

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

Date: May 11, 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  
Douglas Small  
Marilyn Warren

**Absent:**

Mayor Bill Purcell

**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

**Others Present:**

Jim Armstrong, Public Works  
Mark Macy, Public Works

Chairman Lawson called the meeting to order.

**ADOPTION OF AGENDA**

Ms. Carrington announced the following changes to the agenda:

2000Z-069G-03 Has been withdrawn.  
99S-301U-10 Addendum item.

Mr. Small moved and Ms. Warren 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:

2000S-114G-06 Deferred indefinitely, by applicant.  
2000S-129G-12 Deferred two weeks, by applicant.  
2000S-145U-10 Deferred two weeks, by applicant.  
2000Z-036G-06 Deferred indefinitely, by applicant.  
2000P-005G-06 Deferred indefinitely, by applicant.  
2000Z-067G-13 Deferred two meetings, by applicant.  
2000Z-068u-03 Deferred indefinitely, by applicant.  
5-84-U-11 Deferred two meetings, by applicant.  
2000M-042U-10 Deferred two weeks, by applicant.

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

#### **APPROVAL OF MINUTES**

Ms. Nielson moved and Ms. Oglesby seconded the motion, which unanimously passed to approve the minutes of the regular meeting of April 27, 2000..

#### **RECOGNITION OF COUNCILMEMBERS**

No Councilmembers were present to speak at this point in the agenda.

#### **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-333U-12**  
Greenwood Subdivision  
Map 162, Parcels 93, 167 and 233  
Subarea 12 (1997)  
District 31 (Knoch)

A request for final plat approval to create 39 lots abutting the west margin of Old Hickory Boulevard and the east terminus of Cedarview Drive (9.96 acres), classified within the R10 Residential Planned Unit Development District, requested by Mt. View, LLC, owners/developers, Dale and Associates, surveyor.

#### **Resolution No. 2000-403**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-333U-12, is **APPROVED SUBJECT TO A BOND OF \$605,500.00 (8-0).”**

**2000S-054U-11**  
A. M. Brown’s Land, Resubdivision of Lots 54-59

Map 106-5, Parcel 109  
Map 106-6, Parcels 26, 27 and 46  
Subarea 11 (1999)  
District 16 (McClendon)

A request for final plat approval to consolidate six lots into two lots abutting the southwest margin of Murfreesboro Pike, between Cleveland Avenue and Foster Avenue (1.22 acres), classified within the CS and IWD Districts, requested by Terrence J. Clyne, owner/developer, Cherry Land Surveying, Inc., surveyor.

**Resolution No. 2000-404**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 2000S-054U-11, is **APPROVED SUBJECT TO A BOND OF \$25,000.00 (8-0).”**

**2000S-085U-06**  
West Harpeth Funeral Home  
Map 102, Parcels 78 and 79  
Subarea 6 (1996)  
District 23 (Bogen)

A request for final plat approval to reconfigure two lots abutting the north margin of Charlotte Pike, opposite Davidson Road (2.94 acres), classified within the OR20 and CS Districts, requested by West Harpeth Funeral Home, owner/developer, Dale and Associates, Inc., surveyor.

**Resolution No. 2000-405**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 2000S-085U-06, is **APPROVED SUBJECT TO A BOND OF \$10,000.00 (8-0).”**

**2000S-130G-01**  
Bates-Metropolitan Library Board Subdivision  
Map 22, Parcels 91 and 92  
Subarea 1 (1997)  
District 1 (Gilmore)

A request for final plat approval to reconfigure two lots abutting the northeast margin of Whites Creek Pike, opposite Old Clarksville Pike (2.41 acres), classified within the CN and AR2a Districts, requested by Guy E. Bates, owner/developer, Ragan-Smith Associates, Inc., surveyor.

**Resolution No. 2000-406**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 2000S-130G-01, is **APPROVED (8-0).”**

**2000S-135G-14**  
Hampton Hall, Section 5  
Map 98, Parcels 151 and 186  
Subarea 14 (1996)  
District 12 (Ponder)

A request for final plat approval to create 41 lots abutting the north terminus of Chestnutwood Drive, approximately 150 feet north of Hampton Hall Way, and abutting the west terminus of Hallborough Way, approximately 96 feet west of Chestnutwood Trail (18.2 acres), classified within the RS15 Residential Planned Unit Development District, requested by Phillips Builders, Inc., owner/developer, Anderson-Delk and Associates, Inc. surveyor.

**Resolution No. 2000-407**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 2000S-135G-14, is **APPROVED SUBJECT TO A BOND OF \$257,500.00 (8-0).”**

**2000S-136U-12**

Cloverland Park (formerly Adams Property)  
Map 171, Parcel 90  
Subarea 12 (1997)  
District 32 (Jenkins)

A request for final plat approval to create 26 lots abutting the north margin of Cloverland Drive, approximately 860 feet east of Clovermeade Drive (15.43 acres), classified within the R40 Residential Planned Unit Development District, requested by Ira T. Adams, owner/developer, Anderson-Delk and Associates, Inc., surveyor.

**Resolution No. 2000-408**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 2000S-136U-12, is **APPROVED SUBJECT TO A BOND OF \$352,500.00 (8-0).”**

**2000S-137G-12**

October Woods, Phase 5, Section 7A  
Map 183, Part of Parcel 174  
Map 183-5, Parcel 1  
Subarea 12 (1997)  
District 31 (Knoch)

A request for final plat approval to create 25 lots abutting the north margin of October Woods Drive, approximately 300 feet west of Old Hickory Boulevard (7.11 acres), classified within the R10 Residential Planned Unit Development District, requested by Marks Land Development LLC, owner/developer, Anderson-Delk and Associates, Inc., surveyor.

**Resolution No. 2000-409**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 2000S-137G-12, is **APPROVED SUBJECT TO A BOND OF \$206,750.00 (8-0).”**

**2000S-138G-12**

October Woods, Phase 5, Section 7B  
Map 183, Part of Parcel 174  
Subarea 12 (1997)  
District 31 (Knoch)

A request for final plat approval to create 36 lots abutting the northwest terminus of Craftwood Drive, northwest of October Woods Drive (13.93 acres), classified within the R10 Residential Planned Unit Development District, requested by Marks Land Development LLC, owner/developer, Anderson-Delk and Associates, Inc., surveyor.

**Resolution No. 2000-410**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 2000S-138G-12, is **APPROVED SUBJECT TO A BOND OF \$238,250.00 (8-0).”**

**2000S-142U-13**

Hickory Hollow Fellowship

Map 149, Parcels 141-143  
Subarea 13 (1996)  
District 28 (Alexander)

A request for final plat approval to consolidate three parcels into one lot abutting the southeast margin of Rural Hill Road, approximately 1,280 feet south of Rice Road (5.49 acres), classified within the R10 District, requested by Portland Association of General Baptist Home Mission Board, owner/developer, Dale and Associates, surveyor.

**Resolution No. 2000-411**

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 2000S-142U-13, is **APPROVED SUBJECT TO A BOND OF \$27,000.00 (8-0).**”

**Request for Bond Release**  
96S-437U  
Darlene Wood Property  
Jackson-Shaw Company, principal  
Subarea 14 (1996)

Located abutting the south margin of Lebanon Pike Circle, approximately 530 feet southwest of Lebanon Pike.

**Resolution No. 2000-412**

“**BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 96S-437U, Bond No. 97BD-102, Darlene Wood Property in the amount of \$3,000.”

**Request for Bond Release**  
98S-171G  
Peninsula, Phase 3, Section 1  
The Peninsula, A TN L.P., principal  
Subarea 14 (1996)

Located abutting the northwest terminus of Bay Overlook Drive, approximately 688 feet northwest of Peninsula Park Landing.

**Resolution No. 2000-413**

“**BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 98S-171G, Bond No. 98BD-070, Peninsula, Phase 3, Section 1, in the amount of \$32,000.”

**Request for Bond Release**  
99S-044G  
Peninsula, Phase 3, Section 2  
The Peninsula, A TN L.P., principal  
Subarea 14 (1996)

Located abutting the west terminus of Peninsula Point Drive, approximately 125 feet west of John Hager Road.

**Resolution No. 2000-414**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 99S-044G, Bond No. 99BD-017, Peninsula, Phase 3, Section 2, in the amount of \$43,250.”

**Request for Bond Extension**

98S-413U  
Baby Ruth Lane Estates, Section 2  
Sanders Batson, J.V., principal  
Subarea 13 (1996)  
[Buildout is at 27%]

Located abutting the west margin of Baby Ruth Lane, approximately 1,530 feet north of Mt. View Road.

**Resolution No. 2000-415**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 98S-413U, Bond No. 99BD-034, Baby Ruth Lane Estates, Section 2, in the amount of \$2,500 to 4/28/2001.”

**Request for Bond Extension**

99S-064U-14  
Gaylord Entertainment Company  
Opry Mills, L.P., principal  
Subarea 14 (1996)  
[This is a commercial entertainment complex]

Located abutting the southwest corner of McGavock Pike and Briley Parkway.

**Resolution No. 2000-416**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 99S-064U-14, Bond No. 99BD-045, Gaylord Entertainment Company, in the amount of \$745,500 to 4/12/2001.

**Request for Bond Extension**

99S-097U  
Villages of Brentwood, Phase 11  
Grandview Land Company, Inc., principal  
Subarea 12 (1997)  
[Buildout is at 31%]

Located abutting the south margin of Village Way, approximately 150 feet east of English Village Drive.

**Resolution No. 2000-417**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 99S-097U, Bond No. 99BD-074, Villages of Brentwood, Phase 11, in the amount of \$420,000 to 3/31/2001 subject to the submittal of an amendment to the present Letter of Credit by **6/11/2000** 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-348G-12  
Winfield Park, Phase 1, Section 2  
Danco Property Investment, LLC, principal  
Subarea 12 (1997)

[Buildout is at 6%]

Located abutting the north margin of Holt Road, approximately 1,390 feet east of Edmondson Pike.

**Resolution No. 2000-418**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 99S-348G, Bond No. 99BD-040, Winfield Park, Phase 1, Section 2, in the amount of \$578,600 to 4/7/2001 subject to the submittal of an amendment to the present Letter of Credit by **6/11/2000** which extends its expiration date to 10/7/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

**ZONE CHANGE AND PUD PROPOSALS**

**2000Z-066U-05**

Map 61-11, Parcel 84  
Subarea 5 (1994)  
District 8 (Hart)

A request to change from RS7.5 to OR20 district property at 4207 Gallatin Pike, approximately 180 feet south of Calvert Street (.59 acres), requested by Mark Mayhugh, appellant, for Mark D. and Cindy L. Mayhugh, owners.

**Resolution No. 2000-419**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-066U-05 is **APPROVED (8-0)**:

This property falls within the Subarea 5 Plan’s Commercial Arterial Existing (CAE) policy calling for office and institutional uses along the western margin of the Gallatin Pike corridor. The OR20 district is consistent with that policy and the zoning pattern to the north and south.”

**2000Z-074U-14**

Map 95, Parcel 116  
Subarea 14 (1996)  
District 15 (Loring)

A request to change from OR20 to ORI district property at 412 Royal Parkway, approximately 200 feet south of Elm Hill Pike (1.98 acres), requested by Mark McKibben of Ponder & Ponder, appellant, for Ramesh Surati, owner.

**Resolution No. 2000-420**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-074U-14 is **APPROVED (8-0)**:

**This property falls within the Subarea 14 Plan’s Office Concentration (OC) policy calling for large concentrations of office development and intensive residential uses. The ORI district is consistent with that policy and the zoning pattern to the west.”**

**94-71-G-06**

Bellevue Center  
Map 142, Parcel 301  
Subarea 6 (1996)  
District 23 (Bogen)

A request to revise a portion of the preliminary plan of the Commercial (General) Planned Unit Development District located abutting the northwest margin of Highway 70 and Sawyer Brown Road, classified SCR (2.69 acres), to permit two 6,000 square foot restaurants, replacing a 22,046 square foot medical office building, requested by Barge, Waggoner, Sumner and Cannon, appellant, for Blez Investment Company, owner. (Also requesting final plat approval).

**Resolution No. 2000-421**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 94-71-G-06 is given **CONDITIONAL APPROVAL TO REVISE THE PRELIMINARY PLAN AND FINAL PLAT APPROVAL (8-0)**. 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. Prior to the issuance of any building permits, the final plat shall be recorded.
3. Revised plans shall be submitted to the Planning Commission by May 19, 2000, revising the site plan’s tabular data for the PUD.”

**98-85-P-14**

Woodland Point, Phase 3 (formerly Lakeside)  
Map 121, Part of Parcel 74  
Subarea 14 (1996)  
District 13 (Derryberry)

A request for final approval for a phase of the Residential Planned Unit Development District located abutting the east margin of Bell Road, opposite Pleasant Hill Road, classified RM9 (5.45 acres), to develop 53 multi-family units as approved, requested by LDI Design, Inc., appellant, for James Carbine, trustee, for Franklin Land Company, LLC, owner, and Bell Road Development Company, G.P.

**Resolution No. 2000-422**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 98-85-P-14 is given **CONDITIONAL FINAL APPROVAL FOR PHASE 3 (8-0)**. The following conditions apply:

1. Prior to the completion of the 59<sup>th</sup> dwelling unit in the overall development, and prior to the issuance of the first Use and Occupancy permit in each subsequent phase thereafter, the developer shall conduct traffic count surveys at Bell Road and the site entrance to determine when actual traffic volumes meet signal warrants for a traffic signal at Bell Road at the entrance to the site. These surveys shall be submitted to the Metro Planning Commission and the Metro Traffic Engineer for review and approval.
2. Once the signal warrant has been met for the traffic signal in Condition #1 above, the developer shall be responsible for the purchase, installation, and any other necessary improvements for that traffic signal, as required by the Metro Traffic Engineer.
3. Prior to the issuance of any Use and Occupancy permits, the three-lane cross-section between Pleasant Hill Road and the site entrance shall be constructed by the developer, and inspected and accepted by the Metro Public Works Department, as required by the Traffic Impact Study. This cross-section shall include the following turning lanes:
  - southbound left-turn lane on Bell Road into the project site with 200 feet of storage and a transition of 135 feet.
  - A northbound left-turn lane on Bell Road onto Pleasant Hill Road with 200 feet of storage and a transition of 150 feet.



- A northbound right-turn lane on Bell Road into the site shall be constructed with 200 feet of storage and a transition of 180 feet.
4. 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-001U-10**

Harris Teeter (21<sup>st</sup> Avenue South and Blair Boulevard)  
 Map 104-15, Parcels 179, 182 and 205  
 Map 104-16, Parcel 5  
 Subarea 10 (1994)  
 District 18 (Hausser)

A request to revise a portion of the preliminary plan and for final approval of a Planned Unit Development District located abutting the west margin of 21st Avenue South and the south margin of Blair Boulevard, classified MUL and R8, (3.66 acres), to develop a 32,550 square foot building containing a 25,050 square foot, first-floor grocery store and a 7,500 square foot, second-floor office use, requested by Barge, Cauthen and Associates, appellant, for H. G. Hill Realty Company, owner. (Also requesting final plat approval).

**Resolution No. 2000-423**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 2000P-001U-10 is given **CONDITIONAL APPROVAL TO REVISE THE PRELIMINARY PLAN AND FINAL PUD APPROVAL; APPROVAL OF THE FINAL PLAT SUBJECT TO A BOND OF \$166,000.00 (8-0)**. 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 applicant shall record a final plat including the posting of all required bonds for demolition and utilities.
3. In accordance with Metro Ordinance No. BL2000-168, the following conditions shall apply:
  - A use and occupancy permit shall not be issued until such time as \$25,000 in pedestrian improvements easing pedestrian access to the area surrounding 21<sup>st</sup> Avenue South and Blair Boulevard have been completed. Such improvements must have been approved by the Metropolitan Department of Public Works.
  - Any changes in status or use of the designated green space shall not be effective until such changes shall have been approved by ordinance of the Metropolitan County Council.

**MANDATORY REFERRALS**

**2000M-037U-14**

Music City Outlet Center Easement Abandonment  
 Map 62, Part of Parcels 34 and 248  
 Subarea 14 (1996)  
 District 15 (Loring)

A request to abandon a portion of an 80' wide public utility and drainage easement to accommodate the construction of a restaurant at the Music City Outlet Center on McGavock Pike, west of Outlet Center Drive, requested by Ragan-Smith Associates, appellant, on behalf of Music Valley Acres, Inc., owner.

**Resolution No. 2000-424**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 2000M-037U-14."

**2000M-043G-06**  
 Bellevue Center Easement Abandonments  
 Map 142, Part of Parcel 1  
 Subarea 6 (1996)  
 District 23 (Bogen)

A request to abandon three drainage easements in the vicinity of the recently completed Sears Store at Bellevue Center located at 7638 Highway 70 South, classified SCR Commercial Planned Unit Development (45.42 acres), requested by Barge, Waggoner, Sumner and Cannon, Inc., appellant, for Oak Tree Capital Management, LLC, owner.

**Resolution No. 2000-425**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 2000M-043G-06."

**2000M-044U-03**  
 Alex Green School Easement Donation  
 Map 49, Part of Parcel 44  
 Subarea 3 (1998)  
 District 1 (Gilmore)

A request to donate a permanent easement measuring 480 feet in length and 20 feet in width on property located at 4020 Whites Creek Pike, classified R15 (10.29 acres), owned by the Metropolitan Government and used for Alex Green Elementary for the purpose of extending a public sewer line to serve an adjacent property owner on Lloyd Road, requested by the Metropolitan Board of Education.

**Resolution No. 2000-426**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 2000M-044U-03."

**OTHER BUSINESS**

2. APR Fund Appropriation

"BE IT RESOLVED by the Metropolitan Planning Commission that it approves the APR Fund Appropriation as follows:

**Resolution No. 2000-427**

Appropriation Balance - April 1, 2000		\$ 106,918.12
		\$ 39,621.60
Net Appropriation Balance		\$ 146,539.72
<u>April, May, June, 2000 Expenditures - Projected:</u>		

Salaries	\$ 22,860.00	
Central Printing Services	\$ 3,500.00	
Data Processing Services	\$ 75.00	
Advertising	\$ 2,000.00	
Membership/Training	\$ 500.00	
Consultant's Services	\$192,950.00	
Postage	\$ 500.00	
Office Supplies	\$ -	
FICA	\$ 1,674.00	
Group Health Insurance	\$ 2,010.00	
Employer's Pension Contribution	\$ 1,200.00	
Group Life Insurance	\$ 234.00	
Dental Insurance	\$ 162.00	
<b>Total Projected Expenditures</b>		\$ 227,665.00
<b>Revenue in Transit</b>		\$ 83,434.55
<b>Net Appropriation Balance</b>		\$ 2,309.27

This concluded the items on the consent agenda.

**PUBLIC HEARING: AMENDMENT OF SUBAREA 10 PLAN TO ALLOW USE OF THE URBAN DESIGN OVERLAY ZONING PROVISIONS IN GREEN HILLS.**

Mr. Fawcett stated

Mr. Fawcett began the presentation with an explanation of the need for this amendment. Late last year the Commission endorsed *The Green Hills Urban Village Plan* that had as one of its recommendations the application of an urban design overlay district to a portion of the commercial area of Green Hills. For an area to be eligible for UDO zoning, it must first be designated in the applicable subarea plan as a special urban design treatment area. In addition, general design goals and objectives must be established in the subarea plan for the designated area. The proposed area for special design treatment includes both sides of Abbott Martin Road between Hillsboro Pike and Hillsboro Circle, both sides of Hillsboro Circle between Abbott Martin Road and Hobbs Road, both sides of Hillsboro Drive, and both sides of Hillsboro Pike between Hobbs Road and Abbott Martin Road.

The principal goal for this special design treatment area is to give three dimensional form to the concept of the urban village presented in *The Green Hills Urban Village Plan*. The following objectives accompany this goal:

- Establish a compact multilevel mixed use development pattern distributed along a system of streets.
- Ensure that buildings are oriented to and linked by a pedestrian system.
- Provide shared parking located conveniently to multiple destinations.
- Provide multiple transportation service opportunities (pedestrian, car, transit, bicycle).
- Provide high quality (functional and aesthetic) open spaces for assembly, relaxation, civic events, display of public art and other similar purposes.
- Provide a high level of pedestrian-generating activity along streets.

Mr. Fawcett pointed out that the adoption of this amendment has no regulatory effect on property and that the actual area to which an urban design overlay district is applied may be the same or smaller depending upon the support for it from affected property owners and the willingness of Metro Council to enact an ordinance. Once an ordinance is enacted, properties that do not conform to the provisions of the ordinance

become legally nonconforming. They must comply with the ordinance only if they undertake significant modification or reconstruction and even then, state law allows them great leeway.

Mr. Fawcett concluded his presentation with the recommendation that the Commission adopt the proposed amendment.

No one was present to speak at the public hearing.

Mr. Small questioned the area that has been designated because the mall, school, post office, the new library or the retail on Glen Echo was not included.

Mr. Fawcett stated the limitation was placed because the size of the area to encompass all of that would involve a lot of property owners and this is a political process to get it done. The feeling was that we had to have it manageable in order to be able to communicate and get agreement from the owners of the property. This is going to set up as an example of how to do it and that it being successful, others will want to voluntarily add on. The reason the mall was not included is because that basically catches most of the area north of that and if you included it you would very hard pressed not to include a bunch of other stuff around it as well.

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

**Resolution No. 2000-428**

“WHEREAS, the zoning regulations require that for an area to be eligible for application of “Urban Design Overlay” zoning, the Metropolitan Planning Commission must first designate the area as one where special regulation of design is warranted and establish design goals and objectives for the area in the affected subarea plan; and,

WHEREAS, the Metropolitan Planning Commission did conduct a public hearing on May 11, 2000 to consider a proposed amendment to the *Subarea 10 Plan* to: a) designate an area within Green Hills as a special urban design treatment area, and b) establish design goals and objectives for the special urban design treatment area; and,

WHEREAS, the Metropolitan Planning Commission finds that the designation of this special design treatment area and associated goals and objectives is warranted to achieve a uniqueness of form and character for new development that is otherwise not insured by the application of conventional bulk, landscaping, parking and sign standards;

NOW, THEREFORE, BE IT RESOLVED that the Metropolitan Planning Commission hereby **ADOPTS** Amendment No. 4 to the *Subarea 10 Plan* as set forth in “Attachment A” and incorporates this amendment into the *Subarea 10 Plan*.

**SUBDIVISION AND BOND PROPOSALS**

**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 meetings of 3/16/00, 3/30/00 and 4/27/00).

Mr. Calleja stated staff is recommending indefinite deferral on this item. This is the fourth time this item has been on the agenda. Staff would like to, when they come back in with a plan, re-advertise the public hearing.

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 defer this matter indefinitely.

**2000S-061G-14 (Public Hearing)**

Blossom Trace  
Map 75, Parcels 108 and 141  
Subarea 14 (1996)  
District 12 (Ponder)

A request for preliminary approval for 39 lots abutting the southeast corner of Chandler Road and Tulip Grove Road (15.36 acres), classified within the RS15 District, requested by Kent Biery, owner/developer, S.E.C., Inc., surveyor.

Mr. Calleja stated staff is recommending approval. This is a cluster lot subdivision. The zoning on the property permits lots up to 15,000 square feet. With the cluster lot subdivision provision they can go down to about 7,500, however, most of these units are approximately 10,000 to 12,000 square feet. They are providing the proper green space buffers and 30% open space, when only 15% is required. There is steep topography that is not buildable. The primary access will be off of Tulip Grove Road with an extension being provided to the east for the potential future connection back to Chandler Road.

Mr. Mike Hughes, surveyor, stated he was present to answer any technical questions the Commission might have.

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

**Resolution No. 2000-429**

**"BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 2000S-061G-14, is **APPROVED; PUBLIC HEARING CLOSED (8-0)."**

**2000S-132U-14 (Public Hearing)**

Pennington Place  
Map 62, Parcels 46 and 47  
Subarea 14 (1996)  
District 15 (Loring)

A request for preliminary approval for 12 lots abutting the east margin of Pennington Bend Road, approximately 40 feet northwest of Alvinwood Drive (5.11 acres), classified within the R15 District, requested by Volunteer Investments, Inc., owner/developer, Survey Solutions, surveyor.

Mr. Calleja stated this applicant has requested a two week deferral to make some changes to the preliminary subdivision plan based on comments from staff.

No one was present to speak at the public hearing.

Ms. Nielson moved and Ms. Warren seconded the motion, which carried unanimously, to leave the public hearing open and defer two weeks.

**ADDENDUM**

**99S-301U-10**

Vanderbilt University, Resubdivision of Lot 2  
Map 104-3, Parcel 258  
Subarea 10 (1994)  
District 18 (Hausser)

A request for final plat approval to subdivide one lot into three lots abutting the south margin of West End Avenue, between Natchez Trace and 25<sup>th</sup> Avenue South (7.04 acres), classified within the MUG District, requested by Vanderbilt University, owner/developer, Gresham, Smith and Partners, surveyor.

Mr. Calleja stated the Commission approved this final plat two weeks ago and staff is recommending approval of the plat again subject to a bond of \$45,000 for the relocation of a sewer line. After the Commission meeting the Department of Water Services indicated they needed a bond for the improvement.

Mr. Small asked, if you have already approved something, can you go back and put a new stipulation on it with the bond?

Mr. Cochran stated the Commission should reconsider the first approval.

Chairman Lawson asked Mr. Cochran for a motion to vote to reconsider.

Mr. Cochran moved and Mr. Manier seconded the motion, which carried unanimously, to reconsider 99S-301U.

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

**Resolution No. 2000-430**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-301U-10, is **RECONSIDERED FROM THE APRIL 27, 2000 MEETING AND APPROVED SUBJECT TO A BOND OF \$45,000.00 (8-0).”**

**Request for Bond Release**

97S-058U  
Townhomes of Fredericksburg, Phase 1, Section 2  
Pulte Homes TN, L.P., principal  
Subarea 12 (1997)

Located abutting the south margin of Old Hickory Boulevard and the northeast margin of Fredericksburg Way West. (Deferred from meeting of 4/27/00).

Mr. Calleja stated that at the last meeting the Commission had requested staff do a review of all bonds associated with the Townhomes of Fredericksburg and their status.

Phase 1, Section 1 – this is the only bond that Public Works issued for this entire project. The \$30,000 was specifically for a signal at the intersection of Old Hickory Boulevard and this development. The remainder was for water and sewer services, the main lines that run through this development. That bond has already been released.

Phase 1, Section 3 – there were bond amounts for water and sewer and those have been released. All the remaining bond are for the major lines for water and sewer that run through this development.

None of the deals with issues Public Works would have, such as drainage. Everything on this site is private.

Phase 1, Section 2 – There is a bond for a section of this private drive, but none of the other sections, with regard to any part of this road, was ever bonded. The developer’s engineer has signed off on the bond, indicating that section meets specifications of Metro’s regulations.

Staff is recommending approval of the release of this bond.

The Codes Department is taking an active role with regard to this development. They are meeting tomorrow with the developer as well as the Homeowners association management group to talk about the issues the residents have.

Mr. Cochran asked where the water went from the development.

Mr. Mark Macy, Public Works, stated this is a private development and that they only look at the drainage with Metro’s responsibility. The rest of the development’s driveways, buildings and drainage is their responsibility and Metro will not assume their responsibility.

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

**Resolution No. 2000-431**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 97S-058U, Bond No. 97BD-010, Townhomes of Fredericksburg, Phase 1, Section 2, in the amount of \$57,000.”

**Request for Bond Extension**

98S-072U  
Cambridge Forest, Section 2  
Double M Partners LLC, principal  
Subarea 13 (1996)  
[Buildout is at 91%]

Located abutting both margins of Edencrest Drive, approximately 80 feet northwest of Edenfield Court. (Deferred from meeting of 4/27/00).

Mr. Calleja stated staff is recommending disapproval of the request for extension and authorization for collection of the bond. This item was deferred at the last meeting because the developer indicated he had issues with sidewalk regulations and requirements. Public Works and the developer have been on site and the developer has to meet the sidewalk requirements that are currently in place. There are sidewalks that will have to be replaced to meet current specifications. However, it is staff’s belief that can be done before the July 27, 2000, deadline.

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

**Resolution No. 2000-432**

“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. 98S-072U, Bond No. 98BD-051, Cambridge Forest, Section 2, in the total amount of \$68,750 unless final paving and sidewalks are completed by 7/27/2000.

**Request for Bond Extension**

98S-222U  
Townhomes of Fredericksburg, Phase 2, Section 6

Pulte Homes TN, L.P., principal  
Subarea 12 (1997)  
[Buildout is at 100%]

Located abutting the south margin of Old Hickory Boulevard, approximately 325 feet east and opposite of Hearthstone Lane.

Mr. Calleja stated staff is recommending disapproval for the request for extension and authorization for collection of the performance bond unless final testing and conveyance of the water lines are completed by August 11, 2000.

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

**Resolution No. 2000-433**

“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. 98S-222U, Bond No. 99BD-043, Townhomes of Fredericksburg, Phase 2, Section 6, in the total amount of \$5,000 unless the testing and conveyance of the water lines is complete by 8/11/2000.

**Request for Bond Extension**  
99S-162U  
Townhomes of Fredericksburg, Phase 2, Section 7  
Pulte Homes TN, L.P., principal  
Subarea 12 (1997)  
[Buildout is at 100%]

Located abutting the south margin of Old Hickory Boulevard, approximately 600 feet west of Chadwick Lane.

Mr. Calleja stated staff is recommending disapproval for the request for extension and authorization for collection of the performance bond unless final testing and conveyance of the water lines are completed by August 11, 2000.

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

**Resolution No. 2000-434**

“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-162U, Bond No. 99BD-074, Townhomes of Fredericksburg, Phase 2, Section 7, in the total amount of \$6,000 unless the testing and conveyance of the water lines is complete by 8/11/2000.

**ZONE CHANGE AND PUD PROPOSALS**

**2000Z-063U-11**  
Map 119-5, Parcel 330  
Subarea 11 (1999)  
District 16 (McClendon)

A request to change from R6 to OR20 district property at 315 Joyner Avenue, approximately 140 feet east of Nolensville Pike (.12 acres), requested by Alfred Haislip, appellant, for Nolensville Road Auto Mart, Inc., owners.



Ms. Regen stated the property the applicant is requesting to be rezoned is vacant residential zoning located behind his existing property. Staff is recommending disapproval of this rezoning because the alley behind the existing property forms a good solid boundary between the commercial uses on Nolensville Road and the residential uses to the east. The OR20 zoning will be an encroachment into the neighborhood and if rezoned it will encourage similar pieces of property in the area to request for commercial in the future. The applicant was cited by Codes for storing vehicles for future sale on the property requesting the zone change. Approximately 2 months ago the Commission and Council adopted a text amendment that prohibits the sale or storage of vehicles on one piece under OR20 for future sale in a commercial district.

Chairman Lawson stated this piece of property looked familiar and asked if it had been before the Commission before.

Ms. Regen stated it was before the Commission in May of 1997, requesting CS zoning and the Commission disapproved it finding the alley as a good boundary.

Mr. Alfred Haislip stated he had no intention of ever using that property to sell off of. There is no other place in that area to store cars because all you would have left is the wheels.

Chairman Lawson asked Mr. Haislip if he understood that if this were changed to OR20 he would not be able to use it as he wanted to anyway.

Mr. Haislip stated he would write a statement that he would never use the property for anything except for putting repossessed cars on.

Mr. Small stated that the location of this property, with the fire station across the street, it seems very unlikely it will develop residentially. Perhaps the alley could be relocated to form a new boundary.

Chairman Lawson stated there would be a lot of utility easement issues to move that alley but then once you move the alley you would still start cascading because of the next lot.

Mr. Haislip stated this property was not large enough to put a building on.

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

**Resolution No. 2000-435**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-063U-11 is **DISAPPROVED (9-0)**:

**This property falls within the Subarea 11 Plan's Residential Medium (RM) policy calling for 4 to 9 units per acre. The OR20 district is not consistent with that policy. This request extends nonresidential zoning too far into the adjacent neighborhood, implicating residential properties. There are small parcels of office zoning adjacent to the commercial uses along Nolensville Pike which were intended as a transition between commercial and residential uses. However, they have not been effective. Gradually, in a two-step process, residential properties are converted to office zoning and then commercial uses which decreases the city's affordable housing stock and negatively impacts neighborhoods."**

Commissioner Jones arrived at 2:00, at this point in the agenda.

**2000Z-064U-13**

Map 135, Parcels 69 (1.67 acres) and 261 (.11 acres)  
and Part of Parcel 273 (7.82 acres)  
Subarea 13 (1996)

District 27 (Sontany)

A request to change from AR2a and R15 districts to SCC district properties at 2215 Murfreesboro Pike and Murfreesboro Pike (unnumbered), abutting the north margin of Ransom Place (9.6 acres), requested by Jim Fisher, appellant, for Frances C. Ransom, Solomon Chapel A.M.E., and Karen R. Bennett, owners.

Ms. Regen stated staff is recommending approval. The same SCC district exists to the south and across the street in Nashboro Village. There will be a subdivision before the Commission on May 25<sup>th</sup>, and when staff received the subdivision we noticed it did not match the sketch the applicant had submitted for the rezoning for the front portion of this property that fronts Murfreesboro Road. So, there was an area that had no use in the subdivision and it wasn't being rezoned. Staff met with the applicant and compromised that a portion of that area to be part of the rezoning and the other portion would part of the open space included in the subdivision.

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

**Resolution No. 2000-436**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-064U-13 is **APPROVED (9-0) with a revised boundary:**

These properties fall within the Subarea 13 Plan's Retail Concentration Community (RCC) policy around Nashboro Village. Commercial reinvestment in this area and the recent Dell investment near the airport have created a market for additional commercial development. The SCC district is consistent with that policy and the existing zoning pattern to the south."

**2000Z-065U-07**

Map 91-8, Parcels 14 (.3 acres) and 15 (.09 acres)  
Map 91-12, Parcels 225 (.14 acres) and 226 (.14 acres)  
Subarea 7 (1994)  
District 21 (Whitmore)

A request to change from R6 and OR20 districts to CS district properties at 4400, 4402, 4404 and 4406 Illinois Avenue, abutting the west margin of 44th Avenue North (.67 acres), requested by Ben Johnson, appellant, for David L. Bibee, David Longworth, and William D. and Judy L. Longworth, owners.

Mr. Reid stated these properties being requested for rezoning contain three single family homes and a vacant lot. The applicant owns the warehouse across the street and wants to rezone these properties for employee parking. These homes are fairly good condition and staff is recommending disapproval of the zone change because the CS district is not consistent with the residential medium policy that is west of 44<sup>th</sup> Avenue North. This area has been on of constant tension between industrial and residential uses and 44<sup>th</sup> Avenue North has been the boundary between the residential uses to the east and the residential uses to the west. If non residential uses are allowed to extend into this residential area, not only will these single family homes be impacted but also the remaining single family residential neighborhood.

Currently the applicant currently operates employee parking on the back of these proposed zone change lots. If there is a need for more employee parking there is a vacant opportunity less the 350 feet to the north, which is IR zoning, and could be used for parking.

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

**Resolution No. 2000-437**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-065U-07 is **DISAPPROVED (9-0):**

**These properties fall within the Subarea 7 Plan’s Residential Medium (RM) policy calling for 4 to 9 units per acre. The CS district is not consistent with that policy. Intensifying and extending nonresidential zoning into this neighborhood implicates existing homes in this area and decreases affordable housing opportunities. 44<sup>th</sup> Avenue North is the boundary between industrial uses to the east and residential uses to the west.”**

**2000Z-070U-13**  
Map 148, Part of Parcel 65  
Subarea 13 (1996)  
District 28 (Alexander)

A request to change from AR2a to RM4 district a portion of property at Franklin Limestone Road (unnumbered), approximately 140 feet west of Billingsgate Road (25.32 acres), requested by Kevin Estes, appellant, for M. K. Stevenson, owner.

Mr. Reid stated staff is recommending disapproval of this zone change because Franklin Limestone Road is very narrow and substandard and cannot accommodate additional development intensification until it’s improved to collector standards. This property’s primary access is to Franklin Limestone Road. If that road were improved to collector standards, the preferred zoning here would be the RS7.5 district, which is the predominant zoning pattern currently surrounding the property. There are five stub outs into this property from other subdivisions, so it was meant to fill out the single family development, when Franklin Limestone Road can accommodate traffic.

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

**Resolution No. 2000-438**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-070U-13 is **DISAPPROVED (9-0)**:

Franklin Limestone Road does not have the capacity to support new residential development at this time. The road should be upgraded to collector street standards before any additional zoning intensification occurs in this area. When the road is upgraded, the RS7.5 district is the preferred zoning district since it is consistent with the area’s single-family development pattern.”

**2000Z-071U-02**  
Map 60-6, Part of Parcel 4  
Subarea 2 (1995)  
District 2 (Black)

A request to change from R8 to CS district a portion of property at 3003 Brick Church Pike, abutting the east margin of Interstate 24 (5.28 acres), requested by Peter Curry, appellant, for Trailer Source Properties, LLC, owners.

Ms. Regen stated 60% of the property in this immediate area is currently zoned commercial and that occurred in 1996. The property gets its access through an easement off of Brick Church Pike. There are residential uses around the property, the subarea policy is a commercial mixed concentration, the topography and an applicant that is wanting to expand into this area further. This property all fronts Interstate 24 and slopes down toward Ewing Drive. The adjacent homes can’t see what is taking place on this property and that is why staff felt CS zoning in this area is appropriate. Therefore, staff is recommending approval.

Mr. Ernest Owen and Mr. Alonzo Hatchett, Jr. expressed concerns regarding blasting, size of the blasts, residents were not notified of blasting, safety, rocks from blasting on residential property, grading, no developer consideration for residents, and no buffer between residential and commercial.

Mr. Peter Curry, representing the developer, stated he had spoken with Councilmember Black, who was very upset, and then immediately contacted his client. He has talked to the general contractor, who said he contracted the job out to the blasting company and evidently had not talked to anyone in the neighborhood. The blasting they will be doing over the next four days will be closer to the interstate and not to the residential. If there is any damage we fully that contractor to repair or pay for that damage.

Chairman Lawson suggested Mr. Curry and the neighbors get together to discuss the problems.

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

**Resolution No. 2000-439**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-071U-13 is **APPROVED (8-0)**:

This property falls within the Subarea 2 Plan's Commercial Mixed Concentration (CMC) policy calling for office, retail, and higher density residential uses around the I-65/I-24/Brick Church Pike interchange. The CS district is consistent with that policy and the commercial zoning pattern oriented toward Interstate 24. A hilltop on the adjacent parcel (5) and the rear lot lines along Ewing Drive serve as a boundary between the CMC policy and the Residential Low Medium (RLM) policy to the north and east."

**OTHER BUSINESS**

1. Urban Zoning Overlay District Progress Report

Ms. Lehmbeck updated the Commission on the major set of text amendments to the Zoning Ordinance staff is undertaking, which will be called the Urban Zoning Overlay District.

3. Chairman's Comments

Chairman Lawson thanked the Commission for participating in meeting candidates for the executive director position. The search committee is close to making a recommendation.

4. Legislative Update

Councilmember Ponder introduced Chris Koster, a new member of the mayor's staff, who stated he will be working on greenways, planning, parks and recreation, environment recycling, seniors issues, and urban planning design.

**ADJOURNMENT**

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

\_\_\_\_\_  
Chairman

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Secretary

Minute Approval:  
This 25<sup>th</sup> day of May, 2000