

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

Date: October 17, 1996  
Time: 1:00 p.m.  
Place: Howard Auditorium

**Roll Call**

**Present**

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

**Absent**

Mayor Philip Bredesen  
Arnett Bodenhamer  
William Manier

**Others Present:**

**Executive Office:**

Jeff Browning, Executive Director and Secretary  
Carolyn Perry, Secretary II

**Current Planning and Design:**

Edward Owens, Planning Division Manager  
Mitzi Dudley, Planner III  
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

**Community Plans Division:**

Jerry Fawcett, Planning Division Manager  
Debbie Frank, Planner I  
Jennifer Uken, Planner I

**Also Present:**

Jim Armstrong, Public Works  
Tom Cross, Department of Law

Chairman Smith called the meeting to order.

### **ADOPTION OF AGENDA**

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

### **ANNOUNCEMENT OF DEFERRED ITEMS**

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

96B-173U	Two week deferral, requested by Codes Administration and applicant.
96Z-099G	Two week deferral, requested by applicant.
96P-017G	Two week deferral, requested by applicant.
96S-300G	Two week deferral, requested by applicant.
96S-353G	Two week deferral, requested by applicant.
96S-367U	Indefinite deferral, requested by applicant.

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

### **APPROVAL OF MINUTES**

Ms. Nielson moved and Mr. Lawson seconded the motion, which unanimously passed to approve the minutes of the regular meeting of October 3, 1996.

### **RECOGNITION OF COUNCILMEMBERS**

Councilmember Durward Hall presented a letter from himself Councilmember Janice Sontany and Councilmember Charles French requesting deferral of any action on the Subarea 13 Plan to allow more input from concerned citizens.

Councilmember Janice Sontany supported the deferral of the Subarea 13 Plan for further discussion with the community.

Councilmember Bruce Stanley spoke in favor of Proposal 46-83-U, the Metropolitan Airport Center and also in favor of Proposal 96P-011U, River Crest. He stated opposition to any type of industrial use that would be allowed in the northern part of Subarea 13 and against any type of quarry use in a residential district.

Councilmember Roy Dale asked for a deferral of Zone Change 96Z-101U and stated the applicant had agreed to a deferral.

### **ADOPTION OF CONSENT AGENDA**

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

### **APPEAL CASES:**

**Appeal Case No. 96B-185U**  
Map 104-13, Parcel 40  
Subarea 10 (1994)  
District 25 (Kleinfelter)

A request for a conditional use permit under Section 17.124.180 (Floodplain) as required by Section 17.116.030 to construct a 96 square foot addition within the R8 District, abutting the north margin of Rolland Road and the west margin of Carden Avenue (.27 acres), requested by Hudson Builders, for Laura Carr, owner.

**Resolution No. 96-774**

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 96B-185U to the Board of Zoning Appeals:

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

**Appeal Case No. 96B-194U**  
Map 70-1, Parcel 67  
Subarea 3 (1992)  
District 2 (Black)

A request for a conditional use permit under Section 17.124.180 (Floodplain) as required by Section 17.116.030 to construct a 1,540 square foot foundation within the R10 District, on property abutting the north margin of West Hamilton Road, approximately 500 feet east of Pheasant Drive (.66 acres), requested by Raymond Boyd, appellant/owner.

**Resolution No. 96-775**

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 96B-194U to the Board of Zoning Appeals:

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

**ZONE CHANGE PROPOSALS:**

**Zone Change Proposal No. 96Z-102U**  
Map 150, Parcel 98  
Subarea 13 (1991)  
District 29 (Holloway)

A request to change from AR2a District to RS10 District certain property abutting the north margin of Hamilton Church Road, approximately 370 feet east of Calumet Drive (9.65 acres), requested by Wamble and Associates, for James McLean, Sr., owner. (See PUD Proposal No. 79-87-P).

**Resolution No. 96-776**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 96Z-102U is **APPROVED**:

**This request is to apply the RS10 district in an area predominately zoned either R10 or RS10. The Subarea 13 Plan applies residential 'low medium' density policy to this general area, to which the RS10 district conforms."**

**PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:**

**Proposal No. 208-67-G**

First Union Bank  
Map 75, Parcel 106  
Subarea 14 (1996)  
District 12 (Ponder)

A request to revise the approved final site development plan for a phase of the Commercial (General) Planned Unit Development District abutting the northeast corner of Juarez Drive and Lebanon Pike (.75 acres), to permit a 984 square foot addition to an existing bank facility, requested by Barge Cauthen and Associates, for First Union National Bank.

**Resolution No. 96-777**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 208-67-G is given **CONDITIONAL FINAL APPROVAL**. The following conditions apply:

1. Receipt of written confirmation of approval from the Stormwater Management and Traffic Engineering sections of the Department of Public Works.
2. Approval of the extension of the drive through canopy by the Building Appeals Board prior to issuance of any building permits.”

**Proposal No. 74-73-G**

Music Valley Drive PUD  
Map 62, Part of Parcel 29  
Subarea 14 (1996)  
District 15 (Dale)

A request to revise a portion of the final site development plan for the Commercial (General) Planned Unit Development District abutting the northeast corner of McGavock Pike and Music Valley Drive, to permit the addition of a walk-up ATM, requested by H. Michael Hindman Architects for John Hobbs, owner.

**Resolution No. 96-778**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 74-73-G is given **CONDITIONAL APPROVAL**. 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. 40-87-P**

Peninsula Point, Phase II  
Map 137, Parcel 92  
Subarea 13 (1991)  
District 29 (Holloway)

A request for final approval for Phase II of the Residential Planned Unit Development District abutting the north margin of Smith Springs Road, opposite Percy Priest Lake (3.80 acres), classified RS15, to permit the development of 18 single-family lots, requested by Joe C. McConnell, for Jerry Butler, owner.

**Resolution No. 96-779**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 40-87-P is given **CONDITIONAL FINAL APPROVAL FOR PHASE II**. The following conditions apply:

1. Written confirmation of final approval from the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. The recording of a final subdivision plat for Phase 11, 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. 57-87-P**  
Edmondson Crossing  
Map 161, Parcels 44-48 and 109  
Subarea 12 (1991)  
District 32 (Jenkins)

A request to revise the approved preliminary site development plan for the Commercial (General) Planned Unit Development District abutting the southwest quadrant of Old Hickory Boulevard and Edmondson Pike (9.22 acres) to re-design a driveway and a small portion of the parking area, requested by James E. Stevens and Associates, for Kimbro Oil Company, owners.

**Resolution No. 96-780**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 57-87-P is given **CONDITIONAL APPROVAL OF A REVISION TO PRELIMINARY**. The following conditions apply:

1. Written confirmation of preliminary approval from the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. All conditions of the previous approved preliminary plan remain to be satisfied with any subsequent final approval request.”

**Proposal No. 79-87-P**  
Calumet, Phase Five  
Map 150, Part of Parcel 102  
Subarea 13 (1991)  
District 29 (Holloway)

A request to revise a portion of the final site development plan of Phase Three of the Residential Planned Unit Development District abutting the north margin of Hamilton Church Road, 3,300 feet east of Murfreesboro Pike, to reconfigure eight lots and extend Shoemaker Drive to the east property line, requested by Wamble and Associates, for James T. McLean, Sr., owner. Also requesting final plat approval. (Also requesting final plat approval). (Deferred from meeting of 10/03/96).

**Resolution No. 96-781**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 79-87-P is given **CONDITIONAL APPROVAL FOR REVISION TO FINAL; FINAL PLAT APPROVAL SUBJECT TO POSTING A BOND IN THE AMOUNT OF \$169,500.00**. The following conditions apply:

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

2. The recording of a final subdivision plat for Phase 5, upon the posting of a bond in the amount of \$ 70,000 for all road improvements as required by the Metropolitan Department of Public Works and \$99,500 for all Water and Sewer Line extensions as required by the Metropolitan Department of Water Services.”

**Proposal No. 79-87-P**  
Addition to Calumet  
Map 150, Parcels 98 and Part of 102  
Subarea 13 (1991)  
District 29 (Holloway)

A request to amend the approved preliminary site development plan for the Residential Planned Unit Development District abutting the north margin of Hamilton Church Road, 3,300 feet east of Murfreesboro Pike to add 11.16 acres, classified AR2a and proposed for RS10, and permit the addition of 56 single-family lots, requested by Wamble and Associates, for James T. McLean Sr., owner. (See Zone Change Proposal No. 96Z-102U).

**Resolution No. 96-782**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 79-87-P is given **CONDITIONAL APPROVAL AS AN AMENDMENT REQUIRING COUNCIL CONCURRENCE.** The following conditions apply:

1. Written confirmation of preliminary approval from the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. Agreement between the Developer and the Metropolitan Department of Water Services on the method of providing water and sewer services .
3. The developer agrees to provide the following contributions to the proposed Anderson Road Collector;
  - a. Final construction plans for the Proposed Anderson Road Collector from Hamilton Church Road north for 1,700 feet.
  - b. Place in an escrow account one half of the construction cost of 1050 feet of the proposed Anderson Road Collector from 650 feet north of Hamilton Church Road to the northern edge of the Addition to Calumet Project. The amount placed in the escrow account will be based on the construction cost of this portion of the Anderson Road Collector based on the 1996 construction cost.
  - c. The dedication of the ROW and the construction of a 250 feet portion of the Proposed Anderson Road Collector from Hamilton Church Road north with the final approval request for Phase Eight.
4. The recording of a revised boundary plat with any request for final approval.”

**Proposal No. 94P-012U**  
Fairfield Communities  
Map 62, Part of Parcel 37  
Subarea 14 (1996)  
District 15 (Dale)

A request to revise the approved final site development plan for Phase Two and for final approval for Phase Three of the Commercial (General) Planned Unit Development District abutting the east margin of Pennington Bend Road, approximately 154 feet north of McGavock Pike (5.77 acres), classified AR2a, to

permit the development of an 8,264 square foot clubhouse/amenities area and 62 time share residential units, requested by Littlejohn Engineering Associates, Inc., for Fairfield Communities, Inc., owner.

**Resolution No. 96-783**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 94P-012U is given **CONDITIONAL FINAL APPROVAL TO REVISE PHASE TWO AND FINAL APPROVAL FOR PHASE THREE**. The following condition applies:

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

**Proposal No. 96P-011U**

River Crest  
Map 85-14, Parcel 20  
Subarea 14 (1996)  
District 14 (Stanley)

A request to revise the approved preliminary site development plan for the Residential Planned Unit Development District abutting the north margin of Lebanon Pike, 500 feet east of Guill Court (14.18 acres), classified R10, to permit the realignment of a road and development of 42 single-family lots, requested by Anderson-Delk and Associates, Inc., for B & P Developments, Inc.

**Resolution No. 96-784**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 96P-011U is given **CONDITIONAL PRELIMINARY APPROVAL AS A REVISION**: The following conditions apply:

1. Receipt of written confirmation of approval from the Stormwater Management and Traffic Engineering sections of the Department of Public Works.
2. The portion of the property within the Stones River 100 year floodplain shall be dedicated for greenway purposes.”

**SUBDIVISIONS:**

**Final Plats:**

**Subdivision No. 95S-207G**

High Ridge, Section 1  
Map 159, Parcels 49, 50, 55 and 120  
Subarea 10 (1994)  
District 33 (Turner)

A request to create 35 lots abutting the east margin of Granny White Pike, approximately 660 feet south of Camelot Road (50.09 acres), classified within the R40 District, requested by High Ridge, LLC, owner/developer, Ragan-Smith Associates, Inc., surveyor. (Deferred from meeting of 10/03/96).

**Resolution No. 96-785**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that the FINAL Subdivision No. 95S-207G, is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$936,000.00.”**

**Subdivision No. 96S-304U**  
Baby Ruth Lane Estates, Phase 1  
Map 163, Parcels 121 and 311  
Subarea 13 (1991)  
District 28 (Hall)

A request for final approval for nine lots abutting the west margin of Baby Ruth Lane, approximately 1,000 feet north of Mt. View Road (4.89 acres), classified within the R8 and AR2a Districts, requested by Houston Ezell, owner/developer, MEC, Inc., surveyor.

**Resolution No. 96-786**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that the FINAL Subdivision No. 96S-304U, is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$48,500.00.”**

**Subdivision No. 96S-363U**  
Brittany Park, Phase 1A, Resubdivision of Lots 11-30  
Map 162-12-A, Parcels 11-30  
Subarea 12 (1991)  
District 31 (Alexander)

A request to reconfigure 20 lots abutting both margins of Brittany Park Circle, approximately 115 feet southeast of Brittany Park Drive (2.17 acres), classified within the R10 Residential Planned Unit Development District, requested by Carlton Enterprises, Inc., owner/developer, Thomas, Miller and Partners, surveyor.

**Resolution No. 96-787**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that the FINAL Subdivision No. 96S-363U, is granted **APPROVAL.”**

**Subdivision No. 96S-364U**  
St. Bernard’s Commercial and Residential PUD  
Boundary Plat and Resubdivision of Lots 2-4  
Map 104-11, Parcels 356, 357 and 413  
Subarea 10 (1994)  
District 18 (Clifton)

A request to reconfigure three lots abutting the northwest corner of Bernard Avenue and 21st Avenue South (6.6 acres), classified within the OP and RM6 Commercial Planned Unit Development Districts, requested by Charles R. Jones and Sisters of Mercy of Nashville, Tennessee, Inc., owners/developers, Littlejohn Engineering Associates, Inc., surveyor.

**Resolution No. 96-788**



**“BE IT RESOLVED** by the Metropolitan Planning Commission that the FINAL Subdivision No. 96S-364U, is granted **CONDITIONAL APPROVAL provided the plat is revised to include an additional 5,983 square foot, L-shaped area acquired from lot #2 by the Metropolitan Government to be part of lot #4.”**

**Request for Bond Extension:**

**Subdivision No. 5-73-G**  
Music Valley PUD  
William E. Oakes, co-principal  
Jones Brothers, Inc., co-principal

Located abutting the west margin of Music Valley Drive, approximately 312 feet west of Music Valley Drive.

**Resolution No. 96-789**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of a performance bond for Subdivision No. 5-73-G, Bond No. 94BD-110, Music Valley PUD, in the amount of \$9,000 until June 1, 1997, as requested, said approval being contingent upon submittal of a letter by 11/15/96 from American Home Assurance Company agreeing to the extension. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

**Subdivision No. 102-86-P**  
Riverside, Phase Two  
Rochford Realty and Construction  
Company, Inc., principal

Located abutting both margins of Glenridge Drive, approximately 145 feet south of Northridge Drive.

**Resolution No. 96-790**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of the performance bond for Subdivision No. 102-86-P, Bond No. 86BD-010, Riverside, Phase Two, in the amount of \$56,500 until June 1, 1997, as requested, said approval being contingent upon posting an amended letter of credit by 11/15/96 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. 102-86-P**  
Riverside, Phase One  
Rochford Realty and Construction  
Company, Inc., principal

Located abutting the southwest corner of Old Harding Pike and Morton Mill Road.

**Resolution No. 96-791**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of the performance bond for Subdivision No. 102-86-P, Bond No. 87BD-016, Riverside, Phase One, in the amount of \$228,500 until June 1, 1997, as requested, said approval being contingent upon posting an amended letter of credit by 11/15/96 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. 68-87-P**  
Northside Station (Kroger)  
Kroger Company, principal

Located abutting the east margin of Clarksville Pike, opposite Fairview Drive.

**Resolution No. 96-792**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of a performance bond for Subdivision No. 68-87-P, Bond No. 94BD-103, Northside Station (Kroger), in the amount of \$45,000 until September 15, 1997, as requested, said approval being contingent upon submittal of a letter by 11/15/96 from National Fire Insurance Company of Hartford agreeing to the extension. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

**Subdivision No. 88S-209G**  
Interchange City Industrial City Park  
Section Thirty-One, Resubdivision of Lot 1  
Walter J. Knestrick, principal

Located abutting the northwest corner of Firestone Parkway and Heil Quaker Boulevard.

**Resolution No. 96-793**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of the performance bond for Subdivision No. 88S-209, Bond No. 88BD-009G, Interchange City Industrial Park, Section 31, Resub. of Lot 1, in the amount of \$7,000 until September 15, 1997, as requested, said approval being contingent upon posting an amended letter of credit by 11/15/96 and extending the expiration date to March 15, 1998. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

**Subdivision No. 88S-369U**  
Vaughns Gap Valley  
Michael R. Simon, principal

Located abutting the northeast side of Vaughns Gap Road, opposite Groome Drive.

**Resolution No. 96-794**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of the performance bond for Subdivision No. 88S-369U, Bond No. 90BD-025, Vaughns Gap Valley, in the amount of \$6,300 until July 15, 1997, as requested, said approval being contingent upon posting an amended letter of credit by 11/15/96 and extending the expiration date to January 15, 1998. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

**Subdivision No. 90S-021U**  
MetroCenter, Tracts 15A and 15B  
MetroCenter Properties, principal

Located abutting the east side of Athens Way, between Great Circle Road and French Landing.

**Resolution No. 96-795**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of the performance bond for Subdivision No. 90S-021U, Bond No. 90BD-016, MetroCenter, Tract 15-A & 15-B, in the amount of \$30,000 until September 15, 1997, as requested, said approval being contingent upon posting an amended letter of credit by 11/15/96 and extending the expiration date to March 15, 1998. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

**Subdivision No. 93P-011G**  
Holt Woods, Section Seven  
Hurley-Y, L.P., principal

Located abutting the west margin of Holt Hills Road, approximately 80 feet north of Crosswind Drive.

**Resolution No. 96-796**

"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-011G, Bond No. 95BD-055, Holt Woods, Section Seven, in the amount of \$12,000 until June 1, 1997, as requested, said approval being contingent upon posting an amended letter of credit by 11/15/96 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. 93P-011G**  
Holt Woods, Section Eight  
Hurley-Y, L.P., principal

Located abutting both margins of Cobble Street, approximately 100 feet northeast of Crosswind Drive.

**Resolution No. 96-797**

"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-011G, Bond No. 95BD-070, Holt Woods, Section Eight, in the amount of \$35,000 until September 15, 1997, as requested, said approval being contingent upon posting an amended letter of credit by 11/15/96 and extending the expiration date to March 15, 1998. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

**Subdivision No. 93S-305G**  
Andrew Jackson Business Park, Phase One  
B. B. Doubleday, Jr., principal

Located abutting the west margin of Andrew Jackson Parkway, approximately 740 feet north of Lebanon Pike.

**Resolution No. 96-798**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of the performance bond for Subdivision No. 93S-305G, Bond No. 95BD-029, Andrew Jackson Business Park, Phase One, in the amount of \$24,000 until September 1, 1997, as requested, said approval being contingent upon posting an amended letter of credit by 11/15/96 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-017G**  
October Woods, Phase One, Section One  
October Woods, L.P., principal

Located abutting the west margin of Old Hickory Boulevard, approximately 900 feet south of Hobson Drive.

**Resolution No. 96-799**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of the performance bond for Subdivision No. 94P-017G, Bond No. 95BD-020, October Woods, Phase One, Section One, in the amount of \$45,000 until June 1, 1997, as requested, said approval being contingent upon posting an amended letter of credit by 11/15/96 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. 94S-297U**  
Hickory Manor Apartments  
Hickory Manor, Ltd., principal

Located abutting the west margin of Hamilton Church Road, approximately 50 feet north of Zelida Avenue.

**Resolution No. 96-800**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of a performance bond for Subdivision No. 94S-297U, Bond No. 94BD-106, Hickory Manor Apartments, in the amount of \$102,900 until September 15, 1997, as requested, said approval being contingent upon submittal of a letter by 11/15/96 from Federal Insurance Company agreeing to the extension Failure of principal to provide amended security documents shall be grounds for collection without further notification."

**MANDATORY REFERRALS:**

**Proposal No. 96M-118G**  
New Hope Road Six Inch Sewer Force Main  
Map 98, Parcels 16 and 38.11  
Subarea 14 (1996)  
District 12 (Ponder)

A mandatory referral from the Department of Water and Sewerage Services for the acquisition of a 20 foot permanent easement and a 10 foot temporary easement along New Hope Road for the installation of a six inch sewer force main. (Project No. 96-SG-19).

**Resolution No. 96-801**

"BE IT RESOLVED by the Metropolitan Planning Commission that it APPROVES Proposal No. 96M-118G.

**Proposal No. 96M-119U**  
Unnamed Road Closure  
Map 161-10  
Subarea 12 (1991)  
District 32 (Jenkins)

A proposal to close an unnamed road segment abutting the south margin of Village Way, approximately 600 feet west of Hunters Ridge, requested by Jennifer and Chris Schuele, for adjacent property owners. (Easements are to be retained).

**Resolution No. 96-802**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-119U.

This concluded the items on the consent agenda.

**Zone Change Proposal No. 96Z-101U**

Map 94C, Parcel 119

Map 106, Parcel 4

Subarea 11 (1993)

District 15 (Dale)

A request to change from RM8 and AR2a Districts to CG and AR2a Districts certain property abutting the west margin of the L & N Railroad, approximately 900 feet south of Lebanon Pike (14.74 acres), requested by Davis-LaFollette Enterprises, for Davis-LaFollette Enterprises and Mt. Olivet Cemetery, owners.

Councilmember Clifton asked if the Commission could vote on Councilmember Dale's request for deferral on Zone Change Proposal No. 96Z-101U at this point in the agenda?

Chairman Smith said they could since the proposal was not a public hearing item and asked if the applicant was present?

Mr. Bill LaFollette stated he was in favor of the deferral.

Concilmember Clifton moved and Ms. Nielson seconded the motion, which carried unanimously to defer Zone Change 96Z-101U for two weeks.

**PUBLIC HEARING ON THE UPDATED DRAFT SUBAREA 13 PLAN**

Mr. Fawcett presented an overview of the planning process used for the update of the subarea plan, described the provisions of the draft updated plan and compared these to the original plan, and explained two issues not resolved with participants at the community meetings. The planning process was similar to that used for Subarea 6, with a series of advertised meetings in the community for the staff to present information and planning suggestions, for the community to present additional concerns and comment on staff information and suggestions, and for participants and staff to come to some consensus on the provisions that should be included in the updated plan.

Mr. Fawcett noted that, in addition to the normal means of advertising, direct mail was used to persons and organizations that were known to be interested through contacts with district councilmembers and the chamber of commerce or through involvement when the original plan was prepared. He also stated that the draft plan was provided for public inspection at the Ben West Library, the Hickory Hollow branch library and the Planning Commission office.

Mr. Fawcett described the subarea and the features of the draft subarea plan, pointing out that it contains major facilities of importance to the community at large as well as people who live or work in the subarea. Examples given were the Metropolitan International Airport, the Hickory Hollow Activity Center, Interchange City industrial park and J. Percy Priest recreation area.

Mr. Fawcett pointed out that the planning process focused on ten areas identified by staff as being important to consider, some of which became apparent when researching the changes in growth and development that

have occurred since the plan was adopted, and some of which resulted from standardizing categories of land use policies across all subareas and reorganizing the layout of the document to be more like later subarea plans. One additional area was identified by participants at the last community meeting. The majority of interest was in just two of these areas during all of the community meetings: east of the airport along Couchville Pike; and an area near the intersection of Murfreesboro Pike and Bell Road.

Mr. Fawcett pointed out that most of the planning features of the original plan were retained in the draft updated plan, and that the changes incorporated are relatively modest. Among the changes highlighted were a return to residential policies for developed areas near the southern end of the airport as a result of expected reductions in airport noise, the realignment of Harding Place Extended around the east side of the airport, the realignment of a proposed southeast arterial street so that it will intersect Hobson Pike instead of Old Franklin Pike, conversion of the proposed light rail corridor to a commuter rail corridor, reductions in the density of residential development along portions of Murfreesboro Pike and the future commuter rail corridor, expansion and enhancement of the Hickory Hollow Activity Center, inclusion of greenways along Mill Creek, and application of a land use policy which keeps the area on the east side of J. Percy Priest Lake rural during the planning period.

Mr. Fawcett concluded by pointing out that there were two issues left unresolved during the planning process. One of these is the appropriate land use policy to apply to an area south of Couchville Pike, east of the airport. Staff recommends the application of industrial policy, while community meeting participants want either residential or office policy applied. The staff recommendation is based upon historical positions taken by the Planning Commission for industrial policy both in the adoption of the updated Subarea 14 Plan covering an adjoining area and an earlier interpretation of land use policy made by the Commission when it endorsed the Airport Authority's 30 year plan in 1993. The land is physically suitable for industrial use, which is already established in a portion of the area, and airport noise will continue to affect the area from use of the crosswind runway. Office policy is not favored by staff because there is already an overly generous amount applied nearby, and it has limited prospects for market acceptance because of airport noise. Community meeting participants oppose the application of industrial policy, either because it may lead to the use of the area as a quarry site, or the road system is not sufficient to accommodate industrial truck traffic and improvements are not expected any time soon.

The second unresolved issue involves community participant objections to the staff recommendation of residential policy to the area encompassed by Rural Hill Road, Rice Road, Bell Road and backside of the commercial development along Murfreesboro Pike. The staff recommendation is based upon site suitability, good accessibility, established apartment development in the surrounding area and market support for continued development, and convenience of the location to major shopping facilities along Murfreesboro Pike and at the Hickory Hollow Activity Center. Mr. Fawcett pointed out that if commercial policy is applied to the area, the resulting commercial development potential will greatly exceed the need and also greatly exceed the guidelines for maximum size of a community scale commercial area. It would be comparable in size to a regional mall, such as Hickory Hollow. He also noted that much of the area would require massive alteration to be suitable for commercial development and that there is already an abundance of developable commercial land in the area that does not have this liability. Objecting participants who live and want to remain there do not want additional apartments across Rice Road from them. Other residents want commercial policy applied to their property so that they can sell out, perceiving that the widening of Bell Road will make their residences undesirable.

Chairman Smith asked the people present to speak in regards to the industrial area to speak first.

Ms. Dolores Stevenson, Ms. Kara Cole, Mr. Tony Derryberry, Mr. John Rice spoke against the industrial policy and a rock quarry in Subarea 13 and expressed their concerns regarding traffic and safety in the area.

Tom White, representing Joe and Mary Casey who own approximately 140 acres near Reynolds Road, asked the Commission to adopt the plan as drafted by staff.

Mr. Larry McWhirter spoke in support of a deferral.

Commissioner Stephen Smith left at this point in the agenda.

Chairman Smith announced the Commission would hear anyone present to speak regarding the Rice Road area.

Mr. Paul Gentry spoke against staff's recommendation for residential policy, and urged the Commission to consider a commercial policy for the area. He asked the Commission to defer this matter to give the community time to discuss the issues.

Mr. Engel Pope agreed with Mr. Gentry and stated he and others in the community felt trapped and were willing to sit down with the Planning Commission and discuss what they could do to stay within the General Plan.

Mr. George Gentry, a Rice Road resident, also asked for a deferral on the matter.

Councilmember Durward Hall offered an amendment to his letter that the Commission proceed with the other parts of the subarea plan.

Mr. Lawson moved and Ms. Nielson seconded the motion, which carried unanimously, to adopt the balance of the Subarea 13 Plan with the exception of the two controversial areas (Couchville Pike east of the airport and the Rice Road area west of Murfreesboro Pike), and to hold the public hearing open for those two areas only.

**Resolution No. 96-803**

**METROPOLITAN PLANNING COMMISSION  
OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE**

“WHEREAS, the Metropolitan Planning Commission directed staff to conduct open workshop style meetings to provide the community the opportunity to work with the Commission's staff on the review and updating of the *Subarea 13 Plan* that was adopted on February 28, 1991; and,

WHEREAS, four meetings were held between June 20, 1996 and August 15, 1996 at which community members working in conjunction with the staff of the Metropolitan Planning Commission, did in accordance with county-wide General Plan guidelines, review and update the *Subarea 13 Plan*; and,

WHEREAS, additional efforts were made to obtain public input into the development of this updated plan, including a public hearing before the Metropolitan Planning Commission on October 17, 1996; and,

WHEREAS, the Metropolitan Planning Commission is empowered under state statute and the charter of the Metropolitan Government of Nashville and Davidson County to adopt master or general plans for smaller areas of the county; and,

WHEREAS, the Metropolitan Planning Commission adopted the updated plan on October 17, 1996 except for two areas identified as the Couchville/Reynolds Road area and the Bell Road / Rice Road area which it deferred until the October 31, 1996 Metropolitan Planning Commission meeting and for which two areas it continued the public hearing; and,

NOW, THEREFORE, BE IT RESOLVED that the Metropolitan Planning Commission hereby **ADOPTS** the *Subarea 13 Plan: 1996 Update* (Subarea Plan), except for the provisions pertaining to the two areas identified as the Couchville/Reynolds Road area and the Bell Road / Rice Road area which were deferred

for further study. This portion of the *Subarea 13 Plan: 1996 Update* is hereby adopted in accordance with sections 11.504 (e), (j), and 18.02 of the charter of the Metropolitan Government of Nashville and Davidson County as the basis for the Commission's development decisions in that area of the county. This portion of *Subarea 13 Plan: 1996 Update* is also adopted as part of the General Plan.

#### **PUBLIC HEARING: SUBAREA 10 AMENDMENT TO THE MUSIC ROW AREA**

Mr. Fawcett began by explaining that the purposes of the Subarea 10 Plan amendment public hearing are to consider changing a portion the Residential Medium-High (RMH) density policy along 16th and 17th Avenues to Office Concentration (OC) policy with conservation of the existing structures, and removing language from the plan which recommends incorporation of the residual Residential Medium-High density policy into the adjoining Mixed Use (MU) policy along 21st Avenue. He noted that the text of the plan is supportive of future office use of 16th and 17th Avenues, South of Horton Avenue, when there is adequate support for the application of a conservation overlay zoning district or some other protective measure. The language recommending incorporation of the residual RMH policy area into the adjoining MU policy area anticipated that the area of RMH policy would be too small to retain as a separate mapped policy area.

Mr. Fawcett stated that the support called for in the subarea plan has been documented by the Metropolitan Historic Zoning Commission (MHZC) in its approval recommendation on September 11, 1996 of a petition for a conservation overlay zoning district for this area. Commission staff documented that 82 percent of the structures in the area are historic and worthy of conservation, that owners of 74 percent of the included properties are in favor of the zoning overlay district, and that the accompanying design guidelines meet the Secretary of Interior standards. The guidelines differ from those of other enacted conservation overlay districts in only one respect. The addition of dormers are permitted on the front and side of a structure if they fit the style of the building and they meet provisions of the design guidelines. Planning Commission staff presume support for the overlay zoning district to also be support for the subarea plan policy amendment.

Mr. Fawcett explained that a petition of property owners provided the documentation for the MHZC approval recommendation. The petition shows that owners of 49 of the 70 included properties are in favor of the conservation zoning overlay, while owners of 6 properties are opposed and owners of the remaining 15 properties did not respond.

Mr. Fawcett concluded his presentation with the staff recommendations of approval of the amendment to change the land use policy from RMH to OC with conservation of the existing structures, and also removal of the language in the plan which calls for incorporating the residual RMH policy area into the adjoining MU policy area along 21st Avenue. He stated that the residual RMH policy area is of sufficient size to be retained as a separate policy area and that the purposes of the subarea plan are best served by retaining this policy area. He noted that the residual area is more than half its original size and is larger than the Residential High density policy area immediately south of Wedgewood Avenue along Magnolia Boulevard.

Mr. Joseph Johnson, representing three property owners in the Subarea 10 Plan amendment area, pointed out the recommendation of staff may exceed the scope of the public hearing. He stated he represented Qume Hoff Green, Dorothy Stores and Joe Daughtry and expressed their concerns regarding preservation of the residential environment, and the possibility that the policy change and rezoning could greatly increase property values and therefore property taxes. He suggested reducing the area being proposed or to at least allow those property owners who do not wish to have their properties changed from residential to office/parking be allowed to retain their present zoning classification. Mr. Johnston questioned the validity of some of the signatures on the petitions in support. Mr. Johnson asked that the Subarea 10 Plan be preserved in its present scope, that this amendment not be passed, and submitted petitions in opposition to the amendment.



Mr. Will Beasley, Director of Music Business Development at the Nashville Chamber of Commerce and Kurt Garrigon, with the Metropolitan Historical Commission, spoke in favor of the change and explained their roll in the amendment process.

Ms. Helen Gorham and Mr. Dan Firth spoke in favor of the amendment.

Councilmember Clifton read a letter from Ms. Betty Nixon in support of the amendment and zone change.

Mr. Harbison moved and Ms. Nielson seconded the motion, which carried unanimously, to close the public hearing and approve the Subarea 10 Amendment.

### **AMENDMENT NO. 1 TO THE SUBAREA 10 PLAN**

The *Subarea 10 Plan* is amended as follows:

- a) by substituting the following for the text in the paragraphs pertaining to Area 6D, on Pages 53 and 54 of Chapter 4 Section 3.B.:

“Area 6D is located west of Music Row, between Horton and Wedgewood Avenues. This area of residential development along both sides and west of 18th Avenue South should be conserved because of its historical character and significant contribution to the variety and quality of living accommodations in the immediate area of Hillsboro Village, Vanderbilt and Music Row.”

- b) by changing the Land Use Policy Plan identified as Figure 13 to reflect the changed area of RMH policy and by changing the Land Use Policy Plan Index Map identified as Figure 14 to reflect the changed area of Area 6D, so as to correctly illustrate Amendment No. 1 (see attached Exhibits A and B.)

- c) by substituting the following for the text in the paragraph pertaining to Area 12D, on Page 58 of Chapter 4 Section 3.D.:

“Area 12D contains Music Row. OC policy generally applies to the area between Division Street and Wedgewood Avenue. It is anticipated that office use will continue to intensify in the portions of the area generally north of Horton Avenue.

The area south of Horton Avenue is intended to accommodate office and residential uses while at the same time protecting the historical character, scale and general residential appearance of the existing structures. This should be accomplished by application of a conservation overlay zoning district with appropriate design guidelines. The planning objective for this area is to accommodate Music Row’s ‘cottage industries’ while at the same time to preserve a recognized historically significant district and provide for unique residential opportunities.”

- d) by changing the Land Use Policy Plan identified as Figure 13 to reflect the changed area of OC policy and by changing the Land Use Policy Plan Index Map identified as Figure 14 to reflect the changed area of Area 12D, so as to correctly illustrate Amendment No. 1 (see attached Exhibits A and B.)

### **METROPOLITAN PLANNING COMMISSION OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE**

#### **Resolution No. 96-804**

“Whereas, the Metropolitan Planning Commission adopted the Subarea 10 Plan on December 15, 1994; and

Whereas, Chapter 4 Section 3.B.4) on Page 53 of this plan contains residential land use policies for Area 6D which call for residential land use at medium-high densities; and

Whereas, Chapter 4 Section 3.D.1) on Page 58 of this plan contains office concentration land use policies for Area 12D which call for office and residential land use; and

Whereas, a public hearing was held on October 17, 1996 to consider the merits of expanding Area 12D into a portion of Area 6D; and

Whereas, the Commission finds that this expansion is warranted so as to provide additional opportunities for office and residential use related to the market needs of Music Row with conservation of the existing structures and historical character of the expansion area;

NOW, THEREFORE, BE IT RESOLVED that the Metropolitan Planning Commission hereby **ADOPTS** Amendment No. 1 to the Subarea 10 Plan as set forth in "Attachment A" to this resolution and incorporates this amendment into the Subarea 10 Plan; and BE IT FURTHER RESOLVED that "Attachment A" be incorporated as an Appendix to the minutes of the meeting at which this resolution was adopted.

**ZONE CHANGE PROPOSALS:**

**Zone Change Proposal No. 96Z-091U**  
Map 104-8, Parcels 250, 271 to 285, 287 to 312,  
319 to 330, 345 to 358, 412 and 413  
Subarea 10 (1994)  
District 18 (Clifton)

A request to change from RM6 District to OP District and Neighborhood Conservation Overlay District (23 acres) on certain property abutting both margins of 16th and 17th Avenues, the south margin of Horton Avenue, and the north margin of Wedgewood Avenue, requested by the Metropolitan Historical Commission, for various owners.

Ms. Dudley stated that since the Commission had endorsed the policy change in Subarea 10, staff is recommending approval of this zone change and of the conservation overlay as well.

Mr. Joseph Johnson asked that the three petitions offered to the Commission with respect to the public hearing also be included with respect to his client's opposition to the proposed zone change.

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

**Resolution No. 96-805**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 96Z-091U is **APPROVED**:

**The Planning Commission amended the Subarea 10 Plan to allow office uses under the protection of the historic neighborhood conservation district in this area. Therefore, the OP District if used in conjunction with a neighborhood Conservation Overlay District will implement this policy."**

**Zone Change Proposal No 96Z-103U**  
Map 81-11, Parcels 108 and 75  
Subarea 8 (1995)  
District 20 (Haddox)

A request to change from R6 District to CS District certain property abutting the west margin of Dr. D. B. Todd Jr. Boulevard and the east margin of 21st Avenue North, approximately 175 feet south of Buchanan Street (.32 acres), requested by Peggy Campbell, appellant/owner.

Ms. Dudley stated one of the main objectives in the Subarea 8 Plan was to both revitalize the area along Buchanan Street and to concentrate commercial uses around intersections. The location is appropriate in the sense that it is near a major intersection; however, another important objective of the plan is to protect and conserve the residential areas. Staff is recommending disapproval because an expansion is not desirable at this location because of encroachment into the residential area. The intent of the expansion is to accommodate growth of the car lot which is not the kind of uses one would expect to find in a community scale shopping center.

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

**Resolution No. 96-806**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 96Z-103U is **DISAPPROVED**:

**These parcels are near the boundary of ‘commercial arterial existing’ and residential ‘medium’ density policy in Subarea 8. The overall planning objective of the subarea plan for this area along Buchanan Street is the redevelopment of underutilized commercially zoned areas lying between intersections into more appropriate and needed land uses, such as multifamily or mixed-use development, and protection of the existing moderate income housing stock.**

**Extending the zoning would, in this case, bring commercial uses within closer proximity to existing stable housing, particularly the west parcel, located on 21st Avenue North. The eastern parcel fronting Dr. D. B. Todd Jr. Boulevard already is being used illegally as part of the commercial car lot. On the other side of Dr. D. B. Todd Jr. Boulevard is a residentially zoned vacant parcel, whose viability is already challenged by the illegal car lot. This is not a relationship that warrants legitimization through rezoning.”**

**Request for Rehearing:**

**Zone Change Proposal No. 96Z-086U**

Map 81-7, Parcel 516  
Subarea 8 (1994)  
District 20 (Haddox)

A request to change from R6 District to CS District certain property abutting the west margin of Owen Street, approximately 160 feet north of Buchanan Street (0.17 acre), requested by Wade L. Phelps, owner. (Disapproved from meeting of 09/19/96).

**Proposal No. 96M-089U**

Alley No. 493 Closure  
Map 81-7  
Subarea 8 (1994)  
District 20 (Haddox)

A proposal to close Alley No. 493 between Owen Street and 11th Avenue North, requested by Wade L. Phelps, adjacent property owner. (Easements are to be retained). (Disapproved from meeting of 09/19/96).

Ms. Dudley stated these matters had been rescheduled for the Commission to decide whether to rehear them or not. Commissioner Bodenhamer had requested the rehearing. Staff's recommendation is still for disapproval. Ms. Dudley stated staff believed there is adequate opportunity for commercial development in the general vicinity without expanding commercial zoning in this location.

Chairman Smith stated Mr. Phelps had spoken to him regarding the change and that he intended to use the rezoned CS portion as a parking lot.

Mr. Luther Wright, representing Mr. Wade Phelps, stated they would rather go with OP rather than CS as it is a more restricted district and will be the buffer between the residential and the CS.

Mr. Lawson moved and Ms. Nielson seconded the motion, which carried unanimously, to grant the rehearing of Zone Change Proposal No. 96Z-086U and Mandatory Referral 96M-089U and reschedule it in two weeks and have staff review it with the OP change.

**Resolution No. 96-807**

"BE IT RESOLVED by the Metropolitan Planning Commission that the request to rehear the following Zone Change Proposal No. 96Z-086U is **APPROVED**:

**The Planning Commission approved the request to rehear this case on October 31, with an amended application for OP."**

"BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that it **APPROVES the request to rehear** Proposal No. 96M-089U.

**This matter will be considered by the Commission on October 31, 1996."**

**PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:**

**Proposal No. 46-83-U**  
Metropolitan Airport Center  
Map 108, Parcels 24, 27 and 34  
Subarea 14 (1996)  
District 14 (Stanley)

A request to revise the approved preliminary site development plan for the Commercial (General) Planned Unit Development District (66.2 acres), abutting the east margin of Donelson Pike, south of Elm Hill Pike, to permit the addition of two (2) new driveways on Elm Hill Pike for the office distribution area east of McCrory Creek and to terminate Royal Parkway west of McCrory Creek, requested by Waste Water Engineers, Inc., for Metropolitan Airport Center, LTD., owners.

Mr. Delaney stated the primary change to this proposal was the proposed access directly onto Elm Hill Pike. In the original PUD proposal, this and all other properties gained their access by way of an internal street, Royal Parkway. The petitioner was requesting a change in the PUD to allow access to Elm Hill Pike for several reasons. The PUD had been reduced in size due to property acquisitions by the Tennessee Department of Transportation, which decreased the number of properties which could contribute toward the improvement of the internal street. Second, the land use along Elm Hill Pike had changed from residential to open space due to acquisition of several properties in the area by the airport authority. Given these changes, staff suggested the adverse impacts of commercial access to Elm Hill Pike had been diminished.

Mr. Delaney stated the applicant has agreed to widen Elm Hill in front of the development, to provide a left turn lane west bound into the development, and has also agreed to install a traffic signal at McCrory Creek Road and the new entrance to the PUD.

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

**Resolution No. 96-808**

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

1. Receipt of written confirmation of approval from the Stormwater Management and Traffic Engineering sections of the Department of Public Works.
2. At the time of final approval for Phase Three of the development the applicant shall design and bond the widening of Elm Hill Pike to a three-lane cross-section from McCrory Creek to McCrory Creek Road.
3. At the time of final approval for Phase Three of the development the applicant shall design and bond a west bound turn lane on Elm Hill Pike at McCrory Creek Road and the proposed entrance to the development.
4. A traffic signal shall be provided at the intersection of McCrory Creek Road and the proposed new entrance. With any final approval in Phase Three the applicant shall bond a proportionate share of the cost of the traffic signal.”

**SUBDIVISIONS:**

**Preliminary Plats:**

**Subdivision No. 96S-361U** (*Public Hearing*)  
Trailwood, Section 7  
Map 108, Parcel 222  
Map 108-12, Parcel 234  
Subarea 14 (1996)  
District 13 (French)

A request for preliminary approval for 14 lots abutting the south margin of East Lake Drive, opposite Elm Run (3.26 acres), classified within the R10 District, requested by Trailwood-Section 7 Joint Venture, owner/developer, C. Michael Moran, surveyor.

Mr. Henry stated staff recommends approval of the preliminary plan of subdivision and all reviewing departments have recommended approval and the plan meets all subdivision regulations.

No one was present to speak at the public hearing.

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

**Resolution No. 96-809**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that the PRELIMINARY Plan of Subdivision No. 96S-361U, is granted **APPROVAL.**”

**Final Plats:**

**Subdivision No. 96S-338U**  
Jocelyn Hills, Tracts 2 and 3  
Map 129-2, Part of Parcel 45  
Subarea 7 (1994)  
District 23 (Crafton)

A request to create two lots abutting the east margin of Baskin Drive, approximately 885 feet southeast of Rolling Fork Drive (4.01 acres), classified within the RS40 District, requested by William Allen Cargile, owner/developer, Turner Engineering Company, surveyor. (Deferred from meeting of 10/03/96).

Mr. Henry stated the revised parcels now extend all the way to the rear of the property which fits with the concept plan. The concept plan also shows future lots being created in this area. A preliminary plan of subdivision will be required for the subdivision of the larger tract. The water pressure is unsatisfactory for fire fighting purposes, and will be noted on the plat.

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

**Resolution No. 96-810**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that the FINAL Subdivision No. 96S-338U, is granted **APPROVAL.**”

**Subdivision No. 96S-346U**  
Hobbs Heights, Second Revision  
Map 107, Parcels 76 and 77  
Subarea 13 (1991)  
District 13 French)

A request to subdivide two lots into four lots abutting the northeast margin of Dabbs Avenue, opposite Dabbs Court (12.03 acres), classified within the R10 Commercial Planned Unit Development District, requested by Inns of Nashville, Inc. and Rodgers Properties, Inc., owners/developers, Dale and Associates, surveyor. (Deferred from meeting of 10/03/96).

Mr. Henry stated this item was dependent upon a zone change which will be before Council for public hearing on November 4, 1996. This plat is premature until that issue is resolved. Staff is still recommending disapproval and the applicant has not requested a deferral, an indefinite deferral or has not withdrawn this application.

Chairman Smith asked if the Commission were to disapprove this, would the applicant have to refile and repay the fee?

Mr. Henry stated that was correct.

Mr. Owens stated this is a subdivision plat and the Commission was obligated to act within sixty days or it would be approved.

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

**Resolution 96-811**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that the FINAL Subdivision No. 96S-346U, is **DISAPPROVED since the proposed lot lines are not consistent with the existing zoning boundaries of the commercial PUD and the adjoining R10 district.”**

**Subdivision No. 96S-362A**  
Wembley Downs, Section 4, Lot 57  
Map 64-16-C, Parcel 102  
Subarea 14 (1996)  
District 11 (Wooden)

A request to amend the rear setback line from 15 feet to eight feet on a lot abutting the west margin of Wembley Drive, approximately 215 feet southwest of Bexhill Court North (.09 acres), classified within the R8 Residential Planned Unit Development District, requested by Joanne J. Schlichting, owner/developer.

Mr. Henry stated the applicant wished to enclose a concrete patio with a sun room. By doing so, that would reduce the setback to eight feet from the rear property line. The area behind the house is designated open space on the residential PUD plan. However, staff pointed out that the amount of open space directly behind this house is very narrow. An eight foot required rear yard is a minimal setback requirement. Should the houses behind the one in question request a similar setback reduction, the Commission could find it difficult to disapprove that request because of having set a precedent with this yard reduction.

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

**Resolution No. 96-812**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that the FINAL Subdivision No. 96S-362A, is **DISAPPROVED since the reduction in rear setback would jeopardize the character of the neighborhood, and ultimately undermine the integrity of uniform setback restrictions imposed on the rest of the lots in this subdivision.”**

**Request for Bond Extension:**

Mr. Henry stated there are several items under Request for Bond Extension and staff would ask the Commission to consider together with one motion. The staff recommendation is the same on each and has been outlined in the staff report. Each exceed seventy-five percent buildout and Public Works has advised Planning there is a reasonable completion date for each project.

**Subdivision No. 206-83-G**  
Chelsea Village Addition, Section Three  
Butler Development, L.L.C., principal

Located abutting both margins of Oak Forest Drive, approximately 150 feet east of Split Oak Drive.

**Resolution No. 96-813**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby DISAPPROVES the request for an extension of the performance bond in the amount of \$85,300 for Subdivision No. 206-83-G, Bond No. 95BD-009, Chelsea Village Addition, Section Three and authorizes collection if final paving is not done by 11/15/96. "

**Subdivision No. 84-87-P**  
Crossings at Hickory Hollow, Section One,  
Resubdivision of Lot 1  
Hickory Hollow Associates, principal

Located abutting the south margin of Mt. View Parkway, between Hickory Hollow Parkway and Crossings Boulevard.

**Resolution No. 96-814**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby DISAPPROVES the request for an extension of the performance bond in the amount of \$9,000 for Subdivision No. 84-87-P, Bond No. 93BD-067, Crossings at Hickory Hollow, Section One, Resub. of Lot 1 and authorizes collection if final paving is not done by 11/15/96. "

**Subdivision No. 89-87-P**  
Chateau Valley, Phase One  
Chateau Associates, Ltd., principal

Located abutting the east terminus of Stokers Lane.

**Resolution No. 96-815**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby DISAPPROVES the request for an extension of the performance bond in the amount of \$32,500 for Subdivision No. 89-87-P, Bond No. 89BD-002, Chateau Valley, Phase One and authorizes collection if all work is not done by 11/15/96. "

**Subdivision No. 93P-011G**  
Holt Woods, Section Five  
Hurley-Y, L.P., principal

Located abutting the east margin of Holt Hills Road, approximately 1,061 feet north of Holt Road.

**Resolution No. 96-816**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby DISAPPROVES the request for an extension of the performance bond in the amount of \$105,500 for Subdivision No. 93P-011G Bond No. 95BD-014, Holt Woods, Section Five and authorizes collection if final paving is not done by 12/1/96.

**Subdivision No. 93P-016G**  
Traceside, Section Two  
Centex Real Estate Corporation, principal

Located abutting the southwest terminus of Timber Gap Drive.

**Resolution No. 96-817**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby DISAPPROVES the request for an extension of the performance bond in the amount of \$150,000 for Subdivision No. 93P-016G, Bond No. 95BD-026, Traceside, Section Two and authorizes collection if final paving is not done by 12/1/96."



**Subdivision No. 93P-021G**  
Holt Woods, Section Six  
Hurley-Y, L.P., principal

Located abutting the west margin of Holt Hills Road, approximately 1,061 feet north of Holt Road.

**Resolution No. 96-818**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby DISAPPROVES the request for an extension of the performance bond in the amount of \$46,000 for Subdivision No. 93P-021G Bond No. 95BD-015, Holt Woods, Section Six and authorizes collection if final paving is not done by 12/1/96."

**Subdivision No. 93S-197G**  
MeadeVue Subdivision  
Buddy Dunn Contractors, principal

Located abutting the southeast margin of Sawyer Brown Road, approximately 100 feet northeast of Hicks Road.

**Resolution No. 96-819**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby DISAPPROVES the request for an extension of the performance bond in the amount of \$40,000 for Subdivision No. 93S-197G, Bond No. 94BD-056, MeadeVue Subdivision and authorizes collection if final paving is not done by 11/15/96. "

**Subdivision No. 95S-287U**  
Glendale Park Subdivision, Resubdivision of Lot 2  
Brent Sellers Builders, Inc., principal

Located abutting the south margin of Glendale Lane and the northeast margin of Miledale.

Mr. Henry stated staff was recommending disapproval for these requests for extension of bonds, and authorization to collect if the final paving and final street construction is not complete by the dates given in the staff report.

Mr. Brett Barr spoke in regards to final paving at Traceside, Section Two. He stated final paving was complete and there are a few punch list items to complete and that should be completed by next week. A lot of the contractors are over extended and for that reason requested an additional month extension.

Mr. Browning stated staff was suggesting to the Commission not to extend the bonds but collection efforts would not be taken until more than one month from now.

Mr. Barr stated that was acceptable; he stated he wanted clarification on that matter.

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

**Resolution No. 96-820**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby DISAPPROVES the request for an extension of the performance bond in the amount of \$10,000 for Subdivision No. 95S-287U, Bond No. 95BD-102, Glendale Park Subdivision, Resub. of Lot 2 and authorizes collection if final pavement is not done by 11/15/96. "

**Subdivision No. 94S-191G**  
Birkdale Place  
South Harpeth Construction Company, Inc., principal

Located abutting the north margin of Baugh Road, approximately 22 feet east of Bellevue Road.

Mr. Henry stated staff was recommending disapproval of the requested extension and also for authorization to collect if final pavement is not complete by November 15, 1996. The principal is here to discuss an issue regarding sidewalks, which were required with this development. It is a cul-de-sac off of Baugh Road which is more than three hundred feet in length. Any cul-de-sac greater than three hundred feet in length requires sidewalks along one side. The plans for this street construction involves sidewalks on both sides of the street and around the cul-de-sac head.

Mr. Joel Wilson stated all thirteen residents were against having sidewalks installed, presented a petition with all thirteen signatures in opposition and asked the Commission for permission to remove the sidewalks from the plan.

Chairman Smith stated this was not a grandfathered situation and the Commission did not usually deviate from the regulations.

Mr. Owens stated he could update his construction plans with Public Works and simply install sidewalks on one side of the street.

Mr. Browning stated staff would want the action to authorize collection if work is not done by November 15, 1996.

Mr. Wilson stated if he asked to amend the plan he would not be able to hit the November 15th deadline and sidewalks are included in the paving.

Mr. Henry stated the streets have been graded for sidewalks on both sides. There is nothing precluding him from installing sidewalks on one side.

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

**Resolution No. 96-821**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby DISAPPROVES the request for an extension of the performance bond in the amount of \$25,000 for Subdivision No. 94S-191G, Bond No. 94BD-114, Birkdale Place and authorizes collection if final paving is not done by 11/15/96. The Commission hereby authorizes a reduction of the bond amount for roadway construction upon receipt of revised street plans designating the minimum acceptable sidewalk design according to Subdivision Regulation 2-6.1."

**Request for Bond Release:**

**Subdivision No. 83-85-P**  
Ransom Village  
Ransom Village, Inc., principal

Located abutting the west margin of Una-Antioch Pike, approximately 750 feet southwest of Murfreesboro Pike. (Deferred from meetings of 09/19/96 and 10/03/96).

Mr. Henry stated one month ago the Commission agreed to defer the release of this bond so staff, Public Works and Councilmember Sontany could visit the site and meet with the homeowner association members and find out what still needed to be done. The meeting took place and Public Works made a list of items that needed to be cured by the developer, and that has also been done. The homeowners association president has notified staff they are pleased with the work, and Public Works and the planning staff are now recommending release of the bond.

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

**Resolution No. 96-822**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 83-85-P, Bond No. 94BD-073, Ransom Village, in the amount of \$55,400, as requested."

**OTHER BUSINESS:**

1. A request by Councilmember Vic Lineweaver to reconsider the requirement of sidewalks in the East Colonies at Riverbend Subdivision.

Mr. Henry stated staff had received a request from Councilmember Vic Lineweaver stating he had been contacted by residents of East Colonies Subdivision. These residents are opposed to the installation of sidewalks. He enclosed a copy of the petition and stated they were verbally guaranteed no sidewalks would be built in this subdivision, and many of the residents use this factor in determining the setback distances for their foundations. This Commission granted approval of this subdivision in 1991 with the installation of sidewalks. Sidewalks have always been a part of this development. Staff finds no justification to recommend to the Commission that sidewalks not be installed in the subdivision.

Mr. Browning stated that in addition to always being on the plan, they have also been a part of the bond.

Chairman Smith stated there was no motion to rehear this item. Therefore the previous approval which included the sidewalk requirement remained in effect.

2. Endorsement of the new Zoning Code.

Mr. Owens updated the Commission on changes regarding arcades/plazas, office districts, administrative approval processes, landscape buffer standards, urban design overlay districts and helistops downtown.

Chairman Smith announced Endorsement of the Zoning Code would be deferred until the meeting of October 31, 1996.

**PLATS PROCESSED ADMINISTRATIVELY.**

October 3 through October 16, 1996

95S-173U	Brentwood Commons, Lot 3, 3rd Revision Revise "void and vacate" note of the previous plat
95S-238G	Gardner's One Lot Subdivision, Revised Creates one lot
96S-335U	Glenclyff Estates

Reconfigures lot to incorporate part of a closed alley

96S-336U      Whitworth Commercial Subdivision, Phase 1  
Resubdivision of Lot 1A  
Vacated an unused and unimproved public utility drainage easement

96S-343U      Millwood Commons  
PUD Boundary Plat

96S-344U      Parts America  
Combines two lots into one lot

**ADJOURNMENT:**

There being no further business, upon motion made, seconded and passed, the meeting adjourned at 5:40 p.m.

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Chairman

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Secretary

Minute approval:  
This 31st day of October 1996