

MINUTES
OF THE
METROPOLITAN PLANNING COMMISSION

Date: September 5, 1996
Time: 1:00 p.m.
Place: Howard Auditorium

Roll Call

Present:

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

Absent:

Mayor Philip Bredesen
Ann Nielson

Others Present:

Executive Office:

Jeff Browning, Executive Director and Secretary
Karen Nicely, Assistant Executive Director
Carolyn Perry, Secretary II

Current Planning and Design:

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

Advance Planning and Research Division:

Jeff Lawrence, Planner III
Cynthia Lehmbeck, Planner III
Jackie Blue, Planner I
Bill Lewis, Planner I
Amy Pierce, Planner I

Community Plans Division:

Jerry Fawcett, Planning Division Manager

Also Present:

Jim Armstrong, Public Works
Sonny West, Codes Administration
Leslie Shechter, Legal Department
Donna Mancini, Library

Chairman Smith called the meeting to order.

ADOPTION OF AGENDA

Mr. Owens announced 96S-278U, Riverwood Plantation should have Phase 1 removed from the title of the caption.

Mr. Lawson moved and Ms. Jernigan seconded the motion, which unanimously passed, to adopt the agenda with the announced change.

ANNOUNCEMENT OF DEFERRED ITEMS

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

96Z-077G	Two week deferral, requested by applicant.
96Z-085G	Two week deferral, requested by applicant.
96Z-086U	Two week deferral, requested by applicant.
149-69-G	Two week deferral, requested by applicant.
96S-287U	Two week deferral, requested by applicant.
96S-292U	Two week deferral, requested by applicant.
96M-089U	Two week deferral, requested by applicant.

Mr. Lawson moved and Ms. Jernigan seconded the motion, which unanimously passed, to defer the items listed above.

APPROVAL OF MINUTES

Ms. Jernigan moved and Mr. Lawson seconded the motion, which unanimously passed, to approve the minutes of the regular meetings of July 25, 1996 and August 8, 1996.

RECOGNITION OF COUNCILMEMBERS

Councilmember Melvin Black spoke in favor of Zone Change Proposal No. 96Z-081U and in opposition to Subdivision 96S-269U.

Councilmember Michelle Arriola spoke in favor of Appeal Case No. 96B-149U, Zone Change Proposal 96Z-079U and Zone Change Proposal 96Z-082U.

Councilmember Ron Turner spoke in favor of Mandatory Referral, Proposal No. 96M-085U, to change a street name.

Commissioner Arnett Bodenhamer arrived at this point in the agenda at 1:10 p.m.

ADOPTION OF CONSENT AGENDA

Mr. Lawson moved and Mr. Manier seconded the motion, which carried unanimously, to approve the following items on the consent agenda:

APPEAL CASES:

Appeal Case No. 96B-149U
Map 133-15, Parcel 133
Subarea 12 (1991)
District 26 (Arriola)

A request for a conditional use permit under the provisions of Section 17.124.120 (Community Assembly) as required by Section 17.24.030 to use the existing structure as a lodge within the RM8 District, on property abutting the north margin of Welshwood Drive, approximately 240 feet east of Corning Drive (1.26 acres), requested by Ed Mason, for Andrew Jackson Lodge #5, Fraternal Order of Police, appellant/owner.

Resolution No. 96-586

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 96B-149U to the Board of Zoning Appeals:

The site plan complies with the conditional use criteria."

Appeal Case No. 96B-152U
Map 91-1, Parcel 52
Subarea 7 (1994)
District 22 (Holt)

A request for a conditional use permit under the provisions of Section 17.124.180 (Floodplain) as required by Section 17.116.030 to construct a 480 square foot detached garage within the R6 District, on property abutting the northeast margin of Morrow Road, approximately 355 feet east of 63rd Avenue North (.17 acres), requested by Ronald Dison, appellant/owner.

Resolution No. 96-587

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 96B-152U to the Board of Zoning Appeals:

The site plan complies with the conditional use criteria."

Appeal Case No. 96B-155G
Map 33, Parcels 156 and 122
Subarea 2 (1995)
District 3 (Nollner)

A request for a conditional use permit under the provisions of Section 17.124.190 (Intermediate Impact) as required by Section 17.24.030 to construct a 35' by 60' mausoleum as an accessory to an existing cemetery within the R20 District, on property abutting the east margin of Dickerson Pike, immediately south of Dry Creek (52.14 acres), requested by Mary Ann Wiggins, for Forest Lawn Memorial Gardens, appellant/owner.

Resolution No. 96-588

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 96B-155G to the Board of Zoning Appeals:

The site plan complies with the conditional use criteria."

Appeal Case No. 96B-158G

Map 136-13, Parcel 13

Subarea 13 (1991)

District 27 (Sontany)

A request for a conditional use permit under the provisions of Section 17.124.180 (Floodplain) as required by Section 17.116.030 to construct a 30' by 32' addition to the rear of an existing single-family dwelling in the floodplain of the east fork of Hamilton Creek, within the R10 District, on property abutting the east margin of Rural Hill Road, approximately 300' south of Watersview Drive (544 Rural Hill Road) (0.17 acre), requested by Howard Robilson, for Mary Hutto, appellant/owner.

Resolution No. 96-589

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 96B-158G to the Board of Zoning Appeals:

The site plan complies with the conditional use criteria."

ZONE CHANGE PROPOSALS:

Zone Change Proposal No. 96Z-068U

Map 135, Parcels 8 to 11, 15-21 and 345

Subarea 13 (1991)

District 27 (Sontany)

A request to change from AR2a and R15 Districts to MUL and from AR2a to R10 District certain property abutting the north and south margins of Franklin Limestone Road, the east and west margins of Rice Road, and the west margin of Murfreesboro Pike (approximately 15 acres), requested by Lloyd Philpott, for various owners.

Resolution No. 96-590

"BE IT RESOLVED by the Metropolitan Planning Commission that the following Zone Change Proposal No. 96Z-068U is **APPROVED**:

The proposed land use policy in the Subarea 13 Plan update is "mixed use" for the area around the Murfreesboro Pike/ Franklin Limestone Road interchange and residential 'low medium' density for the area to the west. The requested MUL district would be appropriate in this area. The portion of this application that is for the R10 district (parcel 57) is within the residential 'low medium' density policy, which supports R10 densities."

Zone Change Proposal No. 96Z-078U

Map 96-1, Parcel 56

Subarea 14 (1996)

District 15 (Dale)

A request to change from R10 District to CS District certain property abutting the west margin of Donelson Pike, approximately 200 feet south of Lebanon Pike (2.11 acres), requested by Billie Kammerman, for Senior Citizens, Inc., owner.

Resolution No. 96-591

"BE IT RESOLVED by the Metropolitan Planning Commission that the following Zone Change Proposal No. 96Z-078U is **APPROVED**:

The Subarea 14 Plan applies ‘commercial arterial existing’ policy to this area bounded by Lebanon Pike (to the north), both sides of Donelson Pike (to the east), and the railroad (to the west and south). The small pocket of R10 zoning in this area, a leftover from when this particular piece of property was used as an elementary school, is no longer appropriate zoning for this commercial policy classification. Applying CS zoning to this property is consistent with the commercial zoning pattern of the area.”

Zone Change Proposal No. 96Z-079U
Map 147, Parcel 17
Subarea 12 (1991)
District 26 (Arriola)

A request to change from RM8 District to OP District certain property abutting the northwest corner of Wallace Road and Old Welch Road (3.01 acres), requested by James D. Wamble, for Harding Place Properties, owner.

Resolution No. 96-592

"BE IT RESOLVED by the Metropolitan Planning Commission that the following Zone Change Proposal No. 96Z-079U is **APPROVED**:

The Subarea 12 Plan applies office policy to this area to provide ancillary office uses to Southern Hills Hospital. Application of the OP district is appropriate.”

Zone Change Proposal No. 96Z-080G
Map 170, Parcel 3
Subarea 10 (1994)
District 33 (Turner)

A request to change from R40 District to OP District certain property abutting the southwest corner of Old Hickory Boulevard and Brentwood Boulevard (2.95 acres), requested by Paul W. Lockwood, for NACA Partnership, owner.

Resolution No. 96-593

"BE IT RESOLVED by the Metropolitan Planning Commission that the following Zone Change Proposal No. 96Z-080G is **APPROVED**:

The Subarea 10 Plan applies ‘office concentration’ policy along the southern frontage of Old Hickory Boulevard. The requested OP district will implement office policy.”

Zone Change Proposal No. 96Z-082U
Map 147-7, Parcel 162
Subarea 12 (1991)
District 26 (Arriola)

A request to change from OP District to CS District certain property abutting the east margin of Nolensville Pike, approximately 100 feet north of Alice Avenue (.91 acre), requested by Daphne P. Dixon, for Andrew Pratt, owner.

Resolution No. 96-594

"BE IT RESOLVED by the Metropolitan Planning Commission that the following Zone Change Proposal No. 96Z-082U is **APPROVED**:

This OP parcel is within an area of CS zoning and serves no transitional purpose. The Subarea 12 plan applies commercial mixed arterial policy to this area, which is consistent with the requested CS district."

Zone Change Proposal No. 96Z-083G

Map 162, Parcels 92 and 233 and Part of Parcel 167
Subarea 12 (1991)
District 31 (Alexander)

A request to change from AR2a District to R10 District certain property abutting the west margin of Old Hickory Boulevard, approximately 1,600 feet south of Bell Road (approximately 9 acres), requested by L. Steven Bridges, Jr., for 101 Construction Company, Morris Levine, Maceo S. Sawyers and Bobby L. Warfield, owners.

Resolution No. 96-595

"BE IT RESOLVED by the Metropolitan Planning Commission that the following Zone Change Proposal No. 96Z-083G is **APPROVED**:

The Subarea 12 Plan applies residential 'low-medium' density policy to this area. The requested R10 district is consistent with this policy classification and is an appropriate extension of the existing R10 district."

Zone Change Proposal No. 96Z-084U

Map 172, Parcel 3
Subarea 12 (1991)
District 32 (Jenkins)

A proposal to change from R40 District to R20 District certain property abutting the north margin of Cloverland Drive, approximately 950 feet west of Edmondson Pike (28 acres), requested by Dan R. Bledsoe, for Robert H. Williams, Jr., owner.

Resolution No. 96-596

"BE IT RESOLVED by the Metropolitan Planning Commission that the following Zone Change Proposal No. 96Z-084U is **APPROVED**:

The Subarea 12 Plan applies residential 'low-medium' density policy (up to 4 dwelling units per acre) to this area. The R20 District will implement this policy and will fit in with the surrounding zoning and development pattern."

PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:

Proposal No. 155-74-G

Larchwood Commercial PUD

Map 97-13, Parcel 39
Subarea 14 (1996)
District 14 (Stanley)

A request for final approval for a phase of the Commercial (General) Planned Unit Development District located abutting the northwest margin of Blackwood Drive, approximately 500 feet west of Stewart's Ferry Pike (.6398 acre), classified R10, to permit the development of a 4,000 square foot restaurant, requested by John E. Weatherby Architect, for Jerry Caggiano, owner.

Resolution No. 96-597

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 155-74-G is given **CONDITIONAL FINAL APPROVAL FOR A PHASE**. The following condition applies:

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

Proposal No. 28-79-G
Cambridge Forest, Section II
(formerly Hickory Highlands)
Map 149, Parcels 47, 319 and 337
Subarea 13 (1991)
District 28 (Hall)

A request for final approval for a phase of the Residential Planned Unit Development District abutting the northwest margin of Rural Hill Road, approximately 1,280 feet southwest of Rice Road (30.64 acres), to permit the development of 93 single-family lots, requested by Anderson-Delk and Associates, for Double M Partners, owner.

Resolution No. 96-598

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 28-79-G is given **CONDITIONAL FINAL APPROVAL FOR A PHASE**. The following conditions apply:

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

Proposal No. 28-81-G
Hickory Hills Village Park
Map 142, Parcel 243
Subarea 6 (1996)
District 23 (Crafton)

A request to revise the preliminary site development plan for the Commercial (General) Planned Unit Development District abutting the west margin of Old Hickory Boulevard, approximately 1260 feet north of Highway 70S (14.38 acres), classified R15, to permit the development of 59,500 square feet of office/retail/food service and a 124 unit, 49,950 square foot, three-story motel, requested by Barge, Waggoner, Sumner and Cannon, for Victor Marshall, agent and Sonna J. Phillips, trustee.

Resolution No. 96-599

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 28-81-G is given **CONDITIONAL APPROVAL OF REVISION TO PRELIMINARY**. The following condition applies:

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

Proposal No. 66-84-G

The Lexington (Phases 2 and 3)
Map 128-04-A, Part of Parcel 7
Subarea 6 (1990)
District 23 (Crafton)

A request to revise the final site development plan for Phase Two and Phase Three of the Residential Planned Unit Development District (48.6 acres), abutting the east margin of Old Hickory Boulevard, opposite Ridgelake Parkway, to permit the development of a 348 unit multi-family complex and a private water storage tank, requested by Ragan-Smith and Associates, Inc., for South Atlantic Limited Partnership, owner.

Resolution No. 96-600

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 66-84-G is given **CONDITIONAL FINAL APPROVAL TO REVISE THE FINAL SITE PLAN FOR PHASES 2 AND 3**. The following conditions apply:

1. Receipt of written confirmation of approval of the final plan from the Stormwater Management and Traffic Engineering sections of the Department of Public Works.
2. Written confirmation of approval of the final plan from the Harpeth Valley Utility District.
3. Recording of the final plat as well as the posting of bonds as may be required for any necessary public improvements prior to the issuance of any building permits.”

Proposal No. 83-85-P

Ransom Place (Hollywood Video)
Map 135-14-0-B, Parcel 89
Subarea 13 (1991)
District 27 (Sontany)

A request to revise the approved preliminary site development plan and for final approval for a phase of the Commercial (General) Planned Unit Development District abutting the southwest corner of Murfreesboro Pike and Ransom Place, (1.62 acres), to permit the development of a 7,488 square foot video rental facility, requested by Musil Perkowitz Ruth Architecture, for Hollywood Entertainment, owners.

Resolution No. 96-601

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 83-85-P is given **REVISION TO PRELIMINARY AND CONDITIONAL FINAL APPROVAL FOR A PHASE**. The following condition applies:

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

Proposal No. 28-87-P

Boone Trace, Section 2 (Boone Farm PUD)
Map 126, Parcel 65
Subarea 6 (1996)
District 23 (Crafton)

A request for final approval for a phase of the Residential Planned Unit Development District abutting the northwest margin of Newsome Station Road, approximately 2,900 feet southeast of McCrory Lane (16.0 acres), to permit the development of 52 single-family lots, requested by Barge, Waggoner, Sumner and Cannon, for Fox Ridge Homes, owner.

Resolution No. 96-602

BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 28-87-P is given **CONDITIONAL FINAL APPROVAL FOR A PHASE**. The following conditions apply:

1. Receipt of written confirmation of approval of the revised plans from the Stormwater Management and Traffic Engineering sections of the Department of Public Works.
2. Written confirmation of approval of the final plan from the Harpeth Valley Utility District.
3. Recording of a final plat as well as the posting of bonds as required for the necessary public improvements prior to the issuance of any building permits.”

Proposal No. 43-87-P
Oakwood Commons (Hollywood Video)
Map 64-16, Part of Parcel 27
Subarea 14 (1996)
District 11 (Wooden)

A request for final approval for a phase of the Commercial (General) Planned Unit Development District abutting the north margin of Lebanon Pike, 800 feet east of Andrew Jackson Parkway, to permit the development of a 6,656 square foot video rental facility, requested by MPR Architects, for Hollywood Entertainment, owners.

Resolution No. 96-603

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 43-87-P is given **CONDITIONAL FINAL APPROVAL FOR A PHASE**. The following conditions apply:

1. Receipt of written confirmation of approval of the final plan from the Stormwater Management and Traffic Engineering sections of the Department of Public Works.
2. Receipt of written confirmation of approval from the Cumberland Utility District.”

Proposal No. 88P-046G
Poplar Ridge Condominiums
Map 141, Parcel 68
Subarea 6 (1996)
District 35 (Lineweaver)

A request for final approval for a phase of the Residential Planned Unit Development District abutting the west margin of Coley Davis Road, approximately 45 feet north of the CSX Railroad (6.0 acres), classified R20, to permit the development of 24 condominium units, requested by Wamble and Associates, for The Haury Company.

Resolution No. 96-604

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 88P-046G is given **CONDITIONAL FINAL APPROVAL FOR A PHASE**. The following conditions apply:

1. Receipt of written approval of the revised final plans from the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. Receipt of written approval of the final plan from the Harpeth Valley Utility District.
3. Payment of \$154 per unit to the Coley Davis Road Improvement Fund at the time of recording the final plat.
4. Recording of a final plat as well as the posting of any bonds as may be required for any necessary public improvements prior to the issuance of any building permits.”

Proposal No. 93P-021G
Holt Woods, Section II
Map 172, Part of Parcel 208
Subarea 12 (1991)
District 31 (Alexander)

A request for final approval for a phase of the Residential Planned Unit Development District, approximately 1,600 feet west of Holt Hills Road, approximately 800 feet north of Holt Road (11.66 acres), to permit the development of 32 single-family lots, requested by Anderson-Delk and Associates, Inc., for Paul E. Johnson, owner.

Resolution No. 96-605

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 93P-021G is given **CONDITIONAL FINAL APPROVAL FOR A PHASE**. The following conditions apply:

1. Receipt of written confirmation of approval of the final plan from the Stormwater Management and Traffic Engineering sections of the Department of Public Works.
2. Recording of a final plat as well as the posting of bonds as may be required for any necessary public improvements prior to the issuance of any building permits.”

Proposal No. 94P-008U
Keystone Farms
Map 161, Parcel 50
Subarea 12 (1991)
District 32 (Jenkins)

A request for final approval for the Residential Planned Unit Development District (9.32 acres), abutting the east margin of Edmondson Pike, approximately 400 feet south of Huntington Parkway, classified R10, to permit the development of a 90 unit residential complex, requested by Keystone Farms, L.L.C., owner. (Deferred from meetings of 05/30/96, 06/27/96, 07/11/96 and deferred indefinitely 07/25/96).

Resolution No. 96-606

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 94P-008U is given **CONDITIONAL FINAL APPROVAL**. The following conditions apply:

1. Written confirmation of final approval from the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. Submittal to the staff of the Planning Commission a revised plan showing a turn-around at the western terminus of Village Way which is acceptable to the Metropolitan Department of Public Works.
3. The recording of a final subdivision plat upon the posting of a bond for the construction of a turn-around at the western terminus of Village Way.”

Proposal No. 94P-017G

October Woods
 Map 183, Parcel 4
 Subarea 12 (1991)
 District 31 (Alexander)

A request to revise a portion of the approved preliminary site development plan of the Residential Planned Unit Development District abutting the west margin of Old Hickory Boulevard, 1,800 feet south of Interstate 24 (8.0 acres), classified R10, to convert a private drive in the multi-family phase of the development into a public road, requested by Anderson-Delk and Associates, Inc., for Paul Johnson, owner.

Resolution No. 96-607

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 94P-017G is given **CONDITIONAL APPROVAL OF A REVISED PRELIMINARY SITE DEVELOPMENT PLAN.** The following condition applies:

Receipt of written confirmation of approval of the revised plans from the Stormwater Management and Traffic Engineering sections of the Department of Public Works.”

Proposal No. 95P-030G

Brookside Woods, Phase 1 (Formerly Chase Oaks)
 Map 75, Parcels 64 and Part of 65
 Subarea 14 (1996)
 District 12 (Ponder)

A request for final approval for a phase of the Residential Planned Unit Development District abutting the northwest corner of Chandler Road and Tulip Grove Road (4.4 acres), classified R15, to permit the development of seven single-family lots, request by MEC, Inc., for Larry Powell Builders, owners.

Resolution No. 96-608

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 95P-030G is given **CONDITIONAL FINAL APPROVAL FOR PHASE ONE.** The following conditions apply:

1. Written confirmation of final approval from the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. The recording of a boundary plat.

3. The recording of a final subdivision plat for Phase 1, upon the posting of a bond for all road improvements as required by the Metropolitan Department of Public Works and all water and sewer line extensions as required by the Metropolitan Department of Water Services.”

Proposal No. 96P-006G
Mountain View PUD
Map 172, Parcel 30
Subarea 12 (1991)
District 31 (Alexander)

A request to revise the approved preliminary site development plan and for final approval of the Residential Planned Unit Development District abutting the east terminus of Cloverland Drive, 2,000 feet east of Edmondson Pike (118.2 acres), classified R20, to permit the development of 98 single-family lots, requested by Centex Homes, for the Worldwide Church of God, owner.

Resolution No. 96-609

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 96P-006G is given **CONDITIONAL APPROVAL**. The following conditions apply:

1. Written confirmation of final approval from the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. Revised plans approved by the Traffic Engineer showing a concrete ramp at the end of the cul-de-sac of Woodland Hills Drive.
3. Revised roadway plans approved by the Traffic Engineer showing 8 foot shoulders on either side of Edmonson Pike.
4. The recording of a final subdivision plat upon the posting of a bond for all road improvements as required by the Metropolitan Department of Public Works and all water and sewer line extensions as required by the Metropolitan Department of Water Services.”

SUBDIVISIONS:

Final Plats:

Subdivision No. 94S-399G
Northfork Industrial Park, Phase 1
Map 12, Parcel 50
Subarea 2 (1995)
District 10 (Garrett)

A request to create five lots abutting the west margin of Dickerson Pike and the east margin of the CSX Transportation Railroad (36.12 acres), classified within the IR District, requested by Trailmont Park, Inc., owner/developer, Crawford Land Surveyors, surveyor. (Deferred from meeting of 08/08/96).

Resolution No. 96-610

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the FINAL Subdivision No. 94S-399G, is granted **CONDITIONAL APPROVAL** subject to posting a performance bond in the amount of **\$518,000.00.**”

Subdivision No. 95S-368G

James T. Hayes Subdivision
Map 51, Parcels 160, 161 and 187
Subarea 4 (1993)
District 8 (Hart)

A request to abandon a public utility easement which provided sewer access to 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. (Also requesting bond release).

Resolution No. 96-611

“BE IT RESOLVED by the Metropolitan Planning Commission that the FINAL Subdivision No. 95S-368G, is granted **APPROVAL.**”

“BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 95S-368G, Bond No. 96BD-028, James T. Hayes Subdivision, in the amount of \$70,000, as requested.”

Subdivision No. 96S-224G
Summit Run, Phase 1
Map 86, Part of Parcel 39
Subarea 14 (1996)
District 12 (Ponder)

A request to create 19 lots abutting the southeast margin of Chandler Road, approximately 770 feet northeast of Lebanon Pike (4.02 acres), classified within the R15 Residential Planned Unit Development District, requested by Summit Run, L.L.C., owner/developer, H & H Land Surveying, Inc. (Deferred from meeting of 08/08/96).

Resolution No. 96-612

“BE IT RESOLVED by the Metropolitan Planning Commission that the FINAL Subdivision No. 96S-224G, is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$114,000.00.**”

Subdivision No. 96S-311G
Cabinet Shop, Revised
Map 85, Parcel 72
Subarea 14 (1996)
District 12 (Ponder)

A request to subdivide one lot into two lots abutting the south margin of Hoggett Ford Road and the south terminus of Brandau Road (4.76 acres), classified within the R15 Commercial Planned Unit Development District, requested by Ralph L. and Marion W. Ulmer, owners/developer, John D. McCormick, surveyor.

Resolution No. 96-613

“BE IT RESOLVED by the Metropolitan Planning Commission that the FINAL Subdivision No. 96S-311G, is granted **APPROVAL.**”

Subdivision No. 96S-313G
Subdivision No. 96S-314G
Chesney Glen, Sections 1A and 1B

Map 87, Part of Parcel 10
Subarea 14 (1996)
District 12 (Ponder)

A request to create 73 lots (37 lots in Section 1A and 36 lots in Section 1B) abutting the south margin of Old Lebanon Dirt Road and both margins of Chesney Glen Drive (13.83 acres), classified within the R15 Residential Planned Unit Development District, requested by Phillips Builders, Inc., owner/developer, Anderson-Delk and Associates, Inc., surveyor.

Resolution No. 96-614

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the FINAL Subdivision No. 96S-313G and Subdivision No. 96S-314G, is granted **CONDITIONAL APPROVAL subject to posting performance bonds as follows:**

Subdivision No. 96S-313G (Section 1A) \$420,000.00
Subdivision No. 96S-314G (Section 1B) \$279,200.00.”

Subdivision No. 96S-315U
V.U.M.C. Garage and Medical Office
Map 104-7, Parcels 542 and 548
Map 104-8, Parcel 408
Subarea 10 (1994)
District 19 (Sloss)

A request to consolidate three parcels into one lot abutting the east margin of 24th Avenue South, between Pierce Avenue and Capers Avenue (6.85 acres), classified within the MRO District, requested by Vanderbilt University Medical Center, owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

Resolution No. 96-615

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the FINAL Subdivision No. 96S-315U, is granted **APPROVAL.**”

Request for Bond Extension:

Subdivision No. 88P-038G
Long Hunter Chase, Phase Two, Section One
JCH Development, Inc., principal

Located abutting the southwest corner of Smith Springs Parkway and Hobson Pike.

Resolution No. 96-616

"**BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of a performance bond for Subdivision No. 88P-038G, Bond No. 94BD-021, Long Hunter Chase, Phase Two, Section One, in the amount of \$64,000 until September 1, 1997, as requested, said approval being contingent upon submittal of a letter by the September 26, 1996 from the Frontier Insurance Company agreeing to the extension. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

Subdivision No. 90P-008G
Magnolia Hills
J & J Development, Inc., principal

Located abutting the north margin of Old Harding Pike, approximately 1,000 feet east of Collins Road.

Resolution No. 96-617

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of the performance bond for Subdivision No. 90P-008G, Bond No. 94BD-070, Magnolia Hills, in the amount of \$80,000 until June 1, 1997, as requested, said approval being contingent upon posting an amended letter of credit by September 26, 1996 and extending the expiration date to December 1, 1997. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

Subdivision No. 91P-007G
Sunset Oaks, Section Two
B & P Development, principal

Located abutting the east margin of Old Tulip Grove, approximately 424 feet north of Old Lebanon Dirt Road.

Resolution No. 96-618

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of the performance bond for Subdivision No. 91P-007G, Bond No. 94BD-074, Sunset Oaks, Section Two, in the amount of \$40,000 until August 1, 1997, as requested, said approval being contingent upon posting an amended letter of credit by September 26, 1996 and extending the expiration date to February 1, 1998. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

Subdivision No. 93P-019G
Lakeridge, Phase Two
B & P Development, principal

Located abutting the west margin of Bell Road, opposite Lincoya Bay Drive.

Resolution No. 96-619

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of the performance bond for Subdivision No. 93P-019G, Bond No. 95BD-014, Lakeridge, Phase Two, in the amount of \$251,000 until September 1, 1997, as requested, said approval being contingent upon posting an amended letter of credit by September 26, 1996 and extending the expiration date to March 1, 1998. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

Subdivision No. 94P-014U
Williamsburg at Brentwood, Section One
Phillips Builders, Inc., principal

Located abutting the southwest corner of Cloverland Drive and Saddlewood Lane.

Resolution No. 96-620

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of a performance bond for Subdivision No. 94P-014U, Bond No. 95BD-109, Williamsburg at Brentwood, Section One, in the amount of \$164,000 until June 1, 1997, as requested, said approval being contingent upon submittal of a letter by September 26, 1996 from the Frontier Insurance Company agreeing

to the extension. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

Subdivision No. 41-85-P

Cedar Crest, Phase Two
Joe Gower, principal

Located abutting the south terminus of Cedar Crest Drive, approximately 140 feet south of Williams Court.

Resolution No. 96-621

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of the performance bond for Subdivision No. 41-85-P, Bond No. 95BD-042, Cedar Crest, Phase Two, in the amount of \$145,000 until August 1, 1997, as requested."

Subdivision No. 95S-203G

Meadows of Tulip Grove, Section Four
Meadows of Tulip Grove, L.P., principal

Located abutting the southeast margin of Richard Lee Circle and Netherlands Drive.

Resolution No. 96-622

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of the performance bond for Subdivision No. 95S-203G, Bond No. 95BD-064, Meadows of Tulip Grove, Section Four, in the amount of \$5,000 until August 1, 1997, as requested, said approval being contingent upon posting an amended letter of credit by September 26, 1996 and extending the expiration date to February 2, 1998. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

Request for Bond Release:

Subdivision No. 59-69-U

Donelson Pike Commercial Subdivision,
Resubdivision of Lot One
Hotel South, General Partnership, principal

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

Resolution No. 96-623

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 59-69-U, Bond No. 94BD-053, Donelson Pike Commercial Subdivision, in the amount of \$5,000, as requested."

Subdivision No. 93P-011G

Holt Woods, Section One
Hurley-Y L.P., principal

Located abutting both margins of Call Hill Road, approximately 435 feet south of Roundhill Drive.

Resolution No. 96-624

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 93P-011G, Bond No. 94BD-025, Holt Woods, Section One, in the amount of \$14,000, as requested."

MANDATORY REFERRALS:

Proposal No. 96M-090U
Alley 2019 Closure
Map 71
Subarea 5 (1994)
District 5 (Harrison)

A proposal to close Alley No. 2019 from Gatewood Avenue to its southern terminus, requested by Tony Clouse for adjacent property owners. (Easements are to be retained).

Resolution No. 96-625

"BE IT RESOLVED by the Metropolitan Planning Commission that it APPROVES Proposal No. 96M-090U.

Proposal No. 96M-091U
Rice Road Water Main Easement
Map 149-16, Parcels 27, 28 and 31
Subarea 13 (1991)
District 28 (Hall)

A mandatory referral from the Department of Water and Sewerage Services to acquire a 10 foot permanent easement along Rice Road for a new water main for the Rice Road Pumping Station. (Project No. 95-WG-102A).

Resolution No. 96-626

"BE IT RESOLVED by the Metropolitan Planning Commission that it APPROVES Proposal No. 96M-091U.

Proposal No. 96M-092U
Lease Agreement Between Metro and the
Boys and Girls Club of Middle Tennessee
Map 92-4, Parcel 139
Subarea 8 (1994)
District 21 (McCallister)

An ordinance approving a lease agreement between the Metropolitan Government of Nashville/Davidson County and the Boys and Girls Club of Middle Tennessee to construct and operate a boys and girls club.

Resolution No. 96-627

"BE IT RESOLVED by the Metropolitan Planning Commission that it APPROVES Proposal No. 96M-092U.

Proposal No. 96M-096U
Transfer of Surplus Property on 10th Avenue North
Ordinance No. O96-419
Map 81-16, Parcel 675

Subarea 9 (1991)
District 20 (Haddox)

An ordinance authorizing the transfer of surplus property located at 1006 10th Avenue North to M.D.H.A.

Resolution No. 96-628

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-096U.

Proposal No. 96M-097U
Acquisition of Easement along Kelly Road
Maps 160-11A and 160-00
Subarea 12 (1991)
District 32 (Jenkins)

A mandatory referral from the Department of Water and Sewerage Services to acquire a 20 foot permanent easement along Kelly Road for the purpose of upgrading an area sewer line. (Project No. 96-SG-12).

Resolution No. 96-629

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-097U.

Proposal No. 96M-098U
Victoria Avenue Closure
Map 71-13
Subarea 3 (1992)
District 2 (Black)

A proposal to close Victoria Avenue between Vashti Street and I-265, requested by Howard Ray Strickland, adjacent property owner. (Easements are to be abandoned).

Resolution No. 96-630

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-098U.

Proposal No. 96M-099U
Bell Forge Parkway Closure
Map 163-11
Subarea 13 (1991)
District 28 (Hall)

A council bill closing Bell Forge Parkway from Mount View Road to its northern terminus. (Easements are to be retained).

Resolution No. 96-631

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-099U:

The Department of Public Works recommends closure of Bell Forge Parkway along its entire length back to Mt. View Road, but does not support a partial closure, see no public purpose in maintaining a dead-end street serving one residential planned unit development."

Proposal No. 96M-100U
Chet Atkins Place Aerial Encroachment
Maps 93-13 and 92-16
Subarea 10 (1994)
District 19 (Sloss)

A mandatory referral from the Department of Public Works proposing the installation of a private telecommunication cable over the right-of-way of Chet Atkins Place, approximately 80 feet west of Music Square East, requested by Michael E. Huddleston, for Curb Records, Inc., adjacent property owner.

Resolution No. 96-632

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-100U.

Proposal No. 96M-101U
Lindell Street/Porsha Drive Name Change
Map 61-7
Subarea 5 (1994)
District 8 (Hart)

A mandatory referral from the Department of Public Works proposing to change the name of Lindell Street between Broadmoor Drive and Maplewood Lane to "Porsha Drive."

Resolution No. 96-633

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-101U.

This concluded the items on the consent agenda.

ZONE CHANGE PROPOSALS:

Text Amendment No. 96Z-007T
Council Bill No. O96-432

A council bill to amend the text of the Zoning Regulations by amending Section 17.28.190b.(1.) so as to revise the requirements for accessory buildings in required rear yards, sponsored by Councilmembers Graves and Fentress.

Mr. Reid recommended approval of this text change. He stated this amendment would allow an increase in the size of an accessory building from 400 square feet to 576 square feet, and would reduce the required side and rear setbacks from 5 to 3 feet. This will allow the Codes Department to administer the zoning code easier and more efficiently.

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

Resolution No. 96-634

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 96Z-007T is **APPROVED**:"

This proposal amends the text of the zoning code in regard to permitted accessory buildings in required yards. This new methodology will be easier to administer. The proposed code permits accessory buildings of no more than 400 square feet to be located at least three feet from any side or rear lot line. This amendment differs slightly in that it permits 576 square feet for the accessory building.”

Zone Change Proposal No. 96Z-081U

Map 70-7, Parcels 6 to 9

Subarea 3 (1992)

District 2 (Black)

A request to change from R8 District to MUL District certain property abutting the north margin of West Trinity Lane, approximately 125 feet west of Old Buena Vista Road (2.2 acres), requested by Karen H. Miller, for Gary L. and Bonnie M. Campbell, Charlie Joe Bowers, H. A. Best and Samuel David Gammons, owners.

Mr. Reid stated staff was recommending disapproval on this proposal because this area is in RMH policy which permits between 9 and 20 dwelling units per acre and the MUL District is more of a mixed use zoning classification. It is used in mixed use areas and neighborhood commercial areas and this does not qualify as one of those areas. Also there are other commercial opportunities in the vacant CS zoning located nearby. The subarea plan provides for commercial opportunities to the east at Whites Creek Pike and to the west at the Clarksville Pike intersection.

Mr. Lawson stated that the need to preserve opportunities for residential development in this part of the county was raised during the subarea planning process. He expressed his concerns with commercial encroachment into these areas that are earmarked for preserving existing residential development and for encouraging new residential development.

Mr. Harbison asked what the reason was for the zone change?

Mr. Reid stated it was to operate a beauty shop out of an existing home.

Mr. Harbison asked if this was to legitimize some thing that was already there?

Mr. Reid stated that was not the case.

Ms. Karen Miller, applicant, stated she grew up in that area. With this change she would be able to put a sign in front of the business. The neighbors are in favor of this change because they too would have some commercial opportunities for developing their property.

Councilmember Clifton asked if any other type of zoning would fit this purpose.

Mr. Reid stated CS and CSL would work. However, staff had looked at the CS parcel to the east that is vacant and determined there is no demand for commercial zoning in this general area. Further, the policy calls for residential development in this whole area.

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

Resolution No. 96-635

"BE IT RESOLVED by the Metropolitan Planning Commission that the following Zone Change Proposal No. 96Z-081U is **DISAPPROVED**:

The Subarea 3 Plan applies residential ‘medium-high’ density policy to this area (9 to 20 dwelling units an acre). A more appropriate location for commercial services supported by the subarea plan is to the east at the intersection of West Trinity Lane and Whites Creek Pike or to the west along Clarksville Pike.’

PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:

Proposal No. 96P-007G

The Fountains at Banbury, Section One
(Formerly Elysian Springs)
Map 172, Parcel 16
Subarea 12 (1991)
District 32 (Jenkins)

A request for final approval for a phase of the Residential Planned Unit Development District abutting the west margin of Edmondson Pike, opposite Mt. Pisgah Road (17.35 acres), classified R40, to permit the development of 31 single-family lots, requested by Gresham, Smith and Partners, for The Jones Company, owner. (See Subdivision No. 96S-276U, page 14). (Deferred from meeting of 08/08/96).

Subdivision No. 96S-276G

The Fountains at Banbury, Section 1
Map 172, Parcels 16 and 20
Subarea 12 (1991)
District 32 (Jenkins)

A request to create 33 lots abutting the west margin of Edmondson Pike, opposite Mt. Pisgah Road (20.15 acres), classified within the R40 Residential Planned Unit Development District, requested by The Jones Company, owner/developer, Gresham, Smith and Partners, surveyor. (See PUD Proposal No. 96P-007G, page 10). (Deferred from meeting of 08/08/96).

Mr. Delaney stated this proposal was deferred from the August 8th agenda, meeting so Public Works and the applicant could discuss some issues presented by a neighboring property owner concerning an existing pond on the property. They have met and have resolved these issues. The applicant is proposing to capture the flow from a spring and pipe it to a point downstream of the pond proposed within the development. This will ensure adequate flow of water to the pond on the neighboring property. insuring there is adequate flow to keep the pond full to its capacity. Staff is recommending approval with conditions, and in addition, staff is recommending approval of the associated subdivision 96S-276U. This subdivision includes the 31 lots within the PUD as well as two additional lot along Edmondson Pike which will provide the right-or-way to Edmonson Pike.

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

Resolution No. 96-636

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 96P-007G is given **CONDITIONAL FINAL APPROVAL FOR A PHASE**. The following conditions apply:

1. Receipt of written confirmation of approval of the revised plans from the Stormwater Management and Traffic Engineering sections of the Department of Public Works.

2. Recording of the final plat as well as the posting of bonds as required for the necessary public improvements prior to the issuance of any building permits.
3. Application to the State of Tennessee, Division of Water Pollution Control for an ARAP permit.”

“**BE IT FURTHER RESOLVED** by the Metropolitan Planning Commission that the FINAL Subdivision No. 96S-276G, is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$892,500.00.**”

SUBDIVISIONS:

Preliminary Plats:

Subdivision No. 96S-291U (Public Hearing)
 Hickory Ridge Subdivision
 Map 149, Parcel 222
 Subarea 13 (1991)
 District 28 (Hall)

A request to create 12 lots abutting the west margin of Rice Road, approximately 73 feet south of Rice Hill Circle (4.23 acres), classified within the RS10 District, requested by Saeed Sassan, owner/developer, King Engineers, LLC, surveyor. (Also requesting final plat approval).

Mr. Henry stated the staff was recommending approval of the preliminary plan of subdivision, but approval of the final plat should be deferred to work out details on the storm water detention basin. Ten of the twelve lots will be served by a cul-de-sac. Two lots fronting on Rice Road will be served by a joint access driveway.

No one was present to speak at the public hearing.

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

Resolution No. 96-637

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the PRELIMINARY Plan of Subdivision No. 96S-291U is granted **APPROVAL, and the FINAL Plan is DEFERRED by request of the applicant to the meeting of September 19,1996.**”

Subdivision No. 96S-278U (Public Hearing)
 Riverwood Plantation
 Map 73-5, Parcel 140 and Part of Parcel 149
 Subarea 5 (1994)
 District 8 (Hart)

A request for preliminary approval for 95 lots abutting the southwest corner of Demarius Drive and Riverwood Circle (32.0 acres), classified within the R10 District, requested by Riverwood Plantation Development Company, Inc., owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor. (Deferred from meeting of 08/08/96).

Mr. Henry stated the staff is recommending approval of the preliminary plan of subdivision. He stated the proponent of the development has shown a subdivision plan for the entire acreage, as requested by staff. In addition the developer has reconfigured the street network to extend Andrew Place into the property, as

recommended by the planning staff and the Metro traffic engineer. This system provides three street connections into the proposed subdivision. The Public Works Department has recommended approval of the drainage system which will include ditches along the edge of the property to funnel drainage through the Cooper Court easement and into Cooper Creek.

Ms. Cheryl Overton, Carolyn Brada and Penny Bolin spoke in opposition to the proposal, asked for disapproval, and expressed their concerns regarding street design and location, type of houses, lot sizes, drainage, safety of school children walking along streets with increased traffic, existence of dilapidated structures on the property, the provisions of green space and open space and preservation of historic features.

Mr. Owens stated deteriorated structures in need of repair or demolition are covered under other provisions of the Metro Code. The subdivision process and the subdivision regulations are not the means for removing dilapidated structures currently existing.

Chairman Smith stated Public Works, Metro Legal and Traffic and Parking would address these concerns prior to final approval.

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

Resolution No. 96-638

“BE IT RESOLVED by the Metropolitan Planning Commission that the PRELIMINARY Plan of Subdivision No. 96S-278U, is granted **APPROVAL.**”

Subdivision No. 96S-269U

M. S. Pilkinton Lot
Map 70-4, Parcel 85
Subarea 3 (1992)
District 2 (Black)

A request to subdivide one lot into two lots abutting the southwest corner of West Nocturne Drive and Whites Creek Pike (.98 acre), classified within the R20 District, requested by M. C. Pilkinton, owner/developer, Tommy E. Walker, surveyor. (Deferred from meeting of 08/08/96).

Mr. Henry stated staff continues to recommend disapproval of this request. He stated the lots that would result from the lot split would not be comparable to other surrounding lots on the west side of Whites Creek Pike. Though the resulting lots would be larger than those across Whites Creek Pike, Mr. Henry advised the Commission that the east side of Whites Creek Pike is in a higher density policy designation than the west side properties. Therefore, the measurement of area comparability should give greater consideration to the lot pattern on the west side of Whites Creek Pike.

No one was present to speak for or against this subdivision. However, it is noted Councilman Black spoke against the request earlier in the meeting.

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

Resolution No. 96-639

“BE IT RESOLVED by the Metropolitan Planning Commission that the PRELIMINARY Plan of Subdivision No. 96S-269U, is **DISAPPROVED since the plan of subdivision does not satisfy lot comparability (Subdivision Regulation 2-4.7).**”

Subdivision No. 96S-295G (Public Hearing)

Stoney Brook Subdivision
Map 85, Parcel 41 and Part of Parcel 22
Subarea 14 (1996)
District 12 (Ponder)

A request for preliminary approval for 15 lots abutting the southwest corner of Central Pike and Seaboard System Railroad (35.6 acres), classified within the CS and CG Districts, requested by MS-Cot, owner/developer, Dale and Associates, Inc., surveyor.

Mr. Henry stated staff is recommending approval with a variance to the maximum street length of 1500 feet. He stated the property is encumbered by extensive floodplain, as well as its location between the street and the railroad. Fifteen lots will be created on a cul-de-sac large enough to accommodate tractor trailers. Mr. Henry stated the traffic engineer and Public Works have approved this plan. There is also an established platted easement for a greenway access in the future.

Councilmember Phil Ponder stated he felt this was a very appropriate location for this proposal.

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

Resolution No. 96-640

“BE IT RESOLVED by the Metropolitan Planning Commission that the PRELIMINARY Plan of Subdivision No. 96S-295G is granted **APPROVAL with a variance to the maximum length of a dead-end street (Subdivision Regulation (2-6.2.1.G)).**”

Subdivision No. 96S-316G (Public Hearing)

Forest Park at Madison, Resubdivision of Lots 37, 38
and Part of 39, 40 and 41
Map 43-13, Parcels 378 and 379
Subarea 4 (1993)
District 9 (Dillard)

A request for preliminary approval for 13 lots abutting the south margin of Elm Street, opposite Fourth Avenue (3.39 acres), classified within the R6 District, requested by Charles Rhoten, optionee/developer, Ragan-Smith Associates, Inc., surveyor.

Mr. Henry stated the staff is recommending approval of this request. He stated the subdivision consists of 13 lots on a cul-de-sac, an in-fill development on a piece of vacant property within a predominantly built up residential area. The property is surrounded by residential homes and an apartment complex. There will be a future detention basin located on the back side of the property. Mr. Henry stated that the requirements for locating the cul-de-sac's intersection with Elm Street created a very narrow strip of property which is being platted within one of the lots within this subdivision. Ultimately, however, the narrow strip of land may be replatted to be included in an existing lot adjacent to and immediately west of the subdivision. Mr. Henry stated Public Works and traffic and parking also recommend approval.

Mr. Ralph Whiteway expressed his opposition and concerns regarding congestion, safety, lot size, quality of housing and property value.

Mr. Henry stated this entire area is zoned R6 allowing six thousand square foot lots. He stated the comparability provisions do not apply in this case because new street construction is involved.

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

Resolution No. 96-641

“BE IT RESOLVED by the Metropolitan Planning Commission that the PRELIMINARY Plan of Subdivision No. 96S-316G, is granted **APPROVAL.**”

Subdivision No. 96S-317U (Public Hearing)
Noelton Subdivision, Resubdivision of Part of Lot 9
Map 118-9, Parcel 123
Subarea 10 (1994)
District 17 (Douglas)

A request to subdivide one lot into two lots abutting the northeast corner of Noelton Avenue and Lealand Lane (.52 acres), classified within the R10 District, requested by Donald A. Dey, owner/developer, John Kohl and Company, surveyor.

Mr. Henry stated staff was recommending disapproval because these two lots would fail the lot area comparability test, and because the total buildable area of the western lot would be within the required setback along Lealand Lane, judging from the setbacks of other structures along Lealand Lane in the immediate vicinity.

No one was present to speak on this request.

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

Resolution No. 96-642

“BE IT RESOLVED by the Metropolitan Planning Commission that the PRELIMINARY Plan of Subdivision No. 96S-317U, is **DISAPPROVED since the proposed lots do not satisfy the lot area comparability test (Subdivision Regulation 2-4.7).**”

Final Plats:

Mr. Henry stated each of the final plats involve the shifting of an existing lot line for the reduction in a setback line.

Subdivision No. 96S-279U
Kensal Green North, Resubdivision of Lots 44 and 45
Map 150-12-A, Parcels 202 and 203
Subarea 13 (1991)
District 29 (Holloway)

A request to reconfigure two lots abutting the southwest margin of Mallard Creek Court, approximately 175 feet south of Dove Creek Road (1.28 acres), classified within the R10 Residential Planned Unit Development District, requested by Phillips Builders, Inc., Karen C. Dutton and William J. Asplint, owners/developers, R. L. Spears and Company, surveyor.

Mr. Henry stated this property was on a cul-de-sac. The lot that is approximately 275 feet deep. The house was built with a one foot encroachment into the five foot minimum side set back area. This proposal is to replat the lot line to accommodate the five foot setback.

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

Resolution No. 96-643

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the FINAL Subdivision No. 96S-279U, is granted **APPROVAL.**”

Subdivision No. 96S-280U

West Meade Estates, Section 2, Lot 181 Revision
Map 115-10, Parcels 18 and 20
Subarea 7 (1994)
District 23 (Crafton)

A request to reconfigure two lots abutting the south margin of Brownlee Drive and the west margin of Cornwall Drive (2.41 acres), classified within the RS40 District, requested by Janet A. Spann and William S. and Mary E. Turner, trustees U/A/D, owners/developers, Crawford Land Surveyors, surveyor.

Mr. Henry stated the replat is being done to meet setback requirements for a detached accessory building. Mr. Henry stated the site plan showed the accessory building would be built in conformance with setback requirements. However, it was constructed in a different location on the property, in violation of the rear setback requirement, and upon a utility easement. Mr. Henry stated all of the utilities responsible for having access have approved this request.

Mr. Manier asked if this was a temporary building that was movable? If it is, it should be moved.

Chairman Smith asked Mr. Sony West, Codes Administration, how this happened and if it was inspected.

Mr. West stated it was inspected and it was caught. Codes told the applicant where the building had to be built but it was built where they wanted to build it.

Mr. Harbison stated this was different from other situations because it was on the utility easement.

Chairman Smith stated maybe this should be deferred for a couple of weeks until the Commission could get more information on the building.

Mr. Manier moved and Ms. Jernigan seconded the motion, which carried, with Mr. Lawson in opposition, to defer this matter for two weeks.

Subdivision No. 96S-282A

Raymond Heights, Lot 70
Map 106-14, Parcel 53
Subarea 11 (1993)
District 16 (Graves)

A request to amend the side building setback line from 40 feet to 15 feet on a lot abutting the northeast corner of Scobey Drive and Loney Drive (.53 acres), classified within the R10 District, requested by Lewis C. and Rita G. Gibbs, Jr., owners/developers.

Mr. Henry stated the proposal was to construct a garage at the corner of the lot outside the setback lines established by the subdivision plat. While the proposed garage would adhere to zoning setbacks, in staff's opinion, it would not be in character with the setbacks established all along the street in this neighborhood. Mr. Henry stated all structures have been constructed in accordance with the 40 foot subdivision plat requirements. Amending the plat setback to 15 feet would allow a significant encroachment into the well established street line. Mr. Henry stated there are several alternatives which could be pursued to construct

the garage in the rear yard within the 40 foot setback, and these alternatives should be pursued rather than amending the plat.

Mr. Lewis Gibbs, applicant, stated he had lived in this house for six and one-half years, needed a garage to keep his cars in, and wanted to build fifteen feet from the property line. Mr. Gibbs stated setbacks are not uniform in that area, and cited situations where he alleged others have built garages in similar locations.

Councilmember Clifton stated he did not recall many situations where the Commission had looked at a forty foot setback in an area with fairly small lots.

Mr. Harbison stated he was concerned this would set a dangerous precedent if the Commission were to approve this proposal.

Mr. Clifton moved and Mr. Stephen Smith seconded the motion to approve the setback reduction from 40 feet to 15 feet as requested. The motion failed with Mr. Clifton and Mr. Steve Smith voting in favor, and Mr. Harbison, Ms. Jernigan, Mr. Manier, Mr. Lawson, Chairman Smith and Mr. Bodenhamer voting in opposition.

Chairman Smith stated the motion did not carry and was denied.

Resolution No. 96-644

“BE IT RESOLVED by the Metropolitan Planning Commission that the FINAL Subdivision No. 96S-282A, is **DISAPPROVED** since a reduction in the minimum building setback line would compromise the established character of this neighborhood’s development pattern.”

Mr. Stephen Smith left at this point in the agenda, at 2:55 p.m.

Subdivision No. 96S-286A
Brentwood Hall, Section 8, Lot 808
Map 160-3, Parcel 23
Subarea 12 (1991)
District 33 (Turner)

A request to amend the side building setback line from 40 feet to 30 feet on a lot abutting the northeast corner of Oakley Drive and Overton Road (.52 acres), classified within the R20 District, requested by Douglas C. and Elizabeth L. Eaton, owners/developers.

Mr. Henry stated this proposal was to erect a carport which would extend out from a two car garage and over into a platted setback area. The issue is the minimum setback and community standards. Mr. Henry stated staff was recommending disapproval because the 40 foot setback was well established in the subdivision, and there were other alternatives available for constructing the carport consistent with the platted setbacks.

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

Resolution No. 96-645

“BE IT RESOLVED by the Metropolitan Planning Commission that the FINAL Subdivision No. 96S-286A, is **DISAPPROVED** since a reduction in the minimum building setback line would compromise the established character of this neighborhood’s development pattern.”

Subdivision No. 96S-299A
Bridle Downs, Phase 1 Revision, Lot 30

Map 172-8-B, Parcel 30
Subarea 12 (1991)
District 31 (Alexander)

A request to amend the rear setback line from 20 feet to 15 feet to permit an addition to a residence on a lot abutting the south margin of Celebration Way, approximately 115 feet south of Midnight Sun Circle (.23 acres), classified within the R15 Residential Planned Unit Development District, requested by Edward H. Bayers, Jr. and Lynn C. Voorlas, owners/developers, John Kohl and Company, surveyor.

Mr. Henry stated this subdivision was platted with rear lots of twenty feet. The proposal is to add on to the rear of the house which would result in a three foot encroachment of the corner of the house into the platted setback. There is a petition in the file from surrounding property owners in support of the setback reduction. Mr. Henry also advised the Commission there is an unbuilt and unused right-of-way directly behind this house.

Mr. Edward Bayers and Ms. Lynn Voorlas, applicants, presented pictures to the Commission and asked them for approval of this proposal stating this is an established neighborhood and the hardship was the pie shaped lot and this was the only location to add on.

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

Resolution No. 96-646

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the FINAL Subdivision No. 96S-299A, is granted **APPROVAL.**”

Subdivision No. 96S-302A
River Trace Estates, Phase 1, Section 1, Lot 71A
Map 62-2-A, Parcel 20
Subarea 14 (1996)
District 15 (Dale)

A request to amend the side setback line from 20 feet to 12.5 feet on a lot abutting the northwest margin of River Bend Drive, opposite Paddle Wheel Drive (.21 acres), classified within the R15 Residential Planned Unit Development District, requested by Stanley P. Upchurch, owner/developer, Charles P. Clinard, surveyor.

Mr. Henry stated this was a pie shaped property and the request was to reduce the twenty foot setback to 12.5 feet, the width of the easement. Mr. Henry stated this reduction would accommodate the three foot building encroachment; however, it would still leave a six inch encroachment for the patio. All reviewing agencies involved in this have agreed to the six inch patio encroachment.

Mr. Charles Stulth, employee of Fox Ridge Homes, stated the superintendent on this job figured on just a public utility easement, which is twelve and a half feet on each side of the lot line, and did not realize the building envelope showed twenty feet.

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

Resolution No. 96-647

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the FINAL Subdivision No. 96S-302A, is granted **APPROVAL.**”

MANDATORY REFERRALS:

Proposal No. 96M-085U
Hildreth Court/Mountain Side Name Change
Map 131-15
Subarea 10 (1994)
District 33 (Turner)

A proposal to change the name of Hildreth Court to Mountain Side, requested by Jonnelle L. Hamilton, for adjacent property owners.

Ms. Lehmbeck stated there was no compelling public need or safety issue to justify this name change. The petition submitted by property owners along this street stated the name was difficult to spell and to understand. Hildreth Court is accessed from Hildreth Drive and, therefore, appears to be a logical name for this cul-de-sac. The Department of Public Works has also expressed opposition to this proposal. Their opposition is that a name change might create locational problems for emergency service providers and others unfamiliar with the area and staff recommends disapproval.

Considerable discussion followed regarding the merits of having short cul-de-sacs maintaining names similar to that of the main street providing access to them.

Mr. Bodenhamer moved and Mr. Harbison seconded the motion, which carried, with Chairman Smith and Councilmember Clifton in opposition, to approve the following resolution:

Resolution No. 96-648

"BE IT RESOLVED by the Metropolitan Planning Commission that it **DISAPPROVES** Proposal No. 96M-085U:

Hildreth Court is accessed from Hildreth Drive, and therefore is logically named at this time. The Department of Public Works is of the opinion that emergency service responses are enhanced with the current name."

Proposal No. 96M-095U
Charles E. Davis Boulevard Road Closure
Ordinance No. O96-414
Maps 93-15 and 16
Subarea 11 (1993)
District 19 (Sloss)

An ordinance authorizing the closure of Charles E. Davis Boulevard between Lafayette Street and Carroll Street. (Easements are to be retained).

Ms. Blue stated this was request by a Councilmember to amend the Official Street and Alley Acceptance Map by closing Charles E. Davis Boulevard between LaFayette Street and Carroll Street. Ms. Blue and cited several subdivision regulations this street closure would violate. These violations included denying at least twelve pieces of property access to a public street, and connecting two public streets with a private street.

Ms. Blue stated the concern was with safety along this wide and heavily traveled street. She stated maintaining Charles E. Davis as a public street and ensuring pedestrian safety are not mutually exclusive. Alternatives to the proposed street closure have been discussed with Public Works staff. These include construction of a landscaped median, pedestrian bulbs at intersections, on-street parallel parking, and raised crosswalks similar to those at he Bicentennial Mall. Staff recommended disapproval.

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

Resolution No. 96-649

"BE IT RESOLVED by the Metropolitan Planning Commission that it **DISAPPROVES** Proposal No. 96M-095U:

Ordinance No. 087-1679 requires the preparation and review of a traffic impact study for the closure of a street of this magnitude. In addition, the closure of this street would result in numerous violations of this community's subdivision regulations relating to street interconnections and lot frontages. The Planning Commission recommends the retention of Charles E. Davis as a public street and incorporation of design measures to reduce speed and improve pedestrian safety."

OTHER BUSINESS:

1. Visioning - Library Master Plan.

Ms. Donna Mancini presented the Library Master Plan to the Commission, which would begin now and conclude in 2012. She stated the entire plan would cost \$125,420,475 in capital funds. She pointed out locations for the main, regional and community libraries and explained new types of libraries such as Homework Libraries and Electronic Kiosks, located at high traffic locations for those with limited access to other library facilities.

2. Nations-Urbandale Neighborhood Plan presentation. (Deferred from meeting of 08/08/96).

Ms. Lehmbeck made a presentation on the Nations-Urbandale Neighborhood Plan. She explained that the Nations-Urbandale neighborhood is in Subarea 7 near Cockrill Bend. She pointed out the *Subarea 7 Plan* land use policies and design plans for the neighborhood. Neighborhood residents have expressed interest in implementing the general direction of the design plans. Ms. Lehmbeck stressed that Nations-Urbandale faces circumstances different from those faced by Hope Gardens. Therefore, the two neighborhood plans are quite different. She outlined the reasons for selecting the neighborhood: affordable housing that should be preserved and maintained; an existing neighborhood organization; coordination with MDHA, which is doing a Neighborhood Strategy Area in part of the neighborhood; and neighborhood needs identified during the Subarea 7 planning process. The Nations-Urbandale Neighborhood Plan focuses on five goal categories: Community Organization; Industrial Compatibility; Neighborhood Appearance; Public Facilities and Services; and Public Safety. She explained that neighborhood residents are already implementing many of the plan's goals.

Mr. Browning stated one of the items suggested in the plan was the need to work on some different way of getting vehicles in and out of the neighborhood, particularly the commercial vehicles, and that is something that will be paid attention to in the capital budget.

Chairman Smith asked if this needed to be adopted as a final draft or an interim draft?

Mr. Fawcett stated all the staff needed was for the Commission to endorse the plan.

Mr. Lawson moved and Mr. Bodenhamer seconded the motion, which carried unanimously, to endorse the Nations-Urbandale Neighborhood Plan.

4. Fiscal Year 1997 Operating Budget

Mr. Browning stated the staff merely wanted to provide the Commission with information on the current budget in the format which will be used for quarterly reporting. No action is necessary.

Mr. Lawson stated that in looking at the 1997 Operating Budget he noticed quite a discrepancy in the allocations for employee benefits in relationship to total salaries. He stated it is thirty percent in one category and forty percent in Advance Planning and Research. Mr. Lawson asked that the staff explain this at the next meeting.

Mr. Browning stated the thirty percent, although it may seem high, is probably the current rate for benefits. He stated he could not explain why the percentages are different for the two funds. He stated staff would report at the next meeting.

5. Advance Planning and Research Fund Appropriation.

Mr. Browning stated there was \$250,000 being placed into the APR account. \$50,000 is the amount, that by charter, comes to the Planning Commission into the APR. The other \$200,000 is an advancement from the General Fund to carry out the transportation projects. As Federal monies are received as projects are completed, the \$200,000 will be returned to the general fund.

Mr. Manier moved and Mr. Lawson seconded the motion, which carried unanimously, to approve the Advance Planning and Research Fund Appropriation.

Resolution No. 96-650

BE IT RESOLVED by the Metropolitan Planning Commission that it approves the Advance Planning and Research Fund Appropriation as follows:

Appropriation Balance - July 1, 1996	\$0.00
Resolution No. adopted September 5, 1996	<u>\$250,000.00</u>
Net Appropriation Balance	\$250,000.00

July 1996 Expenditures - Actual:

Salaries	\$5,763.50	
Consultant's Services	\$1,500.00	
FICA	\$428.52	
Group Health Insurance	\$429.44	
Employer's Pension Contribution	\$447.90	
Group Life Insurance	\$52.00	
Dental Insurance	\$29.84	
Data Processing Equipment	\$0.00	(\$8,651.20)
Net Appropriation Balance		\$241,348.80

August and September 1996 Expenditures - Projected:

Salaries	\$11,527.00
----------	-------------

Central Printing Services	\$1,830.00	
Data Processing Services	\$37.50	
Advertising	\$1,100.00	
Consultant's Services	\$203,618.44	
Office Supplies	\$0.00	
FICA	\$857.04	
Group Health Insurance	\$858.88	
Employer's Pension Contribution	\$895.80	
Group Life Insurance	\$104.00	
Dental Insurance	\$59.68	<u>(\$220,888.34)</u>
Net Appropriation Balance		\$20,460.46

6. Fiscal Year 1997 MPO transportation planning contracts with the Tennessee Department of Transportation.

Mr. Browning stated there were two contracts, one for the Federal Highway Administration Funds and the other is for the Federal Transit Authority which are \$432,000 for FHWA and a little over \$41,000 for the FTA. These are the Federal monies the Commission will be receiving for the October 1 through September 30 period.

Mr. Lawson moved and Ms. Jernigan seconded the motion, which carried unanimously, to approve the Federal Highway Administration Funds contract and the Federal Transit Authority contract.

7. Selection of staff member to serve on the Coordinating Committee Advisory Council on relocation of the Country Music Hall of Fame and Museum.

Mr. Browning stated Council had passed a resolution asking for a staff member to work with the relocation of the Country Music Hall of Fame and Museum and recommended Jeff Lawrence be appointed to that post. The issue here will be the economic viability of that area; Mr. Lawrence is an economist; is sensitive to these kinds of issues and is the head of the research section.

The Commission unanimously endorsed Jeff Lawrence to Serve on the Coordinating Committee Advisory Council on relocation of the Country Music Hall of Fame and Museum

8. Selection of Commission Member to serve on a Traffic and Pedestrian Safety Task Force.

Mr. Browning stated Council was asking for a Commission member to be appointed to the Traffic and Pedestrian Safety Task Force. This is Councilmember Kleinfelter's effort to get a comprehensive program for the county. Cynthia Lehmbeck would be the staff person that would work with and often step in for the Commission member if that member is unable to attend those meetings.

Chairman Smith asked if there was a volunteer from the Commission to serve on the Traffic and Pedestrian Safety Task Force.

Mr. Lawson nominated Mr. Harbison to serve on the task force.

Chairman Smith stated he would accept that nomination and take it under advisement and report back to the Commission at the next meeting because there was no deadline.

The Commission unanimously endorsed Cynthia Lehmbeck to serve with a selected Commissioner on the Traffic and Pedestrian Safety Task Force.

10. Employee contracts for Chris Hall and Brian Hamilton.

Mr. Browning stated Chris Hall's contract was for a Planner I, who is a Nashville native, but a graduate of the University of Texas Planning School. He asked the Commission to approve him as a contract employee for one year from September 16, 1996 through September 15, 1997.

The other employee is Brian Hamilton, who is a part-time employee. He has been an intern for the last three months and has shown a lot of proficiency with the ArcView mapping system and has indicated an interest in working part-time with the Commission through June 30, 1997.

Mr. Lawson moved and Ms. Jernigan seconded the motion, which carried unanimously, to approve the employee contracts for Chris Hall and Brian Hamilton.

Councilmember Clifton left at 4:25 at this point in the agenda.

Mr. Fawcett announced that Councilmember Clifton asked him to notify the Commission there was a move to have Conservation Zoning applied to the area along Sixteenth and Seventeenth Avenues between Horton and Wedgewood Avenues. The Subarea 10 Plan calls for residential policy at medium high density levels. The amendment would consider an office policy for the area along with conservation zoning to preserve the structures existing in the area. Staff would suggest setting the public hearing for October 17th.

Ms. Jernigan moved and Mr. Lawson seconded the motion, which carried unanimously, to set the Subarea 10 amendment request for the Music Row area for October 17, 1996.

9. Presentation of the Final Report on the Regional Incident Management Plan, by Gresham, Smith and Partners.

Ms. Linda Moesh, from Gresham, Smith and Partners presented the final report on the Regional Incident Management Plan.

Chairman Smith announced the Commission had lost its quorum and stated they would take action on the plan at the September 19, 1996, meeting.

3. Economic Development Functional Plan Overview.

This item was deferred until the September 19, 1996, meeting.

11. Legislative Update.

This item was deferred until the September 19, 1996 meeting.

PLATS PROCESSED ADMINISTRATIVELY.

August 8 through September 5, 1996

96S-124G	Caudill Subdivision Reconfigures two lots
96S-179U	Colewood Commons Creates a two unit condominium
96S-221U	Magnolia Place PUD Boundary Plat
96S-250U	Greenway Acklen Divides one lot into two lots
96S-251U	Stevenson Summit Reconfigures two lots
96S-261U	Riverpoint, Section 2 Resubdivision of Lots 4 and 5 Combines two lots into one lot
96S-285G	Bobby Allen Property Plats a deeded parcel
96S-288G	Wexford Downs PUD Boundary Plat
96S-289G	Hampton Hall PUD Boundary Plat
96S-290G	Chesney Glen PUD Boundary Plat
96S-204U	Smith Subdivision Divides one lot into two lots
96S-306U	Harbor Gate, Section 1, Lot 62 Zone Lot Division
96S-307U	Harbor Gate, Section 2, Lot 101 Zone Lot Division
96S-308U	Woodymore Heights, Section 2, Lot 13 Zone Lot Division
96S-309U	Woodymore Heights, Section 2, Lot 14

Zone Lot Division

96S-322G Jernigan Hill Subdivision
Divides one parcel into two lots

ADJOURNMENT.

There being no further business, upon motion made, seconded and passed, the meeting adjourned at 5:05 p.m.

Chairman

Secretary

Minute approval:
This 19th day of September, 1996