

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

Date: September 28, 2000  
Time: 1:00 p.m.  
Place: Howard Auditorium

**Roll Call**

**Present:**

James Lawson, Chairman  
Tonya Jones  
William Manier  
Ann Nielson  
Vicki Oglesby  
Councilmember Phil Ponder  
Douglas Small  
Marilyn Warren

**Absent:**

Mayor Bill Purcell  
Frank Cochran

**Executive Office:**

Richard C. Bernhardt, Executive Director  
Karen P. Nicely, Assistant Executive Director  
Carolyn Perry, Secretary III

**Current Planning & Design Division:**

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

**Community Plans Division:**

Jerry Fawcett, Planning Division Manager  
Anita McCaig, Planner I

**Advance Planning & Research:**

Jeff Lawrence, Planner III  
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

Chairman Lawson called the meeting to order.

**ADOPTION OF AGENDA**

Ms. Carrington announced the employee contract for Fred Colvert should added to the agenda as an addendum item.

Ms. Nielson moved and Ms. Oglesby 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:

155-79-U-11      Deferred two meetings, by applicant.  
82-84-G-14      Final Plat Deferred two weeks, by applicant.  
28-87-P-06      Deferred two weeks, by applicant.

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

**APPROVAL OF MINUTES**

Ms. Nielson moved and Councilmember Ponder seconded the motion, which unanimously passed, to approve the minutes of the regular meeting of September 14, 2000.

**RECOGNITION OF COUNCILMEMBERS**

No Councilmembers were present to speak 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-263U-13**  
Hickory Place Townhouses, Phase 2  
Map 163, Parcels 134, 181, 182 and 283  
Subarea 13 (1996)  
District 28 (Alexander)

A request for final plat approval to consolidate four parcels into one lot abutting the east margin of Baby Ruth Lane, approximately 688 feet north of Mt. View Road (2.84 acres), classified within the RM15 District, requested by Eckhardt Exchange Corporation, owner/developer, Dale and Associates, surveyor.

**Resolution No. 2000-719**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 2000S-263U-13, is **APPROVED SUBJECT TO A BOND OF \$10,500.00 (8-0).”**

**2000S-265G-04**

Alta Loma Subdivision, Resubdivision of  
Lot 22 and Part of Reserve Strip  
Map 34-5, Parcels 74 and 75  
Subarea 4 (1998)  
District 10 (Balthrop)

A request for final plat approval to consolidate one lot and part of a reserve parcel into two lots thereby removing the reserve status abutting the west margin of Crestview Drive, approximately 770 feet south of Alta Loma Road (4.27 acres), classified within the CS District, requested by Randy E. Chance, owner/developer, S & A Surveying, Inc., surveyor.

**Resolution No. 2000-720**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 2000S-265G-04, is **APPROVED (8-0).”**

**2000S-289G-02**

Hidden Springs, Section 1  
Map 33, Part of Parcel 180  
Subarea 2 (1995)  
District 3 (Nollner)

A request for final plat approval to create one lot and open space abutting the north termini of Fonnice Drive, approximately 1,308 feet north of Nesbitt Drive (.99 acres), classified within the RS20 District, requested by George Dunn Contractors Ltd., owner/developer, Ragan-Smith-Associates, Inc., surveyor. (Deferred from meeting of 9/14/00).

**Resolution No. 2000-721**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 2000S-289G-02, is **APPROVED SUBJECT TO A BOND OF \$96,000.00 (8-0).”**

**2000S-303G-14**

Remington Park, Section 1 (formerly Oakwood Farms)  
Map 64, Parcel 24 and Part of Parcel 26  
Map 64-16, Parcel 16  
Subarea 14 (1996)  
District 11 (Brown)

A request for final plat approval to create 53 lots abutting the east margin of Andrew Jackson Parkway, approximately 1,614 feet north of Lebanon Pike (17.7 acres), classified within the R10 District, requested by Phillips Builders, Inc., owner/developer, Anderson-Delk and Associates, Inc., surveyor.

**Resolution No. 2000-722**

**"BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 2000S-303G-14, is **APPROVED SUBJECT TO A BOND OF \$471,500.00 (8-0)."**

**ZONE CHANGE AND PUD PROPOSALS**

**2000Z-023T**

A text amendment to modify Section 17.04.060 (General Definitions) of the Zoning Ordinance to modify the definitions heavy, medium and light manufacturing uses, requested by Councilmember Melvin Black. (Deferred from meeting of 9/14/2000.)

**Resolution No. 2000-723**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-023T is **APPROVED (8-0):**

**This text amendment clarifies specific land uses permitted in the definitions of heavy, medium, and light manufacturing land use classifications in the Zoning Ordinance."**

**2000Z-116G-14**  
Map 44, Parcel 43  
Subarea 14 (1996)  
District 11 (Brown)

A request to change from CS to IWD district property at Industrial Drive (unnumbered), approximately 1,440 feet east of Robinson Road (6.91 acres), requested by Charles Hawkins, appellant, for Rayon City Investors, owner.

**Resolution No. 2000-724**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-116G-14 is **APPROVED (8-0):**

**This property falls within the Subarea 14 Plan's Industrial (IND) policy calling for manufacturing, warehousing, and bulk distribution uses. The IWD district is consistent with that policy and the emerging industrial zoning pattern in this area."**

**2000Z-117U-03**  
Map 60, Parcels 27 (7.85 acres), 28 (.30 acres),  
29 (.52 acres), 30 (.17 acres), 31 (8.62 acres) and  
58 (.47 acres)  
Subarea 3 (1998)  
District 2 (Black)

A request to change from R8 to IWD district properties at 2915, 2917, 2923 Brick Church Pike and Brick Church Pike (unnumbered), opposite Brick Church Park Drive (17.93 acres), requested by Chris Remke of Hawkins Development Company, appellant, for Scott Clayton and Joe Jimmie Fry et ux, owners.

**Resolution No. 2000-725**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-117U-03 is **APPROVED (8-0)**:

**These properties fall within the Subarea 3 Plan's Industrial (IND) policy calling for manufacturing, warehousing, and distribution uses. The IWD district is consistent with that policy and the emerging zoning pattern in this area."**

**117-83-U-14**  
Music City Outlet Center  
Map 62, Parcel 34  
Subarea 14 (1996)  
District 15 (Loring)

A request to revise a portion of the preliminary plan of the Commercial (General) Planned Unit Development District located abutting the north margin of McGavock Pike and the west margin of Outlet Center Drive, classified CA (2.74 acres), to permit a 3,200 square foot restaurant and a 44,000 square foot, four-story, 105 room hotel, replacing an 86,375 square foot, 4-story, 135 room hotel, requested by Ragan-Smith Associates, for Music City Partners, L.P., owner. (Also requesting final plat approval).

**Resolution No. 2000-726**

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 117-83-U-14 is given **CONDITIONAL APPROVAL OF A REVISION TO THE PRELIMINARY PLAN FOR A PHASE AND APPROVAL OF THE FINAL PLAT (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. The recording of a revised final subdivision plat."

**82-84-G-14**  
Greer Meadows at Cedar Creek  
Map 75, Parcel 101  
Subarea 14 (1996)  
District 12 (Ponder)

A request to revise the preliminary plan and for final approval for a phase of the Residential Planned Unit Development District located 125 feet south of Scott's Creek Road, west of Tulip Grove Road, classified RS10 (16.53 acres), to develop 31 single-family lots, replacing 32 single-family lots on the approved preliminary plan, requested by Barge, Waggoner, Sumner and Cannon, for Southeastern Development Company, owner.

**Resolution No. 2000-727**

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 82-84-G-14 is given **APPROVAL OF A REVISION TO THE PRELIMINARY PLAN AND CONDITIONAL FINAL APPROVAL FOR A PHASE (8-0); FINAL PLAT DEFERRED (7-0)** at the request of the applicant. 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 recording of a final subdivision plat upon the posting of a bond for all required public improvements.”

**16-86-P-14**

Hermitage Market Place  
Map 86, Parcel 347  
Subarea 14 (1996)  
District 12 (Ponder)

A request to revise the preliminary plan and for final approval for a phase of the Commercial (General) Planned Unit Development District located abutting the east margin of Old Hickory Boulevard, opposite Jurarez Drive, classified CS (5.37 acres), to develop a 5,683 square foot restaurant, replacing a 5,000 square foot restaurant, requested by Alley and Associates, for Las Palmas Enterprises, owner.

**Resolution No. 2000-728**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 16-86-P-14 is given **APPROVAL OF THE REVISION TO THE PRELIMINARY PLAN AND CONDITIONAL FINAL APPROVAL FOR A PHASE (8-0)**. 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.”

**MANDATORY REFERRALS**

**2000M-099U-09**

Gaylord Digital Aerial Encroachment  
Map 93-6-2, Parcel 101  
Subarea 9 (1997)  
District 19 (Wallace)

A request to encroach six feet over the public sidewalk with a decorative sign and canopy attached to the building at 105 Broadway with the sign measuring approximately 13' wide and 40' tall at a height of 10'9" above the sidewalk and the canopy measuring approximately 16" wide and 40'4" long at a height of 10'7" above the sidewalk, requested by Skip Brown of Cummings Signs, for Brian Payne of Gaylord Entertainment Company, owner.

**Resolution No. 2000-729**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 2000M-099U-09 **subject to NES approval**:

**2000M-101G-04**

North Dupont Avenue Property Sale  
Map 43-11 Parcels 206, 207, 208, 211, 212, 213 and 214  
Subarea 4 (1998)  
District 9 (Dillard)

A request to sell seven properties of property located at 1039, 1041, 1043, 1049, 1051, 1053, and 1055 North Dupont Avenue, classified within the RS7.5 District on 1.66 acres (total), requested by the Public Property Administrator for Metro Government, owner.

**Resolution No. 2000-730**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 2000M-101G-04:

**2000M-102U-00**

Council Bill BL2000-415

Nashville Career Advancement Center Lease Agreement

A council bill approving a lease agreement between the Metropolitan Government of Nashville and Davidson County and the Nashville Career Advancement Center and Wilson County Government for office space at 812 North Cumberland Drive, County of Wilson, Lebanon, Tennessee 37087.

**Resolution No. 2000-731**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 2000M-102U-00:

**2000M-103G-14**

New Hope Point Easement Revision

Map 98-13, Parcel 65

Subarea 14 (1996)

District 12 (Ponder)

A request to reduce the existing public utility and drainage easement from 20 feet to 16 feet, located at 312 Moonwater Court (lot 65, New Hope Point Subdivision) within the RS15 District on .18 acres, requested by Wamble & Associates, PLLC.

**Resolution No. 2000-732**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 2000M-103G-14:

**2000M-104U-00**

Council Bill BL2000-431

Knology Cable TV Franchise

A council bill granting a cable TV franchise to Knology of Nashville, Inc. within Metro Nashville and Davidson County, requested by Robert Lyn Baker of Baker, Donelson, Bearman & Caldwell, appellant, for Knology of Nashville, Inc.

**Resolution No. 2000-733**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 2000M-104U-00 **subject to NES approval:**

**2000M-105U-00**

Council Bill BL2000-430

Digital Access Cable TV Franchise

A council bill granting Digital Access Corporation of Tennessee, Inc., a cable TV franchise within Metro Nashville and Davidson County, requested by D. Billye Sanders of Waller, Lansden, Dortch & Davis, appellant, for Digital Access Corporation of Tennessee, Inc.

**Resolution No. 2000-734**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 2000M-105U-00 **subject to NES approval:**

**2000M-109U-00**

Digital Access Corporation of Tennessee, Inc.,  
Fiber Optic Cable Franchise

A request by Digital Access Corporation of Tennessee, Inc. for a fiber optic cable franchise within Metro Nashville and Davidson County, requested by D. Billye Sanders of Waller, Lansden, Dortch & Davis, appellant, for Digital Access Corporation of Tennessee, Inc.

**Resolution No. 2000-735**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 2000M-109U-00 **subject to NES approval:**

**2000M-110U-00**

Knology Fiber Optic Cable Franchise

A request by Knology of Nashville Inc. for a fiber optic cable franchise within Metro Nashville and Davidson County, requested by Robert Lyn Baker of Baker, Donelson, Bearman & Caldwell, appellant, for Knology of Nashville, Inc.

**Resolution No. 2000-736**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 2000M-110U-00 **subject to NES approval:**

**2000M-106U-13**

Close Portion of McCrory Creek  
Road and Couchville Pike  
Map 121  
Subarea 13 (1996)  
District 13 (Derryberry)

A request to close portions of two streets, McCrory Creek Road from Pulley Road to its terminus and Couchville Pike from McCrory Creek Road to Donelson Pike to improve E-911 efficiency and response time, requested by the Interim Director of Public Works. (All easements are to be retained).

**Resolution No. 2000-737**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 2000M-106U-13 **subject to NES approval:**

**2000M-107G-04**

Dry Creek Road Renaming to "Old Dry Creek Road"  
Map 34  
Subarea 4 (1998)  
District 3 (Nollner)



A request to rename Dry Creek Road to "Old Dry Creek Road" from Gallatin Pike to its terminus for E-911 system efficiency, requested by the Interim Director of Public Works.

**Resolution No. 2000-738**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 2000M-107G-04:

**2000M-112U-09**  
Palm Restaurant Aerial Encroachment  
Map 93-6-4, Parcel 104  
Subarea 9 (1997)  
District 19 (Wallace)

A request to encroach over the public sidewalk on Fifth Avenue South for the Palm Restaurant with a sign measuring 1' wide by 5' tall and encroaching 7' over the sidewalk at a height of 11'2" above the sidewalk and three awnings measuring 3' wide by 20' in length and encroaching 4'2" over the sidewalk at a height of 9'2" above the sidewalk, requested by David Middleton of Palm Management Corporation, appellant, for Turnberry-Nashville Arena Hotel L.P., owner.

**Resolution No. 2000-739**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 2000M-112U-09 **subject to NES approval:**

**OTHER BUSINESS**

1. Employee contract amendments for Randol L. Hutcheson and Anita McCaig.

**Resolution No. 2000-740**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** the contract amendments for Randol L. Hutcheson and Anita McCaig for one year, from October 1, 2000 through September 30, 2001."

2. Employee contracts for Annette Clothier and Cyrus Sheik.

**Resolution No. 2000-741**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** the employee contracts for Annette Clothier and Cyrus Sheik for one year."

**ADDENDUM**

Employee contract for Fred Colvert.

**Resolution No. 2000-742**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** the employee contract for Fred Colvert for one year, from October 9, 2000 through October 8, 2001."

This concluded the items on the consent agenda.

## **SUBDIVISION PROPOSALS**

### **2000S-188G-06 (Public Hearing)**

Max Vinson Property (Revision)  
Map 141, Parcels 45 and 46  
Subarea 6 (1996)  
District 35 (Lineweaver)

A request for preliminary approval for 45 lots abutting the north terminus of Morton Mill Road and the north terminus of River Bend Road (39.62 acres), classified within the RS20 District, requested by Max Vinson, owner/developer, Batson and Associates Engineering, Inc., surveyor.

Mr. Stuncard stated staff is recommending approval of this plan. This proposal is a cluster lot development, which meets the requirements of the Zoning Ordinance. Councilmember Lineweaver has voiced his support for this plan as provided the owner continues to work toward the extension of the Bellevue Greenway, which currently stops at Morton Mill Road.

Mr. Tim Meean, spoke in opposition to the revised plan because it stops Morton Mill Road at its current terminus into a gravel drive area and routes all future traffic through the Riverbend Estates Subdivision. There is a substantial area of AR2a zoning currently landlocked between the two subdivisions and when that land is developed it will also be routed through the Riverbend Subdivision.

Mr. Stuncard stated there was an earlier approved plan for this same site. That plan was also a cluster lot development and showed an extension of the Riverbend Road terminating in a cul-de-sac with 7 lots on it. That was changed in order to continue the Greenway along Morton Mill Road.

Ms. Jones stated the problem was the additional landlocked property.

Mr. Stuncard stated that was taken into account. The earlier plan showed an extension by the railroad, which would allow access.

Mr. Gary Batson, engineer, stated the topographic features along the river made the extension extremely difficult and that he worked with Public Works to get this plan.

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

### **Resolution No. 2000-743**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 2000S-188G-06, is **APPROVED; PUBLIC HEARING CLOSED (8-0).”**

### **2000S-251U-03 (Public Hearing)**

Bryant Wood Trace Subdivision  
Map 58, Parcel 139

Subarea 3 (1998)  
District 1 (Gilmore)

A request for preliminary approval for 19 lots abutting the west margin of Clarksville Pike, approximately 1,290 feet south of Echo Lane (32.02 acres), classified within the RS40 District, requested by Walter and Ellen L. Bryant, Jr., et al, owners/developers, Turner Engineering, surveyor.

Mr. Stuncard stated staff is recommending approval of this plan with a variance to the lot depth to width ratio in the Subdivision Regulations.

Councilmember Gilmore spoke in favor of the proposal.

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

**Resolution No. 2000-744**

**"BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 2000S-251U-03, is **APPROVED WITH A VARIANCE TO SECTION 2-4.2E OF THE SUBDIVISION REGULATIONS; PUBLIC HEARING CLOSED (8-0)."**

**2000S-291G-04** (*Public Hearing*)  
Cumberland Station at Wilson-Camp  
Map 53, Parcel 19  
Subarea 4 (1998)  
District 9 (Dillard)

A request for preliminary approval for 225 lots abutting the northeast terminus of East Cedar Lane and the northwest terminus of Pawnee Trail (91.22 acres), classified within the RS15 District, requested by Randall Phillips Homes, LLC, owner/developer, Anderson-Delk and Associates, Inc., surveyor.

Mr. Stuncard stated staff is recommending approval. This is a Cluster Lot development, which meets the requirements of the Zoning Ordinance. The developer was requested to do a traffic impact study for this site, which showed that a turn lane would be required off site at Neeley's Bend to Cheyenne Boulevard and improvements to Pawnee Trail would be required at final plat approval.

Mr. Steve North, Mr. William Gayden, Mr. Charles Holmes, Mr. Mack Maygo, Ms. Pamela Meyers, Mr. Mark Cook, Mr. John Ingram and Ms. Shree Janisar spoke in opposition to the proposal and expressed concerns regarding school over crowding, traffic, depreciation of property value, down grading the neighborhood, the size of the proposed homes, the quality of the proposed homes, drainage, flooding, sewer problems, possible blasting, cutting the trees, disturbing the peace and quite and disturbing nature and they submitted petitions in opposition to the proposal.

Mr. Tom White, representing the applicant, stated he had tried to contact Councilmember Dillard but had been unable to do so and scheduled the neighborhood meeting without him. At that meeting the main concerns were the price of the homes and the green space. The density of this proposed subdivision is less than the Kimboulton Subdivision by 12%, more than the Sequoia Valley Subdivision by 15%, less than the Neeley's Bend Villas by 15%, less than Heron's Walk by 1/2 and less than Ravenwood by 33%. The proposed price for this development goes from the \$110,000's to the \$120,000's. The average sale price in Kimboulton over the last 12 months is \$113,096.00, Sequoia is \$119,170.00, Heron's Walk is \$99,780.00, and Neeley's Bend Villas is \$69,727.00 so the prices are comparable. He requested the Commission act on this matter today and not defer it.

Councilmember Dillard spoke in opposition to the proposal, stated he was adamantly opposed to it and that he would prefer the original plan. He asked the Commission to deny the proposal or at least to defer the matter.

Mr. Diaz-Barriga stated the Commission had the authority to defer this matter under extenuating circumstances.

Ms. Warren stated she did not feel there were any extenuating circumstances that would constitute a deferral.

Mr. Manier, Ms. Nielson, Ms. Jones and Mr. Small agreed with Ms. Warren.

Councilmember Ponder stated he felt there was a strong reason to defer because of the lack of community involvement.

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

Councilmember Ponder stated the developer should take a look at the needs of the community and hear from the community.

Ms. Jones stated this plan has a lot of open space and green space and might sacrifice lot size for that.

Mr. Small stated there have been several Cluster Lot subdivisions before the Commission and the green space is one of the appetizing features. This subdivision, because of the open space and boundaries, does set it off from the other neighbors. The densities that were stated by Mr. White certainly keep it within reasonableness with the other subdivisions and that he would be in favor of approval.

Ms. Nielson stated she was concerned about the school situation but agreed with Mr. Small.

Mr. Manier stated he was concerned about the schools and traffic and hoped the staff and Commission takes the complaints of these people, and others in the past, to heart as the Subdivision Regulations are revised. We now have in hand a Subdivision Regulation that is specific and defines the perimeters for development and until those are changed all this Commission has to do is to be sure this subdivision has applied those particular perimeters. Legally this Commission does not have the right to refuse approval.

Ms. Warren stated the 195 homes would have been the biggest demand put on the traffic and schools. The additional 30 homes is a consideration but is not the major imputes to those areas. When new development comes on the citizens in the neighborhoods complain. It has been a wonderful area that has not been built on and it is going to be built on. With the subdivision rules we have, we realize the green space in Davidson County, once it is gone, it is gone. That is one of the reasons the Cluster Lot divisions were approved by the Council. So the green space can remain there with small lot sizes. The concern about the smaller houses, if you look at the price per square foot of what they are going to be offering, they are going to be more expensive per square foot than what is in the surrounding subdivisions. If the founders of Davidson County all had the issue of housing values, too much traffic and no development in my backyard, none of us would have houses now in Davidson County.

Ms. Oglesby stated the biggest issue for her is the schools issue but 195 homes versus 225 homes doesn't make any difference.

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

**Resolution No. 2000-745**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 2000S-291G-04, is **APPROVED (7-1); PUBLIC HEARING CLOSED (8-0).”**

**2000S-284U-07**

Hortense Place, Resubdivision of Lot 169  
Map 92-13, Parcel 334  
Subarea 7 (2000)  
District 24 (Summers)

A request for final plat approval to subdivide one lot into two lots abutting the northwest corner of Nevada Avenue and 35th Avenue North (.17 acres), classified within the RS5 District, requested by Helen Chamberlin, owner/developer, H and H Land Surveying, Inc., surveyor. (Deferred from meeting of 9/14/00).

Ms. Carrington stated staff is recommending disapproval. The proposed lots have received variances from the Board of Zoning Appeals for lot size and setbacks. However, the two lots do not meet comparability requirements in the Subdivision Regulations for lot area, therefore, staff is recommending disapproval.

Mr. Curtis Stacey stated there were 3 buildings on this property and he found out when he went to pull a permit to make improvements to the property the new one that was between two others was built illegally and has been torn down. That had to be done before he could come before the Commission to ask for the subdivision.

Ms. Carrington stated there was a third building that was between the two existing properties that would have been where the proposed lot line would be struck. It was the BZA's recommendation that he should pursue subdivision of the property and therefore required removal of that building.

Mr. Bernhardt stated the BZA did not have that authority. Basically the Board made an adjustment with the assumption this Commission would concur with the subdivision.

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

**Resolution No. 2000-746**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 2000S-284U-07, is **DISAPPROVED (8-0).”**

**ZONE CHANGE AND PUD PROPOSALS**

**2000Z-025T**

Provision of Sidewalks

A text amendment to amend Section 17.20.120 (Provision of sidewalks) of the Zoning Ordinance to amend the sidewalk requirements to comply with the American Disabilities Act and to improve the sidewalk standards to provide safer and more convenient pedestrian movement, requested by Planning Department staff.

Ms. Carrington stated staff is recommending approval. This is a text amendment to the Zoning Ordinance that came about from an interdepartmental committee we have had looking at the ADA regulations with regards to sidewalks. That committee consisted of representative from Public Works, Codes, Planning, Legal and Metro's ADA consultant.

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

**Resolution No. 2000-747**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-025T is **APPROVED (8-0) with revisions to delete the language pertaining to Public Works maintaining bonds:**

**This text amendment to improve the sidewalk standards of the Zoning Ordinance is appropriate since it will comply with the requirements of the Americans with Disabilities Act (ADA) and also provide safer and more convenient sidewalk networks throughout the county. Specifically, sidewalks will be required in nonresidential areas, must be upgraded in redevelopment of properties and provide connections to existing sidewalks."**

**2000Z-030U-11**

Council Bill No. BL2000-367

Map 93-15, Parcels 308 (.11 acres) and 309 (.17 acres)

Subarea 11 (1999)

District 19 (Wallace)

A council bill to change from R6 to MUL district properties at 1009 and 1013 2nd Avenue South, approximately 174 feet south of Lafayette Street (.28 acres), requested by Mary C. McWhirter, appellant/owner. (Referred back to MPC by Metro Council on 9/19/00).

Mr. Reid stated the Commission previously disapproved these same two properties for CS zoning. Council has amended the bill to MUL and referred it back to the Commission. Staff is recommending this request be deferred two weeks because the Trimble Action Group is not supportive of the current Mixed Use Policy that applies to this area. Councilmember Wallace has submitted a letter requesting the Commission to take action today and approve the change.

Mr. Bernhardt stated the purpose of the deferral is to allow some conversation with the neighborhood group to see if they want to file an amendment to the subarea plan.

Ms. Joyce Owens, Mr. James Green and Ms. Ann Deol, with the Trimble Action Group, spoke in opposition to the proposal.

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

**2000Z-115G-03**

Map 68, Parcel 29

Subarea 3 (1998)

District 1 (Gilmore)

A request to change from AR2a to IR district property at Ashland City Highway (unnumbered), approximately 560 feet west of Old Hydes Ferry Pike (13.19 acres), requested by Joe Ham of The Ingram Group, appellant, for Hailey's Harbor, Inc., owner.

Mr. Reid stated staff is recommending disapproval as contrary to the General Plan because this property falls within Natural Conservation policy. The railroad tracks are behind this property and the industrial policy is to the south of the tracks.

Mr. Joe Hall stated this property is bordered by railroad tracks, an extremely steep bluff, a construction and demolition landfill and a major steel manufacturing facility. This property would be used to store light construction equipment.

Councilmember Gilmore stated when she looked at the property the first justification she saw was the extremely deep cliff. The demolition landfill has just been granted for an expansion and has another 20 years of capacity and that this property is not suitable for residential.

Councilmember Ponder moved and Mr. Small seconded the motion to approve.

Mr. Manier stated this could be a bad precedent to set and the plan should be looked at first.

Mr. Fawcett stated there are lots of things that can go into this Natural Conservation that are not residential and staff would need to look at a lot of things to change the plan.

Councilmember Ponder stated his motion was to approve and that he wanted to change that motion to approve subject to a plan amendment change.

Ms. Jones seconded that motion.

Chairman Lawson stated he felt the Commission was leaving themselves wide open for a lot of other pressures from other zone changes to do the same thing.

Councilmember Ponder withdrew his motion.

Ms. Nielson moved and Mr. Small seconded the motion, which carried unanimously, to defer this matter two meetings.

Councilmember Ponder left at 3:40, at this point in the agenda.

**175-75-G-06**

Harpeth Trace, Phase VI  
Map 143, Parcel 42  
Subarea 6 (1996)  
District 35 (Lineweaver)

A request to revise a portion of the preliminary plan of the Residential Planned Unit Development District located abutting the northwest margin of Harpeth Trace Drive, east of Harpeth Trace Court, classified R15 (1.07 acres), to permit the subdivision of one lot into two single-family lots, requested by Dale and Associates, for Eleata A. Staley, owner, and Bitsy Amick, optionee. (Deferred indefinitely from meeting of July 20, 2000 and deferred from meeting of September 14, 2000).

Mr. Reid stated staff is recommending approval because over the years this PUD has been revised several times to reduce the number of units and the addition of this one lot will not increase the number of units over what the Council originally approved.

Mr. Carl Spining, representing the owner, spoke in favor of the proposal and explained the plan.

Ms. Leslie Schecter, representing the Harpeth Trace Services Association, stated that service association is responsible for the common area. When Phase 4 was developed it clearly was restricted in development potential and this property was marked in parentheses Maximum 2 Units.

Ms. Nielson stated she thought the proposal was to divide it into 2 lots.

Ms. Shechter stated this would divide it into 3 because 2 lots were approved in 1986. The counselor for Ms. Amick stated the division would be 2 half acres, but that is not the case. The way the lines have been drawn are .7 acres and the other one would be much, much smaller and designated as a critical lot because of the steepness of the slopes. Ms. Amick purchased this property knowing full well this very same application was before this Commission in 1996 and was disapproved. The basis of the disapproval was because the homeowners association is opposed to seeing this lot divided again contrary to the master plan. It has been stated that Ms. Amick wants to subdivide this property to build a home for her family, however, about a month ago a For Sale by Owner sign appeared on her house.

Mr. Joe Schultz, president of the homeowners association, stated Ms. Amick met with the association at their regular meeting and presented her proposition. At that time the consensus was that the association had already poled the residents and found they were overwhelmingly in favor of disapproval of this and it had already been brought before this Commission. When the For Sale by Owner sign appeared in Ms. Amick's yard he stopped by and asked what was going on and she said her plan was to sale and move to Florida.

Mr. Ronnie Wilker, property management company, stated that in 1996 the owners were surveyed and the results were 86 against the subdivision and 14 for the subdivision of the lot and 6 had no opinion.

Mr. Manier asked if the board took action as opposed to this subdivision.

Mr. Wilker stated they had passed a motion against it.

Mr. Manier stated that the homeowners association assumes control of their environment and circumstance and this seems to be contrary to their plan and would be a dangerous precedent. This is not a subdivision and we are not subdividing properties, we are dealing with a PUD.

Mr. Spining stated the Maximum 2 Lots Ms. Shechter referred to was not recorded anywhere.

Mr. Small left at 4:40, at this point in the agenda.

Mr. Kevin Estes and Ms. Bitsy Amick also spoke in favor of the proposal.

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

**Resolution No. 2000-748**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Proposal No. 175-75-G-06 is **DISAPPROVED (6-0)**.

**MANDATORY REFERRALS**

**2000M-098U-08**  
Close Portion of Jo Johnston Avenue  
Map 92-7, Parcels 348-357 and 369  
Subarea 8 (1995)  
District 21 (Whitmore)

A request to close a portion of Jo Johnston Avenue between 20th Avenue North and Lyle Avenue to create a safer outdoor play area for the children of Head Middle School, requested by Arnold Von Hagen, Metro Board of Education, appellant. (Easements are to be retained).



Mr. Reid stated there are proposed play fields across from Head Middle School and the Board of Education is requesting this due to safety concerns. Staff is recommending disapproval at this point because other alternatives should be investigated before closing this portion of Jo Johnston Avenue. It is a collector street that carries approximately 3,300 and 4,500 vehicles per day and the closure would divert traffic on to Lyle and 20<sup>th</sup>, which are local streets.

Mr. Bernhardt stated the issue is that we had Jo Johnston, which is an arterial that services this area, and a middle school that badly needs to be improved. The school board has developed a plan to provide a gymnasium to rehab this facility and provide recreation activities in this location and the proposal was to close the street and make it a unified campus.

Staff's concern is the disruption of the traffic flow and routing it through the neighborhood and would in effect cut off an area. There is still a concern regarding the residential and some vacant properties being isolated and how they were involved in the planning process for improving the school. This is a good plan but it should not be dealt with at the expense of the neighborhood or without the neighborhood being part of the process.

Mr. Arnold Von Hagen, Director of Planning and Construction for Metro Schools, stated this was a safety issue and the inconvenience of the few property owners would not jeopardize them as much as the school and children's safety.

Councilmember Whitmore also spoke in favor of the proposal and asked the Commission for approval.

Mr. Manier suggested moving the street to Warner to the north. Relocate the road and let the school board lose a little property.

Ms. Warren stated she remembered the mandatory for acquiring the property and the Commission had the same concerns at that time.

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

**Resolution No. 2000-749**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **DISAPPROVES (6-0)** Proposal No. 2000M-098U-08:

**2000M-108U-13**

Proposed Renaming of McCrory Creek Road and Couchville Pike near the Nashville International Airport  
Maps 121 and 135  
Subarea 13 (1996)  
District 13 (Derryberry)

A request to rename several streets near the Nashville Airport to improve E-911 system efficiency and response time: 1) McCrory Creek Road to "Pulley Road" between Pulley Road and Couchville Pike; 2) Couchville Pike, McCrory Creek Road and an unnamed road to "Everett Derryberry Boulevard" from Donelson Pike to Bell Road; 3) McCrory Creek Road from Old Murfreesboro Pike to intersection with unnamed road to "Faircloth Lane", requested by the Interim Director of Public Works.

Mr. Reid stated staff is recommending conditional approval. The Police Department has informed staff the name "Everett Derryberry Boulevard" is too long for their database and conditional approval is recommended subject to working out an agreement with Police, Public Works and the Post Office.

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

**Resolution No. 2000-750**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (6-0)** Proposal No. 2000M-108U-13 **subject to a revised name for Everett Derryberry Boulevard which is acceptable to all departments:**

**OTHER BUSINESS**

3. Legislative update.

Mr. Bernhardt announced there would a special called meeting Thursday, October 5, 2000 in the Planning Department's main conference room.

Ms. McAbee-Cummings announced the Planning Department had been awarded a grant from the U. S. Department of Commerce, the Technology Opportunity Program, and it is a grant \$424,000.00. This grant was applied for in partnership with the Police Department, Neighborhood Resource Center and the Global Center and it will help give computers to neighborhood groups, work with them, train them and get more interactive information about planning on the website.

**PLATS PROCESSED ADMINISTRATIVELY**

September 14, 2000 through September 27, 2000

- |                   |   |
|-------------------|---|
| <b>99S-055G</b>   | <b>RIVER PLANTATION, Phase 6 Sec. 11</b><br>Condominium apartments  |
| <b>2000S-072G</b> | <b>RIVERGATE INDUSTRIAL PARK, Section 3,</b><br><b>Resubdivision of Lots 6 and 7</b><br>Combines two lots into one lot        |
| <b>2000S-182G</b> | <b>JUDITH A. BUTLER PROPERTY</b><br>Plats a portion of one parcel as one lot  |
| <b>2000S-266U</b> | <b>PENINSULA POINT, Phase 3, Section 3,</b><br><b>Revision to Lots 24, 26 and 27</b><br>Added drainage easement to three lots |
| <b>2000S-282U</b> | <b>METROCENTER, Resubdivision of Tracts 23C and 23F</b><br>Reconfigures two platted lots                                      |
| <b>2000S-290G</b> | <b>MORGAN ESTATES, Section 2, Revision of Lot 6</b><br>Add Health Department approval notes on the lot                        |

**ADJOURNMENT**

There being no further business, upon motion made, seconded and passed, the meeting adjourned at 5:35 p.m.

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Chairman

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Secretary

Minute Approval:  
This 12<sup>th</sup> day of October, 2000