

**MINUTES
OF THE
METROPOLITAN PLANNING COMMISSION**

Date: July 8, 1999
Time: 1:00 p.m.
Place: Howard Auditorium

Roll Call

Present:

James Lawson, Chairman
Frank Cochran
Tim Garrett, Councilmember
Tonya Jones
William Manier
Vicki Oglesby
Douglas Small
Marilyn Warren

Absent:

Mayor Philip Bredesen
Ann Nielson

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
Jimmy Alexander, Planning Technician II

Community Plans Division:

Jerry Fawcett, Planning Division Manager
Cynthia Lehmbeck, Planner III

Advance Planning & Research:

John Boyle, Planning Division Manager
Matt Carpenter, Intern
Nedra Jones, Planner I

Others Present:

Jim Armstrong, Public Works
Nicole Rodrigue, Legal Department

Chairman Lawson called the meeting to order and welcomed new Commissioners Tonya Jones and Vicki Oglesby.

ADOPTION OF AGENDA

Ms. Carrington announced the following changes in the agenda:

Request for Bond Extension 95S-028G - Buildout should be 35%
PUD Proposal No. 84-87P - Also requesting final plat approval
Mandatory Referral Proposal No. 99M-097U - Caption should read Portions of Parcels
Subdivision Proposal N. 99S-210G - Should read within the R15 and CS District. Also should be District 23 (Crafton)
PUD Proposal No. 97P-019G - Should read A request to revise the preliminary and final plan
Zone Change Proposal 99Z-090U - The application has been revised to MUL instead of CS
Matthew Carpenter's contract should be added as an ADDENDUM

Mr. Manier moved and Ms. Warren seconded the motion, which unanimously passed, to adopt the agenda.

ANNOUNCEMENT OF DEFERRED ITEMS

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

99S-224G Deferred two weeks, by applicant.
215-76-G Deferred two weeks, by applicant.
97P-030G Deferred indefinitely, by applicant.
Item 2/Other Business - Deferred two weeks. Presentation of the proposed Trip Reduction Ordinance project sponsored by the Metropolitan Planning Organization.

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

APPROVAL OF MINUTES

Mr. Small moved and Ms. Warren seconded the motion, which unanimously passed, to approve the minutes of the regular meeting of June 10, 1999.

RECOGNITION OF COUNCILMEMBERS

Councilmember Eric Crafton spoke in opposition to Zone Change Proposal 99Z-093U and PUD Proposal 94P-025G, Bellevue Commercial PUD and spoke in favor of Subdivision Proposal No. 99S-210G, Laura Ellen Subdivision.

Councilmember Michelle Arriola spoke in favor of Subdivision Proposal No. 99S-245U, Lake Providence Missionary Baptist Church.

ADOPTION OF CONSENT AGENDA

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

TEXT AMENDMENTS

Zone Change Proposal No. 99Z-013T

Council Bill No. O99-1756

A council bill amending Section 17.40.040 of the Zoning Regulations to allow the Planning Commission to modify Planned Unit Development Overlay District boundaries which are administrative mapping errors, sponsored by Councilmembers Regina Patton and Tim Garrett.

Resolution No. 99-497

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-013T is **APPROVED (8-0)**:

This council bill would allow Planning Commission staff to correct Planned Unit Overlay District boundaries that were not properly digitized using the computer. Enabling staff to correct these errors will ensure the zoning maps accurately reflect Metro Council actions."

SUBAREA 14 (1996)

Subdivision Proposal No. 99S-146G

McDonald's Subdivision
Map 97, Parcels 111 and 124
District 12 (Ponder)

A request for final plat approval to subdivide two parcels as two lots abutting the northeast corner of Sells Drive and Old Hickory Boulevard (3.51 acres), classified within the CL Commercial Planned Unit Development District, requested by Drury Inns, Inc., owner/developer, Cherry Land Surveying, surveyor.

Resolution No. 99-498

"**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-146G, is **APPROVED SUBJECT TO A BOND OF \$60,000.00 (8-0)**."

Zone Change Proposal No. 99Z-094U

Council Bill No. O99-1720
Map 85-13, Parcels 17 (2.20 acres) and 18 (1.83 acres)
District 15 (Dale)

A council bill to change from SCC to CL district properties at Old Lebanon Pike (unnumbered), on the west margin of Cliffdale Road (4.03 acres), requested by Donelson Church of Christ, appellants/trustees.

Resolution No. 99-499

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-094U is **APPROVED (8-0)**:

These properties fall within the Subarea 14 Plan's Retail Concentration Community (RCC) policy calling for consumer-oriented retail activities at a subregional or regional scale. The CL district is consistent with RCC policy and Council's recent approval of CL zoning on parcel 33 to the east."

Zone Change Proposal No. 99Z-095U
Council Bill No. O99-1745
Map 106-3, Parcels 5, 5.01 and 6
District 15 (Dale)

A council bill to change from ON to RS7.5 district properties at 422 and 424 Spence Lane, approximately 870 feet north of Elm Hill Pike (1.45 acres), requested by Roy Dale, appellant, for Floyd Duncan et ux, owners.

Resolution No. 99-500

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-095U is **APPROVED (8-0)**:

The RS7.5 district will accommodate the necessary expansion and conversion of Margaret Allen Elementary School into a middle school. The RS7.5 district is also consistent with the residential zoning pattern to the north and east."

PUD Proposal No. 103-79-G
Riverfront Shopping Center (Knight's Car Wash)
Map 53, Parcel 31
District 11 (Wooden)

A request to revise a portion of the preliminary plan and for final approval of a phase of the Commercial (General) Planned Unit Development District located abutting the southern margin of Robinson Road and the northwest margin of Merritt Street (0.86 acres), classified CS, to permit a 6 bay, 2,700 square foot car wash, replacing a 6,000 square foot fast-food service facility, requested by Ron Jordan of Jordan Engineering, for Stacy Knight, owner.

Resolution No. 99-501

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 103-79-G is given **APPROVAL TO REVISE A PORTION OF THE PRELIMINARY AND CONDITIONAL FINAL APPROVAL (8-0)**. 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 for the car wash, the 45 foot wide private drive shown on this preliminary and final plan between parcels 31 and 35 on tax map 53 shall be constructed."

PUD Proposal No. 46-83-P
Metropolitan Airport Center
Map 108, Parcel 36
District 14 (Stanley)

A request to revise the preliminary plan and for final approval for a phase of the Commercial (General) Planned Unit Development District located abutting the south margin of Elm Hill Pike, north of Royal Parkway (6.36 acres), classified CS, to add a new driveway onto Elm Hill Pike from parcel 36, requested by Ragan, Smith and Associates for Duke Realty Limited Partnership, owner.

Resolution No. 99-502

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 46-83-P is given **APPROVAL TO REVISE THE PRELIMINARY AND CONDITIONAL FINAL APPROVAL (8-0)**. 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. 18-86-P
River Trace Estates, Phase 2
Map 52, Parcel 49
District 15 (Dale)

A request to revise the preliminary plan and for final approval for a phase of the Residential Planned Unit Development abutting the eastern terminus of East Harbour Drive 130 feet east of Steamboat Drive, classified RS10, (14.30 acres), to develop 46 single-family lots, requested by Dale and Associates for Pennington Mills LLC owners.

Resolution No. 99-503

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 18-86-P is given **APPROVAL TO REVISE PRELIMINARY AND CONDITIONAL FINAL APPROVAL (8-0)**. 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 subdivision plat shall be recorded with any bonds necessary for utilities and public improvements.”

Mandatory Referral Proposal No. 99M-098U
Council Bill No. O99-1684
Board of Education Warehouse Lease Agreement
Map 94, Parcel 125
District 15 (Dale)

A council bill authorizing a lease agreement between Norman W. Ginsberg and the Metropolitan Government of Nashville and Davidson County by and through the Metropolitan Board of Education for use as warehouse space for the surplus property Reuse-Recycle-Disposal Center at 101 Spence Lane.

Resolution No. 99-504

“BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 99M-098U.”

Request for Bond Extension

Subdivision No. 103-79-G
Riverfront Shopping Center, Section 2, Lot 3
Riverfront Development, L.P., principal
(Buildout is at 50%)

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

Resolution No. 99-505

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 103-79-G, Bond No. 94BD-062, Riverfront Shopping Center, Section 2, Lot 3 in the amount of \$5,000 to 6/24/2000 subject to submittal of an amendment to the present Letter of Credit by **7/24/99** which extends its expiration date to 12/24/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension
Subdivision No. 95S-028G
New Hope Estates, Phase 1
Raymond D. Lane, Sr., principal
(Buildout is at 35%)

Located abutting the west margin of New Hope Road, approximately 720 feet south of Farmingham Woods Drive.

Resolution No. 99-506

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 95S-028G, Bond No. 94BD-112, New Hope Estates, Phase 1 in the amount of \$68,750 to 7/1/2000 subject to submittal of an amendment to the present Letter of Credit by **7/24/99** which extends its expiration date to 1/2/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension
Subdivision No. 96S-376G
New Hope Point, Phase 1, Section 2
Robert E. Earheart, principal
(Buildout is at 60%)

Located abutting both margins of Cape Hope Pass, approximately 520 feet west of New Hope Road.

Resolution No. 99-507

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 96S-376G, Bond No. 97BD-015G, New Hope Pointe, Phase 1, Section 2 in the amount of \$37,000 to 4/15/2000 subject to submittal of an amendment to the present Letter of Credit by **7/24/99** which extends its expiration date to 10/15/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension
Subdivision No. 97S-454U
Wellington Square, Resubdivision of Lot 2
Wellington Square LLC, principal
(Buildout is at 60%)

Located abutting the northwest margin of Lebanon Pike, approximately 1,300 feet southwest of Danyacrest Drive.

Resolution No. 99-508

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 97S-454U, Bond No. 98BD-079, Wellington Square, Resubdivision of Lot 2 in the amount of \$5,000 to 12/1/99 subject to submittal of a letter from the RLI Insurance Company by 7/24/99 agreeing to the extension.”

Request for Bond Extension
Subdivision No. 94S-072G
Gateway of Hermitage
Shurgard-Freegard Hermitage, J.V., principal
[Buildout is at 67%]

Located abutting the south margin of Central Pike, approximately 240 feet west of Old Hickory Boulevard.

Resolution No. 99-509

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 94S-072G, Bond No. 94BD-015, Gateway of Hermitage in the amount of \$105,400 to 7/1/2000 subject to submittal of an amendment to the present Letter of Credit by 8/8/99 which extends its expiration date to 1/2/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension
Subdivision No. 97S-083G
River Trace, Phase 1, Sections 4 & 5
Hicks-Cain Partnership, principal
[Buildout is at 50%]

Located abutting east margin of Lock Two Road and the north terminus of River Bend Drive.

Resolution No. 99-510

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 97S-083G, Bond No. 97BD-021, River Trace, Phase 1, Sections 4 & 5 in the amount of \$262,100 to 12/31/99 subject to submittal of an amendment to the present Letter of Credit by 8/8/99 which extends its expiration date to 6/30/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension
Subdivision No. 97S-230U
River Crest
River Crest LLC, principal
[Buildout is at 70%]

Located abutting the northwest margin of Lebanon Pike.

Resolution No. 99-511

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 97S-230U, Bond No. 97BD-090, River Crest in the amount of \$48,500 to 12/31/99 subject to submittal of an amendment to the present Letter of Credit by **8/8/99** which extends its expiration date to 6/30/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension

Subdivision No. 97S-427G
Hermitage Hotel Heights
Bimel Patel, principal
[Buildout is at 0%]

Located abutting southeast margin of Mills Road, approximately 260 feet west of Old Hickory Boulevard.

Resolution No. 99-512

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 97S-427G, Bond No. 98BD-012, Hermitage Hotel Heights in the amount of \$25,000 to 7/1/2000 subject to submittal of an amendment to the present Letter of Credit by **8/8/99** which extends its expiration date to 1/2/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension

Subdivision No. 98S-163U
Harborview, Section 2
Precision Homes, Inc., principal
[Buildout is at 0%]

Located abutting south terminus of Harbor Hill Place, approximately 140 feet south of Harbor Valley Court.

Resolution No. 99-513

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 98S-163U, Bond No. 98BD-054, Harborview, Section 2 in the amount of \$74,500 to 7/22/2000 subject to submittal of an amendment to the present Letter of Credit by **8/8/99** which extends its expiration date to 1/22/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension

Subdivision No. 99S-061U
Gil Smith Estates
Precision Homes, Inc., principal
[Buildout is at 0%]

Located abutting the north margin of Elm Hill Pike, approximately 190 feet west of White Pine Drive.

Resolution No. 99-514

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 99S-061U, Bond No. 99BD-019, Gil Smith Estates in the amount of \$30,000 to 12/31/99 subject to submittal of an amendment to the present Letter of Credit by **8/8/99** which extends its expiration date to 6/30/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Release
Subdivision No. 87-166-G
Chitwood Downs
Fox Ridge Homes, Inc., principal

Located abutting the west side of Old Hickory Boulevard, opposite Second Street.

Resolution No. 99-515

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 87-166-G, Bond No. 89BD-003, Chitwood Downs in the amount of \$45,000.”

Request for Bond Release
Subdivision No. 97S-472G
Hermitage Market Place, Resubdivision of Lot 1-3
First American National Bank N.A., principal

Located abutting the east margin of Old Hickory Boulevard, opposite Jaurez Drive.

Resolution No. 99-516

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 97S-472G, Bond No. 97BD-068, Hermitage Market Place, Resubdivision in the amount of \$9,500.”

SUBAREA 13 (1996)

Subdivision Proposal No. 99S-259U
Las Palmas
Map 134, Parcels 134-137
District 27 (Sontany)

A request for final plat approval to consolidate four parcels into two lots abutting the northeast corner of Antioch Pike and Ezell Road (1.76 acres), classified within the CS District, requested by Las Palmas Enterprises Partnership, owner/developer, Dale and Associates, surveyor.

Resolution No. 99-517

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-259U, is **APPROVED (8-0).**”

Zone Change Proposal No. 99Z-069U
Council Bill No. O99-1739
Map 163, Parcels 134 (.52 acres), 181 (.78 acres),
252 (.51 acres) and 283 (.86 acres)
District 28 (Hall)

A council bill to rezone from AR2a to RM20 district properties at 2946, 2952, and 2984 Baby Ruth Lane and Baby Ruth Lane (unnumbered), approximately 1,200 feet north of Mt. View Road (2.67 acres), requested by Dale and Associates, appellant, for MUR-CI Homes for the Retarded, Inc., Amber Caldwell, Sharon Wolf, and Nita Whitfield, owners.

Resolution No. 99-518

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-069U is **APPROVED (8-0)**:

These properties fall within the Subarea 13 Plan's Residential Medium High (RMH) policy calling for 9 to 20 units per acre. The RM20 district is consistent with RMH policy and the emerging zoning pattern in this area."

PUD Proposal No. 89-67-G

Travel Centers of America
Map 183, Parcel 25
District 29 (Holloway)

A request for final approval for the Commercial (General) Planned Unit Development District located abutting the northeast corner of I-24 and Old Hickory Boulevard (36.33 acres), classified IR, to add a 4,155 square foot restaurant to the existing truck stop facility, requested by Great Arrow Construction, for Travel Centers of America, owners.

Resolution No. 99-519

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 89-67-G is given **CONDITIONAL FINAL APPROVAL (8-0)**:

A request for final approval for the Commercial (General) Planned Unit Development District located abutting the northeast corner of I-24 and Old Hickory Boulevard (36.33 acres), classified IR, to add a 4,155 square foot restaurant to the existing truck stop facility, requested by Great Arrow Construction, for Travel Centers of America, owners. 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. 84-87-P

The Crossings of Hickory Hollow
Map 163, Parcel 361
District 28 (Hall)

A request to revise the preliminary plan and for final approval of a phase of the Commercial (General) Planned Unit Development located abutting the east margin of Hickory Hollow Parkway between Mt. View Parkway and Crossings Place, classified R10, (1.72 acres), to develop a 6,180 square foot convenience market/carwash and lube shop, replacing a 3,700 square foot convenience market/gas station, requested by James E. Stevens and Associates for Christopher W. Chung owner.

Resolution No. 99-520

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 84-87-P is given **APPROVAL TO REVISE THE PRELIMINARY AND CONDITIONAL FINAL APPROVAL (8-0)**. 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. 84-87-P

The Crossings at Hickory Hollow (Pool and Spa Depot)
Map 174, Part of Parcel 176
District 28 (Hall)

A request to revise the preliminary plan and for final approval for a phase of the Commercial Planned Unit Development located abutting the west margin of Crossings Boulevard east of I-24, classified R10, (3.0 acres) to permit a 35,900 square foot office/showroom for Pool and Spa Depot, replacing 85,861 square feet of retail uses, requested by Littlejohn Engineering Associates for Pool and Spa Depot, Inc. owners. Also requesting final plat approval.

Resolution No. 99-521

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 84-87-P is given **APPROVAL TO REVISE PRELIMINARY AND CONDITIONAL FINAL APPROVAL AND FINAL PLAT APPROVAL (8-0)**. 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 subdivision plat shall be recorded with any bonds necessary for utilities and public improvements.
3. The deferred parking areas shown on the preliminary and final plans shall not be subdivided and used or sold for other purposes. At any time after building permits are issued, should the Zoning Administrator determine that all or a portion of the 33 deferred spaces are needed, the spaces shall be constructed as depicted on these plans.
4. The on-site storage facility within the office/showroom area shall only be used for storage for this facility. This storage area shall not be used as a warehouse for items to be picked up or dropped off at other stores.”

Request for Bond Extension

Subdivision No. 95S-285U
Forge Ridge PUD Boundary
Dewey Pedigo, Jr., trustee, principal
(Buildout is at 60%)

Located abutting the north margin of Franklin Limestone Road, approximately 460 feet west of Rice Road.

Resolution No. 99-522

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 95S-285U, Bond No. 95BD-093, Forge Ridge PUD Boundary in the amount of \$11,000 to 5/1/2000.”

Request for Bond Extension

Subdivision No. 96S-249G
Meadow Woods, Section 1
Sanders & McCrary, J.V., principal
[Buildout is at 55%]

Located between Old Hickory Boulevard and Pin Hook Road, approximately 1,875 feet west of LaVergne-Couchville Pike.

Resolution No. 99-523

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 96S-249G, Bond No. 97BD-080, Meadow Woods, Phase 1 in the amount of \$330,250 to 4/1/2000 subject to submittal of an amendment to the present Letter of Credit by **8/8/99** which extends its expiration date to 10/1/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension

Subdivision No. 97S-388U
Crossings at Hickory Hollow, Section 2
American General, principal

Located abutting the northeast margin of Crossing Boulevard, approximately 1,277 feet northeast of Old Franklin Road.

Resolution No. 99-524

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 97S-388U, Bond No. 90BD-008, Crossings at Hickory Hollow, Section 2 in the amount of \$50,000 to 7/8/2000 subject to submittal of an amendment to the present Letter of Credit by **8/8/99** which extends its expiration date to 1/8/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension

Subdivision No. 97S-453G
Lakewood Village, Section 1
Fischer/Ford LLC, principal
(Buildout is at 41%)

Located abutting the north margin of Pinhook Road, approximately 678 feet west of LaVergne-Couchville Pike.

Resolution No. 99-525

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 97S-453G, Bond No. 97BD-076, Lakewood Village, Section 1 in the amount of \$47,250 to 11/30/99 subject to submittal of an amendment to the present Letter of Credit by **8/8/99** which extends its expiration date to 5/30/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension

Subdivision No. 98S-040U
Crossings at Hickory Hollow, Section 3
American General, principal

Located abutting the northeast margin of Old Franklin Road, opposite Crossings Boulevard.

Resolution No. 99-526

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 98S-040U, Bond No. 98BD-009, Crossings at

Hickory Hollow, Section 3 in the amount of \$17,250 to 10/8/99 subject to submittal of an amendment to the present Letter of Credit by 8/8/99 which extends its expiration date to 4/8/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**

Request for Bond Release
Subdivision No. 94S-297U
Hickory Manor Apartments
Hickory Manor Ltd., L.P., principal

Located abutting the west margin of Hamilton Church Road, approximately 50 feet north of Zelida Avenue.

Resolution No. 99-527

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 94S-297U, Bond No. 94BD-106, Hickory Manor Apartments in the amount of \$5,000.”

Request for Bond Release
Subdivision No. 95S-148U
Hickory Highlands Place, Section 1
Hickory Highlands, LLC, principal

Located between Moss Road and Mt. View Road, approximately 100 feet east of Ottenville Road.

Resolution No. 99-528

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 95S-148U, Bond No. 95BD-063, Hickory Highlands Place, Section 1, in the amount of \$8,500.”

Request for Bond Release
Subdivision No. 98S-043U
Hamilton Acres
Houston Ezell Corporation, principal

Located abutting the southwest corner of Hamilton Church Pike and Murfreesboro Pike.

Resolution No. 99-529

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 98S-043U, Bond No. 98BD-053, Hamilton Acres in the amount of \$5,250.”

SUBAREA 12 (1997)

Subdivision Proposal No. 99S-222U
Ellis Subdivision, Section 2
Map 148-9, Part of Parcel 105
District 26 (Arriola)

A request for final plat approval to create three lots abutting the west margin of Faulkner Drive, opposite Faulkner Place (.93 acres), classified within the RS10 District, requested by Jeffery Ackerman, owner/developer, S & A Surveying, Inc, surveyor.

Resolution No. 99-530

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-222U, is **APPROVED (8-0).”**

Subdivision No. 99S-244G
Banbury Crossing, Section 2,
Resubdivision of Lots 54-57
Map 172-9-A, Parcels 54-57
District 32 (Jenkins)

A request for final plat approval to reconfigure four lots abutting the south margin of Banbury Crossing, opposite Banbury Place (1.38 acres), classified within the R40 Residential Planned Unit Development District, requested by Jones Company, owner/developer, Gresham, Smith and Partners, surveyor.

Resolution No. 99-531

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-244G, is **APPROVED (8-0).”**

PUD Proposal No. 192-69-U
Hickory Plaza (First American)
Map 161, Parcel 149
District 30 (Hollis)

A request to revise the preliminary plan and for final approval for a portion of the Commercial (General) Planned Unit Development District abutting the west margin of Nolensville Pike, 400 feet north of Old Hickory Boulevard (.52 acres), classified SCR, to permit a 3,693 square foot banking facility, replacing an existing 2,840 square foot bank, requested by Carpenter Wright Engineers, for First American National Bank, owners.

Resolution No. 99-532

Mandatory Referral Proposal No. 99M-100G
Blue Hole Road Property Acquisition
Map 173, Parcel 45
District 31 (Alexander)

A request by the Director of Public Property to exercise an option to purchase real property located on Blue Hole Road on which to construct a new elementary school.

Resolution No. 99-533

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 99M-100G."

Request for Bond Extension
Subdivision No. 95S-307U
Anton Place
Regency Group LLC, principal
(Buildout is at 44%)

Located abutting the east terminus of Anton Drive, approximately 600 feet east of Creekside Drive.

Resolution No. 99-534

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 95S-307U, Bond No. 96BD-029, Anton Place in the amount of \$26,750 to 8/1/2000 subject to submittal of an amendment to the present Letter of Credit by **7/24/99** which extends its expiration date to 2/1/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension

Subdivision No. 97S-225G
Holt Woods, Section 12
Hurley-Y, L.P., principal
[Buildout is at 63%]

Located approximately 70 feet west of Bryce Road and approximately 450 feet west of Holt Hills Road.

Resolution No. 99-535

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 97S-225G, Bond No. 98BD-058, Holt Woods, Section 12 in the amount of \$25,750 to 12/30/99 subject to submittal of an amendment to the present Letter of Credit by **8/8/99** which extends its expiration date to 6/30/00. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension

Subdivision No. 98S-090G
Sugar Valley, Section 1
Hurley-Y, L.P., principal
[Buildout is at 27%]

Located abutting the northeast margin of Nolensville Road, north of Culbertson Road.

Resolution No. 99-536

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 98S-090G, Bond No. 98BD-077, Sugar Valley, Section 1 in the amount of \$762,000 to 7/16/2000 subject to submittal of an amendment to the present Letter of Credit by **8/8/99** which extends its expiration date to 1/16/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension

Subdivision No. 98S-103U
Williamsburg at Brentwood, Section 2
Randall Phillips Builders LLC, principal
[Buildout is at 33%]

Located abutting the south margin of Cloverland Drive, approximately 151 feet west of Saddlewood Lane.

Resolution No. 99-537

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 98S-103U, Bond No. 98BD-080, Williamsburg at Brentwood, Section 2 in the amount of \$49,750 to 7/6/2000 subject to submittal of an amendment to the present Letter of Credit by **8/8/99** which extends its expiration date to 1/6/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Release

Subdivision No. 98S-093U
O H & E Business Park
O H & E LLC, principal

Located abutting the northwest corner of Old Hickory Boulevard and Edmondson Pike.

Resolution No. 99-538

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 98S-093U, Bond No. 98BD-066, O H & E Business Park in the amount of \$45,000.”

SUBAREA 6 (1996)

Subdivision Proposal No. 99S-227G

Riverside, Phase 3
Map 142-13-B, Parcel 1
District 35 (Lineweaver)

A request for final plat approval to create 62 lots approximately 2,100 feet south of Sawyer Brown Road on Old Harding Pike (16.82 acres), classified within the RS20 district and a Residential Planned Unit Development District, requested by Rochford Construction Company, owner/developer, Walter Davidson & Associates, surveyor.

Resolution No. 99-539

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-227G, is **APPROVED SUBJECT TO A BOND OF \$446,000.00 (8-0).**”

Subdivision Proposal No. 99S-245G

Poplar Creek, Phase 2, Lots 104-106
Map 155-8-C, Parcels 104 and 106
District 35 (Lineweaver)

A request for final plat approval to reconfigure two lots and open space abutting the southwest corner of Autumnwood Drive and Collinswood Drive (.56 acres), classified within the RS15 Residential Planned Unit Development District, requested by Patricia A. Hercock et al, owners/developers, Thornton and Associates, Inc., surveyor.

Resolution No. 99-540

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-245G, is **APPROVED (8-0).**”

PUD Proposal No. 97P-019G

Trace Creek Center of Pasquo

Map 155, Part of Parcel 124
District 35 (Lineweaver)

A request to revise the preliminary and final plan of the Commercial (General) Planned Unit Development located abutting the south margin of Highway 100, opposite Collins Road, classified RS40, (.38 acres) to permit the creation of a parcel within the PUD, requested by Barge Waggoner Sumner and Cannon for Kroger Limited Partnership, owners. (Also requesting final plat approval.)

Resolution No. 99-541

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 97P-019G is given **CONDITIONAL APPROVAL OF A REVISION TO THE PRELIMINARY PLAN AND FOR FINAL PUD APPROVAL, AS WELL AS FINAL PLAT APPROVAL SUBJECT TO A BOND IN THE AMOUNT OF \$193,000.00 (8-0)**. 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-090U
Naming Private Drive to “Claytie Point”
Map 141, Parcels 98 and 99
District 33 (Turner)

A request from the Interim Director of Public Works to name an unnamed private drive in the Sheffield subdivision leading to the community pool as "Claytie Point", to assist emergency workers responding to 911 calls.

Resolution No. 99-542

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 99M-090U."

Request for Bond Release
Subdivision No. 97S-326G
Traceside, Section 8
Centex Real Estate Corporation, principal

Located abutting both margins of Meadow Ridge Circle, approximately 95 feet southeast of Timber Gap Drive.

Resolution No. 99-543

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 97S-326G, Bond No. 98BD-039, Traceside, Section 8 in the amount of \$309,000.”

SUBAREA 3 (1996)

Subdivision Proposal No. 99S-233U
Minnie Pearl Davis Property, Resubdivision
Map 59, Parcel 178
District 2 (Black)

A request for final plat approval to remove the reserve status on a parcel abutting the north margin of Kings Lane, approximately 318 feet west of Boyd Drive (2.46 acres), classified within the RS40 District, requested by Thomas W. and Mary E. Claybrooks, owners/developers, H & H Land Surveying, Inc., surveyor.

Resolution No. 99-544

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-233U, is **APPROVED (8-0).”**

Subdivision Proposal No. 99S-260U
Calligan Subdivision
Map 71-14, Parcels 22, 25, 26, 28 and 386
District 2 (Black)

A request for final plat approval to subdivide one parcel and ten lots into three lots abutting the northwest corner of Fern Avenue and Brick Church Pike (5.28 acres), classified within the RS5 and CS Districts, requested by Power Lifts, Inc. of Tennessee, owner/developer, Daniels and Associates, surveyor.

Resolution No. 99-545

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-260U, is **APPROVED (8-0).”**

Zone Change Proposal No. 99Z-087U
Council Bill No. O99-1737
Map 69-16, Parcel 203
District 2 (Black)

A council bill to change from RS10 to CL district property at North Hydes Ferry Road (unnumbered), abutting the north margin of County Hospital Road (.12 acres), requested by Steven E. Crook and Associates, appellants/owners.

Resolution No. 99-546

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-087U is **APPROVED (8-0):**

This property falls within the Subarea 3 Plan’s Commercial Arterial Existing (CAE) policy calling for office, retail, and higher density residential uses. The CL district is consistent with CAE policy and the predominant commercial zoning pattern along Clarksville Pike."

Zone Change Proposal No. 99Z-097U
Map 71-10, Parcels 148 (.13 acres), 149 (.13 acres), 150 (.13 acres), 152 (.13 acres), and 153 (.50 acres)
District 2 (Black)

A request to change from RS5 to CS district properties at 1222, 1226, 1230 Brick Church Pike and Brick Church Pike (unnumbered), abutting the south margin of Weakley Avenue (1.15 acres), requested by R.C. Calligan, appellant, for Robert B. Beck et ux and Otha Fay Wright, owners.

Resolution No. 99-547

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-097U is **APPROVED (8-0)**:

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

Mandatory Referral Proposal No. 99M-085U
Conveyance of Park Property to Board of Education
Map 60, Parcel 25
District 2 (Black)

A request from the Metropolitan Board of Parks and Recreation to convey property, currently Brick Church Park, to Metropolitan Nashville Board of Education for the purpose of constructing the Brick Church Middle School.

Resolution No. 99-548

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 99M-085U."

Request for Bond Release
Subdivision No. 96S-270G
Cedar Bluff, Phase 2-A
J. S. Earheart, principal

Located at the east terminus of Apple Valley Road, approximately 325 feet south of Monticello Avenue.

Resolution No. 99-549

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 96S-270G, Bond No. 96BD-045, Cedar Bluff, Phase 2-A in the amount of \$16,000."

SUBAREA 5 (1996)

Subdivision Proposal No. 99S-262U
Tennessee NFL Stadium, Phase 2
Map 82-15, Parcels 28, 29 and 30
Map 93-3, Various Parcels
Map 93-7, Parcels 10, 44 and 48
District 6 (Beehan)

A request for final plat approval to create 14 lots between the south margin of James Robertson Parkway and the north margin of Franklin Street (102 acres), classified within the IR District, requested by Metropolitan Development and Housing Agency, owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

Resolution No. 99-550

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-262U, is **APPROVED WITH CONDITIONS (8-0).”**

Zone Change Proposal No. 99Z-084U
Council Bill No. O99-1723
Map 83-9, Parcels 87 (.20 acres) and 88 (.20 acres)
District 6 (Beehan)

A council bill to change from R6 to MUL district properties at 203 North 11th Street and North 11th Street (unnumbered), abutting the northeast margin of Forrest Avenue (.4 acres), requested by March Egerton, appellant/owner.

Resolution No. 99-551

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-084U is **APPROVED (8-0)**:

These properties fall within the Subarea 5 Plan’s Commercial Arterial Existing (CAE) policy calling for residential, retail, and office uses. The MUL district is consistent with CAE policy and is also appropriate for other properties around the Woodland Street/Gallatin Pike intersection. The MUL district recognizes the existing mixture of uses and provides future opportunities to integrate residential, commercial, and office activities in this urban area."

PUD Proposal No. 32-80-U
H. G. Hills Commercial PUD
Map 83-5, Part of Parcel 211
District 6 (Beehan)

A request to revise a portion of the preliminary plan and for final approval for a portion of the Commercial (General) Planned Unit Development District located abutting the northeast margin of Gallatin Pike and Eastland Avenue (.04 acres), classified CL, to add a drive-up ATM machine within the parking lot of the existing shopping center, requested by Crowder Construction Group, for First American National Bank.

Resolution No. 99-552

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 32-80-U is given **APPROVAL TO REVISE PRELIMINARY PLAN AND CONDITIONAL FINAL APPROVAL FOR A PORTION (8-0)**. 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."

SUBAREA 8 (1996)

Zone Change Proposal No. 99Z-089U
Council Bill No. O99-1749
Map 81-16, Parcels 219 (.10 acres), 220 (.17 acres), 272 (.26 acres), 273 (.11 acres), 274 (.06 acres), 275 (.02 acres), 276 (.02 acres), 279 (.06 acres) and 280 (.06 acres)
Map 81-16, Part of Parcel 267 (.38 acres),
District 20 (Haddox)

A council bill to change from R6 to OR20 district properties at 908, 910, 919 and 927 Scovel Street and 926, 928, 930, 932, and 934 Reverend Dr. Enoch Jones Boulevard, and a portion of property at 1203 9th Avenue North (1.6 acres), requested by Fifteenth Avenue Baptist Church, appellants/trustees.

Resolution No. 99-553

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-089U is **APPROVED (8-0)**:

These properties fall within the Subarea 8 Plan's Commercial Arterial Existing (CAE) policy calling for community scale retail activities around the 8th Avenue North/Jefferson Street intersection and extending up to the Kroger site on the north margin of Monroe Street between 9th and 10th Avenues North. Extending OR20 zoning westward to 10th Avenue North and northward to Monroe Street is consistent with the CAE nodal pattern. The properties west of 10th Avenue North and north of Scovel Street should remain residential and be protected from commercial encroachment along Jefferson Street and 9th Avenue North, consistent with the Subarea 8 Plan's Residential Medium (RM) policy."

Mandatory Referral Proposal No. 99M-086U
Conveyance of Park Property to the Police Department
Map 81-2, Parcel 173
District 20 (Haddox)

A request from the Metropolitan Board of Parks and Recreation to convey park property located at 26th Avenue and Clarksville Pike to the Metropolitan Police Department for the purpose of constructing the North Nashville/Bordeaux Police Precinct.

Resolution No. 99-554

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 99M-086U."

Mandatory Referral Proposal No. 99M-087U
Closure of 20th Avenue North and Alley No. 621
Map 92-7, Parcels 337, 338, and 339
District 21 (McCallister)

A request to close 20th Avenue North from Warner Street and Alley #621 to its terminus at the railroad tracks, and Alley #621 from its intersection with 20th Avenue North westward to its terminus, requested by P.A. Bowler, appellant for Second Harvest Food Bank. Easements are to be retained.

Resolution No. 99-555

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 99M-087U."

Mandatory Referral Proposal No. 99M-088U
Closure of Alley No. 216
Map 81-16, Parcel 658
Map 82-13, Parcel 23
District 20 (Haddox)

A request to close Alley #216 from Jefferson Street southward to its intersection with Alley #217, requested by Luvell L. Glanton, abutting property owner. Easements are to be retained.

Resolution No. 99-556

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 99M-088U."

SUBAREA 7 (1996)

Subdivision Proposal No. 99S-181U

Phillip Earl Estates
Map 91-9 Parcels 27 and 28
District 32 (Hand)

A request for final plat approval for four lots abutting the northeast corner of Robertson Avenue and Vernon Avenue (.80 acres), classified within the R8 District, requested by Willard Earl and Phillip E. Colgan, owner/developers, John J. O'Connor, surveyor.

Resolution No. 99-557

"**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-181U, is **APPROVED SUBJECT TO A BOND OF \$2,500.00 (8-0).**"

Zone Change Proposal No. 99Z-090U

Council Bill No. O99-1715
Map 103-8, Parcel 50 (.17 acres)
District 24 (Johns)

A council bill to change from OR20 to MUL district property at 105 45th Avenue North, approximately 50 feet north of Murphy Road (.17 acres), requested by John R. Dean, appellant, for John R. and Josephine S. Dean, owners.

Resolution No. 99-558

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-090U is **APPROVED (8-0) as amended to MUL by the Metro Council on Tuesday, July 6, 1999:**

The MUL district will contribute to this compact neighborhood commercial area by allowing a mixture of residential, office, and retail activities and encouraging pedestrian movement between land uses. The MUL district is also appropriate for the remaining commercially zoned properties around the 46th Avenue North/Murphy Road intersection. Alley No. 1190 is a solid zoning boundary between the neighborhood retail node and the surrounding residential area."

SUBAREA 9 (1996)

Zone Change Proposal No. 99Z-088U

Council Bill No. O99-1698
Map 133, Parcel 4 (195.03 acres)
Map 81-16, Parcel 203 (.34 acres)
Map 83-9, Parcel 85 (.81 acres)

Map 83-14, Parcel 26 (.18 acres)
Map 84, Parcel 13 (304.96 acres)
Map 92-14, Parcel 76 (91.28 acres)
Map 93-2, Parcel 56 (.149 acres)
Map 93-6, Parcel 1 (1.1 acres)
Map 93-9, Parcel 326 (1.38 acres)
Map 104-15, Parcel 204 (.23 acres)
Map 143, Parcel 25 (1,986.60 acres)
Map 157, Parcels 1 (461.68 acres) and 15 (4.95 acres)
District 19 (Sloss)

A council bill to apply the Historic Landmark District Overlay to various properties within Davidson County at 1001 Monroe Street (Carnegie North Library), 3777 Nolensville Pike (Croft House), 701 Broadway (Customs House), 1 Public Square (Davidson County Courthouse), 206 Gallatin Road (East Library), 1600 Holly Street (Holly Street Fire Hall), West End Avenue (unnumbered) (Parthenon), 2219 21st Avenue South (21st Avenue Fire Hall), 3130 McGavock Pike (Two Rivers Mansion), 1001 Broadway (Union Station), and various features within Warner Park, requested by the Metropolitan Historic Zoning Commission, appellants, for Metropolitan Government, owners.

Resolution No. 99-559

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-088U is **APPROVED (8-0)**:

It is appropriate to apply the Historic Landmark Overlay District since all of these properties are associated with Nashville's history and are currently listed on the National Register of Historic Places. The Historic Zoning Commission approved all of these properties as historic landmark districts on June 16, 1999."

Zone Change Proposal No. 99Z-099U
Council Bill No. O99-1724
Map 93-6-3, Part of Parcel 6
District 19 (Sloss)

A council bill to change from CF to CC a portion of property at 134 7th Avenue North, approximately 130 feet east of Church Street (2.5 acres), requested by Metropolitan Government, appellant/owners.

Resolution No. 99-560

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-099U is **APPROVED (8-0)**:

This property falls within the Subarea 9 Plan's Central Business District (CBD) policy calling for an intense concentration of retail, entertainment, office, and higher density residential uses. The CC district is consistent with CBD policy."

Mandatory Referral Proposal No. 99M-056U
Council Bill No. O99-1757
Closure of McGavock Street and 10th Avenue South
Map 93-9, Parcels 310, 313-318 and 327
District 19 (Sloss)

A council bill to close McGavock Street between 9th Avenue South and Union Station and to close 10th Avenue South between McGavock Street and Demonbreun Street, including the 10th Avenue South

extension, requested by Harold C. Fulghum of Barge, Waggoner, Sumner and Cannon, Inc., for Frist Center for Visual Arts. (Easements are to be retained). (Deferred from meeting of 6/10/99).

Resolution No. 99-561

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 99M-056U."

Mandatory Referral Proposal No. 99M-083U

Map 93-6-1, Parcels 78 and 82

District 19 (Sloss)

A request to close a one foot portion of Alley No. 74 extending from Church Street southward for 324 feet, and constructing a 3' 7" sidewalk within the alley for pedestrian safety, reducing the alley's present 14' 0" width to 10' 0", requested by Tony Giarratana of Giarratana L.L.C. Easements are to be abandoned.

Resolution No. 99-562

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 99M-083U."

Mandatory Referral Proposal No. 99M-092U

Council Bill No. O99-1765

Medical Examiner's Office Lease Agreement between Metro and the State of Tennessee

Map 93-11, Parcel 242

District 19 (Sloss)

A council bill authorizing a lease agreement between the Metropolitan Government of Nashville and Davidson County and the State of Tennessee for the operation of a medical examiner's office.

Resolution No. 99-563

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 99M-092U."

Mandatory Referral Proposal No. 99M-095U

Council Bill No. O99-1770

I-24/65 and Shelby Avenue; Woodland Street and Interstate Drive

Property Acquisition

Map 82-15, Part of Parcels 50, 51, 51 and 216

Map 93-3, Part of Parcels 12, 15, 17, 18, 22, 46, 51, 96, 117, 123, 135-138, 142, 144-147, 149, 152, 153, 164, 165, 171 and 174

Map 93-3, Parcels 164 and 165

Map 93-7, Part of Parcels 10 and 144

District 6 (Beehan)

A council bill authorizing the acquisition of property by negotiation or condemnation for interchange modifications at I-24/65 and Shelby Avenue and at Woodland Street and Interstate Drive, Project 1901-3146-44.

Resolution No. 99-564

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 99M-095U."

SUBAREA 10 (1994)

PUD Proposal No. 99P-005U

Overton Place
Map 130-8, Parcels 119 and 120
District 34 (Fentress)

A request for preliminary plan approval for a Planned Unit Development District located abutting the northeast corner of Harding Place and Estes Road, classified R20 (3.16 acres), to develop 5 single-family lots, requested by William M. Settle and Mary B. Brown, owners.

Resolution No. 99-565

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 99P-005U is given **CONDITIONAL PRELIMINARY APPROVAL (8-0)**. The following condition applies:

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."

Mandatory Referral Proposal No. 99M-101U

Green Hills Commons Sanitary Sewer Easement Abandonment
Map 117-10, Part of Parcel 140
District 25 (Kleinfelter)

A request by the Department of Water and Sewerage Services to abandon a sanitary sewer easement located in Green Hills Commons.

Resolution No. 99-566

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 99M-101U."

Request for Bond Extension

Subdivision No. 98S-092U
Village of Cherry Glen, Phase 4
Cherry Glen Partners L.P., principal
(Buildout is at 50%)

Located at the West margin of Compton Trace, east margin of Cumberland Place

Resolution No. 99-567

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 98S-092U, Bond No. 98BD-045, Village of Cherry Glen, Phase 4 in the amount of \$63,250 to 11/1/99 subject to submittal of an amendment to the present Letter of Credit by **7/24/99** which extends its expiration date to 5/1/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

SUBAREA 2 (1995)

PUD Proposal No. 98-73-G

Cone Oil Company (Hickory Hills Commercial PUD)
Map 40, Parcel 208
District 10 (Garrett)

A request to revise the preliminary plan and for final approval of a portion of the Commercial (General) Planned Unit Development District abutting the northwest margin of Hickory Hills Boulevard and Westcap Road (1.72 acres), classified OR20, to permit a 3,082 square foot convenience market/gas station, replacing a 3,600 square foot convenience market/gas station and restaurant use, requested by Walter Davidson and Associates, for Tom F. Cone, Jr., trustee.

Resolution No. 99-568

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 98-73-G is given **APPROVAL TO REVISE PRELIMINARY AND CONDITIONAL FINAL APPROVAL (8-0)**. 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.”

Request for Bond Extension

Subdivision No. 96S-246G
Hickory Hills, Section 8
Hickory Hills, Ltd., principal
[Buildout is at 0%]

Located abutting the corner of Old Hickory Boulevard and Hickory Hills Boulevard.

Resolution No. 99-569

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 96S-246G, Bond No. 96BD-047, Hickory Hills, Section 8 in the amount of \$53,000 to 7/1/2000 subject to submittal of an amendment to the present Letter of Credit by **8/8/99** which extends its expiration date to 1/2/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

SUBAREA 4 (1998)

PUD Proposal No. 107-85-P

Council Bill No. O99-1752
Lawrence Avenue Residential PUD
Map 43-1, Parcel 220
District 9 (Dillard)

A council bill to cancel the undeveloped Reduced Site Size Residential Planned Unit Development District abutting the east margin of Pierce Road, adjacent to Lawrence Avenue (1.50 acres), classified RS7.5,

approved for a 14 unit residential complex, requested by Charles Rhoten, for Jerry Hargis and Joe Crockett, owners.

Resolution No. 99-570

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 107-85-P is given **APPROVAL (8-0)**. The following condition applies:

Approval of PUD cancellation by the Metropolitan Council.”

PUD Proposal No. 205-83-G

Rivergate Place
Map 34-6, Part of Parcel 8
District 10 (Garrett)

A request to revise the preliminary plan and for final approval for a phase of the Commercial (General) Planned Unit Development located abutting the northeast margin of Myatt Drive southeast of Cude Lane, classified CS, (.05 acres), to add a 180 foot communication tower and associated equipment buildings, requested by GTE Wireless for Sofa Connection, Inc., owner.

Resolution No. 99-571

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 205-83-G is given **APPROVAL TO REVISE THE PRELIMINARY AND CONDITIONAL FINAL APPROVAL (8-0)**. 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.”

Request for Bond Release

Subdivision No. 98S-058G
Northside Marketplace
Davevest Associates, L.P., principal

Located abutting the south margin of Gallatin Pike, approximately 1,520 feet west of Cumberland Drive.

Resolution No. 99-572

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 98S-058G, Bond No. 98BD-036, Northside Market Place in the amount of \$2,000.”

SUBAREA 11 (1993)

Mandatory Referral Proposal No. 99M-099U

Council Bill No. 099-1764
Memorandum of Understanding Between Metro and
Averitt Properties, Inc.
Map 119-16, Parcels 17 and 91
District 27 (Sontany)

A council bill authorizing the Metropolitan Government of Nashville and Davidson County to enter into a Memorandum of Understanding with Averitt Properties, Inc. of Tennessee concerning disposition of certain property and relocation of the Metropolitan Government's salt storage facility

Resolution No. 99-573

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 99M-099U."

This concluded the items one the consent agenda.

DEVELOPMENT MONITORING AGENDA OVERVIEW

Mr. John Boyle gave the Commission a broad overview of residential lots and other development being proposed on the agenda. He indicated the areas of the county experiencing this growth and the status of infrastructure to support the growth.

TEXT AMENDMENTS

Zone Change Proposal No. 99Z-014T
Council Bill No. 099-1753

A council bill modifying the Zoning Regulations, Section 17.04.060 (Definitions) for "Outpatient Clinic" to have it encompass "Ambulatory Surgical Treatment Centers" as defined by state law, sponsored by Councilmembers Eileen Beehan and Tim Garrett.

Zone Change Proposal No. 99Z-015T
Council Bill No. 099-1754

A council bill amending the Zoning Regulations as follows: Sections 17.040.060 (Definitions of General Terms) relating to outpatient clinic, personal care services and distributive business/wholesale; 17.08.030 (District Land Use Table) by making personal care services permitted in the IWD and IR Districts; 17.12.060 (Special Floor Area Ratio Provision) to not count square footage devoted to a parking garage towards floor area ratio (FAR); 17.24.030.C to clarify the landscaping provisions as not applying to platted single-family and two-family dwellings for which a valid building permit has been issued, sponsored by Councilmember Phil Ponder.

Ms. Regen stated staff is recommending disapproval of Zone Change Proposal 99Z-014T because the provisions of that proposed bill are included in 99Z-015T in an improved way. Staff is in support of 99Z-015T with the exception of personal care services in the IWD and IR Districts, which is not consistent with the industrial policy.

Councilmember Garrett asked if the Commission could pull the personal care services portion out and approve the rest of the bill.

Councilmember Ponder asked the Commission to approve the bill omitting the personal care services phrase and he would amend that portion out of the ordinance.

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

Resolution No. 99-574

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-014T is **DISAPPROVED (8-0)**:

This council bill proposes to modify the definition of 'Outpatient Clinic' to include 'Ambulatory Surgical Treatment Centers' as defined by state law. The same objective is more clearly provided in Zone Change Proposal No. 99Z-015T."

"BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-015T is **APPROVED (8-0) with the elimination of the Personal Care Services portion of this council bill:**

This council bill, if amended to eliminate personal care services in the IR and IWD districts, proposes to accomplish the following: amend the definition of outpatient clinic; amend the definition of distributive business/wholesale; exempt square footage for a parking garage in the calculation of floor area ratio; and to exempt single and two-family platted lots with valid building permits from the landscaping provisions of the Zoning Regulations.

All of these text amendments are appropriate. Allowing 'Personal Care Services' in the IWD and IR districts would allow the opportunity for non-industrial land uses to consume scarce vacant industrial properties which will further reduce industrial opportunities. Ample opportunities exist for retail and personal services kinds of uses to locate in office, commercial, and shopping center districts."

Councilmember Garrett stated he would withdraw Bill No. O99-1753.

Zone Change Proposal No. 99Z-016T
Council Bill No. O99-1755

A council bill amending the Zoning Regulations as follows: Section 17.28.040(B), Table 17.28.040A, and Table 17.28.040(B) to eliminate the floodplain regulations, sponsored by Councilmember Phil Ponder.

Ms. Regen stated staff is recommending disapproval of this bill because the Stormwater Management Committee has not completed its work of revising the stormwater regulations.

Councilmember Ponder stated the Floodplain Review Committee completed their work and has submitted a change to the Director of Public Works who in turn has submitted the change to the Mayor. If this bill is approved the committee that was the Stormwater Review Committee would be reassembled to review it to give this Commission a reading on whether the tables should still be removed from the zoning ordinance. Further, that committee would recommend eliminating regulation of flood zones within the zoning ordinance only if this committee determines that the stormwater regulations are strengthened enough so that any review on commercial building in floodplains could be decided by the stormwater review process rather than by the zoning ordinance. He requested the Commission defer this matter until some word from the Mayor is received.

Mr. Browning stated this Commission is required to respond to the Council within 30 days. Any deferral here could be interpreted as no action unless there is a commitment on the part of the Council to extend the time this body has to review this matter, and that would mean this would have to be deferred at the Council also.

Councilmember Ponder stated it would be his intention to defer this matter at the Council.

Mr. Manier moved and Ms. Warren seconded the motion, which carried unanimously to defer this matter.

SUBAREA 14 (1996)

Subdivision Proposal No. 99S-238G (Public Hearing)

Stoners Glen
Map 75, Parcels 54, 66 and 67
District 12 (Ponder)

A request for preliminary approval for 76 condominium units and one single-family lot abutting the northeast margin of Andrew Jackson Parkway and the northwest margin of Nashville & Eastern Railroad (52.42 acres), classified within the RM2 District, requested by B & P Development, Inc., owner/developer, Anderson-Delk and Associates, Inc., surveyor.

Mr. Calleja stated staff feels variances are warranted and is recommending conditional approval subject to variances for the maximum length of a cul-de-sac and for lots three times the maximum lot size.

Councilmember Ponder spoke in favor of this proposal.

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

Resolution No. 99-575

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-238G, is **APPROVED WITH VARIANCES TO SECTIONS 2-4.2.D AND 2-6.2.1 OF THE SUBDIVISION REGULATIONS; PUBLIC HEARING CLOSED (8-0).”**

Subdivision Proposal No. 99S-254G (Public Hearing)

Windsong Subdivision
Map 98, Parcels 141 and 142
District 12 (Ponder)

A request for preliminary approval for 24 lots abutting the east margin of South New Hope Road, approximately 185 feet south of John Hager Road (9.8 acres), classified within the RS15 District, requested by McCulloch Company, owner/developer, Dale and Associates, Inc., surveyor.

Mr. Calleja stated staff is recommending approval of this cluster lot subdivision subject to approval from Water Services and Public Works. This subdivision meets all cluster lot provisions, and provides open space and buffers along the lots. Road connections have been provided to the north and to the east.

Ms. Mary H. Bruce, adjacent property owner, asked that the developer put a privacy fence between her property and the subdivision to keep children out of an existing pond.

Chairman Lawson explained that was something the Commission could not put as a condition for this development.

Ms. Bruce also expressed concerns regarding drainage and stated there is already a Tyler Drive in Hermitage.

Councilmember Ponder stated he would be happy to work with Ms. Bruce, the developer and engineer to ease the situation on her piece of property.

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

Resolution No. 99-576

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-254G, is **APPROVED SUBJECT TO APPROVAL OF THE DEPARTMENTS OF PUBLIC WORKS AND WATER SERVICES; PUBLIC HEARING CLOSED (8-0).”**

Subdivision Proposal No. 99S-201U
Gil Smith Estates, Resubdivision of Lot 1
Map 108-8, Parcel 10
District 14 (Stanley)

A request for final plat approval to subdivide one parcel into two lots abutting the north margin of Elm Hill Pike, approximately 190 feet west of White Pine Drive (1.82 acres), classified within the RS10 District, requested by Gil Smith, owner/developer, MEC, Inc., surveyor. (Deferred from meetings of 5/27/99 and 6/10/99).

Mr. Calleja stated staff is recommending conditional approval subject to approval from the Department of Public Works and a variance for lots three times the maximum lot size. Lot two exceeds the three times the minimum lot size because of steep topography.

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

Resolution No. 99-577

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-201U, is **APPROVED SUBJECT TO APPROVAL FROM THE DEPARTMENTS OF PUBLIC WORKS AND WATER SERVICES WITH A VARIANCE TO SECTION 2-4.2.D OF THE SUBDIVISION REGULATIONS (8-0).”**

Zone Change Proposal No. 99Z-054U
Council Bill No. O99-1730
Map 62, Parcel 71
District 15 (Dale)

A council bill 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 and 5/27/99).

Ms. Regen stated staff is recommending disapproval of this proposal because the property falls within a residential policy.

Mr. S. H. Morris, father of the property owner, stated this property was locked in by the Waffle House on the north, a church to the south, Metro School Board property to the east and a fire hall to the west.

Ms. Regen stated this property was purchased from Nashville Electric Service and had a previous utility use which was allowed in a residential zone. One thing that is confusing about this rezoning is that there seems to be uses other than residential nearby, but school, church, fire hall and NES power station uses are all allowed within a residential area.

Ms. Warren stated she agreed with Ms. Regen's comment regarding residential exception uses but that this property looks like a residential spot zone and personally she would not want to have a home on that property because it is surrounded by exceptions.

Councilmember Garrett agreed with Ms. Warren and stated there was nothing else to do with the property except to put some type of commercial establishment on it.

Mr. Manier stated that even though there are residential uses that are permitted there is an overload of them near this property, but this is not a created situation. They buyer bought into it and therefore was not caught unaware. What he saw is what he got and this Commission is not a body to be giving relief for that situation.

Councilmember Garrett stated the only way this property would be beneficial to the government would be to change the zoning and get it back on the tax rolls.

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

Resolution No. 99-578

"BE IT RESOLVED by the Metropolitan Planning Commission that the following Zone Change Proposal No. 99Z-054U is **APPROVED (7-1)**:

This property falls between a fire station to the north, a restaurant to the west, and a church to the south. The CL district is appropriate between these uses since it is unlikely a residential use will be developed in the future on this vacant piece of property."

Zone Change Proposal No. 99Z-081U

Council Bill No. 099-1747

Map 95-4, Parcel 92

District 15 (Dale)

A council bill to change from RS10 to CL district property at 2501 Crossfield Drive, abutting the east margin of McGavock Pike (.37 acres), requested by Miguel Burgess, appellant, for Mable G. Hooper, owner.

Ms. Regen stated staff is recommending disapproval of this item as contrary to the General Plan. The Commission disapproved a rezoning as contrary to the General Plan last year across the street finding Crossfield Drive serving as a boundary between the commercial uses along Lebanon Pike and the residential uses along McGavock Pike.

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

Resolution No. 99-579

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-081U is **DISAPPROVED (8-0) as contrary to the General Plan:**

These properties fall within the Subarea 14 Plan's Residential Low Medium (RLM) policy calling for up to 4 units per acre. As a commercial district, CL zoning does not implement RLM policy. Crossfield Drive is the boundary between the Commercial Arterial Existing (CAE) policy (office, commercial, and higher density residential uses) around the McGavock Pike/Lebanon Pike intersection and the Residential Low Medium (RLM) policy to the south. Extending commercial zoning across Crossfield Drive would encroach into this residential neighborhood."

After the commission's action to disapprove, Ms. Regen stated the applicant was present and had requested to speak regarding Zone Change Proposal No. 99Z-081U.

Mr. Miguel Burgess, applicant, explained he needed this rezoning to expand his practice and asked the Commission for approval.

Chairman Lawson asked if the Commission wished to rehear that proposal.

The Commission did not reconsider its action on Zone Change Proposal No. 99Z-081U.

Zone Change Proposal No. 99Z-091U
Council Bill No. O99-1751
Map 94, Parcels 60 (1.23 acres) and 62 (1 acre)
District 15 (Dale)

A council bill to change from RS10 to IWD district properties at 1736 and 1740 Lebanon Pike, approximately 50 feet west of Clovernook Drive (2.23 acres), requested by William Boyd Adams, appellant, for William B. Adams et ux and Deborah K. Ferrell, owners.

Ms. Regen stated staff is recommending disapproval of this rezoning as contrary to the General Plan. Last year Councilmember Dale requested a subarea plan amendment for this portion of Lebanon Pike calling for commercial and industrial uses. The subarea plan specifically identified the north side of Lebanon Pike should remain residential.

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

Resolution No. 99-580

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-091U is **DISAPPROVED (8-0) as contrary to the General Plan:**

These properties fall within the Subarea 14 Plan's Residential Low Medium (RLM) policy calling for up to 4 units per acre. As an industrial district, IWD zoning does not implement RLM policy and would adversely impact the residential subdivision to the north and east. Industrial zoning is appropriate across the street on the south side of Lebanon Pike."

Zone Change Proposal No. 99Z-092G
Council Bill No. O99-1716
Map 52, Parcel 10
District 15 (Dale)

A council bill to rezone from AR2a to RM9 district property at Barton Lane (unnumbered), abutting the eastern terminus of Delta Queen Drive and the southern margin of the Cumberland River (159.64 acres), requested by Russ Morris of Eakin & Smith, appellant, for Sisters of Mercy of Nashville, Tennessee, owners.

Ms. Regen stated this bill had been amended by Councilmember Dale to RM4 zoning to allow for 4 units per acre. Staff previously recommended disapproval of the RM9 zoning finding it inconsistent with the residential policy in the area but did indicate that if this bill were amended to RM4 staff would support it.

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

Resolution No. 99-581

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-092G is **APPROVED (8-0)** as amended to RM4 by the Metropolitan Council on Tuesday, **July 6, 1999:**

This property falls within the Subarea 14 Plan's Natural Conservation (NC) and Residential Low Medium (RLM) policies calling for protection of the Cumberland River floodplain and residential development at up to 4 units per acre. The RM4 district is consistent with RLM policy and the adjacent multi-family zoning to the east. The floodplain provisions of the Zoning Regulations should sufficiently protect the Cumberland River floodplain."

Request for Bond Extension

Subdivision No. 97S-478G

Sunset Oaks, Section 4

B & P Developments, Inc., principal

[Buildout is at 75%]

Located abutting the east margin of Tulip Grove Road, approximately 80 feet north of Tulip Grove Lane.

Mr. Calleja stated staff is recommending disapproval of this bond extension and requesting authorization for collection for final paving and sidewalks. The applicant has until October 8, 1999, to complete all work.

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

Resolution No. 99-582

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **DISAPPROVES** the request for extension and authorizes collection of a performance bond for Subdivision No. 97S-478G, Bond No. 98BD-023, Sunset Oaks, Section 4 in the amount of \$71,000 unless final paving and sidewalks are completed by 10/8/99."

SUBAREA 13 (1996)

Subdivision Proposal No. 99S-243G (Public Hearing)

Park Place Subdivision

Map 175, Parcel 75

District 29 (Holloway)

A request for preliminary approval for 36 lots abutting the northeast margin of Murfreesboro Pike, approximately 1,000 feet northwest of LaVergne-Couchville (17.45 acres), classified within the RM6 and RM20 Districts, requested by Park Place Ventures, LLC, owner/developer, SEC, Inc., surveyor.

Mr. Calleja stated there is a TVA easement that runs between the single family structure and the multi-family lots. This subdivision meets the Subdivision Regulations and staff is recommending approval.

No one was present to speak at the public hearing.

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. 99-583

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-243G, is **APPROVED; PUBLIC HEARING CLOSED (8-0).”**

SUBAREA 12 (1997)

Subdivision Proposal No. 99S-253G (Public Hearing)

Cane Ridge Farms
Map 174, Parcels 17, 84, 204 and 205
District 31 (Alexander)

A request for preliminary approval for 503 lots abutting the southwest margin of Cane Ridge Road, approximately 2,000 feet south of Old Franklin Road (162 acres), classified within the RS10 District, requested by Steven Dotson, owner/developer, Dale and Associates, Inc., surveyor.

Mr. Calleja stated this applicant has requested a 4 week deferral, until the August 5, 1999, Commission meeting because staff has asked them to make changes to the roadway network and to the lot layout.

An unidentified man asked if there were plans to improve Cain Ridge Road.

Mr. Calleja stated the road is able to handle traffic from this project; however, they are realigning Cain Ridge Road in front of the property.

Ms. Warren moved and Mr. Small seconded the motion, which carried unanimously, to leave the public hearing open and defer this matter four weeks.

Subdivision Proposal No. 99S-246U

Lake Providence Missionary Baptist Church Subdivision
Map 147-7, Parcels 194, 195, 196, 208 and 209
District 26 (Arriola)

A request for final plat approval to reconfigure three lots and two parcels into two lots abutting the south margin of Alice Street and the north margin of Higgins Street (1.4 acres), classified within the R6 District, requested by Lake Providence Missionary Baptist Church, owner/developer, Thornton and Associates, Inc., surveyor.

Mr. Calleja stated staff is recommending conditional approval subject to the dedication of five feet of right-of-way along the northern side of Higgins Road and a variance from the three times the minimum lot size. The church is trying to add parking to their facilities by taking three lots and two parcels and consolidating them into two lots, which creates the three times the minimum lot size problem.

Mr. Bruce Maxwell, pastor of Lake Providence Missionary Baptist Church, stated he had a letter from the property owner saying he would dedicate the five feet of right-of-way.

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

Resolution No. 99-584

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-246U, is **APPROVED SUBJECT TO DEDICATION OF FIVE FEET OF RIGHT-OF-WAY ON HIGGINS ROAD AND A VARIANCE TO SECTION 2-4.2.D OF THE SUBDIVISION REGULATIONS (8-0).”**

PUD Proposal No. 68-82-U
Brentwood Oaks, Phase II
Map 172, Parcel 167 and Part of Parcel 113
District 31 (Alexander)

A request to revise a portion of the preliminary plan of the Residential Planned Unit Development District located abutting the south margin of Old Hickory Boulevard at the terminus of Woodland Hills Drive (11.5 acres), classified R15, to develop 12 single-family lots, replacing 38 single-family lots, for Samuel H. Hagan and Robert T. Philips, requested by Barge, Waggoner, Sumner and Cannon, for Hardaway Construction Corporation of Tennessee, owners.

Ms. Regen stated the developer has reduced the amount of lots from 38 to 12 single family lots because of topography, which will need a variance from the Subdivision Regulations for the steepness of the private street of 13 percent grade. Staff is recommending conditional approval of this preliminary plan revision with the variance.

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

Resolution No. 99-585

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 68-82-U is given **CONDITIONAL APPROVAL TO REVISE PRELIMINARY PLAN WITH A VARIANCE TO THE SUBDIVISION REGULATIONS FOR MAXIMUM STREET GRADE (8-0)**. 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. All driveways for the proposed 12 single-family lots shall conform to the slope and grade requirements as outlined in the Subdivision Regulations.
3. In conjunction with the submittal of final PUD plans, all proposed critical lots shall be designated on the plans in accordance with the Subdivision Regulations. Planning Commission and Public Works staff may modify the number and or location of critical lots.”

Mandatory Referral Proposal No. 99M-097U
Council Bill No. O99-1772
Edmondson Pike and Cloverland Drive Property Acquisition
Map 172, Portions of Parcels 9, 10 and 12.01
Map 172-5, Portions of Parcels 2 and 3
District 31 (Alexander)
District 32 (Jenkins)

A council bill authorizing the acquisition of property by negotiation or condemnation for intersection improvements at Edmondson Pike and Cloverland Drive, Project No. 97-R-11A.

Mr. Calleja stated staff is recommending approval of this proposal. In order to undertake this project, necessary right-of-way and easements must be acquired.

Mr. Reed Working, property owner, stated he was not necessarily opposed to this project but hoped he and other property owners would get a fair price for their property.

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

Resolution No. 99-586

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 99M-097U."

Consideration of Bond Collection

Subdivision No. 97S-006U

Farokh Fani Property

Farokh Fani, principal

[Buildout is at 100%]

Located abutting the north margin of Bell Road, approximately 3,700 feet southwest of Blue Hole Road.

Mr. Calleja stated this bond covers sewer facilities and buildout is a 100% and asked the Commission for authorization to collect unless required water and sewer testing has commenced by July 22, 1999.

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

Resolution No. 99-587

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby AUTHORIZES the collection of a performance bond for Subdivision No. 97S-006U, Bond No. 97BD-039, Farokh Fani Property in the amount of \$12,000 unless the required Water & Sewer testing process has commenced by 7/22/99 and an extension of the Letter of Credit is submitted immediately."

Consideration of Bond Collection

Subdivision No. 98S-039U

Hickory Bell Retail

Farokh Fani, principal

[Buildout is at 100%]

Located abutting the south margin of Old Hickory Boulevard, approximately 910 feet east of Nolensville Road.

Mr. Calleja asked the Commission for authorization for collection of the performance bond unless the Deeds of Conveyance and a Hold Harmless Agreement are executed by July 22, 1999.

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

Resolution No. 99-588

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby AUTHORIZES the collection of a performance bond for Subdivision No. 98S-039U, Bond No. 98BD-013U, Hickory Bell Retail in the amount of \$3,000 unless the Deeds of Conveyance and a Hold Harmless Agreement are executed by 7/22/99."

SUBAREA 6 (1996)

Subdivision Proposal No. 99S-242G (Public Hearing)

Lacap Subdivision
Map 142, Parcel 18
District 23 (Crafton)

A request for preliminary and final plat approval to create four lots abutting the northeast margin of Hicks Road, approximately 200 feet north of Still Springs Hollow Drive (3.62 acres), classified within the R20 District, requested by Macario and Remedios Lacap, owners/developers, Chapdelaine and Associates, surveyor.

Mr. Calleja stated the applicant has requested an indefinite deferral on this proposal.

No one was present to speak at the public hearing.

Mr. Small moved and Ms. Warren seconded the motion, which carried unanimously, to defer this matter indefinitely.

Subdivision Proposal No. 99S-252G (Public Hearing)

Harpeth Valley Office Park
Map 127, Parcel 85
District 23 (Crafton)

A request for preliminary approval for 12 lots abutting the northeast corner of George E. Horn Road and Harpeth Valley Road (5.94 acres), classified within the OL District, requested by Edward M. Polk, owner/developer, Hart-Freeland-Roberts, Inc., surveyor.

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

No one was present to speak at the public hearing.

Ms. Warren moved and Ms. Oglesby seconded the motion, which carried unanimously, to defer this matter for two weeks and to keep open the public hearing.

Subdivision Proposal No. 99S-210G

Laura Ellen Subdivision
Map 114, Parcel 117
District 23 (Crafton)

A request for final plat approval to subdivide one parcel into two lots abutting the west margin of Old Hickory Boulevard and the southwest margin of Charlotte Pike (2.17 acres), classified within the CS District, requested by Laura Ellen Parks, owner/developer, H. & H. Surveying, Inc., surveyor.

Mr. Calleja stated this subdivision was heard by the Commission at the June 10, 1999, meeting as an addendum. The Commission voted 8-0 to disapprove the request. The applicant has asked this item be reconsidered because the applicant was not aware the matter was being considered on June 10. Staff is recommending a rehearing.

When this was originally submitted to the Planning Commission for review, staff thought the application could be reviewed administratively since it was a request for only two lots. However, because of the lack of 50 feet of street frontage for the commercial lot on Charlotte Pike, it requires Planning Commission approval of a variance. The matter was captioned for the commission meeting on June.

Mr. Manier moved and Ms. Warren seconded the motion, which carried unanimously, to rehear Subdivision 99S-210G.

This is a request for final plat approval to subdivide one parcel into two lots on Old Hickory Boulevard and Charlotte Pike. The applicant wants to split the existing parcel along the residential and commercial zoning lines. 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 street frontage. 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, the 34.28 feet in frontage will not be sufficient to accommodate the potential uses permitted in the CS District by right on the property in the future. Therefore, staff is recommending disapproval.

Councilmembers Crafton and Lineweaver spoke in favor of this subdivision proposal.

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

Resolution No. 99-589

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-210G, **IS DISAPPROVED (8-0).”**

Zone Change Proposal No. 99Z-093U

Council Bill No. O99-1717

Map 142, Parcels 29.2 (1.02 acres) and 29.3 (.98 acres)

District 35 (Lineweaver)

A council bill to change from ON to CL district properties at 7513 and 7523 Highway 70 South, at the southeast corner of Sawyer Brown Road and Highway 100 (2 acres), requested by Bill Lockwood, appellant, for C. M. Jones et ux, and Forrest B. Ferguson et ux, owners.

PUD Proposal No. 94P-025G

Council Bill No. O99-1718

Bellevue Commercial PUD

Map 142, Parcels 29.01, 29.02, 29.03 and 252

District 35 (Lineweaver)

A council bill to amend the Commercial (General) Planned Unit Development District located abutting the southeast corner of Sawyer Brown Road and Highway 100 (3.58 acres), classified ON with a portion proposed for CL, to permit a 5,000 square foot bank, 8,600 square foot restaurant and a 4,000 square foot office building, replacing a 15,000 square foot office/medical building and a 5,000 square foot bank, requested by Barge, Waggoner, Sumner and Cannon, for John R. Lindahl, Forrest B. Ferguson, C. M. Jones and Elvis L. Wallace, owners.

Ms. Regen stated staff is recommending disapproval because this existing ON district is intended for low intensity office development. The proposed CL district is intended for a limited range of retail trade and commercial services for a moderately wide market area. Surrounding uses include condominiums to the west, vacant land, single-family homes and condominiums to the south and single-family homes to the north.

Staff recommends disapproval as contrary to the General Plan since the CL district is not consistent with the subarea 6 Plan's Office Transitional policy. That policy calls for an office transition from the Bellevue Mall to the residential policy on both sides of Highway 70 South and east of Sawyer Brown Road. The CL district allows retail uses which do not implement OT policy. If CL zoning is approved for these two parcels, it could encourage CL zoning for the remaining five properties to the east and adversely impact the surrounding residential areas. Such a zoning decision to allow retail uses would be counter to the Planning

Commission's decision to approve office zoning on parcels 252, 29.02,29.03 and 29 on November 17, 1994. The Planning Commission decided that office zoning was an appropriate land use transition between the retail development on the west side of Sawyer Brown Road the residential uses along Highway 70 South, east of Sawyer Brown Road. The Commission noted that office zoning at this location would fill out the commercial zoning pattern by aligning with the eastern edge of the office zoning across Highway 70 South to the North. The Commission made this determination to apply OT policy on these four parcels after much deliberation and concern that the residential neighborhoods to the north and east should be protected from commercial encroachment.

Councilmember Vic Lineweaver spoke in favor of the proposal and stated the Bellevue area needed more restaurants and that Lubby's would be a first class operation.

Mr. Bill Lockwood, Mr. Roy Shaneberg, and Mr. Richard Jones explained the plans to the Commission.

Mr. Eli Jacobs and Mr. Jimmy Vance spoke in favor of the proposal and stated Bellevue needs good restaurants, stated this is a good location, and asked the Commission for approval.

Councilmember Eric Crafton, Lou Ferringer, Jeffrey Wells, Karen Hieronymus, Walter Prichard, Karen Webb, Nancy Teaguard, Louise Fontechio, Olivia Sawyer and John Rumble spoke in opposition to this proposal and expressed concerns regarding destruction of the Subarea 6 Plan, spot zoning, the location (and suggested it could locate in the mall), setting a bad precedent for further development, residential encroachment, commercial creep, safety, vandalism, traffic, property depreciation, trash, health and rodents and asked the Commission to disapprove this proposal as contrary to the General Plan.

Councilmember Lineweaver stated Don Jones, Metro Council Legal Counsel, had drafted a letter stating that if this plan is approved, if the applicant/optionee tried to construct anything besides a cafeteria/restaurant that the property will revert back to office use.

Mr. Manier stated that when this area came up before it stirred up a lot of animosity. What is on the ground now is a compromise. At that time everyone said, give us this and we won't be back. However, they are back, and if its not them it is somebody else. The Hicks Road corner with 70 South created the same controversy. If it is the will of the Commission to accept commercial retail development on this corner, then the General Plan will have to be changed. This proposal is contrary to the General Plan whether it is at the borderline or not. In the case of changing the General Plan the committee would have to be recalled.

Ms. Warren stated that the fact that the subarea plan was reviewed within the last two years, people spoke then and the plan should not be changed.

Mr. Cochran agreed with Mr. Manier and Ms. Warren.

Ms. Oglesby stated this residential area is an important one to protect.

Mr. Small agreed with Mr. Manier and stated that when you start to encroach on the development plan that is already established and have residents like the ones present that are very much against this type of development there should be other options taken in order to make this proposal work. The land use should be looked at rather than Lubby's. These residents have a right to expect that when a decision is made here that we live by it and if we don't live by it then we have the opportunity to go back and review and study the plan. He agreed with the plan that has been set fourth and felt it should not be changed.

Ms. Jones stated that as a Bellevue resident maybe a revision or revisit to the General Plan needs to happen. Bellevue is a wonderful place to live but every artery is jam packed with multi-family. There is an outpouring of cars at all of those places. There are 8 or 9 banks, which seems to be the only office that chooses to relocate to Bellevue and that she didn't recall any new office buildings being built in Bellevue since she has been there. There is land that is zoned for office. There is land that is zoned for multi-family right next to it, which is just more on that artery. There must be services for the community and there was a

good thought of what the citizens wanted Bellevue to be, with offices and restaurants, but it is not happening the way we thought we wanted it. So there is nowhere to eat. There are a lot of things Bellevue doesn't have and there are restaurants in the mall and to suggest we force these people to locate in the mall, which has a written long history of no restaurants making it, is more dreaming. If there is a proper way, maybe the plan does need to be revisited because this location seems to be a proper one.

Chairman Lawson stated he seemed to agree with Ms. Jones and that the important message is the General Plan.

Councilmember Garrett stated that every time he has seen a survey from the Bellevue Chamber of Commerce, the number one request is for places to eat and it has been like that for as long as he could remember. Perhaps the advisory group needs to get together and look at trying to offer more spaces to put this.

Ms. Jones stated that if Bellevue continues to have land that is zoned for office that nobody is pulling permits for or developing it should tell us something.

Mr. Manier moved and Ms. Warren seconded the motion, which carried with Ms. Jones and Chairman Lawson in opposition, to approve the following resolution:

Resolution No. 99-590

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-093U is **DISAPPROVED (6-2) as contrary to the General Plan:**

These properties fall within the Subarea 6 Plan's Office Transitional (OT) policy calling for an office transition from the Bellevue Mall to the residential policy on both sides of Highway 70 and east of Sawyer Brown Road. The CL district is not consistent with OT policy since it allows commercial and retail uses. OT policy was applied to the four parcels on the southeast corner of the Highway 70/Sawyer Brown Road intersection after much deliberation and concern that the residential neighborhoods to the north and south should be protected from commercial encroachment."

"BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that Proposal No. 94P-025G is given **DISSAPROVAL AS CONTRARY TO THE GENERAL PLAN (6-2):**

Staff recommends disapproval of this PUD amendment as contrary to the General Plan. The Office Transitional policy on this side of Highway 70 was intended to provide a buffer to the residential uses to the south from the Bellevue Mall. CL zoning and its permitted retail, restaurant and commercial uses does not implement OT policy. If retail uses were allowed at this location it would establish a precedent for commercial zoning implementing OT policy."

SUBAREA 3 (1996)

Zone Change Proposal No. 99Z-083U
Map 71-1, Parcel 87
District 2 (Black)

A request to change from RS7.5 to CS district property at 415 West Trinity Lane, abutting the south margin of Monticello Drive (4.86 acres), requested by Saeed Sassan, appellant, for W. G. Quarles, Jr., owner.

Ms. Regen stated staff is recommending disapproval of this rezoning because approximately half way down the property frontage on Trinity towards Monticello Drive turns into residential policy. If this property were zoned commercial the CS district would not be the proper zoning.

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

Resolution No. 99-591

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-083U is **DISAPPROVED (6-0)**:

This property falls within the Subarea 3 Plan's Commercial Arterial Existing (CAE) policy calling for retail, office, and higher density residential uses along West Trinity Lane and Residential Low Medium (RLM) policy calling for up to 4 units per acre. The proposed CS district extends too far back into the Monticello Drive residential area. The CS district's range of permitted uses is too intense for this area as well. The CL and CN districts are the preferred zoning districts and were applied by the Metro Council in January, 1998 to nearby properties in an effort to clean up this commercial area."

Zone Change Proposal No. 99Z-085G
Council Bill No. O99-1728
Map 68, Parcel 57
District 1 (Patton)

A council bill to change from AR2a to RS40 district property at Ashland City Highway (unnumbered), approximately 500 feet east of Amy Lynn Drive (1 acre), requested by Charles. S. and Timothy M. Huddleston, appellants/owners.

Ms. Regen stated staff is recommending disapproval because the property falls within the Natural Conservation Policy within the Subarea 3 Plan. This area does not have sewer service at the present time and staff feels that by placing RS40 zoning on this property would be establishing a precedent that this area could develop with more single family subdivisions and adequate infrastructure is not in place to serve additional subdivision. This property was created by deed in 1973 and is an illegal lot.

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

Resolution No. 99-592

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-085G is **DISAPPROVED (8-0)**:

This property falls within the Subarea 3 Plan's Natural Conservation (NC) policy calling for up to 4 units per acre and for protection of the area's steep hillsides. The RS40 district is a spot zone and it is not appropriate to intensify the agricultural (AR2a) zoning in this area since there is no sewer service available nor anticipated."

SUBAREA 5 (1996)

Subdivision Proposal No. 99S-241U
James J. Pryor Heirs Subdivision,

Resubdivision of Lot 3 and Part of Lot 2
Map 83-2, Parcel 245
District 6 (Beehan)

A request for final plat approval to subdivide one lot and a portion of one lot into three lots abutting the north margin of Greenwood Avenue, approximately 155 feet east of Chapel Avenue (1.12 acres), classified within the R6 District, requested by B. R. Ellis, owner/developer, Survey Solutions, surveyor.

Mr. Calleja stated this lot was platted in the 1940's and staff is recommending conditional approval subject to a variance from the depth to width ratio in the Subdivision Regulations.

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

Resolution No. 99-593

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-241U, is **APPROVED WITH A VARIANCE TO SECTION 2-4.2.E OF THE SUBDIVISION REGULATIONS (8-0).”**

Zone Change Proposal No. 99Z-086U
Council Bill No. O99-1748
Map 72-11, Parcels 341 (.25 acres), 342 (.15 acres),
343 (.18 acres) and 344 (.15 acres)
District 7 (Campbell)

A council bill to change from R6 to RM15 district properties at Rebecca Street (unnumbered), abutting the south margin of Harding Street (.73 acres), requested by Harold Thompson, appellant, for First Baptist Church of South Inglewood, owners.

Ms. Regen stated the applicant wants RM15 zoning in order to expand the church and provide a variety of uses, mainly an assisted living care facility with 10 units. In order to do 10 units on this property, which is less than 1 acre they feel they need RM15 zoning, although, just prior to this presentation the applicant indicated he would be willing to accept RM6 zoning. This area is an area of single family and duplex structures. The area consists of R6 and R10 zoning and applying any RM zoning would be introducing multi-family zoning into this single family/duplex family area. The RM15 zoning exceeds the policy, which allows only 9 units per acre.

Mr. Harold Thompson, Mr. Henry Smith and Ms. Mary Morris Taylor spoke in favor of the request and explained the plan and asked the Commission for approval.

Mr. Small stated this proposal reminded him of the previous rezoning for Morning Star Church property that had been referred back to the Commission from Council. The first time they were before this Commission everyone was passionate about trying to help them accomplish what they wanted to help the whole neighborhood. Everyone got the impression from the minister that was here that is what the neighborhood wanted but when it was referred back there was substantial neighborhood opposition.

Mr. Manier suggested the Commission turn this proposal down but at the same time address the Zoning Ordinance in a way that would accommodate the problems for churches.

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

Resolution No. 99-594

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-086U is **DISAPPROVED (8-0) as contrary to the General Plan:**

These properties fall within the Subarea 5 Plan's Residential Medium (RM) policy calling for 4 to 9 units per acre. By permitting 15 units per acre, the RM15 district exceeds the RM policy's density. The RM15 district is also inconsistent with the area's predominant single-family and duplex development pattern."

Councilmember Garrett stated he would pass the word to Councilmember Campbell this Commission may give this proposal a positive recommendation if he were to amend the bill to RM6 at tonight's Council meeting.

Zone Change Proposal No. 99Z-098U
Map 61-15, Parcel 52
District 8 (Hart)

A request to change from OR20 to CS district property at 3913 Gallatin Pike, approximately 300 feet north of Oak Street (.44 acres), requested by Martha Cone Beck, appellant, for Inglewood Baptist Church, Inc., owners.

Ms. Regen stated the Inglewood Baptist Church is requesting this rezoning because the property is currently being used as a flea market and the property owner was cited by the Codes Department for operating a flea market without having commercial zoning. A nearby area, two years ago, was being requested for rezoning to go from office to commercial for a Sonic restaurant, and staff had recommended disapproval to that as contrary to the General Plan. At that time, the Commission requested staff to prepare a General Plan amendment analysis to determine whether or not the design plan in the Subarea 5 Plan, which calls for office uses, was still appropriate. The analysis found other properties vacant and underutilized in the area that could be used for commercial. The Sonic was able to find another property along Gallatin Road on which to locate.

Chairman Lawson asked if the church was using that property to generate revenue.

Ms. Regen stated she was not sure but it did not seem the church was operating the flea market.

Mr. Bill Beck, Chairman of Building and Grounds for Inglewood Baptist Church, and Mr. Kevin Strum, Pastor, spoke in favor of the proposal and stated this particular piece of property was bought by the church for expansion purposes. Within the next 3 to 5 years there are plans to build a Christian Life Center on that property and the property next to it, which is already owned by the church. The property is presently leased to an antique mall. Codes came in on a report that it was a flea market and was not allowed under the present zoning. Gallatin Road was made to be commercial and is commercial from practically Briley Parkway all the way to Main Street. He asked the Commission for approval.

Ms. Warren stated she had a problem with rezoning this property to commercial because plans change and it will not need to be commercial for the church's future use.

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

Resolution No. 99-595

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-098U is **DISAPPROVED (8-0) as contrary to the General Plan:**

This property falls within the Subarea 5 Plan's Commercial Arterial Existing (CAE) policy calling for residential, office, and institutional uses along this stretch of Gallatin Pike between Gillock and

McIver Streets. The North Gallatin Pike CAE Area Design Plan specifically discourages the expansion of commercial uses into the existing residential, office, and institutional uses on the west margin of Gallatin Pike. The CS district is not consistent with this policy. The CAE policy provides for retail opportunities on this same side of Gallatin Pike south of Stratford Avenue and Gillock Street and at the Ben Allen Road/Gallatin Pike intersection as well as on the opposite side of the street."

Councilmember Garrett left at 5:10, at this point in the agenda.

SUBAREA 8 (1996)

Phillips-Jackson Street Redevelopment Plan

Council Bill No. O99-1762

Maps 81, 82, and 92, Various Parcels

A council bill to approve Amendment No. 1 to the Phillips-Jackson Street Redevelopment Plan to add 24.51 acres along 8th Avenue North, 6th Avenue North, and Hume Street for the purposes of improving blighted conditions and instituting land use controls; and to change certain provisions of the Land Use Plan for the redevelopment area.

Ms. Lehmbeck presented Amendment Number One to the Phillips-Jackson Street Redevelopment Plan, which covers an area encompassing the Bicentennial Mall, Jefferson Street east of I-40/265, and the Germantown and Hope Gardens neighborhoods. The redevelopment plan was adopted in 1993 to serve as a tool in the revitalization efforts for this large area through the use of federal, state, and local funds and tax increment financing as well as through the establishment of tailored land use controls. Staff is recommending approval of the amendment, which is consistent with our land use policies for the area. The proposed amendment was filed by the Metropolitan Development and Housing Agency and was passed on second reading by Metro Council on July 6.

The amendment would make a number of changes to the redevelopment plan. Chief among these is the addition of the Werthan Industries site at the corner of 8th Avenue North and Taylor Street and a few adjacent properties to the redevelopment area. The Redevelopment Plan land use category for the majority of the area to be added is Mixed Use, which is compatible with the Subarea 8 Plan Mixed Use land use policy. If this land is added to the redevelopment area, tax increment financing will be available to assist in the efforts to adaptively reuse some of the buildings – the ones fronting on 8th – in this historically significant site.

The second significant change proposed in this amendment would change Hope Gardens from the Mixed Use to the General Residential category. This is being done to make the redevelopment plan more consistent with the Subarea 9 Plan and the Hope Gardens Neighborhood Plan. The Subarea 9 land use policy for Hope Gardens is Residential Medium Density.

The third significant proposed change is in the Land Use Plan category for the along a portion of Jefferson Street. The Commission's amendment better supports Jefferson Street revitalization efforts. This proposed change makes the redevelopment plan consistent both with the recent subarea plan amendment and also with the emerging retail node centered around the intersection of Jefferson Street and 8th Avenue North.

Other changes proposed in this amendment are more technical in nature. The sign regulations for the redevelopment area are being changed to make them more consistent with the current zoning code. A procedure for an appeals process from decisions made by the MDHA Design Review Committee is being added, and the amount of tax increment financing is being increased from \$2,000,000 to \$4,000,000 to reflect the area being added.

Ms. Warren stated she received a fax about some manufacturing in the area that does not want to be included in the plan.

Chairman Lawson stated there have been other redevelopment areas where there has been some objection to the redevelopment, but for the betterment of the neighborhood those plans went forward and did outstanding jobs in the areas.

An attorney representing the Centurion Company spoke in opposition to the plan and stated it had a restrictive covenant that overlays the utilization and use of the property. Centurion has been at this location since 1968 and must now conform all of its future manufacturing operations to conformity with these restrictive covenants. Manufacturers find it is easier and more economical to move to the outer counties. Those outer counties are soliciting companies to relocate into their areas but Centurion would like to stay where they are.

Mr. Phil Ryan, MDHA, stated that in fact Coronado Stone could continue operating as they presently are and nothing will preclude them from continuing their existing operations at that site.

Chairman Lawson asked if it would preclude any expansion.

Mr. Ryan stated that if they get a building permit they would have to go through MDHA for design review for new construction. The Phillips-Jackson Redevelopment area, since 1993, has been very good for this area with a great deal of improvements and property values are up dramatically. If Coronado Stone were take out of the plan that would leave a hole in the area and that would be detrimental to the redevelopment plan.

Mr. John Horton, past president of the Germantown Neighborhood Association, stated the association was in favor of the plan.

Mr. Charles Jones, Werthan property owner along 8th Avenue, spoke in favor of the plan and stated the plan would be a compliment to the area.

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

Resolution No. 99-596

"Be it resolved by the Metropolitan Planning Commission that it **APPROVES** Amendment No. 1 to the Phillips-Jackson Street Redevelopment Plan filed by the Metropolitan Development and Housing Agency."

Zone Change Proposal No. 99Z-096U

Council Bill No. 099-1719

Map 92-8, Parcel 89 (.20 acres)

District 21 (McCallister)

A council bill to change from R6 to RM20 property at 1805 Jo Johnston Avenue, approximately 87 feet west of Dr. D. B. Todd Boulevard (.20 acres), requested by Artmas L. Worthy, D.D.S, appellant/owner.

Ms. Regen stated this property is currently vacant and staff is recommending disapproval because the property falls within a residential medium policy, which would not allow for more than 9 units an acre. A couple of years ago this applicant asked for rezoning on nearby properties for a multi-family project, which the Commission did approve. That was also for RM20 and Commission found that reinvestment into this community was necessary. There are some single family homes in the area but there is a large NES substation across the street. The project that was built a couple of years ago does enhance the neighborhood. The Subarea 8 Plan is currently under review and this area could be placed under review to see if the policy should be changed from RM to something higher.

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

Resolution No. 99-597

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-096U is **APPROVED (7-0)**:

The Subarea 8 Plan's goals for this neighborhood include conserving its residential integrity while encouraging quality reinvestment. The Planning Commission determined that expanding the RM8 zoning district in this location would implement these goals."

Mandatory Referral Proposal No. 99M-096U
Council Bill No. O99-1771
MetroCenter Levee Project Property Acquisition
Map 70-1, Part of Parcels 8 and 12
Map 70-11, Part of Parcels 3, 6 and 8
Map 70-12, Part of Parcels 5, 6 and 7
Map 70-12, Part of Parcels 153 and 154
Map 70-14, Part of Parcels 1 and 5
Map 71-9, Part of Parcel 129
Map 71-13, Part of Parcels 3 and 11
District 20 (Haddox)

A council bill authorizing the acquisition of property by negotiation or condemnation for the Metro Center Levee Project, U.S. Corps of Engineers' Project No. 013216.

Mr. Boyle stated this particular acquisition is for easements related to the MetroCenter Levee and the proposal is to raise the levee and ultimately turn the maintenance over to the Corps of Engineers and construct a greenway on top of the levee. Staff is recommending approval.

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

Resolution No. 99-598

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 99M-096U."

SUBAREA 7 (1996)

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, abutting property owner, for SunTrust Bank. (Easements are to be retained). (Deferred from meeting 6/10/99).

Ms. Regen stated this is a level piece of property and if the alley is closed there is the ability for trash trucks to maneuver.

Mr. Small stated he did not understand the rationale for closing that alley.

Ms. Regen stated that by closing the alley it would remove a driveway access from 46th Avenue, which would be an improvement.

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

Resolution No. 99-599

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-069U."

SUBAREA 10 (1994)

Arts Center Redevelopment Plan

Council Bill No. O99-1761

Maps 92 and 93, Various Parcels

A council bill to approve Amendment No. 1 to the Arts Center Redevelopment Plan to add 65.16 acres along 8th, 9th, 11th, 12th, 16th, and 17th Avenues South; 11th Avenue Industrial Boulevard; Demonbreun, Division, Gleaves, Laurel, Magazine, McGavock, Overton, and Pine Streets; Music Circle East; Music Square East; and Music Square West for the purposes of improving blighted conditions and instituting land use controls; and to change certain provisions of the Redevelopment Plan Objectives and Land Use Plan for the redevelopment area.

Ms. Lehmbeck presented Amendment Number One to the Arts Center Redevelopment Plan, which covers an area that includes the Broadway Post Office, the Union Station Hotel, the Landport, and Cummins Station. The Arts Center Redevelopment Plan was adopted in 1998 to eliminate blighted conditions, facilitate the conversion of the Post Office to a visual arts center, and provide for development that is compatible with and supportive of the arts center. The primary purpose of the amendment is to add the Music Row area, which is in Subarea 10, and the area between I-40 and the railroad gulch, which is in Subarea 9, to the redevelopment area. Staff is recommending approval of the amendment, which is consistent with our land use policies for the area. The proposed amendment was filed by the Metropolitan Development and Housing Agency and was passed on second reading by Metro Council on July 6.

The proposed expansion of the redevelopment area is intended to aid in the implementation of the Subarea 9 and 10 Plans and the 1997 Music Row Planning and Design Study, which recommended revitalization of the area. The proposed expansion is also intended to connect the Music Row area with the Nashville Arena campus and other downtown venues through such measures as design and corridor enhancements, promotional events targeting tourists, and compatible land uses along Demonbreun and adjoining streets. Tax increment financing and state, local and private funds are being used to undertake the redevelopment activities.

The area proposed to be added is within a Commercial Mixed Concentration policy area in Subarea 9 (east side of I-40 on attachment) and within a Mixed Use policy area in Subarea 10. The MDHA redevelopment

plan designates this area for mixed use and is consistent with the subarea policies, but the land uses are somewhat more selective. The proposed land uses within the redevelopment area being added are more inclusive than the existing redevelopment area so as to accommodate existing automotive uses such as the Beaman auto dealership.

In addition to expanding the redevelopment area, the proposed amendment would make a few other changes. The sign regulations for the redevelopment area are being changed to remove the existing twenty-five square foot size limitation for freestanding signs. The amount of tax increment financing for the redevelopment project is being increased from \$9,000,000 to \$25,000,000 to reflect the area being added. The amount of state and local funds is being increased from \$30,000,000 to \$60,000,000. Staff is recommending approval.

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

Resolution No. 99-600

"Be it resolved by the Metropolitan Planning Commission that it **APPROVES** Amendment No. 1 to the Arts Center Redevelopment Plan filed by the Metropolitan Development and Housing Agency."

SUBAREA 11 (1993)

Subdivision Proposal No. 98S-223U
Sidco-Armory Oaks (First Revision)
Map 132-4, Parcel 2
District 33 (Turner)

A request for final plat approval to add Amory Oak Drive (private road name) and to revise note nos. 1, 3, 4 and 11 on the plat, abutting the north margin of Armory Drive and the east margin of Powell Avenue (23.65 acres), classified within the CS District, requested by H. G. Hill Realty Company, owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

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

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

OTHER BUSINESS

1. Consider and establish 'Level of Citizen Participation' for the *Subarea 7 Plan: 1999 Update* effort.

Mr. Manier moved and Mr. Small seconded the motion, which carried unanimously, to use Level 1 of Citizen Participation for the Subarea 7 Plan.

3. Staff presentation of the Corridor Planning Manual.

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

ADDENDUM

Summer Intern contract for Matthew Carpenter.

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

Resolution No. 99-601

"BE IT RESOLVED by the Metropolitan Planning Commission that it APPROVES the employee intern contract for Matthew Carpenter from June 28, 1999 through September 30, 1999."

4. Legislative update.

PLATS PROCESSED ADMINISTRATIVELY

June 10, 1999 through July 7, 1999

98S-188U	BRENTWOOD CHASE, Section 1, First Revision Revises reference to book and page for restrictive covenants
98S-389G	EVERGREEN NASHVILLE STORAGE, LLC, First Revision Adds Health Department notes to plat
99S-141U	BRENTWOOD CHASE, Section 2, First Revision Revises reference to restrictive covenants
99S-188G	BELLEVUE HIGHLANDS PUD Boundary Plat
99S-139G	GENE SMITH SUBDIVISION, Lot 1, First Revision Revises the size of the building envelope in relation to the septic area
99S-215G	R. H. CALLIS TRACT Plats one deeded parcel as one lot
99S-216G	FOX HOLLOW FARMS, Lot 7 Plats one lot
99S-232G	GILL'S TWO LOT SUBDIVISION Subdivided one parcel into two lots
99S-239G	MARGARET JOYCE WOODARD LOT Plats one deeded parcel
99S-255G	BILLY BALES LOTS One deeded parcel into two lots

ADJOURNMENT:

There being no further business, upon motion made, seconded and passed, the meeting adjourned at 5:50 p.m.

Chairman

Secretary

Minute Approval:
This 22nd day of July 1999