

**MINUTES**  
**OF THE**  
**METROPOLITAN PLANNING COMMISSION**

Date: June 10, 1999  
Time: 1:00 p.m.  
Place: Howard Auditorium

**Roll Call**

**Present:**

James Lawson, Chairman  
Frank Cochran  
Tim Garrett, Councilmember  
William Manier  
Ann Nielson  
Douglas Small  
Gilbert N. Smith  
Marilyn Warren

**Absent:**

Mayor Philip Bredesen  
Stephen Smith

**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  
James Russ, Planning Technician I

**Community Plans Division:**

Jerry Fawcett, Planning Division Manager  
Cynthia Lehmbeck, Planner III

**Advance Planning & Research:**

John Boyle, Planning Division Manager  
Michelle Kubant

**Others Present:**

Jim Armstrong, Public Works  
Nicole Rodrigue, Legal Department

Chairman Lawson called the meeting to order.

Chairman Lawson presented former Chairman Gilbert Smith with a plaque and thanked him for his years of service with the Commission.

Gilbert Smith left at 1:10 at this point in the agenda.

**ADOPTION OF AGENDA**

Ms. Carrington announced corrections to the agenda and two addendum items.

Ms. Nielson moved and Ms. Warren seconded the motion, which unanimously passed, to adopt the agenda with the two addendum items and changes.

**ANNOUNCEMENT OF DEFERRED ITEMS**

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

99S-201U	Deferred two weeks, by applicant.
99S-224G	Deferred two weeks, by applicant.
98S-219U	Deferred indefinitely, by applicant.
99S-176G	Deferred two weeks, by applicant.
99M-055G	Deferred two weeks, by applicant.
102-86-P	Final Plat Deferred two weeks, by applicant.
94S-316U	Deferred indefinitely, by applicant.
99S-214G	Deferred two weeks, by applicant.
99M-056U	Deferred two weeks, by applicant.

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

**RECONSIDERATION OF MAY 13<sup>TH</sup> MINUTES**

Mr. Manier moved and Ms. Nielson seconded the motion, which unanimously passed, to add to the minutes of the regular meeting of May 13, 1999 the following language at the end of the discussion on Zone Change Proposal No. 99Z-026U:

Mr. Garrett pointed out that MBA likely would be required to seek further zoning approvals for its expanding campus, either through submitting plans to codes review staff, or by seeking approval from the Board of Zoning Appeals. Mr. Garrett stated to those present that much of the controversy and compromise surrounding this conservation overlay was the result of accommodating both the existing residential neighborhood and MBA, an institution allowed in the residential zoning district. Therefore, he stated it is the expectation of the Planning Commission that all parties, MBA as well as the surrounding residential

neighborhood, would work together to accommodate the expansion plans so long as they are consistent with the provisions of the zoning ordinance.

### **APPROVAL OF MAY 27, 1999 MINUTES**

Mr. Garrett moved and Ms. Warren seconded the motion, which unanimously passed to approve the minutes of the regular meeting of May 27, 1999

### **RECOGNITION OF COUNCILMEMBERS**

Councilmember Saletta Holloway spoke in favor of Zone Change 99Z-064G.

### **ADOPTION OF CONSENT AGENDA**

Ms. Nielson 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-079U**

Council Bill No. O99-1712

Map 96-1, Parcel 7

District 15 (Dale)

A council bill to rezone from CL to CS district property at Lebanon Pike (unnumbered), at the southwest corner of Old Lebanon Pike and the Nashville and Eastern Railroad (.81 acres), requested by Talal Ted Abutrab, appellant/owner.

##### **Resolution No. 99-451**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-079U is **APPROVED (7-0)**:

**This property falls within the Subarea 14 Plan's Commercial Arterial Existing (CAE) policy calling for retail, office, and higher density residential uses. The CS district is consistent with CAE policy and the predominant development and zoning pattern. This portion of Lebanon Pike has developed with a more intense mixture of retail, office, and restaurant uses as well as auto repair uses."**

##### **Zone Change Proposal No. 99Z-082G**

Map 121, Part of Parcel 74

Map 122, Parcel 6

District 13 (French)

A council bill to rezone from R8 to RM9 properties abutting the east margin of Bell Road, approximately 1,650 feet north of and opposite Pulley Road (40.58 acres), Metropolitan Planning Commission, appellant, for ReCorp-Percy Priest Associates Limited Partners, owners.

##### **Resolution No. 99-452**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-082G 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 RM9 district is consistent with RM policy and the approved residential Planned Unit Development (PUD) on this property, intended to develop with a mixture of single-family and multi-family uses. A portion of this PUD already has RM9 zoning. The R8 district was mistakenly applied several years ago when the county-wide property maps were being digitized.”**

**PUD Proposal No. 107-81-G**  
Larchwood (Residential)  
Map 96-16, Parcel 141  
District 14 (Stanley)

A request to revise a portion of the preliminary plan and for final approval for a phase of the Residential Planned Unit Development District located abutting the north margin of Blackwood Drive and the south margin of Interstate 40 (7.62 acres), classified R10, to permit 20 single-family lots, replacing 52 multi-family units, requested by Barge, Waggoner, Sumner, and Cannon, for James M. Fischer, Jr., owner. (Deferred indefinitely from January 21 and April 1, 1999).

**Resolution No. 99-453**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 107-81-G is given **APPROVAL TO REVISE PRELIMINARY PLAN AND CONDITIONAL FINAL APPROVAL FOR A PHASE (7-0)**. 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. 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, or road improvements.”

**PUD Proposal No. 95P-002G**  
Heritage Meadows, Phase 3  
Map 75, Part of Parcel 55  
District 12 (Ponder)

A request for final approval for Phase Three of the Residential Planned Unit Development District located abutting the east margin of Andrew Jackson Parkway, 300 feet northeast of Weber Road (7.48 acres), classified R10, to develop 29 single-family lots, requested by C. Michael Moran, for B & P Developments. (Also requesting final plat approval). (Deferred from meeting of 05/27/99).

**Resolution No. 99-454**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 95P-002G is given **CONDITIONAL FINAL APPROVAL FOR A PHASE; FINAL PLAT APPROVAL SUBJECT TO A BOND IN THE AMOUNT OF \$191,000.00 (7-0)**. 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. Prior to the issuance of any building permits, a final plat shall be recorded including posting of any bonds necessary for utilities, structure removal, site improvements, and road improvements.
3. Prior to the issuance of any grading permits for critical lots, plans for those lots shall be submitted and approved by the Metropolitan Planning Commission and Public Works Department staff.”

**Request for Bond Release**  
 Subdivision No. 97S-215G  
 Grandwood Village  
 Morris Construction Company, principal

Located abutting the northwest corner of Granwood Boulevard and Old Hickory Boulevard.

**Resolution No. 99-455**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 97S-215G, Bond No. 98BD-032, Grandwood Village in the amount of \$81,000.”

**SUBAREA 13 (1996)**

**PUD Proposal No. 74-79-G**  
 Nashboro Village, Tract 7  
 Map 135, Parcel 318  
 District 27 (Sontany)

A request to revise the preliminary and final plans for a phase of the Residential Planned Unit Development District located abutting the northwest margin of Nashboro Boulevard and Bell Road (8.99 acres), classified RM6, to reconfigure the approved plan and add 1 condominium unit to the 77 condominium units for a total of 78 condominium units, requested by Wamble and Associates, for Jon Properties, owner.

**Resolution No. 99-456**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 74-79-G is given **APPROVAL TO REVISE PRELIMINARY PLAN AND CONDITIONAL FINAL APPROVAL FOR A PHASE (7-0)**. 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. In conjunction with the submittal of the final plat for any portion of these 78 units within the PUD, the applicant shall show the new northbound left-turn lane on Bell Road at Nashboro Boulevard. The left-turn lane shall be between 125 feet and 150 feet in length, with a 250 foot transition lane. This improvement shall be constructed at 75% buildout of this portion of the PUD which is 58 units.
3. Prior to the Planning Commission approval of the final plat, the developer shall demonstrate that the required right-of-way for the left-turn lane on Bell Road at Nashboro Boulevard has been secured.”

**Mandatory Referral Proposal No. 99M-076U**  
 Council Bill No. O99-  
 Airport Authority Property Transfer

Map 120, Parcels 157 (149.77 acres) and Part  
of Parcel 154 (117 acres)  
Map 121, Part of Parcels 4 (208 acres) and 87 (165 acres) Map 134,  
Parcel 302 (6.79 acres)  
District 27 (Sontany/French)

A council bill to transfer certain Metro Nashville Airport Authority property located east and west of Donelson Pike and north and south of Murfreesboro Pike to the Metro Industrial Development Board.

**Resolution No. 99-457**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-076U."

**Request for Bond Release**  
Subdivision No. 98S-122G  
Hurricane Creek Industrial Park, Section 7  
Southeastern Freight Line, Inc., principal

Located abutting the northwest corner of Hurricane Creek Boulevard and Murfreesboro Pike.

**Resolution No. 99-458**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 98S-122G, Bond No. 98BD-060, Hurricane Creek Industrial Park, Section 7 in the amount of \$28,000."

**Request for Bond Release**  
Subdivision No. 94S-093U  
Long Hunter Chase, Phase 2, Section 1  
JCM Development Company, Inc., principal

Located abutting the southwest corner of Smith Springs Parkway and Hobson Pike.

**Resolution No. 99-459**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 94S-093U, Bond No. 95BD-021, Long Hunter Chase, Phase 2, Section 1 in the amount of \$64,000."

**Request for Bond Release**  
Subdivision No. 95S-373U  
Peninsula Pointe, Phase 1  
Butler Development, LLC, principal

Located abutting the north margin of Smith Springs Road, approximately 1,268 feet east of Waterford Way.

**Resolution No. 99-460**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 95S-373U, Bond No. 95BD-105, Peninsula Pointe, Phase 1 in the amount of \$111,000."

**Request for Bond Release**  
Subdivision No. 98S-164U  
Bayview, Section 3  
Bayview Venture, principal

Located abutting the west terminus of Bayview Drive, approximately 110 feet west of Harbor Lights Drive.

**Resolution No. 99-461**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 98S-164U, Bond No. 98BD-048, Bayview, Section 3, in the amount of \$52,750.”

**SUBAREA 12 (1997)**

**Subdivision Proposal No. 99S-220U**  
Brownstone, Section 2, First Revision  
Map 171-4-A, Parcel 44-81  
District 32 (Jenkins)

A request for final plat approval to reconfigure 38 lots abutting both margins of Nevil Pointe and the northeast terminus of Greystoke Drive (16.59 acres), classified within the R40 Residential Planned Unit Development District, request by Pulte Homes Tennessee L.P. , owners, Anderson-Delk & Associates, Inc., agent.

**Resolution No. 99-462**

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-220U, is **APPROVED (7-0).**”

**Request for Bond Release**  
Subdivision No. 96S-276G  
Banbury Crossing, Section 1  
Jones Land Company, LLC, principal

Located abutting the west margin of Edmonson Pike, opposite Mt. Pisgah Road.

**Resolution No. 99-463**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 96S-276G, Bond No. 97BD-007, Banbury Crossings, Section 1 in the amount of \$10,500.”

**SUBAREA 6 (1996)**

**PUD Proposal No. 28-81-G**  
Hickory Hills Village (West Meade Fellowship Church)  
Map 142, Parcel 342 and Part of Parcel 343  
District 23 (Crafton)

A request to revise a portion of the preliminary plan and for final approval of a phase within the Commercial (General) Planned Unit Development District located abutting the west margin of Old Hickory Boulevard, approximately 800 feet north of Belle Forest Circle (7.93 acres), classified SCC, to develop a 25,200 square foot, 270 seat church, replacing a 31,200 square foot office/retail/restaurant use, requested by Crouch Engineering, for Donna J. Phillips, trustee and West Meade Fellowship Church, owners.

**Resolution No. 99-464**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 28-81-G is given **APPROVAL OF REVISION TO PRELIMINARY PLAN AND CONDITIONAL FINAL APPROVAL FOR A PHASE (7-0)**. 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. Prior to the issuance of any grading permits, the Metropolitan Department of Public Works shall have approved a revised grading plan that will include a detention area.”

**PUD Proposal No. 293-84-U**  
Windsor Terrace  
Map 143, Parcel 44  
District 35 (Lineweaver)

A request to revise the preliminary plan and for final approval of a portion of the Residential Planned Unit Development District located abutting the south margin of Memphis-Bristol Highway, 2,750 feet east of Old Hickory Boulevard (10.12 acres), classified RM6, to reconfigure 16 condominium units, requested by Thomas Miller and Partners, for Gianikas Contractors, Inc., owners. (Also requesting final plat approval).

**Resolution No. 99-465**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 293-84-U is given **CONDITIONAL FINAL PUD APPROVAL AND FINAL PLAT APPROVAL (7-0)**. 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. Prior to the issuance of any grading permits, the Metropolitan Department of Public Works shall have approved the proposed detention facility and the final drainage calculations.
3. As outlined in a letter dated March 12, 1999, from Gianikas Construction and Randy Brock, the owner of parcel 11 adjacent to parcel 44 to the west, no construction traffic shall be permitted to access Phase 2 through Phase 1 during the construction of Phase 2. The off-site access easement will be used during the construction of all 16 units.
4. 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.”

**PUD Proposal No. 102-86-P**  
Riverside, Phase 3



Map 142-13-B, Part of Parcel 1  
District 35 (Lineweaver)

A request for final approval for Phase Three of the Residential Planned Unit Development District located abutting the southwest corner of Old Harding Pike and Morton Mill Road (16.82 acres), classified RS20, to develop 62 single-family lots, requested by Walter H. Davidson, for Rochford Construction Company, owner.

**Resolution No. 99-466**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 102-86-P is given **CONDITIONAL FINAL APPROVAL FOR A PHASE (7-0)**. 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. 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. Prior to the issuance of any grading permits for critical lots, plans for those lots shall be submitted and approved by the Metropolitan Planning Commission and Public Works Department staff.”

**Request for Bond Release**  
Subdivision No. 96S-244G  
Poplar Ridge, Phase 6  
Karl E. Haury, Jr., principal

Located abutting both margins of Dove Valley Drive, approximately 75 feet north of Poplar Ridge Drive.

**Resolution No. 99-467**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 96S-244G, Bond No. 98BD-021, Poplar Ridge, Phase 6 in the amount of \$17,500.”

**SUBAREA 3 (1998)**

**PUD Proposal No. 68-87-P**  
Northside Station  
Map 69, Part of Parcel 37  
District 2 (Black)

A request to revise the final site development plan of the Commercial Planned Unit Development District abutting the east margin of Clarksville Pike, opposite Fairview Drive (3.23 acres), classified CL and SCN, to reduce the number of parking spaces from 96 to 80 spaces, requested by the Metro Department of Library, owner and petitioner.

**Resolution No. 99-468**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 68-87-P is given **APPROVAL TO REVISE PRELIMINARY PLAN AND CONDITIONAL FINAL APPROVAL FOR A PHASE (7-0)**. 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."

**Mandatory Referral Proposal No. 99M-054U**  
Council Bill No. O99-1706  
Closure of Portion of County Hospital Road and  
Old Hydes Ferry Pike  
Map 69-16, Parcel 37  
Map 70-13, Parcels 157, 164 and 203  
District 2 (Black)

A council bill to close County Hospital Road from its intersection with Old Hydes Ferry Pike to its terminus at parcel 157 on tax map 70-13, and to close a portion of Old Hydes Ferry Pike from the southern edge of parcel 37 on tax map 69-16 to its terminus at parcel 157 on tax map 70-13, requested by Steven E. Crook, appellant and abutting property owner. (Easements are to be retained).

**Resolution No. 99-469**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-054U **with condition that a consolidation plat be approved in order to not landlock any parcels.**"

**SUBAREA 10 (1994)**

**PUD Proposal No. 168-80-U**  
Woodlawn Mansion PUD  
Map 116-3, Parcel 7  
District 34 (Fentress)

A request to revise the preliminary plan and for final approval of the Commercial Planned Unit Development District located abutting the southwest margin of Woodmont Boulevard, 1,020 feet southeast of Harding Pike (1.22 acres), classified R10, to add 648 square feet of office space to an existing building containing 6,879 square feet, requested by Phipps Construction, for Woodlawn Masion, Ltd., owner.

**Resolution No. 99-470**

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 168-80-U is given **APPROVAL OF REVISION TO PRELIMINARY PLAN AND CONDITIONAL FINAL APPROVAL OF A PORTION OF THE PUD (7-0)**. The following condition applies:

Prior to the issuance of any building permits, confirmation of final approval from the Stormwater Management and the Traffic Engineer Sections of the Metropolitan Department of Public Works."

**Request for Bond Extension**  
Subdivision No. 88S-369U  
Vaughns Gap Valley  
Michael R. Simon, principal

Located abutting the north side of Vaughns Gap Road, opposite Groome Drive.

**Resolution No. 99-471**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 88S-369U, Bond No. 90BD-025, Vaughns Gap Valley in the amount of \$6,000 to 12/15/99 subject to the submittal of an amendment to the present Letter of Credit by **7/24/99** which extends its expiration date to 6/15/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

**SUBAREA 11 (1993)**

**Mandatory Referral Proposal No. 99M-072U**

Council Bill No. O99-1666

WDCN Property Transfer

Map 105-11, Parcel 198

District 17 (Douglas)

A council bill authorizing the transfer of certain property located at 161 Rains Avenue from the Metropolitan Board of Education to WDCN Public Television Corporation.

**Resolution No. 99-472**

“BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-072U.”

**Request for Bond Extension**

Subdivision No. 97S-401U

Vultee Church of Christ

Nashville Christian Towers, Inc., principal

Located abutting the southwest corner of Murfreesboro Pike and Foothill Drive.

**Resolution No. 99-473**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 97S-401U, Bond No. 97BD-101, Vultee Church of Christ in the amount of \$38,000 to 8/16/99 subject to the submittal of an amendment to the present Letter of Credit by **7/27/99** which extends its expiration date to 2/16/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

**SUBAREA 2 (1995)**

**Subdivision Proposal No. 98S-146G**

Quail Ridge, Section 6

Map 33, Part of Parcels 11 and 85

District 10 (Garrett)

A request for final plat approval to create 16 lots abutting the northeast terminus of Setter Court, approximately 150 feet northeast of Quail Ridge Drive (9.22 acres), classified within the R20 District, requested by The Developers, owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

**Resolution No. 99-474**

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-146G, is **APPROVED SUBJECT TO A BOND OF \$149,000.00 (7-0).**”

**Mandatory Referral Proposal No. 99M-074U**  
Brick Church Pike Easement Acquisition  
Map 50-14, Parcels 119 and 120  
Map 60, Parcel 3  
Map 60-2, Parcels 16, 24, 142, 185 and 280  
District 4 (Majors)

A request from the Department of Water and Sewerage Services for the acquisition of easements to accommodate improvements along Brick Church Pike (CIBP Nos. 96WG0005 and 96SG0005).

**Resolution No. 99-475**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-074U."

**Request for Bond Extension**  
Subdivision No. 95S-169G  
Hickory Hills, Section 7  
Hickory Hills, Ltd., principal

Located abutting the northwest quadrant of the Old Hickory Boulevard and Hickory Hills Boulevard.

**Resolution No. 99-476**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 95S-169G, Bond No. 95BD-060, Hickory Hills, Section 7 in the amount of \$35,000 to 7/31/2000 subject to the submittal of an amendment to the present Letter of Credit by **7/24/99** which extends its expiration date to 1/31/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**SUBAREA 4 (1998)**

**Request for Bond Extension**  
Subdivision No. 98S-136G  
Heron Walk, Phase 2, Section 4  
Allen Earps, principal

Located abutting both margins of Shawnee Road, west of Cheyenne Boulevard.

**Resolution No. 99-477**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 98S-136G, Bond No. 98BD-055, Heron Walk, Phase 2, Section 4 in the amount of \$36,250 to 12/1/99 subject to the submittal of an amendment to the present Letter of Credit by **7/10/99** which extends its expiration date to 6/1/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**SUBAREA 5 (1994)**

**Mandatory Referral Proposal No. 99M-068U**  
Council Bill No. O99-1704

Closure of a Portion of North Second Street,  
Joseph Avenue and Berry Street  
Map 82-7, Parcel 208  
Map 82-11, Parcels 9 and 40  
District 5 (Harrison)

A council bill to close portions of several streets: 1) North Second Street beginning at the intersection of Meridian and North Second Street and proceeding north for 240 feet; 2) Joseph Avenue beginning at the intersection of Berry Street and Alley No. 307 and proceeding north for 120 feet; and 3) Berry Street beginning at the intersection of Joseph Avenue and Berry Street and proceeding east for 90 feet, requested by Ken Renner, for Bank of America. (Easements are to be retained).

**Resolution No. 99-478**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-068U."

**Request for Bond Release**  
Subdivision No. 98S-144U  
Lamberth Subdivision  
William Steve Lamberth, principal

Located abutting the northwest corner of Hillhurst Drive and Dickerson Pike.

**Resolution No. 99-479**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 98S-144U, Bond No. 98BD-061, Lamberth Subdivision in the amount of \$12,000."

**SUBAREA 7 (1994)**

**PUD Proposal No. 151-78-U**  
Hillcrest Shopping Center  
Map 91-14, Parcel 268  
District 24 (Johns)

A request to revise the preliminary plan and for final approval of the Commercial (General) Planned Unit Development District located abutting the south margin of Charlotte Pike (1.17 acres), classified CS, to add 785 square feet to an existing 13,750 square foot retail building, requested by Wade F. Hill, for DKS Investments, LLC.

**Resolution No. 99-480**

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 151-78-U is given **APPROVAL TO REVISE THE PRELIMINARY PLAN AND CONDITIONAL FINAL APPROVAL FOR A PHASE (7-0)**. 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. Prior to the issuance of any building permits, the existing public water main located under the area proposed for the 785 square foot addition shall be relocated to the south side of the addition, in compliance with Metro Water and Sewer Department standards and approval.

3. As outlined in a conditional approval letter from NES dated June 7, 1999, the building height of the 785 square foot addition shall be limited to 18 feet, and the existing power line shall be reconfigured by NES to meet NES Standards at the applicant's sole cost and expense."

**Mandatory Referral Proposal No. 99M-067U**

Closure of 45<sup>th</sup> Avenue North  
Map 91-8, Parcels 220 and 221  
District 21 (McCallister)

A request to close 45th Avenue North between Michigan Avenue and Alley No. 1205, requested by Randy Darnell. (Easements are to be retained).

**Resolution No. 99-481**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-067U."

**SUBAREA 8 (1995)**

**Mandatory Referral Proposal No. 99M-070U**

Council Bill No. O99-1662  
MDHA Property Acquisition - Clifton/39th Avenue  
Map 92-9, Parcels 382 and 383  
District 21 (McCallister)

A council bill authorizing the acquisition of two parcels of property located at the corner of 39th Avenue and Clifton Avenue (in the vicinity of the Preston Taylor Homes) by negotiation or condemnation.

**Resolution No. 99-482**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-070U."

**SUBAREA 9 (1997)**

**Mandatory Referral Proposal No. 99M-071U**

Council Bill No. O99-1663  
Hope Gardens Park Property Conveyance  
Map 81-6, Parcel 625  
District 20 (Haddox)

A council bill authorizing the conveyance of Hope Gardens Park located at 1006 Phillips Street from the Metropolitan Development and Housing Agency to the Metropolitan Department of Parks and Recreation.

**Resolution No. 99-483**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-071U."

**OTHER BUSINESS:**

1. A council bill (O99-1672) authorizing an agreement for the exchange of equipment and equipment installation rights between the Metropolitan Department of Water and Sewerage Services and Tritel Communications, Inc. (Countywide). (Mandatory Referral Proposal No. 99M-073U).

**Resolution No. 99-484**

"BE IT RESOLVED by the Metropolitan Planning Commission that it approves an agreement for the exchange of equipment and equipment installation rights between the Metropolitan Department of Water and Sewerage Services and Tritel Communications, Inc.

**ADDENDUM**

**99M-082U**

Vanberbilt University Easement Abandonment

A council bill abandoning a portion of a sewer easement encumbering property on map 104-3, located at the intersection of Natchez Trace and West End Avenue, and adjacent to Vanderbilt stadium.

**Resolution No. 99-485**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-082U."

This concluded the items on the consent agenda.

**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 36 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. (Deferred from meeting of 05/27/99).

Mr. Calleja stated staff is recommending approval of the revised preliminary plan and conditional approval of the final plat subject to a bond. The applicant has changed the plan from 37 lots to 36 lots and eliminated a cul-de-sac and added a retention area.

No one was present to speak at the public hearing.

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

**Resolution No. 99-486**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-042U, is **APPROVED SUBJECT TO A BOND OF \$360,000.00; PUBLIC HEARING CLOSED (7-0).”**

**Zone Change Proposal No. 99Z-077U**

Council Bill No. O99-1711

Map 95-4, Parcel 40

District 15 (Dale)

A council bill to rezone from CL to CS district property at 2501 Lebanon Pike, abutting the east margin of McGavock Pike (.35 acres), requested by Joe Hobbs, appellant, for Michael, Joseph, James, and John Hobbs, owners.

Ms. Regen stated staff is recommending disapproval because this area along Lebanon Pike is all CL zoning. There are areas of CS zoning approximately ½ mile to the east where Lebanon Pike crosses over the railroad track near the Dillard’s shopping center. The applicant wishes to rezone this area in order to put up a billboard.

Councilmember Garrett stated this is a very small piece of property and is likely not big enough to do anything else with.

Ms. Regen stated the property is small but there are opportunities there to develop the property or to consolidate it with other properties for development.

Mr. Browning stated if this property is spot zoned to CS, the Commission would have to be willing to say a larger area in this location could be rezoned to CS and that would be going counter to the land use plan.

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

**Resolution No. 99-487**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-077U is **DISAPPROVED (7-0):**

**This property falls within the Subarea 14 Plan’s Commercial Arterial Existing (CAE) policy calling for retail, office, and higher density residential uses. While CS zoning does implement CAE policy, it permits more intense uses than the CL district, the predominant zoning pattern around this intersection. Ample opportunities exist for higher intensity commercial uses within the established CS zoning area located approximately one-half mile to the east, where Lebanon Pike crosses over the railroad tracks.”**

**SUBAREA 13 (1996)**

**Zone Change Proposal No. 99Z-064G**

Council Bill No. O99-1748

Map 164, Parcel 73 (5.86 acres), and Part of Parcels 76 (9.8 acres), 82 (9.6 acres) and 235 (.50 acres)

District 29 (Holloway)



A council bill to rezone from AR2a to CS District property at 5916 Pin Hook Road and a portion of properties at 3514 Pin Hook Road, 3510 and Route 2 Murfreesboro Pike, and 5916 Mt. View Road, on the south margin of Mt. View Road and the north margin of Pin Hook Road (25.76 acres), requested by Barge, Waggoner, Sumner, and Cannon, appellant, for Dennis and Lou Britt, Everette D. Kilgrow et ux, E. D. Green et ux, and Elzy D. Green, Jr., owners. (Deferred from meeting of 5/13/99).

Ms. Regen stated staff is recommending disapproval of this bill as filed. Staff is not in disagreement that there shouldn't be a larger commercial shopping center here. The Subarea 13 policy along Murfreesboro Pike is Commercial Arterial Existing Policy, which is consistent with the existing zoning. Staff feels it would be more appropriate to apply a shopping center commercial district to this area since the intent is to develop the property with a large grocery store with some other in line retail stores. Staff is in disagreement with the extent of the rezoning. Staff recommends disapproval of the bill as filed and approval of SCC zoning on an area which would not include parcel 82.

Mr. Joe Ballard spoke in favor of the proposal and stated this property, as one large tract, allows for a controlled cohesive planned development. A development of this type would be attractive to major retailers, would be an economic engine to generate the money to remove some of the less undesirable businesses that are located on some of the property, and will result in controlled access to Murfreesboro road and will minimize impacted traffic.

Councilmember Garrett stated the portion that is currently zoned agricultural includes the TVA lines and probably will never develop residentially.

Councilmember Saletta Holloway stated this is a good plan and that she is in support of it.

Ms. Regen stated the bill that was filled is what was shown on the sketch and does not include the area that is already CS and that would remain CS until they come back and ask for it to be rezoned to SCC.

Ms. Nielson stated the Commission was not dealing with that area today.

Mr. Browning suggested it should be dealt with and the CS frontage should be made SCC also.

Mr. Pat McDonald, property owner, stated the he was willing to change the CS zoning to SCC.

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

**Resolution No. 99-488**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-064G is **DISAPPROVED (7-0) with advisement to Council that the SCC district would be appropriate:**

**These properties fall within the Subarea 13 Plan's unmapped neighborhood commercial policy calling for neighborhood retail uses around the Murfreesboro Pike/Mt. View Road intersection. That policy was applied to this intersection since the area's population is anticipated to grow by 9% over the next 10 years. The range of uses permitted within the CS district, however, are not consistent with neighborhood policy. The SCC district, intended for retail shopping centers, implements unmapped neighborhood policy. The adjoining properties to these parcels along Murfreesboro Pike currently zoned CS should also be rezoned to SCC district."**

**Central State Redevelopment Plan**  
Maps 108, 120, 121, 134, and 135, Various Parcels

A request to approve the Central State Redevelopment Plan for the purposes of improving blighted conditions and instituting land use controls.

Ms. Lehmbeck stated she would present the staff report for the proposed Central State Redevelopment Plan, which covers the Dell Computer site and adjacent property near the airport. Staff is recommending approval of the redevelopment plan, which is consistent with our land use policies for the area. The proposed redevelopment plan was filed by the Metropolitan Development and Housing Agency and will be considered in public hearing by Metro Council on July 6. The Commission just approved a related mandatory referral on the consent agenda that transferred some of the property within this proposed redevelopment area from the Airport Authority to the Metro Industrial Development Board. This redevelopment plan, if approved, would serve as an economic development tool to facilitate the revitalization of this largely vacant and underutilized area adjacent to the airport and also to help create jobs. This would be accomplished through public funding, tailored land use controls, and the potential for public acquisition.

The redevelopment area primarily covers the Dell Computer site, which includes the old Middle Tennessee Mental Health Institute property on Murfreesboro Pike and a large tract of land east of the airport. Also included within the proposed redevelopment area is airport-owned property both north and south of Murfreesboro Pike west of the old Mental Health Institute site. This property includes the former Zayre department store site north of Murfreesboro Pike, now being used for a flea market; the old Genesco site south of Murfreesboro Pike, and the largely vacant former Airport Estates subdivision south of the Genesco site, which is a clear zone for the airport. The proposed redevelopment area contains approximately 1,280 acres. There is an area south of Murfreesboro Pike that is not included within the proposed redevelopment area. This area is being excluded because it is an airport runway and its clear zone. Airport-owned land not associated with the Dell site (the area west of the old MTMHI site) has been included within the redevelopment area to provide for potential future redevelopment of this vacant and underutilized land. At this time, no specific proposals are being made to redevelop the land outside of the Dell site.

In order to establish a redevelopment plan, a finding has to be made that the area it will cover is a blighted area according to state law. This area is considered blighted primarily because of the deteriorated condition of the buildings on the old Mental Health Institute site, as well as the old Zayre building and some of the few remaining houses in the former subdivision.

This blighted condition is of course expected to improve through the Dell project. The redevelopment plan will be used as a tool to assist the city in making site preparation and infrastructure improvements associated with the Dell project, such as demolition of buildings, internal roads, and water and sewer. The city cannot spend public money for a private development project such as this unless a redevelopment plan is in effect. Typically, bonds backed by tax increment financing would be used, but in this case, tax increment financing is unlikely to be used because the land is likely to remain in public ownership. General obligation bonds will be the likely source of financing.

The land use plan for the redevelopment area places the entire area in a Warehousing and Industrial category, which is generally compatible with the land use policies of the *Subarea 13 Plan: 1996 Update*. Most of the proposed redevelopment area is within Major Transportation policy, which supports the industrial and office uses planned for the Dell site. Some of the area is within Industrial and Distribution policy, some is within Major Public Open Space, some (the Zayre site) is within Commercial Arterial Existing, and a small portion of the area is within Natural Conservation policy that applies to the floodplain of Mill Creek. The MPOS policy applies to the former Airport Estates subdivision, which is publicly owned land adjacent to Seven Oaks Park. The Warehousing and Industrial category of the redevelopment plan includes public parks, greenways, plazas, and playgrounds among the permitted uses. Again, staff recommends approval of this redevelopment plan. Ms. Lehmbeck stated Joe Cain of MDHA was present in case the Commission had questions.

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

**Resolution No. 99-489**

Be it resolved by the Metropolitan Planning Commission that it **APPROVES** the Central State Redevelopment Plan filed by the Metropolitan Development and Housing Agency.

**SUBAREA 12 (1997)**

**Subdivision Proposal No. 98S-432G**  
Brentwood Cove  
Map 172, Parcels 46, 47 and 54-58  
District 31 (Alexander)

A request for final plat approval to create 32 lots abutting the north margin of Mt. Pisgah Road, approximately 430 feet east of Edmondson Pike (12.76 acres), classified within the RS15 District, requested by D. R. Horton/Torrey Homes, owner/developer, S & A Surveying, Inc., surveyor. (Deferred from meeting of 05/27/99).

Mr. Calleja stated staff is recommending conditional approval subject to a bond and improvements to Mt. Pisgah Road along the frontage of the property. The access will be off of Mt. Pisgah Road and a stub out road will be provided for future use and there are 3 retention areas on the property. This item was deferred from the last meeting because the water service easements were not on the plat.

Mr. Gary Batson, representing the owner, agreed with staff's comments and asked the Commission for approval.

Mr. Robert Rutherford, representing adjacent land owners, stated the plans he had seen were different from the ones before the Commission and commended the developer for the changes and stated those changes would solve the problems and concerns of his clients.

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

**Resolution No. 99-490**

**"BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-432G, is **APPROVED SUBJECT TO A BOND OF \$185,000.00 AND IMPROVEMENTS ALONG ALL ITS FRONTAGE WITH MT. PISGAH ROAD (7-0)."**

**Subdivision Proposal No. 99S-185U**  
Giesecke Subdivision  
Map 160-7, Parcel 25  
District 33 (Turner)

A request for final plat approval to subdivide one parcel into two lots abutting the north margin of Hill Road, approximately 1,185 feet west of Overton Road (3.25 acres), classified within the R40 District, requested by Hans C. Giesecke, owner/developer, John Kohl and Company, surveyor. (Deferred from meeting of 5/13/99).

Mr. Calleja stated staff is recommending disapproval because the applicant is requesting to subdivide a 3.2 acre piece of property into two lots in an area that has a lot of large lots and lot two does not meet comparability for lot size and frontage. Lot two is approximately 1.3 acres in size and has 120 feet of frontage along Hill Road. Most lots in the area are about 1.6 acres with 150 feet of frontage. Lot one of

this subdivision is about 1.9 acres and has 180 feet of frontage. If the subdivision line were moved 30 feet both lots would be approximately the same size and would meet comparability.

Mr. Hans Giesecke, owner, asked for a compromise on the staff's recommendation. The neighbor's lot immediately to the east is 1.27 acres and suggested he could change lot one to 2.0 acres and 1.35 acres for lot two. Splitting this existing parcel into equal size parcels as recommended by staff does not follow the contour of the land. It is important to note that lot two was formerly a horse pasture that lies 30 feet lower in surface level than lot one. Dividing the property evenly into 150 by 150 parcels would cut into the existing driveway and would split an 80 year old out building into two parts. He suggested, as a compromise, to give lot one 168 feet of road frontage and lot two 132 feet of road frontage.

Ms. Carrington stated the motion should also include a variance to comparability and be subject to a revised plat being submitted since staff has not seen the compromise.

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

**Resolution No. 99-491**

**"BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-185U, is **APPROVED WITH A VARIANCE TO SECTION 2-4.7 OF THE SUBDIVISION REGULATIONS, SUBJECT TO SUBMISSION OF A REVISED PLAT (7-0)."**

**SUBAREA 6 (1996)**

**Addendum  
99S-210U  
Laura Ellen Subdivision**

A request for final plat approval to subdivide one parcel into two lots totaling 2.19 acres on Old Hickory Boulevard and Charlotte Pike, within the R15 and CS Districts.

Mr. Calleja stated the applicant wants to split the existing parcel along the residential and commercial zoning line. The current frontage for the L shaped lot is on Old Hickory Boulevard, which has approximately 97 feet of frontage. The frontage on Charlotte Pike is only 34.28 feet. The Subdivision Regulations require that any lot created through the subdivision and platting process must have at least 50 feet of frontage. The applicant's proposal would result in lot 2 only having 34.28 feet of frontage thus violating the Subdivision Regulations. Staff has advised the applicant that to resolve this problem additional frontage needs to be established for lot 2 before staff could recommend approval. In addition, staff has a concern that if lot 2 is approved that the 34.28 feet in frontage will not be sufficient to accommodate the potential uses permitted in the CS District on the property in the future. Therefore, staff is recommending disapproval.

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

**Resolution No. 99-492**

**"BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-210U, is **DISAPPROVED (7-0)."**

**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, 5/13/99 and 5/27/99).

Mr. Calleja stated the applicant has asked for indefinite deferral to continue negotiations with the Gold Key Subdivision property owners.

Mr. Phil Hinez updated the Commission on the progress of contact with adjacent property owners.

Ms. Nielson moved and Ms. Warren seconded the motion, which carried unanimously, to leave the public hearing open and defer this matter indefinitely.

**Subdivision Proposal No. 99S-120U**

Drake's Run Subdivision, Section 2  
Map 58, Parcel 71  
District 1 (Patton)

A request for final plat approval to create 17 lots abutting the west termini of Shady Dale Road and Hallmark Road (8.87 acres), classified within the RS15 District, requested by Howard and Company Realtors, owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor. (Deferred from meetings of 4/29/99, 5/13/99 and 5/27/99).

Mr. Calleja stated this subdivision has been sectioned off and this portion is 17 lots. The applicant has been required to show the extension and build the entire roadway network. Staff is recommending approval subject to a bond.

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

**Resolution No. 99-493**

**"BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-120U, is **APPROVED SUBJECT TO A BOND OF \$148,500.00 (7-0)."**

**SUBAREA 11 (1993)**

**Zone Change Proposal No. 99Z-046U**

Council Bill No. O99-1604  
Map 105-8, Parcels 49, 52, 53 and 55  
District 9 (Sloss)

A council bill to change from R6 to OG District properties at 1300 and 1309 1<sup>st</sup> Avenue South, Willow Street (unnumbered), 14, 16, 17, 19, 21, 23, and 36 Hart Street, approximately 100 feet west of Lewis Street (1.43 acres), requested by Jerome Franklin, appellant, for Morning Star Baptist Church, owners.

Ms. Regen stated this is a Council bill that went to the May public hearing. It was a request for OG zoning by Morning Star Missionary Baptist Church. The Commission looked at this as part of the Subarea 11 Plan Amendment. The request at that time was to take properties along Hart Street from residential zoning to OG in order to build a larger church as well as to provide off site parking. Council has referred this back to the Commission because of strong opposition from the community.

Mr. Jerome Franklin stated he had been successful ministering in that neighborhood for 18 years and the opposition was not strong and there were just a few people that have some problems. He read a letter of support from Mr. Steinhouse, adjacent property owner, stated he had a petition in support signed by approximately 167 neighbors and asked the Commission for approval.

Ms. Victoria Richardson, Mr. James Green and Ms. Theresa Fowler spoke in opposition to the zone change and stated the petition Mr. Franklin referred to did not come to her or any of the Trimble Action Group and did not mention a zone change and did not specify they wanted to change the residential property to OG. It just said they wanted to build a new church and asked if they were for it. There is no problem with the church but the problem is changing residential property to OG.

Ms. Warren asked if Lewis Street was all industrial warehousing and stated the Commission was trying to come up with a transition.

Mr. Browning stated the church is a permitted use in the residential zoning but the reason the OG district is necessary was because of the size of the church.

Ms. Nielson stated she had mixed emotions because once this property is rezoned it could be sold and would still be OG.

Mr. Small stated he personally would recommend that whatever deferrals need to be made to make these changes would be enacted to get the church people and the neighborhood people to sit down and talk about what they can do to co-exist in that neighborhood.

Mr. Manier stated the disturbing thing about this is the ragged nature of the scattered zoning and agreed with Ms. Nielson and that this really amounts to a spot zoning.

Mr. Lawson stated another thing that is positive for the neighborhood is that they are making attempts at revitalization.

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

**Resolution No. 99-494**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-046U is **DISAPPROVED (7-0)**:

**These properties fall within Residential Low Medium (RLM) policy in the Subarea 11 Plan. That policy calls for residential development between 2 and 4 units per acre. The office and high density residential uses that the OG district permits do not implement RLM policy."**

**SUBAREA 7 (1994)**

**Mandatory Referral Proposal No. 99M-069U**  
Closure of Portion of Alley No. 1200

Map 91-12, Parcel 3  
Map 91-16, Parcel 157  
District 21 (McCallister)

A request to close a portion of Alley No. 1200 between Alabama and Charlotte Avenues, requested by Richard A. Pratt for SunTrust Bank. (Easements are to be retained).

Ms. Regen stated this is a request by SunTrust Bank to close a portion of this alley to provide a safer environment for their customers. Staff is recommending approval of this closure, as are all the other agencies that were notified.

Mr. Small stated his concern was that alley begins on 46<sup>th</sup> Avenue and goes seven or eight blocks. It is one way at 46<sup>th</sup> going towards 47<sup>th</sup> and 48<sup>th</sup> and there seems to be no validity in closing an alley that has been there and used for transportation on a regular basis, and that he was not sure how the trash collection was handled.

Ms. Regen stated Public Works had approved this closure but that she could check on that.

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

**OTHER BUSINESS:**

2. Employee contracts for Anita McCaig, Jennifer Regen and Paige Watson.

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

**Resolution No. 99-495**

“BE IT RESOLVED by the Metropolitan Planning Commission that it approves the contracts for Anita McCaig, Jennifer Regen and Paige Watson for one year from June 15, 1999 through June 14, 2000.”

3. Legislative update.

Ms. Carrington stated there had been 60 bills filed for the July public hearing and Council will take 30 bills on July 6<sup>th</sup> and the other 30 on July 8<sup>th</sup>.

Ms. Carrington stated today was the last day at the Planning Commission for James Russ who does the slides for the Commission.

Mr. Manier requested the Commissioners have 5 to 10 minutes at the beginning of each meeting to review materials handed out at the meeting.

4. Employee contract for Executive Director.

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

**Resolution No. 99-496**

“BE IT RESOLVED by the Metropolitan Planning Commission that it approves an employment contract for the Executive Director of the Metropolitan Planning Commission, T. Jeff Browning, for two years from June 10, 1999 through June 9, 2001.”

**PLATS PROCESSED ADMINISTRATIVELY**

May 27, 1999 through June 9, 1999

- 99S-093G        JOE REESE SUBDIVISION**  
Plats two lots
  
- 99S-094G        FOX HOLLOW FARMS, Lot 8**  
Plats one deeded parcel as one lot
  
- 99S-180G        PINE HILL ROAD (Right-of-way Dedication)**  
Dedicates right-of-way for a new public street
  
- 99S-184G        NEWMAN SUBDIVISION**  
Minor revision to two lots
  
- 99S-197G        LEWIS SUBDIVISION**  
Plats two deeded parcels as two lots
  
- 99S-202U        ERSKIN SUBDIVISION**  
Subdivides one lot into two lots
  
- 99S-203G        GRADY LANE SUBDIVISION, Lot 3**  
Plats one deeded parcel as one lot
  
- 99S-205G        HEATH ROAD (Right-of-way Dedication)**  
Defines right-of-way for a public street
  
- 99S-208G        TIDWELL SUBDIVISION**  
Plats one lot
  
- 99S-218U        CUMBERLAND BEND BUSINESS PARK, Section 3, First Revision**  
Reducing an easement
  
- 99S-221U        MAPLE PARK, Resubdivision of Lot 2, First Revision**  
Revises drainage easement
  
- 99S-223U        WATERCREST TOWNHOMES, Phase 2, First Revision**  
Horizontal Property Regime
  
- 99S-228U        JUSTIN TOWNE, Section 2, Resubdivision of Lots 9A and 9B**  
Minor revision to the interior lot line between platted lots
  
- 99S-237G        JOHNSON PROPERTY**  
Subdivides one deeded parcel into two lots

**ADJOURNMENT:**



There being no further business, upon motion made, seconded and passed, the meeting adjourned at 4:00 p.m.

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Chairman

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Secretary

Minute Approval:  
This 8<sup>th</sup> day of July, 1999