

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

Date: November 24, 1999  
Time: 1:00 p.m.  
Place: Howard Auditorium

**Roll Call**

**Present:**

Douglas Small, Vice Chairman  
Frank Cochran  
William Manier  
Ann Nielson  
Vicki Oglesby  
Councilmember Phil Ponder

**Absent:**

Mayor Bill Purcell  
James Lawson, Chairman  
Tonya Jones  
Marilyn Warren

**Others Present:**

**Executive Office:**

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

**Current Planning & Design Division:**

Theresa Carrington, Planning Division Manager  
John Reid, Planner II  
Jeff Stuncard, Planner I  
Andrew Wall, Planning Technician I

**Community Plans Division:**

Jerry Fawcett, Planning Division Manager

**Advance Planning & Research:**

John Boyle, Planning Division Manager  
Amy McAbee-Cummings, Planner I

**Others Present:**

David Diaz-Barriga, Legal Department  
Leslie Shechter, Legal Department

Vice Chairman Small called the meeting to order.

#### **ADOPTION OF AGENDA**

Ms. Carrington announced Mandatory Referral 99M-022U should be listed in District 15 (McClendon) and Item 2 under Other Business should be deleted. Also a two lot subdivision plat, 99S-307G-03 – Workman Subdivision, should be added as an addendum item.

Ms. Nielson moved and Ms. Oglesby 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-419G-13      Deferred two weeks, by applicant.

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

#### **APPROVAL OF MINUTES**

Ms. Nielson moved and Ms. Oglesby seconded the motion, which unanimously passed to approve the minutes of the regular meeting of November 11, 1999.

#### **RECOGNITION OF COUNCILMEMBERS**

Councilmember Vic Lineweaver spoke regarding Request for Bond Extension 96S-110G and requested the Commission ask the developer to clean up the site. He also spoke in favor of 99Z-166G-06, Bellevue Storage, and stated that approximately 12 years ago this property was zoned for an office building but nothing has been done on that site because there is already office space available and that this storage facility would be a good use for this property and is needed by the Bellevue community.

#### **ADOPTION OF CONSENT AGENDA**

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

#### **SUBDIVISIONS AND BOND PROPOSALS**

**99S-116G-12**  
Addition to Highland Creek  
(formerly Addition to Holt Valley)  
Map 180, Parcel 24  
Subarea 12 (1997)  
District 31 (Knoch)

A request for final plat approval for nine lots abutting the north margin of Holt Road, approximately 257 feet east of Sherbrooke Lane (3.47 acres), classified within the RS10 District, requested by Holt Valley LLC, owner/developer, Anderson-Delk and Associates, Inc., surveyor.

**Resolution No. 99-889**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-116G-12, is **APPROVED SUBJECT TO A BOND OF \$81,500.00 (6-0).”**

**99S-217U-03**

Bordeaux Shopping Center, Consolidation Plat  
Map 69-16, Parcels 37 and 203  
Map 70-13, Parcels 53, 157 and 164  
Subarea 3 (1998)  
District 2 (Black)

A request for final plat approval for the consolidation of two parcels and three lots into two lots abutting the east margin of Manchester Avenue, approximately 130 feet south of Clarksville Highway (6.0 acres), classified within the RS10 and CL Districts, requested by Steven E. Crook and Associates, owner/developer, Barge, Waggoner, Sumner and Cannon, surveyor.

**Resolution No. 99-890**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-217U-03, is **APPROVED (6-0).”**

**99S-293U-14**

Lake Larchwood  
Map 96-16, Parcel 141  
Subarea 14 (1996)  
District 14 (Stanley)

A request for final plat approval to create 20 lots abutting the northwest margin of Blackwood Drive, approximately 750 feet southwest of Fitzpatrick Road (7.62 acres), classified within the R10 Residential Planned Unit Development District, requested by James L. Fischer, Jr., owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

**Resolution No. 99-891**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-293U-14, is **APPROVED SUBJECT TO A BOND OF \$284,000.00 (6-0).”**

**99S-392G-14**

Walden Woods, Phase 2  
Map 75, Parcel 78  
Subarea 14 (1996)  
District 12 (Ponder)

A request for final plat approval to create 36 lots abutting the southeast terminus of Walden Woods Drive, approximately 65 feet southeast of Wyntree South (10.61 acres), classified within the RS15 Residential Planned Unit Development District, requested by Walden Woods, LLC, owner/developer, C. Michael Moran, surveyor. (Deferred from meeting of 11/11/99).

**Resolution No. 99-892**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-392G-14, is **APPROVED SUBJECT TO A BOND OF \$282,500.00 (6-0).”**

**99S-420G-12**

Sugar Valley, Section 3  
Map 181, Part of Parcel 16  
Subarea 12 (1997)  
District 31 (Knoch)

A request for final plat approval to create 29 lots abutting the northeast terminus of Sugarplum Road, approximately 140 feet northeast of Sunnywood Drive (9.41 acres), classified within the R20 Residential Planned Unit Development District, requested by Hurley-Y L.P., owner/developer, Anderson-Delk and Associates, Inc., surveyor.

**Resolution No. 99-893**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-420G-12, is **APPROVED SUBJECT TO A BOND OF \$333,000.00 (6-0).”**

**99S-421G-13**

Lakewood Village, Section 2  
Map 165, Parcels 123 and 125  
Subarea 13 (1996)  
District 29 (Holloway)

A request for final plat approval to create 31 lots abutting the northwest terminus of Port James Circle and the northeast terminus of Lakewood Village Drive (7.45 acres), classified within the RS10 Residential Planned Unit Development District, requested by Fischer/Ford L.L.C., owner/developer, Anderson-Delk and Associates, Inc., surveyor.

**Resolution No. 99-894**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-421G-13, is **APPROVED SUBJECT TO A BOND OF \$160,500.00 (6-0).”**

**99S-425U-12**

Aberdeen Woods, Phase 3, Section 1  
Map 161, Part of Parcel 2  
Subarea 12 (1997)  
District 32 (Jenkins)

A request for final plat approval to create 19 lots abutting the northwest terminus of Applecross Drive, approximately 65 feet northwest of Danestone Drive (5.31 acres), classified within the R15 Residential Planned Unit Development District, requested by Zaring Homes, Inc., owner/developer, Gresham, Smith and Partners, surveyor.

**Resolution No. 99-895**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-425U-12, is **APPROVED SUBJECT TO A BOND OF \$186,000.00 (6-0).”**

**99S-426U-12**

Aberdeen Woods, Phase 3, Section 2  
Map 161, Part of Parcel 2  
Subarea 12 (1997)  
District 32 (Jenkins)

A request for final plat approval to create 17 lots abutting the east terminus of Brentview Hills, approximately 230 feet east of Kincannon Drive (5.76 acres), classified within the R15 Residential Planned Unit Development District, requested by Zaring Homes, Inc., owner/developer, Gresham, Smith and Partners, surveyor.

**Resolution No. 99-896**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-426U-12, is **APPROVED SUBJECT TO A BOND OF \$207,000.00 (6-0).”**

**Request for Bond Release**

97S-401U  
Vultee Church of Christ  
Nashville Christian Towers, Inc., principal  
Subarea 11 (1999)

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

**Resolution No. 99-897**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 97S-401U, Bond No. 97BD-101, Vultee Church of Christ, in the amount of \$38,000.”

**Request for Bond Extension**

93S-158U and 97S-481U  
Rivers Edge, Sections 2 and 3  
Southeastern Building Corporation, principal  
Subarea 14 (1996)  
[Buildout is at 64%]

Located abutting the southeast margin of Jackson Downs Boulevard, approximately 100 feet northwest of Rivers Edge Drive and both margins of Rivers Edge Drive and River Walk Drive.

**Resolution No. 99-898**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of the performance bonds for Subdivision Nos. 93S-158U & 97S-481U, Bond Nos. 97BD-092 & 98BD-075, Rivers Edge, Sections 2 & 3, in the amount of \$88,300 to 3/31/2000 subject to the submittal of an amendment to the present Letter of Credit by **12/23/99** which extends its expiration date to 9/30/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.”**

**Request for Bond Extension**

96S-110G  
Carters Glen

Magnolia Construction Company, Inc., principal  
Subarea 6 (1996)  
[Buildout is at 16%]

Located abutting the southeast margin of Old Harding Pike and Bellevue Road.

**Resolution No. 99-899**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 96S-110G, Bond No. 96BD-016, Carters Glen, in the amount of \$30,315 to 11/24/2000 subject to the submittal of an amendment to the present Letter of Credit by **12/23/99** which extends its expiration date to 5/24/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

**Request for Bond Extension**  
97S-237G  
Banbury Crossing, Section 2  
Jones Land Company, LLC, principal  
Subarea 12 (1997)  
[Buildout is at 70%]

Located abutting the north margin of Old Smyrna Road and the west margin of Edmondson Pike.

**Resolution No. 99-900**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 97S-237G, Bond No. 98BD-004, Banbury Crossing, Section 2, in the amount of \$81,750 to 4/15/2000 subject to the submittal of an amendment to the present Letter of Credit by **12/23/99** 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**  
98S-343U  
Bayview Estates, Section 1  
Bayview Venture, LLC, principal  
Subarea 13 (1996)  
[Buildout is at 25%]

Located abutting the northern terminus of Harbor Lights Drive, approximately 600 feet north Smith Springs Road.

**Resolution No. 99-901**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 98S-343U, Bond No. 98BD-095, Bayview Estates, Section 1, in the amount of \$104,000 to 12/14/2000 subject to the submittal of an amendment to the present Letter of Credit by **12/23/99** which extends its expiration date to 6/14/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

**ZONE CHANGE AND PUD PROPOSALS**

**99Z-114U-08**  
Council Bill No. BL99-41  
Map 92-6, Parcels 682 (.05 acres), 683 (.07 acres),

684 (.12 acres) and 685 (.04 acres)  
Map 92-10, Parcel 353 (.45 acres)  
Subarea 8 (1995)  
District 21 (Whitmore)

A request to change from R6 and IR districts to OR20 district properties at 2412 Clifton Avenue and 2415, 2419, and 2421 Pearl Street, abutting the east margin of 25th Avenue North (.73 acres), requested by Dr. James R. Larkin, appellant, for Mt. Nebo Baptist Church, trustees. (Referred from Metro Council on 11/2/99).

**Resolution No. 99-902**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-114U-08 is **APPROVED (6-0)**:

**The OR20 district will serve as a transition between the industrial (IND) policy (warehousing, wholesaling, and manufacturing) to the east and the RM policy to the north and west calling for residential uses at 4 to 9 units per acre. Pearl Street provides a solid zoning boundary between these two policy areas."**

**99Z-165U-12**  
Map 161-8, Parcel 76  
Subarea 12 (1997)  
District 30 (Kerstetter)

A request to change from R10 to CS district property at 5316 Nolensville Pike, approximately 170 feet north of Ocala Drive (.64 acres), requested by Linda C. Seaton, appellant/owner.

**Resolution No. 99-903**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-165U-12 is **APPROVED (6-0)**:

**This property falls within the Subarea 12 Plan's Commercial Arterial Existing (CAE) policy calling for office, commercial, and higher density residential uses. The CS district is consistent with that policy and the established commercial zoning pattern along Nolensville Pike."**

**195-76-G-06**  
Lightning Lube  
Map 142, Parcel 234  
Subarea 6 (1996)  
District 23 (Bogen)

A request to revise the preliminary plan and for final approval for a portion of the Commercial (General) Planned Unit Development District located abutting the north margin of Memphis Bristol Highway, 600 feet west of Old Hickory Boulevard, classified SCC (0.33 acres), to add 796 square feet for a new car wash facility expanded customer waiting area and service bay to the existing 1,110 square foot lube shop for a total of 1,896 square feet, requested by Dale and Associates, for Randy Higgs, owner. (Deferred from meeting of 11/11/99).

**Resolution No. 99-904**

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 195-76-G-06 is given **APPROVAL TO REVISE THE PRELIMINARY PLAN AND CONDITIONAL FINAL APPROVAL FOR A PHASE (6-0)**. The following condition applies:

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

**98-85-P-14**

Lakeside

Maps 121 and 122, Parcels 6 and 74

Subarea 14 (1996)

District 13 (Derryberry)

A request to revise the preliminary plan and for final approval for a portion of Phases 1, 2B, 4, and 5 of the Residential Planned Unit Development District located abutting the east margin of Bell Road, opposite Pleasant Hill Road, classified RM9 (112.32 acres), to change from private streets to public streets and to permit the grading and construction of 933 feet of roadway and infrastructure improvements fronting portions of four phases, requested by LDI Design, for James Carbine, owner. (Deferred indefinitely from meetings of 10/28/99 and 11/11/99).

**Resolution No. 99-905**

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 98-85-P-14 is given APPROVAL OF A REVISION TO THE PRELIMINARY PLAN AND CONDITIONAL FINAL APPROVAL FOR A PORTION OF PHASE I, II B, IV, AND V (6-0). The following conditions apply:

1. Prior to the issuance of any grading permits, the applicant shall record a PUD boundary plat, consolidating parcel 74 on tax map 121 with parcel 6 on tax map 122.
2. Prior to the issuance of any building permits, the applicant shall record a final plat including the posting of all required bonds for necessary public improvements. This final plat shall provide an easement to the three cemeteries located within this PUD and identify continual maintenance of these cemeteries by all property owners within the PUD.
3. 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.
4. Prior to the completion of the 59<sup>th</sup> dwelling unit and prior to the issuance of the first Use and Occupancy permit in each subsequent phase thereafter, the developer shall conduct traffic count surveys to determine when actual traffic volumes on Bell Road meet signal warrants for a traffic signal at Bell Road and the site entrance. These surveys shall be submitted to the Metro Planning Commission and the Metro Traffic Engineer for review and approval.
5. Once the signal warrant has been met for the traffic signal in Condition #4 above, the developer shall be responsible for the purchase, installation, and any other necessary improvements for that traffic signal, as required by the Metro Traffic Engineer.
6. Prior to the issuance of any Use and Occupancy permits, the three-lane cross-section between Pleasant Hill Road and the site entrance shall be constructed by the developer, and inspected and accepted by the Metro Public Works Department, as required by the Traffic Impact Study. This cross-section shall also include the following turning lanes:
  - A southbound left-turn lane on Bell Road into the project site with 200 feet of storage and a transition 135 feet.
  - A northbound left-turn lane on Bell Road onto Pleasant Hill Road with 200 feet of storage and a transition of 150 feet.



- A northbound right-turn lane on Bell Road into the site shall be constructed with 200 feet of storage and a transition of 180 feet.”

**93-86-P-06**

Lakeshore Meadows (formerly The Meadows)  
 Map 141, Parcel 14  
 Subarea 6 (1996)  
 District 35 (Lineweaver)

A request to revise the preliminary plan of the Commercial and Residential Planned Unit Development Districts located abutting the south margin of Coley-Davis Road, 300 feet west of Scenic River Lane, classified CL and RM6 (28.78 acres), to add a 26 unit (78 bed) assisted-living facility with 37,900 square feet to the existing 67,300 square foot nursing home, a 10,000 square foot commercial use, and for 72 condominium units where 78 were approved in the residential portion of the PUD, requested by Ragan-Smith Associates, for Lake Shore Estates, Inc., owner, and Bill Sullivan, optionee.

**Resolution No. 99-906**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 93-86-P-06 is given **CONDITIONAL APPROVAL TO REVISE A PORTION OF THE PRELIMINARY PLAN (6-0)**. 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.”

**68-87-P-03**

Northside Station (Advance Auto Parts)  
 Map 69-4, Part of Parcel 37  
 Subarea 3 (1998)  
 District 2 (Black)

A request to revise the preliminary plan and for final approval for a portion of the Commercial (General) Planned Unit Development District located abutting the east margin of Clarksville Pike, north of West Hamilton Road, classified CL (0.87 acres), to develop a 7,056 square foot auto-parts store replacing a 4,000 square foot retail use, requested by Dewgal and Associates, Inc., for Bruce Howard, Jr. et ux, and Powers Commercial Realty, LLC, optionee. (Also requesting final plat approval).

**Resolution No. 99-907**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 68-87-P-03 is given **APPROVAL OF A REVISION TO THE PRELIMINARY PLAN AND CONDITIONAL FINAL APPROVAL FOR A PHASE AND FINAL PLAT APPROVAL SUBJECT TO A BOND IN THE AMOUNT OF \$15,500.00 (6-0)**. The following conditions apply:

1. Prior to the issuance of any building permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. Prior to the issuance of any building permits, the final plat shall be recorded upon the posting of all necessary bonds for water and sewer line extensions."

**98P-001G-14**

Alta Lake (formerly Cameron at Hermitage)  
Map 97, Parcels 46, 47 and 139  
Subarea 14 (1996)  
District 12 (Ponder)

A request to revise the preliminary and for final approval of Phases I, III, and a portion of II of the Residential Planned Unit Development District abutting the north margin of Bell Road and the northeast margin of Dodson Chapel Road (58.18 acres), classified RM9, to permit a total of 562 apartment units and a 16.08 acre park where 564 apartment units and an 18 acre park were approved, and for final approval of Phase I which includes 366 units, a 5,750 square foot leasing office, and 14,130 square feet for 9 auto garages for a portion of Phase II showing a greenway trail easement, and for Phase III which includes the park, requested by Littlejohn Engineering Associates and Ragan-Smith Associates, Inc., for WP East Acquisitions, LLC, optionee, for Bennett-Volunteer, LLC. (Also requesting final plat approval). (Deferred from meeting of 11/11/99).

**Resolution No. 99-908**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 98P-001G-14 is given **CONDITIONAL PRELIMINARY APPROVAL AND CONDITIONAL FINAL APPROVAL FOR PHASES 1, 3, AND A PORTION OF PHASE 2 AND APPROVAL OF A FINAL PLAT FOR PHASES 1 AND 3 SUBJECT TO A BOND IN THE AMOUNT OF \$598,000.00 FOR OFF-SITE ROAD IMPROVEMENTS (6-0)**. The following conditions apply:

1. Prior to the issuance of any grading or building permits, the Metropolitan Council shall have approved Council Bill No. BL99-76, and the bill shall become effective. That bill specifies the transfer of the 16.08 park site (parcel 139 on tax map 97) and greenway trail easement (encumbering parcels 46, and 139 on tax map 97) from the developer, WP East Acquisitions LLC, or successors and assigns, to the Metropolitan Government of Nashville and Davidson County, and specifies the construction of the greenway trail by the developer in accordance with a Performance Agreement and Letter of Credit for \$100,250 for the trail's construction.
2. The developer shall construct the greenway trail, in accordance with the approved construction plans included in the final PUD plan for Phases I, III, and a portion of Phase II, within five (5) years of the acquisition of the property, the five year period commencing no later than February 28, 2000 or on an earlier date of acquisition, whichever date occurs first.
3. Within 90 days after the effective date of BL99-76 (noted above in condition #1) and prior to the issuance of any grading or building permits, WP East Acquisitions, LLC, or successors and assigns, shall convey the park parcel and greenway easement via deed to the Metropolitan Government.
4. Prior to the issuance of any grading or building permits, the developer, WP East Acquisitions, LLC, or successors and assigns, shall provide documentation to the satisfaction of the Metropolitan Planning Commission that parcels 46, 47 and 139 on tax map 97 have been legally acquired.
5. Prior to the issuance of any grading or building permits, the Metropolitan Council shall have approved a resolution accepting the \$30,000 from the developer, WP East Acquisitions, LLC, or successors and assigns, as a contribution towards improvements at the Dodson Chapel Road/Central Pike intersection, as was conditioned on the preliminary plan.
6. Prior to or in conjunction with the submittal of any final PUD approval for apartment units in Phase II, construction plans shall be submitted to the Metropolitan Planning Commission for a left-turn lane on Bell Road into the Phase II project entrance. Those construction plans shall show a left-turn lane with 75 feet of storage and a 160-foot taper.

7. 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.
8. Prior to the issuance of any building permits, the applicant shall record the final plat and post any required bonds for all on-site and off-site public improvements, including those identified below:
  - a left-turn lane from Bell Road into the Phase I project entrance with 75 feet of storage and a 160 foot taper, as shown on the final PUD plan for Phase I;
  - a left-turn lane from Bell Road onto Dodson Chapel Road with 300 feet of storage and a 160 foot taper, as shown on the final PUD plan for Phase I;
  - a left-turn lane from Dodson Chapel Road onto Bell Road with 100 feet of storage and a 140 foot taper, as shown on the final PUD plan for Phase I."

**99P-008E-05**  
 Lane Garden Apartments  
 Map 82-7, Parcel 208  
 Map 82-11, Parcels 9 and 11  
 Subarea 5 (1994)  
 District 5 (Hall)

A request to revise the preliminary plan and for final approval for a portion of the Residential Planned Unit Development District abutting the east margin of Dickerson Pike and the north margin of Meridian Street, classified RM20 (14.52 acres), to reconfigure the private driveways, construct gated entrances at Meridian Street and Joseph Avenue and the addition of a new 1,800 square foot office building for the 212 unit multi-family complex, requested by Bernard L. Weinstein, for Lane College Housing Inc., owners.

**Resolution No. 99-909**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 99P-008E-05 is given **APPROVAL TO REVISE THE PRELIMINARY PLAN AND CONDITIONAL FINAL APPROVAL (6-0)**. The following conditions 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 REFERRALS**

**99M-022U**  
 Council Bill No. BL99-10  
 Valeria Street Closure  
 Map 119-2, Parcels 219, 253 and 270  
 District 16 (McClendon)

A council bill to close a 150 foot unbuilt portion of Valeria Street, directly west of the Valeria Court/Sterling Boone Drive intersection, requested by Wallace E. Mitchell. (Easements are to be retained).

**Resolution No. 99-910**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (6-0)** Proposal No. 99M-022U."

**99M-137U-09**  
Canopy Aerial Encroachment at  
616 Church Street  
Map 93-6-1, Parcel 2  
Subarea 9 (1997)  
District 19 (Wallace)

A request to install a canopy at 616 Church Street (intersection of Church Street and Capitol Boulevard) measuring 8' in width by 12'9.5" in length at a height of 8'6" above the public sidewalk, requested by Michael Shmerling, appellant, for Michael D. Shmerling & Company, LLC, owner.

**Resolution No. 99-911**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (6-0)** Proposal No. 99M-137U-09."

**99M-144G-06**  
Resolution No. RS99-70  
Warner Park Nature Center Easement Acquisition  
Map 156, Part of Parcel 47  
Subarea 6 (1996)  
District 35 (Lineweaver)

A resolution authorizing the Public Property Administrator to purchase two 5' permanent easements, located at 7401 Highway 100 on Hicks Road, for the installation and maintenance of a water line to serve the new Edwin Warner Park Nature Center Complex.

**Resolution No. 99-912**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (6-0)** Proposal No. 99M-144G-06."

**99M-145U-14**  
Royal Parkway Fiber Optic Cable Encroachment  
Subarea 14 (1996)  
District 15 (Loring)

A request to install a fiber optic cable within a 3" PVC conduit two feet below Royal Parkway between the main U.S. Post Office located at 525 Royal Parkway and the post office's warehouse at 2500 Perimeter Place, requested by Computer Connections Plus, Inc., appellant, for U.S. Post Office.

**Resolution No. 99-913**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (6-0)** Proposal No. 99M-145U-14 **with conditions.**"

**99M-146G-05**  
Drug Task Force Property Acquisition  
Map 71-3, Parcel 1  
Subarea 5 (1994)  
District 4 (Majors)

A resolution authorizing the Public Property Administrator to acquire property located at 2644 Locust Street, zoned IWD District (1 acre), for the relocation of the 20<sup>th</sup> Judicial District Drug Task Force.

**Resolution No. 99-914**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (6-0)** Proposal No. 99M-146G-06."

This concluded the items on the consent agenda.

**MEETING TIME CHANGE**

Members of the audience (approximately 33) voted on a convenient meeting time as follows:

1:00 p.m. is a convenient time:	25 (Approximate)
1:00 p.m. is not a convenient time:	0
5:00 p.m. is a convenient time:	0
7:00 p.m. is a convenient time:	0

**DEVELOPMENT MONITORING/AGENDA OVERVIEW**

Mr. John Boyle gave a brief development monitoring overview of the agenda.

**SUBDIVISIONS AND BOND PROPOSALS**

**97S-014U-03 (Public Hearing)**  
 Forest Vale Subdivision  
 Map 59, Parcel 49  
 Subarea 3 (1998)  
 District 1 (Gilmore)

A request for preliminary and final approval for seven lots abutting the northeast corner of Briley Parkway and Buena Vista Pike, opposite Beal's Lane (3.52 acres), classified within the R15 District, requested by Howard Fisher, owner/developer, H & H Land Surveying, Inc., surveyor.

Ms. Carrington stated staff is recommending approval. This preliminary was approved 2 years ago in the same configuration, however, the preliminary expired and the applicant has resubmitted it. They are all critical lots with a substantial amount of floodplain. Since that time the Stormwater Regulations have been amended to require a 50 foot setback. In this case the applicant has gone to the Stormwater Appeals Board and received approval for a variance from that setback requirement. The Stormwater Board did request three conditions placed on this: 1) all trees 6" or larger would comply with the Tree Ordinance, 2) that no disturbance would occur 5' beyond the rear building envelope and 3) that a note be placed on the plat requiring approval of Public Works and the Urban Forester and staff has completed those conditions.

No one was present to speak at the public hearing.

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

**Resolution No. 99-915**

"**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-014U-03, is **APPROVED; PUBLIC HEARING CLOSED (6-0).**"

**99S-394U-05 (Public Hearing)**  
Mapletop Gardens, Lots 1 and 2  
Map 61-6, Parcel 54  
Subarea 5 (1994)  
District 4 (Majors)

A request for preliminary approval for two lots abutting the south margin of Maplewood Lane, approximately 378 feet west of Hutson Avenue (3.14 acres), classified within the RS15 District, requested by Thomas B. Callaway, owner/developer, Land Surveying, Inc., surveyor. (Deferred from meeting of 11/11/99).

Ms. Carrington stated staff is recommending approval with variance to the maximum lot size and lot depth to width ratio in the Subdivision Regulations. This was deferred from the last meeting. The applicant is dividing one lot into two lots. At the last meeting the Commission had requested they increase the size of the second lot to have 112' of street frontage. The applicant brought up the fact that he has put in some landscape burms to deal with drainage problems on his property. He does not want those to be placed on the other lot. He has submitted a revised plat and increased his street frontage to 100', which is much closer to meeting the Subdivision Regulations. In this case there is a topography problem and staff feels the variance are justified.

No one was present to speak at the public hearing.

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

**Resolution No. 99-916**

**"BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-394U-05, is **APPROVED WITH VARIANCES TO SECTIONS 2-4.2D AND 2-4.2E OF THE SUBDIVISION REGULATIONS; PUBLIC HEARING CLOSED (6-0)."**

**99S-404G-04 (Public Hearing)**  
Shannon Estates, Section 2  
Map 43-1, Parcel 97  
Subarea 4 (1998)  
District 9 (Dillard)

A request for revision to preliminary and final plat approval to create seven lots abutting the northeast corner of Shannon Avenue and Pierce Road (2.28 acres), classified within the RS7.5 District, requested by Charles E. and Carole Rhoten, owners/developers, Burns and Associates, Inc., surveyor.

Ms. Carrington stated this applicant is requesting a deferral.

No one was present to speak at the public hearing.

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

**99S-415U-10**  
Forest Park Land Improvements Company's  
Subdivision, Resubdivision of Lot 11  
Map 117-1, Parcel 17  
Subarea 10 (1994)  
District 25 (Shulman)

A request for final plat approval to subdivide one lot into two lots abutting the northeast corner of Golf Club Lane and Woodleigh Drive (1.09 acres), classified within the RS20 District, requested by Robert and Deborah Street, owners/developers, Daniels and Associates, surveyor.

Ms. Carrington stated staff is recommending disapproval because of comparability failure. In this case one of the lots can meet street frontage, the other does not and neither of the proposed lots can meet the minimum area required. The applicant is requesting a variance to comparability because there are other properties in the larger geographic area which are similar in size or smaller, however, staff could only look at the 300' as required by the Subdivision Regulations.

Mr. Gregg Daniels, surveyor, stated all the lots meet the requirements of the RS20 District in area, frontage and depth but not the comparability within 300'. A minimum of 112' of road frontage is required and lot one will meet that requirement and lot 2 has been revised to 110'. That is as close to the existing driveway that the lot line can come without an encroachment. The frontage is within 2% of the required frontage. The lots that front on Golf Club Lane, particularly on the south side, are extremely large for the zoning. More than half of the lots used to compare this subdivision with are more than one acre. A more reasonable comparison of lots in the neighborhood would be the lots on the subject property block and the blocks to the east and west.

Mr. Robert Street, owner, stated he had spoken with some of the neighbors and they had no objections to this subdivision and only one had any questions.

Mr. Manier and Ms. Nielson agreed the 300' comparability study area is tight to be representative of any given area.

Mr. Cochran stated he questioned the 300' comparability before and felt it was something in the Subdivision Regulations that needs to be revisited.

Ms. Oglesby stated that with the lots the way they are in this area this request is not unreasonable.

Ms. Oglesby moved to approve and Mr. Cochran seconded the motion, which failed with Ms. Oglesby, Mr. Cochran and Mr. Manier in favor and with Ms. Nielson, Mr. Small and Councilmember Ponder in opposition.

**Request for Bond Extension**

96S-248U

Oxton Hill

Dudley Warner, principal

Subarea 10 (1994)

[Buildout is at 98%]

Located abutting the northeast corner of Graybar Lane and Oxton Hill Lane.

Ms. Carrington stated staff is recommending disapproval of this request and that the Commission authorize collection if all work is not complete February 24, 2000.

Mr. Dudley Warner, owner, stated this project had taken longer than he expected because the Public Works Department has put a new regulation on the completion of developments where they want the engineering firm to come back out and survey detention ponds to make sure they are the size and configuration of the original plans.

Mr. Browning stated he was not prepared to say whether or not a bond extension may be necessary because the drainage work may extend beyond the February period of time. If the Commission would like, staff can try to further clarify that matter and bring it back to the Commission on December 9, 1999.

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

## **ZONE CHANGE AND PUD PROPOSALS**

### **99Z-020T**

Various Text Amendments

A text amendment to amend various portions of Sections 17.04 (General Provisions and Definitions), 17.08 (Zoning Districts and Land Uses), 17.12 (District Bulk Regulations), 17.16 (Land Use Development Standards), 17.20 (Parking, Loading, and Access), 17.24 (Landscaping, Buffering, and Tree Replacement), 17.28 (Environmental and Operational Performance Standards), 17.32 (Sign Regulations), 17.36 (Overlay Districts), and 17.40 (Administration and Procedures) of the Zoning Regulations, requested by Metropolitan Planning Commission Staff.

Ms. Carrington briefly explained each change and Ms. Amy McAbee-Cummings made a presentation on the Floodplain Protection Goals.

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

### **Resolution No. 99-917**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-020T is **APPROVED (6-0)**:

**These housekeeping amendments relate to warehousing, self-service storage and wholesaling uses in the mixed use districts, parking, residential accessory structures, telephone facilities and radio towers, landscape buffer yards, sign regulations, floodplain Impervious Surface Ratio tables and PUD procedures. These amendments will clarify the Zoning Regulations."**

### **99Z-147U-05**

Map 72-6, Parcel 374

Subarea 5 (1994)

District 7 (Campbell)

A request to change from OL to CS district property at Maynor Avenue (unnumbered), approximately 180 feet west of Gallatin Pike (.48 acres), requested by Robert Rutherford, appellant, for Thorn Advantage Auto, Inc., owners. (Deferred from meeting of 11/11/99).

Mr. Reid stated staff is recommending disapproval because intensifying commercial zoning at this location would adversely impact the surrounding residential area. This item was deferred at the last meeting for staff to check with the Zoning Administrator to see when the landscape buffer requirement would take effect. That landscape buffer would only be triggered when there is new construction or expansion of an existing parking lot or building by more than 25%.

Mr. Robert Rutherford, attorney, stated the lot fronting Gallatin Road is under lease and the lot in question is owned by the applicant. He presented a copy of the ground lease and an assignment to the current ownership to be added to the record. There is a zigzag zoning line all along Gallatin Road and the applicant's small OL lot is apparently buffering everything between Gallatin Road and the residential zoned district. This is an under utilized parcel of land and the prospects are not good for it to be used for anything other than OL. The business is oriented to Gallatin Road and this property will continue to be used for parking cars.



Mr. Manier stated that if this property were all one parcel and all under one ownership that he would not have any problem with the rezoning but the Commission is always forced to look beyond the current circumstance to a long term situation.

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

**Resolution No. 99-918**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-147U-05 is **DISAPPROVED (6-0)**:

**This property falls within the Subarea 5 Plan's Residential Medium (RM) policy calling for 4 to 9 units per acre. The CS district is not consistent with this policy. Intensifying commercial zoning in this area would adversely impact the residential properties across the street and the remaining residential neighborhood."**

**99Z-151U-11**

Map 105-3, Parcels 217 (1.11 acres) and 219 (.65 acres)  
Subarea 11 (1999)  
District 19 (Wallace)

A request to change from IR to CF district properties at 415 Chestnut Street and 4th Avenue South (unnumbered), abutting the north margin of the CSX Railroad (1.75 acres), requested by Scott Lewis, appellant, for Heiner Schuster, owner. (Deferred from meeting of 11/11/99).

Mr. Reid stated this item was deferred from the last meeting to give staff time to work on the previous text amendment, which would allow warehousing, wholesaling and retailing in buildings more than 50 years old, as long as they are being preserved. Staff would support MUL here and would suggest the applicant may want to consider amending to MUL.

Mr. Scott Lewis explained his proposal and stated he would like to amend his proposal to MUL.

Mr. Browning asked if the entire building met the criteria for MUL.

Mr. Reid stated the only portion of the building that would qualify is the part that is over 50 years old.

Vice Chairman Small stated that if Mr. Lewis wants to change his zoning request to MUL, since the text amendment has been passed, his request needs to be evaluated to see if it still works within MUL.

Mr. Manier stated the Commission is trying to tailor make this change to this individual and should be trying to improve the Zoning Ordinance for all people and not just for this proposal.

Mr. Lewis agreed to a deferral to work with staff to check restrictions.

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

**99Z-159U-14**

Map 97-13, Parcel 34  
Subarea 14 (1996)  
District 14 (Stanley)

A request to change from CL to IWD district property at Percy Priest Drive (unnumbered), abutting the north margin of Blackwood Drive (11.11 acres), requested by Don Williams, appellant, for the Nashville Land Fund Ltd., owners.

**155-74-U-14**  
Larchwood (Commercial)  
Map 97-13, Parcel 34  
Subarea 14 (1996)  
District 14 (Stanley)

A request to amend a portion of the Commercial (General) Planned Unit Development District located between Percy Priest Drive and Blackwood Drive, approximately 600 feet west of Bell Road, classified CL and proposed for IWD district (11.11 acres), to permit three office/warehouse buildings containing a total of 111,000 square feet of warehouse uses and 38,150 square feet of office use where 81,100 square feet of retail uses were approved, requested by Littlejohn Engineering, Inc., for Nashville Land Fund, Ltd., owner, and USREA, Inc, optionee.

Ms. Carrington stated this PUD currently allows 81,000 square feet of commercial at the site and the applicant is requesting 111,000 square feet of warehouse and 38,000 square feet of office. The Subarea 14 Plan calls for a Commercial Mixed Concentration policy at this location, which would call for office, retail and higher density residential uses around the Bell Road and I-40 interchange. There is single family adjacent to the west and the portion of the PUD to the east is already developed with commercial uses. Staff feels the Subarea 14 Plan does call for adequate industrial policy down closer to the airport and that it is not appropriate at this location. Staff is recommending disapproval as contrary to the General Plan.

Mr. Don Williams, Littlejohn Engineering, Inc., spoke in favor of the proposal and stated they were requesting an amendment to the existing PUD and a zone change to allow 149,150 square feet of flex space. It is a combination of office and warehouse and the problem is that the current Zoning Ordinance is requiring an industrial zone. The property was originally approved in 1974 for an office park and has sat vacant for 25 years without activity. This is an appropriate use and the PUD overlay can still be used to control other uses allowed by the IWD zoning.

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

**Resolution No. 99-919**

**"BE IT RESOLVED** by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-159U-14 is **DISAPPROVED AS CONTRARY TO THE GENERAL PLAN (6-0):**

**This property, which is adjacent to single family residential uses, falls within the Subarea 14 Plan's Commercial Mixed Concentration (CMC) policy calling for office, commercial, and higher density residential uses around the Bell Road/Interstate 40 interchange. The industrial uses permitted within the IWD district are not consistent with that policy."**

**"BE IT FURTHER RESOLVED** by the Metropolitan Planning Commission that Proposal No. 155-74-U-14 is given **DISAPPROVAL AS CONTRARY TO THE GENERAL PLAN (6-0):**

**The proposed warehouse use and the industrial uses permitted within the IWD district do not implement the Commercial Mixed Concentration (CMC) policy. That policy calls for office, commercial and higher density residential uses at this location which is adjacent to single family residential uses and has interstate access. The concept of this PUD, which has already developed with commercial uses to the east, was a neighborhood retail center, not an industrial park."**

**99Z-162U-12**  
Map 161-4, Parcel 103  
Subarea 12 (1997)  
District 30 (Kerstetter)

A request to change from R10 to CS district property at 394 Tusculum Road, approximately 160 feet east of Nolensville Pike (.26 acres), requested by Rodney Adkins, appellant, for Rodney G. and Sue E. Adkins, owners.

Mr. Reid stated staff is recommending disapproval because this is expanding commercial zoning and will impact the residential properties to the east and its only access is on Tusculum Road.

Mr. Rodney Adkins, property owner, spoke in favor of the proposal and stated he needed this space to park cars for his car lot.

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

**Resolution No. 99-920**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-162U-12 is **DISAPPROVED (6-0)**:

**This property falls within the Subarea 12 Plan's Residential Low Medium (RLM) policy calling for up to 4 units per acre. The CS district is not consistent with that policy. Extending commercial zoning to this property would adversely impact this single-family residential neighborhood since the property is oriented to a residential street."**

**99Z-164U-12**  
Map 147-4, Parcel 99  
Subarea 12 (1997)  
District 26 (Arriola)

A request to change from RS10 to ON district property at 4928 Jonquil Drive, abutting the north margin of Welch Drive (.27 acres), requested by Mark Ellmore, Jr., appellant, for Katherine Dianne Byer, owner.

Mr. Reid stated the applicant is requesting this zone change because he wants to locate a law office in a single family home. Staff is recommending disapproval because this would take non-residential across the boundary, Welch Road, between the office policy along Harding and the residential to the north.

Mr. Robert Rutherford stated this use is not entirely inconsistent with the Subarea 12 Plan, which provides that certain non-residential uses may be appropriate in residential policied areas. Those specific uses include low intensity office that is intended for transition and buffering. This area has not developed the way it was intended. He presented the Commission with a petition from neighbors that are uniformly in favor of the proposal.

Mr. Mark Elmore stated he had a contract to purchase this property. Events have occurred in this area that have changed the goals for the sub plan. The fact of the congestion that occurs at Nolensville Road and Harding Place causes Jonquil Drive and Welch Road to be used quiet extensively as a connector street to Paragon Mills or to avoid the Mall and the traffic light.

Mr. Browning reminded the Commission that the zoning does not in any way limit the use of this property to Mr. Elmore or what he is proposing.

Ms. Neilson stated this looked like a spot zone to her.

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

**Resolution No. 99-921**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-164U-12 is **DISAPPROVED (6-0)**:

**This property falls within the Subarea 12 Plan's Residential Low Medium (RLM) policy calling for up to 4 units per acre. The ON district is not consistent with that policy. The ON district would extend non-residential zoning too far into this single-family residential neighborhood, implicating other residential properties to the north and west."**

**99Z-166G-06**

Map 142, Parcel 279  
Subarea 6 (1996)  
District 35 (Lineweaver)

A request to change from SCC to CS district property at 2960 Old Hickory Boulevard, approximately 620 feet south of Highway 70 South (3.59 acres), requested by Craig Allen, appellant, for J. P. Dauson, LLC, owner.

**61-84-G-06**

Bellevue Storage  
Map 142, Parcel 279  
Subarea 6 (1996)  
District 35 (Lineweaver)

A request to amend a portion of the preliminary site plan of the Commercial (General) Planned Unit Development District located abutting the southeast margin of Memphis Bristol Highway and Old Hickory Boulevard, classified SCC (18.76 acres), to permit a 74,588 square foot self-service storage facility, replacing a 29,340 square foot office building, requested by Ragan-Smith Associates, for J. P. Dauson, LLC, owner, and James F. Scherer, optionee.

Ms. Carrington stated staff is recommending disapproval of both the zoning change and the request to amend the PUD. The applicant is requesting to rezone the property from SCC to CS use and also to amend the Commercial PUD district to allow for self storage uses. The PUD currently allows 29,340 square feet of office on this site. They are requesting 74,588 square feet of self storage use. The Subarea 6 Plan calls for natural conservation policy at this location, which calls for preservation of the steep hill sides. In this case the site does have slopes that are greater than 25% and staff believes the office would be a less impactful use than self storage.

Ms. Doris Allen, attorney representing the developer, explained their proposal and stated the Bellevue Chamber of Commerce approved this project unanimously at their September 15, 1999, meeting subject to the color of the buildings being subdued and fitting in with the surrounding environment and that the signage on Old Hickory Boulevard be low.

Mr. Charles Lowe, project engineer, stated he was present to answer any question the Commission might have.

Mr. Cochran moved to approve and Councilmember Ponder seconded the motion, which failed with Mr. Cochran, Mr. Manier and Councilmember Ponder in favor and with Mr. Small, Ms. Oglesby and Ms. Nielson in opposition.

**This property falls within the Subarea 6 Plan's Natural Conservation (NC) policy calling for protection of the area's steep hillsides. Given this steep topography, it is not appropriate to intensify the zoning to CS which permits a more permissive floor area ratio and range of uses than the existing SCC district. Opportunities for self-service storage exist to the north around the I-40/Charlotte Pike interchange."**

**The approved small-scale office use is more consistent with the intent of the Subarea 6 plan's Natural Conservation policy of protecting the steep hillside areas. The office building would disturb less of the site than the self-storage facility. The office building has a Floor Area Ratio of .19 as opposed to the proposed .48 with the self-storage use and a .26 Impervious Surface Ratio as opposed to a .60 with the self-storage facility."**

**28-79-G-13**  
Cambridge Forest  
Map 149, Parcel 319  
Subarea 13 (1996)  
District 28 (Alexander)

A request to revise a portion of the Residential Planned Unit Development District located abutting the west margin of Rural Hill Road and the south margin of Pebble Creek Drive, classified R15 (157.90 acres), to permit 200 single-family lots and 123 multi-family units where 135 lots have already received final approval (458 total units in this portion of PUD) with a 3,900 foot long cul-de-sac, replacing 268 single-family lots and 190 townhouse units (458 total units), requested by DBS and Associates Engineering, for Danco Property Investments, LLC, owners.

Ms. Carrington stated this proposal was before the Commission in May and was subject to an amendment. The Commission recommended disapproval of the request, which at that time was to eliminate a connection to the north to Pebble Creek and to downgrade a road from a collector to a local road. However, the Council did later approve that amendment. The Public Works Department and the Traffic Engineer are recommending disapproval of this request because it does have 458 units with a single point of access to the subdivision. It has a 3,900 foot dead end street and the Subdivision Regulations only allow 750 feet and because the collector, with 60 feet of right-of-way, has been reduced to a 50 foot right-of-way local road. The Subdivision Regulations require a collector when the road will experience 2,000 trips per day and the applicant's traffic impact study indicates this development will generate 3,300 trips per day. That traffic study did not take into account the existing approved portion of the PUD. If the Commission does choose to approve this, it will require variances to the Subdivision Regulations.

Mr. Jim Murphy, attorney, stated that when the Commission considered this proposal in May, Danco was not the owner at the time. They bought it after the matter was unanimously approved by the Council. The Council did consider the issues that the cul-de-sac is 3,900 feet in length and that the street was going to be downgraded from collector status to a local street. The Council overruled this Commission regarding the cul-de-sac length and collector street status so now this proposal is only dealing with changing the dwelling types from townhouses to single family homes.

Mr. Manier stated he fully realized the Council's ability to override this Commission but we preserve an advisory function and would be remiss if the sources of our advice are completely ignored, Traffic and Parking, who have a distinct concern about the safety of the development.

Ms. Oglesby stated that Mr. Murphy was referring to this as a new point to consider in this proposal and asked if the Commission could consider the previous concerns.

Councilmember Ponder stated the Council approval is a fact but should not influence today's decision.

Ms. Shechter stated the state enabling law governing subdivisions does give the legislative body authority to override the Planning Commission on the location and layout of streets. The Subdivision Regulations are

within the control of the Planning Commission and it appears that the intention of the PUD provisions, as adopted by the Council, are that subdivision regulations were to be complied with in PUD's.

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

**Resolution No. 99-922**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 28-79-G-13 is given **DISAPPROVAL (6-0)**”

**ADDENDUM**

**99S-307G-03**  
Workman Subdivision  
Map 47, Parcel 107  
Map 48, Parcels 171 and 172  
Subarea 3 (1998)  
District 1 (Gilmore)

Mr. Browning stated this proposal is a plat creating two lots out of a very large multiple acreage parcel. In the process of creating these two lots it broke the parent parcel into two parcels and that is essentially creating 4 parcels of land. There is a question of whether this can be approved administratively and that is why it is before this Commission.

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

**Resolution No. 99-923**

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 99S-307G-03, is **APPROVED (6-0).**”

**OTHER BUSINESS:**

1. Contract for geographic information system aerial (digital ortho) photography between the Metro Planning Commission and the Tennessee Department of Transportation.

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

**Resolution No. 99-924**

“BE IT RESOLVED by the Metropolitan Planning Commission that it approves the Contract for geographic information system aerial (digital ortho) photography between the Metro Planning Commission and the Tennessee Department of Transportation.”

3. Legislative update.

**PLATS PROCESSED ADMINISTRATIVELY**  
November 11, 1999 through November 23, 1999

- 99S-412G-14**            **Lakeside**  
PUD boundary plat
- 99S-431U-12**            **The Highlands, Section Three, Lots 16 and 17**  
Minor interior lot line shift
- 99S-432U-07**            **Wyoming at 46<sup>th</sup> Avenue North**  
Condominium plat
- 99S-466G-12**            **Autumn Oaks, Phase Two, First Revision**  
Revised street names

**ADJOURNMENT**

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

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary

Minute Approval:  
This 9<sup>th</sup> day of December, 1999