

MINUTES
OF THE
METROPOLITAN PLANNING COMMISSION

Date: January 6, 2000
Time: 1:00 p.m.
Place: Howard Auditorium

Roll Call

Present:

James Lawson, Chairman
Frank Cochran
Tonya Jones
William Manier
Ann Nielson
Vicki Oglesby
Councilmember Phil Ponder
Marilyn Warren

Absent:

Mayor Bill Purcell
Douglas Small

Others Present:

Executive Office:

T. Jeff Browning, Executive Director
Karen P. Nicely, Assistant Executive Director
Carolyn Perry, Secretary III

Current Planning & Design Division:

Michael Calleja, Planner III
Jennifer Regen, Planner III
John Reid, Planner II
Robert Leeman, Planner I
Jeff Stuncard, Planner I
Andrew Wall, Planning Technician I

Community Plans Division:

Cynthia Lehmbeck, Planner III

Advance Planning & Research:

Jeff Lawrence, Planner III
Michelle Kubant, Planner II
Paige Watson, Planner II

Others Present:

Jim Armstrong, Public Works
David Diaz-Barriga, Legal Department

Chairman Lawson called the meeting to order.

Mr. Browning tendered his resignation with the Planning Commission, offered his assistance in the transition to a new director and thanked the Commission for their support over the years.

Chairman Lawson thanked Mr. Browning for his many years of service and apologized to the Commission for not being able to share the discussions with Mr. Browning relative to his decision to resign because of legal constraints. Mr. Browning will remain as a contract consultant to the Planning Commission and staff until June 30, 2000, and will be directed in his activities by Karen Nicely.

Chairman Lawson made the motion the Commission accept the letter of resignation from Jeff Browning, effective December 31, 1999, appoint Karen Nicely as Interim Executive Director until a permanent replacement is selected and authorize the Chairman of the Metropolitan Planning Commission to establish a search committee to fill the position of the executive director of the Planning Commission. The committee will consist of a representative of the mayor's office, the Metro Planning Commission, the Nashville Neighborhood Alliance, the Urban Design Forum and the Commission Council representative Phil Ponder and will serve as the steering committee working along with Billy Lynch, Director of Human Resources, and a national search firm.

Ms. Jones suggested the search committee include the Commission members of the Executive Director Review the subcommittee.

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

Resolution No. 2000-01

“BE IT RESOLVED by the Metropolitan Planning Commission that it approves the acceptance of the resignation of Jeff Browning, effective December 31, 1999, the appointment of Karen Nicely as Interim Executive Director and the formation of a search committee to fill the position of the executive director consisting of representatives from the mayor's office, the Metro Planning Commission, the Nashville Neighborhood Alliance, the Urban Design Forum and the Commission Council representative Phil Ponder to serve as the steering committee working along with Billy Lynch, Director of Human Resources, and a national search firm..

ADOPTION OF AGENDA

Ms. Regen announced the following changes to the agenda.

99S-413U-14 Should read reconfigure 2 lots rather than to consolidate three lots into.
98S-319G Buildout should be 65% rather than 78%.
Item 3 under Other Business – Capital Improvements Budget – Add three more Water and Sewer Projects for a total of 4 projects.

Ms. Nielson moved and Mr. Manier 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-435U-10 Deferred indefinitely, by applicant.
2000S-012G-14 Deferred two weeks, by applicant.
108-79-G-04 Deferred indefinitely, by applicant.
93-86-P-06 Deferred two weeks, by applicant.
88P-046G-06 Deferred indefinitely, by applicant.
98P-002G-13 Defer final plat two weeks, by applicant.
99M-153U-07 Deferred two weeks, by applicant.

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

APPROVAL OF MINUTES

Ms. Jones moved and Oglesby seconded the motion, which unanimously passed to approve the minutes of the regular meeting of December 9, 1999.

RECOGNITION OF COUNCILMEMBERS

Councilmember Brenda Gilmore spoke in favor of 99Z-02T, Sunset Provision for PUDs.

ADOPTION OF CONSENT AGENDA

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

SUBDIVISION AND BOND PROPOSALS

98S-055G-04
Madison K-Mart Plaza
Map 51, Part of Parcel 180
Subarea 4 (1998)
District 8 (Hart)

A request for final plat approval to create one lot abutting the west margin of Gallatin Pike, approximately 300 feet south of Walton Lane (.93 acres), classified within the CS District, requested by Life and Casualty Insurance Company of Tennessee, owner/developer, Ragan-Smith Associates, Inc., surveyor.

Resolution No. 2000-02

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 98S-055G-04, is **APPROVED SUBJECT TO A BOND OF \$35,500.00 (7-0),”**

99S-389U-05
Madison Hayesboro Subdivision, Block B,
Resubdivision of Lot 1

Map 61-4, Parcel 66
Subarea 5 (1994)
District 8 (Hart)

A request for final plat approval to subdivide one lot and part of a closed street into two lots abutting the south margin of Briley Parkway and the west margin of Tanglewood Drive (.85 acres), classified within the RS20 District, requested by George and Vicki Ginn, owners/developers, Bruce Rainey and Associates, surveyor.

Resolution No. 2000-03

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-389U-05, is **APPROVED (7-0)**”

99S-411G-03
Hickory Place
Map 56, Parcel 145
Subarea 3 (1998)
District 1 (Gilmore)

A request for final plat approval to record one parcel as two lots abutting the northwest corner of Ashland City Highway and Old Hickory Boulevard (4.43 acres), classified within the CL District, requested by William E. Kantz, Jr., owner/developer, Larry D. Epps Surveying, surveyor.

Resolution No. 2000-04

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-411G-03, is **APPROVED SUBJECT TO A BOND OF \$6,800.00.**”

99S-413U-14
Music City Outlet Center, Resubdivision
of Lot 2 and Lot 2, Phase 2
Map 62, Parcels 34, 241 and 248
Subarea 14 (1996)
District 15 (Loring)

A request for final plat approval to consolidate three lots into two lots abutting the north margin of McGavock Pike, approximately 800 feet west of Music Valley Drive (9.55 acres), classified within the CA Commercial Planned Unit Development District, requested by Music Valley Acres, L.P. et al, owners/developers, Ragan-Smith Associates, Inc., surveyor.

Resolution No. 2000-05

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 99S-413U-14 is **APPROVED (7-0)**”

2000S-002U-10
Simpson Subdivision
Map 118-1, Parcel 343
Subarea 10 (1994)
District 17 (Greer)

A request for final plat approval to subdivide one parcel into two lots abutting the west margin of Sherbourne Avenue and the east margin of 10th Avenue South (.30 acres), classified within the R8 District, requested by Edward G. Simpson, owner/developer, John Kohl and Company, surveyor.

Resolution No. 2000-06

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2000S-002U-10, is **APPROVED (7-0).**”

2000S-004U-13
Safety Kleen
Map 148, Parcel 78.1
Map 148-7, Parcels 170-177
Subarea 13 (1996)
District 28 (Alexander)

A request for final plat approval to consolidate six lots and two parcels into one lot abutting the east margin of Antioch Pike, approximately 1,310 feet northeast of Haywood Lane (9.02 acres), classified within the OR20 District, requested by Tricil Environmental Services, Inc., owner/developer, Dale & Associates, surveyor.

Resolution No. 2000-07

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2000S-004U-13, is **APPROVED (7-0).**”

2000S-009G-12
Wexford Downs, Section 3
Map 172, Part of Parcel 74
Subarea 12 (1997)
District 31 (Knoch)

A request for final plat approval to create 49 lots abutting the south margin of Mt. Pisgah Road, approximately 1,087 feet east of Edmondson Pike (17.27 acres), classified within the R20 Residential Planned Unit Development District, requested by Wexford Downs LLC, owner/developer, Anderson-Delk and Associates, Inc., surveyor.

Resolution No. 2000-08

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2000S-009G-12, is **APPROVED SUBJECT TO A BOND OF \$548,500.00 (7-0)**”

2000S-010U-10
Forest Park Land Improvements Company’s
Subdivision, Resubdivision of Lots 11 and 12
Map 117-1, Parcel 134
Map 117-5, Parcel 17
Subarea 10 (1994)
District 25 (Shulman)

A request for final plat approval to subdivide two lots into three lots abutting the northeast corner of Golf Club Lane and Woodleigh Drive (2.12 acres), classified within the RS20 District, requested by Robert and Deborah Street, owners/developers, Daniels and Associates, surveyor.

Resolution No. 2000-09

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2000S-010U-10, is **APPROVED (7-0).**”

2000S-011G-13
Park Place, Phase 1
Map 175, Part of Parcel 75
Subarea 13 (1996)
District 29 (Holloway)

A request for final plat approval to create 14 lots abutting the northeast margin of Murfreesboro Pike, approximately 1,000 feet northwest of LaVergne-Couchville (9.8 acres), classified within the RM6 and RM20 Districts, requested by Park Place Venturees, LLC, owner/developer, SEC, Inc., surveyor.

Resolution No. 2000-10

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2000S-011G-13, is **APPROVED SUBJECT TO A BOND OF \$496,000.00 (7-0).**”

2000S-017U-10
Foodmaker Subdivision
Map 92-16, Parcels 36 and 37
Subarea 10 (1994)
District 21 (Whitmore)

A request for final plat approval to consolidate part of two lots into one lot abutting the northwest margin of West End Avenue, approximately 250 feet southwest of 20th Avenue North (.41 acres), classified within the CF District, requested by Baptist Hospital, Inc., owner/developer, John Kohl and Company, surveyor.

Resolution No. 2000-11

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2000S-017U-10, is **APPROVED (7-0).**”

Request for Bond Release
95S-398G
New Hope Estates, Phase 2
Raymond D. Lane, Sr., principal
Subarea 14 (1996)

Located abutting the west margin of New Hope Road, approximately 115 feet south of Farmingham Woods Drive.

Resolution No. 2000-12

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 95S-398G, Bond No. 95BD-087, New Hope Estates, Phase 2, in the amount of \$23,000.”

Request for Bond Release
97S-041G
BMO Leasing (US) Inc.
Terminix International Company, L.P., principal
Subarea 14 (1996)

Located at the intersection of Lebanon Pike and Lebanon Pike Circle.

Resolution No. 2000-13

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 97S-041G, Bond No. 97BD-060, BMO Leasing (US) Inc., in the amount of \$6,500.”

Request for Bond Release

97S-056G
October Woods, Phase 2, Section 4
October Woods, L.P., principal
Subarea 12 (1997)

Located abutting both margins of October Woods Drive, approximately 90 feet west of Colo Trail.

Resolution No. 2000-14

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 97S-056G, Bond No. 97BD-085, October Woods, Phase 2, Section 4, in the amount of \$116,700.”

Request for Bond Release

97S-057G
October Woods, Phase 2, Section 5
October Woods, L.P., principal
Subarea 12 (1997)

Located abutting both margins of Catspaw Drive, approximately 115 feet northwest of October Woods Drive.

Resolution No. 2000-15

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 97S-057G, Bond No. 97BD-086, October Woods, Phase 2, Section 5, in the amount of \$69,350.”

Request for Bond Release

97S-079G
Lake Park, Section 12
Larry Powell Builders, Inc., principal
Subarea 14 (1996)

Located abutting the southeast terminus of Helena Bay Court, approximately 200 feet southeast of Bayside Lane.

Resolution No. 2000-16

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 97S-079G, Bond No. 97BD-079, Lake Park, Section 12, in the amount of \$34,500.”

Request for Bond Release

97S-304U

Fredericksburg Townhomes, Phase 1, Section 3
Pulte Homes TN GP, L.P., principal
Subarea 12 (1997)

Located abutting the south margin of Old Hickory Boulevard, north margin of Fredericksburg Way West.
(Deferred from meeting of 12/9/99).

Resolution No. 2000-17

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 97S-304U, Bond No. 98BD-084, Fredericksburg Townhomes, Phase 1, Section 3, in the amount of \$20,500.”

Request for Bond Release
97S-376G
Cedar Bluff, Phase 2-B
J. S. Earhart Plumbing Company, principal
Subarea 4 (1998)

Located abutting both margins of Monticello Avenue, opposite Graycroft Avenue.

Resolution No. 2000-18

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 97S-376G, Bond No. 97BD-064, Cedar Bluff, Phase 2-B, in the amount of \$10,000.”

Request for Bond Release
97S-410G
Heritage Meadows, Phase 2
B & P Developments, Inc., principal
Subarea 14 (1996)

Located abutting the east margin of Andrew Jackson Parkway, approximately 300 feet northeast of Weber Road.

Resolution No. 2000-19

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 97S-410G, Bond No. 97BD-067, Heritage Meadows, Phase 2, in the amount of \$22,000.”

Request for Bond Release
98S-009U
MetroCenter, Tract 7L
MetroCenter Holdings, Inc., principal
Subarea 8 (1995)

Located abutting the southwest margin of Venture Circle (private), approximately 190 feet northeast of French Landing Drive.

Resolution No. 2000-20

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 98S-009U, Bond No. 98BD-064, MetroCenter, Tract 7L, in the amount of \$3,000.”

Request for Bond Extension

84S-623G
Village by the Creek, Section 12
Robert E. Earheart, principal
Subarea 2 (1995)
[Buildout is at 21%]

Located abutting both sides of Standing Stone Drive and both sides of Standing Stone Court.

Resolution No. 2000-21

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 84S-623G, Bond No. 87BD-020, Village by the Creek, Section 12, in the amount of \$4,300 to 6/1/2000.

Request for Bond Extension

88S-369U
Vaughns Gap Valley
Michael R. Simon, principal
Subarea 10 (1994)
[Buildout is at 60%]

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

Resolution No. 2000-22

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 88S-369U, Bond No. 90BD-025, Vaughns Gap Valley, in the amount of \$6,000 to 9/1/2000 subject to the submittal of an amendment to the present Letter of Credit by **2/3/2000** which extends its expiration date to 3/1/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension

88S-404U
Nocturne Forest, Phase 1
Chateau Associates, Ltd., principal
Subarea 3 (1998)
[Buildout is at 82%]

Located between the northeast margin of Old Beauna Vista Road and the west terminus of Nocturne Drive.

Resolution No. 2000-23

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 88S-404U, Bond No. 89BD-008, Nocturne Forest, Phase 1, in the amount of \$6,000 to 4/6/2000.

Request for Bond Extension

89S-187U
Perimeter Place, Section 6
Larry M. Vaden, principal
Subarea 14 (1996)
[Buildout is at 0%]

Located abutting north margin of Royal Parkway, opposite Perimeter Place Drive.

Resolution No. 2000-24

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 89S-187U, Bond No. 89BD-012, Perimeter Place, Section 6, in the amount of \$7,800 to 10/20/2000.

Request for Bond Extension
93S-098U
Magnolia Hills
J & J Development, Inc., principal
Subarea 6 (1996)
[Buildout is at 65%]

Located abutting the north margin of Old Harding Pike, approximately 1,000 east of Collins Road.

Resolution No. 2000-25

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 93S-098U, Bond No. 94BD-070, Magnolia Hills, in the amount of \$40,000 to 6/15/2000 subject to the submittal of an amendment to the present Letter of Credit by **2/3/2000** which extends its expiration date to 3/1/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension
95S-136G
Jackson Downs Commercial
Jackson Downs, L.P., principal
Subarea 14 (1996)
[This is a commercial development]

Located abutting the southwest corner of Lebanon Pike and Jackson Downs Boulevard.

Resolution No. 2000-26

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 95S-136G, Bond No. 97BD-074, Jackson Downs Commercial, in the amount of \$20,000 to 4/6/2000 subject to the submittal of an amendment to the present Letter of Credit by **2/3/2000** which extends its expiration date to 10/6/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension
95S-267G
Harbor Village, Phase 2
Cedar Glen, Inc., principal
Subarea 4 (1998)
[Buildout is at 56%]

Located abutting both margins of Spring Branch Drive, approximately 195 feet southeast of Shepard Hill Drive.

Resolution No. 2000-27

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 95S-267G, Bond No. 95BD-079, Harbor Village, Phase 2, in the amount of \$23,000 to 9/1/2000 subject to the submittal of an amendment to the present Letter of Credit by **2/3/2000** which extends its expiration date to 3/1/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension

96S-059G

Oakhaven, Phase 1

C & C Development & Construction Co., Inc., principal

Subarea 6 (1996)

[Buildout is at 60%]

Located abutting the west margin of Sawyer Brown Road, approximately 1,710 feet south of Old Charlotte Pike.

Resolution No. 2000-28

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 96S-059G, Bond No. 96BD-042, Oakhaven, Phase 1, in the amount of \$15,000 to 9/1/2000.

Request for Bond Extension

96S-212U

Percy Priest Woods

Robert H. Braswell, principal

Subarea 14 (1996)

[Buildout is at 61%]

Located abutting the southern terminus of Woodmaker Court and Woodcraft Drive.

Resolution No. 2000-29

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 96S-212U, Bond No. 96BD-043, Percy Priest Woods, in the amount of \$38,250 to 12/15/2000 subject to the submittal of an amendment to the present Letter of Credit by **2/3/2000** which extends its expiration date to 6/15/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension

96S-222U

Stonegate

Alan D. Revelette, principal

Subarea 12 (1997)

[Buildout is at 65%]

Located abutting the east margin of Franklin Pike Circle, approximately 400 feet south of Hill Road.

Resolution No. 2000-30

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 96S-222U, Bond No. 98BD-112, Stonegate, in the amount of \$58,300 to 6/30/2000 subject to the submittal of an amendment to the present Letter of Credit by **2/3/2000** which extends its expiration date to 12/29/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension

96S-230G
Beauna Hill
Glen Tidwell, principal
Subarea 4 (1998)
[Buildout is at 86%]

Located abutting the north margin of Apache Lane, approximately 170 feet east of Cheyenne Boulevard.

Resolution No. 2000-31

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 96S-230G, Bond No. 98BD-005, Beauna Hill, in the amount of \$11,500 to 4/6/2000 subject to the submittal of an amendment to the present Letter of Credit by **1/14/2000** which extends its expiration date to 10/6/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension

96S-267G
Alan Estates
A. H. Johnson Company, LLC, principal
Subarea 14 (1996)
[Buildout is at 0%]

Located abutting the south margin of Tyler Lane between Eva Drive and Andrew Jackson Parkway.

Resolution No. 2000-32

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 96S-267G, Bond No. 97BD-031, Alan Estates, in the amount of \$8,100 to 1/6/2001.

Request for Bond Extension

96S-393U
Metro Airport Center, Phase 5, Section 2
Metropolitan Airport Center, Ltd., principal
Subarea 14 (1996)
[Buildout is at 75%]

Located abutting the east margin of Donelson Pike, south of Elm Hill Pike.

Resolution No. 2000-33

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 96S-393U, Bond No. 97BD-025, Metro Airport Center, Phase 5, Section 2, in the amount of \$5,000 to 4/6/2000 subject to the submittal of an amendment to

the present Letter of Credit by **1/14/2000** which extends its expiration date to 10/6/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension

96S-395G
Spencer & Atchley Subdivision
Spencer & Atchley, LLC, principal
Subarea 14 (1996)
[Buildout is at 20%]

Located abutting the northeast corner of Shute Lane and Old Hickory Boulevard.

Resolution No. 2000-34

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 96S-395G, Bond No. 97BD-096, Spencer & Atchley Subdivision, in the amount of \$37,500 to 11/15/2000 subject to the submittal of an amendment to the present Letter of Credit by **2/3/2000** which extends its expiration date to 5/15/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension

96S-396G
Oakhaven, Phase 2
C & C Development & Construction Co., Inc., principal
Subarea 6 (1996)
[Buildout is at 40%]

Located abutting the west margin of Sawyer Brown Road, approximately 1,710 feet south of Old Charlotte Pike.

Resolution No. 2000-35

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 96S-396G, Bond No. 97BD-017, Oakhaven, Phase 2, in the amount of \$10,000 to 9/1/2000.

Request for Bond Extension

97S-047U and 98S-314U
Antioch Woods, Sections 1 and 2
Deluxe Homes LLC, principal
Subarea 13 (1996)
[Buildout is at 100%]

Located abutting the north margin of Moss Road, approximately 393 feet east of Una-Antioch Pike.

Resolution No. 2000-36

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision Nos. 97S-047U & 98S-314U, Bond Nos. 98BD-094 & 99BD-033, Antioch Woods, Sections 1 & 2, in the amount of \$14,000 to 4/6/2000 subject to the submittal of an amendment to the present Letter of Credit by **2/3/2000** which extends its expiration date to 10/6/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension
97S-109G and 97S-110G
Brookside Woods, Sections 1 and 2
Larry Powell Builders, Inc., principal
Subarea 14 (1996)
[Buildout is at 60%]

Located abutting the northwest corner of Nashville and Eastern Railroad Corporation and Tulip Grove Road.

Resolution No. 2000-37

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision Nos. 97S-109G & 97S-110G, Bond Nos. 97BD-027 & 97BD-028, Brookside Woods, Sections 1 & 2, in the amount of \$149,500 to 5/31/2000 subject to the submittal of an amendment to the present Letter of Credit by **2/3/2000** which extends its expiration date to 11/30/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension
97S-154G
Indian Creek Estates, Section 1
Gregory Perrone, Jr., trustee, principal
Subarea 12 (1997)
[Buildout is at 60%]

Located abutting the south margin of Old Hickory Boulevard, approximately 500 feet east of Culbertson Road.

Resolution No. 2000-38

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 97S-154G, Bond No. 98BD-015, Indian Creek Estates, Section 1, in the amount of \$60,250 to 6/1/2000 subject to the submittal of an amendment to the present Letter of Credit by **2/3/2000** which extends its expiration date to 12/1/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension
97S-203G
Indian Creek Estates, Section 2
Gregory Perrone, Jr., trustee, principal
Subarea 12 (1997)
[Buildout is at 60%]

Located abutting the south margin of Old Hickory Boulevard and both margins of Tuckaleechee Lane.

Resolution No. 2000-39

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 97S-203G, Bond No. 98BD-016, Indian Creek Estates, Section 2, in the amount of \$62,500 to 6/1/2000 subject to the submittal of an amendment to the present Letter of Credit by **2/3/2000** which extends its expiration date to 12/1/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension

97S-404G
Covington Place
Melvin G. George, principal
Subarea 4 (1998)
[Buildout is at 45%]

Located abutting the east margin of Idlewild and both sides of Rothwood Avenue.

Resolution No. 2000-40

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 97S-404G, Bond No. 97BD-065, Covington Place, in the amount of \$19,500 to 12/1/2000 subject to the submittal of an amendment to the present Letter of Credit by **2/3/2000** which extends its expiration date to 6/1/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension
97S-429G
Templegate, Section 3
Jones Land Company LLC, principal
Subarea 6 (1996)
[Buildout is at 71%]

Located abutting the southeast terminus of Templegate Drive and the south terminus of Meadow View Drive.

Resolution No. 2000-41

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 97S-429G, Bond No. 98BD-024, Templegate, Section 3, in the amount of \$65,000 to 6/1/2000 subject to the submittal of an amendment to the present Letter of Credit by **2/3/2000** which extends its expiration date to 12/1/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension
97S-441G
Indian Creek Estates, Section 3
Gregory Perrone, Jr., trustee, principal
Subarea 12 (1997)
[Buildout is at 50%]

Located abutting the south margin of Old Hickory Boulevard, approximately 500 feet east of Culbertson Road.

Resolution No. 2000-42

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 97S-441G, Bond No. 99BD-001, Indian Creek Estates, Section 3, in the amount of \$93,000 to 6/1/2000 subject to the submittal of an amendment to the present Letter of Credit by **2/3/2000** which extends its expiration date to 12/1/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension

97S-453G
Lakewood Village, Section 1
Fischer Ford LLC, principal
Subarea 13 (1996)
[Buildout is at 59%]

Located abutting the north margin of Pinhook Road, approximately 660 feet west of Lavergne-Couchville Road.

Resolution No. 2000-43

“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 5/30/2000 subject to the submittal of an amendment to the present Letter of Credit by **2/3/2000** which extends its expiration date to 11/30/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension
98S-138G
Jacob’s Valley, Section 1
Smith, Pyron & Pyron, principal
Subarea 1 (1997)
[Buildout is at 0%]

Located the south margin of Old Clarksville Pike, approximately 2,387 feet west of Clarksville Pike.

Resolution No. 2000-44

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 98S-138G, Bond No. 98BD-106, Jacobs Valley, Section 1, in the amount of \$67,000 to 11/20/2000.

Request for Bond Extension
98S-188G
Brentwood Chase, Section 1
Wilson Concord, L.P., principal
Subarea 12 (1997)
[Buildout is at 9%]

Located abutting the north margin of Old Hickory Boulevard and the southwest margin of Hill Road.

Resolution No. 2000-45

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 98S-188G, Bond No. 99BD-007, Brentwood Chase, Section 1, in the amount of \$1,350,000 to 12/22/2000.”

Request for Bond Extension
98S-241U
Highlands of Brentwood, Phase 1
Highlands of Brentwood, LLC, principal
Subarea 12 (1997)
[Buildout is at 22%]

Located abutting the west margin of Nolensville Pike and north margin of Celebration Way.

Resolution No. 2000-46

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 98S-241U, Bond No. 99BD-014, Highlands of Brentwood, Phase 1, in the amount of \$540,500 to 12/21/2000.

Request for Bond Extension

98S-319G

Winfield Park, Phase 1, Section 1

Danco Property Investments LLC, principal

Subarea 12 (1997)

[Buildout is at 65%]

Located abutting the north margin of Holt Road, approximately 1,390 feet east of Edmondson Pike.

Resolution No. 2000-47

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 98S-319G, Bond No. 98BD-120, Winfield Park, Phase 1, Section 1, in the amount of \$230,175 to 12/1/2000 subject to the submittal of an amendment to the present Letter of Credit by **2/3/2000** which extends its expiration date to 6/1/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension

98S-362G

Jacob’s Valley, Section 2

Smith, Pyron & Pyron, principal

Subarea 1 (1997)

[Buildout is at 0%]

Located abutting the south terminus of Jacob’s Valley Road, approximately 600 feet south of Old Clarksville Pike.

Resolution No. 2000-48

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 98S-362G, Bond No. 98BD-107, Jacobs Valley, Section 2, in the amount of \$73,000 to 12/8/2000.

Request for Bond Extension

98S-368U

Drakes Run, Phase 1

SHH, LLC, principal

Subarea 3 (1998)

[Buildout is at 40%]

Located abutting the west margin of Drakes Run Road, approximately 406 feet north of Kings Lane.

Resolution No. 2000-49

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 98S-368U, Bond No. 98BD-003, Drakes Run, Phase 1, in the amount of \$49,500 to 12/1/2000 subject to the submittal of an amendment to the present Letter of Credit by **2/3/2000** which extends its expiration date to 6/1/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension

99S-017G

River Plantation, Section 11, Phase 4

Haury & Smith Contractors, Inc., principal

Subarea 6 (1996)

[Buildout is at 30%]

Located abutting the southwest margin of Sawyer Brown Road, opposite General George Patton Road.

Resolution No. 2000-50

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 99S-017G, Bond No. 99BD-026, River Plantation, Section 11, Phase 4, in the amount of \$66,000 to 12/1/2000 subject to the submittal of an amendment to the present Letter of Credit by **2/3/2000** which extends its expiration date to 6/1/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension

99S-044G

The Peninsula, Phase 3, Section 2

The Peninsula, A TN Ltd. Partnership, principal

Subarea 14 (1996)

[Buildout is at 70%]

Located abutting the west terminus of Peninsula Point Drive, approximately 125 feet west of John Hager Road.

Resolution No. 2000-51

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 99S-044G, Bond No. 99BD-017, Peninsula, Phase 3, Section 2, in the amount of \$154,250 to 5/1/2000 subject to the submittal of an amendment to the present Letter of Credit by **2/3/2000** which extends its expiration date to 11/1/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension

99S-067G

Autumn Oaks, Section 1

Autumn Oaks LLC, principal

Subarea 12 (1997)

[Buildout is at 32%]

Located abutting the northeast margin of Nolensville Pike, approximately 2,065 feet southeast of Culbertson Road.

Resolution No. 2000-52

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 99S-067G, Bond No. 99BD-076, Autumn Oaks, Section 1, in the amount of \$273,500 to 12/1/2000 subject to the submittal of an amendment to the present Letter of Credit by **2/3/2000** which extends its expiration date to 6/1/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Replacement

84P-087

Crossings at Hickory Hollow, Section 1

American General Realty Investment, present principal

SC Capital, LLC, proposed principal

Subarea 13 (1996)

[This is a commercial development]

Located abutting the northeast margin of I-24 South, 0 feet northwest of Old Franklin Pike.

Resolution No. 2000-53

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for replacement of a performance bond for Subdivision No. 84P-087, Bond No. 90BD-007, Crossings at Hickory Hollow, Section 1, in the amount of \$57,750 subject to submittal of appropriate security and the execution of the replacement bond by 2/3/2000. **Failure of the principal to provide amended security and bond documents shall be grounds for collection without further notification.**”

Request for Bond Replacement

84P-087

Crossings at Hickory Hollow, Section 2

American General Realty Investment, present principal

SC Capital, LLC, proposed principal

Subarea 13 (1996)

[This is a commercial development]

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

Resolution No. 2000-54

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for replacement of a performance bond for Subdivision No. 84P-087, Bond No. 90BD-008, Crossings at Hickory Hollow, Section 2, in the amount of \$50,000 subject to submittal of appropriate security and the execution of the replacement bond by 2/3/2000. **Failure of the principal to provide amended security and bond documents shall be grounds for collection without further notification.**”

Request for Bond Replacement

90S-021U

MetroCenter, Tracts 15A & 15B

MetroCenter Holdings, Inc., principal

Subarea 8 (1995)

[Buildout is at 0%]

Located abutting the east side Athens Way between Great Circle Road and French Landing.

Resolution No. 2000-55

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for replacement of a performance bond for Subdivision No. 90S-021U, Bond No. 90BD-016, MetroCenter, Tracts 15-A & 15-B, in the amount of \$30,000 subject to submittal of appropriate security and the execution of the replacement bond by 2/3/2000. **Failure of the principal to provide amended security and bond documents shall be grounds for collection without further notification.**”

Request for Bond Replacement

96S-110G

Carters Glen

Magnolia Construction Company, Inc., principal

(Change of security from Letter of Credit

to Cashier’s Check)

Subarea 6 (1996)

[Buildout is at 16%]

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

Resolution No. 2000-56

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for replacement of a performance bond for Subdivision No. 96S-110G, Bond No. 96BD-016, Carters Glen, in the amount of \$30,315 subject to submittal of appropriate security and the execution of the replacement bond by 2/3/2000. **Failure of the principal to provide amended security and bond documents shall be grounds for collection without further notification.**”

ZONE CHANGE AND PUD PROPOSALS

99Z-104U-13

Map 135, Parcels 212 (2 acres) and 213 (2.88 acres)

Subarea 13 (1996)

District 27 (Sontany)

A request to change from R10 to RM6 district properties on the south margin of Old Smith Springs Road, approximately 280 feet south of Smith Springs Road (4.88 acres), requested by Gary Vogrin, appellant, for WDN Properties, LTD., owners. (Deferred indefinitely from meeting of 8/5/99).

Resolution No. 2000-57

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-104U-13 is **APPROVED (7-0)**:

These properties fall within the Subarea 13 Plans; Residential Medium (RM) policy calling for 4 to 9 units per acre and the area's multi-family development pattern averaging 6.7 units per acre. The RM6 district is consistent with that policy."

99P-009U-13

Nashboro Village-Fairway Pointe

Map 135, Parcels 212 (2 acres) and 213 (2.88 acres)

Subarea 13 (1996)

District 27 (Sontany)

A request for preliminary approval for a Planned Unit Development District, located abutting the south margin of Old Smith Springs Road, north of Nashboro Boulevard, classified R10 and proposed for RM6

(4.88 acres), to permit 29 multi-family units, requested by Vastland Nashboro Development, for WDN Properties, Ltd., owner.

Resolution No. 2000-58

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-104U-13 is **APPROVED (7-0)**:

These properties fall within the Subarea 13 Plan;s Residential Medium (RM) policy calling for 4 to 9 units per acre and the area's multi-family development pattern averaging 6.7 units per acre. The RM6 district is consistent with that policy."

2000Z-002U-12

Map 172, Parcels 155 (10.22 acres) and 156 (10.18 acres)
Map 173, Parcels 151 (5.01 acres), 152 (5.04 acres) and
Part of Parcel 150 (17.71 acres)
Map 180, Parcels 8 (3.3 acres) and 31 (3.30 acres)
Subarea 12 (1997)
District 31 (Knoch)

A request to change from AR2a to RS10 district properties at Nolensville Pike and Holt Road (unnumbered), approximately 1,900 feet east of Redmond Lane (54.76 acres), requested by Austin Daniel, appellant, for Charles Alexander, trustee, and Greg Freels and Paige and D. J. Buczek, and Melvin C. Barnes, owners.

Resolution No. 2000-59

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-002U-12 is **APPROVED (7-0)**:

These properties fall within the Subarea 12 Plan's Residential Low Medium (RLM) policy calling for up to 4 units per acre. The RS10 district is consistent with that policy and the single-family development pattern in the area."

2000Z-003U-03

Map 69-16, Part of Parcel 37 (1.62 acres)
Map 70-13, Part of Parcel 53 (.67 acres)
Subarea 3 (1998)
District 2 (Black)

A request to change from RS10 to CL district a portion of properties at 3308 North Hydes Ferry Pike and 2001 South Hamilton Road, opposite County Hospital Road (2.29 acres), requested by Steven E. Crook, appellant, for Steven E. Crook & Associates, owner.

Resolution No. 2000-60

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-003U-03 is **APPROVED (7-0)**:

These properties fall within the Subarea 3 Plan's Commercial Arterial Existing (CAE) policy calling for office, commercial, and higher density residential uses. The CL district is consistent with that policy and the area's established commercial zoning pattern in this area."

2000Z-005U-14

Map 96-9, Parcel 48

Subarea 14 (1996)
District 15 (Loring)

A request to change from OR20 to MUL District property at 300 Donelson Pike, opposite McCampbell Avenue (.83 acres), requested by Gil Smith, appellant, for Rita Gail S. Bradford and Gil Smith, owners.

Resolution No. 2000-61

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-005U-14 is **APPROVED (7-0)**:

This property falls within the Subarea 14 Plan's Commercial Arterial Existing (CAE) policy calling for office, commercial, and higher density residential uses. The MUL district is consistent with that policy."

191-69-G-14
Priest Lake Center
Map 97, Parcel 143
Subarea 14 (1996)
District 12 (Ponder)

A request to amend a portion of the Commercial (General) PUD to cancel an undeveloped parcel out of the PUD located abutting the northwest corner of Mills Road and Old Hickory Boulevard, classified CL (.12 acres), to remove an undeveloped parcel from the PUD, requested by Civil Resource Consultants, LLC for Aubrey Todd Harvey, owner and Burkhart and Ziocowski, L.L.C, optionee.

Resolution No. 2000-62

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 191-69-G-14 is given **APPROVAL TO CANCEL A PORTION OF THE PUD (7-0)**. The following condition applies.

Approval of the PUD cancellation by the Metropolitan Council."

74-73-G-14
Music Valley PUD
Map 62, Part of Parcel 154
Subarea 14 (1996)
District 15 (Loring)

A request to revise the preliminary plan and for final approval for a portion of the Commercial Planned Unit Development District located abutting the east margin of Music Valley Drive, north of McGavock Pike, classified CA (1.38 acres), to develop a 2,880 square foot retail building, replacing a 2,400 square foot retail building, requested by Dale and Associates for Hobbs Enterprises, owners.

Resolution No. 2000-63

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 74-73-G-14 is given **APPROVAL OF REVISION TO PRELIMINARY AND CONDITIONAL APPROVAL OF FINAL PUD PLAN (7-0)**. The following condition applies:

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

55-84-G-13
Pepper Ridge
Map 149, Parcel 298
Subarea 13 (1996)
District 28 (Alexander)

A request to revise the preliminary plan for the Residential Planned Unit Development District located abutting the northwest corner of Una-Antioch Pike and Billingsgate Road, classified R10 (2.0 acres), to develop 4 multi-family units, replacing 4 single-family lots, requested by Dale and Associates for York Construction, LLC, owner.

Resolution No. 2000-64

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 55-84-G-13 is given **CONDITIONAL APPROVAL TO REVISE THE PRELIMINARY PUD PLAN (7-0)**. The following conditions apply:

1. Prior to the issuance of any building permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and Traffic Engineering sections of the Metropolitan Department of Public Works.
2. Prior to the issuance of any building permits, the applicant shall record a final plat and post any required bonds for utilities and public improvements.”

14-85-P-13
Olson Tire
Map 149, Parcel 328
Subarea 13 (1996)
District 28 (Alexander)

A request to revise the preliminary plan and for final approval for a phase of the Commercial Planned Unit Development District located abutting the southwest margin of Murfreesboro Pike, south of Shiaway Drive, classified R15 (.95 acres), to develop a 6,832 square foot retail auto tire store, replacing a 4,000 square foot retail use, requested by Ragan-Smith Associates, Inc., for Boos Development Group, Inc., owners.

Resolution No. 2000-65

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 14-85-P-13 is given **APPROVAL TO REVISE THE PRELIMINARY PUD PLAN AND CONDITIONAL FINAL PUD APPROVAL FOR A PHASE (7-0)**. The following condition applies:

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

95P-034U-13
Ashford Crossing West
Map 163, Parcel 182
Map 164, Parcels 22 and 23
Subarea 13 (1996)
District 29 (Holloway)

A request to revise the preliminary plan and for final approval of the Residential Planned Unit Development District located abutting the western terminus of Cainbrook Crossings, 200 feet west of Cedar Ash

Crossings, classified RS7.5 (4.67 acres), to develop 23 single-family lots, replacing 24 single-family lots, requested by Anderson-Delk and Associates for Phillips Builders, owners.

Resolution No. 2000-66

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 95P-034U-13 is given **APPROVAL OF REVISION TO PRELIMINARY PUD AND CONDITIONAL FINAL PUD APPROVAL (7-0)**. The following conditions apply:

1. Prior to the issuance of any building permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. Prior to the issuance of any building permits, the applicant shall record a final plat and post any required bonds for utilities and public improvements.”

98P-002G-13

Villages of Long Hunter, Phase 1
Map 151, Part of Parcels 40, 41 and 82
Subarea 13 (1996)
District 29 (Holloway)

A request for final approval for Phase 1 of the Residential Planned Unit Development District located abutting the south margin of Hobson Pike, opposite Derbyshire Drive, classified RS15 and R15 (28.6 acres), to develop 106 single-family lots, requested by John Coleman Hayes Consulting Engineers for JCH Development Inc., owners. (Also requesting final plat approval).

Resolution No. 2000-67

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 98P-002G-13 is given **CONDITIONAL FINAL APPROVAL FOR PHASE 1 (7-0)**. The following conditions apply:

1. Prior to the issuance of any grading permits, written confirmation of approval from the U.S. Army Corp. of Engineers is required acknowledging and accepting the impact of additional run-off this development will have on the U.S. Army Corp. of Engineers’ existing pond located east of lot 123 on the preliminary PUD plan adjacent to the proposed sewer pumping station.
2. 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.
3. Prior to the issuance of any building permits, a final subdivision plat shall be recorded including the bonding of all required improvements including the required sewer pumping station for Phase I. The sewer pumping station shall be constructed prior to the issuance of any building permits for Phase I.”

98P-007U-12

Seven Springs
Map 160, Parcels 44, 46, 47, 213 and 214
Subarea 12 (1997)
District 32 (Jenkins)

A request to revise a portion of the preliminary plan to eliminate one 14,000 square foot office building, to relocate an assisted-living facility and the redistribution of 1,029,000 square feet of office, assisted living

and independent living facilities, where 1,029,000 square feet of office, assisted living, and independent living facilities were approved, and for final approval for mass grading, utilities, and construction of two private entrance drives for Phase 1 of the Planned Unit Development District located abutting the north margin of Old Hickory Boulevard, classified OR40 (40.50 acres), requested by Barge, Cauthen and Associates for Seven Springs Associates, owner.

Resolution No. 2000-68

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 98P-007U-12 is given APPROVAL TO REVISE PRELIMINARY PUD PLAN AND CONDITIONAL FINAL PUD APPROVAL FOR PHASE 1 FINAL PLAT APPROVAL SUBJECT TO A BOND IN THE AMOUNT OF \$414,000.00 (7-0). The following conditions apply:

1. In conjunction with the submittal of any subsequent final PUD plans for any portion of this PUD, the applicant shall submit drainage calculations for all phases included in that plan or may submit calculations for the entire PUD project.
2. 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 Traffic Engineering sections of the Metropolitan Department of Public Works.
3. Prior to the issuance of any building permits or in conjunction with any final PUD approval, a final subdivision plat shall be recorded and bonds shall be posted for any necessary public improvements.
4. Prior to the issuance of any Use and Occupancy permits for any building or structure, all off-site traffic and circulation improvements shall be constructed, approved, and accepted by the Traffic Engineer and Metro Public Works Department.

MANDATORY REFERRALS

99M-158U-05

Closure of Alley #698 and Convey Portion of Parcel 335
to Metro Government
Map 72-13, Parcels 335 and 336
Subarea 5 (1994)
District 5 (Hall)

A request to close a portion of Alley #698 from Douglas Avenue terminating at a point 175 feet south towards Alley #711 and to convey a portion of parcel 335 on tax map 72-13 (approximately 2000 square foot: 50' x 40') to Metro Government as a vehicle turnaround for Alley #711, requested by Orin C. Odom for Bell South Telecommunications, Inc. (Easements are to be retained).

Resolution No. 2000-69

“BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-158U-05.”

99M-160U-14

Metro Airport Center Easement Abandonment
Map 96-13, Part of Parcels 211 and 213
Subarea 14 (1996)
District 14 (Stanley)

A request by the Department of Water and Sewerage Services to abandon a 10' public utility and drainage easement located at 2815 Patriot Way.

Resolution No. 2000-70

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-160U-14."

99M-161U-11

Mill Creek Easement Acquisition
Map 119-7, Part of Parcels 44 and 46
Subarea 11 (1999)
District 16 (McClendon)

A request by the Department of Water & Sewerage Services for the acquisition of easements to accommodate the construction of a trunk sewer line along Mill Creek.

Resolution No. 2000-71

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-161U-11."

2000M-001G-00

Fiber Optic Cable Encroachment:
Level 3 Communications, Inc.
Maps 1, 4, 8, 9, 15, 21, 22, 29, 30, 38, 39, 47, 56, 57, 67, 78, 89, 90,
102, 103, 116-119, 132, 133, 146, 147, 160, 161, 171-173, 181
Subareas 1, 3, 6, 7, 10, 11, 12,
Districts 1 (Gilmore), 16 (McClendon), 17 (Greer), 22 (Hand), 24
(Summers), 25 (Shulman), 26 (Arriola), 31 (Knoch), 32 (Jenkins), 33
(Turner) and 34 (Williams)

This request involves placing three fiber optic cables at a minimum depth of 42" below grade within the following public rights-of-way: 1) install a fiber optic cable beginning on Franklin Pike at the southern county line, extending north to Harding Place, then east on Harding Place to Armory Drive and terminating at the Armory Drive/Sidco Drive intersection; 2) install a fiber optic cable beginning on Nolensville Pike at the southern county line, extending north to Harding Place, then west on Harding Place to Armory Drive, and terminating at the Armory Drive/Sidco Drive intersection; and 3) install a fiber optic cable beginning at the Armory Drive/Sidco Drive intersection, extending west on Armory Drive to Powell Avenue, then north on Powell Avenue to Thompson Lane, then west on Thompson Lane to Woodmont Boulevard, then west on Woodmont Boulevard to Harding Road, west on Harding Road to Hillwood Drive, then Hillwood Drive to Old Hickory Boulevard, crossing the Cumberland River, and extending north on Old Hickory Boulevard to Old Clarksville Pike, then east on Old Clarksville Pike, and then north on Clarksville Highway, terminating at the county line.

Resolution No. 2000-72

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 2000M-001G-00."

2000M-002U-12

Greenwood Subdivision Easement Acquisition

Map 162, Part of parcels 102, 125, 129, 198
Subarea 12 (1997)
District 31 (Knoch)

A request by the Department of Water & Sewerage Services to acquire easements for the purpose of undertaking two projects for the Greenwood Subdivision(CIBP Nos. 96G0001 and 96WG0001).

Resolution No. 2000-73

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 2000M-002U-12."

2000M-004U-08
Head Middle School Property Acquisition II
Map 92-7, Parcels 375, 381, 383, 384
Subarea 8 (1995)
District 21 (Whitmore)

A request by the Public Property Administrator to acquire four (4) properties located at 1823 Jo Johnston Avenue, 508 Lyle Avenue, 1824 Pearl Street, and 1822 Pearl Street, zoned R6 and CS districts, for the purpose of construction additions to Head Middle School.

Resolution No. 2000-74

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 2000M-004-08."

2000M-005U-10
Vanderbilt University Consolidation Public Utility
Easement Abandonment
Map 104 - 3, Part of parcel 259
Subarea 10 (1994)
District 18 (Hausser)

A request to abandon an 8 foot portion of the public utility easement located within the former Kensington Place right-of-way by Mr. Joseph A. Johnston of Gresham, Smith and Partners, appellant, for Vanderbilt University, owner.

Resolution No. 2000-75

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 2000M-005U-10."

2000M-006U-11
Hamilton/Southgate Avenues Area Easement Abandonment
Map 105 - 6, Part of parcels 311 and 348
Subarea 11 (1999)
District 17 (Greer)

A request by the Department of Water and Sewerage Services to abandon an 8" sewer line, a 6" water line, and the corresponding easements (retained in Ordinances O72-401, O60-106, and O81-748, which closed Alleys #685 and #686 and portions of Trabue Street, respectively).

Resolution No. 2000-76

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 2000M-006U-11."

2000M-007G-06
Bellevue Mall Storm Sewer Easement Abandonment
Map 142, Part of parcel 1
Subarea 6
District 23 (Bogen)

A request to abandon two storm sewer easements beneath the recently completed Sears department store and parking lot area at the Bellevue Mall, requested by Barge, Waggoner, Sumner & Cannon, Inc., appellant, for Oak Tree Capital Management, LLC, owner.

Resolution No. 2000-77

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 2000M-007G-06."

OTHER BUSINESS:

- 3. Request to Amend the 1999-2000 through 2004-2005 Capital Improvements Budget Program (Proposal 2000CB001)

Resolution No. 2000-78

"BE IT RESOLVED by the Metropolitan Planning Commission that it approves a proposal to amend the 1999-2000 to 2004-2005 Capital Improvements Budget and Program. The amendment would modify the source of funding for existing Water and Sewer projects as follows:

FROM:

I.D. No. 98WC0001

Water Infrastructure Rehabilitation

\$4,000,000	Operating Revenues	FY 1999-2000
\$4,500,000	Operating Revenues	FY 2000-2001
\$8,000,000	Operating Revenues	FY 2001-2002
\$8,000,000	Operating Revenues	FY 2002-2003
\$8,000,000	Operating Revenues	FY 2003-2004

TO:

I.D. No. 98WC0001

Water Infrastructure Rehabilitation

\$4,000,000	State Funds	FY 1999-2000
\$4,500,000	State Funds	FY 2000-2001
\$8,000,000	State Funds	FY 2001-2002
\$8,000,000	State Funds	FY 2002-2003
\$8,000,000	State Funds	FY 2003-2004

FROM:

I.D. No. 98WG0011

Cane Ridge-Brentwood Water Service Improvements- Construct

\$750,000	Operating Revenues	FY 1999-2000
\$3,650,000	Operating Revenues	FY 2000-2001

TO:
 I.D. No. 98WG0011
 Cane Ridge-Brentwood Water Services Improvements – Construct
 \$750,000 State Funds FY 1999-2000
 \$6,500,000 State Funds FY 2000-2001

FROM:
 I.D. No. 97WC0001
 Cumberland 24” Water Main- Construct
 \$1,700,000 Operating Revenues FY 1999-2000
 \$1,000,000 Operating Revenues FY 2000-2001
 \$1,000,000 Operating Revenues FY 2001-2002
 \$1,000,000 Operating Revenues FY 2002-2003

TO:
 I.D. No. 97WC0001
 Cumberland 24” Water Main- Construct
 \$1,700,000 State Funds FY 1999-2000
 \$1,000,000 State Funds FY 2000-2001
 \$1,000,000 State Funds FY 2001-2002
 \$1,000,000 State Funds FY 2002-2003

The amendment would further modify the timing and source of funding for the following Water and Sewer project:

FROM:
 I.D. No. 98WG0010
 Joelton Water Improvements- Construct
 \$1,700,000 Operating Revenues FY 2000-2001

TO:
 I.D. No. 98WG0010
 Joelton Water Improvements- Construct
 \$1,700,000 State Funds FY 1999-2000”

This concluded the items on the consent agenda.

DEVELOPMENT MONITORING/AGENDA OVERVIEW

Ms. Kubant announced there would be no Development Monitoring Overview.

SUBDIVISION AND BOND PROPOSALS

99S-436U-12 (Public Hearing)
 Woodland Hills, Phase 2, Revised
 Map 134, Parcel 63
 Subarea 12 (1997)

District 27 (Sontany)

A request for revised preliminary approval for 135 lots abutting the northeast margin of Woodland Hills Drive, approximately 110 feet southeast of Donna Kay Drive (43.81 acres), classified within the R10 District, requested by Vista Partners, owner/developer, Wamble and Associates, surveyor. (Deferred from meeting of 12/9/99).

Mr. Calleja stated the applicant has requested indefinite deferral on this application to address the impact on the blue line stream on the property.

Ms. Nielson moved and Ms. Oglesby seconded the motion, which carried unanimously, to close the public hearing and defer this matter indefinitely.

2000S-007U-13
Forest View North
Map 149, Part of Parcel 189
Subarea 13 (1996)
District 29 (Holloway)

A request for final plat approval to create two lots abutting the northeast corner of Forest View Drive and Murfreesboro Pike (16.4 acres), classified within the CS District, requested by John E. Cain, III, trustee, owner/developer, Lose and Associates, Inc., surveyor.

Mr. Calleja stated staff is recommending approval subject to a bond.

Ms. Nielson questioned an odd corner lot.

Mr. Calleja stated that location would probably be a convenience store or gas station and under the current Subdivision Regulations the applicant has the ability to do this and meet all regulations.

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

Resolution No. 2000-79

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2000S-007U-13, is **APPROVED SUBJECT TO A BOND OF \$5,250.00 (7-0).**”

Request for Bond Extension
96S-247U
Forge Ridge, Resubdivision of Lot 1
Dewey Pedigo, Jr., trustee, principal
Subarea 13 (1996)
[Buildout is at 100%]

Located abutting the northwest margin of Franklin Limestone Road, approximately 338 feet west of Rice Avenue.

Mr. Calleja stated staff is recommending disapproval of this request and is requesting authorization to collect the performance bond unless the required sidewalks and road construction is completed by May 1, 2000. The reason staff is recommending disapproval is because buildout is already at 100% and they will be able to accomplish this within the given time frame.

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

Resolution No. 2000-80

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **DISAPPROVES** the request for extension and **AUTHORIZES** the collection of the performance bond for Subdivision No. 96S-247U, Bond No. 95BD-093, Forge Ridge, Resubd. of Lot 1, in the amount of \$65,000 unless the required sidewalks are completed and the roads are accepted by Metro Public Works by 5/1/2000.

Request for Bond Extension

97S-152G

Boone Trace, Section 3

Fox Ridge Homes, Inc., principal

Subarea 6 (1996)

[Buildout is at 95%]

Located abutting both margins of Settlers Court.

Mr. Calleja stated staff is recommending disapproval and is requesting authorization for collection of the performance bond unless final paving and sidewalks are complete by May 1, 2000.

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

Resolution No. 2000-81

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **DISAPPROVES** the request for extension and **AUTHORIZES** the collection of the performance bond for Subdivision No. 97S-152G, Bond No. 98BD-097, Boone Trace, Section 3, in the amount of \$200,880 unless final paving and sidewalks are completed by 5/1/2000.

Request for Bond Extension

97S-204U

Brookwood, Phase 2

Kevin McGinn, principal

Subarea 7 (1994)

[Buildout is at 100%]

Located abutting both margins of Brookwood Place, approximately 115 feet east of Nashua Lane.

Mr. Calleja stated staff is recommending disapproval and is requesting authorization for collection of the performance bond unless final paving and sidewalks are complete by May 1, 2000.

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

Resolution No. 2000-82

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **DISAPPROVES** the request for extension and **AUTHORIZES** the collection of the performance bond for Subdivision No. 97S-204U, Bond No. 98BD-006, Brookwood, Phase 2, in the amount of \$27,000 unless final paving and sidewalks are completed by 5/1/2000. The developer will be required to maintain appropriate security. **Failure of principal to maintain appropriate security shall be grounds for collection without further notification.**

Request for Bond Extension

97S-225G
Holt Woods, Section 12
Hurley-Y, L.P., principal
Subarea 12 (1997)
[Buildout is at 79%]

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

Mr. Calleja stated staff is recommending disapproval and is requesting authorization for collection of the performance bond unless final paving and sidewalks are complete by May 1, 2000.

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

Resolution No. 2000-83

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **DISAPPROVES** the request for extension and **AUTHORIZES** the collection of the performance bond for Subdivision No. 97S-225G, Bond No. 98BD-058, Holt Woods, Section 12, in the amount of \$20,750 unless final paving and sidewalks are completed by 5/1/2000. The developer will be required to maintain appropriate security. **Failure of principal to maintain appropriate security shall be grounds for collection without further notification.**

Request for Bond Extension
97S-319G
Tree Haven, Section 1
Forrest Partnership, principal
Subarea 13 (1996)
[Buildout is at 86%]

Located abutting the east terminus of Ashford Trace and the south terminus of Brentwood Drive.

Mr. Calleja stated staff is recommending disapproval and is requesting authorization for collection of the performance bond unless final paving and sidewalks are complete by May 1, 2000.

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

Resolution No. 2000-84

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **DISAPPROVES** the request for extension and **AUTHORIZES** the collection of the performance bond for Subdivision No. 97S-319G, Bond No. 98BD-025, Tree Haven, Section 1, in the amount of \$116,500 unless final paving and sidewalks are completed by 5/1/2000. The developer will be required to maintain appropriate security. **Failure of principal to maintain appropriate security shall be grounds for collection without further notification.**

Request for Bond Extension
97S-471G
Newport PUD

Newport LLC, principal
Subarea 14 (1996)
[Buildout is at 82%]

Located abutting the southeast margin of John Hager Road and the southwest margin of South New Hope Road.

Mr. Calleja stated staff is recommending disapproval and is requesting authorization for collection of the performance bond unless final paving and sidewalks are complete by May 1, 2000.

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

Resolution No. 2000-85

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **DISAPPROVES** the request for extension and **AUTHORIZES** the collection of the performance bond for Subdivision No. 97S-471G, Bond No. 97BD-084, Newport PUD, in the amount of \$49,000 unless final paving and sidewalks are completed by 5/1/2000.

Request for Bond Extension
98S-171G
Peninsula, Phase 3, Section 1
The Peninsula, A TN Ltd. Partnership, principal
Subarea 14 (1996)
[Buildout is at 92%]

Located abutting the northwest terminus of Bay Overlook Drive, approximately 688 feet northwest of Peninsula Park Landing.

Mr. Calleja stated staff is recommending disapproval and is requesting authorization for collection of the performance bond unless final paving and sidewalks are complete by May 1, 2000.

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

Resolution No. 2000-86

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **DISAPPROVES** the request for extension and **AUTHORIZES** the collection of the performance bond for Subdivision No. 98S-171G, Bond No. 98BD-070, Peninsula, Phase 3, Section 1, in the amount of \$109,500 unless final paving and sidewalks are completed by 5/1/2000. The developer will be required to maintain appropriate security. **Failure of principal to maintain appropriate security shall be grounds for collection without further notification.**

Request for Bond Extension
98S-354U
Brittany Park, Phase 2
Carlton Enterprises, Inc., principal
Subarea 12 (1997)
[Buildout is at 92%]

Located abutting the north terminus of Brittany Park Drive, north of Bell Road.

Mr. Calleja stated staff is recommending disapproval and is requesting authorization for collection of the performance bond unless final paving and sidewalks are complete by May 1, 2000.

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

Resolution No. 2000-87

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **DISAPPROVES** the request for extension and **AUTHORIZES** the collection of the performance bond for Subdivision No. 98S-354U, Bond No. 98BD-121, Brittany Park, Phase 2, in the amount of \$259,500 unless final paving and sidewalks are completed by 5/1/2000. The developer will be required to maintain appropriate security. **Failure of principal to maintain appropriate security shall be grounds for collection without further notification.**

Consideration of Bond Collection

98S-052G
Waller’s One Lot Subdivision
Ronald E. Waller, principal
Subarea 1 (1997)
[Buildout is at 100%]

Located abutting the southwest margin of Old Clarksville Pike, opposite Clarksville Pike.

Mr. Calleja stated staff is recommending collection of the performance bond to complete the work that needs to be done for a fire hydrant. The developer has indicated to staff that he was not going to request an extension of the bond and that he wanted the bond collected. If it costs more than the bond amount to install the fire hydrant the performance bond permits Metro to collect any additional amount over the bond amount from the developer if necessary.

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

Resolution No. 2000-88

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the collection of the performance bond for Subdivision No. 98S-052G, Bond No. 98BD-117, Waller’s One Lot Subdivision, in the amount of \$2,500 if the subdivider does not elect to renew the bond or complete the required fire hydrant (Metro Project No. 98-WL-62).

ZONE CHANGE AND PUD PROPOSALS

99Z-022T
Council Bill No. BL99-90
Sunset Provision for PUDs

A council bill to amend Section 17.36.040 of the Zoning Regulations to provide a sunset provision for Planned Unit Development Districts, sponsored by Councilmember Brenda Gilmore.

Ms. Regen stated this bill pertains to PUDs and sunsetting those approved after January 1, 2000. This bill states that PUDs that were not substantially completed, that being defined as 20% of the floor area, would expire. If there were any associated zone change with PUD, it would revert back to the zoning that was there before. Staff has a few concerns with the way the bill was drafted and is requesting this item be deferred to allow Metro Legal to research the legalities.

Ms. Nielson moved and Ms. Warren seconded the motion, which carried unanimously, to defer this matter and bring it back before the Commission before the March Council public hearing.

99Z-167G-02

Map 41, Parcels 2 (44.75 acres) and 125 (.50 acres)

Subarea 2 (1995)

District 10 (Balthrop)

A request to change from R20 to IWD district property at 7585 Old Hickory Boulevard, approximately 1,240 feet west of Brick Church Pike (44.75 acres), requested by Ida Carrigan, appellant, for Charles True and Laura K. P. True, owners. (Deferred from meeting of 12/9/99).

Ms. Regen stated staff is recommending disapproval of this request because it falls within a residential policy and there was an intent to continue a subdivision pattern on the property.

Ms. Cynthia Wood stated that at the last meeting, the Commission asked staff to assess the merits of amending the Subarea 2 Plan to provide industrial development opportunity near the interchange of Old Hickory Boulevard and I-24. Your request was made in connection with zone change request 99Z-167G-02, an application to rezone approximately 45 acres of land in that area from R20 to IWD. The site is part of a Residential Low Density policy area, and staff has recommended disapproval of the zone change. Councilmember Bettye Balthrop spoke in favor of the request and stated that more employment opportunities were needed in the northwest part of the county.

At this time, staff is recommending against setting a public hearing to consider the request. This recommendation is being made for three principal reasons. The first is that a preliminary assessment of industrial development opportunities in the subareas that roughly correspond to northwest Davidson County, which are 1, 2, and 3, reveals that there is a considerable amount of vacant or residentially used land within existing areas of Industrial and Distribution (IND) policy and/or zoning. The total acreage of such land is approximately 1,860 acres, of which approximately 1,440 acres are outside of the floodplain.

The second reason is that staff is concerned that a plan amendment to IND in this location would be a spot application of policy to accommodate a specific development request. Even if IND policy were also to be applied to the adjacent Commercial Mixed Concentration (CMC) policy area to the west of the site, the policy area would still be quite small and would contain a mixture of commercial and industrial uses. It would not be appropriate to extend IND policy to the north or south, where the policies are Natural Conservation (NC) and RL, because of environmental conditions and existing residential development. Extending the policy to the east would also be questionable because of the proximity of Davidson Academy, which is located on Old Hickory Boulevard.

The third reason that staff recommends against setting a public hearing at this time is that we have recently been informed by Councilwoman Brenda Gilmore, whose district is west of I-24, that she would like to meet with us about possibly removing some of the IND policy that has been applied in Subarea 3. Staff hopes to meet with her in the next few weeks, and feels it would be best to consider any potential addition of IND policy in the northwest part of the county in concert with the potential removal of other areas of IND policy in the same area.

Councilmember Betty Balthrop spoke in favor of the proposal and stated this is a company willing and able to locate in her district and that it is badly needed because of the tax revenue.

Ms. Ida Carrigan also spoke in favor of the proposal and stated this is not a property sitting out in the middle of nowhere without similar zoning next door. There is the same type of zoning contiguous with this tract.

Mr. Charlie Weather, Coca Cola representative explained the plans to the Commission.

Ms. Nielson stated there is a new lot line on the drawing taking out a portion of the property, which is establishing a lot within a lot and she asked if that would be subdividing.

Ms. Regen stated the request is for 44.75 acres to be rezoned but Coca Cola is only using 20 acres and that is within the new lot line.

Ms. Jones asked Mr. Weather why he needed to subdivide the property.

Mr. Weather stated he did not request that.

Ms. Carrigan stated she requested that subdivision for the 20 acres for Coca Cola and the balance of the property will be marketed and sold along the same guidelines.

Councilmember Ponder stated he felt the Commission had been misled.

Mr. Manier stated this would make a significant change in the subarea plan and if our planning process is to have any credibility we have got to go back to those constituent people and let them have their say, particularly those immediately to the north. Coca Cola has good credibility but 6 months after we do this zone change Coca Cola might change their complete plans and we've got an industrial piece of land with 45 acres where the General Plan called for residential. Zoning doesn't get changed back so the usage, as commendable as Coca Cola is, has no relevancy in our decision. It seems to be imperative we must go back to the people in the area, open the plan up in this specific area, get public commentary on it and go from there.

Ms. Warren stated Coca Cola has every intention of protecting the back part of their lot but that is not the part of the lot that abuts the residential.

Councilmember Ponder stated he was in favor of the Coca Cola project but that he was very disillusioned that this came out that all they want is 20 acres and the application is for the 44.75 and we don't know what's going to go on the rest of it.

Councilmember Balthrop asked if the Commission would consider just the 20 acres to be zoned commercial.

Ms. Nielson stated that would be spot zoning.

Chairman Lawson asked the Commission if they felt it was appropriate, premature or not appropriate at all to consider revisiting the subarea plan for this specific issue.

Councilmember Ponder asked if that would include the area as far away as Councilmember Gilmore's district.

Chairman Lawson stated it could.

Ms. Nielson stated there were 2 major intersections, the interstate and Brick Church Pike, and when we talk about nodes of commercial and nodes of business, we are connecting the strip and that is a real problem in this particular instance.

Mr. Manier stated if this were put to a vote he would argue strongly to deny it because it is contrary to the General Plan. This Commission is not supposed to nice or unpleasant but to try to administer these things in the most intelligent long range view as we can. The area citizens had a voice in this plan and if it is to be changed we need to go back to them.

Councilmember Ponder stated the Commission needed to hear from the public and encouraged a community meeting.

Ms. Nielson asked if the Commission were to open this up to a public hearing would it be specifically for this one area or possibly for the land between I-24 and Brick Church Pike along Old Hickory Boulevard.

Mr. Manier stated the Commission should look at the whole intersection.

Mr. Manier moved and Ms. Nielson seconded the motion, which carried unanimously, to defer this matter indefinitely and instructed staff to meet with Councilmembers Gilmore and Balthrop and report on that meeting and recommend an area to be studied and a public participation process at the January 20, 2000, meeting.

99Z-169U-11
Map 133-6, Parcel 271
Subarea 11 (1999)
District 16 (McClendon)

A request to change from OR20 to CS district property at 403 Veritas Street, approximately 200 feet west of Nolensville Pike (.17 acres), requested by James Urmston Rust IV, appellant/owner. (Deferred from meeting of 12/9/99).

Ms. Regen stated staff is recommending disapproval because Veritas Street serves as a boundary between the residential policy to the north and the industrial policy to the south. The property along Berry street is all OR20. That office zoning was placed here as a buffer between the residential and industrial.

Mr. James Rust spoke in favor of the proposal and stated most of the properties on Veritas Street are commercial or office uses. There is even one property as far as 6 houses down being used for a construction office. This space will be used for a hair salon or boutique and will not generate a lot of traffic.

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

Resolution No. 2000-89

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-169U-11 is **DISAPPROVED (7-0)**:

This property falls within an office transition area in the Subarea 11 Plan. The existing OR20 zoning along the south side of Veritas Street serves as a transition between the industrial area to the south and the single-family residential area to the north."

99Z-170U-14
Map 62, Parcel 142
Subarea 14 (1996)
District 15 (Loring)

A request to change from CA to AR2a district property at Pennington Bend Road (unnumbered), approximately 1,900 feet north of McGavock Pike (6.11 acres), requested by Jim and Tim Smith, appellants, for Jim B. and Dorothy P. Smith, owners. (Deferred from meeting of 12/9/99).

94P-012U-14
Fairfield Communities
Map 62, Parcel 142

Subarea 14 (1996)
District 15 (Loring)

A request to cancel and amend a portion of the Commercial Planned Unit Development District located abutting the east margin of Pennington Bend Road, north of McGavock Pike, classified CA and proposed for AR2a (6.11 acres), to cancel the undeveloped Phase III approved for 204 multi-family units, requested by Tim Smith, for Jim B. Smith and Dorothy P. Smith, owners. (Deferred from meeting of 12/9/99).

Ms. Regen stated this applicant is wanting to cancel the PUD because it is not moving forward with the multi family units and does not want to pay the taxes, approximately \$15,000 per year, on it. Staff supports taking this property back to agriculture at this time so in the future it could develop with the larger piece of property to the east with access off of McGavock Pike.

Mr. Tim Smith stated he would not be asking for this change if he had access to the property off of Pennington Bend Road or any other road. This property can grow grass until the 185 acre Gleaves farm develops.

Councilmember Ponder asked if this change was to avoid taxes.

Mr. Smith stated that if he had his way he would have the proposed road that he gave money for in front of this property and he would not be before the Commission, but since he does not have excess, \$15,000+ per year is excessive.

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

Resolution No. 2000-90

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 99Z-170U-14 is **APPROVED (7-0)**:

The AR2a district is more appropriate until Pennington Bend Road is improved to collector street standards. Rezoning this property back to CA district would be appropriate in the future when this property is incorporated into a larger rezoning of an adjacent property (i.e. parcel 35) an access can be provided from McGavock Pike."

"BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that Proposal No. 94P-012U-14 is given **CONDITIONAL APPROVAL TO CANCEL AND AME D A PORTION OF THE COMMERCIAL PUD (7-0)**. The following condition applies.

Approval of the PUD cancellation by the Metropolitan Council and rezoning from CA to AR2a (99Z-170U-14)."

2000Z-001U-03

Map 60-13, Parcels 11 (.18 acres), 12 (.18 acres), 17 (.18 acres), 18 (.17 acres), 19 (.18 acres), 20 (.06 acres), 25 (.34 acres), 27 (.18 acres), 28 (.18 acres), 31 (.18 acres), 32 (.18 acres), 33 (.18 acres), 34 (.18 acres), 37 (.18 acres), 38 (.18 acres), 39 (.18 acres), 40 (.18 acres), 41 (.18 acres), 42 (.18 acres), 43 (.18 acres), 46 (.04 acres), 47 (.13 acres), 48 (.14 acres), 49 (.14 acres), 50 (.15 acres), 51 (.17 acres), 53 (.18 acres), 54 (.19 acres), 57 (.39 acres), 59 (.22 acres), and 60 (.22 acres)

Map 60-14, Parcels 3 (.17 acres), 5 (.16 acres), 6 (.16 acres) and 7 (.18 acres)

Subarea 3 (1998)

District 2 (Black)

A request to change from R8 to IWD district properties at 411, 413, 417, 431, 2718 Haynie Avenue, Haynie Avenue (unnumbered), 429, 433, 439, 441, 445, 447, 449, 451, 453, 455 Woodfolk Avenue, Woodfolk Avenue (unnumbered), 2728 Brick Church Pike, and Brick Church Pike (unnumbered), abutting the west margin of Brick Church Pike and both margins of Haynie Avenue (6.26 acres), requested by M. R. and Sodie Dillard, appellants, for M. R. Dillard, Jr., et ux, M. R. Dillard et ux, and M. R. and Sadie M. Dillard, owners.

Ms. Regen stated staff is recommending approval of the conversion of this area because, while it is residential, there are very few lots in this area that are used for residential. The intent of the long range plan of Subarea 3 Plan is to bring this area into industrial use. There are 17 properties that are not currently zoned for industrial use, but many of the owners are out of state and the applicant was unable to get in touch with them, and some were not willing at this point to go to industrial.

Mr. Carson Stone, attorney representing the group requesting the zone change, stated there are only 5, possibly 6, with only 3 owner occupied, residential structures within the entire 40 lot area and the other 13 lots are vacant.

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

Resolution No. 2000-91

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-001U-03 is **APPROVED (7-0)**:

These properties fall within the Subarea 3 Plan's Industrial (IND) policy calling for manufacturing, wholesaling, warehousing, and distribution uses. The IWD district is consistent with this policy and the industrial zoning pattern to the north and south. IWD is also appropriate for the remaining residentially zoned properties along Haynie and Woodfolk Avenues. As these properties transition to industrial and are consolidated in the subdivision stage of development, Haynie and Woodfolk Avenues will be upgraded to commercial street standards by the property owners with frontage along those streets."

2000Z-004U-02
Map 50-4, Parcel 30
Subarea 2 (1995)
District 3 (Nollner)

A request to change from RS10 to RM2 district property at 1119 Due West Avenue North, approximately 700 feet east of Dickerson Pike (3.49 acres), requested by Alan C. Smith, appellant/owner.

Ms. Regen stated this property is land locked and currently gets its access from an adjoining property and has no street frontage. Staff is recommending disapproval of this request because the policy is calling for 4 to 9 units per acre. The other issue is, because the property is land locked, staff feels there should be a larger area rezoned for multi-family use with street frontage to Dickerson Pike and then there would be no easement issue. The applicant wants to put 2 dwelling units on this property and that is why he is asking for the RM2 zoning.

Mr. Alan Smith, applicant/owner, stated this property is land locked and has been land locked since the late 1930's or early 1940's and fronted Dickerson Road at one point but was subdivided and the back half given to his parents. He said he wants to build a house for his son on the property and could not get a building permit without this rezoning.

Chairman Lawson asked if there were any other solutions to this problem.

Ms. Regen stated she did not see from a policy standpoint where there would be and RM2 doesn't even comply with the policy. The policy is 4 to 9. She suggested deferring this item to work with Mr. Smith and get all the information correct because his information differs from staff's.

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

2000Z-006U-02

Map 51, Parcel 15 (13.81 acres)

Map 51-5, Parcel 2 (23.52 acres)

Subarea 2 (1995)

District 3 (Nollner)

A request to change from RS10 to RM15 district properties at 721 and 732 Due West Avenue North, abutting the west margin of Interstate 65 (37.33 acres), requested by Freeman Web Company, appellants, for British Highland Wind, L.P., and Freeman Florida Venture LTD., owners.

Ms. Regen stated the applicant is requesting the RM15 zoning to recognize the existing use on the property, which is a multi-family that was approved back in the 1970's and has a density of about 13 units per acre. They are asking for 15 because 9 wouldn't be enough. They want to be able to recognize their existing use in case of a natural disaster and that is something their lender is asking them to do. Staff is recommending approval of RM9 zoning on the property and that would be consistent with the request to rezone RM9 on an adjoining piece of property, which the Commission and Council approved in 1998.

Ms. Judith Beasley, attorney representing Freeman Web Company, stated Freeman Web recently purchased Highland Ridge apartments and in order to get the funding to do that the lender requested the rezoning because if something happened and over 50% of the property was destroyed there would be no guarantee it could be rebuilt at the existing density.

Ms. Oglesby stated she understood completely what they were trying to do and understood the staff's point also but it is already built and that she was not opposed to the proposal.

Mr. Cochran, Mr. Manier and Ms. Warren all agreed this should be approved.

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

Resolution No. 2000-92

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-006U-02 is **APPROVED (7-0)**:

The RM15 district is appropriate to recognize the existing apartments on these properties which already exist at medium-high densities (13.7 units per acre). The remaining properties in this area fall within a Residential Medium (RM) policy calling for 4 to 9 units per acre."

MANDATORY REFERRALS

99M-147U-05

Street Renaming: Portion of Crescent Hill

Road to "Crescent Hill Place"

Map 83-8, Parcels 27 and 49-52

Subarea 5 (1994)
District 7 (Campbell)

A request by the Interim Director of Public Works to rename a portion of Crescent Hill Road located west of Preston Drive to "Crescent Hill Place" for enhanced 911 System efficiency and emergency response. (Deferred from meeting of 12/9/99).

Ms. Regen stated some residents of Crescent Hill Road located west of Preston Drive were in opposition to this renaming because they were there first, before the new subdivision was built and the road name duplicated. The 911 Board and Public Works asked that this portion be changed because there would least families affected.

Resolution No. 2000-93

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 99M-147U-05."

OTHER BUSINESS:

1. Subarea 2 Plan Amendment Consideration

This item was discussed with 99Z-167G-02.

2. Employee Contract for Jeff Stuncard

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

Resolution No. 2000-94

"BE IT RESOLVED by the Metropolitan Planning Commission, that it approves the employee contract for Jeffrey D. Stuncard for one year, from January 16, 2000 through January 15, 2001."

4. Legislative Update

Ms. Regen and Councilmember Ponder provided an update on the current legislative status of items previously considered by the Commission.

ADJOURNMENT:

There being no further business, upon motion made, seconded and passed, the meeting adjourned at 4:05 p.m.

Chairman

Secretary

Minute Approval:
This 20th day of January, 2000