

MINUTES
OF THE
METROPOLITAN PLANNING COMMISSION

Date: April 17, 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
Stephen Smith

Absent:

Mayor Philip Bredesen
Ann Nielson

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
Douglas Delaney, Planner I
Jimmy Alexander, Planning Technician II

Community Plans Division:

Jerry Fawcett, Planning Division Manager

Advance Planning and Research Division:

Jeff Lawrence, Planner III
Cynthia Lehmbeck, Planner III

Others Present:

Rachel Allen, Legal Department
Jim Armstrong, Public Works

Chairman Smith Called the Meeting to order.

ADOPTION OF AGENDA

Mr. Lawson moved and Mr. Steve Smith seconded the motion, which unanimously passed, to adopt the agenda.

ANNOUNCEMENT OF DEFERRED ITEMS

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

- 97Z-038U Deferred two weeks, by applicant.
- 291-84-U Deferred two weeks, by applicant.
- 96P-009U Deferred two weeks, by applicant.
- 97P-018U Deferred two weeks, by applicant.
- 96S-417U Deferred two weeks, by applicant.
- 97S-082G Deferred two weeks, by applicant.
- 97S-099G Deferred indefinitely, by applicant.
- 97M-053U Deferred two weeks, by applicant.

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

APPROVAL OF MINUTES

Mr. Lawson moved and Ms. Jernigan seconded the motion, which unanimously passed, to approve the minutes of the meeting of April 3, 1997.

RECOGNITION OF COUNCILMEMBERS

Councilmember Eric Crafton stated he would wait until the bill came up on the agenda.

Councilmember Stewart Clifton arrived at this point in the agenda.

ADOPTION OF CONSENT AGENDA

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

APPEAL CASES:

Appeal Case No. 97B-047U
 Map 91-10, Parcel 123
 Subarea 7 (1994)
 District 22 (Holt)

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 190 square foot addition within a floodplain in the R6 District, on

property located at the northeastern terminus of Winn Avenue (0.22 acres), requested by Dasco Home Improvement, appellant/owner.

Resolution No. 97-298

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 97B-047U to the Board of Zoning Appeals:

The site plan complies with the conditional use criteria."

Appeal Case No. 97B-056U

Map 72-8, Parcel 137

Subarea 5 (1994)

District 8 (Hart)

A request for a conditional use permit under the provisions of Section 17.124.120 (Community Assembly) as required by Section 17.124.030 to construct a 21,872 square foot activity center in the R10 District, on property abutting the southeast margin of McGavock Pike and Stratford Avenue (5.1 acres), requested by Rick Jones, for Dalewood Baptist, owner.

Resolution No. 97-299

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 97B-056U to the Board of Zoning Appeals:

The site plan complies with the conditional use criteria."

ZONE CHANGE PROPOSALS:

Zone Change Proposal No. 97Z-039G

Council Bill No. O97-735

Map 43, Part of Parcel 26

Subarea 4 (1993)

District 9 (Dillard)

A council bill to change from R8 District to IR District certain property abutting the northwest corner of Anderson Lane and Myatt Drive (2.54 acres), sponsored by Councilmember James Dillard, Paccar, Inc., owner.

Resolution No. 97-300

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-039G is **APPROVED**.

Zone Change Proposal No. 97Z-040U

Map 161-8, Parcel 77

Subarea 12 (1991)

District 30 (Hollis)

A request to change from R10 District to CS District certain property abutting the east margin of Nolensville Pike, approximately 250 feet north of Ocala Drive (0.57 acres), requested by Paul Clawser, appellant/owner.

Resolution No. 97-301

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-040U is **APPROVED**.

This property falls within Commercial Arterial Existing policy, which calls for an appropriate mixture of office, retail, and multi-family development focused along a major arterial road. The CS district will allow for a mixture of office and retail development."

Zone Change Proposal No. 97Z-041U

Map 148, Parcel 175
Subarea 13 (1997)
District 28 (Hall)

A request to change from CH District to CS District certain property abutting the east margin of Interstate 24 and the north margin of Haywood Lane (17.92 acres), requested by Bernie Auld, appellant, for SunTrust Bank, owner.

Resolution No. 97-302

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-041U is **APPROVED**:

This property falls within commercial policy around the I-24/Haywood Lane interchange, which the CS district will implement."

SUBDIVISIONS:

Final Plats:

Subdivision No. 93S-158U

Rivers Edge, Section 2
Map 85, Part of Parcel 78
Subarea 14 (1996)
District 14 (Stanley)

A request to create 37 lots abutting both margins of River Edge Drive and both margins of River Walk Drive (9.31 acres), classified within the R8 Residential Planned Unit Development District, requested by The Matthews Company, owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

Resolution No. 97-303

"BE IT RESOLVED by the Metropolitan Planning Commission that the Final plan of Subdivision No. 93S-158U, is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$290,000.00."**

Subdivision No. 96S-188G

The Lexington, Phases 2 and 3
Map 128-4-A, Part of Parcel 7
Subarea 6 (1996)
District 23 (Crafton)

A request to define two phases located approximately 660 feet east of Old Hickory Boulevard, opposite Ridgelake Parkway (60.49 acres), classified within the R20 Residential Planned Unit Development District, requested by Nandi Hill Associates, Ragan-Smith Associates, Inc., surveyor. (Deferred indefinitely from meeting of 6/27/96 and deferred from meeting of 04/03/97).

Resolution No. 97-304

“BE IT RESOLVED by the Metropolitan Planning Commission that the plan of Subdivision No. 96S-188G, is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$698,000.00.”**

Subdivision No. 97S-045U
Wright Industries
Map 106, Parcels 146 and 148
Subarea 14 (1996)
District 15 (Dale)

A request to consolidate two parcels into one lot abutting the north margin of Elm Hill Pike, approximately 870 feet east of Spence Lane (5.5 acres), classified within the IR District, requested by Wright Industries, Inc., owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

Resolution No. 97-305

“BE IT RESOLVED by the Metropolitan Planning Commission that the Final plan of Subdivision No. 97S-045U, is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$8,500.00.”**

Subdivision No. 97S-083G
River Trace, Phase 1, Sections 4 and 5
Map 52, Part of Parcel 2
Subarea 14 (1996)
District 15 (Dale)

A request to create 70 lots abutting the east margin of Lock Two Road and the north terminus of River Bend Drive (20.65 acres), classified within the R15 Residential Planned Unit Development District, requested by George T. Hicks and J. E. Cain, owners/developers, Dale and Associates, Inc., surveyor.

Resolution No. 97-306

“BE IT RESOLVED by the Metropolitan Planning Commission that the Final plan of Subdivision No. 97S-083G, is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$262,100.00.”**

Subdivision No. 97S-120U
Thompson Lane Self-Storage
Map 119-9, Parcels 82-84 and 300
Subarea 11 (1993)
District 16 (Graves)

A request to consolidate four lots into one lot abutting the southwest corner of McClain Avenue and Landers Avenue (3.65 acres), classified within the CG District, requested by Thompson Lane Self-Storage LLC, owner/developer, Wamble and Associates, surveyor.

Resolution No. 97-307

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Final plan of Subdivision No. 97S-120U, is granted **APPROVAL**.”

Subdivision No. 97S-133G
Stone Creek Park, Section 1C
Map 180, Parcels 39, 101 and Part of Parcel 5
Subarea 12 (1991)
District 31 (Alexander)

A request to create 31 lots abutting the south margin of Stone Run Drive, opposite Holt Branch (9.56 acres), classified within the R20 Residential Planned Unit Development District, requested by Gillespie Land Development, LLC, owner/developer, Anderson-Delk and Associates, surveyor.

Resolution No. 97-308

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Final plan of Subdivision No. 97S-133G, is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$305,500.00**.”

Request for Bond Release:

Subdivision No. 158-77-G
Willow Pointe Apartments
Willow Pointe Ltd. Partnership, co-principal
National Construction, LLC, co-principal

Located abutting the northwest corner of Bell Road and Hickory Hollow Terrace.

Resolution No. 97-309

"**BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 158-77-G, Bond No. 94BD-111, Willow Pointe Apartments, in the amount of \$7,640, as requested."

Subdivision No. 307-84-U
Jackson Downs, Section One, Phase Two
(a.k.a. Rivers Edge, Section One)
RCM Interests, principal

Located abutting the southeast terminus of Jackson Downs Boulevard, approximately 950 feet southeast of Lebanon Pike.

Resolution No. 97-310

"**BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 307-84-U, Bond No. 84BD-006, Jackson Downs, Section One, Phase Two (a.k.a. Rivers Edge, Section One, in the amount of \$10,300, as requested."

Subdivision No. 93S-197G
MeadeVue Subdivision
Buddy Dunn Contractors, principal

Located abutting the southeast margin of Sawyer Brown Road, approximately 100 feet northeast of Hicks Road.

Resolution No. 97-311

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 93S-197G, Bond No. 94BD-056, MeadeVue Subdivision, in the amount of \$20,000, as requested."

MANDATORY REFERRALS:

Proposal No. 97M-042U
Cowan Street Pumping Station Site Acquisition
Map 82-6, Part of Parcel 76
Subarea 5 (1994)
District 5 (Harrison)

A request from the Department of Water Services to acquire a property for the purpose of constructing a pumping station to service the Brown's Creek force main as part of the Nashville Overflow Abatement Program. (Project No. 90-SC-148).

Resolution No. 97-312

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 97M-042U.

Proposal No. 97M-046G
Council Bill No. O97-701
Acquisition of Property on Larkin Springs Road
Map 43, Parcels 20-22, 115-133, 151-155, 166-174,
178-180, 225-228, 265, 266, 268 and 272
Map 52, Parcels 20-22, 67-74, 87-89, 93, 94,
113-116, 119, 123 and 124
Subarea 4 (1993)
District 9 (Dillard)

A council bill authorizing the acquisition of property on Larkin Springs Road from Old Hickory Boulevard to Neelys Bend Road. (Project No. 96-R-5).

Resolution No. 97-313

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 97M-046G.

Proposal No. 97M-047U
Council Bill No. O97-705
Martha O'Bryan Lease Agreement Amendment
Map 93-4, Part of Parcel 73

Subarea 5 (1994)
District 6 (Beehan)

A council bill approving an amendment to a lease agreement by and between the Martha O'Bryan Center and Metro Social Services.

Resolution No. 97-314

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 97M-047U.

Proposal No. 97M-048U
Alley No. 620 Closure
Map 92-8
Subarea 8 (1995)
District 19 (Sloss)

A proposal to close a segment of Alley No. 620 between Alley No. 518 and its southern terminus, requested by Joyce M. Hyde, for Grace M. Eaton Child Care Center and Parent Resource Center. (Easements are to be retained).

Resolution No. 97-315

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 97M-048U.

Proposal No. 97M-049U
Apex Street Property Acquisition
Map 82-4, Parcels 265 and 272
Subarea 5 (1994)
District 5 (Harrison)

A mandatory referral request by the Department of Water Services to acquire property on Apex Street for the purpose of installing a screening facility on the storm inlet in that area.

Resolution No. 97-316

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 97M-049U.

Proposal No. 97M-050U
Alley 1835 and Alley 1836 Closures
Map 118-8
Subarea 11 (1993)
District 16 (Graves)

A proposal to close Alleys 1835 and 1836 between Longview Avenue and Melrose Avenue, requested by Patrick J. Riley, Jr., for adjacent property owners. (Easements are to be retained).

Resolution No. 97-317

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 97M-050U.

Proposal No. 97M-051U
Council Bill No. O97-725
Sale of Property on Sixth Avenue North
Map 81-8, Parcel 451
Subarea 8 (1994)
District 20 (Haddox)

A council bill to sell surplus property located at 1700 Sixth Avenue North.

Resolution No. 97-318

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 97M-051U.

Proposal No. 97M-052U
Trevecca Avenue/Strouse Avenue
Underground and Aerial Encroachments
Map 72-13
Subarea 5 (1994)
District 7 (Campbell)

A mandatory referral from the Department of Public Works proposing the installation of private telecommunication cables under the right-of-way of Strouse Avenue, approximately 40 feet east of Trevecca Avenue and over the right-of-way of Trevecca Avenue, approximately 250 feet north of Strouse Avenue, requested by Thomas Hooper, for Nashville Auto-Diesel College, adjacent property owner.

Resolution No. 97-319

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 97M-051U.

This concluded the items on the consent agenda.

ZONE CHANGE PROPOSALS:

Zone Change Proposal No. 97Z-005T
Council Bill No. O97-720

A council bill to amend Sections 17.12.080, 17.60.020B, Table 17.72.100 A and Table 17.72.720 of the zoning regulations so as to create the activity type "nonresidential drug treatment facility", sponsored by Councilmember Janis Sontany.

Mr. Reid stated this was a Council bill to introduce nonresidential drug treatment facilities as a separate land use in the current zoning ordinance. He stated a similar bill was withdrawn two meetings ago because of incorrect language, but that language has now been corrected. He stated staff is recommending approval. The intent of the bill is to distinguish drug addiction clinics from other types of medical offices and to

locate the drug addiction clinics along major streets in more intensive commercial districts. The distinction here is that these drug addiction clinics serve people from across the region instead of just local residential areas and tend to draw more traffic than other types of medical offices. Mr. Reid stated there is little or no professional counseling involved in this type of operation.

Chairman Smith asked if these clinic were for profit organizations.

Mr. Reid stated there were some of both.

Mr. Lawson asked what kind of availability this would give in the city of Nashville for drug treatment facilities.

Mr. Browning stated this provides a great deal of opportunity because these kinds of facilities are still going to be allowed in most of the commercial districts such as CS.

Ms. Jernigan stated the only thing she noticed about distinguishing between the drug addiction or drug treatment clinics or alcohol treatment services are that so many of them are combined.

Mr. Reid stated this bill specifically distinguishes these clinics, such a methadone clinics, versus an alcohol and drug treatment center where there is counseling going on.

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

Resolution No. 97-320

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-005T is **APPROVED:**

Zone Change Proposal No. 97Z-033U

Council Bill No. O97-715

Map 105-10, Parcels 205-215, 225-234, 236-238, 250, 268-270, 285-287, 305-328, 330-337, 354, 357, 361 and 369

Map 105-14, Parcels 89-98, 100-114, 116-121, 123, 124-128, 130-151, 226-240, 242, 244, 245, 282, 284, 287, 290-299, 302-304 and 309

Subarea 10 (1994)

District 17 (Douglas)

A council bill to remove the Historic Preservation Overlay District on properties abutting the west margin of Interstate 65 and the north margin of Melpark Drive, approximately 80 feet east of Eighth Avenue South and 20 feet south of Wedgewood Avenue (46.11 acres), sponsored by Councilmember Mansfield Douglas.

Mr. Reid stated this was the Council bill requesting to remove the historic overlay district in the Woodland in Waverly neighborhood. As was noted in the staff report, a large percentage of the properties are historically significant in this overlay district. Over seventy percent of the structures in this area are historically contributing.

The subarea plan notes the importance of protecting the historical character of this area and that is accomplished through historic overlay zoning. The Councilmember is requesting to remove this overlay district due to concerns about the economic cost of neighborhood maintenance that the design guidelines would impose on certain property owners. Obviously there are two sides to this issue. One is the fact the subarea plan does want to keep this area as a historic area, and the other issue would be whether or not there is enough economic burden on property owners that would make it hard for people to renovate their

properties. The Commission's role here is to make a recommendation to the Council on whether or not to remove this historic overlay district. The Historical Commission met on this issue yesterday and noted this area still qualifies as a historical area, according to their criteria, and that the design guidelines adopted in 1985 are still valid. Staff has received approximately twelve letters in favor of keeping this overlay district.

Councilmember Mansfield Douglas stated most of the people in that area do not have the kind of economic ability that would allow them to maintain these old stately properties and take care of the expense of trying to live in them. At the time he suggested this be designated historic it was with the clear understanding that there would be no restrictions, there would be no overlay and the only purpose for that designation was to make it possible for MDHA to lend people funds to rehabilitate these structures. There are many people throughout that area who lived there prior to the time this designation was placed there.

Councilman Douglas stated there was absolutely no historic overlay nor restrictions applied as a part of that historic designation. He said there were some people present who were involved in the effort of circulating petitions asking other residents in the community to support this with the emphasis that there would be absolutely no restrictions and at least 70% of the people they approached called him to confirm that.

There is not anyone on this Commission that would like to be presented with a situation where you have been asked to support something, and you did, under certain conditions and then years later find yourself in the position where people are contending there were certain conditions as a part of that that you were told to begin with there would not be.

Councilman Douglas asked the Commission to make a recommendation to resolve this problem by lifting the historic overlay, and committed to supporting historic zoning on a property by property basis if requested by the property owner.

Chairman Smith asked how this district got there if it wasn't created by law and why was there a bill to overturn something that is not even there.

Mr. Reid stated the ordinance was 85-1021, which was adopted in November of 1985. There is a Council ordinance that adopted the district and it is on the zoning maps today.

Mr. Owens stated staff was not questioning the existence of the overlay district.

Ms. Jernigan stated, so the Councilmember who sponsored that ordinance in Council was not aware there was an overlay district associated with that zoning.

Ms. Rachel Allen, with Metro Legal, stated from the Legal Department's perspective there is no issue about whether this district was created. The bill was accurately cited and that bill actually created the historic district. The conflict here comes from the fact that the Historic Zoning Commission is the body that promulgates the design guidelines that are in effect in this historic district, and the Councilmember's argument is that these design guidelines were not contained within the bill. If he had known the creation of this district went hand in hand with these design guidelines, perhaps he would not have sponsored the legislation to begin with. But the enabling legislation within the zoning ordinance follows state law on this subject. State law says these historic districts are created by the legislative body, which in this case occurred, and then the design guidelines are promulgated by the Historic Zoning Commission.

Mr. Harbison asked when these particular guidelines were promulgated.

Ms. Allen stated they followed the adoption of the historic district.

Mr. Manier stated it was at or about the same time according to the Historic Zoning Commission's files.

Councilmember Clifton stated he was confused about the overlay itself. The ordinance itself did not create a set of specific design guidelines but did it apply the historic overlay to this district?

Ms. Allen stated it did. The bill creates the historic district, but the design guidelines that are going to apply to that district are created and promulgated by the Historic Zoning Commission, and the application of these guidelines is what is troubling the Councilmember.

Councilmember Clifton stated he would like to see the ordinance.

Councilmember Douglas stated the fact was that there was not any historic overlay provisions applied to Woodland in Waverly.

Chris Catanzaro, president of the Woodland in Waverly Neighborhood Association, stated the historic zoning overlay in place for this neighborhood has been in place since 1985. It was requested by property owners in the neighborhood. There was a petition signed by approximately 85% of the property owners in the area supporting historic zoning overlay recognition. This was a joint effort by the residents, Councilmember Douglas and the Metro Historical Commission. The zoning overlay established for this area was purposely made larger than the historic district that is recognized by the National Historic Register. That recognition is purely honorary but this request deals with the larger overlay.

The majority of the property owners within the entire historic zoning overlay for this neighborhood are in favor of keeping this historic zoning overlay. Keeping this overlay benefits everyone in the neighborhood and protects all residents within that overlay area. There cannot be a historic zoning overlay without having a set of guidelines to go with it and those were established at approximately the same time the overlay was established. People in this neighborhood have had ample opportunity at every step of this more than twelve to fifteen year process to become involved and make their opinions known. It is the neighborhood's sincere and honest opinion that this overlay has been beneficial for all residents in the past and it continues to be beneficial for all residents right now and it will be beneficial in the future.

Mr. Wardlaw Steele, homeowner in the neighborhood, spoke in favor of the historical zoning and stated the historical zoning is a positive thing for Woodland in Waverly and the surrounding areas. There has been some experience with appraisals that would give some indication that if not for this historic zoning the homes would not be worth nearly what they are on the market today.

Mr. Kenneth Marcom, homeowner in the neighborhood, stated he was an advocate of historic zoning. Area residents have been consistent in efforts from the very beginning to include every resident of the neighborhood to the full extent of their willingness to participate. The historic zoning overlay has benefited the south Nashville area, Metropolitan Nashville and with the strong assistance of Ann Reynolds and her staff it has made somewhat of a success out of the endeavor.

Mr. Randall Hayes, area resident, stated historic zoning was the way the residents chose to save their neighborhood. Councilmember Douglas contended he represented the majority of residents in the neighborhood. But in fact the majority of the residents support historic zoning and its continuance. The people that Councilmember Douglas represents have failed to understand two key points. First, they haven't grasped the nature of zoning in general. These people would object to any kind of zoning. The purpose of zoning is always about protecting.

Second, there is a misunderstanding about what historic means. Woodland in Waverly is composed of many different styles of houses from grand Victorian mansions built in the mid to late 1800's to modern duplexes from the 1950's and 1960's. The majority of houses are somewhere in between. A lot of the houses are small homes built in the bungalow style from 1900 to 1940. These housed the working class of Nashville and it is these homes that give Woodland in Waverly its character as a street car suburb. This neighborhood is in an enviable position of being able to protect this piece of history. He stated he believed the historic zoning overlay and the guidelines that apply to it are fair and reasonable and that he believed that the area in which he lives is valuable as a historic area and deserves to be protected. He asked the Commission to vote against the bill that proposes to remove the historic zoning overlay.

Chairman Smith stated all the Commissioners had seen the 1985 ordinance that had been passed around, signed by Mayor Fulton and proposed by Councilmember Douglas.

Ms. Ann Reynolds, Director of the Historical Commission, stated there is only one kind of historic district which can be created by the Metro Council and that is Historic Zoning. Inherent in that bill is that there are guidelines that go with it. There is no honorary designation of historic district made by the Metro Council. There may be some confusion over the fact that Woodland in Waverly is also a national register historic district. That is a federal designation. That neighborhood was given that designation as the result of a number of people in that neighborhood who worked to get that in 1982. Following that time they had seen Edgefield have historic zoning and in 1983 they begin talking to the Historical Commission about having a historic zoning district. For two years they worked on that within their neighborhood and developed guidelines and the Historical Commission worked on those guidelines as well.

Mr. Manier stated Councilmember Douglas very justifiably is concerned or reacting to a particular hardship which is very commendable. However, removing the existing historical zoning is somewhat self defeating. The better mind should be applied to some means of handling hardships that may inadvertently occur under zoning circumstances. He stated there is a strong case for historical zoning as to stabilizing and enhancing residential values. We don't want to rid the city or set an example. The best answer to this circumstance would be not to repeal the present ordinance but to find some way or some program, either through MDHA or some other governmental action, to provide some means to address economic hardships because that is always going to occur in areas where there are enhancing values. Some thought should be given to the fact that maybe the ordinance is not the way to address the problem but some other form of remedial action would be more appropriate than repealing the whole historic zoning in Woodland in Waverly.

Ms. Jernigan stated she did not understand what Ann Reynolds said about developing the guidelines with the neighbors.

Ms. Reynolds stated she worked with the neighborhood to develop the guidelines. At the time Edgefield was already in existence as a historic zoning district, so the Historical Commission provided to the neighborhood of Woodland in Waverly the guidelines that had been developed for Edgefield. At first, they sent the Historical Commission a set of guidelines, then the Commission worked with them on those guidelines to make sure they met the particular kind of architecture that was in Woodland in Waverly, and that the neighborhood was comfortable with those guidelines. State law requires that the guidelines be in accordance with the Secretary of the Interior's standards.

Mr. Harbison agreed with Mr. Manier and wondered if there was some way to come up with a hardship criteria because this is going to come up again and again with historic zoning.

Ms. Reynolds stated there was in the ordinance, an economic hardship provision when it relates to demolition. There are some rental rehab programs and some owner occupant programs that MDHA has.

Councilmember Douglas stated he understood the difficulty the Commission was dealing with but some people have come in making expressions and making them sincerely but really they are not accurate. One of the important points about historic zoning is that state law requires, prior to adoption of historic zoning ordinance, that the overlay provision must be adopted by the Historic Zoning Commission and a reasonable opportunity for public hearing, public notice and public comment. There has been no such opportunity prior to the adoption of this 1985 ordinance. This was not a part of the Comprehensive Zoning Ordinance that was adopted back in the 1980's. He asked the Commission to please rescind this ordinance.

Mr. Bodenhamer asked Councilmember Douglas if he agreed there was an ordinance.

Councilmember Douglas stated he sponsored the ordinance but not with any restrictions within a historic overlay. The only reason for sponsoring the ordinance was to make it legally possible for MDHA to lend them 3% money to repair these properties as they were originally built.

Councilmember Clifton asked what the Subarea 10 Plan might say regarding this area.

Mr. Jerry Fawcett stated the language in the staff report came from the Subarea 10 plan.

Mr. Reid stated the subarea plan mentions, "Area 5A includes the Woodland in Waverly historic district. Preserving the cohesiveness of this district through the continuance of the historic overlay district is strongly recommended by this plan." Then it talks about limiting encroachment of non residential activities along 8th Avenue into this neighborhood.

Councilmember Clifton asked why that language did not raise a General Plan issue in terms of consistency with the General Plan or violation of the General Plan?

Mr. Owens stated that had been specifically addressed.

Ms. Allen stated it had been looked into whether or not this was a general plan violation or issue or not. The General Plan is essentially a plan for land use and it contemplates what is going to happen with the land. It does not necessarily contemplate what is going to happen with individual structures, in this case, because the historic district involves the application of design guidelines promulgated by the Historic Zoning Commission. Metro Legal has looked at this and does not think this issue rises to the level of a General Plan issue, and the reason is essentially because the district regulates design of structures rather than land use. The land use could still be the same, it would be residential land. Taking away the historic district would just take away the design guidelines and would not alter the General Plan in that the General Plan would still provide for using this land for residential purposes.

Councilmember Clifton stated he would defer to the Metro Legal interpretation of this if the Commission does remove this protection. There is nothing to prevent the demolition of all of the structures, which gets almost to the level of a General Plan issue.

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

Mr. Bodenhamer stated he could see the advantages and disadvantages of this issue. To maintain those homes is going to be a hardship on certain individuals. If there were some provisions from the Historic Commission or from MDHA for those who are in a hardship status to offer some assistance, this Commission should include that text in the motion.

Mr. Manier stated that not all requirements of the Historic Zoning Commission necessarily impact cost. They may control materials in many instances but materials may be of an equivalent cost, so it is not always the dictates of the guidelines which significantly change cost. It is a matter of staying within the historical perspective and is not always an increase in cost.

Mr. Harbison stated that in light of what Mr. Manier said, the people on both sides of this issue are totally sincere. The Councilmember has been very eloquent and has raised some very legitimate points that this kind of tool is a tool that can do a lot of good, but on the other hand, if it is not somewhat flexible it may create more hardships that will undermine support for this happening in the future. When you have two things that are in that kind of conflict, preserving the historical quality of the neighborhood and also preserving the affordability, that is a real problem. He stated he would support the motion but felt the Historical Commission should get the message that there should be more flexibility.

Chairman Smith asked Mr. Manier if he wanted his motion to stay the same or would he want to add some verbiage that relates to Mr. Harbison's comments.

Mr. Manier stated he felt they were two separate issues and it should be a separate motion to memorialize MDHA or the Historic Commission to try to develop a hardship sort of program.

Councilmember Clifton stated that he could not believe he had been on the Council for ten years and have had this problem for twenty years without the obvious solution. The fact that Metro does not have a small hardship fund, funded by Council budget, to give the Historical Commission and neighborhoods room here is not the fault of the Historical Commission or the Planning Commission. It is probably the fault of the Mayor and Council. It is a legislative issue. It is a budgetary issue and this should have been done along time ago. To look at all the properties that are now subject to either historic or conservation zoning, and you look at the number of times this has come up, it would not break the bank to deal with financial hardship issues in a judicious way. He said he intended, whatever motion is taken by the Commission, to pursue that with the upcoming budget.

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

Resolution No. 97-321

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-033U is **DISAPPROVED**:

The Subarea 10 Plan notes the importance of protecting the historic character of this area in a cohesive manner, and the use of a historic overlay district is an effective method to accomplish that purpose."

Zone Change Proposal No. 97Z-042U

Maps 129-10, Parcel 90
Map 129-11, Parcel 10
Subarea 7 (1994)
District 23 (Crafton)

A request to change from RS40 District to RS10 District certain property abutting the west margin of Memphis-Bristol Highway and the east margin of Brookmont Terrace (7.9 acres), requested by Gary Lide, appellant, for R. L. Eatherly, owner.

Proposal No. 97P-017U

Transition Care Management
Map 129-10, Parcel 90
Map 129-11, Parcel 10
Subarea 7 (1994)
District 23 (Crafton)

A request to grant preliminary approval for a Residential Planned Unit Development District located between Highway 70 South (Memphis-Bristol Highway) and Brookmont Terrace (7.9 acres), classified RS40 and proposed for RS10, to permit the development of a 53,320 square foot, 80 rooming unit assisted living facility and 30 condominium units, requested by HADC, for R. L. Eatherly, owner.

Mr. Reid stated this area fall within residential medium high policy within the Subarea 7 Plan, which allows densities of nine to twenty dwelling units per acre. As pointed out in the staff report, the Commission may recall that back in March of 1995, there was a proposal for 96 multi-family units proposed for this site as well an accompanying zone change. The Commission at that time determined that the residential medium policy interpreted the policy boundary to run along Brookmont Terrace. There is a topography change, a grade change along the rear of this property along Brookmont Terrace which has the effect of orienting this property to Memphis Bristol Highway and that is why the Commission determined this property would be within the residential medium high policy. However, that previous proposal, at a density of 12 units per acre, was disapproved by the Commission because they felt that proposal was too dense for this area.

The current proposal for 80 rooming units in the assisted living facility and 30 condominiums has one main access off Memphis Bristol Highway. The 80 rooming units equate to 40 dwelling units. That combined with the 30 condominium units gives a total of 70 dwelling units. That computes to approximately 8.9 dwelling units per acre which is at the very low end of the residential medium high policy. There is to be an intermittent evergreen buffer along the boundary and staff is recommending that be a continuous landscape buffer along the PUD boundary. Staff feels the technical issues and policy issues have been satisfied with this proposal and is recommending approval of this proposal and zone change. The PUD will carry the condition that the landscape buffer will extend along the entire length of Brookmont Terrace.

Mr. Bodenhamer asked if any type of traffic study had been done since there was only one entrance from Memphis Bristol Highway.

Mr. Delaney stated there was no traffic study done since the proposal only dealt with 70 dwelling units. The traffic impact study is not required until 100 dwelling units are proposed. Mr. Delaney stated the traffic engineer has looked at this proposal.

Councilmember Eric Crafton stated he did not understand how this had slipped through the cracks on the Subarea 7 Planning because virtually everyone that live in this area does not want this to be medium density residential. This is an area with single family homes on three to four acre lots and the area residents want this property to be single family homes. He expressed concerns regarding traffic, safety and density contrast and asked the Commission to disapprove this proposal request.

Mr. Bernard Weinstein, area resident, and Ms. Kip Kirby, member of the Board of Directors of the West Meade Homeowners Association, spoke in opposition to this proposal and expressed concerns regarding drainage, traffic, and density, and asked the Commission to reject this proposal.

Mr. Harbison stated the considerations raised by the area residents were very understanding, but the policy determination had already been made at the subarea plan level.

Mr. Joel Vance, Director of Site and Facility Planning for Hospital Affiliates Corporation, stated they had worked diligently with planning staff to better previous submittals for this site and were trying to address neighborhood concerns and would like to have a community wide meeting. This project would not add much traffic to Highway 70 because it is for assisted living and hardly any of the residents own cars.

Mr. Manier asked if the designation of the area done by action of the Commission or was it done in the subarea planning process.

Mr. Owens stated it was done through an interpretation by the Commission at the previous consideration of that PUD. It was a boundary interpretation by the Commission a year after the subarea plan was adopted.

Councilmember Clifton stated he had a different point of view and would not be able to support the motion. This is an instance where the public has made a very strong case based on the evidence of geology and topography.

Councilmember Crafton stated there would be another proposal before the Commission during the next review cycle that has an assisted living plan which is just right up the street on the other side of Wessex Towers, and the community likes that proposal. It is an 80 or 90 bed facility and the community is for that one.

Mr. Lawson stated he also felt the density was too high for that area.

Mr. Harbison moved and Mr. Steve Smith seconded the motion to approve the proposal, which failed, with Mr. Harbison and Mr. Steve Smith voting for the motion, and Ms. Jernigan, Mr. Manier, Mr. Lawson, Chairman Smith, Mr. Bodenhamer and Councilmember Clifton in opposition.

Resolution No. 97-322

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-042U is **DISAPPROVED**.

"BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that Proposal No. 97P-017U is given **DISAPPROVAL**.

The Planning Commission determined that the proposed development is incompatible with the surrounding area."

Zone Change Proposal No. 97Z-043U

Map 92-4, Parcel 14

Subarea 8 (1994)

District 19 (Sloss)

A request to change from RM8 District to OP District certain property on the east margin of 16th Avenue North, approximately 150 feet north of Phillips Street, requested by Mike Hampton, appellant/optioneer.

Mr. Reid stated this zone change proposal was located across the street from the Fisk University campus. The applicant is wanting to change the zoning from RM8 to OP and staff is recommending disapproval as contrary to the General Plan. This would be a spot zone because this area is clearly within residential medium policy in the subarea plan. There is no OP in the area. The subarea plan encourages any commercial or office zoning to be located to the north along Jefferson Street and is seeking to redevelop that commercial area. Placing OP zoning in this would be like trying to place office zoning across from Lipscomb University in a residential area. There is some office uses across the street as well as next door to the proposed zone change; however, those offices uses are associated with the Fisk campus, which is an institutional use that is allowed in residential areas as a conditional use. Staff has talked to the applicant and suggested that a possible alternative might be to come through as a conditional use by Fisk.

Mr. Mike Hampton, applicant, stated this space would be used for programming for a prevention program for counseling troubled teenagers, specifically females. Many of the area properties are owned by Fisk University. Approximately six months ago there discussions with Fisk University to try to lease some of the various vacant properties they have but to date there has been no success. Drugs, crime, prostitution and lack of capital investments continue to occur in this particular area and this would be a positive in this area. There is \$60,000 available to rehab the property. This is not a speculative development and is something that is very positive for the community.

Chairman Smith suggested staff's objection is that if it turns to OP then there is no guarantee it will stay under the use that is proposed.

Mr. Lawson stated there is a significant push in the Commission regarding Jefferson Street Corridor and all the development that has been focused to organizations such as JUMP and others to redevelop that area, and the Commission should encourage permitting OP zoning along Jefferson. What Mr. Hampton is doing is very admirable but it needs to be somewhere else.

Ms. Jernigan asked if there was the option of the Conditional Use Permit.

Mr. Reid stated that Mr. Hampton could pursue that avenue if Fisk was willing to participate.

Mr. Hampton stated he was very willing to work with the university and had been trying to for the last six months, but the discussions have stalemated. This investment would help resurrect property that is presently sitting vacant.

Mr. Steve Smith asked that if this was against the General Plan, what is the Commission hoping to happen on this property?

Mr. Reid stated the whole area was in residential medium policy and the neighborhood had developed at approximately 5 ½ units per acre and the residential policy is calling for densities between four and nine.

Mr. Bodenhamer stated that he felt what Mr. Hampton was attempting was admirable and that he should be congratulated. There are some real difficult problems the merchants in the area are having. If this area is to be revitalized some of the crime will have to go, which is totally impossible, and there will have to be certain provisions made. He said he was not suggesting the Commission go against the General Plan but should come up with some way to help this gentlemen with this project. Obviously they have done a lot of leg work, have grants, have very prominent people involved and will not do anything to harm Fisk and Meherry.

Ms. Jernigan suggested that Mr. Hampton go to MDHA to see if there are any units available within the housing development that are vacant.

Mr. Lawson moved and Mr. Manier seconded the motion, which carried, with Mr. Bodenhamer and Mr. Steve Smith abstaining, to approve the following resolution:

Resolution No. 97-323

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-043U is **DISAPPROVED as contrary to the General Plan:**

This property falls within residential medium density policy (4 to 9 dwelling units per acre) within the Subarea 8 Plan. An objective of the Subarea Plan is to encourage commercial redevelopment and higher utilization of land along Jefferson Street."

PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:

Proposal No. 93P-010G
Sugar Valley, Section 1
Map 181, Parcels 11, 16, 17, 20 and
Part of Parcel 12
Subarea 12 (1991)
District 31 (Alexander)

A request for final approval for Section 1 of the Residential Planned Unit Development District, located approximately 425 feet east of Nolensville Pike and approximately 800 feet north of Culbertson Road (38.76 acres), classified R20, to permit the development of 109 single-family lots, requested by Anderson-Delk and Associates, Inc., for Paul E. Johnson, owner.

Mr. Delaney stated this item could have been placed on the consent agenda except for a long cul-de-sac requiring a variance. This final plan matches the approved preliminary plan including the 1200 foot long cul-de-sac. Due to topography, at the preliminary stage the Commission acknowledged justification for that extremely long cul-de-sac. Therefore, staff is recommending approval with a variance to the Subdivision Regulations in regard to the maximum cul-de-sac street length.

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

Resolution No. 97-324

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 93P-010G is given **CONDITIONAL FINAL APPROVAL WITH A VARIANCE TO THE SUBDIVISION REGULATIONS IN REGARD TO MAXIMUM CUL-DE-SAC STREET LENGTH.** 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 upon the posting of a bond for all road improvements as required by the Metropolitan Department of Public Works and all water and sewer line extensions as required by the Metropolitan Department of Water Services.”

SUBDIVISIONS:

Preliminary Plats:

Subdivision No. 97S-014U (Public Hearing)
Forest Vale Subdivision
Map 59, Parcel 49
Subarea 3 (1992)
District 1 (Patton)

A request for preliminary approval for seven lots abutting the northeast corner of Briley Parkway and Buena Vista Pike, opposite Beal's Lane (3.52 acres), classified within the R15 District, requested by Howard Fisher, owner/developer, H & H Land Surveying, Inc., surveyor.

Mr. Henry stated this plat dedicated five feet of right-of-way for future widening and provides joint access driveways between the lots and identifies a building envelope which is sufficiently out of the flood plain of Whites Creek. Staff and the Department of Public Works recommend approval.

No one was present to speak at the public hearing

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

Resolution No. 97-325

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Preliminary plan of Subdivision No. 97S-014U, is granted **APPROVAL.**”

Mr. Steve Smith left at 3:45, at this point in the agenda.

Subdivision No. 97S-127U (Public Hearing)
Jocelyn Hills
Map 129-2, Parcel 45
Map 129-6, Parcels 7, 9-11, 21, 30, 31, 50, 51 and 57
Subarea 7 (1994)
District 23 (Crafton)

A request to create 18 lots abutting both margins of Baskin Drive, approximately 755 feet southeast of Rolling Fork Drive (38.2 acres), classified within the RS40 District, requested by Allen Cargile, owner/developer, Turner Engineering Company, surveyor.

Mr. Henry stated a ridge line was proposed for development. There are three cul-de-sacs that will provide access to several of these lots. This plan of subdivision also provides access to these properties by way of Baskin Drive. Baskin Drive comes out of the north and proceeds up into this property. The property slopes down on the north side and terminates and a private drive runs up into the property where there is an existing house. Today there are seven building sites off of four cul-de-sacs. This proposal is for eleven additional building sites totaling eighteen, a combination of extending the depth of existing lot lines and providing new lines.

There are six lots which are unsuitable for development because the slopes range from 25% to 45% and some of the other lots range from 15% to 20% and should be critical lots. Staff is recommending disapproval of the preliminary plat because six of the eighteen lots are unsuitable for development due to very steep topography. The applicant has not provided the adequate means necessary to solve the problem created by the steep topography, which is required by Subdivision Regulations. In order for this subdivision to be approved, the Commission should first evaluate a grading and drainage plan, which has not yet been submitted, and Water Services has not yet sent their recommendation for sewer and water service. The applicant is requesting a thirty day deferral to address these issues.

Councilmember Eric Crafton stated he had held a community meeting regarding this proposal on April 10th, and there were approximately 100 area residents present. All of them voted against this proposal. There are many topographical challenges in this area. The neighbors were faced with a subdivision request several years ago and to that end they hired Robert Miller, who is a certified professional geologist, and he looked at the entire ridge top and surrounding slopes and came up with a plan. He found the steep side of the ridge within the study area to have peak elevations of up to 900 feet. The area elevations of Baskin Drive, Rolling Fork and Clearbrook are approximately 620 feet resulting in a 300 foot difference in elevation and basically all the water runoff will come down in that direction. Also, soil studies showed this whole area is very unstable and highly susceptible to land slides when saturated. Further consideration must be given to the impact resulting from the loss of many trees cut for the construction of homes and roads because the trees consume a large volume of water throughout the spring and summer months and in addition materials excavated during grading can present a serious erosion problem if not removed or quickly stabilized. He presented a petition of ninety-four signature in opposition to the proposal as it stands and asked to Commission to disapprove this proposal.

Ms. Leona Marks (for Dr. Kleinrock), David Smythe, Jim Walton, Harry Dillon and Carla Chamberlain spoke in opposition to the proposal and expressed concerns regarding soil erosion, drainage and water damage, changing the character of the neighborhood, safety, disturbing plant and animal habitats, traffic and road insufficiency.

Greg Smith, an area resident, stated he was not necessarily against the proposal and the man that owns the property had the right to develop the property if he complied with all regulations. He asked the Commission to follow the laws and follow the rules to be fair to the owner.

Mr. Lawson stated this was an interesting situation if you tossed aside public sentiment. The applicant has not complied with the regulations by not providing some of the information on drainage and other issues.

Councilmember Clifton asked when staff found out the applicant wanted a deferral.

Mr. Henry stated the applicant signed a letter requesting deferral on Tuesday, April 15th.

Chairman Smith stated it was not unusual for people not to have their engineering reports in.

Councilmember Clifton stated it was not unusual but this was a clear case of someone that had had this process going for several weeks if not months. Although he said he sympathized with Mr. Smith, and that the Commission could not turn something down clearly because people don't want it, this is specifically contrary to the Subdivision Regulations.

Chairman Smith stated this was a public hearing and the hearing notices go out at least ten day before the meeting and if this had not been set for public hearing this item would have been on the deferred list at the beginning of the meeting.

Mr. Bodenhamer stated he had no problem with the deferral but based on what staff had stated regarding not meeting the Subdivision Regulation requirements and that the proposal exceeding the percent of slope that he felt he would have to support a disapproval.

Mr. Harbison moved and Mr. Lawson seconded the motion, which carried with Chairman Smith in opposition, to close the public hearing and approve the following resolution:

Resolution No. 97-326

“BE IT RESOLVED by the Metropolitan Planning Commission that the Preliminary plan of Subdivision No. 97S-127U, is **DISAPPROVED** since six of the 18 lots are unsuitable for development due to very steep topography ranging from 20% to 45% grades. The applicant has not provided any “adequate methods to solve the problems created by the unsuitable land conditions” (Subdivision Regulation 2-3).”

Final Plats:

Subdivision No. 97S-121A
Woodlands, Phase 1, Lot 91
Map 172-3-A, Parcel 91
Subarea 12 (1991)
District 31 (Alexander)

A request to amend the south setback line from 15 feet to 10 feet on a lot abutting the northeast corner of Maplesong Drive and North Woodstone Lane (.26 acres), classified within the R15 Residential Planned Unit Development District, requested by Brenda Louise Hampton, owner/developer.

Mr. Henry stated this setback was a side setback from the street on a corner lot. The house was constructed with a five foot encroachment into the fifteen foot setback. The traffic engineer has determined there is no sight distance or public safety issue for motorists. The developer/builder is present to explain and answer any questions.

Mr. Lawson moved for approval.

Mr. Bodenhamer asked if this was the developer/builder's first encroachment case.

Mr. Henry stated he could not answer that question about this particular developer.

Chairman Smith stated the builder should come up and explain the encroachment.

The builder was not present.

Mr. Henry stated the builder was asked to attend the meeting to address the Commission.

Mr. Browning stated that from the looks of the slide that anyone that has built a house in Davidson County would know a house that close to a street is probably violating some setback.

Mr. Harbison suggested a deferral since the builder did not bother to attend the meeting.

Mr. Lawson withdrew his motion.

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

Subdivision No. 97S-122G
Meadows of Tulip Grove, Section 4,
Revision of Lots 53 and 54
Map 75-12, Parcels 47 and 48
Subarea 14 (1996)
District 12 (Ponder)

A request to reconfigure two lots abutting the south margin of Richard Lee Circle, approximately 414 feet south of Netherlands Drive (.80 acres), classified within the R10 District, requested by Tacopa Land, LLC, owner/developer, Ragan-Smith Associates, Inc., surveyor.

Mr. Henry stated a house had been build directly on the property line because the builder used the wrong pin for measurements. The request is to shift the lot line six feet off of the house and curving the lot line back to the original line.

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

Resolution No. 97-327

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Final plan of Subdivision No. 97S-122G, is granted **APPROVAL**.”

OTHER BUSINESS:

1. Consideration of the 1997-98 through 2002-03 Capital Improvements Budget and Program. (Deferred from meeting of 04/03/97).

Mr. Lawson and Mr. Harbison suggested a change to the text at the bottom of the introduction to say; The budget is consistent with the sources identified by the Finance Department as available.

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

Resolution No. 97-328

“**BE IT RESOLVED** by the Metropolitan Planning Commission that it approves the 1997-98 through 2002-03 Capital Improvements Budget and Program.”

2. Employee Contract for Cynthia Lehmebeck.

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

Resolution No. 97-329

“BE IT RESOLVED by the Metropolitan Planning Commission that it approves the employee contract for Cynthia Lehmebeck for one year from May 1, 1997 to May 1, 1998.”

3. Legislative Update.

Mr. Owens stated there had been a Council meeting Tuesday, April 15th, and that was also the deadline for Councilmembers to submit proposed changes to the zoning code text. The proposed zoning maps were attached to the text and will be going to public hearing May 6th, at the Council.

Councilmember Clifton updated the Commission on the Council comments and progress of the proposed zoning maps.

PLATS PROCESSED ADMINISTRATIVELY:

April 3, 1997 through April 16, 1997

95S-307U	Anton Place, First Revision Revised street names
96S-276G	Branbury Crossing, Section 1, First Revision Revised owners certificate
96S-367U	Meharry Medical College, First Revision Corrected status of easement
96S-371U	Sidco, Section 5 Plats a portion of a deeded parcel
97S-039G	Lakeridge, Phase 1, First Revision Revised location of drainage easement
97S-140U	Greenwood Hills, Section 3 Resubdivision Lots 125 and 126 Reconfigures two lots
97S-150U	Nashville Arena, Phase 2, Resubdivision of Lot 4 Subdivide one lot into two lots
97S-095U	Metro Airport Center, Phase 4, Section 5 Plats and deeded parcel
97S-111U	Quail Valley, Phase 7, Section 4 Lots 38,39,40 and 80

Zone Lot division

97S-123G Ward Property
 Subdivide one lot into two lots

97S-151G Boone Trace at Biltmore, Section 2 Lots 265 and 266
 Reconfigures two lots

ADJOURNMENT:

There being no further business, upon motion made, seconded and passed, the meeting adjourned at 5:15 p.m.

Chairman

Secretary

Minute approval
This 1st day of May, 1997