

MINUTES
OF THE
METROPOLITAN PLANNING COMMISSION

Date: February 4, 1999
Time: 1:00 p.m.
Place: Howard Auditorium

Roll Call

Present:

James Lawson, Vice Chairman
Tim Garrett, Councilmember
William Manier
Ann Nielson
Douglas Small
Pat Tatum
Marilyn Warren

Absent:

Mayor Philip Bredesen
Gilbert N. Smith, Chairman
Stephen Smith

Others Present:

Executive Office:

T. Jeff Browning, Executive Director
Carolyn Perry, Secretary II

Current Planning & Design Division:

Theresa Carrington, Planning Division Manager
Jennifer Regen, Planner III
John Reid, Planner II
Robert Leeman, Planner I
Jeff Stuncard, Planner I
James Russ, Planning Technician I

Community Plans Division:

Jerry Fawcett, Planning Division Manager
Anita McCaig, Planner I

Advance Planning & Research:

John Boyle, Planning Division Manager

Others Present:

Jim Armstrong, Public Works

Vice Chairman Lawson called the meeting to order.

ADOPTION OF AGENDA

Ms. Nielson moved and Ms. Warren seconded the motion, which unanimously passed, to approve the agenda.

ANNOUNCEMENT OF DEFERRED ITEMS

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

98S-374G Deferred two weeks, by applicant.
99S-011U Deferred two weeks, by applicant.
Other Business, Item 2: Proposed public road access at Old Hickory Boulevard Maryland Farms Business Park in Brentwood, Tennessee.

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

APPROVAL OF MINUTES

Mr. Small moved and Mr. Manier seconded the motion, which unanimously passed, to approve the minutes of the regular meeting of January 21, 1999.

RECOGNITION OF COUNCILMEMBERS

Councilmember Stewart Clifton spoke in favor of the Hillsboro Village Urban Design Overlay aspect of the Subarea 10 Plan amendment and stated he was also supportive of the Music Row Overlay.

Councilmember Phil Ponder spoke regarding 99S-039G, The Meadows of Seven Points, and stated the parcels involved are zoned RS15 rather than R15. This proposal is for 154 single family homes that would be built by Frank Batson Developers and he is well known in the area for quality homes. The plan looks very good at this point, he would like to hold a community meeting on the project.

Councilmember Vic Lineweaver spoke on the Morton Mill Road status report under other business and asked the Commission to defer the bond collection for two weeks.

Councilmember at Large Leo Waters spoke in favor of the Subarea 10 Plan amendment for an Urban Design Overlay in the Music Row area.

ADOPTION OF CONSENT AGENDA

Ms. Warren asked that Proposal No. 97P-022G, American Retirement Corp. Nine Mile Hill, be removed from the consent agenda and that staff make a full presentation on that item.

Ms. Nielson moved and Mr. Manier seconded the motion, which unanimously carried with Proposal No. 97P-022G being removed, to approve the following items on the consent agenda:

PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:

Proposal No. 8-68-G
Metroplex Exxon
Map 134, Parcel 159
Subarea 12 (1997)
District 27 (Sontany)

A request to revise the preliminary plan and for final approval of a phase of the Commercial (General) Planned Unit Development District located abutting the northwest corner of Harding Place and Metroplex Drive (.91 acres), classified CS, to permit a 4,228 square foot convenience market/gas station, replacing an existing 1,500 square foot convenience market/gas station, requested by Brewer & Escalante Associates, for Exxon Corporation, owner. (Deferred from meeting of 1/21/99).

Resolution No. 99-81

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 8-68-G is given **APPROVAL TO REVISE THE PRELIMINARY AND CONDITIONAL FINAL APPROVAL FOR A PHASE (7-0)**. The following condition applies:

Prior to the issuance of any building permits, written 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.”

Proposal No. 154-79-U
Belle Meade Dermatology
Map 103, Parcel 117
Subarea 7 (1994)
District 24 (Johns)

A request to revise the final plan of the Commercial (General) Planned Unit Development District located abutting the east margin of White Bridge Road opposite Brookwood Terrace (.93 acres), classified SCC, to permit a 380 square foot addition to an existing medical clinic containing 10,260 square feet, requested by Gregory Steck, for Dr. Chris Pardue, owner.

Resolution No. 99-82

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 154-79-U is given **CONDITIONAL APPROVAL OF A REVISION TO THE FINAL SITE DEVELOPMENT PLAN (7-0)**. The following condition applies:

Prior to the issuance of any building permits, written 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.”

Proposal No. 97P-004U
Nashboro Village (Union Planters Bank)
Map 135, Parcel 401

Subarea 13 (1996)
District 27 (Sontany)

A request for final approval for a phase of the Commercial (General) Planned Unit Development District located abutting the east margin of Murfreesboro Pike north of Nashboro Boulevard (1.12 acres), classified SCC, to permit a 4,500 square foot bank facility and a 30 square foot automated teller machine, replacing 15,000 square feet of retail, restaurant and bank uses, requested by Ragan-Smith Associates, Inc. for Union Planters Bank, owner.

Resolution No. 99-83

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 97P-004U is given **CONDITIONAL FINAL APPROVAL FOR A PHASE (7-0)**. The following condition applies:

Prior to the issuance of any building permits, written 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.”

SUBDIVISIONS:

Final Plats:

Subdivision No. 98S-048G
Hickory Woods Estates, Phase 2, Section C
Map 176-5-B, Parcel 166
Subarea 13 (1996)
District 29 (Holloway)

A request for final plat approval to create 39 lots abutting the southeast margin of Hickory Woods Drive, approximately 120 feet southwest of Hickory Woods Court (12.49 acres), classified within the R10 Residential Planned Unit Development District, requested by Taylor Duncan Interest, Inc., owner/developer, Wamble and Associates, surveyor.

Resolution No. 99-84

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 98S-048G, is **APPROVED SUBJECT TO A BOND OF \$293,000.00 (7-0)**.”

Subdivision No. 99S-029U
Vine Hill Homes Subdivision
Map 105-15, Parcels 1-3 and 5
Subarea 11 (1993)
District 17 (Douglas)

A request for final plat approval to reconfigure four parcels into three lots abutting the southwest corner of Benton Avenue and Bransford Avenue (38.1 acres), classified within the R6 Residential Planned Unit Development District, requested by Metropolitan Development and Housing Agency, owner/developer, Thornton and Associates, Inc., surveyor. (Deferred from meetings of 1/7/99 and 1/21/99).

Resolution No. 99-85

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-029U, is **APPROVED SUBJECT TO A BOND OF \$81,000.00 (7-0)**.”

Subdivision No. 99S-040U
Donelson Village, Section 5, Lots 1 and 2
Map 108-1, Parcels 59, 64 and 76
Subarea 14 (1996)
District 14 (Stanley)

A request for final plat approval to consolidate three parcels into two lots abutting the south margin of Royal Parkway and the east margin of Donelson Pike (3.28 acres), classified within the MUL and CS Commercial Planned Unit Development Districts, requested by William A. and Mattie P. Smith and FFCA Acquisition Corporation, owners/developers, Ragan-Smith and Associates, Inc., surveyor. (Deferred from meeting of 1/21/99).

Resolution No. 99-86

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-040U, is **APPROVED (7-0).”**

Subdivision No. 99S-049G
Albatross at Old Hickory, Phase 1
Map 53, Part of Parcel 40
Subarea 14 (1996)
District 11 (Wooden)

A request for final plat approval to create eight lots abutting the south terminus of Hurst Drive, approximately 3,000 feet southeast of Ryburn Drive (10.89 acres), classified within the R15 District, requested by Jerry Lemons, owner/developer, Steve Sanders, surveyor.

Resolution No. 99-87

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-049G, is **APPROVED SUBJECT TO A BOND OF \$238,250.00 (7-0).”**

Subdivision No. 99S-051U
Villages of Larchwood, Phase 2, Section 3
Map 108, Part of Parcel 52
Subarea 14 (1996)
District 14 (Stanley)

A request for final plat approval to create 23 lots abutting the southwest margin of Kennington South and the northeast terminus of Fitzpatrick Road (6.53 acres), classified within the R10 Residential Planned Unit Development District, requested by Hillmore Properties, owner/developer, Crawford Land Surveying, surveyor.

Resolution No. 99-88

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-051U is **APPROVED SUBJECT TO A BOND OF \$110,500.00 (7-0).”**

Subdivision No. 99S-053G
River Plantation, Phase 5, Section 11
(Condominium Apartments)
Map 142, Part of Parcel 124
Subarea 6 (1996)
District 35 (Lineweaver)

A request for final plat approval to record 18 condominium units located southwest of Sawyer Brown Road, opposite General George Patton Road (3.36 acres), classified within the R15 Residential Planned Unit Development District, requested by Haury and Smith Contractors, Inc., owner/developer, Ragan-Smith and Associates, Inc., surveyor.

Resolution No. 99-89

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-053G, , is **APPROVED SUBJECT TO A BOND OF \$37,920.00 (7-0).”**

Subdivision No. 99S-055G
River Plantation, Phase 6, Section 11
(Condominium Apartments)
Map 142, Part of Parcel 124
Subarea 6 (1996)
District 35 (Lineweaver)

A request for final plat approval to record 18 condominium units abutting the southwest margin of Sawyer Brown Road, opposite General George Patton Road (3.22 acres), classified within the R15 Residential Planned Unit Development District, requested by Haury and Smith Contractors, Inc., owner/developer, Ragan-Smith and Associates, Inc., surveyor.

Resolution No. 99-90

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-055G, is **APPROVED SUBJECT TO A BOND OF \$57,030.00 (7-0).”**

Subdivision No. 99S-057U
Whitsitt Subdivision, Resubdivision of
Lots 1-4 and 10 and Parcel 206
Map 119-6, Parcels 206, 360, 361 and 367
Map 119-10, Parcels 236 and 237
Subarea 11 (1993)
District 16 (Graves)

A request for final plat approval to consolidate five lots and one parcel into one lot abutting the north margin of Whitsitt Road, approximately 124 feet east of Sterling Boone Drive (10.11 acres), classified within the R10 District, requested by Davidson County Board of Education, owner/developer, Volunteer Surveying, surveyor.

Resolution No. 99-91

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-057U, is **APPROVED WITH CONDITIONS (7-0).”**

Subdivision No. 99S-058G
Andrew Jackson Business Park, Phase 1,
Resubdivision of Lot 1
Map 64-15, Parcel 14
Map 64-16, Parcels 41 and 42
Subarea 14 (1996)
District 11 (Wooden)

A request for final plat approval to consolidate three lots into one lot abutting the north margin of Jackson Meadows Drive, approximately 560 feet west of Andrew Jackson Parkway (.86 acres), classified within the CS District, requested by Steven R. and Flora S. Kinney, owners/developers, Campbell, McRae and Associates Surveying, Inc., surveyors.

Resolution No. 99-92

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-058G, is **APPROVED (7-0).**”

Request for Bond Extension:

Subdivision No. 68-87-P
Northside Station
Creekside Shops LLC, principal
[Buildout is at 0%]

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

Resolution No. 99-93

“**BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 68-87-P, Bond No. 98BD-020, Northside Station in the amount of \$7,000 to 2/1/2000 subject to submittal of a letter from the Reliance Insurance Company by **3/4/99** agreeing to the extension. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Subdivision No. 90P-008G
Magnolia Hills
J & J Development, Inc., principal
[Buildout is at 66%]

Located abutting the north margin of Old Harding Pike, approximately 1,000 feet east of Collins Road.

Resolution No. 99-94

“**BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 90P-008G, Bond No. 94BD-070, Magnolia Hills, in the amount of \$40,000 to 12/15/99 subject to submittal of an amendment to the present Letter of Credit by **3/4/99** which extends its expiration date to 6/15/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Subdivision No. 95P-024U
Carters Glen
Magnolia Construction Company, Inc., principal
[Buildout is at 22%]

Located abutting the southeast margin of Old Harding Pike and Bellevue Road.

Resolution No. 99-95

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 95P-024U, Bond No. 96BD-016, Carters Glen in the amount of \$30,315 to 9/1/99 subject to submittal of an amendment to the present Letter of Credit by **2/15/99** which extends its expiration date to 3/1/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Release:

Subdivision No. 96S-401G
Poplar Creek Estates, Phase 5-A
Poplar Creek Development Company, principal

Located abutting the south margin of Poplar Creek Road and both margins of Cold Stream Place.

Resolution No. 99-96

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 96S-401G, Bond No. 97BD-020, Poplar Creek Estates, Section 5-A in the amount of \$200,000.”

MANDATORY REFERRALS:

Proposal No. 99M-012U
Street Naming: Proposed Barnett Drive
Map 50, Parcels 34, 36, 37, 38 and 82
Subarea 5 (1994)
District 4 (Majors)

A request by the Director of Public Works to name an unnamed right-of-way that intersects with Dickerson Pike, north of Mulberry Downs Circle and south of Due West Avenue to "Barnett Drive".

Resolution No. 99-97

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-012U.

Proposal No. 99M-013U
Opryland Hospitality, Inc.
Map 93-6-2, Parcel 59
Subarea 9(1997)
District 19 (Sloss)

A request to install a sign measuring 5' 5" x 15' 5" and encroaching 5' 5" over the sidewalk at a height of 12 feet above the sidewalk at 139 Second Avenue North, requested by Joe Henry for Opryland Hospitality, Inc., appellant, for Margaret Warner, owner.

Resolution No. 99-98

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-013U.

Proposal No. 99M-015U
Council Bill No. O99-1509

Sportsplex Tennis Facility Agreement
Map 92-15, Parcel 33
Subarea 10 (1994)
District 21 (McCallister)

A council bill authorizing the Metropolitan Mayor to execute an agreement permitting the privately funded construction of an indoor tennis facility at the Centennial Sportsplex.

Resolution No. 99-99

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-015U.

Proposal No. 99M-016U
Council Bill No. O99-1507
Pruitt Library Property Conveyance
Map 93-16, Parcel 19
Subarea 11 (1993)
District 19 (Sloss)

A council bill authorizing the conveyance of property located at 117 Charles E. Davis Boulevard (Pruitt Library) to the Metropolitan Government of Nashville and Davidson County from the Metropolitan Development and Housing Agency.

Resolution No. 99-100

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-016U.

Proposal No. 99M-017U
Council Bill No. O99-1517
Camilla Caldwell Lane Right-of-Way Dedication
Map 80, Parcel 35
Subarea 3 (1998)
District 1 (Patton)

A council bill to amend the Official Street and Alley Acceptance and Maintenance Map for the Metropolitan Government of Nashville and Davidson County by accepting the dedication of a portion of Camilla Caldwell Lane as public right-of-way.

Resolution No. 99-101

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-017U.

Proposal No. 99M-019U
Morton's Steakhouse Aerial Encroachment
Map 93-6-1, Parcel 1
Subarea 9 (1997)
District 19 (Sloss)

A request by Morton's The Steakhouse to install an awning at 618 Church Street measuring 9'8" by 4'3" encroaching 4'3" over the public sidewalk at a height of 9'0" above the sidewalk, requested by Crown Tent and Awning, appellant for Adventure 3 Properties, LLC, owner.

Resolution No. 99-102

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-019U.

This concluded the items on the consent agenda.

PUBLIC HEARING: SUBAREA 10 AMENDMENT:

Ms. McCaig stated this is a public hearing for the Commission to consider a request to amend the Subarea 10 Plan.

The amendment request under consideration is to change the land use policy in Subarea 10 for the area located on the north side of I-440 along the east side of Hillsboro Pike/21st Avenue Interchange from Residential Medium-High density policy to Office Concentration policy. RMH policy provides for residential development up to twenty dwelling units per acre. OC policy provides for a concentration of office development and also provides for residential development up to twenty dwelling units per acre.

Staff concludes that either retaining the Residential Medium-High density policy or amending the area to Office Concentration policy is appropriate at this location.

During development of the Subarea 10 Plan, the community members involved emphasized the importance of protecting the residential areas and were opposed to expanding the OC policy. It was concluded then that RMH policy is the appropriate policy for this location, and this area continues to be a good location for multifamily residential uses.

The applicant's request is to expand the adjacent OC policy. This area meets the locational criteria for office development. There is a low office vacancy rate in this submarket, indicating that there is demand for office space. This area is located on a major 4 lane arterial. It has been discussed previously that there is the need for Davidson County to maintain its share of the regional office market.

It is important to consider how far OC policy should extend in this area. The north side and south side of I-440 have different land use patterns. The north side is more urban in character, while the south side is more suburban. I-440 is the only identifiable stopping point if the Commission elects to expand the OC policy. The west side across 21st Avenue, where the Villager condominiums are located, can also be treated differently than the east side. This property in the northwest quadrant has no significant exposure and no access to 21st Avenue South because of the I-440 right-of-way, and its orientation is to Woodlawn Drive, west of the existing OC policy area.

There is not a significant impact on schools since office policy provides for residential development at Medium-High densities. If this area were used totally for offices, there would be no impact on schools but a greater impact on traffic. It is estimated there would be a 6% increase in daily trip generation and a 10% increase during the peak hours along 21st Avenue. The level of service along 21st Avenue at the interchange is already F, which is the most congested level. Having OC policy here would not require a different investment for road improvements than those that already need to be addressed. Expanding the OC policy to include the northeast quadrant of the interchange would add 15% to the current acreage in OC policy. This would not add enough demand to create pressure for new commercial support services such as restaurants.

This area also lies within the I-440 Impact Overlay District, which was put into the zoning ordinance to protect residential areas along the I-440 corridor from speculation and development pressures. If the Commission elects to amend to OC policy, the question the Council would decide is if the Impact policies apply here. They would determine if the request is dependent on the site's location near I-440 for its success. If it is, then the Impact policies preclude office development, and would need to be amended to carry out the land use objectives of OC policy. On the other hand, if it is determined that office development would occur here regardless of I-440, there would be no need to amend the Impact policies and these would not affect the implementation of OC policy. It would then be treated as any other zone change request.

In conclusion, staff believes that either retaining Residential Medium-High policy or amending the area to Office Concentration policy is appropriate at this location. RMH policy is valid because this is an established multifamily residential area and this site has access to an arterial. OC policy is also valid because there is demand for office space in this area and it has good arterial access.

Mr. Manier stated the present entrance/exit to the property is almost as if it were on an off ramp and asked if Traffic and Parking had addressed that.

Ms. McCaig stated the development report she had reviewed proposed adding an additional lane to ease that problem but that she had not seen the traffic impact study.

Mr. Ed Owens, representing property owner Jack Grace and Grace Development, asked for a two week deferral to work with the area community groups.

Representatives from the Hillsboro-West End and Hillsboro-Belmont Neighborhood Associations were present and supported Mr. Owens' request for a two week deferral.

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

ZONE CHANGE PROPOSALS:

Zone Change Proposal No. 98Z-071U

Map 172, Parcel 6.01
Subarea 12 (1997)
District 32 (Jenkins)

A request to change from R40 to RS10 district property located at 5827 Edmondson Pike, abutting the west margin of Edmondson Pike opposite Frontier Lane (7.38 acres), requested by Randy Caldwell, Ragan-Smith and Associates, Inc., appellant, for Anita S. Broquist, et al, owners.

Zone Change Proposal No. 98Z-072U

Map 172 Parcels 2 (7.77 acres) and 4 (7.65 acres)
Subarea 12 (1997)
District 32 (Jenkins)

A request to change from R40 to RS10 District property located at 5801 Edmondson Pike, approximately 900 feet north of and opposite Frontier Lane (15.42 acres), requested by Randy Caldwell, Ragan-Smith and Associates, Inc., appellant, for Anita S. Broquist, et al, and Ronald R. Shaw, Jr., owners.

Proposal No. 99P-001U

Edmondson Way
Map 172, Parcels 2 (7.77 acres), 4 (7.65 acres) and 6.01 (7.38 acres)
Subarea 12 (1997)

District 32 (Jenkins)

A request for preliminary approval of a Planned Unit Development District located abutting the west margin of Edmondson Pike opposite Frontier Lane (22.8 acres), classified R40 and proposed for RS10, to permit 41 single-family lots, requested by Ragan-Smith and Associates, Inc., for Anita S. Broquist, et al, and Ronald R. Shaw, Jr., owners.

Ms. Regen stated these items were presented to the Commission at the last meeting proposed for RS15 zoning but are now being proposed for RS10 zoning in order to get smaller lot sizes because a number of these lots fall within the range of less than 7,500 square feet. Staff is recommending disapproval of the RS10 zoning because RS10 zoning along Edmondson Pike does not begin until Holt Road. The applicant contends that if this PUD is at some point included as part of the Sterling Oaks PUD, which is one of their objectives, the lot sizes would be somewhat similar. Staff is cautioning that the RS10 zoning would introduce a higher density zoning into this area which has not been allowed previously. Staff is recommending disapproval of the RS10 zoning as well as disapproval of the PUD.

Staff received a letter from Councilmember Jenkins expressing his support of both the PUD and the rezoning request.

Mr. Manier indicated the RS10 zoning in this location made some sense in that the property is located very near to the major intersection in the area - Edmondson Pike and Old Hickory Boulevard. Further Mr. Manier pointed out that there is higher density RS10 farther south along Holt Road. He voiced the opinion that the same RS10 density would make sense at this more northern location.

Ms. Regen stated that some years ago the established zoning pattern was set with some PUD's along Holt Road with the RS10 zoning.

Ms. Warren stated that if this PUD were approved the zoning could bring the lot size down to 5,000 square feet and that was not consistent with the Sterling Oaks PUD.

Ms. Regen stated staff did an analysis of all the lots within Sterling Oaks and the proposed PUD and the average lot size within Sterling Oaks was 6,765 square feet and the average size in the Edmondson Way PUD was 7,260 square feet.

Mr. Randy Caldwell stated the it had been made clear by Councilmember Jenkins that whatever zoning district is sought out that he would not approve any more than 2 units per acre. He stated that unfortunately the applicant was having to seek the RS10 district to enable some lots to be smaller than 7,500 square feet in area. He stated the site is encumbered by both flood plain and TVA power lines, which is requiring more intense use of the more usable portions of the site.

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

Resolution No. 99-103

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal Nos. 98Z-071U and 98Z-072U are **APPROVED (7-0)**:

These properties fall within the Subarea 12 Plan's Residential Low Medium (RLM) policy calling for up to 4 units per acre. The RS10 district is consistent with this policy and the area's single-family land uses. The associated Planned Unit Development minimizes impacts to the surrounding single-family area since its density of 1.8 units per acre is less than that of the surrounding area averaging 2.7 units per acre."

“BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that Proposal No. 99P-001U is given **CONDITIONAL APPROVAL TO APPLY A PRELIMINARY PLANNED UNIT DEVELOPMENT DISTRICT (7-0)**. The following conditions apply:

1. Prior to the issuance of any building permits, written confirmation of preliminary approval 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, Metro Council must approve the amended PUD for 41 single-family lots.”

Zone Change Proposal No. 99Z-012G

Map 108, Parcel 147
Subarea 14 (1996)
District 13 (French)

A request to change from R15 to RM9 district property at Bell Road (unnumbered), approximately 350 feet south of Harborwood Drive (5.49 acres), requested by James Jenkins, Sr., appellant/owner.

Ms. Regen stated this property falls within an area of residential low-medium policy in the Subarea 14 Plan and staff is recommending disapproval of the RM9, which would allow 9 multi-family units per acre. The development pattern in this area is single family residential. Staff is recommending disapproval because of the single family lot pattern on 3 sides and the number of stub out streets to the south as well as to the north suggesting a single family lot pattern was what was indicated for the future.

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

Resolution No. 99-104

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-012G is **DISAPPROVED (7-0)**:

This property falls within the Subarea 14 Plan’s Residential Medium (RM) policy calling for 4 to 9 units per acre. RM9 zoning is not appropriate since multi-family uses are not consistent with the single-family development pattern to the north, south and west of this property. This development pattern is reflected by the two stub-out streets into this property as well as two stub-out streets to the south into parcel 148. The RS10 district is the preferred zoning since it is consistent with RM policy and the predominantly single-family zoning pattern.”

Zone Change Proposal No. 99Z-014U

Map 119-10, Parcel 91
Subarea 11 (1993)
District 16 (Graves)

A request to change from R10 to OR20 district property at 2825 Hartford Drive, on the north margin of Thompson Lane (.46 acres), requested by John E. Elder, appellant, for John E. Elder, III, owner.

Ms. Regen stated staff is recommending disapproval of this rezoning which would take this property from residential to office and multi-family. This property falls within a residential low-medium policy which would allow residential uses up to 4 dwelling units per acre. The OR20 that is being proposed would be for office uses which is not supported by the residential policy. There is other unused commercial zoning along Thompson Lane and before other properties are rezoned the existing supply should be used.

Mr. Manier stated he felt this was an intrusion into the residential area and a residential policy and it should be denied.

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

Resolution No. 99-105

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-014U is **DISAPPROVED (7-0)**:

This property falls within the Subarea 11 Plan's Residential Low Medium (RLM) policy calling for conservation of this single-family neighborhood along Hartford Drive at up to 4 units per acre. The OR20 district is not consistent with this policy since it permits office uses and multi-family uses at up to 20 units per acre. Both of these uses exceed the scope of RLM policy. The existing R10 district is the preferred zoning since it is the area's predominant zoning pattern."

PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:

Proposal No. 97P-022G
American Retirement Corp. Nine Mile Hill
Map 129-14, Parcel 2
Subarea 6 (1996)
District 23 (Crafton)

A request to revise a portion of the preliminary plan and final approval of the Residential Planned Unit Development District located between Highway 70S (Memphis Bristol Highway) and Brookmont Terrace (11.0 acres), classified RM4, to permit an 18 foot tall, 100,000 gallon water tank and to increase the assisted-living facility from 65,946 square feet to 75,096 square feet, an increase of 9,150 square feet, requested by Barge, Cauthen and Associates, for American Retirement Corporation, owner.

Ms. Regen stated staff is recommending approval of this revision to the preliminary plan and for final approval. The applicant has already received approval to construct a 90 room assisted living facility on this piece of property. They have revised the preliminary plan to add an 18 foot tall 100,000 gallon water tank. That was deemed necessary by the Fire Marshall to insure there would be adequate fire protection for this property.

Ms. Warren stated her only concern was that there was concern and opposition expressed by the neighbors when this was originally approved.

Mr. Browning stated there were two proposals in this area and the one to the east of Wessex Towers was the more controversial item.

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

Resolution No. 99-106

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 97P-022G is given **CONDITIONAL APPROVAL TO REVISE THE PRELIMINARY AND FOR FINAL APPROVAL (7-0)**. The following condition applies:

Prior to the issuance of any building permits, written 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.”

SUBDIVISIONS:

Preliminary Plats:

Subdivision No. 99S-007G (Public Hearing)

The Ridge at Stone Creek

Map 180, Parcel 112

Subarea 12 (1997)

District 31 (Alexander)

A request for preliminary approval for 98 lots abutting the northeast margin of the Davidson/Williamson County line, approximately 850 feet south of Holt Road (39.66 acres), classified within the RS10 District, requested by Beech Hill Properties, owner/developer, Anderson-Delk and Associates, Inc., surveyor. (Deferred from meeting of 1/7/99).

Ms. Carrington stated staff is recommending approval with a variance to the maximum length of a dead end street in the Subdivision Regulations. They area requesting 98 single family lots. This item was deferred from the last meeting because the original plan showed connections to Brentwood streets that have permanent dead ends; the Traffic Engineer has determined there is no need for connections any further to the west or to the north. The streets have since been made permanent dead ends on a revised plan that the applicant has submitted. The length of the dead end street is approximately 2,000 feet and the Subdivision Regulations allow only 750. In this case there are topographical constraints that will not allow streets going north or west.

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. 99-107

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-007G, is **APPROVED WITH A VARIANCE TO SECTION 2-6.2.1G OF THE SUBDIVISION REGULATIONS (7-0); PUBLIC HEARING CLOSED.”**

Subdivision No. 99S-038G (Public Hearing)

Stanford Village

Map 173, Parcels 79, 81 and Part of Parcel 185

Subarea 12 (1997)

District 31 (Alexander)

A request for preliminary approval for 116 lots abutting the south margin of Barnes Road, approximately 980 feet west of Old Hickory Boulevard (46.17 acres), classified within the RS10 District, requested by Phillips Builders, Inc., owner/developer, Anderson-Delk and Associates, Inc., surveyor.

Ms. Carrington stated staff is recommending conditional approval subject to Public Works approval. Public Works has requested additional information be noted on the preliminary plat and be submitted prior to the final plat. Their traffic impact study has been submitted to the Traffic and Parking staff and they have reviewed it and approved it.

No one was present to speak at the public hearing.

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

Resolution No. 99-108

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-038G, is **APPROVED WITH CONDITIONS (7-0); PUBLIC HEARING CLOSED.”**

Subdivision No. 99S-039G (Public Hearing)

The Meadows of Seven Points
Map 98, Parcel 158 and Part of Parcel 60
Subarea 14 (1996)
District 12 (Ponder)

A request for preliminary approval for 154 lots abutting the east margin of New Hope Road, approximately 1,460 feet south of John Hager Road (62.5 acres), classified within the RS15 District, requested by B and P Development, Inc., owner/developer, Anderson-Delk and Associates, Inc., surveyor.

Ms. Carrington stated staff is recommending approval. This is a cluster lot proposal and does meet all the cluster lot provisions in the Zoning Ordinance. In this case the applicant is providing a left turn lane on New Hope Road and that was the only traffic requirement from their traffic study.

Mr. Fred Hicks, Ms. Kathy Nevel, Mr. Larry Hager, Ms. Kay Bush, and Ms. Sylvia Hicks expressed concerns regarding road infrastructure, traffic, the water system, sewer extension, water pressure, fire protection, blasting damage, blasting control, public safety, drainage and school overcrowding.

John Fischer, property owner, asked the Commission for approval of the project.

Mr. Larry McWhirter, representing the developer, stated the concerns of the neighborhood would be addressed and that the developer would work with the community to insure satisfaction.

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

Resolution No. 99-109

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-039G, is **APPROVED (7-0); PUBLIC HEARING CLOSED; NOTIFICATION FOR FINAL PLAT.”**

Final Plats:

Subdivision No. 98S-211U

Cockrill Bend Industrial Complex, Section 10
Map 79, Parcel 88 and Part of Parcel 89
Subarea 7 (1994)
District 22 (Hand)

A request for final plat approval to subdivide a 2.78 acres parcel from an existing larger deeded parcel and consolidate it with another existing deeded parcel to form a larger lot abutting the northeast margin of Cockrill Bend Boulevard, approximately 1,050 feet north of Cockrill Bend Circle (20.19 acres), classified within the IR District, requested by American Paper and Twine Company and Metropolitan Nashville Port Authority, owners/developers, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

Ms. Carrington stated staff is recommending approval with a variance to the requirement for street construction in the Subdivision Regulations. The developer is adding a 2.78 acre parcel to a larger tract. This parcel is currently part of a larger tract that is owned by the state. The preliminary plat was approved in 1988 and showed a street adjacent to the property on the north connecting Cockrill Bend Circle and Cockrill Bend Boulevard. Because the larger tract to the north is not yet developed the street is not necessary. This is a unique circumstance and since that property to the north is owned by the state, it would be Metro constructing the street at some point in the future. At this time the street is not necessary, so staff is recommending approval with the variance.

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

Resolution No. 99-110

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 98S-211U, is **APPROVED WITH A VARIANCE TO SECTION 2.7 OF THE SUBDIVISION REGULATIONS (7-0).”**

Subdivision No. 98S-413U
Baby Ruth Lane Estates, Section 2
Map 163, Parcels 121 and 276
Subarea 13 (1996)
District 28 (Hall)

A request for final plat approval to create 11 lots abutting the west margin of Baby Ruth Lane, approximately 1,530 feet north of Mt. View Road (2.83 acres), classified within the R8 District, requested by Batson and Associates, owner/developer, Arrowhead Survey, surveyor.

Ms. Carrington stated staff is recommending conditional approval subject to the posting of a bond for the extension of public utilities. This preliminary plat was approved on November 25, 1998. The petitioner is proposing the five lots at the end of the street be for duplex uses. When the preliminary was on the agenda there was discussion about whether or not duplexes should be disbursed throughout the subdivision rather than concentrated at the end of the street. The language from the old Zoning Ordinance, which was recently inserted back into the new Zoning Ordinance, says duplexes can be approved so as to minimize the impact on any existing single family development. In this case there is a junkyard across the street and staff was supportive of the 5 duplexes being at the end of the street. However, if the Commission feels they should be disbursed then this application should be disapproved.

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

Resolution No. 99-111

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 98S-413U, is **APPROVED SUBJECT TO A BOND OF \$41,000.00 (7-0).”**

Request to Rehear:

Subdivision No. 98S-137G
Heron Walk, Phase 2, Section 5
Map 52-8, Part of Parcel 196
Subarea 4 (1998)
District 9 (Dillard)

A request for final plat approval to create 30 lots abutting both margins of Shawnee Road, west of Cheyenne Boulevard (4.99 acres), classified within the RS10 Residential Planned Unit Development District, requested by Allen Earps, owner/developer, MEC, Inc., surveyor. (Also requesting revision to final for Proposal No. 90P-020G to add one lot, "Lot 201").

Ms. Carrington stated that before this could be discussed, there must be a vote to rehear the item and the motion needs to be made by someone who was on the prevailing side when it was disapproved in November.

Councilmember Garrett moved and Ms. Nielson seconded the motion, which carried unanimously, to approve the rehearing.

Ms. Carrington stated that when this item was disapproved in November the issue was the one lot in the location where Shawnee Road was proposed to connect to the adjacent development. When it went to Council for the PUD approval, the preliminary PUD plan was amended to close Shawnee Road, and to insert the additional lot in its place.

Councilmember James Dillard spoke in favor of the PUD and explained the road had been closed by Council and would not be reopened so there was no reason for the lot not to be approved. If the lot was not approved it would be split between the two adjacent property owners.

Ms. Nielson stated she was very concerned about safety when there is only one way in and one way out for any subdivision.

Ms. Warren stated she was concerned that this may lead to older subdivisions asking Council for more roads to be closed whenever new development comes.

Councilmember Garrett stated that as much as the Commission would like to see the road stay open that option is gone.

Ms. Warren stated that she wished the Commission was not put in this position because it is not appropriate to be closing off roads because in 20 years there may be a safety issue.

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

Resolution No. 99-112

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 98S-137G, is **APPROVED WITH A VARIANCE TO SECTION 2-6.2.1G OF THE SUBDIVISION REGULATIONS, SUBJECT TO A BOND OF \$203,500.00 (7-0).”**

Request for Bond Extension:

Subdivision No. 31-86-P
Whitworth, Phase 3, Section 1
Lake Whitworth LLC, principal
[Buildout is at 67%]

Located abutting the northwest corner of Woodlawn Drive and Compton Road. The developer is also requesting a variance to Section 2-6.1.A of the Subdivision Regulations requiring sidewalks.

Ms. Carrington stated staff is recommending approval of the request for extension of their performance bond until April 30, 1999. The applicant has withdrawn their request for the variance to the sidewalk requirement. Staff has done additional research and discovered their original bond preceded the deadline for the policy for sidewalks so they are not required to install the sidewalk.

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

Resolution No. 99-113

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 31-86-P, Bond No. 94BD-093, Whitworth, Phase 3, Section 1 in the amount of \$22,000 to 4/30/99 subject to submittal of an amendment to the present Letter of Credit by **3/4/99** which extends its expiration date to 10/30/99. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

MANDATORY REFERRALS:

Proposal No. 99M-007U

Tanglewood Drive
Map 61
Subarea 5 (1994)
District 8 (Hart)

A request from the Director of Public Works to rename Tanglewood Drive running parallel to Brush Hill Road (north of Briley Parkway) to "Tanglewood Lane" and Tanglewood Drive running parallel to, and north of Briley Parkway and intersecting with Brush Hill Road to "Tanglewood Court" to enable the Enhanced 911 System to operate more efficiently. (Deferred from meetings of 1/7/99 and 1/21/99).

Ms. Regen stated this was deferred from the last meeting because there was a property owner who owned several properties within this historic district and opposed the renaming to Tanglewood Lane. Staff has received a memo from the state Historical Commission and that memo indicates that having the name changed would not likely affect the National Register of Eligibility of the property because the word Drive is not used in the historic district name. Mr. Romersa, the property owner in opposition, came up with the name "Tanglewood Drive North and that has been accepted by the Department of Public Works as a compromise, so staff is recommending approval.

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

Resolution No. 99-114

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-007U.

OTHER BUSINESS:

1. Subarea 10 Plan Amendment (addressing urban design overlays). (Deferred from meeting of 1/21/99).

Vice Chairman Lawson stated that this item was deferred from the last meeting in order for the Commission to hear the views of Councilmember Clifton and Councilmember-at-Large Waters which were heard at the beginning of the meeting.

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

Resolution No. 99-115

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

WHEREAS, at the request of various community interests, the Metropolitan Planning Commission did conduct a public hearing on January 21, 1999 to consider proposed amendments to the *Subarea 10 Plan* including: a) the designation of certain areas within Music Row, Hillsboro Village, and the 21st Avenue South corridor around and north of Blair Boulevard as special design treatment areas, b) the establishment of design goals and objectives for each proposed special design treatment area; and, c) a change in land use policy to “Mixed Use” (MU) involving part of the proposed special design treatment area in Hillsboro Village to expand commercial development opportunities; and,

WHEREAS, the Metropolitan Planning Commission finds that the designation of all three proposed special design treatment areas and associated goals and objectives is warranted to foster the protection and enhancement of the established form and character of development in these areas or to achieve a uniqueness of form and character for new development that is otherwise not insured by the application of conventional bulk, landscaping, parking and sign standards; and,

WHEREAS, the Metropolitan Planning Commission finds that the change in land use policy to provide additional commercial development opportunity in the Hillsboro Village area is warranted;

NOW, THEREFORE, BE IT RESOLVED that the Metropolitan Planning Commission hereby **ADOPTS** Amendment No. 2 to the *Subarea 10 Plan* and incorporates said amendment into the Subarea 10 Plan.

3. Morton Mill Road status report.

Mr. Browning stated the performance agreement expired on Morton Mill Road on December 8, 1998. As the Commission knows there is now a letter of credit from a financial institution that goes beyond that by 6 months. That is still good through June 9, 1999 so the Commission may consider a 2 week deferral.

Mr. Rochford stated they should have the road completed within the next two weeks.

Councilmember Garrett moved and Ms. Warren seconded the motion, which carried unanimously, to defer this matter for two weeks.

4. Contract with Gresham, Smith and Partners to prepare an advance planning report for Green Hills for pedestrian, transit, bicycle and related facility improvements.

Mr. Fawcett stated Gresham, Smith and Partners would do an advanced planning report which prepares a cost estimate so they can allocate federal funds for implementation of the project and it would include not just pedestrian facilities but bicycle improvements as well as some transit improvements.

Mr. Browning asked if this would also cover the design and engineering.

Mr. Fawcett stated this money is actually only for the cost estimates.

Mr. Browning asked this matter be deferred for two weeks because he had concerns that the APR can take a long time and that time should not be taken before getting to the design.

Ms. Warren moved and Councilmember Garrett seconded the motion, which carried unanimously, to defer this matter for two weeks.

5. Staff report on internet access to maps.

Mr. Fawcett updated the Commission on the status of service and anticipated service improvements.

6. Legislative update.

Councilmember Garrett stated there was no legislative update.

PLATS PROCESSED ADMINISTRATIVELY

January 21, 1999 through February 3, 1999

- | | |
|-----------------|---|
| 97S-401U | Vultee Church of Christ; First Revision
This plat adds a private sewer easement |
| 98S-367 | Skruggs Brooklyn Heights; Resubdivision of lots 289 - 291
This plat subdivides one lot into two |
| 98S-389G | Evergreen Nashville Storage, LLC
This plats a minor interior lot line reconfiguration |
| 99S-008G | Cherry Creek Apartments; Lot 1
This is a one lot plat |
| 99S-071G | Robinson Subdivision
Plats one deeded parcel |

ADJOURNMENT:

There being no further business, upon motion made, seconded and passed, the meeting adjourned at 4:00 p.m.

Chairman

Secretary

Minute Approval:
This 18th day of February, 1999