

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

Date: March 30, 2000  
Time: 1:00 p.m.  
Place: Howard Auditorium

**Roll Call**

**Present:**

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

**Absent:**

Mayor Bill Purcell  
Douglas Small  
Marilyn Warren

**Others Present:**

**Executive Office:**

Karen P. Nicely, Interim Executive Director  
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

**Advance Planning & Research:**

Jeff Lawrence, Planner III  
Amy McAbee-Cummings, Planner I

**Others Present:**

Jim Armstrong, Public Works  
David Diaz-Barriga, Legal Department

Chairman Lawson called the meeting to order.

**ADOPTION OF AGENDA**

Ms. Carrington announced the following changes to the agenda:

74-79-G-13 Change to a 2,394 square foot addition and the total square footage should be 7,640  
2000M-031U-06 The Council District should be 4 (Majors) and 8 (Hart)

Ms. Oglesby moved and Mr. Manier seconded the motion, which unanimously passed, to adopt the agenda.

**ANNOUNCEMENT OF DEFERRED ITEMS**

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

98S-363U-14 Deferred two weeks, by applicant.  
99S-353U-03 Deferred 2 meetings (04/27), by applicant.  
2000S-090G-14 Deferred indefinitely, by applicant.  
2000Z-036G-06 Deferred 3 meetings (05/11), by applicant.  
2000Z-052U-10 Deferred 2 weeks, by applicant.

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

**APPROVAL OF MINUTES**

Councilmember Ponder moved and Ms. Nielson seconded the motion, which unanimously passed to approve the minutes of the regular meeting of March 16, 2000.

**RECOGNITION OF COUNCILMEMBERS**

Councilmember John Summers stated he had assumed zone change 99Z-152U-07 would have been deferred because he had spoken to Mr. Bloodworth and he was kind enough to ask for a deferral on this to give me an opportunity to sit down with staff and talk. He had originally made a request for CS on this entire piece of property and staff came back with a recommendation to do split zoning on it to OL and recommended its approval. I had not had time to talk with staff before the request came back before you and he was kind enough to do this. Mr. Bloodworth has been very cooperative, but unfortunately there seems to be some disagreement within the community on the subarea. There are some real unclear misunderstandings as to what the neighborhood wants in the subarea, and I think we are going to have to revisit that. I expect you to approve this today based upon the recommendation from staff because it does meet the subarea plans but the neighborhood is in total agreement they do not want to see the commercial zoning expanded along White Bridge Road.

Councilmember Bob Bogen stated he has had a number of contacts from a developer on the Riverwalk project in his district. It is a very interesting project with interesting features. We will be having a community meeting April 10<sup>th</sup>, at the Bellevue Middle School and the neighboring Boone Trace residents will be invited to participate as well as any other interested parties.

Councilmember Jason Alexander stated some of his constituents had concerns regarding Subdivision No. 2000S-040u-13, Hazelwood, Section 9A. He asked for a deferral because the community is extremely upset about the placement of lot 2 and stated he had spoken to the developer, who had no problems with the deferral.

### **ADOPTION OF CONSENT AGENDA**

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

#### **SUBDIVISION AND BOND PROPOSALS**

**99S-238G-14**  
Stoner's Glen  
Map 75, Parcels 54, 66 and 67  
Subarea 14 (1996)  
District 12 (Ponder)

A request for final plat approval to create two lots abutting the northeast margin of Andrew Jackson Parkway and the northwest margin of Nashville & Eastern Railroad (46.47 acres), classified within the RM2 District, requested by Stoners Glen, LLC, owner/developer, C. Michael Moran, surveyor.

#### **Resolution No. 2000-284**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-238G-14, is **APPROVED SUBJECT TO A BOND OF \$404,000.00 (7-0).”**

**99S-441U-03**  
Nocturne Forest, Phase 2  
Map 70-3, Parcel 2 and Part of Parcel 40  
Subarea 3 (1998)  
District 2 (Black)

A request for final approval to create 22 lots abutting the northeast margin of Old Buena Vista Road, approximately 700 feet northwest of Lincoln Street (13.32 acres), classified within the RS15 Residential PUD District, requested by Chateau Associates, Ltd., owner/developer, Ragan-Smith Associates, Inc., surveyor.

#### **Resolution No. 2000-285**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-441U-03, is **APPROVED SUBJECT TO A BOND OF \$224,000.00 (7-0).”**

**2000S-084U-13**  
Asheford Crossing, Section 5  
Map 164, Parcel 14  
Subarea 13 (1996)  
District 29 (Holloway)

A request for final plat approval to create 12 lots abutting the west terminus of Longhaven Crossing, approximately 110 feet west of Crosshaven Court (3.81 acres), classified within the RS8 District, requested by Phillips Builders, Inc., owner/developer, Dale and Associates, Inc., surveyor. (Deferred from meeting of 3/16/00).

**Resolution No. 2000-286**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 2000S-084U-13, is **APPROVED SUBJECT TO A BOND OF \$95,500.00 (7-0).”**

**2000S-093G-02**

D. M. Moore Land, Revision to Lots 1-6  
Map 33-6, Parcels 38-43  
Subarea 2 (1995)  
District 10 (Balthrop)

A request for final plat approval to remove the driveway easements on lots 1 thru 6 abutting the south margin of Campbell Road, approximately 580 feet west of Dickerson Pike (1.39 acres), classified within the RS10 District, requested by Stewart Building Group, LLC, owner/developer, Tommy E. Walker, surveyor.

**Resolution No. 2000-287**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 2000S-093G-02, is **APPROVED (7-0).”**

**2000S-094G-12**

Sugar Valley, Section 4  
Map 181, Part of Parcel 16  
Subarea 12 (1997)  
District 31 (Knoch)

A request for final plat approval to create 26 lots abutting the southeast terminus of Sugar Hill Drive, approximately 442 feet southeast of Sugar Valley Drive (7.4 acres), classified within the R20 Residential PUD District, requested by Hurley-Y L.P., owner/developer, Anderson-Delk & Associates, Inc., surveyor.

**Resolution No. 2000-288**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 2000S-094G-12, is **APPROVED SUBJECT TO A BOND OF \$83,500.00 (7-0).”**

**2000S-095G-14**

Brookside Woods, Phase 2, Section 4  
Map 75, Part of Parcel 65  
Subarea 14 (1996)  
District 12 (Ponder)

A request for final plat approval to create seven lots approximately 100 north of Brookside Woods Drive and the south margin of Stoner Creek (2.31 acres), classified within the RS15 Residential Planned Unit Development District, requested by Larry Powell Builders, Inc., owner/developer, MEC, Inc., surveyor.

**Resolution No. 2000-289**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 2000S-095G-14, is **APPROVED SUBJECT TO A BOND OF \$31,000.00 (7-0).”**

**Request for Bond Release**

66P-021G  
Parmart Retail Center  
John B. Jewell, III, principal  
Subarea 13 (1996)

Located at the southwest quadrant of Murfreesboro Pike and Hobson Pike.

**Resolution No. 2000-290**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 66P-021G, Bond No. 98BD-068, Parmart Retail Center, in the amount of \$25,000.”

**Request for Bond Release**

98S-195G  
Windchase, Phase 2  
French River Development Company, LLC, principal  
Subarea 14 (1996)

Located abutting the west margin of John Hager Road and the east margin of New Hope Road.

**Resolution No. 2000-291**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 98S-195G, Bond No. 99BD-078, Windchase, Phase 2, in the amount of \$2,000.”

**Request for Bond Extension**

90S-092G  
Briley Parkway Business Center, Section 1  
NWI Warehouse Group, L.P., principal  
Subarea 2 (1995)

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

**Resolution No. 2000-292**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 90S-092G, Bond No. 90BD-004, Briley Parkway Business Center, Section 1, in the amount of \$20,350 to 4/15/2001 subject to the submittal of an amendment to the present Letter of Credit by **4/30/2000** which extends its expiration date to 10/15/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

**Request for Bond Extension**

97S-320G  
Asheford Crossing, Section 3  
Phillips Builders, Inc., principal  
Subarea 13 (1996)  
[Buildout is at 100%]

Located abutting both margins of Murphywood Crossing and both margins of Monroe Crossing.

**Resolution No. 2000-293**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 97S-320G, Bond No. 96BD-006, Asheford Crossing, Section 3, in the amount of \$20,500 to 9/30/2000.”

**Request for Bond Extension**

98S-034G  
Banbury Crossing, Section 3  
Jones Land Company, LLC, principal  
Subarea 12 (1997)  
[Buildout is at 40%]

Located abutting both margins of Banbury Crossing, approximately 80 feet northwest of Banbury Station.

**Resolution No. 2000-294**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 98S-034G, Bond No. 98BD-044, Banbury Crossing, Section 3, in the amount of \$78,500 to 4/1/2001 subject to the submittal of an amendment to the present Letter of Credit by **4/30/2000** which extends its expiration date to 10/1/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

**Request for Bond Extension**

98S-040U  
Crossings at Hickory Hollow, Section 3  
American General Realty Investment  
Corporation, principal  
Subarea 12 (1997)  
[Buildout is at 33%]

Located abutting the southeast margin of Old Franklin Road, opposite Crossings Boulevard.

**Resolution No. 2000-295**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 98S-040U, Bond No. 98BD-009, Crossings at Hickory Hollow, Section 3, in the amount of \$9,000 to 4/8/2001.”

**Request for Bond Extension**

98S-067G  
Chase Pointe, Section 3  
Jean Spain, principal  
Subarea 1 (1997)  
[Buildout is at 73%]

Located abutting both margins of Chasepoint Place, approximately 110 feet southwest of Jordyn Leigh Court.

**Resolution No. 2000-296**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 98S-067G, Bond No. 98BD-008, Chase Pointe, Section 3, in the amount of \$18,000 to 12/1/2000 subject to the submittal of an amendment to the present Letter of Credit by **4/30/2000** which extends its expiration date to 6/1/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

**Request for Bond Extension**

98S-111G

Riverside, Phase 4-B

Rochford Realty and Construction Company, Inc., principal

Subarea 6 (1996)

[Buildout is at 46%]

Located abutting the west margin of Old Harding Pike and the south margin of Morton Mill Road.

**Resolution No. 2000-297**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 98S-111G, Bond No. 98BD-090, Riverside, Phase 4-B, in the amount of \$212,720 to 3/1/2001 subject to the submittal of an amendment to the present Letter of Credit by **4/30/2000** which extends its expiration date to 9/1/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

**Request for Bond Extension**

98S-120G

Stone Creek Park, Section 2-A

Gillespie Land Development, LLC, principal

Subarea 12 (1997)

[Buildout is at 71%]

Located abutting both margins of Stone Run Drive, approximately 105 feet west of Stone Hearth Court.

**Resolution No. 2000-298**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 98S-120G, Bond No. 98BD-073, Stone Creek Park, Section 2-A, in the amount of \$35,000 to 12/1/2000 subject to the submittal of an amendment to the present Letter of Credit by **4/30/2000** which extends its expiration date to 6/1/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

**Request for Bond Extension**

98S-193U

Calumet, Section 8

James T. McLean, Sr., principal

Subarea 13 (1996)

[Buildout is at 29%]

Located approximately 675 feet north of Hamilton Church Road, 3,300 feet east of Murfreesboro Pike.

**Resolution No. 2000-299**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 98S-193U, Bond No. 98BD-050, Calumet, Section 8, in the amount of \$6,500 to 3/31/2001 subject to the submittal of an amendment to the present Letter of

Credit by **4/30/2000** which extends its expiration date to 9/30/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification."**

**Request for Bond Extension**

99S-074U  
Asheford Crossing, Section 4  
Phillips Builders, Inc., principal  
Subarea 13 (1996)  
[Buildout is at 35%]

Located abutting the south terminus of Murphywood Crossing, approximately 480 feet south of Monroe Crossing.

**Resolution No. 2000-300**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 99S-074U, Bond No. 99BD-028, Asheford Crossing, Section 4, in the amount of \$571,500 to 3/29/2001."

**ZONE CHANGE AND PUD PROPOSALS**

**99Z-152U-07**

Map 103-2, Part of Parcels 155 (.39 acres)  
and 156 (.64 acres)  
Subarea 7 (1994)  
District 24 (Summers)

A request to change from R6 to CS and OL districts a portion of properties at 290 and 292 White Bridge Pike, approximately 70 feet south of Burgess Drive (1.03 acres), requested by David Bloodworth, appellant, for David A. and Virginia K. Bloodworth and Jeanerette Holdings, owners. (Deferred from meetings of 11/11/99 and 3/16/00).

**Resolution No. 2000-301**

"BE IT RESOLVED by the Metropolitan Planning Commission that the following Zone Change Proposal No. 99Z-152U-07 is **APPROVED (7-0)**.

**These properties fall at the boundary between Residential Low Medium (RLM) policy south of Burgess Avenue and Commercial Mixed Concentration (CMC) policy to the north. RLM policy calls for up to 4 units per acre while the CMC policy calls for office, commercial, and higher density residential uses. The Subarea 7 Plan anticipated a modest expansion of the existing commercial zoning to improve the viability of development along White Bridge Pike. The CS district is consistent with these objectives and will recognize the existing commercial building on parcel 155. The OL district aligns with the office zoning (OR20) to the south and will provide a buffer between the commercial properties on White Bridge Pike and the residential properties to the east."**

2000Z-048U-09  
Map 82-13, Parcel 102  
Subarea 9 (1997)  
District 20 (Haddox)



A request to change from IR to MUL district property at 907 8th Avenue North, abutting the east margin of 9th Avenue North (1.65 acres), requested by Jay Shim, appellant, for Jae W. and Chooh Hee Shim, owners.

**Resolution No. 2000-302**

"BE IT RESOLVED by the Metropolitan Planning Commission that the following Zone Change Proposal No. 2000Z-048U-09 is **APPROVED (7-0)**:

**This property falls within the Subarea 9 Plan's Mixed Use (MU) policy calling for a mixture of residential, office, and retail activities. The MUL district is consistent with that policy."**

**210-73-G-14**  
Deloitte & Touche  
Map 97, Part of Parcel 120  
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 located at the eastern terminus of Hermitage Park Lane, south of I-40 (17.93 acres), classified CL, to add 255 parking spaces, eliminate 13 spaces for a net gain of 242 spaces for a total of 814 on-site parking spaces, requested by Gresham-Smith and Partners, for Deloitte & Touche, owner.

**Resolution No. 2000-303**

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 210-73-G-14 is given **APPROVAL OF A REVISION TO THE PRELIMINARY PLAN AND CONDITIONAL FINAL APPROVAL FOR A PORTION (7-0)**. The following condition applies:"

**74-79-G-13**  
Nashboro Village (Historic Home Event)  
Map 135, Parcel 302  
Subarea 13 (1996)  
District 27 (Sontany)

A request to revise a portion of the preliminary plan and for final approval for a portion of the Residential Planned Unit Development District located abutting the north margin of Nashboro Boulevard, 1,500 feet east of Murfreesboro Pike, classified RM6 (7.33 acres), to permit a 2,394 square foot addition to an existing 5,246 antebellum home for a total of 7,640 square feet and to use the home for an Historic Home Event, requested by Littlejohn Engineering, for Robert Amity, owner.

**Resolution No. 2000-304**

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 74-79-G-13 is given **APPROVAL OF A REVISION TO THE PRELIMINARY PLAN AND CONDITIONAL FINAL APPROVAL FOR A PORTION (7-0)**. The following conditions apply:

1. Prior to the issuance of any building or grading permits for this portion of the PUD, the Board of Zoning Appeals shall have approved a Special Exception for the Historic Home Event use in the RM6 base zoning district, required under Section 17.16.160(C) of the Zoning Ordinance.
2. 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."

**121-85-P-02**  
Ridge Valley Downs  
Map 50, Part of Parcel 76  
Subarea 2 (1995)  
District 4 (Majors)

A request to revise the preliminary plan and for final approval for a portion of the undeveloped Commercial (General) Planned Unit Development District located abutting the north margin of Maplewood Lane and the east margin of Interstate 65, classified CS (4.0 acres), to add three Type II billboards along the frontage of Dickerson Pike and Interstate 65, requested by Dale and Associates for The RK Company, owner, and Rich Behrle, lessee.

**Resolution No. 2000-305**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 121-85-P-02 is given **APPROVAL OF A REVISION TO THE PRELIMINARY PLAN AND CONDITIONAL FINAL APPROVAL FOR A PORTION (7-0)**. 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.”

**7-87-P-12**  
Haywood Oaks  
Map 148, Part of Parcel 14  
Map 148-10, Part of Parcel 135  
Subarea 12 (1997)  
District 30 (Kerstetter)

A request to revise the preliminary plan and for final approval for a portion of the Commercial (General) Planned Unit Development District located abutting the west margin of I-24, north of Haywood Lane, classified CS (49.29 acres), to add three Type II billboards to the existing Haywood Oaks office development, requested by Pinnacle Media, LLC for Duke Limited Partnership owner.

**Resolution No. 2000-306**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 7-87-P-12 is given **APPROVAL OF A REVISION TO THE PRELIMINARY PLAN AND CONDITIONAL FINAL APPROVAL FOR A PORTION (7-0)**. 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.”

**98P-004G-14**  
Brandywine Harbor  
Map 54, Open Space  
Subarea 14 (1996)  
District 11 (Brown)

A request to revise the preliminary plan and for final approval for a portion of the Residential Planned Unit Development District located abutting the northwest quadrant of Rising Sun Terrace and Willowbough Lane, classified RS30, (approximately 1.0 acres), to add a swimming pool and cabana in an open space area and to create a gated entrance to the development, requested by Dale and Associates, for Brandywine Harbor Properties, owner. (Deferred from meeting of 3/16/00).

**Resolution No. 2000-307**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 98P-004G-14 is given **APPROVAL OF A REVISION TO THE PRELIMINARY PLAN AND CONDITIONAL FINAL APPROVAL FOR A PORTION (7-0)**. The following conditions apply:

1. Prior to the issuance of any building permits for the swimming pool, cabana, or maintenance building, the Stormwater Management Appeals Board shall have approved the deck and pool’s encroachment into the 25-foot stream buffer.
2. 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.”

**2000P-004E-08**

Preston Taylor Homes  
Map 91-8, Parcels 149 and 321  
Map 92-9, Parcels 1 and 31  
Subarea 8 (1995)  
District 21 (Whitmore)

A request to cancel the existing Residential Planned Unit Development District located abutting the east margin of 40th Avenue North and both sides of Clifton Avenue, classified RM9 (51.53 acres), approved for 550 units, requested by Barge, Waggoner, Sumner and Cannon, appellant, for MDHA, owner.

**Resolution No. 2000-308**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 2000P-004E-08 is given **CONDITIONAL APPROVAL TO CANCEL THE PUD (7-0)**. The following condition applies:

Approval of the PUD cancellation by the Metropolitan Council.”

**MANDATORY REFERRALS**

**2000M-031U-06**

Briley Parkway Easement Acquisition  
Map 51, Part of Parcels 103, 105 and 108  
Map 51-15, Part of Parcel 20  
Map 61, Part of Parcel 9.01  
Subarea 5 (1994)  
District 4 (Majors)  
District 8 (Hart)

A request to acquire property for the relocation of sanitary sewer lines, which will accommodate the widening of Briley Parkway (between Gallatin Pike and I-65) and Ellington Parkway (between North First Street and Broadmoor Interchange), requested by the Department of Water and Sewerage Services.

**Resolution No. 2000-309**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 2000M-031U-06."

**2000M-032G-05**

K. R. Harrington/Cumberland Utility  
Plants Easement Acquisition  
Map 74, Part of Parcel 52  
Map74-8, Part of Parcels 14, 226, 227, 228, 243, 244, 251, 260, 261,  
262, 263, 264, 265, 266, 267 and 268  
Map 74-16, Part of Parcel 1  
Map 85, Part of Parcels 7, 18, 20.1, 41, 42 and 76  
Map 85-4, Part of Parcels 33 and 38  
Map 86, Part of Parcels 12, 50, 52, 53, 54, 124, 144, 147, 152, 153,  
185, 280, 283, 325, 326, 328, 338 and 341  
Map 86-14-A, Part of Parcel 1  
Subarea 14 (1996)  
District 12 (Ponder)  
District 14 (Stanley)  
District 15 (Loring)

A request to acquire property for the purpose of constructing a 36" water main from the K. R. Harrington Water Plant to the Cumberland Utility District (approximately 1.7 miles) and a 24" water main from the Cumberland Utility District Water Plant to Summit Hospital (approximately 2.7 miles), requested by the Department of Water and Sewerage Services.

**Resolution No. 2000-310**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 2000M-032G-05."

**2000M-033G-04**

Williams Valley Subdivision Easement Abandonment  
Map 42-12, Part of Parcel 75  
Subarea 4 (1998)  
District 3 (Nollner)

A request to abandon a portion of a sanitary sewer easement measuring 145.27 feet in length by 20 feet in width, located at 416 Williams Avenue, to accommodate the construction of the Williams Valley subdivision, requested by Dale & Associates, appellant, for Jeffrey W. George, owner.

**Resolution No. 2000-311**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 2000M-033G-04."

This concluded the items on the consent agenda.

**SUBDIVISION AND BOND PROPOSALS**

**98S-219U-13 (Public Hearing)**  
Mt. View Subdivision, Section 2

Map 150, Part of Parcel 176  
Subarea 13 (1996)  
District 29 (Holloway)

A request for preliminary and final plat approval to create 14 lots approximately 1,200 feet southeast of Mt. View Road and approximately 210 feet southwest of Kenton Court (4.26 acres), classified within the R10 District, requested by Mt. View LLC, owner/developer, Dale and Associates, Inc., surveyor.

Mr. Calleja stated this applicant has requested a two week deferral because of issues regarding the subdivision not meeting the Subdivision Regulations and they are making those changes to come into compliance before they come before the Commission.

No one was present to speak at the public hearing.

Ms. Oglesby moved and Ms. Nielson seconded the motion, which carried unanimously, to leave the public hearing open and defer this matter for two meetings, until April 27, 2000.

**2000S-040U-13 (Public Hearing)**  
Hazelwood, Section 9A  
Map 148-12, Parcel 187  
Subarea 13 (1996)  
District 28 (Alexander)

A request for preliminary approval for three lots abutting the southeast corner of Aeolia Drive and Artelia Drive (1.24 acres), classified within the RS7.5 District, requested by Margrette B. Woodroof, owner/developer, James L. Terry and Company, surveyor. (Deferred from meeting of 3/16/00).

Mr. Calleja stated staff is recommending approval. The applicant is requesting preliminary plan approval for a three lot subdivision within an area that is already platted. For those reasons, staff applied comparability to the lots in this proposed subdivision. Based on staff's analysis, this subdivision meets comparability both in lot frontage and in lot area. It meets the requirements of the Subdivision Regulations and Zoning Regulations.

Chairman Lawson stated this is the matter on which Councilmember Alexander requested deferral.

The members of audience that were present to speak at the public hearing elected to return for the public hearing or contact the Commission by letter.

Ms. Nielson moved and Ms. Oglesby seconded the motion, which carried unanimously, to leave the public hearing open and defer this matter for two meetings.

**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 Point, 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 staff is recommending approval. This subdivision meets the requirements of the Subdivision Regulations as well as the zoning district. They are proposing the extension of Turnberry Circle to T into Turnberry Way, which will have a temporary cul-de-sac for potential development of abutting the property. That will give the property access to Turnberry Station.

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 approve the following resolution:

**Resolution No. 2000-312**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 2000S-065G-12, is **APPROVED; PUBLIC HEARING CLOSED (7-0).”**

**2000S-066G-12 (Public Hearing)**

Hidden Creek Subdivision  
Map 173, Parcel 142 and Part of Parcels  
84, 130 and 174  
Subarea 12 (1997)  
District 31 (Knoch)

A request for preliminary approval for 230 lots abutting the east margin of Old Hickory Boulevard, opposite Bending Creek Drive (74.5 acres), classified within the RS10 District, requested by Crosland, Patton, Smith, LLC, owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

Mr. Calleja stated staff is changing its recommendation from disapproval to conditional approval. Based on revisions the applicant has changed the request from 230 lots to 222 lots. This is a cluster lot subdivision with a 60 foot collector road extending from Old Hickory Boulevard through the property to the eastern terminus. There is also another road extension to the east and one to the south. There are none to the north because of Mill Creek. This is a cluster lot subdivision so they are required to provide at least 15% open space, which they exceed because this is an area that also has environmental conditions because of Mill Creek. They have met the Stormwater Management Regulations, with regard to providing a 50 foot buffer along Mill Creek, as well as, they have provided the 25 foot buffers for two blue line stream on the property. The applicant is going to make road improvements on Old Hickory Boulevard for the entire length of its property. They will provide a 37foot pavement as well as a turn lane for the project.

No one was present to speak at the public hearing.

Mr. Manier stated we have got 230 sites and I'm deeply concerned about the schools. I'm also concerned about the infrastructure. You widen the frontage of the subdivision, perhaps the balance of the road goes back to the normal waiting for the next developer. My sermon is that we continually approval things and we assume somebody is going to fix them in the long run. Right now, we are pretty well committed for 5 years on schools. So any improvement in schools, if this is overloading the system out there, is at least 5 plus years away. Secondly, this doesn't take into account, and I have mentioned to Karen, that I would like to see, in any given school district, the numbers of prior approvals. 230 houses is going to put a ton of kids out there. But, we might have another 1,000 on the way already approved out there that we don't recognize in our analysis. What I'm saying is the political climate is such, whether federal, state or local, nobody wants to pay for anything. So if you create problems, they will not be resolved in a financial way. The attitude of people is they don't want to pay for it. So I am concerned about a continual aggravation of problems that will have to be resolved somewhere 5, 10 years down the road. It maybe so significant that they can't readily be resolved in the type growth we are having. So I lodge that and I would repeat that, if I had a recording, for several other items on today's agenda that get the same kind of syndrome. We have got to start thinking about these things. It doesn't mean you stop all growth. It just means growth needs to go where there is better atmosphere in the way of infrastructure either in place or committed to be improved over the next several years. I don't know here what the situation is. Someone may be able to stand up and say - Well the schools have got a lot of vacancy out there, but since we don't have the numbers from the staff, I have to raise the question that 230 lots is a lot and I'm sure this is not the only development potential

out there. So I think the Commission would be well served to begin to think in this way. We have got to change our attitude about these things.

Councilmember Ponder stated Councilmember Ron Turner has said almost the same thing and he plans to vote against any of these proposals that do not have adequate provisions for schooling and other infrastructure items that would be affected by subdivisions that are this large. The Council is concerned about this particular proposal. I will certainly pass along your sentiments and make sure Councilmember Turner knows it.

Chairman Lawson stated this Commission, largely due to many sermons that we have heard from Commissioner Manier, and rightfully so, are concerned about approval of large developments that will impact the infrastructure in an area. I think it might be appropriate, from a policy standpoint, to see what are our constraints in terms of turning down applications because we don't have the infrastructure in place to support it. That is something we need to look at because they keep coming up. It might be good from a legal standpoint to research that issue and see what needs to be done.

Mr. Diaz-Barriga, Metro Legal, stated he thought in terms of regulating development and density, when there is a rezoning request, you have some ability there to not rezone property if there is not sufficient infrastructure to support a higher density of use that may be proposed. I do also believe there are some individuals who are looking at this problem more proactively. I have a meeting tomorrow with my director and a councilmember to look at the possibility of some sort of an impact fee or an assessment, for schools in particular. That is on the table. I don't know where it is heading, I understand Mr. Browning did some preliminary work a few years in looking at that particular type of proposal. I believe it will be revisited.

Mr. Manier stated we could in our, and I address this to legal counsel, review of the Subdivision Regulations, and there always has to be some flexibility in what you do, just suppose we put into the Subdivision Regulations, in the revised format we are looking at now, that items of infrastructure must, in some defined way, they don't actually have to be on the ground, they have to be assured they'll be there. It bothered me in the theory of this thing as to whether you ought to be requiring this at the rezoning level or whether you ought to be requiring it at the planned subdivision development. One of the cases we've got now has the potential, under the rezoning, of several hundred lots, but under a Planned Unit Development or a cluster arrangement we jump almost to 600 lots. So zoning doesn't necessarily tell you what the long range impact of continued development in the area will be. The numbers are not identical. Irregardless, I think this Commission would be ill served for the Metropolitan government to bless them with an extraordinary road, schools and infrastructure problem in the future. The philosophy has always been, in the past, build it and they will fix it. Well, things are not that easy anymore. You don't fix it that easy. You don't raise taxes every time you want to raise taxes. It's not politically a good idea. So I think we begin to think about influencing development in those areas where infrastructure is in place and is undeveloped rather than being an easy mark to go ahead and continue to exacerbate the problem in areas that are grossly overdeveloped already, as far as the infrastructure is concerned. I think it is a subject we have got to face and this Commission may have to thrash with it a long time to come up with a way to equitably handle it. It's not anti development. It's pro taxpayer, is what we are trying to do, is be smart about where we develop. It is not to stop development. I don't think anybody wants to stop it, but why unload on the future, a lot of stuff that's going to have to be paid for.

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

**Resolution No. 2000-313**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 2000S-066G-12, is **APPROVED WITH CONDITIONS; PUBLIC HEARING CLOSED (6-1).”**

**2000S-078G-12 (Public Hearing)**  
Barnes Cove

Map 173, Parcels 54, 60, 61 and 74  
Subarea 12 (1997)  
District 31 (Knoch)

A request for preliminary approval for 325 lots abutting the south margin of Barnes Road, approximately 3,000 feet southeast of Nolensville Pike (120.4 acres), classified within the RS10 District, requested by Paul E. Johnson, owner/developer, Anderson-Delk and Associates, Inc., surveyor.

Mr. Calleja stated staff is recommending conditional approval. This plat is in two sections and Barnes Road will be the main entrance to the project in the beginning. The applicant wants to do the cluster lot subdivision option, which requires at least 15% open space, with a reduction of lot size. In some areas the topography is over 20% and there are 2 blue line streams on the property, which buffers have been provided for. There are 2 collector roads planned. The applicant will be required to make road improvements along the frontage as well as to provide a turn lane. They will also be required to clear brush within the right-of-way to improve sight distance. There is also a condition of approval of installing a traffic light at the intersection of Nolensville Road and Barnes Road by the end of the second phase of the development, which would be approximately 74 units, if the state has not put one in by the time the second phase is going through the approval process for the final plat.

Mr. Bill Jennings, Mr. Tommy Albright and Mr. Arrial Elam expressed concerns regarding traffic, safety, schools and blasting.

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

Councilmember Ponder stated the present Councilmember would love to meet with his constituents on this matter. As of yesterday he had not been contacted by the developer.

Mr. Manier stated the Commission is looking at another 1,000 lots sitting on the ground, partially developed or potentially to develop and if that's not going to crowd somebody's school, I'll stand on my head.

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

Mr. Mike Anderson, developer, questioned the Commission what this was deferred for.

Chairman Lawson stated it was for an opportunity for some of the residents to meet with the Councilmember before the development moves forward.

Mr. Anderson stated he was not aware of any problems and has been working of this project with staff for 7 weeks. All the conditions have been met and this is surprising.

Chairman Lawson stated that was part of the public hearing, to provide that kind of input, and given what they had to say and the motion by Councilmember Ponder that the Commission feels it is appropriate for them to get with the new Councilmember.

**2000S-097G-02 (Public Hearing)**  
W. E. Scott Subdivision  
Map 33, Parcel 55  
Subarea 2 (1995)  
District 10 (Balthrop)



A request for preliminary approval for six lots and final approval for three lots abutting the northwest corner of Lowes Lane and Old Dickerson Pike (5.01 acres), classified within the R20 District, requested by W. E. Scott, owner/developer, Tommy E. Walker, surveyor.

Mr. Calleja stated staff is recommending approval of the 6 lot subdivision, as well as conditional approval of a 3 lot final subject to a bond. The bond is to cover the removal of an existing barn on the property. This proposal meets the requirements of the Subdivision Regulations. All the access will be off of existing streets.

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 approve the following resolution:

**Resolution No. 2000-314**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 2000S-097G-02, is **APPROVED SUBJECT TO A BOND OF \$4,000; PUBLIC HEARING CLOSED (7-0).”**

**Request for Bond Extension**

96S-043U  
Asheford Crossing, Section 2  
Phillips Builders, Inc., principal  
Subarea 13 (1996)  
[Buildout is at 100%]

Located abutting both margins of Asheford Trace, approximately 130 feet southeast of Cedar Ash Crossing.

Mr. Calleja stated staff is recommending disapproval of the request for extension and request authorization for the collection of the performance bond unless the developer completes the repairs, re-testing of the lines and the transferring of the deeds by June 30, 2000.

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

**Resolution No. 2000-315**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **DISAPPROVES** the request for extension and **AUTHORIZES** the collection of the performance bond for Subdivision No. 96S-043U, Bond No. 96BD-005, Asheford Crossing, Section 2, in the amount of \$10,600 unless the developer completes the repairs, re-testing of the lines and the transferring of the deeds by 6/30/00.”

**Request for Bond Extension**

97S-412U  
Calumet, Phase 7  
James T. McLean, Sr., principal  
Subarea 13 (1996)  
[Buildout is at 88%]

Located abutting the north margin of Hamilton Church Road, approximately 575 feet west of Tea Garden Way.

Mr. Calleja stated staff is recommending disapproval of the request for extension and request authorization for the collection of the performance bond unless final paving and sidewalks are completed by June 30, 2000.

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

**Resolution No. 2000-316**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **DISAPPROVES** the request for extension and **AUTHORIZES** the collection of the performance bond for Subdivision No. 97S-412U, Bond No. 98BD-007, Calumet, Section 7, in the total amount of \$55,500 unless final paving and sidewalks are completed by 6/30/2000. The developer will be required to maintain appropriate security. **Failure of principal to maintain appropriate security shall be grounds for collection without further notification.**

**Request for Bond Extension**  
99S-085G  
Hampton Hall, Section 3  
Phillips Builders, Inc., principal  
Subarea 14 (1996)  
[Buildout is at 93%]

Located abutting the east terminus of Hampton Hall Way, approximately 75 feet east of Hallstone Court.

Mr. Calleja stated staff is recommending disapproval of the request for extension and request authorization for the collection of the performance bond unless final paving and sidewalks are completed by June 30, 2000.

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

**Resolution No. 2000-317**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **DISAPPROVES** the request for extension and **AUTHORIZES** the collection of the performance bond for Subdivision No. 99S-085G, Bond No. 99BD-029, Hampton Hall, Section 3, in the total amount of \$98,000 unless final paving and sidewalks are completed by 6/30/2000.

**ZONE CHANGE AND PUD PROPOSALS**

**2000Z-028G-06**  
Map 126, Part of Parcels 67 (17.29 acres) and  
68 (39.03 acres)  
Map 140, Parcel 8.01 (31.51 acres)  
Subarea 6 (1996)  
District 23 (Bogen)

A request to change from R80 and RS15 districts to RM2 district properties at 8916 Newsom Station Road and Newsom Station Road (unnumbered), abutting the west margin of the CSX Railroad (87.83 acres), requested by Bryce Powers of Barge, Waggoner, Sumner, and Cannon, for Crosland, Patton and Smith, optionee, for Adelaide S. Robb and J. M. Davis, trustees.

**2000P-003G-06**  
Riverwalk  
Map 126, Parcels 47 (56.93 acres), 47.01 (3.0 acres),  
48 (94.76 acres), 67 (59.54 acres), 68 (58.76 acres) and

70 (27.54 acres)  
Map 140, Parcel 8.01 (31.51 acres)  
Subarea 6 (1996)  
District 23 (Bogen)

A request for preliminary approval for a new Planned Unit Development District located abutting both margins of Newsom Station Road, south of Highway 70 South, classified RS15 and R80 and proposed for RM2 for a portion (332.04 acres), to permit 604 residential units comprised of 446 single-family lots and 158 townhome units, a pool, clubhouse and playground with access from Newsom Station Road and a one mile long greenway trail along the Harpeth River, requested by Barge, Waggoner, Sumner and Cannon, Inc., for Adelaide S. and Davis Robb, trustees, and for Crosland, Patton, Smith, LLC, optionee.

Mr. Leeman stated this proposal is for a zone change for 158 townhomes on 87.83 acres and on the rest of the site there will be 446 single family lots on both sides of the CSX Railroad tracks. There will be a bridge built over the railroad tracks to provide access to the lots on the north side. There are several variances being requested with this proposal, that staff supports. The first is the length of a dead end street. This PUD gets its access from Newsome Station Road through a collector road across the railroad tracks and since this is a landlocked piece of property, with the Harpeth River on the north and the TVA lines on the west side, staff would support the variance. They are providing an access to Lexington Point on the west side so they will have a second access point there. Other variances are with the collector road into the site, for the design speed they are proposing to reduce the speed from 40 miles per hour to 30 miles per hours and to reduce the pavement width from 37 feet to 30 feet. Staff supports those because it will have a calming effect on the road and there are no lots being proposed on that collector road. Public Works supports that variance as well. The last variance is for the perimeter lots. Since this is a cluster lot PUD they are allowed to reduce the interior lots but the perimeter lots can only be reduced by 2 zoning districts and they are proposing to reduce those lots by more than 2 zoning districts but with the TVA lines on the west and Harpeth River coming around the entire site, staff feels that is a justified variance.

There is also a one mile long greenway trail being proposed along the river. A trail head will be provided in the TVA easement to provide parking for people outside of the development.

Public Works is requiring off site improvements to Newsome Station Road to eliminate a 90 degree dog leg, improving that section to rural collector standards as well as another portion between the Branstetter Subdivision and the Riverwalk PUD. Improvements are also required at the McCrory Lane and Newsome Station road intersection. Those include a right and left turn lane.

Mr. Bill Lockwood stated he was present to answer any questions the Commission might have.

Mr. Cochran asked if the Riverwalk was right next door on the same road.

Mr. Leeman stated the greenway trail will be within the same development.

Mr. Cochran stated he was talking about the entrance and exit. Is it the same road into this subdivision?

There will be an entrance to this subdivision from Newsome Station Road and a secondary access point from the Branstetter Subdivision to the west.

Mr. Cochran asked what width Newsome Station road is.

Mr. Leeman stated presently it is 20 feet of pavement with no shoulders. It will be improved to 20 feet with 8 feet shoulders from the Boone Trace entrance to this site.

Mr. Lockwood stated it was already improved from Boone Trace up to McCrory Lane to rural collector standards.

Mr. Cochran stated that was the only way in and out and asked how many homes were back in there.

Mr. Leeman stated there were approximately 1,000 units in all three developments along Newsome Station Road.

Mr. Manier stated this is the same old story concerning schools.

Mr. Bob Murphy stated the developer is providing infrastructure improvements to Newsome Station Road which total somewhere between \$400,000 to \$600,000. As far as the schools, we don't have a procedure to deal with that.

Mr. Dudley Smith stated he had worked with planning staff, Public Works staff and the Councilmember since August as part of the process, and have agreed, with the approval of this project, to improve Newsome Station Road and build the bridge over the CSX railroad, which alone is \$400,000. We are trying to do our part and have also worked with Shane Dennison, of the Greenways Commission, and a landscape architect. Our contribution to the Greenways Commission is probably around \$100,000 to \$150,000.

Ms. Jones moved and Ms. Oglesby seconded the motion, which carried with Mr. Manier in opposition, to approve the following resolution:

**Resolution No. 2000-318**

"BE IT RESOLVED by the Metropolitan Planning Commission that the following Zone Change Proposal No. 2000Z-028G-06 is **APPROVED (6-1)**:

**These properties fall within the Subarea 6 Plan's Natural Conservation (NC) policy calling for preservation of the area's steep slopes at up to 4 units per acre. The RM2 district is consistent with this policy, and in conjunction with the associated PUD (2000P-003G-06; BL2000-231) will allow for the clustering of development on top of the ridge to protect the steep hillsides encompassed by these properties."**

"BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that Proposal No. 2000P-003G-06 is given **CONDITIONAL PRELIMINARY APPROVAL (6-1)**. The following conditions apply:

1. Approval of preliminary PUD and associated zone change (Zone Change Proposal #2000Z-028G-06) by the Metropolitan Council.
2. Prior to or in conjunction with the submittal of any final PUD plan, the applicant shall submit a PUD boundary plat to the Planning Commission for approval and recordation.
3. Prior to or in conjunction with any final PUD plan, a geotechnical study for that portion shall be submitted to the Planning Commission for review and approval.
4. Prior to the issuance of any building permits for any phase, a final plat shall be recorded with the first phase, including all necessary bonds for road improvements, and including the following off-site road improvements and land dedication:
  - A. An eastbound left-turn lane from Newsom Station Road into the project site with 100 feet of storage and a transition to be determined by the Metro Traffic Engineer with a 12-foot wide travel lane.
  - B. A right-turn lane from McCrory Lane onto Newsom Station Road with 100 feet of storage and a transition to be determined by the Metro Traffic Engineer with a 12-foot wide travel lane.
  - C. A right-turn lane from Newsom Station Road onto McCrory Lane with 100 feet of storage and a transition to be determined by the Metro Traffic Engineer with a 12-foot wide travel lane.

- D. A left-turn lane from Newsom Station Road onto McCrory Lane with 100 feet of storage and a transition to be determined by the Metro Traffic Engineer with a 12-foot wide travel lane.
  - E. Widening Newsom Station Road to rural collector standards with 20 feet of pavement width and 8 foot wide shoulders on each side of the road from the Riverwalk project entrance to the Boone Trace PUD entrance, with varying shoulder widths as approved by the Metro Traffic Engineer and in conformance with the approved construction plans. This improvement will include the straightening of the 90 degree curve in the road, the reverse curve, and will utilize the dedicated right-of-way along the frontage of the Boone Trace PUD. This does not include the portion of Newsom Station Road in front of the Branstetter Subdivision (99S-300G), where a left-turn lane will be constructed by the developer of that site.
  - F. Dedication of 5 feet of right-of-way along the frontage of this site on parcels 67, 68, and 70 on tax map 126 and parcel 8.01 on tax map 140.
1. Prior to or in conjunction with the submittal of any final PUD plans, the developer shall submit to the Planning Commission construction plans for all of the Newsom Station Road/McCrory Lane improvements in condition #4 above. Road improvements A, B, C, D and part of E identified in Condition #4 above shall be completed prior to the issuance of the building permit for the 100th unit or lot. This includes the section of Newsom Station Road from the Boone Trace entrance to the beginning of parcel 66 on tax map 126, a distance of approximately 1,440 feet. The remaining improvements to Newsom Station Road will be completed prior to the completion of the 196<sup>th</sup> unit or lot, excluding the left-turn lane into the Branstetter Subdivision.
  2. Prior to the completion of Phase I, and prior to the issuance of the first Use and Occupancy permit in each subsequent phase thereafter, the developer shall conduct traffic count surveys to determine when actual traffic volumes meet signal warrants for a traffic signal at the Newsom Station Road/McCrory Lane intersection. These surveys shall be submitted to the Metro Planning Commission and the Metro Traffic Engineer for review and approval.
  3. Prior to or in conjunction with the submittal of any final PUD plans for Phase 2, the developer shall submit to the Planning Commission construction plans for the entire greenway trail, in conformance with the Metro Parks Department and Public Works specifications.
  4. Prior to the issuance of any building permits for Phase 2, the applicant shall submit a mandatory referral application granting the Metro Government of Nashville and Davidson County a permanent conservation easement for the greenway trail and trailhead, as described in Condition #9 below.
  5. Prior to the issuance of any building permits for Phase 2, a final plat shall be recorded including all necessary bonds for public improvements and the greenway trail. This plat shall also include a conservation easement for the greenway trail, including all of the floodway adjacent to the proposed trail on the site. The plat shall include a 100-foot wide extension of the easement under the TVA lines to the associated trailhead parking lot, as agreed upon by the Metro Parks Department.
  6. Prior to the issuance of a building permit for the 450<sup>th</sup> unit or lot, the greenway trail shall be completed and accepted by the Metro Parks Department. The trailhead parking lot, with 16 parking spaces, shall be bonded with the final plat for Phase 4 and completed prior to the issuance of any building permits for Phase 4.
  7. Prior to or in conjunction with the submittal of any final PUD plans for any lots on the north side of the CSX railroad tracks, construction plans, as already approved by the CSX railroad, shall be submitted to the Planning Commission and Public Works for review and approval.
  8. Prior to the issuance of any Use and Occupancy permits for any lots on the north side of the CSX railroad tracks, a railroad overpass shall be constructed and approved by the CSX railroad and Metro Public Works Department.

9. In conjunction with any final plat that includes landscaped medians or circular islands, a landscape agreement requiring the Home Owner's Association to maintain all medians and islands, shall be submitted to the Planning Commission, and reviewed by the Planning Commission and Public Works Department, for the maintenance of those landscape improvements in that phase. This agreement shall be signed by the Metro Public Works Department prior to the issuance of any building permit for that phase.
10. 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."

**2000Z-034G-04**

Map 34-13, Parcels 132 (.37 acres), 133 (.15 acres),  
137 (.20 acres) and Part of Parcel 95 (.37 acres)  
Subarea 4 (1998)  
District 3 (Nollner)

A request to change from RS7.5 and OR20 districts to CS district a properties at 1400 Gallatin Pike, 105 and 107 McKinley Street, and McKinley Street (unnumbered), abutting the south margin of Wellworth Street (.87 acres), requested by John J. Yoon, appellant, for Jeong S. Yun et ux, Thomas W. Bradford, and J. H. and Viva S. Williams, owners. (Deferred from meeting of 3/16/00).

Ms. Regen stated this request is to rezone some property to CS to provide parking. At the last meeting Mr. Yun indicated he was told by Codes he would not be able to use adjacent property for parking for his commercial businesses. Staff has spoken with the Zoning Administrator and you can use OR20 for parking to serve the commercial businesses. There is no area in front of the businesses to provide parking other than parallel parking. One of the stores is a sporting goods store and people come in with their boats and then have to back out onto Gallatin Road with trailers. So Mr. Yun demolished a building behind these stores to provide parking, which is perfectly reasonable. The OR20 zoning would currently support that. Staff feels this should be looked at to see if the parking in back is adequate after the area is paved. So, staff is suggesting that since the area in back has never been used for parking, to use it for parking, and see if it works before the property is rezoned to CS.

In addition, if the intent is to use it for parking, it does not have to be zoned CS. Parking could be accomplished by the existing OR20 zoning. Staff is suggesting to disapprove this proposal and leave it as it is. There is a lot of affordable housing in this neighborhood and if you incrementally move back into it, the concern is it will begin to eat away at those homes. He is requesting, right now, two residential properties to go to commercial and staff is concerned there will be some additional properties that may be requested for additional commercial zoning in the future if this request is approved.

Mr. Joe Williams stated Mr. Yun had no intention to develop the property behind his stores. His intention is just to use it for parking but he is paying commercial tax on it. These lots, at one time, were all one zoning district and somehow were rezoned separately. He stated he owned the car wash next door and wants to put in some automatic car wash bays and that would take up most of the property and his parking area also. He stated he would like to see the lots consolidated and changed to CS.

Ms. Regen stated staff looked at other properties in the area that were owned by Mr. Yun. There are properties along Wellworth and McKinley that Mr. Yun has acquired over the years and only a few that he would have to pick up to make them all contiguous. He owns 6 properties in this area.

Ms. Jones stated she felt the Commission should address Mr. Yun's application and that Mr. Williams' needs should be addressed separately.

Chairman Lawson stated perhaps this should be deferred to give the staff an opportunity to look at the needs of what this applicant was trying to say. The original presentation was for parking and now that we know

the existing zoning will meet his requirement for parking, and now Mr. Williams has brought further information in.

Ms. Nielson stated she was in agreement with Ms. Jones. These are two separate issues here and she did not feel comfortable handling it all within one. The way the Commission has been dealing with these issues that we would never agree to push CS back that far and that she did not want to mislead these applicants into thinking they could ask for that.

Mr. Manier stated he did not see what there was to talk about. He could see the line as it is and in a sense this would begin to infringe on the General Plan.

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

**Resolution No. 2000-319**

"BE IT RESOLVED by the Metropolitan Planning Commission that the following Zone Change Proposal No. 2000Z-034G-04 is **DISAPPROVED (7-0)**:

**These properties fall within the Subarea 4 Plan's Residential Medium (RM) policy calling for 4 to 9 units per acre. The CS district is not consistent with RM policy. Intensifying commercial zoning and extending it into this neighborhood could detrimentally affect the affordable housing adjacent to these properties. Should the existing OR20 zoning on part of parcel 95 and all of parcel 133 be inadequate to accommodate the parking needs of the commercial building fronting Gallatin Pike on parcel 95, a slight deepening of the existing OR20 zoning may be appropriate if that is documented in the future. "**

**2000Z-049U-05**  
Map 83-6, Parcel 271  
Subarea 5 (1994)  
District 6 (Beehan)

A request to change from R6 to MUL district property at 106 Chapel Avenue, approximately 190 feet north of Eastland Avenue (.68 acres), requested by Larry and Susan Hanson, appellants, for Chapel Church of Christ, owner.

Ms. Regen stated this request is to rezone some property so the applicant can put a restaurant on the property and they are requesting MUL zoning to do so. This area is all intended for residential, but this is an unmapped neighborhood commercial node. In this node we have some property that is currently zoned commercial but is vacant. The applicant expressed to staff this is a church and this is just an additional small expansion of the area. Churches are allowed in residential districts, so the church itself doesn't constitute a reason to rezone it to commercial. Staff feels they should be directing the commercial uses to those existing vacant commercial properties before expanding it further. Staff received a letter from Councilmember Beehan in support of this project. Staff is recommending disapproval.

Mr. Manier stated he thought the way letter read from Councilmember Beehan that it implied differently.

Chairman Lawson stated it really didn't say.

Mr. Manier stated it says the church would be benefited for this special use.

Ms. Nielson stated she was concerned because there is so much vacant commercial along that strip and it's not real attractive. They need to take advantage of that before we expand so far back into residential.

Ms. Jones stated she wished she knew the relationship of the restaurant to the church and what Councilmember Beehan was trying to say. If this were turned down, would the applicant have to reapply and repay again?

Chairman Lawson stated that under certain circumstance they could ask for a rehearing without having to repay.

Ms. Regen stated this could be referred back to the Commission from Council.

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

**Resolution No. 2000-320**

"BE IT RESOLVED by the Metropolitan Planning Commission that the following Zone Change Proposal No. 2000Z-049U-05 is **DISAPPROVED (7-0)**:

**This property falls at the boundary of the Subarea 5 Plan's unmapped neighborhood commercial node around the Eastland Avenue/Chapel Avenue intersection and the surrounding Residential Medium (RM) policy, calling for conservation of both the surrounding residential neighborhoods and the existing commercial node, up to a maximum of 30,000 square feet. Vacant commercial property within the existing node should be used first before this property is rezoned."**

**2000Z-050G-04**  
Map 42-11, Parcel 34  
Subarea 4 (1998)  
District 3 (Nollner)

A request to change from RS20 to RM6 district property at 616 Old Hickory Boulevard, approximately 400 feet west of Ronnie Road (1.03 acres), requested by Dave West, Sr., appellant, for Richard H. and Jan E. Williams, owners.

Ms. Regen stated this area, in the subarea plan, is intended for single family residential with the maximum of 2 units per acre. The applicant is requesting to rezone this property to multifamily to allow up to 6 units per acre. This is a single family subdivision pattern so staff is recommending disapproval of this as contrary to the General Plan since the Subarea 4 Plan is looking to have this remain single family.

Mr. David West stated it is evident from the plat, but the property was originally built as a substantial residential building about 50 years ago. In recent years it has been turned into an illegal non-conforming duplex. The three adjoining plots each contain 2 duplexes. So this property adjoins property that has three clusters of duplexes. Our purpose and intent is simply to take a house we bought in foreclosure that had been abandoned for over a year, and upgrade it. We have done considerable work on it. The primary unit is the downstairs and the part that makes it a duplex is that at one time the attic was turned into a very small apartment. We simply want to have the option of either offering this as a single family that wants both parts of it or to use it as a duplex. This will not change the character of the neighborhood or changing the traditional use of the property. We want to conform to the regulations and to do what is proper and appropriate in this case.

Chairman Lawson asked why the applicant would need RM6 to accomplish what he wants.

Ms. Regen stated that he did not need RM6. To fix what he has got all he needs is R20 zoning and that would be staff's recommendation. It would not fit the zoning pattern exactly but it would still limit the property to 2 units per acre.

Councilmember Ponder asked if there were plans to build additional structures on this property.



Mr. West stated there were no definite plans, but that is an option that would be available.

Councilmember Ponder moved and Ms. Nielson seconded the motion which carried unanimously, to amend the application to R20 and approve the following resolution:

**Resolution No. 2000-321**

"BE IT RESOLVED by the Metropolitan Planning Commission that the following Zone Change Proposal No. 2000Z-050G-04 is **APPROVED (7-0)**:

**This property falls within the Subarea 4 Plan's Residential Low (RL) policy calling for up to 2 units per acre. The R20 district is consistent with that policy and will accommodate the existing duplex on this property."**

**OTHER BUSINESS:**

1. 2000-2001 through 2005-2006 Capital Improvements Budget Recommendation

Mr. Jeff Lawrence stated the Commission has received the Capital Improvements Budget that includes staff's proposed recommendation for the budget for 2000-2001 through 2005-2006. This program represents a slightly different approach than in the past. Staff included more projects by trying to identify 4 or 5 areas of need. Those were projects that met a public health and safety need; maintained Metro's existing assets, rather than focusing on just new projects, like maintenance, repair, replacement and renovations; projects that helped implement any of the functional or subarea plans, like parks expansion projects in the subareas that deficient; and finally, projects that met a departmental priority.

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

**Resolution No. 2000-322**

"BE IT RESOLVED by the Metropolitan Planning Commission, that it approves the 2000-2001 through 2005-2006 Capital Improvements Budget"

2. Executive Director Job Description

Chairman Lawson stated he had sent to the Commission the revisions that the advisory committee has recommended in order to update the Executive Director Job Description, and we have been working with Human Resources as we went along with this. The first comment out of everybody's mouth was, this really seems very redundant. We left it as it is so the Commission could get an idea and understanding of the types of issues the group brought forward. Doug has done an outstanding job representing the Commission, as has Phil, but he has really taken a lot of the leadership and provided a lot of input on this. At first I thought I would put this on the agenda as an approved item, but I think it is something that probably deserves review by the Commission. Also we have a revised copy for you that a subcommittee has been working on to clean it up, which makes some of the statements a lot more general. I am asking the Commission to take a look at this and at the next meeting we will bring it up again. We are following the requirements and performance indicators as we go through this search process.

The contractor who is doing the national search is the HR Group, here in Nashville. Some of you will know Karen Saul. She is quite familiar to the Nashville community. We are trying to hit the target of the end of June that we will have 3 or 4 candidates screened and ready to come to the Commission.

The HR Group will be at the American Planning Association meeting in New York doing some recruiting activities there.

One other item, not on the agenda, is a request we have received from Mr. Allen Smith. It was a zone change request he had put through the Commission before and is now asking for a rehearing on that due to a potential change to the configuration of the property. He is asking for the re-hearing at the April 13<sup>th</sup> meeting.

Ms. Jones moved and Councilmember Ponder seconded the motion, which carried unanimously, to rehear Mr. Allen Smith's zone change proposal 2000Z-04U-02, at the April 13,2000, meeting.

3. Legislative Update

Councilmember Ponder provided an update on the current legislative status of items previously considered by the Commission.

**PLATS PROCESSED ADMINISTRATIVELY**

March 16, 2000 through March 29, 2000

2000S-088G      HOWARD HOLLAND LOTS  
Plats one parcel as two lots

98S-308U      WHISPERING HILLS, Section 1, 2nd Revision to Lots 138 and 601  
Reconfigures two existing lots

2000S-106G      OCTOBER WOODS, Phase 3, Section 1, Revision to Lot 361  
Reduces the width of a drainage easement

**ADJOURNMENT**

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

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary

Minute Approval:  
This 13th day of April, 2000