

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

Date: October 3, 1996  
Time: 1:00 p.m.  
Place: Howard Auditorium

**Roll Call**

**Present:**

James Lawson, Vice Chairman  
Councilmember Stewart Clifton  
William Harbison  
Janet Jernigan  
William Manier  
Ann Nielson  
Stephen Smith

**Absent:**

Mayor Philip Bredesen  
Gilbert N. Smith  
Arnett Bodenhamer

**Others Present:**

**Executive Office:**

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

**Current Planning and Design:**

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

**Advance Planning and Research Division:**

Cynthia Lehmbeck, Planner III  
Amy Pierce, Planner I

**Community Plans Division:**

Jerry Fawcett, Planning Division Manager

**Also Present:**

Jim Armstrong, Public Works

Vice Chairman Lawson called the meeting to order.

**ADOPTION OF AGENDA**

Mr. Owens announced there was a request by Commissioner Bodenhamer to rehear items disapproved at the last meeting. The items are Zone Change Proposal No. 96Z-086U on Buchanan Street and a related Mandatory Referral, alley closure, No. 96M-089U. Under the Commission’s procedures the request is announced at this meeting and will be recaptioned under Request for Rehearing on the next agenda, which will be October 17, 1996.

Mr. Owens also announced item 19-76-U, Radnor Baptist Church PUD, and item 96S-343U, Millwood Commons plat, had been withdrawn. An addendum item, Proposal 96M-117U, the Grassmere/Nashville Zoo Lease Agreement, should be added to the agenda.

Ms. Nielson moved and Mr. Harbison seconded the motion, which unanimously passed, to adopt the agenda with the specified items withdrawn and including the addendum.

**ANNOUNCEMENT OF DEFERRED ITEMS**

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

- 96B-173U Two Week Deferral, requested by applicant and Codes Administration.
- 96Z-099G Two Week Deferral, requested by applicant.
- 79-87-P Two Week Deferral, requested by applicant.
- 96P-017G Two Week Deferral, requested by applicant.
- 95S-207G Two Week Deferral, requested by applicant.
- 96S-300G Two Week Deferral, requested by applicant.
- 96S-346U Two Week Deferral, requested by applicant.
- 96S-348G Indefinite Deferral, requested by applicant.
- 96S-349G Indefinite Deferral, requested by applicant.
- 83-85-P Two Week Deferral, requested by applicant.

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

**APPROVAL OF MINUTES**

Ms. Nielson moved and Ms. Jernigan seconded the motion, which unanimously passed, to approve the minutes of the regular meeting of September 19, 1996.

**RECOGNITION OF COUNCILMEMBERS**

Councilmember Ron Nollner requested deferral of Appeal Case No. 96B-182G to have an opportunity to meet with area residents regarding the conditional use permit

**ADOPTION OF CONSENT AGENDA**

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

**ZONE CHANGE PROPOSALS:**

**Zone Change Proposal No. 96Z-105U**

Council Bill No. O96-482  
Map 94, Parcels 85 and 86  
Subarea 14 (1996)  
District 15 (Dale)

A request to change from OP District to CS District property on the south margin of Lebanon Pike Circle, approximately 1,100 feet east of Spence Lane (.90 acres), requested by Boyd Adams, appellant/owner.

**Resolution No. 96-718**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 96Z-105U is **APPROVED:**

**This site is within ‘commercial arterial existing’ policy in the Subarea 14 Plan. The requested CS district will implement this policy and is an appropriate extension of the existing CS district.”**

**PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:**

**Proposal No. 98-73-G and 166-79-G**  
I-24/Brick Church Pike Apartments and  
Hickory Hill Commercial PUD  
Map 40, Part of Parcel 36  
Subarea 2 (1995)  
District 10 (Garrett)

A request to revise the approved preliminary site development plan and for final approval for a phase of the Residential Planned Unit Development District (166-79-G), located 160 feet north of the terminus of Hickory Hill Boulevard (.23 acres), to permit the development of a 250 foot telecommunication tower and to revise the approved preliminary site development plan of the Commercial (General) Planned Unit Development District (98-73-G), abutting the northeast quadrant of Old Hickory Boulevard and I-24 (.23 acres), to provide a temporary access drive to the telecommunication tower, requested by Sprint Spectrum, for Hickory Hills Ltd., owners.

**Resolution No. 96-719**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 98-73-G and 166-79-G is given **REVISION TO THE PRELIMINARY SITE PLAN AND FINAL APPROVAL FOR A PHASE OF THE RESIDENTIAL PUD, AND REVISION TO PRELIMINARY OF THE COMMERCIAL PUD TO PROVIDE ACCESS TO TOWER.** The following condition applies:

The driveway access through the Hickory Hills Commercial PUD is a temporary driveway which will be re-routed as the Commercial PUD develops.”

**Proposal No. 148-83-U**  
Lakeland, Section Two, Phase Three  
Map 95-12-A, Parcel 227  
Subarea 14 (1996)  
District 15 (Dale)

A request to revise the approved preliminary master plan for the Residential Planned Unit Development District abutting the southwest margin of Hibbitts Road, opposite Airwood Drive (8.66 acres), classified R10, to permit the development of one single-family lot, requested by Ragan-Smith Associates, Inc., for Will V. and Robert H. Braswell, owners.

**Resolution No. 96-720**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 148-83-U is given **CONDITIONAL PRELIMINARY APPROVAL**. The following condition applies:

Receipt of written approval of the final plan from the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.”

**SUBDIVISIONS:**

**Preliminary Plats:**

**Subdivision No. 96S-291U**  
Hickory Ridge Subdivision  
Map 149, Parcel 222  
Subarea 13 (1991)  
District 28 (Hall)

A request to create 12 lots abutting the west margin of Rice Road, approximately 73 feet south of Rice Hill Circle (4.23 acres), classified within the RS10 District, requested by Saeed Sassan, owner/developer, King Engineers, LLC, surveyor. (Deferred from meetings of 09/05/96 and 09/19/96).

**Resolution No. 96-721**

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the FINAL Plan of Subdivision No. 96S-291U, is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$133,000.00.**”

**Subdivision No. 96S-333G**  
Storage Inn Center  
Map 114, Parcels 203, 204 and 215  
Subarea 6 (1996)  
District 23 (Crafton)

A request to consolidate three parcels into one lot abutting the northeast corner of Tolbert Road and Old Hickory Boulevard (1.59 acres), classified within the CH and CS Districts, requested by Blevins-Freeman Association et al, owners/developers, Crawford Land Surveyors, surveyor.

**Resolution No. 96-722**

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the FINAL Subdivision No. 96S-333G, is granted **APPROVAL.**”

**Subdivision No. 96S-337G**  
Pewitt-Burke Subdivision, Resubdivision of Lot 2  
Map 31, Parcel 105  
Subarea 2 (1995)  
District 10 (Garrett)

A request to subdivide one lot into two lots abutting the southeast margin of Ingram Road, approximately 3,000 feet east of Lickton Pike (4.32 acres), classified within the AR2a District, requested by Linda Suan Burke, owner/developer, Land Surveying, Inc., surveyor.

**Resolution No. 96-723**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that the FINAL Subdivision No. 96S-337G, is granted **APPROVAL.**”

**Subdivision No. 96S-339G**  
Laemmle Subdivision  
Map 34-6, Part of Parcel 45  
Subarea 4 (1993)  
District 10 (Garrett)

A request to create one lot abutting the southwest margin of Myatt Drive, approximately 1,380 feet southeast of Gallatin Pike (.68 acres), classified within the IR District, requested by James Laemmle, owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

**Resolution No. 96-724**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that the FINAL Plan of Subdivision No. 96S-339G, is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$9,000.00.**”

**Subdivision No. 96S-347G**  
The Peninsula, Phase 2  
Map 97, Part of Parcel 138  
Subarea 14 (1996)  
District 12 (Ponder)

A request to create 33 lots abutting both margins of Peninsula Park Landing and both margins of Bay Overlook Drive (8.28 acres), classified within the R15 Residential Planned Unit Development District, requested by Jerry S. Butler and Dukes and Company, owner/developers, Crawford Land Surveyors, surveyor.

**Resolution No. 96-725**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that the FINAL Plan of Subdivision No. 96S-347G, is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$395,200.00.**”

**Subdivision No. 96S-350G**  
Boone Farm at Biltmore, Phase 2  
Map 126, Part of Parcel 65  
Subarea 6 (1996)  
District 23 (Crafton)

A request to create 52 lots abutting both margins of Boone Trace and both margins of Daniel Trace (15.29 acres), classified within the RS30 Residential Planned Unit Development District, requested by Fox Ridge Homes, Inc., owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

**Resolution No. 96-726**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that the FINAL Plan of Subdivision No. 96S-350G, is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$840,000.00.**”

**Request for Bond Extension:**

**Subdivision No. 163-73-G**  
Bellevue Shopping Center, Phase Two  
Service Merchandise Company, Inc., principal

Located abutting the south margin of the Memphis-Bristol Highway, approximately 1,000 feet west of Sawyer Brown Road.

**Resolution No. 96-727**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of a performance bond for Subdivision No. 163-73-G, Bond No. 91BD-001, Bellevue Shopping Center, Phase Two, in the amount of \$65,000 until 9/15/97, as requested, said approval being contingent upon submittal of a letter by **11/3/96** from the United Pacific Insurance Company agreeing to the extension. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

**Subdivision No. 189-73-G**  
Cherry Creek Apartments  
Merry Land and Investment Company, Inc., principal

Located abutting the south margin of Central Pike, approximately 100 feet east of Dodson Chapel Road.

**Resolution No. 96-728**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of a performance bond for Subdivision No. 189-73-G, Bond No. 95BD-036, Cherry Creek Apartments, in the amount of \$75,000 until 6/1/97, as requested, said approval being contingent upon submittal of an amendment to the present Letter of Credit by **11/3/96** which extends its expiration date to 12/1/97. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

**Subdivision No. 155-74-G**  
Larchwood Commercial Subdivision,  
Section Eight, Lot One  
Nashville Land Fund, Ltd., L.P., principal

Located abutting the south margin of Percy Priest Drive, approximately 423 feet west of Percy Priest Drive.

**Resolution No. 96-729**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of a performance bond for Subdivision No. 155-74-G, Bond No. 94BD-117, Larchwood Commercial Subdivision, Section Eight, Lot 1, in the amount of \$11,500 until 9/15/97.

**Subdivision No. 151-82-G**  
Somerset Farms, Section Four, Phase One  
Somerset Farms, J.V., principal

Located abutting both margins of Somerset Farms Drive and both margins of Roslyn Court.

**Resolution No. 96-730**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of a performance bond for Subdivision No. 151-82-G, Bond No. 95BD-084, Somerset Farms, Section Four, Phase One, in the amount of \$194,000 until 6/1/97, as requested, said approval being

contingent upon submittal of an amendment to the present Letter of Credit by **11/3/96** which extends its expiration date to 12/1/97. **Failure of principal to provide amended security documents shall be grounds for collection without further notification."**

**Subdivision No. 206-83-G**  
Chelsea Village Addition, Section Four  
Butler Development, L.L.C., principal

Located abutting both margins of Split Oak Trail, approximately 105 feet south of Oak Forest Drive.

**Resolution No. 96-731**

**"BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of a performance bond for Subdivision No. 206-83-G, Bond No. 95BD-099, Chelsea Village Addition, Section Four, in the amount of \$67,000 until 6/1/97, as requested, said approval being contingent upon submittal of an amendment to the present Letter of Credit by **11/3/96** which extends its expiration date to 12/1/97. **Failure of principal to provide amended security documents shall be grounds for collection without further notification."**

**Subdivision No. 70-85-P**  
Kensal Green North  
Phillips Builders, Inc., principal

Located abutting the northwest margin of Mt. View Road, approximately 250 feet southwest of Huntingboro Trail.

**Resolution No. 96-732**

**"BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of a performance bond for Subdivision No. 70-85-P, Bond No. 95BD-032, Kensal Green North, in the amount of \$31,000 until 6/15/97, as requested."

**Subdivision No. 70-85-P**  
Somerset, Phase Four  
Phillips Builders, Inc., principal

Located abutting the northwest margin of Mt. View Road, approximately 90 feet northwest of Huntingboro Trail.

**Resolution No. 96-733**

**"BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of a performance bond for Subdivision No. 70-85-P, Bond No. 95BD-024, Somerset, Phase Four, in the amount of \$37,300 until 6/1/97."

**Subdivision No. 31-86-P**  
Whitworth Apartments  
HSW Associates, L.P., principal

Located abutting the south side of Richardson Avenue and west of Sharondale Drive.

**Resolution No. 96-734**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 31-86-P, Bond No. 92BD-046, Whitworth Apartments, in the amount of \$27,700 until 9/15/97, as requested.”

**Subdivision No. 57-86-P**

Whites Creek Commercial Center (Cracker Barrel)  
Cracker Barrel Old Country Store, Inc., principal

Located abutting the south margin of Old Hickory Boulevard, 0 feet west of Interstate 40.

**Resolution No. 96-735**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 57-86-P, Bond No. 90BD-026, Whites Creek Commercial Center (Cracker Barrel) , in the amount of \$57,250 until 9/15/87, as requested.”

**Subdivision No. 77-87-P**

Nocturne Forest, Phase One  
Chateau Associates, Ltd., principal

Located between the northeast margin of Old Buena Vista Road and the west terminus of Nocturne Drive.

**Resolution No. 96-736**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of a performance bond for Subdivision No. 77-87-P, Bond No. 89BD-008, Nocturne Forest, Phase One, in the amount of \$117,550 until 9/1/97, as requested, said approval being contingent upon submittal of a letter by **11/3/96** 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. 88S-433U**

Wrightwood Estates, Section One, Revised  
John K. Wright, principal

Located abutting the east terminus of Fairmeade Court, approximately 252 feet east of Fairmeade Court.

**Resolution No. 96-737**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 88S-433U, Bond No. 89BD-019, Wrightwood Estates, Section One (Revised), in the amount of \$23,000 until 7/1/97, as requested, said approval being contingent upon posting an amended letter of credit by **11/3/96** and extending the expiration date to 1/2/98. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

**Subdivision No. 89P-046G**

Poplar Ridge, Section Four  
Karl E. Haury, Jr., principal

Located abutting both margins of Poplar Ridge Drive, approximately 185 feet south of Dove Valley Drive.

**Resolution No. 96-738**



**"BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 89P-046G, Bond No. 95BD-106, Poplar Ridge, Section Four, in the amount of \$121,825 until 6/15/97, as requested, said approval being contingent upon posting an amended letter of credit by **11/3/96** and extending the expiration date to 12/15/97. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 91P-009G**

Brook Glen

The Jones Company Custom Homes of Tennessee, Inc., principal

Located abutting the northwest corner of Poplar Creek Road and Old Harding Pike.

**Resolution No. 96-739**

**"BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 91P-009G, Bond No. 94BD-097, Brook Glen, in the amount of \$78,000 until 6/15/97, as requested, said approval being contingent upon posting an amended letter of credit by **11/3/96** and extending the expiration date to 12/15/97. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 93P-015G**

Traceside, Section Four

Centex Real Estate Corporation, principal

Located abutting the south margin of Deer Estates Drive and both margins of Deerbrook Drive.

**Resolution No. 96-740**

**"BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of a performance bond for Subdivision No. 93P-015G, Bond No. 95BD-107, Traceside, Section Four, in the amount of \$215,000 until 9/1/97, as requested, said approval being contingent upon submittal of a letter by **11/3/96** from Safeco Insurance Company of America agreeing to the extension. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 93P-019G**

Lakeridge, Phase One

B & P Developments, Inc., principal

Located abutting the west margin of Bell Road, opposite Lincoya Bay Drive.

**Resolution No. 96-741**

**"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-019G, Bond No. 94BD-115, Lakeridge, Phase One, in the amount of \$37,300 until 6/1/97, as requested, said approval being contingent upon posting an amended letter of credit by **11/3/96** and extending the expiration date to 12/1/97. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 94P-021G**

Hanover Park of Sheffield

Phillips Builders, Inc., principal

Located abutting the west margin of Somerset Place and the north terminus of River Fork Drive.

**Resolution No. 96-742**

**"BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of a performance bond for Subdivision No. 94P-021G, Bond No. 96BD-010, Hanover Park of Sheffield, in the amount of \$365,200 until 6/1/97, as requested, said approval being contingent upon submittal of a letter by **11/3/96** from Frontier Insurance Company agreeing to the extension. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 95P-002G**  
Heritage Meadows, Phase One  
B & P Developments, Inc., principal

Located abutting the east margin of Andrew Jackson Parkway, between Rachels Square Drive and Netherland Drive.

**Resolution No. 96-743**

**"BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 95P-002G, Bond No. 96BD-006, Heritage Meadows, Phase One, in the amount of \$394,000 until 9/15/97, as requested, said approval being contingent upon posting an amended letter of credit by **11/3/96** and extending the expiration date to 03/15/98. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 95S-081U**  
Tosha's Court, Section Three  
A. J. Johnson, principal

Located abutting both margins of Tosha's Court, approximately 158 feet south of Stokers Lane.

**Resolution No. 96-744**

**"BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 95S-081U, Bond No. 95BD-025, Tosha's Court, Section Two, in the amount of \$24,300 until 6/1/97, as requested, said approval being contingent upon posting an amended letter of credit by **11/3/96** and extending the expiration date to 12/1/97. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 95S-184G**  
Morgan Estates, Section Three  
W. C. Allen and Associates, Inc., principal

Located abutting the southwest terminus of Creasy Drive, approximately 300 feet southwest of Clarksville Pike.

**Resolution No. 96-745**

**"BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 95S-184G, Bond No. 95BD-072, Morgan Estates, Section Three, in the amount of \$32,300 until 9/15/97, as requested, said approval being contingent

upon posting an amended letter of credit by **11/3/96** and extending the expiration date to 3/15/98. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 95S-367G**  
Chase Pointe, Section One  
Billy W. Spain, principal

Located abutting the west margin of Union Hill Road, approximately 1,088 feet north of Clay Lick Road.

**Resolution No. 96-746**

"**BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 95S-367G, Bond No. 95BD-096, Chase Pointe, Section One, in the amount of \$108,000 until 6/15/97, as requested."

**Subdivision No. 96S-004U**  
Hunters Run, Section One  
Butler Development, L.L.C., principal

Located abutting the east margin of Una Antioch Pike, opposite Richards Road.

**Resolution No. 96-747**

"**BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 96S-004U, Bond No. 94BD-067, Hunters Run, Section One, in the amount of \$494,000 until 9/15/97, as requested, said approval being contingent upon posting an amended letter of credit by **11/3/96** and extending the expiration date to 3/15/98. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 96S-043U**  
Ashford Crossing, Section Two  
Phillips Builders, Inc., principal

Located abutting both margins of Ashford Trace, approximately 130 feet south of Cedar Ash Crossing.

**Resolution No. 96-748**

"**BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of a performance bond for Subdivision No. 96S-043U, Bond No. 96BD-005, Ashford Crossing, Section Two, in the amount of \$495,200 until 9/1/97, as requested, said approval being contingent upon submittal of a letter by **11/3/96** from Frontier Insurance Company agreeing to the extension. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Request for Bond Release:**

**Subdivision No. 102-86-P**  
Riverside, Section One-B  
Rochford Realty and Construction Company,  
Inc., principal

Located abutting the south side of Northridge Drive, opposite Glenleigh Court.

**Resolution No. 96-749**

"**BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 102-86-P, Bond No. 90BD-023, Riverside, Phase One-B, in the amount of \$5,000, as requested."

**Subdivision No. 9-87-P**

River Plantation, Section Ten, Phase Two-A  
Haury and Smith Contractors, Inc, principal

Located approximately 229 feet west of Sawyer Brown Road and approximately 915 feet south of General George Patton Road.

**Resolution No. 96-750**

"**BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 9-87-P, Bond No. 95BD-034, River Plantation, Section Ten, Phase Two-A, in the amount of \$80,194, as requested."

**Subdivision No. 9-87-P**

River Plantation, Section Ten, Phase Two-B  
Haury and Smith Contractors, Inc., principal

Located abutting the south margin of Newsom Station Road, approximately 2,900 feet southeast of McCrory Lane.

**Resolution No. 96-751**

"**BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 9-87-P, Bond No. 95S-160G, River Plantation, Section Ten, Phase Two-B, in the amount of \$31,000, as requested."

**Subdivision No. 93S-334U**

Churchhill Subdivision  
Churchhill Development Corporation, principal

Located abutting the east margin of Brook Hollow Road, approximately 458 feet south of Jocelyn Hollow Road.

**Resolution No. 96-752**

"**BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 93S-334U, Bond No. 94BD-018, Churchhill Subdivision, in the amount of \$30,000, as requested."

**Request for Bond Extension and Replacement:**

**Subdivision No. 47-86-P**

Briley Parkway Business Center, Section One  
Ted Trammell, trustee, present principal  
NWI Warehouse Group, L.P., proposed principal

Located abutting the northeast corner of Brick Church Lane and I-24, approximately 476 feet west of Brick Church Pike.

**Resolution No. 96-753**

"**BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for replacement and extension of the performance bond for Subdivision No. 47-86-P, Bond No. 90BD-004, Briley Parkway Business Center, Section One until 8/15/97, as requested, in the amount of \$20,350, said approval being contingent upon submittal of appropriate security and execution of the replacement bond by **11/3/96. Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**MANDATORY REFERRALS:**

**Proposal No. 96M-109G**

Joint access between Metro and Sprint Spectrum L.P.  
Map 136-11  
Subarea 13 (1991)  
District 29 (Holloway)

A mandatory referral to approve a joint use access easement agreement between Metro Water Services and Sprint Spectrum, L.P.

**Resolution No. 96-754**

"**BE IT RESOLVED** by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-109G:

You should further contact the councilmember in the area so as to expedite the introduction of an ordinance effectuating the request in the Metropolitan Council.

**Proposal No. 96M-110G**

Council Bill No. O96-468  
Old Hickory Utility District Permanent Easement  
Map 53-7, Parcel 60  
Subarea 14 (1996)  
District 11 (Wooden)

A council bill granting a permanent easement to the Old Hickory Utility District on the Dupont-Hadley Middle School site.

**Resolution No. 96-755**

"**BE IT RESOLVED** by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-110G.

**Proposal No. 96M-111U**

Lyle Lane Name Change  
Maps 106 and 119  
Subarea 11 (1993)

District 16 (Graves)

A mandatory referral from the Department of Public Works proposing to change the name of a segment of Lyle Lane between Lyle Lane and Garwood Drive to "South Lyle Lane" and to change the name of a segment of Lyle Lane abutting the western terminus of Garwood Drive to Lyle Court.

**Resolution No. 96-756**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-111U.

**Proposal No. 96M-112G**

Riverview Drive Closure  
Map 62  
Subarea 14 (1996)  
District 15 (Dale)

A proposal to close a 180-foot segment of Riverview Drive at its southern terminus, requested by Joe Johnston, Gresham, Smith and Partners, for adjacent property owners. (Easements are to be retained).

**Resolution No. 96-757**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-112G.

**Proposal No. 96M-113U**

Council Bill No. O96-449  
Nashville Public Radio (WPLN) Lease Agreement  
Map 93-5-2, Parcel 1  
Subarea 9 (1991)  
District 19 (Sloss)

A council bill approving a lease agreement between Metropolitan Government and Nashville Public Radio (WPLN).

**Resolution No. 96-758**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-113U.

**Proposal No. 96M-114U**

Council Bill No. O96-472  
Lease Agreement Between Metro Public Works  
and S. L. Holdings  
Map 96-13, Parcel 187  
Subarea 14 (1996)  
District 14 (Stanley)

A council bill approving a lease agreement between Metro Public Works and S. L. Holdings to lease office space for the purpose of conducting the stormwater quality program.

**Resolution No. 96-759**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-114U.

**Proposal No. 96M-115U**  
Council Bill No. O96-470  
Bicentennial Train Site Lease Agreement  
Maps 93-9, 93-13 and 93-14  
Subarea 9 (1991)  
District 19 (Sloss)

A council bill approving a lease agreement between Metro Government and CSX Transportation, Inc., to prepare a site for the Tennessee 200 Bicentennial Train.

**Resolution No. 96-760**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-115U.

**Proposal No. 96M-116U**  
Resolution No. R96-441  
Lease Agreement Amendment Between  
MDHA and METRA  
Map 93-15, Parcel 118  
Subarea 9 (1991)  
District 19 (Sloss)

A resolution amending the lease agreement between MDHA and METRA as set forth in Ordinance No. O96-271.

**Resolution No. 96-761**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-116U.

**Proposal No. 96M-117U**  
Ordinance No. O96-473  
Nashville Zoo Lease Agreement  
Map 133-00; Parcel 4  
Subarea 12  
Council District 26

An ordinance approving a lease agreement between Metro Government and the Nashville Zoo for the premises commonly known as Grassmere.

**Resolution No. 96-762**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-117U.

This concluded the items on the consent agenda.

**APPEAL CASES:**

**Appeal Case No. 96B-182G**

Map 33, Parcel 100  
Subarea 2 (1995)  
District 3 (Nollner)

A request for a conditional use permit under the provisions of Section 17.124.190 (Intermediate Impact) as required by Section 17.124.030 to use existing property as a cemetery and construct a 1,100 square foot office within the OP, CS and R20 Districts, on property abutting the southeast corner of Dickerson Pike and Campbell Road (25 acres), requested by Dwayne Bell, for National Christian Missionary, owner.

Mr. Reid stated this site plan complies with the conditional use criteria. He stated the applicant proposes to maintain the existing vegetation along the creek and perimeter and also provide new landscaping along the frontage of Dickerson Pike, all of which should contribute to compatibility with the surrounding land uses. Staff received a letter of opposition from Lewis Barber, who lives south of the subject area, because he feels the cemetery will contribute to declining property values and degrade the neighborhood.

Mr. Browning stated this was the item for which Councilmember Nollner asked for a deferral. Mr. Browning stated it is difficult for the Commission to defer appeal cases, since they are forwarded to the Commission from the Board of Zoning Appeals, and the Commission is required to act in a limited time period prior to BZA action. He stated this petition is scheduled for Board action in one week. Mr. Browning suggested that the Commission advise the Board that the petition appears to meet all of the required conditions. In addition, the councilmember has requested deferral of final action until a community meeting can be held to discuss the application.

Vice Chairman Lawson stated it was appropriate for the Commission to act on this item, and perhaps the deferral could be from the Board of Zoning Appeals.

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

**Resolution No. 96-763**

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 96B-182G to the Board of Zoning Appeals:

**The site plan complies with the conditional use criteria; the Board is advised that the district councilmember has requested a deferral to allow additional time for community meetings."**

**ZONE CHANGE PROPOSALS:**

**Zone Change Proposal No. 96Z-097G**  
Map 169, Part of Parcel 58  
Subarea 6 (1996)  
District 35 (Lineweaver)

A request to change from AR2a District and R40 District to RS30 District certain property abutting the south margin of Highway 100, opposite Westhaven Drive, (18.57 acres), requested by Wamble and Associates, for Major family, owner. (Deferred from meeting of 09/19/96).

**Proposal No. 96P-016G**  
Major Property  
Map 169, Part of Parcel 58  
Subarea 6 (1996)  
District 35 (Lineweaver)



A request to grant preliminary approval for a Residential Planned Unit Development District abutting the south margin of Highway 100, opposite Westhaven Drive (18.57 acres), classified R40 and AR2a and proposed for RS30, to permit the development of 37 single-family lots, requested by Wamble and Associates, for Joel Wilson, owner. (Deferred from meeting of 09/19/96).

Ms. Dudley stated this petition was deferred from the last meeting and has been amended to request RS30 zoning rather than RS20. Ms. Dudley stated the staff still recommended disapproval of the zone change and the PUD, because the staff believed the R40 base zoning, and the larger minimum lot size required by that zoning district, was more appropriate in this part of the county where natural conservation policy is applied and where very steep topography predominates.

Ms. Dudley pointed out that the site in question is encumbered with very steep slopes over 80 percent of the site. Natural Conservation policy is applied which recommends lots of greater than one acre. The policy does allow clustering of development on smaller lots in flatter terrain. She stated the accompanying PUD proposes 37 lots on the flatter terrain. Ms. Dudley stated the R40 zoning would allow 37 lots as well. However, it would require the minimum lot size to increase from 8,500 square feet to 10,618 square feet, which is a more appropriate lot size in this general vicinity where most lots are one acre or larger.

Staff acknowledged that the development has been placed on the most usable, residentially zoned land. The ability to enlarge the 37 lots to the size required by the R40 zone district would require incorporating the adjacent commercially zoned property into the residential PUD. Staff stated this commercial zoning is too shallow to be used effectively for arterial commercial development, and the property could be better used to enlarge the residential lots and provide the residential subdivision with greater protection from the traffic on Highway 100. For these reasons Ms. Dudley stated staff was recommending disapproval of the zone change to RS30 and of the PUD proposal.

Councilmember Vic Lineweaver asked for the Commission's approval of the PUD and the zone change.

Mr. Danny Wamble, design engineer representing the developer, stated the design of this property was done in such a way to respect all the concerns that were outlined in the staff's presentation. The main reason the developer was looking for a PUD overlay district for R20 or R30 district was to make the lots smaller to concentrate the lot development down in the flatter portions of the property. The larger the lots the more they are pushed into the steeper terrain. Mr. Wamble pointed out the lot count has been limited to two lots per acre, which is the density staff feels is appropriate. All the technical issues on the design have been dealt with. The only issue is whether or not to wrap the commercial property into the PUD. Mr. Wamble asserted that staff's recommendation to incorporate the commercial property into the PUD amounts to confiscation of the commercial property.

Mr. Owens stated the developer was requesting the additional development flexibility of the PUD to use more effectively a very steep piece of property. As part of the design and development process, it would be appropriate to require that the developer also incorporate the flatter road frontage for better layout, even though the frontage is currently zoned commercial. Mr. Owens stated the CS property is only 75 feet deep, which is extremely shallow for effective commercial use.

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

**Resolution No. 96-764**

"BE IT RESOLVED by the Metropolitan Planning Commission that the following Zone Change Proposal No. 96Z-097G is **DISAPPROVED**:

**This property falls within a general area of ‘natural conservation’ policy in the Subarea 6 Plan due to the steep topography that is prevalent in this area. Use of the RS40 or R40 district is more appropriate in this immediate area due to steep topography. Since the very shallow depth of CS zoning along the Highway 100 frontage may adversely affect the viability of residential lots, the Commission recommends the conversion of that CS area to RS40 or R40 zoning as well.”**

“BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that Proposal No. 96P-016G is given **DISAPPROVAL**:

**Failure to incorporate a shallow portion of this overall tract (currently zoned CS) into the proposed Residential PUD will adversely affect the long-term viability of small residential lots adjacent to that area.”**

**PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:**

**Proposal No. 38-79-G**  
Rivergate (O'Charley's Restaurant)  
Map 34-2, Parcel 66  
Subarea 4 (1993)  
District 10 (Garrett)

A request to revise a portion of the approved final site development plan of the Commercial (General) Planned Unit Development District located on the east margin of Two Mile Pike at Gallatin Pike, (1.16 acres), to permit the addition of 743.7 square feet to the existing restaurant, requested by Greg Burns, for Two Mile Partners, owners. (Also requesting final plat approval). (Deferred from meetings of 09/05/96 and 09/19/96).

Mr. Delaney stated the applicant is wishing to revise the final site plan for this development to permit an additional 743.7 square foot addition on the front side of the building facing Two Mile Pike. The issue that results from this is that this addition will encroach into the thirty foot setback along Two Mile Pike approximately 4 1/2 feet. The lots in this area have varied setback apparently done at the discretion of the developer. The applicant has received written approval from adjacent properties and staff feels the 15 foot minimum setback required in commercial areas is appropriate. All the necessary right-of-way requirements have been met with the previous application. Staff is recommending approval of this the setback reduction.

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

**Resolution No. 96-765**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 38-79-G is given **CONDITIONAL FINAL APPROVAL, FINAL PLAT APPROVAL**. The following condition applies:

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

**Proposal No. 7-87-P**  
Haywood Oaks (Phase 4)  
Map 148-10, Parcel 135  
Subarea 12 (1991)  
District 30 (Hollis)

A request to revise the approved preliminary site development plan for Phase 4 and for final approval for Phase 4A of the Commercial (General) Planned Unit Development District abutting the east margin of Ezell

Road, opposite Willard Drive (7.4 acres), to permit the development of a 71,500 square foot office distribution facility, requested by Barge, Cauthen and Associates for, Dukes Associates, owners.

Mr. Delaney stated the original plan had two buildings on the site and is now requesting only one with the result of losing approximately 32,000 square feet. There are not technical issues, but off site improvement conditions with the original plan should remain intact except for turn lane improvement at Harding Place and Linbar Drive. The traffic engineer has opined that, due to the reduction in the square footage in this phase, those traffic improvements are no longer warranted. Staff is recommending approval for this revision as well as approval for Phase 4A.

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

**Resolution No. 96-766**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. No. 7-87-P is given **CONDITIONAL APPROVAL**. 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 posting of a \$10,000 bond for the modification of the traffic signal at Melmack Drive and Ezell Pike.

Mr. John Gregor, the Chief Traffic Engineer of the Metropolitan Department of Public Works, recommended in a letter dated September 27, 1996 that the Metropolitan Planning Commission lift the requirement for off site road improvements at Harding Place and Linbar Drive which are scheduled to be implemented with the Phase Four final approval.”

**SUBDIVISIONS:**

**Preliminary Plats:**

**Subdivision No. 96S-325U (Public Hearing)**  
Knowles and Miller Subdivision, Resubdivision of Lot 1  
Map 84, Parcels 8.1 and 23  
Map 84-9, Parcels 4 and 5  
Subarea 5 (1994)  
District 7 (Campbell)

A request for preliminary approval for 27 lots abutting the north terminus of Beth Drive, approximately 180 feet east of Eastland Avenue (17.48 acres), classified within the R10 District, requested by Emogene Knowles, owner, Statewide Homes, Inc., developer, Turner Engineering Company, Inc., surveyor. (Deferred from meeting of 09/19/96).

Mr. Henry stated the staff continues to recommend disapproval of this petition because the subdivision has not been engineered satisfactorily to deal with drainage problems in the area and to meet the terms of the stormwater management ordinance. Mr. Henry reminded the Commission that the subdivision is located on the western edge of the Shelby Bottoms floodplain of the Cumberland River.

No one was present to speak at the public hearing.

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

**Resolution No. 96-767**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that the PRELIMINARY Plan of Subdivision No. 96S-325U, is **DISAPPROVED since the site grading and drainage plans do not comply with the Stormwater Management Ordinance.**”

**Final Plats:**

**Subdivision No. 96S-280U**

West Meade Estates, Section 2, Lot 181 Revision  
Map 115-10, Parcels 18 and 20  
Subarea 7 (1994)  
District 23 (Crafton)

A request to reconfigure two lots abutting the south margin of Brownlee Drive and the west margin of Cornwall Drive (2.41 acres), classified within the RS40 District, requested by Janet A. Spann and William S. and Mary E. Turner, trustees U/A/D, owners/developers, Crawford Land Surveyors, surveyor. (Deferred from meetings of 09/05/96 and 09/19/96).

Mr. Henry stated this had been previously deferred and the applicant is present to answer any questions. As staff pointed out in the staff report for previous agendas, this 18 X 30 foot accessory structure was constructed on the property in the wrong place. It was built across the property line and on top of a public utility and drainage easement that runs between the two properties. This proposal is to legitimate the illegal placement of the structure by moving the property line. The applicant has received approval by the utility districts to encroach upon that easement. The Commission had asked earlier if this building was movable. The building is constructed partially on pillars and is set into an embankment and might be difficult to move but not impossible.

Mr. Stephen Smith stated it appeared the owner had made every effort to legitimate what they have done.

Councilmember Clifton stated it seemed the owner was ill advised early on and did the only thing anyone could have done after that.

Mr. Harbison stated one of his concerns originally was the drainage easements, but it seemed those concerns have been resolved.

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

**Resolution No. 96-768**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that the FINAL Subdivision No. 96S-280U, is granted **APPROVAL.**”

**Subdivision No. 96S-338U**

Jocelyn Hills, Tracts 2 and 3  
Map 129-2, Part of Parcel 45  
Subarea 7 (1994)  
District 23 (Crafton)

A request to create two lots abutting the east margin of Baskin Drive, approximately 885 feet southeast of Rolling Fork Drive (4.01 acres), classified within the RS40 District, requested by William Allen Cargile, owner/developer, Turner Engineering Company, surveyor.

Mr. Henry stated this involved two lots being cut out of a parcel that fronts on Baskin Drive and a large land locked parcel in the back. Staff's concern regarding this proposal is that it leaves the large parcel unaccounted for in the future plan of subdivision. Therefore, staff is recommending disapproval until a preliminary plan of subdivision could be presented. Two days ago the applicant brought fourth a concept plan for future subdivision. Staff has not had a chance to fully evaluate that plan. Metro Water Services also recommended disapproval because of inadequate water pressure. Water Services has revisited the site and determined there is sufficient capacity to serve two structures but there is not sufficient minimum fire fighting pressure. Water Services is now recommending approval of the plat. Staff recommends a two week deferral for review of the concept plan.

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

**Subdivision No. 96S-340A**

Chelsea Village, Section 1, Lot 1  
Map 149-7-A, Parcel 1  
Subarea 13 (1991)  
District 28 (Hall)

A request to amend the front setback line from 30 feet to 20 feet on a lot abutting the west margin of Edge-O-Lake Drive, approximately 480 feet south of Dover Glen Drive (.21 acres), classified within the R15 Residential Planned Unit Development District, requested by James A. Ford, owner/developer.

Mr. Henry stated Edge-O-Lake Drive is part of the collector street plan, which explains the deeper 30 foot required setback. He further pointed out that this specific setback is shown on the plat in the form of a note. The house was built with a twenty foot setback as indicated on the site plan reviewed by Codes Administration. The official at Codes Administration failed to see the 30 foot setback note at the top of the plat. The permits were issued and the structure is fully framed with the building encroaching eight feet into the required front setback.

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

**Resolution No. 96-769**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that the FINAL Plan of Subdivision No. 96S-340A, is granted **APPROVAL.**”

**Request for Bond Extension:**

**Subdivision No. 151-82-G**

Somerset Farms, Section Three  
Somerset Farms, J.V., principal

Located abutting the east terminus of Somerset Farms Circle, approximately 77 feet east of Somerset Farms Road.

Mr. Henry stated staff is recommending disapproval of the request for extension. Public Works has indicated there are punch list items involving some drainage corrections, installation of sidewalks and final pavement, and that this work can be done by November 15, 1996. Therefore, staff is recommending not extending the bond but requiring completion by November 15, 1996. If work is not complete staff is asking for authorization to proceed with collection. This project is at 100% buildout.

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

**Resolution No. 96-770**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **DISAPPROVES** the request for an extension of a performance bond for Subdivision No. 151-82-G, Bond No. 94BD-010, Somerset Farms, Section Three, in the amount of \$50,000 and authorization to proceed with collection of the security if all work is not complete by **11/15/96.**”

**Subdivision No. 134-84-G**  
Grove at Devon Hills  
HSW Devon Hills Associates I, L.P.

Located abutting the east margin of Old Hickory Boulevard, approximately 45 feet south of Devon Valley Drive.

Mr. Henry stated staff recommended disapproval. This project is 95% complete. This is an apartment complex and this punch list item involves sewer construction within the Harpeth Valley Utility District. Harpeth Valley Utility District is recommending November 1, 1996 is adequate time to finish the work. Staff is recommending disapproval of the request for extension and authorization for collection if the work is not completed by November 1, 1996.

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

**Resolution No. 96-771**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **DISAPPROVES** the request for an extension of a performance bond for Subdivision No. 134-84-G, Bond No. 94BD-067, Grove at Devon Hills, in the amount of \$10,100 and authorizes collection of the security if all work is not complete by **11/15/96.**”

**Subdivision No. 28-87-P**  
Boone Trace, Phase One  
Westinghouse Electric Corporation, principal

Located abutting the north margin of Newsom Station Road, approximately 2,900 feet southeast of McCrory Lane.

Mr. Henry stated there are punch list items yet to be completed by the developer involving drainage, sidewalk installation, base failure with the roadway and final pavement. The applicant was asking for an extension until November 1, 1996. Staff is recommending disapproval of the request to extend and asking for authorization for collection if work is not complete by November 15, 1996.

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

**Resolution No. 96-772**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **DISAPPROVES** the request for an extension of the performance bond in the amount of \$125,000 for Subdivision No. 28-87-P, Bond No. 87BD-032, Boone Trace, Phase One and authorizes collection if all work is not done by **11/15/96.** ”

**Subdivision No. 78-87-P**  
Fredericksburg, Phase Five-A  
Radnor Homes, Inc., principal

Located abutting both margins of Fredericksburg Way East and both margins of Culpepper Court.

**Subdivision No. 78-87-P**  
Fredericksburg, Phase Five-B  
Radnor Homes, Inc., principal

Located abutting both margins of Fredericksburg Way East and both margins of New Market Place.

Mr. Henry stated Fredericksburg, Phase Five-A is at 75% buildout and Phase Five-B is at 89% buildout. Staff is recommending authorization to collect the bonds if the work is not completed by November 15, 1996. This basically involves final pavement for the development. The developer was asking for an extension until December 1, 1996. Mr. Henry stated Public Works would prefer to require an earlier completion date in case winter weather requires cessation of paving earlier.

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

**Resolution No. 96-773**

**"BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **DISAPPROVES** the request for an extension of the performance bond in the amount of \$46,000 for Subdivision No. 78-87-P, Bond No. 95BD-003, Fredericksburg, Phase Five-A and authorizes collection if final pavement is not done by **11/15/96**. "

**"BE IT FURTHER RESOLVED** by the Metropolitan Planning Commission that it hereby **DISAPPROVES** the request for an extension of the performance bond in the amount of \$36,000 for Subdivision No. 78-87-P, Bond No. 95BD-004, Fredericksburg, Phase Five-B and authorizes collection if final pavement is not done by **11/15/96**. "

Mr. Owens updated the Commission on the bond release request on Ransom Place which was deferred earlier on the agenda. Mr. Owens reminded the Commission that the developer is concluding required work in this subdivision in order to request release of his performance bond. However, several complaints have come from residents in the subdivision that the curb, which is supposed to be a mountable curb - capable of being driven over - is too high and steep for many cars to mount without dragging and scraping the bumpers or undersides of the cars.

Mr. Owens stated several representatives from public works and the planning department, as well as the developer, his engineers, neighbors, and the council representative, met at the site to observe the problems. Mr. Owens stated that many of the last minute items dealing with drainage and the sidewalks were being corrected at this time, and the developer had requested deferral of bond release to complete this work. However, Mr. Owens stated the problem with the curb remained a problem.

Mr. Owens stated the on-site visit verified that many residents were having difficulty mounting the curb with their vehicles, and were placing boards or concrete ramps within the curbing to allow access to their driveways. It was apparent to the Metro officials that the standard for mountable curb was questionable. Based upon this observation, public works has issued a directive that no new mountable curb be installed until further notice. Engineers are now looking at other standards that might be adopted for a mountable curb that will also satisfactorily carry storm water runoff. In the meantime, the only curb standard available is the vertical face curb which requires installation of a driveway ramp at a cost of \$500 per ramp.

Mr. Owens pointed out the Commission is a party to this because the Subdivision Regulations reference the street regulations that Public Works develops and adopts. Whatever decisions are made the Commission will be a party to that decision and staff will keep the Commission posted.

Mr. Manier asked about the status of the subdivision in question.

Mr. Owens stated that at this point in time the developer, the homeowners that are having problems and Public Works are discussing a program by which those three parties would share equally in the cost of retrofitting driveways with a poured concrete ramp.

Mr. Stephen Smith stated that if the cars specifications have changed between now and 1991 it may not be anyone's fault.

**OTHER BUSINESS:**

1. Economic Development Functional Plan Overview. (Deferred from meetings of 09/05/96 and 09/19/96).

Cynthia Lehmbeck stated the purpose of this functional plan is to give this topic, which is mentioned in the General Plan overview, a more specific direction. At staff level, a scope was established and a group of people were pulled together that represent a wide variety of entities and organizations ranging from METRA to Bell South to the Chamber of Commerce that deal in some way in this area of economic development. She stated this group is serving as the advisory committee. Meetings will begin to work on the substance of the plan on October 15, 1996.

The purpose of this plan is to provide an inventory and assessment of the Nashville economy and to establish explicit goals and objectives which the Commission can use in making land use and capital budgeting decisions, to identify and quantify the linkage between Nashville's economy and the region as a whole and also to create and maintain a compendium of data of Nashville and the region that can be used not only by the Commission but also by the local business and economic development community. Staff primarily wants this plan to serve our purpose as a Planning Commission but also to be something others can use as well. The format will contain an inventory and assessment, goals and objectives, an implementation strategy and also an executive summary.

Vice-Chairman Lawson stated this plan was significant to forecasting policies and that he would like to be kept informed as the study developed.

**PLATS PROCESSED ADMINISTRATIVELY.**

September 19 through October 1, 1996

- |          |   |
|----------|---|
| 95S-372U | The Grove at Richland<br>Abandons unimproved easements                                  |
| 96S-012U | Gailey Subdivision, Resubdivision of Lot 10<br>Subdivides one lot into two lots         |
| 96S-159G | Hermitage Market Place<br>Re-recorded to make correction in curve data                  |
| 96S-203G | Meadows of Tulip Grove, Section 4<br>Minor adjustment to interior line between two lots |
| 96S-218U | Nashville Arena, Phase 2<br>Re-recorded to correct street name                          |



- 96S-275G      The Fountains at Banburh  
PUD Boundary Plat
- 96S-351G      Summit Oaks  
PUD Boundary Plat
- 96S-354U      Woodmore Heights, Section 2 Lot 30  
Zone Lot Division
- 96S-355U      Woodmore Heights, Section 2, Lot 31  
Zone Lot Division
- 96S-356G      Mullins Subdivision  
Creates two lots from one deeded parcel
- 96S-358G      John Welch Property  
Plat a 2 acre deeded parcel

**ADJOURNMENT:**

There being no further business, upon motion made, seconded and passed, the meeting adjourned at 2:35 p.m.

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Chairman

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Secretary

Minute approval:  
This 17th day of October, 1996