

MINUTES
OF THE
METROPOLITAN PLANNING COMMISSION

Date: May 27, 1999
Time: 1:00 p.m.
Place: Howard Auditorium

Roll Call

Present:

Gilbert N. Smith, Chairman
Frank Cochran
James Lawson
William Manier
Ann Nielson
Stephen Smith
Marilyn Warren

Absent:

Mayor Philip Bredesen
Tim Garrett, Councilmember
Douglas Small

Others Present:

Executive Office:

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

Current Planning & Design Division:

Theresa Carrington, Planning Division Manager
Michael Calleja, Planner III
Jennifer Regen, Planner III
John Reid, Planner II
Robert Leeman, Planner I
Jeff Stuncard, Planner I
Nancy Phillips, Planning Technician II
James Russ, Planning Technician I

Community Plans Division:

Jerry Fawcett, Planning Division Manager
Debbie Frank, Planner I

Advance Planning & Research:

John Boyle, Planning Division Manager
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 the following changes to the agenda:

Request for Bond Release 95S-153U should be moved to Subarea 6
Zone Change 99Z-074U Map 93-2, add Parcel 86
Map 93-3 add Parcels 1, 3, 66, 144-194 and 161.01
Zone Change Proposal No. 99Z-053U should be changed to ON rather than OR 20
Zone Change Proposal No. 99Z-080U should be changed to read Part of 154 (117 acres)
Part of Parcel 4 (208 acres) and 87 (165 acres)
Parcel 310 has been added and is (31.3 acres)
and the total acreage changed from 848.56 to 677.69 and there are revised sketches

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

ELECTION OF OFFICERS

James Lawson was elected Chairman. Douglas Small was elected Vice Chairman, James Lawson was re-elected as representative to the Metro Parks Board and William Manier was re-elected as representative to the Historic Commission.

Chairman Smith turned the meeting over to Chairman Lawson.

Ms. Nielson left at this point in the meeting.

ANNOUNCEMENT OF DEFERRED ITEMS

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

99S-201U	Deferred two weeks, by applicant.
95P-002G	Deferred two weeks, by applicant.
98S-432G	Deferred two weeks, by applicant.
99S-002U	Deferred indefinitely, by applicant.
99S-120U	Deferred two weeks, by applicant.

Ms. Warren moved and Mr. Stephen Smith seconded the motion, which unanimously passed, to defer the items listed above.

APPROVAL OF MINUTES

Mr. Gilbert Smith moved and Mr. Cochran seconded the motion, which unanimously passed to approve the minutes of the regular meeting of May 13, 1999.

RECOGNITION OF COUNCILMEMBERS

Councilmember Janis Sontany spoke in favor of Zone Change Proposal No. 99Z-080U.

Councilmember Charles French also spoke in favor of Zone Change Proposal No. 99Z-080U.

ADOPTION OF CONSENT AGENDA

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

SUBAREA 14 (1996)

Zone Change Proposal No. 99Z-072U

Map 108-1, Parcels 24 (.48 acres), 25 (.36 acres),
26 (.30 acres) and 28 (.42 acres)
District 15 (Dale)

A request to rezone from R10 to CS district properties at 2729, 2733, 2737 Shacklett Drive and 558 Claridge Drive, approximately 200 feet west of Donelson Pike (1.56 acres), requested by Herb Ruck, appellant, for Vernon H. Beard et ux, Wanda Atwell, Dan A. Howell et ux, and Ray A. Harper et ux, owners.

Resolution No. 99-397

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-072U is **APPROVED (6-0)**:

These properties fall within the Subarea 14 Plan's Commercial Mixed Concentration (CMC) policy calling for transition of the existing residences to commercial uses due to their location under the flight path of the Nashville International Airport. The CS district is consistent CMC policy and the emerging commercial zoning pattern in this area."

PUD Proposal No. 74-73-G

Music Valley Ramada Inn
Map 62, Parcels 29 and 154
District 15 (Dale)

A request to revise the preliminary plan of the Commercial (General) Planned Unit Development District located abutting the northeast corner of McGavock Pike and Music Valley Drive (7.89 acres), classified CA, to add a 2,400 square foot retail building in the rear parking area of the existing motel site and adjust the property line of parcel 154, requested by Dale and Associates, for John Hobbs, owner.

Resolution No. 99-398

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 74-73-G is given **CONDITIONAL PRELIMINARY APPROVAL (6-0)**. The following conditions apply:

1. Prior to the issuance of any building permits, the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works shall forward confirmation of preliminary approval of this proposal to the Planning Commission.
2. Prior to the issuance of any building permits, a final plat shall be recorded reflecting the new property line of parcel 154.”

PUD Proposal No. 98-85-P
Lakeside PUD
Map 121, Parcel 74
Map 122, Parcel 6
District 14 (Stanley)

A request to revise the preliminary plan of the undeveloped Residential Planned Unit Development District located abutting the east margin of Bell Road, 1,650 feet north of and opposite Pulley Road (112.32 acres), classified R8 and RM9, to permit 1,036 residential units (285 townhomes and 751 apartments), requested by LDI Design, for Franklin Land Company, owners.

Resolution No. 99-399

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 98-85-P is given **CONDITIONAL APPROVAL OF A REVISION TO THE PRELIMINARY PLAN (6-0)**. The following conditions apply:

1. Prior to the issuance of any building permits, 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. In conjunction with any application for final approval, the applicant shall submit to the Planning Commission a Traffic Impact Study for the 1,036 unit development for review and approval. All recommendations of the Traffic Impact Study along with any additional improvements by the Metropolitan Traffic Engineer shall be accepted by the applicant without modification.
3. In conjunction with any application for final approval, the applicant shall submit a geo-technical study to the Planning Commission for review and approval. The study shall address the PUD development’s impact on the property’s sinkholes and drainage.
4. Prior to the issuance of any grading permits, the applicant shall record a PUD boundary plat including parcel 74 on tax map 121 and parcel 6 on tax map 122.
5. Prior to the issuance of any building permits, the applicant shall record a final subdivision plat which provides an easement from Bell Road to the three cemeteries located within this PUD and identifies continual maintenance of these cemeteries by the PUD property owners, and shall post all required bonds.”

PUD Proposal No. 60-86-P
Northlake Village Exxon
Map 86, Parcel 208
District 12 (Ponder)

A request to revise a portion of the preliminary plan and for final approval for a phase of the Commercial (General) Planned Unit Development District located abutting the northwest corner of Old Hickory Boulevard and Andrew Jackson Parkway (1.6 acres), classified R8, to develop a 4,228 square foot convenience market/gas station, replacing an existing 1,632 square foot convenience market/gas station, requested by Ragan-Smith and Associates, for the Exxon Company, owner.

Resolution No. 99-400

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 60-86-P is given **APPROVAL TO REVISE PRELIMINARY AND CONDITIONAL FINAL APPROVAL FOR A PHASE (6-0)**. The following condition applies:

Prior to the issuance of any building permits, 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.”

PUD Proposal No. 95P-026U

Brookwood Meadows (Formerly Sunset Meadows)
Map 52, Parcel 8
Map 62, Parcel 1
District 15 (Dale)

A request to revise the preliminary plan of the Residential Planned Unit Development District located abutting the north margin of Pennington Bend Road and the west margin of Lock Two Road (8.6 acres), classified R15, to permit a 19 unit assisted-care living facility, 21 townhomes for the elderly, and 1 single-family residence, replacing 42 townhomes and 1 single-family residence, requested by Barge, Waggoner, Sumner and Cannon, for Senior Trust, LLC, owners.

Resolution No. 99-401

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 95P-026U is given **CONDITIONAL APPROVAL TO REVISE THE PRELIMINARY PLAN (6-0)**. The following conditions apply:

1. Prior to the issuance of any building permits, 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 the issuance of any building permits, a final plat shall be recorded consolidating parcel 8 on tax map 52 and parcel 1 on tax map 62, including posting of any bonds necessary for utilities, structure removal, site improvements, and road improvements.
3. With the submittal of any final plans, cut and fill sections and calculations for the disturbed floodplain areas shall be submitted to the Planning Commission in accordance with the Metropolitan Stormwater Management Committee findings. Should that information indicate a reduction in residential units, the applicant shall submit a revised preliminary plan to the Planning Commission for review and approval.”

Mandatory Referral Proposal No. 99M-061U

Margaret Allen Elementary School Property Acquisition
Map 106-3, Parcels 5, 5.01 and 6
Map 106-4, Parcels 7-10
District 15 (Dale)

A request from the Public Property Administrator for the acquisition of property by negotiation or condemnation to accommodate the construction of a new facility for Margaret Allen Elementary School.

Resolution No. 99-402

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (6-0)** Proposal No. 99M-061U."

Request for Bond Extension

Subdivision No. 96S-141U

Harborview, Section 1

Gil Smith, principal

[Buildout is at 69%]

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

Resolution No. 99-403

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 96S-141U, Bond No. 96BD-027, Harborview, Section 1 in the amount of \$31,000 to 11/15/99 subject to submittal of an amendment to the present Letter of Credit by 6/27/99 which extends its expiration date to 5/15/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

SUBAREA 12 (1997)

Zone Change Proposal No. 99Z-071G

Map 172, Parcel 179

District 31 (Alexander)

A request to rezone from R15 to RM4 district property at Pineview Lane, abutting the southern terminus of Windy Pine Drive, approximately 400 feet north of Kinhawk Drive (59.01 acres), requested by Alley and Associates, appellants, for Doug R. Richter, owner.

Resolution No. 99-404

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-071G is **APPROVED (6-0)**:

This property falls within the Subarea 12 Plan's Residential Medium (RM) policy calling for 4 to 9 units per acre. The RM4 district is consistent with this policy. There are three hills on the western, southern, and eastern perimeter of this property which provide a zoning boundary between the proposed multi-family zoning and the surrounding single-family developments."

PUD Proposal No. 122-83-U

The Woodlands

Map 172, Parcel 179

District 31 (Alexander)

A request to amend a phase of the Residential Planned Unit Development District located on the south margin of Old Hickory Boulevard at the southern terminus of Woodlands Avenue (55.24 acres), classified

R15 and proposed for RM4, to permit 150 townhomes replacing 152 single-family lots, requested by Alley and Associates, for Richter/Dial Builders, Inc.

Resolution No. 99-405

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 122-83-U is given **CONDITIONAL APPROVAL TO AMEND A PHASE (6-0)**. The following conditions apply:

1. Prior to the issuance of any building permits, 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 the issuance of any building permits, a final plat shall be recorded including the posting of any bonds necessary for utilities, structure removal, site improvements, and road improvements.
3. With the submittal of any final PUD plans, the applicant shall submit road construction plans or restriping details showing a left-turn lane from Woodlands Avenue to Old Hickory Boulevard. This left-turn lane shall be 75 feet long with a normal transition of 125 feet.”

SUBAREA 3 (1998)

Subdivision Proposal No. 98S-424U

River Meadows, Section 2
Map 80, Parcel 52
District 2 (Black)

A request for final plat approval to create 38 lots abutting the south terminus of Hydes Ferry Road, approximately 560 feet south of Nashville-Ashland City Railroad (10.54 acres), classified within the RS7.5 District, requested by Metropolitan Development and Housing Agency, owner/developer, Thornton and Associates, Inc., surveyor.

Resolution No. 99-406

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 98S-424U, a request for final plat approval to create 38 lots abutting the south terminus of Hydes Ferry Road, approximately 560 feet south of Nashville-Ashland City Railroad (10.54 acres), classified within the RS7.5 District, requested by Metropolitan Development and Housing Agency, owner/developer, Thornton and Associates, Inc., surveyor, is **APPROVED SUBJECT TO A BOND OF \$257,500.00 (6-0)**.”

Subdivision Proposal No. 99S-110U

YWCA at Bordeaux Hospital
Map 80, Part of Parcel 3
District 1 (Patton)

A request for final plat approval to create one lot abutting the west margin of Camilla Caldwell Lane, approximately 350 feet south of County Hospital Road (3.50 acres), classified within the AR2a District, requested by Metro Government/ Public Property Administration, owner/developer, Cherry Land Surveying, surveyor.

Resolution No. 99-407

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-110U, a request for final plat approval to create one lot abutting the west margin of Camilla Caldwell Lane, approximately 350 feet south of County Hospital Road (3.50 acres), classified within the AR2a District, requested by Metro Government/ Public Property Administration, owner/developer, Cherry Land Surveying, surveyor, is **APPROVED SUBJECT TO A BOND OF \$30,500.00 (6-0).”**

SUBAREA 10 (1994)

Zone Change Proposal No. 99Z-058U

Map 103-8, Parcels 167 (.32 acres), 168 (.27 acres),
169 (.27 acres), 170 (.27 acres), 171 (.27 acres),
172 (.27 acres), 173 (.27 acres), 174 (.23 acres)
and 175 (.22 acres)
District 24 (Johns)

A request to apply the Neighborhood Conservation Overlay District to properties at 501, 503, 505, 507, 509, 511, 517, 519, and 521 Wilson Boulevard, abutting the south margin of the CSX Railroad (2.39 acres), requested by the Metropolitan Historical Commission, appellant, for John H. Kaas and Barbara Martin, Henry J. Fischman et ux, Bob H. and Cynthia D. Hester, Arleen Chung and Panos Sechopoulos, Walton C. and William M. Akers, Roy E. McPherson, Matthew A. Timm et ux, Joanne A. Rathman, and Sheila F. McCall, owners.

Resolution No. 99-408

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-058U is **APPROVED (6-0):**

These properties fall within the Subarea 10 Plan’s Residential Low Medium (RLM) policy calling for conservation of this residential neighborhood at up to 4 units per acre. The Neighborhood Conservation Overlay District is consistent with RLM policy. The Metropolitan Historic Zoning Commission has approved the Neighborhood Conservation Overlay District, indicating that all nine properties contain historic bungalow-style houses of a similar development period to those within the existing Richland-West End Neighborhood Conservation Overlay District. “

Request for Bond Release

Subdivision No. 99S-037U
Centrum/Argyle
Centrum/Argyle, L.P., principal

Located abutting the south margin of Argyle Avenue, approximately 120 feet west of Ridley Boulevard.

Resolution No. 99-409

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 99S-037U, Bond No. 99BD-010, Centrum/Argyle in the amount of \$21,000.”

Request for Bond Release

Subdivision No. 94S-317U
Whitworth, Phase 3, Section 3

Clements-Bartosh Interests, LLC, principal

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

Resolution No. 99-410

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 94S-317U, Bond No. 94BD-095, Whitworth, Phase 3, Section 3 in the amount of \$21,500.”

SUBAREA 9 (1997)

Zone Change Proposal No. 99Z-074U

Map 82-15, Parcels 28-30, 32, 33, 35, 35.01,
37, 48, 50-53, 57, 216 and 222-224

Map 93-2, Parcels 66-68, 86, 87, 102, 103, 105, 106 and 112

Map 93-3, Parcels 1, 3, 12, 13, 15, 17, 18, 22-29, 35, 38-41,
43, 46, 51-53, 66, 69, 70-72, 94-98, 101-104, 106, 115,
117, 118, 122, 123, 135-140, 142, 144-149, 152,
153, 160.01-163, 171, 174, 176, 177, 179, 180 and 181

Map 93-7, Parcels 10, 22, 44, 46 and 48

District 6 (Beehan)

A request to rezone from IR, IG and MUG districts to MUI district properties between James Robertson Parkway, Interstate Drive, Shelby Avenue, and the Cumberland River (114 acres), requested by MDHA, appellants, for MDHA, E. B. Smith, SHN Properties LLC, Exxon, and Marathon Ashland Petroleum LLC, owners.

Resolution No. 99-411

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-074U is **APPROVED (6-0)**:

These properties fall within the Subarea 9 Plan’s Commercial Mixed Concentration (CMC) and Major Public Open Space (MPOS) policies. The CMC policy calls for a mixture of office, commercial, and higher density residential uses around the TN NFL stadium, and the MPOS policy calls for a linear greenway along the Cumberland River between the Shelby Street and Woodland Street bridges. Consistent with MPOS policy, Metro has acquired all the properties between the railroad track and the Cumberland River in anticipation of this greenway. The MUI district is consistent with CMC policy and may lessen traffic impacts from future development through the integration of residential, retail, and office uses. The Shelby Street Bridge will also lessen additional traffic impacts through the pedestrian, bicycle, and trolley links planned between the east and west banks of the Cumberland River.”

Mandatory Referral Proposal No. 99M-063U

Closure of Streets and Alleys for
Tennessee NFL Stadium

Map 82-150, Parcels 29, 30, 50-53, 57 and 216

Map 93-30, Various Parcels

District 6 (Beehan)

A request to close Alleys 258, 259, 260, 262, 265, and 268, and to close South First, South Second, Boscobel, Fatherland and Sylvan Streets in and around the Tennessee NFL Stadium, requested by Metropolitan Development and Housing Agency. (Easements are to be retained and abandoned).

Resolution No. 99-412

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (6-0)** Proposal No. 99M-063U."

Mandatory Referral Proposal No. 99M-065U
Downtown Public Library Easement Abandonment
Map 93-6-1, Parcels 61 and 67
Map 93-6-3, Parcel 6
District 19 (Sloss)

A request to abandon all water and sewer easements within the new downtown public library site submitted by Erly J. Thornton, Jr., R.L.S. on behalf of the Metro Library.

Resolution No. 99-413

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (6-0)** Proposal No. 99M-065U."

SUBAREA 5 (1994)

Zone Change Proposal No. 99Z-075U
Map 82-4, Parcels 269 (.18 acres), 270 (.17 acres),
271 (.20 acres) and 272 (.06 acres)
District 5 (Harrison)

A request to rezone from RS5 to IR district properties along McFerrin-Granada Connector, approximately 150 feet south of Granada Avenue abutting the west margin of Ellington Parkway (.61 acres), requested by Metropolitan Department of Water Services, appellant, for Metropolitan Government, owners.

Resolution No. 99-414

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-075U is **APPROVED (6-0)**:

These properties fall within the Subarea 5 Plan's Commercial Mixed Concentration (CMC) policy which recognizes the area's existing industrial development and calls for office, commercial, and higher density residential uses if the industrial uses close or relocate. This boundary adjustment would recognize the nonresidential nature of McFerrin-Granada Connector. Currently, an industrial use on parcel 408 gains access off the southern terminus of McFerrin-Granada Connector (see sketch) and Metro Government is constructing the Apex storm sewer project on these properties proposed for IR zoning. With this proposed rezoning, a good zoning boundary between residential and industrial uses would be formed by Granada Avenue and Ellington Parkway."

Mandatory Referral Proposal No. 99M-059U
Bailey Middle School Property Acquisition
Map 83-2, Parcel 320
Map 83-3, Parcel 91
District 6 (Beehan)

A request from the Public Property Administrator for the acquisition of property by negotiation or condemnation to accommodate the construction of a new facility for Bailey Middle School.

Resolution No. 99-415

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (6-0)** Proposal No. 99M-059U."

Mandatory Referral Proposal No. 99M-060U
Dalewood Middle School Property Acquisition
Map 72-8, Parcels 47 and 48
District 8 (Hart)

A request from the Public Property Administrator for the acquisition of property by negotiation or condemnation to accommodate the construction of a new facility for Dalewood Middle School.

Resolution No. 99-416

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (6-0)** Proposal No. 99M-060U."

Mandatory Referral Proposal No. 99M-062U
Closure of Alley 717
Map 82-12, Parcels 210, 231 and 384
District 6 (Beehan)

A request to close Alley 717 between Ramsey Street to its terminus at Alley 277, requested by James M. Smith Sr. (Easements are to be retained).

Resolution No. 99-417

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (6-0)** Proposal No. 99M-062U: **(Easements are to be retained).**"

Mandatory Referral Proposal No. 99M-064U
North Pointe Plaza Lease Agreement
Map 60-8, Parcel 71
District 4 (Majors)

A request from the Public Property Administrator for the assignment of a lease agreement between the Metropolitan Government of Nashville and Davidson County/Ewing Lane Partnership and Northpoint Retail, LLC.

Resolution No. 99-418

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (6-0)** Proposal No. 99M-064U."

SUBAREA 1 (1997)

PUD Proposal No. 61-77-G
Gifford Place Commercial PUD
Map 22, Parcels 160, 230 and Part of Parcel 158
District 1 (Patton)

A request for final approval for a portion of the Commercial (General) Planned Unit Development District located abutting the east margin of Whites Creek Pike, 220 feet south of Gifford Place (.96 acres), classified CS, to permit a 11,500 square foot retail building, requested by Harry Martin, for W. C. Gifford, owner.

Resolution No. 99-419

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 61-77-G is given **CONDITIONAL FINAL APPROVAL FOR A PHASE (6-0)**. The following conditions apply:

1. Prior to the issuance of any building permits, confirmation of final approval from the Stormwater Management and the Traffic Engineering Section of the Metropolitan Department of Public Works.
2. Prior to the issuance of any grading or building permits, the applicant shall submit a drainage study evaluating the existing detention and drainage facilities within this Commercial PUD and shall make all necessary corrections identified by the drainage study, as required by the Metropolitan Department of Public Works.”

SUBAREA 4 (1998)

Subdivision Proposal No. 99S-199G
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 five 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. 99-420

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-199G, a request for final plat approval to create five 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, is **APPROVED (6-0)**.”

Request for Bond Release
Subdivision No. 205-83-G
Rivergate Place, Resubdivision of Lot 7
Steak N’ Shake, Inc., principal

Located abutting the northeast margin of Myatt Drive and the northwest margin of Spring Branch Drive.

Resolution No. 99-421

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 205-83-G, Bond No. 97BD-045, Rivergate Place, Resubdivision of Lot 7 in the amount of \$12,000.”

SUBAREA 6 (1996)

Request for Bond Extension

Subdivision No. 98S-172G
Pine Forest, Section 1
Phillips Builders, Inc., principal
[Buildout is at 21%]

Located abutting the northwest margin of George E. Horn Road, approximately 425 feet northeast of Dunaway Drive.

Resolution No. 99-422

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 98S-172G, Bond No. 98BD-071, Pine Forest, Section 1 in the amount of \$200,000 to 12/10/99 subject to the submittal of a letter from the Frontier Insurance Company by 6/27/99 agreeing to the extension. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Release
Subdivision No. 95S-153U
Cedar Crest, Phase 2
Joe Gower, principal

Located abutting the south terminus of Cedar Crest Drive, approximately 140 feet south of Williams Court.

Resolution No. 99-423

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 95S-153U, Bond No. 95BD-042, Cedar Crest, Phase 2 in the amount of \$30,000.”

SUBAREA 13 (1996)

Subdivision Proposal No. 99S-204U
Smith Springs Corner Subdivision
Map 136, Parcel 39
District 29 (Holloway)

A request for final plat approval to record one parcel as one lot abutting the north margin of Smith Springs Road, southwest of Old Smith Springs Road (1.0 acres), classified within the R10 Neighborhood Commercial Planned Unit Development District, requested by Billy R. Dean, owner/developer, Ragan-Smith Associates, Inc., surveyor.

Resolution No. 99-424

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-204U, a request for final plat approval to record one parcel as one lot abutting the north margin of Smith Springs Road, southwest of Old Smith Springs Road (1.0 acres), classified within the R10 Neighborhood Commercial Planned Unit Development District, requested by Billy R. Dean, owner/developer, Ragan-Smith Associates, Inc., surveyor, is **APPROVED SUBJECT TO A BOND OF \$20,000.00 (6-0).**”

Zone Change Proposal No. 99Z-080U
Map 120, Parcels 157 (149.77 acres) and
Part of 154 (117 acres)
Map 121, Part of Parcels 4 (208 acres) and 87 (165 acres)
Map 134, Parcel 302 (6.79 acres), Parcel 310 (31.3 acres)

Districts 27 (Sontany) and 13 (French)

A request to rezone from AR2a to IR district properties at Murfreesboro Pike (unnumbered) and Couchville Pike (unnumbered), north of McGavock Pike and east of Donelson Pike (677.69 acres), requested by Metropolitan Government, appellant, for Metropolitan Government and Metropolitan Nashville Airport Authority, owners.

Resolution No. 99-425

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No.99Z-080U is **APPROVED (6-0)**:

These properties fall within the Subarea 13 Plan's Major Transportation (MT) policy calling for airport, rail switchyard, and associated industrial and distribution uses. The IR district is consistent with MT policy and is appropriate along these two major arterial streets (Donelson Pike and Murfreesboro Pike)."

PUD Proposal No. 28-79-G
Hickory Highlands
Map 163, Part of Parcel 379
District 28 (Hall)

A request for final approval to permit only the grading of roads within a phase of the Residential Planned Unit Development District located abutting the west margin of Rural Hill Road, 250 feet south of and opposite Hickory Highlands Drive (30.0 acres), classified R15, requested by Barge, Waggoner, Sumner and Cannon for Hickory Highlands LLC, owners. (Deferred from meetings of 4/15/99, 4/29/99 and 5/13/99).

Resolution No. 99-426

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 28-79-G is given **CONDITIONAL FINAL APPROVAL FOR A PHASE (6-0)**. The following conditions apply:

1. Prior to the issuance of any building permits, 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. With the submittal of any final plans, the applicant shall satisfy all conditions from previous PUD plan approvals."

Mandatory Referral Proposal No. 99M-058U
High Rigger Drive Renaming
Map 150, Parcels 168, 246, 247, and 267
District 29 (Holloway)

A request to rename High Rigger Drive, located north of Lera Jones Drive, from where it begins at Louise Russell Drive to its terminus at parcel 246 (tax map 150) to "Louise Russell Drive", for improved efficiency in the Enhanced 911 System, requested by the Interim Director of the Department of Public Works.

Resolution No. 99-427

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (6-0)** Proposal No. 99M-058U."

Request for Bond Extension

Subdivision No. 97S-430G
Bridle Path, Section 6
Asgard Group LLC, principal
[Buildout is at 0%]

Located abutting the east terminus of Palomino Place and the east margin of Thoroughbred Drive.

Resolution No. 99-428

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 97S-430G, Bond No. 98BD-088, Bridle Path, Section 6 in the amount of \$33,000 to 6/15/2000 subject to the submittal of an amendment to the present Letter of Credit by 6/27/99 which extends its expiration date to 12/15/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension
Subdivision No. 98S-057U
Long Hunter Chase, Phase 1, Section 2
Barry Construction Company, principal
[Buildout is at 28%]

Located abutting the northeast margin of Smith Springs Parkway, approximately 350 feet southeast of Paddington Way.

Resolution No. 99-429

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** request for extension of a performance bond for Subdivision No. 98S-057U, Bond No. 98BD-062, Long Hunter Chase, Phase 1, Section 2 in the amount of \$116,750 to 6/1/2000 subject to the submittal of an amendment to the present Letter of Credit by 6/27/99 which extends its expiration date to 12/1/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

SUBAREA 11 (1993)

Mandatory Referral Proposal No. 99M-066U
Vine Hill Homes Sanitary Sewer Easement Abandonment
Map 105-15-1, Parcels 1, 2, 3, and 42-59
District 17 (Douglas)

A request to abandon multiple sewer easements at MDHA’s Vine Hill Homes site submitted by Erly J. Thornton, Jr., R.L.S. on behalf of MDHA.

Resolution No. 99-430

“BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (6-0)** Proposal No. 99M-066U.”

This concluded the items on the consent agenda.

TEXT AMENDMENTS:

Zone Change Proposal No. 99Z-012T
Council Bill No. O99-1653

A council bill limiting the number of parking spaces allowed for residential uses, sponsored by Councilmember Regina Patton.

Ms. Regen stated this bill is attempting to address the storage of vehicles in residential areas or in agricultural areas, which would be property zoned AR2a or any one of the residential districts. Councilmember Patton has a property owner in her district who is storing approximately 40 vehicles on his property in an agricultural area and actually operating a commercial business. Staff has worked with Codes and has been able to have the cars removed through enforcement of the existing zoning regulations. Staff therefore feels there is no need for this amendment. Staff is recommending disapproval.

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

Resolution No. 99-431

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-012T is **DISAPPROVED 6-0**):

The situation this amendment sought to address has been corrected through enforcement of the Zoning Ordinance provisions. A property owner was storing vehicles, both operable and inoperable, on property zoned AR2a. Storing operable vehicles outdoors is a commercial use which the AR2a district does not permit. Storing inoperable vehicles outdoors is not permitted under the Housing Code. The Zoning Inspections Officer is continuing to monitor the situation and inspect the property for further enforcement proceedings."

SUBAREA 14 (1996)

Subdivision Proposal No. 99S-042U (Public Hearing)
White Pine Estates
Map 108, Parcel 56
District 14 (Stanley)

A request for a revision to the approved preliminary plat and for final plat approval for 37 lots abutting the northwest terminus of White Pine Drive, approximately 125 feet northwest of Elm Hill Pike (11.92 acres), classified within the RS10 District, requested by Midway Supply Company, owner/developer, Bledsoe Engineering, surveyor.

Mr. Calleja stated the applicant has requested a two week deferral for this final plat to work issues out with Public Works. The road pattern will extend to future development to the west.

Mr. Harry Bolin, representing an adjacent property owner, stated the property owner he represents has some aggressive dogs, and would ask that the subdivider be required to fence the property or take other measures to ensure no one is hurt by his client's animals.

Mr. Gilbert Smith stated it was the responsibility of the owner of the adjacent property (Mr. Bolin's client), to keep their horses and dogs on their property.

Mr. Gilbert Smith moved and Mr. Stephen Smith seconded the motion, which carried unanimously, to leave the public hearing open and defer this matter for two weeks.

Zone Change Proposal No. 99Z-051U

Map 107-3, Parcels 1 (1.07 acres), 2 (1.23 acres),
3 (.61 acres), 4 (.99 acres), 5 (1.03 acres), 6 (.89 acres),
7 (1.07 acres), 8 (.64 acres), 9 (.83 acres), 16 (.42 acres),
17 (.41 acres), 18 (.43 acres), 19 (.61 acres),
20 (.80 acres), 23 (.66 acres), 24 (.12 acres)
and 25 (.04 acres)
District 15 (Dale)

A request to change from R8 to ORI district various properties along Ermac Drive, abutting the north margin of Marriott Drive (11.85 acres), requested by Brett Smith, appellant, for Vernon K. Gibson et ux, Robert E. Duke et ux, Albert L. Cravens et ux, Jo Ann Herald, Lillian L. Standridge, Harvey M. Conger et ux, Rayven A. Fishburn et ux, William A. Weller, III, Myra V. Morris, Judith G. Smith, Lam G. and Thi Que Nguyen, Deborah A. Herald and Donna K. McBroom, Roger E. Winningham, C. B. Morris, and MUR-CI Home for the Retarded, Inc., owners.

PUD Proposal No. 177-74-U

Century City West
Map 107, Parcel 158
Map 107-3, Parcels 1-9, 16-20 and 23-25
District 15 (Dale)

A request to amend an existing Commercial Planned Unit Development District located abutting the east margin of Ermac Drive and the western margin of Century City Boulevard (28.23 acres), classified R8 and ORI and proposed for ORI, to add 11.85 acres for the development of two, 5-story 157,000 square foot office buildings and increase the PUD's overall floor area by approximately 20 percent, requested by Ragan-Smith and Associates, Inc., for Duke Construction, owner and optionee, for various property owners.

Mandatory Referral Proposal No. 99M-053U

Closure of Ermac Drive
Map 95-15, Parcel 22
Map 107-3, Parcels 1-9, 16-20, 23 and 25
District 15 (Dale)

A request to close a portion of Ermac Drive from its termination at Marriott Drive to a point 1,000 feet south of Old Elm Hill Pike, requested by Duke Realty Investments, Inc., appellant, for various owners abutting both margins of Ermac Drive.

Ms. Regen stated there are three related proposals being considered. One is to rezone properties on Ermac Drive from residential to ORI (Office Residential Intensive). This area in Subarea 14 is a small enclave of residential zoning remaining between two large office developments. The plan always intended for this area to transition to offices. It is consistent with the subarea plan. Staff is recommending approval.

These properties are being added to the Century City Planned Unit Development to develop two more five story office buildings similar to what are already constructed. Each would contain 150,000 square feet, and will increase the overall PUD square footage by about 20%. This action is an amendment because it is adding land plus increasing the overall square footage within the PUD by more than 10%.

The PUD proposes closing a portion of Ermac Drive and consolidating the various residential properties in order to accommodate the proposed office structures. Staff supports the concept being proposed, and therefore the base zone change and the PUD amendment. However, not all property owners have signed in support of the street closure. Therefore, staff is not able to recommend favorably on the street closure mandatory referral.

Chairman Lawson asked Mr. Browning if the Commission could conditionally approve the Mandatory Referral subject to all signatures being obtained.

Mr. Browning stated the Commission could do that.

Mr. Jim Loyd explained the plan and procedures the applicant had taken and asked for conditional approval.

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

Resolution No. 99-432

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-051U is **APPROVED (6-0)**:

These properties fall within Subarea 14 Plan's OC policy calling for transition of the Ermac Drive residential properties to office uses. The ORI district is consistent with OC policy and the surrounding ORI zoning pattern."

"BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that Proposal No. 177-74-U is given **CONDITIONAL APPROVAL TO AMEND THE PUD (6-0)**. The following conditions apply:

1. Prior to the issuance of any building permits, 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 the issuance of any building permits, a final plat shall be recorded including the posting of any bonds required for utilities, structure removal, site improvements and road improvements.
3. In conjunction with the submittal of any final PUD plans accessing Marriott Drive, road construction plans and details showing improvements to the intersection of Marriott Drive and McGavock Pike shall be submitted to the Planning Commission.
 - The plans and improvements shall include the design and installation of a traffic signal at the McGavock Pike/Marriott Drive intersection.
 - Restriping to create a separate northbound left-turn lane from Marriott Drive to McGavock Pike and southbound right-turn lane, and a double yellow line.
 - Road construction plans for modifications to McGavock Pike for a northbound left-turn lane into Marriott Drive, including 75 feet of storage.
4. As identified in the Traffic Impact Study, the applicant shall make modifications to the Century City Boulevard intersection, including restriping and extension of the northbound left-turn lanes onto McGavock Pike and southbound right-turn lane onto McGavock Pike.
5. Existing medians on Century Boulevard shall be modified as identified on the amended PUD plan.
6. Prior to the issuance of any grading or building permits, the Metropolitan Council shall have approved the mandatory referral for the closure of Ermac Drive. The closure of Ermac Drive will not

become effective until Duke Realty Limited Partnerships records a plat consolidating the parcels surrounding the portion of Ermac Drive to be closed, identified as parcels 1-9, 16-20, and 23-25 on tax map 107-3 which are to be consolidated with the existing PUD on parcel 158 on tax map 107.

7. The existing Metro Water and Sewer Services 20 foot water line easement shown on this PUD plan at its present location shall be retained. The water line runs within the center of Ermac Drive's present right-of-way."

"BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that it **APPROVES (6-0)** Proposal No. 99M-053U **with a condition that all property owners approve.**"

Zone Change Proposal No. 99Z-054U
Map 62, Parcel 71
District 15 (Dale)

A request to rezone from R15 to CL district property at 2791 Pennington Bend Road, approximately 900 feet north of Pleasant Green Road (.41 acres), requested by Mark and Kelly Morris, appellants/owners. (Deferred from meeting of 5/13/99).

Ms. Regen stated staff is recommending disapproval of the request to rezone this piece of residential property for commercial use. The boundary in the Subarea 14 Plan between commercial and residential uses is Briley Parkway. That forms a boundary between Commercial Mixed Concentration Policy west of Birley Parkway and residential low-medium policy east of Briley. There is some commercial zoning on the east side of Briley adjacent to the interchange. This commercial zoning was placed in this area to serve neighborhood needs, rather than tourist needs which predominate west of Briley Parkway. However, the commercial zoning placed in this area was to be limited to the land between Briley Parkway and Pennington Bend Road and north of McGavock.

Ms. Regen stated the property in question is east of the area intended for commercial zoning. It is wedged between the fire hall and school property, and the Baptist church is across the street. All of these uses are permitted non residential uses in a residential zoning district.

Mr. Mark Morris stated the center of this property would look right at the Waffle House and dumpster and this location would not be a good location for a home and that he and his wife did not want to put a duplex in that area.

Councilmember Roy Dale stated he sympathized with Mr. Morris and said he would introduce a late zoning bill for him and then work with him to see if there is some other transitional zoning that can be done in order for him to utilize his property. The zoning likely would be re-referred to the Commission.

Mr. Stephen Smith moved and Mr. Gilbert Smith seconded the motion, which carried unanimously, to defer this matter indefinitely.

Zone Change Proposal No. 99Z-055U
Map 84-15, Parcel 11.01
District 15 (Dale)

A request to rezone from RS20 to RM9 district property at Selma Avenue (unnumbered), approximately 400 feet west of Fairway Drive (4.85 acres), requested by W. H. Dorris and R. B. Huffine, appellants, for Hugh W. Entekin, trustee. (Deferred from meeting of 5/13/99).

Ms. Regen stated staff is recommending disapproval because this property falls within a single family residential area. There is no other multi family zoning, Therefore, this rezoning would be a spot zone. It exceeds the policy of the Subarea 14 Plan, calling for no more than 4 units per acre; this rezoning would

allow 9 units per acre. As well, in 1994 there was a subdivision plan that was approved by this Commission for 6 single family lots on this property.

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

Resolution No. 99-433

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-055U is **DISAPPROVED (6-0)**:

This property falls within the Subarea 14 Plan's Residential Low Medium (RLM) policy calling for up to 4 units per acre. The RM9 district is not consistent with RLM policy since it allows multi-family at up to 9 units per acre in this predominantly single-family and duplex area."

Zone Change Proposal No. 99Z-073U
Map 62, Parcel 169
District 15 (Dale)

A request to rezone from CA to CL district property at 2506 Music Valley Drive, approximately 400 feet north of Music City Circle (2.19 acres), requested by Gerald Anderson, appellant, for William E. Oakes, et al.

PUD Proposal No. 5-73-G
Music Valley PUD
Map 62, Parcel 169
District 15 (Dale)

A request to amend the preliminary plan and cancel a portion (Phase 4) of an undeveloped lot out of the Commercial (General) Planned Unit Development District located abutting the west margin of Music Valley Drive, 320 feet north of Music City Circle, classified CA and proposed for CL (2.196 acres), to eliminate an approved 12,000 square foot restaurant site, requested by William E. Oakes, owner.

Ms. Regen stated the request is to remove a piece of property from the PUD and rezone the tract from CA to CL. Staff is recommending disapproval of both the zone change and the PUD cancellation. This PUD was approved as one contiguous PUD intended for commercial attraction and commercial uses, and staff does not feel that taking one piece of property out to put a billboard on it is justification to remove this piece of property from a unified PUD development.

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

Resolution No. 99-434

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-073U is **DISAPPROVED (6-0)**:

This property falls within the Subarea 14 Plan's Commercial Mixed Concentration (CMC) policy. The Subarea 14 Plan specifically limits uses in this area around Opryland to major commercial entertainment, sports and recreation activities, cultural activities, and production facilities for television and motion pictures. The CA district implements the policy's intent by providing a range of amusement and recreational uses, overnight accommodations, and a variety of retail and support services, typically associated with the tourist industry. The CL district is a spot zone and is not consistent with the commercial development pattern established in this area to accommodate commercial entertainment and recreation uses."

“BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that Proposal No. 5-73-G is given **DISAPPROVAL (6-0)**:

Cancellation of the PUD on this property, which was intended to function as part of one overall master PUD plan, would create a pocket of possibly incompatible zoning surrounded by the original PUD. This may allow uses that could be inconsistent and incompatible with the uses permitted in the Commercial PUD.”

SUBAREA 12 (1997)

Subdivision Proposal No. 99S-206G (Public Hearing)

Christenstead Valley
Map 172, Parcels 34-37 and 131
District 31 (Alexander)

A request for preliminary approval for 99 lots abutting the north margin of Mt. Pisgah Road, approximately 810 feet east of Edmondson Pike (40.95 acres), classified within the RS15 District, requested by Garry M. Batson, owner/developer, S & A Surveying, surveyor.

Mr. Calleja stated staff is recommending conditional approval of this preliminary plan subject to making improvements to Mt. Pisgah Road. The subdivision plan shows a very good road network.

Mr. Gary Batson stated he was engineer for the project and that he was present to answer any questions the Commission may have and that his client has agreed to the road improvements.

Mr. Manier expressed concerns regarding widening the road only in front of this project and school overcrowding.

Mr. Cochran stated he did not feel that was the Commission’s problem. It is the Metro Council’s and the School Board’s problem. This property is developable and Davidson County must continue to grow or people will not move here. There is new industry coming in and those people need to live in Davidson County and pay taxes in Davidson County rather than surrounding counties.

Mr. Stephen Smith stated this is part of the discussion this Commission has had for several years - which comes first the growth or the infrastructure. Typically the growth pushes the need for the infrastructure.

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

Resolution No. 99-435

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-206G, a request for preliminary approval for 99 lots abutting the north margin of Mt. Pisgah Road, approximately 810 feet east of Edmondson Pike (40.95 acres), classified within the RS15 District, requested by Garry M. Batson, owner/developer, S & A Surveying, surveyor, is **APPROVED WITH CONDITIONS; PUBLIC HEARING CLOSED (6-0).**”

Zone Change Proposal No. 99Z-061G

Map 180, Parcels 17 (10.9 acres), 38 (4.4 acres),
44 (7.10 acres), 61 (3 acres), 62 (9.65 acres),
70 (5 acres) and 71 (3.01 acres)
Map 180, Part of Parcels 60 (4.96 acres)
67 (1.92 acres) and 69 (17.5 acres)
Map 181, Parcel 113 (4.77 acres)

District 31 (Alexander)

A request to rezone from AR2a to RS10 district properties at 1041, 1065, 1042, and 1026 Redmond Court, and 6461, 6547, and 6549 Holt Road and Holt Road (unnumbered), approximately 600 feet east of Redmond Lane (72.21 acres), requested by Batson and Associates, appellants, for W. M. Smiley et ux, Bobby G. Taylor et ux, Rick Alcalá et ux, Sean Wyman Doyle et ux, John H. Parker et ux, Frank Hagewood Jr. et ux, and Kenneth R. Schott et ux, owners. (Deferred from meeting of 5/13/99).

Ms. Regen stated staff is recommending approval of this rezoning. It is consistent with the subarea plan which is calling for up to 4 units per acre. It is also consistent with the development pattern in the area.

Mr. Gary Batson spoke in favor of the project.

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

Resolution No. 99-436

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-061G is **APPROVED (6-0)**:

These properties fall within 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 emerging zoning pattern along Holt Road between Edmondson Pike and Nolensville Pike."

Zone Change Proposal No. 99Z-066G

Map 182, Part of Parcels 41 (8 acres) and 42 (38.72 acres)
District 31 (Alexander)

A request to rezone from AR2a to RS10 district a portion of properties at 13905 and Route 1 Old Hickory Boulevard, approximately 1,000 feet east of Pettus Road (46.72 acres), requested by Dorris Barnes, appellant, for Robert J. Lenard and Diana R. Schuyler, owners. (Deferred from meeting of 5/13/99).

Ms. Regen stated staff is recommending disapproval because this part of the county is not yet ready for intensification since we have a lack of infrastructure such as schools, roads and sewer.

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

Resolution No. 99-437

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-066G is **DISAPPROVED (6-0)**:

The RS10 district is not appropriate since sewer service is not readily available. While the Subarea 12 Plan's Residential Low Medium (RLM) policy calls 4 to 9 units per acre, that plan also calls for this rural area to be developed in a contiguous pattern to promote the efficient delivery of public facilities and services. Rezoning this property to RS10 will not promote efficiency but will instead open the remainder of this rural area for development, placing significant demands on infrastructure and services beyond those currently anticipated."

SUBAREA 8 (1995)

Public Hearing: Subarea 8 Plan Amendment

Ms. Frank stated the amendment request is to change a portion of the Industrial and Distribution policy and all of the Commercial Mixed Concentration policy in MetroCenter to Mixed-Use policy. The plan amendment request proposed by the applicant was for a small area south of Great Circle Road. Staff decided to examine this larger area outlined in red. The area is located generally to the north and south of MetroCenter Boulevard, east of a Major Public Open Space area, which includes the Ted Rhodes Golf Course, and west of Great Circle Road and I-265. There is a zone change request on today's agenda that accompanies this plan amendment request. The zone change request is to change approximately five acres south of Great Circle Road from IWD district to MUG district. The applicant wants to provide the opportunity to accommodate residential development at this location.

The master plan for MetroCenter recommends a mixture of land uses. The initial market trends in MetroCenter were industrial uses, specifically warehousing and light manufacturing north of Great Circle Road and Mainstream Drive along the Cumberland River. This pattern of development is reflective of the application of Industrial and Distribution policy in the Subarea 8 Plan, which was adopted in 1995. At a later period, a mixture of commercial/retail and office development was introduced in MetroCenter with a high concentration of such uses south of Great Circle Road. The mixed-use market trends in this area continue. The office, warehousing and light manufacturing uses remain stable. However, some of the commercial/retail uses have not fared as well, which could be credited to the absence of residential development. MetroCenter lacks the residential component that is needed for a successful mixed-use area. Interests have been expressed for residential development in MetroCenter north and south of MetroCenter Boulevard. If these interests reach fruition, the direction of development in MetroCenter will occur in a mixed-use manner more in line with what was initially envisioned in its master plan.

Staff recommends changing a large portion of the Industrial and Distribution policy and the Commercial Mixed Concentration policy to Mixed-Use policy. The Mixed-Use policy category is designed to encourage an integrated, diverse blend of living, working and shopping land uses. MetroCenter currently contains a mixture of land uses in an attractive master planned setting that features amenities such as a greenway, a lake, and extensive landscaped grounds. Mixed Use policy would provide the opportunity to add a residential component to this mixture, which may serve as a catalyst in rejuvenating existing retail and service developments, such as Fountain Square, as well as promoting and sustaining new retail and service development.

The proposed Mixed-Use policy amendment area has approximately 430 acres. Vacant land accounts for 183 acres; industrial uses 16 acres; office uses 74 acres; commercial uses 71 acres; residential uses 8 acres; community facilities 24 acres; and parking 50 acres. Adequate land is available to accommodate residential development with over 180 acres of vacant land. Staff recommends applying Mixed Use policy to this portion of MetroCenter.

Mr. Tom White spoke in favor of the Subarea 8 Plan Amendment.

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

Resolution No. 99-438

“WHEREAS, the Metropolitan Planning Commission adopted the *Subarea 8 Plan* on March 27, 1995; and

WHEREAS, Chapter 4 Section 4.31 C 3.b on Page 81 of this plan contains a Commercial Mixed Concentration land use policy for Area 7a which calls for a variety of intensively developed primarily nonresidential uses; and

WHEREAS, Chapter 4 Section 4.31 C 4.a on Page 83 of this plan contains an Industrial and Distribution land use policy for Area 9b which calls for industrial, distribution and warehousing development; and

WHEREAS, a public hearing was held on May 27, 1999 to consider the merits of changing a portion of the land use policies in MetroCenter from the Industrial and Distribution policy (Area 9b) and the Commercial Mixed Concentration policy (Area 7a) to Mixed Use policy; and

WHEREAS, the Metropolitan Planning Commission finds that this change in land use policy is warranted so as to provide for a mixture of land uses that would foster the opportunity to live, work and shop in MetroCenter;

NOW, THEREFORE, BE IT RESOLVED that the Metropolitan Planning Commission hereby **ADOPTS** Amendment No. 2 to the *Subarea 8 Plan* as set forth in “Attachment A” to this resolution and incorporates this amendment into the *Subarea 8 Plan*.”

Attachment A

The *Subarea 8 Plan* is amended as follows:

- a) by deleting *b. Application of CMC Policy* and the associated language on pages 80-81 of Chapter 4, Section 4.31 C.3.b.
- b) by deleting the text for Area 7a, on page 81 of Chapter 4, Section 4.31 C.3.b.
- c) by changing *c. Application of Mixed Use Policy* on page 81 of Chapter 4, Section 4.31 C.3.c to read, “*b. Application of Mixed Use Policy*.”
- d) by replacing the eighth sentence in the third paragraph of *b. Application of Mixed Use Policy* on page 81 of Chapter 4, Section 4.31 C.3.c with the following:
“Mixed Use (MU) policy is applied to five areas within Subarea 8, the areas designated 8a through 8e on Map 4-1.”
- e) by changing the text of the second sentence in the second full paragraph on page 83 of Chapter 4, Section 4.31 C.4.a to read, “IND is applied to four areas, the areas designated 9a-9d on Map 4-1.”
- f) by deleting the text for Area 9b, on page 83 of Chapter 4, Section 4.31 C.4.a.
- g) by renumbering the remaining IND policy area descriptions on pages 83-84 of Chapter 4, Section 4.31 C.4 to reflect the deletion of the text for Area 9b.
- h) by inserting the following language on page 83 of Chapter 4, Section 4.31 C.3:

“Area 8e is located generally to the north and south of MetroCenter Boulevard, east of a Major Public Open Space (MPOS) policy area, which includes the Ted Rhodes golf course, and west of Great Circle Road and I-265. MU policy is applied to this portion of MetroCenter to provide the opportunity to add residential development to the land use mixture.

The master plan for MetroCenter recommends a mixture of land uses. The initial development pattern in MetroCenter was primarily industrial uses, specifically warehousing and light manufacturing. Over time, office and commercial/retail development was introduced in MetroCenter. The office, warehousing, and light manufacturing uses remain stable, unlike the commercial/retail uses. MetroCenter lacks the residential component that is needed for a successful mixed-use area. The introduction of residential development, which MU policy accommodates, may serve as a catalyst in rejuvenating existing retail and service developments (i.e. Fountain Square) as well as promoting and sustaining new retail and service development. Within this MU area, warehousing type uses are occurring. These industrial uses are at a scale that is compatible with the existing mixture of development occurring in MetroCenter and envisioned in its master plan. Future development in this area should be at a scale compatible with existing uses.”

- i) by changing the Land Use Policy Plan identified as Map 4-1 to reflect the areas changed from IND and CMC policies to MU policy so as to correctly illustrate Amendment No. 2.

Zone Change Proposal No. 99Z-070U
Map 70-12, Parcel 10
District 20 (Haddox)

A request to rezone from IWD to MUG district property at Great Circle Road (unnumbered), approximately 1,200 feet east of Athens Way (4.86 acres), requested by Littlejohn Engineering Associates, appellant, for MetroCenter Holdings, Inc., owners.

Ms. Regen stated this rezoning goes along with the Subarea 8 Plan Amendment along Great Circle Road and staff is recommending approval.

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

Resolution No. 99-439

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-070U is **APPROVED (6-0)**:

This property falls within the Subarea 8 Plan’s Mixed Use (MU) policy calling for a mixture of compatible residential and non-residential uses between Interstate 265, Great Circle Road, Metro Center Boulevard, and 10th Avenue North and Delta Avenue.”

Subdivision Proposal No. 99S-182U
MetroCenter, Tracts 8C, 8D and 8E
Map 70-16, Parcels 2 and 25
District 20 (Haddox)

A request for final plat approval to subdivide two parcels into three lots abutting the northeast margin of French Landing Drive, approximately 350 feet southeast of Athens Way (6.57 acres), classified within the IWD District, requested by MetroCenter Holdings, Inc., owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor. (Deferred from meeting of 5/13/99).

Mr. Calleja stated staff is recommending conditional approval subject to a variance from the 50 foot public street frontage requirements. Two of these properties 8C and 8E have frontage on French Landing but 8D does not and that is the reason for the variance.

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

Resolution No. 99-440

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-182U, a request for final plat approval to subdivide two parcels into three lots abutting the northeast margin of French Landing Drive, approximately 350 feet southeast of Athens Way (6.57 acres), classified within the IWD District, requested by MetroCenter Holdings, Inc., owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor, is **APPROVED WITH A VARIANCE TO SECTION 2-4.2A OF THE SUBDIVISION REGULATIONS (6-0)**.”

SUBAREA 3 (1998)

Subdivision Proposal No. 98S-276U (Public Hearing)
Drake's Run Subdivision (Revised)
Map 58, Parcel 71
Map 58-11-A, Parcels 1-8, 22-26 and 40-42
District 1 (Patton)

A request for preliminary approval for 37 lots abutting the west margin of Drakes Branch Road, approximately 406 feet north of Kings Lane (18.15 acres), classified within the RS15 District, requested by SHH, LLC, owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor. (Deferred from meetings of 4/29/99 and 5/13/99).

Mr. Calleja stated the applicant has requested a two week deferral.

No one was present to speak at the public hearing.

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

SUBAREA 10 (1994)

Request for Bond Release
Subdivision No. 94S-316U
Whitworth, Phase 3, Section 2
Clements-Bartosh Interests, LLC, principal

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

Mr. Calleja stated this item had been taken off the consent agenda because there is someone present to speak to the Commission. Staff is recommending approval for release of the bond and all work has been completed.

Mr. Vallie Brooks stated the plans had not been complied with and when the original Whitworth berm was built it cut off the water flow to his property.

Mr. Jim Armstrong, Pubic Works, stated this change was due to some agreements between the land owner and this developer. There was a previous developer that went bankrupt and then the new developer came in and did this plan. The issue with the creek is not a part of the bonded matter.

Chairman Lawson asked if the plans that were approved included the water flow in the creek.

Mr. Armstrong stated it was included in the plans but re-circulation systems are nice; however, if they do not work Public Works does not fix them with bond money because that is not a major public interest.

Mr. Browning stated the question being asked is, first does Metro bond these and Public Works is saying we don't. Then what mechanism is being put in place by the Metropolitan Government to insure that what is shown on the plan is carried out? This Planning Commission has some perception that these things are being bonded for performance.

Mr. Cochran stated this is drainage from all over that subdivision and it seems the bond should cover it.

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

Request for Bond Extension

Subdivision No. 97S-196U
Whitney Place
Bob Haley, principal
[Buildout is at 75%]

Located abutting the south margin of Trimble Road, approximately 240 feet west of Lindawood Drive.

Mr. Calleja stated staff is recommending disapproval for this request and authorization for collection if final paving and sidewalks are not complete by August 27, 1999.

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

Resolution No. 99-441

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **DISAPPROVES** the request for extension of a performance bond for Subdivision No. 97S-196U, Bond No. 98BD-040, Whitney Place in the amount of \$57,500 and authorize collection of the security unless final paving and sidewalks are finished by 8/27/99.”

SUBAREA 5 (1994)

Subdivision Proposal No. 99S-183U
Alexander’s Petway Avenue Subdivision,
Resubdivision of Lot 28-3
Map 82-4, Parcels 269-272 and Part of Parcel 264
District 5 (Harrison)

A request for final plat approval to consolidate ten lots and part of an acreage tract into one lot abutting the northwest margin of McFerrin-Granada Connector, approximately 150 feet south of Granada Avenue (.93 acres), classified within the IR and RS5 Districts, requested by the Metropolitan Government of Nashville and Davidson County, owner/developer, Adams and Company Surveyors, surveyor.

Mr. Calleja stated staff is recommending conditional approval subject to approval of the variance to the maximum lot size. This is a Metro Public Works project to consolidate 10 lots and an acreage tract to establish a mechanical stormwater maintenance facility on site.

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

Resolution No. 99-442

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-183U, a request for final plat approval to consolidate ten lots and part of an acreage tract into one lot abutting the northwest margin of McFerrin-Granada Connector, approximately 150 feet south of Granada Avenue (.93 acres), classified within the IR and RS5 Districts, requested by the Metropolitan Government of Nashville and Davidson County, owner/developer, Adams and Company Surveyors, surveyor, is **APPROVED WITH A VARIANCE TO SECTION 2-4.2D OF THE SUBDIVISION REGULATIONS (6-0).**”

Nicole Rodrigue, Legal Department, arrived at this point in the agenda.

Zone Change Proposal No. 99Z-053U
Map 72-10, Parcel 85
District 7 (Campbell)

A request to rezone from R6 to ON district property at 1021 Spain Avenue, approximately 200 feet west of Gallatin Pike (.19 acres), requested by William Harbison, appellant, for Phillips-Robinson Company, Inc., owners.

Ms. Regen stated staff is recommending disapproval of the rezoning of this property to office use. The Commission has previously considered office zoning for this property. It was before the Commission last August and there was much neighborhood opposition to the rezoning. The Commission decided, based on the presentation by the General Plan Policy, that office zoning was not appropriate to extend further back into this residential area.

Mr. Webb Campbell, attorney for the applicant, stated this property was not suitable for residential and that fact has been proved by the difficulty to lease it. He spoke in favor of the rezoning and explained the plans.

Mr. Cochran moved and Mr. Stephen Smith seconded the motion to approve the zone change, which failed with Ms. Warren, Mr. Gilbert Smith, Mr. Manier and Chairman Lawson in opposition.

Ms. Warren asked if the neighborhood has been notified regarding this change.

Ms. Regen stated the neighbors had not been notified of this Planning Commission meeting, but will be notified of the public hearing at Council.

Mr. Gilbert Smith moved and Ms. Warren seconded the motion, which carried with Mr. Cochran and Mr. Stephen Smith in opposition, to approve the following resolution:

Resolution No. 99-443

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-053U is **DISAPPROVED (6-0)**:

The ON district is not compatible with the abutting Residential Medium (RM) policy in the Subarea 5 Plan calling for conservation of the residential neighborhood at up to 4 to 9 units per acre. Non-residential zoning should not encroach any further into the residential neighborhood."

Request for Bond Extension and Request for Variance
Concerning Curbs, Gutters and Sidewalks
Subdivision No. 96S-134U
Pine Ridge, Section 4
Matt Ward, principal
[Buildout is at 23%]

Located abutting both margins of Pine Ridge Drive, approximately 140 feet west of Shatter Court.

Mr. Calleja stated staff is recommending approval of the extension of the performance bond as well as approval for the request for the variance for the curb and gutter and sidewalks because of extenuating circumstances. Phases 1, 2 and 3 were not required to have sidewalks. Phase 4 is at the end of a very long cul-de-sac so there is no benefit to have sidewalks put in; for those reasons staff is recommending approval.

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

Resolution No. 99-444

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of a performance bond for Subdivision No. 96S-134U, Bond No. 96BD-024, Pine Ridge, Section 4, in the amount of \$67,500 to 6/1/2000 subject to the submittal of an amendment to the present Letter of Credit by 6/27/99 which extends its expiration date to 12/1/2000 and *approve* the request for a variance to the curb, gutter and sidewalk requirements. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

SUBAREA 4 (1998)

Subdivision Proposal No. 99S-207G (Public Hearing)

Tidwell Subdivision
Map 34-3, Part of Parcel 62
District 10 (Garrett)

A request for preliminary approval for eight lots abutting the southeast margin of Marsha Drive, approximately 367 feet southwest of Northside Drive (8.56 acres), classified within the R20 District, requested by J. L. and Wilda T. Newman et al, owners/developers, Ragan-Smith Associates, Inc., surveyor.

Mr. Calleja stated staff is recommending approval. This plan was originally submitted as a two lot subdivision. Staff was not in agreement with that division and has worked with the applicant to come up with this eight lot subdivision with a street connection to Paula Drive

No one was present to speak at the public hearing.

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

Resolution No. 99-445

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-207G, a request for preliminary approval for eight lots abutting the southeast margin of Marsha Drive, approximately 367 feet southwest of Northside Drive (8.56 acres), classified within the R20 District, requested by J. L. and Wilda T. Newman et al, owners/developers, Ragan-Smith Associates, Inc., surveyor, is **APPROVED; PUBLIC HEARING CLOSED (6-0).**”

Zone Change Proposal No. 99Z-065G

Map 51, Parcels 51 (1 acre), 52 (.90 acres),
57 (1 acre) and 58 (5.33 acres)
District 4 (Majors)

A request to rezone from R10 to OR40 district properties at 1310 and 1314 Briarville Road and Cheron Road (unnumbered), opposite Worth Street (8.23 acres), requested by Bill Geiger, appellant, for Peak Returns Limited, owners, and Melissie Earlene Conrad, trustee, and Charles Gilbert Jr., et al, owners. (Deferred from meeting of 5/13/99).

Ms. Regen stated staff is recommending disapproval of this application to rezone property from residential to OR40. Last summer the Commission had a lengthy discussion about the office submarket in this area during the Subarea 4 Plan Update, and where office concentration should and should not apply. This

property falls at the boundary between the office concentration policy and the residential medium policy. Ms. Regen stated the properties fronting Briarville Road could be rezoned to the office district since they are within an office policy. However, the other properties not fronting Briarville Road, those on Cheron Road, should not be rezoned because they are in residential policy.

Councilmember Don Majors stated the southern end of Subarea 4 was limited in OC policy during the subarea planning based on a survey done by Centennial Management Company, a consultant for the subarea plan group, who also deals in brokering existing real estate properties. He voiced concern this company could issue an unbiased recommendation on expanding OC Policy to the south when they were having trouble finding tenants for the vacant property on the northern end of the subarea. He stated most of the area neighbors were in favor of the zone change as long as it is not for an apartment complex or duplexes.

Mr. Bill Geiger asked the Commission to approve this zone change for the OR40 zoning. He stated he felt this was not in conflict with what was discussed in the Subarea 4 planning process and that he did have someone interested in putting an assisted living facility on the property.

Mr. Gilbert Smith stated he liked what the applicant was doing and felt it was in the right direction. He asked if staff's problem was with the use of Cheron Road instead of Briley Parkway.

Ms. Regen stated there were two issues and one of them was the use of Cheron Road and the other is where to draw the policy boundary. At the present time the boundary is along a ridge on Cheron Road.

Ms. Warrens stated she had no problem with 51 and 52 going to OR40 but 57-58 should be the natural buffer on the down side of the hill.

Ms. Regen stated the applicant is saying he wants to do multi-family and assisted living; the two back properties could be rezoned to RM9 which would allow for the assisted living.

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

Resolution No. 99-446

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-065G is **APPROVED (6-0) parcels 51 and 52 and recommended RM9 for parcels 57 and 58:**

These properties fall within the Subarea 4 Plan's Residential Medium (RM) and Office Concentration (OC) policies. The OC policy is focused along Briarville Road and calls for an intense concentration of office uses. The RM policy falls to the west and calls for 4 to 9 units per acre. The OR40 and RM9 districts are consistent with the RM and OC policies."

SUBAREA 6 (1996)

Subdivision Proposal No. 99S-176G

Somerset Farms, Phase 4, Section 4,
Resubdivision of Lots 193 and 194
Map 141-7-B, Parcels 186 and 187
District 35 (Lineweaver)

A request for final plat approval to revise the width of a drainage easement between lots 193 and 194 abutting the east margin of Springlake Court, approximately 180 feet east of Somerset Farms Circle (.34 acres), classified within the R10 Residential Planned Unit Development District, requested by Somerset Farms, owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor. (See also Mandatory Referral No. 99M-055G, page 19). (Deferred from meeting of 5/13/99).

Mandatory Referral Proposal No. 99M-055G
Somerset Farms Drainage Easement Abandonment
Map 141-7-B, Parcels 186 and 187
District 35 (Lineweaver)

A request to abandon a portion of a public utility and drainage easement between lots 193 (parcel 186) and 194 (parcel 187), Somerset Farms Section 4, Phase 4, submitted by Barge, Waggoner, Sumner, and Cannon, Inc., on behalf of the property owner. (Deferred from meeting of 5/13/99).

Mr. Calleja stated the applicant has requested a two week deferral to meet with Parks and Public Works to resolve the issues.

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

Subdivision Proposal No. 99S-200G
Oakhaven, Section 4
Map 114, Part of Parcels 316 and 317
District 23 (Crafton)

A request for final plat approval to create five lots abutting the northwest terminus of Oakhaven Trace, approximately 275 feet northwest of Oakhaven Court (2.44 acres), classified within the R15 District, requested by Eric and Wayne Crafton, owners/developers, Jesse Walker Engineering, surveyor.

Mr. Calleja stated staff is recommending approval subject to a variance from the sidewalk requirements because of slopes.

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

Resolution No. 99-447

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-200G, a request for final plat approval to create five lots abutting the northwest terminus of Oakhaven Trace, approximately 275 feet northwest of Oakhaven Court (2.44 acres), classified within the R15 District, requested by Eric and Wayne Crafton, owners/developers, Jesse Walker Engineering, surveyor, is **APPROVED WITH A VARIANCE TO SECTION 2-6.1A OF THE SUBDIVISION REGULATIONS SUBJECT TO A BOND OF \$49,700.00 (6-0).**”

Request for Bond Extension
Subdivision No. 102-86-P
Riverside, Phase 1
Rochford Realty and Construction Company, principal
[Buildout is at 100%]

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

Mr. Calleja stated this is the Morton Mill Road project and staff is recommending approval of extension of this bond for sidewalks and pond excavation work.

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

Resolution No. 99-448

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 102-86-P, Bond No. 87BD-016, Riverside, Phase 1 in the amount of \$85,000 subject to the submittal of an amendment to the present Letter of Credit by **6/1/99** which extends its expiration date to *5/27/2000*. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

SUBAREA 13 (1996)

Zone Change Proposal No. 99Z-069U
Map 163, Parcels 181 (.78 acres), 252 (.51 acres)
and 283 (.86 acres)
District 28 (Hall)

A request to rezone from AR2a to RM20 district properties at 2946 and 2952 Baby Ruth Lane and Baby Ruth Lane (unnumbered), approximately 1,200 feet north of Mt. View Road (2.15 acres), requested by Dale and Associates, appellant, for Amber Caldwell, Sharon Wolf, and Nita Whitfield, owners. (Deferred from meeting of 5/13/99).

Ms. Regen stated staff is recommending disapproval. Staff supports the RM20 zoning in this area. However, the issue is one wedge of property between the two properties being requested for rezoning. The applicant is trying to locate the owner of that wedge of property to discuss purchasing the piece of property. Staff cannot recommend the rezoning as long as the properties are not contiguous.

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

Resolution No. 99-449

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-069U is **DISAPPROVED (6-0)**:

These properties fall within the Subarea 13 Plan’s Residential Medium High (RMH) policy calling for 9 to 20 units per acre. While the RM20 district is consistent with this policy, parcel 283 is landlocked. RM20 would be appropriate for parcel 283 if it were consolidated with parcels 134 and 181 (see sketch), thereby gaining access to Baby Ruth Lane.”

OTHER BUSINESS:

1. FY 1999 Third Quarter Work Program and Budget Status Report.

Mr. Browning explained the Third Quarter Work Program and Budget Status.

2. Employee Contract for Nedra L. Jones.

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

Resolution No. 99-450

“BE IT RESOLVED, by the Metropolitan Planning Commission, that it approves the employee contract for Nedra L. Jones for one year from June 16, 1999 to June 15, 2000.

3. Set June 24, 1999 as the MPC meeting date at which consideration will be given to the “Level of Citizen Participation” to use in conjunction with the upcoming update of the Subarea 7 Plan.

Mr. Stephen Smith moved and Mr. Gilbert Smith seconded the motion, which carried unanimously, to set June 24, 1999 for consideration of the “Level of Citizen Participation” for the Subarea 7 Plan update.

4. Legislative update.

PLATS PROCESSED ADMINISTRATIVELY

May 14, 1999 through May 26, 1999

98S-280G **POPLAR RIDGE, Section 6, Revision to Lot 30**
Interior lot line revision

99S-174G **SAVERIO SUBDIVISION, Resubdivision of Lots 1 and 2**
Reconfigures two lots

99S-230U **CALDWELL CLOSE in HILL PLACE,**
Resubdivision of Lots 88 and 89
Minor interior lot line shift

ADJOURNMENT:

There being no further business, upon motion made, seconded and passed, the meeting adjourned at 4:20 p.m.

Chairman

Secretary

Minute Approval:
This 10th Day of June, 1999