

MINUTES
OF THE
METROPOLITAN PLANNING COMMISSION

Date: July24, 1997
Time: 1:00 p.m.
Place: Howard Auditorium

Roll Call

Present:

Gilbert Smith, Chairman
Councilmember Stewart Clifton
Arnett Bodenhamer
William Harbison
James Lawson
William Manier
Ann Nielson
Marilyn Warren

Absent:

Mayor Philip Bredesen
Stephen Smith

Others Present:

Executive Office:

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

Community Plans Division:

Jerry Fawcett, Planning Division Manager
Chris Hall, Planner I

Advance Planning & Research Division:

Jackie Blue, Planner I

MINUTES

Others Present:

Rachel Allen, Legal Department

Jim Armstrong, Public Works

Chairman Smith called the meeting to order.

ADOPTION OF AGENDA

Mr. Bodenhamer moved and Mr. Lawson 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:

- 24-85-P Deferred until 08/21/97 meeting, requested by applicant.
- 96P-006G Deferred until 08/21/97 meeting, requested by applicant.
- 975-209U Deferred two weeks, by Public Works Department.
- 975-213U Deferred indefinitely, by applicant.
- 975-215G Deferred two weeks, by applicant.
- 975-235U Deferred indefinitely, by applicant.
- 975-237G Deferred indefinitely, by applicant.
- 975-253U Deferred two weeks, by applicant.

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

APPROVAL OF MINUTES

Mr. Lawson moved and Ms. Nielson seconded the motion, which unanimously passed, to approve the minutes of the meeting of July 10, 1997

RECOGNITION OF COUNCILMEMBERS

Councilmember James Dillard explained to the Commission he had worked with staff regarding the amendment to the Subdivision Regulations and explained his concerns regarding development on large tracts of property by family members.

He also spoke in favor of the Council resolution regarding 5:00 p.m. start time for the Planning Commission meetings.

Councilmember Vic Lineweaver asked the Commission to defer Zone Change Proposal No. 97Z-074G until he, the developer and Friends of Warner Park could meet and discuss the project.

MINUTES

Councilmember Lawrence Hart spoke in favor of Zone Change Proposal No. 97Z-070U because it would help revitalize Inglewood. He also asked the Commission to defer Proposal No. 97P-032G because he had not received any information about the proposal and would like to discuss the plans with the developer.

ADOPTION OF CONSENT AGENDA

Mr. Lawson 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-090U
Map 134, Parcel 145
Subarea 13 (1997)
District 27 (Sontany)

A request for a conditional use permit under the provisions of Section 17.124.190 (Extensive Impact), as required by Section 17.124.030 to construct a soccer stadium, 9 soccer fields and an indoor soccer training facility in the AR2a District (163.13 acres), on property abutting the southeast margin of Old Harding Place, 1100 feet northeast of Antioch Pike, requested by Metropolitan Government, for Mark IV, owner.

Resolution No. 97-564

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

Appeal Case No. 97B-090U to the Board of Zoning Appeals:
The site plan complies with the conditional use criteria (8-0).”

ZONE CHANGE PROPOSALS:

Zone Change Proposal No. 97Z-063U
Map 81-6, Parcel 384
Subarea 8 (1995)
District 20 (Haddox)

A request to change from CS District to MUL District certain property abutting the north margin of Seifried Street, approximately 224 feet east of 23rd Avenue North (.78 acres), requested by Ashworth/Boyson Development, appellant/owners.

Resolution No. 97-565

“BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-063U is **APPROVED** (8-0):

This property falls between two policy boundaries, “Commercial Arterial Existing” and “Residential Medium.” The Subarea 8 Plan recommends further provision of apartments and

MINUTES

multifamily housing within the Commercial Arterial Existing policy area. The CS district does not permit permanent residential uses whereas the MUL district. The MUL district implements the Commercial Arterial Existing policy and is consistent with the residential zoning pattern in the area.”

MINUTES

Zone Change Proposal No. 97Z-067U
Map 102-2, Parcel 100
Subarea 7 (1994)
District 22 (Holt)

A request to change from OP District to CS District certain property abutting the southwest margin of Mercomatic Drive and American Road (2.0 acres), requested by Charles W. Hawkins, III, appellant, for T. C. Summers Company, Inc., owner.

Resolution No. 97-566

“BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-

067U is APPROVED (8-0):

This property is bisected by two policy areas of the Subarea 7 Plan: “Commercial Arterial Existing” and “Residential Low-Medium Density.” The extension of CS zoning will implement commercial policy, and is appropriate given this site’s existing commercial use, and its proximity to existing commercial development on Charlotte Pike.”

Zone Change Proposal No. 97Z-071G
Map 172, Parcel 70
Subarea 12 (1997)
District 31 (Alexander)

A request to change from AR2a District to R20 District certain property abutting the east margin of Mt. Pisgah Road, approximately 1,200 feet east of Mt. Pisgah Court (2.62 acres), requested by Roderick Owens, appellant, for Clara Jenkins, owner.

Resolution No. 97-567

“BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-

071G is APPROVED (8-0):

This property falls within the “Residential Low-Medium Density” policy (calling for densities between two (2) and four (4) dwelling units per acre) of the Subarea 12 Plan. The 1120 District will implement this policy, and is consistent with the 1120 zoning pattern to the east and north.”

PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:

Proposal No. 98-73-G
Waller Property (Hickory Hills Commercial PUD)
Map 40-4, Parcel 154
Subarea 2 (1995)
District 10 (Garrett)

MINUTES

A request for final approval for a portion of the Commercial (General) Planned Unit Development District abutting the north margin of Hickory Hills Court, approximately 100 feet east of Hickory Hills Boulevard (1.01 acres), classified OP, to permit the development of a 16,500 square foot office distribution facility, requested by Crouch Engineering, for Wendell Waller, owner.

MINUTES

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 98-73-G is given **CONDITIONAL FINAL APPROVAL (8-0)**: 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. 210-73-G
Deloitte and Touche
Map 97, Parcel 120
Subarea 14 (1996)
District 12 (Ponder)

A request for final approval for a portion of the Commercial (General) Planned Unit Development District, abutting the south margin of Interstate 40, approximately 600 feet east of Old Hickory Boulevard (3.0 acres), to permit a 64,500 square foot addition to an existing office building, requested by Barge, Waggoner, Sumner and Cannon, for Deloitte and Touche, owner.

Resolution No. 97-569

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 2 10-73-G is given **CONDITIONAL FINAL APPROVAL FOR A PHASE (8-0)**. 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. With this final approval the applicant has committed to making minor repairs to Sells Drive as requested by the Metropolitan Traffic Engineer. The Metropolitan Traffic Engineer approval will be required prior to the issuing of a final U & 0.”

Proposal No. 157-81-U
Opryland USA
Map 73, Parcel 32
Subarea 14 (1996)
District 15 (Dale)

A request to revise the approved final site development plan of the Commercial (General) Planned Unit Development District abutting the south margin of McGavock Pike, west of Briley Parkway, to permit the addition of a 5,000 square foot building to house two diesel powered generators, requested by Barge, Waggoner, Sumner and Cannon, for Opryland USA.

Resolution No. 97-570

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 157-81-U is given **CONDITIONAL FINAL APPROVAL FOR A PHASE (8-0)**. The following condition applies:

Resolution No. 97-568

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

Resolution No. 97-568

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 to revise a portion of the approved preliminary site development plan of the Commercial (General) Planned Unit Development District abutting the north margin of Elm Hill Pike, approximately 80 feet west of Heney Drive (24.67 acres), classified RiO, to permit the development of a 362,800 square foot office and hotel development, requested by Barge, Waggoner, Sumner and Cannon, for Highwoods Properties, Inc., owner.

Resolution No. 97-571

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 291-84-U is given **CONDITIONAL PRELIMINARY APPROVAL FOR A PHASE (8-0)**. The following condition applies:

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

Proposal No. 55-85-P
The Summit
Map 160, Parcels 183 and 208
Map 171, Parcels 138 and 160
Subarea 12 (1997)
District 32 (Jenkins)

A request to revise a portion of the preliminary site development plan and for final approval for a phase of the Commercial (General) Planned Unit Development District abutting the west margin of Stone Brook Drive and the south margin of Old Hickory Boulevard (24.42 acres), to permit a 32,780 square foot addition to an existing office building, requested by Ragan-Smith Associates, Inc., for Advent Properties, Inc. (Also requesting final plat approval).

Resolution No. 97-572

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 55-85-P is given **APPROVAL OF A REVISION TO PRELIMINARY AND CONDITIONAL FINAL APPROVAL FOR A PHASE; FINAL PLAT APPROVAL (8-0)**. 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. 90-86-P
Cheswicke PUD
Map 121, Parcel 9
Subarea 14 (1996)
District 13 (French)

Resolution No. 97-568

A request to revise a portion of the preliminary master plan of the Commercial (General) Planned Unit Development District abutting the north margin of Pulley Road at its western terminus (14.86 acres), classified RiO, to permit the location of an NES substation, requested by Nashville Electric Service, appellant/owner.

Resolution No. 97-568

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 90-86-P is given **CONDITIONAL APPROVAL (8-0)**. The following condition applies:

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

Proposal No. 94P-017G
October Woods
Map 183, Parcel 4
Subarea 12 (1997)
District 31 (Alexander)

A request to revise a portion of the approved preliminary site development plan and for final approval for a phase of the Residential Planned Unit Development District abutting the west margin of Old Hickory Boulevard, 1,800 feet south of Interstate 24 (8.0 acres), classified RiO, to remove a proposed public road and to permit the development of a 16 unit multi-family complex, requested by Anderson-Delk and Associates, Inc., for Paul Johnson, owner.

Resolution No. 97-574

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 94P-O 17G is given **CONDITIONAL APPROVAL OF REVISION TO PRELIMINARY AND FINAL FOR A PHASE (8-0)**. 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.”

Proposal No. 95P-O15G
New Hope Point
Map 98, Part of Parcel 52.01
Subarea 14 (1996)
District 12 (Ponder)

A request for final approval for the Residential Planned Unit Development District abutting the west margin of South New Hope Road, approximately 1,440 feet south of John Hager Road (31.5 acres), classified R15, to permit the development of 102 single-family lots, requested by MEC, Inc., for Regional Development, L.L.C., owner.

Resolution No. 97-575

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 95P-015G is

Resolution No. 97-573

given CONDITIONAL FINAL APPROVAL (8-0). 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 and the posting of any required bonds.”

Resolution No. 97-573

Proposal No. 97P-031U
Mt. View Ridge
Map 150, Parcel 147
Subarea 13 (1997)
District 29 (Holloway)

A request to grant preliminary approval for a new Residential Planned Unit Development District abutting the southeast margin of Mt. View Road, approximately 700 feet southwest of Kenton Court (11.75 acres), classified AR2a and proposed for RiO, to permit the development of 44 single-family lots, requested by Dale and Associates, for Mt. View, L.L.C., owners.

Resolution No. 97-576

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 97P-03 031U is given **CONDITIONAL PRELIMINARY APPROVAL** (8-0). 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. Prior to submittal of a final plan, a downstream study shall be completed to establish finished floor elevations for the affected lots.”

Proposal No. 97P-033G
Greenwood Subdivision
Map 162, Parcels 93, 167 and 233
Subarea 12 (1997)
District 31 (Alexander)

A request to grant preliminary approval for a new Residential Planned Unit Development District abutting the west margin of Old Hickory Boulevard, approximately 700 feet south of Bell Road (9.73 acres), classified AR2a and proposed for RiO, to permit the development of 39 single-family lots, requested by Dale and Associates, for Mt. View, L.L.C., owners.

Resolution No. 97-577

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 97P-033G is given **CONDITIONAL PRELIMINARY APPROVAL** (8-0):
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. Prior to submittal of a final plan, a flood study shall be completed to determine the actual 100 year flood elevation and to establish finished floor elevations for the affected lots.
3. Submittal of revised preliminary plans detailing a five foot right-of-way dedication for Old Hickory Boulevard.”

Resolution No. 97-573

Final Plats:

Subdivision No. 96S-395G
Spencer and Atchley Subdivision
Map 64, Parcel 18
Subarea 14 (1996)
District 11 (Wooden)

A request to create seven lots abutting the northeast corner of Shute Lane and Old Hickory Boulevard (6.65 acres), classified within the OG District, requested by Spencer and Atchley, L.L.I.C., owner/developer, Gresham, Smith and Partners, surveyor.

Resolution No. 97-578

“BE IT RESOLVED by the Metropolitan Planning Commission that the Preliminary plan of Subdivision No. 96S-395G, is granted **CONDITIONAL APPROVAL** subject to posting a **performance bond in the amount of \$130,000.00.”**

Subdivision No. 97S-014U
Forest Vale Subdivision
Map 59, Parcel 49
Subarea 3 (1992)
District 1 (Patton)

A request to create seven lots abutting the northeast corner of Briley Parkway and Buena Vista Pike, opposite Beal’s Lane (3.52 acres), classified within the Ri 5 District, requested by Howard Fisher, owner/developer, H & H Land Surveying, Inc., surveyor.

Resolution No. 97-579

“BE IT RESOLVED by the Metropolitan Planning Commission that the Preliminary plan of Subdivision No. 97S-014U, is granted **CONDITIONAL** subject to posting a performance bond in the amount of \$28,400.00.”

Subdivision No. 97S-250U
Regency Realty Subdivision
Map 83-5, Parcels 89, 90, 91 and 93
Subarea 5 (1994)
District 5 (Harrison)

A request to consolidate five lots into one lot abutting the northwest corner of West Eastland Avenue and Gallatin Pike (1.25 acres), classified within the OP and CS Districts, requested by Regency Realty Group, Inc., owner/developer, Ragan-Smith Associates, Inc., surveyor. (Deferred from meeting of 7/10/97).

Resolution No. 97-580

“BE IT RESOLVED by the Metropolitan Planning Commission that the Preliminary plan of Subdivision No. 97S-250U, is granted **CONDITIONAL APPROVAL** subject to posting a

SUBDIVISIONS:
performance bond in **the** amount of \$3,500.00.”

SUBDIVISIONS:

Subdivision No. 97S-270U
Phillips-Strinich Partners
Map 130-1, Parcels 48, 50.1 and 206
Subarea 7 (1994)
District 34 (Fentress)

A request to consolidate three parcels into one lot abutting the north margin of Harding Place and the east margin of Harding Road (.47 acres), classified within the CS District, requested by Powell W. Phillips, Jr. and Cynthia Powell Striich, owners/developers, White Taylor Walker/GM, surveyor.

Resolution No. 97-581

“BE IT RESOLVED by the Metropolitan Planning Commission that the Preliminary plan of Subdivision No. 97S-270U, is granted APPROVAL.”

Subdivision No. 97S-273G
River Plantation, Phase 1, Section 11
(Phase Boundary Plat)
Map 142, Part of Parcel 124
Subarea 6 (1996)
District 35 (Lineweaver)

A request to record a phase abutting the south margin of Sawyer Brown Road, approximately 867 feet northwest of Old Harding Pike (3.42 acres), classified within the R15 Residential Planned Unit Development District, requested by Haury and Smith Contractors, Inc., owner/developer, Ragan-Smith Associates, Inc., surveyor.

Resolution No. 97-582

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

No. 97S-273G, is granted APPROVAL.”

Subdivision No. 97S-274G
River Plantation, Phase 1, Section 11
(Condominium Apartments)
Map 142, Part of Parcel 124
Subarea 6 (1996)
District 35 (Lineweaver)

A request to record 20 condominium units abutting the south margin of Sawyer Brown Road, approximately 867 feet northwest of Old Harding Pike (3.42 acres), classified within the R15 Residential Planned Unit Development District, requested by Haury and Smith Contractors, Inc., owner/developer, Pagan-Smith Associates, Inc., surveyor.

Resolution No. 97-583

SUBDIVISIONS:

“BE IT RESOLVED by the Metropolitan Planning Commission that the Preliminary plan of Subdivision No. 97S-274G, is granted **CONDITIONAL APPROVAL** subject to posting a performance bond in **the amount of \$135,000.00.**”

SUBDIVISIONS:

Subdivision No. 87-51-G
Hickory Woods, Section One
T & T Partners I, principal

Located abutting the west side of Lavergne-Couchville Pike and both sides of Hickory Way.

Subdivision No. 87-341-G
Hickory Woods, Section C
T & T Partners I, principal

Located on the east side of Murfreesboro Road, approximately 610 feet south of Lavergne-Couchville Pike.

Subdivision No. 87-371-G
Hickory Woods, Section A
T & T Partners I, principal

Located abutting the southwest corner of Maxwell Road and Lavergne-Couchville Pike.

Resolution No. 97-584

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for extension of the performance bonds for Subdivision No. 87-51 -G, Bond No. 87BD-028, Subdivision No. 87-341-G, Bond No. 87BD-029 and Subdivision No. 87-371-G, Bond No. 89BD-027, Hickory Woods, Sections One, C & A in the amounts of \$10,000, \$177,500 & \$27,500 respectively to 11/1/97.

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

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

No. 97-585

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for extension of a performance bond for Subdivision No. 88S-369U, Bond No. 9OBD-025, Vaughns Gap Valley, in the amount of \$6,000 to 7/15/98 subject to submittal of an amendment to the present Letter of Credit by 8/24/97 which extends its expiration date to 1/15/99. Failure of principal to **provide** amended security documents shall **be grounds for collection without further notification.**

Subdivision No. **94S-139G**
Bayview, Section One
Bayview Venture, principal

Request for Bond Extension:

Located abutting the west margin of Bell Road, approximately 1,000 feet north of Old Smith Springs Road.

Resolution No. 97-586

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for extension of a performance bond for Subdivision No. 94S-139G. Bond No. 96BD-039, Bayview,

Request for Bond Extension:

Section One, in the amount of \$108,000 to 8/1/98 subject to submittal of an amendment to the present Letter of Credit by 8/24/97 which extends its expiration date to 2/1/99. Failure of principal to provide amended security documents shall be grounds for collection without further notification.

Subdivision No. 96S-224G
Summit Run, Phase One
Summit Run LLC, principal

Located abutting the north margin of Old Lebanon Dirt Road and the southeast margin of

Chandler Road. Resolution No. 97-587

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for extension of a performance bond for Subdivision No. 96S-224G, Bond No. 97BD-025, Summit Run, Phase One, in the amount of \$33,500 to 8/1/98 subject to submittal of an amendment to the present Letter of Credit by 8/24/97 which extends its expiration date to 02/01/99. Failure of principal to provide amended security documents shall be grounds for collection without further notification.

Subdivision No. 96S-409G
Chase Pointe, Section Two
Billy W. Spain, principal

Located abutting the west margin of Union Hill Road and both margins of Chasepoint Place.

Resolution No. 97-588

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for extension of a performance bond for Subdivision No. 96S409G, Bond No. 97BD-023, Chase Pointe, Section Two, in the amount of \$26,500 to 8/1/98 subject to submittal of an amendment to the present Letter of Credit by 8/24/97 which extends its expiration date to 2/1/99. Failure of principal to provide amended security documents shall be grounds for collection without further notification.

Subdivision No. 96S-411U
Cambridge Forest, Section One
Double M Partners, principal

Located abutting the west margin of Rural Hill Road, approximately 1,300 feet south of Rice

Road. Resolution No. 97-589

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for extension of a performance bond for Subdivision No. 96S-411U 1U, Bond No. 97BD-022, Cambridge Forest, Section One in the amount of \$1,000 to 11/15/97 subject to submittal of a letter from the Frontier Insurance Company by 8/24/97 agreeing to the extension.

Request for Bond Extension:

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

Request for Bond Release:

Subdivision No. 93P-019G
Lakeridge, Phase One
B & P Developments, Inc., principal

Request for Bond Extension:

Resolution No. 97-590

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 93P-019G, Bond No. 94BD-1 15, Lakeridge, Phase One in the amount of \$33,000.

Subdivision No. 93S-084G
Bridle Path, Section Two
David Taylor, principal

Located abutting both margins of Palomino Place, approximately 240 feet of Granny Wright

Lane. Resolution No. 97-591

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 93S-084G, Bond No. 93BD-018, Bridle Path, Section Two in the amount of \$12,500.

Subdivision No. 96S-176U
Forest Acres, Section Two-A
James R Mosely, co-principal
Robert Mayberry, co-principal

Located abutting the southwest margin of Kinhawk Drive, approximately 1,546 feet northwest of Kinhawk Court.

Resolution No. 97-592

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 96S-176U, Bond No. 96BD-034, Forest Acres, Section Two-A in the amount of \$20,000.

Subdivision No. 96S-227G
Buckhead Place
Buckhead Place, LLC, principal

Located abutting the northwest margin of Memphis-Bristol Highway, approximately 1,015 feet southwest of Brook Terrace.

Resolution No. 97-593

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 96S-227G, Bond No. 97BD-037, Buckhead Place in the amount of \$10,000.

Request for Bond Extension and Replacement:

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

Subdivision No. 95S-367G
Chase Pointe, Section One
Billy W. Spain, principal

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

Resolution No. 97-594

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for replacement and extension of a performance bond for Subdivision No. 95S-367G, Bond No. 95BD-096, Chase Pointe, Section One to 6/15/98 in the amount of \$10,000, subject to execution of a replacement bond by 8/24/97.”

MANDATORY REFERRALS:

Proposal No. 97M-080U
Council Bill No. R97-783
Centers for Family Life Lease Agreement Amendment
Map 82-3, Parcel 416
Subarea 5 (1994)
District 5 (Harrison)

A resolution approving an amendment to the lease with Centers for Family Life. Resolution No.

97-595

"BE IT RESOLVED by the Metropolitan Planning Commission that it APPROVES (8-0) Proposal No. 97M-080U.

PUBLIC HEARING: AN AMENDMENT TO THE SUBDIVISION REGULATIONS BY REVISING THE DEFINITION OF “SUBDIVISION.” (DEFERRED FROM MEETINGS OF 5/29/97 AND 6/12/97).

Mr. Henry stated this matter was deferred by the Commission on May 29, 1997, at the request of Councilmember James Dillard and again on June 12, 1997, to allow interested councilmembers time to finish budget hearings.

As previously stated, staff is suggesting a revised definition of a “subdivision” to reflect recent court decisions and legal interpretations made by the Metropolitan Department of Law. As was reported on May 29, this office requested a legal opinion from the legal department last summer asking whether dividing property into lots of five (5) acres or greater constitutes a “subdivision” where common or shared easements are relied on for utility access and/or vehicular access. The legal department’s response was that such instances of land division “fall within the definition of a ‘subdivision”, citing T.C.A. and several Tennessee Attorney General opinions and appellate court decisions (3/28/97). The current definition of “subdivision” does not recognize that in certain circumstances large acreage tracts (five acres and greater) are not exempt from the subdivision platting process and therefore must comply with the Subdivision Regulations.

After meeting with middle Tennessee surveyors (March 12) and auctioneers (April 8), and Metro Health Department officials (April 1), staff concluded that a definitive statement on ‘what

Located abutting the west margin of Union Hill Road, approximately 1,088 feet north of Clay Lick Road.
constitutes a subdivision' would be in the best interest of Nashville/Davidson County.
Accordingly, the definition of

Located abutting the west margin of Union Hill Road, approximately 1,088 feet north of Clay Lick Road.

“subdivision” should be revised to reflect state law and better clarify the circumstances whereby land divisions may occur without undergoing the Planning Commission’s subdivision platting process.

In response to Councilman Dillard’s concern with the definition proposed at the May 29 public hearing, staff has revised the definition with simplicity and clarity in mind. We believe the proposed definition is consistent with State law. Councilman Dillard appears to be more concerned with the *standards* in the Subdivision Regulations pertaining to lot requirements (SubReg 2-4) and street requirements (SubReg 2-6.2) than with the definition of a what constitutes a “subdivision,” preferring to allow large acreage tracts (5 acres and greater) in urbanizing areas to be created as landlocked parcels with access provided solely by easement. Staff recommends that any revisions to the regulations pertaining to this issue be addressed comprehensively by the Commission later this year along with other changes that staff will propose.

Subdivision (*current definition*): Any land, vacant or improved, which is divided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots, or interests of less than five (5) acres in size for the purpose, whether immediate or future, of offer, sale, lease, or development, either on the installment plan or upon any and all other plans, terms, and conditions, including re-subdivision, provided, however, that the term “subdivision” does not include land partitioned by owners among themselves either in court or by deeds. (The term “subdivision” includes the process of subdivision or division of land, whether by deed, description, map, plat, or other recorded instrument.)

Subdivision (*proposed definition*): The division of a tract or parcel of land or resubdivision of a lot recorded by plat, into two (2) or more lots, sites or other divisions in any of the following manner:

1. a resulting division of less than five (5) acres; or
2. any division equal to or greater than five (5) acres where lot frontage or utility service, including but not limited to electricity, sanitary sewers (public or private) or potable water supply, is provided by way of a shared common easement.

No one was present to speak at the public hearing.

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

Resolution No. 97-596

“BE IT RESOLVED by the Metropolitan Planning Commission that it approves the subdivision definition

as follows:

Subdivision : The division of a tract or parcel of land into two (2) or more lots, sites, or other divisions requiring new street or utility construction, or any division of less than five (5) acres for the purpose, whether immediate or future, of sale or building development, and includes resubdivision and, when appropriate to the context, relates to the process of resubdividing or to the land or area subdivided.

PUBLIC HEARING ON THE DRAFT PLAN FOR SUBAREA 9: 1996 UPDATE.

Located abutting the west margin of Union Hill Road, approximately 1,088 feet north of Clay Lick Road.

Mr. Hall stated this is a public hearing to consider the Subarea 9/Center City Plan, 1997 update. If adopted, it replaces the original Subarea 9/Center City Plan which was adopted on November 7, 1991 and becomes part of the General Plan for Nashville. Subarea 9 includes the area of the inner loop south of Jefferson Street. It serves as the governmental, financial, and support service center for the region as well as a major tourist destination. As such, it plays a significant role in shaping the image of Nashville. Due to the unique character of Subarea 9, the update, like the original plan, is a joint effort between the Metro Planning Commission, the Metropolitan Development and Housing Authority and a consultant team.

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In light of the interest generated by downtown planning and development issues, a 26 member Citizens Advisory Committee was also appointed and consulted throughout the planning process. The final plan is intended to serve the purposes of both agencies. The proposed update contains a land use policy element as well as a final concept plan with specific recommendations aimed at attracting public and private investment.

The original plan has provided a solid framework for implementation of a number of recommendations from 1991. It was a catalyst for the current efforts aimed at revitalizing Hope Gardens and the renewed interest in downtown housing. It also envisioned the rehabilitation of the Ryman Auditorium, the construction of the new arena and the accompanying development south of Broadway. Many of the recommendations contained in the update are concepts carried over from the original plan. A number of public and private plans and development initiatives have been proposed for the subarea since the adoption of the original plan.

A master plan has been prepared for Church Street, a new NFL stadium has been located on the east bank, the Gateway and SoBro plans have looked at the area south of Broadway, the Gulch Group has made recommendations for the Train Shed and the area around Cummins Station, the Rolling Mill Hill Plan has envisioned the redevelopment of the General Hospital site, and a master plan has been prepared for the state owned land between 4th and 8th Avenues. The challenge of the update is to tie together these different initiatives as well as identify future directions for growth and redevelopment which are consistent with the goals of the General Plan.

The General Plan recognizes Subarea 9 and the Central Business District as unique from other subareas and outlines a number of goals and objectives for downtown which are reinforced in the recommendations

of this update. Some of the General Plan policies related to downtown are:

- the maintenance of relatively high intensity
- the need for a strong residential, retail, and entertainment activity component to provide for 24 hour activity.
- a focus on transportation issues such improving mass transit and pedestrian systems
- the avoidance of scattered development patterns and the need to reinforce the core
- the encouragement of the preservation and reuse of historic structures.
- the need to ensure adequate accessibility to and within the CBD.

During the preparation of this update, the planning team conducted four CAC meetings. At the first meeting, the consultant team reviewed the original Subarea 9 Plan, identified issues and developed goal statements for the update, and presented a brief overview of the existing conditions in the subarea. The second meeting was a day long, interactive planning workshop, known as a Charrette. The planning team worked with CAC members to prioritize the goals and objectives which would serve as basis for developing general land use strategies as well as more specific development recommendations.

After the Charrette, the planning team reviewed the consensus issues as well as other items discussed in order to develop preliminary concept plans for the subarea. These findings were presented to CAC members for evaluation at a third meeting. At the fourth and final meeting, the planning team reviewed and prioritized the consensus items and other planning recommendations to be included in the final concept plan. The CAC also reviewed the proposed land use policies for the subarea as they relate to the land use recommendations on the final concept plan.

Before going into the recommendations of this plan, it should be noted that, at present, the

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update contains no recommendation concerning the Franklin Street Corridor. This was a heavily debated issue in the update and there are currently two schools of thought. One recommends a continuous arterial linking I-40 with I-65, while the other recommends terminating the corridor at 8th Avenue with a public open space. In addition, the draft plan is lacking sections dealing with policy statements, development

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incentives, and the implementation strategies which would be used to carry out the recommendations of the final concept plan.

Major Goals

A major goal of the update is to reinforce the current efforts underway in Hope Gardens, on Church Street, and in the Rutledge Hill area to develop Urban Residential neighborhoods. Downtown residents inject life into the city and help support retail, cultural and entertainment facilities. Another goal of this update which goes hand in hand with downtown housing is the improvement of the **retail component** in the subarea. The update recognizes that retail and residential are mutually supportive and need to be actively promoted in order to create the type of activity level characteristic of a successful downtown.

Encouraging a continuous, attractive and interesting street level pedestrian environment that is perceived as both clean and safe is another high priority goal of this plan. A section of the draft plan deals with urban design standards aimed specifically at enhancing the pedestrian environment.

An efficient, convenient, and safe mass transit system will play an integral role in the future success of downtown and, as a major goal, the update recommends the development of a commuter rail system utilizing existing rail lines as well as an expanded trolley service that will connect emerging residential areas with commercial and entertainment destinations.

The update acknowledges the **Cumberland River** as a unique natural resource and amenity and, as a major goal, emphasizes the importance of utilizing both sides of the river as public open space.

Consistent with the original plan, stated as a goal in the General Plan and included as a recommendation in this update is the reinforcement of **the core**. The plan recommends focusing high density development to the central core and encouraging a diversity of medium to low scale uses surrounding the high density core.

A strong consensus item and major recommendation of this plan is the inclusion of **public art** into the urban fabric. 5th Avenue is designated as the "Avenue of the Arts" with recommendations for including additional art pieces and art related facilities and functions along this major north/south street. The Arena, the Ryman Auditorium, the Tennessee Performing Arts Center, and the Municipal Auditorium, the four largest downtown performance venues, are all located along Avenue and form the basis from which future arts related development could occur.

The Land Use Policies generally reflect the future vision for the subarea. As shown on the map, a Commercial Arterial Existing Policy is applied along Jefferson Street, and Commercial Mixed Concentration Policies are applied on the East Bank and in the western portion of the subarea between the railroad Gulch and I-40 and extending on around south to 3rd Avenue. Mixed Use policies are applied to the Rutledge Hill and Bicentennial Mall areas. A Residential Medium policy is applied to Hope Gardens and the CBD policy recognizes the higher density downtown area. I briefly want to describe the visions for these areas and reasons for applying these policies.

Hope Gardens is an established urban residential neighborhood located in the northwest corner of the subarea. It represents an excellent opportunity to continue building on urban housing which is already in place and is supported by services and amenities such as the new Kroger store, the Farmers Market, and

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the Bicentennial Mall The update recommends a continuation of current efforts aimed at preserving and enhancing the residential character and scale of this neighborhood. Development and redevelopment should occur at residential densities between 4 to 9 dwelling units/acre. The Planning Commission has completed a neighborhood plan for the area and MDHA has prepared design guidelines which address architectural, pedestrian, open space, traffic, and safety issues. The area immediately to the south of Hope Gardens near the railroad tracks and Harrison Street is located in the Commercial Mixed Concentration

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area and is characterized by moderate intensity manufacturing. The industrial uses are viable operations that are likely to remain for a long period of time. However, if they should ever leave these sites, the plan recommends continued industrial use should not be promoted and consideration should be given to the adaptive reuse of these structures for higher density residential development.

The area bounded by Jefferson Street, the Cumberland River, James Robertson Parkway, and 8th Avenue has recently been the subject of a master plan effort contracted by the State of Tennessee. The update supports the state's vision of a mixed use area characterized by cultural, historical, and educational uses which will support the planned activities along the mall. In addition, the area's proximity to support services and amenities provides an opportunity for additional urban housing. Both the state plan and the update support extending the proposed greenway west along the French Lick to the Bicentennial Mall and the utilization of existing rail lines for commuter rail service.

Given its proximity to downtown and commanding river views, Rutledge Hill is envisioned as a viable mixed use neighborhood containing office, residential, as well small scale retail and commercial uses along Hermitage Avenue. Supporting this concept are the existing pockets of residential development, the planned redevelopment of the General Hospital site, and the fact that Metro is a landowner in the area and possesses the power to initiate redevelopment activities. The update recognizes the importance of strengthening and building upon the existing residential base in this area through development incentives, urban design, and infrastructure improvements. Improved sidewalks, landscaping, lighting, street furniture as well as easily accessible parks and open spaces are just a few improvements which could encourage additional residential and retail development in the area. As an additional incentive to residential development, the update recommends an expanded trolley route which would connect the emerging neighborhood on Rutledge Hill with the CBD, new Kroger store, the Farmers Market, and Bicentennial Mall. As the General Hospital site is redeveloped, the land along the Cumberland River should be preserved as public open space which ties into the proposed greenway network and is easily accessible to the residents of Rutledge Hill. The draft report also contains a section on suggested urban design guidelines which discusses design features which contribute to a successful urban neighborhood.

The consulting team as well as the plan for SoBro envision this mixed use concept with a residential emphasis extending all the way to Lafayette Street. It is staff's position that it is much more difficult to implement this mixed use concept west of 3rd Avenue. The expectations for residential development are not justified by economic or market forecasts and, absent major public intervention, this vision is simply not realistic. Furthermore, staff feels that this area is characterized by larger businesses with newer structures and is oriented more towards commercial users with less of an emphasis on residential development. The land use policy for the area between 3rd and Lafayette is CMC (Commercial Mixed Concentration) which, although it allows residential development, it does not emphasize residential and related retail and commercial establishments as the predominant land uses. Generally speaking, the area east of 3rd Avenue where there is a higher presence of residential is a better setting in which to pursue the mixed use concept.

The construction of the new stadium and the relocation of industrial uses, will accelerate land use changes on the East **Bank**. The update suggests the establishment of mixed use development around the stadium that will not only benefit from proximity to this facility but will also generate activity in this area beyond game and event days. Uses such as hotels, restaurants, retail, and possibly other public facilities which could negotiate shared parking agreements are encouraged. The concept plan highlights the need to improve the appearance of gateways that serve this area—mainly Shelby Street, Woodland Street, and James Robertson Parkway--- by

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improving landscaping and signage and encouraging a mixture of uses. The update acknowledges that of a number of viable industrial uses exist north of Woodland Street and south of Shelby Avenue. However a long term transition of these areas away from industrial use to a broad range commercial, office, and possibly residential uses is envisioned. As these changes occur, the update recommends establishing the street grid to improve automobile circulation and to encourage urban development. Current greenway plans incorporate the east bank into the greenway system and are

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supported by the update along with desire to maintain the Shelby Street Bridge as a pedestrian, bicycle and trolley link between both sides of the river.

Consistent with the 1991 Plan, the intensification of activities in the **central core** is a major goal and recommendation of the update. This idea is supported in the General Plan which stresses the importance of an intensity and variety of uses including entertainment and retail uses, employment functions, and higher density residential. At present, higher density residential and retail are two uses which lack a strong presence in the core but which are necessary to develop a “24 hour downtown”. The Cumberland, a 290 unit residential project, is currently under construction on Church Street and has the potential to be a catalyst for additional residential and retail development in this area. Similar to the situations in Rutledge Hill and Hope Gardens, the update recommends supporting efforts to develop urban housing that are already underway in order to create a concentration of units and demonstrate a market demand. Opportunities exist within the core to develop loft residential units in the unused upper floors of buildings and is encouraged in the plan. An infusion of residential units in downtown would provide some market support for a declining retail function but other strategies need to be explored in order to make downtown shopping competitive with suburban malls. One fundamental issue that needs to be addressed, for example is how to attract shoppers from neighborhoods close to downtown such as the Vanderbilt/West End area, Sylvan Park, Germantown, and parts of east and north Nashville. Traditional downtown retail was attracted to this market, but with the rise of suburban malls, this group elected to travel greater distances to outlying locations. A set of comprehensive strategies need to be developed to re-attract this segment of the market.

Improving accessibility to and within the Central Business District is one strategy for enhancing the competitive position of the CBD. A goal of the update is to establish a transportation system which balances the needs of pedestrians, automobiles, and bicyclists. The Metropolitan Transit Authority has already taken steps in this direction with the construction of the landport and plans to implement a commuter rail system to bring people from outlying areas into the downtown. The update designates three intermodal stations where people will have an opportunity to transfer from commuter rail to a trolley service which can take them to different activity zones within the subarea. These stations would be located near the Bicentennial Mall, near the Riverfront Park and at the landport. The plan recommends encouraging pedestrian movements in the downtown by avoiding “dead spaces” and promoting active and visually interesting street fronts. Surface parking is one impediment to this concept, but with improvements to public transit and a lessening dependence on the automobile, higher and better uses may replace these lots. To further encourage pedestrian activity, the update suggests identifying possible pedestrian and bicycle corridors linked by a network of public open spaces.

In view of the goal of higher intensity in the CBD, development should be encouraged to occur contiguously from the center rather than leapfrogging to its outer limits. Future development south of Broadway should complement and reinforce activities of the central core. The area between Broadway and Franklin Street is envisioned as an expansion zone for both the entertainment and tourist uses in the district and the office development of the CBD. A park, a hotel, and the Country Music Hall of Fame are all planned for this area. The Entertainment uses around the arena should remain north of the Franklin Street and extend west towards Union Station and Music Row to solidify the connection with new Country Music Hall of Fame.

The recommendations for the Gulch and the area to the west are consistent with the original plan. The update calls for the Gulch to be a linear greenway with parking lots to provide commuter parking for the CBD. Some parking lots have been located there including a large surface lot beneath the Union Station shed. At present, however, there still exists large areas of underutilized land. Efforts should be made to continue and expand on the activity associated with the renovation of the old Cummins station and the success of small entertainment and

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restaurant venues, such as 1 and Porter.

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This planning effort began in January and the CAC and the Planning team have put in a lot of hard work and there is a lot of agreement about the future vision of downtown which is reflected in the draft plan. Everyone agrees that a strengthened and diversified “24 Hour activity center” is the fundamental key to the future success of Downtown Nashville and Subarea 9. The update builds on the successes of the original plan and will serve as an excellent guide to the Planning Commission and to MDHA in the coming years. In addition to reconciling the Franklin Corridor issue, staff suggests additional work be done on the sections of the report dealing with policy statements, development incentives, and implementation strategies. Staff suggests that, after hearing from the public, the Commission take this under consideration.

Mr. John Stern, representing the Nashville Neighborhood Alliance, complained there had not been enough information provided to the public and that the draft report for the public hearing was incomplete. He asked the Commission to keep the public hearing open until a finalized draft could be completed.

Mr. Pat Emery, Stan Scott, Seib Tuck, Bruce Wood and Steve Henry stated the plan had a good start and expressed concerns regarding the Franklin Street Corridor, demolition of the Demonbreun Street viaduct, Music Row and the incinerator.

Mr. Lawson stated he felt the Commission should leave the public hearing open because of all the concerns regarding the initial phase of the plan.

Councilmember Clifton stated he felt that in the past ten years this subarea had become the great success story of Nashville and the public hearing should be kept open.

Mr. Bodenhamer said he felt there were more studies that could be done in some areas, especially as it related to the Franklin Street Corridor.

Mr. Manier stated he felt the staff should address the concerns that have been articulated and come back to the Commission with a significant analysis of the various positions that can be separated or defined. He said he was not negative about the plan and did not see that the problems were insurmountable and there is no great divergence of opinion. The staff should make a conscious effort, for the benefit of the Commission, to address those things that have been highlighted. He stated he did not agree with Mr. Stern’s criticism of the lack of information because you have got to start somewhere. There was a bulk of information here to work with and no one represented the draft as a final document.

Mr. Lawson moved and Ms. Nielson seconded the motion, which carried unanimously, to leave the public hearing open and defer the matter to have staff further study the plan.

APPEAL CASES:

Appeal Case No. 97B-139G
Map 77, Parcel 27
Subarea 6 (1996)
District 23 (Crafton)

A request for a conditional use permit under the provisions of Section 17.24.190 (Extensive Impact) as

Summary

required by Section 17.124.030 to construct a clubhouse and an eighteen (18) hole golf course in the AR2a

District (641.44 acres), on property abutting the west margin of River Road Pike, requested by Shoal

Valley Golf Club, appellant, for River Hills Estates, owner.

Summary

Ms. Regen stated staff had become aware that the original application did not include all the acreage this golf course will be built upon. The original application included approximately 641 acres. The golf course, in fact, includes two other parcels. In total the golf course will be constructed on 1,271 acres. This new information has been shared with Public Works and the Traffic Engineer and the application was re-reviewed by planning staff. Staff finds the proposed use is compatible with the surrounding land uses and satisfies the conditional use criteria. The Commission may wish to advise the Board of Zoning Appeals that in this remote area, the Subarea 6 policy plan for this area is Natural Conservation and any future residential development around this golf course would be of a very low density to comply with the Natural Conservation policy.

Mr. Harbison stated 1,200 acres seem like a lot of acreage for a golf course and asked if there would be residential development accompanying it.

Ms. Regen stated staff was not aware of any residential development plans, but there are a number of steep slopes and it appears the golf course is being planned for on the lower elevations in this area.

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

Resolution No. 97-597

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

Appeal Case No. 97B-139G to the Board of Zoning Appeals:

The site **plan complies with the conditional use criteria. The Commission would inform the Board of Zoning Appeals that considerably more acreage is involved in this petition than is required for a golf course. If future residential development is contemplated on the additional acreage, the petitioner is advised that the Natural Conservation land use policy is not supportive of rezoning this area from AR2a, and will dictate very low density development of at least 2 acres per lot (8-0).’**

ZONE CHANGE PROPOSALS:

Zone Change Proposal No. 97Z-068U
Map 82-9, Parcel 105
Subarea 8 (1995)
District 20 (Haddox)

A request to change from MUL District to IR District certain property abutting the east margin of Fourth Avenue North, approximately 400 feet north of Taylor Street (0.18 acres), requested by Douglas Hunter, appellant, for Betty and R. D. Herbert, III, owners.

Ms. Regen stated this property was located in the mixed use area of the Phillips-Jackson Redevelopment Plan, which was approved by MDHA, and is also within the mixed use area of the Subarea 8 Plan. The staff report incorrectly identified this property as falling within the residential medium policy of the Subarea 8 Plan. The mixed use policy in this subarea is intended to encourage a mix of residential, commercial, recreational, community and office uses. The request before the Commission is for a zone change and not a conditional use permit. The zone change request requires staff and the Planning Commission to consider all uses permitted within the JR zoning district and determine whether they, as a total package, are appropriate for

Summary

this site.

In considering this proposed request, staff reviewed the Subarea 8 Plan, along with previous zone changes done in the surrounding area. In 1989, property owners petitioned the Council to rezone their property

Summary

from JR to MUL, including the former owner of parcel 105. The Council approved the rezoning of 26

parcels in recognition that industrial uses were declining in this area and there was a need for a mix of

uses. Some of those parcels within the Mixed Use policy area are still zoned IP, including those owned by the petitioner of this zone change request. It is anticipated that the zoning on these parcels will be changed to comply with General Plan policies in the future. Additionally, there are ample opportunities for industrial uses north of this site within about an eighth of a mile. Staff believes rezoning this property to JR or OP would sidetrack implementation of the General Plan and redevelopment plan policies and therefore recommends disapproval.

Mr. Herbert, applicant, stated he was trying to eliminate a parking problem and had been working with

MDHA on the fence and landscaping. When this lot was bought he was told he could have parking on it.

It was JR in 1989 and it was rezoned and it looked like Council had done some spot zoning because there are eight lots there now and four of them are IR and four are MUL.

Mr. Harbison stated that if you look at the pattern of MUL and IIR, it is hard to see what big objective there is to protect by identifying the line between those two uses. This would add on to and IR area but it is adding on to an adjacent piece of JR.

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

Resolution No. 97-598

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-068U is APPROVED (8-0):

The IR zoning is consistent with the existing zoning pattern in the immediate area."

Zone Change Proposal No. 97Z-070U
Map 6 1-15, Parcels 56-60
Subarea 5 (1994)
District 8 (Hart)

A request to change from OP District and R8 District to CS District certain property abutting the west margin of Gallatin Pike, approximately 300 feet north of Oak Street (4.16 acres), requested by Richard Jones, appellant, for various owners.

Ms. Regen stated there was CS zoning both to the north and south of this property as well as across the street. These properties fall within the commercial arterial existing policy of the Subarea 5 Plan. As an older community, the subarea plan's primary focus is on preserving and revitalizing existing residential and commercial uses. Towards that goal, the subarea plan has designated various commercial areas for special attention. This property fall within one of those known as the North Gallatin Road Commercial Arterial Existing Area and is shown as mixed use permitting townhomes, walk up apartments and institutional. The boundary of this area extends from the railroad overpass to Briley Parkway, an area that contains both CS and OP zoning.

Unlike other subarea plans, the Subarea 5 Plan provides a conceptual design identifying the preferred kinds of uses. The plan's commercial arterial existing policy strongly encourages revitalizing currently under utilized property along Gallatin Road within the CS zoning district. The subarea plan recognized the need of revitalized strip commercial areas by encouraging new retail and commercial uses within them. In particular, the plan notes clustering such uses at major intersections. Failing to use these areas effectively may fall short of the goals to revitalize the existing commercial areas along Gallatin Road.

Summary

For these reasons staff feels that this area should be retained and is recommending disapproval of the zone change. It is not consistent with the policy goals of the Subarea 5 Plan for Commercial Arterial Existing or the North Gallatin Road Design Plan.

Mr. Richard Jones, applicant, presented the Commission with a letter in favor from Councilmember Lawrence Hart. He also presented a letter in favor from an adjoining property owner, Mr. Jim Stevens. Staff had stated there was an availability of land but there is only one 80 foot lot for sale between the railroad overpass and Briley Parkway. He said Gallatin Road, by nature, is a commercial artery for retail and commerce and asked the Commission for approval.

Councilmember Clifton stated the subarea plan was interesting in that it does have specific language regarding this area. He agreed with Mr. Jones that Gallatin Road was mostly commercial retail but yet there is this subarea plan. The Commission has seen this before where office zoning, when it is not the predominate use in the area, has never worked.

Mr. Manier asked when this subarea plan was done.

Chairman Smith stated it was done in 1994.

Mr. Manier stated that gave him some concern. Perhaps if the Commission is going to change the zoning and the subarea plan, the General Plan should be changed by some internal action. The Subarea 5 Plan gives a pretty concrete narrative of what is visualized for this area. If the Commission comes to the conclusion this area has changed, it should be formally changed and then rezoned.

Ms. Nielson stated there was serious thought given to this area in the Subarea 5 Plan and that the Commission should stick with that plan.

Mr. Harbison stated he disagreed, although he understood the problem about when the Commission is merely interpreting a plan versus amending a plan. This seems to involve how to interpret a plan between OP and CS. You are within a policy and the issue is going to be how much commercial should be encouraged and how much CS would be permitted and there are aspirations which are rather general in nature in how to interpret them. Low density residential, office or institutional would be great if it were possible but that may not be seen. If the Commission doesn't do anything these houses will sit there and continue to deteriorate.

Ms. Warren stated there was CS on both sides and increasing the amount of CS may make the area viable instead of having dilapidated houses and that should not be a problem.

Mr. Bodenhamer stated there was a good case to change this zoning; however, the Commission needs to stick to the plan so the public will continue to participate.

Councilmember Clifton asked if this area of the subarea plan was specifically studied when the plan went into effect in 1994 or was it carried over from a previous plan.

Mr. Fawcett stated this was the original Subarea 5 Plan and was not carried over from any other plan. The basic philosophy was recognition that there was a predominance of commercial and related kinds of developments stripping along arterial streets, particularly in older parts of the city. However, staff also recognized as a General Plan position, that is not a good way to develop the city. Although there is commercial use and commercial zoning along Gallatin Pike, a lot of it is very marginal and very under utilized and as long as the areas are expanded where there is this condition of under utilization it will encourage further under utilization. It is always cheaper to acquire property that is not zoned for commercial use than it is for property that is already zoned. The philosophy here was, commercial arterial existing would try to mold things

Summary

the way the General Plan wants. To reorient the commercial emphasis to major intersections along arterioles and in between those try to encourage lesser intensive uses

Summary

such as residential, office and sometimes institutional uses that are not as incompatible with the flow of traffic as the major commercial uses could be. This is an opportunity here that the Commission could do that. It hasn't created all the massive stretch of commercial zoning and this could start to reverse the trend. If the Commission does not hold the line then the plan will not work. The objective is to reorient commercial uses to major locations at intersections and to encourage the better utilization of the commercial areas already zoned.

Ms. Nielson moved and Mr. Manier seconded the motion to disapprove the rezoning. The motion failed, with Ms. Nielson and Mr. Manier voting in favor, and Mr. Harbison, Ms. Warren, Mr. Lawson, Chairman Smith and Councilmember Clifton in opposition, and Mr. Bodenhamer abstaining.

Mr. Harbison moved and Mr. Lawson seconded the motion to approve the rezoning. The motion failed with Mr. Harbison, Mr. Lawson and Councilmember Clifton voting in favor, Chairman Smith, Mr. Manier and Ms. Nielson opposed, and Ms. Warren and Mr. Bodenhamer abstaining.

Chairman Smith announced the motion failed to pass and perhaps the General Plan should be looked at and a public hearing held.

Councilmember Clifton moved and Mr. Bodenhamer seconded the motion, which carried unanimously, to direct staff to revisit the General Plan in anticipation of moving forward with this proposal.

Zone Change Proposal No. 97Z-072G
Map 114, Parcel 212 and Part of Parcel 213
Subarea 6 (1996)
District 23 (Crafton)

A request to change from R40 District to R10 District certain property abutting the east margin of Interstate 40 and the northern terminus of Sonya Drive (104.5 acres), requested by Anderson-Delk and Associates, Inc., appellant, for Old Hickory Real Estate Partners, owner

Proposal No. 97P-029G
Bellevue Property
Map 114, Parcel 212 and Part of Parcel 213
Subarea 6 (1996)
District 23 (Crafton)

A request to grant preliminary approval for a new Residential Planned Unit Development District abutting the southeast margin of Interstate 40, approximately 1,300 feet northeast of Old Hickory Boulevard (104.5 acres), classified R40 and proposed for RiO, to permit the development of 586 multi-family units, requested by Anderson-Delk and Associates, Inc., for Old Hickory Real Estate Partners, owners.

Mr. Delaney stated the main issues with this proposal are appropriate density, zoning for the site, given the policy, the steep slopes, the soils, drainage and accessibility. This area is predominately zone R15 and includes a multi-family development which was developed at 4.9 dwelling units per acre, a residential PUD single family subdivision at 3.4 dwelling units per acre and an approved residential PUD with 5.85 dwelling units per acre. This proposal is for 586 multi-family units at 5.61 dwelling units per acre, requiring the higher density RiO zoning.

Along with the appropriate zoning for this site, staff has looked at the subarea policy. This

Summary

proposal falls within natural conservation policy in the Subarea 6 Plan and it is the intent of this natural conservation policy to protect and preserve the steep slopes, natural vegetation and drainage systems in this area. There is however, specific language in the Subarea 6 Plan related to this site and states, “In the southeast quadrant of 1-40 and Old Hickory Boulevard flexibility in providing for higher density residential development is acceptable provided that the development plans protect the steep slopes. Clustering of

Summary

residential units in gently sloping areas is recommended. This is suggested here because of the accessibility provided by the arterial street system and Interstate 40. However, conservation of environmental features is considered an overriding factor in approval of any development plan.”

This area is very steeply sloped and the applicant has made efforts to stay off of the steepest portions of the property and in doing so approximately 85% of the site is left as undisturbed open space. The soils in this general area have been identified to be unstable when disturbed at the base of the steep slopes. The applicant’s proposal does get into some of those unstable soils; however, the applicant has stated that a geotechnical study will be performed prior to the final approval to insure that any disturbance in these particular areas will not result in any failure of the soils.

The zoning line is being stuck basically along a ridge line of this property and the R10 zoned property will drain towards the interstate and the other will drain back toward the single family developments along Rodney Drive. The applicant is providing for a detention area to retain and catch any of the drainage that will occur. There is one access point which comes out on Old Hickory Boulevard near the interchange of I-40. Both the Traffic Engineer and TDOT have reviewed the submitted traffic impact study and have recommended improvements and have approved the proposal. Staff recommends approval of the zone change and PUD.

Mr. Manier asked if Sonya Drive was right at the off ramp for the interstate.

Mr. Delaney stated it was approximately 180 feet from the on ramp but with adequate lighting and signage it will be distinguishable. There will be a right turn lane into Sonya Drive off of Old Hickory Boulevard provided by the development.

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

Resolution No. 97-600

“BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-072G is **APPROVED** (8-0):

While this property falls within the Natural Conservation (NC) policy in the Subarea 6 Plan due to the presence of steep topography in the area, the Subarea 6 Plan identifies this immediate area as being appropriate for higher density development, given the proximity of I-40 west and Old Hickory Boulevard, provided that development occurs in a manner which protects steep slopes and clusters development on flatter portions of the project site. The Commission determined that the 1110 district is appropriate in this specific location, if used in conjunction with a Planned Unit Development (see Proposal No. 97P-029G). Higher density residential development accomplished through a R10 base zoning and Residential PUD Overlay is appropriate due to the site’s proximity to the I-40/Old Hickory Boulevard interchange, and the implementation of the NC policy goals through the associated Residential PUD.”

“BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that Proposal No. 97P-029G is given **CONDITIONAL PRELIMINARY APPROVAL (8-0)**. The following conditions apply:

1. Written confirmation of preliminary approval by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. Written confirmation of approval of the proposed improvements to Old Hickory Boulevard by the Tennessee Department of Transportation.

Summary

4. A geotechnical study shall be performed prior to any final approval.
5. In addition to the roadway improvements recommended by the Traffic Impact Study (dated June, 1997) a right turn lane on Old Hickory Boulevard at the entrance to the development shall be provided.”

Zone Change Proposal No. 97Z-073G
Map 163, Parcel 343
Map 174, Parcels 29-33, 67, 68 and 197
Subarea 13 (1997)
District 29 (Holloway)

A request to change from AR2a District and RiO District to CG District certain property abutting the north margin of Interstate 24, the east margin of Old Franklin Road and the south margin of the CSX Railroad (202.33 acres), requested by Hedgson and Douglas, appellant, for American General Realty Investment Corporation, owner.

Proposal No. 88P-058G (*Public Hearing*)
Hickory Downs/Hall
Map 163, Parcel 343
Map 174, Parcels 29-33, 67, 68 and 197
Subarea 13 (1997)
District 29 (Holloway)

A request to cancel the Commercial (General) Planned Unit Development District abutting the north margin of Interstate 24, the east margin of Old Franklin Road and the south margin of the CSX Railroad (202.33 acres), classified AR2a and proposed for CG, requested by Hodgson and Douglas, for American General Realty Investment Corporation, owners.

Ms. Regen stated this property was located in Subarea 13 and due to its geographic location plays a regional economic role. The subarea is bordered by Rutherford, Williamson and Wilson counties and criss-crossed by major transportation corridors and arterials. These factors have a tendency to make the subarea plan’s goals become subject to regional economic and market forces. The property falls within the commercial mixed concentration policy of the Subarea 13 Plan. CMC policy calls for medium high to high density residential uses, retail, highway oriented commercial services, office and other activities with similar locational characteristics.

Currently the existing zoning, AR2a and RiO, which permit very low and medium density residential uses, does not implement the CMC policy. While the property owner is seeking this zone change request, in conjunction with the removal with the existing commercial PUD overlay district, the long term plan for this property has never been to develop this for residential use. The proposed request to rezone this property CG mirrors the long term plan to

3. Written confirmation of approval by the Harpeth Valley Utility District. develop this for non-residential use. Staff is recommending approval of this zone change and cancellation of the existing commercial PUD as the locational characteristics of CG uses are similar of those found in the commercial mixed concentration policy area for retail, commercial and office properties. There is good regional accessibility to major arterials, freeway interchanges and the new planned southeast arterial. The property is also situated to take advantage of its proximity to Interchange City which is a regional center to warehousing, manufacturing and storage.

No one was present to speak at the public hearing.

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

3. Written confirmation of approval by the Harpeth Valley Utility District.

“BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-073G is APPROVED (8-0):

The property falls within the “Commercial Mixed Concentration (CMC)” policy of the Subarea 13 Plan The Commission determined the CG District is appropriate on this property given its immediate proximity to I-24E, a major trunk-line of the CSX railroad, and Interchange City, a regional center of warehousing and distribution.”

“BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that Proposal No. 88P-058G is given **APPROVAL OF PUD CANCELLATION REQUIRING COUNCIL CONCURRENCE (8-**

0). The following condition applies:

Approval by the Metropolitan Council.”

Zone Change Proposal No. 97Z-074G
Map 143, Parcel 20
Subarea 6 (1996)
District 35 (Lineweaver)

A request to change from R40 District to R20 District certain property abutting the north margin of State Highway 100, opposite Old Hickory Boulevard (24.2 acres), requested by Gary Batson, appellant, for Bill Kantz, owner.

Proposal No. 97P-030G
Townhomes of Warner Park
Map 143, Parcel 20
Subarea 6 (1996)
District 35 (Lineweaver)

A request to grant preliminary approval for a new Residential Planned Unit Development District abutting the northwest margin of Highway 100, 400 feet northeast of Old Hickory Boulevard (25 acres), classified R40 and proposed for R20, to permit the development of 95 Townhomes and three single-family lots, requested by Batson and Associates, for Radnor Development Corporation, owners.

Mr. Delaney stated this proposal fell within the natural conservation policy in the Subarea 6 Plan. It is the intent of the natural conservation policy to protect and preserve the steep slopes, natural vegetation and drainage systems. However, the plan states if access can be accomplished without major grading or removal of native vegetation, valleys and accessible ridges may accommodate up to 4 dwelling units per acre. This proposal for a total of 98 units, on twenty-five acres, results in an overall density of 3.92 dwelling units per acre.

Resolution No. 97-601

The intent of this plan is to cluster 95 townhomes down on the flatter portion of the site and to develop three single family lots on the ridges. A public right-of-way will run across the CSX railroad and will be stubbed out to either end of the development to provide access to the adjacent properties. Staff feels this is in keeping with the long range goal of the interconnection of properties, given the access restraints of both the slopes and the crossing of the railroad. Staff is recommending approval of both the zone change and the residential PUD.

Resolution No. 97-601

Ms. Nielson asked if they had plans to do anything with the property between Highway 100 and the railroad.

Mr. Delaney stated they were not and that property was owned by the Parks Department.

Mr. Bodenhamer stated this property had come before the Park Board on at least three occasions. The first occasion they requested a three foot easement, which was granted. Then they came back and wanted 27 more feet and they were referred to the Planning Commission to present their plans or plat, because they had not done anything with it. None of this current proposal the Commission is considering today has been presented to anyone at the Park Board. The Friends of Warner Parks have an interest because of the impact of the townhouses and single family houses on the adjacent park. He said he would like for the Commission to have more consideration of this whereby the Friends of Warner Park could discuss the plan with the developer. There are also concerns from the Fire Department and other emergency equipment agencies as it relates to the railroad. He requested the Commission defer action on the PUD and the zone change proposal until The Friends of Warner Park and the Park Board review the site plans.

Mr. Lawson seconded Mr. Bodenhamer's motion.

Chairman Smith stated this proposal was not on the twenty -eight day cycle and it could be deferred.

Councilmember Clifton stated he was very interested in what The Friends of Warner Park think about this proposal and that he could not approve it if they had concerns. But in light of the fact Council might be considering skipping the November public hearing it may cause a long delay. He said he had rather see this approved or disapproved and ask the Council to re-refer it back to the Commission.

Chairman Smith stated he would agree with that except for the fact that a member of the Commission who also sits on the Park Board has requested deferral because the development never has been presented to the Parks Board.

Mr. Bodenhamer stated it was not this exact proposal because the entrance was at a different location and they have moved the entrance from where they were granted the easement to another location.

Mr. Owens stated the existing driveway into the property crosses the Park property and there had been discussions about widening that driveway as a public street and in doing that it would require additional easement from the Park Board. In lieu of that they have opted to realign this project so their street comes directly Out to Highway 100 at another location thereby avoiding crossing of the Parks property.

Chairman Smith stated that one entrance would be serving all the people living in this whole area and asked how many people would be living there and crossing that railroad track.

Mr. Owens stated it was staff's intention not to have just one crossing. By joining adjacent developments there are also access points at Devon Hills and also at Highway 70 South. In future plans there will be four interconnected streets to serve the entire area.

Mr. Bodenhamer stated he was still concerned with the coordination with The Friends of Warner

Resolution No. 97-601

Park to try to work out the impact and see exactly what is going to happen in that area. If it is possible this should be deferred.

Ms. Warren stated she felt the entrance had been changed to make the development more beneficial to The Friends of Warner Park and deferring this would unduly delay the project.

Mr. Manier stated it looked like the developer had done everything he was supposed to do and it is not the Commission's position to hold him off indefinitely to satisfy any whim that we might have. There is still the next stage of screening for the final approval.

Resolution No. 97-601

Ms. Eleanor Willis, Executive Director of The Friends of Warner Park, stated she had just found out three days ago that this plan had been filed. Councilmember Lineweaver had asked the developer to contact The Friends of Warner Park from the very beginning. Her concerns consisted of increasing density around the park, poor site lines along the highway and the increased amount of traffic. The Friends of Warner Park would like to have some time to judge what the impact on the park would be and would like to sit down with the developer and have them explain the plan.

Mr. Gary Batson, representing the developer, stated he apologized for any lack of communication and the reason they had not gone back to The Friends of Warner Park was because the entrance had been moved. The area will be heavily landscaped and a deferral would be quite a blow to the developer. He said he would be happy to work with The Friends of Warner Park.

Chairman Smith announced there had been a motion for deferral made by Mr. Bodenhamer and seconded by Mr. Lawson. The motion failed with Mr. Bodenhamer, Mr. Lawson and Ms. Nielson voting in favor of the deferral and Mr. Harbison, Ms. Warren, Mr. Manier, Chairman Smith and Councilmember Clifton voting in opposition to the deferral.

Mr. Manier moved and Ms. Warren seconded the motion, to approve the following resolution:

The motion carried with Mr. Harbison, Ms. Warren, Mr. Manier, Chairman Smith and Councilmember Clifton in favor and with Mr. Bodenhamer, Mr. Lawson and Ms. Nielson in opposition

Resolution No. 97-602

“BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-

074G is APPROVED (5-3):

This property falls within the “Natural Conservation (NC)” policy (calling for low intensity residential uses) in the Subarea 6 Plan. The intent of the NC policy is to protect and preserve steep slopes. The Subarea 6 Plan acknowledges that densities up to four (4) dwelling units per acre may be achieved if access to this site can occur without a major disturbance of the steep slopes, and clustering of development occurs on the flatter areas.

The associated Residential PHD is accomplishing all of these NC policy objectives which justify densities closer to four (4) dwelling units per acre. The associated 1120 District falls within the desired density range, and is consistent with the surrounding zoning pattern of this area.”

“BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that Proposal No. 97P-030G is given **CONDITIONAL PRELIMINARY APPROVAL (5-3). 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. Written confirmation of approval from CSX Transportation of the proposed public railroad crossing. The developer shall be responsible for all costs associated with this proposed railroad crossing.
3. Written confirmation of approval by the Harpeth Valley Utility District.

Resolution No. 97-601

4. A geotechnical study shall be performed prior to any final approval.

5. The applicant shall demonstrate adequate site distance at the proposed T-intersection, prior to any final approval.”

Resolution No. 97-601

PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:

Proposal Nos. 84-87-P and 97P-028U (Public Hearing)
Hill Top Village
Map 163, Parcels 344 and 358
Subarea 13 (1997)
District 29 (Holloway)

A request to cancel a portion of the Commercial (General) Planned Unit Development District (84-87-P, The Crossings), and to grant preliminary approval for a Commercial (Neighborhood) Planned Unit Development District abutting the southeast quadrant of Mt. View Road and Old Franklin Road (2.35 acres), classified AR2a and R10, to permit the development of a convenience market and a day care center, requested by MEC, Inc., for Bud Hill, owner.

Mr. Delaney stated the portion of the PUD to be canceled was a remnant piece that was left over as a result of the realignment of the Mt. View Road and Old Franklin Road intersection.

The new Commercial Neighborhood PUD will permit the development of sales and service facility and a day care facility. Although this property falls within residential medium high policy in the Subarea 13 Plan this site is worthy of consideration of convenience scale activity. It is located at the intersection of two collector roads, it is oriented towards an existing office distribution facility, it is on the edge of a developing area of single and multi-family housing and a large land area to the southwest zoned for wide range of commercial activity. Therefore, this site is uniquely situated and staff recommends approval of the cancellation of the remnant portion of the PUD and also of the new Commercial Neighborhood PUD.

No one was present to speak at the public hearing.

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

following resolution:

Resolution No. 97-603

“BE H’ RESOLVED by the Metropolitan Planning Commission that Proposal Nos. 84-87-P; 97P-028U is given **APPROVAL FOR CANCELLATION OF A PORTION OF THE CROSSINGS PUD, 84-87-P, REQUIRING COUNCIL APPROVAL; AND CONDITIONAL APPROVAL OF THE NEW COMMERCIAL PUD 97P-028U (8-0)**. The following conditions apply:

1. Approval by the Metropolitan Council of the cancellation of a portion of The Crossings PUD (Proposal No. 84-87-P).
2. Written confirmation of preliminary approval from the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
3. The recording of a boundary plat.”

Commissioner Lawson left at 4:00, at this point in the agenda.

Proposal No. 130-85-P

Norwalk Furniture (Northside Festival)
Map 26-15, Part of Parcel 4
Subarea 4 (1993)
District 10 (Garrett)

A request for final approval for a portion of the Commercial (General) Planned Unit Development District abutting the southwest corner of Gallatin Pike and Northside Drive (0.55 acres), classified R20, to permit the development of 6,430 square feet of general retail, requested by Littlejohn Engineering Associates, Inc., for Charles L. Jones, owner.

Mr. Delaney stated there were no technical issues involved with this PUD. It would have been typically approved on the consent agenda; however, through no fault of the applicant, Water Services has not completed the sewer capacity study in time.

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

Resolution No. 97-604

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 130-85-P is given **CONDITIONAL FINAL APPROVAL FOR A PORTION** (8-0). 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.
3. Written confirmation of the payment of the necessary sewer capacity charge.”

Proposal No. 88P-039U

Blakemore Associates, Lots 2 and 6
Map 104-8, Parcels 419 and 136
Subarea 10 (1994)
District 18 (Clifton)

A request to revise the approved final plan for a portion of the Commercial (General) Planned Unit Development District abutting the west margin of 19th Avenue South, approximately 70 feet north of Wedgewood Avenue (0.71 acres), classified RM6, to permit the development of an 11,400 square foot office (Lot 2) and the addition of 1,300 square feet of office (Lot 6), Littlejohn Engineering Associates, Inc., Patrick Joseph Music and The Fitzgerald Hartly Company, owners.

Mr. Delaney stated this Commercial (Pill) is located within a Neighborhood Conservation Overlay District and the applicant has met with the Historic Commission staff and has received preliminary approval of the proposed addition as well as the proposed new structure. There is a

Commissioner Lawson left at 4:00, at this point in the agenda.
condition of this final approval that the Historic Commission give approval of this proposal.

Mr. Steve Clifton, with Littlejohn Engineering, gave details of the sizes and uses of the buildings.

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

Commissioner Lawson left at 4:00, at this point in the agenda.

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 90-86-P is given **CONDITIONAL APPROVAL (8-0)**. **The following condition** applies:

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

Proposal No. 97P-021U

Council Bill No. 097-8 13

Amalie Corner

Map 161, Parcel 133 Subarea 12 (1997)

District 30 (Hollis)

A request to grant preliminary approval for a new Commercial (Neighborhood) Planned Unit Development District located at the northeast corner of Old Hickory Boulevard and Amalie Drive (5.1 acres), classified R20, to permit the development of a 12,600 square foot retail building, requested by Dale and Associates, for D & S Development, owners. (Re-referred from Metro Council 7/1/97). (Disapproved by the Planning Commission as contrary to the General Plan 5/15/97).

Mr. Delaney stated this proposal was a re-referral from Council. On May 15th of this year the Commission recommended disapproval of this proposal as contrary to the General Plan because the Commission felt that locating commercial activity at this location was too close to the existing concentration of commercial activity at the Nolensville Pike and Old Hickory Boulevard intersection. The Commission also expressed concern about the potential of strip commercializing Old Hickory Boulevard from Nolensville Pike to this corner. Staff recommends the Commission uphold its previous disapproval as contrary to the General Plan.

Ms. Carol Sole spoke in opposition to the proposal and expressed concerns regarding intrusion and traffic.

Mr. Kevin Estes, petitioner, stated the developer had a very heated meeting with approximately 100 residents in opposition and agreed at that point not to continue with the proposal. He said the developer asked the neighborhood what they would accept on the site and they suggested small offices which would not be so intensive. He asked the Commission if they would consider changing the zoning on this site to OP in the future.

Chairman Smith stated that entire area was zoned residential and the Commission’s position was that it was contrary to the General Plan to put anything there that was contrary to the policy.

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

Resolution No. 97-606

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 97P-021U **LU REAFFIRMS PREVIOUS DISAPPROVAL AS CONTRARY TO THE GENERAL PLAN (6-1)**:

This property falls within ‘Residential Medium’ policy of the Subarea 12 Plan. The Commission upheld the previous determination that the proposed commercial development did not meet the qualifying criteria for unmapped commercial policy and would contribute to strip zoning along the Old Hickory Boulevard Corridor.”

Resolution No. 97-605

Proposal No. 97P-032G

Bent Tree Manor
Map 52-6, Parcel 13
Subarea 4 (1993)
District 8 (Hart)

A request to grant preliminary approval for a new Reduced Site Size Residential Planned Unit Development District abutting the east margin of Idlewild Drive, approximately 370 feet north of Rothwood Avenue (2.68 acres), classified R10, to permit the development of 11 single-family lots, requested by Dale and Associates, for Warren Campbell, owner.

Mr. Delaney stated this proposal was located within residential medium policy in the Subarea 4 Plan, which allows 4 to 9 dwelling units per acre. This proposal for 11 single family lots on 2.68 acres results in an overall density of 4.10 dwelling units per acre. All technical issues have been worked out and staff is recommending approval.

Chairman Smith stated Councilmember Hart had asked the Commission to defer this proposal.

Mr. Delaney stated that currently this is one property with an existing house and they plan to bring in a public street to serve the additional 10 lots.

Mr. Kevin Estes stated the property owner was not very experienced in this business and that he probably never thought about calling Councilmember Hart. He stated he would call the property owner and tell him to give Councilmember Hart a call.

Chairman Smith stated he felt this could be explained to Councilmember Hart.

Councilmember Clifton stated it was not up to the Commission to defer contrary to what the owner wants and if it meets the technical requirements the Commission has to approve it.

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

Resolution No. 97-607

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 97P-032G is given **CONDITIONAL PRELIMINARY 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. Prior to submittal of a final plan, a flood study shall be completed to determine the actual 100 year flood elevation and to establish finished floor elevations for the affected lots.”

Preliminary Plats: **SUBDIVISIONS:**

Resolution No. 97-605

Subdivision No. 97S-276U (Public Hearing)

Summitt Hills Subdivision

Map 91-13, Parcels 121-123 and Part of Parcel 120

Subarea 7(1994)

District 22 (Holt)

A request for preliminary approval for 17 lots abutting the west margin of Newton Avenue, approximately 315 feet north of Twin Street (4.0 acres), classified within the R8 District, requested by Eller and Olson Stone Company, owner, The Resource Foundation, developer, Wamble and Associates, surveyor.

Mr. Stuncard stated Sununit Street is currently an unbuilt road. It will be built through the proposed subdivision terminating at the property boundary with a temporary paved turnaround and easement. This is occurring in a fashion in order to anticipate a future extension of Summit Street through to Stevenson Street and staff is recommending approval.

Mr. Brian Parrott, representing the developer, stated the goal is to develop 17 units at affordable prices to gear toward families with low to medium incomes and asked the Commission for approval.

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

Resolution No. 97-608

“BE IT RESOLVED by the Metropolitan Planning Commission that the Preliminary plan of Subdivision No. 97S-276U, is granted APPROVAL.”

Final Pints:

Subdivision No. 965-428U

Sutherland Heights, Section 5,

Resubdivision of Lot 171

Map 62-11, Parcel 8

Subarea 14 (1996)

District 15 (Dale)

A request to subdivide one lot into two lots abutting the northwest corner of Alvinwood Drive and Western Hills Drive (1.42 acres), classified within the R15 District, requested by D. Sidney and Sandra A. Marcy, owners/developers, E. P. Hall, surveyor. (Deferred from meeting of 7/10/97).

Mr. Stuncard stated staff was recommending conditional approval with a waiver to the radial lot line provision and subject to posting a performance bond for roadway construction. This is a request to resubdivide an existing residential lot along an unimproved street right-of-way. With this application, the property owner is proposing to construct Alvinwood Drive from Western Hills to a point approximately 50 feet across the frontage of lot number 2. This constitutes

Resolution No. 97-605

around 200 feet of new construction at a cost of \$11,000.00.

For newly developing subdivisions, the Subdivision Regulations require a property owner or developer to construct streets to the boundary of the subdivision. If applied to this case, the owner would have to construct Alvinwood Drive along the full frontage of lots number 1 and number 2, which would equate to approximately 400 feet of road construction at a cost of \$22,000.00. Staff recommends the 200 foot road construction proposed by the applicant and suggested the remainder of Alvinwood Drive be constructed by

Resolution No. 97-605

the owner of the lot along the south margin of this street if that property owner resubdivides in a similar fashion.

The non radial lot line is a result of constructing as little of the street as possible. Staff does not take issue with the lot line because of the benefit a newly constructed street in an existing public right-of-way by a private individual would have. In addition, if the lot line was radial, lot number 2 would fail to meet the minimum area requirements in relation to zoning.

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

following resolution:

Resolution No. 97409

“BE IT RESOLVED by the Metropolitan Planning Commission that the Preliminary plan of Subdivision No. 96S-428U, is granted CONDITIONAL APPROVAL with a variance (Subdivision Regulation 2-6.2.2D.(5) and subject to posting a performance bond in the amount of \$11,000.00.”

Subdivision No. 97S-209U

Noble Hills

Map 59-13, Parcels 9, 11,163, 172 and 73

Subarea 3 (1992)

District 2 (Black)

A request to create 18 lots abutting the northwest margin of Hummingbird Drive, 700 feet east of Pheasant Drive (5.72 acres), classified within the RiO District, requested by IAB, Inc., owner/developer, IDE Associates, Inc., surveyor.

Mr. Stuncard stated staff was unable to deliver a recommendation since the Department of Public Works has not reviewed this application within the 28 day cycle. The original construction plan submitted to Public Works were misplaced. Planning Staff was advised by Public Works, at the design review meeting on Monday, July 21st, that the review was proceeding accordingly. Staff was advised today the review was unfinished and no bond amount could be calculated. This is a final plat for which bonds are required; therefore, staff recommends the Commission defer this matter for two weeks to give the Department of Public Works more time to calculate bond amounts.

Mr. Manier moved and Ms. Nielson seconded the motion, which carried unanimously, to defer this matter until all review was final

Subdivision No. 97S-264A

Cloverhill, Section 9, Lot 745

Map 96-14, Parcel 74

Subarea 14 1996)

District 14 (Stanley)

A request to amend the front setback line from 65 feet to 40 feet on a lot abutting the north margin of Twin Lawn Drive, approximately 460 feet west of Allen Road (.28 acres), classified within the RS 10 District, requested by James M. and Karen L. Lee, owners/developers.

Mr. Stuncard stated this application had been withdrawn at the request of the applicant. It has

Resolution No. 97-605

been determined that the revised request is an allowable obstruction as per zoning requirements. Therefore, the setback line does not have to be amended.

Resolution No. 97-605

Subdivision No. 91S-039U
Woodland Hills, Phase Two, Section One
Vista Mortgage and Realty Company, principal

Located abutting the north margin of Paragon Mills Road and the southerly boundary of I-24 South.

Mr. Stuncard recommended disapproval and stated the work should be completed by September 15, 1997 under the current letter of credit. He stated buildout is at 89%.

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

Resolution No. 97-610

“BE H’ RESOLVED by the Metropolitan Planning Commission that it hereby **DISAPPROVES** the request for extension of a performance bond for Subdivision No. 91S-039U, Bond No. 92BD-050, Woodland Hills, Phase Two, Section One and authorizes collection if all work is not complete by 9/15/97.

Subdivision No. 95P-015G
New Hope Pointe, Phase One, Section One
Robert E. Earheart, principal

Located abutting the southwest margin of Cape Hope Pass and New Hope Road.

Mr. Stuncard stated staff was recommending disapproval, and completion of improvements should be required by October 1, 1997 under the current letter of credit. He stated buildout is at 100%.

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

Resolution No. 97-611

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **DISAPPROVES** the request for extension of a performance bond for Subdivision No. 95P-O 15G, Bond No. 96BD-05 1, New Hope Pointe, Phase One, Section One in the amount of \$38,500 and authorizes collection if all work is not complete by 10/1/97.

MANDATORY REFERRALS:

Proposal No. 97M-079U
Gay Street Closure
Map 93-1
Subarea 9 (1991)
District 19 (Sloss)

Request for Bond Extension:

A mandatory referral from the Department of Public Works proposing the closure of Gay Street between Fifth Avenue North and its western terminus, requested by Councilmember Julius Sloss. (Easements are to be retained).

Request for Bond Extension:

Ms. Regen stated staff was recommending disapproval of the request as submitted. Staff is recommending closure of a portion of the street from a point 50 feet west of the eastern property line of the Capital Towers Condominium. The Capital Towers Condominium development has only street frontage on the segment of Gay Street that is being proposed for closure. In order to meet the Subdivision Regulations there must be 50 feet of the condominium's frontage along the existing right-of-way that must be retained. Public Works and the Traffic Engineer have reviewed this proposal and there is no problem with the street being needed for traffic flow purposes. Based on conversations with the Public Property Administrator staff would like to advise the Commission the street right-of-way will revert to the abutting property owners to the center line of the street. All relevant public utility agencies and Metro departments were notified of the proposed closure and no objections were noted provided the public utility and drainage easements are retained.

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

following resolution:

Resolution No. 97412

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

No. 97M-079U.

While the Planning Commission is supportive of the objective of this street closure to provide additional parking opportunities for the Capitol Towers Condominiums (located on Parcel No. 93-1-90), the complete closure of this street, as proposed, would leave the Capitol Towers property without adequate street frontage, a violation of Section 2-4.2A of the Subdivision Regulations. All property must be provided a minimum of 50' of public street frontage. As an alternative to a closure of the entire street, the Planning Commission recommends Approval of a partial closure, commencing at a point 50 feet west of the eastern most property line of the Capitol Towers property (see attached plan). The Commission further notes that questions still remain regarding to whom the former right-of-way would revert if Gay Street is closed given that two other properties currently front portions of this street.”

OTHER BUSINESS:

1. Legislative Update

Mr. Owens and Councilmember Clifton provided an update on the current legislative status of items

previously considered by the Commission.

PLATS PROCESSED ADMINISTRATIVELY:

July 10, 1997 through July 23, 1997

97S-229U JOHN B. COWDEN'S 4th SUBDIVISION

Shifting interior lot line

97S-241G JOE SMITH PROPERTY

Recording one parcel as one lot

97S-265G POPLAR CREEK ESTATES, Phase 3, Section B,

Resub division of Lots 7 and 8

Minor shift of interior lot line between two platted lots

Request for Bond Extension:

- 97S-262U **GIDDISH SUBDIVISION, First Revision**
Reconfigured two platted lots
- 97S-210U **FAIRFIELD NASHVILLE at MUSIC CITY USA, Phase 1, Bldg. 11**
Defines phase boundary of residential condominium
- 97S-248U **OXTON HILL, First Revision**
Reduces the width of an unimproved utility and drainage easement
- 97S-010U **LONE OAK CONDOMINIUM**
Two unit condominium plat
- 97S-249U **G. P. ROSE SUBDIVISION**
One Industrial lot into two lots
- 97S-267G **GRISHAM SUBDIVISION**
One lot into two lots

Chairman Smith stated he had been approached after the Subarea 9 Public Hearing by a member of the planning team and was asked to have lunch with him to hear the other side of the plan. He said he would like to invite him to have lunch with the Commission, Thursday, July 3 1st, and hear the presentation to understand the issues and give suggestions to staff of things the Commission feels are obviously not in the draft.

ADJOURNMENT:

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

Chairman

Minute approval:
This day of August, 1997

Secretary 