

MINUTES

OF THE

METROPOLITAN PLANNING COMMISSION

Date: June 26, 1997
Time: 1:00p.m.
Place: Howard Auditorium

Present:

Arnett Bodenhamer
William Harbison
James Lawson
William Manier
Ann Nielson
Stephen Smith
Marilyn Warren

Others Present:

Executive Office:

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

Current Planning & Design Division:

Ed Owens, Planning Division Manager
Shawn Henry, Planner III
Jennifer Regen, Planner III
John Reid, Planner II
Doug Delaney, Planner I
Jeff Stuncard, Planner I
Charles Hiehle, Planning Technician II
Joey Hargis, Planning Technician I

Community Plans Division:

Jerry Fawcett, Planning Division Manager
Robert Eadler, Planner II
Chris Hall, Planner I
Brian Hamilton, Pam-Technical Trainee

Roll Call

Absent:

Mayor Philip Bredesen
Councilmember Stewart Clifton
Gilbert N. Smith, Chairman

MINUTES

Cynthia Lehmbeck, Planner III
April Alperin, Planner I
Paige Watson, Planner I

Others Present:

Leslie Shechter, Legal Department
Wesley Weeks, Legal Department
Jim Armstrong, Public Works

Vice Chairman Lawson called the meeting to order.

ADOPTION OF AGENDA

Mr. Owens announced 3 31-86-P. Whitworth, had been withdrawn, the final plat application portion of 91-71-G, Jackson Square Office Building, had been withdrawn and 97S-231G, New Hope Point, had also been withdrawn.

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

ANNOUNCEMENT OF DEFERRED ITEMS

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

97Z-052U	Deferred indefinitely, by applicant.
97Z-060G	Deferred two weeks, by applicant.
91-7 1-G	Deferred two weeks, by applicant.
5-84-U	Deferred two weeks, by applicant.
45-86-P	Deferred two weeks, by applicant.
97P-024G	Deferred indefinitely, by applicant.
97P-026U	Deferred two weeks, by applicant.
96S-127U	Deferred two weeks, by applicant.
97S-213U	Deferred two weeks, by applicant.
97S-235U	Deferred two weeks, by applicant.
88P-038G	Deferred two weeks, by applicant.

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

APPROVAL OF MINUTES

Mr. Harbison moved and Ms. Nielson seconded the motion, which unanimously passed, to approve the minutes of the meeting of June 12, 1997.

Advance Planning & Research Division:

Councilmember Bruce Stanley stated he would hold his comments until the proposal came up on the agenda.

ADOPTION OF CONSENT AGENDA

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

APPEAL CASES:

Appeal Case No. 97B-115U
Map 4 1-15, Parcel 32
Subarea 2 (1995)
District 3 (Nollner)

A request for a conditional use permit under the provisions of Section 17.116.010 (Floodplain) as required by Section 17.124.030 to construct an above ground swimming pool in the floodplain within the RS2O District, on property abutting the south margin of Westchester Drive, opposite Devonshire Drive (1.02 acres), requested by Earlene Tucker, appellant/owner.

Resolution No. 97-488

“BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for

Appeal Case No. 97B-1 15U to the Board of Zoning Appeals:
The site plan complies with the conditional use criteria (7-0).”

ZONE CHANGE PROPOSALS:

Zone Change Proposal No. 97Z-061U
Council Bill No. 097-825
Map 104-3, Parcels 70, 91, 92, 92.01 and 242
Subarea 10 (1994)
District 18 (Clifton)

A request to change from CS District to MRO District certain property abutting the south margin of West End Avenue between Natchez Trace and 25th Avenue South (5.0 acres), requested by Jane Cleveland, appellant, for Vanderbilt University, owner. (See Mandatory Referral No. 97M-073U, page 15).

Resolution No. 97-489

“BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z061U is **APPROVED** (7-0):

RECOGNITION OF COUNCILMEMBERS

This property falls within mixed use policy (calling for a mixture of non-residential and residential uses at compatible scales) in the Subarea 10 Plan. The MRO district will implement this policy with

RECOGNITION OF COUNCILMEMBERS

its higher intensity uses, and is consistent with the pattern of MRO zoning which exists along West End Avenue, a major arterial street.”

PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:

Proposal No. 98-73-G
Hickory Hills Commercial
Map 40, Parcel 36
Subarea 2 (1995)
District 10 (Garrett)

A request to revise the approved preliminary site development plan of the Commercial (General) Planned Unit Development District abutting the northwest margin of Westcap Road and Hickory Hills Boulevard (16.5 acres), classified OP, to permit the development of a mini-storage warehouse facility, fast food restaurant, motel, convenience market and a bus maintenance use, requested by Barge, Waggoner, Sumner and Cannon, Inc., for Hickory Hills, LTD. owner. (Also requesting final plat approval).

Resolution No. 97-490

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 98-73-G is given **CONDITIONAL APPROVAL FOR REVISION TO PRELIMINARY, FINAL PLAT APPROVAL** (7-0). The following conditions apply:

1. Written confirmation of preliminary approval from the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. The owner committed to off site traffic signal and roadway widening improvements with the 1989 approval of this development. Until warrants are reached for all required off-site improvements, each phase of development for any portion of the PUD encompassed by the 1989 Traffic Impact Study shall contribute to funding those improvements on a pro-rata basis. The traffic signals and road widening improvements shall be installed when vehicular volume counts demonstrate that improvements are warranted.
3. The developer accepted the responsibility for improvements to Westcap Road, along the frontage of this PUD, to a commercial local street standard with a June 27, 1996 Planning Commission approved revision to the preliminary plan. The developer agreed to improve Westcap Road to that standard with the development of any phase fronting on Westcap Road, subsequent to the self-service storage facility. The self-service storage facility is intended to be the first phase of development fronting Westcap Road and may be constructed without improvements of that street.”

Proposal No. 210-73-G
Deloitte & Touche
Map 97, Parcel 120
Subarea 14 (1996)
District 12 (Ponder)

RECOGNITION OF COUNCILMEMBERS

A request for final approval for a phase of the Commercial (General) Planned Unit Development District abutting the south margin of Interstate 40, 600 feet east of Old Hickory Boulevard (3.0 acres), to permit final grading and construction of an expanded parking area, requested by Barge, Waggoner, Sumner and Cannon, for Deloitte and Touche, owners.

RECOGNITION OF COUNCILMEMBERS

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 210-73-G is given **CONDITIONAL APPROVAL OF FINAL FOR A PHASE (7-0)**. The following conditions applies:

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

Proposal No. 291-84-U
Lakeview Ridge Office Park, Phase V
Map 95, Parcels 18, 36 and 37
Subarea 14 (1996)
District 15 (Dale)

A request for final approval for Phase V of the Commercial (General) Planned Unit Development District abutting the north margin of Elm Hill Pike, approximately 80 feet west of Heney Drive (3.35 acres), classified RiO, to permit final grading of Phase V (the motel site), and a temporary driveway connection from Phase I to Phase V with a second access to Elm Hill Pike, requested by Barge, Waggoner, Sumner and Cannon, for Highwoods Properties, Inc., owner.

Resolution No. 97-492

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 291-84-U is given

CONDITIONAL FINAL APPROVAL (7-0). The following condition applies:

Written confirmation of final approval from the Stormwater Management and the Traffic Engineering

Sections of the Metropolitan Department of Public Works.”

Proposal No. 92P-007U
Pebble Trail Villas
Map 149, Part of Parcel 28
Subarea 13 (1997)
District 28 (Hall)

A request to amend the preliminary site development plan of the Residential Planned Unit Development District abutting the south margin of Rader Ridge Road, approximately 350 feet south of Countryside Drive (10.83 acres), classified R15, to permit the addition of 5.87 acres of open space, requested by James L. Terry, for Raymond Ferreira, owner.

Resolution No. 97-493

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 92P-007U is given **CONDITIONAL APPROVAL AS AN AMENDMENT REQUIRING COUNCIL**

Resolution No. 97-491

CONCURRENCE

(7-0). The following conditions apply:

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

2. Approval by the Metropolitan Council.”

Resolution No. 97-491

Proposal No. 96P-007G

Banbury Crossing (formerly The Fountains at Banbury)
Map 172, Parcels 16, 20, 105, 106, 107, 108, 110 and Part of
Parcels 99, 109 and 111
Subarea 12 (1997)
District 32 (Jenkins)

A request to revise the approved preliminary master plan and for final approval for Sections 2 and 3 of the Residential Planned Unit Development District abutting the north margin of Old Smyrna Road and the west margin of Edmondson Pike (44.81 acres), classified R40, to permit the final development of 94 single-family lots, requested by Gresham, Smith and Partners, for The Jones Company, owner. (Deferred from meetings of 5/29/97 and 6/12/97).

Resolution No. 97-494

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 96P-007G is given

**CONDITIONAL APPROVAL OF REVISION TO PRELIMINARY AND
CONDITIONAL FINAL
APPROVAL FOR SECTIONS TWO AND THREE; FINAL PLAT (SECTION 2)
DEFERRED (7-**

0). The following conditions apply:

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

Proposal No. 96P-011U
River Crest
Map 85-14, Parcel 20
Subarea 14 (1996)
District 14 (Stanley)

A request for final approval for the Residential Planned Unit Development District abutting the north margin of Lebanon Pike, 500 feet east of Gull Court (13.39 acres), classified RiO, to permit the development of 40 single-family lots, requested by C. Michael Moran, RLS, for B & P Developments, owner. (Also requesting final plat approval).

Resolution No. 97-495

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 96P-011U is given

**CONDITIONAL FINAL PUD APPROVAL; FINAL PLAT APPROVAL SUBJECT TO A
BOND**

IN THE AMOUNT \$411,200.00 (7-0). The following conditions apply:

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

Resolution No. 97-491

2. Receipt and approval of revised plans detailing the location of the necessary sidewalks.
3. The recording of the final subdivision plat upon the posting of a bond in the amount of \$411,200 for all necessary 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.”

Resolution No. 97-491

Proposal No. 97P-014U

Hearthstone Assisted Living
Map 161, Parcels 55.01 and 187
Subarea 12 (1997)
District 32 (Jenkins)

A request for final approval for a Residential Planned Unit Development District abutting the east margin of Edmondson Pike, approximately 650 feet north of Old Hickory Boulevard (4.17 acres), classified RiO, to permit the development of a 42,000 square foot, 66 rooming unit assisted living facility with a central kitchen, requested by Gresham, Smith and Partners, for Hearthstone Assisted Living, owners. (Deferred from meeting of 6/12/97).

Resolution No. 97-496

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 97P-014U is given **CONDITIONAL FINAL APPROVAL** (7-0). The following conditions apply:

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

SUBDIVISIONS:

Final Plats:

Subdivision No. 97S-193U

Aberdeen Farms, Phase 1
Map 161, Part of Parcel 2

Subarea 12 (1997)

District 32 (Jenkins)

A request to create 29 lots abutting the south margin of Oakley Drive, opposite West Fork Court (8.61 acres), classified within the R15 Residential Planned Unit Development District, requested by Zaring Homes, Inc., owner/developer, Gresham, Smith and Partners, surveyor. (Deferred from meetings of 5/29/97 and 6/12/97).

Resolution No. 97-497

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Final plan of Subdivision No. 97S-193U, is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$468,500.00.**”

Resolution No. 97-491

Subdivision No. 97S-206G

Wildflower Place

Map 142, Parcel 87

Subarea 6 (1996)

District 35 (Lineweaver)

Resolution No. 97-491

A request to create 19 lots abutting the northeast corner of Bellevue Road and Belle Glen Drive (6.44 acres), classified within the R15 Residential Planned Unit Development District, requested by TexMex Partners, LLC, owner/developer, Thomas, Miller and Partners, surveyor. (Deferred from meeting of 6/12/97).

Resolution No. 97-498

“BE IT RESOLVED by the Metropolitan Planning Commission that the Final plan of Subdivision No. 97S-206G, is granted **CONDITIONAL APPROVAL** subject to posting a performance bond in the amount of \$202,000.00 and the creation of an escrow account in the amount of \$16,000.00 for downstream drainage improvements.”

Subdivision No. 97S-208G
New Hope Point, Phase 1, Section 3
Map 98, Part of Parcel 52.1
Subarea 14 (1996)
District 12 (Ponder)

A request to create 19 lots abutting both margins of Cape Hope Pass and both margins of Annapolis Circle (5.27 acres), classified within the R15 Planned Unit Development District, requested by Regional Developers, L.L.C., owner/developer, MEC, Inc., surveyor. (Deferred from meeting of 6/12/97).

Resolution No. 97-499

“BE IT RESOLVED by the Metropolitan Planning Commission that the Final plan of Subdivision No. 97S-208G, (deferred from meeting of 6/12/97), is granted **CONDITIONAL APPROVAL** subject to posting a performance bond in the amount of \$137,500.00 and recording Section 2 prior to Section **3.**”

Subdivision No. 97S-214U
Nashboro Village Retail Center
(PUD Boundary and Final)
Map 135, Parcel 249

Subarea 13 (1997)

District 27 (Sontany)

A request to create three lots abutting the northeast corner of Nashboro Boulevard and Murfreesboro Pike (12.1 acres), classified within the RiO Commercial Planned Unit Development District, requested by Midland Acquisition, Inc., owner/developer, Littlejohn Engineering Associates, Inc., surveyor. (Deferred from meeting of 6/12/97).

Resolution No. 97-500

Resolution No. 97-491

“BE IT RESOLVED by the Metropolitan Planning Commission that the Final plan of Subdivision No. 97S-214U, is granted **CONDITIONAL APPROVAL** subject to posting a performance **bond in the amount of \$244,500.00.”**

Subdivision No. 97S-224U

Jones and Hart, Resubdivision of Part of Lot 50
Map 60-15, Parcel 25 Subarea 8 (1994)
District 4 (Majors)

Resolution No. 97-491

A request to subdivide one lot into three lots abutting the north margin of Locust Street, approximately 1,410 feet west of Hart Street (2.74 acres), classified within the CG District, requested by John E. & L.

Marie Buck, owners/developers, Tommy E. Walker, surveyor.

Resolution No. 97-501

“BE IT RESOLVED by the Metropolitan Planning Commission that the Final plan of Subdivision No. **97S-224U, is granted APPROVAL.”**

Subdivision No. 97S-225G and 97S-226G

Holt Woods, Section 12 and 13
Map 172, Part of Parcels 188 and 206
Subarea 12 (1997)
District 31 (Alexander)

A request to create 59 lots (19 lots in Section 12 and 40 lots in Section 13) abutting both margins of Bryce

Court, approximately 80 feet west of Bryce Road (19.46 acres), classified within the R20 Residential

Planned Unit Development District, requested by Hurley-Y, L.P., owner/developer, Anderson-Delk and Associates, surveyor.

Resolution No. 97-502

“BE IT RESOLVED by the Metropolitan Planning Commission that the Final plan of Subdivision Nos. 97S-225G and 97S-226G, is granted **CONDITIONAL APPROVAL** subject to posting performance bonds as follows:

Subdivision No. 97S-225G (Section 12) \$131,600.00
Subdivision No. 97S-226G (Section 13) \$626,900.00.”

Subdivision No. 97S-227U

Rodrigues Subdivision
Map 116-4, Parcels 74, 87 and 88
Subarea 10 (1994)
District 34 (Fentress)

A request to reconfigure three parcels into two lots located between Ensworth Place and Clearview Drive, approximately 870 feet south of Woodlawn Drive (4.15 acres), classified within the R40 and R10 Districts, requested by Ellen B. Rodrigues, owner/developer, John Kohl and Company, surveyor.

Resolution No. 97-503

“BE IT RESOLVED by the Metropolitan Planning Commission that the Final plan of Subdivision No. 97S-227U, is granted **APPROVAL.”**

Resolution No. 97-491

Request for Bond Extension:

Subdivision No. 70-85-P
Somerset, Phase Four
Phillips Builders, Inc., principal

Located abutting the northwest margin of Mt. View Road, approximately 90 feet northwest of Huntingboro Trail.

Resolution No. 97-491

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for extension of a performance bond for Subdivision No.70-85-P, Bond No. 95BD-024, Somerset Four in the amount of \$37,300 to September 1, 1997 subject to submittal of a letter from the Frontier Insurance Company by July 26, 1997 agreeing to the extension. Failure of principal to provide amended security **documents shall be grounds for collection without further notification.**”

Subdivision No. 35-86-P
Pine Ridge, Section Four
Henry Matthew Ward, principal

Located abutting both margins of Pine Ridge Drive, approximately 140 feet west of Shadetree

Court. Resolution No. 97-505

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for extension of a performance bond for Subdivision No. 35-86-P, Bond No. 96BD-024, Pine Ridge, Section Four, in the amount of \$67,500 to June 1, 1998 subject to submittal of an amendment to the present Letter of Credit by July 26, 1997 which extends its expiration date to December 1, 1998. Failure of principal to provide amended security documents shall be grounds for collection without further notification.

Subdivision No. 90P-008G
Chandler Grove
Brent A. Campbell, co-principal
Charles V. Duncan, co-principal

Located abutting the south margin of Chandler Road, approximately 2,410 feet east of Tulip

Grove Road. Resolution No. 97-506

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for extension of a performance bond for Subdivision No. 90P-008G, Bond No. 94BD-082, Chandler Grove, in the amount of \$51,000 to November 15, 1997 subject to submittal of an amendment to the present Letter of Credit by July 26, 1997 which extends its expiration date to May 15, 1998. Failure of **principal to provide amended security documents shall be grounds for collection without further notification.**

Subdivision No. 92P-010G
Ottershaw Subdivision
Ottershaw Development Company, Inc., principal

Located abutting the east margin of Granny White Pike, approximately 1,546 feet north of Old Hickory Boulevard.

Resolution No. 97-504

Resolution No. 97-507

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for extension of a performance bond for Subdivision No. 92P-010G, IOG, Bond No. 93BD-040, Ottershaw Subdivision in the amount of \$20,540 to August 1, 1997 subject to submittal of a letter from the Reliance

Resolution No. 97-504

Insurance Company by July 26, 1997 agreeing to the extension Failure of principal to provide amended security documents shall be grounds for collection without further notification.”

Subdivision No. 95S-066U
Overton Park, Section Two
M.Al Haddad, principal

Located abutting the south margin of Hogan Road, opposite Stillwood Drive.

Resolution No. 97-508

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for extension of a performance bond for Subdivision No. 95S-066U, Bond No. 95BD-021, Overton Park, Section Two in the amount of \$2,500 to June 1, 1998.

Subdivision No. 96S-267G
Alan Estates
A. H. Johnson Co., LLC, principal

Located abutting the south margin of Tyler Lane between Eva Drive and Andrew Jackson Parkway.

Resolution No. 97-509

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for extension of a performance bond for Subdivision No. 96S-267G, Bond No. 94BD-03 1, Alan Estates in the amount of \$8,100 to July 15, 1998 subject to submittal of a letter from the National Grange Mutual Insurance Company by July 26, 1997 agreeing to the extension. Failure of principal to provide amended security documents shall be grounds for collection without further notification.”

Subdivision No. 96S-393U
Metro Airport Center, Phase Five, Section Two
Metropolitan Airport Center, Ltd., principal

Located abutting the southeast terminus of Royal Parkway, approximately 481 feet southeast of Airport

Center Drive.

Resolution No. 97-510

“BE IT RESOLVED by the Metropolitan Planning Commission that **it hereby APPROVES the request** for extension of a performance bond for Subdivision No. 96S-393U, Bond No. 97BD-025, Metro Airport Center, Phase Five, Section Two, in the amount of \$115,500 to October 1, 1997 subject to submittal of an amendment to the present Letter of Credit by July 26, 1997 which extends its expiration date to April 1, 1998. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**

MANDATORY REFERRALS: Resolution No. 97-504

Resolution No. 97-504

Proposal No. 97M-073U 26th Avenue South, Kensington Place
and Alley 636 Closures

Map 104-3
Subarea 10 (1994)
District 18 (Clifton)

A proposal to close 26th Avenue South between West End Avenue and Kensington Place;
Kensington
Place between 26th Avenue South and 25th Avenue South; and Alley No. 636 between 26th
Avenue South
and 25th Avenue South, requested by Jane Cleveland, for Vanderbilt University, adjacent
property owner.
(Easements are to be retained).

Resolution No. 97-511

“BE IT RESOLVED by the Metropolitan Planning Commission that it APPROVES (7-0)

Proposal No. 97M-073U.

Proposal No. 97M-074U
Brick Church Park Drive Sewer Line
Easement Abandonment
Map 60, Parcel 91
Subarea 3 (1992)
District 2 (Black)

A mandatory referral from the Department of Water and Sewerage Services to abandon an old
sewer line easement and its subsequent relocation at the rear of lot seven.

Resolution No. 97-512

“BE IT RESOLVED by the Metropolitan Planning Commission that it APPROVES (7-0)

Proposal No. 97M-074U.

Proposal No. 97M-075U
Right-of-Way Encroachments .305 Broadway
Map 96-6-4
Subarea 9(1991)
District 19 (Sloss)

A mandatory referral from the Department of Public Works proposing the installation of a sign,
light fixtures, sign canopy, channel letters, and flag poles over the public right-of-way in front of
305 Broadway, requested by Mark A. Dyer, for NASCAR Cafe, proprietor.

Resolution No. 97-513

Resolution No. 97-504

**“BE IT RESOLVED by the Metropolitan Planning Commission that it APPROVES (7-0)
Proposal No.
97M-075U.**

Resolution No. 97-504

Proposal No. 97M-078U

Simms Branch Creek Sewer Easement Acquisition
Map 95-10, Parcels 112 and 120
Subarea 14 (1996)
District 15 (Dale)

A mandatory referral from the Department of Water Services for the acquisition of easement for the purpose of constructing additional sewer lines in the Simms Branch Creek area.

Resolution No. 97-514

“BE IT RESOLVED by the Metropolitan Planning Commission that it APPROVES (7-0)

Proposal No. 97M-078U.

This concluded the items on the consent agenda.

Vice Chairman Lawson announced item number 5 under Other Business would be taken out of order.

OTHER BUSINESS:

5. Consider employee contract for John Boyle, Division Manager, Advance Planning and Research.

Mr. Browning introduced John Boyle to the Commission and gave them highlights from his planning experience.

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

Resolution No. 97-515

“BE IT RESOLVED by the Metropolitan Planning Commission that it approves the employee contract for John Boyle for one year, from August 16, 1997 to August 15, 1998.”

Mr. Browning also introduced new employees Jennifer Regen, April Alperin and Paige Watson.

Resolution No. 97-504

ZONE CHANGE PROPOSALS:

Zone Change Proposal No. 97Z-059G

Council Bill No. 097-821

Map 102, Parcel 16

Subarea 6 (1996)

District 23 (Crafton)

A request to change from R40 and R2a Districts to CS District certain property abutting the north margin of Charlotte Pike, approximately 50 feet east of River Road (62.25 acres), requested by Larry McWhirter, appellant, for Teresa Pardue and J. D. Stevens, owners.

Resolution No. 97-504

Mr. Reid stated part of the property is in commercial policy due to its orientation to Charlotte Pike and the 1-40 Interchange. There is a predominance of commercial zoning that exists on the ground today around the interchange area and this zoning is presently implementing the Commercial Mixed Concentration policy around the interchange. The area towards the river is designated as Natural Conservation policy and in the adopted subarea plan this policy was intended to preserve steep slopes and flood plains in the immediate area.

The role of the Planning Commission is to determine how far to extend commercial zoning onto this property, given any steep slopes and flood plain area constraints. In this case the steep slopes and flood plain are on the edges of the property and the rest of the property is relatively flat. Therefore, the Natural Conservation policy in this area may not apply to the back portion of this site. Should the Commission determine it is appropriate to extend commercial zoning all the way back to the river, there are some necessary traffic improvements that will be needed to support this commercial zoning.

The Traffic Engineer has the authority to require additional traffic studies and improvements at the time a building permit is applied for. CS zoning allows a wide range of uses and the required traffic improvements may depend upon the specific uses to be developed. Mr. Reid advised the Commission the developer had submitted a site plan for the property indicating specific uses for the development. However, Mr. Reid pointed out that the rezoning before the Commission did not limit potential development to those land uses shown on the site plan.

Mr. Reid informed the Commission there is a request for deferral from George Barrett, attorney representing the neighborhood. There is also a letter in opposition to the rezoning from the Native American Alliance which is opposed to removal of any Indian burial grounds at this location.

Councilmember Eric Crafton spoke in opposition to the proposal and expressed his concerns regarding the floor area ratio, the intensity of the development, traffic, safety and the preservation of the Indian burial grounds and the Civil War battlefield.

Mr. Todd Rogers and Mr. Scott Lucas spoke in opposition to the proposal and stated the subarea plan refers to smaller scale development and expressed concerns regarding the adverse impacts this large development could have on traffic, incompatibility with the schools, safety, the neighborhoods, home values, noise, and the Indian burial ground.

Mr. Ross Massey, the historian and vice president of The Battle of Nashville Preservation Society, gave some historical background of the property, stated the earthworks were still present on the riverbank, and asked the Commission to consider a plan that would encompass saving this site and other similar sites city wide.

Mr. Manier stated the Commission was not considering approval of a Walmart or a Lowes, or any other specific use. The proposal before the Commission was to consider the appropriateness of CS zoning on a part or all of this property.

Mr. Larry McWhirter, representing the developer, showed slides displaying the commercial property in the area. He stated they were doing the best they could to preserve any kind of historic features. He stated the burial grounds were not related to the type of development, and that they can be relocated regardless of the kind of land use contemplated. He stated these burial sites have been disturbed and currently may not contain any remains. Mr. McWhirter stated the Civil War earth works will remain undisturbed.

Resolution No. 97-504

Mr. Bill Lockwood stated a traffic study for this corridor has been approved by the Metro Traffic and Parking Commission staff He explained the plans for upgrading the surrounding streets as well as Charlotte Pike and the traffic signal improvements and additions.

Resolution No. 97-504

Mr. Harbison stated he would like to know the position of the developer regarding the deferral request from the attorney representing the neighborhood.

Mr. Browning stated this would be the last opportunity for the Planning Commission to send its advisory opinion to the Council before the public hearing.

Mr. Stephen Smith stated the Civil War earthworks and the Indian burial grounds were important but that the landowner also had rights.

Mr. Bodenhamer said his concerns were with the traffic around the schools, but he also felt the developer and owner had a right to develop this project and that technically this property met the requirements for the Commission to make a recommendation.

Ms. Warren stated she had driven to the site earlier in the day through Davidson Road and was concerned about taking a two lane residential road and turning it into a thoroughfare.

Mr. Harbison stated he had concerns regarding turning this entire piece of property into a commercial node.

Mr. Owens reiterated there were two land use policies applied to this property. The frontage along Charlotte Pike was placed in commercial policy in recognition of the commercial development that already exists around the I-40 interchange, and also in recognition of commercial growth that is likely to occur at this node. The natural conservation policy on the back (north end) of the property was placed there to recognize the limitation of steep slopes and flood plain. Mr. Owens further stated that the natural conservation policy should be applied to the extent these environmental limitations exist, and if they are found to be limited to non-existent, then it would be appropriate to consider most or all of the property to be in the commercial mixed concentration policy allowing the CS rezoning.

Mr. Owens reminded the Commission that the steepest slopes were found to be west of this property. The floodplain is on the east boundary of the property, created by the Ewing and Davidson Branches. The natural conservation policy applied on the north side of this property appears to have anticipated that there would be Cumberland River floodplain at this north end. However, this property is considerably higher than the Cumberland River. Thus, Mr. Owens stated that there were not particularly steep slopes to deal with on this property, and the floodplain problems exist along the east boundary of the property, and not to the north where the natural conservation policy was applied.

Mr. Owens stated the commercial mixed concentration policy would allow office and multi-family residential zoning, if the Commission believed that less CS zoning should be applied. However, he stated these alternative zoning districts could involve rather intensive development that could threaten the historical sites as much as the CS zoning would. Mr. Owens further pointed out that different zoning on the northern end of the property could require different kinds of development (offices or apartments) which could have the effect of fragmenting ownership of the 62 acres. If this **did occur, then different** means of accessing this rear portion of the site, either from the west or the east, might be necessitated, which could then adversely affect the steep slopes to the west or the floodplain to the east.

Mr. Harbison compared this property to the Granberry property where the Commission struggled with the intensity of use where it is on a boundary and actually applied different intensities to the same piece of property.

Resolution No. 97-504

Mr. Stephen Smith stated this does have a natural barrier whereas the other had emotional barriers that everybody agreed with but this cannot spread more intense in any direction.

Ms. Nielson stated the Commission could make the policy boundary smaller than the entire area.

Resolution No. 97-504

Mr. Harbison stated realizing there are natural boundaries, the Commission has stuck to a nodal concept of development. The bigger you make the node the more regional they are and it is clear this should not be a regional node.

Mr. Manier stated the policy map was too vague to define specific lines of policy. Therefore, it is necessary to go to the narrative of the plan which referred to the interstate access but did not imply a specific density or size.

Mr. Browning stated the narrative said there was going to be a dividing line between Natural Conservation and Commercial Mixed Concentration somewhere; the particular boundary was an issue in the Subarea 6 Plan. The Commission had staff reinvestigate the amount of commercial policy which was appropriate. Staff recommended placing those properties which oriented to Charlotte Pike into commercial policy. The line was drawn to recognize the potential for commercial development oriented to Charlotte Pike, and to recognize limitations brought about by steep slopes and floodplain. The extent to which the environmental constraints apply to this property should be the basis for interpreting the location of the line between the commercial and natural conservation policies.

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

Resolution No. 97-516

“BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-059G is **APPROVED** subject to developer performance **of necessary traffic improvements (6-1)**:

This property falls within commercial mixed concentration policy identified in the Subarea 6 Plan. Commercial mixed concentration policy in this vicinity calls for a variety of commercial uses which the CS District will implement.”

Zone Change Proposal No. 97Z-062U

Council Bill No. 097-83 3

Map 85-14, Parcels 21, 22 and 24

Map 85-15, Parcels 14, 17-20 and 22

Map 85-11, Parcels 100-105

Subarea 14 (1997)

District 14 (Stanley)

A request to change from RiO District to RS10 District certain property abutting the north margin of

Lebanon Road, approximately 900 feet east of Guill Court (43.46 acres), requested by Councilmember

Bruce Stanley, for various owners.

Mr. Reid stated this was a mass rezoning to RS10 across from Donelson Hospital. This area was deliberated extensively during the subarea planning process as to whether or not it should be classified in residential medium density policy. That was the final classification adopted in the subarea plan for the entire area on Lebanon Road. Residential medium policy calls for densities between four and nine dwelling units per acres. This would come in at the low end of that range. Staff is recommending approval because this would implement the low end of the policy and represents a minor shift from the current R10 zoning.

Resolution No. 97-504

Mr. William Cooper spoke in opposition to the proposal stating he was the owner of a corner lot at Dispayne Drive and Lebanon Pike included in the proposed rezoning and that he did not want his property rezoned.

Resolution No. 97-504

Mr. Owens stated it is Council's role to rezone property and any citizen can request a rezoning of any piece of property.

Councilmember Bruce Stanley stated this request came to him in April of this year from a large number of residents along Lebanon Pike. This rezoning will not remove the developmental potential of this property and will not preclude or prohibit the development of condominiums. It will prohibit the development of duplexes through the subdivision process. He explained this RS 10 would follow the subarea plan and asked the Commission for approval.

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

Resolution No. 97-517

“BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z062U is APPROVED (6-0-1):

This **property falls within “Residential Medium” density policy (calling for densities of between 4 and 9 dwelling units per acre) within the Subarea 14 Plan.** The RS10 District will implement the **low end of this policy range.”**

Zone Change Proposal No. 97Z-004T
Council Bill No. 097-72 1

A council bill to amend Section 17.32.120 by providing for accessory off-street parking in residential districts for places of worship, sponsored by Councilmember James Dillard. (Re-referred from Council 5/6/97). (Deferred from meeting of 6/12/97).

Mr. Reid stated the staff was recommending approval of revised provisions which relaxed the parking regulations for churches in residential areas, but remained restrictive enough to protect the integrity of the residential neighborhood. He showed graphics of churches that did not meet the parking requirements for churches in residential districts at one parking space per three seats in the sanctuary. The graphics indicated the additional potential to these churches for providing off street parking under the proposed amendment.

Mr. Owens stated the rationale for this was to keep this non-residential use contained as a whole, as a contiguous whole. This text amendment will allow parking to be separated from the church property by a public street, but will prevent the parking from extending long distances away from the church.

Mr. Bodenhamer said it would still create some problems. Consideration must be given to the churches that were developed in residential areas in prior years when off street auto parking was not an issue. The vitality of these churches often is questionable, and placing impossible parking requirements on them is further hardship.

Mr. Lawson stated that with this proposal there are actually more opportunities for more parking expansion if the churches buy the surrounding properties.

Ms. Nielson asked how someone could ask to rezone someone else's property.

Ms. Nielson stated there would always be restrictions if adjacent property owners did not want to sell their property.

Ms. Nielson asked how someone could ask to rezone someone else's property.

Ms. Nielson said that would impact the residential on the next street.

Mr. Owens stated staff felt the Commission should be extremely careful about intrusion because the character of neighborhoods is defined by the streets and not necessarily by what is happening a block behind them.

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

Resolution No. 97-518

“BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z004T is APPROVED (7-0):

The Commission determined that the proposed standards afford reasonable opportunities for existing churches to provide needed parking in a manner which protects the integrity of adjacent residential properties.”

Zone Change Proposal No. 97Z-007T
Council Bill No. 097-826

A council bill to amend Section 17.60.020 and Tables 17.72.090 and 17.72.220 to allow community education facilities in the CG District, sponsored by Councilmember Leo Waters.

Mr. Reid stated this Council bill would be withdrawn in Council. It is a proposal to amend the zoning regulations to allow for elementary, junior high and high schools to locate in the CG District. Staff is recommending disapproval because of public safety concerns of schools in industrial areas with industrial traffic.

Mr. Manier asked what brought this about.

Mr. Owens stated a particular non-profit agency has agreed to develop a program for approximately twenty-five students who have been suspended or expelled due to disciplinary problems and create a private substitute or alternative school so they could continue to get their high school education. What drove this was that they wanted to get this program started this fall and they found some available rental space in a building that happened to be zoned CG. Since that time, and this is the reason it is being withdrawn, the Zoning Administrator has continued to look at this and has decided there are other activity types within the current zoning code that this use would fit without calling it a public school.

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

following resolution:

Resolution No. 97-519

Mr. Stephen Smith suggested that if alleys were included it would increase opportunities.
“BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No.
97Z-007T is **DISAPPROVED (7-0)**:

Community Education Activities are not compatible with those land uses commonly associated with the CG (Commercial General) district.”

Mr. Stephen Smith suggested that if alleys were included it would increase opportunities.

Proposal No. 20-85-P
Council Bill No. 097-824
Country Cabin Bar-B-Q
Map 142, Parcel 136
Subarea 6 (1996)
District 35 (Lineweaver)

A request to amend the existing preliminary site development plan of the Commercial (General) Planned Unit Development District abutting the south margin of Old Harding Pike, 1,000 feet east of Hicks Road (.79 acres), classified R15, to add 799 square feet to an existing restaurant, requested by Dale and Associates for Buddy Rogers, owner.

Mr. Delaney stated this was a request to amend this Commercial Planned Unit Development to permit the addition of 799 square feet to an existing restaurant. This proposal will cause an increase in the overall square footage of this PUD over the 10% that requires it to go back to Council. The bill has **been** introduced in Council and is tracking for the July public hearing. Unfortunately, staff did not receive any plans until two days ago; therefore, none of the reviewing agencies, nor planning staff have had the opportunity to review the application. Therefore, staff is recommending disapproval. The applicant needs a Planning Commission action in order to stay on the Council public hearing.

Mr. Harbison stated they did not meet the twenty-eight day cycle.

Councilmember Vic Lineweaver stated he had been waiting to speak to the Commission regarding this matter. He stated the only reason the applicant had to go through the public hearing was because of the 10% rule. He asked the Commission to approve this proposal and that he would send it back to the Commission after the public hearing.

Mr. Harbison stated he would withdraw his motion and asked if the Commission could approve the proposal with the condition of having it re-referred back.

Mr. Owens stated there was no reason to have it referred back if it carried the Commission's approval.

Mr. Browning stated this may go to Council as a disapproved bill but it will have an action and the Council can hold the public hearing and act and refer it back with the revised plans.

Mr. Owens stated this proposal was a very simple expansion and it did not look like staff would have any problems with it, but Public Works and Water Services has not had a chance to look at it.

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

PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:

Resolution No. 97-520

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 20-85-P is given

DISAPPROVAL (7-0):

The plans for review were inadequate.”

SUBDIVISIONS:

Preliminary Plats:

PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:

Subdivision No. 97S-236U (*Public Hearing*)
LLC Property, Resubdivision of Lot 5
Map 119-10, Parcels 102 and 103
Subarea 11(1993)
District 16 (Graves)

A request for preliminary approval for five lots abutting the northeast corner of Thompson Lane and St. Edwards Drive (2.18 acres), classified within the OP and RIO Districts, requested by 197 LLC, owner/developer, Dale and Associates, Inc., surveyor.

Mr. Stuncard stated the Commission may recall this request to rezone the residential portion of this parcel from multi-family which was disapproved by the Commission in January of 1997. Currently an office building is on lot one which has split zoning, OP and RiO, and the parking area extends into the residential area, all the way to proposed lot number 3. This proposal is to remove the parking area from lots two and three leaving a forty foot strip of RiO for office parking on the northern most portion of lot number 1, 10 feet of which is to be a landscape buffer. The Board of Zoning Appeals granted a use variance on October 26, 1972, allowing office parking on these residential properties. This proposal to create residential lots will decrease the degree of non-conformity and staff recommends approval.

Mr. George Quick, an area resident, expressed his concerns regarding traffic, density, safety, drainage and access to the property.

Mr. Stuncard stated the residential lots do meet the zoning requirements and Public Works has approved drainage.

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

Resolution No. 97-521

“BE IT RESOLVED by the Metropolitan Planning Commission that the Preliminary plan of Subdivision

No. 97S-236U, is granted APPROVAL”

Final Plats:

Subdivision No. 97S-220U
Greenland Tract, Resubdivision of Part of Lots 7 and 9
Map 61-11, Parcel 232
Subarea 5 (1994)
District 8 (Hart)

A request to subdivide one parcel into two lots abutting the northeast margin of Greenland Avenue, approximately **445 feet southeast of Gallatin Pike (.92 acres), classified within the RiO District**, requested by Verda Hudson Allen and Bernice Hudson Cooke, owners/developers, Tommy E. Walker, surveyor.

Mr. Stuncard stated staff was recommending approval with a variance to the lot width to depth ratio since the plan of subdivision is consistent with the predominant lot pattern along Greenland Avenue and will provide a lot for each existing house on this site.

PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:

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

PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:

“BE IT RESOLVED by the Metropolitan Planning Commission that the Final plan of Subdivision No. 97S-220U, is granted APPROVAL with a variance (Subdivision Regulation 2-4.2E).”

Subdivision No. 97S-221U
Belle Meade Annex, Resubdivision of Part of Lots 5 and 6
Map 130-4, Parcel 48
Subarea 10 (1994)
District 34 (Fentress)

A request to subdivide one parcel into two lots abutting the west margin of Sneed Road, approximately 950 feet south of Hobbs Road (1.19 acres), classified within the RS2O District, requested by Elizabeth M.

Trinider, owner/developer, F. W. and Associates, Inc., surveyor.

Mr. Stuncard stated staff was recommending disapproval due to the violation of the comparability test. This plat proposes to divide one existing lot into two lots. Of the two new lots, one fails to meet minimum comparability standards with respect to minimum frontage, falling eleven feet short of the ninety-three feet necessary to pass the test. The average street frontage in this area is 103 feet and the lot that fails the frontage requirement only meets 80% of the average; it is necessary to meet 90% in order to pass the test.

Mr. George Trinlder, the applicant’s husband, explained their proposal and said he understood this did not meet the minimum requirements. He said he felt the proposal would blend in very well with the neighborhood and showed the Commission drawings of the plans. He asked the Commission to approve this proposal based on the drawings and felt everything else, except the total frontage width, falls within the parameters set fourth by the Commission.

Ms. Nielson stated it looked like several lots the same size as the proposed one which may subdivide in the future.

Mr. Trinkler stated the lot directly south is a zero lot line house and there are other zero lot line houses in the area.

Mr. Stuncard pointed out homes on Sneed that all had 100 foot frontage.

Mr. Stephen Smith asked that if all four of the adjacent lots came in with the same request to subdivide would the comparability change.

Mr. Stuncard stated the comparability would have to be rerun.

Mr. Browning suggested assuming the adjacent large lots were split similarly and rerunning the comparability which may reduce the average frontage.

Resolution No. 97-522

Ms. Nielson moved and Mr. Harbison seconded the motion, which carried unanimously, to defer this matter for two weeks.

Subdivision No. 97S-234U

Mugger Property

Map 135, Parcel 203

Map 136, Parcel 3

Subarea 13 (1997)

District 27 (Sontany)

Resolution No. 97-522

A request to reconfigure two parcels into two lots abutting the intersection of Smith Springs Road and Old Smith Springs Road (29.19 acres), classified within the R10 Residential Planned Unit Development District, requested by C. K. Development, LLC, owner/developer, Gresham, Smith and Partners, surveyor.

Mr. Stuncard stated staff was recommending approval with a variance to the lot width to depth ratio for lot one since the residential PUD boundary is distinguishable from the remaining area.

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

Resolution No. 97-523

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Final plan of Subdivision No. 97S-234U, is granted **APPROVAL** with a variance (Subdivision Regulation 2-4.2E).”

OTHER BUSINESS:

1. Consideration of the level of citizen participation to be used in the update of the Subarea 1 Plan.

Mr. Robert Eadler stated there had been a dramatic reduction in the growth expectations and employment growth in the subarea. If there is agreement these revised forecasts are the only significant issue that needs to be addressed in the update of this process, it is staff’s conclusion that it can be done with a Level 1 Citizen Participation.

Mr. Stephen Smith moved and Ms. Nielson seconded the motion, which carried unanimously, to set the Subarea 1 Plan update process with Level 1 Citizen Participation.

2. Subarea 9 Update status report.

Mr. Chris Hall stated the final in a series of four CAC meetings scheduled for the Subarea 9 update was held on June 12th”. Subarea 9, which includes the area of the inner loop south of Jefferson Street, is being prepared in conjunction with MDHA and is being directed by Everton, Ogelsby, and Askew Architects. The consultants are now in the process of completing the final draft plan. Today, the commission will be asked to set a date for a public hearing to consider the plan. In preparation for the public hearing, staff wanted to provide the commissioners with an overview of some of the important issues and recommendations which are addressed in the update.

As a joint project between MDHA and the Planning Commission, the final plan is intended to serve the purposes of both agencies. The update will contain a land use policy element as well as a final concept plan with specific recommendations aimed at attracting public and private investment. The land use policy provisions will establish the framework for the implementation

Resolution No. 97-522

of the more specific recommendations developed by the planning team.

The original plan did not contain a standardized land use policy plan but one was later developed by staff for internal use.

Many recommendations contained in the update are concepts carried over from the original plan. Improving the major gateways into downtown, continued support of residential development, the development of the river corridor as a green space, and the creation of pedestrian friendly streets are just a few of the objectives from the original plan that will be included in the update.

Resolution No. 97-522

In light of the development that has occurred since 1991, the plan also includes a number of new recommendations which have implications for the Land Use Policy Applications. The construction of the Bicentennial Mall and Farmers Market has sparked interest in the area to the east of the mall. A mixed use policy is proposed to replace a CMC policy in this area to provide additional opportunities for urban housing and to complement the activities along the Mall and the neighborhoods north of Jefferson Street. MU policy is also proposed along 8th Avenue to support the vision of this street as a major gateway into downtown and to complement the Hope Gardens neighborhood and the activities along the Mall. In response to the recommendations of the Hope Gardens neighborhood plan, a residential medium policy was applied to the area to conserve the existing character of the neighborhood which is primarily detached single family homes on small lots.

In recognition of the long term land use changes that will occur because of the construction of the Oilers stadium and the Franklin Corridor, CMC policy is proposed to replace the industrial policy on the East Bank. It is expected that long term there will be a transition away from industrial uses to a broad range of commercial, office and possibly some residential uses. CMC policy is also proposed in the industrial policy area where U.S. Tobacco now sits. The plan recognizes that US Tobacco and other industrial uses are viable operations. However, if these uses ever leave the plan recommends that industrial uses not continue and the possibility of residential development consistent with CMC policy be explored.

These are the areas where Commission should expect some proposed land use policy changes. In general staff supports the majority of the recommendations in the update.

However, as you are probably aware, there has been a lot of discussion among various citizen's groups and in the media concerning the alignment of the Franklin Street Corridor. The original Subarea 9 Plan, completed in 1991, made a recommendation to develop the Shelby-Demonbreun Street Corridor as a major east-west linkage to improve traffic flow in the area south of Broadway. In response to this recommendation, the Shelby Avenue/Demonbreun Street Corridor concept was incorporated into the Major Route Plan and Mobility 2010 and the Planning Commission and Public Works initiated a corridor study which developed and evaluated nine alternatives. After lengthy deliberation and a thorough public participation process, two alternatives and a no build option were included in a draft EIS statement and forwarded to the Federal Government for review. The favored alternative, as identified by Metro, is a seven lane road following the current alignment of Franklin Street with new bridges over the Cumberland River and the railroad Gulch. At this point, the draft EIS has been approved by the Federal Highway Administration and a final record of decision is expected sometime this summer.

As you may be aware the Nashville *Scene* sponsored a design Charrette in January which developed a plan for the rapidly developing area south of Broadway (otherwise known as SoBro). A recommendation of this plan was to terminate the Franklin Street corridor at 8th Avenue with a public square. The plan argues that a seven lane continuous corridor would be hostile to pedestrians and would destroy the potential for a walk to work residential neighborhood from Rutledge Hill. Some of the participants in the SoBro, including the consulting team, are also involved in the Subarea 9 Update and have raised this issue for discussion. It is the position of staff that the update is not the appropriate forum to question a decision that the Planning Commission has previously endorsed and which has already undergone a lengthy planning and public participation process. Substantive comments regarding the preferred alignment of the corridor will be considered by the FHWA until the record of decision is issued. Staff feels all concerns should be addressed in the Federal process.

Nevertheless, the concept of stopping the corridor at 8th Avenue was not identified by the CAC

Resolution No. 97-522

as a consensus item and will not be included as a recommendation in the final concept plan. The report and its recommendations should be based on the present alignment of the Franklin Street corridor. However, in deference to the views of some of the CAC members and to the consultants, it was agreed that the concept of stopping the corridor at 8th Avenue could be included in the report as an alternative to be considered in the event that the Federal Government requires Metro to reevaluate the corridor alignment.

Resolution No. 97-522

At this point in time there is no indication that Metro plans to revisit the alignment decision. It was also made clear to the consultants and should be made clear in the report that a very thorough planning and public participation process was adhered to in selecting the corridor route.

At the public hearing, the Commissioners should expect comments from CAC members as well as the public questioning the current alignment.

3. Set the July 24th Planning Commission meeting for a public hearing presentation of the updated Subarea 9 Plan.

Ms. Nielson moved and Mr. Bodenhamer seconded the motion, which carried unanimously, to set July 24, 1997, as the public hearing date for the Subarea 9 Plan update.

4. Discussion of Interdepartmental Review Processes.

Mr. Owens explained the Design Review Committee functions and the 28 Day Processing Schedule.

6. Legislative Update.

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

PLATS PROCESSED ADMINISTRATIVELY:

June 12, 1997 through June 25, 1997

96S-284U **HIGHLANDS of BRENTWOOD, Section 3, First Revision**

One lot into two lots

97S-041U **GREEN HILLS COMMONS, First Revision**

Minor revision to interior property line

97S-102U **CITY VIEW PARK, Section 13**

Shifting a lot line and consolidating a parcel

97S-113U **METROCENTER, Section 18, Lot 35**

Abandoning lot line and easement

97S-166G **PAUL ACRES**

Plats one lot from large tract

97S-171U **PARTEN SUBDIVISION**

One lot into two lots

97S-179U **JUSTIN TOWNE, Lot 10 (Zone Lot Division)**

Lot line shift

97S-189U **HILLHURST BAPTIST CHURCH**

One lot into two lots

Resolution No. 97-522

97S-239G TERRY BRACEY LOT

Increases platted lot from 1.7 acres to 2.0 acres

97S-240G HERMITAGE MARKET PLACE, Resubdivision of Lots 4 and 5

Reconfigures two platted lots

97S-248G DARRELL READ PROPERTY

Consolidates two commercial lots into one lot

ADJOURNMENT :

There being no further business, upon motion made, seconded and passed, the meeting adjourned at 5:10 p.m.

Chairman

Secretary

Minute approval
This 10th day of July, 1997