

MINUTES
OF THE
METROPOLITAN PLANNING COMMISSION

Date: December 12, 1996
Time: 1:00 p.m.
Place: Howard Auditorium

Roll Call

Present:

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

Absent:

Mayor Philip Bredesen
Arnett Bodenhamer

Also Present:

Executive Office:

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

Current Planning and Design:

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

Community Plans Division:

Jerry Fawcett, Planning Division Manager
Bob Eadler, Planner II
Chris Hall, Planner I

Others Present:

Jim Armstrong, Public Works
Tom Cross, Legal Department

Chairman Smith called the meeting to order.

ADOPTION OF AGENDA

Mr. Owens asked that 96S-300G, Briley Parkway Business Center, Section 2, be added to the agenda as an addendum.

Mr. Lawson moved and Ms. Nielson seconded the motion, which unanimously passed, to adopt the agenda including addendum item 96S-300G.

ANNOUNCEMENT OF DEFERRED ITEMS

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

107-81-G	Deferred until January 9, 1997, requested by applicant.
90P-013U	Deferred final plat action until January 9, 1997, requested by applicant.
96P-022U	Deferred until January 23, 1997, requested by applicant.
96S-401G	Deferred until January 9, 1997, requested by applicant.

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

APPROVAL OF MINUTES

Mr. Harbison moved and Mr. Lawson seconded the motion, which unanimously passed, to approve the minutes of the regular meeting of November 27, 1996.

RECOGNITION OF COUNCILMEMBERS

Councilmember at Large Chris Ferrell spoke in favor of the historic zoning overlay for Second Avenue which is compatible with the subarea plan. He stated he had been having meetings with the property owners and that the members of the Council and the Mayor felt the overlay would be important for protecting this property that is crucial to all of Nashville. The Second Avenue buildings have benefited greatly from investment from both private and public dollars and this is an attempt to protect those dollars from being destroyed.

Chairman Smith stated this proposal was on the consent agenda but the Commission would like to hear the presentation to make sure they understand what would be passed.

Councilmember Ferrell spoke about Proposal No. 89P-022U and stated the Melrose PUD area was a fragile neighborhood. At times it has been on the verge of going down hill, but currently is experiencing a lot of investment, and a lot of homeowners are moving in and rehabing houses and are bringing the neighborhood forward. MDHA is getting ready to do a great deal of work in the Sevier Park area along Twelfth Avenue South, which will help it along even further. The PUD proposal would weaken the neighborhood on one end by exceeding the height requirements by going above the berm and having parts of the hotel looking down into the backyards and houses of neighbors along Gale Lane. Mr. Ferrell stated that was not the intent of the original PUD. Councilmember Mansfield Douglas spoke briefly. Vice Mayor West stated he would prefer to wait until the proposal came up on the agenda.

Councilmember Lawrence Hart spoke in favor of Proposal No. 96Z-123G, but asked the Commission to disapprove Proposal No. 96S-450U, Riverwood Plantation, Phase One Subdivision. If this should be approved the Commission should be aware that the owners of the property have been taken to Sessions

Court on several occasions for noncompliance with Metro Codes and also with Health Department regulations.

ADOPTION OF CONSENT AGENDA

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

APPEAL CASES:

Appeal Case No. 96B-226U

Map 94, Parcel 106
Subarea 11 (1993)
District 15 (Dale)

A request for a conditional use permit under the provisions of Section 17.124.350 (Floodplain) as required by Section 17.124.030, to construct a 4,080 square foot office building in the IR District, on property abutting the east margin of Visco Drive and the north margin of Pumping Station Road (7.44 acres), requested by Littlejohn Engineering, for Intermodal Carthage Company, owner.

Resolution No. 96-951

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 96B-226U to the Board of Zoning Appeals:

The site plan complies with the conditional use criteria."

Appeal Case No. 96B-227U

Map 94-13, Parcel 71
Subarea 11 (1993)
District 15 (Dale)

A request for a conditional use permit under the provisions of Section 17.124.350 (Floodplain) as required by Section 17.124.030 to construct a 7,000 square foot warehouse in a flood plain within the CG District on property abutting the east margin of Fessler's Lane, approximately 400 feet north of Fessler's Parkway, (3 acres), requested by Frito Lay, appellant/owner.

Resolution No. 96-952

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 96B-227U to the Board of Zoning Appeals:

The site plan complies with the conditional use criteria. The Board is further advised that the setback variance does not appear to be driven by floodplain grading."

Appeal Case No. 96B-232U

Map 136, Property of the Army Corps of Engineers
Subarea 13 (1991)
District 29 (Holloway)

A request for a conditional use permit under the provisions of Section 17.124.190 (Extensive Impact) as required by Section 17.124.030, to construct an outdoor recreational center and camp, on certain property

abutting the north margin of Smith Springs Road, abutting Percy Priest Lake (approximately 300 acres), requested by YMCA, appellant/owner.

Resolution No. 96-953

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 96B-232U to the Board of Zoning Appeals:

The site plan complies with the conditional use criteria."

Appeal Case No. 96B-233U

Map 118-15, Parcel 10

Subarea 11 (1993)

District 33 (Turner)

A request for a conditional use permit under the provisions of Section 17.124.250 (Group Assembly Extensive) as required by Section 17.124.030, to construct a 28 screen movie theater in the CS District on certain property abutting the northeast corner of Powell Avenue and Thompson Lane (51.69 acres), requested by Cobb Theaters, for 100 Oaks Mall, owner.

Resolution No. 96-954

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 96B-233U to the Board of Zoning Appeals:

The site plan complies with the conditional use criteria."

ZONE CHANGE PROPOSALS:

Zone Change Proposal No. 96Z-123G

Map 51, Part of Parcel 159

Subarea 4 (1993)

District 8 (Hart)

A request to change from R20 District to OP District certain property abutting the east margin of Gallatin Pike, approximately 2,500 feet north of Briley Parkway (12 acres), requested by Phillip Piercey, for Springhill Cemetery, owner.

Resolution No. 96-955

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 96Z-123G is **APPROVED**:

The adopted Subarea 4 Plan depicts this general area as falling along the common boundary of commercial and residential policy. The request of office zoning is appropriate along the frontage of this major arterial street."

Zone Change Proposal No. 96Z-125U

Council Bill No. O96-593

Map 133, Parcels 4 and 5

Subarea 12 (1991)

District 26 (Arriola)

A request to change from R10 and CG Districts to AR2a District property abutting the west margin of Nolensville Pike and the north margin of Elysian Fields Road (approximately 211 acres), requested by Metropolitan Board of Parks and Recreation, for Metropolitan Government, owner.

Resolution No. 96-956

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 96Z-125U is **APPROVED**:

This property falls within Major Public Open Space policy in the proposed Subarea 12 Plan update. The AR2A district will implement this policy."

Zone Change Proposal No. 96Z-127U

Council Bill No. O96-588

Map 92-10, Parcels 383, 302, 320, 431, 326 and 408

Subarea 10 (1994)

District 21 (McCallister)

A request to change from MRO and IR Districts to CF District certain property abutting the north and south margins of Charlotte Pike, along both margins of 26TH Avenue North (23.6 acres), requested by HCA Realty, appellant/owner.

Resolution No. 96-957

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 96Z-127U is **APPROVED**:

This property falls within Mixed Use policy in the Subarea 10 Plan, which encourages a mixture of residential and nonresidential uses. For the area between the Baptist Hospital Health complex and Interstate 40, the Subarea Plan encourages an intensive, compact mixed use development pattern with floor area ratios of up to 5.00. The CF district will implement this objective."

PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:

Proposal No. 64-76-U

Kimbro Oil Company

Map 161, Parcel 202

Subarea 12 (1991)

District 30 (Hollis)

A request to revise the final site development plan for a portion of the Commercial (General) Planned Unit Development District abutting the west margin of Nolensville Pike and the north margin of Hickory View Drive (.57 acres), to permit the development of a 2,260 square foot convenience market, requested by James E. Stevens and Associates, for Kimbro Oil Company, owner.

Resolution No. 96-958

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 64-76-U is given **CONDITIONAL APPROVAL OF A REVISION TO FINAL**. 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. 46-83-U

Drury Inn (Metropolitan Airport Center)
Map 108-1, Parcels 61 and 76
Subarea 14 (1996)
District 14 (Stanley)

A request for final approval for a phase of the Commercial (General) Planned Unit Development District abutting the southeast quadrant of Elm Hill Pike and Donelson Pike (0.77 acres), classified R10 and OP, to permit the development of a parking area for an adjacent hotel outside the PUD, requested by Ragan-Smith Associates, for Drury Inns, Inc., owner.

Resolution No. 96-959

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 46-83-U is given **CONDITIONAL FINAL APPROVAL**. The following conditions apply:

1. Receipt of written confirmation of approval from the Stormwater Management and Traffic Engineering sections of the Department of Public Works.
2. Recording of a final plat upon the posting of bonds required for any necessary public improvements, prior to the issuance of any building permits.
3. Receipt of written confirmation of approval from the Metropolitan Codes Department for the adjacent hotel site.
4. Receipt of written confirmation of approval of the relocation of the cemetery.”

Proposal No. 148-83-U

Lakeland, Section Two, Phase Three
Map 95-12-A, Parcel 227
Subarea 14 (1996)
District 15 (Dale)

A request for final approval for a section of the Residential Planned Unit Development District abutting the southwest margin of Hibbits 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. (Also requesting final plat approval).

Resolution No. 96-960

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

1. Receipt of written approval of the final plan from the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.”
2. Recording of the final plat upon the posting of bonds required for any necessary public improvements, prior to the issuance of any building permits.”

Proposal No. 18-84-U

Burton Hills
Map 131-6-A, Parcels 17 and 22

Subarea 10 (1994)
District 33 (Turner)

A request to revise a portion of the approved preliminary site development plan of the Commercial (General) Planned Unit Development District located abutting the northeast margin of Hillsboro Pike and Seven Hills Boulevard, to permit the reallocation of 30,489 square feet of unused floor area from Phase V (Corrections Corporation of America) to Phase IV so as to permit the development of a 137,989 square foot, five-story office building, requested by Gresham, Smith and Partners, for MerTech Development, Inc., owners.

Resolution No. 96-961

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 18-84-U is given **CONDITIONAL APPROVAL**. The following conditions apply:

1. Written confirmation of preliminary approval from the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. Compliance with all applicable conditions from previous preliminary approvals.”

Proposal No. 28-87-P
Boone Trace, Section 2 (Boone Farm PUD)
Map 126, Part of Parcel 65
Subarea 6 (1996)
District 23 (Crafton)

A request to revise a portion of the final plan for Section Two of the Residential Planned Unit Development District abutting the northwest margin of Newsome Station Road, approximately 2,900 feet southeast of McCrory Lane (1.0 acre), to permit a revision to the proposed left-turn lane improvements on Newsome Station Road, requested by Barge, Waggoner, Sumner and Cannon, for Fox Ridge Homes, owner.

Resolution No. 96-962

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 28-87-P is given **CONDITIONAL FINAL APPROVAL**. The following conditions apply:

1. Receipt of written confirmation of approval from the Stormwater Management Traffic Engineering sections of the Department of Public Works.
2. Receipt and approval of construction and marking plans for the revised left-turn lane improvements to Newsome Station Road.
3. Recording of a final plat upon the posting of bonds required for any necessary public improvements, prior to the issuance of any building permits.”

Proposal No. 90P-013U
Post Hillsboro Village
(formerly Post Walk Apartments)
Map 104, Parcels 73 and 356
Subarea 10 (1994)
District 18 (Clifton)

A request for final approval for the Residential Planned Unit Development District abutting the west margin of 21st Avenue South, 170 feet north of Bernard Avenue (5.57 acres), classified RM6 and OP, to permit the

development of a 201 unit apartment complex, requested by Littlejohn Engineering Associates, for Post Apartments Development, owners. (Deferred from meetings of 11/14/96 and 11/27/96).

Resolution No. 96-963

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 90P-013U is given **CONDITIONAL PUD APPROVAL; FINAL PLAT DEFERRED BY APPLICANT.** The following conditions apply:

1. Receipt of written confirmation of approval from the Stormwater Management and Traffic Engineering sections of the Department of Public Works.
2. Receipt of written confirmation of approval from the Tennessee Department of Transportation for the proposed improvements to 21ST Avenue South.
3. Recording of a final plat upon the posting of bonds required for any necessary public improvements, prior to the issuance of any building permits.
4. Construction permits shall not be issued until receipt of a letter of commitment from both the applicant and the property owner, from whom the right-of-way is to be purchased.
5. The necessary right-of-way for the turn lane on 21ST Avenue South at Bernard Avenue shall be dedicated by plat prior to March 1, 1997.
6. Use and Occupancy permits shall not be granted until all off-site improvements are complete.”

Proposal No. 95P-023U

Woodway Square
Map 160, Parcels 44, 46, 47, 213 and 214
Subarea 12 (1991)
District 32 (Jenkins)

A request to reaffirm preliminary approval for a Residential Planned Unit Development District abutting the north margin of Old Hickory Boulevard, opposite Cloverland Drive (42.726 acres), classified R40 and proposed for RS6 and RS10, to permit the development of a 627 unit multi-family residential complex, requested by Charles G. Cornelius, for Charles L. Cornelius, Jr., Llewellyna Granberry Cornelius, James T. Granberry, Jr., Charles G. Cornelius, Seven Springs Farm, L.P. (Jas W. Granberry, general partner), Llewellyna Cornelius, Susan C. West and Steven L. West, owners.

Resolution No. 96-964

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 95P-023U is given **CONDITIONAL PRELIMINARY APPROVAL RE-AFFIRMED.** The following conditions apply:

1. Receipt of written confirmation of preliminary approval from the Stormwater Management and Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. Compliance with the requirements of the applicant’s Traffic Impact Study, dated July 1995.
3. Submittal of a PUD boundary plat and a plat of subdivision which combines the parcels at the time of final plan submittal, along with posting of bonds as may be required for any necessary public improvements.”

SUBDIVISIONS:

Final Plats:

Subdivision No. 96S-296G

James Powers Bellevue Property
Map 142, Parcels 49-55
Subarea 6 (1996)
District 35 (Lineweaver)

A request to reconfigure seven parcels into three lots abutting the west margin of Hicks Road, between Memphis-Bristol Highway and Old Harding Road (14.59 acres), classified within the RM8 and CS Districts, requested by W. E. Mason et al, owners/developers, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

Resolution No. 96-965

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 96S-296G, is granted **APPROVAL.**”

Subdivision No. 96S-361U

Trailwood, Section 7
Map 108, Parcel 222
Map 108-12, Parcel 234
Subarea 14 (1996)
District 13 (French)

A request to create 14 lots abutting the south margin of East Lake Drive, opposite Elm Run (3.26 acres), classified within the R15 District, requested by Trailwood-Section 7 Joint Venture, owner/developer, C. Michael Moran, surveyor. (Deferred from meeting of 11/27/96).

Resolution No. 96-966

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 96S-361U, is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$103,000.00.**”

Subdivision No. 96S-386G

Minton Subdivision
Map 33, Parcel 69
Subarea 2 (1995)
District 10 (Garrett)

A request to plat one deeded parcel abutting the south margin of Old Dickerson Road opposite Lowes Lane (1.07 acres), classified within the CS District, requested by John D. and Steven M. Minton, owner/developer, Alley and Associates, surveyor.

Resolution No. 96-967

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 96S-386G, is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$1,800.00.**”

Subdivision No. 96S-394G

Mount Vernon Missionary Baptist Church Subdivision
Map 43-15, Parcels 148, 149 and 224

Map 52-3, Parcels 68 and 69
Subarea 4 (1993)
District 9 (Dillard)

A request to reconfigure five parcels into three lots abutting the west margin of Larkin Spring Road, opposite Manzano Road (3.36 acres), classified within the R10 District, requested by Adventist Health System/Sunbelt, Inc., owner/developer, E. Roberts Alley and Associates, Inc., surveyor. (Deferred from meetings of 11/14/96 and 11/27/96).

Resolution No. 96-968

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 96S-394G, is granted **APPROVAL**.”

Subdivision No. 96S-396G
Oakhaven, Section 2
Map 114, Parcels 223, 224, 316 and 317
Subarea 6 (1996)
District 23 (Crafton)

A request to create 10 lots abutting the west margin of Sawyer Brown Road, approximately 1,710 feet south of Old Charlotte Pike (3.81 acres), classified within the R15 District, requested by Eric and Wayne Crafton, owner/developer, Walker Engineering, surveyor. (Deferred from meeting of 11/14/96).

Resolution No. 96-969

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 96S-396G, is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$75,000.00**.”

Subdivision No. 96S-435U
MetroCenter, Tract 25
Map 70-15, Parcels 37 and 46
Subarea 8 (1995)
District 20 (Haddox)

A request to subdivide two lots into three lots abutting the south margin of MetroCenter Boulevard, between 10th Avenue North and Athens Way (18.73 acres), classified within the CS District, requested by MetroCenter Holdings, owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

Resolution No. 96-970

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 96S-435U, is granted **APPROVAL**.”

Subdivision No. 96S-444U
William Albert Smith and Mattie Pearl Property
Map 108-1, Parcels 59 and 76
Subarea 14 (1996)
District 14 (Stanley)

A request to combine two lots into one lot abutting the east margin of Donelson Pike and the south margin of Royal Parkway (2.6 acres), classified within the CS and R10 Commercial Planned Unit Development Districts, requested by William Albert and Mattie Pearl Smith, owners/developers, Ragan-Smith Associates, Inc., surveyor.

Resolution No. 96-971

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 96S-444U, is granted **APPROVAL.**”

Subdivision No. 96S-448G
Interchange City, Tract 210A
Map 183, Part of Parcel 100
Map 175, Part of Parcel 29
Subarea 13 (1991)
District 29 (Holloway)

A request to create one lot abutting the north margin of Firestone Parkway, opposite Gould Boulevard (3.3 acres), classified within the IR District, requested by Interchange City Associates, L.P., owner/developer, Ragan-Smith Associates, Inc., surveyor.

Resolution No. 96-972

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 96S-448G, is granted **APPROVAL for an amended plat application of right-of-way dedication.**”

Request for Bond Extension:

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

Located at both margins of Cobble Street, approximately 1,252 feet south of Bradford Hills Drive.

Resolution No. 96-973

"**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. 95BD-012, Holt Woods, Section Three, in the amount of \$7,900 until March 15, 1997, as requested, said approval being contingent upon posting an amended letter of credit by **November 20, 1996** and extending the expiration date to September 15, 1997. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

MANDATORY REFERRALS:

Proposal No. 96M-141U
Morena Street Closure
Map 92-3
Subarea 8 (1995)
District 19 (Sloss)

A proposal to close Morena Street between 21st Avenue North and the Nashville and Ashland City Railroad (Central of Tennessee Railroad Company), requested by Tim Sadler, Gresham, Smith and Partners, for Meharry Medical College, adjacent property owner. (Easements are to be abandoned).

Resolution No. 96-974

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-141U.

Proposal No. 96M-142G
Old Harding Pike/Linton Trace Name Change
Maps 177 and 178
Subarea 6 (1996)
District 35 (Lineweaver)

A mandatory referral from the Department of Public Works proposing to change the name of Old Harding Pike between State Route 96 and the Davidson/Williamson County line to "Linton Trace."

Resolution No. 96-975

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-142G.

Proposal No. 96M-145U
Council Bill No. O96-532
Adoption of Amended Street and Alley Map

A council bill to amend the Official Street and Alley Acceptance and Maintenance Map for calendar year 1996.

Resolution No. 96-976

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-145U.

Proposal No. 96M-146U
Council Bill No. O96-573
Richland Village Lease with Oasis Center
Map 103-3, Parcel 41
Subarea 7 (1994)
District 24 (Johns)

An ordinance approving a lease agreement by and between Metro Government and the Oasis Center, Inc., for use of a cottage at Metro Social Services' Richland Village.

Resolution No. 96-977

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-146U.

Proposal No. 96M-147U
Council Bill No. O96-564
Airport Authority Property Use
Maps 107 and 120
Subarea 13 (1991)
District 13 (French)

A council bill approving a letter of understanding with the Metropolitan Nashville Airport Authority that will permit the use of airport property by the Police Department for driver training.

Resolution No. 96-978

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 96M-147U.

OTHER BUSINESS:

UNIVERSITY CENTER URBAN RENEWAL AREA PLAN AMENDMENT

Resolution No. 96-979

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** proposed Amendment 17 to the Urban Renewal Plan for the University Center Urban Renewal Area, Project Tenn. R-51."

ADDENDUM:

Subdivision No. 96S-300G

Briley Parkway Business Center, Section 2
Map 50, Parcel 8 and Part of Parcel 21
Subarea 2 (1995)
District 3 (Nollner)

A request to create two lots abutting both margins of Brick Church Lane, between Brick Church Pike and Interstate 24 (56.96 acres), classified within the CS and R10 Industrial Planned Unit Development Districts, requested by James N. Maddox and Thomas F. Corcoran, owners/developers, Ragan-Smith and Associates, Inc., surveyor.

Resolution No. 96-980

"**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 96S-300G, a request to create two lots abutting both margins of Brick Church Lane, between Brick Church Pike and Interstate 24 (56.95 acres), classified within the CS and R10 Industrial Planned Unit Development Districts, requested by James N. Maddox, and Thomas F. Corcoran, owners/developers, Ragan-Smith and Associates, Inc., surveyor, is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$28,000.00.**"

This concluded the items on the consent agenda.

APPEAL CASES:

Appeal Case No. 96B-229U

Map 106, Parcel 45
Subarea 11 (1993)
District 15 (Dale)

A request for a conditional use permit under the provisions of Section 17.124.240 (Scrap Operation) as required by Section 17.124.030, to construct a 3,000 square foot building within the IR District, on property abutting the east margin of the CSX Railroad, approximately 300 feet south of Elm Hill Pike (2.16 acres), requested by Music City Sewer and Drain, appellant/owner.

Mr. Reid stated this property was located between Interstate 40 and Elm Hill Pike just east of the I-24/I-40 interchange. The area along Elm Hill Pike is predominately industrial, is in IR zoning and in industrial policy. Immediately surrounding the site is mostly vacant parcels except for a mobile home park on the north side of the property. The scrap iron operation would not be compatible with the residential use of the mobile home park, but because this mobile home park is non-conforming, it is expected it will eventually be replaced with industrial uses to implement the industrial policy in this general area. For that reason staff recommends the site plan satisfies the conditional use criteria.

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

Resolution No. 96-981

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 96B-229U to the Board of Zoning Appeals:

The site plan complies with the conditional use criteria. Although residential uses currently exist next to this property (non-conforming mobile homes), this overall area is policed for Industrial activities by the General Plan and zoned industrial."

Appeal Case No. 96B-234U

Map 92-3, Parcels 175-177, 179, 180, 400, 19 and 389

Subarea 8 (1994)

Districts 19 and 21 (Sloss and McCallister)

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 update the Meharry campus plan to permit the construction of a 17,861 square foot dialysis clinic in the RM8 District on certain property abutting the west margin of 21st Avenue North and the south margin of Albion Street (1.58 acres), requested by Gresham, Smith and Partners, for Meharry Medical College, owner.

Mr. Reid stated staff believed this site plan would be compatible with the other medical uses that are approved for this campus plan. The traffic engineer has approved the circulation plan and staff recommends this site plan complies with the conditional use criteria. Because the property is narrow and steep towards the back as it goes up to a railroad track, there likely will be a need for variances. There are approximately twelve parking spaces and a portion of a building that is within the required thirty foot setback. Staff feels there is a direct relation between the narrowness of the property and the need for variances and advise the Commission to recommend to the board that as they review this plan, if they are willing to change the land use from open space to dialysis clinic they should also consider the shape of the property which may justify the need for certain variances.

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

Resolution No. 96-982

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 96B-234U to the Board of Zoning Appeals:

The site plan complies with the conditional use criteria. The Board is further advised that the campus plan amendment and an associated request for setback variances are directly related."

ZONE CHANGE PROPOSALS:

Text Amendment:

Zone Change Proposal No. 96Z-009T
Council Bill No. O96-592

A council bill to amend Section 17.120.070 so as to add large motor speedways to the definition of extensive impact community facilities.

Mr. Owens stated the staff was recommending approval of this bill. Its effect would be to classify motor speedway activities as extensive impact uses, similar to airports, quarries, landfills, stadiums and arenas, rather than as group assembly activities such as a theater complex. The current ordinance precludes classifying speedways as extensive impact because of a provision which states that only motorized boat activities can be classified as extensive impact. The amendment would remove this limitation.

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

Resolution No. 96-983

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 96Z-009T is **APPROVED**:

This amendment to the current Zoning Regulations is intended to clarify how the code classifies a motor raceway. While the activity classification "Extensive Impact Community Facilities" currently includes such impactful uses as airports, sanitary landfills, quarries, stadiums, sports arenas, bandstands (e.g. the Starwood Amphitheater), a section of that activity type's definition dealing with "privately owned and commercially operated recreation areas and facilities" contains a phrase stating that motor driven activities (other than boating) are not permitted. This has raised uncertainties over whether or not a motor speedway can be classified as an "Extensive Impact" community facility. This text amendment removes that uncertainty by establishing that a racetrack providing seating for 25,000 or more spectators would be classified as an "extensive impact" use. This a proper activity classification for this type of use within the current code."

Zone Change Proposal No. 96Z-010T
Council Bill No. O96-572

A council bill to amend Section 17.28.370 by establishing a maximum height of 24 feet for accessory buildings located on large residential lots.

Mr. Owens stated the staff was recommending disapproval of this specific bill, but was recommending that the Commission advise the Council that a similar bill with some different provisions would be appropriate. Mr. Owens stated the bill is intended to allow two story detached garages on larger lots in residential zoning districts; currently the ordinance limits detached garages in any residential district to a maximum height of 16 feet.

Mr. Owens suggested the Commission consider approval of a recommendation which differs with the council bill in two respects. First, the minimum lot size on which a two story garage should be considered should be 40,000 square feet, rather than 20,000 square feet as proposed in the council bill. Second, the taller detached garage should be allowed only within a residential zoning district requiring the minimum established lot size such as the R/RS 40 and AR2a districts. If the bill is written to allow the taller detached garages on any large lot, this could include oversized lots in any residential zoning district in the city. Mr. Owens pointed out that the staff's approach is more consistent with the regulations in the proposed zoning ordinance.

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

Resolution No. 96-984

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 96Z-010T is **DISAPPROVED**; Council is encouraged to consider alternative standards contained within the proposed Zoning Regulations.:

The Planning Commission recently endorsed the concept of permitting two story accessory structures on large residential lots with the approval and referral of the new Zoning Regulations to the Council. It is the minimum size requirement of that "large lot" that distinguishes this current text amendment from the proposed Zoning Regulations. In the proposed code, the Commission has recommended that lots qualifying for the higher height allowance must be within a zoning district that requires a minimum lot size of at least 40,000 square feet. In contrast, the current bill would set the minimum size of the lot itself at 20,000 square feet, regardless of the zoning classification of the immediate area.

The difference between the two approaches is significant. The justification for imposing a height limit on structures is to provide neighboring property owners with reasonable degrees of light, air and privacy. When establishing a minimum lot size standard to insure that the rights of the neighboring property are protected, the size of that adjacent lot is as important as the size of the lot

containing the accessory structure. This fact is not recognized by the current bill now under consideration by the Council. For this reason, the Planning Commission recommends disapproval of Council Bill No. O96-572 as currently drafted, and suggests that the Council consider the following lot size standard which is consistent with that found in the proposed Zoning Regulations:

In all residential districts with a minimum required lot size of at least 40,000 square feet, accessory structures located to the rear of the principal dwelling may be two-stories or twenty-four (24) feet in height, whichever is less, provided that the full side and rear setbacks required by the applicable zoning district are provided."

Zone Change Proposal No. 96Z-124U

Council Bill No. O96-591

Map 93-6-2, Parcels 74-81, 83-86, 30, 66-69,
71, 47, 49-53 and 55-60

Map 93-2-4, Parcels 7-9, 40, 17-20, 38, 2, 3, 6 and 10

Map 93-2-3, Parcels 1-5, 178, 179, 158 and 159

Subarea 9 (1991)

District 19 (Sloss)

A request to apply the historic preservation overlay district to certain property abutting the south margin of Union Street, the west margin of First Avenue North, and the north margin of Broadway, along both sides of Second Avenue North (approximately 20 acres), requested by the Metropolitan Historic Commission, for various owners.

Mr. Reid stated the Subarea 9 Plan supports preserving historic structures downtown and staff believes this type of overlay district would accomplish that purpose and recommends approval of this zone change. The historic preservation overlay district is a district that has design guidelines adopted by the Historic Commission that deals with the facades of the buildings and not the land use.

Chairman Smith asked why there were parcels left out of the proposed overlay.

Ms. Ann Reynolds, Historic Commission Executive Director, stated the National Register District boundaries were used to pattern the proposed historic zoning overlay. Ms. Reynolds stated further that the

Second Avenue area was in jeopardy of losing its historical status by the State Historic Preservation office, due to the loss of historically significant buildings from fires, etc., and due to insensitive renovations. Ms. Reynolds stated the historic overlay would provide the means to regulate building removal, and to require that building renovations would be consistent with the historical integrity of the buildings and the general area. Unless these measures are taken, Ms. Reynolds expressed concern that Second Avenue could lose its historic designation.

Chairman Smith asked what could be built in the vacant lot.

Ms. Reynolds stated there are guidelines that refer to the facades, height and the FAR is also considered. The guidelines sometimes call for brick but would generally follow the row of buildings.

Chairman Smith asked about the Bell Building.

Ms. Reynolds said no one would be affected by this unless someone decides to do work. With the Bell building a couple of years ago, pieces of that were falling off and the face had to be redone and the Historic Commission worked with them on compatibility. Under certain conditions demolition's are approved such as fire or long term unattended buildings.

Mr. Harbison asked if this may conflict with the long term goal to get residential into the downtown area.

Ms. Reynolds said the historic zoning and residential use have never been considered conflicting.

Councilmember Clifton stated that since the subarea plan actually envisioned historic zoning and residential in the area that the two would be compatible.

Councilmember at Large Ferrell stated downtown living should be encouraged. He stated this street is different from any other street downtown and is crucial to the redevelopment of downtown. It would not be possible for someone to come in and build a twenty-six story residential high rise but the long term benefit to the area and to the city outweighs a high density residential development in this immediate area. Approximately twenty-five percent of the owners of the properties favor the overlay, approximately twenty-five percent oppose it and about fifty percent are still undecided. Several owners have requested additional time, but they are open to the idea and many of them would like the protection for the investments they have made to their buildings.

Mr. Stephen Smith stated he had not heard from anyone but it seemed to him that Second Avenue had done pretty well without any restrictions. He asked what the opinions of the property owners were about having additional restrictions placed on their properties.

Councilmember Ferrell stated the city had also invested a great deal into the area, and had an interest in maintaining the property values in this area for that reason.

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

Resolution No. 96-985

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 96Z-124U is **APPROVED**:

The Subarea 9 Plan supports the preservation of historic structures downtown. The Historic Preservation Overlay District will implement this objective."

PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:

Proposal No. 107-79-G

Piccadilly Square

Map 149-1-B, Parcel 93

Subarea 13 (1991)

District 28 (Hall)

A request to amend a portion of the preliminary site development plan for the Residential Planned Unit Development District abutting the southwest margin of Hampstead Court South, approximately 380 feet south of Billingsgate Road (.21 acres), classified R15, to permit a day care home for up to 12 children in an existing single-family residence, requested by Ronald and Deborah Scott, applicants/owners.

Mr. Delaney stated this proposal was to amend one lot of the preliminary plan for this residential PUD to permit a day care home for up to twelve children in an existing single family residence. The house is located close the end of a cul-de-sac. In the case of a day care home within a residential PUD, the PUD provisions refer back to the conditional use criteria in the zoning regulations. The conditional use criteria standards for family day care homes state no facility shall locate within one hundred feet of the terminus of a cul-de-sac or dead end local street. This house and lot are located only sixty feet from the end of the cul-de-sac and because of that distance and non conformance with the conditional use criteria staff is recommending disapproval.

Ms. Deborah Scott, applicant, stated she had not planned on keeping up to twelve children and that she was just going to keep seven. The parents bring the children in at different times and will also be picking them up at different times and that should not be a problem with the traffic. She stated she had a letter from the homeowners association approving the day care. Councilmember Durward Hall also supported it. She stated she had gone throughout the community from door to door and had signatures from at least seven to ten of the parents in the neighborhood stating they had no problem with the day care and approximately thirty parents in the immediate area are looking for child care.

Chairman Smith asked if the number of children being kept made a difference in the conditional use criteria.

Mr. Delaney stated there could be up to five children in a residential home without any conditional use permits issued.

Mr. Owens stated four or fewer children could be kept as a home occupation but with the fifth child it moved into a higher classification and the distance from a cul-de-sac terminus becomes involved.

Chairman Smith asked if the setback regulation was a safety precaution.

Mr. Owens stated it was to avoid undue congestion at the end of the street where everything has to turn around including fire trucks and service trucks. The measurement standard as established in the Subdivision Regulations begins where the turn around begins and this house is actually less than sixty feet from that point.

Mr. Stephen Smith stated there was such a tremendous need for day cares and if there is a need with community support this Commission should make judgments, because if every situation went by the text there would be no need for the Commission.

Councilmember Clifton asked if this specific issue had been debated in the past nine years.

Mr. Owens stated it had been and in fact the Council revamped the entire day care provisions approximately two years ago.

Ms. Jernigan stated it seemed like the day care and child care standards needed to be revisited fairly frequently because of the changing times and the need for child care.

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

Resolution No. 96-986

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 107-79-G is given **DISAPPROVAL:**

The proposed location does not satisfy the requirements of 17.124.080 B. of the Zoning Regulations which states that no day care home facility shall locate within one hundred feet of the terminus of a cul-de-sac or dead-end local street.”

Proposal No. 89P-022U
Melrose PUD
Map 118, Parcel 182
Subarea 10 (1994)
District 17 (Douglas)

A request to revise a portion of the preliminary plan of the Commercial (General) Planned Unit Development District abutting the west margin of Franklin Pike, between Gale Lane and Kirkwood Avenue (7.30 acres), classified RM8, to change the use of Tract 5 from shopping/retail space to a 38,805 square foot motel, requested by Land Development Consultants, Inc., for Land Trust Corporation, owner. (Deferred from meeting of 11/27/96).

Mr. Delaney stated this proposal was to substitute a motel for retail structures which had been proposed as part of a larger shopping center connected to the Kroger store. He stated there are two main issues with this proposal. One issue is the change in use, and the other is the proposed height of the structures.

This PUD was approved as a commercial general PUD permitting a wide range of commercial uses. The proposed motel use is a permitted use within this commercial general PUD. However, a general provision in the zoning code allows the Commission to make a determination in cases of a basic change in concept or general development policy of whether a change in use like this should require Council concurrence.

The second issue is related to the proposed height of the building. On the approved Council plan there is a retail development; the applicant is now proposing to construct a three story motel on the site. Staff would like to remind the Commission that the proposed design now under consideration for the motel complies with all building heights and setback standards of the zoning code. The proposed motel will be three stories and approximately thirty-nine feet in height as opposed to the twenty foot high buildings that were previously approved with the Council preliminary plan.

Both the change in use and the increased height of the building proposed are issues which are of concern to the residents of the area west of this development. The applicant has been working with these residents to attempt to resolve these issues. In addition, several requests have been received to address the Commission about these matters. Mr. Delaney stated the developer has revised plans to lower the finished floor elevation to 525 feet, which is lower than earlier proposed, but still 15 to 20 feet higher than buildings were shown in the original retail concept. The developer has agreed to provide additional landscape buffering to mitigate the effects of the higher buildings.

Councilmember Clifton stated the Commission was being asked to consider this as a revision to a PUD when it involves a change in basic use, without the input of the elected body, with some serious dispute about its compatibility with the surrounding area.

Mr. Delaney stated a commercial general PUD, which this is, allows CS type uses such as motels. However, the Commission can make the determination whether this is a significant change in concept requiring Council consideration, or a revision requiring only Commission action.

Councilmember Clifton clarified that the Commission has the authority to decide either way.

Mr. Harbison asked what guidelines the Commission had for finding something is a revision as opposed to an amendment.

Mr. Owens stated there are specific standards and general statements which must be used on a case by case basis. Mr. Owens stated an ordinance was passed by Council which enumerated certain changes which must be considered amendments approved by Council. However, Mr. Owens stated none of the changes contemplated in this application fell under that ordinance.

Mr. Harbison stated he was assuming from the way the staff report read, that staff was treating this change as a revision.

Mr. Owens stated that was true; this change could be treated as a revision. In this case there is considerable opposition from nearby residents; however, that does not negate the factual circumstances surrounding this development and the fact that similar revisions to many similar developments throughout the county have been handled as revisions.

Councilmember Mansfield Douglas stated his constituents were very much concerned about the proposed development. This is a very stable and upscale residential neighborhood, and the reason for the concern is that a development will take away from the character of the neighborhood. He asked the Commission to pass this proposal on to the Council. The most substantial issue is not the nature of the business but the height of the facility, and it is a view of the people who live in the immediate area that a structure of this height will definitely adversely impact their residences. In view of that feeling, requiring Council action might create the opportunity to get the height of the building lowered to a level that the neighborhood would feel safe with.

Mr. William Fernandez, for Land Development Consultants, Inc., stated the proposal was to construct a suburban lodge motel with approximately 33,317 square feet along with the supporting parking and driveways. The prior approval in 1993 was for a 48,000 square foot retail building with 172 parking spaces, which did not take into account the topography of the site. It was a very intense use for this site and would have brought with it all of the objections listed by the neighborhood. It would have been a much greater risk and intrusion into the neighborhood than the new proposal. The footprint of the retail area would be 48,000 square feet and the footprint of the proposed motel is 11,000 square feet. The total lot coverage of the entire retail development is approximately 174,000 square feet. The proposed lot coverage is 85,000 square feet. This is a reduction of 89,000 square feet of asphalt pavement and building area.

The concerns have been discussed with Mr. Richard Scofield, who represented the neighborhood. In addition, the applicant has met with the neighborhood group in an additional effort to meet the neighborhood's objections by lowering the finished floor elevation from 530 feet to 525 feet, at an additional cost of \$100,000. The line of site of a person six feet tall on the third floor of the motel would terminate at the proposed additional landscaping provided outside of the existing 45 foot undisturbed buffer. This landscaping would consist of 12 foot high evergreen trees which would provide an opaque buffer to anyone looking from the residential side. The existing vegetation in the buffer is undisturbed and is very heavily vegetated. The distance from the existing residence to the proposed motel is approximately 255 feet.

The developer is making a significant investment in this project of over \$5,000,000. Other issues that came up at the neighborhood meeting concerned light and noise. The quiet and secluded characteristics of the neighborhood will be protected by this plan. Noise pollution will not affect the neighboring properties and definitely not any more than the approved intense retail use. The developer proposes to provide indirect

lighting along the back and the front so the light will not intrude into the residential area. The twenty foot cut will not allow any lights from vehicular traffic.

The typical suburban lodge does not attract the transient person. A typical site is not located adjacent to an interstate interchange. The clientele are professionals who would be in the community on a short term basis, averaging four to six weeks, for work or training assignments. The clientele includes such corporations as IBM, Home Depot, Longhorn Steak House, Krispy Kream, Honda Motor Company, Jaguar Motor Company, and the federal government, including the FBI.

Under the intense use of the existing retail center in table 17.110 of the zoning regulations, utility and vehicular convenience sales and service are allowed, automotive services parts stores, consumer laundry and repair, automotive repair and cleaning, and retail sales are all allowed without any change in the concept plan. In conclusion the proposed development meets all the requirements in the existing zoning. It has addressed protection of the neighborhood by providing significant buffers and operating times and security. The typical suburban lodge in this development will operate from 8:00 a.m. until 7:00 p.m. The office to the motel will close at 7:00 p.m. At that time security will come to the site and patrol the development from 7:00 p.m. until 7:00 a.m. The development has an onsite manager and assistant manager. The height of the development has been reduced and additional planted buffers are proposed. The developer has met all the conditions requested by the City of Nashville, Davidson County Planning staff. There will not be any access to Gale Lane by vehicular or pedestrian traffic. This area is just beginning revitalization and needs this development to continue revitalization begun by the new Kroger. This is an excellent plan for a difficult site with its topography.

Mr. Robert Rutherford, attorney for the developer, stated Mr. Fernandez addressed most of the things he would have commented on. He said he was not at the neighborhood meetings and did not know all of the concerns. He understood one of the concerns was what would happen if this business failed and it should become a transient motel. Obviously this is a major investment by the developer who has been in business for 40 years and has a policy of owning, developing, constructing and managing the properties with a very good track record. The possibility of business failure is not likely considering the amount of money that has gone into this process. This Commission has approved many business all over town without that being a criteria which was used to approve or disapprove those.

This is a top tourist destination and a top destination for corporate headquarters. Mr. Fernandez said there will be many of those same corporate employees and executives needing medium term residential facilities which is not otherwise provided in every part of this town. This is not an appropriate location for a transient motel. This is more the nature of an apartment complex in terms of its appearance. The other businesses that could go in under the original approval would be serviced by semi's coming late at night and dropping off auto parts or other goods at odd hours. This motel will basically shut down at 7:00 at night from which point on there will be security patrolling the parking area.

With regard to the utility of this business for the neighborhood itself, while this particular business does not specifically cater to the neighborhood, like a Blockbuster or Auto Zone, it will bring in business travelers who will stay for an extended period of time. As this proposal says, there is no restaurant on site. There are very minimal cooking facilities and so this project will stimulate business in the community such as restaurants, dry cleaning and entertainment. He stated this project will lessen the impact on the neighborhood and does not intensify it. Mr. Rutherford asked the Commission for approval.

Mr. Walter Searcy, a nineteen year plus resident of Gale Lane, stated there had not been a lot of discussion about the impact on the residences along Gale Lane. The discussion has been the sight line from the motel to Vaulx Lane. He assured the Commission that from his property, at the corner of Gale and Vaulx Lanes, one will be able to look directly up into the apex of the motel and the side of the motel that runs parallel to Gale Lane. Mr. Searcy reminded the Commission that the original plan was finally approved by Council after lengthy discussions and negotiations with surrounding neighbors. He stated this significant change to the PUD should not occur without Council action as well.

Mr. Richard Scofield, representing the neighborhood, spoke in opposition to the revision to the Melrose PUD and brought a petition in opposition from 36 neighbors and resident owners. He expressed concerns regarding the height variance, and changes in the original plans to a transient habitation motel instead of shopping and retail use that would serve the neighborhood. He also expressed concerns regarding loss of property value, quality of life, and height of the proposed motel.

Mr. Scofield stated there is no confidence in the buffering requirements because the required screening and undisturbed natural areas have been violated regularly. He encouraged the Commission in their deliberations to keep separate the change of use and the change in structure height, and asked the Commission to disapprove the plan and keep the integrity of the original plan.

Ms. Teresa Doyle, area resident, expressed her concern regarding the loss of trees and spoke in opposition to the motel.

Mr. William Mills deferred to Vice Mayor Jay West.

Vice Mayor Jay West stated he was the Councilmember-at-Large who sponsored this PUD when it was first approved by Council. The district Councilmember at that time was Rod Williams. As was the practice then and is today, councilmembers-at-large are called upon from time to time to sponsor bills which district councilmembers are unable to sponsor or support.

He stated he had met with the neighborhood extensively and also with the developer. This particular zoning was a subject of considerable negotiations, and one of the main selling points was the provision of facilities that would serve the neighborhood. A facility such as this was never contemplated in any of the discussions on the part of the developer or on the part of the neighborhood. This particular facility would not be adequate for this particular development. He asked the Commission to vote the proposal down or declare it a significant change warranting an amendment which would require Council action.

Mr. James Easter, a new resident in the area, stated he hoped this would not be considered.

Mr. Lawson stated there were two distinct issues on the table. One is a technical issue and whether this PUD is designed in a manner which is substantially consistent with the original preliminary PUD plan. The other issue is a procedural one and whether significant changes in scope and concept are being made which would warrant returning the proposal to Council for its consideration.

Ms. Jernigan stated she felt the Commission should use the flexibility and look at it as an amendment.

Councilmember Clifton stated that when he voted on this PUD in Council he remembered the emotional involvement on all sides. There is a situation where the staff has reported to the Commission all the facts and now there are issues regarding a different use and height concerns. This Commission has the authority to give this proposal to the elected body and have more discussion, and in light of the history of this issue, that is what should be done.

Mr. Harbison stated he felt the Commission should make the decision as to whether this is a revision to this PUD or an amendment. He stated this is not such a significant change from what was originally approved to warrant an amendment. The decision should be kept at the Commission level and treated as a revision.

Chairman Smith stated he was concerned with the height of the proposed building, but also felt the decision should be kept at the Commission level. He stated the use is certainly less impactful than intensive retail.

Ms. Nielson stated it should be treated as an amendment, not because there is opposition but because of the different use.

Mr. Manier stated that as far as he could determine the height difference was a significant change. The way the ordinance is drawn, the usage is appropriate and proper, but it is the height that is the significant change.

The right of usage cannot be denied because of the way the ordinance is written, but there is a material change in the plan when the height is varied to that significant degree, and should be handled as an amendment and should go back to the Council.

Councilmember Clifton said he still felt this was an amendment and in all fairness to the developer the possibility of further discussion should continue at Council.

Resolution No. 96-987

Councilmember Clifton moved and Ms. Nielson seconded the motion, which carried with Chairman Smith and Mr. Harbison in opposition, to approve the following resolution:

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 89P-022U is remanded to the Council as an **Amendment**.”

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

Resolution No. 96-988

“BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that Proposal No. 89P-022U is **Disapproved** based on a determination that the proposed changes in use and building height are not appropriate in this location.”

SUBDIVISIONS:

Preliminary Plats:

Subdivision No. 96S-382G (Public Hearing)

Chase Creek Subdivision
Map 156, Parcels 36, 79, 80 and 109
Subarea 6 (1996)
District 35 (Lineweaver)

A request for preliminary approval for 46 lots abutting the east margin of Temple Road, approximately 1,000 feet south of State Route 100 (45.1 acres), classified within the RS30 and R40 Districts, requested by Jennifer H. Small, Morris A. Webb and Railroad Services, Inc., owners/developers, E. Roberts Alley and Associates, Inc., surveyor. (Deferred from meeting of 10/31/96).

Mr. Henry stated the applicant first submitted a plan of subdivision which involved a dead end system which violated the maximum length of dead end streets. In addition there were problems with the grading associated with the street grades. They have revised their application as requested by staff and the Public Works Department and are now showing an extension of the local street to the property edge, which is in Williamson County, and there are three cal-de-sacs extending up the hill. This stub street will allow for the eventual connection to the north. The Temple Gate Subdivision, Section 3 shows a stub street extending to the south, and staff anticipates a connection between the two subdivisions in the future. Staff is recommending conditional approval of this subdivision subject to a preliminary subdivision approval by the Williamson County Planning Department, and at final plat stage the establishment of an escrow account for the pro rata cost share of the Temple Road and Highway 100 intersection improvements. Mr. Henry stated this condition was required of the Traceside Subdivision and PUD to the west as well. The cost sharing will amount to \$332.35 per lot in this subdivision and the applicants have agreed to that.

No one was present to speak at the public hearing.

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

Resolution No. 96-989

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 96S-382G is granted **CONDITIONAL APPROVAL subject to approval of a preliminary plat application by the Williamson County Planning Commission and establishment of an escrow account with the final plat application for a pro-rata contribution of \$332.35 per lot for the future realignment of the Temple Road and Highway 100 intersection.”**

Subdivision No. 96S-417U (Public Hearing)

Rosebank Meadows
Map 83-8, Parcels 8 and 9
Subarea 5 (1994)
District 7 (Campbell)

A request for preliminary approval for 36 lots abutting the south margin of Rosebank Avenue, approximately 400 feet west of Preston Drive (15.0 acres), classified within the R10 District, requested by Volunteer Investments, Inc., owner/developer, L. Steven Bridges, Jr., surveyor.

Mr. Henry stated the staff is recommending approval of a revised plan which creates one cul-de-sac and one through street within the subdivision. He stated the applicant originally proposed three cal-de-sacs on the property; however, this staff and Public Works were not in favor of the cal-de-sac system because Delbrook Lane would greatly exceed the maximum dead end length of 750 feet. A Delbrook Lane connection has been proposed creating a connection through to Rosebank Avenue. The subdivision is also providing a ten foot wide pedestrian access easement to Rosebank Elementary School.

Mr. Henry stated one additional issue must be resolved. A reserve parcel remained when the adjacent subdivision to the south was created. The owner of that property has asked that the reserve parcel be incorporated into this subdivision. Since the reserve parcel was a requirement of the Planning Commission to facilitate a better lot pattern, the staff agrees it should be incorporated into this subdivision.

Mr. Steve Bridges, surveyor of the property, stated the cal-de-sacs were proposed to keep the traffic down in the area but connections have been made per planning staff's requests. All zoning requirements have been met and the homes will range between \$95,000 to \$125,000.

Ms. Shirley Thogelthon, area resident, stated the developer had visited their home and showed her and her husband the blue prints and said there would be no duplexes or rent subsidized property. Mr. Henry stated the zoning was R10 and that permits single family and two family dwellings. Mr. Henry stated that Councilmember Campbell had sent staff a letter in opposition to the proposal and expressed his concerns regarding densities and cut through traffic.

Mr. Henry Tealaw, Mr. Paul Holloway, Mr. Bruce Thompson, Mr. Lynn Taylor, Mr. A. L. Johnson, Mr. David Moore and Ms. Diane Cassidy, area residents, expressed their concerns regarding size of the lots, closeness to power lines, traffic conditions, school overcrowding, crime, and the possibility of multi-family homes.

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

Resolution No. 96-990

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 96S-417U is granted **CONDITIONAL APPROVAL subject to incorporating reserve parcel 33 in the plan of subdivision.**”

Subdivision No. 96S-429U (Public Hearing)

Addition to Dugger Heights
Map 84-1, Parcels 19 and 159
Subarea 5 (1994)
District 7 (Campbell)

A request for preliminary approval for 11 lots abutting the northwest corner of Rosecliff Drive and Rosebank Avenue (3.24 acres), classified within the R10 District, requested by E. Mark Turner, owner/developer, Charles Phillip Clinard, surveyor.

Mr. Henry stated the staff was recommending approval of the subdivision. He stated the proposal first came before the Commission in 1986 and was approved; however, the developer did not follow through with the development plans. The subdivision will consist of 11 lots along a proposed cul-de-sac and along Rosebank Avenue. Mr. Henry stated the ownership of property involved in this subdivision has been addressed satisfactorily to ensure the petitioner has ownership or control of the property.

Ms. Betty Love asked if the NES substation on Cooper Lane would be closed down January 1 and wanted to know if that area would be serviced by the Rosebank power station.

Mr. Henry stated NES would have to answer that question.

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

Resolution No. 96-991

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 96S-429U is granted **APPROVAL.**”

Subdivision No. 96S-438U (Public Hearing)

Brookewood
Map 91-5, Parcels 216 and 134
Subarea 7 (1994)
District 22 (Holt)

A request for preliminary approval for 14 lots abutting the east margin of Nashua Lane, approximately 118 feet south of Nashua Avenue (2.7 acres), classified within the R6 District, requested by Rehab-It, LLC, owner/developer, C. Michael Moran, surveyor.

Mr. Henry stated this property had recently been rezoned from R8 to R6. The proposal is to develop 14 lots on two parcels of land. All departments recommend approval, but planning staff would point out that the applicant should, before final plat approval, replat into an adjacent parcel a narrow strip of property that extends from what is going to be lot four to Robertson Avenue. If Nashua Lane is extended in the future, that narrow strip of land could serve as a spite strip.

Mr. David Cooper stated he was not opposed to the development but the area at the back end of the property is a natural drainage area. The drainage ditch runs through his property, on Nashua Avenue, and drainage is a major concern. He asked that the drainage plans be completed before the subdivision is given final approval.

Chairman Smith asked how Public Works had addressed this problem.

Mr. Henry stated they would address that at the final plat stage and review it against their stormwater management ordinance and also against what they know about the current drainage system. The subdivision regulations require the developer of property to accommodate upstream flows and prevent downstream flows that might be detrimental to abutting property owners, especially if it overloads the existing system. The developer can be required to upgrade up to two downstream drainage facilities.

Chairman Smith advised the staff, between now and final plat filing, to be sure Metro addresses the drainage issues specifically and to notify Mr. Clifford regarding the findings.

Mr. Allen Corbitt stated he had similar concerns regarding his two pieces of property on Robertson Avenue that are also threatened with heavy rain, and would like assurance from the developer that flooding will not get any worse than it is at the present time. He also asked to be notified when this issue is considered again.

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

Resolution No. 96-992

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 96S-438U is granted **APPROVAL with renotification of final plat application going to abutting property owners who spoke at the Planning Commission meeting.”**

Subdivision No. 96S-439U (Public Hearing)

Jarman Property
Map 104-13, Parcel 187
Map 117-1, Parcels 8 and 12
Subarea 10 (1994)
District 25 (Kleinfelter)

A request for preliminary approval for 14 lots abutting the west margin of Bowling Avenue, between Brighton Road and Woodlawn Drive (8.41 acres), classified within the R20 District, requested by Julia Lipscomb Jarman, owner/developer, Anderson-Delk and Associates, Inc., surveyor.

Mr. Henry stated the subdivision creates 13 additional lots from a large parcel of land which has heretofore contained one dwelling unit. He stated the surrounding area is a built up neighborhood; therefore, this subdivision is an infill subdivision. He stated the existing house would be retained with new lots with access to Bowling Avenue, Woodlawn and Brighton Road.

The main issue with this development, which will have to be resolved at the final plat stage, deals with drainage. Public Works has identified the primary problem which is no drainage facilities in place to channel water from across Woodlawn Avenue northward along this property to Richland Creek to the north. There is sheet flow occurring in this area and existing residences on the east side of Bowling are currently being impacted. There are downstream problems with drainage also. Public Works has been talking with the applicant about participation in correcting the problems and staff recommends approval.

Mr. Don Rollins stated he was a neighbor and was concerned regarding the drainage and water run off and requested notification at the final plat stage.

Mr. Mike Anderson, developer, stated there is already a very severe drainage problem in that area at the present time and the creation of these new lots will not really affect the problem because the run off will only be increased by approximately 4%.

Mr. Henry stated Councilmember Kleinfelter had contacted planning staff and spoke about the drainage issue and was very concerned as well.

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

Resolution No. 96-993

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 96S-439U, is granted **APPROVAL with renotification of any final plat application going to abutting property owners along Brighten Road.**”

Final Plats:

Subdivision No. 96S-423A

Boone Trace at Biltmore, Phase 1, Lot 22
Map 126-15-A, Parcel 22
Subarea 6 (1996)
District 23 (Crafton)

A request to amend the north side yard line from 10 feet to 5.6 feet on a lot abutting the southwest margin of Farmington Court, approximately 142 feet southwest of Farmington Place (.31 acres), classified within the RS30 Residential Planned Unit Development District, requested by David and Rose Marie Suchanick, owners/developers.

Mr. Henry stated the house that was built was not only in the side setback but is also within a public utility drainage easement. Public Works does not recommend that area be abandoned but does approve the encroachment.

Mr. Charles Stump, with Fox Ridge Homes, stated this was an error on the superintendent’s part. He set the house footprint without realizing a concrete front porch was to be a part of the house. The porch is approximately five feet into the easement.

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

Resolution No. 96-994

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 96S-423A, granted **APPROVAL.**”

Subdivision No. 96S-424A

Southampton, Phase 5, Lot 109
Map 141-12-B, Parcel 97
Subarea 6 (1996)
District 35 (Lineweaver)

A request to amend the southeast setback line on a lot abutting the northwest corner of Bay Cove Trail and Morton Mill Road (.32 acres), classified within the R40 Residential Planned Unit Development District, requested by CRL Contractors, L.L.C., owner/developer.

Mr. Henry stated that houses that had been built in this subdivision conform to a 40 foot setback that was established by the PUD. This proposal pertains to a lot with a building envelope that is 3,850 square feet. The house has not been constructed but the house the owner wants to build encroaches into the forty foot setback by five feet. Staff feels a different house design could be placed on this lot within the building envelope but the home owner has gone very far in his architectural plans and wishes not to change course at this time.

Mr. Stephen Smith stated that at least this person did not go ahead and build the house and come to the Commission for approval.

Mr. Harbison stated he agreed with Steve Smith but what would be the Commission's reason for approval.

Mr. Richard Waiver, contractor, stated he received his contractor's license two month ago and this was his first house to build and design. He thought with the house sitting at an angle on this corner lot it would be in keeping with the rest of the houses in the area. He stated he did not realize the process of receiving a variance required Commission action. When he requested the building permit he was told he would have to get Planning Commission approval.

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

Resolution No. 96-995

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 96S-424A, is granted **APPROVAL.**”

Subdivision No. 96S-426U

Overby Hill
Map 148, Parcel 24
Map 148-3, Parcel 180
Subarea 13 (1991)
District 28 (Hall)

A request to subdivide one lot into three lots abutting the southeast corner of Overby Drive and Bakertown Road (1.24 acres), classified within the R10 District, requested by Ellen J. Overby, owner/developer, John D. McCormick, surveyor.

Mr. Henry stated the staff was recommending approval of the subdivision with a variance to allow one of the three lots to be more than three times greater in size than the minimum lot size of 10,000 square feet required in the R10 zone. Mr. Henry stated the one parcel existing today is considerably larger than 30,000 square feet. Therefore, the proposed subdivision will decrease the variance from the subdivision requirement. Due to the location of the house on the lot, it is not possible to divide the property among all three lots so that they are more equal in size.

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

Resolution No. 96-996

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 96S-426U, is granted **APPROVAL with a variance to the maximum lot size provision (Subdivision Regulation 2-4.2.D).**”

Subdivision No. 96S-430A

Mashburn Heights, Section 2, Lot 19
Map 119-14, Parcel 193
Subarea 11 (1993)
District 27 (Sontany)

A request to amend the west setback line from 50 feet to 40 feet on a lot abutting the northeast corner of Mashburn Road and Selena Drive (.35 acres), classified within the R10 District, requested by John M. and Kristin Simmons, owners/developers.

Mr. Henry stated this subdivision, which was platted in 1966, has quite a variety of setbacks. They are requesting a reduction in the 50 foot platted setback, which applies to three homes only, down to 40 feet. One house has a setback of 30 with a side setback of 25 feet. Across the street a house has a 30 foot setback and some have 60 foot setbacks, thus indicating a wide variety of setbacks in the immediate vicinity.

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

Resolution No. 96-997

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 96S-430A, is granted **APPROVAL.**”

Subdivision No. 96S-437U
Darlene Wood, Trustee Property
Map 94, Parcel 90
Subarea 14 (1996)
District 15 (Dale)

A request to record one parcel as one lot abutting the south margin of Lebanon Pike Circle, approximately 530 feet southwest of Lebanon Pike (10.26 acres), classified within the CG District, requested by Darlene Wood, trustee, owner/developer, Raymond E. Binkley, surveyor.

Mr. Henry stated this proposal is actually to create an additional parcel or lot which would have no frontage to a public street as required by the Subdivision Regulations. Mr. Henry stated staff recommends disapproval for failure to provide proper street frontage.

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

Resolution No. 96-998

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 96S-437U, is **DISAPPROVED** since the proposed lot will be landlocked in violation of **Subdivision Regulation 2-4.2.A.**”

Subdivision No. 96S-449U
Forest Point, Phase 1, Resubdivision of Lots 11 and 12
Map 150-9-B, Parcels 11 and 12
Subarea 13 (1991)
District 29 (Holloway)

A request to reduce the width of a drainage easement from 15’ to 12’ between two lots abutting the east margin of Kaeden Pointe Court, classified within the R10 Residential Planned Unit Development District, requested by Barge, Waggoner, Sumner and Cannon, Inc., for Fox Ridge Homes, owner/developer.

Mr. Henry stated this was actually a request to establish a 15 foot easement and reduce it to a 12 foot easement for a certain portion between two lots. When this plat was originally approved, there was a drainage easement that was platted between lots 10 and 11 which provides sewer access and also drainage access to the back of the property. Building permits were issued in December of 1995 and the homes were

built. As the street construction was being done the contractor built the street in such a manner that the water would not drain between lots 10 and 11 and would have to drain between lots 11 and 12. The drainage pipe was installed between lots 11 and 12, even though no drainage easement existed in that location. This plat is establishing that easement to accommodate that drainage pipe that has already been installed. There is only 12 feet of space between the two houses which have been constructed, which does not allow for the required 15 foot wide easement. Public Works agrees to a 15 foot easement with encroachment of 3 feet into a portion of the easement.

Mr. Mark Spaulding, with Barge/Wagoner, stated there was an encroachment of approximately 15 square feet.

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

Resolution No. 96-999

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 96S-449U, is granted **APPROVAL for an amended application creating a 15’ utility easement.”**

Subdivision No. 96S-450U
Riverwood Plantation, Phase 1, Section 1
Map 73-5, Parcel 140 and Part of Parcel 149
Subarea 5 (1994)
District 8 (Hart)

A request to create six lots abutting the southeast corner of Demarius Drive and Riverwood Drive (2.59 acres), classified within the R10 District, requested by Lawrence Timon, owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

Mr. Henry stated the staff was recommending approval of this request for final approval because the applicant had corrected the various problems earlier identified with the subdivision. The Commission may recall the preliminary plan of subdivision which came in for this property involved the Riverwood Riding Academy. These six lots are the first lots to be considered for final approval.

The Cooper Creek flood plain extends into lot 1 and a finished floor elevation has been provided and approved by Public Works. All six lots have been identified as critical lots because of the topography which is especially important for lots 3 and 4 which back up to a quarry pit. Within that pit has been found an artesian spring. The Department of Environment and Conservation has been on site and has approved the plan of grading so long as the area of the artesian springs is not disturbed. Lot 4 has been adjusted by extending the side property lines further to the east creating a better building site. Staff is now in position to recommend conditional approval of the subdivision for these six lots conditioned upon posting a bond in the amount of \$22,500.00. Councilmember Hart spoke on this subdivision earlier and expressed his disapproval.

Ms. Betty Love, area resident, stated staff had not addressed the cave in the subdivision area. There are two artesian wells, a cave, a sink hole and a rock quarry at that location and it is unsafe to build in that area.

Mr. Henry stated he had received correspondence from Mike Fielder, the director of archeology for the Department of Environment and Conservation. He stated Mr. Fielder has been out to the site and investigated it, and found the area safe for building.

Mr. Manier asked what was done when a subdivision was proposed for an area that might have sink holes.

Mr. Henry stated Mr. Eric Sinclair, with the Department of Environment and Conservation, is notified. If evidence of sink holes is found on site, the State Department of Environment and Conservation determines

whether or not an Aquatics Resource Alteration Permit (ARAP) permit is required. If it is required, it has to be obtained prior to final plat approval. In this case, the state is comfortable an ARAP is not needed on these six lots.

Mr. Stephen Smith moved and Councilmember Clifton seconded the motion, which carried with Ms. Jernigan in opposition and Mr. Harbison abstaining, to approve the following resolution:

Resolution No. 96-1000

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 96S-450U, is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$22,500.00.”**

Subdivision No. 96S-451G
Fant Industrial Drive (R.O.W. Dedication)
Map 43, Part of Parcel 4
Subarea 4 (1993)
District 9 (Dillard)

A request to construct a street abutting the east margin of Myatt Drive, opposite Myatt Industrial Drive (1.43 acres), classified within the IR District, requested by New Process Steel Corporation, owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

Mr. Henry stated this proposal is to dedicate public right-of-way and build a street, a cul-de-sac, to be offered to Metro. The separation between Myatt Industrial Drive on the east and the proposed street on the west is less than the 300 foot minimum intersection separation. The distance is 270 feet. Essentially they are requesting a 30 foot variance, and in addition they are requesting a five foot variance in the maximum length of a dead end street. Mr. Henry stated staff is recommending approval with these variances. The Department of Public Works has worked with the applicant on the location of this street and believes that because Myatt Drive is a straight road and a five lane cross section with center turn lanes, even industrial traffic should not have a problem dealing with a 270 foot separation between intersections.

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

Resolution No. 96-1001

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 96S-451G, is granted **CONDITIONAL APPROVAL with a variance to the minimum distance between intersections (Subdivision Regulation Section 2-6.2.1G.(2)), and subject to posting a performance bond in the amount of \$460,000.00.**

OTHER BUSINESS:

1. Consider Nominations for Subarea 9 Citizens Advisory Committee.

Mr. Browning stated no more than one third of the positions have a nominee and there has been some concern expressed whether or not the Commission can consider representation since all the nominees are not in a this time.

Chairman Smith stated there was no need accept or reject at this time.

Mr. Lawson stated he would like to defer any action of this matter until all nominees have been received.

2. Continued Discussion of Updated Zoning Maps.

Mr. Jerry Fawcett and Mr. Robert Eadler continued the explanation and discussion on the process and procedure with the zoning maps.

3. Legislative Update.

This item was deferred.

PLATS PROCESSED ADMINISTRATIVELY:

November 27 through December 11, 1996

96S-293U	Mountain View PUD Boundary Plat
96S-322G	Jernigan Hill Subdivision, First Revision Re-record plat to add parcel numbers
96S-338G	Boone Trace at Biltmore, Phase 1 Resubdivision of Lots 272 and 273 Shifts the location of a drainage easement
96S-436U	Harbor Gate, Section 1, Lot 7 Zone Lot Division
96S-443G	Meade Vue Addition One lot into two lots
96S-447G	Bennett Subdivision One lot into two lots

ADJOURNMENT:

There being no further business, upon motion made, seconded and passed, the meeting adjourned at 6:45 p.m.

Chairman

Secretary

Minute approval:
This 9th day of January 1997