

MINUTES
OF THE
METROPOLITAN PLANNING COMMISSION

Date: March 18, 1999
Time: 1:00 p.m.
Place: Howard Auditorium

Roll Call

Present:

Gilbert N. Smith, Chairman
James Lawson
William Manier
Ann Nielson
Douglas Small
Stephen Smith
Marilyn Warren

Absent:

Mayor Philip Bredesen
Tim Garrett, Councilmember
Pat Tatum

Others Present:

Executive Office:

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

Current Planning & Design Division:

Theresa Carrington, Planning Division Manager
Jennifer Regen, Planner III
John Reid, Planner II
Robert Leeman, Planner I
James Russ, Planning Technician I

Community Plans Division:

Jerry Fawcett, Planning Division Manager
Bob Eadler, Planner II
Anita McCaig, Planner I

Advance Planning & Research:

John Boyle, Planning Division Manager
Jeff Lawrence, Planner III
Mike Calleja, Planner III
Paige Watson, Planner I

Michelle Kubant, Planner I

Others Present:

Jim Armstrong, Public Works
Nicole Rodrigue, Legal Department

Chairman Smith called the meeting to order.

ADOPTION OF AGENDA

Ms. Carrington announced Subdivision No. 97S-259G Consideration for Bond Collection should be changed to a Request for Bond Release.

Ms. Nielson moved and Mr. Lawson 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:

99Z-026U Deferred until 04/15/99, by applicant.

Chairman Smith asked if there were any new facts to be brought out, was discussion occurring or is this just a request for deferral.

Ms. Carrington stated there were deferral requests from both the applicant and the Councilmember.

99S-073U Deferred indefinitely, by applicant.
99S-075U Deferred indefinitely, by applicant.
74-79-G Final Plat deferred two weeks, by applicant.
84-87-P Deferred two weeks, by applicant.
97P-005U Deferred two weeks, by applicant.
99Z-020U Deferred until 04/29/99, by applicant.

Commissioner Lawson asked 99Z-020U be removed from the deferred list and heard by the Commission.

99Z-018U Deferred until 04/15/99, by applicant.

Chairman Smith asked the Historic Commission and Councilmember Kleinfelter to explain why they were requesting a deferral on item 99Z-026U.

Commissioner Stephen Smith stated he thought the Commission should hear from both sides.

Mr. Bill Kelly, Historic Zoning Administrator, stated the Historic Commission is the applicant and is requesting deferral because the neighborhood involved asked for the deferral and the reasoning behind it is because of the small amount of time between the Planning Commission staff recommendation and this meeting. Historic Commission staff did not learn of the proposed boundary change until Thursday afternoon of last week and it was not expected. The neighborhood would like time to meet with planning staff. Ann Reynolds, Historic Commission Executive Director, has scheduled a meeting with Mr. Browning for Monday to discuss general procedures of putting overlays in place and perhaps better procedures should

be in place to allow more time between the Historic Zoning Commission's review of a request and the Planning Commission's review. There should have been time for the Planning Commission staff to review the Historic Zoning Commission's recommendation on this proposal.

Chairman Smith asked if the Historic Zoning Commission deferred this matter.

Mr. Kelly stated they did not. They made a recommendation to approve and they also approved the proposed design guidelines. He asked for deferral to give the neighborhood time to work with planning staff on the new boundaries.

Chairman Smith asked if that information was known when the Historic Zoning Commission passed what they did. The Planning Commission is a little surprised the Historic Zoning Commission would pass something yesterday and endorse it whole-heartedly and then ask the Planning Commission to defer it today. The Historic Zoning Commission should have deferred it yesterday if there was controversy.

Mr. Kelly stated a deferral was discussed at the meeting yesterday. The boundary change here, the recommendation by the staff, is the thing that has changed.

Ms. Warren asked Mr. Kelly if he was aware of the staff's suggested alternative yesterday.

He stated the Commission was but did not learn of it until late last week and did not receive a copy of the staff recommendation until Monday.

Ms. Warren asked if the Historic Zoning Commission was aware of the recommendation to change the boundaries when they voted on it.

Mr. Kelly stated they were.

Councilmember David Kleinfelter stated he had never had a requested deferral denied by the Planning Commission. The Historic Zoning Commission made a decision on this matter because their decision is based upon the historic merit of the application and nothing changed there. He said he was also surprised of the staff recommendation because he was not aware of any subarea plan provision that says there should be expansion space allowed for private schools that are in established neighborhoods. Recommendations have been made that he was not aware of the planning basis for them. If there are political decisions to be made, it has always been his expectation that those be made in the political arena. There are things that need to be looked at and responded to before it is presented to this Commission.

Mr. Stephen Smith stated that if the Historic Zoning Commission's basis of a passage didn't have anything to do with staff, why would they want to defer this.

Councilmember Kleinfelter stated there were three reasons. One, that he is the sponsor of what will be the legislation and he is requesting deferral and not in his own experience when that request has been made in a reasonable fashion has it been denied by this Commission. Secondly, the neighborhood group that made the request to the Historic Zoning Commission has requested deferral in front of this body, and last, the staff recommendation applies to this body not to the Historical Zoning Commission.

Mr. Irwin Venick, president of the Woodlawn West Historic Neighborhood Association, stated his neighborhood had concerns regarding the staff recommendation and were also requesting deferral.

Mr. Robert Rutherford, attorney representing MBA, stated representatives from MBA were present and ready to oppose the imposition of this historic overlay. They have prepared and are ready to present their case and ready for the Commission to hear and rule on this case. This case has been pending for quiet some time and the lead up to this has been apparently a couple of years and should not be a surprise to anyone. The fact that the Commission staff had recommended against should have no effect on whether this body hears today the merits of this proposal. He respectfully suggested that to give the additional time is to do

nothing but to, in effect, lobby the members of the staff. Staff has made their decision in good faith and he asked that the Commission hear and make their decision today.

Mr. Manier stated this Commission has generally honored the request of the Councilmanic person involved as far as deferrals are concerned and as a matter of courtesy have always observed that request and suggested the Commission observe it in this instance.

Mr. Stephen Smith stated the person that is against the application has spent considerable money being prepared today and there is an economic loss.

Mr. Stephen Smith moved and Ms. Warren seconded the motion, which failed, to remove item 99Z-026U from the deferred list. Ms. Warren, Chairman Smith and Mr. Stephen Smith were in favor of the motion and Mr. Small, Mr. Manier, Ms. Nielson and Mr. Lawson were in opposition to the motion.

Chairman Smith stated Zone Change Proposal No. 99Z-020U had also been requested to be removed from the deferred list by Mr. Lawson.

Mr. Robert Rutherford stated there is currently a citation against Mr. Vincent T. Scalf, applicant, for mineral extraction and that citation is set to be heard April 21, 1999, and at that point there will be a resolution to that issue. As long as that issue is hanging over his head it interferes with this application.

Mr. Lawson stated he would like to go ahead and hear this proposal.

Councilmember Melvin Black asked Mr. Rutherford if there was a stop work order at the present time.

Mr. Rutherford stated there was a stop work order.

Councilmember Black asked the Commission to deny the request to defer this proposed zone change. He stated he had several calls from area residents opposed to this particular zone change. He respectfully asked the Commission to support staff recommendation of disapproval on this request.

Mr. Lawson moved and Ms. Nielson seconded the motion, which unanimously passed, to defer the items listed above and to remove Zone Change Proposal No. 99Z-020U from the deferred list.

APPROVAL OF MINUTES

Mr. Lawson moved and Ms. Nielson seconded the motion, which unanimously passed to approve the minutes of the regular meeting of February 18, 1999.

RECOGNITION OF COUNCILMEMBERS

Councilmember Vic Lineweaver spoke in favor of Zone Change Proposal No. 99Z-036 and PUD Proposal No. 93P-016G. He said he had spoken with the neighbors and they were in favor of this project.

Councilmember Lineweaver stated that unless the weather is bad, Morton Mill Road will be completed by March 30, 1999.

Councilmember David Kleinfelter gave the Commission some history regarding the apartments and property located at Hillsboro Road and I-440 and stated he supported the mixed use proposed for the property but did not want to force it on the neighborhood. The area neighborhood associations came to an agreement with the developer for a higher density residential on the property.

ADOPTION OF CONSENT AGENDA

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

SUBAREA 10 (1994)

Subdivision Proposal No. 99S-081G

Forest Hills Baptist Church, Lot 1
Map 158, Parcels 8, 11 and 13
District 34 (Fentress)

A request for final plat approval to consolidate three parcels into one lot abutting the southwest corner of Old Hickory Boulevard and Hillsboro Pike (10.09 acres), classified within the R40 District, requested by William C. Cockrill for Forest Hills Baptist Church, owner/developer, Crawford Land Surveyors, surveyor.

Resolution No. 99-154

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-081G, is **APPROVED (7-0).”**

Subdivision Proposal No. 99S-083U

John Boyd Home Place, Lots 284-290
Map 92-12, Parcels 25-28 and 502
District 19 (Sloss)

A request for final plat approval to consolidate seven lots into one lot abutting the southwest corner of Charlotte Avenue and 17th Avenue North (1.45 acres), classified within the MUI District, requested by Alive Hospice, Inc., owner/developer, Cherry Land Surveying, surveyor.

Resolution No. 99-155

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-083U, is **APPROVED (7-0).”**

Zone Change Proposal No. 99Z-032U

Map 104-8, Parcel 422
District 18 (Clifton)

A request to rezone from OR20 to RM40 district property at 1406 18th Avenue South, approximately 200 feet north of Capers Avenue (.35 acres), requested by Bill Barkley, appellant, for AB 1, LLC, owners.

Resolution No. 99-156

“BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-032U is **APPROVED (7-0):**

These properties fall within the Subarea 10 Plan’s Residential Medium High (RMH) policy calling for up to 40 units per acre. The RM40 district is consistent with this policy and the established zoning pattern to the south and west.”

Request for Bond Release

Subdivision No. 95S-006U
Addition to Village of Abbeywood

Mertech Realty, L.P., principal

Located abutting the west terminus of Abbeywood Place.

Resolution No. 99-157

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 95S-006U, Bond No. 95BD-002, Addition to Village of Abbeywood in the amount of \$6,480.00.”

Request for Bond Release

Subdivision No. 99S-013U

BMG Music Complex, Resubdivision of Lot 1

AB1 LLC, principal

Located abutting the southwest corner of Horton Avenue and 18th Avenue South.

Resolution No. 99-158

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 99S-013U, Bond No. 99BD-006, BMG Music Complex, Resubdivision of Lot 1 in the amount of \$25,000.”

SUBAREA 12 (1997)

Subdivision No. 99S-062G

Banbury Crossing, Section 4

Map 172, Part of Parcel 111

District 32 (Jenkins)

A request for final plat approval to create 29 lots abutting the west terminus of Banbury Crossing, approximately 115 feet west of North Wickshire Way (20.52 acres), classified within the R40 Residential Planned Unit Development District, requested by Jones Company, owner/developer, Gresham, Smith and Partners, surveyor.

Resolution No. 99-159

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-062G, is **APPROVED SUBJECT TO A BOND OF \$688,500.00 (7-0).**”

Subdivision No. 99S-063G

Banbury Crossing, Section 5

Map 172, Part of Parcel 111

District 32 (Jenkins)

A request for final plat approval to create 58 lots abutting the west terminus of Banbury Crossing, approximately 485 feet west of North Wickshire Way (20.6 acres), classified within the R40 Residential Planned Unit Development District, requested by Jones Company, owner/developer, Gresham, Smith and Partners, surveyor.

Resolution No. 99-160

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-063G, is **APPROVED, SUBJECT TO A BOND OF \$935,500.00 (7-0).**”

Subdivision Proposal No. 99S-086G
Stone Creek Park, Section 3
Map 180, Parcel 234 and Part of Parcel 5
District 31 (Alexander)

A request for final plat approval to create 15 lots abutting the northwest terminus of Holt Run Drive, approximately 130 feet northwest of Holt Grove Court (5.37 acres), classified within the R20 Residential Planned Unit Development District, requested by Gillespie Land Development, LLC, owner/developer, Anderson-Delk and Associates, Inc. surveyor.

Resolution No. 99-161

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-086G, is **APPROVED, SUBJECT TO A BOND OF \$184,000.00 (7-0).”**

Subdivision Proposal No. 99S-097U
Villages of Brentwood, Phase 11
Map 161, Parcel 246
District 32 (Jenkins)

A request for final plat approval to create 52 lots abutting the southwest margin of Village Way, approximately 115 feet southeast of English Village (16.25 acres), classified within the R10 Residential Planned Unit Development District, requested by Grandview Land Company, Inc., owner/developer, Dale and Associates, surveyor.

Resolution No. 99-162

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-097U, is **APPROVED SUBJECT TO A BOND OF \$420,000.00 (7-0).”**

Subdivision Proposal No. 99S-103G
Mill Run, Phase 1
Map 173, Part of Parcel 83
District 31 (Alexander)

A request for final plat approval to create 64 lots abutting the west margin of Old Hickory Boulevard, approximately 610 feet south of Barnes Road (30.94 acres), classified within the RS10 District, requested by Crosland-Patton-Smith L.L.C., owner/developer, Littlejohn Engineering Associates, Inc., surveyor.

Resolution No. 99-163

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-103G, is **APPROVED, SUBJECT TO A BOND OF \$715,500.00 (7-0).”**

Zone Change Proposal No. 99Z-022G
Map 173, Parcel 142 (62.51 acres)
Map 173, Part of Parcels 84 (7.58 acres),
130 (1.95 acres) and 174 (1.90 acres)
District 31 (Alexander)

A request to change from AR2a and R80 districts to RS10 district properties at 14346, 14360, 14372, and 14378 Old Hickory Boulevard, approximately 700 feet south of Barnes Road (73.94 acres), requested by Parker Whitlock, appellant, for E. M. Baker, Covenant Community, David E. Stephens et ux, and Tony W. Weatherford et ux, owners.

Resolution No. 99-164

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-022G is **APPROVED (7-0)**:

These properties fall within the Subarea 12 Plan's Natural Conservation (NC) policy calling for residential development at up to 4 units per acre. The RS10 district is consistent with this policy and the emerging zoning pattern in the area. The floodplain provisions of the Zoning Regulations should sufficiently protect the Mill Creek floodplain."

PUD Proposal No. 77-80-G

Covenant Community
Map 173, Parcel 142
District 31 (Alexander)

A request to cancel the undeveloped Residential Planned Unit Development District located east of Old Hickory Boulevard and south of Mill Creek, approved for 20 single-family lots (62.51 acres), classified R80 and proposed for RS10, requested by Parker Whitlock for Covenant Community and E. M. Baker, owners.

Resolution No. 99-165

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 77-80-G is given **APPROVAL (7-0)**. The following condition applies:

Prior to submittal of a preliminary plat, this PUD cancellation shall have been approved by the Metropolitan Council."

Zone Change Proposal No. 99Z-023U

Map 172, Parcel 5
District 32 (Jenkins)

A request to change from R40 to RS10 district property at 5821 Edmondson Pike, approximately 200 feet north of Frontier Lane (4 acres), requested by Alan Thompson, appellant, for Mary Ann Martin, owner.

Resolution No. 99-166

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-023U is **APPROVED (7-0)**:

This property falls within the Subarea 12 Plan's Residential Low Medium (RLM) policy calling for up to 4 units per acre. The RS10 district is consistent with this policy and the area's zoning pattern."

Zone Change Proposal No. 99Z-029U

Map 147-16, Parcels 48 (1.35 acres)
and 49 (2.97 acres)
District 30 (Hollis)

A request to change from R6 to CS district properties at 4916 Nolensville Pike and Nolensville Pike (unnumbered), on the south margin of Fairlane Drive (4.32 acres), requested by Rick Blackburn, appellant, for Tusculum Church of Christ, trustees.

Resolution No. 99-167

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-029U is **APPROVED (7-0)**:

These properties fall within the Subarea 12 Plan's Commercial Arterial Existing (CAE) policy along Nolensville Pike calling for office, commercial, and higher density residential uses. The CS district is consistent with this policy and the emerging zoning pattern to the north and south.

Zone Change Proposal No. 99Z-030G

Map 172, Parcels 34 (7.07 acres), 35 (9.5 acres),
131 (3.1 acres), 36 (16.28 acres), 37 (5 acres)
and 174 (5 acres)
Map 172, Part of Parcel 32 (3.85 acres)
District 31 (Alexander)

A request to change from AR2a to RS15 district properties at 5940 and 5988 Mt. Pisgah Road and Mt. Pisgah Road (unnumbered), approximately 800 feet east of Edmondson Pike (49.8 acres), requested by Rick Blackburn, appellant, for Charles White, Harriet White, Pam White, Michael White, and James Kinnard, Jr. et ux, owners.

Resolution No. 99-168

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-030G is **APPROVED (7-0)**:

These properties fall within the Subarea 12 Plan's Residential Low Medium (RLM) policy calling for up to 4 units per acre. The RS15 district is consistent with this policy and the emerging zoning pattern along the Mt. Pisgah loop network. Mt Pisgah Road is a substandard road and additional right-of-way should be dedicated through the platting process as additional development occurs in this area."

PUD Proposal No. 93P-010G

Sugar Valley, Phase 2
Map 181, Part of Parcel 20
District 31 (Alexander)

A request for final approval for Phase 2 of the Residential Planned Unit Development District located 420 feet east of Nolensville Pike and approximately 2,600 feet north of Culbertson Road (9.4 acres), classified R20, to develop 29 single-family lots, requested by Anderson-Delk and Associates for Paul E. Johnson, optionee for Hurley-Y, L.P., owner.

Resolution No. 99-169

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 93P-010G is given **CONDITIONAL FINAL APPROVAL (7-0)**. The following conditions apply:

1. Prior to the issuance of any building permits, written confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. Prior to the issuance of any building permits for Phase 2, a final plat shall be recorded and bonds shall be posted for all necessary public improvements.
3. The next plat recorded for any portion of this PUD shall include lots 17, 18 and 19 of Phase 1."

SUBAREA 13 (1996)

Subdivision Proposal No. 99S-074U

Asheford Crossing, Section 4
Map 164, Part of Parcel 14
District 29 (Holloway)

A request for final plat approval to create 43 lots abutting the south terminus of Murphywood Crossing, approximately 480 feet south of Monroe Crossing (13 acres), classified within the RS8 District, requested by Phillips Builders, Inc., owner/developer, Dale and Associates, Inc., surveyor.

Resolution No. 99-170

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-074U, is **APPROVED SUBJECT TO A BOND OF \$571,500.00 (7-0).”**

Zone Change Proposal No. 99Z-031U

Map 135, Parcel 254 (8.1 acres)
Map 135-15, Parcel 3 (.16 acres)
Map 149, Parcels 61 (5.75 acres), 62 (2.27 acres)
and 63 (1.09 acres)
Map 149-3, Parcels 16 (.35 acres) and 9 (.12 acres)
District 28 (Hall)

A request to change from R10 to RM9 district properties at 2400 and 2420 Murfreesboro Pike, Murfreesboro Pike (unnumbered), and Rychen Drive (unnumbered), approximately 1,300 feet south of Nashboro Boulevard (17.84 acres), requested by Robert Pease, appellant, for Robert H. and Will V. Braswell and African Christian Schools Foundation, Inc., and Land Investment and Development Corporation, owners.

Resolution No. 99-171

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-031U is **APPROVED (7-0):**

These properties fall within the Subarea 13 Plan’s Residential Medium (RM) policy calling for 4 to 9 units per acre. The multi-family uses permitted within the RM9 district are consistent with this policy and are appropriate along Murfreesboro Road adjacent to existing multi-family development at 10 units per acre to the north.”

PUD Proposal No. 74-79-G

Nashboro Village Residential PUD
Map 135, Parcel 318
District 27 (Sontany)

A request to revise the preliminary plan and for final approval for a phase of the Residential Planned Unit Development District located abutting the north margin of Nashboro Boulevard and the west margin of Bell Road (8.97 acres), classified RM6, to develop 77 condominiums units, a decrease of one (1) unit from the approved plan, requested by Wamble and Associates for WDN Properties LTD.

Resolution No. 99-172

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 74-79-G is given **APPROVAL OF A REVISION TO PRELIMINARY AND CONDITIONAL FINAL APPROVAL**

FOR A PHASE; FINAL PLAT IS DEFERRED AT REQUEST OF APPLICANT (7-0), The following conditions apply:

1. Prior to the issuance of any building permits, written confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. In conjunction with the submittal of the final plat for this portion of the PUD, the applicant shall submit construction plans for, and show on the final plat, a new northbound left-turn lane on Bell Road at Nashboro Boulevard. The left-turn lane shall be between 125 to 150 feet in length with a 250 foot transition lane. The improvements shall be constructed at 75% build-out of this portion of the PUD which is 58 units.
3. Prior to Planning Commission approval of the final plat, the developer shall demonstrate that the required right-of-way for the left-turn lane has been secured.”

PUD Proposal No. 89-67-G
Travel Center of America
Map 183, Parcel 25
District 29 (Holloway)

A request to amend the existing Commercial (General) Planned Unit Development District located abutting the northeast corner of I-24 and Old Hickory Boulevard (31.44 acres), classified IR, to add a 4,155 square foot restaurant to the existing 20,200 square foot truck-stop facility, requested by Great Arrow Construction for Travel Centers of America, owners.

Resolution No. 99-173

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 89-67-G is given **CONDITIONAL APPROVAL AS AN AMENDMENT REQUIRING COUNCIL CONCURRENCE (7-0)**. The following conditions apply:

1. Prior to submittal of a final PUD plan, written confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. Prior to submittal of a final PUD plan, this amended plan shall have been approved by the Metropolitan Council.”

PUD Proposal No. 97P-010U
Bayview Estates
Map 136, Parcel 3
District 27 (Sontany)

A request to revise the final plan of the Residential Planned Unit Development District located abutting the west margin of Bell Road at the western terminus of Harbor Lights Drive (28.08 acres), classified R10, to reduce the rear setback lines of lots, which back up to open space, from 15 feet to a minimum of 10 feet for 110 of the 138 lots, and to rotate the building envelopes on six lots, in order that the builder can construct one-story instead of two-story residences, requested by Gresham, Smith and Partners for Fox Ridge Homes, owners.

Resolution No. 99-174

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 97P-010U is given **CONDITIONAL APPROVAL OF A REVISION TO FINAL TO REDUCE REAR SETBACKS**

(7-0). The following conditions apply:

1. Prior to the issuance of any building permits, written confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. Prior to the issuance of any building permits, the northbound left-turn lane on Bell Road at Harbor Lights Drive, which was a part of the Bayview Subdivision approval, shall be bonded and constructed.”

Mandatory Referral Proposal No. 99M-032U

Council Bill No. O99-1567
Marcella Drive Property Sale
Map 107-9, Parcel 35
District 13 (French)

A council bill authorizing the sale of certain property owned by the Metropolitan Government of Nashville and Davidson County and located on Marcella Drive.

Resolution No. 99-175

“BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-032U.”

SUBAREA 11 (1993)

Subdivision Proposal No. 99S-078U

Thompson-Regency
Map 119-9, Parcels 120-122.1 and 125
District 16 (Graves)

A request for final plat approval to consolidate 5 parcels into one lot abutting the northwest corner of Nolensville Pike and Thompson Lane (1.27 acres), classified within the CS District, requested by Regency Realty Corporation, owners/ developers, Littlejohn Engineering Associates, Inc., surveyor.

Resolution No. 99-176

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-078U, is **APPROVED SUBJECT TO A BOND OF \$150,000.00 (7-0).**”

Subdivision Proposal No. 99S-095U

Allied Industrial Park, Section 7, Resubdivision
of Lots 22, 23 and 24
Map 133-6, Parcels 247 and 248
District 26 (Arriola)

A request for final plat approval to consolidate three lots into two lots abutting the southwest margin of Atlas Drive, approximately 445 feet northwest of McNally Drive (1.58 acres), classified within the IR District, requested by J. Kendall, Patricia D. Gregory and Fred and Jeanne M. Felts, owners/developers, Volunteer Surveying, surveyor.

Resolution No. 99-177

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-095U, is **APPROVED (7-0).”**

Subdivision Proposal No. 99S-101U

Wolfe Subdivision
Map 105-16, Parcels 49-52 and 288
District 16 (Graves)

A request for final plat approval to consolidate six lots into one lot abutting the southeast corner of Napoleon Avenue and Dunn Avenue (1.13 acres), classified within the IWD District, requested by Russell Wolfe, III, owner/developer, Wamble and Associates, surveyor.

Resolution No. 99-178

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-101U, is **APPROVED (7-0).”**

Zone Change Proposal No. 99Z-017U

Map 119-9, Parcels 282 (.18 acres),
283 (.36 acres) and 284 (.18 acres)
District 16 (Graves)

A request to change from R10 to OR20 district property located at Collier Avenue (unnumbered), approximately 300 feet east of Nolensville Pike (.72 acres), requested by David Charles, appellant, for Action Nissan Realty, LLC, and Action Nissan, Inc., owners.

Resolution No. 99-179

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-017U is **APPROVED (7-0):**

These properties fall within the Subarea 11 Plan’s Commercial Arterial Existing (CAE) policy along Nolensville Pike calling for office, commercial, and higher density residential uses. The OR20 district is consistent with this policy and is appropriate to allow these parking lots to continue to provide necessary parking for an established business along the Nolensville Pike corridor. The OR20 district will also provide a transition from the retail uses along Nolensville Pike to the single-family residential neighborhood to the east and south.”

Mandatory Referral Proposal No. 99M-037U

Property Transfer - 22 Green Street
Map 93-16, Parcel 50
District 19 (Sloss)

A request from the Public Property Administrator for the transfer of certain property located at 22 Green Street and owned by the Metropolitan Government of Nashville and Davidson County.

Resolution No. 99-180

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-037U.”

SUBAREA 14 (1996)

Subdivision Proposal No. 99S-085G

Hampton Hall, Section 3
Map 98, Parcels 18 and 151
District 12 (Ponder)

A request for final plat approval to create 14 lots abutting the east terminus of Hampton Hall Way, approximately 75 feet east of Hallstone Court (6.45 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. 99-181

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-085G, is **APPROVED SUBJECT TO A BOND OF \$98,000.00 (7-0).”**

Subdivision Proposal No. 99S-099G

Brookside Park (Horizontal Property Regime)
Map 75, Parcel 98
Map 76, Parcel 1
District 12 (Ponder)

A request for final plat approval to record 48 units abutting the northeast margin of Nashville Eastern Railroad and Tulip Grove Road (12.91 acres), classified within the RM4 District, requested by Larry Powell Builders, Inc., surveyor, MEC, Inc., surveyor.

Resolution No. 99-182

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-099G, is **APPROVED SUBJECT TO A BOND OF \$40,000.00 (7-0).”**

Subdivision Proposal No. 99S-100G

Brookside Woods, Phase 2, Section 3
Map 75, Part of Parcel 65
District 12 (Ponder)

A request for final plat approval to create 31 lots abutting the northwest terminus of Brookside Woods Boulevard, approximately 140 feet northwest of Waynewood Lane (11.01 acres), classified within the RS15 Residential Planned Unit Development District, requested by Larry Powell Builders, Inc., owner/developer, MEC, Inc., surveyor.

Resolution No. 99-183

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-100G, is **APPROVED SUBJECT TO A BOND OF \$327,000.00 (7-0).”**

PUD Proposal No. 215-76-G

Walgreens (Burning Tree Apartments)
Map 86, Parcel 85
District 12 (Ponder)

A request to revise the preliminary plan of the Commercial (General) Planned Unit Development District, located at the northeast corner of Old Hickory Boulevard and Central Pike (3.32 acres), classified CS, to permit a 26,600 square foot retail and restaurant development, replacing a 26,600 square foot retail plan and

to allow a new driveway from Old Hickory Boulevard, requested by Barge, Waggoner, Sumner and Cannon for Evagelox Darsinos and Bill Stioutis, owners. (Deferred from meeting of 2/18/99).

Resolution No. 99-184

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 215-76-G is given **CONDITIONAL APPROVAL TO REVISE THE PRELIMINARY PLAN FOR A PORTION OF THE PUD (7-0)**. The following condition applies:

Prior to submittal of a final PUD plan, written confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.”

PUD Proposal No. 18-86-P
River Trace Estates, Phase 2, Section 6
Map 52, Parcel 49
District 15 (Dale)

A request to revise the preliminary plan and for final approval for a portion of Phase 2 of the Residential Planned Unit Development District located abutting the eastern terminus of Cain Harbor Drive, 950 feet east of Lock Two Road (14.3 acres), classified R10, to develop 46 single-family lots and 3.27 acres of open space, replacing 52 lots, requested by Dale and Associates for J. E. Cain and George Hicks, optionees for Pennington Mills, LLC, owners.

Resolution No. 99-185

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 18-86-P is given **APPROVAL OF REVISION TO PRELIMINARY AND CONDITIONAL FINAL APPROVAL FOR A PORTION OF PHASE 2 (7-0)**. The following conditions apply:

1. Prior to the issuance of any building permits, written confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. Prior to the issuance of any building permits, a final subdivision plat shall be recorded and all necessary public improvements shall be bonded.”

Mandatory Referral Proposal No. 99M-035U
Council Bill No. O99-1566
Elm Hill Pike Property Acquisition
Map 106, Parcels 12.02, 12.03, 33, 35, 36, 37, 38,
139, 148, 156, 157, 161, 162, 163 and 164
Map 106-3, Parcel 24
District 15 (Dale)

A council bill authorizing the acquisition of property by negotiation or condemnation for a road project on Elm Hill Pike from Spence Lane to Massman Drive. (CIB Project No. 97PW056).

Resolution No. 99-186

“BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-035U.”

Request for Bond Release
Subdivision Proposal No. 96S-361U

Trailwood, Section Seven
Trailwood, Section Seven, LLC, principal

Located abutting the south margin of East Lake Drive, opposite Elm Run.

Resolution No. 99-187

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 96S-361U, Bond No. 97BD-013, Trailwood, Section 7 in the amount of \$103,000.”

SUBAREA 2 (1995)

Zone Change Proposal No. 99Z-027U
Map 50, Part of Parcels 140 (2.17 acres)
and 53 (1.37 acres)
District 4 (Majors)

A request to change from RS7.5 to CS district a portion of property approximately 300 feet west of Dickerson Pike and 1,400 feet north of Oakview Drive (3.54 acres), requested by Jack L. Jenkins, appellant, for Patricia Dorsey Estate et al and Metropolitan Government, owners.

Resolution No. 99-188

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-027U is **APPROVED (7-0)**:

These properties fall within the Subarea 2 Plan’s Commercial Mixed Concentration (CMC) policy calling for office, commercial, and higher density residential uses. The CS district is consistent with this policy and the commercial zoning pattern established around the Dickerson Pike/Interstate 65 interchange.”

Zone Change Proposal No. 99Z-028U
Map 50, Part of Parcels 49 (6 acres), 49.01 (8.5 acres),
51 (26.96 acres) and 52 (1.96 acres),
District 4 (Majors)

A request to change from RS7.5 and IWD to CS district properties at 3466 Dickerson Pike and Dickerson Pike (unnumbered), approximately 1400 feet north of Oakview Drive (43.42 acres), requested by J. Mark Stevenson, appellant, for Alice F. Cranford, Carolene M. Bandy, and Jenkins Properties L.P. et al, owners.

Resolution No. 99-189

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-028U is **APPROVED (7-0)**:

These properties fall within the Subarea 2 Plan’s Commercial Mixed Concentration (CMC) policy calling for office, commercial, and higher density residential uses. The CS district is consistent with this policy and the commercial zoning pattern established around the Dickerson Pike/Interstate 65 interchange.”

PUD Proposal No. 98-73-G
Hickory Hills Commercial PUD (Sudden Service)
Map 40, Parcel 148

District 10 (Garrett)

A request to revise a portion of the final plan of the Commercial (General) Planned Unit Development District located abutting the southeast corner of Hickory Hills Boulevard and Hickory Hills Court (.90 acres), classified OR20, to increase by 232 square feet, an approved 865 square foot automatic car wash to an existing 2,580 square foot convenience market/gas station, and to eliminate six (6) parking spaces, requested by Hollingsworth Oil Company for C & H Properties, LLC, owners.

Resolution No. 99-190

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 98-73-G is given **CONDITIONAL APPROVAL TO REVISE A PORTION OF THE FINAL PLAN (7-0)**. The following condition applies:

Prior to the issuance of any building permits, written confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.”

SUBAREA 5 (1994)

Zone Change Proposal No. 99Z-025U
Map 83-9, Parcel 144
District 6 (Beehan)

A request to change from CS to MUL district property at 1113 Woodland Street, on the west margin of South 12th Street (.19 acres), requested by David Powell, appellant, for William B. Brimm, Jr. and Andrew Krichels, owners.

Resolution No. 99-191

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-025U is **APPROVED (7-0)**:

This property falls within the Subarea 5 Plan’s Mixed Use (MU) policy calling for a variety of office, commercial, and residential uses. The MUL district is consistent with this policy and provides a transition to the residential neighborhood to the east.”

Mandatory Referral Proposal No. 99M-033U
Council Bill No. O99-1558
Martha O’Bryan Center Lease Agreement
Map 93-4, Part of Parcel 73
District 6 (Beehan)

A council bill authorizing a lease agreement by and between the Martha O'Bryan Center and Metro Social Services for office space at 711 South 7th Street.

Resolution No. 99-192

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-033U.”

SUBAREA 3 (1998)

Zone Change Proposal No. 99Z-021U
Map 71-14, Parcels 31 (.19 acres);
32 (.18 acres) and 33 (.36 acres)
District 2 (Black)

A request to change from RS5 to CS district property at 1202 and 1204 Brick Church Pike and Brick Church Pike (unnumbered), approximately 100 feet south of Fern Avenue (.73 acres), requested by Hozell Anderson, appellant/owner.

Resolution No. 99-193

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-021U is **APPROVED (7-0)**:

These properties fall within the Subarea 3 Plan's Commercial Arterial Existing (CAE) policy along Brick Church Pike calling for office, commercial, and higher density residential uses. The CS district is consistent with this policy and the established zoning pattern along this stretch of Brick Church Pike."

Mandatory Referral Proposal No. 99M-036U
Ringgold Drive Easement Acquisition
Map 59-14, Parcel 81
District 2 (Black)

A request from the Department of Water Services for the acquisition of an easement to accommodate the extension of a 6" sewer service line.

Resolution No. 99-194

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-036U."

SUBAREA 4 (1998)

Subdivision Proposal No. 99S-079G
W. P. Ready Subdivision, Resubdivision
of Part of Lot N
Map 43-1, Parcel 114
District 9 (Dillard)

A request for final plat approval to create six lots abutting the northwest corner of Pierce Road and Sarver Avenue (1.28 acres), classified within the RS7.5 District, requested by Donald D. Trainer, owner/developer, L. Steven Bridges, Jr., surveyor.

Resolution No. 99-195

"**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-079G, is **APPROVED SUBJECT TO A BOND OF \$8,000.00 (7-0)**."

SUBAREA 8 (1995)

Subdivision Proposal No. 99S-090U

MetroCenter, Section 4, Resubdivision of Tract 23B
Map 81-3, Parcel 365
District 20 (Haddox)

A request for final plat approval to record a reserve parcel as one lot abutting the southeast corner of Ponder Place and 10th Avenue North (4.2 acres), classified within the RM40 Residential Planned Unit Development District, requested by MetroCenter Holdings, Inc., owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

Resolution No. 99-196

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-090U, is **APPROVED (7-0).”**

Zone Change Proposal No. 99Z-019U

Map 92-7, Parcels 170 (.21 acres) and 172 (.18 acres)
District 21 (McCallister)

A request to change from OR20 to IR district properties located at 801, 803, and 807 19th Avenue North, on the south margin of Britt Place (.39 acres), requested by Julius Doochin, appellant, for Julius Doochin Fabrication Property, LLC, and M.D.H.A., owners.

Resolution No. 99-197

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-019U is **APPROVED (7-0):**

These properties fall within the Subarea 8 Plan’s Industrial (IND) policy calling for distribution, wholesaling, and warehousing uses. The IR district is consistent with this policy. Mixed Use (MU) policy lies to the west of these properties and calls for a mixture of compatible office, commercial, and residential uses. No future IR rezonings are anticipated in the immediate area since properties across the street and to the west along Britt Place are either owned by MDHA, or are being developed through MDHA affordable housing initiatives.”

Mandatory Referral Proposal No. 99M-026U

Closure of Alley 1627
Map 70-15, Parcels 11, 12 and 41
District 20 (Haddox)

A request to close Alley 1627 from Jennings Street to its northern terminus, requested by Elder Raymond Cauthers. (Easements are to be abandoned).

Resolution No. 99-198

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-026U.”

SUBAREA 7 (1994)

Mandatory Referral Proposal No. 99M-034U

Council Bill No. O99-1559
Nashville State Technical Institute

TV Studio Lease Agreement
Map 103-10, Parcel 136
District 24 (Johns)

A council bill authorizing a lease agreement between the Tennessee Board of Regents and the Metropolitan Government of Nashville and Davidson County for construction of a television studio at Nashville State Technical Institute.

Resolution No. 99-199

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-034U."

OTHER BUSINESS:

4. A proposal to amend the 1998-99 to 2003-04 Capital Improvements Budget and Program by adding three Board of Parks and Recreation projects.
5. A proposal to amend the 1998-99 to 2003-04 Capital Improvements Budget and Program by adding funds to two Board of Parks and Recreation projects.
6. A proposal to amend the 1998-99 to 2003-04 Capital Improvements Budget and Program by changing the funding schedule of one Public Works project.

Resolution No. 99-200

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** a proposal to amend the 1998-99 to 2003-04 Capital Improvements Budget and Program. The amendment would add three new Parks and Recreation projects and amend information for two Parks and Recreation Projects and one Public Works project as follows:

A. New Parks and Recreation Projects

No. 98PR209

Buena Vista Park - Improvements
Construct Concessions Building

\$40,000 Proposed General Obligation Bonds FY 1998-99

98PR210

Grassmere Environmental Remediation Project
Environmental Remediation for Grassmere Zoo

\$200,000 Proposed General Obligation Bonds FY 1998-99

98PR211

West Park - Improvements
Repair Existing Gymnasium, Lights and Fencing

\$75,000 Proposed General Obligation Bonds FY 1998-99

B. Amend Park and Recreation Projects

92PR012
Tennis Courts - Renovate
Tennis Courts Countywide
Renovate and/or Construct

FROM:

\$500,000 Approved General Obligation Bonds FY 1998-99

TO:

\$500,000 Approved General Obligation Bonds FY 1998-99
\$250,000 Proposed General Obligation Bonds FY 1998-99

98PR201
Greenways - Stones River Greenway Development Project
Development of Stones River area from Percy Priest Dam to
Cumberland River and etc.

FROM:

\$1,000,000 Proposed General Obligation Bonds FY 1998-99
\$1,200,000 Federal Funds FY 1998-99

TO:

\$1,800,000 Proposed General Obligation Bonds FY 1998-99
\$1,200,000 Federal Funds FY 1998-99

C. Amend Public Works Project

85PW043
Smith Springs Road - Construct
Smith Springs Road
Anderson Road to Bell Road
Engineering-ROW-Construct

FROM:

\$500,000 Proposed General Obligation Bonds FY 1998-99
\$2,000,000 Proposed General Obligation Bonds FY 1999-00
\$2,000,000 Proposed General Obligation Bonds FY 2000-01

TO:

\$4,500,000 Proposed General Obligation Bonds FY 1998-99

7. A proposal to amend the 1998-99 to 2003-04 Capital Improvements Budget and Program by changing the funding type and project cost of one Department of Water and Sewerage Services project. (Subarea 12)

8. A proposal to amend the 1998-99 to 2003-04 Capital Improvements Budget and Program by changing the funding type, funding schedule and project cost of one Department of Water and Sewerage Services project. (Subarea 1)

Resolution No. 99-201

“BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** a proposal to amend the 1998-99 to 2003-04 Capital Improvements Budget and Program. The amendment would change the funding source, timing and amounts as follows:

From: I.D. No. 98WG0011
Cane Ridge-Brentwood Water

\$1,000	Operating Revenue	FY 1998-99
\$4,700	Operating Revenue	FY 1999-00

To: I.D. No. 98WG0011
Cane Ridge Brentwood Water

\$100	Operating Revenue (to repay state loan)	FY 1998-99
\$4,300	Operating Revenue (to repay state loan)	FY 1999-00

From: I.D. No. 98WG0010
Joelton Water Improvements
Construct.

\$1,100	Operating Revenue	FY 1998-99
\$4,800	Operating Revenue	FY 1999-00

To: I.D. No. 98WG0010
Joelton Water Improvements
Construct.

\$1,700	Operating Revenue (to repay state loan)	FY 1999-00
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The amendment stipulates the projects will be funded initially by loans of state funds, and will be repaid using operating revenues from the Department of Water Services. Therefore, the funding mechanism is shown as operating revenues.

9. A proposal to amend the 1998-99 to 2003-04 Capital Improvements Budget and Program by adding one Department of Water and Sewerage Services project. (Countywide)

Resolution No. 99-202

“BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** a proposal to add one Water Services project to the 1998-99 to 2003-04 Capital Improvements Budget and Program. The amendment would add the following project:

Water Infrastructure Rehab
I.D. No. 99WC0010

\$1,415	Operating Revenues (to repay state loan)	FY 1998-99
\$4,500	Operating Revenues (to repay state loan)	FY 1999-00
\$8,000	Operating Revenues (to repay state loan)	FY 2000-01
\$8,000	Operating Revenues (to repay state loan)	FY 2001-02
\$8,000	Operating Revenues (to repay state loan)	FY 2002-03

The amendment stipulates the project will be funded initially by a loan of state funds, and will be repaid using operating revenues from the Department of Water Services. Therefore, the funding mechanism is shown as operating revenues.

This concluded the items on the consent agenda.

SUBAREA 10 (1994)

**Public Hearing
Subarea 10 Plan Amendment Request**

A request to change from RMH (Residential Medium High Density) Policy to RH (Residential High Density) Policy an area on 21st Avenue South at the interchange of I-440.

Ms. McCaig stated the agenda items were organized on today's agenda by subarea. On today's agenda, there are 8 cases located in Subarea 10, and 3 of these will be discussed in great detail. One involves two items in Hillsboro Village; the second is a Neighborhood Conservation Overlay for a neighborhood adjacent to Montgomery Bell Academy; and the third is an subarea amendment request located at I-440 and 21st Avenue South.

The amendment request under consideration is to change the land use policy in Subarea 10 for this area located on the northeast side of I-440 along the Hillsboro Pike / 21st Avenue Interchange from Residential Medium-High density policy to Residential High density policy. RH policy is designed to provide dwelling unit densities from 21 to 60 units per acre. **Staff recommends disapproval of this amendment request.**

In developing the Subarea 10 Plan, RMH policy was applied to this area both because it meets the locational criteria for that policy and because it is the closest match to the existing development pattern. The plan's intent is to conserve the existing development pattern, and this area continues to be a good location for RMH policy.

The applicant's request is to introduce RH policy to this area. Although the site of the proposed amendment request meets the basic locational guidelines for RH policy regarding transportation services and facilities, there are certain locational factors that are not favorable for introducing RH policy in this area.

High density residential development under RH policy is characterized by high-rise type apartments with elevators. This style would differ greatly from the garden-style of existing multifamily residential developments in this area. Introducing RH policy here would change the focus of the plan policies from conservation to redevelopment of this area, meaning that properties with apartments might be redeveloped at higher densities with high-rise apartments.

These concerns lead to questions of how much RH policy should be placed here and what would be the rationale for doing so. Although the applicant is requesting RH policy for only the northeast quadrant of the

interchange, staff contends that this larger area along the east side is implicated. In addition, once the policy focus is shifted from conservation to redevelopment, the RLM and RL policy areas on the west side of Hillsboro Pike become open to similar consideration, including the two church properties. If the argument is accepted that this site is a suitable location for RH policy, it becomes nearly impossible to establish a logical stopping point within the remainder of this established RMH area.

Another concern is the lack of commercial support services within walking distance. The existing support services in Hillsboro Village and Green Hills serve the existing concentrations of residential and office development, an arrangement that is less convenient. It is a half mile from the interchange to the nearest grocery store and even farther to reach services in Hillsboro Village and Green Hills.

If RH policy is placed here, there is an implied commitment to a corridor of high intensity use. The needed commercial support services are not within walking distance of much of this corridor. This would mean we are pushing movement along the corridor without supporting it with transportation improvements in the foreseeable future. Although this area is located at an interchange and along a 4-lane arterial, access to the sites is constrained by the configuration of the interchange.

RH policy here would intensify the already congested traffic conditions along both the corridor and the interchange. If just this site developed at 40 units per acre, 1,600 trips would be added to the current 400 trips per day and would increase the overall traffic by 5%. This number of daily trips would greatly increase as more properties developed at higher densities. We are in an uncertain position moving away from dependence on the automobile, and as of yet we do not have a reasonable solution for mass transit in place. While this corridor is served by bus routes and is programmed for future light rail, the time horizon for introducing light rail is 20 to 30 years away.

This area also lies within the I-440 Impact Overlay District. If the Commission elects to amend to RH policy, the question the Council would decide is if the impact policies preclude high density residential development, and would need to be amended to carry out the land use objectives of RH policy. On the other hand, if it is determined that high density residential development would occur here regardless of 440, there would be no need to amend the Impact policies and these would not affect the implementation of RH policy. It would then be treated as any other zone change request.

In conclusion, staff supports high intensity uses and believe that corridors that have more of the necessary ingredients for success, such as downtown, the West End Avenue corridor inside I-440, or the Green Hills Regional Activity Center, should be given priority for increasing intensity. RH policy should otherwise be placed at nodes with high levels of support services. Staff has also received letters of opposition to the applicant's request from neighborhood residents.

Staff believes that retaining RMH policy is the appropriate decision to make under these circumstances.

- Needed services and more effective mass transit are not in place.
- Introducing RH policy here would implicate a much larger area.

Mr. Ed Owens, with Gresham and Smith, spoke in favor of the amendment and stated this proposal would keep development in the city, would capitalize on intact urban services, is along an arterial street, near a freeway interchange and is adjacent to a bus line corridor. This particular site is a redevelopment site and it would be a waste of valuable land to keep it at a suburban scale form of development.

Ms. Jane Gordon, president of the Belmont/Hillsboro Neighbors, stated her neighborhood association agreed with high density residential with no more than 30 units per acre as long as the association had input on the development

Ms. Teddy Clark, Cedar Lane resident, stated Cedar Lane was one of the most directly affected streets and that she and her neighbors are very strongly opposed to anything but residential zoning for this property.

Ms. Ginger Hauser, representing the Hillsboro/West End Neighborhood Association, expressed concerns regarding traffic and stated she and her neighbors could not support the high density at this time. Not all but the majority of the neighborhood association board prefer the residential option as opposed to the original mixed use option.

Mr. Drew Boland, stated he had watched this happen in Denver and Boulder, Colorado and Lexington, Kentucky. The Federal Highway Commission has control of that area and they have complete and total say so over what kind of traffic goes in and out of there and it is within their range of power to say what you can do about the traffic flow. We already have a letter from the Federal Highway Commission saying they will not support any change and the density that travels through that intersection - they have the regulations to enforce it. It is federally funded and they have already said no.

Councilmember David Kleinfelter stated traffic is one of the things that he would like to address. There are traffic concerns along Westwood which is the next street to the north from Woodlawn and there would a left turn lane on 21st into the new facility which should help.

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

Ms. Warren stated she wanted to be sure this is a policy change because the homeowners groups seem to feel what they are being promised is a done deal, but that would be up to the Zone Change or PUD when it comes before the Commission.

Chairman Smith stated the neighbors assurance is what the Councilmember told them because that public hearing would be at Council and this Commission would make a recommendation to Council prior to that public hearing.

Mr. Browning stated south of I-440 there are properties that could possibly undergo similar redevelopment. They have frontage on Hillsboro Road and those properties may be interpreted to go as far south as Woodmont Boulevard or even Graybar Lane. It is all area where there is currently medium-high density and there may be requests for policy changes on those properties. Staff is already looking at a policy change at the corner of Woodmont and Hillsboro Road for something that is non-residential. So what the staff attempted to get out on the table is that you cannot probably look at this one piece of property for a policy change. You've got to anticipate what this may bring about in the future.

Mr. Small stated that was the point he was going to make because if one would agree with Mr. Owens analysis of this node and how it fits in the high policy then it would seem that you could reasonably argue the same for almost all of the property in a circular area around that I-440/Hillsboro Road intersection because for the most part all those properties fit the same characteristics, have the same traffic problems and are all proximate to the interstate exit. This amendment looks like the Commission is trying to do a zone change when realistically it is looking at a long range policy change and staff should argue why we shouldn't look at the whole node at one time or even further beyond the I-440 intersection.

Mr. Browning stated he would not argue against it other than the high density presumes that a part of the traffic calming is that you have pedestrian access to the services. That is why staff tries to cluster the high density residential policy in places like Hillsboro Village and in the Green Hills Activity Center. This happens to be at an interchange location but it is the farthest you can get from either of those two commercial areas. This could lead towards some pull to get some of the commercial services where you are putting the high density policy.

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

Resolution No. 99-203

“WHEREAS, the Metropolitan Planning Commission adopted the *Subarea 10 Plan* on December 15, 1994; and

WHEREAS, Chapter 4 Section 4.31 3 B 4 on Page 54 of this plan contains a Residential Medium-High Density land use policy for Area 6F which calls for conservation and promotion of residential development at a density of nine to twenty dwelling units per acre; and

WHEREAS, Chapter 4 Section 4.31 3 B 5 on Page 55 of this plan contains descriptions of the Residential High Density land use policy areas; and

WHEREAS, a public hearing was held on March 18, 1999, to consider the merits of changing the land use policy for the portion of Area 6F that is in the northeast quadrant of the 21st Avenue South / I-440 Interchange to Residential High Density, which provides for residential development at densities above twenty dwelling units per acre; and

WHEREAS, the Metropolitan Planning Commission finds that this change is warranted so as to provide opportunities for high density residential development;

NOW, THEREFORE, BE IT RESOLVED that the Metropolitan Planning Commission hereby **ADOPTS** Amendment No. 3 to the *Subarea 10 Plan* as set forth in “Attachment A” to this resolution and incorporates this amendment into the *Subarea 10 Plan*.”

Text Amendment

Zone Change Proposal No. 99Z-003T

A proposal to amend Sections 17.12.020, 17.32.030, and 17.36.320 of the Zoning Regulations by permitting variations to the standards for bulk, parking, loading, landscaping, buffering, and signs as they pertain to urban design overlay districts, requested by Metropolitan Planning Commission Staff.

Mr. Fawcett stated this is a text amendment to the Zoning Regulations and is in connection with the urban design overlay district. He stated the intent of the amendment is to allow greater flexibility in defining bulk standards, setbacks and sign standards in overlay districts. He stated the zoning code currently does not give flexibility in these areas as it should. Staff is recommending changing three sections. Those sections are 17.36.320 Variations of the conventional standards, 17.12.020 District bulk tables and 17.32.030 Sign Regulations.

Mr. Browning stated none of these changes have anything to do with any architectural or design standards.

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

Resolution No. 99-204

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-003T is **APPROVED** ():

This amendment to the text of the zoning regulations corrects oversights and deficiencies in certain provisions of the regulations so as to carry out the purpose and intent of urban design overlay districts.”

Zone Change Proposal No. 99Z-033U

Map 104, Various Parcels
District 18 (Clifton)

A request to rezone 84 properties in the Hillsboro Village area from CL to MUL district (12.15 acres), OR20 to MUL district (7.75 acres), RM40 to MUL district (.18 acres) and OR20 to MUN district (3.11 acres), requested by Councilmember Stewart Clifton.

Zone Change Proposal No. 99Z-035U
Map 104, Various Parcels
District 18 (Clifton)

A request to apply an Urban Design Overlay District to various parcels in Hillsboro Village along portions of 19th, 20th and 21st Avenue South, and portions of Blakemore, Wedgewood, Belcourt, and Acklen Avenue (22.18 acres), requested by Councilmember Stewart Clifton, appellant, for various owners.

Mr. Robert Eadler stated the UDO begins on the 21st Avenue Corridor at Fairfax and Magnolia Boulevard and goes north to Pierce Avenue. It extends between 19th Avenue South and 23rd Avenue South in the Hillsboro Village Area. He distributed to the Commission the Hillsboro Village Design Guidelines Draft and explained the synopsis of the variations in the base district standards, building placement and mass, parking provisions, signage and landscaping. Development proposals within the UDO will undergo a review process like that currently followed for PUDs. A final site development plan will be submitted for staff review and Planning Commission consideration and action.

Chairman Smith stated that on page 7 of the guidelines draft E.I.F.S. is being discouraged but is allowing stucco. He said he could show staff places in town where they could not tell the difference and suggested “as well as E.I.F.S.” be stricken from the draft.

Councilmember Stewart Clifton, Mr. John Hardcastle and Mr. Scott Troxell spoke in favor of the rezoning of 84 properties and to apply an Urban Design Overlay District to the Hillsboro Village area.

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

Resolution No. 99-205

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-033U is **APPROVED (7-0)**:

These properties fall within the Subarea 10 Plan’s Mixed Use (MU) policy within Hillsboro Village calling for office, commercial, and residential uses. The MUL and MUN districts are consistent with this policy.”

"BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-035U is **APPROVED (7-0)**:

The Urban Design Overlay (UDO) District implements the Subarea 10 Plan’s Mixed Use (MU) policy for Hillsboro Village by preserving the historic character of the Village through the specific design guidelines.”

SUBAREA 12 (1997)

Subdivision Proposal No. 99S-080G (Public Hearing)
Lynden Hills Subdivision
Map 173, Parcel 45
District 31 (Alexander)

A request for preliminary plat approval for 56 lots abutting the west margin of Blue Hole Road, approximately 631 feet north of Pettus Road (15.83 acres), classified within the RS10 District, requested by Steven Dotson Development, LLC, owner/developer, Dale and Associates, Inc., surveyor.

Ms. Carrington stated staff is recommending approval with a variance to the maximum length of a dead end street. This is a cluster lot proposal. There are some topography constraints to the north and to the west which preclude making street connections in certain directions.

Staff believes the street in the center of the property is the best one to extend to the boundary of the property, and the petitioner has revised the plat accordingly. The dead end on the north is now 900 feet long which exceeds the Subdivision Regulations maximum length of 750 feet.

No one was present to speak at the public hearing.

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

Resolution No. 99-206

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-080G, is **APPROVED WITH A VARIANCE TO SECTION 2-6.2.1G OF THE SUBDIVISION REGULATIONS (7-0); PUBLIC HEARING CLOSED.”**

Subdivision No. 99S-125G
Redmond Lane Subdivision,
Resubdivision of Lot 5
Map 180, Parcel 122
District 31 (Alexander)

A request for final plat approval to subdivide one lot into two lots abutting the southwest corner of Holt Road and Redmond Lane (1.37 acres), classified within the R20 District, requested by H. Thomas Tripp et ux, owners/developers, Anderson-Delk and Associates, Inc., surveyor.

Ms. Carrington stated staff is recommending approval if a determination is made by the Commission that comparability does not apply in this area along Holt Road, and subject to posting a bond for extension of public sewer. Since the lots along Holt Road are currently 1 to 4 acres in size, the proposed resubdivision does not meet comparability for lot area. It does meet comparability for lot frontage, and the proposed lots do comply with all provisions of the zoning district in question. Staff would argue that because of the new development that is going into this area and with the recent expansion of sewer, the area is becoming a redevelopment area with large lots being re-divided into smaller lots. In this instance comparability should not be applied.

Chairman Smith asked Ms. Carrington to explain the criteria the Commission has for determining comparability.

Ms. Carrington stated the way it is worded in the Subdivision Regulations it applies to areas previously subdivided and predominately developed and lot sizes resulting from a proposed resubdivision shall be generally in keeping with the frontage and area of surrounding lots. This area was more rural in character until urban services were extended.

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

Resolution No. 99-207

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-125G, is **APPROVED, SUBJECT TO A BOND OF \$14,000.00 (7-0).”**

PUD Proposal No. 96P-015G

Aberdeen Farms
Map 161, Part of Parcel 276
Map 161-1-B, Parcels 2, 3, 4, 9 and 10
District 32 (Jenkins)

A request to amend the preliminary plan of the Residential Planned Unit Development District located abutting the southern terminus of Oakley Drive, opposite West Fork Court (.55 acres), classified R15, to change a reference on the plan affecting 12 single-family lots from an "undisturbed landscape easement" to a "landscape and tree preservation easement", requested by Gresham, Smith and Partners, for Zaring Homes, owner.

Ms. Regen stated this is a request for an amendment to an existing PUD. The request is to change some language on this existing plan that refers to an undisturbed landscape easement. The applicant is asking for the revision to allow for the homeowners that live along the easement to have the ability to remove undergrowth but not trees. The opposition to this proposal are the homeowners along Kincannon Drive and their contention is that “undisturbed” means untouched. The situation is that this landscape easement actually exists as part of the lot. It is not common open space.

Staff is recommending approval of the revised language to remove the word “undisturbed” and change it to a “landscape tree and preservation easement”, which would allow for removal of broken branches and debris.

Mr. Mike Hunkler, Gresham and Smith, stated they concurred with staff comments and the intent all along has been to save the trees that are there now and also to allow the neighbors to keep the area clean without being reported to Codes. He asked the Commission for approval.

Ms. Jane Anderson expressed concerns regarding traffic congestion, housing design, housing density and the undisturbed easement. A community meeting was held with area residents, the Councilmember and representatives from the Planning Commission and Zaring personnel. One outcome of this meeting was the current undisturbed easement which eased some resistance to the development. Since the initiation of new home construction, there have been repeated intrusions into the easement with deliberate destruction of the shrubs, small trees and brush within the protected area. Furthermore, Zaring has failed to resolve the placement of a privacy fence by a new property a owner inside the easement. She offered two counter proposals:

Leave the existing easement in place as agreed to by all and require Zaring to repair/replace damaged and destroyed vegetation in the easement area. Require Zaring to provide written notice, as part of any legal documentation for sale of homes adjacent to or along the easement, that there exists an undisturbed easement and what constitutes a violation of the easement. Furthermore, require Zaring or Codes to ensure compliance with all requirements and provisions of this easement. Or

Construct a permanent 10 foot high barrier of stone or brick along the properties abutting the easement. If this is agreed to, we would be willing to reduce the easement to 10 feet which is to remain as undisturbed. This would afford the Aberdeen property owners an additional 10 feet for their use. Additionally, the barrier would become the property of the homeowner’s association for upkeep and repair. Furthermore, all trees protruding over the barrier would be trimmed and maintained by the homeowner’s association.

Chairman Smith pointed out that the option with the ten foot high fence would violate the zoning ordinance.

Ms. Nielson stated that Mr. Hunkler was saying that Zaring would come, clean it up and put new shrubs and vegetation in and maintain it.

Mr. Stephen Smith stated that what was before the Commission was whether to remove the wording of “undisturbed”, but that looked like to him that the had made a deal and they should be held to it.

Ms. Warren disagreed and stated having a tree limb that is dead and falling in that easement could fall and injure someone or damage a house. Garbage that could be picked up that is not being able to be picked up is totally too restrictive.

Mr. Stephen Smith stated anything below 4 inches, and 4 inches is a major tree, and there is a whole lot of stuff that can grow in there to keep the neighbors from seeing into each others backyards. Everybody that moved there knew it was there and no one would turn someone into Codes for removing trash.

Ms. Warren stated someone did pick up trash and was reported to Codes.

Mr. Small stated that Zaring met with the neighborhood and made an agreement which they now want to change. The neighbors have come in with two counter proposals so perhaps this item should be deferred for two weeks and see if Zaring is willing to sit down with the neighbors and come back to Commission with it.

Mr. Small moved and Mr. Stephen Smith seconded the motion which carried unanimously, to defer this matter for two weeks.

SUBAREA 13 (1996)

Subdivision Proposal No. 99S-043U

Anderson Road Property
Map 150, Parcel 258
District 29 (Holloway)

A request for final plat approval to record one parcel as one lot abutting the east margin of Anderson Road, opposite High Rigger Drive (1.12 acres), classified within the R10 District, requested by Phillips Builders, owner/developer, MEC, Inc., surveyor. (Deferred from meeting of 2/18/99).

Ms. Carrington stated staff is recommending approval with a variance to the maximum size permitted by the Subdivision Regulations. This item was on the last agenda as a proposed one lot subdivision on Anderson Road. The initial submission blocked the extension of Gondola Road. Since then they have revised the plat to provide right-of-way dedication for the future extension. However, the remaining lot is slightly over the 30,000 square feet allowed by the Subdivision Regulations. They do have topography constraints on the site and staff is recommending approval with the variance.

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

Resolution No. 99-208

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-043U, is **APPROVED WITH A VARIANCE TO SECTION 2-4.2D OF THE SUBDIVISION REGULATIONS (7-0).”**

SUBAREA 11 (1993)

Subdivision Proposal No. 98S-004U (Public Hearing)

Sharpe II Subdivision
Map 106-14, Parcel 146

District 16 (Graves)

A request for preliminary approval to subdivide one lot into two lots abutting the northeast corner of Lyle Lane and Imperial Drive (.77 acres), classified within the R10 District, requested by Marian K. Curtis and Majid Mohieddin, owners/developers, Artech, Inc., architects.

Ms. Carrington stated staff is recommending conditional approval subject to approval of Public Works and Water Services. In this case the proposed lots meet comparability. The plat is showing a garage on the second lot, which is an accessory structure, and that will have to be removed before the final plat is approved or bonded to be removed. In addition, when the final plat comes in, there will be sewer extension required from Imperial Drive.

Ms. Bernice Kellem, neighbor, stated this same property tried to divide into three lots last year. She asked the Commission what the building setback requirement was from her property.

Ms. Carrington stated he is showing the existing house at 15 feet and the zoning requires a 20 foot rear yard for the new lot.

Ms. Kellem asked if there could be an apartment building constructed on the new lot or does it have to be a single dwelling house.

Ms. Carrington stated there could be a duplex built on the property.

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

Resolution No. 99-209

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 98S-004U, is **APPROVED (7-0); PUBLIC HEARING CLOSED.”**

SUBAREA 14 (1996)

Subdivision Proposal No. 99S-104G (Public Hearing)
Windchase, Phase 3
Map 98, Parcels 135, 136 and 137
District 14 (Stanley)

A request for preliminary approval for 22 lots abutting the east margin of South New Hope Road and the northwest margin of John Hager Road (9.02 acres), classified within the RS15 District, requested by New Hope Partners, LLC, owner/developer, Walter Davidson and Associates, surveyor.

Ms. Carrington stated staff is recommending approval, with a variance to the maximum street length. She stated the cul-de-sac cannot be extended because of steep slopes. She also pointed out there is no logical place to extend the street. The Traffic Engineer, in the staff report, had indicated they were looking at shared driveways along John Hager. Staff has checked earlier phases of this subdivision to the south and no shared driveways were required; therefore, staff did not believe those were necessary on this plat either.

Mr. Bill Eason stated he was in favor of the proposal and was present to answer any questions the Commission might have.

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

Resolution No. 99-210

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-104G, is **APPROVED (7-0), PUBLIC HEARING CLOSED.”**

Subdivision Proposal No. 99S-087G

Tulip Grove View
Map 75, Parcel 75
District 12 (Ponder)

A request for final plat approval to record one parcel as one lot abutting the northwest margin of Tulip Grove Road, approximately 2,245 feet southeast of Chandler Road (3.0 acres), classified within the RS15 District, requested by Town and Country Homes, Inc., owner/developer, John D. McCormick, surveyor.

Ms. Carrington stated that contrary to the staff report staff is now recommending approval. In the staff recommendation we referred to the maximum lot size provision in the Subdivision Regulations, however, in this case since they are only trying to get a building permit for the one lot staff does not believe the maximum lot size provision applies in this case.

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

Resolution No. 99-211

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-087G, is **APPROVED (7-0).”**

PUD Proposal No. 307-84-U

Jackson Downs
Map 85, Parcels 53 and 40
District 14 (Stanley)

A request for two variances to Section 17.32.080 (Sign Regulations) of the Zoning Regulations for a portion of the Residential Planned Unit Development District to legally use two existing ground signs installed within the street setbacks of Jackson Downs Boulevard, River Walk Drive and River Edge Drive, requested by Randell J. Hoffman.

Ms. Regen stated this is a request for two variances for signs that have already been installed. There is supposed to be a 15 foot setback from the edge of the street. The signs have encroached into that setback. Staff field check the signs and there doesn't seem to be any issue with visibility at the stop sign or driving down Jackson Downs. According to the application the signs are encroaching 12 to 13 feet into the setback.

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

Resolution No. 99-212

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 307-84-U is given **DISAPPROVAL (7-0)**:

SUBAREA 2 (1995)

Subdivision Proposal No. 99S-092G
Bellshire Estates, Section B, Resubdivision
of Lots 477A and 477B
Map 41-10A, Parcels 1 and 2
District 3 (Nollner)

A request for final plat approval to reconfigure two lots abutting the west margin of Ridgemont Drive, approximately 285 feet north of Cheshire Drive (.96 acres), classified within the RS20 District, requested by Jennie J. Camp, owner/developer, Land Surveying, Inc., surveyor.

Ms. Carrington stated staff is recommending disapproval. This a final plat to reconfigure two condominium lots into to two regular lots on Ridgemont Drive. This same reconfiguration was disapproved in 1997 because it failed comparability and the two structures on the lots are attached, which would violate the zoning setbacks. The lots still do not meet comparability, the buildings are still attached and staff is recommending disapproval. However, the applicant is agreeable to removing the structure that attaches the two buildings. It would comply with zoning setbacks but the proposed lots still do not meet comparability.

Ms. Joe Roth, realtor, spoke in favor of the proposal and stated the owner has had a stroke and needs to sell this property. As a condominium she could not sell the property but as subdivided lots there are two buyers.

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

Resolution No. 99-213

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-092G, is **APPROVED SUBJECT TO REMOVAL OF THE HORIZONTAL PROPERTY REGIME AND SUBJECT TO A BOND OF \$8,000.00 for removal of the structure connecting the two dwelling units (7-0).**”

SUBAREA 6 (1996)

Subdivision Proposal No. 99S-088G
Hunters Trail
Map 101, Parcels 184, 187 and 189
District 23 (Crafton)

A request for final plat approval to record three parcels as three lots abutting the west margin of Gower Road and the south margin of Hunters Trail (private road) (16.01 acres), classified within the AR2a District, requested by Sammy S. and Connie A. Rudolph, owners/developers, Compass Land Surveyors, surveyor.

Ms. Carrington stated staff is recommending approval with a variance to the maximum lot size in the Subdivision Regulations. These lots have frontage on a private access easement and have been approved by the Health Department for septic systems. This is a Natural Conservation policy area and staff does not expect urban services to be available in this area. One of the lots does exceed the maximum lot size; therefore, a variance will be required for that lot.

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

Resolution No. 99-214

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-088G, is **APPROVED WITH A VARIANCE TO SECTION 2-4.2D OF THE SUBDIVISION REGULATIONS (7-0).”**

Zone Change Proposal No. 99Z-036G

Map 155, Parcel 130 (18.79 ac)

Map 155-16, Parcel 27 (3.09 acres)

District 35 (Lineweaver)

A request to rezone from RS40 to RS20 district property at 8263 and Route 5 Highway 100, opposite Stonemeade Drive (21.87 acres), requested by George Welch, appellant, for Joseph M. Cambron et ux and Joseph M. Cambron, Jr., et ux, owners.

PUD Proposal No. 93P-016G

Traceside

Map 155, Parcel 130

Map 155-16, Parcel 27

District 35 (Lineweaver)

A request to amend the existing Residential Planned Unit Development District located abutting the south margin of Highway 100, opposite Stonemeade Drive, classified RS40 and proposed for RS20, to add 21.88 acres and 52 single-family lots, requested by Ragan-Smith and Associates for Centex Homes, optionees, for Joseph M. Cambron, Jr. et ux, owners.

Ms. Regen stated this is a request to rezone property to RS20 and add land to the PUD. Staff is recommending approval of the rezoning to RS20 but not recommending approval of the PUD as it is currently design. The main issue with the PUD is the lack of street connections to the existing subdivision to the north as well as the length of several of the cul-de-sacs that are proposed. They are proposing two cul-de-sacs with no connection to Moss Road. Staff feels street connections should occur at Moss Road and Kittrell and the two center cul-de-sacs should be connected as a through street. Staff has received a letter from Mr. Brett Barr, with Centex Homes, explaining why he felt the staff recommendation was not appropriate, citing that the homeowners in Traceside do not want the street connections of Moss Road and Kittrell.

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

Resolution No. 99-215

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-036G is **APPROVED (7-0):**

These properties fall within the Subarea 6 Plan’s Residential Low Medium (RLM) policy calling for up to 4 units per acre. The RS20 district is consistent with this policy and the established zoning pattern to the south.”

“BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that Proposal No. 93P-016G is given **DISAPPROVAL (7-0):**

SUBAREA 5 (1994)

Subdivision Proposal No. 98S-434U (Public Hearing)

Dan Mosley Property
Map 83-3, Parcel 213
District 7 (Campbell)

A request for preliminary and final plat approval to subdivide one parcel into three lots abutting the north margin of Carter Avenue, approximately 242 feet east of Riverside Drive (2.46 acres), classified within the R10 District, requested by Dan Cathey Mosley, owner/developer, Bruce Rainey and Associates, surveyor.

Ms. Carrington stated staff is recommending disapproval. A very similar configuration of this property was disapproved by the Commission in January of 1999. They have since then removed a parcel on the north and reconfigured the lots. They did have flag shaped lot originally proposed and now they have 3 lots that exceed the 4 to 1 depth to width ratio in the Subdivision Regulations. In January the Commission discussed having a street along the east side but there are properties farther north that use an alley for access. Staff does not feel the subdivision as proposed fits in the area with an urban pattern. There has been some smaller lot size urban development in this area already.

Ms. Isabelle Turner, neighbor, spoke in opposition to the proposal.

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

Resolution No. 99-216

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 98S-434U, is **DISAPPROVED (7-0); PUBLIC HEARING CLOSED.”**

SUBAREA 3 (1998)

Zone Change Proposal No. 99Z-020U

Map 69-8, Part of Parcel 1 (9.27 acres)
District 2 (Black)

A request to change from RS15 (1.84 acres), CL (2.26 acres), and OR20 (5.17 acres) districts to CS district a portion of property at 3603 West Hamilton Road, on the west margin of Clarksville Pike (9.27 acres), requested by Vincent T. Scalf, appellant/owner.

Mr. Robert Rutherford, representing the applicant, stated the applicant has asked that this proposal be withdrawn.

SUBAREA 4 (1998)

Consideration of Bond Release

Subdivision No. 97S-259G
Marlin Meadows, Section 2
Charles E. Rhoten, principal
[Buildout is at 100%]

Located abutting the south margin of Highland Circle, approximately 800 feet northwest of Campbell Road.

Ms. Carrington stated this item was changed from a bond collection to a bond release. It was coming up for expiration soon and staff could not get the developer to finish the last few items. When it was put on the agenda for collection he finished in the last weeks.

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

Resolution no. 99-217

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 97S-259G, Bond No. 97BD-079, Marlin Meadows, Section 2 in the amount of \$5,000.”

SUBAREA 7 (1994)

Zone Change Proposal No. 99Z-024U
Map 90-12, Parcel 26 (.8 acres) and 360 (.41 acres)
District 22 (Hand)

A request to change from R10 to RM9 district properties at 661 Westboro Drive and Westboro Drive (unnumbered), at the eastern terminus of Freedom Drive (1.21 acres), requested by Bill Lockwood, appellant, for Marvin E. Featherstone et ux, owners.

Ms. Regen stated staff is recommending disapproval of this request because the subarea plan, while it does allow up to 9 units per acre as it is residential medium policy in this area, it is really looking at the lower end closer to 4. It is also looking for conservation and continuance of the existing single family and duplex lot pattern.

Mr. Bill Lockwood, with Barge, Waggoner, Sumner & Cannon, stated they were simply trying to go with a multi-family condominium development on the tract adding three 3 unit complexes rather than duplexes, which would incorporate the existing house as a single family unit in the condominium regime. Our client has had several meetings with the neighborhood and they feel this would be more in keeping with what they want rather than an additional 4 rental duplexes.

Mr. Roy Shaneberg, real estate broker, presented a petition in favor of the proposal signed by adjacent property owners.

Ms. Mary Gebhart, neighbor, spoke in favor of the proposal.

Chairman Smith said he felt this would be spot zoning.

Mr. Browning warned the neighbors that his zoning action give them no guarantee those would be condos built and agreed it would be spot zoning.

Mr. Small moved and Ms. Warren seconded the motion, which carried with Mr. Small, Ms. Warren, Mr. Lawson and Mr. Stephen Smith in favor and with Mr. Manier, Ms. Nielson and Chairman Smith in opposition.

Resolution No. 99-218

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-024U is **APPROVED (4-3)**:

These properties fall within the Subarea 7 Plan’s Residential Medium (RM) policy calling for 4 to 9 units per acre. The RM9 district is consistent with this policy.”

OTHER BUSINESS:

1. Employee contract renewal for Jennifer Higgs.

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

Resolution No. 99-219

“BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** the employee contract for Jennifer Higgs as a Planner II for one year from April 1, 1999 through March 31, 2000.

2. Morton Mill Road status report. (Deferred from meetings of 2/4/99 and 2/18/99).

Mr. Browning stated he inspected Morton Mill Road before this meeting and they have essentially all of the construction done in terms of the rough filling and also the drainage structures and staff will watch their schedule and suggested they be allowed to continue.

3. Advance Planning and Research Fund Appropriation.

Mr. Browning asked the Commission to approve appropriating \$149,000 to the APR Fund. These are transportation monies that will be coming from either FHA or Mass Transit and they are reimbursable.

Resolution No. 99-220

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

Appropriation Balance - January 1, 1999			\$ 20,755.00
Resolution No. 99-220 adopted March 18, 1999			\$ 149,021.08
Net Appropriation Balance			\$ 169,776.08
<u>Jan, Feb, Mar 1999 Expenditures - Projected:</u>			
Salaries		\$ 19,763.00	
Central Printing Services		\$ 250.00	
Data Processing Services		\$ 75.00	
Advertising		\$ 1,500.00	
Membership/Training		\$ 500.00	

Consultant's Services		\$241,157.88	
Postage		\$ 1,000.00	
Office Supplies		\$ -	
FICA		\$ 707.22	
Group Health Insurance		\$ 1,460.16	
Employer's Pension Contribution		\$ 2,031.49	
Group Life Insurance		\$ 234.00	
Dental Insurance		\$ 149.04	\$(268,827.79)
Net Appropriation Balance			\$ (99,051.71)
Revenue in Transit			\$ 103,516.21
			\$ 4,464.50

10. Legislative update.

Mr. Browning announced he had received a letter from Mr. Robert Jennings, attorney representing the City of Brentwood, requesting a rehearing on the Proposed Public Road Access (Rover Road) at Old Hickory Boulevard, Maryland Farms Business Park.

Chairman Smith instructed Mr. Browning to inform Mr. Jennings the Commission would rehear their proposal.

PLATS PROCESSED ADMINISTRATIVELY

February 18, 1999 through March 17, 1999

**98S-036G TRACE CREEK CENTER of PASQUO
(formerly Pasquo Plaza Subdivision)**
Changes the name of subdivision

**98S-421U HUNTINGTON RIDGE TOWNHOUSE CONDOMINIUMS,
First Revision**
Alters the location of 6 condominium units of a previously recorded plat

98S-443G C. H. FORD SUBDIVISION, Resubdivision of Lot 1
One parcel into two lots

99S-034G FRED HAHN SUBDIVISION
One parcel into two lots

98S-138G JACOB'S VALLEY, Section 1, First Revision
Revises N.E.S. note

98S-362G JACOB'S VALLEY, Section 2, First Revision
Revises N.E.S. note

- 99S-070U** **WESTBELT INDUSTRIAL PARK, Resubdivision of Lots 7 and 8**
Abandons existing drainage easement
- 99S-091U** **MASSEY SUBDIVISION, Revision to Lot 95**
Two lots into one lot
- 99S-102U** **CALUMET, Phase 7, Revision to Lots 705 and 706**
Minor interior lot line shift

ADJOURNMENT:

There being no further business, upon motion made, seconded and passed, the meeting adjourned at 5:20 p.m.

Chairman

Secretary

Minute Approval:
This 1st day of April, 1999