

MINUTES
OF THE
METROPOLITAN PLANNING COMMISSION

Date: March 6, 1997
Time: 1:00 p.m.
Place: Howard Auditorium

Roll Call

Present:

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

Absent:

Mayor Philip Bredesen

Others Present:

Executive Office:

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

Current Planning and Design Division:

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
Debbie Frank, Planner I

Advance Planning and Research Division:

Cynthia Lehmbeck, Planner III

Others Present:

Leslie Shechter, Legal Department
Jim Armstrong, Public Works

ADOPTION OF AGENDA

Mr. Owens announced Zone Changes 97Z-002T and 97Z-003T had been withdrawn and Addendum items 95P-024U and 97S-004G should be added to the agenda.

Ms. Nielson moved and Mr. Lawson seconded the motion, which unanimously passed, to adopt the agenda as amended by staff.

ANNOUNCEMENT OF DEFERRED ITEMS

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

| | |
|----------|---|
| 97B-020U | Deferred until the April 3, 1997 meeting, by applicant and Councilmember Klinefelter. |
| 111-79-G | Deferred two weeks, by applicant. |
| 97P-010U | Deferred two weeks, by applicant. |
| 97S-059U | Deferred two weeks, by applicant. |
| 97S-082G | Deferred two weeks, by applicant. |
| 97M-041 | Deferred two weeks, by MDHA. |

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

APPROVAL OF MINUTES

Mr. Lawson moved and Ms. Nielson seconded the motion, which unanimously passed, to approve the minutes of the meeting of February 6, 1997.

RECOGNITION OF COUNCILMEMBERS

Councilmember Mike Wooden spoke in favor of Subdivision No. 96S-395G and stated there had been community meeting regarding this matter; the community was also in support of this proposal. He also spoke in favor of Proposal No. 45-86-P, the Food Lion Center.

Councilmember James Dillard stated Item 97Z-005G had been deferred indefinitely by Council.

Councilmember Michelle Arriola spoke in support of Appeal Case 97B-011U.

Councilmember Stewart Clifton announced there would be a regular meeting of the Planning and Zoning Committee at 4:30 p.m. today in the Council Chambers for the purpose of reviewing the bills acted upon last Tuesday night at the Council meeting. There was an error in the morning *Tennessean* about what that meeting would be about. It is not a work session about the new zoning ordinance. That zoning work session will be next Tuesday, March 11th from 4:00 to 6:00 p.m.

ADOPTION OF CONSENT AGENDA

Mr. Lawson moved and Mr. Bodenhamer seconded the motion, which carried with all members voting in favor except Mr. Stephen Smith who abstained on 9-87-P, River Plantation, Section Ten, Phase Two-D, to approve the following items on the consent agenda:

APPEAL CASES:

Appeal Case No. 97B-009U
Map 51-4, Parcel 176
Subarea 4 (1993)
District 3 (Nollner)

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 900 square foot duplex within the floodplain in the R20 District, on property abutting the east margin of Gibson Drive, approximately 200 feet south of and opposite Barbara Drive

Resolution No. 97-150

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 97B-009U to the Board of Zoning Appeals:

The site plan complies with the conditional use criteria."

Appeal Case No. 97B-014U
Map 106-4, Parcel 19
Subarea 14 (1996)
District 15 (Dale)

A request for a conditional use permit under the provisions of Section 17.116.010 (Floodplain) as required by Section 17.124.030 to construct a 4,600 square foot loading berth in the floodplain in the IR district, on property abutting the west margin of Massman Drive (6.61 acres), requested by Allen Talley, for Southeastern Freightlines, owner.

Resolution No. 97-151

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 97B-014U to the Board of Zoning Appeals:

The site plan complies with the conditional use criteria."

ZONE CHANGES:

Zone Change Proposal No. 97Z-021G
Council Bill No. O97-676
Map 22, Parcel 18
Subarea 1 (1992)
District 1 (Patton)

A request to change from R40 District to CS District certain property abutting the west margin of Whites Creek Pike, approximately 200 feet north of Union Hill Road (2.3 acres), requested by Larry J. Ennis, appellant/owner.

Resolution No. 97-152

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-021G is **APPROVED**:

This property falls within an area of nonresidential policy surrounding the I-24 interchange in the Subarea 1 Plan. The CS district will implement this policy."

Zone Change Proposal No. 97Z-022G
Map 40, Part of Parcels 202 and 203
Subarea 3 (1992)
District 1 (Patton)

A request to change from R15 and OP Districts to CS District on property abutting the west margin of Whites Creek Pike, approximately 50 feet south of Knight Lane (5.06 acres), requested by Scott and Lena Heinrich, appellant, for Nathan Wall, and T & W Amusement, owners.

Resolution No. 97-153

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-022G is **APPROVED**:

This property falls within an area "commercial arterial" policy surrounding the Whites Creek Pike/Old Hickory Boulevard intersection within the Subarea 3 Plan. The CS district will implement this policy."

Zone Change Proposal No. 97Z-023U
Council Bill No. O97-665
Map 60, Part of Parcels 70, 71 and 93
Subarea 3 (1992)
District 2 (Black)

A request to change from R8 District to CG District certain properties commencing approximately 1,150 feet west of Brick Church Pike, approximately 350 feet south of Brick Church Park Drive (7.0 acres), requested by Charles W. Hawkins, III, appellant, for Metropolitan Government, owner.

Resolution No. 97-154

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-023U is **APPROVED**:

This property falls at the boundary between industrial policy and Major Public Open Space policy (which covers Trinity Hills Park) in the Subarea 3 Plan. This property is currently owned by Metro. The applicant has offered to trade parcel 64 to the southwest for this parcel so parcel 64 can become part of the park, and this property can become part of the industrial subdivision along Brick Church Park Drive. The Metropolitan Board of Parks and Recreation supports this land swap. This rezoning will fill out the zoning boundary of this industrial subdivision."

PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:

Proposal No. 107-81-G

Villages of Larchwood, Sections 1A and 1B
Map 96, Part of Parcel 141
Map 108, Parcels 52 and 225
Subarea 14 (1996)
District 14 (Stanley)

A request for final approval for Sections 1A and 1B of the Residential Planned Unit Development District abutting the south margin of Interstate 40 and the western terminus of Fitzpatrick Road (18.14 acres), classified R10, to permit the development of 49 single-family lots, requested by Tribble and Richardson, Inc., for Leon Sharber, trustee. (Also requesting final plat approval). (Deferred from meetings of 12/12/96, 01/09/97 and 01/23/97).

Resolution No. 97-155

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 107-81-G is given **CONDITIONAL FINAL PUD APPROVAL; FINAL PLAT APPROVAL FOR SECTION 1A (THREE LOTS) SUBJECT TO A BOND IN THE AMOUNT OF \$15,000.00.** 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 the final plat (Section 1A) and the posting of a bond in the amount of \$15,000 required for the necessary public improvements, prior to the issuance of any building permits.
3. Recording of a final plat (Section 1B) upon the posting of bonds required for any necessary public improvements, prior to the issuance of any building permits.
4. Incorporation of statements on the final plat (Section 1B) and within the Master Deed notifying prospective owners that portions of the subject property may be affected by airport noise.”

Proposal No. 46-83-U

Metropolitan Airport Center
Map 108-1, Part of Parcel 24
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 Donelson Pike and Elm Hill Pike (6.90 acres), classified CG, to permit the development of a 73,500 square foot office building, requested by Waste Water Engineers, Inc., for Metropolitan Airport Center, LTD., owners.

Resolution No. 97-156

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 46-83-U is given **CONDITIONAL FINAL APPROVAL FOR A PHASE.** 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.”

Proposal No. 84-87-P

The Crossings at Hickory Hollow
Map 163, Parcel 343
Map 174, Parcels 29, 30 and 32
Subarea 13 (1991)
District 29 (Holloway)

A request to revise a portion of the approved preliminary site development plan and for final approval for a phase of the Commercial (General) Planned Unit Development District abutting the east side of Old Franklin Road, north of Interstate 24 (11.0 acres), to permit the development of a 180,000 square foot office and record storage facility, requested by Hodgson and Douglas and Barge Cauthen and Associates, Inc., for American General Corporation, owners.

Resolution No. 97-157

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 84-87-P is given **APPROVAL OF REVISION TO PRELIMINARY AND CONDITIONAL APPROVAL OF FINAL FOR A PHASE.** The following conditions apply:

1. Written confirmation of final approval from the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. The recording of a final subdivision plat.”

Proposal No. 117-85-P

Crossgate Village (formerly Country Oaks)
Map 135, Parcels 72 and 266
Subarea 13 (1991)
District 28 (Hall)

A request for revision to preliminary and final approval for the Commercial (General) Planned Unit Development District abutting the southwest margin of Murfreesboro Pike and the southeast margin of Una-Antioch Pike (14.84 acres), classified R10 and AR2a, to permit the development of a 67,140 square foot retail facility, requested by Ragan-Smith Associates, Inc., for G.B.T. Realty Corporation, owners. (Also requesting final plat approval).

Resolution No. 97-158

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 117-85-P is given **CONDITIONAL PRELIMINARY AND FINAL PUD APPROVAL; FINAL PLAT APPROVAL SUBJECT TO A BOND IN THE AMOUNT OF \$121,000.00.** 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 the final plat upon the posting of a bond in the amount of \$121,00.00 required for the necessary public improvements, prior to the issuance of any building permits.
3. Receipt and approval of revised plans detailing the required revisions to the drainage system and detailing a sidewalk along Shumate Lane.”

Proposal No. 93P-023G

Shurguard of Hermitage (formerly Gateway of Hermitage)
Map 86, Part of Parcel 155
Subarea 14 (1996)

District 12 (Ponder)

A request for final approval for a portion of the Commercial (General) Planned Unit Development District abutting the south margin of Central Pike and the north margin of Interstate 40 (2.69 acres), to permit a parking area for a truck rental and boat storage addition to the mini-storage warehouse facility, requested by Walter Davidson and Associates, for The Freeman Group, owners.

Resolution No. 97-159

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 93P-023G is given **CONDITIONAL FINAL 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 recording of a final subdivision plat which combines the parking area with the Mini-Storage Warehouse parcel.”

Proposal No. 97P-007G
Council Bill No. O97-659
Nashwood Park Apartments
Map 43-11, Parcel 186
Subarea 4 (1993)
District 9 (Dillard)

A referral from the Metro Council of a modified preliminary site development plan for a Residential Planned Unit Development District abutting the south margin of North Dupont Avenue, 400 feet west of Rio Vista Drive (9.22 acres), classified R8, to permit the development of a 100 unit apartment complex, requested by Martin Riley Associates-Architects, for Melissa Arlene Conrad Bush, owner. (Disapproved by the Planning Commission 01/23/97).

Resolution No. 97-160

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 97P-007G is given **CONDITIONAL PRELIMINARY 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. With any request for final approval the recording of a final subdivision plat upon the bonding of all off site improvements as required by the Metropolitan Department of Public Works, Metropolitan Department of Water Services and the Madison Suburban Utility District.
3. The recording of a boundary Plat
4. A detailed scheme for retention of stormwater shall be provided with the final plan of development, to meet the requirements of the Stormwater Management ordinance. This preliminary approval shall not be construed to approve the drainage shown at anything beyond a conceptual level until feasibility is adequately demonstrated by the applicant.”

ADDENDUM ITEM

Proposal No. 95P-024U
Carters Glen

Map 142, Parcel 69
Subarea 6 (1996)
District 35 (Lineweaver)

A request for final approval for the Residential Planned Unit Development District abutting the southeast margin of Old Harding Pike and Bellevue Road (3.09 acres), classified R15, to permit the development of 12 single-family lots, requested by Wamble and Associates, for Joel Wilson, owner (**Also requesting final plat approval**).

Resolution No. 97-161

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 95P-024U is given **FINAL APPROVAL AND FINAL PLAT APPROVAL SUBJECT TO A BOND IN THE AMOUNT OF \$153,150.00.**

SUBDIVISIONS:

Final Plats:

Subdivision No. 95S-058G
S & J Subdivision
Map 52-1, Parcels 343 and 344
Subarea 4 (1993)
District 9 (Dillard)

A request to create eight lots abutting the west margin of Forest Park Drive, approximately 350 feet north of Neeleys Bend Road (1.46 acres), classified within the R6 District, requested by Joe Garza and Samuel Adamez, owners/developers, George C. Gregory, surveyor. (Previous approval lapsed 11/30/96).

Resolution No. 97-162

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Final plan of Subdivision No. 95S-058G, is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$63,000.00.**”

Subdivision No. 96S-276G
Banbury Crossing (formerly Fountains
at Banbury, Section 1)
Map 172, Parcels 16 and 20
Subarea 12 (1991)
District 32 (Jenkins)

A request to create 34 lots abutting the west margin of Edmondson Pike, opposite Mt. Pisgah Road (20.15 acres), classified within the R40 Residential Planned Unit Development District, requested by Jones Company, owner/developer, Gresham, Smith and Partners, surveyor.

Resolution No. 97-163

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Final plan of Subdivision No. 96S-276G, is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$892,500.00.**”

Subdivision No. 96S-292U
Mason Place

Map 162-1, Parcel 20
Subarea 12 (1991)
District 30 (Hollis)

A request to subdivide one parcel into two lots abutting the south margin of Tusculum Road, approximately 1,188 feet east of Raywood Lane (2.36 acres), classified within the R10 District, requested by Candace Revelette, owner/developer, Wamble and Associates, surveyor.

Resolution No. 97-164

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Final plan of Subdivision No. 96S-292U, is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$14,500.00.**”

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

A request to subdivide one parcel as two lots 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.

Resolution No. 97-165

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Final plan of Subdivision No. 96S-437U, is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$42,000.00.**”

Subdivision No. 97S-035G
Wallace Mitchell Lots
Map 33, Parcels 97 and 99
Subarea 2 (1995)
District 3 (Nollner)

A request to subdivide two parcels into three lots abutting the southeast margin of Dickerson Pike, approximately 2,075 feet northeast of Cunniff Parkway (4.09 acres), classified within the CS District, requested by Wallace Mitchell, owner/developer, Tommy E. Walker, surveyor.

Resolution No. 97-166

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Final plan of Subdivision No. 97S-035G, is granted **APPROVAL.**”

Subdivision Nos. 97S-056G and 97S-057G
October Woods, Phase 2, Sections 4 and 5
Map 183, Parcels 70 and 71
Subarea 12 (1991)
District 31 (Alexander)

A request to create 76 lots (47 lots in Section 4 and 29 lots in Section 5) abutting both margins of October Woods Drive, approximately 90 feet west of Colo Trail (29.1 acres), classified within the R10 Residential

Planned Unit Development District, requested by October Woods, L.P., owner/developer, Anderson-Delk and Associates, Inc., surveyor.

Resolution No. 97-167

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Final plan of Subdivision Nos. 97S-056G and 97S-057G, are granted as follows:

Subdivision No. 97S-056G (Section 4): **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$387,000.00 and making an escrow contribution (traffic light) in the amount of \$87,000.00;**

Subdivision No. 97S-057G (Section 5): **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$153,900.00 and making an escrow contribution (traffic light) in the amount of \$14,100.00.”**

Subdivision No. 97S-058U
Townhomes of Fredericksburg, Phase 1, Section 21
Map 171, Part of Parcel 89
Subarea 12 (1991)
District 32 (Jenkins)

A request to create 36 units abutting the south margin of Old Hickory Boulevard and the northeast margin of Fredericksburg Way West (5.74 acres), classified within the R20 Residential Planned Unit Development District, requested by Radnor Development Corporation, owner/developer, Anderson-Delk and Associates, Inc., surveyor.

Resolution No. 97-168

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Final plan of Subdivision No. 97S-058U, granted **CONDITIONAL APPROVAL** subject to posting a performance bond in the amount of \$252,750.00.”

Subdivision No. 97S-061U
Natchez Triangle South
Map 104-6, Parcels 332-334
Map 104-7, Parcels 37 and 531-537
Subarea 10 (1994)
District 18 (Clifton)

A request to consolidate 11 parcels into one lot abutting the northwest corner of 31st Avenue South and Natchez Trace (17.74 acres), classified within the RM6 District, requested by Vanderbilt University, owner/developer, Cherry Land Surveying, surveyor.

Resolution No. 97-169

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Final plan of Subdivision No. 97S-061U, is granted **APPROVAL**.”

Subdivision No. 97S-066G
Forest Park at Madison, Section 1
Map 43-13, Parcels 378 and 379
Subarea 4 (1993)
District 9 (Dillard)

A request to create three lots abutting the south margin of Elm Street, opposite Fourth Avenue (3.35 acres), classified within the R6 District, requested by Charles Rhoten, owner/developer, Land Surveying, Inc., surveyor.

Resolution No. 97-170

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Final plan of Subdivision No. 97S-066G, is granted **APPROVAL.**”

Subdivision No. 97S-077U
West Meade Farms, Inc., Lot 5, Second Revision
Map 129-8, Parcel 141
Subarea 7 (1994)
District 34 (Fentress)

A request to remove the reserve status on a lot abutting the east margin of Brook Hollow Road, approximately 866 feet north of Memphis-Bristol Highway (5.01 acres), classified within the RS2a District, requested by Isaac D. and Terri R. Simon, owners/developers, Dale and Associates, Inc., surveyor.

Resolution No. 97-171

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Final plan of Subdivision No. 97S-077U, is granted **APPROVAL.**”

Subdivision No. 97S-081G
Traceside, Section 7
Map 169, Part of Parcel 241
Subarea 6 (1996)
District 35 (Lineweaver)

A request to create 38 lots abutting both margins of Traceway Drive and both margins of Deer Estates Drive (16.14 acres), classified within the RS30 Residential Planned Unit Development District, requested by Centex Homes, owner/developer, Ragan-Smith Associates, Inc., surveyor.

Resolution No. 97-172

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Final plan of Subdivision No. 97S-081G, is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$405,500.00.**”

Request for Bond Extension:

Subdivision No. 90-86-P
Harborview, Section One - Final Phase
Precision Homes, Inc., principal

Located abutting the west terminus of Harborwood Circle, approximately 90 feet west of Timber Valley Drive.

Resolution No. 97-173

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 90-86-P, Bond No. 96BD-027, Harborview, Section One - Final Phase, in the amount of \$76,000 until June 1, 1998, as requested, said approval being contingent upon posting an amended letter of credit by **April 6, 1997** and extending the expiration date to December 1, 1998. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 95S-030G
High Valley, Section One
High Valley Corporation, principal

Located abutting the west margin of Oman Drive, approximately 2,676 feet northeast of Granny White Pike.

Resolution No. 97-174

"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-030G, Bond No. 95BD-010, High Valley, Section One, in the amount of \$107,900 until August 15, 1997, as requested, said approval being contingent upon posting an amended letter of credit by the date of this meeting (**3/6/97**) and extending the expiration date to February 15, 1998. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 96S-063U
Trinity Commercial Subdivision, Section Two, Lucas Lane
Jenkins Property, L.P., principal

Located abutting the south margin of West Trinity Lane, between Lucas Lane and Dickerson Pike.

Resolution No. 97-175

"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-063U, Bond No. 96BD-013, Trinity Commercial Subdivision, Section Two (Lucas Lane), in the amount of \$7,000 until June 1, 1997, as requested, said approval being contingent upon submittal of a letter by **April 6, 1997** from Fidelity and Guaranty 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. 46-79-U
Metro Airport Center, Section Five, Phase One
Elm Hill Properties, L.L.C.

Located abutting the east margin of Airport Center Drive between Elm Hill Pike and Royal Parkway.

Resolution No. 97-176

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 46-79-U, Bond No. 95BD-095, Metro Airport Center, Section Five, Phase One, in the amount of \$10,000, as requested."

Subdivision No. 55-85-P
The Summit, Section One

GBT Investments, principal

Located between Old Hickory Boulevard and Stonebrook Drive.

Resolution No. 97-177

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 55-85-P, Bond No. 87BD-018, The Summit, Section One, in the amount of \$11,600, as requested."

Subdivision No. 55-85-P
The Summit, Section Two
GBT Investments, principal

Located abutting the west side of Stonebrook Drive, opposite Fox Ridge Drive.

Resolution No. 97-178

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 55-85-P, Bond No. 87BD-019, The Summit, Section Two, in the amount of \$70,700, as requested."

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

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

Resolution No. 97-179

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 130-85-P, Bond No. 95BD-043, Northside Festival, in the amount of \$40,000, as requested."

Subdivision No. 50-86-P
East Colony at Riverbend
East Colony at Riverbend, J.V., principal

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

Resolution No. 97-180

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 50-86-P, Bond No. 87BD-033, East Colony at Riverbend, in the amount of \$60,000.00, as requested."

Subdivision No. 96S-339G
Laemmle Subdivision
James Laemmle and Timothy M. Janson, principal

Located abutting the southwest margin of Myatt Drive, approximately 1,380 feet southeast of Gallatin Pike.

Resolution No. 97-181

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 96S-339G, Bond No. 96BD-050, Laemmler Subdivision, in the amount of \$9,000, as requested."

Subdivision No. 9-87-P
River Plantation, Section Ten, Phase Two-D
Haury and Smith Contractors, Inc., principal

Located 240 feet west of Sawyer Brown, approximately 915 feet south of General George Patton Road.

Resolution No. 97-182

"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. 96BD-044, River Plantation, Section Ten, Phase Two-D, in the amount of \$18,000, as requested."

Subdivision No. 95P-029G
Shurguard Self-Storage Facility
Shurguard Freeman Franklin, J.V., principal

Located abutting the north margin of Gallatin Pike, approximately 800 feet west of Cumberland Hills Drive.

Resolution No. 97-183

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 95P-029G, Bond No. 96BD-020, Shurguard Self Storage Facility, in the amount of \$53,200, as requested."

Subdivision No. 95S-247U
Meadow Valley Estates
Wayne Stevens, principal

Located abutting the southwest corner of Bullock Avenue and Jones Avenue.

Resolution No. 97-184

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 95S-247U, Bond No. 95BD-086, Meadow Valley Estates, in the amount of \$5,000, as requested."

Request for Bond Extension and Replacement:

Subdivision No. 89P-022U
Melrose Shopping Center
Land Trust Corporation, principal

Located abutting the west margin of Franklin Pike, between Gale Lane and Kirkwood Avenue.

Resolution No. 97-185

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension and replacement of the performance bond for Subdivision No. 89P-022U, Bond No. 93BD-

056, Melrose Shopping Center, in the amount of \$6,300 until April 15, 1997, as requested, said approval being contingent upon execution of the replacement bond.”

MANDATORY REFERRALS:

Proposal No. 97M-021U
Tennessee Stadium Street Closures
Maps 93-2 and 93-3
Subarea 9 (1991)
District 6 (Beehan)

A request from MDHA proposing to close: Fatherland and Boscobel Streets between South Second Street and their western termini at the CSX Railroad right-of-way; South First Street from Russell Street south to the CSX Railroad right-of-way; Alley No. 260 and Alley No. 262 between South First Street and South Second Street, requested by Joe Ballard, Barge, Waggoner, Sumner and Cannon, for MDHA, abutting property owner. (Easements are to be abandoned).

Resolution No. 97-186

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 97M-021U.

Proposal No. 97M-025U
Council Bill No. O97-658
Acquisition of Properties in the Ewing Creek Area
Map 60-1, Parcels 177, 182, 190, 191 and 192
Subarea 3 (1992)
District 3 (Nollner)

A council bill authorizing the acquisition of property by negotiation or condemnation for Ewing Creek drainage. (CIB Project 84PW028B).

Resolution No. 97-187

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 97M-025U.

Proposal No. 97M-026U
Sale of Property Located East of I-65
Map 146-3, Parcel 33
Subarea 12 (1991)
District 33 (Turner)

A mandatory referral authorizing the Public Property Administrator to sell certain property located east of I-65 to the State of Tennessee to facilitate the improvement of a segment on the interstate. (State Project No. 19009-2162-44).

Resolution No. 97-188

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 97M-026U.

Proposal No. 97M-027U
Sale of Property Located West of I-65
Map 146-3, Part of Parcel 3
Subarea 10 (1994)
District 33 (Turner)

A mandatory referral authorizing the Public Property Administrator to sell certain property located east of I-65 to the State of Tennessee to facilitate the improvement of a segment on the interstate. (State Project No. 19009-2162-44).

Resolution No. 97-189

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 97M-027U.

Proposal No. 97M-028U
Canby Court/Britt Place Name Change
Map 92-7
Subarea 8 (1995)
District 21 (McCallister)

A request from the Metropolitan Development and Housing Agency to change the name of Canby Court to "Britt Place."

Resolution No. 97-190

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 97M-028U.

Proposal No. 97M-029U
Alley No. 73 Closure
Map 93-10
Subarea 9 (1991)
District 19 (Sloss)

A proposal to close Alley No. 73 between Sixth Avenue South and Seventh Avenue South, requested by R. Chris Magill, for First Baptist Church, adjacent property owner. (Easements are to be abandoned).

Resolution No. 97-191

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 97M-029U.

Proposal No. 97M-030G
Holt Creek Trunk Sewers Additional Easements Acquisition
Map 180, Parcels 119, 120, 121 and 123
Subarea 12 (1991)
District 31 (Alexander)

A mandatory referral from the Department of Water Services acquisition of additional easements regarding the Holt Creek Trunk Sewers.

Resolution No. 97-192

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 97M-030G.

Proposal No. 97M-032G

Water Easement Acquisition on Murfreesboro Pike
Map 149, Parcel 235
Subarea 13 (1997)
District 28 (Hall)

A mandatory referral from the Department of Water Services approving the acquisition of easements on Murfreesboro Pike from Rural Hill Road to Forest View Road for the purpose of improving the water line. (Project No. 95-WG-101).

Resolution No. 97-193

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 97M-032G.

Proposal No. 97M-033U

Hillwood Drive/Hillwood Boulevard Name Change
Maps 103-9 and 103-14
Subarea 7 (1994)
Districts 22 (Holt) and 24 (Johns)

A mandatory referral from the Department of Public Works proposing to change the name of a segment of Hillwood Drive between Kendall Drive and Hickory Valley Road, and a segment of Hillwood Drive east and west of its intersection with West Hillwood Boulevard to "Hillwood Boulevard."

Resolution No. 97-194

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 97M-033U.

Proposal No. 97M-034U

(Old) White Bridge Pike/North Kenner
Avenue Name Change
Map 103-15
Subarea 10 (1994)
Districts 24 (Johns) and 34 (Fentress)

A mandatory referral from the Department of Public Works proposing to change the name of (Old) White Bridge Pike between the CSX Railroad right-of-way and the Memphis-Bristol Highway to "North Kenner Avenue."

Resolution No. 97-195

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 97M-034U.

OTHER BUSINESS:

1. Amendment to Fiscal Year 1996-97 Transportation Planning Contract with the Tennessee Department of Transportation.

Resolution No. 97-196

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** the amendment to Fiscal Year 1996-97 Transportation Planning Contract with the Tennessee Department of Transportation for one year."

2. MPO technical assistance contracts with City of Lebanon, City of Portland and Greater Nashville Regional Council.

Resolution No. 97-197

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** MPO technical assistance contracts with City of Lebanon, City of Portland and Greater Nashville Regional Council for one year."

3. Contract with NuStats International for the Household Travel Behavior Survey.

Resolution No. 97-198

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** the Contract with NuStats International for the Household Travel Behavior Survey for one year."

4. Contract with RPM and Associates for the Major Thoroughfare/Bikeway Plan Update for the City of Franklin.

Resolution No. 97-199

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** the Contract with RPM and Associates for the Major Thoroughfare/Bikeway Plan Update for the City of Franklin for nine months."

5. Contract with Gresham Smith and Partners for five studies in Wilson County.

Resolution No. 97-200

“BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** the Contract with Gresham Smith and Partners for five studies in Wilson County for one year.”

6. APR Fund Appropriation.

Resolution No. 97-201

“BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** the APR Fund Appropriation as follows:

| | |
|---|--------------|
| Appropriation Balance - November 30, 1996 | \$93,762.76 |
| Resolution No. adopted | \$130,500.00 |
| Net Appropriation Balance | \$224,262.76 |

December 1996 Expenditures - Actual:

| | | |
|---------------------------------|-------------|----------------|
| Salaries | \$4,007.50 | |
| Advertising | \$299.97 | |
| Consultant's Services | \$94,948.17 | |
| FICA | \$296.86 | |
| Group Health Insurance | \$325.58 | |
| Employer's Pension Contribution | \$522.90 | |
| Group Life Insurance | \$26.00 | |
| Dental Insurance | \$14.92 | |
| Data Processing Equipment | \$0.00 | (\$100,441.90) |

| | |
|---------------------------|--------------|
| Net Appropriation Balance | \$123,820.86 |
|---------------------------|--------------|

January, February and March 1997 Expenditures - Projected:

| | |
|---------------------------|--------------|
| Salaries | \$17,352.50 |
| Central Printing Services | \$3,391.00 |
| Data Processing Services | \$37.50 |
| Advertising | \$2,510.00 |
| Consultant's Services | \$175,655.00 |
| Office Supplies | \$0.00 |
| FICA | \$1,288.49 |

| | | |
|---------------------------------|------------|----------------|
| Group Health Insurance | \$1,362.24 | |
| Employer's Pension Contribution | \$2,385.95 | |
| Group Life Insurance | \$143.00 | |
| Dental Insurance | \$82.06 | (\$204,207.74) |
| Revenue in Transit | | \$123,049.24 |
| Net Appropriation Balance | | \$42,662.36 |

9. Employee contract for Jennifer Kazwell.

Resolution No. 97-202

“BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** the employment contract for the Planner II position for Jennifer Kazwell for one year.”

11. Consideration of a nomination for appointment to the Subarea 9 CAC.

Approval was granted to add Father Strobel to the Subarea 9 Citizens Advisory Committee to provide a representative who is knowledgeable about homelessness issues.

This concluded the items on the consent agenda.

PUBLIC HEARING: AMENDMENT TO THE SUBDIVISION REGULATIONS BY REPLACING THE “URBAN PLANNING AREA” WITH THE GENERAL PLAN LAND USE POLICY “NATURAL CONSERVATION.”

Mr. Henry stated the urban planning boundary has been designated in the Subdivision Regulations since 1964. The purpose of that boundary was to identify areas of the county which are generally too steep for urbanized development and where sewer extension is not anticipated or likely. The urban planning boundary allows for subdivision outside of that boundary to develop on private streets and to develop primarily on septic fields approved by the Health Department. The boundary that has been reflected in the Subdivision Regulations is outdated and is primarily identified by reference to ridge lines. The subarea plans are much better guides for the staff and for the community to use to determine where to expect urbanization to occur and if and when private streets and septic fields are suitable in the out skirts of the county. Staff is recommending the language be changed in the Subdivision Regulations to make reference to the natural conservation areas as designated by the General Plan.

No one was present to speak at the public hearing.

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

Resolution No. 97-203

“BE IT RESOLVED by the Metropolitan Planning Commission that it approves the amendment to the Subdivision Regulations by replacing the “Urban Planning Area” with the General Plan land use policy “Natural Conservation” as follows:

Codification of Amendments

| <u>Page</u> | <u>Section</u> | <u>Nature of Changes</u> |
|-------------|----------------|--|
| iv | | <i>Table of Contents:</i> delete item “G. <u>Urban Planning Area Boundary Map</u> ” (which refers to the Appendix). |
| 20 | 2-6.2.1.K | <i>Private Street Regulations:</i> replace “outside the Urban Planning Area” with “ within eligible areas of the Natural Conservation land use policy (as defined in 5-2). ” |
| 22 | 2-6.2.1.K(4) | <i>Private Street Regulations:</i> replace “outside the Urban Planning Area” with “ within eligible areas of the Natural Conservation land use policy (as defined in 5-2). ” |
| 32 | 2-13.2 | <i>Mandatory Connection to Public Sewer:</i> replace “shown as being included within the boundary of the Urban Planning Area as delineated on the Planning Area Map included herewith as Appendix G” with “ not within eligible areas of the Natural Conservation land use policy (as defined in 5-2). ” |
| 49 | 5-2 | <i>Definitions:</i> add the following, “ <u>Natural Conservation Areas</u> –Areas of the county are eligible for subdivision on private streets and private septic fields where the property to be subdivided lies within the Natural Conservation land use policy (designated by the General Plan), is proposed for the creation of lots of five (5) acres or greater, has a predominance of steep topography precluding development of lots on less than five acres, and is located where public sewer service is not anticipated. ” <i>Appendices:</i> delete “Appendix G”. |

PUBLIC HEARING ON THE UPDATED DRAFT OF THE SUBAREA 12 PLAN

Ms. Debbie Frank stated the Subarea 12 Plan is the fourth subarea plan to be updated. It will replace the original Subarea 12 Plan adopted on April 11, 1991, and become part of the General Plan for Nashville/Davidson County.

This update process was conducted in the same manner as the previous updates with community workshop-style meetings held at different locations in the subarea. The community meetings, including this public hearing were advertised in the *Tennessean*, the *Nashville Banner* and two community newspapers. A mailing list was also maintained during this process which started out at around 150 individuals and grew to over 360. Three weeks prior to this public hearing, copies of the complete draft plan were made available for public viewing at 3 public libraries as well as our own library.

Ms. Frank provided background information about the subarea, highlighted the recommended changes supported by both the community and staff, and give an overview of the three areas identified as unresolved in the Attachment to the draft plan. In general, the Attachment identifies three areas where staff have concerns about the land use policy recommended in the community meetings. In each area, the policy strongly supported by the community does not in staff’s opinion have a good planning basis for application, and as a result, no finalized land use policy is reflected in the draft plan.

Subarea 12 is located in the south central part of Davidson County. It consists of roughly 27,300 acres of land or about 43 square miles. Subarea 12 comprises about 8% of the total land area in Davidson County. It is bounded by I-24 to the east, Rutherford County to the southeast, Williamson County to the south, Franklin Pike/I-65 to the west and the CSX rail line and a small segment of Sevenmile Creek to the north.

The update shows that population and employment will continue to increase, but not at the rate that was anticipated in the original plan. Population is projected to increase by roughly 17,000 by 2015 and almost 6,000 additional jobs are expected during this planning period.

Subarea 12 is clearly a place where people live. Residential development accounts for roughly 64% of the total land use activities which is around 16,000 acres of land. Commercial uses represent about 3%. Community facilities and parks account for roughly 2%, and vacant land is around 27% or 6,700 acres.

In general, the original plan is still valid and supported by the community. The vast majority of land use policies adopted in the original plan are recommended for continuation in the update. The goals of the original plan which were developed by a Citizen Advisory Committee, are still valid and included in the update.

There were a few changes since the adoption of the subarea plan in 1991 that required a need to reevaluate the current policies and make a few changes to the original plan. The changes were necessary due to: (1) the amendment to the plan in 1993 that allowed the extension of sewers along the complete Mill Creek corridor early in the planning period rather than in segments and late in the planning period; (2) the realignment of the proposed southeast arterial; and (3) the need to reformat the current land use policies into the new policy format.

The principal change between the original plan and the update plan is the format. After the first four subarea plans were completed, the Planning Commission approved the use of the Land Use Policy Application document, which contains descriptions and application guidelines of land use policies. To a large degree, the land use policy categories in the new document differ from the land use policy categories used in the original Subarea 12 Plan, and in some cases, the old policy format includes categories for which there is no comparable category in the new format. Also, the Land Use Policy graphic in the update is supplemented by guidelines in the text of the plan. This takes the place of the general land use policy map and detailed parcel specific maps in the original plan.

During this update, there were basically four factors identified that will likely affect the future of Subarea 12: (1) extension of sewers along Mill Creek; (2) the location and construction of the proposed southeast arterial; (3) the future commuter rail along the CSX rail line; and (4) the Hickory Hollow Regional Activity Center. As a result of some of the changes and the factors likely to affect the subarea, there were ten areas identified as areas to be evaluated during the update.

A review of the land use policies supported by the community and staff in the update are:

Natural Conservation policy and Major Public Opens Space policy. In Subarea 12, NC policy is applied to the floodplain areas of Mill Creek and Sevenmile Creek. MPOS policy is applied to existing parkland. There are two additional MPOS areas in the update, Sevenmile Park, a recent addition to Metro parkland and the State of Tennessee's Ellington Agriculture Center. The remaining MPOS areas include neighborhood and community parks and the Grassmere Wildlife Park, which is the new location for the Nashville Zoo.

Residential Low to Medium density which supports single-family residential development at 2-4 units per acre. It is the dominant land use policy in the update as was in the original plan. Residential Medium density which supports more compact single-family developments, townhomes or walk-up apartments at 4 - 9 units per acre. This policy is primarily along Old Hickory Boulevard/Bell Road and I-24. The final residential policy is Residential Medium to High density. This policy category supports developments at 9-20 units per acre. It is concentrated along major streets and for the most part, adjacent or near commercial activities. The update recommends low to medium density policy with a SUA overlay for the electric substation and storage yard for NES. The update is also recommending additional medium density development opportunities along Cane Ridge Road east of I-24 and at and around Pettus Road east of Nolensville Pike.

Office Concentration policy is applied to two areas, the Southern Hills Hospital and Medical Center and associated commercial developments, and the office developments and associated commercial activities east of Franklin Pike which includes Brentwood Commons.

The update recommends the continuation of community scale retail policy at and around the intersection of Edmondson Pike and Old Hickory Boulevard. The plan suggests the realignment of this policy along Nolensville Pike to the intersection of Nolensville Pike and Concord Road/proposed southeast arterial. This is recommended to take advantage of the accessibility and the anticipated residential development in this area.

The super community scale retail policy remains at two of the three locations as identified in the original plan. The first area is at and around the Harding Place and Nolensville Pike intersection. The policy is centered on the Harding Mall and the K-Mart shopping center commercial activities. The second area is also located along Nolensville Pike at and around the Old Hickory Boulevard and Nolensville Pike intersection, which includes commercial retail and services associated with the Hickory Plaza and the South Plaza shopping centers. The third area identified in the original plan is recommended to become part of the Hickory Hollow RAC policy located in Subarea 13.

The update extends the Hickory Hollow RAC which is located in Subarea 13, east of I-24 to include the commercial activities on the west of I-24. This area is currently serving as an extension of the RAC east of I-24. There is a conceptual circulation system for the RAC which connects to Subarea 13's proposed upper and lower bus loops on the Hickory Hollow Parkway. The portion of the RAC in Subarea 12 contains over 300 acres of land and borders RMH, RM, and RLM policies, and in Subarea 13, the RAC with over 900 acres of land borders RLM, RM, RMH, OC and CMC.

The commercial mixed concentration policy as identified in the original plan remains the same in the update, with the exception of the area along I-24 south of Bell Road. The plan recommends reducing the CMC policy to the interchange of I-24 and Old Hickory Boulevard. The area lacks adequate land and accessibility for the intensity that CMC policy supports. More adequate land and better access for this type of commercial development is provided east of I-24 in Subarea 13. The update also recommends the application of CMC policy for an area along I-24, south of the Harding Place and I-24 interchange that contains office showroom type uses. This area is part of a larger CMC area across I-24 in Subarea 13 with similar commercial activities.

The Commercial Arterial Existing policy remains along Nolensville Pike from the northern boundary of the subarea to Ocala Drive. The application of this policy recognizes existing "strip commercial" developments along arterial streets. However, the general plan recommends the redevelopment of these areas with high intensity commercial developments forming a node around major intersections and medium and medium to high density residential developments, community facilities and offices developments between those major intersections.

Industrial and Distribution policy is recommended for continuation for the area west of Grassmere and the Major Transportation policy is recommended for continuation east of I-65 that represents Radnor Yards.

During this update, there were three areas that had more than one land use policy suggested for adoption. The alternative policies suggested for each area were presented by staff, along with the rationale for the Planning Commission to consider. These three unresolved areas were identified in the Attachment document provided along with the draft plan.

Area 1 which is located east of I-65 along Old Hickory Boulevard at and around the Trousdale/Cloverland Drive intersection. This area is largely vacant with the exception of the area south of Old Hickory Boulevard that has single-family homes on large lots that were subdivided with on-site septic tanks.

Alternative 1 is low to medium density or RLM policy. It supports 2-4 units per acre and is supported by the community. The community's rationale for low to medium density is due to the present problems of high traffic volume and an overcrowded student population at the neighborhood elementary school. The community feels that a policy with a density higher than RLM would result in a population growth that can not be supported by the current public services. Supporters of Alternative 1 also expressed that the intersection of Old Hickory Boulevard and Cloverland Drive is considered a gateway to single-family homes and this area should develop in a similar manner. The community sees the general area as developed, and any additional development is considered infill and should conform with the existing pattern of single-family homes. There were also concerns expressed about property values and safety. The community feels that application of a policy that will support the development of apartments will result in the decrease in property values for individuals who have purchased homes in this area and a likely increase in crime.

Alternative 2 is medium to high density policy. It supports the development of 9-20 units per acre and is recommended by staff. Staff indicated throughout the community meetings that medium to high density policy best carries out good planning principles at locations like this, which have good accessibility and are near employment and commercial goods and services. Staff also indicated that this area meets the locational criteria for higher density policy according to the Land Use Policy Application document which is used in preparing these subarea plans, and unlike the community, staff see this area as developing. Over the last five years, there has been a constant stream of development in this area, and the opportunity for additional development remains. The recently adopted housing plan for Nashville/Davidson County recommends areas like this with good highway access, near employment and shopping facilities for higher density residential developments. The Planning Commission has demonstrated support for higher density development in this area with a recent multi-family PUD approval.

Alternative 3 suggested is medium density policy which supports development at 4-9 units per acre. This policy was suggested as a compromise between Alternative 1 and Alternative 2. It was expressed to staff that the properties fronting on Old Hickory Boulevard at this location are no longer suitable for single-family homes because: (1) Old Hickory Boulevard is now a five-lane roadway, not a two-lane road when the homes south of Old Hickory Boulevard were developed, and (2) the area's nearness to commercial activities. It is believed that medium density policy in this area would take advantage of accessibility without the public facilities being overburdened, and medium density would be directly comparable to the intensity and character of Hearthstone condominiums and Fredericksburg townhomes currently under construction.

Chairman Smith asked if different situations existed on opposite sides of Old Hickory Boulevard?

Ms. Frank stated no. The policy on the north side would be the policy also recommended on the south side.

Mr. Manier stated that due to the complexity of these problems each area should be considered one at a time.

Mr. Charles Hendrix stated he had concern regarding the Old Hickory Boulevard corridor. The proposal seems to ignore some of the residential development in the Nipper's Corner area, the Fredericksburg development and Montgomery Place and is referred to as vacant undeveloped land but is not. He stated the best use of this land would be low-medium density and urged the Commission to look at this area as a broad section and not as a segmented approach of 1, 2 or 3.

Mr. Roy Dale asked the Commission to consider the presently zoned R20 property at the corner of Amalie Drive and Old Hickory Boulevard as some other possibility rather than residential.

Mr. Philip Evans asked for a clarification in the presentation of the land use on Nolensville Road between Old Hickory Boulevard and Concord Road.

Ms. Frank stated that would only be a commercial node at the intersection but would not be strip commercial area along Nolensville Road.

Councilmember Craig Jenkins asked the Commission to consider low-medium density and stated he felt there was no need for more apartments in the area.

Mr. Chance Allen and Mr. William J. Vaughn asked the Commission to consider residential medium-high density policy to certain properties on Old Hickory Boulevard because due to traffic congestion, the Old Hickory Boulevard frontage is no longer suitable for single family homes.

Mr. Steve Diggs, Mr. Joe Luffler, Mr. David Brooks, Ms. Lou Anne Jacobs, Mr. Robert Waters, Mr. Eric George, Mr. Larry Labonc, Mr. Jesse Goff, Mr. Tim Pitts, Mr. Joseph Rossler, Ms. Amy Alton, Mr. Don Montgomery, Mr. Charlie Rich, Mr. Horace Petina and Mr. Richard Lewis spoke in opposition to the medium high density policy proposed for Old Hickory Boulevard at Cloverland Drive and expressed concerns regarding more apartments in the area, property value depreciation, traffic, speeding cars, litter, school overcrowding, flooding, crime, and land use compatibility.

Commissioner Arnett Bodenhamer left at 2:20 p.m., at this point in the agenda.

Mr. Manier suggest the Commission consider the north and south sides of Old Hickory Boulevard as two different type policy uses and that the residential neighborhood should not be intruded into and that there should be some natural transition from the office to the residential.

Ms. Jernigan asked why staff recommended the lots on the south side and the parcel on the north side be policed together.

Ms. Frank stated it was a mirror of what was existing on the north side of Old Hickory Boulevard and that the back of these properties should be the dividing line.

Mr. Harbison stated that to him, the street would be the natural boundary for land use changes.

Mr. Lawson stated he felt it would make good sense not to go on the south side of Old Hickory Boulevard with medium-high density policy.

Councilmember Clifton agreed each side of the road should be treated differently.

Ms. Jernigan moved and Ms. Nielson seconded the motion, which carried unanimously, to close the public hearing for Area 1 of the Subarea 12 Plan Update.

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

Resolution No. 97-204

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby adopts Residential Low-Medium (RLM) density policy for the portion of Area 1 of the Subarea 12 Plan: 1996 Update that lies south of Old Hickory Boulevard.”

Councilmember Clifton asked what the north side of Old Hickory Boulevard, which contains the proposed Woodway Square site, was policed as under the existing subarea plan.

Mr. Browning stated the Planning Commission determined that it was appropriately policed for medium high density when it reviewed that apartment complex.

Councilmember Clifton stated he understood from earlier comments that much of the north side was more RLM.

Mr. Browning stated that issue was very heavily debated by the Commission when the apartment complex was presented. The statement was made that the staff took a neutral position. However, the staff attempted to explain the policies and what arguments might be made for interpreting the policy under the medium-high density policy. The Commission interpreted the policy as being supportive of that development which was at about 15 units per acre.

Councilmember Clifton expressed the opinion that with that large office park being developed that RLM was inappropriate and the Commission was right to approve a more intense use. He said he could not understand, as he looked at the surrounding areas such as Hearth Stone Homes and Hearth Stone Manor, Hemmingwood, Heatherwood and the others, how the Commission was talked into that level of density. The RLM does not make sense anymore with the Brentwood Commons nor does the proposed RMH. He stated he did not know the will of the Commission but would be willing to bring some closure to that matter in a way that might actually ultimately resolve in a rezoning and improve the tax base by proposing that stretch of land be zoned RM.

Councilmember Clifton moved and Ms. Nielson seconded the motion to apply the RM policy to the north side of Old Hickory Boulevard near the Brentwood Commons.

Mr. Manier suggested that the RMH policy be adjacent to the office development where there is a five or six story building within thirty or forty feet of the line, and then the proposed Trousdale be the dividing line to transition down to the same density that exists in the Hearth Stone Manor project, which would create a declining density away from the interchange. The suggestion for medium density development across the board is not a good answer to the problem. It is too abrupt and should be graded down but should not go all the way to Edmondson Pike.

Mr. Harbison stated that this was policy in a general fashion and there should higher density use next to the office development, which makes sense as a policy matter, and then each particular application should be looked at as to whether or not they make sense.

Mr. Browning stated that within the RMH policy category, which is 10 to 20 units, whether you are at the low end or the high end is then determined by the base zoning which is put into place.

Chairman Smith opined the south side was one consideration but a bigger consideration would be the Brentwood Commons and that he would vote against the RM and hope some one would move for an RMH which would give the Commission the ability to look at each application as it comes through.

Ms. Nielson asked how some flexibility and suggestion could be added to say that if that were RMH the Commission would encourage as it moved east on Old Hickory, that it would taper down.

Mr. Manier suggested placing the RMH policy within the policy plan with a statement that it would be anticipated in the development of projects and would be at its most intense level adjacent to an office development to the west and that it would taper to a lesser and a more conforming density to the east.

Ms. Nielson stated she agreed and would be willing to withdraw her second to Councilmember Clifton's motion if the flexibility Mr. Manier suggested could be stated with the RMH policy.

Ms. Jernigan and Mr. Lawson also agreed with Mr. Manier's suggestion.

Councilmember Clifton stated he would withdraw his motion.

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

Resolution No. 97-205

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby adopts Residential Medium-High (RMH) density policy for the portion of Area 1 of the Subarea 12 Plan: 1996 Update that lies north of Old Hickory Boulevard with the provision that density at the higher end of the RMH policy range should be directed to the west adjacent to the Office Concentration policy and density at the lower end of the RMH policy range should be directed to the east adjacent to the existing townhouse development.”

Ms. Frank stated the second unresolved area, **Area 2** fronts on both sides of Bell Road at and around the intersection of Bell Road and Old Hickory Boulevard/Benzing Road and continues eastward to where Whittemore Branch crosses Bell Road.

Alternative 1 is the application of a community scale retail policy which will support 100,000-500,000 sq. ft. of commercial floor space. This alternative is supported by the community, and individuals who spoke publicly about this area do not find this area suitable for residential development east of the commercial area at Old Hickory and Benzing Road. It was expressed that the auto salvage yard, TVA lines, the shallow lot depth, the floodplain of Whittemore Branch, inadequate sewers and high volumes of traffic along Bell Road would cause any one to be reluctant about developing this area residentially. These individuals believe there is a need for additional commercial opportunities in this general area that would allow not only retail but commercial service like a car wash, and this area would be the ideal location.

Alternative 2 recommends continuing the present medium density policy and the unmapped commercial node at the intersection of Bell Road Old Hickory Boulevard/Benzing Road. Staff conclude that the continuation of medium density policy in this area would be in keeping with the development recommendations of the general plan along arterial streets. Staff has indicated to the community that community scale retail policy here would completely contradict the commercial policy objectives of the general plan. It is well within the market area of the super community scale commercial node at Nolensville Pike and would act as a competitor. The application of the community scale retail policy here is likely to result in “strip commercial” development from the commercial node at Nolensville Pike eastward to where the Whittemore Branch crosses Bell Road, and the general plan discourages “strip commercial” development. The physical conditions are no more unfavorable to residential development here than many other locations along Old Hickory Boulevard/Bell Road and multifamily residential demand has been apparent over a long period of time in this general area, more so eastward toward Blue Hole Road. The presence of obsolete and inappropriate developments like the auto salvage yard should not dictate the future development policy for this area.

It has been brought to staff’s attention after the final community meeting that there is an interest shown by a few individuals to have a community scale retail policy east of Area 2 at the intersection of Bell Road and Blue Hole Road. It would be an ill-advised action by staff to support a commercial policy in this location which is within a half of a mile of the Hickory Hollow RAC. For (1), this action would be contrary to the general plan; the location of one node truly within walking distance of another node would only result in “strip commercial” development which the general plan strongly discourages; (2) this community scale retail node would be in the shadow of the Hickory Hollow RAC, highest intensity of commercial development opportunity in Davidson County. The intent of the RAC is to provide regional commercial retail and services as well as community scale goods and services to serve the residential component of the RAC; and (3) the opportunity is available for additional commercial development in the RAC in both Subarea 12 and Subarea 13. This RAC has not reached its development potential and it would also be an ill-advised action to provide another commercial node at Blue Hole Road. This approach would detract from the RAC concept and staff strongly recommend against the application of a commercial node at the intersection of Bell Road and Blue Hole Road.

Chairman Smith stated the discussion would begin with area 2A, the Benzing Road area.

Mr. J. R. Miller, Ms. Ann Shirley, Mr. Philip Evans and Mr. Frank Varney spoke in favor of commercial or RCC policy in this area because it is not suitable for residential development because of traffic and the topography of the land.

Councilmember Stewart Clifton left at 4:00, at this point in the agenda.

Chairman Smith stated the discussion would now be in regards to the Blue Hole Road area.

Mr. David Coode, with Loose and Associates, represented the owner of the property located at the corner of Bell Road and Blue Hole Road and spoke in favor of RCC policy in that area. He presented the Commission with a summary of the RCC land use policy and guidelines and supporting data for the change of classification at the Bell Road, Blue Hole Road interchange to provide for community commercial services required for the increasing number of residences in the immediate area.

Ms. Nielson moved and Mr. Harbison seconded the motion, which carried unanimously, to close the public hearing on Sections 2A and 2B.

Ms. Nielson moved and Mr. Harbison seconded the motion, which carried unanimously, to defer Sections 2A and 2B for two weeks.

Mr. Harbison asked staff to give more detail on the merits and constraints of the different sites discussed.

The final unresolved area is **Area 3** which is located south of Mill Creek and east of Turkey Creek to the Williamson County and Rutherford County lines.

Alternative 1 which is supported by the community is the application of low density policy. This policy supports residential development of 2 and under units per acre. The community believes that there is no apparent reason to promote development at a density higher than low density south of Mill Creek because the forecasted population growth during the planning period is likely to be accommodated by the area north of Mill Creek. The community feels that the application of low density policy at the lower end of the density range would be the best policy for preserving the rural character of the area. The community also pointed out that the application of low density policy will avoid the need for extensive public improvements and urban services, thus minimizing the increase in property taxes.

Alternative 2 recommends the continuation of low to medium density policy which supports the development of 2-4 units per acre. Staff conclude that this alternative is the most appropriate land use policy for this developing area and the extension of sewers along Mill Creek is the primary reason. Low to medium density policy is consistent with the Land Use Policy Application document guidelines, and reflects the contiguous pattern of urban development already established where sewers have been provided. This area is suited for urban development and is convenient to major retail services at the Hickory Hollow Regional Activity Center and major employment centers like Interchange City and Maryland Farms. Davidson County has a limited amount of undeveloped land suitable for urban development, and where land is suitable, urban development is recommended. The Land Use Policy Application document recommends the application of Alternative 1, low density policy for areas that developed under plans of subdivisions with on-site septic tanks. Low density policy is recommended for such subdivisions that are not expected to re-subdivide, not for developing areas. The northern portion of Williamson County and the northwestern area of Rutherford County are expected to develop at roughly 3 units per acre which is in line with low to medium density policy.

No one was present to speak at the public hearing.

Ms. Nielson moved and Mr. Lawson seconded the motion, which carried unanimously, to close the public hearing and defer Section 3 for two weeks.

Mr. Stephen Smith moved and Ms. Nielson seconded the motion, which carried unanimously, to close the public hearing on the entire Subarea 12 Update.

APPEAL CASES:

Appeal Case No. 97B-011U
Map 133, Parcels 4 and 5
Subarea 12 (1991)
District 26 (Arriola)

A request for a conditional use permit under the provisions of Section 17.124.190 (Extensive Impact) as required by Section 17.124.010 to allow the use of the existing Grassmere property for a zoo in the AR2a District, on property abutting the west margin of Nolensville Pike and the north margin of Elysian Fields Drive (211 acres), requested by the Metropolitan Department of Parks and Recreation, appellant/owner.

Mr. Reid presented the staff recommendation to suggest approval by the Board of Zoning Appeals, with the condition that additional landscape buffering be required along all borders of the property next to a residential development. Mr. Reid stated staff looked to the buffering standards of the new zoning code, which is a 100 foot setback of the animal display areas from the residential areas and also the landscape buffer C requirement. The plans comply with the 100 foot setback but appear to fall short of the landscape buffering. However, the Board of Zoning Appeals has recently approved this site for the zoo on two conditions. One, that there be a 150 foot setback from the animal display areas to the residential neighborhood; and two, that the landscaping requirements be strengthened. Staff suggested the Commission recommend to the Board of Zoning Appeals look closely at the screening between the zoo and the adjacent residential areas.

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

Resolution No. 97-206

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 97B-011U to the Board of Zoning Appeals:

The site plan complies with the conditional use criteria; the Board of Zoning Appeals should look at additional landscaping next to Elysian Fields Road."

Appeal Case No. 97B-017U
Map 82-6, Parcel 91
Subarea 5 (1994)
District 5 (Harrison)

A request for a conditional use permit under the provisions of Section 17.116.010 (Floodplain) as required by Section 17.124.030 to legally use an existing non-residential building and property for scrap operation in the IG district, for property located on the northeast margin of Cowan Court (0.73 acres), requested by Anthony Coppola, appellant/owner.

Mr. Reid stated the conditional use request is to use this property and the building on it for a scrap operation. The site plan does not satisfy the conditional use criteria. Public Works does not believe a scrap

operation is an appropriate use in the floodplain. The proponent has not shown a grading plan that would raise the scrap storage areas to required levels above the 100 year flood level.

Chairman Smith asked if the existing scrap operation downtown is in the floodplain.

Mr. Browning stated other operations may be within the floodplain as previously existing non-conforming uses. However, this application intends to extend the scrap operation onto additional land. Both public works and the planning staff agree with the FEMA requirement that any materials which can be dislodged during flooding should be raised above the 100 year flood level.

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

Resolution No. 97-207

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 97B-017U to the Board of Zoning Appeals:

The site plan does not satisfy the conditional use criteria."

ZONE CHANGE PROPOSALS:

Zone Change Proposal No. 97Z-005G

Council Bill No. O97-660

Map 43-11, Parcels 142, 143 and 144

Subarea 4 (1993)

District 9 (Dillard)

A re-referral of a council bill to change from R8 District to CS District certain property abutting the northwest corner of State Route 45 and Myatt Drive (.56 acres), requested by Ken Johnson, appellant/owner. (Disapproved by the Planning Commission 01/09/97).

Mr. Reid stated this proposal had been re-referred from Council and staff recommends the Commission reaffirm their previous disapproval as contrary to the General Plan. The area on the north side of State Route 45 is in residential policy and placing commercial zoning here could impact the integrity of this residential area. Commercial opportunities are provided in the subarea plan to the south.

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

Resolution No. 97-208

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-005G is **DISAPPROVED** as contrary to the General Plan:

The Subarea Plan stipulates that commercial uses are appropriate between State Route 45 and Old Hickory Boulevard to the south (which are oriented to Old Hickory Boulevard), but not along the north margin of State Route 45. Placing commercial zoning at this location would violate the integrity of this residential area."

Zone Change Proposal No. 97Z-019G

Map 33, Part of Parcel 72

Subarea 2 (1995)

District 10 (Garrett)

A request to change from R20 District to CS District certain property abutting the north margin of Dickerson Pike, approximately 2,000 feet west of Campbell Road (2 acres), requested by Richard Binkley, appellant/owner. (Deferred from meeting of 02/06/97).

Mr. Reid stated this request was deferred at the February 6th meeting so the applicant could analyze his development options. Since he is still wanting CS, staff is recommending disapproval. This entire area is within residential policy in the subarea plan and the Commission disapproved a request for industrial zoning two years ago on this same property recognizing that this was in a residential policy area and that most of the commercial in this area is either vacant or underutilized. These same circumstances exist in this area today and staff is recommending disapproval.

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

Resolution No. 97-209

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-019G is **DISAPPROVED**:

This property falls within "Residential Medium" density policy (4 to 9 dwelling units per acre) in the Subarea 2 Plan. Much of the commercial in this area is either vacant or underutilized. Adequate commercial opportunities are provided about 1.5 miles to the south (at the intersection of Dickerson Pike and Old Hickory Boulevard) and about .25 miles north, near the intersection of Dickerson Pike and Campbell Road."

Zone Change Proposal No. 97Z-020U

Map 90-8, Parcel 86

Subarea 7 (1994)

District 22 (Holt)

A request to change from R8 District to OP District certain property abutting the northeast margin of Annex Avenue and Robertson Avenue (1.0 acres), requested by Michael R. Carver, Sr., appellant, for Michael R. Carver, Jr., owner.

Mr. Reid stated staff was recommending disapproval as contrary to the General Plan. The subarea plan clearly indicates that Robertson Avenue is to be residential in character and also supports the rezoning of any non residential properties to be reclaimed for residential, including the area of CG next to the river. Staff feels that if office zoning is placed in this area it could encourage a commercial strip pattern of development that could link this office zoning to the non residential zoning to the east.

Mr. Michael R. Carver, Sr., stated he and his son have had a business in this location for two and a half years and operated under a home occupation permit. Councilmember Aaron Holt is in full support of this proposal and \$40,000 plus improvements have been made to this property. There is no intention of any further development. Mr. Carver stated the Codes Department had cited them for employing several persons in the business who do not live on-site, a violation of the home occupation provisions.

Chairman Smith asked Mr. Carver if he understood the general concept of the subarea plan was to change all of the pre-existing conditions to residential property.

Mr. Carver said he was aware of that now but not at the time he purchased the property.

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

Resolution No. 97-210

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-020U is **DISAPPROVED** as contrary to the General Plan:

This proposal is within an area of the Subarea 7 Plan that is policied for residential ‘medium’ density development (4 to 9 dwelling units per acre). The general area along Robertson Avenue is to be residential in character. Commercial and industrial properties that have been inappropriately zoned and are vacant or only marginally used should be rezoned and reclaimed for residential development. Placing OP zoning at this location would constitute a spot zone, and could eventually result in pressure for a strip development pattern of office and commercial uses between the OP zoning to the west and the non-residential zoning pattern to the east, which runs counter to the residential policy goals for this area.”

Stephen Smith left at 4:55, at this point in the agenda.

Zone Change Proposal No. 97Z-024G
Map 51-4, Parcels 92 and 93
Subarea 4 (1993)
District 9 (Dillard)

A request to change from OP District to CS District on property abutting the north margin of Neelys Bend Road and Argle Avenue (0.38 acres), requested by Sam A. Bowman, appellant/owner.

Mr. Reid stated staff was recommending disapproval because the commercial policy along Gallatin Pike seeks to orient and focus all the commercial uses towards Gallatin Pike and away from abutting residential areas. The subarea plan also intends to redevelop and preserve the original Madison business area on both sides of Gallatin Pike north of Neelys Bend Road to State Route 45. Allowing commercial zoning to expand to the east will force access onto Neelys Bend Road and will further detract from the goal of trying to redevelop the properties already within the business district. A letter from the applicant stated he operates a small engine repair shop on the property and does not believe the noise impact or traffic will be much because he is already next to the Walgreens Drug Store and that he provides a very needed service to the Madison area residents and that there is no neighborhood opposition to his use.

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

Resolution No. 97-211

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-024G is **DISAPPROVED**:

The objective of the commercial policy in this area is to keep commercial land uses oriented towards Gallatin Pike. The intent of the Subarea 4 Plan is to preserve, enhance, and redevelop the original Madison Business District along both sides of Gallatin Pike between Neeley’s Bend Road and State Route 45 to the north. Expanding commercial zoning away from this redevelopment area and Gallatin Pike would run counter to these policy objectives.”

Zone Change Proposal No. 97Z-025U
Map 175, Parcel 173 and Part of Parcel 82
Subarea 13 (1991)
District 29 (Holloway)

A request to change from AR2a and IR Districts to CS District on property abutting the south margin of Murfreesboro Pike and Hurricane Creek Boulevard (4.0 acres), requested by Joe Meeks, appellant, for Joe Meeks, Jerry Matthews, and Billy Bowers, owners.

Proposal No. 55-83-G (Public Hearing)
Hurricane Creek Commercial PUD
Map 175, Parcel 173 and Part of Parcel 82
Subarea 13 (1991)
District 29 (Holloway)

A request to cancel the Commercial (General) Planned Unit Development District abutting the southwest margin of Murfreesboro Pike and both margins of Hurricane Creek Drive (3.8 acres), classified AR2a and proposed for CS, requested by Joe Meeks, owner.

Mr. Reid stated there was existing industrial policy on the south side of Murfreesboro Road which calls for industrial development with some limited commercial support services. This property and some of the properties to the east are already zoned for general retail and should continue to provide for this limited type of support services for the industrial area. Staff is recommending approval of both the commercial PUD cancellation and the zone change.

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. 97-212

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-025U is **APPROVED**:

This property falls within industrial policy on the south side of Murfreesboro Pike, which calls for industrial and distribution development, with limited support uses such as sales, service, and office facilities. The adjacent properties to the east are already zoned CS. This property currently is zoned Commercial PUD, which is approved for general retail uses. This stretch of CS should continue to provide opportunities for limited support services for this industrial area."

"BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that Proposal No. 55-83-G is given **APPROVAL**. The following condition applies:

Approval of the cancellation by the Metropolitan Council."

Zone Change Proposal No. 97Z-026U
Map 163, Parcels 140 and 253
Subarea 13 (1991)
District 28 (Hall)

A request to change from AR2a District to RM8 District on property abutting the east margin of Baby Ruth Lane, approximately 1,400 feet north of Mt. View Road (1.29 acres), requested by Bonnie G. Deal, appellant/owner.

Mr. Reid stated this general area was zoned for RMH which is residential medium high density. The RM8 district will implement this policy and staff is recommending approval of the zone change. The Major Street Plan calls for Hamilton Church connector to link Murfreesboro Road to the north with Mt. View Road to the south through Baby Ruth Lane. It will be a four lane arterial. Staff suggests that as more of

these apartment rezonings occur in this area that Council begin to program some improvements for this connector in the Capital Improvements Budget.

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

Resolution No. 97-213

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-026U is **APPROVED**:

This property falls within residential medium high density policy (9 to 20 dwelling units per acre) in the Subarea 13 Plan. The RM8 district will implement this policy. A four lane arterial road (the Hamilton Church connector) is shown on the Major Street Plan as connecting Murfreesboro Pike to the north with Mt. View Road to the south via Baby Ruth Lane (see sketch). As more and more of these "apartment" rezonings occur in this area, Council should begin to program improvements of this connector into the Capital Improvements Budget."

PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:

Proposal No. 95P-019G

The Orchards
Map 163, Parcel 154
Map 164, Parcel 13
Subarea 13 (1997)
District 29 (Holloway)

A request to cancel the approved preliminary site development plan for the Residential Planned Unit Development District, classified RS8 (45.1 acres), abutting the east margin of Old Franklin Road, south of Mt. View Road, to cancel a 586 unit multi-family development, requested by Dorris Brent, owner.

Mr. Delaney stated this proposal was to cancel this undeveloped residential planned unit development. This PUD was approved for a 586 unit apartment development which would implement the residential medium high policy for this area. The base zone for this property is RS8 which would not implement the policy if this PUD were to be canceled. However, staff feels the PUD regulations were established to deal with site design issues and the PUD should not be relied upon to insure consistency of the General Plan. Therefore, staff is recommending approval of this cancellation.

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. 97-214

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 95P-019G is given **CONDITIONAL APPROVAL**. The following condition applies:

Approval by the Metropolitan Council."

Proposal No. 45-86-P

Food Lion Center (formerly Hampton
Park Commercial PUD)

Map 64, Parcel 104
Subarea 14 (1996)
District 11 (Wooden)

A request to revise the approved preliminary site development plan of the Commercial (General) Planned Unit Development District abutting the northwest corner of Granwood Boulevard and Old Hickory Boulevard (12 acres), classified R15, to permit the development of a 126,340 square foot retail, office and restaurant facility, requested by Barge, Waggoner, Sumner and Cannon, for J. S. I. Realty Group, L. L. C. owners. (Deferred from meeting of 02/06/97).

Mr. Delaney stated this proposal was for a revision to this preliminary plan to permit the development of approximately 126,340 square feet of retail, office and restaurant. The main revisions to this overall plan involve the shifting of buildings and parking area on the site. There is a residential development along the back side of this site. The buildings are maintaining the same basic setbacks. One of the issues is a parking area that is being pushed to the back corner. However, staff feels that because of the landscaping that is being provided on the site plan, as well as a six foot high wooden fence, these revisions are acceptable and staff is recommending approval.

Mr. Rick Segarra, president of the Hampton Park Homeowners Association, stated this was a quiet and very well landscaped area. He expressed concerns regarding traffic, the new traffic signal, drainage and a planned detention pool which could draw snakes, rodents and could be a risk factor to children.

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

Resolution No. 97-215

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 45-86-P is given **CONDITIONAL APPROVAL OF REVISION TO PRELIMINARY**. The following conditions apply:

1. Written confirmation of preliminary approval from the Stormwater Management and the Traffic Engineering Section of the Metropolitan Department of Public Works.
2. At the time of final plan submittal, the off-site drainage conditions will be assessed and improvements will be provided if indicated.
3. With a request for final approval the recording of a final subdivision plat upon the bonding of all off site improvements as required by the Metropolitan Department of Public Works, sewer line extensions as required by the Metropolitan Department of Water Services and water line extensions as required by the Cumberland Utility District.
4. The Metropolitan Planning Commission is currently holding a \$45,000 bond for a traffic signal at the intersection of Old Hickory and Granwood Boulevard, to be installed when actual traffic counts warrants its installation. With this revision to the preliminary plan the applicant agrees to pay for one half of the traffic signal cost.
5. Plans submitted for final approval shall include specifications for the screening of all roof mounted mechanical equipment for those building walls directly oriented to residential development.”

Councilmember Clifton returned to the meeting at 5:20, at this point in the agenda

Proposal No. 93P-021G
Holt Woods, Section 13

Map 172, Parcel 208
Subarea 12 (1991)
District 31 (Alexander)

A request for final approval for Section 13 of the Residential Planned Unit Development District located abutting the west margin of Holt Hills Road, approximately 660 feet north of Holt Road (12.9 acres), classified R20, to permit the development of 40 single-family lots, requested by Anderson-Delk and Associates, Inc., for Paul E. Johnson, owner.

Mr. Delaney stated this proposal was a final plan for 40 single family lots in a residential PUD. The only remaining technical issue is in regard to drainage. This area of the county has been identified to have drainage problems and the applicant and Public Works are in disagreement on how to best deal with the drainage issues in this area and what improvements this development should be required to make a contribution to. There are two downstream structures that are specifically related to this proposal. One is a culvert located under Holt Road and the other is another structure located on Radnor Lane. Both Public Works and the applicant's engineers agree these existing structures are undersized and inadequate to handle the 10 year storm flow. The applicant is proposing on site detention for a 10 year storm and with this on site detention has calculated that the downstream peak flows at the first culvert at Holt Road will not be increased. The applicant also states that because this development does not increase the downstream peak flow with the provision for on site detention, they meet the requirement of the Subdivision Regulations. Therefore, this development should not be responsible to contribute to any additional downstream improvements.

On the other hand, Public Works has requested the applicant provide both a combination of on site detention as well as a contribution to downstream improvements. Specifically, Public Works has asked the applicant to redesign the on site detention to provide for the 100 year storm level instead of the 10 year and has asked the applicant also contribute his proportionate share to the downstream improvements. That amount is set at \$10,000. Public Works agrees with the applicant's calculations that with the on site detention the downstream peak flows at the Holt Road culvert will not be increased, but the time those peak flows are sustained will be increased. So the peak flow will stay at the same amount or will be slightly less but that peak flow will occur for a longer period of time. Public Works also stated that while the peak flow in the immediate downstream area will not be increased, the peak flow further downstream will be increased as a result of this development.

Mr. Gene Naifeh, an area resident, said he was told by Public Works that if this development goes in the way it is proposed that his house will be flooded.

Mr. Manier asked if Public Works was on a 10 year calendar basis or a 100 year on this. The ten year is an very short period of time. The 100 year would more appropriate.

Mr. Delaney stated that was the assumption Public Works is going under in asking the applicant to provide a 100 year detention on their site instead of the 10 year that is being shown.

Mr. Mike Anderson said the Subdivision Regulations state the 10 year. The issue here deals with Subdivision Regulations and in more particular about providing detention on site and providing improvements to two downstream structures. The Subdivision Regulations give an either/or. It very clearly states detention **or** improvement of two downstream structures. The issue before this Commission today does not pertain to the design problem but is a method being imposed by the Public Works Department to implement an impact fee. He asked the Commission to stand by its Subdivision Regulations and approve this project with detention only. In response to a statement Mr. Delaney made earlier, this culvert will carry the 10 year storm.

Mr. Jim Armstrong, Public Works Department, stated he hoped prior communication had not upset Mr. Naifeh unduly and did not want to imply it would necessarily cause his house to flood but Public Works does have some problem with the downstream bridges which may cause some water to back up at those

locations. Public Works has asked for a modification to the detention, that it be extended to the 100 year flood because the 10 year event could cause problems.

Mr. Manier stated the Subdivision Regulations should be changed to state a 100 year flood.

Mr. Armstrong stated the Subdivision Regulations do not regulate the size of the detention. The size is carried out through a Metro storm water ordinance. The Subdivision Regulations only call for detention.

Mr. Anderson stated he did not have a problem complying with the 100 year flood requirements. The issue is the off site contribution.

Mr. Armstrong stated that then becomes a money issue. Public Works is only asking for \$10,000 out of \$200,000 for the forty units.

Councilmember Clifton asked what legal authority there was for that assessment.

Mr. Armstrong stated there was no law or impact fee. It would have to be a condition the Commission saw fit to impose on this particular development.

Chairman Smith stated he understood the problem but that he also felt Public Works did not have the authority to do that at this time and the developer is obviously not willing to contribute. Public Works needs to insure Mr. Naifeh that this development will not make flooding any worse.

Mr. Harbison asked Ms. Shechter , with Metro Legal, if this would be considered an impact fee.

Ms. Leslie Shechter stated this is not an impact fee. It is a contribution towards an improvement of downstream drainage situation that exists now and will exist tomorrow and that this development will contribute to, to the extent its acreage represents a ratio to the total acreage. The Subdivision Regulations provide that Public Works determines the effect on downstream drainage situations and can recommend improvements downstream.

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

Resolution No. 97-216

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 93P-021G is given **CONDITIONAL FINAL APPROVAL SUBJECT TO PROVISION OF DETENTION FOR 100 YEAR FLOOD.** 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.”

Mr. Harbison notified Chairman Smith that he and Ms. Jernigan had to leave the meeting.

Chairman Smith said he would like to hear as many cases as possible before the quorum was lost and would like to move down in the agenda to item number 10 under Other Business.

OTHER BUSINESS:

10. Commission response to Council Resolution SR96-526.

Chairman Smith announced this Resolution required the Commission's response to Council. The Commission has reviewed this policy and has made this statement and now need to endorse that statement as it relates to the sidewalks.

Mr. Harbison moved and Mr. Manier seconded the motion, which carried unanimously to approve **Resolution No. 97-149** pertaining to sidewalks in subdivisions.

PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:

Proposal No. 96P-020U
Council Bill No. O96-594
Graylynn
Map 95, Parcel 227
Subarea 14 (1996)
District 15 (Dale)

A referral from the Metro Council of a modified preliminary plan for a Reduced Site Size Residential Planned Unit Development District, abutting the southeast margin of Graylynn Drive, approximately 500 feet north of McGavock Pike (3.86 acres), classified RS10, to permit the development of 14 single-family lots, requested by Heibert and Associates, for Dennis Osborne, owner. (Disapproved by the Planning Commission 11/14/96).

Councilman Roy Dale stated this item could be deferred.

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

Mr. Henry stated there were five items advertised for public hearing and the applicants are requesting deferral on three of those five items.

Ms. Jernigan agreed to stay at the meeting and suggested returning to order in the agenda.

Mr. Harbison left at 5:50, at this point in the agenda.

Chairman Smith announced the Commission would now go back and hear the agenda in order.

Ms. Nielson moved and Mr. Manier seconded the motion to resend the deferral for item 96P-020U.

Proposal No. 96P-020U
Council Bill No. O96-594
Graylynn
Map 95, Parcel 227
Subarea 14 (1996)
District 15 (Dale)

A referral from the Metro Council of a modified preliminary plan for a Reduced Site Size Residential Planned Unit Development District, abutting the southeast margin of Graylynn Drive, approximately 500 feet north of McGavock Pike (3.86 acres), classified RS10, to permit the development of 14 single-family lots, requested by Heibert and Associates, for Dennis Osborne, owner. (Disapproved by the Planning Commission 11/14/96).

Mr. Delaney stated this proposal was a referral from Council of a modified plan. The modifications to this plan include the provision for detention as well as additional landscaping. This plan maintains the same lot layout and amount of lots that was previously disapproved by the Commission in November of 1996. This property is steep and staff feels the RS10 base zone for this site may actually be too intense as well. This proposed PUD would create more and smaller lots and cluster them on the steepest part of the site. Due to the topography of the site all the lots have been identified as critical lots on this preliminary plan. Therefore, staff is recommending disapproval of this proposal and maintains the suggestion of the potential of this property being developed under the RS10 zoning would allow for greater ability to deal with the slopes on this site.

Councilmember Roy Dale spoke in favor of this PUD proposal because it would give him more control than a subdivision would over restrictions on the buildings, providing detention on the site and providing additional landscaping.

Chairman Smith stated this involved two or three more lots and getting away from the standard subdivision and going into a PUD which the Commission has been trying to get away from.

Councilmember Clifton asked, that if this were developed as a subdivision, would the Commission not have any control over the location or the steepness.

Mr. Owens stated there would be control over the location of the lots through the subdivision design process.

Councilmember Dale stated what he was saying was that by using a PUD, since these are critical lots, each individual lot would have to have a plan prepared and that plan would have to be approved by the Planning Commission so there would be more control over each individual lot.

Mr. Owens stated that was true but it was no more true than in a subdivision because the Subdivision Regulations also have critical lots. Either form of development would have a critical lot review.

Ms. Nielson moved for approval.

Chairman Smith stated the motion failed for a lack of a second.

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

Resolution No. 97-217

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 96P-020U is given **DISAPPROVAL:**

The basis for disapproval has been determined that the small cluster-lots proposed by the PUD are not appropriate on this steeply sloping property.”

SUBDIVISIONS:

Preliminary Plats:

Subdivision No. 96S-341G (Public Hearing)

Tree Haven
Map 164, Part of Parcel 37
Subarea 13 (1997)
District 29 (Holloway)

A request for preliminary approval for 160 lots abutting the north terminus of Asheford Trace, approximately 135 feet north of Murphywood Crossing (50.0 acres), classified within the RS8 District, requested by Co-op #3, Inc., owner, Parks-Harney Development Company, optionee, LT Construction and Development Corporation, surveyor.

Mr. Henry stated this plan calls for extension of the Apple Blossom Boulevard as the collector street into this property. At the time the staff report was published, applicant had not revised the collector street to meet minimum curvature radius standards by Public Works but have since done that. The only item that is preventing staff from recommending approval of this plan of subdivision is lack of water supply to several lots which are above the 690 elevation. Water Services is working on that and they are not in position to recommend approval today. This applicant is asking for deferral and staff recommends deferral for one meeting.

Mr. James Terry, surveyor for the project, stated he had no problems with the changes recommended by the staff and did not know about the water problems until earlier in the day.

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

Subdivision No. 96S-395G (Public Hearing)

Spencer and Atchley Subdivision
Map 64, Parcel 18
Subarea 14 (1996)
District 11 (Wooden)

A request for preliminary approval for seven lots abutting the northeast corner of Shute Lane and Old Hickory Boulevard (6.65 acres), classified within the OG District, requested by Spencer and Atchley, L.L.I.C., owner/developer, Gresham, Smith and Partners, surveyor.

Mr. Henry stated staff was recommending disapproval of this subdivision because of the proposed street access to Old Hickory Boulevard. Public Works and the state Department of Transportation recommend that any access of this property be from Montchanin Road. The applicant has agreed to revise these plans to do just that and are asking for a two week deferral.

No one was present to speak at the public hearing.

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

Subdivision No. 97S-043G (Public Hearing)

Wilson Heights Subdivision
Map 53, Parcel 19
Subarea 4 (1993)
District 9 (Dillard)

A request for preliminary approval for 190 lots abutting the northeast terminus of East Cedar Lane and the northwest terminus of Pawnee Trail (91.22 acres), classified within the R15 District, requested by R and R Builders, Inc., owner/developer, Walter Davidson and Associates, surveyor.

Mr. Henry stated this plan had been revised to reduce the number of required variances to two. Three lots remain larger and deeper than permitted because of the Cumberland River floodplain impact. Staff is recommending a wavier of those two provisions because of the floodplain. In addition the proposed subdivision has consolidated an existing reserve parcel into a future lot as required earlier by the Planning Commission. There is a recommendation from Public Works that this subdivision be required to contribute toward a turn lane at Neeleys Bend Road and Cheyenne Boulevard.

Mr. David Coode, representing the owner, briefly recapped the subdivision plan and stated this is an R15 zoned piece of property and that the developer is meeting the R15 requirements. This proposal is for approval of a preliminary plat and the developer is meeting all subdivision rules and regulations except for the variances described earlier.

Ms. Kay Mitchell and Mr. Andrew Barris, area residents, expressed concerns regarding short notification, sidewalks, rezoning of the property, using Joe Pyron Drive as a construction entrance, high density, deed covenants, the proposed subdivision entrance, flooding, traffic, a historic grave site. A petition of 202 names in opposition to the subdivision was presented to the Commission along with the memorandum of understanding and they asked the Commission to disapprove the proposal.

Chairman Smith stated the Commission had subdivision regulations for a developer to follow in order to ensure fairness and impartiality during development review. He stated the Commission's vote will be on whether or not he had followed those regulations.

Mr. Manier stated he felt like the message was just not getting across and whatever was agreed to has nothing to do with the Commission. The Commission was here to manage the regulations and not to police some side agreement between a group of well intended neighbors and a developer.

Councilmember Dillard stated there had been several meetings between the developer and the community and that he felt problems could be worked out. He suggested cul-de-sacs for several streets to help control traffic and speeding and presented the plan to the Commission.

Chairman Smith explained the Commission, Traffic and Parking and the Fire Department frown on single ingress/egress subdivisions. He also mentioned a letter from Mark Macy, with Public Works, asking for off site funding.

Mr. Manier stated the subdivision could not be approved on its first submission because of too many variances. Now they have come back and have complied substantially with the Subdivision Regulations, and the only variances involved are topographical ones that involve flood plain. It appears the Commission has no alternative in the administration of the function of the Commission except to approve this proposal.

Councilmember Dillard asked when a change of plans could be presented.

Chairman Smith stated the developer had the right to do that or not do that. If they want to make a voluntary change between the time the Commission approves it and final it would have to go through the same inspections from Public Works, Traffic and Parking and so forth.

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

Resolution No. 97-218

“BE IT RESOLVED by the Metropolitan Planning Commission that the Preliminary plan of Subdivision No. 97S-043G, is granted **APPROVAL with two variances due to the existence of the Cumberland River 100-year floodplain; a variance from the maximum lot depth-to-width (4:1) ratio (SubReg 2-4.2.E) and a variance to exceed the maximum lot size provision (SubReg 2-4.2.D).”**

Subdivision No. 97S-079G (Public Hearing)

Lake Park, Section 12

Map 97, Parcel 133

Subarea 14 (1996)

District 12 (Ponder)

A request for preliminary approval for 14 lots abutting the southeast terminus of Helena Bay Court, approximately 200 feet southeast of Bayside Lane (5.94 acres), classified within the RS15 District, requested by B & G Corporation, owner/developer, Dale and Associates, Inc., surveyor.

Mr. Henry stated this was approved for 13 lots in 1992. The nature of this change is to add one additional lot. The property is zoned RS15 and the plan of subdivision meets the Subdivision Regulations. The property will drain toward Bell Road and all departments are recommending approval.

Mr. Roy Dale stated he had spoken with some of the people that were at the meeting earlier but had to leave. They expressed some concerns and the developer voluntarily agreed to place restrictive covenants on the property which exceed the restrictions on the adjacent properties. He has agreed to participate in a pre-blast survey and will adhere to Public Works requirements on drainage which will help alleviate an existing problem.

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

Resolution No. 97-219

“BE IT RESOLVED by the Metropolitan Planning Commission that the Preliminary plan of Subdivision No. 97S-079G, is granted **APPROVAL.**”

Subdivision No. 97S-080U (Public Hearing)

Hamilton Crossings Business Park

Map 149, Parcels 176, 197 and 313

Subarea 13 (1997)

District 28 (Hall)

A request for preliminary approval for 10 lots abutting the northwest corner of Hamilton Church Road and Murfreesboro Pike (37.01 acres), classified within the CS and CG Districts, requested by C.R.T. Hamilton Corporation, owner/developer, Walter Davidson and Associates, surveyor.

Mr. Henry stated the subdivision cannot be recommended for approval because there is a spite strip impacting this subdivision and affecting its design, and that spite strip has not been incorporated into this subdivision or otherwise dealt with. This spite strip precludes the connection of the internal street with Hamilton Church Road. Staff is recommending disapproval until this applicant can get that property owner to participate in this plan of subdivision. The applicant is asking for a two week deferral.

No one was present to speak at the public hearing.

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

Final Plats:

Subdivision No. 97S-051U

Corrine Place, Resubdivision of Lots 143 and 144

Map 105-16, Parcels 67 and 68
Subarea 11 (1993)
District 16 (Graves)

A request to consolidate two lots into one lot abutting the east margin of Dunn Avenue, approximately 100 feet north of Napoleon Avenue (.37 acres), classified within the CG District, requested by Associated Central Tennessee Contractors, owner/developer, Jesse E. Walker, surveyor.

Mr. Henry stated this proposal involved two lots that have been platted and at some point there was a building constructed on abutting property which crossed over onto the property being subdivided. The applicant wished to consolidate the two lots but leave a two foot remnant where the building of his neighbor encroaches. Staff's problem with that is that if the Commission approves this subdivision as planned it will leave a two foot remnant lot which violates the minimum street frontage. These properties were created by plat and in order to resubdivide they need to go back, pick up the original plans that created the lots in the first place and consolidate them. If the second property owner were participating in this plan of subdivision, all three properties could be subdivided into two properties. There is a dispute between the two landowners.

Mr. Manier moved and Ms. Nielson seconded the motion to disapprove.

Mr. Harry Johnson, attorney for the applicant, stated his client could not get a building permit because he was told he could not build on the lot line.

Ms. Jernigan moved and Ms. Nielson seconded the motion, which carried unanimously, to defer this matter for two weeks. Mr. Manier's motion to disapprove was withdrawn.

Subdivision No. 97S-071U
12 Oaks Apartments
Map 81-16, Parcel 493
Map 92-4, Parcels 101 and 102
Subarea 8 (1995)
District 19 (Sloss)

A request to consolidate three and one-half lots into one lot abutting the southwest corner of Phillips Street and 12th Avenue North (.64 acres), classified within the RM8 District, requested by the Metropolitan Development and Housing Agency, owner/developer, Ernest Davis, surveyor.

Mr. Henry informed the Commission that the petitioner had asked for a deferral of this matter.

ADDENDUM:

Subdivision No. 97S-004G
W. E. and Suzanne Haselton, Tract 3
Map 169, Parcel 99
Subarea 6 (1996)
District 35 (Lineweaver)

A request to record one parcel as one lot abutting the south terminus of Haselton Road, southeast of Hester Beasley Road (3.06 acres), classified within the AR2a District, requested by W. E. and Suzanne Haselton, owners/developers, A. C. Projects Inc., surveyor.

Mr. Henry stated the subdivision plats a right-of-way for Haselton Road leaving a small triangular piece of property which is smaller than the lot size required in the district.

Mr. Owens stated that in effect what Public Works is telling staff is that this is an unplatted public road that has been there for many years and does not show on the official Street Plan. There is a letter from Bill Lamb, many years ago, to the Planning Commission saying this is in fact a public road maintained by Metro. So staff's position is that this isolated little area is already in existence by default of this public road and cut off from the rest of the tract and staff does not feel this would be setting a precedence.

Chairman Smith stated this was before the Commission as an addendum because the Councilmember had called him today and said this should have been on the agenda.

Ms. Suzanne Haselton said this triangular piece of property was only six tenths of an acre and could not be built on at all and asked the Commission for approval.

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

Resolution No. 97-220

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Final plan of Subdivision No. 97S-004G, is **APPROVED with a variance.**”

Request for Bond Extension:

Subdivision No. 95S-241U
Melrose Shopping Center, Resubdivision of Lot 9
Land Trust Corporation, principal

Located abutting the east margin of Vaulx Lane, approximately 224 feet south of Kirkwood Avenue.

No action was taken on this item due to loss of a quorum.

OTHER BUSINESS:

7. Second Quarter Work Program/Budget Status Report. No action was taken.
8. Interim Report on Economic Development Functional Plan. No action was taken.
12. Legislative Update. No report was given.

PLATS PROCESSED ADMINISTRATIVELY

February 6, 1997 through March 5, 1997

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|----------|--|
| 96S-110U | Carters Glen PUD Boundary Plat |
| 96S-352U | National Car Wash Plats a deeded parcel |
| 96S-383G | E. A. Clifton Land, Resubdivision of Lot 1 |

- Creates one lot with existing residence from a deeded parcel which remains over 100 acres
- 96S-445G D. M. Moore's Land, Resubdivision of Lots 4 and 5
Reconfigures two platted lots
- 97S-028U Thoni-Horrell Subdivision
Subdivides one lot into tow lots
- 97S-029U Metro Airport Center, Phase 3, Section 5
Plats two deeded parcels as non-building sites until approved through PUD review
- 97S-040U Hamilton Crossing Business Park, Section 1
Plats one commercial lot from a deeded parcel
- 97S-049U Metro Airport Center, Resubdivision of Tract A
Subdivides one lot into two lots
- 97S-053G Brookside Woods
PUD Boundary Plat
- 97S-054G Gillespie Meadows, Section 2
Plats one lot as a non-building site until approved through PUD review
- 97S-055G Bradford 2000
PUD boundary plat
- 97S-068U Hunters Green
PUD boundary plat
- 97S-070G The Penninsula, Phase A, Lot 82 Revised
Reduces rear setback from 20 feet to 10 feet
- 97S-073U Edge-O-Lake Estates, Lot 25
Zone Lot Division
- 97S-073U Edge-O-Lake Estates, Lot 26
Zone Lot Division
- 97S-075G Stone Creek Park, Section 1A, Resubdivision of Lots 3 and 4
Reconfigures two platted lots
- 97S-088G Darren Bates Lot
Plats a deeded parcel

ADJOURNMENT:

There being no further business, upon motion made, seconded and passed, the meeting adjourned at 7:15 p.m.

Chairman

Secretary

Minute approval:
This 20th day of March, 1997