

MINUTES
OF THE
METROPOLITAN PLANNING COMMISSION

Date: May 15, 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 & Design Division:

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

Community Plans Division:

Jerry Fawcett, Planning Division Manager

Advance Planning & Research Division:

Jackie Blue, Planner I

Others Present:

Rachel Allen, Legal Department
Jim Armstrong, Public Works

Chairman Smith called the meeting to order.

ADOPTION OF AGENDA

Mr. Owens announced item 97B-092U had been withdrawn and the application for 97Z-46U had been amended to request the OP, office district.

Mr. Lawson moved and Ms. Nielson seconded the motion, which unanimously passed to adopt the agenda with the announced changes.

ANNOUNCEMENT OF DEFERRED ITEMS

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

- 97B-090U Deferred two weeks, by the Department of Codes Administration.
- 31-86-P Deferred two weeks, by applicant.
- 6-87-P Deferred two weeks, by applicant.
- 78-87-P Deferred two weeks, by applicant.
- 97S-156G Deferred two weeks, by applicant.
- 97M-053U Deferred indefinitely, by applicant.

Ms. Nielson moved and Mr. Lawson 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 May 1, 1997.

RECOGNITION OF COUNCILMEMBERS

Councilmember Vic Lineweaver spoke in favor of acceptance of the dedication of Pine Hill Road, 97M-057G.

ADOPTION OF CONSENT AGENDA

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

APPEAL CASES:

Appeal Case No. 97B-066U
Map 115-3, Parcel 60
Subarea 7 (1994)
District 23 (Crafton)

A request for a conditional use permit under Section 17.124.350 (Floodplain) as required by Section 17.124.030 to construct a 960 square foot attached garage in the RS40 District, on property abutting the south margin of Bresslyn Road, approximately 600 feet west of Brook Hollow Road (1.91 acres), requested by Christopher Koehner, appellant/owner.

Resolution No. 97-355

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 97B-066U to the Board of Zoning Appeals:

The site plans complies with the conditional use criteria."

ZONE CHANGE PROPOSALS:

Zone Change Proposal No. 97Z-045U
Map 161-4, Parcel 100
Subarea 12 (1991)
District 30 (Hollis)

A request to change from OP District to CS District certain property abutting the southeast margin of Nolensville Pike and Tusculum Road (0.62 acres), requested by Mohammed Nazemi, appellant/owner.

Resolution No. 97-356

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-045U is **APPROVED:**

This property falls within commercial policy at the intersection of an arterial (Nolensville Pike) and collector (Tusculum Road) street. The CS District will implement that policy."

Zone Change Proposal No. 97Z-046U
Map 119-2, Parcels 2, 3 and 4
Subarea 11 (1993)
District 16 (Graves)

A request to change from R6 District to OP District certain property abutting the north margin of Glenrose Avenue, approximately 215 feet east of Foster Avenue, (0.78 acres), requested by James Mason, appellant, for James Mason and Freewill Baptist Church, owners.

Resolution No. 97-357

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-046U is **APPROVED**:

This property falls within an area of mixed use policy in the Subarea 11 Plan between Interstate 440 and the railroad tracks. This is a predominantly residential area. This mixed use policy supports a low intensity mixture of office, retail, and residential uses which are compatible with the residential character of this area. The OP district will implement this objective."

Zone Change Proposal No. 97Z-047G
Map 29, Parcel 67 and Part of Parcel 66
Subarea 1 (1992)
District 1 (Patton)

A request to change from R40 District to AR2a District certain properties abutting the south margin of Old Clarksville Pike, approximately 1,500 feet west of Eatons Creek Road (5 acres), requested by Terry Bracey, appellant, for Terry Bracey and Naomi Lewis, owners.

Resolution No. 97-358

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-047G is **APPROVED**:

This property falls within an area of Natural Conservation policy in the Subarea 1 Plan, which the AR2A district will implement. This area is in a holding pattern because it is not ready to urbanize due to the lack of utilities."

Zone Change Proposal No. 97Z-048G
Map176, Parcel 27
Subarea 13 (1997)
District 29 (Holloway)

A request to change from AR2a District to RS10 District certain property abutting the south margin of Maxwell Road, approximately 1,100 feet east of Lavergne-Couchville Pike (15.3 acres), requested by Katherine Vantrease, appellant/owner.

Resolution No. 97-359

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-048G is **APPROVED**:

This property falls within an area of Residential "Low-Medium" density policy (supporting densities between 2 and 4 dwelling units per acre). The RS10 District will implement this policy, and will continue the emerging R10/RS10 zoning pattern in the area."

Zone Change Proposal No. 97Z-050G
Map 86, Parcel 108
Subarea 14 (1996)
District 12 (Ponder)

A request to change from AR2a District to R15 District certain property abutting the southeast margin of Old Lebanon Dirt Road and Tulip Grove Road (13.88 acres), requested by Roy Dale, appellant, for Tom Dean, owner.

Resolution No. 97-360

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-050G is **APPROVED**:

This property falls within Residential “Low-Medium” density policy (supporting densities between 2 and 4 dwelling units per acre). The R15 District will implement that policy.”

PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:

Proposal No. 92P-007U
Pebble Trail Villas
Map 149, Part of Parcel 28
Subarea 13 (1997)
District 28 (Hall)

A request for final approval for the Residential Planned Unit Development District abutting the south margin of Rader Ridge Road, approximately 350 feet south of Countryside Drive (10.83 acres), classified R15, to permit the development of 24 single-family lots, requested by James L. Terry, for Raymond Ferreira, owner. (Deferred from meeting of 5/1/97).

Resolution No. 97-361

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 92P-007U 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 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. On the final plat the designation of lots 8, 9, and 10 as critical lots.
3. The recording of a boundary plat.
4. The recording of a subdivision plat to consolidate the westerly remnant of parcel number 28 on map 149, which is not included in this PUD, with parcel 233 on map 149-9.”

Proposal No. 93P-021G
Holt Woods, Section 12
Map 172, Part of Parcel 208
Subarea 12 (1997)
District 31 (Alexander)

A request for final approval for Section 12 of the Residential Planned Unit Development District located approximately 70 feet west of Bryce Road and approximately 450 feet west of Holt Hills Road (6.46 acres), classified R20, to permit the development of 19 single-family lots, requested by Anderson-Delk and Associates, Inc., for Paul E. Johnson, owner.

Resolution No. 97-362

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 93P-021G 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 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.”

Proposal No. 97P-006G
Wildflower Place
Map 142, Parcel 87
Subarea 6 (1996)
District 35 (Lineweaver)

A request for final approval for the Residential Planned Unit Development District abutting the north margin of Bellevue Road, approximately 950 feet west of Hicks Road (6.44 acres), classified R15, to permit the development of 19 single-family lots, requested by Thomas, Miller and Partners, for French River Development, LLC, owner.

Resolution No. 97-363

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 97P-006G 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. Written confirmation of approval from the Harpeth Valley Utility District.
3. The recording of a 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.”

Proposal No. 97P-020G
Jackson Hole
Map 86, Parcel 108
Subarea 14 (1996)
District 12 (Ponder)

A request to grant preliminary approval for a new Residential Planned Unit Development District located at the southeast corner of Old Lebanon Dirt Road and Tulip Grove Road (13.88 acres), classified AR2a and proposed for R15, to permit the development of 42 single-family lots, requested by Dale and Associates, for Consolidated Holdings, Inc., owner.

Resolution No. 97-364

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 97P-020G 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. The recording of a boundary plat.
3. With a request for final approval the recording of a 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.”

Proposal No. 97P-023E
MDHA Maintenance Building
Map 93-4, Parcel 4
Subarea 5 (1994)
District 6 (Beehan)

A request to revise the final site development plan of the Residential Planned Unit Development District located between Dew Street and Lenore Street, west of South Seventh Street (4.56 acres and classified RM8), to permit the development of a 5,432 square foot office building and a 8,000 square foot maintenance building, requested by McKissack-Turner, Inc., for the Metropolitan Development and Housing Agency, owners.

Resolution No. 97-365

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 97P-023E is given **CONDITIONAL APPROVAL**. The following condition applies:

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

SUBDIVISIONS:

Final Plats:

Subdivision No. 96S-294G
Mountain View, Section 1
Map 172, Parcel 30
Subarea 12 (1991)
District 31 (Alexander)

A request to create 41 lots abutting the east termini of Cloverland Drive and Frontier Drive and the south terminus of Woodland Hills (34.49 acres), classified within the R20 Residential Planned Unit Development District, requested by Worldwide Church of God, owner/developer, Cherry Land Surveying, surveyor.

Resolution No. 97-366

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Final plan of Subdivision No. 96S-294G, is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$807,000.00 and establishing \$36,000.00 in an escrow fund for off-site roadway improvements.**”

Subdivision No. 97S-079G

Lake Park, Section 12
Map 97, Parcel 133
Subarea 14 (1996)
District 12 (Ponder)

A request to create 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 Max Patton and Larry Powell, owners/developers, Surveyors Group, Inc., surveyor.

Resolution No. 97-367

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Final plan of Subdivision No. 97S-079G, is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$98,500.00.**”

Subdivision No. 97S-118U

Brick Church Business Park, Phase 1 Resubdivision
Map 60, Parcels 11, 81 and 83
Subarea 3 (1992)
District 2 (Black)

A request to consolidate three parcels into two lots abutting the west margin of Brick Church Pike and the north margin of Brick Church Park Drive (12.83 acres), classified within the CG District, requested by Brick Church-Wehby, Partners and Charles W. Hawkins, III, trustee, owners/developers, Cherry Land Surveying, surveyor. (Deferred from meeting of 5/1/97).

Resolution No. 97-368

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Final plan of Subdivision No. 97S-118U, is granted **APPROVAL.**”

Subdivision No. 97S-163A

Highlands of Tulip Grove, Section 3, Reserve Parcel 23
Map 75-12, Parcel 23
Subarea 14 (1996)
District 12 (Ponder)

A request to remove the reserve restrictions on one parcel abutting the east margin of Netherlands Drive, approximately 172 feet south of Belgium Drive (.78 acres), classified within the R10 District, requested by John A. Harwell, owner/developer.

Resolution No. 97-369

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the amendment of Subdivision No. 97S-163A, is granted **APPROVAL.**”

Subdivision No. 97S-168G

Sequoia Valley, Section 1,
Reserve Parcel C
Map 52-8, Parcel 45
Subarea 4 (1993)
District 9 (Dillard)

A request to remove the reserve restrictions on one parcel abutting the south margin of Pueblo Drive, approximately 670 feet west of Shawnee Road (.26 acres), classified within the R10 District, requested by J. C. and Evelyn Carter, owners/developers, L. Steven Bridges, Jr., surveyor.

Resolution No. 97-370

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Final plan of Subdivision No. 97S-168G, is granted **APPROVAL.**”

Subdivision No. 97S-169U
Brittany Park, Phase 1B
Map 162, Part of Parcels 171 and 241-244
Subarea 12 (1991)
District 31 (Alexander)

A request to create 28 lots abutting both margins of Brittany Park Drive, approximately 100 feet north of Brittany Park (2.17 acres), classified within the R10 Residential Planned Unit Development District, requested by Carlton Enterprises, Inc., owner/developer, Thomas, Miller and Partners, surveyor.

Resolution No. 97-371

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Final plan of Subdivision No.97S-169U, is granted **APPROVAL.**”

Request for Bond Extension:

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

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

Resolution No. 97-372

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 103-79-G, Bond No. 94BD-064, Riverfront Shopping Center, Section Two, Lot 3, in the amount of \$5,000 until August 1, 1997, as requested."

Subdivision No. 31-86-P
Whitworth, Phase Three, Section One
Lake Whitworth, LLC, principal

Located abutting the northwest corner of Woodlawn Drive and Compton Road.

Resolution No. 97-373

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 31-86-P, Bond No. 94BD-093, Whitworth, Phase Three, Section One, in the amount of \$83,950 until April 15, 1998, as requested, said approval being contingent upon posting an amended letter of credit by **June 15, 1997** and extending the expiration date to October 15, 1998. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

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

Located abutting the southwest corner of Old Harding Pike and Morton Mill Road.

Resolution No. 97-374

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 102-86-P, Bond No. 87BD-016, Riverside, Phase One, in the amount of \$228,500 until November 15, 1997, as requested, said approval being contingent upon posting an amended letter of credit by **June 15, 1997** and extending the expiration date to May 15, 1998. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 94P-004U
Mt. View Apartments
DMC Builders Company, Inc, principal

Located abutting the north margin of Mt. View Road, east and west of Baby Ruth Lane.

Resolution No. 97-375

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 94P-004U, Bond No. 95BD-082, Mt. View Apartments, in the amount of \$29,500 until September 1, 1997, as requested."

Subdivision No. 94S-294U
Chadfield, Section One
Houston Ezell Corporation, principal

Located abutting the northwest margin of Una-Antioch Pike, opposite Hickory Hollow Parkway.

Resolution No. 97-376

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of a performance bond for Subdivision No. 94S-294U, Bond No. 94BD-088, Chadfield, Section One, in the amount of \$63,800 until April 15, 1998, as requested, said approval being contingent upon submittal of a letter by **June 15, 1997** from Frontier Insurance Company agreeing to the extension. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Request for Bond Release:

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

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

Resolution No. 97-377

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 93P-011G, Bond No. 95BD-012, Holt Woods, Section Three, in the amount of \$29,000, as requested."

Subdivision No. 94S-388G
J & G Subdivision
Bill Sudekum, co-principal
Gerlie Rickard, co-principal

Located abutting the west margin of Dickerson Pike, approximately 300 feet south of Mulberry Downs.

Resolution No. 97-378

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 94S-388G, Bond No. 94BD-107, J & G Subdivision, in the amount of \$24,000, as requested."

MANDATORY REFERRALS:

Proposal No. 97M-058U
Mayfair Avenue
Map 117-16
Subarea 10 (1994)
District 25 (Kleinfelter)

A proposal to close a segment of Mayfair Avenue between the north property line of Parcel 124 on Map 117-16 and its southern terminus, requested by James E. Ward, for adjacent property owners. (Easements are to be retained).

Resolution No. 97-379

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 97M-058U.

This concluded the items on the consent agenda.

ZONE CHANGE PROPOSALS:

Zone Change Proposal No. 97Z-049U
Map 71-2, Parcels 6, 6.01, 7 and 85
Subarea 3 (1992)
District 2 (Black)

A request to change from R8 District to CG District certain property abutting the west margin of Brick Church Pike, approximately 1,200 feet (Parcel 85) and 1,240 feet (Parcels 6, 6.01 and 7) north of West Trinity Lane (6.03 acres), requested by William Hawkins, appellant, for William Sandy and W. C. Reeves, owners.

Mr. Reid stated this zone change request was located north of the west Trinity Lane/Interstate 65 interchange. He stated staff was recommending disapproval of the CG District because that type of commercial district is too intense to implement the commercial highway policy around the interchange. The subarea plan is placing industrial policy to the north of the TVA line. He stated the portion of the property to the west of the ridge line has residential policy and is more appropriate for low density residential zoning. To the east of the ridge line and south of the TVA line the subarea plan is placing that area in commercial highway type policy around the I-65 interchange calling for retail, office and highway oriented activities. Because there are very limited opportunities around this interchange for that type of development, staff feels the remaining land should be reserved for highway service types of commercial activities. The CG District is more of an industrial type district which permits warehousing and is too intense for this interchange policy. Mr. Reid also pointed out there is considerable industrial opportunity to the north of the TVA line.

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

Resolution No. 97-380

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-049U is **DISAPPROVED**:

That portion of the property situated south of the TVA line and east of the ridgeline is within Commercial Mixed Concentration policy (calling for a mixture of office, multi-family residential, and retail uses) focused around the I-65 interchange. That portion of the property situated west of the ridgeline is within Residential "Low -Medium" density policy.

There are limited opportunities for expansion of highway service oriented commercial activities in the vicinity of the Trinity Lane/Interstate 65 interchange since this area is predominantly developed. It is important to preserve the small amount of vacant properties remaining near this interchange for additional highway oriented commercial services.

The requested CG District, an industrial district which permits warehousing, is appropriate in the industrial policy north of the TVA line, where there are abundant vacant opportunities. A less intensive district such as CS or OP would be appropriate for the area south of the TVA line and east of the ridgeline. RS10 would be an appropriate zoning district for the portion of the property which falls on the west side of the ridgeline."

Zone Change Proposal No. 97Z-051G

Map 129, Parcel 2
Subarea 6 (1996)
District 23 (Crafton)

A request to change from R40 District to R15 District certain property abutting the south margin of Brookmont Terrace and the north margin of Memphis-Bristol Highway (11 acres), requested by Bill Forte, appellant, for American Retirement Corporation, optionee.

Proposal No. 97P-022G

American Retirement Corporation - Nine Mile Hill
Map 129, Parcel 2
Subarea 6 (1996)
District 23 (Crafton)

A request to grant preliminary approval for a new Residential Planned Unit Development District located between Highway 70S (Memphis-Bristol Highway) and Brookmont Terrace (11.0 acres), classified R40 and proposed for R10, to permit the development of a 90 rooming unit, assisted living facility with a central kitchen, requested by Barge, Cauthen and Associates, for American Retirement Corporation, owner.

Mr. Reid stated the Residential Planned Unit Development includes 90 rooming units and is at a density of approximately four dwelling units per acre. Staff is recommending approval of this project because it meets the subarea objectives for the area to the west of Nine Mile Hill which is for cluster development on flatter land with up to five dwelling units per acre. He reminded the Commission that one month ago a Residential Planned Unit Development was disapproved on the other side of Nine Mile Hill and pointed out the similarities and differences of the two applications.

Councilmember Eric Crafton stated he had held several community meetings and all concerns were addressed and stated he was in favor of the project.

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

Resolution No. 97-381

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-051G is **APPROVED**:

The Subarea 6 Plan places this property in Natural Conservation policy, and encourages the clustering of development at densities up to 5 dwelling units per acre along Memphis Bristol Highway. units per acre. The proposed R15 zoning is consistent with the predominant zoning pattern that has evolved to the west of Nine Mile Hill and the accompanying Residential PUD accomplishes the density objective at a proposed density of 4 dwelling acre."

"BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that Proposal No. 97P-022G is given **CONDITIONAL PRELIMINARY 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. Written confirmation of approval from the Harpeth Valley Utility District.
3. The recording of a boundary plat."

PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:

Proposal No. 291-84-U
Lakeview Ridge Office Park
Map 95, Parcels 18, 36 and 37
Subarea 14 (1996)
District 15 (Dale)

A request to revise the preliminary site development plan and for final approval for a phase of the Commercial (General) Planned Unit Development District abutting the north margin of Elm Hill Pike, approximately 80 feet west of Heney Drive (5.55 acres), classified R10, to permit the development of a 66,000 square foot office building, requested by Barge, Waggoner Sumner and Cannon, for Highwoods Properties, Inc., owner. (Also requesting final plat approval). (Deferred from meetings of 4/3/97, 4/17/97 and 5/1/97).

Mr. Delaney stated this proposal had been deferred from previous meetings in order for the applicant to work out an access issue. The preliminary plan details not only the existing entrance, but a second access point that was to be ultimately developed with the overall PUD. Currently the first phase, as well as the

proposed second phase are scheduled to access the existing main entrance. The traffic impact study which was submitted with the second phase showed there would be an increase in the delay of cars exiting the site during the p.m. peak hour and turning left on Elm Hill Pike. Those vehicles would back up into the site causing level of service F operation. In reviewing the traffic impact study, the Traffic Engineer, identified this problem and recommended the applicant construct the second access point in conjunction with the second phase. The applicant and the Traffic Engineer have agreed on an alternative solution calling for the applicant to post a \$50,000 bond to guarantee ability to improve the second driveway entrance. The performance of this PUD will be observed for one year with one driveway entrance to determine if it functions adequately.

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

Resolution No. 97-382

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 291-84-U is given **CONDITIONAL APPROVAL OF REVISION TO PRELIMINARY AND CONDITIONAL FINAL APPROVAL FOR A PHASE; FINAL PLAT APPROVAL SUBJECT TO A BOND IN THE AMOUNT OF \$10,000.00 FOR THE EXTENSION OF A LEFT TURN LANE ON ELM HILL PIKE AND A BOND (OR EQUIVALENT INSTRUMENT) IN THE AMOUNT OF \$50,000.00 FOR THE CONSTRUCTION OF THE SECOND DRIVEWAY.** 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 subdivision plat upon the posting of a \$10,000 bond for the extension of the left turn lane on Elm Hill Pike and posting of a \$50,000 bond (or equivalent instrument) for the construction of the second driveway as required by the Metropolitan Department of Public Works, Traffic Engineering Section.
3. The Planning Commission has required, as a condition of approval, the posting of a \$50,000 bond for the construction of a second driveway. The Traffic Engineer has agreed to monitor the operation of the single driveway for one year, after the opening of the proposed 66,000 square foot office building, and determine if the one driveway is operating at an acceptable level, as outlined in a letter from the Chief Engineer dated May 14, 1997. If the determination is made that the driveway is working at an acceptable level then the bond will be released. If it is determined that the driveway is not working at an acceptable level then the developer will be required to build the second driveway.”

Proposal No. 96P-015G

Aberdeen Farms (formerly Forest Hills)
Map 161, Parcel 2
Subarea 12 (1997)
District 32 (Jenkins)

A request for final approval for the Residential Planned Unit Development District abutting the south margin of Oakley Drive, opposite West Fork Court (45.10 acres), classified R15, to permit the development of 126 single-family lots, requested by Gresham, Smith and Partners, for Zaring Homes, Inc., owner.

Mr. Delaney stated this normally would have been approved with conditions on the consent agenda except for a required variance in street grade for the connection to Brentview Hills Drive. The applicant and Public Works have gotten the grade of this connection down to 12%, which is only slightly over the 11% allowed by the Subdivision Regulations. Both Public Works and staff feel strongly this is a necessary connection to keep the overall pattern of roads in this area and to allow a secondary access into this development. Therefore, staff is recommending approval with conditions with a variance to the Subdivision Regulations for maximum street grade.

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

Resolution No. 97-383

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 96P-015G is given **CONDITIONAL FINAL APPROVAL WITH A VARIANCE TO SECTION 2-6.2.1 OF THE SUBDIVISION REGULATIONS FOR MAXIMUM STREET GRADE.** 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 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.”

Proposal No. 97P-019G
Harpeth Plaza
Map 155, Parcel 124
Subarea 6 (1996)
District 35 (Lineweaver)

A request to grant preliminary approval for a new Commercial (General) Planned Unit Development District located abutting the south margin of State Route 100 at the intersection of Old Harding Pike (10.41 acres), classified R40, to permit the development of an 80,340 square foot retail center, requested by Barge, Waggoner, Sumner and Cannon, for Harpeth Plaza Partnership, LLC, owner.

Mr. Delaney stated this proposal falls within residential low-medium policy, but does meet the locational criteria for unmapped commercial policy. Those criteria are location at a major intersection, separation from other commercial nodes, as well as a demonstrated market need. The other issue is in regard to design. The applicant has designed this shopping center to provide right-of-way for future realignment of State Route 100, and are also aligning their main entrance with the revised intersection that TDOT has planned.

He stated he had received a letter of opposition from an area resident who has children attending the Harpeth Valley Elementary School which is across the street from the proposed development. This person stated he feels this is not a good location because of the school, and that there had been several traffic accidents as well as deaths that have occurred at this intersection. In addition, he states the Planning Commission is reminded prior plans for more commercial zoning along Highway 100 have been oriented to the Highway 70 South and Old Hickory Boulevard intersection.

As a result of this letter, staff has contacted the Metro Police Department in regard to the accidents. During the year of 1996 there were a total of nine accidents at this intersection. One tenth of a mile away from this intersection there was a fatality. That was a motorcycle accident and according to the policy officer, the gentlemen riding the motorcycle was both intoxicated and on drugs. Staff also has a letter from the Bellevue Chamber of Commerce in support of this project, and staff is also recommending approval.

Chairman Smith reminded the Commission the state is taking a look at redesigning this intersection.

Councilmember Clifton asked how close this was to other commercial areas.

Mr. Delaney stated it was approximately three miles away from the Highway 70 South and Old Hickory Boulevard commercial node, and one and one third miles from the Natchez Trace convenience commercial area. This project would be a neighborhood scale center.

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

Resolution No. 97-384

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 97P-019G 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. The recording of a boundary plat.
3. With any request for final approval the recording of a final subdivision plat upon the posting of a bond for all off site improvements as required by the Traffic Impact Study dated April 1997, all water and sewer line extensions as required by the Harpeth Valley Utility District and the reservation of all R.O.W. required by the State of Tennessee Department of Transportation for proposed improvements to State Highway 100.
4. The Metropolitan Department of Public Works will require a flood study on the tributary to Trace Creek, which crosses the rear portion of the site with any final approval request.”

Proposal No. 97P-021U

Amalie Corner
Map 161, Parcel 133
Subarea 12 (1997)
District 30 (Hollis)

A request to grant preliminary approval for a new Commercial (Neighborhood) Planned Unit Development District located at the northeast corner of Old Hickory Boulevard and Amalie Drive (5.1 acres), classified R20, to permit the development of a 12,600 square foot retail building, requested by Dale and Associates, for D & S Development, owners.

Mr. Delaney stated this proposal did not meet the criteria for unmapped commercial policy. This proposal is located approximately two thirds of a mile from the large commercial node at Nolensville Pike and Old Hickory Boulevard, and staff feels the consumers in this area are well served by that existing commercial node. He reminded the Commission of the unmapped commercial that exists to the east of the Nolensville Pike and Old Hickory Boulevard intersection which predates the locational criteria. He stated it should not be considered support for this commercial zoning. He stated staff is recommending disapproval.

Chairman Smith stated Mr. Roy Dale had requested to speak.

Mr. Dale was not present.

Ms. Jernigan asked what the factors would be in regards to the General Plan.

Mr. Owens stated there was continual pressure to try stripping Old Hickory Boulevard with commercial development. Staff is concerned that if a commercial area gets a foothold such as this, with the undeveloped nature of the adjacent property toward the Nolensville Road intersection, it might set up a destabilizing situation.

Mr. Manier moved and Mr. Lawson seconded the motion to disapprove.

Ms. Jernigan asked if the motion to disapprove was because it was contrary to the General Plan.

Mr. Manier stated that would be acceptable.

Councilmember Clifton stated staff raised the issue that this could be contrary to the General Plan in light of what might happen on another piece of property.

Mr. Owens stated it was that and in light of the pressure the Commission has been under in recent times for the entire corridor for continued commercialization.

Mr. Harbison stated he understood that point and felt it was right for staff to raise it as an issue. But on the other hand the entire notion of it being contrary to the General Plan should not be used to prevent any further consideration of this rezoning. It should be used only if there is a demonstrated violation of land use policy.

Mr. Stephen Smith stated he agreed with Mr. Harbison and that he was not in favor of the rezoning but did not feel it was contrary to the General Plan.

Ms. Nielson stated she felt the Commission was talking about the nodal development which is outlined in the General Plan and that is what it protects.

Mr. Harbison stated he agreed and that motion protects the nodal concept and that he was comfortable with that explanation.

Mr. Manier moved and Mr. Lawson seconded the motion, which carried, with Councilmember Clifton in opposition, to approve the following resolution:

Resolution No. 97-385

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 97P-021U is given **DISAPPROVAL AS CONTRARY TO THE GENERAL PLAN:**

The subject property falls within ‘Residential Medium’ policy by the Subarea 12 Plan. The Planning Commission determined that the proposed development does not meet the qualifying criteria for unmapped commercial policy.”

SUBDIVISIONS:

Preliminary Plats:

Subdivision No. 97S-130U (Public Hearing)
J. C. Smith, Jr. Subdivision
Map 49, Part of Parcel 137
Subarea 3 (1992)
District 1 (Patton)

A request for preliminary approval for 13 lots abutting the east margin of Buena Vista Pike, south of Whites Creek Pike (5.91 acres), classified within the R15 District, requested by Volunteer Investments, Inc., owner/developer, Land Surveying and Consulting, surveyor. (Deferred from meeting of 5/1/97).

Mr. Henry stated staff was recommending approval of this application. He reminded the Commission this proposal was deferred at the last meeting to give the applicant time to correct the plan of subdivision to propose lots that are consistent with the R15 District. This subdivision meets the technical requirements of the Subdivision Regulations and Public Works has approved the proposed grading plan.

Councilmember Regina Patton stated she was against this proposal because of lack of cooperation from the developer, drainage and traffic.

Chairman Smith asked Mr. Henry to address Councilmember Patton's concerns.

Mr. Henry stated that engineering concerns, such as storm water management and traffic control, are reviewed by Public Works.

Chairman Smith stated the Commission would rely on other Metro departments for their technical expertise.

Councilmember Patton stated there were some discrepancies because Mr. DeGraferney had some papers from Public Works that showed this was specifically a flood area.

Mr. John DeGraferney stated Public Works evaluation of the area was based upon an update to the Corps of Engineering's floodplain map dated December 1988. Since that time there have been three major projects added to the area that contribute to the runoff. He stated he had been informed by Public Works that their approval was based upon a preliminary plan that referred to four units rather than thirteen or seventeen units. The homeowners in this area are not opposed to development but felt this process is not taking into consideration the problems area residents are experiencing. He also expressed concerns regarding design, density, traffic and safety and asked the Commission to defer this proposal so an evaluation of actual information could be ascertained.

Mr. Steve Axley, with Land Surveying and Consulting, stated his firm had not been contacted by anyone to provide plans but that he would be glad to do so. The reason Public Works had told Mr. DeGraferney this proposal was for four lots as opposed to thirteen is because there are only four lots effected by the floodplain and all requirements have been met as they pertain to floodplain management.

Mr. Lawson stated he felt some significant issues had been raised and that he would like to see addressed by Public Works.

Mr. Jim Armstrong, with Public Works Department, stated this was a mapped floodplain and a study had been done in 1988 which showed this area to be more severe than in a previous 1982 study. There are problems in the area. However, he stated the review thus far has been only preliminary to determine that the proposed subdivision concept is consistent with the floodplain management requirements of the area. He stated further information would be provided at final subdivision review.

Ms. Nielson asked what additional studies would be done between the preliminary and final approval that would assure no further flooding.

Mr. Armstrong stated there would be a final grading plan that would further identify where the buildings would be, the final grades of the subdivision and how that subdivision would be drained.

Councilmember Clifton stated that no flood plain update had been done since 1988 and since then three major construction projects have been added to the area which significantly impact upon the rate of water run off and has decreased the ability of the land to absorb rain water.

Mr. Manier stated they were dealing with two sets of data: Metro and FEMA.

Mr. Bodenhamer stated he did not feel the Commission should compound the problems either and that he was not comfortable with the problems he was hearing and moved for a deferral in hopes for new data.

Mr. Stephen Smith stated that the day the flood maps came out they were invalid.

Councilmember Clifton stated he did not think that the Commission's level of inquiry would end with this preliminary review.

Chairman Smith stated he did not feel the Commission should ask the developer to do more than the law requires.

Councilmember Clifton stated he was still uncomfortable in light of what he had heard.

Mr. Harbison stated part of this could possibly be explained to some degree by the difference a preliminary approval and a final approval. Today's proposal is only for a preliminary approval to decide if this piece of property could be subdivided.

Mr. Charles Singer, an area resident, stated that Public Works director, Marlin Keel, was not comfortable with the 100 year floodplain and that in January 1994 Mr. Keel met with FEMA and asked to raise it three feet.

Councilmember Patton asked that she and her constituents be notified when this matter is brought for final review.

Mr. Lawson moved and Mr. Harbison seconded the motion, which carried unanimously, to close the public hearing.

Councilmember Clifton asked if Public Works could elaborate on Mr. Singer's remark regarding the meeting between Marlin Keel and FEMA.

Mr. Mark Macy, with Public Works, stated it was a fact that FEMA had gone back and reevaluated the flood zone through Nashville but that he was not sure of the outcome. The new flood studies are developed on more data, more history to calibrate the computer models and a more thorough analysis of the rain fall frequencies. But this may not have been done on this particular stretch of creek as of yet. He guessed that if a study was done on this particular subdivision and modeled the before and after affects there probably would not be any difference in the run off.

Mr. Bodenhamer stated he did not want to prolong this project but that the Commission should not be in a hurry to do anything even though this was a preliminary request. He stated he was not against this development but that he was totally uncomfortable with the data that had been presented as it related to the flooding, and again stated this should be deferred until the Commission could hear further data to make the area residents more comfortable with the project.

Mr. Harbison stated that perhaps Public Works could look at it further during the deferral period but the developer should not have to do the final plat stage work at this point.

Chairman Smith asked Mr. Macy what Public Works would do if this were deferred for two weeks.

Mr. Macy stated this subdivision is no different from any other one that comes through and they would use the best data they have and give the Commission the best recommendation possible.

Mr. Manier stated that at the moment the Commission knows what is in place for this subdivision and it is a preliminary plat with a preliminary overview from Public Works. They have found at this point nothing to prevent the further movement of this process forward.

Councilmember Clifton moved and Mr. Harbison seconded the motion, which carried with Mr. Lawson in opposition and Mr. Bodenhamer abstaining, to approve the following resolution:

Resolution No. 97-386

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Preliminary plan of Subdivision No. 97S-130U, is granted **CONDITIONAL APPROVAL subject to (1) Public Works conducting a careful evaluation of drainage factors prior to any Final plat approval and (2) a public hearing will be conducted at time of Final application.**”

Subdivision No. 97S-165U (Public Hearing)
Maplewood Heights, Resubdivision of Lot 87
Map 61-14, Parcel 31
Subarea 5 (1994)
District 4 (Majors)

A request to subdivide one lot into two lots abutting the northeast corner of Hart Lane and Edwards Avenue (.83 acres), classified within the R15 District, requested by Patrick Norris, owner/developer, Land Surveying, Inc., surveyor.

Mr. Henry stated this plan of subdivision cuts the property in half leaving 18,100 square feet for each lot. Staff is recommending approval with a variance to the lot area comparability test since this neighborhood is expected to resubdivide consistent with the long range development plan of Subarea 5.

No one was present to speak at the public hearing.

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

Resolution No. 97-387

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Preliminary plan of Subdivision No. 97S-165U, is granted **APPROVAL with a variance to the minimum lot area comparability test (Subdivision Regulation 2-4.7).**”

Subdivision No. 97S-171U (Public Hearing)
Parten Subdivision
Map 117-11, Parcel 65
Subarea 10 (1994)
District 25 (Kleinfelter)

A request to subdivide one lot into two lots abutting the south margin of Graybar Lane, opposite Stokesmont Road (2.07 acres), classified within the R40 District, requested by Richard C. Devor, Jr., owner/developer.

Mr. Henry stated staff was recommending approval with a variance to the minimum street frontage comparability test since other lots immediately east of this site have lots of comparable lot widths.

No one was present to speak at the public hearing.

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

Resolution No. 97-388

“BE IT RESOLVED by the Metropolitan Planning Commission that the Preliminary plan of Subdivision No. 97S-171U, is granted **APPROVAL with a variance to the minimum street frontage comparability test (Subdivision Regulation 2-4.7).”**

Subdivision No. 97S-172U (Public Hearing)
Gayle Malone Subdivision
Map 116-8, Parcels 172, 173 and 176
Subarea 10 (1994)
District 25 (Kleinfelter)

A request for preliminary approval for four lots abutting the west terminus of Wimbledon Road, approximately 355 feet west of Foxhall Road (3.65 acres), classified within the R20 District, requested by Gayle Malone, owner/developer, Cherry Land Surveying, Inc., surveyor.

Mr. Henry stated the proposal would involve the construction of a cul-de-sac to properly terminate Wimbledon Road. There are three parcels on this site presently and two of them are land locked. The existing house will be torn down and four lots are being created. There is some minor cut and fill being proposed because of floodplain and one lot would be designated critical. Staff and Public Works are recommending approval.

No one was present to speak at the public hearing.

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

Resolution No. 97-389

“BE T RESOLVED by the Metropolitan Planning Commission that the Preliminary plan of Subdivision No. 97S-172U, is granted **APPROVAL.”**

Chairman Smith announced Mr. Roy Dale would like to address the Commission relating to Proposal No. 7P-021U, Amalie Corner and reminded the Commission that item was disapproved as contrary to the General Plan.

Mr. Roy Dale stated he would like to address the Commission unless they would prefer to defer this for two weeks.

Chairman Smith stated this could be refiled so it could come back before the Commission.

Councilmember Clifton stated that perhaps the proper procedure on this may be to see if Council would re-refer this back to the Commission.

Mr. Dale stated that would be fine with him.

MANDATORY REFERRALS:

Proposal No. 97M-057G
Pine Hill Road
Map 154
Subarea 6 (1996)
District 35 (Lineweaver)

A council bill authorizing the acceptance of the dedication of Pine Hill Road abutting the west margin of Griffith Road, approximately 2,000 feet south of Poplar Creek Road.

Mr. Reid stated this Council bill proposed to accept a private road as a public street. Staff is recommending disapproval because Public Works cannot accept this private street as a public right-of-way because the private street fails to meet public standards in terms of pavement width, right-of-way width, pavement thickness and violation of the Subdivision Regulations in terms of length of a cul-de-sac. It is approximately 4,000 feet long and the Subdivision Regulations permit a 750 foot maximum. Staff sees no public benefit in accepting this street as a public road because of the cost involved in upgrading it to Metro standards and in addition it would set a precedent for having to accept other private roads in non-urban areas throughout the county.

Mr. Marlin Keel, Public Works director, stated staff had stated his position very clearly. It is not in the best interest of the Metropolitan Government to accept this private road because of financial liability. It is substandard in geometry, width, pavement thickness and if it is accepted with just dedication of additional right-of-way it will still be a substandard roadway, a substandard roadway that needs a lot of work done on it to bring it up to current road standards. There is also a general liability issue of knowingly accepting a substandard road and not requiring that road be prepared to present standards and knowing that it is substandard in the potential of accidents and what liability the Metropolitan Government might incur as a result of that. He asked the Commission not to accept this substandard road.

Councilmember Vic Lineweaver stated that under previous administrations this road was worked on at least twice by Metro. Now Mr. Keel says Metro cannot do this because it is not up to standards. He asked the Commission to approve this acceptance and let Metro take over the upkeep of the street. The money will come from the infrastructure funds allotment for the 35th Council District.

Mr. Niel Carter, stated this road had been worked on by Metro before and is a public road being used by families who live on the road and also by mail carriers and for delivery. There are twenty families living on this road and they are tax payers to Metro and are only asking for the road to be maintained and be kept passable.

Mr. Harbison asked if this road was built as a private road to begin with.

Mr. Owens stated it had never been dedicated and was built as a private driveway on private easements to serve large tracks of land created by deed. Even though it is called a private road it does not meet the private street standards of the Subdivision Regulations.

Mr. Harbison stated he did not see how the Commission could approve this.

Councilmember Clifton asked Mr. Keel if Council appropriation and council action could contribute to the upkeep without assuming the legal and ongoing liability.

Mr. Keel stated the legal ruling he had at this time was that public funds can not be spent for maintenance on private roads and anyone who authorizes that is subject to penalties. It would take a substantial amount of money to bring this road up to the present public road standard.

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

Resolution No. 97-390

"BE IT RESOLVED by the Metropolitan Planning Commission that it **DISAPPROVES** Proposal No. 97M-057G:

This private road does not meet minimum metro standards for the acceptance of a private road as a public street.”

Proposal No. 97M-059U

Forest View Drive/Gentry Boulevard Name Change

Map 149

Subarea 13 (1997)

District 28 (Hall)

A council bill changing the name of Forest View Drive between Murfreesboro Pike and Bell Road to “Gentry Boulevard.”

Mr. Reid stated staff was recommending disapproval because there is a name duplication of Gentry Avenue in east Nashville and that could cause problems for emergency vehicles. Mr. Reid stated it is logical to continue Forest View Drive across Bell Road. Staff also received one letter in opposition from Ezell Harding Christian School.

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

Resolution No. 97-391

"BE IT RESOLVED by the Metropolitan Planning Commission that it **DISAPPROVES** Proposal No. 97M-059U:

A public street named “Gentry Avenue” already exists and this name duplication would create the potential for locational confusion for emergency services. Also, this segment is an obvious continuation of the Forest View Drive on the northeast side of Murfreesboro Pike and its name should be retained.”

OTHER BUSINESS:

1. FY '97 Third Quarter Work Program/Budget Status Report.

Mr. Browning stated there were three work programs that are slightly behind schedule. One is the GIS/LIS development and maintenance of the property maps and that is being brought up to speed by some overtime work. Also one functional study is behind because of lack of staff in the transportation area. The subarea planning process is slightly behind schedule because there had been some additional effort on the subarea 12 and 13 reviews.

2. APR Fund Appropriation.

Mr. Browning stated this fund appropriation will be reimbursed by federal funds from the Transportation Department

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

Resolution No. 97-392

BE IT RESOLVED by the Metropolitan Planning Commission that it approves the APR Fund Appropriation in the amount of \$124,000.00 as follows:

Appropriation Balance - December 31, 1996	\$123,820.86
Resolution No. 392 adopted - May 15, 1997	\$124,000.00
Net Appropriation Balance	<u>\$247,820.86</u>

January, February and March 1997 Expenditures - Actual

Salaries	\$9,772.50	
Central Printing	\$2,683.37	
Data Processing Services	\$37.50	
Advertising	\$1,781.52	
Consultant's Services	\$56,162.64	
Office Supplies and Stationary	(\$254.88)	
FICA	\$718.44	
Group Health Insurance	\$976.74	
Employer's Pension Contribution	\$1,343.70	
Group Life Insurance	\$78.00	
Dental Insurance	\$44.76	
Data Processing Equipment	\$0.00	<u>(\$73,344.29)</u>
Net Appropriation Balance		\$174,476.57

April, May, June 1997 Expenditures - Projected:

Salaries	\$9,772.50	
Central Printing Services	\$300.00	
Data Processing Services	\$37.50	
Advertising	\$1,914.00	
Consultant's Services	\$113,292.00	
Office Supplies	\$0.00	
FICA	\$718.44	
Group Health Insurance	\$976.74	
Employer's Pension Contribution	\$1,343.70	
Group Life Insurance	\$78.00	
Dental Insurance	\$44.76	<u>(\$128,477.64)</u>
Revenue in Transit		\$82,577.46
Net Appropriation Balance		\$128,576.39

3. Employee Contract for Robert Baggs.

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

Resolution No. 97-393

“BE IT RESOLVED by the Metropolitan Planning Commission that it approves the employee contract for Robert Baggs for one year from June 16, 1997 to June 16, 1998.”

4. Summer Intern Contracts for Michael Skipper, RCeen Bartlett-Taylor and Brian Hamilton.

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

Resolution No. 97-394

“BE IT RESOLVED by the Metropolitan Planning Commission that it approves the employee contracts for Michael Skipper, RCeen Bartlett-Taylor and Brian Hamilton for the period of May 16, 1997 to August 31, 1997.

5. Legislative Update.

Mr. Owens provided an update on the current legislative status of items previously considered by the Commission.

6. Election of Officers.

Gilbert Smith was unanimously re-elected chairman.

James Lawson was unanimously re-elected vice-chairman.

Arnett Bodenhamer was unanimously re-elected to the Parks Board.

PLATS PROCESSED ADMINISTRATIVELY

May 1, 1997 through May 14, 1997

97S-139G COLLINS SUBDIVISION
One lot into two lots

97S-157G DIXIE PURE FOOD COMPANY’S SUBDIVISION, Lot 8
Shifting lot line

97S-159U WILLIE R. MCCALL SUBDIVISION
One lot into two lots

- 97S-170G** **RIVERGATE ACADEMY**
Relocation of lot line
- 97S-174G** **BRANSFORD REALTY COMPANY'S AMQUI SUBDIVISION,**
Resubdivision of Lot 28
One platted lot into two lots
- 97S-176U** **WOODYMORE HEIGHTS, Section 1, Lot 2 (Condominium Plat)**
2 Unit Condominium
- 97S-183U** **STARDUST COMMERCIAL PARK, Section 2, Lot 1, 1st Revision**
Revises minimum setback from 60 feet to 40 feet

ADJOURNMENT:

There being no further business, upon motion made, seconded and passed the meeting adjourned at 4:05 p.m.

Chairman

Secretary

Minute Approval
This 29th day of May, 1997