

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

Date: January 22, 1998  
Time: 1:00 p.m.  
Place: Howard Auditorium

**Roll Call**

**Present:**

Gilbert N. Smith, Chairman  
Arnett Bodenhamer  
William Harbison  
James Lawson  
William Manier  
Ann Nielson  
Stephen Smith  
Marilyn Warren

**Absent:**

Mayor Philip Bredesen  
Councilmember Tim Garrett

**Others Present:**

**Executive Office:**

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

**Current Planning & Design:**

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

**Community Plans Division:**

Jerry Fawcett, Planning Division Manager  
Cynthia Lehmbeck, Planner III  
Chris Hall, Planner I

**Advance Planning & Research Division:**

John Boyle, Planning Division Manager  
Maxie Starks, Planning Technician II

**Others Present:**

Rachel Allen, Legal Department  
Jim Armstrong, Public Works Department

Chairman Smith called the meeting to order and announced the items on the agenda pertaining to the Covenant Presbyterian Church proposal and the Burton Hills PUD cancellation would be discussed at 3:00 p.m.

#### **ADOPTION OF AGENDA**

Mr. Owens announced that item 18-84-U, the Covenant Presbyterian Church, had been modified to delete the assisted living dwelling unit and that the item listed 97M-007U should be 98M-007U.

Mr. Lawson moved and Ms. Warren seconded the motion, which unanimously passed, to adopt the agenda with the changes listed above.

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

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

98Z-009G          Deferred two weeks, by applicant.

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

#### **APPROVAL OF MINUTES**

Mr. Lawson moved and Mr. Harbison seconded the motion, which unanimously passed, to approve the minutes of the meeting of December 11, 1997.

#### **RECOGNITION OF COUNCILMEMBERS**

Councilmember David Kleinfelter spoke regarding Zone Change Proposal No. 98Z-016U. He asked the Commission to work with him to develop a master plan for the entire area after which an appropriate rezoning of the land would likely be possible.

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

Item 97Z-004U and Proposal No. 191-69-G were removed from the consent agenda by request of members of the audience.

Mr. Lawson moved and Ms. Nielson seconded the motion, which carried, with Mr. Harbison abstaining on items 39-70-G and 157-81-U and with Mr. Stephen Smith abstaining on all items, to approve the following items on the consent agenda:

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

**Zone Change Proposal No. 98Z-001U**  
Map 61-14, Parcel 8  
Subarea 5 (1994)  
District 4 (Majors)

A request to change from RS15 to CS District certain property located at 707 Hart Lane, on the northeast corner of Hutson Avenue/Hart Lane (.56 acres), requested by Suzanne Knoble, appellant, for David G. and Suzanne E. Knoble, owners.

**Resolution No. 98-01**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-001U is **APPROVED (7-0-1)**:

**The property falls within an area of Commercial Mixed Concentration policy (calling for a mixture of retail, office, and multi-family residential uses) around the State of Tennessee Department of Health and properties fronting onto Hart Lane between Ellington Parkway and Edwards Avenue. The CS District is consistent with this policy."**

**Zone Change Proposal No. 98Z-002U**  
Map 108-1, Parcels 29 (.46 acres) and 30 (.42 acres)  
Subarea 14 (1996)  
District 15 (Dale)

A request to change from R10 to CS District certain properties located at 562 and 566 Claridge Drive, approximately 300 feet south of Shacklett Drive (.88 acres), requested by Herb Ruck, appellant, for Ray and Geneva Shotwell, owners.

**Resolution No. 98-02**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-002U is **APPROVED (7-0-1)**:

**This property falls within an area of Commercial Mixed Concentration (CMC) policy which calls for retail, office, and higher density multi-family uses. The CS District will implement this policy and is a continuation of the emerging zoning pattern as residential uses transition to commercial due to aircraft noise impacts from Nashville International Airport."**

**Zone Change Proposal No. 98Z-003U**  
Map 131-1, Parcel 20  
Subarea 10 (1994)  
District 34 (Fentress)

A request to change from R20 to RS10 District certain property located at 2410 Hobbs Road, approximately 1700 feet west of Hillsboro Circle (2.85 acres), requested by Pete Nebhut, appellant, for Nellie Wise, owner.

**Resolution No. 98-03**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-003U is **APPROVED (7-0-1)**:

**This property falls within an area of Residential Low Medium (RLM) policy which calls for densities up to 4 units per acre. While the predominate zoning pattern is R20, higher densities averaging 3.7 units per acre have been developed on much of the surrounding property through single-family Residential Planned Unit Developments (PUDs) approved under the prior zoning code. The RS10 district will implement RLM policy, and is consistent with the surrounding densities and single-family development."**

**Zone Change Proposal No. 98Z-005U**

Map 149, Parcel 191  
Subarea 13 (1996)  
District 28 (Hall)

A request to change from AR2a to RS10 District certain property located at 2410 Una Antioch Pike, approximately 860 feet north of Richards Road (3 acres), requested by Guy Wright, appellant, for Antioch Methodist Church, owner.

**Resolution No. 98-04**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-005U is **APPROVED (7-0-1)**:

**This property falls within Residential Low Medium (RLM) policy calling for densities up to 4 units per acre. The RS10 District will implement the RLM policy and is consistent with the RS10 development pattern emerging to the southeast."**

**Zone Change Proposal No. 98Z-006G**  
Map 51-5, Parcel 17  
Subarea 2 (1995)  
District 4 (Majors)

A request to change from R10 to RM9 District property located at 705 Old Due West Avenue, abutting the south margin of Due West Avenue (.86 acres), requested by Allison Cavopol, appellant, for Vasile and Alina Cavopol, owners.

**Resolution No. 98-05**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-006G is **APPROVED (7-0-1)**:

**This property falls within an area of Residential Medium (RM) policy calling for densities between 4 and 9 units per acre, which the RM9 district implements."**

**Zone Change Proposal No. 98Z-010G**  
Map 164, Part of Parcel 37 (146.5 acres)  
Subarea 13 (1996)  
District 29 (Holloway)

A request to change from AR2a to RM15 (25 acres), and RS7.5 (121.5 acres) Districts on certain property abutting the south margin of Murfreesboro Pike and the south margin of Mt. View Circle (146.5 acres), requested by Joe McConnell, appellant, for Forrest Partnership, optionee, and William J. Long and Harold D. Mitchell, owners.

**Resolution No. 98-06**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-010G is **APPROVED (7-0-1)**:

**This property straddles Residential Medium High (RMH) and Residential Medium (RM) policy which permit 9 to 20 units per acre and 4 to 9 units per acre, respectively. The RM15 district implements RMH policy and the RS7.5 district implements RM policy."**

**Zone Change Proposal No. 98Z-013G**  
Map 114, Part of Parcel 210 (2.3 acres)

Subarea 6 (1996)  
District 23 (Crafton)

A request to change from R40 to RM6 District certain property at 7295 Sonya Drive (2.3 acres), requested by Mike Anderson, appellant, for Old Hickory Real Estate Partners, optionee, and Mohammed I. Mohammed, owner.

**Resolution No. 98-07**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-013G is **APPROVED (7-0-1)**:

**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 plan identifies this immediate area as being appropriate for higher density development given its proximity to I-40 and Old Hickory Boulevard. The Commission has previously determined that higher density development in this immediate area is appropriate through the approval of a Residential Planned Unit Development (97P-029G). The Commission has approved amending that planned unit development (PUD) to include this property since the PUD concentrates development on the flatter portions of the project site."**

**Zone Change Proposal No. 98Z-014G**  
Map 172, Parcel 60 (5.98 acres)  
Subarea 12 (1997)  
District 31 (Alexander)

A request to change from AR2a to RS15 District certain property at 6171 Mt. Pisgah Road (5.98 acres), requested by Mike Anderson, appellant for Mike Sullivan and Kelly Thomas, optionees, and Archie B. and Minerva Gray, owners.

**Resolution No. 98-08**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-014G is **APPROVED (7-0-1)**:

**This property falls within Residential Low Medium (RLM) policy permitting densities between 2 to 4 units per acre. This area has experienced rapid growth in recent years primarily through the use of Residential Planned Unit Developments with densities ranging from less than 1 unit per acre (to the north), to approximately 3.5 units per acre (to the south along the Holt Road corridor). The RS15 district will implement the mid-range of RLM policy, and is appropriate for the intervening area (serviced by the Mt. Pisgah loop network) between the relatively low densities to the north (zoned R20) and the higher density developments to the south (along the Holt Road collector corridor)."**

**Zone Change Proposal No. 98Z-016U**  
Map 117-10, Parcels 104-108 and 109-113  
Map 117-14, Parcels 11-20 and 22-31  
Subarea 10 (1994)  
District 25 (Kleinfelter)

A request to change from R10 to OR20 Districts certain properties located on the west side of Bedford Avenue between Crestmoor and Abbott Martin (5.56 acres) from R10 to MUL properties located on the east side of Bedford Avenue between Crestmoor and Abbott Martin (4.79 acres) for a total of 11.11 acres, requested by Steve R. Wherry, appellant for various owners.

**Resolution No. 98-09**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-016U is **APPROVED (7-0-1)**:

**This property falls within the Green Hills Regional Activity Center (RAC) policy of the Subarea 10 Plan. The RAC policy's long-term vision has been for this area to transition from residential to office and retail uses. The proposed OR20 and MUL districts are consistent with this policy. The OR20 district is consistent with the subarea plan's suggestion of office transition uses for Bedford Avenue's west side. Likewise, the MUL district is consistent with the plan's intent of extending retail and office uses to Bedford's east side."**

**Zone Change Proposal No. 98Z-017G**

Map 175, Parcels 83 (6.8 acres)  
and 84 (7.06 acres)  
Subarea 13 (1996)  
District 29 (Holloway)

A request to change from AR2a to IR District certain properties at 4131 and 4145 Murfreesboro Pike (13.86 acres), requested by Joe Meeks, appellant, for Virginia Posner and William G. Middleton, owners.

**Resolution No. 98-10**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-017G is **APPROVED (7-0-1)**:

**This property is within an area of industrial (IND) policy calling for manufacturing, bulk storage, and distribution activities. The IR District implements IND policy, and is consistent with the emerging IR zoning pattern in the area."**

**Zone Change Proposal No. 98Z-019G**

Map 126, Parcels 47 (56.93 acres), 48 (94.76 acres),  
67 (62.44 acres), 68 (58.76 acres), 70 (27.54 acres)  
47.1 (3 acres)  
Map 140, Parcel 8.1 (31.51 acres)  
Subarea 6 (1996)  
District 23 (Crafton)

A request to change from AR2a to R80 (102.86 acres) and RS15 District (232.08 acres) certain properties extending from I-40 to Highway 70, and along portions of Newsom Station Road and the CSX Railroad, with the eastern boundary of these properties terminating at the Harpeth River (334.94 acres), requested by Tom Cunningham, appellant, for Adelaide S. and Davis Robb, J. M., Trustees, et al, owners.

**Resolution No. 98-11**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-019G is **APPROVED (7-0-1) with adjusted boundary**:

**The Subarea 6 Plan applies Natural Conservation (NC) policy to this general area in recognition of steep slopes and floodplain. The intent of this policy is to protect steeply sloped and floodplain areas. The R80 district will preserve and protect the steeply sloped portions of this property. In the flatter portions of this immediate area, the RS15 district is consistent with the density of the nearby Boone Trace Residential Planned Unit Development as well as the adopted Newsom Station Road Improvement Study."**

**Zone Change Proposal No. 98Z-021G**

Map 114, Parcels 49 (2.94 acres)

and 232 (3.37 acres)

Subarea 6 (1996)

District 23 (Crafton)

A request to change from R40 to RM4 District certain properties at 7480 Charlotte Pike, opposite Sawyer Brown Road (6.31 acres), requested by 21st Century Partners, appellant, for 21<sup>st</sup> Century Partners and Wilson G. Neese et ux, owners.

**Resolution No. 98-12**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-021G is **APPROVED (7-0-1)**:

**Due to the prevalence of steep topography in the general area, this property falls within Natural Conservation (NC) policy permitting up to 4 units per acre on flatter and more developable portions of property. RM4 zoning permitting multi-family development is appropriate on this property since it lies at a major intersection of an arterial and collector street (Charlotte Pike/Sawyer Brown Road) and is in proximity to the large commercial policy area at the I-40/Old Hickory Boulevard/Charlotte Pike interchange."**

**Zone Change Proposal No. 98Z-022U**

Map 85, Part of Parcel 92 (.07 acres) and

Part of Parcel 100 (1.43 acres)

Subarea 14 (1996)

District 14 (Stanley)

A request to change from R8 to CL District property located at 2213 Jackson Downs Boulevard, approximately 1,400 feet south of Lebanon Pike (1.5 acres), requested by Robert Mathews, Jr., appellant, for Mathews Partners, Inc., owner.

**Resolution No. 98-13**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-022U is **APPROVED (7-0-1)**:

**This sliver of property falls within an area of Commercial Mixed Concentration policy calling for a mixture of retail, office, and multi-family residential uses. Rezoning this property to CL will allow for Jackson Downs Boulevard rather than a sewer line, to be the zoning boundary between R8 and CL."**

**Zone Change Proposal No. 98Z-023U**

Map 72-13, Parcels 386 (.22 acres)

and 387 (.25 acres)

Map 72-14, Parcel 77 (.23 acres)

Subarea 5 (1994)

District 7 (Campbell)

A request to change from OR20 and R6 to CL District certain properties located at 1104, 1106, and 1108 Chester Avenue, approximately 400 feet east of Gallatin Pike (.70 acres), requested by Clarence E. Allen et ux, appellants/owners.

**Resolution No. 98-14**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-023U is **APPROVED (7-0-1)** subject to recording a subdivision plat consolidating property to Gallatin Pike:

**This property falls at the boundary of Commercial Arterial Existing (CAE) policy along Gallatin Pike and Residential Low Medium (RLM) policy to the east in the Subarea 5 Plan. The intent of the commercial policy for Gallatin Pike is to redevelop and consolidate properties for new commercial development. The requirement for replatting of the properties is intended to help ensure that these properties are not used commercially independently of the Gallatin Pike frontage."**

**Zone Change Proposal No. 98Z-024U**

Map 92-12, Parcels 25 (.08 acres), 26 (.75 acres),  
27 (.25 acres), 28 (.52 acres), 99 (1.46 acres),  
107 (.10 acres), 108 (.10 acres), 109 (.10 acres),  
110 (.11 acres), 111 (.05 acres) and 502 (.15 acres)  
Subarea 10 (1994)  
District 21 (McCallister)

A request to change from CS and CF to MUI District certain properties located at 1701, 1705 and 1711 Charlotte Avenue, 1700, 1718 and 1722 Patterson Street, and 317 and 321 17th Avenue North (3.67 acres), requested by Alive Hospice, Inc., appellant, for Alive Hospice, Inc., and The Russell A. Stansell Family Limited Partnership, Taylor Impression Partners, and Alive Hospice, Inc., owners.

**Resolution No. 98-15**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-024U is **APPROVED (7-0-1)**:

**MUI zoning implements the Mixed Use (MU) policy of the Subarea 10 Plan, which calls for a mixture of retail, office, residential and commercial uses that serve the needs of area workers and residents."**

**PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:**

**Proposal Nos. 39-70-G and 157-81-U**

Opryland Theme Park/Hotel  
Map 62, Parcel 245  
Map 73, Parcels 17 and 32  
Subarea 14 (1996)  
District 15 (Dale)

A request to cancel the existing Commercial Planned Unit Developments (39-70-G - Opryland Theme Park and 157-81-U - Opryland Hotel) abutting the west margin of Briley Parkway and the south margin of McGavock Pike (410 acres), classified CA, requested by Barge, Waggoner, Sumner and Cannon, for Opryland U.S.A. and Gaylord Entertainment, owners.

**Resolution No. 98-16**

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 39-70-G and 157-81-U is given **APPROVAL OF PUD CANCELLATION (6-0-2)**. The following condition applies:



Concurrence of cancellation by the Metropolitan Council.”

**Proposal No. 21-66-G**

Parmart Retail Center  
Map 164, Parcel 187  
Subarea 13 (1996)  
District 29 (Holloway)

A request to revise the approved preliminary master plan and for final approval for a portion of the Commercial (General) Planned Unit Development District located at the southwest quadrant of Murfreesboro Pike and Hobson Pike (2.6 acres), classified CS, to permit the development of a 24,000 square foot general retail facility (preliminary) and a 3,000 square foot convenience store and gas station (final), requested by Wamble and Associates, PLLC, for Parman Oil Company, owner.

**Resolution No. 98-17**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 21-66-G is given **APPROVAL OF REVISION TO PRELIMINARY AND CONDITIONAL FINAL APPROVAL FOR A PHASE (7-0-1)**. 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 bonding of off site sewer extension and the paving of a left turn lane on Hobson Pike.”

**Proposal No. 209-73-G**

Baptist Centra Care  
Map 34-6, Parcel 41  
Subarea 4 (1993)  
District 10 (Garrett)

A request to revise the final site development plan for a portion of the Commercial (General) Planned Unit Development District abutting the west margin of Gallatin Pike, approximately 350 feet north of Alta Loma Road (0.67 acres), classified SCR, to permit the addition of 840 square feet to an existing health care facility, requested by Dale and Associates, for Baptist Centra Care, owner.

**Resolution No. 98-18**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 209-73-G is given **CONDITIONAL APPROVAL OF REVISION TO FINAL (7-0-1)**. 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. 117-83-U**

Music City Outlet Center  
Map 62, Part of Parcel 34  
Subarea 14 (1996)  
District 15 (Dale)

A request to revise the approved preliminary master plan and for final approval for a phase of the Commercial (General) Planned Unit Development District abutting the north margin of McGavock Pike and the east margin of Outlet Center Drive (private) (1.05 acres), classified R15, to permit the development of a 4,400 square foot convenience market, gas station and food service facility, requested by James E. Stevens, for Music Valley Partners, LP, owners. (Deferred from meeting of 12/11/97).

**Resolution No. 98-19**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 117-83-U is given **APPROVAL OF REVISION TO PRELIMINARY AND CONDITIONAL FINAL APPROVAL FOR A PHASE (7-0-1)**. 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. 199-83-U**  
Cobblestone Corner (formerly Poplar Glen)  
Map 61, Parcel 75  
Subarea 5 (1994)  
District 4 (Majors)

A request to revise a portion of the approved preliminary master plan of the Residential Planned Unit Development District abutting the east margin of Ellington Parkway and the north margin of Ben Allen Road (18.3 acres), classified RM9, to permit the development of a 210 unit apartment complex, requested by Ragan-Smith Associates, Inc., for The Heritage Companies, owner.

**Resolution No. 98-20**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 199-83-U is given **CONDITIONAL PRELIMINARY APPROVAL (7-0-1)**. 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. 83-85-P**  
Ransom Place, Lot 4  
Map 135-14-B, Parcel 92  
Subarea 13 (1996)  
District 27 (Sontany)

A request to revise a portion of the approved preliminary master plan of the Commercial (General) Planned Unit Development District abutting the southwest quadrant of Murfreesboro Pike and Ransom Place (1.53 acres), classified SCC, to permit the development of a 3,730 square foot car wash and a 1,280 square foot automotive detail building to replace an approved 21,600 square foot office building, requested by Donald E. Collins, P.E., for Ransom Place Homes, Inc., owners.

**Resolution No. 98-21**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 83-85-P is given **CONDITIONAL APPROVAL OF A REVISION TO PRELIMINARY FOR A PHASE (7-0-1)**. The following conditions apply:

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

**Proposal No. 16-86-P**  
Hermitage Market Place (Steak ‘n Shake)  
Map 75, Parcel 176

Subarea 14 (1996)  
District 12 (Ponder)

A request for final approval for a portion of the Commercial (General) Planned Unit Development located abutting the east margin of Old Hickory Boulevard, opposite Juarez Drive (0.80 acres), to permit the development of a 3,670 square foot restaurant, requested by CEI Engineering, for First Tennessee Bank National Association, owner.

**Resolution No. 98-22**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 16-86-P is given **CONDITIONAL FINAL APPROVAL FOR A PHASE (7-0-1)**. 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. Completion of the relocated driveway to the north property line prior to the issuing of a final U&O Permit.”

**Proposal No. 57-87-P**  
Brentwood East Commercial Development  
Map 161, Parcel 259  
Subarea 12 (1997)  
District 32 (Jenkins)

A request to revise the approved preliminary master plan of the Commercial (General) Planned Unit Development District abutting the south margin of Old Hickory Boulevard and the west margin of Edmondson Pike (9.93 acres), classified SCC, to permit the development of a 55,000 square foot grocery and 19,175 square feet retail, bank, restaurant, and convenience market, requested by Littlejohn Engineering Associates, Inc., Newton Oldacre McDonald, owners.

**Resolution No. 98-23**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 57-87-P is given **CONDITIONAL APPROVAL OF REVISION TO PRELIMINARY (7-0-1)**. 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. Any request for final approval will provide for a larger drainage easement through the site as requested by the Metropolitan Department of Public Works and agreed to in a letter from Mr. Jeffrey Heinze of Littlejohn Engineering Associates, dated January 20, 1998.”

**Proposal No. 84-87-P**  
Christian Network International  
Map 163, Parcels 147, 150, 190 and 323  
Subarea 13 (1996)  
District 28 (Hall)

A request for final grading approval for a portion of the Commercial (General) Planned Unit Development District abutting the north margin of Old Franklin Road and the south margin of Mt. View Road (12.48 acres), classified R10, to permit grading for the future development of 50,000 square feet of office/storage, requested by Littlejohn Engineering Associates, Inc., for CN Distribution Services, owner.

**Resolution No. 98-24**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 84-87-P is given **CONDITIONAL FINAL APPROVAL FOR GRADING ONLY (7-0-1)**. The following condition applies:

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

**Proposal No. 93P-023G**

Gateway of Hermitage (Suburban Lodge)

Map 86, Parcel 330

Subarea 14 (1996)

District 12 (Ponder)

A request to revise the 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 69,000 square foot, 125 room extended stay motel and a 6,000 square foot restaurant, requested by Barge, Cauthen and Associates, Inc., for AFCO, Inc., owner.

**Resolution No. 98-25**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 93P-023G is given **CONDITIONAL FINAL APPROVAL FOR A PHASE (7-0-1)**. 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-029G**

Bellevue Property

Map 114, Part of Parcel 210

Subarea 6 (1996)

District 23 (Crafton)

A request to amend the Residential Planned Unit Development District abutting the southeast margin of Interstate 40, approximately 1,300 feet northeast of Old Hickory Boulevard (2.3 acres), classified R40 and proposed for RM6, to permit the addition of 2.3 acres and the development of 30 multi-family units, requested by Anderson-Delk and Associates, Inc., for Old Hickory Real Estate Partners, owners.

**Resolution No. 98-26**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 97P-029G is given **CONDITIONAL PRELIMINARY APPROVAL AS AN AMENDMENT REQUIRING COUNCIL CONCURRENCE (7-0-1)**.

**Proposal No. 97P-040U**

Mulholland

Map 160, Parcels 99 and 191

Map 161, Parcel 41

Subarea 12 (1997)

District 32 (Jenkins)

A request to revise the approved preliminary site development plan of the Residential Planned Unit Development District abutting the north margin of Old Hickory Boulevard and the southwest margin of Hill Road (56.71 acres), classified R20, to permit the development of 139 single-family lots and 88 townhomes, requested by LDI Design, LLC, for Charles G. Cornelius, owner.

**Resolution No. 98-27**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 97P-040U is given **CONDITIONAL APPROVAL OF REVISION TO PRELIMINARY (7-0-1)**. The following conditions apply:

1. Written confirmation of preliminary approval from the Stormwater management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. The recording of a boundary plat.”

**SUBDIVISIONS:**

**Final Plats:**

**Subdivision No. 96S-230G**

Beauna Hill  
Map 53, Parcel 34  
Subarea 4 (1993)  
District 9 (Dillard)

A request for final plat approval to create seven lots abutting the north margin of Apache Lane, approximately 170 feet east of Cheyenne Boulevard (2.8 acres), classified within the RS15 District, requested by Glen E. Tidwell, owner/developer, E. P. Hall, surveyor.

**Resolution No. 98-28**

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 96S-230G is **APPROVED SUBJECT TO A BOND OF \$31,750.00 (7-0-1)**.”

**Subdivision No. 96S-316G**

Forest Park at Madison, Section 2  
Map 43-13, Parcels 378 and 379  
Subarea 4 (1993)  
District 9 (Dillard)

A request for final plat approval to create 11 lots abutting the south margin of Elm Street, opposite Fourth Avenue (2.98 acres), classified within the RS5 District, requested by Rhoten Realty Company, owner/developer, Land Surveying, Inc., surveyor.

**Resolution No. 98-29**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 96S-316G is **APPROVED SUBJECT TO A BOND OF \$48,500.00 (7-0-1).”**

**Subdivision No. 97S-080U**  
Hamilton Crossings Business Park, Section 2  
Map 149, Parcels 176, 197 and 313  
Subarea 13 (1996)  
District 28 (Hall)

A request for final plat approval to create eight lots abutting the northwest corner of Hamilton Church Road and Murfreesboro Pike (36.0 acres), classified within the IWD District, requested by C.R.T. Hamilton Corporation, owner/developer, Walter Davidson and Associates, surveyor.

**Resolution No. 98-30**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-080U is **APPROVED SUBJECT TO A BOND OF \$422,000.00 (7-0-1).”**

**Subdivision No. 97S-213U**  
Kelly Glen Subdivision  
Map 160, Parcel 152  
Subarea 12 (1997)  
District 32 (Jenkins)

A request for final plat approval to create four lots abutting the northeast corner of Kelly Road and Franklin Pike Circle (1.9 acres), classified within the R20 District, requested by John G. and Nancy P. Brittle, owners/developers, Jesse Walker Engineering, surveyor.

**Resolution No. 98-31**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-213U is **APPROVED SUBJECT TO A BOND OF \$34,000.00 (7-0-1).”**

**Subdivision No. 97S-235U**  
Samuel Johnson, Resubdivision of Lots 17, 18, 36,  
and Part of Lots 15, 16, 34 and 35  
Map 92-3, Parcels 175-180 and 400  
Map 92-7, Parcels 19 and 389  
Subarea 8 (1995)  
District 19 (Sloss)

A request for final plat approval to consolidate portions of eight lots into one lot abutting the west margin of 21st Avenue North, between Albion Street and Hermosa Street (1.42 acres), classified within the RM20 District, requested by Dialysis Clinic, Inc., owner/developer, Gresham, Smith and Partners, surveyor.

**Resolution No. 98-32**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-235U is **APPROVED (7-0-1).”**

**Subdivision No. 97S-237G**

Banbury Crossing, Section 2  
Map 172, Parcels 106-108, 221, 223 and  
Part of Parcels 109-111  
Subarea 12 (1997)  
District 32 (Jenkins)

A request for final plat approval to create 58 lots abutting the north margin of Old Smyrna Road and the west margin of Edmondson Pike (30.5 acres), classified within the R40 Residential Planned Unit Development District, requested by Jones Company, owner/developer, Gresham, Smith and Partners, surveyor.

**Resolution No. 98-33**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-237G is **APPROVED SUBJECT TO A BOND OF \$893,000.00 (7-0-1).”**

**Subdivision No. 97S-467G**  
L. J. Mayes Property  
Map 33, Parcel 149  
Subarea 2 (1995)  
District 10 (Garrett)

A request for final plat approval to subdivide one parcel into two lots abutting the south margin of Lowes Lane, approximately 2,495 feet west of Old Dickerson Pike (7.84 acres), classified within the R20 District, requested by L. J. and Jewell L. Mayes, owners/developers, L. Steven Bridges, Jr., surveyor.

**Resolution No. 98-34**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-467G is **APPROVED (7-0-1).”**

**Subdivision No. 97S-473U**  
Century Crossroads  
Map 107, Parcel 9  
Subarea 14 (1996)  
District 15 (Dale)

A request for final plat approval to subdivide one parcel into two lots abutting the northwest corner of Marriott Boulevard and McGavock Pike (1.81 acres), classified within the ORI District, requested by Metropolitan Government, owner/developer, Dale and Associates, Inc., surveyor.

**Resolution No. 98-35**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-473U is **APPROVED (7-0-1).”**

**Subdivision No. 98S-006U**  
Northside Station  
Map 69, Parcel 37  
Map 69-4, Parcels 226 and 232  
Subarea 3 (1992)

District 2 (Black)

A request for final plat approval to consolidate three deeded parcels into two lots abutting the east margin of Clarksville Pike and the north margin of West Hamilton Avenue (22.16 acres), classified within the SCN, CL, RS7.5 Commercial Planned Unit Development District, requested by Kroger Limited Partnership, owner/developer, Crawford Land Surveyors, surveyor.

**Resolution No. 98-36**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-006U is **APPROVED SUBJECT TO A BOND OF \$7,000.00 (7-0-1).”**

**Subdivision No. 98S-015U**

Royal Park Business Park, Resubdivision of Lot 4  
Map 107, Parcels 12.1, 143 and 144  
Subarea 14 (1996)  
District 15 (Dale)

A request for final plat approval to consolidate three parcels into one lot abutting the southeast corner of Shacklett Drive and Rachel Drive (13.51 acres), classified within the OR20 and IWD Districts, requested by Royal Park Investments, L.P., owner/developer, Ragan-Smith Associates, Inc., surveyor.

**Resolution No. 98-37**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-015U is **APPROVED (7-0-1).”**

**Subdivision No. 98S-018G**

Wise Industries  
Map 44, Parcel 40  
Subarea 14 (1996)  
District 11 (Wooden)

A request for final plat approval to subdivide one parcel into two lots abutting the southeast margin of Old Hickory Boulevard, approximately 1,060 feet northwest of Robinson Road (10.0 acres), classified within the IWD District, requested by JTRR Properties, owner/developer, Dale and Associates, Inc., surveyor.

**Resolution No. 98-38**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-018G is **APPROVED (7-0-1).”**

**Subdivision No. 98S-019G**

Jackson’s Grove, Phase 1  
Map 86, Part of Parcel 108  
Subarea 14 (1996)  
District 12 (Ponder)

A request for final plat approval to create 13 lots abutting the southeast corner of Old Lebanon Dirt Road and Tulip Grove Road (3.24 acres), classified within the R15 Residential Planned Unit Development District, requested by Consolidated Realty Services, Inc., owner/developer, Dale and Associates, Inc., surveyor.

**Resolution No. 98-39**



**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-019G is **APPROVED SUBJECT TO A BOND OF \$182,500.00 (7-0-1).”**

**Subdivision No. 98S-022U**

Townhomes of Fredericksburg, Phase 2, Section 4  
Map 171, Part of Parcel 89  
Subarea 12 (1997)  
District 32 (Jenkins)

A request for final plat approval to record 20 condominium units abutting the south margin of Old Hickory Boulevard, approximately 325 feet east and opposite of Hearthstone Lane (4.42 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. 98-40**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-022U is **APPROVED SUBJECT TO A BOND OF \$80,500.00 (7-0-1).”**

**Subdivision No. 98S-023G**

Williams Grove, Section 1  
Map 172, Part of Parcel 22  
Subarea 12 (1997)  
District 32 (Jenkins)

A request for final plat approval to create 53 lots abutting the southwest corner of Old Smyrna Road and Edmondson Pike (29.2 acres), classified within the R40 Residential Planned Unit Development District, requested by Radnor Development Corporation, owner/developer, Anderson-Delk and Associates, Inc., surveyor.

**Resolution No. 98-41**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-023G is **APPROVED SUBJECT TO A BOND OF \$861,500.00 (7-0-1).”**

**Subdivision No. 98S-031U**

Faye Jenkins Subdivision  
Map 91-11, Parcel 191  
Subarea 7 (1994)  
District 21 (McCallister)

A request for final plat approval to subdivide one lot into two lots abutting the north margin of Georgia Avenue, approximately 370 feet west of 52nd Avenue North (.38 acres), classified within the R6 District, requested by Faye Jenkins, owner/developer, Daniels and Associates, Inc., surveyor.

**Resolution No. 98-42**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-031U is **APPROVED SUBJECT TO A BOND OF \$1,000.00 (7-0-1).”**

**Subdivision No. 98S-034G**

Banbury Crossing, Section 3  
Map 172, Parcels 106-108, 221, 223 and Part of 109-111

Subarea 12 (1997)  
District 32 (Jenkins)

A request for final plat approval to create 36 lots abutting the both margins of Banbury Crossing, approximately 80 feet northwest of Banbury Station (14.29 acres), classified within the R40 Residential Planned Unit Development District, requested by Jones Company, owner/developer, Gresham, Smith and Partners, surveyor.

**Resolution No. 98-43**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-034G is **APPROVED SUBJECT TO A BOND OF \$557,750.00 (7-0-1).”**

**Subdivision No. 98S-038G**  
River Plantation, Phase 2, Section 11  
(Condominium Apartments)  
Map 142, Part of Parcel 124  
Subarea 6 (1996)  
District 35 (Lineweaver)

A request for final plat approval to record 18 condominium units abutting the southwest margin of Sawyer Brown Road, opposite General George Patton Road (2.25 acres), classified within the R15 Residential Planned Unit Development District, requested by Haurly and Smith Contractors, Inc., owner/developer, Ragan-Smith Associates, Inc., surveyor.

**Resolution No. 98-44**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-038G is **APPROVED SUBJECT TO A BOND OF \$65,000.00 (7-0-1).”**

**Subdivision No. 98S-039U**  
Hickory Bell Retail  
Map 162, Parcels 75 and 76  
Subarea 12 (1997)  
District 31 (Alexander)

A request for final plat approval to reconfigure two parcels into two lots abutting the south margin of Old Hickory Boulevard, approximately 910 feet east of Nolensville Pike (5.12 acres), classified within the SCR Commercial Planned Unit Development District, requested by Farokh Fani, owner/developer, Dale and Associates, Inc., surveyor.

**Resolution No. 98-45**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-039U is **APPROVED SUBJECT TO A BOND OF \$32,000.00 (7-0-1).”**

**Request for Bond Extension:**

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

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

**Resolution No. 98-46**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 102-86-P, Bond No. 87BD-016, Riverside, Phase One in the amount of \$228,500 to 8/1/98 subject to submittal of an amendment to the present Letter of Credit by **2/8/98** 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. 89S-099U**  
Physicians Park, Section Eight  
HCA Realty, Inc., principal

Located abutting the south margin of Charlotte Avenue, 0 feet east of 25th Avenue North.

**Resolution No. 98-47**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 89S-099U, Bond No. 89BD-013, Physicians Park, Section Eight in the amount of \$23,000 to 10/1/98 subject to submittal of a letter from the North River Insurance Company by **2/8/98** agreeing to the extension. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

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

Located abutting the west margin of Holt Hills Road, approximately 1,100 feet north of Holt Road.

**Resolution No. 98-48**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 93P-021G, Bond No. 96BD-035, Holt Woods, Section Ten, in the amount of \$12,500 to 4/22/98 subject to submittal of an amendment to the present Letter of Credit by **2/8/98** which extends its expiration date to 10/22/98. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 95S-030G**  
High Valley, Section One  
High Valley Corporation, principal

Located abutting the west margin of Oman Drive, approximately 2,676 feet northeast of Granny White Pike.

**Resolution No. 98-49**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 95S-030G, Bond No. 95BD-010, High Valley, Section One in the amount of \$107,900 to 05/15/98 subject to submittal of an amendment to the present Letter of Credit by **2/1/98** which extends its expiration date to 11/15/98. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 95S-309U**  
Foster Business Park  
Foster Business Park, G.P.

Located abutting the south terminus of Cleveland Avenue between Polk Avenue and Foster Avenue.

**Resolution No. 98-50**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 95S-309U, Bond No. 95BD-089, Foster Business Park, in the amount of \$28,800 to 6/1/98 subject to submittal of an amendment to the present Letter of Credit by **2/1/98** which extends its expiration date to 12/1/98. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 97S-006U**  
Farokh Fani Property  
Farokh Fani, principal

Located abutting the north margin of Bell Road, approximately 3,700 feet southwest of Blue Hole Road.

**Resolution No. 98-51**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 97S-006U, Bond No. 97BD-039, Farokh Fani Property in the amount of \$24,000 to 8/15/98 subject to submittal of an amendment to the present Letter of Credit by **2/1/98** which extends its expiration date to 2/15/99. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Request for Bond Replacement:**

**Subdivision No. 28-87-P**  
Boone Trace, Phase Two  
Fox Ridge Homes, Inc., principal

Located abutting both margins of Boone Trace and both margins of Daniel Trace.

**Resolution No. 98-52**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 28-87-P, Bond No. 96BD-058, Boone Trace, Phase Two in the amount of \$190,000 to 8/1/98 subject to submittal of appropriate security and execution of the performance bond by **2/8/98**. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 45-86-P**  
Chitwood Downs (a.k.a. Hampton Park)  
Fox Ridge Homes, Inc., principal

Located abutting the west side of Old Hickory Boulevard, opposite Second Street.

**Resolution No. 98-53**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 45-86-P, Bond No. 89BD-003, Chitwood Downs (a.k.a. Hampton Park) in the amount of \$45,000 to 6/1/98 subject to submittal of appropriate security and execution of the performance bond by **2/8/98**. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Request for Bond Release:**

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

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

**Resolution No. 98-54**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 5-73-G, Bond No. 94BD-110, Music Valley PUD in the amount of \$8,000."

**Subdivision No. 9-87-P**  
River Plantation, Section Ten, Phase Two-E  
Haury & Smith Contractors, Inc., principal

Located approximately 240 feet west of Sawyer Brown Road and approximately 915 feet south of General George Patton Road.

**Resolution No. 98-55**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 9-87-P, Bond No. 97BD-009, River Plantation, Section 10, Phase 2-E in the amount of \$55,000."

**Subdivision No. 88P-046G**  
Poplar Ridge, Section Four  
Karl E. Haury, Jr., principal

Located abutting both margins of Poplar Ridge Drive, approximately 185 feet south of Dove Valley Drive.

**Resolution No. 98-56**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 88P-046G, Bond No. 95BD-106, Poplar Ridge, Section Four in the amount of \$20,000."

**Subdivision No. 93S-002G**  
Birdwell, Phase Two  
Joel S. Birdwell, principal

Located abutting the north margin of Lowes Lane, approximately 568 feet west of Old Dickerson Pike.

**Resolution No. 98-57**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 93S-002G, Bond No. 93BD-037, Birdwell, Phase 2 in the amount of \$5,000."

**MANDATORY REFERRALS:**

**Proposal No. 97M-133U**  
Easement Abandonment - Alleys 382 and 903  
Maps 92-15 and 92-16  
Subarea 10 (1994)  
District 21 (McCallister)

A proposal to abandon the public utility and drainage easements retained in the former rights-of-way of Alleys 382 and 903 which were closed by Ordinance O91-1476, requested by Mark Spalding of Barge, Waggoner, Sumner and Cannon for Highwood Properties, Inc., optionee, Plaza Holding Corporation, owner.

**Resolution No. 98-58**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0-1)** Proposal No. 97M-133U **subject to consolidation of property by plat.**

**Proposal No. 98M-005G**  
Pro Madison Banner Encroachments  
Subarea 4 (1993)  
District 3 (Nollner)

A mandatory referral from the Department of Public Works proposing the installation of 29 banners on utility poles over the right-of-way of Gallatin Pike at various locations between Old Hickory Boulevard and Neelys Bend Road, requested by Ms. Connie Garvin for Pro Madison, Incorporated.

**Resolution No. 98-59**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0-1)** Proposal No. 98M-005G.

**Proposal No. 98M-006U**  
Signs at 314 Church Street  
Map 93-2-3, Parcel 168  
Subarea 9 (1997)  
District 19 (Sloss)

A mandatory referral from the Department of Public Works proposing the installation of two signs for the Printers Alley Parking Garage over the public right-of-way at 314 Church Street, requested by C. L. Jarratt for PAG Partners, L.P., owner.

**Resolution No. 98-60**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0-1)** Proposal No. 98M-006U.

**Proposal No. 98M-007U**  
Signs at 154 Second Avenue North  
Map 93-6-2, Parcel 71  
Subarea 9 (1997)  
District 19 (Sloss)

A mandatory referral from the Department of Public Works proposing the installation of two signs over the public right-of-way at 154 Second Avenue North, requested by Robert Thompson, for Havana Lounge/Buffalo Billiards, proprietor.

**Resolution No. 98-61**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0-1)** Proposal No. 98M-007U.

**Proposal No. 98M-008U**  
Second Avenue Easement Acquisition  
Map 82-05, Parcels 138 and 153  
Map 82-13, Parcels 351, 352, 353 and 354  
Map 82-14, Parcel 25  
Subareas 8 (1995) and 9 (1997)  
District 20 (Haddox)

A request from the Department of Water Services to approve the acquisition of additional easements for Project No. 90-SC-157, the Second Avenue Overflow Abatement Tunnel Project.

**Resolution No. 98-62**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0-1)** Proposal No. 98M-008U.

**Proposal No. 98M-009U**  
Grove at Richland Easement Abandonment  
Map 104-14, Parcel 313  
Subarea 10 (1994)  
District 18 (Clifton)

A request from the Department of Water Services to abandon an easement on property abutting Elmington Avenue.

**Resolution No. 98-63**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0-1)** Proposal No. 98M-009U.

**OTHER BUSINESS:**

1. Capital Budget Amendment 98CB001:

A proposal to amend the 1997-98 to 2002-03 Capital Improvements Budget and Program by adding one Department of Water Services project.

**Resolution No. 98-64**

BE IT RESOLVED by the Metropolitan Planning Commission that it approves Capital Budget Amendment 98CB001 to add the following project:

I.D. No. 97SC0006  
Owl Creek Trunk Sewers

\$110,000	Proposed Revenue Bonds	1997-1998
\$385,000	Proposed Revenue Bonds	1998-1999
\$550,000	Proposed Revenue Bonds	1999-2000

2. Capital Budget Amendment 98CB002:

A proposal to amend the 1997-98 to 2002-03 Capital Improvements Budget and Program by increasing the funding for certain school projects.

**Resolution No. 98-65**

BE IT RESOLVED by the Metropolitan Planning Commission that it approves Capital Budget Amendment 98CB002 as follows:

FROM:  
I.D. No. 97BE105  
Park Avenue Elementary- Construct  
Construct New Enhanced Options Facility for 400 to Replace Old Building

\$5,810,000	Approved General Obligation Bonds	1997-1998
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TO:  
I.D. No. 97BE105  
Park Avenue Elementary- Construct  
Construct New Enhanced Options Facility for 650 to Replace Old Building

\$5,810,000	Approved General Obligation Bonds	1997-1998
\$3,194,000	Proposed General Obligation Bonds	1997-1998

I.D. No. 95BE006  
Deteriorated Building Components - Replace  
Relocate Portables and Contingency

\$1,742,000	Proposed General Obligation Bonds	1997-1998
\$6,742,000	Proposed General Obligation Bonds	1998-1999
\$7,742,000	Proposed General Obligation Bonds	1999-2000
\$8,742,000	Proposed General Obligation Bonds	2000-2001
\$3,000,000	Proposed General Obligation Bonds	2001-2002
\$3,000,000	Proposed General Obligation Bonds	2002-2003

\$2,106,000	Proposed General Obligation Bonds	1997-1998
\$6,742,000	Proposed General Obligation Bonds	1998-1999
\$7,742,000	Proposed General Obligation Bonds	1999-2000
\$8,742,000	Proposed General Obligation Bonds	2000-2001



\$3,000,000	Proposed General Obligation Bonds	2001-2002
\$3,000,000	Proposed General Obligation Bonds	2002-2003

This concluded the items on the consent agenda.

**SUBAREA 2 PLAN AMENDMENT PUBLIC HEARING:**

Ms. Cynthia Lehmbek presented the request to amend the Subarea 2 plan and the rationale for the amendment. The Subarea 2 Plan was adopted in July 1995, and its first update is scheduled for 2000.

Staff is recommending approval of the amendment. Staff has analyzed the request and determined that there is sufficient justification for changing the policy from industrial and distribution to commercial mixed concentration. The amendment was requested by Columbia/HCA. They plan to relocate Nashville Memorial Hospital to a site in the northeast quadrant of the interchange of Briley Parkway with Dickerson Pike precipitated this request. Commercial Mixed Concentration policy will support the zoning needed to develop the hospital and related uses.

The proposed hospital site comprises the eastern half of Industrial and Distribution policy area 9C, which is located on both sides of Dickerson Pike at the Briley Parkway Interchange. Both Commercial Mixed Concentration and Industrial and Distribution policies were considered for area 9C during the planning process. The decision to apply Industrial and Distribution policy to area 9C was based on two main factors. Circumstances have changed since then, and reconsideration of the decision is warranted.

One factor that was looked at as the plan was being developed was the existing conditions within the area. These seemed to indicate that it was an emerging industrial area, which had sufficient access to major streets to support industrial development. The northeast quadrant was committed to industrial development through zoning. On the opposite side of Dickerson Pike was one industrial business and a pending industrial development proposal. The potential user of the proposed industrial development site later decided not to go forward with the development, and the site remains vacant. It is still zoned for industrial use.

It is reasonable to expect that the hospital's presence will generate demand for related uses such as doctor's offices around the interchange. Rezoning to a district that is appropriate under Commercial Mixed Concentration policy, such as CS, would be necessary to implement the policy and accommodate anticipated market demand for medical uses.

The other factor in the decision to apply industrial policy in 1995, which was secondary in its importance, was a desire to provide additional opportunity for industrial development. This desire was not driven by growth expectations, since growth in Subarea 2 is expected to be limited, and considerable industrial development opportunity for the northwest part of the county had been provided in neighboring Subarea 3. It was clear that decisions to apply additional industrial opportunity should be made based on other factors, such as locational suitability, existing developments, and zoning commitments. If the policy for this area were amended to Commercial Mixed Concentration, industrial development opportunity would still be provided by two other Industrial and Distribution policy areas in the subarea.

A countywide analysis of Industrial and Distribution policies is currently being undertaken by our Advance Planning and Research Division. APR staff are working with local industrial development professionals and others who have economic development expertise. So far, the analysis has revealed that there is likely a significant oversupply of land committed to Industrial and Distribution policy throughout the county, and that many of the Industrial and Distribution policy areas do not meet the needs of the industry. This site is not among those that appear to have the greatest potential for industrial development.

There are other factors to consider in the decision to amend the plan. Transportation access is one of these; this area is at least equally suited for Commercial Mixed Concentration policy in terms of access to the major street system, being at the interchange of a freeway with an arterial street.

Topography is another factor to consider in determining the appropriateness of Commercial Mixed Concentration policy. Among the reasons stated by the applicant in support of the amendment request is that the topography of the area is not suited to industrial development. This was recognized during the development of the subarea plan. This limitation was weighed against the existing zoning commitments for industrial development, slope modification that had occurred in the area, and the pending industrial development proposal. Developing the types of uses found in Commercial Mixed Concentration policy area will of course also involve slope modification, although it is arguable that the degree of modification would not be as great as would be required for the large footprint uses typically found in industrial areas.

The Commission also should consider impacts to public facilities and services. These impacts are unlikely to be any greater under Commercial Mixed Concentration policy than under Industrial and Distribution policy. Impacts on adjacent existing and planned residential communities should also be similar. There are some who may consider Commercial Mixed Concentration policy less impactful than Industrial and Distribution.

Based on all these factors, changing the policy of Industrial and Distribution in area 9C to Commercial Mixed Concentration is appropriate.

A mandatory referral for a land swap between Metro and Columbia/HCA was recently approved. It involves an exchange of land owned by Columbia/HCA on Chadwell Lane in Subarea 4 with the southeast corner of the old Metro landfill site. When the amendment request *first* came in to us, this corner of the landfill was to be swapped with a roughly equivalent amount of land in this same vicinity. Doing this would simply rearrange the shape of the Major Public Open Space area. The Major Public Open Space policy applies to this site to reflect the fact that it is a fairly large area of publicly owned open space. Because it is a former landfill, it was expected to remain in public ownership for quite some time, and it has liabilities as a development site.

The portion of the old landfill that Columbia would like to use for parking is at a higher elevation than the rest of the old landfill site. There was no landfilling on this portion of the site. The physical characteristics of this six acres lend it to development along with the other adjacent land that is related to the interchange. The Commission is basically being asked to refine a policy boundary.

Ms. Lehmbeck showed the amended policy arrangement, assuming the Commission would agree with extending the CMC policy to cover the portion of the Metro property that would be transferred to Columbia in the land exchange. The proposed plan text sent to the commissioners describes the general intended boundaries.

Chairman Smith asked Ms. Regen to present Zone Change Proposal No. 98Z-012G so it could be considered along with the Subarea 2 Plan Amendment.

**Zone Change Proposal No. 98Z-012G**

Map 50, Parcel 77 (.99 acres ) and

Part of Parcel 79 (12.94 acres)

Map 51, Part of Parcel 22 (5.95 acres)

Subarea 2 (1995)

District 4 (Majors)

A request to change from CL, R10 and OR20 to CS District certain property located at 3433 and 3441 Dickerson Pike (19.88 acres), requested by John Massey, appellant, for Columbia/HCA, optionee, and J. Ralph Smith, Nashville/Music City Land Fund, L.P., and Metro Government, owners.

Ms. Regen stated this was the property considered for the Nashville Memorial Hospital. There is a large portion of this property currently zoned CS. By recommending approval of this rezoning request to bring the zoning on the remaining portions of the property to CS it would make it consistent with already a large portion of the property. The CS zoning would also implement the proposed CMC Policy the Commission is considering.

Mr. John Massey, an authorized agent for Columbia HCA, stated he was available to answer any questions the Commission might have about the Subarea 2 Plan amendment. Columbia HCA feels it is consistent and an appropriate use based on the topography and the difficulty it would be to actually use this property for industrial use.

No other persons were present to speak during the public hearing.

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

**Resolution No. 98-66**

“Whereas, the Metropolitan Planning Commission adopted the *Subarea 2 Plan* on June 29, 1995; and

Whereas Chapter 3 Section 3.42 C on Page 44 of this plan contains Industrial and Distribution land use policies for Area 9C that call for light industrial and distribution land use; and

Whereas a public hearing was held on January 22, 1998 to consider the merits of changing the land use policy category of Area 9C from Industrial and Distribution to Commercial Mixed Concentration; and

Whereas, the Commission finds that this policy change is warranted because of the locational suitability of Area 9C for the types of uses supported by Commercial Mixed Concentration policy and because of changed conditions that have emerged since the *Subarea 2 Plan* was adopted;

NOW, THEREFORE BE IT RESOLVED that the Metropolitan Planning Commission hereby **ADOPTS** Amendment No. 1 to the *Subarea 2 Plan* as set forth in “Attachment A” to this resolution and incorporates this amendment into the *Subarea 2 Plan*; and BE IT FURTHER RESOLVED that “Attachment A” be incorporated as an Appendix to the minutes of the meeting at which this resolution was adopted.

“Attachment A” to Resolution 98-66

**AMENDMENT NO 1. TO THE SUBAREA 2 PLAN**

The *Subarea 2 Plan* is amended as follows:

- a) by substituting the following for the third paragraph on Page 43 of Chapter 3 Section 3.42 C:

“CMC policy applies to three areas in Subarea 2. The reasons for applying CMC policy to each of these areas is given below.”
- b) by substituting the following for the last paragraph on Page 43 of Chapter 3 Section 3.42 C:

“IND policy applies to two areas in Subarea 2. The reasons for applying IND policy to each area are given below.”
- c) by inserting the following into Page 43 of Chapter 3 Section 3.42 C immediately after the paragraph describing Area 8B:

**“Area 8C: Interchange of Briley Parkway and Dickerson Pike:** This area surrounds the interchange on the north and southeast sides. It is bounded on the west partly by moderate and steep slopes and partly by Dickerson Pike, on the north generally by moderate and steep slopes, and on the south by Interstate 65 and Briley Parkway. The northern boundary also takes into account existing zoning commitments to mixed commercial development, which only roughly follow topographic features. CMC policy applies here because of the suitability of the location for mixed commercial development, and the commitment of around half the area to mixed commercial uses through zoning. The area has direct access to Dickerson Pike, and is immediately adjacent to the interchange. It is part of a larger CMC policy area that includes the area to the south in Subarea 5. Although considerable grading has occurred, there is still some steep topography, particularly in the eastern half of the area. Care should be taken to develop the area in a way that minimizes slope alteration.”

- d) by deleting the text describing Area 9C on Page 44 of Chapter 3 Section 3.42 C
- d) by changing the Land Use Policy Plan graphic identified as Map 3-1 to reflect the change of IND Area 9C to CMC Area 8C, so as to correctly illustrate Amendment No. 1 (see attached Exhibit A).

"BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-012G is **APPROVED (8-0)**:

**The property falls within an area of Commercial Mixed Concentration policy (calling for a mixture of retail, office, and multi-family residential uses). The CS District implements this policy and is consistent with the existing CS zoning on the property and in the area.”**

**ZONE CHANGE PROPOSALS:**

**Zone Change Proposal No. 98Z-004U**

Map 93-6-2, Parcels 34 (.22 acres), 35 (.23 acres),  
36 (.14 acres), 37 (.07 acres), 38 (.07 acres), and  
39 (.07 acres)  
Subarea 9 (1997)  
District 19 (Sloss)

A request to change from CF to CC District properties located at 108, 110, 114, 120, 126, and 138 Third Avenue North, abutting the south margin of Commerce Street (.8 acres), requested by Robert Mathews, appellant, for Mathews Partners, Inc., Seofon Associates, L.P., and M.D.H.A., owners.

Ms. Regen stated staff was recommending approval of this requested zone change on this piece of property from CF to CC. The major difference between the two zoning districts is that the CF is intended to provide support services whereas the CC would permit a higher intensity of development. Staff is recommending approval of this request because it is consistent with the Central Business District Policy of the Subarea 9 Plan. A large area of downtown is already zoned CC and the market force is pushing commercial and office development closer to the area along Second Avenue and Broadway.

Mrs. Regen pointed out the rather discontinuous pattern of the CC zoning, and explained that this pattern occurred because the former zoning ordinance did not encourage placing CC zoning where parking facilities were located. The irregular zoning pattern resulted from avoiding parking facilities with CC zoning. However, with the passage of the new zoning ordinance, parking garages are allowed in the CC District, and staff anticipates that the CC zoning pattern will become more continuous, and perhaps will include some properties on the east side of Third Avenue North. The existing CC boundary currently falls along the middle of Third Avenue. Good planning standard practice would be to move that boundary to back of properties, to a point where the properties fronting on Second and Third Avenues come together. While this may allow much taller buildings along Third Avenue to be adjacent to less intensive development along

Second Avenue, this relationship is preferable to having zoning boundaries of different intensities facing each other across streets.

Ms. Patsy Cottrell, representing landowners who have concerns regarding parking issues, stated her clients face onto the property which is now a flat parking area and have been assured for years that it would be a ground level parking area but understand the plans are for a three tier parking facility and plaza.

Mr. Stephen Smith moved and Mr. Lawson seconded the motion, which carried with all voting in favor but Mr. Manier who abstained, to approve the following resolution:

**Resolution No. 98-67**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-004U is **APPROVED (7-0-1)**:

**The application of CC zoning to these properties along the east margin of 3<sup>rd</sup> Avenue North is consistent with the Central Business District policy and will contribute toward establishing a more coherent downtown zoning pattern. Zoning boundaries are most effective when applied along rear lot lines, and least effective when applied down the middle of a street (as is currently the case with 3<sup>rd</sup> Avenue North)."**

**Zone Change Proposal No. 98Z-007G**

Map 97, Parcels 46 (39.98 acres), 47 (.01 acres)  
and 139 (19.10 acres)  
Subarea 14 (1996)  
District 12 (Ponder)

A request to change from AR2a and R8 to RM9 District certain properties located at Bell Road and 4044 Mills Road, abutting the north margin of Bell Road and the south margin of Interstate 40 (59.09 acres), requested by Ragan-Smith Associates, appellant, for J. S. Earhart, Sr. and Cook Inlet Region, Inc., owners.

**Proposal No. 98P-001G**

Cameron at Hermitage  
Map 97, Parcels 46, 47 and 139  
Subarea 14 (1996)  
District 12 (Ponder)

A request to grant preliminary approval for a new Residential Planned Unit Development District abutting the north margin of Bell Road and the northeast margin of Dodson Chapel Road (58.2 acres), classified R8 and AR2a and proposed for RM9, to permit the development of a 564 unit apartment complex and the dedication of an 18 acre public use site, requested by Ragan-Smith Associates, Inc., for Burton Holdings, Inc., owner.

Mr. Delaney stated this proposal falls within residential medium-high policy of the Subarea 14 Plan which permits densities of 9 to 12 dwelling units per acre. This proposal totals approximately 58 acres and with the 564 apartment units it would result in an overall density of about 9.7 dwelling units per acre, at the low end of the policy range. The Commission, in July of 1996, approved RM8 for a portion of this property which allows up to 22 dwelling units per acre.

The applicant is clustering the apartment units on the larger portion of the lot and is using a provision of the new Zoning Code to dedicate an 18 acre piece of land as a public use site. In the new Zoning Code they are permitted a 25% density bonus for only the land area that is being dedicated as a public use site, and in this case the 18 acres result in approximately a 40 unit increase. Staff is in receipt of a letter from the Greenways Commission of the Parks Department indicating their interest in acquiring that piece of land and receiving it as part of this dedication and part of the PUD.

One of the concerns in this area is the additional traffic impact of this development. There are a number of capital improvements in the budget for Bell Road and Central Pike and along with those scheduled improvements the applicant is making left turn improvements at their two proposed entrances on Bell Road and also intersection improvements at Bell Road and Dodson Chapel. The developer has also agreed to make a \$30,000 contribution at the Central Pike and Dodson Chapel intersection as well. Staff is recommending approval of both the zone change as well as the PUD.

Mr. Bodenhamer asked if a traffic study was done or if one was required.

Mr. Delaney stated a traffic study was done and that is where the contribution and left hand turn lanes came from.

Councilmember Phil Ponder stated that because of a previous commitment he had made he was taking a neutral position on this particular situation. He stated he had talked with the developer and explained to him that he could not support his proposal unless he has the support of the neighborhood. He has been working on that and has held a preview meeting last month to work with the neighborhood.

Mr. Rick Burton, developer, stated the challenge for any developer in Nashville is to find a piece of property that conforms with the long range land use plan and this piece of property does conform with that plan. Some of the neighbors' concerns was traffic. The original plan was for 800 or 900 units on this particular piece of property. After meeting with Councilmember Ponder and some of the neighbors the plan was cut back to 564 units, with all the units clustered on one end of the property which allowed giving the remaining acreage as either a park or a school site.

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

**Resolution No. 98-68**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-007G is **APPROVED (8-0)**:

**This property falls within an area of Residential Medium High (RMH) policy calling for densities between 9 and 20 units per acre which the RM9 district implements. RMH policy was applied to this area due to its accessibility to I-40 and proximity to employment, recreational, and shopping opportunities near Percy Priest Lake.**

BE IT FURTHER RESOLVED that Proposal No. 98P-001G 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. Written confirmation of preliminary approval from the Cumberland Utility District.
3. Dedication to and acceptance by the Metropolitan Government of the 18 acre public use site, prior to the issuance of any building permits.
4. Construction of left-turn lanes on Bell Road at the proposed two entrances to the development in accordance with the recommendations of the Traffic Impact Study.

5. Submittal and approval by the Traffic Engineer of plans for the improvements to the Bell Road/Dodson Chapel Road intersection. These plans shall be submitted prior to or in conjunction with the final development plan submittal. The developer shall be responsible for the construction of left-turn lanes on both Bell Road and Dodson Chapel Road at this intersection.

6. A contribution by the developer in the amount of \$30,000 toward future improvements to the Dodson Chapel Road/Central Pike intersection.”

**Zone Change Proposal No. 98Z-008U**  
Map 119-5, Parcel 175 (.20 acres)  
Subarea 11 (1993)  
District 16 (Graves)

A request to change from R6 to RM4 District certain property located at 317 Elberta Street, abutting the south margin of Elberta Street (0.20 acres), requested by Ron Truett, appellant /owner.

Ms. Regen stated staff was recommending disapproval of the rezoning request on this property to go from R6 to RM4. The present zoning permits single family and duplexes. The requested zoning would permit multi-family units at 4 dwelling units per acre. The applicant is trying to make an illegal triplex on this property legal by applying the multi-family zoning. He currently has approval for only a duplex on the property. Staff considers this to be a spot zone as there is no other multi-family zoning in this area. This area is strongly single family residential in character and has a scattering of duplexes within it. The requested multi family zoning is not consistent with the Subarea 11 Plan which intends to preserve this single family residential character.

The staff pointed out the requested rezoning would not make the triplex conforming, because the RM4 zoning would require the development to have at least 33,000 square feet of land to justify 3 dwelling units. The site has only 8,700 square feet.

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

**Resolution No. 98-69**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-008U is **DISAPPROVED (8-0)**:

**This property falls within Residential Low Medium (RLM) policy which was applied to protect and preserve the Woodbine neighborhood, a predominantly single-family area with a scattering of duplexes. Rezoning this property to multi-family would constitute a spot zoning as there is no other multi-family zoning in the area. Further, the lot does not meet the Zoning Regulation’s minimum lot size standards for the RM4 district (33,000 square feet) to accommodate three dwelling units.”**

**Zone Change Proposal No. 98Z-011U**  
Map 60, Part of Parcel 49 (5.0 acres)  
Subarea 5 (1994)  
District 4 (Majors)

A request to change from RS10 to MUN District certain property at 225 Ben Allen Road (5.0 acres), requested by Billy Borehut, appellant, for Plumber and Pipefitter Local 572 Building Corporation, owner.

Ms. Regen stated staff is recommending disapproval of this request because the MUN zoning would constitute a spot zone. The present zoning permits single family residential at 4 dwelling units per acre. The requested zoning is a mixed use district and would permit commercial, office and retail uses. These are uses that the subarea plan does not recommend within the residential low medium policy that applies to this area. There is an existing building on the property and is currently used as a union hall for the Plumbers and Pipefitters. It was approved in 1989 as a conditional use which is not currently allowed in the new Code. This same applicant requested office zoning on this same piece of property in 1988 and the Commission disapproved that request as being contrary to the General Plan and as a spot zone.

In response to a question from Mr. Manier, Ms. Regen stated the current use is a legal nonconforming use.

Councilmember Majors stated he realized this proposal would not conform with the subarea plan but the fact that this applicant has been on the site for six and a half years should make a difference. What they want to do is something that is going to benefit the entire community and that would be to add a 10,000 square foot building that would include 7 classrooms and some instructional aids. They have been great neighbors for this area and have been accepted as part of the neighborhood.

Mr. Jim Stranch, representing the Local, stated that currently the union operates an apprenticeship training program. This is a program that has been approved by the United States Department of Labor. They take kids out of high school and put them into this program and it takes an applicant five years to go through the program. The union has been renting space at McGavock High School and moving their equipment to the school for classes.

Mr. Manier asked if there was some way this proposal could be accommodated other than by a rezoning.

Mr. Harbison stated the problem was that the Commission was being asked to do something that is different from the subarea plan and the only procedural way to accomplish it would be to amend the plan and that is not the request.

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

#### **Resolution No. 98-70**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-011U is **DISAPPROVED (8-0) as contrary to the General Plan:**

**The property falls within Residential Low Medium (RLM) policy, calling for densities up to 4 units per acre. The proposed MUN District would constitute a spot zone as it is inconsistent with the RLM policy and the residential zoning pattern in the area. Non-residential uses such as commercial, retail and office should be located along the Dickerson Pike commercial corridor."**

#### **Zone Change Proposal No. 98Z-015G**

Map 128, Parcel 70 (2.18 acres)

Subarea 6 (1996)

District 23 (Crafton)

A request to change from R20 to OR20 District certain property at 407 Old Hickory Boulevard (2.20 acres), requested by Spencer/Northcutt Properties, appellant /owner.

Ms. Regen stated staff was recommending disapproval of rezoning of this property as contrary to the General Plan. The present zoning on this piece of property permits single family and duplexes at two units per acre. The requested zoning will permit office and multi-family residential at 20 units per acre. There



are two issues with this proposal. One is the office zoning that is proposed and the other is the multi-family at 20 units per acre. The Subarea 6 plan, which this property falls within, intends for office uses to be located in the commercial nodes. One of those would be the regional activity center at the Bellevue Mall area where there are a number of vacant properties already zoned for office. The other would be at the super regional commercial node at Old Hickory and I-40 as well as the commercial node at Highway 70 and Old Hickory Boulevard. This proposed office zoning is not consistent with the subarea plan policy. As for the multi-family zoning that is proposed, this area falls within Natural Conservation due to the steep slopes and topography. The NC policy permits developments up to 4 units per acre; thus, the proposal of 20 far exceeds that 4 unit threshold.

Mr. Don Northcutt stated he had not had an opportunity to speak with the district Councilmember due to the time factor involved. This is a residential area but when this property was bought 10 years ago there was spot zoning being allowed for commercial uses. Since that time the State of Tennessee has relocated Old Hickory Boulevard away from this property and the result was that this property is now on a cul-de-sac and is hidden by large boulders so there won't be many people who will even see the building. He asked to have more time to find out what the public opinion would be and stated there were some extenuating circumstances. The parcel of land is isolated from Old Hickory Boulevard, the parcel is on a cul-de-sac, the proposed building will be designed to mesh well with the surrounding apartments, the State of Tennessee has moved Old Hickory Boulevard away from the property greatly depreciating its value since its purchase, there has been rezoning done three parcels down for a Mapco service station, the property is not suitable for residential use because of the adjoining property and the property is trashy. For these reasons Mr. Northcutt asked the Commission to reconsider this proposal. Mr. Northcutt asked for additional time to make a study.

Mr. Stephen Smith moved and Ms. Warren seconded the motion, which carried unanimously, to defer this matter for two weeks.

**Zone Change Proposal No. 98Z-020U**  
Map 171, Part of Parcel 80 (5.69 acres)  
Subarea 12 (1997)  
District 32 (Jenkins)

A request to change from R40 to OR20 District certain property at 551 Church Street East, approximately 2,800 feet east of Interstate 65 (5.69 acres), requested by Luna Adeola, appellant, for Willie H. Cobble, owner.

Ms. Regen stated staff was recommending disapproval of the rezoning request on this property. This is a residential area and that already has an established boundary for residential and commercial uses. There was an adjacent parcel that was rezoned 14 year ago for office and has remained vacant for 14 years. The proposed OR20 zoning on this piece of property is inconsistent with the residential low-medium policy that applies in this area as well as there is no need to add more office zoning.

Ms. Luna Cobble-Adeola stated there have been about 38 families displaced from this immediate area. The street has been widened, street lights were added and other improvements were made. Across the street from the subject property there is an apartment building. This property is located in a place that no one would want to build a house, and in order for someone to put something on that particular parcel they would probably need more area to do it with. This property should be rezoned because of the tax benefits for Metro and it would enhance the beauty of the community. A contract is now being negotiated for an office park. There are people interested in offices, assisted living, industrial and residential. If this could be rezoned it would be a delight for the community. She asked how there could be a parcel two parcels down that is zoned OP and her property not be rezoned.

Mr. Stephen Smith stated he was quiet familiar with this area and there had to be some line where the zoning stops and starts but that Ms. Cobble-Adeola was correct and that the residential character that was once there is not there anymore.

Mr. Owens stated there was a distinct demarcation line and there is no substitute for a very strong clear line. If office zoning is brought on to this property the clear demarcation will be lost and it will be a challenge to re-establish the line.

Mr. Harbison asked if higher density residential was an option for this property.

Mr. Owens stated it could be considered but there would have to be a transition from multi-family to single family somewhere and today staff feels this is the best possible boundary.

Ms. Cobble-Adeola stated no one was going to build an \$80,000 house on Church Street East. Brentwood homes area going for \$250,000 and no one would want to build across from an apartment complex.

Mr. Stephen Smith stated he did not have the answer but that she was right.

Mr. Browning stated this did not have to be R40 single family but the concern was with the office element moving further east and even the density of 20 units per acre is high.

Chairman Smith stated that the Commission seemed to agree that OR40 was not going to happen on this property and that OR was too severe but that some rezoning might be appropriate.

Mr. Harbison suggested a deferral to look at other alternative uses with staff.

Ms. Cobble-Adeola asked the Commission for a deferral.

Mr. Stephen Smith moved and Ms. Nielson seconded the motion, which carried unanimously, to defer this matter indefinitely.

**Zone Change Proposal No. 98Z-025U**  
Map 72-15, Part of Parcels 231 (2.28 acres)  
and 232 (11.95 acres)  
Subarea 5 (1994)  
District 7 (Campbell)

A request to change from R6 to RM9 District certain property located on Straightway Avenue, abutting Chester and Cahal Avenues (14.23 acres), requested by Houston Ezell Corporation, appellant, for Houston T. Ezell Corporation and Christian Education, Inc., owners.

Ms. Regen stated staff was recommending disapproval of rezoning this piece of property from R6 to RM9. The present zoning permits single family and duplex units. The requested zoning would permit multi-family of up to 9 units per acre. This property is surrounded on three sides by single family residential with a scattering of duplexes in it. On the fourth side there is a multi-family development known as the Panarama Apartments which was approved in 1969 at about 10 units per acre. The present Subarea 5 Plan specifically contemplates this vacant piece of property being developed as single family or duplex at the lower end of the policy range of 4 to 9 units per acre. That would be consistent with the existing neighborhood which surrounds the property on three sides. The applicant is proposing multi-family units at the high end of the residential medium policy at 9 units per acre.

Mr. Dean Baxter, representing the applicant, spoke in favor of the proposal and stated North/South Development was a developer of attractive multi-family developments to serve basically moderate income families. There is no desire to build 9 units per acre. The idea is to build 100 units on this site, which would be 7 units per acre but there is not specific zoning that addresses that. He asked the Commission to consider an RM6, which would be a lower density, if they could not approve the RM9.

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

**Resolution No. 98-71**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-025U, amended to RM6, is **APPROVED (8-0)**:

**This property falls within Residential Medium (RM) policy calling for densities between 4 and 9 units per acre which the RM6 district implements. The Subarea 5 Plan encourages densities at the lower end of the density range to ensure compatibility with the existing single-family neighborhood and due to the status of the street network in the surrounding area."**

Mr. Lawson left @ 3:00, at this point in the agenda.

**Zone Change Proposal No. 98Z-027U**  
Map 131-06, Part of Parcels 11 (3 acres)  
and 26 (3 acres)  
Subarea 10 (1994)  
District 33 (Turner)

A request to change from R15 to OL property located on the south margin of Burton Hills Boulevard, east of Hillsboro Pike (6.0 acres), requested by Tom Cummings, III, appellant, for Covenant Presbyterian Church, owner.

**Proposal No. 18-84-U**  
Covenant Presbyterian Church (Burton Hills)  
Map 131-6-A, Parcels 11 and 26  
Subarea 10 (1994)  
District 33 (Turner)

A request to cancel a portion of the Residential Planned Unit Development District and to amend the preliminary site development plans of the Residential and Commercial (General) Planned Unit Development Districts located abutting the northeast margin of Hillsboro Pike and Harding Place (34.6 acres), classified R15 and R40 and proposed for OL, to permit the development of a 1,200 seat, 111,000 square foot church, a 5-story, 130,000 square foot office, requested by Barge, Cauthen and Associates for Covenant Presbyterian Church, owner. (Deferred from meetings of 11/13/97, 12/11/97 and 1/8/98).

Mr. Delaney stated this was a request to rezone a portion of the Burton Hills property south of Burton Hills Boulevard from R15 to OL, Office Limited, and to amend both the residential and commercial preliminary site development plans by expanding the commercial PUD boundary south of Burton Hills Boulevard onto the OL property, and by canceling the residential PUD on this same property.

This proposal had three components: a church, an assisted living facility and an office building. On the day prior to the Planning Commission meeting, the assisted living facility was removed from the site plan. This area of Burton Hills is referred to as Red Bud Hill. The office building and its associated parking garage is proposed to be located on Burton Hills Boulevard on the north side of Red Bud Hill. The building is proposed to be a five story, 130,000 square foot office building with a three story parking garage. The church is proposed on the top of Red Bud Hill. The assisted living facility, which was previously proposed on the south side of the property, along Harding Place, has been eliminated by request of the applicant; however, the driveway entrance from Harding Place was remaining as a part of the site plan. Staff has reviewed this proposal and has determined it meets all policies and Zoning Code requirements and is recommending approval.

Mr. Harbison asked, since the assisted living portion had been removed from the application, how that space would be designated.

Mr. Delaney stated it would be designated and indicated as open space.

Chairman Smith asked if this was the last section to be developed in the entire Burton Hills area.

Mr. Delaney stated that it was.

Ms. Nielson asked if the assisted living space would go back to residential.

Mr. Delaney stated it was currently zoned R40 and would remain zoned as residential R40.

Ms. Warren asked what this area was originally approved for.

Mr. Delaney stated it was for slightly over 100 townhomes and single family dwelling units..

Ms. Warren stated this is totally changing the Residential PUD.

Councilmember Ron Turner stated he normally did not read a statement but was going to because he did not want there to be any question at all about his position.

“This has been a difficult and emotion filled process. It began over a year ago and has included a public meeting at Hillsboro High School, last June, and numerous small meetings between representatives at the church and the community.

Until very recently I was inclined to support the proposed plan despite growing opposition from my constituents. I was going to support the sanctuary, the office building on Seven Hills Boulevard and the assisted living facility on Harding Place. My support for these three developments was based on two things. First, the church has bent over backwards to redo the assisted living facility on Harding Place. They reduced the size of it, they reduced the height of it and they repositioned it on the lot. Secondly, by supporting all three projects, I was in hopes the church and the city would be able to reach an agreement to build a new Green Hills Library on the existing church site on Hillsboro Road. The library consultant chose that site as his number one choice and I had agreed to that.

However, I learned something a week or so ago that changed my mind. Based on conversations with constituents, and particularly a meeting that I had, face to face with former Councilmember Tandy Wilson, I learned a key part of the agreement between the original developer of Burton Hills and the neighbors was that only single family houses could be built on Harding Place. This was apparently a compromise that was worked out over a six or seven year period of time and was a crucial part of the Burton Hills development. I decided that we cannot in good faith break that agreement with the neighbors.

Therefore, I informed the church that subject to this commission’s approval I will support the sanctuary and either the assisted living facility or the office building on Seven Hills Boulevard, but I cannot support any development on Harding Place other than single family houses. As long as I am on the Council, I will not support any development on Harding Place other than single family houses.

This has been the toughest thing I have worked on in the two and a half years since I was elected. In reaching my decision, I have tried to balance the needs of all concerned while maintaining the integrity of the process. I look forward to your deliberations. Thank you.”

Chairman Smith stated he wanted to clarify one thing and stated there was a request to speak from Robert Anderson of Weeks, Turner, Anderson, Russell and Haynes and asked Councilmember Turner to address that relationship.

Councilmember Turner stated that Bob Anderson and himself had shared office space for approximately 12 years and they were attorneys in law practice, but that they were not partners and that he was speaking as a

Councilmember representing the 33<sup>rd</sup> District and Bob Anderson is representing a certain point of view that is his own.

Mr. Tom Cummings III, member of Covenant Presbyterian Church, stated that after much thought and deliberation, the Session voted to drop the assisted living portion from the plan and the rezoning request. The proposal before the Commission is a good compromise and asked the Commission for approval.

Mr. Dan Barge III, representing Covenant, stated this project has gone through many iterations to get where it is today before the Commission. The site plan has been revised to remove the assisted living and now meets all requirements. Storm water drainage has also been an issue and three retention ponds have been included, one for each of the major directional drainage basins to safeguard against downstream flooding. The access off of Harding Place will be maintained but there has been an agreement to gate that as necessary during off hours to prevent a cut through. Buffering has been agreed to along the perimeter of the residential areas along with intense landscaping and have pledged an effort to remove minimal trees as necessary throughout the construction area. Lights will be turned down to prevent lights from trespassing into the residential areas in the winter when the trees are bare. It is important to note dialogue will be continued with the neighbors who are willing to meet to discuss concerns.

Mr. Roger Miller, architect, presented a conceptual design to the Commission and explained construction plans and stated he would be available to answer any questions.

Mr. Harbison stated that from the calls he had received the open space along Harding Place seemed to be the most pressing issue and asked if that open space would be permanently indicated as such.

Mr. Miller stated the church had no intent to develop this space into single family homes and for now it is intended to leave it as open space. If it was changed it would have to come back before the Commission.

Mr. Owens stated this was just like any other Planned Unit Development in that the legitimate plan is the one which is approved by Council.

Ms. Warren asked what the buffer zone would be between the parking structure and the houses.

Mr. Miller stated it had been requested by the neighbors in the Abbywood area that the a section be broadened on the church's side of the property line so there would be no intrusion, would be maintained by the neighborhood association, and there would be no use of that property by the church.

Mr. Roy Alley and Mr. Bob Anderson spoke in opposition to the proposal and expressed concerns regarding changing a 14 year old Residential PUD, including a five story office building that is not necessary, destruction of the hillside and trees, increased drainage, and the probability of increased traffic.

Ms. Karen Boring, president of the Abbywood Homeowners Association, stated there was some concern by the neighborhood regarding the currently platted townhomes, and they felt this was a good chance to have that changed. The buffer zone was one item both parties agreed on and the church had stated they would deed that property to the Burton Hills Neighborhood Association.

Mr. Manier stated that the PUD has been exercised in the past as a compact or an agreement between the neighbors and the developer. The Commission handles PUD's all the time and there are changes in PUD's. But generally the changes that are brought to this Commission have been those things that did not involve changes in usage. He stated he had contact with people involved when this PUD was put into place and that it disturbed him that this compact or agreement could be changed so easily. The people on the interior of this PUD, when they bought into it, were told that Red Bud Hill was a Residential PUD and could not be changed. A certain amount of office space was hammered out and there was a positive handshake that there would be no more office space. He said there was no consensus by the phone calls and letters he had received that indicates that there is any consensus for a change in this plan and therefore he would have to be opposed.

Chairman Smith asked if this office space was part of the Burton Hills office allotment.

Mr. Owens stated this would be an additional office site above and beyond what was originally contemplated.

Mr. Harbison stated that when there is a PUD of this scale, there is often opposition as the last stages of development occur. The Commission evaluates the PUD based upon its consistency with the plans which were agreed to by the Council and the surrounding neighbors. In this case, the PUD is undergoing substantial change which is considerably different from the original, negotiated plans.

Mr. Browning stated this was a very large PUD and one of the few in the community that really represents what a Planned Unit Development was intended to do, in that it has large acreage and mixed use. It has through the years gone through a lot of changes and that should not be unexpected in such a large and diversified PUD.

Mr. Bodenhamer stated he had been persuaded by all the letters he had gotten and stated he as always was concerned about the traffic and also about the drainage.

Chairman Smith stated he was going to vote in favor of the proposal because churches are important in the community and they are doing what they can do to better themselves to have a higher profile in the community. He said he realized they had to make a deal for the office building which was under the square footage that would be allowed.

Mr. Manier stated the original agreement should be honored whenever there is opposition to it and that is the practical aspect of a PUD.

Ms. Nielson stated the open space on Harding Place could still come back to the Commission for a future change because there have not been any promises made.

Mr. Browning stated there were two kinds of open space involved here. One is required open space and as this PUD has developed over the years more and more of that required open space has arrived in this southwest corner. However, some of the acreage in this southwest corner of Burton Hills might be left open, but would not be required open space. This acreage could undergo development in the future as approved by Council.

Mr. Owens stated this PUD was required to have 18.4 acres of the overall area permanently set aside and platted as dedicated open space to be owned by the homeowners associations.

Mr. Browning stated this new dedicated open space does not include the frontage on Harding Place that was the residential portion of Burton Hills. That is not a part of that 18.4 acres and it could be developed into some land use subsequently.

Mr. Tom Cummings III stated they would be glad designate the additional five acres of Harding Place frontage as permanent open space.

Ms. Nielson asked about the Tree Ordinance because they would be doing away with some major trees in that area.

Mr. Owens stated staff had reviewed this against the Tree Ordinance and it does comply.

Mr. Manier moved and Mr. Bodenhamer seconded the motion to approve the following resolution:

**Resolution No. 98-72**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 18-84-U is **DISAPPROVED (4-3)**:

**The Commission determined that the original concept of the Burton Hills planned unit development, calling for maintaining a residential presence and character along the development’s southern border with Harding Place, would be better preserved if the residential zoning within this area of the planned unit development were not changed.**

**The Commission further cited concerns relating to increased traffic generation resulting from the proposed expansion of office zoning, as well as the potential for greater storm water run-off.”**

“BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-027U is **DISAPPROVED (4-3)**:

**The Commission determined that the original concept of the Burton Hills planned unit development, calling for maintaining a residential presence and character along the development’s southern border with Harding Place, would be better preserved if the residential zoning within this area of the planned unit development were not changed.**

**The Commission further cited concerns relating to increased traffic generation resulting from the proposed expansion of office zoning, as well as the potential for greater storm water run-off.”**

The motion to disapprove carried 4-3 with Commissioners Harbison, Manier, Warren and Bodenhamer voting for the motion, and Commissioners Steve Smith, Nielson and Chairman Gilbert Smith voting against the motion.

**PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:**

**Proposal No. 191-69-G**  
Mills Road Motel 6  
Map 97, Part of Parcel 112  
Subarea 14 (1996)  
District 12 (Ponder)

A request for final approval for a portion of the Commercial (General) Planned Unit Development District abutting the southwest margin of Old Hickory Boulevard and the east margin of Mills Road (1.38 acres), classified CL, to permit the development of an 18,194 square foot, 48 unit motel, requested by Bimal Patel, applicant/owner.

Mr. Delaney stated a gentleman in the audience had requested this item be removed from the consent agenda so he could look at the plans. He has now looked at the plans and does not have any problems with them and he has left the meeting. Staff is recommending approval.

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

**Resolution No. 98-73**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 191-69-G is given **CONDITIONAL FINAL APPROVAL (7-0)**. The following conditions apply:

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

2. Written confirmation of preliminary approval from the Cumberland Utility District.”

**Proposal No. 108-79-G**

Hickory Hills Ridge (formerly North Graycroft Manor)  
Map 42, Parcels 19, 29 and Part of Parcel 30  
Map 42-6, Parcel 14  
Subarea 4 (1993)  
District 3 (Nollner)

A request to revise the approved preliminary master plan of the Residential Planned Unit Development District abutting the east margin of Interstate 65, approximately 200 feet south of Nesbitt Lane (30.7 acres), classified R10, to permit the development of 92 single-family lots, requested by Barge, Waggoner, Sumner and Cannon, for Jerry Harlan, owner.

Mr. Delaney stated there had been on going discussion between the applicant and the Councilmember. They are requesting a two week deferral at this point in order to revise the plan and reduce the lot count.

Mr. Stephen Smith moved and Mr. Bodenhamer seconded the motion, which carried unanimously, to defer this matter for two weeks.

**Proposal No. 90P-020G**

Heron Walk  
Map 52-8, Parcels 22 and 196  
Subarea 4 (1993)  
District 9 (Dillard)

A request to amend the Residential Planned Unit Development District abutting the south margin of Cheyenne Boulevard, approximately 1,000 feet north of Canton Pass, classified RS10, to permit the closing of a road and the creation of one additional single-family lot, requested by Councilmember James Dillard, Allen Earps, owner.

Mr. Delaney stated staff was recommending disapproval of this request. This is a request by the district Councilmember to amend this residential PUD to permit the closing of a road and to add an additional lot. Mr. Delaney showed with maps and plans how the existing and proposed road system called for the extension of the proposed road, and how this closure would create a long dead end street which would violate the subdivision regulations.

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

**Resolution No. 98-74**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 90P-020G is given **DISAPPROVAL (7-0)**:

**The Planning Commission determined that the closing of the road would create a dead-end street system of approximately 2,000 feet in length, a violation of the Subdivision Regulations. In addition, the closing of the road would disconnect the planned street network in this area.”**

**Proposal No. 97P-019G**

Pasquo Plaza (formerly Harpeth Plaza)  
Map 155, Parcel 124  
Subarea 6 (1996)  
District 35 (Lineweaver)



A request for final approval of the Commercial (General) Planned Unit Development District abutting the south margin of State Route 100 (Harding Pike) at the intersection of Old Harding Pike, (10.41 acres), classified RS40, to permit the development of an 81,600 square foot commercial center, requested by Barge, Waggoner, Sumner and Cannon, for Harpeth Plaza Partnership, LLC, owner. (Also requesting final plat approval).

Mr. Delaney stated there had been on going discussion between the applicant and Public Works Department regarding issues of flooding. Public Works is not comfortable with what the applicant is proposing and staff is recommending approval. The final plat will be deferred for two weeks in order to get the bond amounts in order.

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

**Resolution No. 98-75**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 97P-019G is given **CONDITIONAL FINAL PUD APPROVAL; FINAL PLAT DEFERRED AS REQUESTED BY THE APPLICANT (7-0)**. The following conditions apply:

1. Written confirmation of final approval from the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. The recording of a final subdivision plat upon the posting of a bond for all off site road improvements required by the Metropolitan Department of Public Works and water and sewer line extensions required by the Harpeth Valley Utility District.”

**SUBDIVISIONS:**

**Preliminary Plats:**

**Subdivision No. 97S-276U (Public Hearing)**  
Summitt Hills Subdivision Revision  
Map 91-13, Parcels 121-123 and Part of Parcel 120  
Subarea 7 (1994)  
District 22 (Holt)

A request to revise the 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 Affordable Housing Resources, Inc., owner/developer, Wamble and Associates, surveyor.

Mr. Owens stated this subdivision was given preliminary approval with the street connecting to an existing street to the west. However, subsequent engineering indicates this connection is not feasible, in that the existing and proposed streets will be separated by a rock bluff of approximately 35. The plan has been revised to show a cul-de-sac and staff is recommending approval.

No one was present to speak at the public hearing.

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

**Resolution No. 98-76**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-276U is **APPROVED (7-0).”**

**Subdivision No. 97S-449U (Public Hearing)**  
West Meade Farms, Resubdivision of Lot 12  
Map 115-15, Parcel 98  
Subarea 7 (1994)  
District 34 (Fentress)

A request for preliminary approval to subdivide one lot into two lots abutting the southwest corner of Jocelyn Hollow Road and Brook Hollow Road (4.12 acres), classified within the RS80 District, requested by Glen and Hermoine Nelson, owners/developers, Sawyer Land Surveying, surveyor. (Also requesting final plat approval).

Mr. Owens stated this application was before the Commission in November and has now been slightly altered. This property is zoned RS80 and under the new Code requires 80,000 square feet per lot, slightly less area than was required under the RS2a zoning (43, 560 square feet) of the previous zoning ordinance. The plan has a slightly less skewed lot line than the previous proposal, because it is not necessary to incorporate as much acreage into each lot. When the Commission voted on this subdivision in November the motion was to approve, the vote tied and the motion failed. The issues were compatibility and setbacks. On this current application the property owner has designated a 200 foot minimum set back. The proponent alleges that the less skewed lot line allows the development to be more compatible within the neighborhood. Staff believes it is feasible to put a house on this property. The question before the Commission is the compatibility with this lot split within this neighborhood.

Mr. Robert Rutherford, representing Mr. McGinn, explained the setback plans for the house and stated this application met all technical requirements staff had proposed.

Mr. Kevin McGinn, Mr. Paul McGinn, Mr. Robert Lowe and Mr. Tim Wilson spoke in favor of the proposal.

Mr. William Reed, neighbor, expressed concerns regarding the shape of the lot, the lot size, the location of the driveway, the setback and having to look into the back of the proposed home from the front of his own home.

Mr. Kevin McGinn stated the houses involved were each at a different angle and the proposed house would be angled so Mr. Reed would not have to look into the back of it. He also explained that the driveway would be relocated.

Several commissioners stated the opinion that compatibility with Mr. Reed’s home could be enhanced if the 200 foot setback could be increased to 225 feet. Mr. McGinn stated that could be done.

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

**Resolution No. 98-77**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-449U is **APPROVED SUBJECT TO A MINIMUM FRONT SETBACK OF 225 FEET (6-0).”**

Mr. Harbison left at 4:50, at this point in the agenda.

**Subdivision No. 98S-004U (Public Hearing)**

Sharpe II Subdivision  
Map 106-14, Parcel 146  
Subarea 11 (1993)  
District 16 (Graves)

A request for preliminary approval to subdivide one lot into three lots abutting the northeast corner of Lyle Lane and Imperial Drive (.77 acres), classified within the R10 District, requested by Marian K. Curtis and Majid Mohieddin, owners/developers, Artech, Inc., architects.

Mr. Owens stated staff was recommending disapproval of this application. It is a request to take an oversized lot and to subdivide it into three residential lots. The large lot contains a house on it oriented towards the corner and as a result, if the property is resubdivided as proposed, it creates two problems. The Subdivision Regulations state that the Planning Commission should not approve a subdivision which creates a zoning violation, and that violation would be created because of the rear yard. If the corner lot is developed there would be a very poor orientation of the existing house to the corner lot.

Ms. Keller, an adjacent neighbor, spoke in opposition to the proposal and stated if there was a corner lot built it would be directly in her front yard and it would also be out of line with the rest of the houses. There is also a parking problem in the immediate area.

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

**Resolution No. 98-78**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-004U is **DISAPPROVED (6-0).”**

**Subdivision No. 98S-025U (Public Hearing)**  
The Crossings at Hickory Hollow, Phase 3  
Map 163, Parcel 343  
Map 174, Parcels 29-32, 67 and 68  
Subarea 13 (1996)  
District 29 (Holloway)

A request for preliminary approval for five lots and associated streets abutting the southeast margin of Old Franklin Road, opposite Crossings Boulevard (169.2 acres), classified within the IWD District, requested by American General Realty Investment Corporation, owner/developer, Cherry Land Surveying, surveyor.

Mr. Owens stated this plat was in order as a preliminary and staff is recommending approval.

No one was present to speak at the public hearing.

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

**Resolution No. 98-79**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-025U is **APPROVED (6-0).”**

**Final Plats:**

**Subdivision No. 97S-254U**  
J. C. Smith, Jr. Subdivision, Phase 1

Map 49, Part of Parcel 137  
Subarea 3 (1992)  
District 1 (Patton)

A request for final plat approval to create five lots abutting the east margin of Buena Vista Pike, south of Whites Creek Pike (1.79 acres), classified within the RS15 District, requested by Volunteer Investments, Inc., owner/developer, Land Surveying and Consulting, surveyor.

Mr. Owens stated this is the first phase of what was a controversial subdivision the Commission dealt with last year. The issues at that time centered around the flood plain. There were questions by the community as to whether or not Metro's flood regulation standards were adequate to deal with the problems in this area. At the time the preliminary plat was approved the Commission established two conditions. First that Public Works take a careful look at the flood plain and flooding situation. Public Works has reviewed this first phase and approved it as being in compliance with the Stormwater Management Ordinance. The second condition of the approval was that the property owners notified for the preliminary be notified for the final plat application. Staff is recommending approval.

Ms. Judy Singer, area resident, spoke in opposition and stated she was still experiencing water problems.

Mr. Jim Armstrong, Public Works Department, stated the drainage on that side of Buena Vista Pike will be going back to Whites Creek. There is an existing problem in this area and there are plans for correcting that problem but this development is downstream from that problem and is not contributing to the current problem.

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

**Resolution No. 98-80**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-254U is **APPROVED SUBJECT TO A BOND OF \$53,000.00 (5-1).”**

**Subdivision No. 98S-021U**

Trevecca Subdivision of Renraw, Resubdivision  
of Part of Lots 231 and 232  
Map 72-13, Parcel 135  
Subarea 5 (1994)  
District 7 (Campbell)

A request for final plat approval to resubdivide portions of two lots into two lots abutting the southwest margin of McClurkan Avenue, approximately 225 feet northwest of Brasher Avenue (.64 acres), classified within the R6 District, requested by Robert Braswell, owner/developer, Volunteer Surveying, surveyor.

Mr. Owens stated that in 1914 there was a plat recorded which created a series of lots on a 15 foot right-of-way. That right-of-way is now an alley and there are new homes being built on the lots. In 1962 a deed was recorded which carved out the rear area of two lots and created parcel 137 and then a house was built. That original plat is being updated to reflect the results of the 1962 deed action. Staff is recommending approval because no additional platted lots are being created, the size of lots one and two more than meet the comparability requirements of the area and they also comply with the R6 zoning standards for the district.

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

**Resolution No. 98-81**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-021U is **APPROVED (6-0).”**

**Subdivision No. 98S-029A**  
Glenclyff Estates, Section 5, Lot 94  
Map 119-4, Parcel 64  
Subarea 11 (1993)  
District 16 (Graves)

A request for final approval to amend the side setback line from 25 feet to 15 feet on a lot abutting the northeast corner of Browning Road and Barrett Road (.40 acres), classified within the R15 District, requested by H. T. and Lorene C. Whitter, owners/developers.

Mr. Owens stated staff was recommending disapproval of this application. It is a request to reduce an old platted setback line. This lot was recorded in 1955 and was platted with a 25 foot setback along Barrett Road and a 50 foot setback along Browning. It is a corner lot and the applicant is asking to reduce the platted setback from 25 feet down to 15 feet to accommodate an expansion. Staff is recommending disapproval because the current Zoning Ordinance establishes 30 foot setbacks from all streets in this zoning district.

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

**Resolution No. 98-82**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-029A is **DISAPPROVED (6-0).”**

**Subdivision No. 98S-040U**  
The Crossings at Hickory Hollow, Phase 3  
Map 163, Parcel 343  
Map 172, Parcels 29-32 and 67  
Subarea 13 (1996)  
District 29 (Holloway)

A request for final plat approval to subdivide five parcels into four lots and associated streets abutting the southeast margin of Old Franklin Road, opposite Crossings Boulevard (114.31 acres), classified within the IWD District, requested by American General Realty Investment Corporation, owner/developer, Cherry Land Surveying, surveyor.

Mr. Owens stated staff is recommending approval of this application subject to posting a bond to cover water and sewer improvements and also subject to Public Works final approval of street construction plans. The unusual thing about this case is that this will be a joint participation project between TDOT, Metro and the property owner with Metro and TDOT performing all the street construction function. The property owner is dedicating the right-of-way and is providing the engineering services.

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

**Resolution No. 98-83**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-040U is **APPROVED SUBJECT TO A BOND OF \$237,000.00 AND PUBLIC WORKS APPROVAL OF STREET CONSTRUCTION PLANS (6-0).”**

**MANDATORY REFERRALS:**

**Proposal No. 97M-143G**  
Council Bill No. O98-1039  
Meadow View Drive Closure  
Map 156-10  
Subarea 6 (1996)  
District 35 (Lineweaver)

A council bill to close a ten-foot segment of Meadow View Drive at its southwest terminus. (Easements are to be retained).

Ms. Regen stated in November the Commission approved the Templegate Subdivision and there was discussion about the connection of Meadow View Drive to the existing Meadow View Drive which exists in the Harpeth River Estates. Councilmember Lineweaver at that time had discussed the closure and has now proposed a bill to close the remaining 10 feet of the existing Meadow View Drive at its terminus. This would create a dead end street of 1,297 foot length with no turnaround at its terminus, which would violate the Subdivision Regulations, which requires a permanent dead end street to be no longer than 750 feet. Staff is recommending disapproval.

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

**Resolution No. 98-84**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **DISAPPROVES (6-0)** Proposal No. 97M-143G.

**OTHER BUSINESS:**

3. Employee Contracts for Preston Elliott, John Reid, Jeff Stuncard, and Michael W. Calleja.

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

**Resolution No. 98-85**

"BE IT RESOLVED by the Metropolitan Planning Commission that it approves the employment contracts for Preston Elliott, John Reid, Jeff Stuncard, and Michael W. Calleja for one year."

4. Contract with IDE Associates, Inc. for the Southeast Arterial Interchange Justification Study - Reanalysis.

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

BE IT RESOLVED by the Metropolitan Planning Commission that it approves the contract with IDE Associates, Inc. for the Southeast Arterial Interchange Justification Study - Reanalysis."

5. Legislative Update.

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

**PLATS PROCESSED ADMINISTRATIVELY:**

December 11, 1997 through January 21, 1998

- 96S-275G**      **BANBURY CROSSING, First Revision**  
P.U.D. Boundary Plat
- 96S-294G**      **MOUNTAIN VIEW, Section 1, First Revision**  
Adds Drainage easement
- 97S-037G**      **SOMERSET FARMS, Phase 2, Section 4, First Revision**  
Revised street names
- 97S-175G**      **BEVERLY B. LAWSON SUBDIVISION**  
Platting a deeded parcel
- 97S-288U**      **SULLIVAN PROPERTY**  
One lot into two lots
- 97S-322G**      **JAMES WAYNE COLLINS SUBDIVISION,**  
**Resubdivision of Lots 1 and 2**  
Minor interior lot line shift
- 97S-366G**      **BETTY DARNELL PROPERTY**  
Platting a deeded parcel
- 97S-400U**      **D. D. D. LAND, LLC PROPERTY**  
Consolidates two parcels into one lot
- 97S-411U**      **CALUMET, PHASES 7-9**  
P.U.D. Boundary Plat
- 97S-440U**      **INGLEWOOD RETAIL CENTER, First Revision**  
Revised easements
- 97S-449U**      **LARCHWOOD COMMERCIAL SUBDIVISION,**  
**Section 10, Lot 1, First Revision**  
Correction to deed reference
- 97S-462G**      **STAFFORD HILL SUBDIVISION**  
Subdivide one deeded parcel into two lots
- 97S-468G**      **GRAHAM REED SUBDIVISION**  
Platting a deeded parcel
- 97S-479U**      **GRASSMERE, Section 4 Lots 5 and 8, First Revision**  
Minor interior lot line shift and the creation of a grading  
and drainage easement
- 97S-482G**      **RIVERGATE INDUSTRIAL PARK, Section 2, Lots 2 and 2**  
Consolidates two parcels into one lot

- 98S-002U      ROYAL PARK BUSINESS CENTER, Resubdivision of Lot 11**  
Plats one platted lot and one deeded parcel
  
- 98S-005U      WESSEX TOWERS, Units 509 and 511, Third Revision**  
Minor revision to two units in a condominium
  
- 98S-007U      LAKEVIEW HILLS, Section 4, Lot 61**  
Zone Lot Division
  
- 98S-010U      BRENTWOOD MEADOWS, Section 1, Lot 16**  
Zone Lot Division
  
- 98S-026G      CAMPBELL & HEARD, Lot 2, First Revision**  
Remove non-building status from recorded lot
  
- 98S-027U      Resubdivision of CENTURY CITY WEST, Revision**  
Minor interior lot line shift
  
- 98S-037G      RIVER PLANTATION, Phase 2 Section 11**  
**(Phase Boundary Plat)**  
Plats phase line within Residential P.U.D.

**ADJOURNMENT:**

There being no further business, upon motion made, seconded and passed, the meeting adjourned at 5:50 p.m.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary

Minute Approval:  
This 5<sup>th</sup> day of February 1998