

MINUTES
OF THE
METROPOLITAN PLANNING COMMISSION

Date: April 4, 1996
Time: 1:00 p.m.
Place: Howard Auditorium

Roll Call

Present:

Gilbert N. Smith, Chairman
Arnett Bodenhamer
Councilmember Stewart Clifton
William Harbison
Janet Jernigan
James Lawson, Vice-Chairman
Ann Nielson
Stephen Smith

Absent:

Mayor Philip Bredesen
William Manier

Also Present:

Executive Office:

Jeff Browning, Executive Director and Secretary
Carolyn Perry, Secretary II

Current Planning & Design:

Edward Owens, Planning Division Manager
Mitzi Dudley, Planner III
Shawn Henry, Planner III
Tom Martin, Planner III
John Reid, Planner II
Douglas Delaney, Planner I
Charles Hiehle, Planning Technician II

Advance Planning and Research Division:

Jeff Ricketson, Planning Division Manager
Deborah Fleming, Planner III
Jacqueline Blue, Planner I
Freida Banniza, Planning Technician I

Community Plans Division:

Jerry Fawcett, Planning Division Manager
Jennifer Uken, Planner I

Chairman Smith called the meeting to order.

ADOPTION OF AGENDA

Ms. Nielson moved and Mr. Lawson 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:

94P-008U	Deferred indefinitely, by applicant.
95P-036G	Deferred indefinitely, by applicant.
312-84-G	Final Plat, Deferred indefinitely, by applicant.
95P-024U	Deferred two weeks, by applicant.
88P-067G (Section 1)	Deferred two weeks, by Water Services.
88P-067G (Section 2)	Deferred two weeks, by Water Services
94S-257G	Deferred two weeks, by surveyor.

Mr. Owens announced the applicant for preliminary subdivision 96S-117G, Hampton Hall, intended to ask for a deferral until May 30, 1996, after the public hearing. Also the applicant for 96S-118G, Bridle Path, Section 5, intended to request a two week deferral after the public hearing for this preliminary subdivision.

Mr. Lawson moved and Mr. Bodenhamer seconded the motion, which unanimously passed, to defer the items listed above (not including 96S-117G and 96S-118G).

APPROVAL OF MINUTES

Mr. Lawson moved and Mr. Bodenhamer seconded the motion, which unanimously passed, to approve the minutes of the regular meeting of March 21, 1996.

RECOGNITION OF COUNCILMEMBERS

Councilmember Melvin Black stated the applicant for Zone Change No. 96Z-025U had agreed to amend the request from CS to MUL.

Councilmember Willis McCallister spoke in favor of Zone Change 96Z-030U.

Councilmember Vic Lineweaver spoke in favor of 96M-027G, Harpeth View Drive closure.

Councilmember Vic Varallo, representing Councilmember Regina Patton, asked for disapproval of Subdivision No. 96S-116U.

ADOPTION OF CONSENT AGENDA

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

APPEAL CASES:

Appeal Case No. 96B-037U
Map 61-15, Parcel 20
Subarea 5
District 8

A request for a conditional use permit under the provisions of Section 17.124.170 (Day care for developmentally disabled adults) as required by Section 17.24.030 to use the existing facility for day care for developmentally disabled adults within the R8 District, on property abutting the east margin of Burrus Street, approximately 180 feet north of Oak Street (.54 acres), requested by Sue B. Shaw, appellant/owner.

Resolution No. 96-188

“BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 96B-037U to the Board of Zoning Appeals:

The site plan complies with the conditional use criteria.”

PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:

Proposal No. 90P-020G
Heron Walk
Map 52-8, Parcel 22 and Part of 196
Subarea 4
District 9

A request for final approval for Phase 1 of the Residential Planned Unit Development District abutting the west margin of Cheyenne Boulevard, 1,400 feet southeast of Manzano Road (21.38 acres), to permit the development of 107 single-family lots, requested by MEC, Inc., for Allen Earps, owner. **(Deferred from meetings of 03/07/96 and 03/21/96).**

Resolution No. 96-189

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 90P-020G is given **CONDITIONAL FINAL APPROVAL FOR PHASE ONE.** The following conditions apply:

1. Written confirmation of final approval from the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. The recording of a final subdivision plat for Phase 1 upon the posting of a bond for all road improvements as required by the Metropolitan Department of Public Works, all sewer Line extensions as required by the Metropolitan Department of Water Services and all water line extensions as required by the Madison Suburban Utility District.
3. Approval by the Metropolitan Department of Public Works of a plan creating temporary detention ponds to be utilized prior to the construction of downstream improvements as agreed to by the developer and the Public Works Department. The developers have agreed to a contribution of \$36,000.00 as their share of the total cost of downstream improvements.
4. The recording of a boundary plat.”

Proposal No. 312-84-G
Poplar Creek Estates, Phase IV
Map 155, Part of Parcel 203
Subarea 6
District 35

A request for final approval for phase four of the Residential Planned Unit Development District abutting the western terminus of Autumnwood Drive, 12.16 acres, to permit the development of 30 single-family lots, requested by Joseph G. Petrosky Associates, Inc., for Poplar Creek Development Company, owners.

Resolution No. 96-190

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 312-84-G is given **CONDITIONAL FINAL PUD APPROVAL**; final plat deferred indefinitely at the request of the applicant. The following conditions apply:

1. Receipt of revised plans to increase the capacity of the existing drainage facility in Phase 2 and to create a temporary detention facility in Phase 5 for detention of this phase, said plans to be approved by the Department of Public Works.
2. Approval and recording of the final plat, along with the posting of performance bonds as may be required for road, water, sewer and storm drainage improvements.”

SUBDIVISIONS:

Final Plats:

Subdivision No. 88P-067G
Brandywine Pointe, Phase 10, Section 1
Map 64, Part of Parcel 8
Subarea 14
District 11

A request to create six lots abutting both margins of Rachel Way, approximately 130 feet south of Shannon Place (2.87 acres), classified within the R20 Residential Planned Unit Development District, requested by Brandywine Pointe Partners, L.P., owner/developer, Gresham, Smith and Partners, surveyor.

Resolution No. 96-191

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the FINAL Subdivision No. 88P-067G, is granted **CONDITIONAL APPROVAL** subject to posting a performance bond in the amount of \$21,000.00.”

Subdivision No. 88P-046G
Poplar Ridge, Section 3
Map 141, Parcel 95
Subarea 6
District 35

A request to create four lots abutting the south margin of Coley Davis Road, approximately 400 feet east of Poplar Ridge Drive (1.74 acres), classified within the RS20 Residential Planned Unit Development District, requested by Sunflower Properties, owner/developer, Ragan-Smith Associates, Inc., surveyor.

Resolution No. 96-192

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 88P-046G, is granted **CONDITIONAL FINAL APPROVAL** subject to a \$616.00 contribution to the Coley Davis Roadway Improvement Fund.”

Subdivision No. 94P-017G

October Woods, Phase 1, Section 3
Map 183, Part of Parcel 4
Subarea 12
District 31

A request to create 39 lots abutting both margins of October Woods Drive, approximately 175 feet west of Pinwheel Drive (10.68 acres), classified within the R10 Residential Planned Unit Development District, requested by October Woods, L. P., owner/developer, Anderson-Delk and Associates, Inc., surveyor.

Resolution No. 96-193

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 94P-017G, is granted **CONDITIONAL FINAL APPROVAL** subject to posting a performance bond in the amount of \$222,800.00.”

Subdivision No. 96S-076U
Metroplex, Section 14
Map 134, Parcel 235
Subarea 13
District 27

A request to subdivide one lot into three lots abutting the north margin of Metroplex Drive, approximately 1,040 feet north of Harding Place (5.07 acres), classified within the CG District, requested by Walter G. Knestrick, owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

Resolution No. 96-194

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 96S-076U, is granted **FINAL APPROVAL**.”

Request for Bond Extension:

Subdivision No. 154-73-G
Camden Woods, Phase Three-B
Phillips Builders, Inc., principal

Located abutting the west margin of Strombury Drive and the west margin of Tulip Grove Road.

Resolution No. 96-195

"**BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of a performance bond for Subdivision No. 154-73-G, Bond No. 93BD-084, Camden Woods, Phase Three-B, until June 1, 1996, as requested, in the amount of \$5,000, said approval being contingent upon submittal of a letter by April 18, 1996 from National Fire Insurance Company agreeing to the extension. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

Subdivision No. 103-79-G
Riverfront Shopping Center, Section Two, Lot 3
Riverfront Development Limited Partnership, principal

Located abutting the south west margin of Robinson Road, opposite Martingdale Drive.

Resolution No. 96-196

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of the performance bond for Subdivision No. 103-79-G, Bond No. 94BD-062, Riverfront Shopping Center, Section Two, Lot 3, until June 1, 1996, in the amount of \$5,000, as requested."

Subdivision No. 177-80-U
Bell Crest, Section One
William L. Rudolph, principal

Located abutting the east margin of Hickory Park Drive, approximately 75 feet south of Hickory Court Park East.

Resolution No. 96-197

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of the performance bond for Subdivision No. 177-80-U, Bond No. 94BD-023, Bell Crest, Section One, until June 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the amount of \$7,000 by May 1, 1996 and extending the expiration date to December 1, 1996. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

Subdivision No. 130-85-P
Northside Festival
Nashvest Associates, L.P., principal

Located abutting the southwest corner of Gallatin Pike and Northside Drive.

Resolution No. 96-198

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of a performance bond for Subdivision No. 130-85-P, Bond No. 95BD-043, Northside Festival, until July 31, 1996, as requested, in the amount of \$53,700, said approval being contingent upon submittal of a letter by May 8, 1996 from Reliance Insurance Company agreeing to the extension. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

Subdivision No. 78-87-P
Fredericksburg, Section Two
Radnor Homes, Inc., principal

Located abutting both margins of Manassas Drive, approximately 154 feet northeast of Fredericksburg Way East.

Resolution No. 96-199

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of a performance bond for Subdivision No. 78-87-P, Bond No. 93BD-061, Fredericksburg, Section Two, until June 1, 1996, in the amount of \$5,000, as requested."

Subdivision No. 78-87-P
Fredericksburg, Section Three
Radnor Homes, Inc., principal

Located abutting the north margin of Cloverland Drive, approximately 85 feet east of Fredericksburg Way.

Resolution No. 96-200

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of a performance bond for Subdivision No. 78-87-P, Bond No. 93BD-079, Fredericksburg, Section Three, until June 1, 1996, in the amount of \$5,000, as requested."

Subdivision No. 78-87-P
Fredericksburg, Section Four
Radnor Homes, Inc., principal

Located abutting the south margin of Fredericksburg Way and both margins of Potomac Lane.

Resolution No. 96-201

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of a performance bond for Subdivision No. 78-87-P, Bond No. 94BD-042, Fredericksburg, Section Four, until June 1, 1996, in the amount of \$15,000, as requested."

Subdivision No. 88P-038G
Long Hunter Chase, Phase One, Section One
Barry Construction Company, principal

Located abutting the southeast margin of Mt. View Road and the northwest margin of Hobson Pike.

Resolution No. 96-202

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of the performance bond for Subdivision No. 88P-038G, Bond No. 88BD-026G, Long Hunter Chase, Phase One, Section One, until June 1, 1997, as requested, said approval being contingent upon posting an amended letter of credit in the amount of \$134,000 by May 8, 1996 and extending the expiration date to December 1, 1997. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

Subdivision No. 88P-046G
Poplar Ridge, Section One
Sunflower Property, principal

Located abutting the west terminus of Coley Davis, approximately 50 feet south of I-40.

Resolution No. 96-203

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of the performance bond for Subdivision No. 88P-046G, Bond No. 89BD-026, Poplar Ridge, Section One, until June 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the amount of \$20,000.00 by May 8, 1996 and extending the expiration date to December 1, 1996. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

Subdivision No. 92P-008G
Addition to Breelan Park, Section One
The Meadows Group, principal

Located abutting the southern terminus of Saddlewood Lane.

Resolution No. 96-204

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of the performance bond for Subdivision No. 92P-008G, Bond No. 94BD-046, Addition to Breelan Park, Section One, until June 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the amount of \$7,000 by May 8, 1996 and extending the expiration date to December 1, 1996. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

Subdivision No. 93P-011G
Holt Woods, Section One
Hurley-Y, L.P., principal

Located abutting both margins of Call Hill Road, approximately 435 feet south of Roundhill Drive.

Resolution No. 96-205

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of the performance bond for Subdivision No. 93P-011G, Bond No. 94BD-025, Holt Woods, Section One, until June 1, 1996, in the amount of \$14,000, as requested."

Request for Bond Release:

Subdivision No. 153-84-G
Willow Trace Subdivision, Phase Two
P & C Building Development, principal

Located abutting the north side of Brook Manor and both sides of Rock Creek Trace.

Resolution No. 96-206

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 153-84-G, Bond No. 90BD-027, Willow Trace Subdivision, Phase Two, in the amount of \$30,425.00, as requested."

Subdivision No. 7-86-P
Sheffield on the Harpeth, Phase Three-D
Phillips Builders, Inc., principal

Located abutting both margins of River Fork Drive, approximately 125 feet northwest of Londonberry Road.

Resolution No. 96-207

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 7-86-P, Bond No. 94BD-009, Sheffield on the Harpeth, Phase Three-D, in the amount of \$25,000, as requested."

MANDATORY REFERRALS:

Proposal No. 96M-017U

Rural Hill Road Right-of-Way Abandonment
Subarea 13
District 28

A request from the Department of Public Works to abandon a remnant parcel adjoining property on Map 149, Parcel 142. **(Easements are to be retained).**

Resolution No. 96-208

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-017U.

Proposal No. 96M-018U
Acquisition of Property
Improvements to the Central Wastewater Treatment Plant
Map 82-9, Parcel 469
Subarea 8
District 20

A request from the Department of Water and Sewerage Services to acquire a parcel on the east side of Second Avenue North to provide additional warehousing and storage space as part of the overall expansion and improvement of the Central Wastewater Treatment Plant.

Resolution No. 96-209

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-018U.

Proposal No. 96M-019U
Replacement of a Sewer Line and Easement
Map 81-14, Parcel 176
Subarea 8
District 21

A request from the Department of Water and Sewerage Services to abandon a short section of existing sewer line and its associated easement, and to acquire a new 20 foot sanitary sewer easement within which the line will be replaced.

Resolution No. 96-210

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-019U.

Proposal No. 96M-020U
Woodleigh Drive Closure
Map 117-1
Subarea 10
District 25

A proposal to close Woodleigh Drive between Forest Park Drive and Woodlawn Drive, requested by Councilmember David Kleinfelter for various adjacent property owners. **(Easements are to be retained).**

Resolution No. 96-211

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-020U.

Proposal No. 96M-022U
123 Second Avenue South Right-of-Way Encroachments
Map 93-6-4, Parcel 51
Subarea 9
District 19

A mandatory referral from the Department of Public Works proposing the installation of various signs, awnings and light fixtures over the sidewalk in front of 123 Second Avenue South, requested by Jerry Free, for the Crab House, Inc., proprietor.

Resolution No. 96-212

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-022U.

Proposal No. 96M-024G
Council Bill No. O96-254
John Hager Road Permanent Easement
Maps 97 and 98
Subarea 14
District 12

An ordinance authorizing the Metropolitan Government to accept a permanent easement for right-of-way and sanitary sewer improvements on John Hager Road.

Resolution No. 96-213

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-024G.

Proposal No. 96M-025U
Council Bill No. O96-252
Lease Agreement Between Metro Codes
Administration and MDHA
Map 93-15, Parcel 118
Subarea 11
District 19

An ordinance approving a lease agreement between Metropolitan Government, acting through the Department of Codes Administration, and Metropolitan Development and Housing Agency for office space in the Southside Development Center located at 72 Lafayette Street.

Resolution No. 96-214

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-025U.

Proposal No. 96M-026U

Council Bill No. O96-246
Jefferson Street Surplus Property
Map 82-13, Part of Parcel 207
Subarea 8
District 20

An ordinance approving the sale of surplus property created by the widening of Jefferson Street.

Resolution No. 96-215

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-026U.

Proposal No. 96M-028U
Council Bill No. O96-251
Lease Agreement Between Board of Health and
St. Luke's Community House
Map 91-2, Parcel 293
Subarea 7
District 22

An ordinance to approve a lease agreement between the Metropolitan Government, acting through the Board of Health, and St. Luke's Community House for the lease of premises at 56th and New York Avenues for use as a neighborhood health clinic.

Resolution No. 96-216

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-028U.

This concluded the items on the consent agenda.

Mr. Browning introduced Jacqueline Blue, Jennifer Uken and Douglas Delaney as new employees of the Planning Commission.

ZONE CHANGE PROPOSALS:

Zone Change Proposal No. 96Z-017U
Map 81-10, Parcel 258
Subarea 8
District 20

A request to change from R6 District to CS District certain property abutting the south margin of Buchanan Street, approximately 40 feet west of 23rd Avenue North (.56 acres), requested by William Bentley, owner. **(Deferred from meetings of 02/08/96 and 02/22/96).**

Mr. Reid stated this case had been deferred since the February 22, Commission meeting. Staff recommends disapproval because the subarea plan designates this area in residential policy as a neighborhood to be protected by limiting the encroachment of CS zoning. Staff feels there area ample commercial opportunities for neighborhood services along Buchanan Street to the east and also along D. B. Todd Boulevard.

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

Resolution No. 96-217

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 96Z-017U is **DISAPPROVED**:

This property falls within residential policy in the Subarea 8 Plan. Expansion of the CS District would adversely impact the surrounding residential neighborhood. Ample commercial opportunities exist to the east along Buchanan Street and D.B. Todd Boulevard."

Zone Change Proposal No. 96Z-025U
Map 58-16, Parcels 47 to 49
Map 69-4, Parcels 30 to 36
Subarea 3
District 2

A request to change from R15 District to CS District certain property abutting the west margin of Clarksville Pike, approximately 100 feet north of Fairview Drive (approximately 4.5 acres), requested by Charles E. Kimbrough, for various owners. **(Deferred from meetings of 03/07/96 and 03/21/96).**

Mr. Reid stated this case had been deferred from the March 7th meeting so staff could meet with the applicants to see if there was any suitable compromise between the land use policies and their development intentions. The applicants are willing to change their application to MUL instead of CS. Staff feels MUL would implement the commercial arterial policy along Clarksville Pike which calls for concentrating retail at the major intersections. It would encourage this area to be a truly mixed use area and staff recommends approval of the MUL district.

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

Resolution No. 96-218

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 96Z-025U is **APPROVED** as amended to MUL:

This property falls within 'Commercial Arterial Existing' (CAE) policy, a mixed use policy which encourages retail, office, and higher density residential uses at appropriate locations. The MUL District will implement this policy, and will strengthen the mixed use opportunities in this area while providing a more harmonious relationship with the surrounding residential neighborhood."

Zone Change Proposal No. 96Z-029U
Map 81-2, Parcel 97
Subarea 8
District 20

A request to change from R6 District to CS District certain property abutting the north margin of McKinney Avenue, approximately 250 feet west of 23rd Avenue North (.17 acres), requested by Frank Holbert, owner.

Mr. Reid stated staff was recommending disapproval as contrary to the General Plan. The subarea plan specifically designates this area as residential. Placing CS zoning in the heart of this area would violate the integrity of the neighborhood. There are ample commercial opportunities to the south along Clarksville

Pike as well as a small CSL zone at the intersection of Cecelia Avenue and 18th Avenue North that is vacant and would be suitable for a beauty shop.

Mr. Lawson stated the staff and Commission should consider that not all citizens running sole proprietorships are going to be able to afford commercial districts.

Ms. Nielson stated that if the Commission were to be too sensitive to those conditions they might get into spot zoning.

Mr. Lawson stated that in this day and time the Commission was going to be faced with more and more of these kinds of decisions because of people working out of their homes.

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

Resolution No. 96-219

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 96Z-029U is **DISAPPROVED as Contrary to the General Plan:**

The Subarea 8 Plan designates this area as a residential neighborhood to be protected. Placing commercial (CS) zoning in the heart of this neighborhood could seriously undermine the viability of this neighborhood and would constitute a 'spot zone'. Commercial activities are encouraged to the south along Clarksville Pike."

Zone Change Proposal No. 96Z-030U
Map 92-8, Parcel 87 and Part of Parcel 72
Subarea 8
District 21

A request to change from R6 District to RM8 District certain property abutting the southeast corner of Jo Johnston Avenue and 19th Avenue North and the south margin of Jo Johnston Avenue, approximately 50 feet west of 19th Avenue North (.46 acres), requested by Artmas L Worthy, owner with A. Brown.

Mr. Reid stated staff was recommending disapproval of this proposal. The RM8 district, which the applicant is asking for, permits up to 21.78 dwelling units per acre which exceeds the 9 dwelling units per acre maximum recommended by the subarea plan. The existing zoning implements the maximum density policies of the subarea plan. The existing RM8 district, which includes the quadplex, was approved prior to the adoption of the subarea plan. The goals for this area include conserving the single family homes in the neighborhood and also encourage reinvestment in the neighborhood.

Dr. Artmus Worthy stated he had built the quadplex in this block and that these new units had been welcomed as new investment in the neighborhood. He stated this rezoning provided the opportunity to introduce additional new investment in the area. He stated the current zoning does not allow enough density to make new construction feasible.

Mr. Browning stated the existing quadplex had apparently been well received. It is new construction in the neighborhood but it would require RM8 zoning. The subarea plan voiced the desire to reduce densities and maintain more of the single family character. The issue is whether to encourage maintaining a lower, single family type environment, or encouraging new construction through higher densities.

Mr. Harbison stated the subarea plan was within the Commission's interpretative function to say this change would be appropriate.

Mr. Lawson stated that given the subarea plan's call for revitalization efforts, this rezoning would be consistent with the subarea plan objectives and should be approved.

Councilmember Clifton stated he did not feel single family dwellings would be built on Jo Johnston in the near future but this current zoning is for 8.7 units per acre and that is a fairly high density. The Nashville Housing Trust Fund has been launched and a great deal of bank money, UDAG money and hopefully public money will be used, with the goal of having cluster development but not heavily dense development on vacant lots. He stated he admired what Dr. Worthy had done but felt it did cheapen the public planning process to approve this especially when the subarea plan was so young.

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

Resolution No. 96-220

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 96Z-030U is **APPROVED**:

The Subarea 8 Plan goals for this neighborhood include conserving its residential integrity while encouraging quality reinvestment. The Planning Commission determined that expanding the RM8 zoning district in this location would implement these goals."

PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:

Proposal No. 95P-024U
Carters Glen
Map 142, Parcel 69
Map 142-10, Parcel 27
Subarea 6
District 35

A request for final approval for the Residential Planned Unit Development District abutting the southeast margin of Old Harding Pike and Bellevue Road (2.74 acres), classified R15 to permit the development of 11 single-family lots, requested by Wamble and Associates, for Joel Wilson, owner.

Mr. Martin stated this item is in conformance with the preliminary plan that was approved by the Commission and the Council and staff is recommending approval. The applicant has asked to defer the final plat for two weeks only.

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

Resolution No. 96-221

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 95P-024U is given **CONDITIONAL FINAL PUD APPROVAL; FINAL PLAT DEFERRED**. The following conditions apply:

1. Written confirmation of final approval from the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.

2. The recording of a boundary plat.
3. The recording of a final subdivision plat upon the posting of a bond for all roads improvements as required by the Metropolitan Department of Public Works and all Water and Sewer Line extensions as required by the Harpeth Valley Utility District.
4. Submittal to the staff of the Planning Commission revised plans which provide for a clear visibility area at the Harding Road and Carters Glen Drive intersection and remove any reference to a 12th lot.”

SUBDIVISIONS:

Preliminary Plats:

Subdivision No. 96S-041U
 Stone Bridge
 Map 150, Parcels 170, 175 and Part of 39
 Subarea 13
 District 29

A request to create 24 lots abutting the south margin of Anderson Road, approximately 175 feet west of Towne Village Road (5.92 acres), classified within the RS8 District, requested by J. B. Knight et ux, owners/developers, Thomas, Miller and Partners, surveyors. **(Also requesting final plat approval).**

Mr. Owens stated this was a request to revise a preliminary subdivision previously approved to add another area and to fill out the pattern with additional lots. The staff had encouraged the developer to include this additional piece of property when the preliminary was being designed. He has now acquired the property and this will result in a much better subdivision pattern with proper streets. Staff is recommending approval.

The final plat is not in order yet and staff recommended deferral.

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

Resolution No. 96-222

“BE IT RESOLVED by the Metropolitan Planning Commission that the REVISED PRELIMINARY Plan of Subdivision No. 96S-041U is granted **APPROVAL** and the FINAL Plat is **DEFERRED by request of the Department of Public Works to the meeting of April 18, 1996.**”

Subdivision No. 96S-105U
 Bordeauxmont, Resubdivision of Part of
 Lots 9, 10 and 11
 Map 70-9, Parcel 114
 Subarea 3
 District 2

A request to subdivide one lot into two lots abutting the northwest corner of Goodrich Avenue and Cliff Drive (.48 acres), classified within the R8 District, requested by Henry and Mary E. Hill, Jr., owners/developers, George C. Gregory, surveyor. **(Also requesting final plat approval).**

Mr. Henry recommended that the subdivision be disapproved because the lots that would be created are more than four time longer than they are wide, thus violating a provision of the subdivision regulations. He

stated this requirement is intended to establish a systematic pattern of streets and lots. He further indicated that conforming lots could be created in this instance if the unimproved Goodrich Avenue along the properties were improved as a part of this subdivision. He stated this improvement would also provide access to a nearby larger vacant tract of land and would improve the feasibility of its eventual development in a logical subdivision pattern.

Mr. Henry Hill, Jr., owner of the property, stated he purchased this property with the intention of subdividing it and providing some affordable housing.

Councilmember Clifton suggested that the street improvements which would make this subdivision conform to the subdivision regulations likely would be burdensome on this developer who is proposing just two lots. He suggested that it would be preferable if there were a mechanism whereby financial assistance could be made available to help with the improvement of Goodrich Avenue. However, he understood that there is no precedence for Metro's providing partial financing.

Mr. Harbison stated the purpose of the four to one rule was to preserve a logical pattern of development and stated that examination of the map indicated this subdivision would make a logical pattern of development.

Mr. Stephen Smith moved and Mr. Bodenhamer seconded the motion, which passed unanimously, to close the public hearing and approve the following resolution:

Resolution No. 96-223

“BE IT RESOLVED by the Metropolitan Planning Commission that the PRELIMINARY and FINAL Plan of Subdivision No. 96S-105U is granted **APPROVAL with a variance to the minimum lot width-to-depth ratio (Subdivision Regulation 2-4.2E).**”

Subdivision No. 96S-114G (Public Hearing)
Estelle's Subdivision
Map 33, Parcel 72
Subarea 2
District 10

A request to create four lots located between Old Dickerson Pike and Dickerson Pike, approximately 370 feet south of Campbell Road (9.58 acres), classified within the R20 District, requested by Estelle Parker and Dennis Porter, owners/developers, Ragan-Smith-Associates, Inc., surveyor. **(Also requesting final plat approval).**

Mr. Henry stated the staff is recommending disapproval of the request. The petitioner was proposing to subdivide the property into four lots. The lots would be more than three times the size of lots for the R20 zoning district. Therefore, in order to approve the subdivision, the subdivider must show a pattern of further subdivision to create lots more in line with the minimum size required in the zoning district. Mr. Henry stated this requirement is contained in the subdivision regulations to ensure that the density level anticipated by the land use plan and the zoning is eventually achieved.

Staff stated that the very large size of the lots indicated that the objective is to sell the four as large tracts, and possibly to receive commercial zoning for these tracts. Staff reminded the Commission that commercial zoning had been sought earlier for this same property.

Mr. Henry stated the petitioner had submitted a plan for further subdivision just prior to the meeting. Staff had not had adequate time to review the details of the plan, but stated the plan appeared to allow for a logical pattern of subdivision in the future with lots appropriate in size for the R20 or R10 zoning district.

Fellar Brown, representing owners of the property, stated he had been contracted by the owners to sell the property at auction. The property was laid out in four tracts and were under the impression it would be approved without any problems. He was informed later that a plan for further subdivision would also be required.

Mr. Tommy Stockton, an adjacent property owner, said he was not in complete disagreement with Mr. Brown but the problem he had was Metro wanting to zone it for a subdivision. He asked the Commission to make these lots compatible with the rest of the neighborhood.

Mr. Harbison moved and Ms. Nielson seconded the motion to close the public hearing and approve the revised plan.

Chairman Smith said he was going to vote against the revised plan because he thought the other plan was better.

Upon voting the motion failed with Mr. Harbison, Mr. Bodenhamer and Ms. Nielson voting in favor and Ms. Jernigan, Mr. Lawson, Chairman Smith, Stephen Smith and Councilmember Clifton voting in opposition.

Mr. Owens stated that just down the road there was a request for rehearing a few meetings ago which a variance was denied on the four to one provision. That is not what this proposal is about but at that time the Commission could not find a variance basis.

Chairman Smith said one of the things the Commission had to be consistent about was common sense and the common sense of the first plat was not there. The Commission is faced with approving this or disapproving this proposal as submitted at this time.

Councilmember Clifton moved and Mr. Harbison seconded the motion, which carried unanimously, to close the public hearing and to reconsider the following resolution:

Resolution No. 96-224

“BE IT RESOLVED by the Metropolitan Planning Commission that the PRELIMINARY and FINAL Plan of Subdivision No. 96S-114G, is granted **APPROVAL subject to the following conditions: The right of way to serve future residential lots shall be reserved; the building envelopes for the four lots shall match future lots; and a bond of \$3,000.00 shall be posted for the demolition of an existing building.”**

Subdivision No. 96S-115G (Public Hearing)

Eichel Farm
Map 127, Parcel 244
Subarea 6
District 23

A request for preliminary approval for four lots abutting the west terminus of Bellevue Manor Drive, approximately 240 feet west of Harpeth Valley Road (22.14 acres), classified within the R40 District, requested by Paul Eichel, owner/developer, Crawford Land Surveying, surveyor.

Mr. Henry stated this proposal was to extend Bellevue Manor Drive with a cul-de-sac and to create four lots. Each lot would be a critical lot due to the slope on the property which generally exceeds twenty percent throughout. This area is policed for conservation in the Subarea 6 Plan. The long range policy is recommending large lot configuration to minimize disturbance to sensitive environmental features. These reasons justify creating lots larger than three acres in size.

Mr. J. P. Rogers, an area resident, spoke in opposition to the proposal because of drainage problems. He felt Public Works should handle these drainage problems before any more construction took place.

Mr. Henry stated he had received a letter from Bellevue Manor requesting the Planing Commission ask Public Works to engineer the water run off from this property. Public Works is responding that because there is an extension of Bellevue Manor Drive with a cul-de-sac, that will initiate a Stormwater Management review.

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

Resolution No. 96-225

“BE IT RESOLVED by the Metropolitan Planning Commission that the PRELIMINARY Plan of Subdivision No. 96S-115G, is granted **APPROVAL with a variance to the maximum lot size provision (Subdivision Regulation 2-4.2 D) due to terrain otherwise unsuitable for development.**”

Subdivision No. 96S-116U (Public Hearing)
Enchanted Hills, Section 14
Map 58-14, Parcel 71
Subarea 3
District 1

A request for preliminary approval for two lots abutting the south margin of Kings Lane, approximately 290 feet west of Enchanted Circle (3.37 acres), classified within the R15 District, requested by Enchanted Hills, Inc., owner/developer, Ragan-Smith Associates, Inc., surveyor.

Mr. Henry stated staff had received many phone calls, letters and a petition in opposition of this development. The property being requested for subdivision runs behind existing properties and is very elongated with 120 feet width and hundreds of feet of length. The property originally had been reserved for the right-of-way for Briley Parkway. That road subsequently was constructed elsewhere. In order for the Commission to approve this final subdivision, lot one, which violates the four to one ratio, would have to receive a variance to that ratio, and lot two exceeds the maximum lot size provision. The area is zoned for 15,000 square feet.

Mr. Pete Regan, of Regan-Smith Associates, Inc., stated the unusual shape of the property made it nearly impossible to subdivide the land without some variance to the subdivision regulations. He stated he had been contacted about selling the property to the adjacent property owners. He stated a sale could be arranged; however, he would like to develop one lot on Kings Lane.

Mr. Julian Blackshear, representing the area neighbors, spoke in opposition to the project. He stated Mr. Regan could engage in a negotiated sale based upon the appraised value of the property. If this request is approved it would injurious, not only to the other properties but also to the improvement of the neighborhood. He presented letters from certified appraisers what state if this request is approved it would destroy the character and development scheme of the neighborhood and would depreciate the value of surrounding homes. He asked the Commission to reject this proposal and reminded them of the petition turned in by their Councilmember.

Chairman Smith asked if the property purchase negotiation could happen within the next two week or four week period?

Ms. Nielson asked if it would be appropriate of ask for a two week deferral and to leave the public hearing open?

Mr. Lawson stated he would like to challenge that request. He felt this was an issue about maintaining the integrity of the subdivision. There is no reason to defer an action on this but could see every reason to disallow the application as stated.

Mr. Lawson moved to close the public hearing and disapprove and said they could settle the issue of what to do with the property in an amicable way later.

Ms. Nielson stated she would also like to see them come to an amicable agreement.

Ms. Jernigan stated she did not see any reason to subdivide the lots with variances at this point.

Mr. Harbison stated he agreed with Ms. Nielson and would also like to see some type of agreement reached.

Mr. Bodenhamer stated he felt they should maintain the integrity of the neighborhood and that he was ready to vote in opposition.

Stephen Smith stated he felt it was reasonable to give them a couple of weeks to see if they could work things out.

Councilmember Clifton stated he had heard a request from the owner to defer this matter for two weeks and this would be in keeping with what the Commission usually does.

Mr. Bodenhamer stated he did not know what they would accomplish with a deferral. The audience and neighbors are pretty sincere about their neighborhood and community and if a deferral is to strike an agreement on the property they can do that without a deferral.

Ms. Jernigan seconded the motion to close the public hearing and for disapproval by Mr. Lawson.

The motion failed with Mr. Lawson, Ms. Jernigan and Mr. Bodenhamer in favor and Mr. Harbison, Ms. Nielson, Stephen Smith, Chairman Smith and Councilmember Clifton in opposition.

Ms. Nielson moved and Mr. Harbison seconded the motion to leave the public hearing open and defer this matter for two weeks.

The motion passed 5 to 3 with Mr. Harbison, Ms. Nielson, Stephen Smith, Chairman Smith and Councilmember Clifton in favor and with Mr. Lawson, Ms. Jernigan and Mr. Bodenhamer in opposition.

Subdivision No. 96S-117G (Public Hearing)
Hampton Hall
Map 98, Parcels 18, 37, 116, 131 and 151
Subarea 14
District 12

A request for preliminary approval for 141 lots abutting the east margin of New Hope Road, opposite Port Jamaica Drive (58.88 acres), classified within the RS15 District, requested by Phillips Builders, Inc., owner/developer, Anderson-Delk and Associates, Inc., surveyor.

Mr. Martin reminded the Commission this was one of the cases that had been requested for deferral by the applicant. This proposal for 141 lots is within the policy range established in the Subarea 14 Plan. There is a drainage problem with a poorly defined drainage system and a large number of sink holes in the area that have created localized flooding in the past in the Hunters Pointe Subdivision in the past. Therefore, staff requested that the applicant either provide a detention facility or do a sink hole study which would provide more information on the sink holes and how the drainage system works. The applicant preferred to do this study after final approval as a condition. Public Works has consulted with Planning staff and now has immense drainage problems in Hunters Pointe and does not want these lots approved without a drainage

study that proves the viability of them. There are also issues of access and the applicant has requested a deferral until May 30, 1996.

Councilmember Phil Ponder stated this plan was undesirable. There are at least eight reasons why the PUD should be put into effect and asked the Commission to defer this matter until May 30, 1996.

Ms. Nielson moved and Mr. Lawson seconded the motion, which carried unanimously, to leave the public hearing open and defer this matter until May 30, 1996.

Subdivision No. 96S-118G (Public Hearing)

Bridle Path, Section 5
Map 124, Part of Parcel 3
Subarea 13
District 12

A request to revise the approved preliminary subdivision plat to terminate Thoroughbred Drive and for final approval of ten lots located between Thoroughbred Drive and Palomino Court (29.51 acres), classified within the R15 District, requested by David Taylor, owner/developer, Joseph E. Ahler, surveyor.

Mr. Martin stated this subdivision had also been requested for a two week deferral. Staff has received petitions in opposition from eighteen persons within the subdivision and 15 persons adjacent to the subdivision.

Mr. David Taylor, owner/developer, stated there was a misunderstanding with some of the residents and they were late being notified about the meeting. He requested a two week deferral.

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

MANDATORY REFERRALS:

Proposal No. 96M-016G

Port Jamaica Drive Closure
Map 98
Subarea 14
District 12

A proposal to close Port Jamaica Drive at its intersection with New Hope Road, requested by Cliff Rockstead for the Lake Park Homeowners Association. **(Easements are to be retained).**

Ms. Fleming stated the Lake Park Subdivision currently has two entrances. Port Jamaica Drive entrance is the portion to be closed. Their concern is that traffic from Hampton Hall will come directly across New Hope Road and through Lake Park Subdivision to reach Old Hickory Boulevard and connect with the interstate. The traffic counts on Port Jamaica Drive do not warrant a traffic study. This proposal has been reviewed by Public Works, Police and Fire, and from a traffic circulation and public safety perspective they have recommended against this closure because it would leave 187 single family homes with only one way in and out.

Mr. Cliff Rockstead, president of the Lake Park Homeowners Association, asked the Commission to approve this proposal because of traffic, congestion and speeding.

Councilmember Phil Ponder presented a petition in favor of the closure to the Commission and asked them to approve this road closure.

Mr. Monte Peak, a homeowner on Lake Park Road, asked the Commission to help the community and approve the closure.

Mr. Lawson stated this closure would set a precedent and many neighborhoods would expect similar treatment to cut down on traffic.

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

Resolution No. 96-226

"BE IT RESOLVED by the Metropolitan Planning Commission that it **DISAPPROVES** Proposal No. 96M-016G:

The Commission determined that closure of this street segment would result in poor traffic circulation for the general area and jeopardize public safety. Both the Department of Public Works and the Fire Department cited problems with having only one access point for a large subdivision."

Commissioner Lawson left at this point in the agenda.

Proposal No. 96M-023U
Council Bill No. 096-230
Sublease Agreement with Southern Junction Company
Map 93, Parcel 41
Subarea 9
District 19

An ordinance to approve a sublease between the Metropolitan Government and Southern Junction Company, doing business as the Broadway Dinner Train, for certain property located in Riverfront Park.

Ms. Fleming stated there are railroad tracks located behind the thermal plant and end at Riverfront Park. These tracks are used by the Broadway Dinner Train and they have a train station behind the thermal plant where passengers board the train. Metro, through the Parks and Recreation Board leases land for Riverfront park from the Corp of Engineers and they in turn have entered into this ground lease with the Southern Junction Company to allow them to operate their Broadway Dinner Train business in this area. The Broadway Dinner Train is proposing to extend the tracks into the park area to provide better exposure of the engine when it is parked. It is purely for display purposes. In the sublease agreement, the Broadway Dinner Train, as proposed with Parks, will be charged \$100 per month.

Mr. Bruce Wood stated this would be a major change in Riverfront Park with no planning for the impact. Riverfront Park is very small and this would be an intrusion on it. There are safety considerations and the train will block the view from the passing policemen and could provide shelter for undesirable activities. He asked the Commission to disapprove this sublease agreement.

Chairman Smith asked if the train was currently parked in that area?

Ms. Fleming stated it was and they wanted to extend the track enough so the entire locomotive could be seen. Right now it is obscured by the buildings.

Chairman Smith asked if Parks and Recreation Department had seen the agreement?

Ms. Fleming stated this is a sublease agreement between Metro Parks and Recreation and The Broadway Dinner Train. Parks is fully aware of this and fully in favor of it.

Chairman Smith asked Mr. Bodenhamer, the Commission's representative to the Park's Board, if they had considered this lease.

Mr. Bodenhamer stated they had approved the lease.

Ms. Fleming stated the proposed extension of tracks would not come within the existing parking lot or into Riverfront Park.

Mr. Bodenhamer stated he did not understand Mr. Wood's opposition.

Mr. Gene Johnson, a member of the Tennessee Passenger Rail Commission, stated the locomotive would be moved from behind the thermal plant all the way up to the restrooms, which would be on the north side of the bridge. If the Commission approves this he stated he would like to see the tracks extended all the way up to the trolley crossing so that in five or ten years when the commuter rail services starts these will already be in place and they will be much cheaper now than in five years. Track pans will be installed when the tracks are built and they will collect any oil or grease from the engine.

Councilmember Clifton asked where this bill stood in Council?

Mr. Owens stated it had been deferred and would come back on the 16th of April.

Councilmember Clifton stated he was confused and wanted to know specifically if there are any parking spaces being lost.

Ms. Fleming said no parking spaces would be lost.

Ms. Nielson asked how many leases of Metro property there are for commercial use?

Mr. Stephen Smith said there were many including concession stands.

Chairman Smith stated Greer Stadium was also leased.

Mr. Bodenhamer stated there are a number of leases that the Parks have and this is the only one for five years; most are for only one year.

Mr. Harbison stated this was a mandatory referral to the Commission and did not concern the questions being posed. This Commission is not the right board for those decisions. This is here for the Commission to determine if it is consistent with planning policy. It is and the Commission is and it should be approved as recommended.

Councilmember Clifton stated he did feel the five year lease is one that is a planning issue.

Mr. Stephen Smith moved and Mr. Bodenhamer seconded the motion, which carried unanimously to approve the following resolution:

Resolution No. 96-227

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-023U.

Ms. Jernigan stated that maybe at some time as an educational session it would be good for the Commission to discuss Metro leases regarding whether they are one year or five, because she was under the

understanding Metro had changed their policy from no longer having any five year leases and that she was told that by the Park Board in regard to one of the facilities that Senior Citizens' operates, and clarification would be good.

Proposal No. 96M-027G
Harpeth View Drive Closure
Map 156-1-B
Subarea 6
District 35

A proposal to close a segment of Harpeth View Drive from its northern terminus south for a distance of five feet, requested by Councilmember Vic Lineweaver for adjacent property owners. **(Easements are to be retained).**

Ms. Fleming stated there are two PUD's involved and when they were approved a connection was shown on both of them. This request is to sever the connection so when roads are completed they will not join into Harpeth View. In the application for this request it stated this is to keep people on Poplar Creek Road, who want to avoid using the traffic light, from going up Harpeth View and using one of the other streets to get out onto Old Harding Pike. This request has been reviewed by staff, Public Works, Fire and Police Departments and all departments are recommending disapproval.

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

Resolution No. 96-228

"BE IT RESOLVED by the Metropolitan Planning Commission that it **DISAPPROVES** Proposal No. 96M-027G:

The Commission determined that closure of this street segment would jeopardize public safety. The Department of Public Works noted that this area is subject to flooding and Harpeth View Drive is the only way out for some residents. Having more than one access point to a development was cited by the Fire Department as being important in the delivery of fire protection services."

OTHER BUSINESS:

1. 1997 Capital Improvements Budget.

Mr. Browning stated staff was asking the Commission to recommend approval of the Capital Improvements Budget to the Mayor. If the Commission does approve this it will be forwarded to the Mayor and then to the Council for adoption. The Commission has not had a lot of time to study the budget but the subcommittee, consisting of Janet Jernigan, Ann Nielson and James Lawson, did have more time to study this and did meet on this matter and is recommending approval of the budget to be forwarded to the Mayor.

Mr. Browning recognized Planning staff employees, Jeff Lawrence and Freida Banniza for their diligent work on getting the budget into usable form.

Ms. Nielson stated that having worked on the budget committee last year, the new form is so much easier to follow and understand.

Chairman Smith told Mr. Browning he was in a meeting when the Mayor personally charged him to do this job and asked the departments heads to work through him. He presumed this would not have been before the Commission's subcommittee if it were not entirely satisfied with it.

Ms. Jernigan stated she felt the budget as a whole for Metro was moving in the right direction and gave her endorsement of it.

Mr. Browning stated he was given a guideline by the Finance Department that there may be about \$180 to \$200 million dollars available over a six year period for general obligation bonds. The requested amount was \$1.1 billion, so staff had the job of pulling that down from over a billion dollars to somewhere in the realm of \$200 million. That was not totally successful in that the general obligation proposed bond requests remain at about \$290 million. The Mayor's office has agreed this is an appropriate amount to send to the Mayor.

Ms. Nielson moved and Mr. Harbison second the motion, which carried with all voting in favor except Councilmember Clifton abstaining, to approve the Capital Improvements Budget and to forward it to the Mayor.

2. Contract: Promotion of Cynthia Lehmebeck and transfer to Advance Planning and Research Division.

Mr. Browning stated Cynthia Lehmebeck was currently on the Planning Commission's payroll and this would be a promotion from Planner II to Planner III position and would also change the dates of the contract. She will be assuming a section head position in the Advance Planning and Research Division.

Ms. Nielson moved and Mr. Harbison seconded the motion, which carried unanimously, to approve the promotional contract for Cynthia Lehmebeck to the Planner III position for the period of one year.

3. FY 1997 Operating Budget and Work Program.

Mr. Browning stated staff was asking the Commission for approval on both the budget and Work Program. The Work Program has been designed in conjunction with the budget. The budget has been set by the Finance Department and the Planning Commission is in a continuation budget position. Our funds from the General Fund will be about \$3.3 million for the coming fiscal year and an additional \$626,000 in federal transportation funds. Staffing level will remain the same with fifty employees and there will be three intern positions during this summer.

Ms. Nielson moved and Mr. Bodenhamer seconded the motion, which carried unanimously, to accept the FY 1997 Operating Budget and Work Program.

4. Request to set a public hearing to amend the Major Street Plan to change the designation of Old Hickory Boulevard, between Ashland City Highway and Charlotte Pike, from "R4" to "S4".

Mr. Bodenhamer moved and Mr. Stephen Smith seconded the motion, which carried unanimously, to set the public hearing to amend the Major Street Plan for May 2, 1996.

5. Legislative Update.

Ms. Dudley provided an update on the current legislative status of the items previously considered by the Commission.

PLATS PROCESSED ADMINISTRATIVELY:

312-84-G Poplar Creek Estates, Phase 3 Section A, 1st Revision
Corrected reference to restrictive covenants

312-84-G Poplar Creek Estates, Phase 3 Section B, 1st Revision

Corrected reference to restrictive covenants

- 7-86-P Sheffield on the Harpeth, Phase 2 Lot 79, 1st Revision
Added a portion of large unplatted parcel to the rear of a platted lot
- 96S-056U Part 150 Elm Hill Area
Consolidated 86 parcels into one tract
- 96S-069U McCain Acres, 2nd Resubdivision, Lot 2
Divided one lot into two lots
- 96S-101G Better Home Builders, Inc.
Divided one parcel into two lots
- 96S-106U North Wilson Condos., 1st Revision
Revised minimum building setback requirement
- 96S-122G Andrew Jackson Business Park, Phase 1
Resubdivision of Lots 10 & 11
Combined two lots into one lot & abandoned an electrical easement
- 96S-125U Harbor Gate, Section 3 Lot 2 (Zone Lot Division)
Created two lots from an existing duplex lot

ADJOURNMENT:

There being no further business, upon motion made, seconded and passed, the meeting adjourned at 4:20 p.m.

Chairman

Secretary

Minutes Approval:
This 18th day of April, 1996