

AGENDA
OF THE
METROPOLITAN PLANNING COMMISSION

Date: October 31, 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
Ann Nielson
Stephen Smith

Absent

Mayor Philip Bredesen

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:

Jackie Blue, Planner I
Bill Lewis, Planner I

Community Plans Division:

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

Also Present

Jim Armstrong, Public Works
Leslie Shechter, Legal Department
Sonny West, Codes Department

Chairman Smith called the meeting to order.

ADOPTION OF AGENDA

Mr. Owens announced Hickory Highland Place, Phase One was listed as Subdivision No. 95S-148U but should be listed as 95S-180U.

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

ANNOUNCEMENT OF DEFERRED ITEMS

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

96B-173U	Deferred two weeks, by applicant and Codes Department.
96Z-109U	Deferred two weeks, by applicant.
96S-300G	Deferred indefinitely, by applicant.
96S-368U	Deferred two weeks, by applicant.
96M-124U	Deferred two weeks, by applicant.

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

APPROVAL OF MINUTES

Mr. Browning announced the minutes had been changed to incorporate the resolution approving the Subarea 10 Amendment.

Ms. Jernigan moved and Ms. Nielson seconded the motion, which unanimously passed, to approve the minutes of the regular meeting of October 17, 1996 with the announced change.

RECOGNITION OF COUNCILMEMBERS

Councilmember Vic Lineweaver spoke in favor of deferred item 96Z-109U and stated he would have petitions in favor in two weeks.

Councilmember Lineweaver stated that on August 21, 1996 he sent a letter to the Commission regarding sidewalks in East Colonies. The roads area 35 to 37 feet wide, which is larger than normal in a subdivision, and the residents would like to come before the Commission and speak against the sidewalks. He asked the Commission's approval to add this item on an agenda.

Chairman Smith stated that issue would require a change in the Subdivision Regulations which would be a Councilmanic move.

Councilmember Lineweaver stated if that was the case he would be glad to take care of the matter.

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-199U

Map 133, Parcel 69
Subarea 12 (1991)
District 26 (Arriola)

A request for a conditional use permit under Section 17.124.180 (Floodplain) as required by Section 17.116.030 to build a 20' by 23' detached accessory building within the R8 District, on property abutting the southeast margin of Paragon Mills Road, approximately 300 feet west of and opposite Valley Ridge Drive (2.07 acres), requested by Lawrence P. Lumsden, owner.

Resolution No. 96-823

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 96B-199U to the Board of Zoning Appeals:

The site plan complies with the conditional use criteria."

Appeal Case No. 96B-200G

Map 44, Parcel 8
Subarea 14 (1996)
District 11 (Wooden)

A request for a conditional use permit under Section 17.124.180 (Floodplain) as required by Section 17.116.030 to build a 2,100 square foot single-family dwelling and a 30' by 40' detached garage within the R10 District, on property abutting the western terminus of Bennett Drive (31.03 acres), requested by Michael W. Bennett, owner.

Resolution No. 96-824

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 96B-200G to the Board of Zoning Appeals:

The site plan complies with the conditional use criteria."

Appeal Case No. 96B-203G

Map 51, Parcel 159
Subarea 4 (1993)
District 8 (Hart)

A request for a conditional use permit under the provisions of Section 17.124.190 (Intermediate Impact) as required by Section 17.124.030 to build a 18,500 square foot funeral home as accessory to an existing cemetery within the R20 District, on property located at the northeast corner of Gallatin Pike and Briley Parkway (141.07 acres), requested by John P. Lucas, for Spring Hill Cemetery, owner.

Resolution No. 96-825

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 96B-203G to the Board of Zoning Appeals:

The site plan complies with the conditional use criteria."

ZONE CHANGE PROPOSALS:

Zone Change Proposal No. 96Z-106U
Map 148-16, Parcel 75
Subarea 13 (1991)
District 28 (Hall)

A request to change from AR2a District to CS District certain property abutting the south margin of Antioch Pike, approximately 800 feet west of Blue Hole Road (.66 acres), requested by Hollis Waller, appellant/owner.

Resolution No. 96-826

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 96Z-106U is **APPROVED:**

This property borders Natural Conservation and Industrial policy in the proposed update of the Subarea 13 plan, due primarily to the existence of the large floodplain area which encumbers most of the properties on the south side of Antioch Pike. Most of the properties on both sides of Antioch Pike are already zoned commercial."

Zone Change Proposal No. 96Z-108U
Map 69, Parcel 69
Subarea 3 (1992)
District 1 (Patton)

A request to change from AR2a District to CG District certain property abutting the south margin of Stewart's Lane, approximately 1,200 feet north of County Hospital Road (3.78 acres), requested by Sandra Cook, appellant/owner.

Resolution No. 96-827

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 96Z-108U is **APPROVED:**

This property falls within industrial policy within the Subarea 3 Plan. The CG District will implement this policy. This site will have access to Briley Parkway via Stewarts Lane extended."

PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:

Proposal No. 55-83-G
Hurricane Commercial PUD
Map 175, Part of Parcel 173
Subarea 13 (1991)
District 29 (Holloway)

A request to revise the approved preliminary site development plan and for final approval of a portion of the undeveloped Commercial (General) Planned Unit Development District located abutting the southeast corner of Murfreesboro Pike and Hurricane Creek Drive (.47 acres), to permit an interim use for the display of two model homes, requested by Joe Meeks, owner.

Resolution No. 96-828

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 55-83-G is given **CONDITIONAL APPROVAL OF A REVISION TO THE PRELIMINARY SITE DEVELOPMENT PLAN AND FINAL APPROVAL FOR A PHASE AS AN INTERIM USE.** The following condition applies:

Approve as an interim use for a maximum of three years.”

Proposal No. 47-87-P
Hunter’s Green
Map 149, Parcel 9
Map 149-1-B, Parcel 70
Subarea 13 (1991)
District 28 (Hall)

A request for final approval for the Residential Planned Unit Development District abutting the west margin of Una-Antioch Pike, approximately 220 feet north of Billingsgate Road (3.88 acres), classified R15, to permit the development of a 15 single-family lot development, requested by Joe McConnell, for Robin York and Scott Butler, owners.

Resolution No. 96-829

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 47-87-P 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. The recording of 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.”

Proposal No. 89P-003G
Still Spring Ridge
Map 128, Parcels 36, 74 and Part of Parcel 76
Subarea 6 (1996)
District 23 (Crafton)

A request to revise the preliminary plan and for final approval for a portion of the Residential Planned Unit Development District abutting the east margin of Hicks Road, approximately 1,400 feet north of the Memphis-Bristol Highway, to permit a water storage tank and pump station, requested by Barge, Waggoner, Sumner and Cannon, for Greater Middle Tennessee Development Partnership, owner. (Also requesting final plat approval).

Resolution No. 96-830

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 89P-003G is given **CONDITIONAL APPROVAL AS A REVISION TO THE PRELIMINARY PLAN; CONDITIONAL**

FINAL APPROVAL FOR A PORTION OF THE PUD; AND CONDITIONAL APPROVAL OF THE FINAL PLAT. 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. Receipt of written confirmation of approval from the State of Tennessee, Division of Water and Pollution Control for an ARAP permit.”

Proposal No. 93P-023G
Gateway of Hermitage
Map 86, Part of Parcels 155 and 329
Subarea 14 (1996)
District 12 (Ponder)

A request to revise the approved preliminary site development plan of the Commercial (General) Planned Unit Development District located abutting the south margin of Central Pike and the north margin of Interstate 40 (2.69 acres), to replace a 25,500 square foot office building with a truck rental and boat storage addition to the existing phase one mini-storage warehouse facility, requested by Walter H. Davidson, for CMC, LTD., owners.

Resolution No. 96-831

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 93P-023G is given **CONDITIONAL APPROVAL OF A REVISION TO THE PRELIMINARY PLAN.** 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.”

SUBDIVISIONS:

Final Plats:

Subdivision No. 95S-326G
Dunaway Woods, Section 2
Map 128, Part of Parcel 13
Subarea 6 (1996)
District 23 (Crafton)

A request to create six lots abutting the north termini of Hallows Drive and Dunaway Drive, approximately 285 feet north of Indian Springs Drive (6.31 acres), classified within the R40 District, requested by Mark E. O'Neill, owner/developer, Ragan-Smith Associates, Inc., surveyor.

Resolution No. 96-832

“BE IT RESOLVED by the Metropolitan Planning Commission that the FINAL Subdivision No. 95S-326G, is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$19,500.00 and subject to receipt of payment to Harpeth Valley Utility District in the amount of \$6,000.00 for sewer line installation.**”

Subdivision No. 96S-375G
Jack Nixon Property

Map 41-4, Parcel 73
Subarea 2 (1995)
District 3 (Nollner)

A request to record one parcel as one lot abutting the west margin of Dickerson Pike, approximately 805 feet south of Hunters Lane (2.46 acres), classified within the CS District, requested by Jack Nixon, owner/developer, MEC, Inc., surveyor.

Resolution No. 96-833

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the FINAL Subdivision No. 96S-375G, a request to record one parcel as one lot, located abutting the west margin of Dickerson Pike, is granted **APPROVAL.**”

Subdivision No. 96S-377U
Peninsula Point, Section 2
Map 137, Part of Parcel 18
Map 151, Parcel 6
Subarea 13 (1991)
District 12 (Ponder)

A request to create 18 lots abutting both margins of Waterford Way, approximately 150 feet east of Milbridge Road (3.8 acres), classified within the RS15 Residential Planned Unit Development District, requested by Butler Development, LLC, owner/developer, MEC, Inc., surveyor.

Resolution No. 96-834

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the FINAL Subdivision No. 96S-377U, is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$112,500.00.**”

Subdivision No. 96S-383G
E. A. Clifton Land, Resubdivision of Lot 1
Map 40, Parcel 126 and Part of Parcel 3
Subarea 3 (1992)
District 1 (Patton)

A request to create two lots from two parcels abutting the west margin of Whites Creek Pike, approximately 2,223 feet north of Old Hickory Boulevard (4.45 acres), classified within the AR2a and RS10 Districts, requested by William H. Thompson, Jr., owner/developer, Walter Davidson and Associates, surveyor.

Resolution No. 96-835

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the FINAL Subdivision No. 96S-383G, is granted **APPROVAL.**”

Subdivision No. 96S-384U
Ash Street Property
Map 93-14, Parcels 473, 474 and 476-479
Subarea 9 (1991)
District 19 (Sloss)

A request to consolidate six parcels into one lot abutting the southeast margin of Ash Street, between Vine Street, Mulberry Street and Sixth Avenue South (4.77 acres), classified within the CF District, requested by CPC-8TO 5, L. P., owner/developer, Walter Davidson and Associates, surveyor.

Resolution No. 96-836

"BE IT RESOLVED by the Metropolitan Planning Commission that the FINAL Subdivision No. 96S-384U, is granted **APPROVAL.**"

Request for Bond Extension:

Subdivision No. 86-639-G
Interchange City Industrial Park, Section 32
Wolfe Investment Company, principal

Located abutting the southeast corner of J. P. Hennessy Drive and Firestone Parkway.

Resolution No. 96-837

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby grants **CONDITIONAL APPROVAL** of the request for an extension of a performance bond for Subdivision No. 86-639-G, Bond No. 87BD-006, Interchange City Industrial Park, Section 32, in the amount of \$8,600.00 covering water facilities until 10/1/97, as requested, said approval being contingent upon submittal of an amendment to the present Letter of Credit by **11/30/96** which extends its expiration date to 04/01/98. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

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

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

Resolution No. 96-838

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby grants **CONDITIONAL APPROVAL** of the request for an extension of a performance bond for Subdivision No. 86-658-U, Bond No. 86BD-006, Weldon B. White, Jr., Subdivision, in the amount of \$8,400.00 covering water facilities until 10/1/97, as requested, said approval being contingent upon submittal of a letter from Reliance Insurance Company by **11/30/96** agreeing to the extension. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 88P-025G
Hickory Chase
David K. Wachtel, Jr., principal

Located abutting the south margin of Old Hickory Boulevard, approximately 227 feet west of Donna Drive.

Resolution No. 96-839

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby grants **CONDITIONAL APPROVAL** of the request for an extension of a performance bond for Subdivision No. 88P-025G, Bond No. 93BD-027, Hickory Chase, in the amount of \$40,000.00 covering road, drainage, water and sewer facilities until 8/1/97, as requested, said approval being contingent upon submittal of an amendment to the present Letter of Credit by **11/30/96** agreeing to the extension which extends its expiration date to 2/1/98.

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

Subdivision No. 88S-066G
Northbrook Subdivision, Phase One
Roy C. Flowers, principal

Located abutting the east side of Brick Church Pike, approximately 850 feet north of Village Trail.

Resolution No. 96-840

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby grants CONDITIONAL APPROVAL of the request for an extension of a performance bond for Subdivision No. 88S-066G, Bond No. 89BD-066G, Northbrook Subdivision, Phase One, in the amount of \$31,000.00 covering road, drainage, water and sewer facilities until 10/1/97, as requested, said approval being contingent upon submittal of an amendment to the present Letter of Credit by **11/30/96** agreeing to the extension which extends its expiration date to 4/1/98. **Failure of principal to provide amended security documents shall be grounds for collection without further notification."**

Subdivision No. 93S-343G
McCrorry Heights
Buddy Dunn Contractors, principal

Located abutting the northeast margin of McCrorry Lane and the west terminus of Greenvale Drive.

Resolution No. 96-841

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby grants CONDITIONAL APPROVAL of the request for an extension of a performance bond for Subdivision No. 93S-343G, Bond No. 94BD-006, McCrorry Heights, in the amount of \$112,183.00 covering road, drainage, water and sewer facilities until 10/1/97, as requested, said approval being contingent upon submittal of an amendment to the present Letter of Credit by **11/30/96** agreeing to the extension which extends its expiration date to 4/1/98. **Failure of principal to provide amended security documents shall be grounds for collection without further notification."**

Subdivision No. 95S-180U
Hickory Highland Place, Phase One
Hickory Highland, L.L.C., principal

Located between Moss Road and Mt. View Road, approximately 100 feet east of Ottenville Road.

Resolution No. 96-842

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby grants CONDITIONAL APPROVAL of the request for an extension of a performance bond for Subdivision No. 95S-180U, Bond No. 95BD-063, Hickory Highland Place, Phase One, in the amount of \$253,500.00 covering road, drainage, water and sewer facilities until 10/1/97, as requested, said approval being contingent upon submittal of an amendment to the present Letter of Credit by **11/30/96** agreeing to the extension which extends its expiration date to 4/1/98. **Failure of principal to provide amended security documents shall be grounds for collection without further notification."**

Subdivision No. 96S-063U
Trinity Commercial Subdivision, Section Two
Jenkins Property, L.P., principal

Located abutting the south margin of West Trinity Lane, between Lucas Lane and Dickerson Pike.

Resolution No. 96-843

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby grants CONDITIONAL APPROVAL of the request for an extension of a performance bond for Subdivision No. 96S-063U, Bond No. 96BD-013, Trinity Commercial Subdivision, Section Two, in the amount of \$7,000.00 sewer facilities until 12/01/96, as requested, said approval being contingent upon submittal of a letter from Fidelity and Guaranty Insurance Company by **11/30/96** agreeing to the extension. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Request for Bond Release:

Subdivision No. 206-83-G
Chelsea Village Addition, Section Two
Jerry Butler, principal

Located abutting the northwest terminus of Grovesnor Road, approximately 252 feet northwest of Dover Glen Drive.

Resolution No. 96-844

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 206-83-G, Bond No. 93BD-060, Chelsea Village Addition, Section Two, in the amount of \$25,000.00, as requested."

Subdivision No. 134-84-G
Grove at Devon Hills
HSW Devon Hills Associates I, L.P.

Located abutting the east margin of Old Hickory Boulevard, approximately 45 feet south of Devon Valley Drive.

Resolution No. 96-845

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 134-84-G, Bond No. 94BD-067, Grove at Devon Hills, in the amount of \$20,000.00 as requested."

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

Located abutting both margins of Cobble Street, approximately 1,161 feet south of Bradford Hills Drive.

Resolution No. 96-846

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 89P-017G, Bond No. 95BD-008, Bradford Hills, Section Seventeen, in the amount of \$5,000.00 as requested."

Subdivision No. 90S-022G
Quail Ridge, Section Three
The Developers, principal

Located abutting both sides of Indian Summer Drive and both sides of Quail Ridge Drive.

Resolution No. 96-847

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 90S-022G, Bond No. 90BD-020, in the amount of \$35,600.00 as requested."

Subdivision No. 94S-079U
Jewell Estates
Dudley Warner, principal

Located abutting the east margin of Lealand Lane, approximately 155 feet north of Tower Place.

Resolution No. 96-848

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 94S-079U, Bond No. 94BD-016, in the amount of \$37,000.00 as requested."

Request for Bond Extension and Replacement:

Subdivision No. 95S-344U
White Property
Ellary White, present principal
Kevin Temple, proposed principal

Located abutting the east margin of Granny White Pike, approximately 115 feet north of Lipscomb Drive.

Resolution No. 96-849

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby grants CONDITIONAL APPROVAL of the request for replacement and extension of a performance bond for Subdivision No. 95S-344U, Bond No. 95BD-108, White Property, in the amount of \$4,000.00 covering demolition of a certain structure until 10/1/97, as requested, said approval being contingent upon submittal of appropriate security by **11/30/96** and execution of the replacement bond. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

MANDATORY REFERRALS:

Proposal No. 96M-122G
Oak Hill Reservoir and Pumping Station
Site Acquisition
Map 160, Parcel 177
Subarea 12 (1991)
District 33 (Turner)

A mandatory referral from the Department of Water and Sewerage Services requesting approval for site acquisition regarding the Oak Hill reservoir and Pumping Station. (Project No. 93-WG-96F).

Resolution No. 96-850

“BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-122G.”

Proposal No. 96M-123G
Hickory Hollow Shureguard Storage Easement
Abandonment and Subsequent Relocation
Map 163, Parcels 290 and 316
Subarea 13 (1991)
District 28 (Hall)

A mandatory referral from the Department of Water and Sewerage Services to abandon an old 6” force line easement and subsequently approving its relocation on property located at the intersection of Mt. View Road and Rural Hill Road.

Resolution No. 96-851

“BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-123G.”

Proposal No. 96M-125U
Herron Drive Underground Cable
Map 105-12
Subarea 11 (1993)
District 19 (Sloss)

A mandatory referral from the Department of Public Works proposing the installation of a fiber optic cable under the right-of-way of Herron Drive, requested by Tom D. Waller, for Tennessee Valley Authority, adjacent property owner.

Resolution No. 96-852

“BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-125U.”

OTHER BUSINESS:

2. Endorsement of the Final Report on the Jefferson Street Corridor Study and the State Route 840 Interchange Analysis for Williamson County.
3. Endorsement of the Final Report on the Southeast Arterial Corridor Study.
4. Endorsement of the Final Report on the Circulator Shuttle Feasibility Study for Brentwood.

Mr. Browning announced these three items were the contracts with the consultants and this is merely approving the fact they have finished their work and would not influence the Commission’s decision as whether or not it would be adopted as part of the Major Street Plan.

This concluded the items on the consent agenda.

Mr. Owens announced the pending Council bill regarding rezoning on Reynolds Road had been rescheduled for November 19, 1996, and the public hearing would begin at 6:30 p.m.

PUBLIC HEARING: CONTINUATION OF A PORTION OF SUBAREA 13:

Ms. Uken presented a summary of the public hearing from the previous Planning Commission meeting on October 17, 1996. At that meeting, the **Subarea 13 Plan: 1996 Update** was adopted, with the exception of two areas: the area east of the airport and south of Couchville Pike, and the area bounded by Bell Road, Rice Road, Rural Hill Road, and the backside of the commercial zoning along Murfreesboro Pike. The public hearing was left open for further discussion on those two areas only.

Ms. Uken re-presented information for these two areas, addressing the community's comments from the public hearing. The public hearing comments did not contain any new information that had not been stated at the community meetings. Therefore, staff did not see a basis for changing its previous recommendations of Industrial policy for the area east of the airport, and Residential Medium-High density policy for the Bell Road and Rice Road area.

Ms. Uken discussed the first unresolved issue concerning the land use policy in the area east of the airport and south of Couchville Pike, which staff recommended for industrial and distribution use, or IND policy, based on several factors.

- In February 1993, the Planning Commission endorsed the Airport Authority's 30 Year Master Plan, which showed plans for expansion of the airport to the east to accommodate a 4th runway. Because this expansion affected parts of Subarea 13 and Subarea 14, the Planning Commission made an interpretation of the existing land use policies close to the airport in both subareas. The industrial land use policy recommended for this area was based upon the Planning Commission's 1993 interpretation of this area, but using the current land use policy categories. At the community meetings, staff stressed that the Planning Commission was faced with the same issues during the **Subarea 14 Plan Update** in 1995, and that the Planning Commission decided to adopt the plan according to its original interpretation of the land use policies in the area, with Industrial policy on the opposite side (north side) of Couchville Pike.
- Residential policy is not recommended for this area, because it will remain affected by airport noise, in particular from the use of the cross wind runway, which is aimed directly at, and is located approximately 2 miles from the heart of this proposed industrial area. According to Airport Authority staff, the end of the crosswind runway that faces toward Reynolds Road is used for approximately 1% of the airport's daytime flights, but about 70% of the airport's nighttime flights, with nighttime defined as 10 PM to 7 AM. In addition to the heavy use of the crosswind runway at night, it is also used exclusively in certain weather conditions. Airport Authority staff previously stated at a Subarea 13 community meeting that they were not in support of a residential policy for this area because of airport noise. Although airport noise is anticipated to decrease due to the use of quieter Stage 3 aircraft by the year 2010, studies indicate that people still become accustomed to the quieter aircraft, and still complain of the noise levels, even outside of the noise contours. Staff also feels that this area may become more frequently impacted by airport noise in the future, as the airport more heavily utilizes its only crosswind runway.
- Office Concentration policy is not recommended for this area because there is already more than enough area here policed for office uses, and not enough demand to warrant office policy for this entire area. Area already policed for Office Concentration uses on both sides of Couchville Pike in Both Subarea 13 and Subarea 14, contain the potential for a total gross floor area of between 2.2 and 11.3 million square feet of office space, based upon the floor area ratios of existing office development in the area. Adding the industrial area to office policy would be adding the potential for an additional 4 to 17 million square feet of office space, to a market that already has high vacancy rates. When compared to the average absorption rate of net square feet per year for the Davidson County

Metropolitan Statistical Area office market, it has been determined that the Airport/Murfreesboro Road office market, which extends from I-40 to I-65 and from Thompson Lane to Harding Place, has an average annual absorption rate that is one-third of that for the County Metropolitan Statistical Area. At best, using a low floor area ratio (.15), it would take about 14 years to absorb all of the current office space on both sides of Couchville Pike. Using a higher floor area ratio (.65), it would take about 60 years. If the industrial area in Subarea 13 alone was policied for office uses, an additional 21 to 90 years would be added to the absorption rate. It is also likely that this area would be absorbed last in this particular market because of the airport noise.

- In addition, industrial uses have already been established in a portion of the area along Couchville Pike. And, a zone change request for 180 acres in this area, for industrial use (IR zoning), was also recently approved by both the Planning Commission and Council.

Ms. Uken then summarized the public hearing comments concerning this issue, which were the same as stated at the community meetings. Most of the people in opposition to Industrial policy for this area felt that industrial policy would lead to a rock quarry. They were aware that all of the zoning districts used to implement industrial policy under the current zoning regulations permit quarries as a conditional use, if the conditions are met. Others were concerned that the services and facilities necessary to support industrial development were not in place. They were concerned that industrial traffic would use existing residential streets as shortcuts to access I-40. Instead of Industrial policy, the residents of this area stated a preference for either residential or office concentration policy.

Ms Uken then discussed the other unresolved issue concerning the land use policy in the area bounded by Bell Road, Rice Road, Rural Hill Road, and the backside of the commercial zoning along Murfreesboro Pike. Staff recommended this area for multi-family residential uses, Residential Medium-High density policy, based on several factors.

- The land use policy for this area is based on existing established apartment development, market support for continued apartment development, good access to larger scale commercial services along Murfreesboro Pike and at the Hickory Hollow Activity Center, and site suitability. The adjacent Retail Concentration Community policy area, which is located at the intersection of Bell Road and Murfreesboro Pike, is based on the land already committed to commercial development by existing commercial zoning.
- Staff does not recommend adding this residential area to the existing Retail Concentration Community area. Staff concluded that the area already devoted to commercial policy is, if anything, overly generous. The land already committed to commercial development by existing commercial zoning in the Retail Concentration Community area is 899,123 square feet, which currently exceeds the amount of retail floor space suggested in the guidelines for this policy area. Much of the area committed to commercial development in the commercial area is also underutilized, and additional opportunity for commercial use already exists nearby in the Commercial Mixed Concentration policy area found along Murfreesboro Pike. Staff does not see a reasonable planning basis for adding an additional 360,000 square feet of commercial floor space under these circumstances. Adding an additional 360,000 square feet of commercial floor space would create the opportunity for more than 1.2 million square feet of commercial floor space, which is the amount of commercial floor space that is typical of a regional mall, such as Hickory Hollow.
- Furthermore, the land suggested for additional commercial development is constrained by topographic conditions. Much of the land is hilly and rocky, and would require extensive modification, such as deep rock cuts. Adopting a commercial policy for this area would also implicate the residential properties on the east side of Bell Road, the south side of Rice Road, and the west side of Rural Hill Road. Boundaries between the residential and commercial policy areas would then become Bell Road, Rice Road, and Rural Hill Road, which are boundaries of convenience that are likely to be challenged over time. Adding this land to commercial policy would encourage strip-like commercial development along Bell Road, and would move away from the concept of commercial nodes that the General Plan encourages.

- The widening of Bell Road is not likely to render the properties fronting on it unusable for residential development. According to information supplied by the Tennessee Department of Transportation, after right of way is acquired for the widening of Bell Road, no residence would be closer than 65 feet from Bell Road, which is greater than any setback requirement in the current zoning regulations. The widening of Bell Road, is a necessary improvement for the area, and is not likely to make the properties fronting on it any less suitable for residential uses than is found in other parts of the county.

Ms. Uken reviewed the public hearing comments about this area, which were the same as the comments made at the last Subarea 13 community meeting. Landowners requested that this part of the residential area be added to the existing commercial area at the intersection of Bell Road and Murfreesboro Pike because they do not want any additional apartment development in the area, and because they perceive that the widening of Bell Road will make their residences undesirable, so they want to sell the land for commercial uses.

Ms. Uken concluded the presentation by stressing that the application of land use policies should not only follow the established guidelines for application, but should also be based upon need, and what the reasonable expectations of land uses are in the future.

Councilmember Charles French stated he was in favor of the Couchville Pike and Reynolds Road area being changed to an office concentration as opposed to industrial.

Mr. Lawson asked if the rock quarry were not an issue, would the industrial zoning be a problem?

Councilmember French stated he thought the Commission would see a substantially different opinion on the part of the property owners, particularly if it were light industry.

Councilmember Janis Sontany stated she had a rock quarry in her district and knew the negative impact that it has on the community surrounding that area. There is constant limestone dust, constant truck traffic and there is damage to the homes in the area. Nashville has some of the most liberal blasting laws in the southeast and there is very little recourse for the residents in that area. She stated she was adamantly opposed to the industrial zoning if it did not preclude a rock quarry.

Ms. Deloris Stephenson stated within one and a half miles of the area suggested for industrial policy there were 80 new homes being built and the developer had an option on an additional tract of land on which he planned to build another 100 homes. When those 100 homes are completed they would be within a quarter of a mile of this site. She quoted newspaper and magazine articles referring to this area as being good for commercial, office and residential land use. Quarrying activity does not mix well with residential density at the level this area is experiencing. Proof of that existed when Hoover had a quarry on Donelson Pike and the population level was much lower than it is now. Many of the area residents had physical damage to their homes caused by Hoover's blasting for which they received no reimbursement. The primary reason residential development in this area was slow was because of airport noise. That noise has decreased dramatically and will continue to decrease even further as the Phase 3 aircraft engines area fully phased in. She requested six weeks to present specific drawing and proposals to the Commission and staff for consideration on this parcel of land. She stated area residents had participated in public hearings but their facts and arguments had been ineffectual or ignored by staff.

Mr. Steve Kates, owner of Kates Construction Company, stated he held the option on the two tracts of land for the additional 150 homes and was having reservations regarding the land use change. He asked Ms. Uken why the map showed a slither of land coming all the way down to Ned Shelton? It appears the proposed industrial zoning has a little strip that comes all the way into Ned Shelton and that may be the way the property was originally deeded, with that as an access strip.

Ms. Uken pointed out an MPOS area and explained it was a Major Public Open Space and that it was the boundary of the Corps of Engineers property for Hamilton Creek State Park.

Chairman Smith stated he thought Mr. Kates was asking about something that would be a Council zoning change.

Mr. Fawcett stated the boundary Mr. Kates was referring to was a ridge line and had nothing to do with property lines.

Mr. Kates stated the reason he asked that question was because under a conditional use request there could be conversation about access. If indeed the site was able to access Ned Shelton, that would be allowing industrial traffic into an area that would be heavily residential if he went through with his plans. This takes on the appearance it is allowing the industrial to get a little closer to the residential than cutting it off at a point further away. Even bringing it back away from Ned Shelton, there are concerns about continuing on with the residential plans and investments. He stated he did not know what the tax base of a quarry was versus the tax base of residential, but that he was committed to continuing development in the area if the quarry was not in the plans for this area.

Mr. Manier stated everyone seemed to be discussing this as a zoning matter. The Commission is not discussing zoning nor a special conditional use for a quarry. Those things have nothing to do with what is on the table at the present time. Everyone assumes this is a zoning hearing but it is not. Zoning is one thing and zoning becomes a thing that Councilmembers have the political power to say yes or no but the Commission is here to deal in terms of what makes logical planning sense.

Mr. Kates stated he felt the perception is that once the subarea plan is approved, that will become the basis for zoning decisions and that is why the community wants to air this. Industrial abutting residential is not appropriate and that is why he brought it up at this time. This becomes a tool that councilmembers and planning staff will use on future zoning requests and this line should be constructed in the appropriate place right now.

Mr. John Stern stated it was difficult to talk about land use planning and separate it from zoning. He stated staff had recommended industrial policy for this area and was not only in complete contradiction to the desires of the overwhelming majority of this community but it defies common sense and pure logic. The staff is using the Commission's 1993 endorsement of the airport master plan as a major premise for forcing industrial policy on this area. As of today, the airport master plan is a document that cannot, without extensive modification, be used as a predictive tool for the future of this area. Not only has the underlying assumptions of this plan changed but the current levels of activity at the airport do not support future expansions that his plan dictates.

Staff is using the Commission's action on the Subarea 14 Plan as supporting the extensions of the Subarea 14 policies into this area. If the Commission will recall the actions on this portion of Subarea 14 was also in direct contradiction and conflict with what the participants in that community wish to see happened. The issue of staff using this change in Subarea 14 to alter Subarea 13 was specifically addressed at that time. While the staff denied there was any plan to do so, to utilize 14 to back up 13. They have now proven that was a lie. People living along Pulley Road, which is the 14 side of this, were surprised during this process, to learn they live in industrial zoned policed area. The use of a ruling on Subarea 14 that was adamantly opposed by this community is not only extremely distasteful but is a perversion of what should be a community planning process.

In reference to airport noise, since 1993 both the average level of noise per event and the actual number of events have dramatically reduced. Why is the Commission's staff continuing to say this area is only good for industrial purposes based upon noise issues? Staff uses their fourth and least convincing argument by saying there is already too much office concentration policy in this area. This community wants this area to be developed in a well planned, high quality office community, when the infrastructure becomes available to support it. They do not want industrial property in this area and the desire to see the current incompatible uses to be gradually either buffered or phased out.

Mr. John Reitz stated he lived in an airport house and only saw approximately ten per week and the planes do get a little bit loud but that is about it. He stated he was also disturbed by the 1993 proposal this was adopted from and the fact that Mr. Hoover was elected to the Board of Zoning Appeals.

State Representative Ben West spoke in opposition to a quarry in the Reynolds Road area and also requested a deferral for the Rice Road/Bell Road area.

Mr. Gaylon Northcutt, who worked in the air traffic control tower at the airport for the past thirty years, spoke in opposition to a quarry because of the noise.

Mr. Tom White, representing Mr. Joe Casey, owner of approximately 140 acres basically at the intersection of Reynolds Road and Couchville Pike, spoke in favor of the land use policy and stated what the Commission would deal with at this meeting was a policy issue only. Beyond the Commission this issue would go, if there is a specific request for a zone change, to the Metro Council.

Mr. John Adams, vice president of operations for Ryan Homes, stated they had rights to purchase and construct 63 single family homes off of Bell Road and are currently marketing that community and do intend to provide housing in this area, and he asked the Commission to keep this in mind when they make their decision.

Commissioner Bodenhamer stated he had visited this area and was familiar with it and asked what was the status of the bill before Council that Councilmember Ronnie Stein had introduced.

Mr. Browning stated that bill was due for public hearing on November 19th. It has not been referred to the Planning Commission but may be referred back to this body on the 19th; that will be up to Council.

Councilmember Clifton stated the Commission approved the bill during the last term of Council. Most bills end at the end of the term of Council but the Commission's recommendation does not.

Ms. Nielson stated for the record someone should explain the content of that bill.

Mr. Browning stated it was a bill rezoning the subject property to CG with a piece of property going from the industrial area eastward to the Bell Road corridor area to an office category.

Mr. Bodenhamer stated he felt the Commission had heard very loud and clear from a number of people present that if this area is recommended to go industrial, it is going to have quite an effect on the quality of life of the people who reside there presently. The perception here is that the Commission is going to make this decision one way or the other and there is going to be a rock quarry. There is a number of things that all of us know that have got to happen before anyone can apply to the Board of Zoning Appeals for a conditional use permit. He suggested that until the infrastructure in the area is changed and there is sufficient roads to get the trucks in and out of this area, it should be considered for office concentration.

Ms. Jernigan stated she understood that the Commission was talking about a land use policy, but it is true that the Commission makes zone change recommendations that come before them, and that they are considered in light of what the land use policy is. She suggested there should be more of a transition such as industrial to office to residential.

Mr. Browning stated there is a transition with industrial next to the airport and then transitioning into an office category over to Ned Shelton and Bell Road and then from that point on to the lake is a residential policy.

Ms. Jernigan said she was talking about breaking down the particular area that staff was recommending for industrial policy.

Ms. Nielson stated that the process that will happen, after a policy is set, that right now is zoned residential, and if anybody is wanting to come in with something different or industrial, first of all they have to get a zone change and that industrial policy will help the Commission determine what will fit into the plan.

Mr. Browning stated there would not be any immediate changes made in the subject area. Any permissions that are given for any type of development must be consistent with zoning. The policy applied will determine what zonings may be placed out there. The zoning is currently R20 and will remain R20 until changed by the Council.

Ms. Nielson stated by putting industrial policy there it is also discouraging residential development.

Mr. Manier stated he was convinced the potential for office use in this area was zero, the airport will keep growing even without the hub and stated he was not concerned about someone coming before the Commission with an offer for a quarry at this time; that is not the concern. These policy changes are not etched into stone. They are revisited and the Commission will revisit this area again in five years.

Councilmember Clifton stated this was a hard decision because it brings up so many emotional issues. He stated he was opposed to a quarry in this area but this decision is about general industrial use policy.

Mr. Lawson and Mr. Harbison agreed this was a planning issue and not a zoning issue and there was not much else he could add in addition to what had already been brought up.

Mr. Bodenhamer stated there was no way the people who were interested could not come to this meeting without the preconceived idea that if this land use policy is changed that there will immediately be an application in for a conditional use permit for a quarry and the Commission should not say it is not that way.

Mr. Harbison stated that was likely but whether or not it happens has nothing to do with making the right policy call for this area.

Mr. Manier moved and Mr. Lawson seconded the motion, which passed, with Mr. Bodenhamer, Ms. Jernigan and Ms. Nielson in opposition, to close the public hearing and approve industrial policy in this area of Subarea 13.

Resolution No. 96-853

**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,

WHEREAS, the Metropolitan Planning Commission at its October 31, 1996 meeting concluded the public hearing on and adopted the portion of the updated plan identified as the Couchville/Reynolds Road area and deferred the area identified as Bell Road / Rice Road until the November 27, 1996 Metropolitan Planning Commission meeting and for which area it continued the public hearing;

NOW, THEREFORE, BE IT RESOLVED that the Metropolitan Planning Commission hereby **ADOPTS** that portion of the *Subarea 13 Plan: 1996 Update* (Subarea Plan) applicable to the previously deferred area identified as the Couchville/Reynolds Road area, within the jurisdiction of the Metropolitan Government, 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 the *Subarea 13 Plan: 1996 Update* is also adopted as part of the General Plan.

Chairman Smith announced the public hearing would now continue with the Rice Road/Bell Road area.

Mr. Paul Gentry, English Pope, George Gentry and Jim Lanahan agreed the residents of this area were confused, had problems, need help understanding this situation and asked for a two week deferral.

Mr. Bodenhamer moved and Mr. Lawson seconded the motion, which carried unanimously, leave the public hearing open and to defer this portion of the Subarea 13 Plan update until November 27, 1996.

PUBLIC HEARING: MAJOR STREET PLAN AMENDMENT FOR JEFFERSON STREET AND FOR THE SOUTHEAST ARTERIAL.

Mr. Bill Lewis stated this is the Public Hearing to Amend the *Major Street Plan* to Change the Designation of Jefferson Street, between Eighth and Twenty-eighth Avenues North, from "U4" to "U2", to Specify the Location of the Southeast Arterial to Connect Concord Road at Nolensville Pike with Old Hickory Boulevard near Murfreesboro Pike, and to Change the Designation of the Southeast Arterial from "U4" to "R4"

Mr. Lewis stated Staff recommended approval of both changes, and briefly discussed each of the proposed changes.

Jefferson Street

For several decades, transportation plans for Nashville and Davidson County have called for Jefferson Street to be widened to five lanes throughout its length. During development of the Subarea 8 plan, concerns were raised about the possible impact of that widening on the community, as well as questions about the necessity of the widening, now that Interstate 40 carries a great deal of the traffic entering and leaving the area.

In the discussions on this issue within the Subarea planning process, there were two schools of thought about the widening – one was that the better opportunity for strengthening the community lay in increasing the capacity of the road by widening it; the other was that opportunity lay in maintaining more of the existing character of the roadway and the structures which line it. The staff of the Planning Commission was asked to conduct a corridor study to determine empirically whether widening Jefferson Street was necessary to adequately serve existing and forecast levels of traffic.

Through the professional services of the engineering firm of Neel-Schaffer, Inc., together with the Landscape Architecture and Planning firm of Jackson-Person and Associates, and with the assistance of a

Citizens Advisory Committee made up of area residents, business people and representatives of the corridor's major institutions, the Jefferson Street Corridor Study is now complete. The central transportation finding in that study is that the widening of Jefferson Street west of Eighth Avenue North is not necessary in order to serve forecast levels of traffic through the year 2015. Additional turn lanes at the major intersections, transit pullouts, parking controls and similar measures are recommended to improve the corridor for all of its users, including drivers, but the roadway itself is recommended to remain a three-lane facility.

It is therefore recommended that the designation of Jefferson Street between Eighth Avenue North and Twenty-eighth Avenue North be changed on the *Major Street Plan* from "U4" to "U2" – that is, from a five-lane roadway with a center left turn lane to the three-lane roadway which it essentially is today.

During the original Subarea 12 planning process, a need was identified for a new east-west roadway south of Bell Road to link the area west of Nolensville Pike to Interstate 24 and areas further east. More recently, when two subdivisions were proposed near I-24 which might lie in the path of this new road, the Commission asked its staff to determine a more specific alignment for the road, to specify its connection to I-24, and to determine a proposed cross-section so that the required right-of-way would be known.

That study, conducted by the engineering firm of IDE Associates, together with the Traffic Engineering firm of RPM & Associates, with the assistance of a Technical Advisory Committee made up of TDOT, Metro Public Works and Planning Commission staff members, and with a significant amount of input from area residents through a series of three public meetings held in the study area, has now been completed.

Two important questions had to be answered fairly early in this study. The first was the feasibility of connecting this road to Interstate 24, and the best location for doing so. The study team investigated Hickory Hollow Parkway, Old Hickory Boulevard and a new location midway between those two in a separate Interchange Justification Study. A primary criterion in an interchange justification study is the demonstration of minimal impact on the operation of the interstate highway. It was concluded in that study that choosing the new location would not only serve the corridor best, but would also minimize the impact of additional traffic on both the Interstate and the existing road network in the area.

The second question was the best location for the road to connect to the existing street network. On this question, it was determined that moving the western end south to line up with Concord Road at Nolensville Pike, and extending the road to the northeast to connect with Old Hickory Boulevard near Murfreesboro Pike would best serve the area and, at the same time, provide a through route which does not exist today. This through route will connect from Brentwood through Concord Road -- a state route which is being improved in Williamson County -- through the study area to Mt. Juliet, using Hobson Pike and South Mt. Juliet Road -- also a state route. The alignment of the new road within the study area -- along the TVA line -- was suggested by members of the public at the first area public meeting.

The Subarea 12 and 13 plans call for the area served by this road to remain and to develop with residential uses. In order to best fit the function of the new road to those plans, it was determined that a four-lane divided highway, with access limited to major intersections, would work best. A functional layout plan, with a 250 foot wide right-of-way, has been developed as part of this study and approved by TDOT. The *Major Street Plan* classification which sets aside that amount of right-of-way is the Rural Arterial.

This request, based on the conclusions of the Southeast Arterial Corridor Study, is to amend the *Major Street Plan* by specifying a more precise alignment for the southeast arterial and by changing its designation from "U4" to "R4."

No one was present to speak at the public hearing.

Ms. Nielson moved and Mr. Stephen Smith seconded the motion to approve the Major Street Plan Amendment for Jefferson Street and for the Southeast Arterial.

Mr. Bodenhamer expressed his concerns regarding streets being obsolete before they were completed. The people on Jefferson Street that own businesses with no setbacks will lose property but this needs to be looked at realistically.

Mr. Lawson stated he agreed with Mr. Bodenhamer and felt it should be a U4 for reasons other than just traffic control and development, and revitalization of the area should be dealt with and funds will probably not be approved for this kind of renovation in north Nashville.

Mr. Manier asked what the rationale for the two lanes rather than four?

Mr. Browning stated the during the Subarea 8 Plan two sides developed. One side was that there was a need for more traffic capacity on Jefferson Street and it is a U4 on the plan which means it would be a five lane street with a center turn lane. The other side were those on the subarea committee who said that is going to be disruptive and should not be done. It should remain as a U2, a three lane. When the Commission adopted the subarea plan, they asked for a study from a traffic point of view. This is the study that was done and it points out the traffic volumes are not high enough to warrant the five lane U4 but improvements are needed in critical areas.

Ms. Jernigan asked what were the differences in the traffic volumes between the U2 and the U4?

Mr. Browning asked Mr. Lewis if he had the traffic volume figures that indicate where that stands?

Mr. Lewis introduced Mr. Richard Williams and Mr. Greg Judy from the firm of Neel/Shaffer which headed this study and asked them to address the traffic analysis for the link and the intersections.

Mr. Richard Williams stated they used the 1995 traffic volumes as existing traffic, with the projections through the year 2015. The existing traffic on Jefferson Street was broken into two sections but basically the highest section is from Eighth Avenue to Twelfth Avenue with 7,720 cars per day. The projected traffic for that segment is 13,529 vehicles per day in the year 2015.

Chairman Smith stated the Commission was not saying there was a problem with the traffic study count. It is that the Commission is being asked to recommend something that is a no grow no use street and what needs to be figured out is how it can be more of a community and have more access.

Chairman Smith stated perhaps the Commission needed another motion to send this study back for an alternate look.

Ms. Nielson withdrew her motion and Mr. Stephen withdrew his second for approval of the Major Street Plan Amendment for Jefferson Street and for the Southeast Arterial.

Mr. Lawson moved and Mr. Stephen Smith seconded the motion, which carried unanimously, to close the public hearing and to approve the Major Street Plan Amendment for the Southeast Arterial.

Resolution No. 96-854

“BE IT RESOLVED by the Metropolitan Planning Commission that it APPROVES an amendment to change the Major Street Plan to specify the location of the Southeast Arterial to connect Concord Road at Nolensville Pike with Old Hickory Boulevard near Murfreesboro Pike, and to change the designation of the Southeast Arterial from a U4 (four lane urban arterial) to an R4 (four lane rural arterial), along with the accompanying right-of-way requirements.”

Chairman Smith stated it seemed appropriate to send the Jefferson Street study back for a different scenario.

Mr. Harbison suggested the Commission should have a memorandum with the pros and cons of each alternative.

Ms. Nielson moved and Mr. Harbison seconded the motion to send the Major Street Plan Amendment for Jefferson Street back to staff for additional information and study.

ZONE CHANGE PROPOSALS:

Zone Change Proposal No. 96Z-008T
Council Bill No. 096-502

A council bill to amend the text of the Zoning Regulations by amending Section 17.32.080 to establish maximum parking spaces in residential districts, sponsored by Councilmember Michelle Arriola.

Ms. Dudley stated this bill addressed a problem Councilmember Arriola was having in her district where a resident was storing antique cars. From a technical standpoint the effect of the spill would be to limit the number of unenclosed parking spaces, in all residential districts including apartment districts, to five spaces; from a logical standpoint that did not make sense. Also it would be difficult from a practical standpoint to regulate the number of spaces. On the issue of the visual impact, that is something that should be addressed in another code, such as the Metro Code, or someplace where there are regulations that deal with parked cars that are no longer running. Staff feels this should be disapproved from the technical standpoint and should be addressed from another angle.

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

Resolution No. 96-855

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 96Z-008T is **DISAPPROVED:**

This text amendment limits the amount of parking spaces in residential zone districts (single-family, duplexes and multifamily) to five spaces. Six or more spaces must be accommodated within a garage. The bill is flawed in that as written, the bill would limit parking to 5 outdoor spaces in multifamily districts, as well as in single family and duplex districts.

If there is, from an aesthetic perspective, a need to address the number of outdoor parking spaces in residential districts, the building code is the more appropriate place to do this. A suggestion has been made, for example, that the building code could set a limit on the number of vehicles that can be accommodated in front yards."

Zone Change Proposal No. 96Z-099G
Map 181, Parcel 100
Subarea 12 (1991)
District 31 (Alexander)

A request to change from AR2a District to R20 District certain property abutting the south margin of Old Hickory Boulevard, approximately 500 feet east of Culbertson Road (71.55 acres), requested by Barge, Waggoner, Sumner and Cannon, for Eugene Collins, owner. (Deferred from meetings of 10/03/96 and 10/17/96).

Proposal No. 96P-017G
Indian Creek Estates
Map 181, Parcel 100
Subarea 12 (1991)
District 31 (Alexander)

A request to grant preliminary approval for a Residential Planned Unit Development District abutting the south margin of Old Hickory Boulevard, approximately 500 feet east of Culbertson Road (71.55 acres), classified AR2a and proposed for R20, to permit the development of 220 single-family lots, requested by Barge, Waggoner, Sumner and Cannon, for Eugene Collins, owner. (Deferred from meetings of 10/03/96 and 10/17/96).

Ms. Dudley stated land use policy for this area called for low-medium density development. This proposal, with the accompanying PUD, implements this proposed density, which is in the policy range of two to four units per acre. The issue is the road capacity to handle additional development. Since the last time staff prepared a report for the Commission, they have become aware of the fact that just one year ago the Commission approved R15 for this site and the site next to it. Since that time infrastructure improvements have been made in the form of sewer extension which is approximately 25% complete at this time and should be complete by the summer of 1997. The Commission could choose to approve development in this area as the infrastructure can accommodate it, and in this case the traffic engineer has said that this project can be accommodated. It is suggested the Council should appropriate the funding for more comprehensive road improvements before further developments are approved.

Mr. Stephen Smith stated the traffic engineers stated there is enough road for this proposal to be approved and if there is not enough for the next one then the Commission should not approve it.

Ms. Teresa Couch spoke in opposition to this development and expressed her concerns regarding drainage, no play areas for children, quality of the homes, traffic and infrastructure.

Mr. Bill Lockwood, representing the owner, presented the plans to the Commission, answered questions regarding open space, future access and infrastructure and stated he was willing to work with the area residents regarding any concerns they may have.

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

Mr. Lawson asked if 96P-017G, the PUD proposal, could also be added to the previous motion?

Mr. Stephen Smith and Ms. Jernigan accepted the change to their motion.

Ms. Dudley stated proposal 96P-017G should be approved with conditions.

Resolution No. 96-856

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 96Z-099G is **APPROVED**:

This is the request for R20 that is associated with PUD No. 96P-017G to allow the development of 220 single-family lots in the southwest part of the county, that was deferred from the October 3rd agenda. This property falls within residential "low-medium" policy (permitting up to 4 dwelling units per acre), which the R20 District will implement. Infrastructure improvements in the form of sewer construction is about 25% complete, with project completion scheduled for the summer of 1997."

"BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that Proposal No. 96P-017G is given **CONDITIONAL PRELIMINARY 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. A flood study of Indian Creek shall be conducted prior to any final approval.
3. Lots 160, 171 and 172 shall be designated 'Critical Lots' and site plans for each lot shall be filed and reviewed as set out in the Subdivision Regulations. Revised preliminary plans shall be submitted identifying these lots as critical by marking them with a star symbol on the face of the plan."

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. (Deferred from meeting of 10/17/96).

Ms. Dudley stated this proposal was located in residential medium-high policy. This area consists of commercial and industrial policy with a small amount of residential policy in the middle. A large portion of the residential policy represents the Mt. Olivet Cemetery. The only portion with actual residential development is the abutting apartments. Staff has met with the applicant and agreed there may be merit in applying more comprehensively the non residential policy. The subarea plan is clear and is policied for residential and staff does not feel the Commission should approve this request for CG and the AR2a without an amendment to the subarea plan. The applicant has submitted a letter asking the Commission to consider amending the Subarea 11 Plan to change this policy to non residential. If the Commission agrees to set the public hearing, staff will probably recommend removing the entire portion of residential. Staff recommends disapproval and that the Commission consider amending the plan and setting a public hearing for November 27, 1996.

Mr. Harbison moved and Mr. Lawson seconded the motion, which carried unanimously, to set the public hearing for November 27, 1996, and to approve the following resolution:

Resolution No. 96-857

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 96Z-101U is **DISAPPROVED**:

These parcels are in Subarea 11, and are designated with residential "medium-high" density policy. This residential policy is intended to provide for an extension of the residential RM8 zoned area to the north, which is developed as apartments. The railroad tracks abutting the east side of this site provide the boundary between residential and industrial policy. A public hearing for a Subarea 11 Plan amendment for this area has been set for November 27, 1996."

Zone Change Proposal No. 96Z-104U

Map 119-16, Parcels 15 and 16

Subarea 13 (1991)

District 27 (Sontany)

A request to change from R10 District to CG District certain property located at the southeast quadrant of Briley Parkway and Interstate 24 (5.0 acres), requested by Dee Travis, Travis Development Company, for Averitt Properties, Inc., owner.

Ms. Dudley stated staff was recommending approval because of the topographical and land relationship perspective. This property is more oriented toward the industrial area where Averitt Express is located. It is caught between Averitt and the interstate. The area along Drummond is developed residentially and some of the parcels are vacant. There will be no access from Drummond Drive if it were to be changed to CG. In addition, the CG district, which is being proposed, requires a landscaped buffer yard of 30 feet in which there can be no driveways or storage.

Mr. Will Reynolds and Mr. Jim Romine spoke in opposition to the proposal and expressed concerns regarding lighting, diesel smoke, noise, property values, property destruction, health, environment and lack of community involvement.

Mr. Dee Travis, representing Averitt Properties, Inc., stated attempts to work with the neighborhood had been made and Averitt was a good neighbor. This property had been a rock quarry since the turn of the century and blasting took place twice daily. The area residents were concerned Averitt was going to use Briley Parkway and were told Averitt wanted access to the interstate and not Briley Parkway. There was a fifteen acre buffer, owned by the city of Nashville, that was committed at the time by the Council, which would not be touched and has not been touched.

The four acres under proposal was owned by TDOT. It is right-of-way for the interstate and was originally requested to be part of the quarry development. At the time, TDOT thought there might be an opportunity at some future time to expand the interstate interchange so they elected to hold on to the right-of-way property. As the new terminal opened at the airport, it was determined the interchange would not need to be enlarged. At that point TDOT auctioned that property off and it was purchased by Averitt.

The plan is for a parking lot expansion. There will be no infringement on the properties at the end of Drummond Drive because this property is a hillside and will be balanced on top and will be twenty feet below any of the houses. A commitment was made to the neighborhood that there would be no traffic thorough the residential area. The perception here to day, that everybody in this neighborhood dislikes Averitt Express, is not true.

Mr. Bodenhamer asked about the concerns regarding noise?

Mr. Travis stated this would be a parking area that would handle overflow traffic of over the road drivers and would generally be driving onto this lot and storing the trucks for the weekend. There will be no buildings on the lot so there would be no backing up to docks.

Councilmember Janis Sontany stated pre-blasting surveys should be done and distributed to the residents as well as to insurance companies because the community is very concerned regarding the blasting.

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

Resolution No. 96-858

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 96Z-104U is **APPROVED:**

This property is located adjacent to the Averitt Express warehousing operation located at the southeast margin of Briley Parkway and Interstate 24. While Subarea Plan places this area within residential policy, it notes that any expansion by Averitt Express should be done so as not to adversely impact the existing residential neighborhood along Drummond Drive. Averitt Express accesses Briley Parkway. While Drummond Drive accesses the subject property, the Traffic Engineer will not issue a driveway ramp permit off of Drummond Drive due to the negative impact of truck traffic along this local street.

The Commission determined that it is not reasonable to expect this property to develop as residential due to the steep topography in this area, and due to its proximity to Interstate-24 and Averritt Express. The buffering requirements of the CG zoning district dictate that the applicant will have to provide 30 feet of open space along the adjacent residential property lines, as well as a 4 foot wide screen within this open space. These buffering requirements should sufficiently protect this residential area.”

Zone Change Proposal No. 96Z-107U
Map 134-14, Parcels 29, 29.1, 30 and 31
Map 134-15, Parcel 18
Subarea 13 (1991)
District 28 (Hall)

A request to change from R10 and OG Districts to CS District certain property abutting the west margin of Jansing Drive, approximately 80 feet north of Josam Drive (3.55 acres), requested by Wallace Hutcherson, appellant/owner.

Ms. Dudley stated this proposal was in residential policy. There is a lot of CS zoning along Antioch Pike and to the west. This would change some OG and some residential area and expand the CS back into the residential area. Across the street there is residential development and some CS that is not developed commercially. There is still some commercial property that has not been developed. The main issue, in staff’s point of view, is the expansion of the non residential CS retail zoning into the residential area. Staff feels it is unwarranted and would be an intrusive presence in this neighborhood and is recommending disapproval.

Mr. Wallace Hutcherson, owner of the property, stated the front portion of the property is zoned CS and the smaller portion in the back is the request for rezone. The staff is not aware of the fact that neighborhood meetings have been held and they have approved the zoning along with the councilmember. Their only concern was traffic on Josam Drive and that problem has been resolved. He stated he was working on a PUD plan with the community. There is a natural tree line buffer with only three houses abutting it before Josam Drive. There will eventually be at least a one hundred foot buffer when completed.

Chairman Smith asked what the process would be if this were a PUD?

Ms. Dudley stated if this were a PUD there would no need for this zone change. Ms. Dudley stated staff likely would oppose the commercial PUD because commercial development is inappropriate on this property.

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

Resolution No. 96-859

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 96Z-107U is **DISAPPROVED**:

This property is located at the boundary between commercial and residential “low medium” policy. Extending the CS District farther south could adversely impact this residential neighborhood. The southwest corner of this property should be consolidated in the future with the lots fronting on Josam Drive to fill out the established residential lot pattern.”

Zone Change Proposal No. 96Z-111G
Map 51, Parcel 171
Subarea 4 (1993)

District 4 (Majors)

A request to change from R10 District to RM6 District certain property abutting the west margin of Briarville Road, approximately 215 feet south of and opposite Lewis Drive (1.47 acres), requested by Larry Wynns, owner.

Proposal No. 88P-062U (Public Hearing)

Crossroads at Parkridge
Map 51, Part of Parcel 171
Subarea 5 (1994)
District 4 (Majors)

A request to cancel a portion of the Commercial (General) Planned Unit Development District abutting the north margin of Briley Parkway and the west margin of Briarville Road (1.47 acres), classified R10 and proposed for RM6, requested by Larry Wynns, appellant/owner.

Mr. Delaney stated this property falls within office concentration and the RM6 will implement this policy. Staff is recommending approval of this zone change; however, there is an associated PUD cancellation, 88P-062U, Crossroads at Parkridge. The PUD boundary crosses the bottom corner of this property. This PUD plan was approved in 1988. Staff is recommending disapproval of the PUD cancellation request because it would completely disrupt the one and only entrance to this large commercial PUD, which would effectively cancel the entire PUD. Staff has one letter from another owner in the PUD in support of the cancellation and two letters in opposition.

Mr. Owens stated the PUD is an overlay which always supersedes the base zoning, so even if the entire property is rezoned to the RM6, that portion that still has the PUD overlay is still a PUD.

Ms. Nielson asked how much of the property was requested in the PUD cancellation?

Chairman Smith said it was not much, but it was all of the entrance.

Councilmember Don Majors stated this seemed to be very overstated as to the amount of the PUD that is being affected by this property. An accurate percentage of the affected PUD would be less than 17%. He stated he was in favor of approving lifting this property from the PUD because he felt the applicant was being unfairly treated. This entrance was the best entrance for this PUD but another entrance could be located fifty or sixty feet south. This PUD was put in place in 1988 and no construction has been attempted. The applicant is planning to put in a senior citizens center on the property.

Chairman Smith asked if the applicant had the ability to relocate the entrance on the other side of the property?

Councilmember Majors said he did not because he does not own that portion of the property, but the PUD could be revised so the entrance could be moved seventeen feet further south.

Mr. Owens stated it would be difficult to revise this PUD because of the number of owners involved. This entrance has been located in the optimum location and seventeen feet could make a difference.

Mr. Browning stated the fact is that you have a very large commercial PUD whose only access is through this one driveway and if you cancel this part of the PUD you have obliterated that entrance, the only entrance, and it is obliterated unless you simultaneously amend the PUD to bring it further southward, which is not being done at this point.

Councilmember Majors asked why that would have to be done simultaneously?

Mr. Browning stated because then you would have no entrance, you have canceled the entrance.

Mr. Harbison stated it was hard for the Commission to amend a PUD or take something out of one in a piecemeal fashion.

Mr. Manier asked how many landowners were involved in this PUD?

Councilmember Majors stated there were approximately thirty-two or thirty-three landowners and several of them live out of town.

Ms. Nielson asked if the Commission were to approve the zone change and disapprove the PUD cancellation, what could be done with this property?

Mr. Owens stated he could develop any of the property outside of the PUD in multi-family.

Mr. Manier stated there are thirty some odd people with a vested interest in this and he did not feel the Commission could arbitrarily start messing around with this plan without their consent.

Mr. Owens stated the Commission could recommend cancellation of the entire PUD. This was advertised for public hearing and everyone involved was notified. Staff feels the last thing the Commission should do is cancel a portion of this PUD and leave everyone else hanging. It should be all or nothing.

Councilmember Majors stated there once was a church right in the middle of this PUD that was removed from it and how was that achieved?

Mr. Owens stated this Commission recommended disapproval of that because it began to fragment the PUD but it was internally located and not at such a key location as the main entrance.

Councilmember Majors asked that even though that portion was removed, did that not destroy the integrity of the entire PUD?

Mr. Browning stated that did affect the PUD but it was not as severe as taking away the one and only entrance.

Ms. Nielson stated the Commission disapproved that removal from the PUD but Council approved it.

Mr. Larry Wynns, applicant, stated that his property consisted of only 16% of the PUD and maybe the Commission should not cancel this PUD because it would affect the major entrance; however, the problem was that the sketch was incorrect. He stated his property, based on the information he was given, is not the major entrance into this PUD.

Chairman Smith asked if he had a survey that showed that?

Mr. Wynns stated there is not one. There are no hard numbers.

Mr. Lawson stated that even if the Commission followed what Mr. Wynns was saying, that the majority of his property was outside the PUD, which even supports the contention that it should not be canceled, for even a smaller percentage of encroachment.

Mr. Wynns stated he had paid taxes on this property for four years and had tried to pull a building permit and the answer was always no.

Mr. Harbison stated that perhaps it would be easier for the Commission if Mr. Wynns were presenting reasons to cancel the entire PUD as opposed to pulling a portion out of it. He participated in creating the PUD and subjecting this land to it; that was done at one point in time, in 1988. The PUD is going to expire

of its own accord and perhaps he could maybe come back to the Commission with reasons why the entire PUD should be canceled.

Councilmember Majors stated that in his opinion the integrity of this PUD would not be endangered with the removal of this piece of property.

Ms. Marjorie Shearer, stated she and her brother owned 2.66 acres within the PUD and felt it should stand intact because canceling a portion would set a precedent for doing that again and because of the traffic pattern

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

Resolution No. 96-860

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 96Z-111G is **APPROVED:**

This property falls within Office Concentration policy. High density residential uses are considered appropriate in this policy. The RM6 District will permit up to 36 dwelling units per acre, and will implement this policy."

"BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that Proposal No. 88P-062U is given **DISAPPROVAL:**

Reason for Disapproval:

This property is one parcel included in this large unbuilt PUD. The portion of this PUD which lies across the applicant's property is identified as the optimum location for accessing this large area bounded by Interstate 65 and Briley Parkway. If this portion of the PUD were canceled, the effect would be to render the rest of this PUD undevelopable."

Commissioner Stephen Smith left at 5:55 p.m., at this point in the agenda.

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 OP 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.

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).

Ms. Dudley stated this was a matter the Commission disapproved in September but agreed at the last meeting to set this matter for rehearing. The property in the front is zoned CS and the applicant would like to consolidate the properties for a funeral home development. Staff had recommended disapproval of the CS zoning because an objective of the Subarea 8 Plan in this area is to redevelop the area along Buchanan between major intersections in something other than commercial. Now the request has been amended to OP and the OP in itself is good because it would implement some of the objectives of the subarea plan. Staff could support the OP being requested on this site if the area in the front, which is now CS, were also changed to OP, which would give opportunity for implementation of the subarea plan to develop this property as office or multi-family. Staff has discussed this option with the applicant and he is reluctant to change the zoning on the front of the property because he feels he would be losing development options. Therefore, staff recommends disapproval.

Mr. Bodenhamer stated he had visited this area and felt the it was a good fit and use for the property because Mr. Phelps owns those three commercial lots on the front and the alley is unimproved and unused. This has been vacant for a long time; there is a natural tree barrier and with some stipulation this area could be changed to work in favor of the applicant.

Mr. Lawson suggested that if some land owner on Nolensville Road came before the Commission and said there is vacant property that he owned and wanted to put a commercial concern on it, how would it be differentiated and a policy applied when in essence other reasons are dictating how policy is applied.

Mr. Bodenhamer stated it was not his intent to apply anything unevenly but he does already own the entire piece of land, the three pieces of property that face Buchanan which is already zoned commercial.

Mr. Harbison stated this was a hard decision because there is a boundary issue and is a borderline thing, and Mr. Lawson is sensitive to the encroachment fact and how that is applied down the line in other cases.

Ms. Dudley stated that if this were to be rezoned there would not be a question of intrusion because of the way it is positioned. The issue is the objective of the subarea plan to concentrate retail at the intersections.

Ms. Dudley stated 96M-089U, Alley No. 493 Closure, should also be included with this proposal.

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

Resolution No. 96-861

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 96Z-086U is **DISAPPROVED**:

Much of the very large area of commercially zoned property along Buchanan Street is vacant, underutilized or used residentially. As part of its revitalization strategy, the subarea plan seeks to encourage the removal of the blight of much of this commercial area (which at present is perpetuated by the large commercial inventory that greatly exceeds market needs), while encouraging residential redevelopment which is vitally needed to strengthen the community."

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

PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:

Proposal No. 96P-001G

Stone Creek Park, Phase 1
Map 180, Parcel 101 and Part of Parcel 39
Subarea 12 (1991)
District 31 (Alexander)

A request for final approval for a phase of the Residential Planned Unit Development District abutting the west margin of Redmond Lane, approximately 800 feet south of Holt Road (17.60 acres), classified R20, to permit the development of 50 single-family lots, requested by Anderson-Delk and Associates, Inc., for John H. Gillespie, owner.

Mr. Delaney stated the only reason this proposal was before the Commission was because of a variance to a road grade. The applicant is requesting a 12% grade rather than the 11% grade allowed in the Subdivision Regulations. Staff feels this variance is justified for this development and is recommending approval.

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

Resolution No. 96-862

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 96P-001G is given **CONDITIONAL FINAL APPROVAL FOR A PHASE WITH A VARIANCE TO THE SUBDIVISION REGULATIONS FOR A ROAD GRADE OF 12 PERCENT.** The following conditions apply:

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

SUBDIVISIONS:

Preliminary Plats:

Subdivision No. 96S-373U (Public Hearing)
Enchanted Hills, Section 15
Map 69, Parcels 17 and 91
Subarea 3 (1992)
District 1 (Patton)

A request to record two parcels as two lots abutting the northwest corner of Ashland City Highway and Eatons Creek Road (1.34 acres), classified within the R15 District, requested by Enchanted Hills, Inc., owner/developer, Ragan-Smith Associates, Inc., surveyor.

Mr. Henry stated the plat is taking two properties, one small piece and one large piece, and reconfiguring those two lots to make better building sites for both. There is flood plain surrounding the two parcels, and right-of-way, reserved and dedicated, is being given for future expansion of two streets. Staff is recommending approval.

No one was present to speak at the public hearing.

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

Resolution No. 96-863

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the PRELIMINARY Plan of Subdivision No. 96S-373U, is granted **APPROVAL**.”

Subdivision No. 96S-382G (Public Hearing)

Chase Creek Subdivision
Map 156, Parcels 36, 79, 80 and 109
Subarea 6 (1996)
District 35 (Lineweaver)

A request for preliminary approval for 47 lots abutting the east margin of Temple Road, approximately 1,000 feet south of State Route 100 (45.1 acres), classified within the RS30 and R40 Districts, requested by Jennifer H. Small, Morris A. Webb and Railroad Services, Inc., owners/developers, E. Roberts Alley and Associates, Inc., surveyor.

Mr. Henry stated there were several problems with this subdivision including the street network does not meet the Subdivision Regulations because of inadequate curb radius, streets that are too long and slopes that exceed the maximum grade. Outside the subdivision the intersection of Highway 100 and Temple Road is a very substandard dangerous intersection, and the traffic engineer recommends a shared approach to upgrading this intersection as developments are proposed. The applicant is requesting a deferral of this preliminary plat until December 12, 1996, to address design issues. Staff has asked the applicant to pursue extending their local street into Williamson County to take care of some of the design issues and to give a better circulation pattern overall. Mr. Henry stated Williamson County is working with the applicant on that issue.

No one was present to speak at the public hearing.

Ms. Jernigan moved and Ms. Nielson seconded the motion, which carried unanimously, to leave the public hearing open and defer this matter until December 12, 1996.

Final Plats:

Subdivision No. 96S-353G

Roxborough East, Phase 2B, Addition to Lot 67
Map 98, Part of Parcel 25
Map 98-6, Parcel 1
Subarea 14 (1996)
District 12 (Ponder)

A request to resubdivide one lot abutting the south margin of Chestnutwood Trail, approximately 200 feet east of Roxborough Pass (.61 acres), classified within the RS15 District, requested by Murray N. and Deborah H. Fuqua and Richard Kelley Gleaves, Sr. et ux, owners/developers, John D. McCormick, surveyor. (Deferred from meeting of 10/17/96).

Mr. Henry stated there is a house on the lot in question and the applicant wants to extend their side property over into the large vacant tract. The problem with doing that is that the expansion of the property is inconsistent with the approved preliminary plan for the subdivision, which shows additional lots to be created where this lot is proposed to be extended. More problematic, however, is the way in which the lot is proposed to be expanded. It does not allow for street extensions to occur as they are shown on the preliminary plat, and how they need to be extended to accommodate future development in this area. The applicant is asking the Commission to negate the preliminary plat that exists and take an action today to no longer recognize that plat. Regardless of what is done the issue is the future extension of Chestnutwood Trail and this lot pattern should conform to that future street pattern.

Mr. John McCormick, surveyor, stated all they were asking to do was to add 5,000 square feet to the lot and divide the other lots into five acre tracts to sell.

Mr. Lawson stated the issue was the roadway and not the preliminary plat.

Mr. Henry stated that was correct and the roadway extends to the edge of the property because it is expected to be extended further into the large tract and any lots created should anticipate that roadway serving them.

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

Resolution No. 96-864

“BE IT RESOLVED by the Metropolitan Planning Commission that the FINAL Subdivision No. 96S-353G, is **DISAPPROVED** since this final plat does not conform to the preliminary plan of subdivision approved by the Planning Commission on January 26, 1995.”

Subdivision No. 96S-370G
Bozeman Subdivision
Map 41, Parcel 158
Subarea 2 (1995)
District 3 (Nollner)

A request to subdivide one parcel into two lots abutting the west margin of Brick Church Pike, approximately 681 feet north of Finnland Drive (5.01 acres), classified within the R20 District, requested by William T. and Arleen Bozeman, owners/developers, Crawford Land Surveyors, surveyor.

Mr. Henry stated this subdivision consisted of taking one large tract and cutting out a smaller piece which would leave a flag shaped lot which exceeds the two acres. The issue is that it will exceed the maximum lot size for the R20 zone district. Staff is recommending approval with a variance to the maximum lot size provision due to the TVA easement which runs across the property and also due to the topography.

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

Resolution No. 96-865

“BE IT RESOLVED by the Metropolitan Planning Commission that the FINAL Subdivision No. 96S-370G, is granted **APPROVAL with a variance to the maximum lot size provision since the parent tract is encumbered by a T.V.A. easement and has terrain that is otherwise unsuitable for development (Subdivision Regulations 2-4.2.D).**”

Subdivision No. 96S-379U
Melrose Heights, Section 2, Resubdivision of Lots 15-17
Map 118-4, Parcels 18-20
Subarea 11 (1993)
District 16 (Graves)

A request to reconfigure three lots into two lots abutting the south margin of Camden Drive, approximately 190 feet west of Gladstone Avenue (.86 acres), classified within the R6 District, requested by James D. Millraney, Sr. et al, owners/developers, Cherry Land Surveying, surveyor.

Mr. Henry stated the request is to take three lots and combine them into two lots. The situation is that a house burned down on the middle lot and the abutting property owners purchased the lot and split it down

the middle. The issue is that, the zoning being R6, the Subdivision Regulations set a maximum lot size of 18,000 square feet. These two lots exceed that by approximately 600 feet. Staff recommends approving the subdivision plat with a variance to the maximum lot size since the subarea plan is calling for conservation of this neighborhood.

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

Resolution No. 96-866

“BE IT RESOLVED by the Metropolitan Planning Commission that the FINAL Subdivision No. 96S-379U, is granted **APPROVAL with a variance to the maximum lot size provision since the proposed lot sizes exceed the maximum 18,000 square feet allowed for the R6 district (max. = 3 x 6000 square feet; Subdivision Regulations 2-4.2.D).”**

Request for Bond Extension:

Subdivision No. 94S-295U
Ashford Crossing, Section One
Phillips Builders, Inc., principal

Located abutting the southeast margin of Mt. View Road, approximately 200 feet northeast of Old Franklin Road.

Mr. Henry stated staff was recommending disapproval of the request for extension. This section one is at 95% buildout. They only lack 3 of 62 lots to build upon. Staff is asking for authorization to collect the bond if paving is not completed by December 1, 1996. Public Works recommends this date is sufficient to complete the paving job for this section.

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

Resolution No. 96-867

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby DISAPPROVE the request for an extension of a performance bond for Subdivision No. 94S-295U, Bond No. 94BD-087, Ashford Crossing, Section One, in the amount of \$125,600.00 covering road, drainage, water and sewer facilities, and **authorization to proceed with collection of the security if final paving is not complete by 12/1/96.”**

OTHER BUSINESS:

1. Endorsement of a New Zoning Code.

Ed Owens presented recommended provisions relating to downtown plazas and arcades; helistops; and selected administrative procedures, including those pertaining to the new Urban Design Overlay district and the Institutional Overlay district.

The Commission accepted those recommendations, added an additional bonus opportunity for plazas and arcades, and endorsed the proposed code in its entirety.

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

Resolution No. 96-868

WHEREAS, the Metropolitan Planning Commission adopted Concept 2010: A General Plan for Nashville and Davidson County pursuant to state statute and the Charter for Metropolitan Government of Nashville and Davidson county; and

WHEREAS, the Metropolitan Planning Commission directed staff to prepare new and comprehensive zoning regulations for the purpose of better implementing the community's General Plan; and

WHEREAS, the staff engaged the services of experts in the field of zoning regulation to development the basic framework for new zoning regulations; and

WHEREAS, over a five month period the staff solicited local community input from a 37 member Zoning Advisory Committee comprised of knowledgeable citizens appointed jointly by the Office of the Mayor, the Metropolitan Council and the Metropolitan Planning Commission; and

WHEREAS, the Metropolitan Planning Commission thereafter conducted public hearings on June 27, 1996 and July 25, 1996 to solicit additional public input; and

WHEREAS, staff provided final recommendations considered appropriate and necessary for the zoning regulations to effectively implement the General Plan; and

WHEREAS, the Metropolitan Planning Commission is empowered by state statute and the Charter of the Metropolitan Government of Nashville and Davidson County to prepare and recommend a zoning plan to the Metropolitan Council;

NOW , THEREFORE, BE IT RESOLVED that the Metropolitan Planning Commission hereby **APPROVES** new zoning regulations for Metropolitan Nashville and Davidson County, finding that those regulations are appropriate and necessary to effectively implement the General Plan of the community, and further directs staff to prepare legislation for consideration by the Metropolitan Council.

PLATS PROCESSED ADMINISTRATIVELY:

October 16 through October 30, 1996

- | | |
|----------|--|
| 96S-257U | Louise E. Yandell's Subdivision
Resub. lot 1 & 2 (consolidation of 2 lots into 1) |
| 96S-378G | Stone Creek Park
PUD Boundary Plat |
| 96S-359G | Grey Gibson Lot
Subdivision of 1 Lot |
| 96S-369G | Frye Estates
Resubdivision of Lot 1 (reconfiguration of lot line) |
| 96S-365G | St. Luke Cumberland Presbyterian Church
(reconfiguration of lot line) |

- 95S-042U MetroCenter, Tract 23
First Revision (revision of sewer line)
- 96S-344U Parts America
(consolidation of 2 lots into 2)
- 96S-380U Ezell-Doak Property
Addition to Lot 1 (consolidation of drainage easement)

ADJOURNMENT:

There being no further business, upon motion made, seconded and passed, the meeting adjourned at 7:10 p.m.

Chairman

Secretary

Minute approval:
This 14th day of November 1996