

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

Date: December 11, 1997  
Time: 1:00 p.m.  
Place: Howard Auditorium

**Roll Call**

**Present:**

Gilbert N. Smith, Chairman  
Councilmember Tim Garrett  
William Harbison  
James Lawson  
William Manier  
Ann Nielson  
Stephen Smith  
Marilyn Warren

**Absent:**

Mayor Philip Bredesen  
Arnett Bodenhamer

**Others Present:**

**Executive Office:**

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

**Current Planning and Design Division:**

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

**Community Plans Division:**

Jerry Fawcett, Planning Division Manager  
Cynthia Lehmbeck- Planner III  
Robert Eadler, Planner II

**Advance Planning and Research Division:**

John Boyle, Planning Division Manager  
Jackie Blue, Planner I

**Others Present:**

Rachel Allen, Legal Department  
Jim Armstrong, Public Works Department

Chairman Smith Called the meeting to order.

#### **ADOPTION OF AGENDA**

Mr. Owens stated Mandatory Referral No. 97M-140U, a lease agreement needed to be added to the agenda.

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

#### **ANNOUNCEMENT OF DEFERRED ITEMS**

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

74-73-G	Deferred until 01/08/98, by applicant.
117-83-U	Deferred until 01/08/98, by applicant.
18-84-U	Deferred until 01/08/98, by applicant.
97P-030G	Deferred indefinitely, by applicant.
97S-444U	Deferred indefinitely, by applicant.
97S-450A	Deferred indefinitely, by applicant.

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

#### **APPROVAL OF MINUTES**

Mr. Lawson moved and Ms. Nielson seconded the motion, which unanimously passed to approve the minutes of November 26, 1997.

#### **RECOGNITION OF COUNCILMEMBERS**

Councilmember Stewart Clifton spoke in favor of Zone Change Proposal 97Z-115U and urged the Commission to support the Zone Change as well as the Planned Unit Development.

Councilmember Bruce Stanley spoke in opposition to Subdivision No. 97S-454U and asked the Commission to defeat this matter or at least defer it until he could meet with the neighbors and with the developer.

#### **ADOPTION OF CONSENT AGENDA**

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

#### **ZONE CHANGE PROPOSALS:**

**Zone Change Proposal No. 97Z-111U**

Map 135, Parcel 91 (.36 acres)  
Map 135, Parcel 91.1 (.50 acres)  
Map 135, Parcel 129 (.33 acres)  
Map 135, Parcel 130 (.33 acres)  
Subarea 13 (1996)  
District 13 (French)

A request to change from OL to CS District certain properties located at Murfreesboro Pike and 1907 and 1912 Old Murfreesboro Pike, approximately 450 feet north of Smith Springs Road (1.52 acres), requested by Ed Jennings and Roy Haley of H. J. Enterprises, appellant, for Forest E. and Karen Jennings, Ed Jennings, and Roy Haley, owners.

**Resolution No. 97-994**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-111U is **APPROVED (8-0)**:

**The two properties on the south margin of Old Murfreesboro Pike fall within Commercial Mixed Concentration policy, which the CS District will implement. This change from office (OL) to retail and office (CS) zoning along both margins of Old Murfreesboro Pike should not adversely impact the industrial policy on the north side of Old Murfreesboro Pike."**

**PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:**

**Proposal No. 210-73-G**

Deloitte & Touche  
Map 97, Parcel 120  
Subarea 14 (1996)  
District 12 (Ponder)

A request to revise the approved preliminary site development plan and to revise the final plan of the Commercial (General) Planned Unit Development District, abutting the south margin of Interstate 40, approximately 600 feet east of Old Hickory Boulevard (3 acres), to permit the addition of 5,800 square feet of floor area and an additional parking area to the existing office complex, requested by Barge, Waggoner, Sumner and Cannon, for Deloitte and Touche, owner. (Deferred from meeting of 11/26/97).

**Resolution No. 97-995**

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 210-73-G is given **APPROVAL OF REVISION TO PRELIMINARY AND 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. 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&O."

**Proposal No. 1-74-G**

Shop at Home, Inc. (formerly Hickory  
Hollow Mega Market)  
Map 163, Parcel 229  
Subarea 13 (1996)

District 28 (Hall)

A request to revise the approved preliminary master plan of the Commercial (General) Planned Unit Development District abutting the north margin of Hickory Hollow Parkway at Mt. View Parkway (11.59 acres), to permit the addition of a 40,000 square foot, two-story, office, retail and bank facility, requested by Barge, Waggoner, Sumner and Cannon, for Wyatt, Tarrant & Combs, trustee. (Also requesting final plat approval).

**Resolution No. 97-996**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 1-74-G is given **CONDITIONAL PRELIMINARY PUD APPROVAL; FINAL PLAT APPROVED (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. 151-78-U**  
Hillcrest Center  
Map 91-14, Part of Parcel 248  
Subarea 7 (1994)  
District 24 (Johns)

A request to revise the final site development plan of the Commercial (General) Planned Unit Development District, approximately 450 feet east of Lellyett and approximately 220 feet south of Charlotte Pike (8.8 acres), classified R6, to permit a change of use from retail to self-storage, requested by Barge, Cauthen and Associates, for Weiss Realty Group, owners.

**Resolution No. 97-997**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 151-78-U is given **FINAL APPROVAL (8-0)**.”

**Proposal No. 154-79-U**  
Lions Head Village West  
Map 103-14, Parcel 115  
Subarea 7 (1994)  
District 24 (Johns)

A request for final approval for a portion of the Commercial (General) Planned Unit Development District abutting the north margin of White Bridge Road, opposite Brookwood Terrace (12.49 acres), classified R6, to permit the addition of 15,000 square feet to the existing Target Store, requested by Southeastern Engineers, Inc., for Dayton Hudson Corporation, owner.

**Resolution No. 97-998**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 154-79-U 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. 291-84-U**  
Lakeview Ridge Office Park, Phase 3  
Map 95, Part of Parcel 18

Subarea 14 (1996)  
District 15 (Dale)

A request for final approval for Phase 3 of the Commercial (General) Planned Unit Development District located abutting the north margin of Elm Hill Pike, 80 feet west of Henry Drive (8.96 acres), to permit the development of a 150,000 square foot office building, requested by Barge, Waggoner, Sumner and Cannon, for Highwoods Eakin Smith, Inc., owners.

**Resolution No. 97-999**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 291-84-U is given **CONDITIONAL FINAL 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. 291-84-U**  
Lakeview Ridge Office Park, Phase 5  
Map 95, Part of Parcel 18  
Subarea 14 (1996)  
District 15 (Dale)

A request to revise the approved preliminary site development plan for a portion of the Commercial (General) Planned Unit Development District located abutting the north margin of Elm Hill Pike, 80 feet west of Henry Drive (8.96 acres), to permit an additional story to the previously approved three-story hotel, requested by Barge Waggoner, Sumner and Cannon, for Highwoods Properties, Inc., owners.

**Resolution No. 97-1000**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 291-84-U is given **CONDITIONAL APPROVAL OF REVISION TO PRELIMINARY 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. 64-87-P**  
Covington Place  
Map 52-1, Parcels 309, 310, 327, 328 and 329  
Map 52-5, Parcel 182  
Subarea 4 (1993)  
District 8 (Hart)

A request to revise the final site development plan of the Reduced Site Size Residential Planned Unit Development District abutting the east margin of Idlewild and both sides of Rothwood Avenue (3.41 acres), classified R10, to permit the relocating of one single-family lot, requested by Dale and Associates, for Melvin and Jeff George, owners. (Also requesting final plat approval). Deferred from meeting of 11/26/97).

**Resolution No. 97-1001**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 64-87-P is given **CONDITIONAL FINAL APPROVAL; FINAL PLAT APPROVAL SUBJECT TO A BOND IN THE AMOUNT OF \$68,725.00 (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 the final subdivision plat upon the posting of a bond in the amount of \$68,725 for all necessary road improvements as required by the Metropolitan Department of Public Works and all water and sewer line extensions as required by the Metropolitan Department of Water Services.”

**Proposal No. 91P-007G**  
Sunset Oaks, Section 4  
Map 75, Parcel 153  
Map 86, Part of Parcel 294  
Subarea 14 (1996)  
District 12 (Ponder)

A request for final approval for a section of the Residential Planned Unit Development District abutting the north margin of Old Lebanon Dirt Road and the east margin of Tulip Grove Road (6.14 acres), classified R15, to permit the development of 20 single-family lots, requested by C. Michael Moran, RLS, for B & P Developments, Inc., owner. (Also requesting final plat approval).

**Resolution No. 97-1002**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 91P-007G is given **CONDITIONAL FINAL PUD APPROVAL; FINAL PLAT APPROVAL SUBJECT TO A BOND IN THE AMOUNT \$161,000.00 (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 construction, the recording of a final subdivision plat and the posting of any required bonds.”

**Proposal No. 93P-023G**  
Gateway of Hermitage (Suburban Lodge)  
Map 86, Parcel 330  
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 Central Pike and the north margin of Interstate 40 (3.0 acres), classified CH, to permit the development of a 35,065 square foot, 126 room extended stay motel and a 6,000 square foot restaurant, requested by Barge, Cauthen and Associates, Inc., for AFCO, Inc., owner.

**Resolution No. 97-1003**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 93P-023G 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. Prior to construction, the recording of a final subdivision plat and the posting of any required bonds.”

**Proposal No. 94P-012U**  
Fairfield Communities  
Map 62, Part of Parcel 246  
Subarea 14 (1996)  
District 15 (Dale)

A request for final approval for a portion of the Commercial (General) Planned Unit Development District approximately 250 feet east of Pennington Bend Road and approximately 1,975 feet north of McGavock Pike (0.47 acres), classified AR2a, to permit the development of a 6,976 square foot property owners' association building, requested by Littlejohn Engineering Associates, Inc., for Fairfield Communities, Inc., owner.

**Resolution No. 97-1004**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 94P-012U 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. 97P-012G**  
Williams Grove (formerly Williams Farm)  
Map 172, Parcel 22  
Subarea 12 (1997)  
District 32 (Jenkins)

A request for final approval for the Residential Planned Unit Development District abutting the southwest corner of Edmondson Pike and Old Smyrna Road (61.25 acres), classified R40, to permit the development of 122 single-family lots, requested by Anderson-Delk and Associates, Inc., for Radnor Development Corporation, owner.

**Resolution No. 97-1005**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 97P-012G is 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. Prior to construction, the recording of a final subdivision plat and the posting of any required bonds.”

**Proposal No. 97P-015U**  
Watercrest Townhomes  
Map 136, Parcel 80  
Subarea 13 (1996)  
District 29 (Holloway)

A request for final approval for the Residential Planned Unit Development District located abutting the east margin of Old Anderson Road, 990 feet south of Smith Springs Road (14.34 acres), classified R10, to permit the development of an 84 unit multi-family complex, requested by Thomas and Miller for Watercrest Townhomes, owners. (Deferred from meeting of 11/26/97).

**Resolution No. 97-1006**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 97P-015U is 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 boundary and final subdivision plat upon the posting of a bond for roadway improvements to the intersection of Bell Road and Smith Springs Road as required by the Metropolitan Department of Public Works.”

**Proposal No. 97P-044E**  
Dollar General (Sam Levy Homes)  
Map 82-11, Part of Parcel 72  
Subarea 5 (1994)  
District 5 (Harrison)

A request to revise the final site development plan of the Residential Planned Unit Development District located abutting the south margin of Foster Street, opposite North 3rd Street, classified RM8, to permit the development of a 7,980 square foot general retail facility and training center, requested by Metropolitan Development and Housing Agency, appellant/owner.

**Resolution No. 97-1007**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 97P-044E 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.”

**SUBDIVISIONS:**

**Final Plats:**

**Subdivision No. 96S-276G**  
Banbury Crossings, Section 1, Third Revision  
Map 172-9-A, Parcels 2-35  
Subarea 12 (1997)  
District 32 (Jenkins)

A request to add one lot, add landscape and signage, and N.E.S. easements abutting the west margin of Edmondson Pike, opposite Mt. Pisgah Road (20.15 acres), classified within the R40 Residential Planned Unit Development District, requested by Jones Company, owner/developer, Gresham, Smith and Partners, surveyor. (Deferred from meeting of 11/26/97).

**Resolution No. 97-1008**

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 96S-276G is **APPROVED (8-0)**.”

**Subdivision No. 97S-427G**  
Hermitage Hotel Heights  
Map 97, Parcel 112  
Subarea 14 (1996)



District 12 (Ponder)

A request to create four lots abutting the southeast margin of Mills Road, approximately 260 feet west of Old Hickory Boulevard (4.55 acres), classified within the Commercial Planned Unit Development District, requested by Bimel Patel et al, owners/developers, H & H Land Surveying, Inc., surveyor.

**Resolution No. 97-1009**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-427G is **APPROVED SUBJECT TO A BOND OF \$25,000.00 (8-0).”**

**Subdivision No. 97S-456U**  
Cumberland Machine Company  
Map 82-9, Parcels 163 and 165  
Subarea 8 (1995)  
District 20 (Haddox)

A request to consolidate three lots into one lot abutting the northeast corner of Monroe Street and 5th Avenue North (.95 acres), classified within the IR District, requested by Cumberland Machine Company, Inc., owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

**Resolution No. 97-1010**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-456U is **APPROVED (8-0).”**

**Subdivision No. 97S-463A**  
Patterson Gardens, Section 2, Lot 8  
Map 133-6, Parcel 130  
Subarea 11 (1993)  
District 16 (Graves)

A request to abandon a 10 foot utility easement along the east lot line of a lot abutting the north margin of Hewlett Drive, approximately 120 feet east of Sabre Drive (.19 acres), classified within the R10 District, requested by Jane W. Wheeler, owner/developer.

**Resolution No. 97-1011**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-463A is **APPROVED (8-0).”**

**Subdivision No. 97S-464U**  
BMG Music Complex  
Map 104-8, Parcels 250, 251 253 and 287  
Subarea 10 (1994)  
District 18 (Clifton)

A request to consolidate four lots into one lot and reconfigure one lot abutting the southeast corner of Horton Avenue and 18th Avenue South (3.59 acres), classified within the OP District, requested by AB 1, LLC and Oasis Center, Inc., owners/developers, Cherry Land Surveying, surveyor.

**Resolution No. 97-1012**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-464U is **APPROVED SUBJECT TO A BOND OF \$32,500.00 (8-0).”**

**Subdivision No. 97S-469U**  
Hunter’s Run, Section 3  
Map 149-10, Part of Parcels 37 and 210  
Subarea 13 (1996)  
District 28 (Hall)

A request to create 25 lots abutting both margins of Streamfield Pass, approximately 95 feet east of Brass Oak Trace (7.65 acres), classified within the RS10 District, requested by Jerry Butler, owner/developer, MEC, Inc., surveyor.

**Resolution No. 97-1013**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-469U is **APPROVED SUBJECT TO A BOND OF \$147,250.00 (8-0).”**

**Subdivision No. 97S-470U**  
Antioch Woods, Section 1  
Map 163, Parcels 1, 212 and 213  
Subarea 13 (1996)  
District 28 (Hall)

A request to create 13 lots abutting the north margin of Moss Road, approximately 393 feet east of Una-Antioch Pike (2.66 acres), classified within the RS8 District, requested by Scott Butler, owner/developer, MEC, Inc., surveyor.

**Resolution No. 97-1014**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-470U is **APPROVED SUBJECT TO A BOND OF \$141,000.00 (8-0).”**

**Subdivision No. 97S-471G**  
Newport  
Map 98, Parcels 51.4 and 52  
Subarea 14 (1996)  
District 12 (Ponder)

A request to create 29 lots abutting the southeast margin of John Hager Road and the southwest margin of South New Hope Road (9.23 acres), classified within the R15 Residential Planned Unit Development District, requested by Newport, L.L.C., owner/developer, MEC, Inc., surveyor.

**Resolution No. 97-1015**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-471G is **APPROVED SUBJECT TO A BOND OF \$257,000.00 (8-0).”**

**Subdivision No. 97S-472G**  
Hermitage Market Place, Lots 1-3 Revised  
Map 75, Parcels 165-167

Subarea 14 (1996)  
District 12 (Ponder)

A request to reconfigure three lots as four lots abutting the northeast margin of Old Hickory Boulevard, approximately 1,079 feet northwest of Old Lebanon Dirt Road (5.27 acres), classified within the R10 Commercial Planned Unit Development District, requested by First Tennessee Bank National Association, owner/developer, E. Roberts Alley and Associates, Inc., surveyor.

**Resolution No. 97-1016**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-472G is **APPROVED SUBJECT TO A BOND OF \$9,500.00 (8-0).”**

**Subdivision No. 97S-474U**  
Townhomes of Fredericksburg, Phase 2, Section 5  
Map 171, Part of Parcel 89  
Subarea 12 (1997)  
District 32 (Jenkins)

A request to record 38 condominium units abutting the east margin of Fredericksburg Way West, south of Old Hickory Boulevard (5.44 acres), classified within the R20 Residential Planned Unit Development District, requested by Radnor Development Corporation, owner/developer, Anderson-Delk and Associates, Inc., surveyor.

**Resolution No. 97-1017**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-474U is **APPROVED SUBJECT TO A BOND OF \$66,000.00 (8-0).”**

**Subdivision No. 97S-476G**  
Holt Hills, Section 2A and Section 4,  
Resubdivision of Lots 1 and 21  
Map 180, Parcels 106 and 161  
Subarea 12 (1997)  
District 31 (Alexander)

A request to create seven lots abutting the northwest corner of Holt Road and Holt Hills Road (4.71 acres), classified within the R20 District, requested by Richard C. Argo, owner/developer, Anderson-Delk and Associates, Inc., surveyor.

**Resolution No. 97-1018**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-476G is **APPROVED SUBJECT TO A BOND OF \$5,500.00 (8-0).”**

**Subdivision No. 97S-480U**  
Jackson Downs Commercial, Lots 7, 11 and 12  
(First Revision)  
Map 85, Parcels 94, 98 and 99  
Subarea 14 (1996)  
District 14 (Stanley)

A request to reconfigure three lots abutting the southeast margin of Lebanon Pike, approximately 240 feet northeast of Jackson Downs Boulevard (9.68 acres), classified within the CS District, requested by RCM Interests, owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

**Resolution No. 97-1019**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-480U is **APPROVED SUBJECT TO A BOND OF \$18,000.00 (8-0).”**

**Subdivision No. 97S-481U**  
Rivers Edge, Section 3  
Map 85, Part of Parcel 78  
Subarea 14 (1996)  
District 14 (Stanley)

A request to create 25 lots abutting the southeast margin of Jackson Downs Boulevard, approximately 100 feet northwest of Rivers Edge Drive (10.29 acres), classified within the R8 Residential Planned Unit Development District, requested by The Mathews Company, owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

**Resolution No. 97-1020**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-481U is **APPROVED SUBJECT TO A BOND OF \$140,300.00 (8-0).”**

**Request for Bond Extension:**

**Subdivision No. 91P-009G**  
Brook Glen  
Jones Company Custom Homes, principal

Located abutting the northwest corner of Poplar Creek Road and Old Harding Pike.

**Resolution No. 97-1021**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 91P-009G, Bond No. 94BD-097, Brook Glen, in the amount of \$20,000 to 7/1/98 subject to submittal of an amendment to the present Letter of Credit by **1/11/98** which extends its expiration date to 1/2/99. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 47-86-P**  
Briley Parkway Business Center, Section 1  
NWI Warehouse Group, L.P., principal

Located abutting the northeast corner of Brick Church Lane and I-24, approximately 476 feet west of Brick Church Pike.

**Resolution No. 97-1022**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 47-86-P, Bond No. 90BD-004, Briley Parkway Business Center, Section One, in the amount of \$20,350 to 4/15/98 subject to submittal of an amendment to the present Letter of Credit by **1/11/98** which extends its expiration date to 10/15/98. **Failure of**

**principal to provide amended security documents shall be grounds for collection without further notification.”**

**Subdivision No. 47-86-P**

Briley Parkway Business Center, Section 2  
Weeks/NWI Warehouse Group, L.P., principal

Located abutting both margins of Brick Church Lane, between Brick Church Pike and I-24.

**Resolution No. 97-1023**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 47-86-P, Bond No. 96BD-060, Briley Parkway Business Center, Section Two, in the amount of \$28,000 to 4/15/98 subject to submittal of an amendment to the present Letter of Credit by **1/11/98** which extends its expiration date to 10/15/98. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**

**Subdivision No. 94S-295U**

Asheford Crossing, Section 1  
Phillips Builders, Inc., principal

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

**Resolution No. 97-1024**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 94S-295U, Bond No. 94BD-087, Asheford Crossing, Section 1 in the amount of \$50,000 to 4/15/98 subject to submittal of a letter from the Frontier Insurance Company by **1/11/98** agreeing to the extension. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Request for Bond Release:**

**Subdivision No. 206-83-G**

Chelsea Village Addition, Section 4  
Butler Development, LLC, principal

Located abutting both margins of Split Trail, approximately 105 feet south of Oak Forest Drive.

**Resolution No. 97-1025**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 206-83-G, Bond No. 95BD-099, Chelsea Village Addition, Section 4 in the amount of \$17,000."

**Subdivision No. 16-86-P**

Hermitage Market Place (Home Depot)  
Home Depot, U.S.A., Inc., principal

Located abutting the east margin of Old Hickory Boulevard, opposite Juarez Drive.

**Resolution No. 97-1026**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 16-86-P, Bond No. 96BD-041, Hermitage Market Place (Home Depot) in the amount of \$268,700."

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

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

**Resolution No. 97-1027**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 88P-025G, Bond No. 93BD-027, Hickory Chase in the amount of \$40,000."

**Subdivision No. 93P-011G**  
Holt Woods, Section 2  
Hurley-Y, L.P., principal

Located abutting the southern terminus of Call Hill Road.

**Resolution No. 97-1028**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 93P-011G, Bond No. 95BD-069, Holt Woods, Section 2 in the amount of \$18,000."

**Subdivision No. 95P-015G**  
New Hope Point, Phase 1, Section 1  
Robert E. Earheart, principal

Located abutting the west margin of New Hope Road, approximately 1,440 feet south of John Hagar Road.

**Resolution No. 97-1029**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 95P-015G, Bond No. 96BD-051, New Hope Point, Phase 1, Section 1 in the amount of \$43,500."

**MANDATORY REFERRALS:**

**Proposal No. 97M-131U**  
Council Bill No. 097-1008  
Sale of Property on Meharry Boulevard  
Map 81-16, Parcel 430  
Subarea 9 (1991)  
District 20 (Haddox)

A mandatory referral from the Public Property Administrator to authorize the sale of certain property which is zoned RM20 and located on Meharry Boulevard.

**Resolution No. 97-1030**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 97M-131U."

**Proposal No. 97M-132U**  
Burning Bush/Brick Hampton Sewer  
Easement Acquisition  
Map 163, Parcel 341  
Map 174, Parcel 23  
Subarea 12 (1997)  
District 31 (Alexander)

A mandatory referral from the Department of Water Services to acquire easements for the realignment of a segment of the Burning Bush/Brick Hampton Sewer Line. (Project No. 94-SL-135).

**Resolution No. 97-1031**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 97M-132U."

**Proposal No. 97M-134G**  
Council Bill No. O97-1017  
Acquisition of Property on Brick Church Pike  
Map 32, Parcels 52, 76 and 112  
Map 32-13, Parcel 44  
Map 41, Parcel 3  
Subarea 2 (1995)  
District 10 (Garrett)

A mandatory referral from the Department of Public Works to acquire property by negotiation or condemnation for the realignment of Brick Church Pike. (Project No. 88-R-4).

**Resolution No. 97-1032**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 97M-134G."

**ADDENDUM:**

**Proposal No. 97M-140U**  
Council Bill O97-1019  
Lease Agreement

An amendment to a lease agreement between the Metropolitan Government, W.S. Investment Holdings, L.P., and Square Investment Holdings, L.P., for additional office space located in Washington Square in the downtown area for the offices of the District Attorney General.

**Resolution No. 97-1033**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 97M-140U."

**OTHER BUSINESS:**

1. Consider scheduling a public hearing regarding a proposed amendment to the Subarea 2 Plan to change the land use policy from industrial (IND) to commercial mixed concentration (CMC) at the interchange of Briley Parkway/I-65 and Dickerson Pike.

This concluded the items on the consent agenda.

**SUBAREA 1 UPDATED PLAN PUBLIC HEARING:**

Mr. Robert Eadler reported to the Commission on the procedure taken to update the Subarea 1 Plan and outlined the goals and objectives of the plan.

Councilmember Regina Patton stated there had been several meetings with very good participation and everyone was extremely happy to see the growth projections scaled back as reflected in the proposed Subarea 1 update. She thanked Robert Eadler for doing a good job and stated everything was well explained.

Martha Zedlovitz stated she was in support of the growth projection change and also in retaining the rural character in that area as long as possible.

Mr. Steve Henry and Ms. Corine Wright spoke in favor of the update and Ms. Wright expressed concern regarding construction of a race track in the area.

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

**Resolution No. 97-1034**

"WHEREAS, the Metropolitan Planning Commission directed staff to conduct open workshop style meetings to provide the community the opportunity to work with the Commission's staff on the review and updating of the *Subarea 1 Plan* that was adopted on July 16, 1992; and,

WHEREAS, two meetings were held, on August 18 and September 25, 1997, at which community members working in conjunction with the staff of the Metropolitan Planning Commission, did in accordance with county-wide General Plan guidelines, review and update the *Subarea 1 Plan*; and,

WHEREAS, additional efforts were made to obtain public input into the development of this updated plan, including a public hearing before the Metropolitan Planning Commission on December 11, 1997; and,



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

NOW, THEREFORE, BE IT RESOLVED that the Metropolitan Planning Commission hereby **ADOPTS** the *Subarea 1 Plan: 1997 Update* (Subarea Plan) in accordance with sections 11.504 (e), (j), and 18.02 of the charter of the Metropolitan Planning Commission of Nashville and Davidson County as the basis for the Commission's development decisions in that area of the county. The *Subarea 1 Plan: 1997 Update* is also adopted as part of the General Plan.

**APPEAL CASES:**

**Appeal Case No. 97B-255U**  
Map 117-14, Parcel 140.2  
Subarea 10 (1994)  
District 34 (Fentress)

A request for a conditional use permit under the provisions of Section 17.124.120 (Community Assembly) and Section 17.24.030, to establish a master plan for future development for Green Hills YMCA in the RM8 District, on property located at 4041 Hillsboro Circle, approximately 350 feet south of Bandywood Drive (7.85 acres), requested by Nashville YMCA, appellant/owner.

Mr. Reid stated the site plan complies with the conditional use criteria. The expansion involves a building expansion for 30,000 square feet, an additional outdoor pool, and a three story parking deck. There is a six foot high fence along the perimeter of the property and will provide a landscape buffer equal to that which would be required in the new zoning code. The perimeter lighting around the parking will be focused toward the lot so there will not be any glare on the adjacent properties. There is no new land uses or additional land being added.

As this application was reviewed, the only concern staff had was with the parking facilities. The current code requires one space per 75 square feet of building area and staff feels that is excessive since that would require 1,200 parking spaces. The Traffic Engineer supports a parking variance with a ratio of one space for 200 square feet, which is what the existing YMCA is at today. The Traffic Engineer is supporting the variance.

Ms. Warren stated she did not think there was very much pedestrian traffic going to the YMCA and asked if there had been a traffic study done of the present traffic counts turning in and out of the lot.

Mr. Ali Affis, traffic engineer stated members walked from office buildings and the Dillard's parking garage to the YMCA.

Mr. Mark Bachman, executive director of the Green Hills Family Y, stated the current parking demands peaked from 5:00 until 8:00 p.m. and other than that typically there are anywhere from 20 to 35 spaces available throughout the day.

Mr. Harbison stated he felt the Commission should definitely support this proposal because this should be concentrated near the activity center.

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

**Resolution No. 97-1035**

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 97B-255U to the Board of Zoning Appeals:

**The site plan complies with the conditional use criteria; location of this use within an established activity center warrants a variance to the standard parking requirements of the Zoning Regulations (8-0)."**

**Appeal Case No. 97B-256U**

Map 92-4, Parcel 14

Subarea 8 (1995)

District 19 (Sloss)

A request for a conditional use permit under the provisions of Section 17.124.150 (Neighborhood Primary Health Care Clinics), as required by Section 17.116.030, to use an existing residence as a neighborhood primary health care clinic in the RM8 District, on property located at 1018 16th Avenue North, approximately 100 feet south of Meharry Boulevard (0.13 acres), requested by Mike Hampton of the Genesis Development Corporation, appellant for Dr. Sheila R. Peters, owner.

Mr. Reid stated this proposal was a request for a conditional use permit to operate a neighborhood health care clinic within an existing residential structure on 16<sup>th</sup> Avenue North. This is the third time the Commission has considered this site. Last month the Commission reaffirmed its previous disapproval of a zone change to an office district as contrary to the General Plan, noting this area was within residential policy and that office uses should be directed to Jefferson Street. At that time the applicant was wanting to pursue a clinical psychologist use for the property. At the same commission meeting the Commission directed staff to conduct a General Plan analysis to determine if there was any merit for office use in this area.

In the meantime the applicant has pursued a conditional use permit for a health care clinic which the Commission is considering today. This health care clinic is allowed under the current zoning code to go within residential districts as long as certain conditions are met. The applicant is trying to get this use approved before the new code takes effect January 1, 1998, because the new code does not allow neighborhood health care clinics in residential districts.

There are two issues with this conditional use request. One is whether the use qualifies as a neighborhood health clinic according to the definitions in the zoning code. The second issue is whether the site plan complies with the conditional use criteria. Staff believes the site plan complies with the conditional use criteria. The applicant has revised the site plan to show the parking. The applicant also falls short of the parking requirement by ½ of a parking space. The Traffic Engineer has approved the parking plan and feels it is sufficient. The criteria that the proposed use be near another medical use has also been met because Meherry Hospital is located one block away.

While the site plan appears to satisfy the conditional use criteria, staff questions whether nor not this clinic qualifies for the neighborhood health care definition in the zoning code which requires that it be anon-profit operation. At this point there is not indication this is a non-profit operation. Staff would advise the site plan satisfies the conditional use criteria and that the Board of Zoning Appeals look closely at this issue to determine whether or not this is indeed a neighborhood health care clinic.

Chairman Smith asked Mr. Reid if it was his understanding that the primary use of this building is going to change. All the Commission thought this was going to be an adolescent psychological counseling center and were trying to figure out how to get Meherry involved.

Mr. Mike Hampton stated Genesis Development Corporation is a Tennessee chartered 501C3 entity. He stated he had continued to work with the community and have in the last few weeks have leased space in the Loyd C. Elam Community Mental Health Center effective for January 1, 1998. One of the overall driving forces in terms of the expediency of this matter was the fact there is a grant through the United States Department of Juvenile Justice to deal with female offenders. Further support that this is a not for profit organization is that MDHA has committed \$20,000 to redeveloping this property. Time is of the essence and this is an allowable use under the rules and requested the Commission recommend approval.

Mr. Owens stated staff questioned whether or not this project was exclusively a non-profit primary health care facility, which means no mental health and no for profit practice, and today there is an intention to have a little bit of both. This is the primary reason why this is not in the new zoning code. Staff's preference would be not to let this get a foot hold in the last two weeks of the old code in this very critical location.

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

**Resolution No. 97-1036**

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 97B-256U to the Board of Zoning Appeals:

**The site plan complies with the conditional use criteria; the Board is encouraged to carefully evaluate the proposed uses (s) to ensure compliance with the Neighborhood Primary Health Care activity classification (7-1)."**

**ZONE CHANGE PROPOSALS:**

**Zone Change Proposal No. 97Z-110U**

Map 95-4, Parcel 32 (1.08 acres)  
Map 95-4, Parcel 33 (.61 acres)  
Map 95-4, Parcel 34 (1.01 acres)  
Map 95-4, Parcel 35 (.51 acres)  
Map 95-4, Parcel 36 (.55 acres)  
Subarea 14 (1996)  
District 15 (Dale)

A request to change from R20 to CS District certain properties located at 208, 212, 222, 224, and 226 McGavock Pike, on the west margin of McGavock Pike, approximately 200 feet south of Lebanon Pike (3.76 acres), requested by Alex Smith, appellant, for Roy Flowers, HJL L.P., Ladonna and Rayburn Yarborough, Alexander D. Smith, and Will Strasser, owners.

Mr. Reid stated staff was recommending disapproval because these properties clearly fall within a residential area. The commercial policy has been established along Lebanon Pike. This would be expanding commercial too far into the residential area and the properties across the street will be implicated.

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

**Resolution No. 97-1037**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-110U is **DISAPPROVED as contrary to the General Plan:**

**The Subarea 14 Plan recognizes Crossfield Drive as a boundary between Commercial Arterial Existing (CAE) policy around the McGavock/Lebanon Pike intersection and the Residential Low Medium (RLM) policy in which these properties are located. RLM policy permits from 2 to 4 dwelling units per acre. Rezoning these properties to CS would allow commercial development to encroach too far into this established residential neighborhood."**

**Zone Change Proposal No. 97Z-112G**  
Map 172, Parcel 144  
Subarea 12 (1997)  
District 31 (Alexander)

A request to change from AR2a to RS10 District certain property abutting the south margin of Mt. Pisgah Road (38.85 acres), requested by Marvin and Iva Jinnette, appellants/owners.

Mr. Reid stated staff was recommending approval of this zone change to RS10. The entire area is within residential low-medium policy which the RS10 will implement. This development has the potential to generate an additional 30 students to the Granberry Elementary school, which is currently overcrowded.

Mr. Manier stated that every Thursday the Commission adds another portable and they are up to almost 30 portables at Granberry at the present time. The point is that you cannot keep piling the kids into the schools and somewhere a consensus needs to be reached to slow down the development.

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

**Resolution No. 97-1038**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-112G is **APPROVED (8-0):**

**The RS10 district is consistent with the surrounding single-family development pattern and implements RLM policy."**

**Zone Change Proposal No. 97Z-113G**  
Map 143, Parcel 37  
Subarea 6 (1996)  
District 23 (Crafton)

A request to change from RM20 to MUN District certain property located at 6952 Memphis-Bristol Highway, approximately 2,500 feet east of Old Hickory Boulevard (1.78 acres), requested by Roy Dale, appellant for Randy and Diane Knowles, owners.

Mr. Reid stated the staff was recommending disapproval of this request. The Commission has previously determined that this site is not appropriate for retail development. The Commission disapproved a convenience retail PUD in June of 1995 because it was located too close to the commercial node at Old Hickory Boulevard. The Council later re-referred the retail PUD back to the Commission and the Commission again disapproved the PUD in January for the same reasons. Eight months later the applicant applied for a higher residential zoning classification on this property claiming the property could not get the same development yield the larger tracts of land on steep topography could get by clustering. Staff is recommending the Commission continue to disapprove retail on this site and also recommend disapproval of this zone change.

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

**Resolution No. 97-1039**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-113G is **DISAPPROVED (7-0)**:

**This site is not appropriate for retail and commercial uses since it is less than one-half of a mile from the large retail commercial node at Old Hickory Boulevard/Memphis Bristol Highway intersection and not located at a major intersection. The boundary of this retail commercial node has been established at the eastern edge of the Belle Forest Shopping Center."**

Councilmember Garrett was absent during the presentation and vote on Zone Change Proposal 97Z-113G.

**Zone Change Proposal No. 97Z-114U**

Map 60-12, Part of Parcel 57  
Subarea 5 (1994)  
District 4 (Majors)

A request to change from RS10 to CS District a portion of property located at 115 Hart Lane, approximately 100 feet south of Sunset Drive and 450 feet east of Dickerson Pike (0.33 acres), requested by Tom Stephens, Jr., appellant for Ronald E. Petty, owner.

**Proposal No. 88P-010U (Public Hearing)**

Handicrafters PUD  
Map 60-12, Parcel 232  
Subarea 5 (1994)  
District 4 (Majors)

A request to cancel the existing Commercial (General) Planned Unit Development District abutting the south margin of Sunset Drive, approximately 160 feet east of Dickerson Pike (2.08 acres), classified CS, originally approved for an 18,000 square foot limited manufacturing facility, requested by Humbrecht, Langlois and Johnson Company, Inc., applicant/owner.

Mr. Reid stated these requests are to cancel an existing PUD and to rezone a 50 foot sliver of land. The 50 foot sliver is part a larger property that has frontage on Hart Lane. These properties fall on the boundary between commercial arterial existing policy along Dickerson Pike and residential low-medium policy to the east. Within the commercial arterial policy it recognizes the existing commercial developments along Dickerson Pike which form a jigsaw pattern and accommodates minor boundary adjustments as long as the abutting residential areas are not impacted. This rezoning is a minor boundary adjustment to slightly enlarge the commercial site to make it more viable. The Zoning Code will require a minimum 30 foot landscaped area between this site and adjacent residential area. Staff is recommending approval of both the PUD cancellation and the re-zoning to CS with the condition that this sliver of land be consolidated with the parcel prior to third reading at Council.

No one was present to speak at the public hearing.

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

**Resolution No. 97-1040**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-114U is **APPROVED (8-0)**:

**The rezoning of this 50' strip of land to CS is a minor boundary adjustment to the Commercial Arterial Existing (CAE) policy of the Subarea 5 Plan. CAE policy permits minor boundary adjustments to ensure the viability of a site. The resulting commercial depth of this property (350 feet) would not be out of character with other CS zoned properties in the area. Prior to third reading by Council, a final plat shall be recorded consolidating this 50' strip (portion of parcel 57) with parcel 232."**

"BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that Proposal No. 88P-010U is given **APPROVAL (8-0)**."

**Zone Change Proposal No. 97Z-115U**

Map 104-6, Parcel 165 (.20 acres)  
Map 104-6, Parcel 166 (.17 acres)  
Map 104-6, Part of Parcel 168 (.43 acres)  
Subarea 10 (1994)  
District 18 (Clifton)

A request to change from RM40 to ORI District certain properties located at 3308 and 3310 Orleans and 3311 West End Avenue (0.8 acres), requested by Randy Caldwell, appellant for Homestead Village, optionee and National Baptist Publishing Board, owner.

**Proposal No. 97P-041U**

Homestead Village  
Map 104-6, Parcels 164-168  
Subarea 10 (1994)  
District 18 (Clifton)

A request to grant preliminary approval for a new Commercial (General) Planned Unit Development District located between West End Avenue and Orleans Drive (1.68 acres), classified ORI and RM40 and proposed for ORI, to permit the development of a 128 unit hotel, requested by Homestead Village, Inc., for National Baptist Publishing Board, owner.

Mr. Delaney stated the front portion of this property is currently zoned ORI and the applicant is asking to rezone the back half of the property to ORI and place a commercial PUD over it to permit the development of a 128 unit hotel. The proposed rezoning is consistent with the commercial mixed concentration policy along West End Avenue and staff is recommending approval of the zone change. Staff is recommending disapproval of the PUD request. The new code, with the additional performance standards that are within it, would require certain building setbacks, landscape buffers and would restrict the access off of West End Avenue. These protections can be accomplished with just a zone change and the base zoning of ORI. Therefore, staff feels the Commercial PUD as proposed is not necessary and is therefore, recommending disapproval.

Mr. Harbison stated that Councilmember Clifton had made the case there were reasons to go ahead and approve this PUD and that it would comfort the neighborhood.

Mr. Browning explained that staff's position is more of a principle statement than substantive statement in that the whole new code was designed on the basis that everything that could have been accomplished in the PUD can now be accomplished under the base zone.

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

**Resolution No. 97-1041**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-115U is **APPROVED (8-0)**:

**This property falls within Commercial Mixed Concentration (CMC) policy along West End Avenue in the Subarea 10 Plan. The CMC policy calls for a mixture of high-density residential, office, and commercial services. The ORI District is consistent with this policy and the intensity of commercial development along this stretch of West End Avenue. Prior to third reading by Council, a final plat shall be recorded consolidating parcels 164-168."**

"BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that Proposal No. 97P-041U is given **APPROVAL (8-0)**."

**PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:**

**Proposal No. 96P-017G**

Indian Creek Estates  
Map 181, Part of Parcel 100  
Subarea 12 (1997)  
District 31 (Alexander)

A request for final approval for Sections Three and Four of the Residential Planned Unit Development District located abutting the south margin of Old Hickory Boulevard, 500 feet east of Culbertson Road (37.54 acres), classified R20, to permit the development of 103 single-family lots, requested by Barge, Waggoner, Sumner and Cannon, for Eugene Collins, owner. (Also requesting final plat approval). (Deferred from meetings of 11/13/97 and 11/26/97).

Mr. Delaney stated staff was recommending approval of this proposal. This proposal was deferred from the previous two meetings in order for staff, Public Works and the developer to work out issues related to the collector road that runs through the back half of the property. The intention is long term for Old Hickory Boulevard to be extended down through this development and to the future Southeast Arterial. Language in the Subdivision Regulations state, "The developer will not be required to improve or construct any street within a residential area to a continuous pavement width greater than 30 feet except as required by an approved traffic impact study." A local street is 27 feet in width and a collector street is 37 feet in width.

The language in the Subdivision Regulations is intended to reflect that, while this individual development does not generate enough traffic to warrant a collector street, once you start getting quite a few developments out in a particular area, that probably will warrant the development of a collector street. On previous items, Metro has had a budget item or been willing to front end the cost of the collector and be repaid. In this instance Public Works has been hesitant to do that because of concerns of being able to find money to front end the project. The developer of this project has agreed to construct the collector road across this property at his expense and new development could pay back this developer as they are built.

Mr. Browning stated staff is suggesting that due to some constraints put on the Commission by the Subdivision Regulations the most that can be required of the developer is to improve that street to a width of 30 feet. It is the developer that has agreed to build the street at the 37 foot width and is not something staff is recommending that must be done.

Mr. Stephen Smith stated that would simplify the problem of the collector street and the developer should have the right to recover his expense similar to the way water and sewer lines are dealt with.

Ms. Rachel Allen stated the act of one private developer being assessed a development fee to repay another private developer was a matter the department of law should investigate.

Mr. Manier asked if there was a way, in the Subdivision Regulation revision, that this issue could be accommodated.

Ms. Allen stated that could be looked into and there was plans for that.

Chairman Smith stated that it was for future development and two similar situations have been approved in cases where Metro fronted the money.

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

**Resolution No. 97-1042**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 96P-017G is given **CONDITIONAL FINAL PUD APPROVAL; FINAL PLAT APPROVAL SUBJECT TO THE FOLLOWING BONDS IN THE AMOUNT OF \$515,500.00 FOR SECTION 3 AND \$515,000.00 FOR SECTION 4 (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 the final subdivision plat upon the posting of bonds in the amount of \$515,500 (Section 3) and \$515,000 (Section 4) for all necessary road improvements as required by the Metropolitan Department of Public Works and all water and sewer line extensions as required by the Metropolitan Department of Water Services.”

**Proposal No. 97P-011G**

Westchase  
Map 114, Parcels 50.1, 216, 283, 284, 300  
and Part of Parcels 48, 50 and 232  
Subarea 6 (1996)  
District 23 (Crafton)

A request for final approval for the Residential Planned Unit Development District abutting the north margin of Charlotte Pike, approximately 300 feet southwest of Sawyer Brown Road (68.22 acres), classified R20, to permit the development of 130 single-family lots, requested by Anderson-Delk and Associates, for Bellevue L.L.C. #2, owners.

Mr. Delaney stated this final plan is consistent with the approved preliminary master plan but needs a variance for short cul-de-sac grades of approximately 14%. The Subdivision Regulations require local streets such as these to have a maximum grade of 12%. In this instance since they are short cul-de-sacs both staff and Public Works feel a variance to that regulation is justified and are therefore, recommending approval of this proposal with the variance.

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

**Resolution No. 97-1043**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 97P-011G is given **CONDITIONAL FINAL APPROVAL WITH A VARIANCE TO THE MAXIMUM STREET**



**GRADE STANDARDS OF THE SUBDIVISION REGULATIONS (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 boundary plat.
3. Prior to construction the recording of a final subdivision plat and the posting of any required bonds.”

**SUBDIVISIONS:**

**Preliminary Plats:**

**Subdivision No. 97S-454U (Public Hearing)**  
Wellington Square, Resubdivision of Lot 2  
Map 85-11, Parcel 108  
Subarea 14 (1996)  
District 14 (Stanley)

A request to subdivide one lot into eight lots abutting the northwest margin of Lebanon Pike, approximately 1,300 feet southwest of Danyacrest Drive (2.55 acres), classified within the RS10 District, requested by James D. and Polly A. Carter, owners/developers, John D. McCormick, surveyor. (Deferred from meeting of 11/26/97).

Mr. Owens stated this item had been deferred from the last meeting so staff could address the median cut with TDOT. There were also questions regarding the existence of a pond on the properties. There were questions whether or not the plat creates 10,000 square foot lots as required by the zoning in the area.

At this time TDOT has not yet approved a median cut as was stated by Councilmember Stanley at the beginning of the meeting.

Staff has visited the site and there is no pond. There is a low area with a small amount of standing water. This appeared to hold water as a pond at one time, but it has been breached and no longer is a pond.

The public hearing will be continued today and after that the property owner will ask the Commission to defer this matter indefinitely. He is going to go back and rework the plan and try to resolve all issues. If the Commission honors that request, if and when the application does come back in, staff will re-notify all property owners and there will be a new public hearing at that time.

Mr. David Carter, property owner, stated he had been depending upon an engineer to have done some work but it was not done. That engineer has been replaced and he asked the Commission to defer his proposal indefinitely and apologized to the Commission for the confusion.

Ms. Linda Bowers spoke in opposition to the proposal and expressed concerns regarding historic preservation, lot size, an existing pond, drainage, traffic, property values and maintaining an established neighborhood.

Ms. Nielson moved and Mr. Lawson seconded the motion, which carried unanimously, to close the public hearing and to defer this matter indefinitely.

**Final Plats:**

**Subdivision No. 97S-412U**

Calumet, Phase 7  
Map 150, Parcel 98  
Subarea 13 (1996)  
District 29 (Holloway)

A request to create 32 lots abutting the north margin of Hamilton Church Road, approximately 575 feet west of Tea Garden Way (5.99 acres), classified within the RS10 Residential Planned Unit Development District, requested by James T. McLean, Sr., owner/developer, Wamble and Associates, surveyor. (Deferred from meeting of 11/26/97).

Mr. Owens stated that coming into this meeting there was one minor issue which centered around some money that was going to be put into an escrow fund to partially fund a future collector road on the right hand side of this property. Since the meeting started staff has discussed this with the developer and have now reached an accord on that issue. When this PUD was approved, as a condition of the approval, this developer would help defray the cost of a future collector plan that had to run along the side of the property. The ordinance is very specific on how much money would be set up. The developer will post a letter of credit for a 5 year period of time to cover the cost and at the end of that 5 year period the Commission will have to reevaluate and either extend the letter of credit or call the letter of credit and staff is now recommending approval.

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

**Resolution No. 97-1044**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-412U is **APPROVED SUBJECT TO A BOND OF \$256,000 AND A \$62,000 CONTRIBUTION TOWARD CONSTRUCTION OF AN ABUTTING COLLECTOR STREET IN THE FORM OF A FIVE YEAR LETTER OF CREDIT (INITIAL TERM) (8-0).”**

**Subdivision No. 97S-466A**

Lipscomb Heights, Lot 7  
Map 118-13, Parcel 136  
Subarea 10 (1994)  
District 33 (Turner)

A request to abandon a portion of a public utility easement on a lot abutting the east margin of Leland Lane, approximately 690 feet south of Caldwell Lane (.39 acres), classified within the R20 District, requested by C. McCurdy and Gladys T. Lipsey, owners/developers.

Mr. Owens stated the applicant has requested to cut into the 10 foot public utility and drainage easement as much as 7 feet for an addition to the existing house. Public Works has recommended against abandoning any of this easement because of a major drainage system. Therefore, staff is recommending disapproval.

Several commissioners acknowledged the existence of drainage problems in this area, and concern about abandoning any drainage related easements.

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

**Resolution No. 97-1045**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-466A is **DISAPPROVED (8-0).”**

**Request for Bond Collection:**

**Subdivision No. 91P-008G**  
Oakmont Subdivision, Phase 2  
Brent A. Campbell

Located abutting the southeast terminus of Grand Oak Way and both margins of Red Feather Lane.

Mr. Owens stated this is a residential development at 80% build out and paving, topping and sidewalks have not been completed. The developer has a contract to have this work completed and feels he can get the work done within a month. Staff is recommending authorization to collect if work is not complete by January 2, 1998.

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

**Resolution No. 97-1046**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** collection of a performance bond for Subdivision No. 91P-008G, Bond No. 94BD-057, Oakmont Subdivision, Phase 2, in the amount of \$45,000 unless the developer completes final paving and sidewalks by 1/2/98."

**OTHER BUSINESS:**

2. Legislative Update.

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

**PLATS PROCESSED ADMINISTRATIVELY**

November 26, 1997 through December 10, 1997

- |                 |                                                                                                        |
|-----------------|--------------------------------------------------------------------------------------------------------|
| <b>96S-382G</b> | <b>CHASE CREEK, Second Revision</b><br>Revises parcel numbers and map numbers                          |
| <b>97S-414U</b> | <b>ROSEBANK MEADOWS, Phase 2</b><br>Portion of deeded parcel and a reserve parcel into one platted lot |
| <b>97S-431U</b> | <b>FOUR-FORTY CENTER, Section 3</b><br>Subdivide one lot into two lots                                 |
| <b>97S-433G</b> | <b>MOORE-CHAFFIN SUBDIVISION</b><br>Reconfigures two deeded parcels                                    |
| <b>97S-445G</b> | <b>PHIL COOK LOT</b><br>Plats one deeded parcel                                                        |
| <b>97S-455U</b> | <b>AAA INDUSTRIES, INC. SUBDIVISION</b><br>Consolidates two parcels into one platted lot               |

**97S-475G**      **WESTCHASE**  
P.U.D. Boundary Plat

**97S-477G**      **WILLIAMS GROVE**  
P.U.D. Boundary Plat

**ADJOURNMENT:**

There being no further business, upon motion made, seconded and passed, the meeting adjourned at 3:30 p.m.

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Chairman

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Secretary

Minute Approval:  
This 8<sup>th</sup> day of January 1998.