

MINUTES
OF THE
METROPOLITAN PLANNING COMMISSION

Date: March 2, 2000
Time: 1:00 p.m.
Place: Howard Auditorium

Roll Call

Present:

James Lawson, Chairman
Frank Cochran
William Manier
Ann Nielson
Vicki Oglesby
Councilmember Phil Ponder

Absent:

Mayor Bill Purcell
Tonya Jones
Douglas Small
Marilyn Warren

Others Present:

Executive Office:

Carolyn Perry, Secretary III

Current Planning & Design Division:

Theresa Carrington, Planning Division Manager
Michael Calleja, Planner III
Jennifer Regen, Planner III
John Reid, Planner II
Robert Leeman, Planner I
Jeff Stuncard, Planner I
Andrew Wall, Planning Technician I

Community Plans Division:

Jerry Fawcett, Planning Division Manager
Cynthia Wood, Planner III

Advance Planning & Research:

Jeff Lawrence, Planner III
Michelle Kubant, Planner II
Amy McAbee-Cummings, Planner I

Others Present:

Jim Armstrong, Public Works

Chairman Lawson called the meeting to order.

ADOPTION OF AGENDA

Ms. Carrington announced item, 3. Chairman's Comments, should be added to the agenda under Other Business.

Ms. Nielson moved and Ms. Oglesby seconded the motion, which unanimously passed, to adopt the agenda with the addition.

ANNOUNCEMENT OF DEFERRED ITEMS

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

- 99S-333U-12 Deferred indefinitely, by applicant.
- 2000Z-001T Deferred two weeks, by applicant.
- 99Z-124G-06 Deferred two weeks, by applicant.
- 2000P-002G-06 Deferred two weeks, by applicant.
- 74-79-G-13 Deferred indefinitely, by applicant.
- 116-83-U-11 Deferred two weeks, by applicant.

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

APPROVAL OF MINUTES

Ms. Oglesby moved and Councilmember Ponder seconded the motion, which unanimously passed to approve the minutes of the regular meeting of February 17, 2000.

RECOGNITION OF COUNCILMEMBERS

Councilmember Vic Lineweaver spoke in favor of 163-73-G-06, Bellevue Shopping Center, Phase II

Councilmember Eileen Beehan spoke in favor of 200Z-025U-05 as part of the redevelopment of Woodland Street. The potential use for this property is a bakery, which would be friendly to neighborhood use as well as to drive by use.

ADOPTION OF CONSENT AGENDA

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

SUBDIVISION AND BOND PROPOSALS

98S-083G-10

St. Regis Place (formerly Biltmore Chase)
Map 158, Parcel 57
Subarea 10 (1994)
District 33 (Turner)

A request for final plat approval to create two lots and a public street abutting the south margin of Old Hickory Boulevard, approximately 332 feet west of Bridlewood Lane (2.60 acres), classified within the R40 District, requested by Continental Development and Construction Company, owner/developer, George Anton, surveyor. (Deferred from meeting of 2/17/00).

Resolution No. 2000-191

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 98S-083G-10, is **APPROVED SUBJECT TO A BOND OF \$89,000.00 (6-0).”**

99S-334G-04

Amqui School
Map 43-5, Parcels 16, 18-27, 249, 256 and 257
Subarea 4 (1998)
District 9 (Dillard)

A request for final plat approval to consolidate 14 parcels into one lot abutting the west margin of Pierce Road, between Sarver Avenue and Anderson Lane (9.45 acres), classified within the RS7.5 District, requested by Metropolitan Government School Amqui, owner/developer, H and H Land Surveying, Inc., surveyor.

Resolution No. 2000-192

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-334G-04, is **APPROVED (6-0).”**

99S-418U-07

Charter Construction Property
Map 91-8, Parcels 160, 161, 165 and 166
Subarea 7 (1994)
District 21 (Whitmore)

A request for final plat approval to consolidate four lots into one lot between Tennessee Avenue and Kentucky Avenue, approximately 362 feet west of 44th Avenue North (.68 acres), classified within the IR District, requested by Robert B. Sneed, Jr., owner/developer, Land Surveying Services, surveyor.

Resolution No. 2000-193

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-418U-07, is **APPROVED (6-0).”**

2000S-003G-13

Star Subdivision
Map 175, Parcel 39
Subarea 13 (1996)
District 29 (Holloway)

A request for final plat approval to subdivide one parcel into four lots abutting the south margin of Old Hickory Boulevard, southwest of Murfreesboro Pike (7.19 acres), classified within the OR20 and IWD Districts, requested by Priest Lake Investments, owner/developer, Jenkins and Jenkins Land Surveying, surveyor.

Resolution No. 2000-194

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2000S-003G-13, is **APPROVED SUBJECT TO A BOND OF \$2,000.00 (6-0).”**

2000S-059U-05
Dalewood School
Map 72-8, Parcels 47, 48 and 59
Subarea 5 (1994)
District 8 (Hart)

A request for final plat approval to consolidate two lots and one parcel into one lot abutting the southwest corner of McGavock Pike and Stratford Avenue (13.5 acres), classified within the RS10 District, requested by Davidson County Board of Education, owner/developer, Volunteer Surveying, surveyor.

Resolution No. 2000-195

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2000S-059U-05, is **APPROVED (6-0).”**

2000S-063G-12
Highland Creek, Section 2
Map 172
Subarea 12 (1997)
District 31 (Knoch)

A request for final plat approval to create nine lots abutting the north terminus of Century Oak Drive, approximately 90 feet north of Sherbrooke Lane (3.1 acres), classified within the RS10 District, requested by Holt Valley, LLC, owner/developer, Anderson-Delk & Associates, Inc., surveyor.

Resolution No. 2000-196

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2000S-063G-12, is **APPROVED SUBJECT TO A BOND OF \$116,000.00 (6-0).”**

Request for Bond Release
95S-030G
High Valley, Section 1
McCohen Development Corporation, principal
Subarea 10 (1994)

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

Resolution No. 2000-197

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 95S-030G, Bond No. 97BD-080, High Valley, Section 1, in the amount of \$13,750.”

Request for Bond Release

98S-006U
Northside Station
Creekside Shops, LLC, principal
Subarea 3 (1998)

Located abutting the east margin of Clarksville Pike and the north margin of West Hamilton Avenue.

Resolution No. 2000-198

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 98S-006U, Bond No. 98BD-020, Northside Station, in the amount of \$7,000.”

Request for Bond Release

98S-409G
River Plantation, Section 11, Phase 3
Haury & Smith Contractors, Inc., principal
Subarea 6 (1996)

Located southwest of Sawyer Brown Road, opposite General George Patton Road.

Resolution No. 2000-199

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 98S-409G, Bond No. 98BD-008, River Plantation, Section 11, Phase 3, in the amount of \$54,371.”

Request for Bond Extension

96S-249G
Meadow Woods, Phase 1
Sanders & McCrary, Joint Venture, principal
Subarea 13 (1996)
[Buildout is at 72%]

Located between Old Hickory Boulevard and Pin Hook Road, approximately 1,875 feet west of Lavergne Couchville Pike.

Resolution No. 2000-200

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 96S-249G, Bond No. 97BD-080, Meadow Woods, Phase 1, in the amount of \$96,250 to 6/30/2000 subject to the submittal of an amendment to the present Letter of Credit by **4/2/2000** which extends its expiration date to 12/30/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension

97S-365G
Oakmont, Phase 3
Tiara Development LLC, principal
Subarea 12 (1997)
[Buildout is at 30%]

Located abutting the south margin of Cloverland Drive, approximately 380 feet west of Edmondson Pike.

Resolution No. 2000-201

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 97S-365G, Bond No. 99BD-025, Oakmont, Phase 3, in the amount of \$41,500 to 4/5/2001 subject to the submittal of an amendment to the present Letter of Credit by **4/2/2000** which extends its expiration date to 10/5/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension
97S-428G
Wexford Downs, Section 2
Wexford Downs LLC, principal
Subarea 12 (1997)
[Buildout is at 57%]

Located abutting the southeast corner of Mt. Pisgah Road and Edmondson Pike.

Resolution No. 2000-202

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 97S-428G, Bond No. 98BD-026, Wexford Downs, Section 2, in the amount of \$77,000 to 3/15/2001 subject to the submittal of an amendment to the present Letter of Credit by **4/2/2000** which extends its expiration date to 9/15/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension
99S-196G
Heritage Meadows, Phase 3
B & P Developments, Inc., principal
Subarea 14 (1996)
[Buildout is at 7%]

Located approximately 95 feet northeast of Andrew Donelson Drive, opposite Stoner Way.

Resolution No. 2000-203

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 99S-196G, Bond No. 99BD-050, Heritage Meadows, Phase 3, in the amount of \$43,750 to 12/31/2000 subject to the submittal of an amendment to the present Letter of Credit by **4/2/2000** which extends its expiration date to 6/30/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

ZONE CHANGE AND PUD PROPOSALS

2000Z-022U-05
Map 72-13, Parcels 199 (.84 acres) and 201 (.69 acres)
Subarea 5 (1994)
District 7 (Campbell)

A request to change from CS district to ORI district properties at 1524 Gallatin Avenue, abutting the north margin of Strouse Avenue (1.53 acres), requested by Thomas Hooper, President of Nashville Auto Diesel College, appellant, for Nashville Auto Diesel College and Automobile College of Nashville, owners.

Resolution No. 2000-204

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-022U-05 is **APPROVED (6-0)**:

These properties fall within the Subarea 5 Plan's Commercial Arterial Existing (CAE) policy calling for higher density residential, office, and commercial development along Gallatin Pike. The ORI district is consistent with that policy and the zoning pattern to the south."

2000Z-024G-13
Map 175, Parcel 13
Subarea 13 (1996)
District 29 (Holloway)

A request to change from AR2a to CS district property at 12630 Old Hickory Boulevard, approximately 3,000 feet west of Murfreesboro Pike (6.24 acres), requested by Max Puckett, appellant, for James R. Oglesby et ux, owners.

Resolution No. 2000-205

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-024G-13 is **APPROVED (6-0)**:

This property falls within the Subarea 12 Plan's Commercial Mixed Concentration (CMC) policy calling for higher density residential, office, and commercial uses. The CS district is consistent with that policy and is appropriate across the street from the industrial policy south of Old Hickory Boulevard calling for wholesaling, manufacturing and warehousing uses."

163-73-G-06
Bellevue Shopping Center, Phase II
Map 142, Parcel 215
Subarea 6 (1996)
District 35 (Lineweaver)

A request to revise a portion of the preliminary plan of the Commercial (General) Planned Unit Development District located abutting the south margin of Highway 70 South, 1,100 feet west of Sawyer Brown Road, classified SCR (10.56 acres), to permit two 15,000 square foot buildings for auto dealership uses totaling 30,000 square feet, replacing 107,650 square feet of retail and restaurant uses, requested by Barge, Waggoner, Sumner and Cannon, for WXI/ SMC Real Estate, LLC, owner, and Lee A. Beaman, optionee.

Resolution No. 2000-206

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 163-73-G-06 is given **CONDITIONAL APPROVAL OF A REVISION TO THE PRELIMINARY PLAN (6-0)**. The following conditions apply:

1. Prior to the issuance of any building permits, 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. Plans shall be submitted to the Metropolitan Planning Commission by March 10, 2000 showing the redesign of the northeastern driveway to the site, across from Applebee's Restaurant, either changing it from a full service driveway to a right-in only driveway, or the elimination of it completely."

78-74-U-07
 Lion's Head Village
 Map 103-15, Part of Parcel 43
 Subarea 7 (1994)
 District 24 (Summers)

A request to revise a portion of the preliminary plan and for final approval for a portion of the Commercial (General) Planned Unit Development District located abutting the northeast margin of White Bridge Road and the west margin of Post Place, classified SCC (14.8 acres), to develop a 23,500 square foot Office Max retail building and 14,359 square feet of retail shops totaling 37,859 square feet, replacing 41,633 square feet of theater, restaurant, and retail uses, requested by Barge, Waggoner, Sumner and Cannon, for CBL & Associates Properties, Inc., owner.

Resolution No. 2000-207

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 78-74-U-07 is given **APPROVAL OF A REVISION TO THE PRELIMINARY PLAN AND CONDITIONAL FINAL APPROVAL FOR A PORTION (6-0)**. The following condition applies:

Prior to the issuance of any building permits, 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."

96-81-G-02
 Red Kap Industries
 Map 31, Part of Parcel 112
 Subarea 2 (1995)
 District 10 (Balthrop)

A request to revise the preliminary plan and for final approval for a portion of the Industrial Planned Unit Development District located abutting the east margin of Hickory Hills Boulevard, north of Old Hickory Boulevard, classified OR20 (2.28 acres), to add 29 car parking spaces and 19 truck trailer parking spaces for a total of 203 parking spaces and 39 truck trailer parking spaces, requested by Carpenter Wright Engineering, for Red Kap Industries, owner.

Resolution No. 2000-208

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 96-81-G-02 is given **APPROVAL OF A REVISION TO THE PRELIMINARY PLAN AND CONDITIONAL FINAL APPROVAL FOR A PORTION (6-0)**. The following condition applies:

Prior to the issuance of any building permits, 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."

69-83-G-14

Chili's Bar & Grill (Hermitage)
Map 75, Part of Parcel 35
Subarea 14 (1996)
District 12 (Ponder)

A request to revise the preliminary plan and for final approval for a portion of the Commercial (General) Planned Unit Development District abutting the west margin of Old Hickory Boulevard, approximately 1,100 feet south of Lebanon Pike, classified SCR (2.57 acres), to develop a 5,532 square foot restaurant, replacing a 7,600 square foot restaurant and a 3,400 square foot office use, requested by Palmer Engineering Company, for Brinker International, owner.

Resolution No. 2000-209

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 69-83-G-14 is given **APPROVAL OF A REVISION TO THE PRELIMINARY PLAN AND CONDITIONAL FINAL APPROVAL FOR A PHASE (6-0)**. The following conditions apply:

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

88P-020G-04

The Woods of Neely's Bend (formerly Pawnee Trail)
Map 53-14-A, Parcels 22, 23, 24, 25 and 26
Subarea 4 (1998)
District 9 (Dillard)

A request to revise the preliminary plan and for final approval for a portion of the Residential Planned Unit Development District located abutting the northeast margin of Comanche Run, south of Nawakwa Trail, classified RS15 (0.80 acres), to reduce the rear yard setbacks from 40 feet to 30 feet on five lots, where 20 foot rear setbacks are required by the base zoning district, requested by Bruce Rainey & Associates, for Michael R. Stokes, owner. (Also requesting final plat approval).

Resolution No. 2000-210

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 88P-020G-04 is given **APPROVAL OF A REVISION TO THE PRELIMINARY PLAN, CONDITIONAL FINAL APPROVAL FOR A PORTION AND APPROVAL OF THE FINAL PLAT (6-0)**. The following conditions apply:

1. Prior to the issuance of any building permits, 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. Prior to the issuance of any building permits, the final plat shall be recorded.”

MANDATORY REFERRALS

2000M-025U-10

Blair School of Music Easement Abandonment
Map 104-7, Part of Parcel 541

Subarea 10 (1994)
District 18 (Hausser)

A request to abandon a 50' wide public utility easement and a 12.33' wide public utility easement on the site of the Blair School of Music, located at 2400 Blakemore Avenue on the Vanderbilt University Campus, requested by Barge, Cauthen & Associates, appellant, for Vanderbilt University, owner.

Resolution No. 2000-211

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (6-0)** Proposal No. 2000M-025U-10."

2000M-026U-11
Rename Rubylee Drive to "Rolynn Drive"
Map 119-10, Parcels 65-82
Subarea 11 (1999)
District 16 (McClendon)

A request by the Interim Director of Public Works to rename Rubylee Drive to "Rolynn Drive" from David Drive to its western terminus for improved E911 emergency efficiency and response.

Resolution No. 2000-212

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (6-0)** Proposal No. 2000M-026U-11."

2000M-028U-03
Rowan Drive Property Sale
Map 59-11, Parcel 148
Subarea 3 (1998)
District 2 (Black)

A council bill approving the sale of surplus property located on Rowan Drive that is currently held by The Metropolitan Government of Nashville and Davidson County, Tennessee.

Resolution No. 2000-213

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (6-0)** Proposal No. 2000M-028U-03."

This concluded the items on the consent agenda.

PUBLIC HEARING: SUBAREA 2 AND 3 PLAN AMENDMENTS

Ms. Wood stated this is a public hearing on a subarea plan amendment proposal affecting both Subareas 2 and 3, around the I-24/Old Hickory Boulevard interchange that is north of the Cumberland River. Following the staff report, the public will be given the opportunity to speak. In addition to the people who are here today to speak on this matter, we have received 184 letters of opposition, copies of which have been provided to the Planning Commissioners. I understand there may be more that residents may have brought with them today.

The amendment proposal under consideration would change the land use policies around the I-24, Old Hickory Boulevard, Lickton Pike, and Brick Church Pike interchange from Commercial Mixed Concentration; Residential Low Density; and Residential Medium Density to Industrial and Distribution. Staff is recommending disapproval of this amendment proposal. Our reasons for making this recommendation relate to the availability of a substantial amount of land in nearby Industrial and Distribution policy areas, the traffic impacts of adding more industrial opportunity around the interchange, foregone opportunities for the future of this area, and the substantial community opposition. Subarea plans are developed through a process that includes public involvement, and that is also taken seriously when we consider amending them.

The amendment proposal arose out of the Commission's consideration at their December 9 meeting of a request to rezone approximately 45 acres on the north side of Old Hickory Boulevard just south of Autumn Ridge Road from R20, a residential district with a 20,000 square foot minimum lot size, to IWD, or Industrial Warehousing and Distribution. The zone change request, 99Z-167G-02, is also on today's agenda, and staff is recommending that it be disapproved as contrary to the General Plan. The amendment under consideration back at the turn of the year was a more limited area confined to the north side of Old Hickory Boulevard. At the Commission's January 6 meeting, staff recommended against setting a public hearing to consider the request further. After some discussion, the Commission asked staff to meet with Councilmembers Bettye Balthrop, who represents the portion of the amendment area that's east of I-24, and Brenda Gilmore, who represents the west side, to determine the area to be analyzed for amendment, the method of public participation in the amendment process, and the timeline of the process. Staff came back to the Commission at their January 20 meeting with a timeline involving the February 9 community meeting that was held at Davidson Academy High School cafeteria in the evening hours and this public hearing before the Commission. A mailing list of over 300 people, businesses, religious institutions, and community organizations was developed, and a memo was sent out to both explain the proposal and notify people of the community meeting and public hearing. Both were also advertised in The Tennessean, and staff also put the memo on our web site. Over 100 people attended the community meeting, and opposition to both the amendment proposal and the zone change request was nearly unanimous.

There are vacant parcels, residential uses, commercial, community facilities such as churches and schools, and industrial uses present in this area already, but they're confined to a limited area. Red Kap Industries, a uniform manufacturer, is perhaps the best known here, and they have a Planned Unit Development Overlay revision request on today's agenda to expand their parking area to accommodate additional cars and trucks. One thing that should be obvious about this area is that it's pretty undeveloped today, and it's future is by no means determined by the fact that some of the uses that are there are industrial. When the CMC policy was applied, a future direction was chosen that acknowledged what was already there, but did not seek to let that determine the future.

The zoning includes Planned Unit Development Overlays, or PUDs, an industrial PUD that contains Red Kap, commercial, retail, restaurant, and hotel approvals on the west side of I-24, and a PUD approval for 240 apartment units. As for the base districts, you see some commercial ones but mainly agricultural and residential ones. An application has been filed for the Commission's next agenda to rezone from R15 residential to CS commercial, which is appropriate in CMC policy.

There are concerns about adding more industrial opportunity in this part of the county when there is so much vacant or underutilized land in nearby existing Industrial and Distribution policy areas. The site of the zone change request is about 3 miles from the Briley Parkway/I-24/Brick Church Pike interchange complex. There is IWD land here in a CMC policy area – right across Dickerson Pike from where they are building the new Columbia hospital. Acreages are approximate, much of the land is vacant, but there is residential in here as well, which is meant to transition away over time. That process is farther along in this area that's farther south on Brick Church Pike than it is in the Knight Drive area. The process of transitioning an area such as this, which is largely undeveloped and mainly rural residential in use, over to the industrial park area it's planned to become, is an inherently difficult one. The longer it takes, the more difficult it is. If we continue to add more areas of industrial opportunity in this part of the county, it will be more difficult still.

The amendment proposal area has excellent access to one leg of the interstate system, I-24. I-65 is around three miles from I-24 via Old Hickory Boulevard. Obviously someone wishing to travel north of Old Hickory Boulevard on I-65 from the amendment proposal area would be traveling over a shorter distance to accomplish this if they used Old Hickory rather than the interstate system to do so. As we add industrial opportunity, the balance of the traffic mix shifts further toward tractor trailers.

There are large schools that themselves generate no small amount of traffic, which is active in the early morning and mid-afternoon. The early peak for school traffic will tend to overlap with the peak of facilities such as a Coca-Cola distribution facility, which we have heard could eventually be the base for 100 trucks. I want to emphasize at this point that there is no pretense being made here that traffic in this area won't increase significantly as this area develops, no matter how. It will. The recently adopted Long Range Transportation Plan includes a project to widen Old Hickory Boulevard between I-24 and Dickerson Pike (it is already five lanes east of Dickerson Pike), but the improvement is not scheduled to be completed until 2015. Even with the improvement, we still have a problem if we shift the balance farther in the direction of truck traffic. They are louder than cars. They are longer and heavier than cars. They accelerate more slowly, turn corners more awkwardly, and can't stop all that fast.

If the plan for the future of this area changes to prioritize industrial opportunity, we jeopardize other options. Commercial Mixed Concentration is a pretty flexible policy. There are residential policies flanking it that provide growth opportunities. Some of the area residents have expressed a wish for more retail near their homes. Approvals are in place, but apparently there's not yet enough of a market. Taking away the residential opportunity near this interchange and replacing it with industrial, and opening the door for more industrial to go in nearer the interchange, will not help. This concludes the staff presentation.

Mr. Walter Fischer, Mr. Patrick Sykes, Mr. Issac Lester, Ms. Dede Ashton, Mr. Gary Orent, Mr. Robert Meyers, Mr. Gary Gilbert, Mr. Plez Dowell, Ms. Sherry Batson, Mr. Daniel Walker, Ms. Cindy Simpkins, Mr. Albert Powell spoke in opposition to the plan amendment and expressed concerns regarding truck and vehicle traffic on Old Hickory Boulevard, noise, industrial invasion, environmental pollution, additional future industrial development, what might be developed on the portion of the property Coca Cola does not use, lowering the quality of life in the neighborhood, safety, and lowering property value.

Councilmember-at-Large Carolyn Baldwin Tucker spoke in opposition to the proposal and expressed concerns regarding traffic and stated she was not aware until this meeting that Red Kap was expanding their parking facility and increasing their truck traffic. She stated she lived in the general area, but would not be impacted in regard to her property, and that she was present because of concern for her neighbors. The subarea plan should not be changed nor should there be a granting of a zone change from R20 to IWD based on the fact of Red Kap expanding, which does give additional impact of a negative nature on the traffic flow, and the homeowners in the two main areas of the change, Timber Trail and Quail Ridge, have spoken solidly in opposition to the change in that it will adversely affect their property, cause tremendous traffic problems and change the nature of the surroundings in their neighborhoods. These homeowners have stated in a public forum that they do not wish to have a distribution plant in their backyards and the same was repeated again today. Further, they have stated such a move would amount to invading the privacy of the homes they purchased under the understanding they would be in a residential area. The change request goes against the current land use policy and does nothing to enhance the quality of life of those who are currently residing in the area. Traffic problems in the area at best now, are not good. Davidson Academy causes a tremendous amount of traffic in the area and a new construction of a church, with a membership of 5,000, will greatly add to the already congested and heavily traveled street. By admission of one of the representative from Coca Cola, on a daily basis, a possible average of 100 trucks would access the distribution plant, which in essence would be 200 tractor trailer traffic trips into that area, a minimum per day. The addition of the plan, with such a high volume of truck traffic, would turn a complicated issue, as we see it today, into an almost impossible situation for homeowners who are trying to get in or out of the subdivisions. Changing the zoning and/or changing the subarea – neither has been recommended by the staff. After studying the situation staff has recommended the property, which is currently R20 being planned for IWD, is already in close proximity to another area that is currently IWD, and it would be far

better suited for Coca Cola, by placing it in that district. Once a subarea is changed from an R20 to an IWD, any other companies, with warehouses, could come into the area with no notification to the public and in no time at all an area that was once residential could become a warehouse row. While the Trues have a right to sell their property, the homeowners have a right to be protected from an invasion of their rights to own a home without the roar of tractor trailer trucks threatening the peace and tranquility of their area. She asked the Commission to vote no on the request for the change in the subarea plan and to vote no on the request for the zone change.

Councilmember Betty Balthrop stated there had been a public hearing at Davidson Academy, but the complete presentation was not made because there was a lot of confusion and a lot of anger there that night, of which she was very sorry for, but this site has been revisited and would appreciate it if the Commission would hear the plans.

Chairman Lawson he would let the Commission decide because the issues being looked at today are policy issues and the presentation would not fall along the lines of determining what the best policy is. The presentation would not fall along the lines of determining what the best policy is. Any presentation, if made at all, is along the lines of the zone change. The first issue the Commission will address today is the policy issue and the zone change will be taken out of order and voted on right after the policy issue. It seems out of sync to give the presentation when the audience you want to address is really not here, at least not in total.

Councilmember Balthrop stated she would just like to be heard on what the plan is and that she was saying that on behalf of the Trues, who also live in her district and would be treated equally.

Chairman Lawson stated the issue of what is actually being proposed to be developed doesn't necessarily impact the policy decision. The request to look at a plan amendment is to determine if there is an ample justification to expand industrial development in that area. The staff has reviewed that, has gotten the input from the community, and has made a recommendation.

Mr. Tom White, representing the True family, stated concurrent with what the Chairman just said, we do have a proposal in respect to the zone change, that's the time we'll address it, not at the policy time, which is the amendment time. Mr. Lockwood is here from Barge-Waggoner and we do have a revision to the proposal that was first in and heard by this group on December 9.

Ms. Nielson moved and Ms. Oglesby seconded the motion, which carried unanimously, to close the public hearing.

Ms. Nielson stated that as the Commission has revisited the subarea plan that the plan in place has the right policy.

Mr. Manier stated nothing had been offered as evidence to contradict what the staff and neighbors have presented. You have to have two sides to have a discussion and there is only one side.

Mr. Cochran stated he felt the present zoning in the area is proper and when the plan was developed it took into consideration the development of the residential neighborhood and there's no reason to change the plan.

Ms. Oglesby stated in December the question was raised about exploring the possibility of amending the plan and getting the public's input. That has been done and based on that she was willing to make a motion to disapprove.

Ms. Oglesby moved and Ms. Nielson seconded the motion, which carried unanimously, to disapprove the amendment proposal.

Chairman Lawson explained the Commission did not need to adopt anything because the plan is in place and this Commission has voiced its opinion they are not willing to change the subarea plan.

99Z-167G-02

Map 41, Parcels 2 and 125

Subarea 2 (1995)

District 10 (Balthrop)

A request to change from R20 to IWD district property at 7585 Old Hickory Boulevard, approximately 1,240 feet west of Brick Church Pike (44.75 acres), requested by Ida Carrigan, appellant, for Laura K. P. True, owner. (Deferred from meeting of 12/9/99).

Ms. Regen stated this is the request to rezone the property from R20 to IWD that was the subject of the subarea plan amendment previously discussed. Staff is recommending disapproval of this request for IWD zoning as contrary to the General Plan. With the Commission's action of not adopting industrial on this property it would not be consistent with the residential policy that applies today.

Mr. Tom White handed out a revised proposal and stated to the left of this property is the huge industrial use, which is called Red Kap. Red Kap has been there 18 years and basically predated the residential use in the back. The revised proposal shows that we are requesting, not that the entire 43 acres be zoned industrial, but that the front 2/3 of the property be zoned IWD and the back of the property, which faces the residential development be left residential. As a result of items that were heard at the public hearing, we have submitted this revised plan because the Red Kap industrial use is a very significant use. Persons that built and bought were certainly aware there was a very large industrial use that predated their operation. Another reason for the revision is that it would leave a buffer. The Commission ought to use their interpretation authority and allow this development. This proposal could move forward and not be a violation of the General Plan by an interpretation. What is on paper does not match what's on the ground in this area.

There were a significant amount of comments from residents that live in the area who said they live there, this is what I've gotten use to, this is what I like, I look at the green area, I'd like to keep it there or keep the deer there, etc. In fairness, the True family has owned this property 118 years and if they had that attitude none of these people would live in those houses right now. They were looking at it as pasture land for most of the time they owned the property out there. They allowed other uses to grow up around them. They farmed this property, but it is no longer usable as a farm and that is why they have come with this proposal. The staff's recommendation about traffic read – "The Traffic Engineer indicates that Old Hickory Boulevard can sufficiently accommodate industrial traffic generated by IWD zoning." – the exact opposite of what was presented to the Commission today.

Mr. Robert Meyers stated Mr. White had said Red Kap predated the subdivisions but when he moved into his home in 1983 Red Kap did not exist. He expressed more concerns regarding traffic and a councilperson who won't listen to her constituents.

Mr. Gary Orent stated this change would affect more than the 20 or 25 acres. It will affect the whole area. Once it is zoned industrial, we can't change it and they can put anything they want there. That's what we are fighting – we're not fighting Coca Cola.

Councilmember Ponder stated he felt this changes the complexion a bit by narrowing it down and asked the Commission how sure are they that Coca Cola will butt up against an industrial type zone rather than being located to the right side of the property.

Mr. Tom White stated he could not make categorical commitment that Coke will be contiguous to the industrial property. They will not be on the right side of the property, where they were when they came before this Commission in December. They are evaluating the move to the left and they have committed to

move further to the left. Before we would ever bring this matter to Council, scheduled for the first Tuesday in May, we'll know that. There is a blue line stream on the property that is causing a problem.

Councilmember Ponder stated he would have to reserve any final opinion until the final presentation is made at Council. We need to know what is going to happen to that other little piece of property if Coca Cola doesn't use it. Some of the neighbors strongly stated they would very much like to have a grocery type operation in the neighborhood.

Mr. White stated they hope to go to Council with a proposal where Coke butts up to the left against industrial zoning and with a grocery store commitment on the other side.

Councilmember Ponder asked Mr. White if there was some way to make, as a part of the deed, what goes there so we are not letting some other foreign element go on the property.

Mr. White stated that could be done in a number of different ways.

Chairman Lawson stated those were issues that were not of concern to this Commission. Deed restrictions we have no control over nor have any say in.

Ms. Nielson stated she was concerned because the zoning is not for Coke – it is land use. If this is zoned for industrial and the Coke deal falls through we are stuck with the zoning.

Mr. Manier stated, that in the staff report he received earlier, there was a comment that Traffic said what ever use that is contemplated here that Old Hickory can handle it, but staff also indicated that was true in their presentation. They did comment as to the quality and type of traffic. But, this amounts to a spot zoning, pure and simple. If we continually trash our subarea plans we destroy the process that has been developed and that destroys the faith of the citizens by their contribution and input into the policy planning area.

Ms. Oglesby agreed with Mr. Manier and stated she appreciated the compromises that have been made but that she had a responsibility to step back and look at the overall plan and at the citizen's input.

Ms. Oglesby moved and Ms. Nielson seconded the motion, which carried, with Councilmember Ponder in opposition, to approve the following resolution:

Resolution No. 2000-214

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-167G-02 is **DISAPPROVED as contrary to the General Plan (5-1):**

These properties fall within the Subarea 2 Plan's Residential Low (RL) policy calling for up to 2 units per acre. The IWD district is not consistent with that policy and would adversely impact the residential area to the north. There is a stub-out street to the north, Autumn Ridge Drive, providing access to this site, which indicates that the residential pattern was to be continued on this property. Therefore, the existing R20 zoning is appropriate and consistent with the RL policy goal of continuing single-family development in this area."

SUBDIVISION AND BOND PROPOSALS

99S-404G-04 (Public Hearing)

Shannon Place, Section 2

Map 43-1, Parcel 97

Subarea 4 (1998)

District 9 (Dillard)

A request for a revision to the preliminary plan and final plat approval to create seven lots abutting the northeast corner of Shannon Avenue and Pierce Road (2.28 acres), classified within the RS7.5 District, requested by Charles E. and Carole Rhoten, owners/developers, Burns and Associates, Inc., surveyor.

Mr. Calleja stated staff is recommending approval of this revision to the preliminary plan as well as of approval of the final plat. When the preliminary was first approved, section 2 had 10 lots to it with a cul-de-sac. However, after they came back in they realized they had a problem with regard to an extensive array of utilities and easements on the site. As well, there is a blue line stream. The new plan shows 2 lots on Pierce Road and 5 lots on Shannon Avenue. The applicant has been before the Stormwater Committee and obtained approval as well as approval from Public Works and Water Services.

No one was present to speak at the public hearing.

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

Resolution No. 2000-215

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-404G-04, is **APPROVED; PUBLIC HEARING CLOSED (6-0).”**

2000S-043U-12 (Public Hearing)

Locustwood, Section 3, Resubdivision of Lot 99
Map 148-13, Parcel 201
Subarea 12 (1997)
District 30 (Kerstetter)

A request for preliminary approval for three lots abutting the southwest corner of Packard Drive and Creekside Drive (1.05 acres), classified within the R10 District, requested by James Schleicher, owner/developer, MEC, Inc., surveyor. (Deferred from meeting of 2/17/00).

Mr. Calleja stated this is the property the Commission deferred at two weeks ago in order for the residents speak to the owner as to his plans, whether they were for single family homes or duplexes. Staff spoke with the applicant’s engineers and staff did not hear back from the applicant, but he is present to address any questions the Commission may have.

Mr. James Schleicher, owner and applicant, stated his only plan for the property is to subdivide it and sell it.

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

Resolution No. 2000-216

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2000S-043U-12 is **APPROVED; PUBLIC HEARING CLOSED (6-0).”**

2000S-065G-12 (Public Hearing)

Banbury Estates
Map 172, Parcel 120
Subarea 12 (1997)
District 32 (Jenkins)

A request for preliminary approval for nine lots abutting the north terminus of Turnberry Circle, approximately 130 feet north of Banbury Station (5.05 acres), classified within the RS20 District, requested by Jones Company, owner/developer, Gresham, Smith and Partners, surveyor.

Mr. Calleja stated this is a public hearing but that the applicant has requested indefinite deferral. They are working with Public Works on some drainage issues.

No one was present to speak at the public hearing.

Ms. Oglesby moved and Mr. Manier seconded the motion, which carried unanimously, to leave the public hearing open and defer this matter indefinitely.

98S-373U-03

Tollgate Two Subdivision (formerly
Whites Creek Subdivision)
Map 49, Parcel 200
Subarea 3 (1998)
District 1 (Gilmore)

A request for final plat approval to create nine lots abutting the east margin of Whites Creek Pike, approximately 150 feet north of Buena Vista Pike (10.1 acres), classified within the R15 District, requested by William H. Thompson, owner/developer, Crawford Land Surveyors, surveyor.

Mr. Calleja stated this is a nine lot subdivision along Whites Creek Pike and the back of the lots go to the center of the creek. There is joint access easements for these lots to reduce the number of curb cuts along Whites Creek Pike. In addition to that there is a substantial portion of these lots, which are within the 100 year floodplain. With the new Stormwater Regulations and because this is a major creek they are required to offset from the edge of the bank, by 50 feet. Staff is recommending approval of the final plat subject to a bond and are also recommending approval of two variances - the lot width to depth ratio and larger than three times.

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

Resolution No. 2000-217

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 98S-373U-03, is **APPROVED SUBJECT TO A BOND OF \$16,500 WITH VARIANCES TO SECTIONS 2-4.2D AND 2-4.2E OF THE SUBDIVISION REGULATIONS (6-0).”**

ZONE CHANGE AND PUD PROPOSALS

2000Z-020T

Council Bill No. BL99-117

A council bill to amend various portions of the Zoning Regulations: Sections 17.04 (General Provisions and Definitions), 17.08 (Zoning Districts and Land Uses), 17.12 (District Bulk Regulations), 17.16 (Land Use Development Standards), 17.20 (Parking, Loading, and Access), 17.24 (Landscaping, Buffering, and Tree Replacement), 17.32 (Sign Regulations), 17.36 (Overlay Districts), and 17.40 (Administration and Procedures), requested by Metropolitan Planning Commission staff.

Ms. Regen stated this Council Bill has been reviewed by this Commission twice before. At the last Council meeting it was referred back to the Commission to look at two specific items – floodplains and allowing warehouses in Mixed Use Districts.

Councilmember Ponder gave a brief history of the Stormwater Review Committee and Stormwater Management Program Review Committee and stated the results of these committees were very positive and the Mayor approved them on September 17, 1999. That work was presented to the Stormwater Management Committee and at that time the committee approved removal of the ISR Tables relating to commercial and multi-family residences in floodplains. This does not in anyway change anything that has to do with single family residential construction. The committee voted to approve removing the tables 8 for and 2 against.

Mr. Manier asked what removing the tables would do.

Councilmember Ponder stated that would leave the Stormwater Management Board to make the decisions, like in the previous case we just heard, with the 50 foot buffer. This is mainly to do away with the tables, which are flawed.

Ms. Oglesby asked what staff's recommendation is.

Ms. Regen stated staff is recommending deleting the tables.

Councilmember Ponder stated the other area to be discussed deals with 50 year old warehouses, and there were several suggestions made regarding those warehouses.

Ms. Regen stated the changes that were suggested were; no storage may occur on the first floor or street level floor and the non-residential structure may only be used for a warehouse and distributive business/wholesale use, if in the preceding two years, the structure was legally used for the same.

Staff is concerned with the time limit of two years because sometimes there are buildings that have been vacant for more than two years, they may have been vacant for 5 years. They may have been historically been used as warehouse but converted to something else and now somebody wants to go back to warehouse with a portion being used for retail. Staff has drafted some language which addresses that.

The last concern was structures. Councilmember Tucker expressed concerns that she wanted to make sure a residential structure, a large home, couldn't be converted into a warehouse or storage use in a neighborhood. So, staff has inserted the language that it has to be a non residential structure. The other concern was that there needed to be some to be the referee as to what is considered an historic or an older building. The decision was that the appropriate party in Metro government would be the Historic Commission. So, the Historic Commission will review requests and make the determination of eligibility as an historic structure worthy of conservation.

Mr. Fawcett stated the only reason this is being considered is because we are trying to protect older buildings that are considered important to save. So, you have to make it easy for that to happen.

Councilmember Ponder asked if he could move for these new amendments, except for 6 and 7, be included in the proposal.

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

Resolution No. 2000-218

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-020T is **APPROVED as amended (6-0)**:

The Commission reaffirms the previous recommendation to delete the floodplain tables from the Zoning Ordinance since the Stormwater Regulations sufficiently protect Davidson County floodplains by prohibiting development in the floodway and requiring a 50-foot buffer from the floodway edge for all nonresidential development. The Commission also reaffirms the previous recommendation to permit warehouses within the mixed use districts with additional conditions which ensure that only nonresidential structures worthy of conservation and 50 years of age or older can be used for warehousing in the mixed use districts.”

2000Z-025U-05

Map 82-16, Parcels 43 (.19 acres) and 44 (.19 acres)

Subarea 5 (1994)

District 6 (Beehan)

A request to change from OR20 to CS district properties at 617 and 619 Woodland Street, approximately 240 feet west of South 7th Street (.38 acres), requested by Walter R. Owens, appellant/owner.

Ms. Regen stated one of these buildings is being used as a dental office. Both of these properties are within the Edgefield Historic District. Staff is recommending disapproval of this CS zoning because the subarea plan, while it has a commercial policy that applies to this area, is really looking for this area to remain as office uses. If you look at the Rudat Plan that was developed in the last year, it is really trying to focus commercial uses at 5 points and along Main Street and not down Woodland, until the market demands it. One of the properties is to be used as a bakery and they would need commercial zoning for that use.

Mr. Walter Owens, owner, spoke in favor of the proposal and stated he was a member of the Board of the East Nashville Business Council. This proposal was presented at the Business Council’s last meeting and all those present were in favor of it. There are no proposed changes to the outside of the building. This property was run down when he purchased it and that his hope and desire for the area it to see it improved because as you go up to Five Points, it is the entrance to east Nashville.

Ms. Nielson asked Ms. Regen what else could go in under the CS zoning.

Ms. Regen stated fast food restaurants, 25,000 square foot warehouses – anything you see along Gallatin Pike – a used car lot. In fact, the whole front parking lot has been paved and staff can’t find any record that having been approved, which would not be consistent with the ISR provisions in the Zoning Code. It has been converted almost into a commercial, yet if you look at any of the other properties along there, none of them have a paved parking lot covering the entire front yard like these do.

Mr. Owens stated lots were paved at the beginning. All he did was just restore the area that was paved because it was an eye sore.

Ms. Nielson stated a bakery and coffee house would be great for the neighborhood but when it comes down to actually placing the zoning on there, and if that doesn’t work, we may have opened it up to some undesirables.

Councilmember Ponder stated he had concerns and did not feel comfortable with this so he would be voting against it.

Mr. Manier stated this seemed premature to him.

Councilmember Ponder moved and Ms. Oglesby seconded the motion, which carried unanimously, to approve the following resolution:

Resolution No. 2000-219

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-025U-05 is **DISAPPROVED (6-0)**:

These properties fall within the Subarea 5 Plan's Commercial Arterial Existing (CAE) policy calling for the revitalization of Main Street and the Five Points area by concentrating retail development within existing vacant commercial buildings and lots along Main Street and at the Five Points intersection to the east. Expanding CS zoning to Woodland Street is not consistent with that policy since it would marginalize existing underutilized commercial properties along Main Street."

2000Z-026U-03
Map 58, Parcel 114
Subarea 3 (1998)
District 1 (Gilmore)

A request to change from RS40 to MUN district property at 4401 Clarksville Pike, opposite Fairmeade Drive (7.54 acres), requested by Lois O. Winston, appellant/owner.

Ms. Regen stated staff is recommending disapproval as contrary to the General Plan – converting this property to a commercial use because this whole area falls under residential policy. The intent is to have our commercial uses at the intersection of King's Lane and Clarksville Pike where we already have existing commercial. Staff's concern is extending commercial uses up along Clarksville Pike, which was not intended by this subarea policy. The subarea plan was looking for commercial uses at major intersections, even with some of the unmapped neighborhood policies. In a letter staff has from Ms. Margaret Behm, attorney, and she speaks to the fact that there are some unmapped policies we have in our General Plan that can be applied to areas when there is a need. Staff feels there may be a need for commercial uses out there and surely there is a need for more. There are plenty of places to get your hair done but there are not a lot of places to eat at or shop at, but the intent is to put those at our major intersections.

Councilmember Brenda Gilmore stated she supported this request for rezoning based on there is a severe need for this type of development in the area. She has lived in this area for about 27 years and this type of development has not occurred in the past. There is a severe need for restaurants in that area. Right now there is an over abundance of used car lots and chicken places. She asked for the Commission's approval.

Ms. Margaret Behm, attorney, stated Ms. Winston's request for this zone change is not contrary to the General plan and indeed is permitted by the General Plan. We are asking for Ms. Winston to have a commercial use but for it to be an MUN zoning. Restaurants are permitted in MUN with conditions. The Zoning Code states for Restaurants – Each establishment shall be limited to five thousand square feet of gross floor area, maximum. She disagreed with staff that in the Subarea 3 Plan – there are mapped policy categories and one of those is the RLM area, like where this house is located and there are certain unmapped policy categories – Retail Local Convenience and Retail Neighborhood. The plan states; "The unmapped categories may be applied within the subarea based on written locational principles in the Land Use Policy Application", and these are general policies and guidelines that are applicable to all policy categories. RLC or RN zoning is allowed in a residential low-medium density area and Ms. Winston's proposal meets the requirements.

Ms. Lois Winston stated she has lived in this area approximately 20 years and it needs a nice sit down restaurant with the beautiful surrounds of this property. She asked the Commission for approval.

Ms. Oglesby asked what other uses could go on this property if it were to be rezoned.

Ms. Regen stated the Mixed Used District allows all kinds of commercial retail uses but limits their size.

Chairman Lawson agreed with Ms. Winston that this area needs a good sit down restaurant, but that he was concerned about the location because it's at the crest of a hill. Drivers come down that hill at an extremely

high rate of speed, the intersection of Kings Lane historically had been one of the highest death rate intersections in the city of Nashville, and that it nearly fronts the entrance into a residential subdivision.

Mr. Manier expressed concerns about future uses if this were rezoned.

Mr. Cochran stated this is beautiful property and that he understood what Ms. Winston wants to do with it, and by putting a restaurant in the existing house she's not really changing the property at all. But by rezoning, she may run the restaurant for a few years, and once the zone is changed, like Mr. Manier said, anything can be put in there.

Ms. Oglesby said she felt the same way and this was something she would rally like to support, but unfortunately, given where it is she could not support it.

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

Resolution No. 2000-220

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-026U-03 is **DISAPPROVED** as contrary to the **General Plan (6-0)**:

This property falls within the Subarea 3 Plan's Residential Low Medium (RLM) density policy calling for up to 4 units per acre. The MUN district is a spot zone and the office and commercial uses it permits would adversely impact this residential area by implicating other residential properties in the surrounding area. Commercial uses should be located to the south along Clarksville Pike south of Kings Lane in the Subarea 3 Plan's Commercial Arterial Existing (CAE) policy calling for higher density residential, office, and commercial uses. That area is zoned for commercial use and is underutilized."

2000Z-027U-05
Map 61-15, Parcel 310
Subarea 5 (1994)
District 8 (Hart)

A request to change from OR20 to CS district property at 3831 Gallatin Pike, abutting the south margin of Oak Street (.52 acres), requested by Kevin Shrum, appellant, for Inglewood Baptist Church, owner.

Ms. Regen stated a couple of years staff did a General Plan amendment analysis in this area when someone wanted to build a Sonic in the area. All the vacant properties were looked at and it was determined the Sonic was not appropriate for rezoning here and the same policy applies in the Subarea 5 Plan with all the properties being office zoning and the intent to reuse the existing homes. Staff has not been able to contact the church to find out their intent for the property, but one of staff's concerns is that there is a single family home here – again the affordable housing argument – leave it as a home rather than converting it to a commercial use. However, it could be used as a home and an office use under OR20 zoning.

Ms. Carolyn Breda spoke in opposition to the proposal and stated it was a very bad idea for the community.

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

Resolution No. 2000-221

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-027U-05 is **DISAPPROVED** as contrary to the **General Plan (6-0)**:

This property falls within the Subarea 5 Plan’s Commercial Arterial Existing (CAE) policy calling for residential, office, and institutional uses along this four-block stretch of Gallatin Pike between Gillock and McIver Streets. Furthermore, the subarea plan’s design for the North Gallatin Pike CAE area specifically discourages expanding commercial uses to the west margin of Gallatin Pike. The retail uses permitted within the CS district are not consistent with those policies. Expanding strip commercial opportunities to the west side of Gallatin Pike would dilute and marginalize existing commercially zoned properties serving the same market.”

PLATS PROCESSED ADMINISTRATIVELY

February 17, 2000 through March 1, 2000

**99S-427U FAIRFIELD NASHVILLE at MUSIC CITY USA,
Phase 3, Building 17
Condominium plat**

**2000S-025U HAMILTON PROPERTY, Lots 5 and 6
Reconfigure two lots**

OTHER BUSINESS:

1. Employee contract for Jennifer Higgs

Mr. Manier moved and Ms. Nielson seconded the motion, which carried unanimously, to approve the employee contract for Jennifer Higgs for one year, from March 16, 2000, through March 15, 2001.

Resolution No. 2000-222

“BE IT RESOLVED by the Metropolitan Planning Commission that it APPROVES the employee contract for Jennifer Higgs for one year, from March 16, 2000, through March 15, 2001.

2. Legislative update
3. Chairman’s Comments

Chairman Lawson stated these comments would be sent out in letter form to the Commission. There are some important things that you will get in that hand out, one of the draft response to the Council resolution on changing our meeting time and there will be an update on the selection committee.

ADJOURNMENT

There being no further business, upon motion made, seconded and passed, the meeting adjourned at 4:10 p.m.

Chairman

Secretary

Minute Approval:
This 16th day of March, 2000