing.

Chairman Smith stated staff said there was no new information and the Commission would only act if there were a motion made to request a rehear.

Councilmember Ron Nollner stated Mr. Payne was present and felt there was a hardship involved.

Chairman Smith stated there may be some hardship for Mr. Payne but the Commission did not see as far as the subdivision regulations go that there is any new information coming up that the had not already heard. There was no technical information left out of the record and it was denied at that time and there is no reason to rehear it.

Councilmember Nollner stated that he had understood staff asked Mr. Payne to bring the new information to present to the Commission.

Chairman Smith stated the Commission preferred to have that submitted with the request so staff would have time to analyze the information and what came in with the request was nothing new.

Mr. Henry stated that was correct.

Mr. Bob Payne stated that at the first meeting with the Commission he did not have any of the variance laws but had obtained those laws since then. This is a commercial piece of property and everything around it is also commercial. He felt he had met all the criteria for a variance on this property.

Chairman Smith suggested Mr. Payne come in to the staff office within the next two weeks and discuss this matter and then come back to the Commission if there is new information.

Mr. Payne stated he would do that.

No motion was made.

Final Plats:

**Subdivision No. 206-83-G
Chelsea Village Addition, Section Four
Map 149, Part of Parcel 339
Subarea 13
District 29**

A request to create 16 lots abutting both margins of Split Oak Trail, approximately 105 feet south of Oak Forest Drive (6.02 acres), classified within the R15 Residential Planned Unit Development District, requested by Jerry Butler, owner/developer, MEC, Inc., surveyor.

Mr. Henry stated this was the item Councilmember Holloway spoke about earlier. This is a final plat request and all reviewing departments have recommended approval. This is the area which was by Councilmember Durward Hall for the Commission to approve a closure. First it was a temporary closure and then it came back asking for a permanent closure. That is still working its way through Council. The plat satisfies all departments and staff recommends approval.

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

Resolution No. 96-45

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 206-83-G, be **APPROVED** subject to posting a performance bond in the amount of \$67,000.00.”

**Subdivision No. 40-87-P
Peninsula Point, Section One
Map 137, Part of Parcel 18
Map 151, Parcel 6
Subarea 13
District 29**

A request to create 45 lots abutting the north margin of Smith Springs Road, approximately 1,268 feet east of Waterford Way (13.44 acres), classified within the RS15 Residential Planned Unit Development District, requested by Butler Development, LLC, owner/developer, MEC, Inc., surveyor.

Mr. Henry stated this subdivision would be extending a road from Smith Springs Road through the property, serving lots on both sides with two cul-de-sacs, and reconnecting with the Waterford PUD, which is already built. This matter satisfies all conditions of approval and all reviewing departments have recommended approval.

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

Resolution No. 96-46

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 40-87-P, be **APPROVED** subject to posting a performance bond in the amount of \$236,000.00.”

**Subdivision No. 95S-336A
Glendale Park, Section 2, Lot 11
Map 132-5, Parcel 75
Subarea 10
District 33**

A request to amend the building setback line on a lot abutting the west margin of Lealand Lane, approximately 273 feet south of Tower Place (.48 acres), classified within the R20 District, requested by James M. and Elise Johnson, owner/developer.

Mr. Martin stated this was an existing residence where the owner proposes to build a garage. This is a request to modify a setback so the applicant may vary. The applicant has requested to reduce the side yard from fifty feet to thirty-two feet to allow the construction of the garage. This meets the current requirements for side yard requirements and staff recommends approval.

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

Resolution No. 96-47

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 95S-336A, be **APPROVED.**”

**Subdivision No. 96S-005A
Poplar Creek Estates, Phase 3, Section A, Lot 20
Map 155-7-A, Parcel 37
Subarea 6
District 35**

A request to amend the front and side building setback lines on a lot abutting the southeast margin of Forest Oaks Drive, approximately 452 feet northwest of Forrest Oaks Court South (.25 acres), classified within the RS30 Residential Planned Unit Development District, requested by Steven M. and Mary S. Caphanio, owners/developers.

Mr. Martin stated this matter was a building envelope violation. The lot has a twenty foot front setback and a five foot side setback. The contractor tried to set the building exactly on the front line and exactly on the

side line but the house got twisted and there is a four inch overage on the side and a six inch overage in the front. This is an honest surveying error and the contractor has assured staff they will try to set the houses a couple of feet of the minimum setback lines in the future.

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

Resolution No. 96-48

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 96S-005A, be **APPROVED.”**

**Subdivision No. 96S-013A
West Meade Estates, Section 1, Lot 78
Map 115-10, Parcel 75
Subarea 7
District 23**

A request to amend the building setback line on a lot abutting the northeast corner of Torrington Road and Currywood Drive (.94 acres), classified within the RS40 District, requested by Neil B. and Celeste W. Krugman, owners/developers.

Mr. Martin stated this area whether rather extraordinary setbacks were established in the past largely because it was a septic tank subdivision. The applicants are adding a bedroom and converting a room in the house because there is an elderly parent moving in. They are adding a carport on the end of the house and that is what is causing the request. Staff advises this would meet the setback requirements if the lot were subdivided today but because the setbacks are so large in other places in the neighborhood it should be to the Commission’s attention.

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

Resolution No. 96-49

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 96S-013A, be **APPROVED.”**

**Subdivision No. 96S-025A
Somerset Farms, Section 3, Lot 72
Map 141-7-B, Parcel 74
Subarea 6
District 35**

A request to amend the front and rear setback lines on a lot abutting the west margin of Fisher Court, approximately 143 feet west of Roslyn Court (.13 acres), classified within the R10 Residential Planned Unit Development District, requested by Somerset Farms, owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

Mr. Martin stated this home encroaches on the front property line by just under one foot and the rear property line by three feet. There have evidently been a number of defects involved in the development and approval of the site plan and in the construction of the house. The applicant is Mr. John Janikus.

Mr. Janikus stated that sixty lots had been closed successfully at Somerset. The people in the field had been laying out these houses and he thought it was a pretty good system. They are tight lots and this particular lot is a cul-de-sac lot and the curves are tricky and it has various off sets and since this violation prior to a closing he stated he had hired an engineer to go out and inspect the remainder of the lots that are in the inventory, approximately twenty houses. He has found one other that has approximately a nine inch violation. He stated the lots were to tricky for the field people to handle and the solution would be now to have a team go in with the foundation survey to check every lot and the field supervisor is to call him personally before any blocks are laid.

Mr. Browning stated the staff's concern with this was that there was no way this house could fit on this lot.

Mr. Janikus stated Barge/Waggoner, on every phase, tag the lots. There are about four different house plans. We tell them we have a minimum of a forty by forty, that is our smallest house. They tagged this lot as a Huntington, which was supposed to be able to fit but it was tagged wrong and was too large.

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

Resolution No. 96-50

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 96S-025A be **APPROVED.**”

MANDATORY REFERRALS:

**Proposal No. 95M-137G
Council Bill No. O95-149
Acquisition of the Harpeth Valley Utility District
Subarea 6
Districts 23 and 35**

An ordinance relating to the assumption and taking over by the Metropolitan Government of Nashville and Davidson County all or any part of the public functions, rights, duties, property, assets and liabilities connected with the water and sewerage customers, lines and treatment facilities of the Harpeth Valley Utility District of Davidson and Williamson Counties.

Mr. Ricketson stated he had a staff recommendation on this proposal but in light of the request he asked the Commission if they still wanted to hear the presentation.

Chairman Smith stated the Commission did.

Councilmember Clifton stated he called the Councilmember offering this bill in light of the fact the Council has a detailed amount of time set aside in a couple of weeks to hear this on its merits because he realized the Commission was not hearing it fully today. The Councilmembers, two of them, who are on this bill have assured him that they had just as soon to defer in light of that meeting.

Mr. Browning stated this bill was introduced on first reading on December 19, 1995, and the Planning staff began tracking it from then on and this body has thirty days to respond which would end around January 18,

1996. If for any reason this Commission would defer this in response to the Councilmembers request they should ask that the Councilmembers that are asking for deferral bring this up Tuesday, January 16, at the Council meeting and refer it back to the Commission so the thirty day time limit would begin again.

Councilman Clifton stated that you could never fully predict what an elected body would do but felt almost certain they would pass a motion to re-refer and that he would be happy to make that motion.

Chairman Smith stated he felt the Commission should hear what the issues are so they would know what they are dealing with.

Mr. Ricketson stated this was a bill that had been introduced to Council to authorize the Metropolitan Government to assume and take over the public functions, rights, duties, properties, assets and liabilities of the Harpeth Valley Utility District. Staff's recommendation on this proposal represents an important step in the implementation of the long held policy in Metro to consolidate all the water and sewer utilities and staff is recommending approval of this mandatory referral. The Concept 2010 General Plan states, concerning the public water supply, "Civil utility districts and companies are currently responsible for providing water within Nashville. To facilitate more coordinated sufficient planning and service delivery, the long range policy of consolidating these districts into a single Metropolitan system shall be continued." Concerning the waste water, the General Plan states, "The overall plan for waste water treatment and collection for the Nashville region are the Nashville area 201 facilities plan and the area wide waste treatment management plan developed under sections 201 and sections 208 respectively of the water pollution control act of 1972. Both of the plans provide that Metro ultimately assume control of waste water provision in Davidson County. These plans were established in 1979. There are currently five waste water treatment facilities in the Nashville area. Two of which are in Davidson county and two of which are in Rutherford County. The plan states that within twenty years the consolidation of all the ones in Davidson County into the three regional ones, which would necessitate closing down the current Harpeth Valley District.

Chairman Smith asked why this was a Planning Commission issue?

Mr. Ricketson stated the whole issue of a mandatory referral was that any time Metro acquires or disposes of property, the Planning Commission must approve or disapprove it and this is a case where Metro is assuming control of all the assets and property of Harpeth Valley Utilities. Bellevue is one of the fastest growing areas of Davidson County. During the past couple of decades it has grown about four times the rate that Davidson County as a whole has grown. Regardless of who provides these water and sewer services it is very important to keep pace with the demand.

Chairman Smith asked if that was a problem?

Mr. Ricketson stated that in the past several years there had been some development projects where that was an issue.

Mr. Browning read this statement from the Metropolitan Charter, "Whenever the Commission shall have adopted the master or general plan of the Metropolitan Government area or any part thereof. Then and thenceforth no street, park or other public way, ground, place, or space, no public building or structure or no public utility, whether publicly or privately owned shall be constructed or authorized in the area under the jurisdiction of the Metropolitan Government, until or unless the location and extent thereof shall have been submitted to and approved by the Planning Commission." So in the context of the comprehensive plan for the county, you are looking of a capital facility in terms of its location and extend thereof. The sentence goes on later to say, "The widening, narrowing, relocation, vacation, change in the use, acceptance, acquisition, sale or lease of any street or public way, ground, place, property or structure shall be subject to similar submission and approval." So the deal is to look at the acquisition or the sale of an asset in terms of how it helps to implement the General Plan.

Councilmember Clifton stated there were several people that wanted to be heard on this issue but his issue was that he would have to be convinced not to be for this. This is such a charged issue that what ever the Commission says about the technical nature their recommendation, it is going to be used in the debate about it has got to be a good thing because the Planning Commission is for it. Council has deferred action on this to have a lengthy work session scheduled to debate the merits it.

Councilman Lineweaver stated this was a hostile take over by the Metropolitan Government and was the first one since 1959, when it was established because all the other ones gave into Metro.

Mr. Buddy Williams, Director of Water Services, stated this matter had been referred to the Commission by mandatory referral because it is a acquisition of assets for the city. This matter has been explained and he supported the staff recommendation. This is compliance with the Metro General Plan with the intention that Metro has conceived from the beginning to have a regional utility within the county that serves the county with consistent treatment of developers as well as the customers in rates and charges throughout the county. That has progressed since Metro's inception with the acquisition of a number of other utilities. This opportunity is before the City Council to make that determination of whether they want to take action on this utility.

Chairman Smith asked if this were to go forward would Metro take over only that portion that is in Davidson County or the whole Harpeth Valley Utility District?

Mr. Williams stated the Council's authority, under state law, is only to annex what is within the Metropolitan boundaries.

Mr. Stephen Smith stated he wondered that if the Commission, within an hours time, could understand the complexities enough to give a rational decision. He stated he was opposed to it but did not think they would have enough information to make a decision.

Councilmember Crafton stated that as Mr. Ricketson introduction proved their point. In the concept 2010 it says that Metro has this consolidation idea that they are moving towards. In concept that is great but in the 2010 Plan it is specifically said that - if it is more efficient. It is not more efficient and one of the reasons is that Harpeth Valley Utility District also supplies Cheatham County and Williamson County. Harpeth Valley is not impeding but facilitating growth in the Bellevue area. They consistently expand their facilities capacity to provide water to the areas and they have a fifty year master plan document to deal with growth in the future.

Mr. Doc Mane, a Bellevue citizen, stated Ernest and Young had been pulling together figures for over ten years of the one hundred and fifty-nine largest cities in the United States on the operation of their water and waste treatment. Nashville has the dubious distinction of being one of the top four consistently, since 1988, of the highest rates in the United States and at one point number one in the nation. This will effect the tax payers, not just Bellevue. Taking Harpeth Valley rates against Metro Water cost each tax payer in Bellevue \$278.40 per year and they get nothing for it if Metro takes over. It is a lose - lose deal. This equates out to approximately \$3.9 million just for Bellevue.

Councilman Lineweaver stated the two sides will meet on February 5th to confront all the problems and issues and then this matter will come back to the Commission.

Ms. Jernigan stated she was inclined to think the Commission should defer and ask that Councilman Clifton introduce a motion in Council to re-refer this matter to the Commission after the public hearing.

Mr. Harbison agreed a deferral was the right thing to do and maybe something would come out at the hearing that would make it clear as to what the Commission should do.

Ms. Nielson and Mr. Manier also agreed a deferral would be the best action.

Councilmember Clifton moved and Mr. Stephen Smith seconded the motion, which carried unanimously, to defer the above matter until the February 8, 1996 meeting, following the February 5, 1996, informational meeting scheduled by Councilmember Chris Ferrell.

OTHER BUSINESS:

1. Proposed amendments to the 1995-1996 - 2000-2001 Capital Improvements Program for various school projects.

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

Resolution No. 96-51

“**BE IT RESOLVED** by the Metropolitan Planning Commission that it **APPROVES** amendments to the 1995-1996 - 2000-2001 Capital Improvements Budget and Program as follows:

Amend:

I.D. No. 87BE001B
Cotton Elementary
1033 West Greenwood Avenue
Construct New Facility to Replace
Old Unit for 500 Students

From:	\$4718.4	Approved General Obligation Bonds	1995-1996
To:	\$4718.4	Approved General Obligation Bonds	1995-1996
	\$23.0	Proposed General Obligation Bonds	1995-1996

I.D. No. 80BE032
Cumberland Elementary
3500 Hydes Ferry Road
Replace Old Section and Modernize

From	\$5350.0	Approved General Obligation Bonds	1995-1996
To:	\$5350.0	Approved General Obligation Bonds	1995-1996
	\$62.0	Proposed General Obligation Bonds	1995-1996

I.D. No. 73BE010B2A
Hillsboro High
3812 Hillsboro Pike

Modernize

From	\$5693.1	Approved General Obligation Bonds	1995-1996
To:	\$5693.1	Approved General Obligation Bonds	1995-1996
	\$205.0	Proposed General Obligation Bonds	1995-1996

I.D. No. 73BE014B2
Hillwood High
5212 Hickory Valley Road
Modernize

From	\$5982.2	Approved General Obligation Bonds	1995-1996
To:	\$5982.2	Approved General Obligation Bonds	1995-1996
	\$245.5	Proposed General Obligation Bonds	1995-1996

I.D. No. 84BE013B1
Hume-Fogg Magnet High
700 Broadway
Modernize

From	\$5852.8	Approved General Obligation Bonds	1995-1996
To:	\$5852.8	Approved General Obligation Bonds	1995-1996
	\$138.0	Proposed General Obligation Bonds	1995-1996

I.D. No. 84BE014B
Inglewood Elementary
1700 Riverside Drive
Construct New Facility
to Replace Old Unit

From	\$5054.9	Approved General Obligation Bonds	1995-1996
To:	\$5054.9	Approved General Obligation Bonds	1995-1996
	\$27.0	Proposed General Obligation Bonds	1995-1996

I.D. No. 84BE002B1
Jere Baxter Middle School
350 Hart Lane
Construct New Facility to Replace
Old Unit for 500 Students

From	\$5452.2	Approved General Obligation Bonds	1995-1996
To:	\$5452.2	Approved General Obligation Bonds	1995-1996
	\$1358.0	Proposed General Obligation Bonds	1995-1996

I.D. No. 87BE005A
Kirkpatrick Elementary
1000 Sevier Street
Expand Existing Facility

From \$2453.1 Approved General Obligation Bonds 1995-1996

To: \$2453.1 Approved General Obligation Bonds 1995-1996
\$117.0 Proposed General Obligation Bonds 1995-1996

I.D. No. 73BE016B2A
Overton High
4820 Franklin Pike
Modernize and Expand

From \$5612.2 Approved General Obligation Bonds 1995-1996

To: \$5612.2 Approved General Obligation Bonds 1995-1996
\$80.0 Proposed General Obligation Bonds 1995-1996

Amend From:
I.D. No. 94BE0A01
Inner City Area Elementary School
Site To Be Selected
Construct New Facility for 800 Students

\$6500.0 Approved General Obligation Bonds 1995-1996

To:
I.D. No. 94BE0A01
Hull-Jackson Montessori
Construct New Facility for 800 Students

\$6500.0 Approved General Obligation Bonds 1995-1996
\$325.0 Proposed General Obligation Bonds 1995-1996

Amend From:
I.D. No. 94BE0A02
Inner City Area Elementary School
Site To Be Selected
Construct New Facility for 800 Students

\$6100.0 Approved General Obligation Bonds 1995-1996

To:
I.D. No. 94BE0A02
Cockrill Elementary

Construct New Facility for 800 Students

\$6100.0 Approved General Obligation Bonds 1995-1996

Amend From:
I.D. No. 87BE007B
Southeast Area High School
Site To Be Selected
Acquire Land and Construct

\$24462.4 Approved General Obligation Bonds 1995-1996

To:
I.D. No. 87BE007B
Antioch High School
Hobson Pike at Pin Hook Road
Acquire Land and Construct;
Contingency for School Projects

\$24462.4 Approved General Obligation Bonds 1995-1996
\$2920.0 Proposed General Obligation Bonds 1995-1996

2. Scenic Arterial Standards.

Mr. Ricketson stated Scenic Arterials are arterial streets and highways which pass through or connect areas of particular scenic significance or provide linkages between areas of historic, natural, cultural or recreational importance. Includes preservation or enhancement of existing natural areas within the easement and planting of new landscaped areas within the right-of-way.

Scenic Arterials have flexible design standards within the minimum right-of-way based upon locational considerations. Width of travel lanes (11'-12'), medians (none to 40'), center turn lanes, landscaped areas, sidewalks, curb and gutters, shoulders, and bikeway facilities are to be considered on a project basis. Nonetheless, provision of landscaped areas, sidewalks, bikeway facilities and raised center medians are encouraged.

Road projects will be designed by the Metropolitan Department of Public Works or the Tennessee Department of Transportation (TDOT), as appropriate, in cooperation with Metropolitan Planning Commission staff. Final approval of road plans will be made by the Metropolitan Planning Commission prior to project implementation. Should federal funding be involved there may be additional requirements that must be met.

MINIMUM RIGHT-OF-WAY

S2	2 lanes	76' Minimum ROW 100' ROW Desirable
S4	4 lanes	100' ROW
S6	6 lanes	120' ROW
S8	8 lanes	140' ROW

Mr. Harbison moved and Ms. Nielson seconded the motion which carried unanimously to approve setting the Scenic Arterial Standards public hearing for February 8, 1996.

3. Review of the revised draft Parks, Recreation and Open Space Plan.

Mr. Browning announced that this revised draft was ready for review by the Commission.

Chairman Smith stated the Commission would review this plan before the next meeting and they also set a public hearing date for February 22, 1996.

4. Proposed Area for Neighborhood Plan.

Ms. Lehbeck referred the Commission to the memo she had sent them. She asked if the Commissioners were familiar with The Nations neighborhood in West Nashville. They were. She said that The Nations neighborhood had a substantial stock of decent, affordable housing. It had also received special attention in the *Subarea 7 Plan*.

Mr. Browning stated that the subarea planning process had identified problems with incompatibility between industrial and residential uses in the area, and it was hoped that these problems could be addressed through neighborhood planning.

Ms. Lehbeck said that MDHA would be doing a Neighborhood Strategy Area in a portion of the neighborhood this spring. It is advantageous for the two agencies to coordinate their efforts. Finally, the neighborhood is composed of one census tract, which facilitates data gathering and analysis.

The Commission endorsed staff's proposal to do the next neighborhood plan in The Nations area.

5. Zoning Code Review Process.

The Commission elected to have work sessions before the public hearing. They were scheduled from 11:00 to 1:00 on January 25, February 8 and 22, and March 7 and 21.

A discussion meeting between the Planning Commission and the Historical Commission was scheduled for January 18, from 11:30 - 1:00.

6. Subarea 14 discussion.

Mr. Fawcett explained that the picture of a multimedia production center that had previously been described to the Commission and the public at the Subarea 14 update community meetings and the public hearing does not accurately represent what is being proposed in Area 2 of upper Pennington Bend. That picture was based on the assumption that such a center would accommodate major film studios and outdoor storage and involve the staging of equipment and vehicles for location shoots. That picture was modeled on facilities like what exists in Las Colinas in the Dallas and Fort Worth area and in Wilmington, North Carolina. Both of these examples have buildings and activities typical of an industrial or heavy commercial use area. He went on to describe that what is being proposed is a specialty office park.

Mr. Fawcett described three basic components in the process of creating multimedia products. These are pre-production, production and post-production. Pre-production and post-production are basically office

activities where planning and budgeting the project and finalizing and distributing the product are undertaken. Production may include anything from computer animation and studio work totally indoors to major studio and back lot activities typical of major motion picture studios like Universal or MGM. It is the latter major studio and back lot activities which are not intended to take place in the proposed multimedia production center. Mr. Fawcett explained that these activities are inconsistent with the major objectives of providing a working environment that creative people desire to stimulate productivity, which requires a peaceful and pastoral setting.

Ms. Nielson left at this point in the agenda.

7. Fee structure for Yard Violations. **(Deferred from meetings of 11/30/95 and 12/14/95).**

This matter was deferred until the meeting of January 25, 1996.

8. Legislative Update.

Mr. Owens provided an update on the current legislative status of items previously considered by the Commission.

PLATS PROCESSED ADMINISTRATIVELY:

- | | |
|-----------------------|---|
| 94P-009U/
95S-333U | B.P.O. Elks Lodge No. 72
PUD Boundary and Subdivision Plat
Subdivides one tract into two lots and defines PUD boundary on larger tract. |
| 95S-375U | Temple Subdivision
Reconfigures two lots into two lots. |
| 95S-386U | George Waters Subdivision, Resubdivision of lots 1, 2 and 30
Combines three lots into one |
| 95S-363G | George U. Coggins
Creates two lots from larger tract (one lot created earlier by deed but not platted.) |
| 96S-022U | Metroplex, Section 13
Creates a two acre lot out of a seven acre tract. |
| 103-79-G/
95S-338G | Riverfront Shopping Center,
Section Four
Defines one commercial PUD lot as a "non-building site" until final plans are approved. |
| 94P-004U/
95S-283U | Mt. View Apartments,
Revised
Re-recorded plat to correct drafting errors in original plat. |
| 134-84-G/
95S-074G | Devon Close
Condo Plat
Converts multi-family development to horizontal property regime. |

- 95S-311U J. H. Pittinger, Jr. Subdivision
Two lots to two lots - realign parcel lines.
- 95S-228U A. B. Miles Property
Create two lots from one lot.
- 95S-271U Mrs. Margaret Shields,
Resubdivision of Lots 4 and 5
Reconfigures two lots into one lot.
- 95S-363G Charles U. Coggins & Sons
Create two lots from one lot.
- 95S-069U Ambrose Acres
Create two lots from one lot.
- 95S-010U Bogle Property
Create two lots from one lot.

ADJOURNMENT:

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

Chairman

Secretary

Minute Approval:
This 25th day of January 1996