

MINUTES
OF THE
METROPOLITAN PLANNING COMMISSION

Date: June 25, 1998
Time: 1:00 p.m.
Place: Howard Auditorium

Roll Call

Present:

Gilbert N. Smith, Chairman
Tim Garrett, Councilmember
James Lawson
Ann Nielson
Douglas Small
Marilyn Warren

Absent:

Mayor Philip Bredesen
William Harbison
William Manier
Stephen Smith

Others Present:

Executive Office:

Karen Nicely, Assistant Executive Director
Carolyn Perry, Secretary II

Current Planning & Design Division:

Theresa Carrington, Planner III
Jennifer Regen, Planner III
Doug Delaney, Planner II
John Reid, Planner II
Jeff Stuncard, Planner I
James Russ, Planning Technician I

Community Plans Division:

Jerry Fawcett, Planning Division Manager
Cynthia Lehmbeck, Planner III
Anita McCaig, Planner I

Advance Planning & Design:

John Boyle, Planning Division Manager
Michael Calleja, Planner III
April Alperin, Planner I
Paige Watson, Planner I

Others Present:

Leslie Shechter, Legal Department

Chairman Smith called the meeting to order.

ADOPTION OF AGENDA

Ms. Carrington announced the caption for item 98Z-104U should read Council Bill No. O98-1242.

Mr. Lawson moved and Ms. Nielson seconded the motion, which unanimously passed, to approve the agenda.

ANNOUNCEMENT OF DEFERRED ITEMS

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

- 98Z-106G Deferred two weeks, by applicant.
- 75-87-P Deferred two weeks, by applicant.
- 28-87-P Deferred two weeks, by applicant.

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

APPROVAL OF MINUTES

Mr. Lawson moved and Ms. Nielson seconded the motion, which unanimously passed, to approve the minutes of the regular meeting of June 11, 1998.

RECOGNITION OF COUNCILMEMBERS

Councilmember Charles Fentress stated he had spoken with Jeff Browning regarding item 98Z-007T and was told that there is an existing procedure for waiving application fees. He asked for that information in writing and asked the Commission to defer.

Councilmember Bruce Stanley stated he was present to speak in favor of Subdivision No. 98S-208U, which was on the consent agenda.

ADOPTION OF CONSENT AGENDA

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

ZONE CHANGE PROPOSALS:

Zone Change Proposal No. 98Z-101U
Map 61, Parcel 24.09
Subarea 5 (1994)
District 4 (Majors)

A request to change from RS15 to CS District property located at 617 Hart Lane, approximately 300 feet west of Hutson Avenue (.58 acres), requested by Rose Mary Rodriguez, appellant, for William T. Baty et ux, owners.

Resolution No. 98-440

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-101U is **Approved (6-0)**:

This property falls within the Subarea 5 Plan's Commercial Mixed Concentration (CMC) policy, calling for a wide variety of residential, office, and retail uses around the Ellington Parkway/Hart Lane interchange. The CS district is consistent with this policy and the emerging commercial zoning pattern along Hart Lane."

Zone Change Proposal No. 98Z-102G
Map 114, Parcel 190
Subarea 6 (1996)
District 23 (Crafton)

A request to change from SCN to CL District property located on the east margin of Old Hickory Boulevard (unnumbered), approximately 100 feet south of the Old Hickory Boulevard/Tolbert Road intersection (3.10 acres), requested by Skip Heibert, appellant, for Edward P. De Zevallos, trustee.

Resolution No. 98-441

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-102G is **APPROVED (6-0)**:

This property falls within the Subarea 6 Plan's Retail Concentration Supercommunity (RCS) policy, calling for large scale retail and shopping center uses. The CL district is consistent with this policy and the commercial zoning pattern to the south established by the Council."

Zone Change Proposal No. 98Z-103U
Council Bill No. 098-1258
Map 121, Parcels 141 (12.14 acres),
142 (1.67 acres) and 206 (4.04 acres)
Subarea 13 (1996)
District 13 (French)

A council bill to change from R20 to IWD District property located at 1630 and 1640 Reynolds Road and Reynolds Road (unnumbered), approximately 600 feet south of Couchville Pike (17.85 acres), requested by J. B. Paul, appellant, for W. L. Baggett, et ux (owners), Gary T. Nelson and Donna L. Bergstrom (owners), and W. L. Baggett and Eva Scott (trustees), owners/trustees.

Resolution No. 98-442

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-103U is **APPROVED (6-0)**:

These properties fall within the Subarea 13 Plan’s industrial (IND) policy, calling for warehousing, wholesaling, and manufacturing uses. IWD is appropriate for these properties located near the airport and existing industrial zoning. In order to implement the industrial goals of the Subarea 13 Plan, industrial zonings such as this should be approved before additional residential development gains a foothold in this area. As more industrial development occurs in this area, Council should program necessary infrastructure improvements into the Capital Improvements Budget to remedy any deficiencies.”

Zone Change Proposal No. 98Z-105U
Map 69, Part of Parcel 59
Subarea 3 (1992)
District 1 (Patton)

A request to change from RS15 to RM9 District a portion of property located at 4343 Ashland City Highway, approximately 800 feet east of Stewarts Lane (5.5 acres), requested by Dale and Associates, appellant, for Lisa Creasy and David Allen, owners.

Resolution No. 98-443

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-105U is **APPROVED (6-0)**:

This property falls within the Subarea 3 Plan’s Residential Medium (RM) policy, calling for 4 to 9 dwelling units per acre. The RM9 district is consistent with this policy.”

Zone Change Proposal No. 98Z-107U
Council Bill No. O98-1244
Map 161-8, Parcel 27
Subarea 12 (1997)
District 30 (Hollis)

A council bill to change from R10 to CS District property located at 5228 Nolensville Pike, on the northeast margin of Nolensville Pike and Brewer Drive (.73 acres), requested by Charles Smith, appellant, for Charles L. Smith et ux, owners.

Resolution No. 98-444

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-107U is **APPROVED (6-0)**:

This property falls within the Subarea 12 Plan’s Commercial Arterial Existing (CAE) policy, calling for a variety of retail, office, and commercial service uses. The CS district is consistent with this policy and the established commercial zoning pattern along the Nolensville Pike corridor.”

Zone Change Proposal No. 98Z-108U
Council Bill No. O98-1257
Map 69-4, Parcels 77 (.59 acres) and 78 (.67 acres)
Subarea 3 (1992)
District 2 (Black)

A council bill to change from RS15 to CL District property located at 3931 and 3933 Clarksville Pike, approximately 550 feet north of West Hamilton Road (1.26 acres), requested by Lila J. Spencer, appellant, for Mrs. Maurice H. Spencer, owner.

Resolution No. 98-445

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-108U is **APPROVED (6-0)**:

These properties falls within the Subarea 3 Plan's Commercial Arterial Existing (CAE) policy, calling for a variety of retail, commercial service, and office uses. The CL district is consistent with this policy and the zoning pattern along this stretch of Clarksville Pike."

Zone Change Proposal No. 98Z-109U
Council Bill No. O98-1263
Map 92-14, Parcels 59 (.11 acres) and 60 (.10 acres)
Subarea 8 (1995)
District 21 (McCallister)

A council bill to change from RM20 to OG District properties located at 21 and 323 29th Avenue North, abutting the east margin of 31st Avenue North (.21 acres), requested by William Jackson Goff, appellant, for William Jackson Goff et ux and Robert B. McConnell et ux, owners.

Resolution No. 98-446

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-109U is **APPROVED (6-0)**:

These properties fall within the Subarea 10 Plan's Office Concentration (OC) policy, calling for higher intensity office uses. The OG district is consistent with this policy and the higher intensity office uses in the area."

Zone Change Proposal No. 98Z-110G
Council Bill No. O98-1256
Map 114, Parcel 51
Subarea 6 (1996)
District 23 (Crafton)

A council bill to change from R80 to RM4 District property located approximately 400 feet north of Charlotte Pike, opposite Sawyer Brown Road (4.5 acres), requested by 21st Century Partners, appellant/owner.

Resolution No. 98-447

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-110G is **APPROVED (6-0)**:

Due to the prevalence of steep topography in the general area, this property falls within the Subarea 6 Plan's Natural Conservation (NC) policy permitting up to 4 units per acre on the flatter and more developable portions of property. RM4 zoning permitting multi-family development is appropriate on this property since it lies near the intersection of an arterial and collector street (Charlotte Pike/Sawyer Brown Road) and is in proximity to the large commercial policy area at I-40/Old Hickory Boulevard/Charlotte Pike interchange."

Zone Change Proposal No. 98Z-112U

Council Bill No. 098-112U
Map 94, Part of Parcel 93 (3.97 acres)
Subarea 14 (1996)
District 15 (Dale)

A council bill to change from OR20 and IWD Districts to CS District property located at 1801 and 1803 Lebanon Pike, opposite Clovernook Drive (3.97 acres), requested by Dale Gish, applicant, for Fleetco Trailer Corporation, owner.

Resolution No. 98-448

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-112U is **APPROVED (6-0)**:

This property falls within the Subarea 14 Plan's Commercial Arterial Existing (CAE) policy along Lebanon Pike and Industrial policy (IND) to the south. CAE calls for retail, commercial service, and office uses, while the IND calls for warehousing, manufacturing, and wholesaling uses. The CS district is consistent with these policies and the commercial zoning pattern along Lebanon Pike to the west."

PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:

Proposal No. 177-74-U
Century City West
Map 107, Parcel 158
Subarea 14 (1996)
District 15 (Dale)

A request to revise the approved preliminary master plan for a portion of the Commercial (General) Planned Unit Development District abutting the west margin of Century Boulevard and the east margin of Ermac Drive (10.78 acres), classified R8 and ORI, to permit the development of two office buildings of 157,000 (Phase 1) and 95,000 (Phase 2) square feet, requested by Ragan-Smith Associates, Inc., for Duke Construction, LP., owner.

Resolution No. 98-449

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 177-74-U is given **CONDITIONAL APPROVAL OF A REVISION TO THE PRELIMINARY PLAN FOR A PHASE (6-0)**. 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. Compliance with the recommendations of the Traffic Impact Study dated June, 1996.
3. Compliance with the requirements of the Metropolitan Nashville Airport Authority with regard to approvals by the Federal Aviation Administration as stated in its letter dated July 10, 1996."

Proposal No. 19-76-U
Radnor Baptist Church PUD
Map 133-2, Parcel 44
Subarea 11 (1993)
District 16 (Graves)

A request to revise the approved preliminary master plan and for final approval for a portion of the Residential Planned Unit Development District abutting the east margin of Nolensville Pike, between Sunrise and Thuss Avenues (2.41 acres), classified CS and RM40, to permit an 8,460 square foot addition to the existing facility, requested by Radnor Baptist Church, applicant/owner.

Resolution No. 98-450

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 19-76-U is given **CONDITIONAL PRELIMINARY AND FINAL APPROVAL (6-0)**. The following condition applies:

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

Proposal No. 137-80-G
Emmanuel Lutheran Church
Map 85-4, Parcel 33
Subarea 14 (1996)
District 14 (Stanley)

A request to cancel the Residential Planned Unit Development District abutting the southwest margin of Hickory Hill Lane, approximately 150 feet north of Lebanon Pike (4.87 acres), classified OR20, requested by KBJM Architects, Inc., for Emmanuel Lutheran Church, owner.

Resolution No. 98-451

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 137-80-G is given **APPROVAL OF CANCELLATION REQUIRING COUNCIL CONCURRENCE (6-0)**, The following condition applies:

Concurrence with cancellation by the Metropolitan Council.”

Proposal No. 53-81-U
Highland Ridge, Phase IV
Map 95, Parcels 25, 26 and 28
Subarea 14 (1996)
District 15 (Dale)

A request for final approval for a portion of the Commercial (General) Planned Unit Development District abutting the south margin of Elm Hill Pike and the east margin of Marriott Drive (10.04 acres), classified ORI, to permit the development of a 12-story, 294,414 square foot office building and an associated 4-level parking garage, requested by Barge, Waggoner, Sumner and Cannon, Inc., for Gaedeke Landers, owner. **(Also requesting final plat approval).**

Resolution No. 98-452

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 53-81-U is given **CONDITIONAL FINAL APPROVAL FOR A PHASE; FINAL PLAT APPROVAL SUBJECT TO THE POSTING OF A BOND IN THE AMOUNT OF \$100,000.00 (6-0)**. The following conditions apply:

1. Written confirmation of final approval from the Stormwater Management and the Traffic and Parking Sections of the Metropolitan Department of public Works.
2. The recording of a final subdivision plat and the posting of a bond for all required improvements.”

Proposal No. 7-87-P

Haywood Oaks
Map 148-10, Part of Parcel 135
Subarea 12 (1997)
District 30 (Hollis)

A request to revise the final site development plan of the Commercial (General) Planned Unit Development District abutting the southwest margin of Interstate 24 and the east margin of Ezell Road, classified CS, to permit the location of a 150 foot cellular tower, requested by Telecom Towers, Inc., for Duke Realty Limited Partnership, owners.

Resolution No. 98-453

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 7-87-P is given **CONDITIONAL APPROVAL OF REVISION TO FINAL (6-0)**, The following condition applies:

Written confirmation of final approval from the Stormwater Management Section of the Metropolitan Department of Public Works.”

Proposal No. 88P-045G

Palmas Properties
Map 114, Parcel 190
Subarea 6 (1996)
District 23 (Crafton)

A request to cancel the existing undeveloped Commercial (General) Planned Unit Development District located abutting the east margin of Old Hickory Boulevard, 140 feet south of Tolbert Road (3.10 acres), classified SCN and proposed for CL, approved for 25,900 square feet of retail and 12,600 square feet of office use, requested by Heibert and Associates, for Professional Real Estates Developers, owners.

Resolution No. 98-454

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 88P-045G is given **APPROVAL OF CANCELLATION (6-0)**. The following condition applies:

Approval of the cancellation by the Metropolitan Council.”

Proposal No. 90P-018U

Nippers Corner, Lot 4
Map 161, Parcel 263
Subarea 12 (1997)
District 32 (Jenkins)

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 northeast quadrant of Edmondson Pike and Old Hickory Boulevard (.26 acres), classified SCC, to permit the addition of 1,450 square feet to an existing restaurant, and conversion to an office building, requested by Dale and Associates, for Cheryl Crewes, owner.

Resolution No. 98-455

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 90P-018U is given **CONDITIONAL APPROVAL OF REVISION TO FINAL FOR A PHASE (6-0)**. The following condition applies:

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

Proposal No. 93P-016G
Traceside, Section 10
Map 169, Parcel 241
Subarea 6 (1996)
District 35 (Lineweaver)

A request for final approval for Section 10 of the Residential Planned Unit Development District abutting both the eastern and northern terminus of Traceway Drive (27 acres), classified RS20, to permit the development of 72 single-family lots, requested by Ragan-Smith Associates, Inc., for Centex Homes, Inc., owner.

Resolution No. 98-456

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 93P-016G is given **CONDITIONAL FINAL APPROVAL FOR A PHASE (6-0)**. 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. Receipt and approval of revised plans which remove any reference to a 20 foot setback for Lot 215. All lots within this phase of the development shall have a consistent 30 foot front setback.
3. Recording of a final plat as well as the posting of bonds as may be required for any necessary public improvements prior to the issuance of any building permits.”

Proposal No. 95P-021U
Epiphone Guitar Assembly Facility
Map 94, Part of Parcel 93
Subarea 14 (1996)
District 15 (Dale)

A request to cancel the Commercial (General) Planned Unit Development District abutting the south margin of Lebanon Pike, opposite Clovernook Drive (3.97 acres), classified OR20, IWD and CS and proposed for CS, approved for a 65,000 square foot limited manufacturing facility, requested by Dale Gish, applicant/owner.

Resolution No. 98-457

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 95P-021U is given **APPROVAL OF CANCELLATION REQUIRING COUNCIL CONCURRENCE (6-0)**. The following condition applies:

Concurrence with cancellation by the Metropolitan Council.”

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

District 31 (Alexander)

A request for final approval of the Residential Planned Unit Development District abutting the west margin of Old Hickory Boulevard, approximately 700 feet south of Bell Road (9.96 acres), classified R10, to permit the development of 39 single-family lots, requested by Dale and Associates, for Mt. View L.L.C., owners.

Resolution No. 98-458

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 97P-033U is given **CONDITIONAL FINAL APPROVAL (6-0)**. The following conditions apply:

1. Written confirmation of final approval from the Stormwater management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. The recording of a boundary plat.
3. Recording of a final plat as well as the posting of a bond as may be required for any necessary public improvements prior to the issuance of any building permits.”

SUBDIVISIONS:

Final Plats:

Subdivision No. 97S-152G

Boone Trace at Biltmore, Section 3
Map 126, Part of Parcel 65
Subarea 6 (1996)
District 23 (Crafton)

A request for final plat approval to create 44 lots abutting both margins of Boone Trace and both margins of Settler's Court (15.9 acres), classified within the RS30 Planned Unit Development District, requested by Fox Ridge Homes, Inc., owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

Resolution No. 98-459

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 97S-152G, is **APPROVED SUBJECT TO BOND OF \$446,400.00 (6-0)**.”

Subdivision No. 97S-296U

Wilding Subdivision
Map 115-9, Parcels 59, 60 and 61
Map 115-14, Parcel 77
Subarea 7 (1994)
District 23 (Crafton)

A request to reconfigure three platted lots and a deeded parcel abutting the southwest margin of Duquaine Court, approximately 540 feet south of Pennywell Drive (25.49 acres), classified within the RS40 District, requested by Ben J. Odom, et al, owners/developers, Gaylon Northcutt, surveyor.

Resolution No. 98-460

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 97S-296U, is **APPROVED (6-0).”**

Subdivision No. 98S-073G
Poplar Creek Estates, Phase 5, Section B1
Map 155, Part of Parcel 203
Subarea 6 (1996)
District 35 (Lineweaver)

A request for final plat approval to create 22 lots abutting the south margin of Poplar Creek Road, approximately 800 feet east of Allens Lane (7.09 acres), classified within the RS15 District, requested by Poplar Creek Development Company, owner/developer, Joseph G. Petrosky Associates, Inc., surveyor.

Resolution No. 98-461

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 98S-073G, is **APPROVED SUBJECT TO BOND OF \$220,460.00 (6-0).”**

Subdivision No. 98S-145U
Capitol Towers
Map 93-1, Parcel 43
Subarea 9 (1997)
District 19 (Sloss)

A request for final plat approval to subdivide one lot into two lots abutting the west margin of 5th Avenue North, between James Robertson Parkway and Gay Street (2.13 acres), classified within the CF District, requested by Capitol Towers, Ltd., owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

Resolution No. 98-462

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 98S-145U, is **APPROVED (6-0).”**

Subdivision No. 98S-190G
Sequoia Village, Section 1
Map 43-1, Parcels 107, 108, 109 and
Part of Parcels 96 and 97
Subarea 4 (1993)
District 9 (Dillard)

A request for final plat approval to create 33 lots abutting the north margin of Sarver Drive and both margins of Shannon Avenue (7.75 acres), classified within the RS7.5 District, requested by Charles Rhoten, owner/developer, Burns Consulting, surveyor. (Deferred from meeting of 6/11/98).

Resolution No. 98-463

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 98S-190G, is **APPROVED SUBJECT TO BOND OF \$352,500.00 (6-0).”**

Subdivision No. 98S-208U
Resha Property
Map 96-13, Parcels 177, 178 and 214
Subarea 14 (1996)

District 14 (Stanley)

A request for final plat approval to reconfigure two lots and one parcel abutting the southeast corner of Old Elm Hill Pike and Elm Hill Pike (2.37 acres), classified within the CS District, requested by Charles J. Resha, III, owner/developer, I D E Associates, Inc., surveyor.

Resolution No. 98-464

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 98S-208U, is **APPROVED SUBJECT TO BOND OF \$60,000. (6-0).”**

Request for Bond Extension:

Subdivision No. 151-82-G
Somerset Farms, Section 4, Phase 3
Raymond Zimmerman, principal

Located abutting both margins of Somerset Farms Circle and both margins of Somerset Farms Drive.

Resolution No. 98-465

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 151-82-G, Bond No. 97BD-095, Somerset Farms, Section 4, Phase 3, in the amount of \$133,000 to 9/15/98 subject to submittal of an amendment to the present Letter of Credit by **7/25/98** which extends its expiration date to 3/15/99. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 40-87-P
Peninsula Pointe, Section 2
Butler Development, LLC, principal

Located abutting both margins of Waterford Way, approximately 150 feet east of Milbridge Road.

Resolution No. 98-466

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 40-87-P, Bond No. 97BD-019, Peninsula Pointe, Section 2, in the amount of \$37,000 to 4/15/99 subject to submittal of an amendment to the present Letter of Credit by **7/25/98** which extends its expiration date to 10/15/99. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 78-87-P
Fredericksburg, Section 7
Radnor Homes, Inc., principal

Located abutting the east margin of Cloverland Drive and both margins of Fredericksburg Way West.

Resolution No. 98-467

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 78-87-P, Bond No. 97BD-033, Fredericksburg, Section 7, in the amount of \$230,050 to 9/15/98 subject to submittal of a letter from the Frontier Insurance Company by **7/25/98** agreeing to the extension. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 93P-023G
Gateway of Hermitage
Shurgard-Freegard Hermitage, J.V., principal

Located abutting the south margin of Central Pike, approximately 240 feet west of Old Hickory Boulevard.

Resolution No. 98-468

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 93P-023G, Bond No. 94BD-015, Gateway of Hermitage, in the amount of \$105,400 to 8/1/99 subject to submittal of an amendment to the present Letter of Credit by **7/25/98** which extends its expiration date to 2/1/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 94S-399G
Northfork Industrial Park
Northfork Properties, Inc., principal

Located abutting the west margin of Dickerson Pike and the east margin of the CSX Transportation Railroad.

Resolution No. 98-469

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 94S-399G, Bond No. 96BD-046, Northfork Industrial Park, in the amount of \$28,000 to 5/15/99 subject to submittal of an amendment to the present Letter of Credit by **7/25/98** which extends its expiration date to 11/15/99. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 95P-015G
New Hope Pointe, Phase 1, Section 2
Robert E. Earheart, principal

Located abutting both margins of Cape Hope Pass, approximately 520 feet west of New Hope Road.

Resolution No. 98-470

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 95P-015G, Bond No. 97BD-082, New Hope Pointe, Phase 1, Section 2, in the amount of \$37,000 to 7/15/99 subject to submittal of an amendment to the present Letter of Credit by **7/25/98** which extends its expiration date to 1/15/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 95P-032G
Chesney Glen, Section 2
Phillips Builders, Inc., principal

Located abutting both margins of Glensboro Drive, approximately 110 feet northeast of Chesney Glen Drive.

Resolution No. 98-471

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 95P-032G, Bond No. 97BD-049, Chesney Glen,

Section 2, in the amount of \$32,500 to 12/15/98 subject to submittal of a letter from the Frontier Insurance Company by **7/25/98** agreeing to the extension. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 95S-136G
Jackson Downs Commercial
Jackson Downs, L.P., principal

Located abutting the southwest corner of Lebanon Pike and Jackson Downs Boulevard.

Resolution No. 98-472

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 95S-136G, Bond No. 97BD-074, Jackson Downs Commercial, in the amount of \$30,000 to 10/15/98."

Subdivision No. 96S-230G
Beauna Hill
Glen Tidwell, principal

Located abutting the north margin of Apache Lane, approximately 170 feet east of Cheyenne Boulevard.

Resolution No. 98-473

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 96S-230G, Bond No. 98BD-005, Beauna Hill, in the amount of \$31,750 to 8/1/99 subject to submittal of an amendment to the present Letter of Credit by **7/25/98** which extends its expiration date to 2/1/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 96S-248U
Oxton Hill
Dudley Warner, principal

Located abutting the northeast corner of Graybar Lane and Oxton Hill Lane (Boensch Street).

Resolution No. 98-474

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 96S-248U, Bond No. 97BD-043, Oxton Hill, in the amount of \$6,500 to 7/15/99 subject to submittal of an amendment to the present Letter of Credit by **7/25/98** which extends its expiration date to 1/15/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 97P-006G
Wildflower Place
Tex-Mex Partners, LLC, principal

Located abutting the northeast corner of Bellevue Road and Belle Glen Drive.

Resolution No. 98-475

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 97P-006G, Bond No. 97BD-050, Wildflower Place, in the amount of \$202,000 to 7/1/99 subject to submittal of an amendment to the present Letter of Credit by

7/25/98 which extends its expiration date to 1/1/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Subdivision No. 97S-303U
Jarman Property, Section 1
WLB-Brighton, LLC, principal

Located abutting the south margin of Brighton Road, opposite Leonard Avenue.

Resolution No. 98-476

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 97S-303U, Bond No. 98BD-018, Jarman Property, Section 1, in the amount of \$93,000 to 6/15/99 subject to submittal of an amendment to the present Letter of Credit by **7/25/98** which extends its expiration date to 12/15/99. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Release:

Subdivision No. 94P-015G
Waffle House, Inc.
Waffle House, Inc., principal

Located abutting the southwest corner of Franklin Pike Circle and Old Hickory Boulevard.

Resolution No. 98-477

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 94P-015G, Bond No. 97BD-001, Waffle House, Inc. in the amount of \$23,000.”

MANDATORY REFERRALS:

Proposal No. 98M-063U
Cumberland Alley Closure
Map 93-5-A
Subarea 9 (1997)
District 19 (Sloss)

A proposal to close Cumberland Alley between Eighth Avenue North and Ninth Avenue North, requested by Mr. James Shull, Jr., Director for Baptist Sunday School Board, adjacent property owner. (Easements are to be retained).

Resolution No. 98-478

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (6-0)** Proposal No. 98M-063U.

Proposal No. 98M-064U
Third Avenue South
Map 93-6-4, Parcel 55
Subarea 9 (1997)

District 19 (Sloss)

A mandatory referral from the Department of Public Works proposing the installation of a 4' by 8' double faced sign over the public right-of-way in front of 120 Third Avenue South, requested by Joseph M. Balthrop for Joe B's Bar & Grill, proprietor.

Resolution No. 98-479

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (6-0)** Proposal No. 98M-064U.

Proposal No. 98M-065U

325 Broadway
Map 93-6-4, Parcel 17
Subarea 9 (1997)
District 19 (Sloss)

A mandatory referral from the Department of Public Works proposing the installation of a 10'7" by 8'0" double faced sign over the public right-of-way at 325 Broadway, requested by Jeannie Bare for Bobby Bare Trap, proprietor.

Resolution No. 98-480

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (6-0)** Proposal No. 98M-065U.

Proposal No. 98M-067U

Eighth Avenue South and Wedgewood Avenue
Map 105-10, Parcel 17
Subarea 10 (1994)
District 17 (Douglas)

A mandatory referral from the Department of Public Works proposing the installation of an underground monitoring well in the south margin of Wedgewood Avenue, approximately 50 feet east of Eighth Avenue South; and in the west margin of Eighth Avenue South, approximately 50 feet north of Wedgewood Avenue, requested by Damian Edwards for B. P. Oil Company, adjacent property owner.

Resolution No. 98-481

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (6-0)** Proposal No. 98M-067U:

Proposal No. 98M-068U

Council Bill No. O98-1272
Martha O'Bryan Center Lease Agreement Amendment
Map 93-4, Part of Parcel 73
Subarea 5 (1994)
District 6 (Beehan)

A council bill approving an amendment to a lease agreement by and between the Martha O'Bryan Center and Metro Social Services for office space at 711 South Seventh Street.

Resolution No. 98-482

“BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** (6-0) Proposal No. 98M-068U.”

This concluded the items on the consent agenda.

PUBLIC HEARING: ECONOMIC DEVELOPMENT FUNCTIONAL PLAN:

Ms. Alperin stated this is the presentation of the Economic Development Functional Plan. This plan was undertaken as directed by Concept 2010, the General Plan for Nashville-Davidson County as adopted by this Commission.

The purpose of this plan is to assess the current state of our local economy as well as look at historical trends and future projections.

There are 3 geographic areas examined in this study. The US, the MSA, and Davidson County. The US is used as the constant upon which all comparisons are made. Because Davidson County is the core of the Nashville MSA, its economy has a direct effect on the surrounding counties of the MSA. At the same time, changes in the economies of the surrounding counties have a direct effect on Davidson County. For this reason, the surrounding counties of the Nashville MSA are included in this study.

The broadest indicator of the health of a local economy is employment growth. Davidson County is fairly consistent with national rates of employment growth for the duration of the study period. The growth of the MSA is much more dramatic than that of Davidson County. This led us to separate the surrounding counties from Davidson County. By doing so, we find that the surrounding counties had more dynamic growth than Davidson County. This is indicative of Nashville's growth as a region. The higher than national growth rates of Davidson, the MSA and the surrounding counties are indicative of a healthy regional economy.

Unemployment is the second indicator of the health of a local economy. Throughout the study period, Davidson County, the MSA and the surrounding counties experienced unemployment rates below national rates. This is, again, indicative of a healthy economy.

The next step in examining a local economy is to break employment down by sectors. There are 7 sectors by which employment can be broken down. Three of these sectors fall out right away: agriculture, mining, and construction. Agriculture and mining fall out because they traditionally decrease in an urbanizing area and recent technological changes have caused a decrease in their employment. Construction falls out because it declines and falls with the economy. This leaves four sectors to be examined: industrial, services, retail trade and finance.

Staff first looked at the employment composition of the surrounding counties. In 1984 the surrounding counties were dependent on industrial employment as it made up 49% of their total employment base. By 1995 the growth that occurred in these areas led to a more diverse and healthy economy.

What stands out most is the growth of the finance sector. Growth in this sector is largely due to the tremendous suburbanization in these areas during the study period and the provision of such services to those suburban areas. In both 1984 and 1995 Davidson County had a healthy and diverse economy.

The two sectors that stood out as areas requiring special study were the services sector, which experienced tremendous growth during the study period, and the industrial sector, which experienced a decline during the study period.

The first special study area to look at is the industrial sector. There are 3 components of the industrial sector, transportation and utilities, wholesale trade and manufacturing.

In the transportation and utilities sector the surrounding counties grew at a greater rate than the nation. Davidson County did even better. Davidson County gained more in total jobs than all of the surrounding counties combined. The reason is, location and proximity. Three Interstates and 600 miles from 50% of the US population makes Davidson County a very convenient location for transportation industries.

The second component of the industrial sector is wholesale trade. Again, the surrounding counties grew at a greater rate than the nation. However, Davidson County, while still growing in this component, grew at a rate slower than the nation. This leads us to believe that while these jobs are still coming to the region they are locating in the surrounding counties more frequently than they locate within Davidson County.

The third and final component of the industrial sector is manufacturing. As a region, Nashville grew at a tremendous rate. While the US experienced a loss in manufacturing jobs, at a rate of 4%, the surrounding counties gained 20,000 new manufacturing jobs. Davidson County decreased at a quicker rate than the nation, -14%, a loss of 7000 jobs over 11 years. Comparing the surrounding counties to Davidson County we see that these jobs are still coming to the region but locating outside of Davidson County.

The second area of special study was the sectors of services and retail trade. These two sectors combined made up 89% of the total employment growth in Davidson County during the study period. Because these two sectors are so broad, from health care providers to arena food vendors, we took a closer look at where exactly this growth was occurring. Closer study determined that the growth in these sectors was attributed to the growing tourism industry in Davidson County. This growth identifies tourism as Davidson County's corner of the MSA market.

Putting all of this information together leads us to our goals for the next five years, the time frame established for this plan. Our first goal is to maintain diversity. As stated before, both Davidson County and the surrounding counties of the MSA have healthy and diverse economies. While encouraging growth in Davidson County and the region we need to make sure that no one sector becomes dominant of the local economy.

Our second goal is the retention and attraction of industrial development. As stated, Davidson County experienced a decline in employment in this sector during the study period. In addition, we discovered that 49% of industrial policy in Davidson County was not being used for industrial purposes.

To gain further insight an industrial development committee was established. This committee, comprised of public and private individuals who are active in industrial development, looked at market demands for industrial land and compared those to our existing industrial policy areas. The result has been a directive of this plan to re-evaluate the placement of existing industrial policy areas as compared to the market criteria established by this committee.

Secondly, we find it necessary for this committee to continue to meet to come up with creative ways to make Davidson County attractive to industrial businesses. Some preliminary ideas are Industrial Parks and Industrial Infrastructure Assistance programs.

Our third goal is tourism development. As stated, this is our corner of the MSA market. However, the immediate effects of the closure of the Opryland Theme Park have already begun to be seen. The Visitors and Convention Bureau have reported a decrease in requests for information on vacationing in the Nashville region. Tourism related businesses such as the shops on Demonbreun Street have begun to close in recent

weeks due to a lack of tourism dollars. This introduces a need for us to take proactive measures to ensure that Nashville-Davidson County remains a tourist destination.

Brownfield redevelopment is a new tool for the redevelopment of contaminated sites. Over the next 5 years we recommend a study be undertaken to identify these sites and strategies be developed for the reuse of these sites. The end result of this goal would be the opening up of land for development that has previously been undeveloped due to contamination.

Entrepreneurship and incubation projects have traditionally been a successful component of the Davidson County economy. This is a unique aspect of the Davidson County economy and something that should be continually fostered.

As mentioned, an Industrial Development Committee was brought together to look at the industrial development of Davidson County. This committee has not only been resourceful in the interpretation of these changes but very proactive in looking at a collaborative effort to combat the gradual decline of industrial development in Davidson County. It is this type of collaboration that is integral to the successful implementations of the goals and policies of this plan.

Finally, There are some minor text changes that need to occur to the Economic Development Functional Plan document. While these changes do not affect the goals or policies set forth before you today, we request that the commission defer adoption of this plan to the July 23rd meeting.

No one was present to speak at the public hearing.

Mr. Lawson moved and Ms. Nielson seconded the motion, which carried unanimously, to close the public hearing and defer adoption until July 23, 1998.

PUBLIC HEARING: HISTORIC PRESERVATION FUNCTIONAL PLAN:

Ms. Watson stated the term Historic Preservation is typically thought of as relating to individual structures; however, it is actually much more. Groups of structures, for example, form our neighborhoods and our downtown, each having a distinctive character and structures may also be surrounded by historic landscapes, or features. Underneath structures can be found significant archaeological resources. Together, these historic resources contribute to Nashville's unique identity and enhance our quality of life.

The task of moving toward a more comprehensive view of historic preservation in Nashville is accomplished by incorporating preservation into the local planning process via the Historic Preservation Functional Plan. In developing the plan, staff first examined the mechanisms currently in place to undertake preservation efforts. To date, there are three primary tools available: comprehensive planning and zoning; the historic preservation ordinance which authorizes the creation of historic overlay districts - two for the preservation and/or stabilization of residential and commercial areas and one for the protection of individual landmarks; and the historic resources survey. In Nashville, a county-wide survey, called the Cultural Resources Survey, was recently completed by the Metropolitan Historical Commission.

After evaluating the effectiveness of these mechanisms, staff met with representatives from groups having a vested interest in preservation as well as those having the greatest influence on these mechanisms—Metro agencies. We were especially interested in gaining an understanding of the agencies' respective missions and responsibilities and how they promote or hinder preservation efforts.

Some issues that were discussed, to name a few, include: demolition vs. repair of historic structures as the preferred course of action by the Codes Department; the Board of Education's difficulty with finding alternative uses for historic school buildings should they become vacant; and the inability of Metro agencies, as a whole, to encourage the rehabilitation and preservation of historic properties due to inadequate funding mechanisms and financial incentives.

After analyzing how Nashville currently preserves its heritage, and who is responsible for doing so, staff developed policy recommendations that provide for a more comprehensive approach to historic preservation. Each of these recommendations is listed in the functional plan; however, today I would like to highlight the major policy themes and examples of policy recommendations:

1. The first theme is the need to broaden the scope of historic preservation in Nashville, which can be done by incorporating landscapes, features and archaeological resources into the Cultural Resources Survey, which currently only addresses structures and districts. In addition, these resources should be incorporated into our 14 subarea plans. The information can then be used by Metro agencies when making decisions that affect historic resources.
2. The second theme is coordination between governmental agencies which is necessary to better integrate historic preservation into local planning efforts and other governmental considerations. Policies are recommended to foster greater coordination between the Historical Commission and other Metro agencies, including the Codes Department, to address such issues as maintenance and demolition as exemplified in this slide.
3. Finally, policies were developed that are *incentive*, versus regulatory, - based to encourage preservation and to supplement the three primary mechanisms, two of which are regulatory, that are already in place. The establishment of a task force, for example, is recommended to identify and promote additional funding mechanisms for the rehabilitation, re-use and preservation of historic resources. In addition, the inclusion of development incentives into the zoning ordinance should be considered, such as density bonuses, minimum lot size reduction, and transfer of development rights.

In conclusion, we are asking the Commission to adopt the Historic Preservation Functional Plan, which presents the tasks to be completed over the next five years in order to establish a more comprehensive approach to historic preservation in Nashville.

Ann Reynolds, Executive Director of the Historic Commission, offered her support of the plan and indicated that it was a proactive approach to preservation that was needed in Nashville. She mentioned the need to identify additional financial incentives to promote preservation, as stipulated in the plan, to which Councilmember Garrett agreed and offered his support in the endeavor.

Ms. Nancy Jane Baker also offered her support and stated that the Planning Commission should strive to implement the plan's goals within three, versus five, years due to the present threat to numerous historic structures in Nashville.

Ms. Nielson stated she felt Mr. Manier should have the opportunity to review the plan before the Commission made any decision.

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

ZONE CHANGE PROPOSALS:

Zone Change Proposal No. 98Z-007T Council Bill No. O98-1220

A council bill amending the provisions of Section 17.40.740 to waive until December 31, 1998 the application fees for any zone change, variance, or special exception for those land uses which would have been allowed prior to January 1, 1998, sponsored by Councilman Charles Fentress.

Ms. Regen stated this was the item Councilmember Fentress had asked the Commission to defer until he could get written conformation of the waiver arrangement.

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

Zone Change Proposal No. 98Z-100G
Council Bill No. 098-1246
Map 49, Part of Parcel 143 (90 acres)
Subarea 3 (1998)
District 1 (Patton)

A council bill requesting to change from RS20 to IR District a portion of property located at 3512 Knight Drive, approximately 2,800 feet north of Green Lane (90 acres), requested by William Q. Acree, appellant, for Margaret E. Mager, owner. (Deferred from meeting of 6/11/98).

Ms. Regen stated this item had been deferred from their last meeting so the applicant could provide information on infrastructure improvements in the area. This rezoning did not involve a subarea policy issue since the property was slated for future industrial development, was within industrial policy, and the applicant was asking for industrial zoning. The issue the Commission was focusing on was the lack of infrastructure improvement, specifically roadway. On Knight Drive the applicant has about 1,300 feet of frontage, and if the zoning were approved, he could have multiple parcels with access off of Knight Drive because he is only required to have 50 feet of roadway frontage per parcel.

Since the staff report was mailed out, the applicant has called to say he has options for some property for a roadway to his property. Ms. Regen explained the roadway was not the preferred alignment of the subarea plan and that an option on a property only meant the applicant had the right to purchase the property within a specified period of time based on certain terms; it did not mean he was going to buy the property. It was no guarantee that if he did he would use it for a roadway.

Ms. Warren asked what would he have to do to ensure the road would be built.

Ms. Regen stated that a plat would have to be filed showing dedication of the right-of-way for the road, prior to approval of the zone change. Despite all the meetings staff had with the applicant since he submitted his application, the road he was proposing was in the exact same place as he first suggested. It was going through an area that was to remain residential by the subarea plan.

Mr. Bill Acree stated he had obtained an option to buy property for his roadway as the Commission had instructed him to do and that there was a commercial PUD next door. He did not understand what the problem was with the road next to the Commercial PUD.

Chairman Smith asked staff if that was true.

Ms. Regen explained that there was an old unbuilt Commercial PUD next door. If someone came in and requested to have it cancelled and rezoned to residential, the staff would support that. Staff's preferred road alignment would go through industrial development and a future commercial area. As the Commission had just heard from Ms. Alperin, Metro is only beginning to investigate economic assistance for industrial parks and that no commitments had been made.

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

Resolution No. 98-483

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-100G is **DISAPPROVED (6-0)**:

Most of this property falls within the Subarea 3 Plan's industrial (IND) policy along Knight Drive, with a small portion falling within Natural Conservation (NC) policy. The NC policy calls for protection of the steep hillsides on a portion of this property; the IND policy calls for manufacturing, bulk storage, distribution activities, and mixed business parks. While the IR district's permitted industrial uses are consistent with the Subarea 3 Plan's IND policy, it is premature to intensify zoning in this area since the area's existing road network is inadequate to accommodate additional industrial traffic further, Metro has no assurance that necessary infrastructure improvements will be constructed by either a public or private entity now or in the near future since the Capital Improvements Budget contains no proposed improvements for Whites Creek Pike, Knight Drive or Brick Church Lane."

Zone Change Proposal No. 98Z-104U
Council Bill No. O98-1242
Map 103-15, Parcel 39
Subarea 10 (1994)
District 25 (Kleinfelter)

A request to change from CS to OR40 district property located at 4243 Harding Pike, at the southwest corner of Harding Pike and Woodlawn Drive (1.45 acres), sponsored by Councilmember David Kleinfelter.

Ms. Regen stated this property was currently zoned CS and the proposal was for OR40, office and multi-family residential at 40 dwelling units per acre. The property is within Mixed Use policy and similarly situated to the one the Commission recommended for rezoning at the Belle Meade Shopping Center a couple of months ago which wanted to go from CS to MUL. Staff is recommending disapproval of this request because the CS zoning is closer to implementing the MU policy than the OR40. If this property were to be rezoned, it should be rezoned to MUL.

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

Resolution No. 98-484

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-104U is **DISAPPROVED (6-0)**:

This property falls within the Subarea 10 Plan's Mixed Use (MU) policy, which generally calls for a mixture of retail, office, and higher density residential uses. While there are many zoning districts which implement MU policy, the OR40 district would move this area further away from the intent of MU policy since it would exclude retail uses. If a change is to be made, a true mixed use zoning district such as MUL would be most appropriate, permitting a mixture of office, retail, and residential uses."

PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:

Proposal No. 18-84-U
Burton Hills, Phase IV (PhyCor)
Map 131-6-A, Parcel 17
Subarea 10 (1994)
District 33 (Turner)

A request to revise the approved preliminary site development plan and for final approval for a portion of the Commercial (General) Planned Unit Development District abutting the northeast margin of Hillsboro Pike and Burton Hills Boulevard (4.24 acres), classified R15, to permit the development of a 130,000 square foot office building, requested by Gresham, Smith and Partners, for PhyCor, Inc., owner.

Mr. Delaney stated this is a request to revise the approved preliminary site development plan and for final approval for a portion of the Commercial (General) Planned Unit Development District to permit the development of a 130,000 square foot, 6-story office building and an associated 3-level parking garage. This site currently is approved for a 137,989 square foot office building and an associated parking garage.

The applicant is proposing to use the deferred parking provision of the new zoning code. In accordance with the requirements of this provision, the applicant has submitted (and the Traffic Engineer has reviewed and approved) a parking study to demonstrate that the total number of required parking spaces are not needed at this time. The code identifies an office parking ration of 1 space per every 300 square feet of office space. Therefore, for this proposed 130,000 square foot office a total of 433 parking spaces are required. The applicant is proposing to construct only 353 of these parking space and defer 80 of the spaces until such time that the Zoning Administrator determines that these additional spaces are needed.

The property owner will have to apply for renewal to the Zoning Administrator on a yearly basis and will have to designate a transportation coordinator to monitor and enforce proposed commuting patterns. In addition, under the provisions of the zoning code, the Zoning Administrator may require the owner to bring the development into full compliance with the required number of spaces at any time.

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

Resolution No. 98-485

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 18-84-U is given **REVISION TO PRELIMINARY AND FINAL APPROVAL FOR A PHASE (6-0)**. 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 revised final subdivision plat referencing the “Written Commitment of Agreement” in accordance with the requirements of Section 17.20.090 (Deferred Parking) of the Zoning Regulations prior to the issuing of any building permit.”

SUBDIVISIONS:

Subdivision No. 98S-189G (Public Hearing)
Sutton Property
Map 86, Parcel 42
Subarea 14 (1996)
District 12 (Ponder)

A request for preliminary approval for 21 lots abutting the north margin of Old Lebanon Dirt Road, approximately 1,300 feet west of Tulip Grove Road (18.24 acres), classified within the RS15 District, requested by B & P Development, Inc., owner/developer, Anderson-Delk and Associates, Inc., surveyor. (Deferred from meeting of 6/11/98).

Ms. Carrington stated staff was recommending *conditional approval* subject to approval of variances to the maximum lot size and maximum length of a dead end street in the Subdivision Regulations.

Councilmember Ponder called earlier to let the Commission know that he has no objection to the proposed plat.

This preliminary application proposes the creation of 21 single family lots on 18.24 acres abutting the north margin of Old Lebanon Dirt Road, west of Tulip Grove Road. This application was deferred by the applicant from the last meeting in order to resolve some design problems. Originally, six of the lots exceeded the maximum lot size (3 times the base zoning, or in this case 45,000 square feet) and two of the lots exceeded the 4:1 ratio for lot depth to width permitted by the Subdivision Regulations. The plat has been revised so that only four lots exceed the maximum lot size and no lots exceed the 4:1 ratio. The applicant has indicated the reasons for the large lots are topography, detention and the irregular shape of the property. Two of the lots do have a detention pond proposed at the rear of those lots and this tract does have some steep topography, but there is nothing particularly unusual about the shape of the parcel.

The street is longer than 1,000 feet, which exceeds the maximum length of a dead end street of 750 feet permitted in the Subdivision Regulations. However, the Planning Commission has approved variances in similar subdivisions for dead end streets when topography is a concern.

Since the applicant has mentioned topography as a concern and the staff report indicated the large lot pattern is not consistent with the existing development in the area, staff suggested this property would seem to be a prime candidate for cluster lot development where the steeper areas can be preserved as open space and the lots can be smaller. The applicant has reviewed that option, but indicates many more variances would be required, and there will be less land disturbance with the larger lots proposed. Staff requested a slope analysis as per the new zoning ordinance requirements. A revised plat has been submitted prior to the meeting which identifies all lots except Lots 1, 2, 3 & 10 as critical lots. The areas where slopes exceed 25% have been noted that they will be left in a natural state.

A neighbor brought to our attention that there may have been a former illegal landfill on this site. However, the applicant provided an environmental assessment that indicates there are four barrels to be removed, but no contamination. Staff contacted the Health Department and was advised they have no records of any violations at this site. In addition, the neighbor indicated there may be sink holes on the property, but none are shown on the plat submitted or mentioned in the environmental assessment.

Mr. Larry McWhirter spoke in favor of the proposal and stated he would be glad to answer any questions the Commission had.

Mr. Dan Dotson and Mr. John Keating spoke in favor of the proposal.

Ms. Kenneth Fischer spoke in opposition to the proposal and expressed concerns regarding sinkholes and drainage destruction of a rock wall and trees on her property.

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

Resolution No. 98-486

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 98S-189G, is **APPROVED WITH VARIANCES TO SECTIONS 2-4.2D AND 2-6.2.2E(2) OF THE SUBDIVISION REGULATIONS (6-0).”**

Subdivision No. 98S-210G (Public Hearing)

G. W. Jones Site
Map 41, Parcels 61 and 63
Map 41-7, Parcel 76
Subarea 2 (1995)
District 3 (Nollner)

A request for preliminary approval for 69 lots abutting the south margin of Old Hickory Boulevard and the west terminus of Goodmorning Drive (38.7 acres), classified within the RS20 District, requested by G. W. Jones, owner/developer, LDI Design, LLC, surveyor.

Ms. Carrington stated staff was recommending conditional approval subject to approval of Madison Suburban Utility District. This property is located on the south side of Old Hickory Boulevard. This is a cluster lot proposal and meets all zoning requirements for cluster lot developments. There are areas that exceed 25% slopes, and those are being counted as open space. The design feature has an eyebrow and Public Works has approved that. There is a street connection to the property to the west.

Mr. Russ Jeffers, Mr. Billy Brown, Mr. Charles Beasley, Mr. Richard Hoff and Mr. Bert Sessler spoke in opposition to the proposal and expressed concerns regarding access to Goodmorning Drive, traffic, topography of the streets, safety, lot size, drainage and water runoff.

Mr. Beasley stated the public hearing notice he received stated the property was R20 and wanted to know if that was correct.

Mr. Sessler asked what the property located adjacent to his property was designated for, because from the sketch it looked like an area for water retention.

Mr. Gary Vogler stated the area Mr. Sessler was referring to was designated as open space.

Ms. Carrington stated it was RS20 and that the notice was incorrect.

Councilmember Ron Nollner stated he was not for or against the proposal but had concerns to share with the Commission regarding water, the retention pond and traffic. He stated he would like to see, for the final, if there would be an advantage to moving the one entrance to the top of the hill for better sight distance.

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

Resolution No. 98-487

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 98S-210G, is **APPROVED WITH A CONDITION REQUIRING APPROVAL OF THE MADISON SUBURBAN UTILITY DISTRICT (6-0).”**

Request for Bond Extension:

Subdivision No. 96S-004U
Hunters Run, Section 1
Butler Development, LLC, principal

Located abutting the east margin of Una Antioch Pike, opposite Richards Road.

Ms. Carrington stated staff was recommending disapproval of their request for an extension and authorization for collection if all final paving and sidewalks are not completed by September 25, 1998. This bond covered roads, drainage, water and sewer and the build out is at 83%.

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

Resolution No. 98-488

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **DISAPPROVES** the request for extension and authorizes collection of a performance bond for Subdivision No. 96S-004U, Bond No. 94BD-068, Hunters Run, Section 1, in the amount of \$75,500 if all final paving and sidewalks are not complete by 9/25/98."

Chairman Smith stated it would be helpful to the Commission if staff would list the build out percentages at the bottom of the caption on all bond items.

MANDATORY REFERRALS:

Proposal No. 98M-066U
Vacant Property Review
Map: Various; Parcels: Various
Subarea: Various
District: Various

A mandatory referral from both the Public Property Administrator and the Metropolitan Development and Housing Agency (MDHA) to determine if the transfer and residential use of certain properties that were acquired by Metro through back-tax sales or acquired directly by MDHA through voluntary sales or back-tax auctions is consistent with the general plan in accordance with Ordinance O97-780.

Mr. Calleja stated staff was recommending approval. One property is less than the minimum requirement for the lot size, and that piece of property will have to be sold to one of the adjoining properties. Two parcels are within a multi-family PUD, and they will either have to request that PUD to be removed, or that development will have to be multi-family.

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

Resolution No. 98-489

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (6-0)** Proposal No. 98M-066U.

Chairman Smith introduced and welcomed Anita McCaig, Planner I in Community Plans.

OTHER BUSINESS:

1. Citizen Participation Method for Subarea Plan Updates.

Mr. Fawcett stated that when the present process was established the Commission had asked staff to keep tabs on how it was going and let the Commission know if there were any problems so it could be fine tuned.

Staff has now gone through 7 updates and 6 of those have used the middle tier of a three tier process, which is a series of community meetings. The other one was done with a citizens advisory committee. Staff has now concluded that as they proceeded with these there was less and less participation. Staff now suggests switching to a two tier process so when there is an update that requires some kind of a community participation element a citizens advisory committee be employed. On occasions when changes do not

warrant any substantial change in the plan, or they are mechanical, the staff will prepare the plan, and there will be a public hearing at the Commission level. Staff would like to start that process with the next update, which would be Subarea 11.

By consensus the Commission decided to remain with the three tier process for better community relation.

2. Staff report on development policy adjacent to Percy and Edwin Warner Parks.

Mr. Fawcett stated the purpose of this presentation is to report to the Commission staff's findings about the appropriateness of existing land use policies and development regulations in shaping future development adjacent to the Warner Parks. A series of recent events gave rise to this report. First, an application for final approval of a PUD was deferred indefinitely by the Commission to resolve access problems. Second, a subsequent request to the Board of Parks and Recreation for an access easement to Highway 100 was denied. Third, representatives of Friends of Warner Parks met with staff to urge greater sensitivity in review of proposed developments adjacent to Warner Parks.

Staff reviewed plans and regulations to see if any changes might be warranted. This area, within Subarea 6, has Natural Conservation land use policy applied to all the lands yet to be developed adjacent to the parks. This is the most restrictive land use policy and is applied to areas with generally severe environmental limitations such as steep slopes, unstable soils or flood plains.

It is intended to be developed with minimal disruption of natural features. However, it can accommodate urban development at densities up to 4 dwelling units per acre where access and utilities are available.

Two undeveloped areas are involved, the larger of which includes the PUD proposal that was deferred. The larger area is a little over two hundred acres, development of which is primarily limited by steep slopes and unstable soils and, if developed on the ridge tops and flatter bottom areas, could accommodate a little more than 300 dwellings at 2.5 dwelling units per acre. Staff considers this density to be a realistic average that is consistent with the protection of steep slopes and other natural features of sites in this area. The smaller area is one hundred acres, development of which is limited by flood plain and could accommodate about 250 dwellings at 2.5 dwelling units per acre.

This slide gives you an idea of the physical conditions and the development pattern in the area.

The Warner Parks Master Plan discourages development at the edges of the parks which may diminish the traditionally quiet and restful environment along the border of the parks. The Plan cites factors of noise, light and visual disruption as principal concerns at the perimeter and recommends additional tree plantings at the park edges to address these concerns. The Friends of Warner Parks group envisions any new development at the edges of the parks to be rural in character such that an observer from within the park would not be aware of its presence.

Another factor other than development on nearby sites that contributes to noise, light and visual disruption is the road system itself, primarily Highway 100 and Old Hickory Boulevard. As development occurs off of Highway 100 out of town from this location, traffic will continue to escalate. At some point this area will be added to the Urban Services District and street lights will be added, similar to what is already in place as far out as the entrance to Harpeth Trace Estates.

The preferred alternative for upgrading Old Hickory Boulevard would realign the segment that divides Percy Warner and Edwin Warner Parks to skirt the parks to the south. That alignment as it approaches the intersection with Highway 100 is shown on the slide. This would introduce the same conditions at this edge of the parks as exist along Highway 100.

In order to help the Commission visualize what the impact of future development on the highlighted properties might be, staff has a series of slides of existing conditions along the park perimeter that are keyed to the slide you see here for purposes of orientation.

Staff's conclusion from all of this is that if development occurs on the sites similar to what has already occurred, a satisfactory result will be achieved. By and large, an observer at the edge of the parks is not aware of the development across Highway 100. The Natural Conservation land use policy and the current zoning and subdivision regulations enable the community to achieve this. Whatever contributions to noise, light, and visual disruption at the perimeter of the parks that might be made by such development are minor compared with the contributions by Highway 100 and an upgraded and realigned Old Hickory Boulevard.

3. Legislative Update.

Ms. Regen provided an update on the current legislative status of items previously considered by the Commission.

PLATS PROCESSED ADMINISTRATIVELY

June 11, 1998 through June 24, 1998

- 98S-180U GREEN HILLS SUBDIVISION, NUMBER TWO,
Resubdivision of Lots 10 and 11
Reconfigure two platted lots**
- 98S-155G TREBING SUBDIVISION, First Revision
Reconfigure two platted lots**
- 98S-167U JACKSON DOWNS COMMERCIAL, Resubdivision of Lots 6 and 7
Reconfigure two platted commercial lots**
- 98S-196U RIVERS EDGE, Section 2 & JACKSON DOWNS, Phase 2,
Lots 26-32 and 35
Adjusts rear setbacks for 8 lots**
- 98S-202G D. M. MOORE LAND, Resubdivision of Lot 6
One commercial lot into two lots**

ADJOURNMENT:

There being no further business, upon motion made, seconded and passed, the meeting adjourned at 3:40 p.m.

Chairman

Secretary

Minute Approval:
This 9^h day of July, 1998