

MINUTES
OF THE
METROPOLITAN PLANNING COMMISSION

Date: August 31, 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:

Richard C. Bernhardt, Executive Director
Carolyn Perry, Secretary III

Current Planning & Design Division:

Theresa Carrington, Planning Division Manager
Jennifer Regen, Planner III
John Reid, Planner II
Jeff Stuncard, Planner I
Jimmy Alexander, Planning Technician II

Community Plans Division:

Jerry Fawcett, Planning Division Manager
Cynthia Wood, Planner III

Advance Planning & Research:

Jeff Lawrence, Planner III
Michelle Kubant, Planner II
Amy McAbee-Cummings, Planner I
Ryan Latimer, Planning Technician I

Others Present:

Jim Armstrong, Public Works
David Diaz-Barriga, Legal Department
Chris Koster, Mayor's Office
Mark Macy, Public Works

Chairman Lawson called the meeting to order.

ADOPTION OF AGENDA

Ms. Carrington announced the following changes to the agenda:

2000S-217G-14 Villages of Larchwood, Phase 2, Section 4 – Should be Section 4A and is now 22 lots.
Addendum item should be added – Appointment to the Historic Zoning Commission

Ms. Warren moved and Ms. Nielson 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-281U-12 Deferred two weeks, by applicant.
18-86-P-14 Deferred two weeks, by applicant.
97P-030G-06 Deferred two weeks, by applicant.
Other Business, Item 2, Capital Improvements Budget Amendment, Deferred indefinitely.

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

APPROVAL OF MINUTES

Ms. Nielson moved and Manier seconded the motion, which unanimously passed, to approve the minutes of the regular meeting of August 17, 2000.

RECOGNITION OF COUNCILMEMBERS

Councilmember Stanley spoke in favor of proposal 2000S-217G-14, Villages of Larchwood and asked for approval, and spoke in favor of Text Amendment 2000Z-024T. He expressed concerns regarding 2000Z-091G-14 and stated he would defer that proposal at Council.

Mr. Small arrived at 1:05, at this point in the agenda.

ADOPTION OF CONSENT AGENDA

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

SUBDIVISION PROPOSALS

2000S-047G-10
HMC Subdivision
Map 159, Parcels 109 and 110
Subarea 10 (1994)
District 33 (Turner)

A request for final plat approval to consolidate two parcels into one lot abutting the southeast corner of Old Hickory Boulevard and Granny White Pike (1.97 acres), classified within the OL District, requested by MFMC, LLC, owner/developer, The Reasons Company, surveyor.

Resolution No. 2000-659

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2000S-047G-10, is **APPROVED SUBJECT TO A BOND OF \$22,500.00 (9-0).”**

2000S-201U-08
Historic Preston Taylor Homes, Phase 1
Map 91-8, Parcels 149 and 321
Map 92-9, Parcel 1
Subarea 8 (1995)
District 21 (Whitmore)

A request for final plat approval for 15 lots abutting the northeast corner of Clifton Avenue and 40th Avenue North (29.95 acres), classified within the RM9 District, requested by Metropolitan Development and Housing Agency, owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

Resolution No. 2000-660

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2000S-201U-08, is **APPROVED SUBJECT TO A BOND OF \$1,400,000.00 (9-0).”**

2000S-217G-14
Villages of Larchwood, Phase 2, Section 4A
Map 108, Part of Parcel 52
Subarea 14 (1996)
District 14 (Stanley)

A request for final plat approval to create 22 lots abutting the southeast terminus of Fitzpatrick Road and the southwest terminus of Blackwood Drive (9.32 acres), classified within the R10 Residential Planned Unit Development District, requested by Hillmore Properties, owner/developer, Crawford Land Surveying, surveyor. (Deferred from meeting of 8/17/00).

Resolution No. 2000-661

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2000S-217G-14, is **APPROVED SUBJECT TO A BOND OF \$117,000.00 (9-0).”**

2000S-233G-13
Nacarato Subdivision
Map 183, Parcel 31
Subarea 13 (1996)
District 29 (Holloway)

A request for final plat approval to record a reserve parcel as one lot abutting the west margin of Gould Boulevard, approximately 781 feet south of Firestone Parkway (10.16 acres), classified within the IR District, requested by Michael Nacarato, Jr., owner/developer, Dale and Associates, surveyor.

Resolution No. 2000-662

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2000S-233G-13, is **APPROVED (9-0).”**

2000S-253G-14
Hermitage Springs
Map 63, Parcel 242
Subarea 14 (1996)
District 11 (Brown)

A request for final plat approval to record a parcel as one lot abutting the west terminus of Southfork Boulevard, approximately 240 feet west of South Trace Boulevard (36.58 acres), classified within the RM4 District, requested by Jo-Mack Properties, L.L.C., owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

Resolution No. 2000-663

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2000S-253G-14, is **APPROVED SUBJECT TO A BOND OF \$90,000.00 (9-0).”**

2000S-275G-12
Ray Subdivision
Map 182, Parcel 196
Subarea 12 (1997)
District 31 (Knoch)

A request for final plat approval to record one parcel as one lot abutting the east margin of Pettus Road, south of Old Hickory Boulevard (6.02 acres), classified within the AR2a District, requested by Mark A. and Leigh Ray, owners/developers, Campbell, McRae and Associates Surveying, Inc., surveyor.

Resolution No. 2000-664

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2000S-275G-12, is **APPROVED WITH A VARIANCE TO SECTION 2-4.2D OF THE SUBDIVISION REGULATIONS (9-0).”**

2000S-279G-13
Meadow Woods, Section 3
Map 164, Part of Parcels 145 and 264
Subarea 13 (1996)
District 29 (Holloway)

A request for final plat approval to create 32 lots abutting the northwest terminus of Post Oak Drive, approximately 115 feet northwest of Big River Run (9.88 acres), classified within the RS10 District, requested by Jerry Butler Builders, owner/developer, MEC, Inc., surveyor.

Resolution No. 2000-665

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2000S-279G-13, is **APPROVED SUBJECT TO A BOND OF \$114,000.00 (9-0).”**

Ms. Oglesby arrived at 1:10, at this point in the agenda.

2000S-280G-14
Brookside Park Townhomes, Phase 2
(Horizontal Property Regime)
Map 76, Parcels 1 and 65
Subarea 14 (1996)
District 11 (Brown)

A request for final plat approval for a horizontal property regime for 41 units abutting the north margin of Nashville Eastern Railroad, approximately 92 feet east of Tulip Grove Road (10.25 acres), classified within the RM4 District, requested by Larry Powell Builders, Inc., owner/developer, MEC, Inc., surveyor.

Resolution No. 2000-666

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2000S-280G-14, is **APPROVED (9-0).”**

2000S-283U-03
Chateau Valley, Phase 3
Map 70-3, Part of Parcel 1
Subarea 3 (1998)
District 2 (Black)

A request for final plat approval to create 30 lots abutting the southwest terminus of Chateau Valley Drive, approximately 225 feet southwest of Chateau Valley Lane (8.24 acres), classified within the RS15 Residential Planned Unit Development District, requested by Chateau Associates, Ltd., owner/developer, Ragan-Smith Associates, Inc., surveyor.

Resolution No. 2000-667

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2000S-283U-03, is **APPROVED SUBJECT TO A BOND OF \$260,000.00 (9-0).”**

ZONE CHANGE AND PUD PROPOSALS

2000Z-024T
Zone Change Applications
Council Bill No. BL2000-362

A council bill amending Section 17.04.060 (Amendments to Zoning Code or Official Zoning Map: Applications) of the Zoning Ordinance to allow only the property owner, metropolitan planning commission, or a member of the metropolitan council to file a zone change application, sponsored by Councilmembers Bruce Stanley and Tony Derryberry.

Resolution No. 2000-668

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-024T is **APPROVED (9-0)**:

This council bill amends Section 17.04.060 of the Zoning Ordinance to allow only the property owner, metropolitan planning commission, or a member of the metropolitan council to file a zone change application. This amendment is appropriate since the existing Zoning Ordinance permits any Davidson County resident to file a zone change application, even if that application pertains to property not owned by the applicant. This bill will ensure that all property owners on a zone change application have consented to a proposed rezoning.”

2000Z-106G-13
Map 175, Part of Parcel 195
Subarea 13 (1996)
District 29 (Holloway)

A request to change from OR20 to IR district a portion of property abutting the southeast corner of Old Hickory Boulevard (unnumbered) and Logistics Way (4.65 acres), requested by William Hawkins, appellant, for CF Properties, Inc., owner.

Resolution No. 2000-669

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-106G-13 is **APPROVED (9-0)**:

This property falls within the Subarea 13 Plan’s Industrial (IND) policy calling for wholesaling, warehousing, and bulk distribution uses. The IR district is consistent with that policy and the established industrial zoning pattern in the area.”

1-74-U-13
O’Charley’s at Hickory Hollow
Map 163, Parcel 236
Subarea 13 (1996)
District 28 (Alexander)

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 northwest margin of Bell Road opposite Hickory

Hollow Lane, classified SCR District (1.10 acres), to add 346 square feet to the existing dining room of the 7,454 square foot restaurant for a total of 7,800 square feet, requested by O'Charley's, Inc., owner.

Resolution No. 2000-670

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 1-74-U-13 is given **APPROVAL OF THE REVISION TO THE PRELIMINARY PLAN AND CONDITIONAL FINAL APPROVAL (9-0)**. 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.”

60-86-P-14

Northlake Village Shopping Center (Outback Steakhouse)
Map 86, Parcel 332
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 abutting the northeast margin of Old Hickory Boulevard, north of Central Pike, classified SCC District (1.19 acres), to develop a 6,485 square foot restaurant, replacing an approved 9,200 square foot restaurant, requested by Littlejohn Engineering Associates, for Outback Steakhouse, owner.

Resolution No. 2000-671

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 60-86-P-14 is given **APPROVAL OF THE REVISION TO THE PRELIMINARY PLAN AND CONDITIONAL FINAL APPROVAL FOR A PHASE (9-0)**. 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.”

88P-069U-12

Williams Home Place
Map 161, Part of Parcel 84
Subarea 12 (1997)
District 31 (Knoch)

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 east margin of Edmondson Pike, 320 feet south of Old Hickory Boulevard, classified SCC District (4.37 acres), to develop 35,410 square feet of retail, office and a Dairy Queen restaurant (a new use), to replace the approved 35,930 square feet of retail and office, requested by Littlejohn Engineering Associates, for WM, LLC, owner. (Deferred from meeting of 8/17/00).

Resolution No. 2000-672

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 88P-069U-12 is given **APPROVAL OF A REVISION TO THE PRELIMINARY PLAN AND CONDITIONAL FINAL APPROVAL FOR A PHASE (9-0)**. 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.”

96P-023G-10

Bristol Park at Riverchase
Map 26-16, Parcel 1
Subarea 4 (1998)
District 10 (Balthrop)

A request to amend the approved preliminary plan of the Residential Planned Unit Development District located abutting the south margin of Gallatin Pike, approximately 200 feet west of Cumberland Hills Drive, classified RM4 District (76.79 acres), to add 60 multi-family units to the approved 240 multi-family units for a total of 300 multi-family units and 48 acres of open space, requested by Littlejohn Engineering Associates, for Bristol Park at Riverchase, LLC., owner.

Resolution No. 2000-673

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 96P-023G-10 is given **CONDITIONAL APPROVAL (9-0)**. 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. Approval by the Metropolitan Council.”

MANDATORY REFERRALS

2000M-086U-07

DCS Enterprises Water Line Easement Abandonment
Map 91-14, Parcel 268
Subarea 7 (1994)
District 24 (Summers)

A request to abandon a 10-foot water line easement at 5827 Charlotte Pike, classified within the CS District (1.17 acres), Project No. 99-WL-121, requested by the Department of Water Services.

Resolution No. 2000-674

“BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (9-0)** Proposal No. 2000M-086U-07.”

2000M-091U-07

Conveyance of Easement to Nashville Gas
Map 103-7, Parcel 75
Subarea 7 (1994)
District 24 (Summers)

A request to grant a 10’ permanent easement to Nashville Gas Company, a division of Piedmont Gas Company, for the purpose of installing and maintaining a natural gas line (approximately 3137.82 feet in

length), on certain property owned by the Metropolitan Government and presently used as the site of McCabe Golf Course, classified within the R6 District (203 acres), requested by the Public Property Administrator.

Resolution No. 2000-675

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (9-0)** Proposal No. 2000M-091G-10."

2000M-092G-10

Conveyance of Easement to the City of Forest Hills
Map 144-16, Parcel 26
Subarea 10 (1994)
District 33 (Turner)

A request to grant a 10' permanent easement (approximately 893 feet in length) to the City of Forest Hills on certain property owned by the Metropolitan Government on the north side of Otter Creek Road, west of Priest Road, and presently used as the site of Percy Priest Elementary School, for a proposed public bicycle path, requested by the Public Property Administrator.

Resolution No. 2000-676

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (9-0)** Proposal No. 2000M-092G-10."

2000M-093U-10

David Lipscomb University Water and
Sewer Easement Abandonment
Map 131-4, Parcel 3
Subarea 10 (1994)
District 25 (Shulman)

A request to abandon a water and sewer line easement located at 4110 Belmont Boulevard, and presently used as the site of David Lipscomb University, classified within the R10 District (16.17 acres), requested by the Department of Water Services.

Resolution No. 2000-677

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (9-0)** Proposal No. 2000M-093U-10."

2000M-094G-01

Old Clarksville Pike Easement Acquisition
Map 21, Parcels 187 and 301
Map 22, Parcels 3, 19, 61, 63 and 171
Subarea 1 (1997)
District 1 (Gilmore)

A request to acquire easements on portions of 7 properties to accommodate the construction and maintenance of a 12" water main (approximately 3,624 feet in length) Project No. 99-WG-153B, located on Old Clarksville Pike between Eatons Creek Road and Whites Creek Pike, classified within the R15 and R40 Districts, requested by the Department of Water Services.

Resolution No. 2000-678

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (9-0)** Proposal No. 2000M-094G-01."

OTHER BUSINESS

1. APR Fund Appropriation

Resolution No. 2000-679

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

Appropriation Balance - July 1, 2000		\$ -
Resolution No. 2000-679 Adopted August 31, 2000		\$ 318,000.00
Net Appropriation Balance		\$ 318,000.00
July, Aug., Sept , 2000 Expenditures - Projected:		
Salaries	\$ 12,524.00	
Central Printing Services	\$ 12,915.00	
Data Processing Services	\$ 75.00	
Advertising	\$ 2,000.00	
Membership/Training	\$ 500.00	
Consultant's Services	\$242,120.00	
Postage	\$ 500.00	
Employer FICA	\$ 1,224.06	
Employer SSN Medical	\$ 286.29	
Group Health Insurance	\$ 1,448.90	
Employer's Pension Contribution	\$ 4,429.36	
Group Life Insurance	\$ 106.00	
Dental Insurance	\$ 72.00	
Total Projected Expenditures		\$ 278,200.61
Net Appropriation Balance		\$ 39,799.39"

1. Employee contracts for Neill Jobe and Amy McAbee-Cummings.

Resolution No. 2000-680

“BE IT RESOLVED by the Metropolitan Planning Commission that it APPROVES the employee contracts for Neill Jobe and Amy McAbee-Cummings for one year, from September 1, 2000, through August 31, 2001.

This concluded the items on the consent agenda.

Ms. Oglesby arrived at 1:15, at this point in the agenda.

SUBDIVISION PROPOSALS

2000S-051G-14 (Public Hearing)
Rock Crest Subdivision
Map 75, Parcel 142
Subarea 14 (1996)
District 12 (Ponder)

A request for preliminary approval for 25 lots abutting the east margin of Tulip Grove Road, approximately 390 feet north of Tulip Grove Lane (10.0 acres), classified within the RS15 District, requested by Tim Grindstaff, owner/developer, Dale and Associates, surveyor. (Deferred from meeting of 8/17/00).

Mr. Stuncard stated this item has been requested for indefinite deferral by the applicant.

No one was present to speak at the public hearing.

Ms. Nielson moved and Councilmember Ponder seconded the motion, which carried unanimously, to close the public hearing and defer this matter indefinitely.

2000S-260G-14 (Public Hearing)
Summitview
Map 86, Parcel 84
Subarea 14 (1996)
District 12 (Ponder)

A request for preliminary approval for four lots abutting the north margin of Central Pike, approximately 385 feet east of Old Hickory Boulevard (1.5 acres), classified within the CS District, requested by American Development AMDEV, LLP, owner/developer, Ragan-Smith Associates, Inc., surveyor.

Mr. Stuncard stated this item has been requested for indefinite deferral by the applicant.

No one was present to speak at the public hearing.

Ms. Nielson moved and Councilmember Ponder seconded the motion, which carried unanimously, to close the public hearing and defer this matter indefinitely.

2000S-264G-14 (Public Hearing)
Andrew Jackson Business Park, Phase 11
Map 64-15, Parcel 13
Subarea 14 (1996)
District 11 (Brown)

A request for preliminary approval for ten lots abutting the west terminus of Jackson Meadows Drive, approximately 750 feet west of Andrew Jackson Parkway (7.13 acres), classified within the CS District,

requested by Ben Doubleday, owner/developer, Dale and Associates, surveyor. (Deferred from meeting of 8/17/00).

Mr. Stuncard stated staff is recommending approval of this item. This item was deferred at the last meeting to give the applicant time to resolve some issues with Public Works regarding the reconfiguration of the detention area. Public Works has subsequently approved this plan.

No one was present to speak at the public hearing.

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

Resolution No. 2000-681

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2000S-264G-14, is **APPROVED; PUBLIC HEARING CLOSED (9-0).”**

2000S-272G-02 (Public Hearing)
Haven Hills
Map 41-7, Parcel 19
Subarea 2 (1995)
District 3 (Nollner)

A request for preliminary approval for four lots abutting the north margin of Bell Grimes Lane and the west termini of Lyric Lane and Marydale Drive (3.66 acres), classified within the RS20 District, requested by James L. Berry, owner/developer, Steven E. Artz and Associates, Inc., surveyor.

Mr. Stuncard stated staff is recommending approval.

Mr. Terry Law stated the parcel that runs to Bell Grimes is still being used as a thoroughfare to and from the property.

Mr. Stuncard stated that was correct, there is a currently a driveway that goes back to the property, but when this is platted at final staff will stipulate on the plat by note, which will limit the access to Marydale Drive.

Ms. Kitchens asked if the green space was still planned for the portion of the property next to Bell Grimes.

Mr. Stuncard stated the initial design was a cluster lot subdivision, which did provide a buffer, but this is a straight subdivision and no open space or buffering is required.

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

Resolution No. 2000-682

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2000S-272G-02, is **APPROVED; PUBLIC HEARING CLOSED (9-0).”**

PUBLIC HEARING: SUBAREA 12 PLAN AMENDMENT REQUEST

Staff Presentation: Subarea 12 Plan Amendment Public Hearing
South side of Old Hickory Boulevard near I-65

The staff reports for the next three agenda items will be handled together since they are so closely intertwined. These items are a request to amend the Subarea 12 Plan: 1996 Update, Zone Change Proposal 2000Z-092U-12, and Planned Unit Development Proposal 2000P-006U-12. The zone change and PUD proposals are for the same properties, which are within the amendment area. Staff recommends disapproval of all three items.

The plan amendment proposal under consideration is for an approximately 20-acre area on the south side of Old Hickory Boulevard between Oakes Drive on the west and the Townhomes of Fredericksburg on the east.

The request is to amend the land use policy from Residential Low-Medium Density (area 3E), which supports residential development at densities of two to four units per acre, to Residential Medium Density, which supports residential development at densities of four to nine units per acre.

The original applicant for the amendment was Tom Jackson & Associates, Inc., on behalf of Burton & Brandt Development LLC. The applicant had also filed a zone change application to go from R40 to RM9 (2000Z-090U-12) for their 4.97 acre site. That zone change request has now been deferred indefinitely, although the amendment request has not. Staff recommended to the Commission that the larger area be considered for amendment, in part because the zone change request and PUD application referred to a moment ago had been filed for a 3.59 acre medium density residential development adjacent to Oakes Drive, shown here. In addition, staff received a letter from Chance Allen & Associates, representatives of owners of property between Valley View Road and Cloverland Drive, requesting that those parcels also be included in the amendment analysis.

Staff is recommending disapproval of the amendment request both because of the continued community opposition to increased residential densities and because of concerns about the inadequacy of infrastructure in the area to support additional intensification of development. It is staff's preference to wait for the next scheduled plan update to reexamine appropriate land use policies for the general area rather than doing so in association with development proposals. This would enable larger issues such as infrastructure deficiencies to be addressed in an atmosphere less focused on details of specific proposals.

As the Commission remember, the area along Old Hickory Boulevard east of I-65 received a great deal of attention during the last subarea update process. Area residents were very concerned about increasing the intensity of development in the area, citing traffic congestion and overcrowding at Granbery Elementary School as the primary reasons for limiting the intensity of development. These continue to be their chief concerns three years later, and staff concurs with them that these conditions have not changed enough in the three years since the plan update was adopted to warrant amending the plan.

Staff held a community meeting at McMurray Middle School on Monday, August 21 that was attended by about sixty people, including Councilmember Jenkins and representatives of the developers and property owners in the amendment area. Staff also communicated with several area residents both before and after the meeting. The Commissioners have been provided with copies of correspondence some of them sent in. People again cited concerns about traffic congestion, especially along Old Hickory Boulevard and Cloverland Drive, and school overcrowding. Storm drainage problems were also identified by a few residents. There was also some concern about possible negative impacts of medium-density townhouse development on property values. Apparently some local residents are dissatisfied with the construction quality of the Townhomes of Fredericksburg, and wish to avoid a repeat.

As the subarea planning process has evolved, it has become increasingly apparent that Nashville residents would like planning documents to provide more specific guidance about what constitutes appropriate development. Staff concurs that it is important for the plans to provide such guidance. Residents and property owners living near the amendment area are not at a point where they are ready to make such decisions, although some community representatives have stated that they would be willing to consider a maximum density of six units per acre. At the meeting, when people were asked to vote on whether they would be willing to consider *any* increase in density over what the current policy calls for, 39 were opposed

and 17 were in favor. There seemed to be an interesting dynamic at the community meeting, with people living closest to the amendment area seeming to be more comfortable with development being limited to six units per acre and working out a satisfactory design and people living farther away being more focused on broader impacts such as schools and traffic. A vote was also taken about whether those in attendance would prefer to wait to make any decisions about a change in policy until such time as remaining vacant land in the area had been developed, and 36 people were in favor of waiting. There seemed to be an interesting dynamic at the community meeting, with people living closest to the amendment area seeming to be more comfortable with development being limited to six units per acre and people living farther away being more focused on broader impacts. People were concerned about the effects of this development on schools and traffic.

Granbery Elementary School is one among many of Davidson County's overcrowded elementary schools. According to the most recent information we have from the Board of Education, there are seventeen elementary school facilities that rank higher in terms of percentage overcrowding, but many of these are in areas that have far less potential for future growth.

There are currently over 990 acres of vacant residentially and agriculturally zoned land in a portion of the Granbery School attendance zone that is not in the City of Oak Hill. Development potential of this acreage under current zoning is approximately 2,500 new homes.

The Board of Education is in the process of switching over to new school attendance zones. They expect to be switched over to the new Granbery zone, shown here, which is about half the size of the current zone, in two to three years. Development potential of vacant residentially and agriculturally zoned land in the new Granbery zone is approximately 2,900 new homes. The school expansion plans that are currently being implemented do not account for this growth.

With respect to traffic, average daily traffic on Old Hickory Boulevard near I-65 has increased considerably since 1992, when the widening was completed. The average daily traffic on Old Hickory Boulevard east of the I-65 interchange increased from 28,270 in 1992 to 47,643 in 1999 (the most recent year for which our office has this data), a 68.5 percent increase. In terms of congestion, Old Hickory Boulevard was operating at Level of Service E at this location in 1999. The manner in which roads handle traffic loads is classified by six Levels of Service, A through F, with A representing the least congested condition and F designating complete breakdown and stoppage. The current Major Street Plan includes a widening of Old Hickory Boulevard in this area to eight lanes by 2010, but there is no funding for any improvements in the current Capital Improvements Budget and Program. Even if this widening takes place, staff is concerned about poor traffic circulation in the area, which is being developed with limited street connectivity. In addition to complaints of delays on Old Hickory Boulevard, area residents reported serious congestion on Cloverland Drive. Residents who access Cloverland Drive from Fredericksburg Way West and Brenton Park Court reported that they are already experiencing considerable difficulty accessing Cloverland Drive during the morning peak. They were concerned that the presence of higher density development north of their streets would exacerbate the problem to an intolerable degree.

In light of the continuing infrastructure deficiencies and lack of community support, staff recommends that the amendment request be disapproved. We also recommend that the zone change and Planned Unit Development proposal be disapproved, since they are not in keeping with the subarea plan policy for the area.

Mr. Chance Allen, representing the property owners, spoke in favor of the proposal.

Mr. Alan Bass read and presented a letter to the Commission with approximately 70 signatures attached in regards to their concerns.

Mr. Ken Renner, with Tom Jackson and Associates, the original appellant for the amendment, explained his plan and spoke in favor of the amendment.

Mr. Don Montgomery, expressed concerns regarding traffic, property value and drainage and stated six units per acre would be a good medium.

Mr. Steve Diggs asked the Commission to approve land usage that would zone this property for six units per acre and then make sure the quality of the homes are what they ought to be.

Mr. Wayne Whitehurst asked the Commission to consider the RM zoning for this property and stated he did not want to see townhomes or apartments.

Mr. Ed Owens stated his intention was to defer Zone Change request 2000Z-092U-12, related to this amendment, when it came up on the agenda. This is a very desirable area to live in and is one of the fastest growing parts of the metropolitan area and borders the fastest growing county in the state. The school situation has been going on too long, but it is from a broad planning prospective and interim problem. The only answer is to build another school. He encouraged the Commission to look at the subarea plan as a road map as to where they want to go in the future and to implement that very judiciously by looking at case by case zoning decisions.

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

Ms. Oglesby stated she had only been on the Commission for a year and did not remember ever opening a subarea and that when she first read over the report she saw a good argument not to do so. It is not fair to hold up these property owners and for that reason she supported opening up the amendment.

Mr. Cochran stated he had watch that area develop and those people are being surrounded through policies made by this Planning Commission and that he supported what they want to do.

Ms. Warren stated moving to a medium density in this area made sense.

Mr. Manier stated the gradual decrease in density is logical, but there needs to be infrastructure. Therefore, he suggested making the plan revision and still preaching the subject of infrastructure.

Ms. Nielson agreed with Mr. Manier and stated she was very leery but supportive at the same time.

Mr. Small concurred with what had been said and stated these fast growth areas probably need a broader review more quickly because of that growth.

Ms. Jones stated she supported the change.

Councilmember Ponder stated the RM6 compromise is good and it should stick and nothing above that should be allowed in that area.

Chairman Lawson asked if the Commission could limit that area to RM6.

Ms. Wood stated the subarea plan text can say that in this particular residential medium density policy area that the density of development should be limited to 6 units per acre.

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

Resolution No. 2000-683

“WHEREAS, the Metropolitan Planning Commission adopted the *Subarea 12 Plan: 1996 Update* on April 3, 1997; and

WHEREAS, Chapter 3 Section 3.42 C on Pages 46-47 of this plan contains a Residential Low-Medium density land use policy for Area 3E; and

WHEREAS, a public hearing was held on August 31, 2000 to consider the merits of changing the land use policy category for a portion of RLM Area 3E as shown on Attachment A to Residential Medium Density; and

WHEREAS, the Metropolitan Planning Commission finds that this change is warranted with the stipulation that the density of development be limited to a maximum of six dwelling units per acre;

NOW, THEREFORE, BE IT RESOLVED that the Metropolitan Planning Commission hereby **ADOPTS** Amendment No. 2 to the *Subarea 12 Plan: 1996 Update* as set forth in "Attachment A" to this resolution and incorporates this amendment into the Subarea 12 Plan: 1996 Update."

"Attachment A" to Resolution 2000-683

AMENDMENT NO. 2 TO THE SUBAREA 12 PLAN: 1996 UPDATE

The *Subarea 12 Plan: 1996 Update* is amended as follows:

a) by changing the text for the first sentence of the description of Area 3E, on pages 46-47 of Chapter 3, Section 3.42.C.2 to read as follows:

Area 3E: This RLM policy applies to the area roughly bounded to the north by a TVA line (north of Baxter Lane); to the south by the Williamson County line; to the west by Franklin Pike, OC policy (Area 6A), RM policy (Area 4F), and RMH policy (5E); and to the east by Sevenmile Park, RM policy, and Edmonson Pike.

b) by changing the text for the next to last sentence of the paragraph with the heading "**Residential Medium Density (RM) Policy**" on page 47 of Chapter 3, Section 3.42.C.2 to read as follows:

RM policy applies to nine areas identified as 4A-4F on the Land Use Policy Plan.

c) by inserting the following into page 48 of Chapter 3, Section 3.42.C.2 immediately after the paragraph describing Area 4E:

Area 4F: This RM policy area is located south of Old Hickory Boulevard between Oakes Drive on the west and the Townhomes of Fredericksburg on the east. Area 4F contains approximately 20 acres and consists of the following properties that were active as of August 31, 2000: Map 160, Parcels 67, 73, 74, 75, 76, 81, 82, 83, 84, 110, 111, 112, 113, 114, and 174. The density of developments within this area is to be limited to six dwelling units per acre.

d) by changing the Land Use Policy Plan graphic identified as Map 3-1 to reflect the change in the boundaries of RLM Area 3E and the addition of RM Area 4F, so as to correctly illustrate Amendment No. 2 (see attached Exhibit A).

Ms. Nielson left at 3:30, at this point in the agenda.

ZONE CHANGE AND PUD PROPOSALS

2000Z-092U-12

Map 160, Parcels 67 (2.49 acres) and 110 (1.10 acres)

Subarea 12 (1997)
District 32 (Jenkins)

A request to change from R10 and R40 districts to RM6 district properties at 719 Old Hickory Boulevard and Old Hickory Boulevard (unnumbered), abutting the southeast corner of Old Hickory Boulevard and Oakes Drive (3.59 acres), requested by Ed Owens of Gresham, Smith and Partners, appellant, for Thomas Puryear, Helen M. Mims, and Puryear Mims et ux, owners.

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

Resolution No. 2000-684

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-092U-12 is **APPROVED (8-0)**:

These properties fall within an area of the Subarea 12 Plan that was amended to Residential Medium (RM) policy for a maximum density of 6 units per acre on August 31, 2000. The RM6 district is consistent with that policy and is an appropriate transition between the higher density residential developments to the west and the lower density residential developments to the east."

2000P-006U-12
Haury-Smith, Oakes Drive
Map 160, Parcels 67 and 110
Subarea 12 (1997)
District 32 (Jenkins)

A request for preliminary approval for a new Planned Unit Development District located abutting the southeast corner of Old Hickory Boulevard and Oakes Drive, classified R10 and R40 Districts and proposed for RM6 District (3.59 acres), to permit 20 multi-family units, requested by Ed Owens of Gresham, Smith and Partners for Thomas Puryear, Helen M. Mims, and Puryear Mims et ux, owners, for Haury and Smith, optionee.

Mr. Owens stated he was actually going to ask for deferral on this item and the previous item because he wanted the Commission to disassociate this individual zoning with the policy amendment. He asked the Commission's approval on this item since the zone change has already been approved. This PUD would be at 5.5 units per acre.

Ms. Carrington stated if the Commission approved this PUD today, because staff was recommending disapproval, the Commission does not have the conditions in front of them and staff would like the approval to include standard PUD conditions.

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

Resolution No. 2000-685

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 2000P-006U-12 is given **DISAPPROVAL (8-0)**:

Since the proposed development is for a single use and there are no unique environmental features of the property, a planned unit development district is not necessary to develop the property."

2000Z-011T
Mobile Home Park Standards

A text amendment proposing to amend Section 17.16.030B (Mobile Home Dwelling) of the Zoning Ordinance to revise the mobile home park standards, requested by Planning Commission staff.

Mr. Reid stated staff is recommending approval of this text amendment to revise the Mobile Home Park Standards to provide better compatibility with surrounding areas. When the new Zoning Code was adopted in 1998, some of the standards that were in the old code under the MHP district were not carried over and staff believes this text amendment addresses those concerns as well as better reflects industry standards.

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

Resolution No. 2000-686

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-011T is **APPROVED (8-0) with revision of rear setback from 20 feet to 10 feet:**

This text amendment proposes to amend the mobile home park standards in the Zoning Ordinance. These standards are appropriate to provide better compatibility with residential areas in the county and are more consistent with industry standards."

2000Z-067G-13

Map 175, Parcels 16 (60.41 acres), 19 (7.41 acres),
125 (5.30 acres) and 163 (16.27 acres)
Subarea 13 (1996)
District 29 (Holloway)

A request to change from AR2a to MHP District properties at 12740 and 12746 Old Hickory Boulevard and Old Hickory Boulevard (unnumbered), approximately 2,000 feet southwest of Murfreesboro Pike (89.39 acres), requested by Marian Tomescu, appellant, for Luther Marie Vaughn, and Robert E. Lanning et ux, owners. (Deferred from meetings of 5/11/00 and 6/8/00).

Mr. Reid stated staff is recommending approval of this Mobile Home Park district. It is consistent with the residential medium high policy in the subarea plan and is also consistent with the affordable housing goals of the functional plan, which call for affordable housing opportunities in medium-high density residential areas.

Mr. Manier asked about schools.

Mr. Reid stated schools would still be under capacity in this area.

Mr. Bernhardt stated school capacity is 800 students and current enrollment is 965 and this would generate an additional 164 students.

Mr. Bernhardt stated that he had had two meeting, within the last week, with the Mayor on this issue and what they are trying to do is work with the School Board in terms of improving communication, analyzing the bond issue, looking at attendance zones and making sure all of the communication techniques are in place in order to begin to address the issue. There may be a time when this will be brought in, but we would like to make sure the performance audit is complete before we are at that point, which is at the end of this year. Then we will have the information to firmly deal with the issue at this Commission. We are not comfortable at this time in making a recommendation that would be specifically and exclusively on schools. There may be situations where denial is appropriate for a variety or a combination of reasons, but we want that information. In order to achieve the broader picture we have got to keep the communication open.

Marian Tomescu, appellant, stated this property was planned to be developed at 9 dwellings units per acre but now it is 5.8 dwellings per acre.

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

Resolution No. 2000-687

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-067G-13 is **APPROVED (7-1)**:

These properties fall within the Subarea 13 Plan's Residential Medium High (RMH) policy calling for 9 to 20 units per acre. The MHP district is consistent with that policy and the housing functional plan calling for affordable housing in medium and higher density residential areas. Parcel 159 is also appropriate for MHP zoning. The updated MHP standards should ensure compatibility with the surrounding residential areas."

2000Z-086U-07
Council Bill BL2000-372
Map 91-6, Parcel 17
Subarea 7 (1994)
District 22 (Hand)

A council bill to rezone from R6 to CS district property at 6006 Morrow Road, approximately 145 feet west of 60th Avenue North (.17 acres), requested by Danny Moore, appellant, for Danny R. Moore and Helena C. Clarke, owners. (Referred back to the Commission by Metro Council).

Mr. Reid stated the Commission had previously disapproved this same property for CN zoning on July 20, 2000. The reason it is back is because it is now a Council Bill and it has been amended to CS. Staff is recommending disapproval of this CS zoning because it is inconsistent with the residential medium policy in the area. Also allowing CS to extend further into this area would consume additional affordable housing opportunities. Staff believes the applicant's desire to operate the automotive use would encroach further into this residential area and there are other commercial opportunities in existing commercial zoning the applicant could locate in.

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

Resolution No. 2000-688

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-086U-07 is **DISAPPROVED (8-0)**:

This property falls within the Subarea 7 Plan's Residential Medium (RM) policy calling for protection of the residential neighborhood at 4 to 9 units per acre. This request would extend nonresidential zoning too far into this residential neighborhood and would consume an affordable housing opportunity on this property. Additionally, there are other vacant commercially zoned properties in this vicinity which should be developed before more commercial zoning is approved."

2000Z-091G-14
Council Bill No. BL2000-371
Map 108, Parcels 42.01 (10 acres), 43 (24.8 acres),
44 (15.99 acres), 44.01 (2 acres) and 151 (16.3 acres)
Subarea 14 (1996)

District 14 (Stanley)

A council bill to rezone from R10 to CS district properties at 851 McCrory Creek Road and McCrory Creek Road (unnumbered), 2980 Neilworth Lane and Neilworth Lane (unnumbered), and 2980 Elm Hill Pike, abutting the west margin of Interstate 40 (69.09) acres, requested by Bob Hickman of The Mathews Company, appellant, for Ruth McFarland et al, owners, and Thomas L. Scott, trustee. (Deferred from meetings of 7/20/00 and 8/17/00).

Ms. Regen stated this is a Council bill going to the September 5th public hearing and the applicant needs an action today from the Planning Commission. Staff and the applicant are not yet in agreement of all the improvement they have to make. What they are intending to do, and as Councilmember Stanley stated earlier, is that this bill will be referred back to the Commission after the public hearing. This is a large area located near the airport that is proposed for commercial zoning. Only a portion is being requested for CS zoning at this time and intended in the future to rezone all the area to commercial services, which would be consistent with the subarea plan policy. The issue is the infrastructure. A traffic study was done and there is a need for some dual left turn lanes from Elm Hill on to Donelson and there is a need for a dedicated right hand turn lane from Donelson onto Elm Hill in the future. The applicant is in disagreement with making those improvements because there is not enough right-of-way, which means property will have to be acquired from existing businesses. A signal needs to be installed at Elm Hill and McCrory Creek and the applicant is not in disagreement with paying for that improvement. They are in disagreement with the right-of-way along Interstate 40 that will be necessary in the future for the Harding Place extension. Staff is not recommending approval to rezone all the area. We feel this would be an ill advised public policy to rezone along the interstate to CS and then have to end up paying more money for it when we build the Harding Place extension. The value of the property is worth more with CS zoning than with the residential zoning today.

Mr. Bill Lockwood stated he just needed an action today and that he would work with the staff to come up with a compromise.

Councilmember Ponder moved and Ms. Warren seconded the motion, which carried with Mr. Manier abstaining, to approve the following resolution:

Resolution No. 2000-689

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-091G-14 is **DISAPPROVED (7-0-1)**:

These properties fall within the Subarea 14 Plans Commercial Mixed Concentration (CMC) policy calling for office, commercial, and higher density residential uses. While the CS district is generally consistent that policy, the associated Traffic Impact Study (TIS) identifies several necessary road improvements resulting from a rezoning of this size. Since the conditions of approval pertaining to the TIS have not yet been finalized, it is premature to approve this zone change."

MANDATORY REFERRALS

2000M-082U-00

Metromedia Fiber Optic Cable Franchise Agreement
Maps 92, 93, 95, 104-107, 117, 118, 120,
132-134, 146 and 147
Subareas 8 (1995), 9 (1997), 10 (1994), 11 (1999),
12 (1997), 13 (1996) and 14 (1996)
Districts 13 (Derryberry), 15 (Loring), 16 (McClendon),
17 (Greer), 18 (Hausser), 19 (Wallace), 20 (Haddox),

21 (Whitmore), 25 (Shulman), 26 (Arriola), 27 (Sontany), 28 (Alexander), and 33 (Turner)

A request for a telecommunications franchise contract for local service between Metromedia Fiber Network Services, Inc., and Metro Government, requested by Wesley Weeks of Boulton, Cummings, and Conners & Berry, appellant, for Metromedia Fiber Network Services, Inc. (Deferred from meeting of 8/17/00).

Ms. Regen and Wesley Weeks explained how the franchise would work and stated staff is recommending approval.

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

Resolution No. 2000-690

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 2000M-082U-00, **with a recommendation for ADA compliance.**"

2000M-089U-08

1815 25th Avenue North Easement Encroachment
Map 81-6, Parcel 244
Subarea 8 (1995)
District 20 (Haddock)

A request to encroach into a public utility easement to build an addition (12' x 35' attached garage) to an existing residence, located at 1815 25th Avenue North Court, classified within the RS5 District (.11 acres), requested by Grady Clopton.

Mr. Latimer stated this request is being made by Mr. Clopton to provide a secure place to store and maintain equipment and to spray furniture. At the time Mr. Clopton filed this request all public utilities were in favor of the encroachment. However, upon further review Water Services has now declined the request to encroach because they initially did not realize the garage would actually encroach over the sewer line.

Mr. Clopton stated he was a painting contractor and has had approximately \$13,000 of equipment stolen from his truck due to the area he lives in. He has two boys in college and could not afford to move. He said he would to put the wall up on a way that would give Water Services access to it anytime the sewer had to be worked on.

Mr. Cochran moved and Councilmember Ponder seconded the motion, which carried unanimously, to defer this matter two weeks to research other options.

ADDENDUM

Appointment to Historic Zoning Commission.

Chairman Lawson announced Mr. Manier has asked to step down as the Planning Commission's representative on the Historic Zoning Commission. Subject to the Commission's endorsement, Ann Nielson has been asked to take his place for the remainder of the term.

Ms. Warren moved and Councilmember Ponder seconded the motion, which carried unanimously, to endorse Ann Nielson as the Historic Zoning Commission representative.

OTHER BUSINESS:

2. Legislative update.

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

Mr. Bernhardt announced Tim Netsch has been hired to be the Bicycle/Pedestrian Coordinator and will begin working October 1, 2000.

PLATS PROCESSED ADMINISTRATIVELY

August 17, 2000 through August 30, 2000

2000S-090G 98 STONE CREEK LLC, Resubdivision of Lot 1
Divides one platted lot into two lots

2000S-276U EAST CENTER, Section 1
Reconfigures two platted lots

2000S-285U BABY RUTH LANE ESTATES, Section 2, Lots 18-20
Condominium plat with six units

ADJOURNMENT

There being no further business, upon motion made, seconded and passed, the meeting adjourned at 4:50 p.m.

Chairman

Secretary

Minute Approval:
This 14th day of September, 2000