

MINUTES
OF THE
METROPOLITAN PLANNING COMMISSION

Date: April 16, 1998
Time: 1:00 p.m.
Place: Howard Auditorium

Roll Call

Present:

Gilbert N. Smith, Chairman
Arnett Bodenhamer
Tim Garrett, Councilmember
William Harbison
James Lawson
William Manier
Ann Nielson
Stephen Smith
Marilyn Warren

Absent:

Mayor Philip Bredesen

Others Present:

Executive Office:

T. Jeff Browning, Executive Director
Carolyn Perry, Secretary II

Current Planning & Design Division:

Ed Owens, Planning Division Manager
Theresa Carrington, Planner III
Jennifer Regen, Planner III
John Reid, Planner II
Doug Delaney, Planner I
Jeff Stuncard, Planner I
Charles Hiehle, Planning Technician II
James Russ, Planning Technician I

Community Plans Division:

Jerry Fawcett, Planning Division Manager
Cynthia Lehmbeck, Planner III
Debbie Frank, Planner I

Advance Planning & Design:

John Boyle, Planning Division Manager

Others Present:

Jim Armstrong, Public Works

Chairman Smith called the meeting to order.

ADOPTION OF AGENDA

Mr. Owens announced Addendum Item 6, consideration of certain mapping license agreements, under Other Business needed to be added to the agenda, and in addition to that, reference to Council Bill O98-1160 should be referred to in the caption of PUD item 203-81-U.

Mr. Lawson moved and Ms. Nielson seconded the motion, which unanimously passed, to approve the agenda.

ANNOUNCEMENT OF DEFERRED ITEMS

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

- 98Z-056U Deferred until 05/14/98, by applicant.
- 98Z-059G Deferred until 05/14/98, by applicant.
- 108-79-G Deferred two weeks, by applicant.

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

APPROVAL OF MINUTES

Mr. Lawson moved and Ms. Nielson seconded the motion, which unanimously passed to approve the minutes of the regular meeting of April 2, 1998.

RECOGNITION OF COUNCILMEMBERS

Councilmember Melvin Black recognized the hard work Debbie Frank and staff had done with the subarea plan review work and that there was a tremendous amount of time and effort put into the review. He asked the commission to accept the staff recommendation and approve the Subarea 3 Plan Update.

Councilmember Phil Ponder spoke in favor of Subdivision No. 98S-128G, Rockwood Estates.

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:

ZONE CHANGE PROPOSALS:

Zone Change Proposal No. 98Z-058U

Map 92-9, Parcels 373 (.09acres), 374 (.10 acres),
375 (.11 acres), 376(.11 acres) and 377(.11 acres)
Subarea 7 (1994)
District 21 (McCallister)

A request to change from R6 to CS District properties located at the south margin of Trevor street and the east margin of Alley 1104 (.52 acres), requested by T. Herschel Hudgins, appellant/owner.

Resolution No. 98-246

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-058U is **APPROVED (8-0) subject to recordation of a final plat consolidating parcels 373-377 and 379 to front on Charlotte Avenue:**

CS zoning is appropriate for these properties because four of the five parcels have no street frontage due to 32nd Avenue North being consumed by the construction of I-440. These four parcels have access only from Alley 1140. By consolidating these properties with parcel 379 fronting Charlotte Avenue (which the applicant also owns), an opportunity exists for these properties to develop in a manner which will not undermine the integrity of residential areas to the north and west."

PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:

Proposal No. 203-81-U

Council Bill No. O98-1160
River Road Commercial PUD
Map 102, Parcel 14
Subarea 6 (1996)
District 23 (Crafton)

A request to cancel the existing Commercial (General) Planned Unit Development District located abutting the north margin of River Road, 80 feet west of Charlotte Pike (3.50 acres), classified CS, approved for a 13,361 square foot limited manufacturing facility, requested by JDN Realty Inc., for Michael F. Perkerson, owner.

Resolution No. 98-247

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 203-81-U is given **APPROVAL REQUIRING COUNCIL CONCURRENCE.**

SUBDIVISIONS:

Final Plats:

Subdivision No. 97S-148U
Hickory Highland Place, Phase 2
Map 163-1, Parcel 50
Subarea 13 (1996)
District 29 (Holloway)

A request for final plat approval to create 20 lots abutting the northwest margin of Highlander Drive, approximately 125 feet south of Highlander Court (8.84 acres), classified within the RM20 District, requested by Hickory Highlands, LLC, owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

Resolution No. 98-248

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 97S-148U, is **APPROVED SUBJECT TO A BOND OF \$135,500.00 (8-0).”**

Subdivision No. 98S-083G
Biltmore Chase
Map 158, Part of Parcel 57
Subarea 10 (1994)
District 33 (Turner)

A request for final plat approval to create two lots and a public street abutting the south margin of Old Hickory Boulevard, approximately 332 feet west of Bridlewood Lane (2.60 acres), classified within the R40 District, requested by Continental Development and Construction Company, owner/developer, George Anton, surveyor. (Deferred from meeting of 3/19/98).

Resolution No. 98-249

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 98S-083G, is **APPROVED SUBJECT TO A BOND OF \$89,000.00 (8-0).”**

Subdivision No. 98S-097G
Old Hickory Business Park
Map 44, Part of Parcel 7
Subarea 14 (1996)
District 11 (Wooden)

A request for final plat approval to create one lot abutting the southwest margin of Robinson Road, opposite Bridgeway Avenue (7.25 acres), classified within the IWD District, requested by Charles W. Hawkins, III, trustee, owner/developer, Cherry Land Surveying, surveyor.

Resolution No. 98-250

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 98S-097G, is **APPROVED SUBJECT TO A BOND OF \$90,000.00 (8-0).”**

Subdivision No. 98S-113U
Inglewood Place, Resubdivision of Lot 303
and Part of Lots 287, 288 and 302
Map 61-15, Parcel 333
Subarea 5 (1994)
District 8 (Hart)

A request for final plat approval to consolidate one lot and portions of three other lots into one lot abutting the east margin of Gallatin Pike, approximately 285 feet north of Marion Avenue (.91 acres), classified within the CL and RS7.5 Districts, requested by William G. and Edna C. West, owners/developers, Ragan-Smith Associates, Inc., surveyor.

Resolution No. 98-251

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 98S-113U, is **APPROVED (8-0).”**

Subdivision No. 98S-118U
Corlew Subdivision
Map 148-2, Parcel 101
Subarea 13 (1996)
District 28 (Hall)

A request for final plat approval to subdivide one parcel into three lots abutting the southeast corner of Ezell Road and Wharton Drive (.99 acres), classified within the R10 District, requested by Carl E. and Elaine H. Corlew, owners/developers, Walter Davidson and Associates, surveyor.

Resolution No. 98-252

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 98S-118U, is **APPROVED (8-0).”**

Subdivision No. 98S-119G
Hampton Hall, Section 2
Map 98, Part of Parcel 18
Subarea 14 (1996)
District 12 (Ponder)

A request for final plat approval to create 25 lots abutting both margins of Hallcrest Court, approximately 140 feet northeast of Hampton Hall Way (8.38 acres), classified within the RS15 Residential Planned Unit Development District, requested by Phillips Builders, Inc., owner/developer, Anderson-Delk and Associates, Inc., surveyor.

Resolution No. 98-253

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 98S-119G, is **APPROVED SUBJECT TO A BOND OF \$129,000.00 (8-0).”**

Subdivision No. 98S-120G
Stone Creek Park, Section 2A
Map 180, Part of Parcel 39
Subarea 12 (1997)
District 31 (Alexander)

A request for final plat approval to create 21 lots abutting both margins of Stone Run Drive, approximately 105 feet west of Stone Heath Court (8.1 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. 98-254

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 98S-120G, is **APPROVED SUBJECT TO A BOND OF \$261,500.00 (8-0).”**

Subdivision No. 98S-122G
Hurricane Creek Industrial Park, Section 7
Map 175, Parcels 82, 83 and 84
Subarea 13 (1996)
District 29 (Holloway)

A request for final plat approval to reconsolidate three lots into two lots abutting the northwest corner of Hurricane Creek Boulevard and Murfreesboro Pike (33.26 acres), classified within the AR2a, CS, and IR Districts, requested by Joe Meeks et al, owners/developers, Dale and Associates, Inc., surveyor.

Resolution No. 98-255

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 98S-122G, is **APPROVED SUBJECT TO A BOND OF \$28,000.00 (8-0).”**

Request for Bond Extension:

Subdivision No. 28-79-G
Cambridge Forest, Section 1
Double M. Partners, principal

Located abutting the west margin of Rural Hill Road, approximately 1,300 south of Rice Road.

Resolution No. 98-256

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 28-79-G, Bond No. 97BD-022, Cambridge Forest, Section 1, in the amount of \$73,400 to 9/1/98 subject to submittal of an amendment to the present Letter of Credit by **5/16/98** which extends its expiration date to 3/1/99. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 18-84-U
Village of Cherry Glen, Phase 1
Cherry Glen Partners, L.P., principal

Located abutting the south margin of Seven Hills Boulevard, south terminus of Cumberland Place.

Resolution No. 98-257

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 18-84-U, Bond No. 95BD-088A, Village of Cherry Glen, Phase 1, in the amount of \$24,800 to 7/15/98 subject to submittal of an amendment to the present Letter of Credit by **5/16/98** which extends its expiration date to 1/15/99. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 18-84-U
Village of Cherry Glen, Phase 2
Cherry Glen Partners, L.P., principal

Located abutting both margins of Cherry Plum Court, approximately 86 feet south of Cherry Laurel Court.

Resolution No. 98-258

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 18-84-U, Bond No. 95BD-088B, Village of Cherry Glen, Phase 2, in the amount of \$13,000 to 7/15/98 subject to submittal of an amendment to the present Letter of Credit by **5/16/98** which extends its expiration date to 1/15/99. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 66-84-U
Lexington, Phases 2 and 3
South Atlantic Income Properties of TN LLC, principal

Located abutting the east margin of Old Hickory Boulevard, opposite Ridgelake Parkway.

Resolution No. 98-259

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 66-84-U, Bond No. 97BD-034, Lexington, Phases 2 & 3, in the amount of \$698,000 to 10/15/98 subject to submittal of an amendment to the present Letter of Credit by **5/16/98** which extends its expiration date to 4/15/99. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 312-84-G
Poplar Creek Estates, Phase 5-A
Poplar Creek Development Company, principal

Located abutting the south margin of Poplar Creek Road and both margins of Col Stream Place.

Resolution No. 98-260

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 312-84-G, Bond No. 97BD-020, Poplar Creek Estates, Phase 5-A, in the amount of \$200,000 to 11/1/98 subject to submittal of an amendment to the present Letter of Credit by **5/16/98** which extends its expiration date to 5/1/99. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 57-86-P
Whites Creek Commercial Center (Cracker Barrel)
Cracker Barrel Old Country Store, Inc.

Located abutting the south margin of Old Hickory Boulevard, 0 feet west of I-24.

Resolution No. 98-261

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 57-86-P, Bond No. 90BD-026, Whites Creek Business Center (Cracker Barrel) in the amount of \$57,250 to 9/15/98."

Subdivision No. 90-87-P
Percy Priest Woods
William V. Braswell, co-principal
Robert H. Braswell, co-principal

Located abutting the south termini of Woodcraft Drive and Woodmaker Court, approximately 115 feet south of Hammack Drive.

Resolution No. 98-262

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 90-87-P, Bond No. 96BD-043, Percy Priest Woods, in the amount of \$38,250 to 4/1/99 subject to submittal of an amendment to the present Letter of Credit by **5/16/98** which extends its expiration date to 10/1/99. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 93P-016G
Traceside, Section 7
Centex Real Estate Corporation, principal

Located abutting the east termini of Cloverland Drive and Frontier Drive and the south terminus of Woodland Hills.

Resolution No. 98-263

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 93P-016G, Bond No. 97BD-059, Traceside, Section 7 in the amount of \$130,500 to 5/1/99 subject to submittal of a letter from the Safeco Insurance Company of America by **5/16/98** agreeing to the extension. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 93P-019G
Lakeridge, Phase 2
B & P Developments, Inc., principal

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

Resolution No. 98-264

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 93P-019G, Bond No. 95BD-104, Lakeridge, Phase 2, in the amount of \$25,100 to 6/15/98 subject to submittal of an amendment to the present Letter of Credit by **5/16/98** which extends its expiration date to 12/15/98. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 94P-017G
October Woods, Phase 1, Section 2
October Woods, L.P., principal

Located abutting the west margin of Old Hickory Boulevard, approximately 900 feet south of Hobson Drive.

Resolution No. 98-265

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 94P-017G, Bond No. 95BD-083, October Woods, Phase 1, Section 2, in the amount of \$13,000 to 7/15/98 subject to submittal of an amendment to the

present Letter of Credit by **4/23/98** which extends its expiration date to 1/15/99. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**

Subdivision No. 94P-017G
October Woods, Phase 1, Section 3
October Woods, L.P., principal

Both margins of October Woods Drive, approximately 175 feet east of Pinwheel Drive.

Resolution No. 98-266

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 94P-017G, Bond No. 96BD-018, October Woods, Phase 1, Section 3, in the amount of \$8,000 to 7/15/98 subject to submittal of an amendment to the present Letter of Credit by **4/23/98** which extends its expiration date to 1/15/99. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 94S-257G
Woodside
Woodside LLC, principal

Located abutting the northeast margin of Hicks Road, opposite Patten Lane.

Resolution No. 98-267

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 94S-257G, Bond No. 95BD-028, Woodside, in the amount of \$44,000 to 11/15/98 subject to submittal of an amendment to the present Letter of Credit by **5/16/98** which extends its expiration date to 5/15/99. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 95P-030G
Brookside Woods, Section 1
Larry Powell Builders, Inc., principal

Located abutting the northwest corner of Nashville and Eastern Railroad Corporation and Tulip Grove Road.

Resolution No. 98-268

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 95P-030G, Bond No. 97BD-027, Brookside Woods, Section 1, in the amount of \$340,500 to 4/15/99 subject to submittal of an amendment to the present Letter of Credit by **5/16/98** which extends its expiration date to 10/15/99. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 95P-030G
Brookside Woods, Section 2
Larry Powell Builders, Inc., principal

Located abutting the northwest corner of Nashville and Eastern Railroad Corporation and Tulip Grove Road.

Resolution No. 98-269

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 95P-030G, Bond No. 97BD-028, Brookside Woods, Section 2, in the amount of \$143,500 to 4/15/99 subject to submittal of an amendment to the present Letter of Credit by **5/16/98** which extends its expiration date to 10/15/99. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 96P-001G
Stone Creek Park, Section 1-B
Gillespie Land Development, principal

Located abutting the northwest margin of Stone Run Drive and both margins of Holt Branch.

Resolution No. 98-270

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** request the for extension of a performance bond for Subdivision No. 96P-001G, Bond No. 97BD-015, Stone Creek Park, Section 1-B, in the amount of \$35,000 to 4/1/99 subject to submittal of an amendment to the present Letter of Credit by **5/16/98** which extends its expiration date to 10/1/99. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 96P-006G
Mountain View, Section 1
Centex Real Estate Corporation, principal

Located abutting both margins of Traceway Drive and both margins of Deer Estate Drive.

Resolution No. 98-271

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 96P-006G, Bond No. 97BD-058, Mountain View, Section 1 in the amount of \$140,000 to 5/15/99 subject to submittal of a letter from the Safeco Insurance Company of America by **5/16/98** agreeing to the extension. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 96S-382G
Chase Creek
Chase Creek LLC, principal

Located abutting the east margin of Temple Road, approximately 1,000 feet south of State Route 100.

Resolution No. 98-272

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 96S-382G, Bond No. 98BD-001, Chase Creek, in the amount of \$1,085,000 to 4/15/99 subject to submittal of an amendment to the present Letter of Credit by **5/16/98** which extends its expiration date to 10/15/99. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Request for Bond Release:

Subdivision No. 28-81-G
Hickory Hills Village Park
Intown Suites Bellevue, Inc., principal

Located abutting the west margin of Old Hickory Boulevard, 430 feet north of Belle Forest Circle.

Resolution No. 98-273

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 28-81-G, Bond No. 97BD-024, Hickory Hills Village Park in the amount of \$33,000."

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

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

Resolution No. 98-274

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

Subdivision No. 78-87-P
Townhomes of Fredericksburg, Phase 1, Section 1
Radnor Homes, Inc., principal

Located abutting the south margin of Old Hickory Boulevard, opposite Hearthstone Lane.

Resolution No. 98-275

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 78-87-P, Bond No. 96BD-038, Townhomes of Fredericksburg, Phase 1, Section 1 in the amount of \$159,000."

Subdivision No. 93P-005G
Poplarwood, Section 1
Jones Custom Homes of Tennessee, Inc., principal

Located abutting the south margin of Poplar Creek Road, approximately 170 feet east of Montcastle.

Resolution No. 98-276

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 93P-005G, Bond No. 95BD-090, Poplarwood, Section 1 in the amount of \$50,000."

MANDATORY REFERRALS:

Proposal No. 98M-029U
Barclay Drive Closure

Map 94-3
Subarea 5 (1994)
District 7 (Campbell)

A proposal to close a segment of Barclay Drive between Riverside Drive and its western terminus, requested by James A. Lovell for adjacent property owners. (Easements are to be retained). (Deferred from meeting of 4/2/98).

Resolution No. 98-277

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 98M-029U.

Proposal No. 98M-039U
Unnumbered Alley
Map 92-9
Subarea 7 (1994)
District 21 (McCallister)

A proposal to close a 50-foot segment at the eastern terminus of an unnumbered alley east of Alley 1140 between Charlotte Avenue and Trevor Street. Easements are to be abandoned.

Resolution No. 98-278

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 98M-039U.

Proposal No. 98M-041U
Alley 934 Closure
Map 92-10
Subarea 10 (1994)
District 21 (McCallister)

A proposal to close Alley 934 between 26th Avenue North and 27th Avenue North, requested by Thomas F. Ramsey, for Columbia/HCA Healthcare Corporation, adjacent property owner. (Easements are to be retained).

Resolution No. 98-279

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 98M-041U.

OTHER BUSINESS:

3. A proposal to amend the 1997-98 to 2002-03 Capital Improvements Budget and Program by changing several Board of Education projects.

Resolution No. 98-280

“BE IT RESOLVED by the Metropolitan Planning Commission that it approves the proposal to amend the 1997-2003 Capital Improvements Budget and Program by amending the amount of funding for existing Board of Education projects and delete two existing Board of Education projects and replace the projects with a new Board of Education project as follows:

A. Increase funding for the following projects:

1.) I.D. No. 88BE001

Bellshire Elementary
Add Eight Classrooms and Support Space

FROM:

\$1,586,000 Proposed General Obligation Bonds FY 1997-1998

TO:

\$1,586,000 Approved General Obligation Bonds FY 1997-1998

\$840,000 Proposed General Obligation Bonds FY 1997-1998

2.) I.D. No. 87BE010

Westmeade Elementary
Add Eight Classrooms and Support Space

FROM:

\$1,586,000 Proposed General Obligation Bonds FY 1997-1998

TO:

\$1,586,000 Approved General Obligation Bonds FY 1997-1998

\$700,000 Proposed General Obligation Bonds FY 1997-1998

3.) I.D. No. 97BE060

New Elementary 1/Antioch Zone-Construct
Construct Elementary for 500 Students on
New Site in Antioch Zone

FROM:

\$5,390,000 Proposed General Obligation Bonds FY 1997-1998

TO:

\$5,390,000 Approved General Obligation Bonds FY 1997-1998

\$2,640,000 Proposed General Obligation Bonds FY 1997-1998

4.) I.D. No. 88BE013A1

Whitsitt Elementary-Land Acquisition and Construct
Land Acquisition and Construct New Facility
To Replace Old Unit

FROM:

\$5,290,000 Proposed General Obligation Bonds FY 1997-1998

TO:

\$5,290,000 Approved General Obligation Bonds FY 1997-1998

\$1,252,000 Proposed General Obligation Bonds FY 1997-1998

5.) I.D. No. 97BE077

Percy Priest Elementary-Construct
Expand Building, Add Eight Classrooms and
Support Space

FROM:

\$95,000 Proposed General Obligation Bonds FY 1997-1998

TO:

\$1,674,000 Proposed General Obligation Bonds FY 1997-1998

B. Delete the following projects and replace with a new project as follows:

FROM:

I.D. No. 95BE006

Deteriorated Building Components - Replace

\$2,160,000 Proposed General Obligation Bonds FY 1997-1998

I.D. No. 97BE039

Health, Safety, Security, and Mandate Compliance

Projects to Comply with Fire and Health Safety, Student,

Staff and Public Security and Complying with Environmental
Issues

\$5,000,000 Proposed General Obligation Bonds FY 1997-1998

TO:

I.D. No. 95BE006

Deferred Maintenance and Other Improvements

\$2,106,000 Approved General Obligation Bonds FY 1997-1998

\$12,139,000 Proposed General Obligation Bonds FY 1997-1998

This concluded the items on the consent agenda.

PUBLIC HEARING ON THE SUBAREA 3 PLAN: 1997 UPDATE DRAFT PLAN.

Ms. Frank stated this is the public hearing to consider adoption of the Subarea 3 Plan: 1997 Update. This is the seventh subarea plan to be updated, and if adopted, it replaces the original Subarea 3 Plan, and becomes part of the General Plan for Nashville/Davidson County. The original Subarea 3 Plan was adopted on August 13, 1992.

This update was conducted as were previous updates that were carried out at a Level 2 of citizen participation. We held community workshop-style meetings and presented a preliminary draft of Chapter 3, the Land Use Policy Plan, to the community for consideration. We also advertised the community meetings in the *Tennessean*, the *Nashville Banner*, the *Times Mirror* and the *Nashville Pride* newspapers. This public hearing was advertised in the same newspapers with the exception of the *Banner*. A mailing list was also maintained during this update process, which started out at 70 individuals and grew to 253. Each person on the mailing list was sent background information, meeting notes, the preliminary draft of Chapter 3 and notification of this public hearing. Roughly two weeks prior to this public hearing, copies of the complete draft plan were made available for public viewing at the Bordeaux Branch library and the Ben West (downtown) library as well as our own library.

Subarea 3 is located in the northwest quadrant of Davidson County. Subarea 3 consists of 44,978 acres of land or 70.3 square miles. It comprises 13% of the total land area in Davidson County. Subarea 3 is bounded by Interstates 24 and 65 to the east; the Cumberland River to the south; Cheatham County line to the west; and Little Marrowbone Road, Eatons Creek Road, Old Hickory Boulevard and property lines along a ridge to the north.

The predominant land use in Subarea 3 is residential. It is clearly a place where people live, and the existing land use pattern is evidence of that. Residential development accounts for 54.3% of the total land use activities and single-family developments alone are found on 90% of those acres. Vacant land is the second predominant land use in the subarea, representing 38.7% of the total land. Commercial and office uses represent 2.6%. Industrial uses, represents 1.6%, and community facilities and parks account for 2.4%.

If you compare the existing land use activities occurring in the subarea to the land use policies adopted to guide development, you can see that the development pattern is quite consistent with the land use policy plan. During this update, the original plan was found to be still valid. However, there were a few areas identified as having a need for review to determine if the present land use policies remain appropriate considering changes that had occurred since the plan's inception.

The need to reevaluate the current policies were necessary because of

- 1) an amendment to the plan in 1996 that changed the residential policy in the northwest quadrant of the Ashland City Highway/Briley Parkway interchange and the commercial policy in the southeast and southwest quadrants of the interchange to industrial policy;
- 2) recurrent requests to extend industrial development opportunity around and south of the Whites Creek Pike/Briley Parkway interchange to take advantage of accessibility.
- 3) the interpretation of policy by the Planning Commission that resulted in industrial zoning along Baptist World Center Drive near Weakley Avenue; and
- 4) a decline in the growth projections for the subarea

Population and employment will continue to increase, but not at the rate that was anticipated in the original Subarea 3 Plan. The original plan projected a 54% increase in population and an even higher increase in employment from 1990 to 2010. Revised growth projections for the subarea forecast an increase of 22.8% in population and 19.5% in employment from 1990 to 2015.

As a result of those changes, staff identified six areas and suggested that the land use policies be reviewed with community input during the update process. Of the six areas, three areas were identified as housekeeping items:

- Area 1 is the northeast quadrant of the Ashland City Highway/Briley Parkway interchange
- Area 2 is the vacant area at and around the Whites Creek Pike/Briley Parkway interchange
- Area 3 is the area south of West Trinity Lane
- Area 4 is the floodplain of Whites Creek
- Area 5 is the future site of Beaman Park
- Area 6 is the vacant area south of Ashland City Highway east of the Scottsboro community and west of the Ashland City Highway/Briley Parkway interchange
- We also had an additional area identified late in the process as having a need for reevaluating the current policies. This area is not depicted on the map. However, it is a vacant area located north of County Hospital west of Old Hydes Ferry Pike.

The first 4 areas generated the most community dialogue during this update process.

Area 1 - the northeast quadrant of the Ashland City Highway/Briley Parkway. This area was recommended for reevaluation because of the 1996 amendment to the plan. Three fourths of the interchange supports industrial development and the northeast quadrant of the interchange supports residential development at 4 to 9 units per acre. Staff questioned the viability of continuing the Residential Medium density policy, and suggested the application of Commercial Mixed Concentration policy for properties oriented toward Ashland City Highway and continuing the Residential Medium density policy for properties oriented toward Cato Road. The community opposed staff's suggestion and reached a consensus that the current Residential Medium density policy should be continued in the updated plan. The community sited that a commercial policy would encourage strip commercial development, bring about an increase in traffic along Ashland City Highway, decrease the value of nearby homes, and threaten the safety of children attending Cumberland Elementary school, which is located on Cato Road. The Residential Medium density policy in the northeast quadrant of the interchange is recommended for continuation in the updated plan.

Area 2 - Whites Creek Pike/Briley Parkway interchange. Because of recurrent requests to extend industrial development opportunity west of Whites Creek Pike and around the interchange, staff presented two alternatives for the community to consider. The first alternative was to extend industrial policy around the interchange and west of Whites Creek Pike. The second alternative was to continue the existing policies as

established in the original plan. The community opposed the first alternative, extending Industrial and Distribution policy. In regards to the second alternative, the community favored this alternative, but questioned the need of continuing to set aside the amount of land recommended by the plan for future commercial and multi-family development in this general area. This led to scaling back the Retail Concentration Community policy and scaling back and relocating the Residential Medium-High density policy north of the interchange to this area south of Briley Parkway. This Residential Low-Medium density policy was extended southward and Natural Conservation policy was recommended along the undeveloped portion of Ewing Creek. Staff concluded as a result of the decline in the growth projections for the subarea, the scaling back of the two policy categories is appropriate.

Area 3 - general area south of West Trinity Lane, the Haynes and Fern Avenue areas. Staff suggested that this area be reviewed to determine how the non-residential and residential areas can best coexist so that land uses in the residential, commercial and industrial policy areas can prosper. The residential area has a high percentage of vacant lots. The Metropolitan Development and Housing Agency has been actively involved over a number of years with providing redevelopment assistance in the residential area immediately south of West Trinity Lane. At present, this Metro department is working to provide similar assistance in this residential area by establishing the Fern Avenue Neighborhood Strategy Area, whereby community development block grant funds will be used to promote the revitalization of this area. In the update, Industrial and Distribution policy was extended in this general area to better complement the established industrial zoning districts, replacing the Commercial Arterial Existing policy. Also in the updated plan, the text and the design plan both identify definitive boundaries that strongly support the preservation of the Fern Avenue residential area. For instance, industrial development should not extend beyond properties oriented toward Baptist World Center Drive and the rear lot lines of properties oriented toward Weakley Avenue. The commercial activities should not extend beyond Bessie Avenue, and commercial access should be confined to Brick Church Pike. A community consensus was reached that supported this general approach to preserving the residential areas.

County Hospital Road - Late in the update process, an additional area was identified as having a need to reevaluate the policies. The area is vacant and located in the general vicinity north of County Hospital west of Old Hydes Ferry Pike. Access to this area is inadequate. It was suggested by some individuals in the community that this area be considered for providing industrial development opportunity. The general consensus of the community was divided as to whether industrial development or residential development is appropriate in this area. As a result, the updated plan recommends continuation of the existing residential policies. However, language is included in the plan that suggests a possible consideration of a future plan amendment to industrial policy if certain conditions, such as adequate accessibility and preservation of the established residential areas, are met. This would encourage access for non-residential activities to occur in a manner that would not be disruptive to the established residential areas.

Minor adjustments recommended in the updated plan:

Area 4 - is the floodplain of Whites Creek. The updated plan recommends the application of Natural Conservation to the floodplain of Whites Creek. It is a significant floodplain, and this application is similar to the steps we have taken to preserve other significant floodplains throughout the county.

Area 5 - is the future site of Beaman Park, which is located south of Little Marrowbone Road. The 1500 acre future park is publicly owned. Major Public Open Space is the policy category applied to public parks and is recommended.

Area 6 - is the vacant area south of Ashland City Highway east of the Scottsboro community and west of the Ashland City Highway/Briley Parkway interchange. The updated plan reduces industrial and distribution policy in this general area and replaces it with Natural Conservation policy. The physical characteristics of this area match the criteria for Natural Conservation policy, and there is no industrial zoning in this area.

Mr. William Kantz stated he had just recently purchased a piece of property on the northwest corner of Old Hickory Boulevard and Ashland City Highway. He said he had just filled out an application to make 25 of those 30 acres commercial, which he thought was a good idea, because two of the other corners of that intersection are in a floodplain and the southwest corner only has approximately ½ acre of commercial services policy. He asked the Commission to extend the CS policy further north to include his property.

Councilmember Garrett suggested Mr. Kantz talk to his councilmember.

Mr. Kantz stated he had not had a chance to do that but was planning to talk to Councilmember Regina Patton.

Mr. Lawson thanked staff for their excellent performance during the update.

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

Resolution No. 98-281

“WHEREAS, the Metropolitan Planning Commission directed staff to conduct open workshop style meetings to provide the community the opportunity to work with the Commission’s staff on the review and updating of the *Subarea 3 Plan* that was adopted on August 13, 1992; and,

WHEREAS, seven meetings were held between September 30, 1997 and February 26, 1998 at which community members working in conjunction with the staff of the Metropolitan Planning Commission, did in accordance with county-wide General Plan guidelines, review and update the *Subarea 3 Plan*; and,

WHEREAS, additional efforts were made to obtain public input into the development of this updated plan, including a public hearing before the Metropolitan Planning Commission on April 16, 1998; and,

WHEREAS, the Metropolitan Planning Commission is empowered under state statute and the charter of the Metropolitan Government of Nashville and Davidson County to adopt master or general plans for smaller areas of the county;

NOW, THEREFORE, BE IT RESOLVED that the Metropolitan Planning Commission hereby **ADOPTS** *Subarea 3 Plan: 1997 Update* (Subarea Plan), in accordance with sections 11.504 (e), (j), and 18.02 of the charter of the Metropolitan Government of Nashville and Davidson County as the basis for the Commission’s development decisions in that area of the county. The *Subarea 3 Plan: 1997 Update* is also adopted as part of the General Plan.”

ZONE CHANGE PROPOSALS:

Zone Change Proposal No. 98Z-055U
Map 92-13, Parcels 394-406
Subarea 7 (1994)
District 24 (Johns)

A request to change from RS5 to RM9 District properties located along the south margin of Nevada Avenue (unnumbered) and at 3303 and 3305 Nevada Avenue, and 249, 251, 253, 292, 294, 296 and 298 33rd Avenue North (2.75 acres), requested by Brett Massey, appellant, for John Scott Orr and Four Star Properties, owners.

Ms. Regen stated this proposal is to rezone from single family to multi family permitting up to 9 units per acre. Staff is recommending disapproval of this request. This area actually falls within a residential medium density policy of the Subarea 9 Plan. That plan permits between 4 and 9 dwelling units per acre.

The question is whether the proposed housing type is appropriate for this area. This is an older single family residential neighborhood with some duplexes in it, and there has been a lot of reinvestment in the homes in this area. Staff feels the multi family uses and zoning could expand and threaten the redevelopment of existing single family homes if this rezoning were approved. The subarea plan stated the single family character of the neighborhood and the homes that are there now should be preserved.

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

Resolution No. 98-282

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-055U is **DISAPPROVED (9-0)**:

The property falls within the Subarea 7 Plan’s Residential Medium (RM) policy calling for 4 to 9 dwelling units per acre. While the RM9 District is within the RM policy’s density range, multi-family zoning would introduce a new housing type into this single-family neighborhood. The Subarea 7 Plan emphasizes retaining and preserving the single-family character of this neighborhood.”

Zone Change Proposal No. 98Z-057G

Map 34-6, Parcel 16
Subarea 4 (1993)
District 10 (Garrett)

A request to change from R20 to OR20 District property located on the southwest margin of Cude Lane, approximately 500 feet north of Spring Branch Drive (.99 acres), requested by Charles A. Lannom, appellant for Norma Angell, et vir owners.

Ms. Regen stated staff was recommending disapproval of the request because the scale of the development permitted by the OR20, which would include permitting 20 multi family units on one acre of land, would be out of character and not be compatible with the large lot single family development. This piece of property falls at the boundary between a regional commercial policy and a residential low density policy to the east. The Subarea 4 Plan suggests that these properties should be office transitional uses, be of low intensity, and be compatible with the residential development across the street. Staff feels the appropriate zoning district for this area would be ON, Office Neighborhood.

Mr. Lawson moved and Ms. Nielson seconded the motion, which carried with Councilmember Garrett abstaining, to approve the following resolution:

Resolution No. 98-283

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-057G is **DISAPPROVED (8-0-1)**:

The proposed OR20 district, with its permitted density of 20 multi-family units per acre, would not be in scale with the large-lot single-family residential neighborhood located across the street. The OR20 district permits a higher residential density and office intensity than the Subarea 4 Plan calls for on this southwest portion of Cude Lane. The subarea plan suggests low intensity office uses (e.g. ON District) as a transition between the commercial uses oriented towards Myatt Drive and the residential area north of Cude Lane.”

SUBDIVISIONS:

Preliminary Plats:

Subdivision No. 98S-046G (Public Hearing)
Sequoia Village Subdivision
Map 43-1, Parcels 85, 87, 96, 107, 108, 109 and
Part of Parcel 143
Subarea 4 (1993)
District 9 (Dillard)

A request for preliminary approval for 58 lots abutting the northeast corner of Shannon Avenue and Pierce Road (14.55 acres), classified within the RS7.5 District, requested by Charles Rhoten, owner/developer, Burns Consulting, surveyor. (Deferred from meeting of 4/2/98).

Ms. Carrington stated staff was recommending disapproval of this application and that a letter from Councilmember Dillard had been received requesting deferral because he has not had an opportunity to discuss it with the applicant. This application was deferred from the last meeting because at that time staff had two design concerns about the plat, which the applicant indicated they were willing to work with staff on. One was the intersection design on the eastern most street and the other was the a connection to Lawrence Avenue on the north. The applicant has not submitted a new plat that addresses those design issues. Since the last meeting staff has had a call from an adjoining property owner who owns a portion of the property in this plat but has no contract with Mr. Rhoten.

Mr. Charles Rhoten stated the adjoining property shown on the plat was an engineering error and that it should have been left out of the plat.

Chairman Smith stated Councilmember Dillard had asked for a two week deferral and asked Mr. Rhoten if he would like to have that deferral to revise the plan as suggested by staff.

Mr. Rhoten asked for the two week deferral.

Mr. Bodenhamer moved and Councilmember Garrett seconded the motion, which carried unanimously, to leave the public hearing open and defer this matter for two weeks.

Subdivision No. 98S-127G (Public Hearing)
Maxwell Road Estates
Map 176, Parcel 27
Subarea 13 (1996)
District 29 (Holloway)

A request for preliminary approval for 51 lots abutting the south margin of Maxwell Road, approximately 1,150 feet east of LaVergne-Couchville Pike (15.3 acres), classified within the RS10 District, requested by Butler Developers, LLC, optionee, MEC, Inc., surveyor.

Ms. Carrington stated staff could not recommend approval of this plan at the present time and that the applicant would be requesting a two week deferral.

Chairman Smith asked if there was anyone in the audience that would like to address the Commission after the presentation.

No one was present to speak at the public hearing.

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

Subdivision No. 98S-128G (Public Hearing)

Rockwood Estates
Map 86, Parcel 102
Subarea 14 (1996)
District 12 (Ponder)

A request for preliminary approval for 24 lots located approximately 65 feet north of Rockwood Drive and approximately 450 feet northwest of Tulip Grove Road (5.93 acres), classified within the RS7.5 District, requested by John D. McCormick et al, owners/developers, John D. McCormick, surveyor.

Ms. Carrington stated staff was recommending approval of this application. This preliminary plan was approved in 1994 but had expired. The applicant has resubmitted the same plan with one change of a lot being divided into two lots.

Mr. Sylvester Davis, area property owner, expressed concerns regarding access and traffic and stated he would like to work with the developer to help improve the neighborhood.

Doug McCormick, surveyor, stated there was a left turn lane in place on Tulip Grove Road. Access has been discussed with Councilmember Ponder and staff.

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

Resolution No. 98-284

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 98S-128G, is **APPROVED (9-0).”**

Subdivision No. 98S-129U (Public Hearing)
Baldwin Arbor
Map 131-1, Parcel 20
Subarea 10 (1994)
District 34 (Fentress)

A request for preliminary approval for nine lots abutting the north margin of Hobbs Road, approximately 147 feet west of Legend Hall Drive (2.81 acres), classified within the RS10 District, requested by Hobbs, LLC, owner/developer, Walter Davidson and Associates, surveyor.

Ms. Carrington stated staff was recommending approval of this project. This is the first application staff has received since the new Zoning Ordinance was passed that has requested the cluster lot option. The lots must have a minimum of 90% of the lot size required in the zoning district and they meet that requirement. They are providing open space along Hobbs Road and a strip along the west side of their access street and along the north. This application does meet all of the cluster lot provisions in the Zoning Ordinance.

Mr. Richard Chambers, Legend Hall resident, expressed concerns regarding not receiving notice of the meeting and drainage. The neighbors had been told the drainage would be underground and go toward Hobbs Road.

Jim Armstrong, Public Works, stated this drainage information would be on the final plan showing exactly how and what method would be used, which would have to be approved by Public Works.

Mr. Stephen Smith stated the developer was not required to show a drainage drawing on a preliminary plan.

Mr. Walter Davidson, engineer, stated the plan was submitted and did show a diversion of the stormwater along the eastern property line out to the storm sewer that exists at Hobbs Road. There will not be any water leaving the proposed site going to Legend Hall.

Chairman Smith asked if this water would be underground.

Mr. Davidson stated that on the preliminary plan it was shown as a ditch to the underground flow at Hobbs Road. This will actually take water away from Legend Hall.

Mr. Phillips Turner, Jr., also expressed concerns regarding drainage

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

Resolution No. 98-285

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 98S-129U, is **APPROVED (9-0).”**

Final Plats:

Subdivision No. 98S-117U

Trinkler Subdivision
Map 130-4, Parcel 48
Subarea 10 (1994)
District 34 (Fentress)

A request for final plat approval to subdivide one parcel into two lots abutting the west margin of Sneed Road, approximately 950 feet south of Hobbs Road (1.18 acres), classified within the RS20 District, requested by Elizabeth M. Trinkler, owner/developer, Walter Davidson and Associates, surveyor.

Ms. Carrington stated that in considering this application the Commission needed to determine whether or not the comparability formula should be a factor in approving future subdivisions in this area. This may look familiar to the Commission. It was on the agenda of June, 1997. At that time when the comparability formula was applied the lots had to have a minimum lot frontage of 92 feet. It was suggested that staff take a look at other larger lots in the area as if they had already subdivided. When staff redid the comparability formula, that lowered the frontage requirement to 84 feet. The plat the Commission saw last year had a lot that had only 82 feet of frontage, which did not meet the new comparability formula and it was disapproved. Since that time, they have submitted a new request. They have moved the line in between the lots just slightly off of perpendicular so that now the lots meet the new comparability formula. If the Commission makes the determination that staff should be looking at this area as a whole as though the surrounding large lots were going to subdivide then this application should be approved.

Chairman Smith stated that at that time there were a lot of people that appeared before that had their house right in the middle and was not going to subdivide or change. He said he did not know where all those people were today.

Mr. Owens stated staff did not notify surrounding property owners last year nor were they notified this year. The point staff would like to make is that if you apply the comparability formula today in a straight forward manner there are lots out there that could divide today and meet the requirement. Staff is suggesting it is appropriate to anticipate those further subdivisions eventually, which will drop the average down to the point where this property could be subdivided.

Chairman Smith stated that almost everyone of the homes in that area have had additions and the houses have gotten bigger and the neighbors are all very opposed to small lot subdivisions.

Mr. Manier stated that most of those larger homes in that area probably sat right in the middle of the lot and would not be able to subdivide.

Chairman Smith stated that he felt the Commission fought this battle a year ago and to bring it back up without the notification of the neighborhood was incorrect.

Mr. Harbison stated it would be inappropriate to calculate comparability based upon an assumption that existing large lots in the vicinity were subdivided simply because they could meet technical requirements for doing so. He stated it would be more consistent with the intent of comparability to wait until these large lots do indeed subdivide, and then apply the different area and frontage criteria to the lot in question. He stated part of comparability is ensuring that events occur in proper sequence.

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

Resolution No. 98-286

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 98S-117U, is **DISAPPROVED (9-0)**.

The Commission determined that the proposed plan of subdivision did not comply with the acreage lot frontage standard of Section 2-4.7 (Lot Resubdivision Comparability) of the Subdivision Regulations.”

Request for Bond Extension:

Subdivision No. 47-86-P

Briley Parkway Business Center, Section 1
NWI Warehouse Group, L.P., principal

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

Ms. Carrington stated this subdivision was at 100% build out and Metro had met all of their obligations. The applicants are requesting a one year extension of their bond. Staff is recommending disapproval and is asking the Commission to authorize collection of the performance bond of \$20,350 unless they complete final paving, construction of a temporary cul-de-sac and re-record the plat to eliminate the reference to a new sanitary sewer line.

Mr. Chris McGill, architect, stated the street in question was built only as far as necessary to accommodate the one lot and occupant in the first phase. He stated the temporary cul de sac was unnecessary because there is only one property using the street.

Chairman Smith asked Mr. Owens if the city would be protected if the Commission used common sense in this case.

Mr. Owens stated he felt the city would be protected because of the bond. Public Works has been out to check the status of the binder that has been put down and it is still in good shape.

Ms. Nielson asked about the sewer.

Mr. Owens stated that the developer was going to put a sewer in the area and it was shown on the final construction plans and on the plat and a bond was posted for it. Water Services is now saying it is not a necessary improvement for this first phase and if they want to remove the sewer from the construction plans

and from the plat there are no objections to that. However, as long as it is on the construction plans it is covered by the bond and is part of the contract requirements.

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

Resolution No. 98-287

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 47-86-P, Bond No. 90BD-004, Briley Parkway Business Center, Section One, in the amount of \$20,500 to 4/15/99 subject to submittal of an amendment to the present Letter of Credit by **5/16/98** which extends its expiration date to 10/15/99. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 47-87-P
Hunters Green
B & Y Properties, Inc.

Located on the west margin of Una-Antioch Pike, approximately 150 feet north of Billingsgate Road.

Ms. Carrington stated this is a case where build out is at 80% and staff is recommending disapproval of the request for an extension and authorization to collect if final paving and sidewalks are not completed by May 20, 1998.

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

Resolution No. 98-288

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **DISAPPROVES** the request for extension and authorizes collection of a performance bond for Subdivision No. 47-87-P, Bond No. 98BD-029, Hunters Green, in the amount of \$32,300 if final paving and sidewalks are not completed by 5/20/98."

Subdivision No. 90P-020G
Heron Walk, Phase 1, Section 2
Allen Earps, principal

Located abutting the southwest margin of Cheyenne Boulevard, opposite Cheyenne Circle.

Ms. Carrington stated build out was at 100% and staff is recommending disapproval of the request for an extension and authorization to collect if final paving and sidewalks are not completed by July 15, 1998.

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

Resolution No. 98-289

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **DISAPPROVES** the request for extension and authorizes collection of a performance bond for Subdivision No. 90P-020G, Bond No. 97BD-011, Heron Walk, Phase 1, Section 2, in the amount of \$27,500 if final paving and sidewalks are not completed by 7/15/98. The Letter of Credit expires 10/1/98."

Subdivision No. 93P-016G
Traceside, Section 5
Centex Real Estate Corporation, principal

Located abutting both margins of Deer Estates Drive and both margins of Deerbrook Drive.

Ms. Carrington stated built out was at 100% and staff is recommending disapproval of the extension and authorization for collection if final paving and sidewalks are not completed by July 15, 1998.

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

Resolution No. 98-290

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **DISAPPROVES** the request for extension and authorizes collection of a performance bond for Subdivision No. 93P-016G, Bond No. 96BD-047, Traceside, Section 5 in the amount of \$25,000 if final paving and sidewalks are not completed by 7/15/98."

Subdivision No. 93P-016G
Traceside, Section 6
Centex Real Estate Corporation, principal

Located abutting both margins of Traceway Drive, approximately 450 feet northeast of Deerbrook Drive.

Ms. Carrington stated built out was at 100% and staff is recommending disapproval of the extension and authorization for collection if final paving and sidewalks are not completed by July 15, 1998.

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

Resolution No. 98-291

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **DISAPPROVES** the request for extension and authorizes collection of a performance bond for Subdivision No. 93P-016G, Bond No. 96BD-048, Traceside, Section 6 in the amount of \$25,000 if final paving and sidewalks are not completed by 7/15/98."

Subdivision No. 93P-019G
Lakeridge, Phase 4
B & P Developments, Inc., principal

Located abutting the east margin of Wemberton Place, approximately 12 feet north of Elm Hill Pike.

Ms. Carrington stated built out was at 100% and staff is recommending disapproval of the extension and authorization for collection if final paving and sidewalks are not completed by July 15, 1998.

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

Resolution No. 98-292

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **DISAPPROVES** the request for extension and authorizes collection of a performance bond for Subdivision No. 93P-019G, Bond No.

97BD-014, Lakeridge, Phase 4, in the amount of \$39,300 if final paving and sidewalks are not completed by 7/15/98.”

Subdivision No. 95P-032G
Chesney Glen, Section 3
Phillips Builders, Inc., principal

Located abutting both margins of Chesney Court, approximately 120 feet west of Chesney Glen Drive.

Ms. Carrington stated built out was at 86% and staff is recommending disapproval of the extension and authorization for collection if final paving and sidewalks are not completed by July 15, 1998.

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

Resolution No. 98-293

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **DISAPPROVES** the request for extension and authorizes collection of a performance bond for Subdivision No. 95P-032G, Bond No. 97BD-032, Chesney Glen, Section 3 in the amount of \$14,000 if final paving and sidewalks are not completed by 7/15/98.”

OTHER BUSINESS:

1. Employee contract for Cynthia Lehmbek.

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

Resolution No. 98-294

“BE IT RESOLVED by the Metropolitan Planning Commission, that it approve the contract for Cynthia Lehmbek for one year, from May 1, 1998 through April 30, 1999.

2. Contract amendment for Douglas Delaney.

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

Resolution No. 98-295

“BE IT RESOLVED by the Metropolitan Planning Commission, that it approves the contract amendment for Douglas J. Delaney for one year, from May 1, 998 through April 30, 1999.

4. Consideration of the Subarea 10 amendment staff analysis for the Long Boulevard area.

Mr. Manier moved and Ms. Nielson seconded the motion, which carried unanimously, to approved the Subarea 10 amendment consideration public hearing for May 14, 1998.

5. Legislative Update.

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

ADDENDUM:

6. License agreements between the Metropolitan Planning Commission and two companies, Courthouse Retrieval System and First American Real Estate Solutions, LLC, that will allow these companies commercial usage of the GIS map database to create and sell mapping products in accordance with Ordinance O97-797, which governs sale of GIS map data.

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

Resolution No. 98-296

“BE IT RESOLVED by the Metropolitan Planning Commission that it approves the License agreements between the Metropolitan Planning Commission and two companies, Courthouse Retrieval System and First American Real Estate Solutions, LLC.

PLATS PROCESSED ADMINISTRATIVELY

April 2, 1998 through April 15, 1998

- | | |
|-----------------|--|
| 97S-482G | RIVERGATE INDUSTRIAL PARK, Section 2,
Resubdivision of Lots 2 and 3, First Revision
Revises joint access |
| 98S-047U | VANDERBILT PLAZA, Second Revision
Shifting a portion of interior lot line |
| 98S-109G | RIVERFRONT SHOPPING CENTER (Easement Plan),
Third Revision
Revises easement plan |
| 98S-112U | WHITWORTH, Phase 3, Section 3, Resubdivision of Lot 3 & 4
Two lot consolidation |
| 98S-124U | ELLIS SUBDIVISION, Resubdivision of Lot 2
One lot into two lots |
| 98S-126U | HILLBROOK PLACE
Horizontal property regime |
| 98S-141G | LEO CURTIS GREER, JR. PROPERTY, Resubdivision of Lot 1
Revises septic field location |

ADJOURNMENT:

There being no further business, upon motion made, seconded and passed, the meeting adjourned at 2.45 p.m.

Chairman

Secretary

Minute Approval:

This 30th day of April, 1998