

MINUTES
OF THE
METROPOLITAN PLANNING COMMISSION

Date: April 1, 1999
Time: 1:00 p.m.
Place: Howard Auditorium

Roll Call

Present:

Gilbert N. Smith, Chairman
James Lawson
William Manier
Ann Nielson
Douglas Small
Stephen Smith
Marilyn Warren

Absent:

Mayor Philip Bredesen
Tim Garrett, Councilmember
Pat Tatum

Others Present:

Executive Office:

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

Current Planning & Design Division:

Theresa Carrington, Planning Division Manager
Jennifer Regen, Planner III
John Reid, Planner II
Robert Leeman, Planner I
Jeff Stuncard, Planner I
James Russ, Planning Technician I

Community Plans Division:

Jerry Fawcett, Planning Division Manager

Advance Planning & Research:

John Boyle, Planning Division Manager

Others Present:

Jim Armstrong, Public Works
Nicole Rodrigue, Legal Department

Chairman Smith called the meeting to order.

ADOPTION OF AGENDA

Ms. Nielson moved and Mr. Lawson 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:

107-81-G	Deferred indefinitely, by applicant.
99S-077U	Deferred indefinitely, by applicant.
66-84-G	Deferred until April 19, 1999, by applicant.
99Z-034U	Deferred two weeks, requested by staff.

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

APPROVAL OF MINUTES

Mr. Lawson moved and Ms. Nielson seconded the motion, which unanimously passed, to approve the minutes of the regular meeting of March 18, 1999.

RECOGNITION OF COUNCILMEMBERS

Councilmember Bruce Stanley spoke in favor of PUD Proposal No. 89P-006U and PUD Proposal No. 107-81-G. He also stated he was in support of Zone Change Proposal No. 99Z-005T. He stated his bill to regulate consignment sales would require three acres and off street parking, which would prevent these uses from being nuisances in residential zones. He stated the current bill in council, sponsored by Mr. Wooden, did not have these requirements.

Chairman Smith asked what position the Commission took on Councilmember Wooden's bill.

Ms. Carrington stated it was recommended for approval.

Councilmember-at-Large Leo Waters spoke in favor of Zone Change Proposal No. 99Z-038G and stated he was familiar with this area and was also familiar with the old Masonic Hall that was located on 9th Avenue. There is no community opposition to this proposal to be relocated on this property.

Councilmember Vic Lineweaver asked the Commission to extend the time frame for completing Morton Mill Road. He stated the developer has laid one side of the cement curb but the other side they couldn't lay because of a force main of Harpeth Valley Utilities and that should be completed by Saturday.

Mr. Browning stated they were putting down the final rock base and there is nothing more to do but to lay the curbs and then the pavement on top of that. The Commission should fully expect that to be completed in two weeks.

Councilmember Phil Ponder spoke in support of PUD Proposal No. 210-73-G (Drury Inn Commercial PUD) and PUD Proposal No. 210-73-G (Deloitte & Touche).

Councilmember Jerry Graves spoke in favor of PUD Proposal No. 97P-005U, Comfort Inn Motel.

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:

SUBAREA 14 (1996)

Subdivision Proposal No. 99S-121U

Airline Office Complex
Map 95, Parcels 15, 16 and 17
District 15 (Dale)

A request for final plat approval to consolidate three lots into one lot abutting the southeast corner of Elm Hill Pike and Air Lane Drive (3.55 acres), classified within the ON Commercial Planned Unit Development District, requested by Airline Complex Partners, owner/developer, Wamble and Associates, surveyor.

Resolution No. 99-221

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-121U, is **APPROVED (7-0).”**

Zone Change Proposal No. 99Z-037U

Map 96-1, Parcel 3
District 15 (Dale)

A request to change from SCC to CS district property at 2710 Old Lebanon Pike, approximately 150 feet east of Knobview Drive (6.17 acres), requested by Colliers, Turley, and Martin Tucker, appellants, for Chillicothe Properties, Inc., owners.

Resolution No. 99-222

“BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-037U is **APPROVED (7-0):**

This property falls within the Subarea 14 Plan’s Retail Concentration Community (RCC) policy calling for consumer-oriented retail activities at a subregional or regional scale. The CS district is consistent with RCC policy, the area’s predominant zoning pattern, and brings this property’s floor area ratio closer into compliance with the Zoning Regulations.”

PUD Proposal No. 210-73-G

Drury Inn Commercial PUD
Map 97, Parcels 111 and 124

District 12 (Ponder)

A request to revise the preliminary plan for a portion of the Commercial (General) PUD District located abutting the east margin of Old Hickory Boulevard and the north margin of Sells Drive (3.49 acres), classified CL, to permit a 9,600 square foot combination restaurant and convenience market with a 900 square foot car wash and a 40,950 square foot, 80 unit, 6 story motel to replace a 4,550 square foot restaurant, a 2,000 square foot convenience market and a 32,000 square foot motel, requested by BA Engineering for Drury Inns, Inc., owners.

Resolution No. 99-223

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 210-73-G is given **CONDITIONAL APPROVAL TO REVISE THE PRELIMINARY PLAN FOR A PORTION OF THE PUD (7-0)**. The following conditions apply:

1. Prior to submittal of a final PUD plan, written confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. With a request for final approval, construction plans shall be submitted to provide a two-lane approach at the intersection of Sells Road and Old Hickory Boulevard, which includes surface repairs and road construction. This approach shall be striped to include one left turn lane from Sells Road onto Old Hickory Boulevard. This approach shall be striped to include a 35 foot right-turn lane from Sells Road onto Old Hickory Boulevard with an additional 65 feet for a right turn lane into the southern driveway of parcel 111. The median in the center of the road shall be removed and replaced with a double yellow line.
3. Prior to submittal for final approval, the Sewer Capacity Study for lot 2 (hotel) shall be completed. The applicant has agreed to take all responsibility for any upsizing of the sewer lines that may be necessary for this site.
4. Prior to the issuance of any building permits, a final plat shall be recorded including any bonds necessary for utilities, structure removal, site improvements, and road improvements.”

PUD Proposal No. 210-73-G

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

A request to revise the final plan of the Commercial (General) Planned Unit Development District located at the eastern terminus of Hermitage Park Lane, south of I-40 (.84 acres), classified CL, to add 75 parking spaces, requested by Barge, Waggoner, Sumner and Cannon, for Deloitte & Touche, owners.

Resolution No. 99-224

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 210-73-G is given **CONDITIONAL APPROVAL TO REVISE THE FINAL PLAN FOR A PORTION OF THE PUD (7-0)**. The following condition applies:

Prior to the issuance of any building permits, written confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.”

PUD Proposal No. 89P-006U

Red Roof Inn
Map 108-1, Part of Parcel 4

District 14 (Stanley)

A request to cancel a portion and amend the existing Commercial (General) Planned Unit Development District located abutting the north margin of Shacklett Drive at Donelson Pike (2.05 acres), classified CS, to delete .05 acres from the existing motel development, requested by Barge, Cauthen & Associates, Inc., for Red Roof Inns, Inc., owners.

Resolution No. 99-225

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 89P-006U is given **CONDITIONAL APPROVAL TO CANCEL AND AMEND A PORTION OF THE PUD (7-0)**. The following conditions apply:

1. Approval of cancellation of .05 acres from the PUD by the Metropolitan Council.
2. Subsequent to Council approval, a revised subdivision plat shall be submitted, reviewed and recorded.”

Mandatory Referral Proposal No. 99M-045G

Pitts Avenue Sewer Extension
Map 53-16, Parcels 26, 27 and 28
District 11 (Wooden)

A request from the Department of Water Services for the acquisition of easements to accommodate the extension of a sewer line on property fronting on Pitts Avenue (96SG0002).

Resolution No. 99-226

“BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-045G.”

Request for Bond Extension

Subdivision Proposal No. 95S-136G
Jackson Downs Commercial
Jackson Downs, L.P., principal
[Buildout is at 55%]

Located at the southwest corner of Lebanon Pike and Jackson Down Boulevard.

Resolution No. 99-227

“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 \$20,000 to 7/1/99 subject to submittal of an amendment to the present Letter of Credit by **4/5/99** which extends its expiration date to 1/2/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension

Subdivision No. 96S-385G
Spencer & Atchley Subdivision
Spencer Atchley LLC, principal
[Buildout is at 25%]

Located abutting the northeast corner of Shute Lane and Old Hickory Boulevard.

Resolution No. 99-228

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 96S-385G, Bond No. 97BD-096, Spencer & Atchley Subdivision in the amount of \$130,000 to 11/15/99 subject to submittal of an amendment to the present Letter of Credit by **5/1/99** which extends its expiration date to 5/15/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension

Subdivision No. 97S-079G
Lake Park, Section 12
Lake Park, Section 12, LLC, principal
[Buildout is at 29%]

Located abutting the southeast terminus of Helena Bay Court, approximately 200 feet southeast of Bayside Lane.

Resolution No. 99-229

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 97S-079G, Bond No. 97BD-079G, Lake Park, Section 12 in the amount of \$56,500 to 12/15/99 subject to submittal of an amendment to the present Letter of Credit by **4/15/99** which extends its expiration date to 6/15/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension

Subdivision No. 97S-109G
Brookside Woods, Section 1
Larry Powell Builders, Inc., principal
[Buildout is at 38%]

Located abutting the northwest corner of Nashville and Eastern Railroad Corporation and Tulip Grove Road.

Resolution No. 99-230

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 97S-109G, Bond No. 97BD-027, Brookside Woods, Section 1 in the amount of \$112,000 to 12/15/99 subject to submittal of an amendment to the present Letter of Credit by **5/1/99** which extends its expiration date to 6/15/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension

Subdivision No. 97S-110G
Brookside Woods, Section 2
Larry Powell Builders, Inc., principal
[Buildout is at 13%]

Located abutting the northwest corner of Nashville and Eastern Railroad Corporation and Tulip Grove Road.

Resolution No. 99-231

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 97S-110G, Bond No. 97BD-028, Brookside Woods, Section 2 in the amount of \$37,500 to 12/15/99 subject to submittal of an amendment to the present Letter of Credit by 5/1/99 which extends its expiration date to 6/15/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**

SUBAREA 12 (1997)

Subdivision Proposal No. 98S-222U
Townhomes of Fredericksburg, Phase 2, Section 6
(Horizontal Property Regime)
Map 171, Part of Parcel 89
District 32 (Jenkins)

A request to record 42 condominium units abutting the south margin of Old Hickory Boulevard, approximately 325 feet east and opposite of Hearthstone Lane (14.68 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. 99-232

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-222U is **APPROVED SUBJECT TO A BOND OF \$77,500.00 (7-0).**”

Subdivision Proposal No. 99S-115G
Williams Grove, Section 2
Map 172, Parcels 22 and 229
District 32 (Jenkins)

A request for final plat approval to create 69 lots abutting the southwest corner of Old Smyrna Road and Edmondson Pike (32.05 acres), classified within the R40 Residential Planned Unit Development District, requested by Pulte Homes Tennessee L. P., owner/developer, Anderson-Delk and Associates, Inc., surveyor.

Resolution No. 99-233

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-115G is **APPROVED SUBJECT TO A BOND OF \$709,000.00 (7-0).**”

Subdivision Proposal No. 99S-119G
Oakmont, Phase 4
Map 172, Parcel 209
District 32 (Jenkins)

A request for final plat approval to create five lots abutting the southwest margin of Red Feather Lane, approximately 850 feet southwest of Grand Oak Way (1.38 acres), classified within the R30 Residential Planned Unit Development District, requested by Tiara Development, L.L.C., owner/developer, Wamble and Associates, surveyor.

Resolution No. 99-234

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-119G is **APPROVED SUBJECT TO RECORDING OF PHASE 3 PRIOR TO RECORDING THIS PLAT (7-0).”**

PUD Proposal No. 89P-018G
Gillespie Meadows
Map 172, Parcel 195
District 31 (Alexander)

A request to revise a portion of the preliminary plan and for final approval for a phase of the Commercial (General) Planned Unit Development District located abutting the west margin of Nolensville Pike and the north margin of Bradford Hills Drive (1.33 acres), classified SCN, to permit a 2,160 square foot pediatric clinic and a 2,000 square foot convenience market/gas station, replacing a 4,400 square foot convenience market/gas station, requested by Thomas L. Anderson, architect, for Rajni Patel, owner.

Resolution No. 99-235

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 89P-018G is given **CONDITIONAL APPROVAL TO REVISE A PORTION OF THE PRELIMINARY PLAN AND FINAL APPROVAL FOR A PEDIATRIC CLINIC (7-0)**. The following conditions apply:

1. Prior to the issuance of any building permits, written confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. The recording of a final subdivision plat.”

PUD Proposal No. 99P-002U
Edmondson Way
Map 172, Parcels 2, 4, 5 and 6.01
District 32 (Jenkins)

A request for preliminary approval of a Planned Unit Development District located abutting the west margin of Edmondson Pike, opposite Frontier Lane (26.78 acres), classified R40 and proposed for RS10, to permit 51 single-family lots, requested by Ragan-Smith and Associates, Inc., for Anita S. Broquist, et al, Ronald R. Shaw, Jr., and Mary Ann Martin, owners.

Resolution No. 99-236

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 99P-002U is given **CONDITIONAL APPROVAL OF THE PRELIMINARY PLAN FOR A PUD (7-0)**. The following conditions apply:

1. The Metropolitan Council shall approve the RS10 District zone changes and this preliminary PUD plan.
2. Prior to the submittal of final approval, written confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.

3. Prior to the issuance of any building permits, a final subdivision plat shall be recorded and bonds shall be posted for any necessary public improvements.”

Request for Bond Release
Subdivision No. 97S-169U
Brittany Park, Phase 1-B
Carlton Enterprises, Inc., principal

Located abutting both margins of Brittany Park Drive, approximately 100 feet north Brittany Park.

Resolution No. 99-237

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 97S-169U, Bond No. 97BD-055, Brittany Park, Phase 1-B in the amount of \$26,000.”

Request for Bond Extension
Subdivision No. 97S-237G
Banbury Crossing, Section 2
Jones Land Company, LLC, principal
[Buildout is at 21%]

Located abutting the north margin of Old Smyrna Road and the west margin of Edmondson Pike.

Resolution No. 99-238

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 97S-237G, Bond No. 98BD-004, Banbury Crossing, Section 2 in the amount of \$893,000 to 11/15/99 subject to submittal of an amendment to the present Letter of Credit by **5/1/99** which extends its expiration date to 5/15/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification**

SUBAREA 3 (1998)

Mandatory Referral Proposal No. 99M-031U
Council Bill No. O99-1555
Closure of Aldrich Lane
Map 60, Parcels 57, 89 and 103
District 2 (Black)

A request to close approximately 550 feet of Aldrich Lane located south of Cornish Drive from the northern property line of parcels 57 and 89 to its southern terminus at parcel 103, requested by Councilmember Melvin Black. (Easements are to be retained).

Resolution No. 99-239

“BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-031U.”

Mandatory Referral Proposal No. 99M-041U
Aldrich Lane Sewer System Easement Acquisition
Map 59, Parcel 166
Map 60-1, Parcel 201

District 3 (Nollner)

A request from the Department of Water Services for the acquisition of easements to accommodate the rehabilitation of the Aldrich Lane sewer system.

Resolution No. 99-240

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-041U."

Request for Bond Extension

Subdivision No. 96S-187U
Enchanted Hills, Section 5, Phase 2
Odell Binkley, principal
[Buildout is at 26%]

Located abutting the north terminus of Enchanted Circle, approximately 367 feet north of Golden Hill Drive.

Resolution No. 99-241

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 96S-187U, Bond No. 96BD-040, Enchanted Hills, Section 5, Phase 2 in the amount of \$254,900 to 6/1/2000 subject to submittal of a letter from the RLI Insurance Company by **5/1/99** agreeing to the extension. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

SUBAREA 13 (1996)

PUD Proposal No. 84-87-P

Crossings at Hickory Hollow
Map 163, Parcel 362
District 28 (Hall)

A request to revise the preliminary plan and for final approval for a phase of the Commercial (General) Planned Unit Development District abutting the east margin of Hickory Hollow Parkway between Mt. View Parkway and Crossings Place (.97 acres), to permit a 4 story, 57 room, 36,534 square foot motel, replacing a 3,500 square foot retail/restaurant use, requested by Burns and Associates for Hickory Hollow Associates, owners

Resolution No. 99-242

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 84-87-P is given **CONDITIONAL APPROVAL TO REVISE THE PRELIMINARY PLAN AND FINAL APPROVAL FOR A PHASE (7-0)**. The following condition applies:

Prior to the issuance of any building permits, written confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works."

Request for Bond Release

Subdivision Proposal No. 94S-140G
Bayview, Section 2
Bayview Venture, principal

[Buildout is at 100%]

Located abutting the west margin of Old Smith Springs Road, approximately 425 feet northwest of Bell Road.

Resolution No. 99-243

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 94S-140G, Bond No. 97BD-061, Bayview, Section 2 in the amount of \$5,000.”

SUBAREA 11 (1993)

PUD Proposal No. 97P-005U

Comfort Inn Motel
Map 119-1, Parcels 42 and 496
District 16 (Graves)

A request to revise the preliminary plan and for final approval of the Commercial (General) Planned Unit Development District located abutting the southwest corner of Glenrose Avenue and Hester Avenue (1.17 acres), classified OR20 and R6, to develop a 60 unit, 32,800 square foot, four story hotel, replacing a 60 unit, 30,000 square foot, three story hotel, requested by Dale and Associates for Magan Bhika, optionee for Bhomar, LLC, owner. (Deferred from meeting of 3/18/99).

Resolution No. 99-244

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 97P-005U is given **CONDITIONAL APPROVAL TO REVISE THE PRELIMINARY PLAN AND FINAL APPROVAL (7-0)**. The following conditions apply:

1. Prior to the issuance of any building permits, written confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. The recording of a final subdivision plat.”

SUBAREA 8 (1995)

Zone Change Proposal No. 99Z-002U

Council Bill No. O99-1552
Map 81-16, Parcels 294 (.09 acres), 295 (.09 acres),
296 (.17 acres), 297 (.09 acres), 298 (.09 acres)
District 20 (Haddox)

A council bill to change from R6 to OR20 district properties at 1015, 1017, 1021, 1023, 1025, 1027, 1031, 1033, and 1037 Scovel Street, approximately 200 feet east of 11th Avenue North (1.38 acres), requested by Lee Molette II, appellant, for Jefferson Development LLC and Jefferson Life Corporation, owners.

Resolution No. 99-245

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-002U is **APPROVED (7-0)**:

These properties fall within the Subarea 8 Plan’s Commercial Arterial Existing (CAE) policy which allows for parking for businesses which are adaptively reusing older buildings along Jefferson Street. Consistent with the CAE policy, the OR20 zoning will accommodate parking for the Jubilee Restaurant, which is located within an existing older building along Jefferson Street.”

Mandatory Referral Proposal No. 99M-044U
Council Bill No. O99-1580
Northern Police Precinct Station Property Acquisition
Map 81-2, Parcel 9
Map 81-6, Parcels 229 and 475
District 20 (Haddox)

A council bill authorizing the acquisition of property to accommodate the construction of a new police precinct station in northern Davidson County.

Resolution No. 99-246

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-044U."

SUBAREA 10 (1994)

PUD Proposal No. 91P-010U
Tennyson Business Machines
Map 105-10, Parcels 110, 111 and 112
District 17 (Douglas)

A request to cancel the undeveloped Commercial (General) Planned Unit Development District located abutting the north margin of Old Wedgewood Avenue, 370 feet east of Eighth Avenue South (.77 acres), classified CS and ORI, approved for a 13,200 square foot retail/wholesale facility, requested by Bill Hostettler, optionee for Craighead Development, LLC, owner.

Resolution No. 99-247

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 91P-010U is given **CONDITIONAL APPROVAL TO CANCEL THE PUD (7-0)**. The following condition applies:

Approval of this cancellation by the Metropolitan Council."

Mandatory Referral Proposal No. 99M-042U
Methodist Church Underground Cable Encroachment
Map 104-4, Parcels 16 and 27
District 19 (Sloss)

A request to install an underground fiber optic cable beneath Grand Avenue to link the Kern Building at 1001 19th Avenue South and the Denman Building at 1908 Grand Avenue, requested by John Wilkes, Manager of Building Services for The General Board of Discipleship - The United Methodist Church.

Resolution No. 99-248

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-042U."

SUBAREA 1 (1997)

PUD Proposal No. 61-77-G
Gifford Place Commercial PUD
Map 22, Parcel 161 and Part of Parcel 230
District 1 (Patton)

A request to revise the preliminary site development plan and final approval for a portion of the Commercial (General) Planned Unit Development District located abutting the east margin of Whites Creek Pike, south of Gifford Place (6.6 acres), classified CS, to add 11,500 square feet of retail use to the preliminary plan and final approval for 2,112 square feet of retail to an existing retail building, requested by Harry Martin, for William Gifford, owner.

Resolution No. 99-249

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 61-77-G is given **CONDITIONAL APPROVAL TO REVISE THE PRELIMINARY PLAN AND FINAL APPROVAL FOR A PORTION OF THE PUD (7-0)**. The following conditions apply:

1. Prior to the issuance of any building permits, written confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. The 11,500 square foot retail portion of this plan (lot 9) shall only be used for demonstration and personal instructional of firearms. No public or private use of the indoor firing range shall be permitted.”

SUBAREA 5 (1994)

Proposal No. 99M-046U
Council Bill No. O99-1587
Metro Departmental Office Lease Agreement
Various Sites

A council bill authorizing lease agreements for office space by and between the Metropolitan Development and Housing Agency and the Metropolitan Government of Nashville and Davidson County acting by and through the departments of Health, Police, Juvenile Court, Social Services, and the Metro Board of Health.

Resolution No. 99-250

“BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-046U.”

Request for Bond Extension
Subdivision Proposal No. 96S-417U
Rosebank Meadows
J. Terry Hunter, principal
Don R. Cameron, III, principal
[Buildout is at 0%]

Located abutting the south margin of Rosebank Avenue, approximately 400 feet west of Preston Avenue.

Resolution No. 99-251

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 96S-417U, Bond No. 97BD-093, Rosebank Meadows in the amount of \$135,750 to 10/15/99 subject to submittal of an amendment to the present Letter of Credit by **4/5/99** which extends its expiration date to 4/15/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

SUBAREA 9 (1997)

Mandatory Referral Proposal No. 99M-039U
Renaming of Mallory Street
Map 105
District 19 (Sloss)

A request from the Public Works Department to rename Mallory Street between 1st Avenue South and 4th Avenue South to "Mildred Shute Avenue" to enable the Enhanced 911 System to operate more efficiently.

Resolution No. 99-252

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-039U."

Mandatory Referral Proposal No. 99M-040U
Council Bill No. O99-1571
Register of Deeds Office Lease Agreement
Map 93-2, Parcel 9
District 20 (Haddox)

A council bill authorizing an agreement by and between the Metropolitan Government of Nashville and Davidson County, acting through the Register of Deeds, and Nashville II Partners for the lease of office space.

Resolution No. 99-253

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-040U."

SUBAREA 4 (1998)

Request for Bond Extension
Subdivision Proposal No. 96S-316G
Forest Park at Madison, Section 2
Charles E. Rhoten, principal
[Buildout is at 50%]

Located abutting the south margin of Elm Street, opposite Fourth Avenue.

Resolution No. 99-254

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 96S-316G, Bond No. 98BD-010, Forest Park at Madison, Phase 2 in the amount of \$48,500 to 3/15/2000 subject to submittal of an amendment to the present Letter of Credit by **5/1/99** which extends its expiration date to 10/15/2000. **Failure of principal to provide amended security documents and to install Metro standard concrete driveway ramps by 5/1/99 shall be grounds for collection without further notification.**”

SUBAREA 7:

Mandatory Referral No. 99M-014U
Closure of Alley 1143
Map 92-13, Parcels 397, 399-401 and 416.01
District 21 (Hand)

A request to close Alley 1143, an unimproved alley extending south of Nevada Avenue/33rd Avenue North intersection approximately 140 feet. (Easements are to be abandoned).

Resolution No. 99-255

“BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-014U.”

OTHER BUSINESS:

1. A council bill (O99-1561) authorizing the Metropolitan Mayor to execute an agreement for the exchange of equipment installation rights between the Metropolitan Department of Water and Sewerage Services and Sprint Spectrum L.P. (Countywide).(Mandatory Referral Proposal No. 99M-047U).

Resolution No. 99-256

“BE IT RESOLVED the by the Metropolitan Planning Commission that it **APPROVES** Council Bill 099-1561 authorizing the Metropolitan Mayor to execute an agreement for the exchange of equipment installation rights between the Metropolitan Department of Water and Sewerage Services and Sprint Spectrum L.P. (Countywide). (Mandatory Referral Proposal No. 99M-047U).

This concluded the items on the consent agenda.

TEXT AMENDMENTS:

Zone Change Proposal No. 99Z-005T
Council Bill No. O99-1572

A council bill to amend Section 17.16.250 (Residential Accessory Uses: Garage Sale) by permitting a limited number of consignment sales in residential zone districts, sponsored by Councilmembers Phil Ponder and Eric Crafton.

Ms. Regen stated staff is recommending disapproval of the bill as submitted because it would allow consignment sales in all residential districts without restriction. There is a proposed substitute ordinance that would provide some restrictions. One of those is to require a minimum of three acres for a

consignment sale. A second requirement is that all parking be contained within the site and not on any public right-of-way. A third restriction would limit consignment sales to two per year per property, and each sale could be no longer than three days.. The proposed amendment also defines consignment sales as a separate use in the Land Use Table.

Councilmember Ponder stated he was very much in favor of this proposal. Initially he felt the bill being sponsored by Mr. Wooden was too restrictive by prohibiting consignment sales in residential districts, except within schools and other cultural type locations. He also found that neighborhoods opposed consignment sales when they become so large that they cannot be contained on the site. As a compromise he is sponsoring this bill which allows them anywhere in residential districts with lot size limitations and restrictions on number and duration.

Ms. Regen stated this bill would supercede Councilmember Wooden's bill.

Mr. Lawson asked Councilmember Ponder if he knew what impact the bill would have on the inner city churches.

Councilmember Ponder stated that any church with less than three acres would not be able to conduct consignment sales in residential zones.

Mr. Lawson stated this excluded a very popular fundraising endeavor and would have substantial impact.

Mr. Stephen Smith stated he hated to see this bill eliminate any of the churches.

Mr. Manier stated the consignment sale is more intrusive in a residential area, whereas a garage sale limited to the owner or occupant of one parcel is more compatible within a residential zone.

Councilmember Stanley stated this legislation will not target fundraising activities by churches because the proceeds will go to the church but if the church is contracted out by an individual to sell things and the church is given a percentage of the proceeds it would be considered a consignment sale.

Mr. Lawson stated there are a lot of small churches that are entering into agreements with folks to sale various things on church property.

Councilmember Ponder stated the purpose is to eliminate problems and to give some flexibility, where now, nothing is permitted in residential areas.

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

Resolution No. 99-257

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-005T is **DISAPPROVED (7-0)**:

This amendment recognizes consignment sales as a viable accessory use in residential neighborhoods. The amendment, however, should be modified to sufficiently address permitting consignment sales for all churches since these sales represent a significant fundraising activity."

Zone Change Proposal No. 99Z-007T

A request to amend Sections 17.04.050 (Rules for Construction of Language), 17.04.060 (Definitions), Table 17.08.030 (District Land Use Table), Table 17.12.020A (Bulk Standards for single-family and two-family dwellings), 17.16.030 (Permitted w/conditions: Residential Uses), 17.16.160.A. (Residential Special

Exceptions), and Article IV: Overlay District Procedures, requested by Planning Commission staff and the Zoning Administrator.

Ms. Regen stated there currently is nothing in the Zoning Code that deals with fractions of parking spaces or dwelling units. At the present time all fractions are being rounded down. This amendment would allow rounding up when the number of parking spaces required or the number of dwelling units allowed is greater than 0.5. The second part of the amendment would provide Bulk Standards for the ON and MUN Districts. The last part of this amendment allows the Historical Commission to give a recommendation to the Board of Zoning Appeals for off site parking review rather than being the actual approval body.

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

Resolution No. 99-258

“BE IT RESOLVED by the Metropolitan Planning Commission that it APPROVES amendments which clarify administrative interpretation, insert bulk standards for single-family and two family dwellings in the ON and MUN districts, and transfer approval authority for a Historic Bed and Breakfast’s off-site parking from the Metro Historical Commission to the Board of Zoning Appeals.”

SUBAREA 12 (1997)

Subdivision Proposal No. 99S-116G (Public Hearing)

Holt Valley, Addition to
Map 180, Parcel 24
District 31 (Alexander)

A request for preliminary approval for nine lots abutting the north margin of Holt Road, approximately 1,572 feet east of Redmond Lane (3.47 acres), classified within the RS10 District, requested by Holt Valley LLC, owner/developer, Anderson-Delk and Associates, Inc., surveyor.

Ms. Carrington stated staff is recommending approval. This is a request for 9 lots to be added to the 164 lot Holt Valley Subdivision. It is a cluster lot proposal and they do meet the open space requirements in the Zoning Ordinance. Staff did look at possible future extension of the proposed road to the east but due to the topography that is not a desirable thing to do.

No one was present to speak at the public hearing.

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

Resolution No. 99-259

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-116G, is APPROVED; PUBLIC HEARING CLOSED (7-0).”

PUD Proposal No. 96P-015G

Aberdeen Farms
Map 161, Part of Parcel 276
Map 161-1-B, Parcels 2, 3, 4, 9 and 10
District 32 (Jenkins)

A request to revise the preliminary plan of the Residential Planned Unit Development District located abutting the southern terminus of Oakley Drive, opposite West Fork Court (.55 acres), classified R15, to clarify a reference on the plan affecting 12 single-family lots designated an “undisturbed landscape easement”, requested by Gresham, Smith and Partners, for Zaring Homes, owner. (Deferred from meeting of 3/18/99).

Ms. Regen stated the issue of this proposal is the designation of an easement as an “undisturbed landscape easement.” She stated the term “undisturbed” has been interpreted by some abutting property owners as prohibiting entry into the 20 foot wide easement, even though it is a part of the platted lots in Aberdeen Farms. She stated clarification is needed on the term “undisturbed.” She stated staff of both Codes and the Planning Commission suggest that “undisturbed” refers to the landscaping material within the 20 foot easement, and prohibits removal of that material unless it is diseased or a hazard, and is replaced. She stated the developer has submitted a detailed plan for the landscape buffer. It will become a part of the PUD plan. The landscape buffer will be under the control of the homeowners association and it will have the responsibility to ensure that the landscape buffer remains consistent with the PUD plan.

Mr. Tommy Falk, land development manager for Zaring Homes, stated he was present to answer any questions the Commission might have.

Mr. Manier asked if the term “undisturbed” would be defined on the plat.

Mr. Browning stated the Commission could do that in the minutes of this meeting. The Codes Department and Planning staff are recommending to the Commission that the term “undisturbed landscape easement” refers to the landscape plan approved by the Planning Commission and means that the landscape material (the buffer) must remain as approved within the PUD plan and shall be maintained by the homeowners association.

Mr. Small stated the language in the staff report talked about being able to remove trees and vegetation less than 4 inches in caliper and asked if that still applied.

Mr. Browning stated that would be done in accordance with the agreement with the Urban Forester. There will be no clearance until fall at which time the landscape buffer will be installed. No materials will be removed except in conformance with the landscape buffer plan.

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

Resolution No. 99-260

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 96P-015G is given **CONDITIONAL APPROVAL TO REVISE THE PRELIMINARY AND FINAL PLANS (7-0)**. The following conditions apply:

1. The applicant shall submit to the Metro Planning Commission by April 12, 1999, a revised landscape plan showing the 20 foot wide landscape easement, as depicted on the current plan, yet with a revision to that plan deleting the label ‘20 foot wide Landscape and Tree Preservation Easement’ and inserting in its place the label ‘20 Foot Wide Undisturbed Landscape Easement’.
2. The Aberdeen Farms Homeowner's Association shall be responsible for maintaining the 20 foot wide ‘Undisturbed Landscape Easement’ shown on the revised plan.
3. Prior to the removal of any debris, undesirable weeds or underbrush by Zaring Homes or any of the property owners within the Aberdeen Farms subdivision abutting the ‘Undisturbed Landscape Easement,’ the Aberdeen Farms Homeowner's Association shall approve such removal. Where vegetation is to be

removed within the easement, all trees having a 4" caliper or more shall be retained. Trees having less than a 4" caliper shall be retained where possible.

4. No undesirable weeds or underbrush may be removed, except debris, fallen limbs and dead material, prior to Fall 1999, at which time new vegetation may be installed in the 'Undisturbed Landscape Easement', subject to condition #5 below.

5. Prior to the installation of any new vegetation within the 'Undisturbed Landscape Easement', the Aberdeen Farms Homeowner's Association shall submit to, and obtain approval of, a plan from the Metro Urban Forester. The plan shall depict the exact location of all new plantings and identify the type of plantings."

SUBAREA 3 (1998)

Subdivision Proposal No. 99S-117U (Public Hearing)
Creekside
Map 49, Parcel 336
District 1 (Patton)

A request for preliminary approval for 41 lots abutting the east margin of Buena Vista Pike, approximately 270 feet north of Buena Vista Court (16.6 acres), classified within the RS15 District, requested by Landmark Realty Services Corporation, owner/developer, Thornton and Associates, Inc., surveyor.

Ms. Carrington stated staff is recommending approval. This is a cluster lot development and they are proposing to reserve the floodplain area as their open space. Staff looked at potential street extensions but because of the way the floodplain runs north and south in this area there really is not room for an extensive street network.

No one was present to speak at the public hearing.

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

Resolution No. 99-261

"BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-117U, is **APPROVED; PUBLIC HEARING CLOSED (7-0)."**

Mandatory Referral Proposal No. 99M-038U
Closure of Evergreen Avenue
Map 71-14, Parcels 22, 24, 25 and 386
District 2 (Black)

A request to close Evergreen Avenue from north of Fern Avenue to its terminus, requested by R. C. Calligan, adjacent property owner. (Easements are to be retained).

Ms. Regen stated staff is recommending disapproval of the closure of Evergreen Avenue because it would land lock parcel 24. As well, it would not allow for the future extension of Bessie Avenue down to Fern Avenue as shown in the Subarea 3 Plan.

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

Resolution No. 99-262

"BE IT RESOLVED by the Metropolitan Planning Commission that it **DISAPPROVES (7-0)** Proposal No. 99M-038U."

SUBAREA 13 (1996)

PUD Proposal No. 84-87-P
Crossings at Hickory Hollow
Map 163, Parcel 361
District 28 (Hall)

A request to revise the preliminary plan and for final approval of a phase of the Commercial (General) Planned Unit Development District located abutting the east margin of Hickory Hollow Parkway between Mt. View Parkway and Crossings Place (1.72 acres), classified R10, to develop a 6,180 square foot convenience market/car wash and lube shop, replacing a 3,700 square foot convenience market/gas station, requested by James E. Stevens and Associates for Christopher W. Chung, owner. (Deferred from meeting of 3/18/99).

Ms. Regen stated this is a request for a larger convenience market at Hickory Hollow Parkway and Mt. View Parkway. Staff is recommending disapproval of this revision. This property owner is requesting a new right in/right out turn access on Mt. View Parkway. Due to safety concerns the Traffic Engineer is not in support of that new driveway access which was not shown in the original preliminary plan.

Mr. Small asked if this access was for entering the property only.

Ms. Regen stated it was.

Mr. Small asked if the sight line problem was only for people that are making a left hand turn into the property.

Mr. Ali Afis, Traffic Engineer, stated another point of access had been agreed to serve to both this and an adjacent property. This location was the best location for safety, sight distance and for traffic flow.

Mr. Ed Stevens stated originally they went for a two way ramp, in and out. There is 250 feet of sight distance with a 35 mph speed and there is a ramp directly across from the proposed one and the sight distance to the east is more than adequate.

Mr. Browning stated staff's problem is that the curb cut was not shown on the original plan.

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

Resolution No. 99-263

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 84-87-P is given **DISAPPROVAL (7-0)**:

This plan was disapproved based on public safety concerns. The Traffic Engineer will not approve the driveway location due to sight distance problems since it is on a curve."

Mandatory Referral Proposal No. 99M-043U
Council Bill No. 099-1585
Reeves Road Right-of-Way Abandonment

Map 148-16, Parcels 39 and 40
District 28 (Hall)

A council bill to close certain right-of-way adjacent to and lying between parcels 39 and 40 on tax map 148-16 off Reeves Road.

Ms. Regen stated staff is recommending disapproval of this Council Bill proposing for the closure of this right-of-way because the abutting property owners have not signed a petition agreeing to its closure. As well, this area sits on a hillside at the very top of a ridge and drops off significantly. This right-of-way could also provide future access to the resubdivision of larger lots in the area.

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

Resolution No. 99-264

"BE IT RESOLVED by the Metropolitan Planning Commission that it **DISAPPROVES (7-0)** Proposal No. 99M-043U."

SUBAREA 6 (1996)

Subdivision Proposal No. 99S-118G (Public Hearing)
Coley-Davis Commercial Center
Map 128, Parcel 17
District 23 (Crafton)

A request for preliminary approval for two lots abutting the northwest terminus of Coley Davis Road, approximately 180 feet northwest of Memphis-Bristol Highway (5.0 acres), classified within the CL District, requested by Davis/Recter, owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

Ms. Carrington stated staff is recommending approval. This proposal is for two lots immediately behind the Waffle House and BP Station. One will have frontage on the interstate and one is where the current house is located. The street is changing direction at a 90° angle so the name of the road should be renamed because at some point in the future Coley Davis Road may be extended in that direction.

Mr. Jerry Kelly, Barge-Waggoner, stated he was present to answer any question the Commission might have.

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

Resolution No. 99-265

"BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-118G is **APPROVED SUBJECT TO RENAMING THE STREET; PUBLIC HEARING CLOSED (7-0)."**

Subdivision Proposal No. 98S-358G
Springvalley Townhomes
Map 128, Parcel 30
District 23 (Crafton)

A request for final plat approval to subdivide one parcel into two lots abutting the west margin of Sawyer Brown Road, approximately 900 feet north of Ridgelake Parkway (2.89 acres), classified within the R20 District, requested by Steven Hulen, owner/developer, James L. Terry, surveyor.

Ms. Carrington stated staff is recommending approval with a variance to the maximum lot size and lot depth to width ratio in the Subdivision Regulations. These two lots are proposed on Sawyer Brown and back up to I-40. In this case the lots are about 62,000 square feet which is just slightly over the maximum lot size and they do exceed the 4 to 1 depth to width ratio. However, the entire rear part of these lots is not developable and the houses will be right on the frontage. Staff feels topography does represent a justification for a variance.

Ms. Warren asked what the frontage was on those properties because there was another proposal that looked more in line than this one that staff recommended for disapproval.

Ms. Carrington stated they each have 81.5 feet.

Chairman Smith asked if that was in keeping with the neighborhood.

Ms. Carrington stated the lots in the area are long and most of them do exceed the 4 to 1 depth to width ratio.

Ms. Nielson stated the Commission was questioning the frontage on Sawyer Brown and if they needed to grant a variance on the frontage comparability.

Ms. Carrington stated staff had reviewed this application and determined comparability did not apply in this case. The Subdivision Regulations say that comparability applies when an area is predominately developed and all the lots in this area along Sawyer Brown are vacant.

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

Resolution No. 99-266

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 98S-358G, is **APPROVED WITH VARIANCES TO SECTIONS 2-4.2D & 2-4.2E OF THE SUBDIVISION REGULATIONS (7-0).”**

Subdivision Proposal No. 99S-106G

Dunaway Woods, Section 2, Lot 14

(First Revision)

Map 128-5, Parcel 3

District 23 (Crafton)

A request for final plat approval to revise a public utility and drainage easement from 15 feet to 9 feet on a lot abutting the northwest margin of Dunaway Drive, approximately 660 feet north of Indian Springs Drive (.96 acres), classified within the RS40 District, requested by Richard D. and Joyce A. Langston, owners/developers, John Kohl and Company, surveyor.

Ms. Carrington stated staff is recommending disapproval. This is a request to revise a public utility and drainage easement on a side lot line from 15 feet to 9 feet on Dunaway Drive. They have received a variance from the BZA for the setback; however, because this is a public utility easement it does require approval of the utility companies and in this case staff does not have that approval. The utilities companies indicated to the BZA that they did not have a problem with the encroachment but they were not willing to revise the utility easement and this is a major drainage way for the subdivision.

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

Resolution No. 99-267

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-106G, is **DISAPPROVED (7-0).”**

SUBAREA 11 (1993)

Public Hearing

Subarea 11 Plan: 1999 Update

Ms. Lehmbeck stated this is a summary of the Final Draft Subarea 11 Plan: 1999 Update.

Staff began the plan update process last fall. It was a Level Two update, which is the type of update done when staff analysis shows that a moderate level of change will need to be made to the plan. The focus of a Level Two update process is on the land use policies for specific geographic areas, although changes are made throughout the plan document. Staff maintained a large mailing list throughout the update and held a series of seven community meetings. These were attended by a small number of people - a total of about 25 who attended one or more of the series of seven meetings - but most of the people attended more than one meeting, and we were very satisfied with the meetings.

Subarea 11 is located just south of downtown Nashville. Subarea 11 includes neighborhoods such as Woodbine, most of Wedgewood-Houston, which is partly in Subarea 10, Cameron-Trimble, Glenclyff, and Radnor. Notable sites include Greer Stadium, Fort Negley, the Cumberland Science Museum, the Fairgrounds, and the 100 Oaks Shopping Center.

The plan for Subarea 11, which was adopted June 3, 1993, was the first subarea plan that was done for an older, fully urbanized part of the county. Unlike earlier subarea plans that focused heavily on accommodating expected growth, the planning focus for Subarea 11, an area of declining population, was very different and aimed more at conservation of established neighborhoods and revitalization of older residential and commercial areas.

Some generalized things were reviewed through the update process, which relate to two functional plans the Commission adopted last year. A Historic Preservation Functional Plan, calls for greater attention to be paid to preservation of historic resources through the subarea planning process. In the past, subarea plans have generally simply listed the sites in an appendix and have made a few other general references to historic preservation. The draft plan update for Subarea 11 identifies the historic sites and areas within the discussion of each policy area in the Land Use Policy Plan chapter, and recommends the pursuit of Neighborhood Conservation zoning in several historically significant areas.

The *Economic Development Functional Plan* identifies issues with respect to the level of utilization of Industrial and Distribution policy areas, that need to be further explored through the subarea update process. There is a tremendous amount of industrial development in Subarea 11. As part of the Subarea 11 update, staff analyzed IND areas throughout the subarea. The analysis revealed that, unlike some other parts of the county, the Industrial and Distribution policy areas in Subarea 11 are predominantly industrial in use and zoning.

The first area discussed, south of Lafayette Street, consists of a number of policy areas. Staff reviewed the policies for this area because there was concern about the potential for successful implementation of some

of them. The areas focused on the most were the Mixed-Use policy area that centers around Humphreys Street, the Residential Medium Density policy applied to most of the Cameron-Trimble neighborhood, the Commercial Mixed Concentration policy applied to the Trevecca Campus and its surroundings, and the Commercial Arterial Existing policy applied along Murfreesboro Pike from Fesslers Lane to about Menzler Road. We were most concerned with the Humphreys Street area; where there is a good deal of industrial development and zoning, the eastern part of the Cameron-Trimble area, where there are many vacant lots; and the western part of the adjacent CMC area, where environmental constraints and land use compatibility are issues in the Lewis Street area.

Staff made a slight reduction in the size of the MU area centered along Humphreys Street and placed the area we took out partly in IND and partly in RM policy. In general, the belief was that although implementation of the MU policy in the Humphreys Street area is proceeding slowly, it is proceeding, largely due to the efforts of a neighborhood organization called the South Nashville Action People, or SNAP, who have been working with organizations such as MDHA and Affordable Housing Resources to reintroduce housing into the area. There is already some MUL zoning along Humphreys Street, and SNAP has also been working cooperatively with area businesses to improve the area.

Despite staff's initial concerns, we ended up making very few changes to the text for the RM area that applies to most of the Cameron-Trimble neighborhood, which also extends into this MU area. Changes basically focused on clarifying the intent about infill housing, which is intended to be single-family - in fact, MDHA has done some scattered site single-family infill in here over the past five years. Planning Commission staff have just begun to work with area residents on a neighborhood plan for the Cameron-Trimble neighborhood. Housing issues, including infill, have already emerged as important in that planning process.

We spent a good deal of time discussing the CMC area that covers the Trevecca Campus and its immediate surroundings. We adjusted the eastern boundary of the area so that all four quadrants of the intersection of Fesslers Lane and Murfreesboro Pike are in IND policy, and we also eliminated the CAE policy east of Trevecca and placed that area in IND policy. We saw the Fesslers Lane intersection area as having a more industrial future than a commercial one.

The plan text focuses heavily on the portion of the CMC area that is between the railroad tracks and the west side of Lewis Street. Much of this area is vacant, and much of it is in the floodplain of Browns Creek. It is zoned IWD, which is a poor fit with the policy and the environmental conditions. The plan recognizes that the future direction of this area is uncertain, due to both the environmental constraints and lack of market demand. The plan also recognizes that the manner in which this area develops will have a significant impact on adjacent areas, particularly the Cameron-Trimble neighborhood.

Although CMC is a very flexible policy, the plan recognizes that there may be other valid policy options for this location. Therefore, the draft plan contains language that states that consideration should be given to amending the plan in the event that a proposal for residential development at a lower density than intended in CMC policy is made that would involve a significant enough amount of land to serve as a catalyst for redevelopment in the area. The road network is also in need of improvement, and the plan update contains a schematic plan for road realignments to address safety problems and provide better connections.

The next area we focused on in the update process was the Fairgrounds/Vine Hill Homes area. In the original subarea plan Residential Medium High density applies to the Vine Hill Homes, and Residential High Density applies to the Vine Hill towers. Major Public Open Space policy applies to the Fairgrounds. The Vine Hill Homes have been torn down and are being redeveloped by MDHA at a lower density. The Subarea 11 Plan update recognizes this by including the entire development in the RM policy area that applies to the Wedgewood-Houston neighborhood.

The Fair Board is nearly finished with a master plan for the Fairgrounds. The master plan focuses mainly on internal site improvements, but does call for some limited expansion of the Fairgrounds outside its current boundaries. They intend to acquire property out to Southgate, Rains, Bransford, and Wedgewood

Avenues. The draft Subarea 11 Plan update reflects the existence of the master plan and notes that once surrounding property has been acquired and added to the Fairgrounds, MPOS policy would then apply.

The next area discussed in the update process was this area across Craighead Street from the Fairgrounds. We reviewed this area because we were concerned about the viability of the RM and MU policy areas. They were rezoned for industrial use many years ago. The current zoning is IWD. The area has slowly been transitioning away from residential use for a long time. The same thing has happened in the Eugenia Avenue area, where the policy is IND in the original subarea plan and remains so in the update.

The original plan took the approach that the transition could be reversed in the Napoleon Avenue area. That does not appear to be happening. There are fewer houses left in the area than there were five years ago, and we believe that it is inevitable that the area will continue to become more industrial. Adjacent IND policy was extended over the formerly residential area and the northern tip of the CAE area. We also applied CAE policy to this segment of the frontage of Nolensville Pike. It was in Residential Low Medium Density policy in the original plan, despite the presence of non-residential zoning. We also placed some language in the text of the plan to strongly discourage any expansion of nonresidential zoning into this RLM area across Seminole and Rosedale Avenues.

The next area discussed was the 100 Oaks mall area. The original plan applied CMC to little more than the mall itself. IND policy is applied around it, except in this location, where MU policy is applied to the City of Berry Hill. At the time the original plan was adopted, the mall was largely vacant and its future was uncertain. Since that time, the mall has successfully been revitalized and adjacent developments such as the Hollywood 27 movie theatres, the Home Depot store, and the BMW dealership, have come on line, and other development is taking place. We believe it is important to assume there will be additional pressure for commercial development around the mall. As a result, the updated Subarea 11 Plan proposes that the CMC policy be applied to a larger area. CMC policy is proposed to extend across Powell Avenue, and south to take in all four sides of the Armory Drive intersection. The plan text states that considerable emphasis should be placed on market factors when making zoning decisions along the rather indefinite southern and eastern boundaries of the area.

The next area discussed during the update process was a large one. It consists of residential policy areas along both sides of Nolensville Pike south of I-440. This area was reviewed because it was learned through the use of GIS technology, which wasn't available to us in 1993, that the lot sizes in portions of the RLM areas were generally smaller than was originally thought. We decided to reevaluate the arrangement of RLM and RM policies in this area. We took somewhat more of a broad brush approach in delineating the policy areas.

The policy boundary between RLM and RM areas on the east side of Nolensville Pike follows a line that roughly divides two areas with different development patterns. On the west side of Nolensville Pike, we found that the differences between the RLM and RM areas delineated in the original plan were too minimal to make any practical difference, and we applied RM policy to the whole Radnor neighborhood instead of to just a portion of it. There are certainly exceptions to the prevailing development patterns in both the RLM and RM areas, but the point is that they are exceptions and the application of policy is recognizing and seeking to conserve the predominant characters of the respective policy areas. Applying RM policy in this manner also results in a "corridor" of the higher density of the two categories, RM, along Nolensville Pike, which is more supportive of a desirable compact development pattern along a major arterial.

There were two other areas that were discussed very briefly at the end of the update process. These were areas identified by staff as being questionable applications of policy. One was at the eastern edge of the subarea, where RLM policy had been applied to what turned out to be a steep-sided vacant lot near Patricia Drive. A field check and some GIS research revealed that the near-landlocked parcel's topography was such that the most logical way to develop it would be as an extension of the adjacent RMH development that is accessed from Thompson Place. So, it was added to the adjoining RMH policy area as shown on this map.

The other area identified by staff at the end of the process was the Sadler Avenue area, which is a pocket of residential development isolated by three sets of railroad tracks. It is adjacent to a Mixed-Use policy area along both sides of Glenrose Avenue. This MU area is one for which the intent is to confine the nonresidential component of the land use mixture to the present commercially zoned areas along Glenrose. This being the case, it seemed reasonable to include this little RLM area in the mixed-use policy area as part of the component that is to remain strictly residential.

Chairman Smith asked if staff was suggesting the Commission designate some areas to be conservation.

Ms. Lehmbeck stated staff was suggesting it should be explored through this Historical Commission and residents in the affected areas. For the most part the areas being talked about are neighborhoods with a pretty significant concentration of either worthy of conservation, National Register eligible, or National Register properties and what is being recommended is that the areas be considered for Neighborhood Conservation zoning and that be pursued through an effort that involves historical conservation and area residents. It would be based on whether area residents felt this was appropriate. That is part of what the Historic Preservation Functional Plan is calling for staff to do in the subarea update process.

Chairman Smith stated this whole subarea is a transition area and that he is concerned that this may be interpreted as encouraging that. He said he was confused about where the Commission should recommend someone look at it or where it should be encouraged or where it should be open to have the public request it.

Ms. Nielson stated we are just allowing that verbiage there in case they want to pursue it.

Ms. Lehmbeck stated that was correct. For example, the Glencliff neighborhood has a small portion that is called the Radnor Historic Area and the language notes the Radnor Historic District has been identified by the Metropolitan Historical Commission as being worthy of conservation and it is recommended that the Historical Commission working with interested citizens educate residents of the area regarding the benefits of neighborhood conservation zoning and apply for such designation if supported by the community. That language is the same consistent language that occurs in the other areas where this concentration of historic resources is located.

Chairman Smith stated he just had a concern that staff and the Commission may be too aggressive on pushing that side of it because it doesn't allow the city to change over a 20 year period, such as the Woodland and Waverly area where a large part of the people want out.

Mr. Browning stated it is significant that staff could probably on one hand name the number of places in the subarea where the Commission would even be recommending the investigation of this. That is indicative and is fairly selective, which means, that the Commission is not intending to apply this in any general manner but that there are areas that have a historical significance. Also, it is not the Commission's intent to apply this in any location where we are already acknowledging the land use as transitional.

Mr. Jerome Franklin expressed concerns regarding too much commercial zoning in the area and asked the Commission to give the churches consideration for what they could do in that area.

Ms. Lehmbeck stated the location Mr. Franklin was referring to was located in a residential low medium policy area which is close to where some other policies come together, industrial and distribution. The policy applied to Hart Street is not a good location for any type of intensive policy.

Chairman Smith stated Ms. Lehmbeck gave a very good presentation and asked the Commission if they would like to approve this today or to take it under advisement for a couple of weeks because sometimes these subareas are not really studied until after the presentation.

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

SUBAREA 8 (1995)

Zone Change Proposal No. 99Z-039U
Council Bill No. O99-1553
Map 81-7, Parcel 354
District 20 (Haddox)

A council bill to change from R6 to CS district property at 1803 12th Avenue North, approximately 200 feet north of Buchanan Street (.63 acres), requested by Wade L. Phelps, appellant/owner.

Ms. Regen stated staff is recommending disapproval of this rezoning because there are 21 vacant commercial properties along Buchanan Street totaling up to 3 acres and staff sees no market need to rezone more property for commercial use. In addition, the property currently falls within a residential medium policy, not a commercial policy. This same applicant had a request further down the street last year and the Commission recommended disapproval of that.

Chairman Smith asked if there were so many vacant sites because the properties are not deep enough.

Ms. Regen stated this is a poorer area of the city that just doesn't have a lot of commercial uses coming to it unlike Jefferson Street where there is revitalization taking place. In this part of town there is just a lack of commercial activity.

Mr. Browning stated these parcels are as deep as commercial often is along an arterial. The concern here is the parcel fronting on Buchanan already has a land use so the property requesting change is possibly going to operate independently without any Buchanan Street frontage.

Ms. Regen stated the applicant operates a funeral home on one property and wants to place the funeral home cars on the proposed zone change property, plus he is talking about doing a car wash on the property.

Chairman Smith stated there are commercial needs that change over time and certain things sized for 20 years ago just don't work anymore and maybe the Commission should find some way to either get rid of the commercial or make them where they would work.

Ms. Regen stated there are places where the Commission has looked at deepening commercial and that is typically been where someone is trying to assemble several parcels for use that is going to be built and they are going to consolidate all the properties.

In this instance, there are plenty of properties where the applicant could place his business.

Mr. Wade Phelps stated he wanted additional commercial zoning to accommodate a parking lot for his existing business. He stated the zoning required so much buffering from residential property that he needed to rezone more property to give him better usage of his property.

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

Resolution No. 99-268

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-039U is **DISAPPROVED (7-0)**:"

This property falls within the Subarea 8 Plan’s Residential Medium (RM) policy calling for protection of the single-family neighborhood at 4 to 9 units per acre adjacent to the commercial area along Buchanan Street. CS zoning is inconsistent with RM policy. Plenty of commercial opportunities exist along Buchanan Street where there are 21 vacant properties already zoned CS between Interstate 265 and 16th Avenue North.”

SUBAREA 1 (1997)

Zone Change Proposal No. 99Z-038G
Map 30, Parcel 170
District 1 (Patton)

A request to change from AR2a to OL district property at 6479 Old Hickory Boulevard, approximately 1,800 feet north of Clarksville Pike (4.27 acres), requested by Jack S. McCawless, Jr., appellant, for Jake D. Cauley, owner.

Ms. Regen stated this property is located at Old Hickory Boulevard and Clarksville Pike and there is a commercial arterial node that runs linear with Clarksville Pike. This is an area that is not very well developed in the county, particularly because of steep slopes. Staff’s concern with this proposal is that the property fall within a natural conservation policy which would not support commercial. This property is approximately ½ mile or less to the commercial node that already exists and in that node there are numerous vacant properties and plenty of space for the applicant to provide an office use in the existing commercially zoned properties. The interest is to place a Masonic Lodge on the property but that is classified as a commercial use club in the Zoning Ordinance. Staff feels the OL zoning is not appropriate here because the policy does not support it and is recommending disapproval contrary to the General Plan.

Mr. Bobby Davis, attorney representing the property owner, stated this property is owned by Buena Vista Masonic Lodge 639 which was originally located near Werthan Bag. This property would only be used for the lodge for approximately 50 members.

Chairman Smith stated the Commission would have to look at this zoning on a city wide basis to fit all purposes in all residential areas.

Mr. Jack McCawless, applicant, stated this was the best location for the lodge and asked the Commission for approval.

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

Resolution No. 99-269

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-038G is **DISAPPROVED (7-0) as contrary to the General Plan:**

This property falls within the Subarea 1 Plan’s Natural Conservation (NC) policy calling for protection of the area’s steep hillsides and floodplains and permitting low intensity residential uses. The OL district is not consistent with NC policy. Ample commercial opportunities exist at the Old Hickory Boulevard/Clarksville Pike commercial node about a half-mile to the west. At this intersection there are vacant properties and buildings already zoned CS which would be ideally suited for commercial, office and retail uses.”

SUBAREA 2 (1995)

Subdivision Proposal No. 99S-107G
Kemper Heights, Section 1,
Resubdivision of Lot 129
Map 41-16, Parcel 10
District 3 (Nollner)

A request for final plat approval to subdivide one lot into two lots abutting the south margin of Westchester Drive, approximately 170 feet east of Dickerson Pike (1.04 acres), classified within the RS20 District, requested by Gene E. Tidwell, owner/developer, Land Surveying, Inc., surveyor.

Ms. Carrington stated staff is recommending disapproval in this case because of comparability. The proposed lots do meet comparability for lot size but do not meet minimum street frontage. The adjacent lots to the east have approximately 100 feet of frontage. There is a curve in the road which will require the frontage on the lots be greater than the rear lot line. There is CS zoning across the street to the north and adjacent on the west side. Apparently there was a request for CS zoning which was disapproved. If the Commission feels it would be more appropriate to maintain the residential character and allow these lots to subdivide they will require a variance to comparability.

Mr. Rocky Mantoya, land surveyor, stated they were basically asking for approval based on the fact they do meet all regulations as far as square footage is concerned. As stated, due to the curve in the road it made the lots narrower on the frontage; however, down the street a block or so there are lots that are smaller than these.

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

Resolution No. 99-270

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-107G is **APPROVED WITH A VARIANCE TO SECTION 2-4.7 OF THE SUBDIVISION REGULATIONS (7-0).”**

OTHER BUSINESS:

2. Employee contract renewal for Debbie B. Frank.

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

Resolution No. 99-271

“BE IT RESOLVED by the Metropolitan Planning Commission that it approves the employee contract for Debbie Frank for one year from April 16, 1999 through April 15, 2000.”

3. Morton Mill Road status report.

Mr. Browning stated the Commission could look to the next two weeks to have Morton Mill Road essentially complete.

4. Proposed public road access at Old Hickory Boulevard Maryland Farms Business Park in Brentwood, Tennessee.

Mr. Browning stated this is a request from the City of Brentwood for the Commission to reconsider extending another street from the Maryland Farms development northward to Old Hickory Boulevard in Davidson County. The Commission has heard from staff before and we are recommending this not be approved. Our Traffic and Parking Commission staff is present and are likewise recommending the street not be extended.

Mr. Browning showed the location of Maryland Farms east of Granny White Pike, west of Franklin Pike and south of Old Hickory Boulevard. He indicated it is a 400 acre commercial development, almost totally within Williamson County, except for the most northern edge of Maryland Farms, which is in Davidson County. He stated it is primarily office uses, but with significant retail and commercial services and a growing number of lodging facilities. Mr. Browning stated the development gets its access from two points on the west, one point on the east, and from three intersections with Old Hickory Boulevard on the north, in Davidson County. He stated the request is to approve a fourth intersection with Old Hickory Boulevard.

Mr. Browning stated it became evident during the investigation of the request that the last remaining significantly large vacant area of Maryland Farms lay in the middle of the site and was located very close to the point where the new street was being proposed. Staff became aware that a 781,000 square foot addition to Maryland Farms, an office, retail and lodging complex called Maryland Farms Commons, was being proposed on this vacant land. A traffic study was prepared for this addition, and staff reviewed this traffic study to determine what light it might shed on the desirability of creating the new street extension.

Mr. Browning stated the traffic study concluded that the two intersections nearest the proposed development, Brentwood Boulevard at Old Hickory Boulevard and Westpark Boulevard at Old Hickory Boulevard, currently operate inefficiently and at unacceptable levels of service. The primary problem with both intersections is inadequate provisions for turning movements. In the morning peak hour, the major flow of traffic is from east to west, and requires at least double left turn lanes into Maryland Farms at both intersections. In the afternoon peak hour, there is a need for a free flow right turn lane to head east bound on Old Hickory Boulevard.

Mr. Browning stated the traffic study concluded that the traffic levels of service could be brought to acceptable levels, even to serve the new development in Maryland Farms Commons, if various improvements were completed at seven intersections within Maryland Farms and along Old Hickory Boulevard. The improvements at the two existing intersections with Old Hickory Boulevard would call for additional left turn lanes.

The traffic study acknowledged the possibility of introducing a new intersection with Old Hickory Boulevard near the proposed Maryland Farms Commons development, and indicated the biggest advantage this intersection would provide would be more direct access to the new offices in the Commons development from Old Hickory Boulevard. However, the traffic study also cautioned that the potential detriment of the additional intersection would be the potential to retard the efficiency of Old Hickory Boulevard, particularly if the new intersection were signalized. Mr. Browning indicated currently there is one traffic signal on Old Hickory Boulevard at Brentwood Boulevard, and a second one is planned at Westpark Boulevard. A third traffic signal at the proposed intersection would be very detrimental to the flow of traffic on Old Hickory Boulevard.

Mr. Browning stated the second significant issue the Commission should consider is the effect the development in Maryland Farms, and the new intersection, could have on land use along Old Hickory Boulevard. He stated land use policy in Davidson County always has been to conserve the residential character which exists on the north side of Old Hickory Boulevard. To accomplish this purpose, the thin strip of land on the south side of Old Hickory Boulevard, and in Davidson County, but also within the Maryland Farms development area, has always been residential policy. During its most recent update the subarea 10 plan placed this strip of land into an office policy in recognition of the amount of development

in Maryland Farms. Since then, there have been attempts to move this land into the heavier retail policies and to attain at least exposure and possibly driveway connections to Old Hickory Boulevard and the heavy traffic on that road. The Commission has opposed this transition in the past, and should continue to do so, including permitting any street connection that might encourage retail development along Old Hickory Boulevard.

Mr. Roger Horner, assistant city attorney for the city of Brentwood, Mr. Bob Murphy, traffic engineer with RPM and Associates, Mr. Sid Smith with Ragan Smith Associates spoke in favor of the request. They indicated the Maryland Farms development has been incredibly successful, and that its growth has necessitated finding additional ways of getting access to the development. They indicated the proposed intersection would greatly benefit traffic movements between Maryland Farms and I-65, as well as provide better access for Davidson County residents working or doing business in Maryland Farms.

Mr. John Gregor, traffic engineer for Metro, indicated the additional intersection would have to be signaled to accommodate an amount of traffic which would provide any relief to the two existing intersections with Old Hickory Boulevard at Brentwood Boulevard and Westpark Boulevard. He stated there is no question that the addition of a second signal at Westpark Boulevard and a third one at the proposed intersection would significantly reduce traffic flow on Old Hickory Boulevard. Mr. Gregor stated the alternative would be to reconfigure the two existing intersections to accommodate turning movements, as recommended in the traffic study. Apparently the expense of this solution has prompted the city of Brentwood to pursue other alternatives, such as the new intersection.

Mr. Lawson moved and Mr. Manier seconded the motion, which carried with Mr. Stephen Smith in opposition, to reaffirm the Commission's previous decision of disapproval.

5. Legislative update.

Ms. Carrington stated there was no council meeting this week, but informed the Commission that the PUD on Old Hickory Boulevard that closed Trousdale was approved at the last meeting.

She also announced staff had invited Mike Calleja, a member of the Advanced Planning Division, to be the new subdivision section leader in Current Planning.

PLATS PROCESSED ADMINISTRATIVELY

March 18, 1999 through March 31, 1999

- | | |
|-----------------|---|
| 99S-098U | W. C. GIFFORD LANDS, Resubdivision of Lot 8
Platting one lot |
| 99S-112G | MILLER-TERRY SUBDIVISION
Plats one deeded parcel |
| 99S-113U | CHATEAU VALLEY, Phase 2, Resubdivision of Lot 137
Minor interior lot line shift |

ADJOURNMENT:

There being no further business, upon motion made, seconded and passed, the meeting adjourned at 4:55 p.m.

Chairman

Secretary

Minute Approval:
This 15th day of April, 1999