

MINUTES
OF THE
METROPOLITAN PLANNING COMMISSION

Date: May 25, 2000
Time: 1:00 p.m.
Place: Howard Auditorium

Roll Call

Present:

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

Absent:

Mayor Bill Purcell

Executive Office:

Karen P. Nicely, Interim Executive Director
Carolyn Perry, Secretary III

Current Planning & Design Division:

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

Community Plans Division:

Jerry Fawcett, Planning Division Manager

Advance Planning & Research:

Jeff Lawrence, Planner III

Others Present:

Jim Armstrong, Public Works

Leslie Shechter, Legal Department

Chairman Lawson called the meeting to order.

ADOPTION OF AGENDA

Mr. Manier moved and Ms. Nielson 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:

2000S-129G-12 Deferred indefinitely
2000S-145U-10 Deferred indefinitely
2000S-149U-11 Deferred two weeks
2000S-153U-07 Deferred indefinitely
2000S-158G-04 Deferred two weeks
2000S-159U-14 Deferred two weeks
2000S-164U-13 Deferred until 06/22/00
2000S-166G-13 Deferred until 06/22/00
2000M-047G-04 Deferred two weeks

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

APPROVAL OF MINUTES

Mr. Manier moved and Ms. Oglesby seconded the motion, which unanimously passed to approve the minutes of the regular meeting of May 11, 2000.

RECOGNITION OF COUNCILMEMBERS

Councilmember Brenda Gilmore spoke regarding 2000Z-044G-01, Freewill Baptist Bible College, and stated that a community meeting was held in the Joelton area and the residents support the bible college coming to their community. Councilmember Gilmore stated she was not sure whether staff was going to ask the Commission to disapprove it or approve it administratively, but she has been assured by the attorneys that if they do ask for disapproval it will be referred back to the Commission in order to get all the conditions taken care of before final approval. She stated she supported whether they ask for disapproval or whether they are able to present documentation showing they have satisfied all the conditions and the attorneys will present that at that time.

Councilmember Gilmore also spoke in favor of 2000Z-076U-03, rezoning property from R10 to CL on Whites Creek Pike and Green Lane. She stated she met with the owner and the owner has provided her with a petition showing the property owners in that area do not object to this change.

ADOPTION OF CONSENT AGENDA

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

SUBDIVISION AND BOND PROPOSALS

2000S-068U-10

Westhaven, Resubdivision of Lots 15 and 16
Map 130-8, Parcels 119 and 120
Subarea 10 (1994)
District 34 (Williams)

A request for final plat approval to subdivide two lots into three lots abutting the northeast corner of Harding Place and Estes Road (2.85 acres), classified within the R20 District, requested by Perryman Construction, owner/developer, Land Surveyor, Inc., surveyor.

Resolution No. 2000-440

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2000S-068U-10, is **APPROVED SUBJECT TO BOND OF \$23,000.00 (8-0).”**

2000S-111G-12

Cane Ridge Farms, Phase 1
Map 174, Part of Parcels 17 and 205
Subarea 12 (1997)
District 31 (Knoch)

A request for final plat approval to create 26 lots abutting the southwest margin of Cane Ridge Road, approximately 2,000 feet south of Old Franklin Road (13.52 acres), classified within the RS10 District, requested by Steven Dotson, owner/developer, Dale and Associates, Inc., surveyor.

Resolution No. 2000-441

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2000S-111G-12, is **APPROVED SUBJECT TO BOND OF \$1,285,500.00 (8-0).”**

2000S-156U-05

Teeter Subdivision
Map 60-12, Parcel 16
Subarea 5 (1994)
District 4 (Majors)

A request for final plat approval to consolidate four lots into two lots abutting the east margin of Highland Drive, approximately 200 feet north of Sunset Drive (.31 acres), classified within the RS10 District, requested by Shane D. and Amy H. Teeters, owners/developers, Land Surveying, Inc., surveyor.

Resolution No. 2000-442

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2000S-156U-05, is **APPROVED (8-0).”**

2000S-162U-13

Smith Springs Townhomes, Phase 2
(Horizontal Property Regime)
Map 136, Part of Parcel 156
Subarea 13 (1996)
District 29 (Holloway)

A request for final plat approval to record 47 units located east of Anderson Road, approximately 120 feet south of Old Anderson Road (7.81 acres), Rick Blackburn, owner/developer, Jerry Sword, surveyor.

Resolution No. 2000-443

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2000S-162U-13, is **APPROVED SUBJECT TO BOND OF \$6,500.00 (8-0).”**

2000S-163U-07

John M. Branham’s Farm, Resubdivision
of Part of Lot 7
Map 103-2, Parcel 208
Subarea 7 (1994)
District 24 (Summers)

A request for final plat approval to subdivide part of one lot into five lots abutting the northwest corner of Maudina Avenue and Bellmore Avenue (.96 acres), classified within the RM9 District, requested by Francis and Benny Gaddis, owners/developers, H and H Land Surveying, Inc., surveyor.

Resolution No. 2000-444

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2000S-163U-07, is **APPROVED (8-0).”**

Request for Bond Release

84S-018U
Village of Cherry Glen, Phase 1
Cherry Glen Partners, L.P., principal
Subarea 10 (1994)

Located abutting the south margin of Seven Hills Boulevard, south terminus of Cumberland Place.

Resolution No. 2000-445

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 84S-018U, Bond No. 95BD-088A, Village of Cherry Glen, Phase 1, in the total amount of \$9,750.”

Request for Bond Release

84S-018U
Village of Cherry Glen, Phase 2
Cherry Glen Partners, L.P., principal
Subarea 10 (1994)

Located abutting both margins of Cherry Plum Court, approximately 86 feet south of Cherry Laurel Court.

Resolution No. 2000-446

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 84S-018U, Bond No. 95BD-088B, Village of Cherry Glen, Phase 2, in the total amount of \$13,000.”

Request for Bond Release

84S-018U
Village of Cherry Glen, Phase 3

Cherry Glen Partners, L.P., principal
Subarea 10 (1994)

Located abutting the west margin of Compton Trace and both margins of Cumberland Place.

Resolution No. 2000-447

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 84S-018U, Bond No. 97BD-099, Village of Cherry Glen, Phase 3, in the total amount of \$9,750.”

Request for Bond Release
94S-295U
Asheford Crossing, Section 1
Phillips Builders, Inc., principal
Subarea 13 (1996)

Located abutting both margins of Asheford Trace, approximately 130 feet south of Cedar Ash Crossing.

Resolution No. 2000-448

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 94S-295U, Bond No. 94BD-087, Asheford Crossing, Section 1, in the amount of \$15,000.”

Request for Bond Release
96S-230G
Beauna Hill
Glen Tidwell, principal
Subarea 9 (1997)

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

Resolution No. 2000-449

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 96S-230G, Bond No. 98BD-005, Beauna Hill, in the amount of \$11,500.”

Request for Bond Release
96S-432U
Commodore Products
Winston C. Hickman, principal
Subarea 13 (1996)

Located abutting the northeast margin of Murfreesboro Pike, approximately 250 feet southeast of McGavock Pike.

Resolution No. 2000-450

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 96S-432U, Bond No. 99BD-027, Commodore Products, in the amount of \$6,000.”

Request for Bond Release

97S-047U
Antioch Woods, Section 1
Deluxe Homes, LLC, principal
Subarea 13 (1996)

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

Resolution No. 2000-451

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 97S-047U, Bond No. 99BD-033, Antioch Woods, Section 1, in the amount of \$7,000.”

Request for Bond Release

97S-252G
Fredericksburg, Section 7
Pulte Homes, TN, L.P., principal
Subarea 12 (1997)

Located abutting the east margin of Cloverland Drive and both margins of Fredericksburg Way West.

Resolution No. 2000-452

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 97S-252G, Bond No. 97BD-033, Fredericksburg, Section 7, in the amount of \$20,000.”

Request for Bond Release

98S-314U
Antioch Woods, Section 2
Deluxe Homes LLC, principal
Subarea 13 (1996)

Located abutting the northeast corner of Moss Road and Una Antioch Pike.

Resolution No. 2000-453

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 98S-314U, Bond No. 98BD-094, Antioch Woods, Section 2, in the amount of \$7,000.”

Request for Bond Extension

98S-041G
Long Hunter Chase, Phase 3, Section 1
JCH Development Company, Inc., principal
Subarea 13 (1996)
[Buildout is at 0%.]

Located abutting the northwest margin of Hobson Pike, approximately 1,160 feet northeast of Derbyshire Drive.

Resolution No. 2000-454

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 98S-041G, Bond No. 99BD-058, Long Hunter Chase, Phase 3, Section 1, in the amount of \$43,750 to 6/1/2001 subject to the submittal of an amendment to the present Letter of Credit by **6/25/2000** which extends its expiration date to 12/1/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension

98S-057U

Long Hunter Chase, Phase 1, Section 2

Barry Construction Company, principal

Subarea 13 (1996)

[Buildout is at 39%.]

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

Resolution No. 2000-455

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 98S-057U, Bond No. 98BD-062, Long Hunter Chase, Phase 1, Section 2, in the amount of \$104,750 to 6/1/2001 subject to the submittal of an amendment to the present Letter of Credit by **6/25/2000** which extends its expiration date to 12/1/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension

99S-134U

Long Hunter Chase, Phase 1, Section 3

Barry Construction Company, principal

Subarea 13 (1996)

[Buildout is at 27%.]

Located abutting the southwest corner of Mt. View Road and Smith Springs Parkway.

Resolution No. 2000-456

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 99S-134U, Bond No. 99BD-057, Long Hunter Chase, Phase 1, Section 3, in the amount of \$32,000 to 6/28/2001 subject to the submittal of an amendment to the present Letter of Credit by **6/25/2000** which extends its expiration date to 12/28/2001. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

Request for Bond Extension

98S-186U

Chateau Valley, Phase 2

Chateau Associates, Ltd., principal

Subarea 3 (1998)

[Buildout is at 46%.]

Located abutting the southwest terminus of Chateau Valley Drive and the southwest terminus of Chateau Valley Lane.

Resolution No. 2000-457

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 98S-186U, Bond No. 98BD-052, Chateau Valley, Phase 2, in the amount of \$52,000 to 6/15/2001.”

Request for Bond Extension

99S-142G

Jackson’s Grove, Phase 3

Consolidated Development Corporation, principal

Subarea 14 (1996)

[Buildout is at 6%.]

Located abutting the southeast terminus of Jackson Place, approximately 200 feet southeast of Travelers Place.

Resolution No. 2000-458

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 99S-142G, Bond No. 99BD-056, Jackson’s Grove, Phase 3, in the amount of \$28,750 to 7/13/2001.

Request for Bond Extension

99S-224G

Brandywine Harbor

Brandywine Harbor Properties, LLC, principal

Subarea 14 (1996)

[Buildout is at 0%.]

Located abutting the northwest margin of Rising Sun Terrace, approximately 285 feet southwest of Willow Bough Lane.

Resolution No. 2000-459

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 99S-224G, Bond No. 99BD-082, Brandywine Harbor, in the amount of \$393,600 to 7/13/2001.

Request for Bond Extension

98S-339G

Pawnee Trail, Section 1

Michael R. Stokes, principal

Subarea 4 (1998)

[Buildout is at 48%.]

Located abutting the southeast corner of Nawakwa Trail and Pawnee Trail.

Resolution No. 2000-460

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 98S-339G, Bond No. 99BD-064, Pawnee Trail, Section 1, in the amount of \$62,000 to 6/1/2001.

ZONE CHANGE AND PUD PROPOSALS

2000Z-010T

A request to amend Section 17.080.030.D (District Land Use Table: Commercial Uses) of the Zoning Ordinance by placing the notation "P" in the IWD, IR, and IG zoning districts for "Self-service Storage".

Resolution No. 2000-461

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-010T is **APPROVED (8-0)**:

This request would allow self-storage facilities within the IR, IWD, and IG zoning districts. Self-storage uses are appropriate in industrial areas. They were inadvertently left out of these districts when the Zoning Ordinance was updated in 1998."

2000Z-062U-10

Map 118-6, Parcel 162
Subarea 10 (1994)
District 17 (Greer)

A request to change from SCC to OL district property at Gale Lane (unnumbered), approximately 100 feet east of Vaulx Lane (7.19 acres), requested by Stephen Flanigan, appellant, for Land Trust Corporation, owner.

Resolution No. 2000-462

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-062U-10 is **APPROVED (8-0)**:

The OL district provides a transition between the Subarea 10 Plan's Retail Concentration Community (RCC) policy (retail and office uses) around the Interstate 65/Interstate 440 interchange and the Residential Low Medium (RLM) policy (up to 4 units per acre) to the north and west."

89P-022U-10

Melrose Shopping Center
Map 118-6, Parcel 162
Subarea 10 (1994)
District 17 (Greer)

A request to amend a portion of the Commercial (General) Planned Unit Development District located abutting the west margin of Franklin Pike, north of Gale Lane, classified SCC and proposed for OL (7.2 acres), to permit a 36,000 square foot church facility, replacing a 48,000 square foot undeveloped retail facility, requested by Dale and Associates, for Land Trust Corporation, owner, and Mt. Zion Christian Church, optionee.

Resolution No. 2000-463

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 89P-022U-10 is given **CONDITIONAL APPROVAL TO AMEND A PORTION OF THE PRELIMINARY PLAN (8-0)**. The following conditions apply:

1. Approval of this PUD amendment, and associated zone change (2000Z-062U-10) by the Metropolitan Council.

2. In conjunction with any final PUD approval, the applicant shall submit for the review and approval of the Metropolitan Traffic Engineer a plan detailing how the sight distance around the severe curve will be improved through the removal of vegetation along the north right-of-way of Gale Lane, east of Vault Lane.
3. 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 Department of Public Works.”

2000Z-072U-11

Map 105-16, Parcels 190 (.52 acres) and 283 (.32 acres)
 Subarea 11 (1999)
 District 16 (McClendon)

A request to change from IR and IWD to CS district properties at 2103 Nolensville Pike and Nolensville Pike (unnumbered), opposite Polk Avenue (.84 acres), requested by Albert Pedro, appellant, for Earl C. Shacklett Sr. et ux and Earl C. Shacklett et ux, owners.

Resolution No. 2000-464

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-072U-11 is **APPROVED (8-0)**:

These properties fall within Subarea 11 Plan’s Industrial (IND) policy calling for manufacturing, distribution, and warehousing uses and commercial support services for industrial workers. The CS district is consistent with that policy and is also appropriate for the remaining small parcels (parcels 186, 189, 191, 192, 282) along the west margin of Nolensville Pike. A hillside on the western margin of parcel 283 provides a zoning boundary between the commercial uses along Nolensville Pike and the industrial zoning to the west."

2000Z-076U-03

Map 49, Parcels 201 (.73 acres) and 202 (.29 acres),
 280 (.39 acres), 281 (.73 acres) and 301 (.87 acres)
 Map 59, Parcels 67 (.59 acres) and 68 (.38 acres)
 Subarea 3 (1998)
 District 1 (Gilmore)

A request to change from R10 to CL district properties at 587 and 593 Green Lane and 3331, 3335, 3337, 3341 Whites Creek Pike and Whites Creek Pike (unnumbered), abutting the north margin of Briley Parkway (3.98 acres), requested by Maxine George, appellant, for George Melvin et ux, Thomas N. Cunningham, Barbara A. Vandolen and J. C. Cunningham, Lucine Christine Perry Cunningham, Grady Grant et ux, and James E. Anderson et ux, owners.

Resolution No. 2000-465

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-076U-03 is **APPROVED (8-0)**:

These properties fall within the Subarea 3 Plan’s Retail Concentration Community (RCC) policy around the Whites Creek Pike/Briley Parkway interchange calling for community-scale retail uses. The CL district is consistent with that policy."

2000Z-078U-08

Map 91-8, Parcel 17
Subarea 8 (1995)
District 21 (Whitmore)

A request to change from R6 to IR district property at 1013 44th Avenue North, approximately 280 feet north of the CSX Railroad (.13 acres), requested by Wes Wilkerson, appellant, for H. E. Dixson, Jr. et ux, owners.

Resolution No. 2000-466

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-078U0-08 is **APPROVED (8-0)**:

This property falls within Subarea 8 Plan's Industrial (IND) policy calling for manufacturing, distribution, and warehousing uses west of 44th Avenue North. The IR district is consistent with that policy and will accommodate the expansion of an established neighborhood business. The east side of 44th Avenue North should remain residential, consistent with the Residential Medium (RM) policy that applies to this area calling for 4 to 9 dwelling units per acre."

28-79-G-13
Cambridge Forest, Phases 3 and 4
Map 149, Part of Parcel 371
Subarea 13 (1996)
District 28 (Alexander)

A request to revise a portion of the preliminary plan and for final approval for a portion of the Residential Planned Unit Development District located abutting the western terminus of Bridgecrest Drive, west of Rural Hill Road, classified R15, (20 acres), to reconfigure the layout of 77 single-family lots and to renumber the project phasing, requested by DBS and Associates Engineers, Inc., for Danco Property Investments, LLC, owner.

Resolution No. 2000-467

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 28-79-G-13 is given **APPROVAL OF REVISION TO THE PRELIMINARY PLAN AND CONDITIONAL FINAL APPROVAL FOR PHASES 3 AND 4 (8-0)**. The following conditions apply:

1. Prior to the issuance of any building permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the stormwater management and traffic engineering sections of the Department of Public Works.
2. Prior to the issuance of any building permits, a final plat shall be recorded and bonds shall be posted for all necessary public improvements, including construction of roads and extension of utilities."

16-86-P-14
Hermitage Market Place
Map 86, Part of Parcel 308
Subarea 14 (1996)
District 12 (Ponder)

A request for final approval for a portion of the Commercial (General) Planned Unit Development District located abutting the east margin of Old Hickory Boulevard, opposite Juarez Drive, classified SCR (1.19

acres), to develop a 5,000 square foot restaurant, requested by Alley and Associates, for First Tennessee Bank, owner. **(Also requesting final plat approval).**

Resolution No. 2000-468

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 16-86-P-14 is given **CONDITIONAL FINAL APPROVAL FOR A PHASE, AND THE FINAL PLAT IS APPROVED SUBJECT TO A BOND IN THE AMOUNT OF \$5,000.00 (8-0).** The following conditions apply:

1. Prior to the issuance of any building permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the stormwater management and traffic engineering sections of the Department of Public Works.
2. Prior to the issuance of any building permits, a final plat shall be recorded, including the posting of a bond in the amount of \$5,000.00 for required sewer extension.”

84-87-P-13

The Crossings (Automobile Dealership)
Map 174, Part of Parcel 176
Subarea 13 (1996)
District 28 (Alexander)

A request to revise a portion of the preliminary plan of the Commercial (General) Planned Unit Development District located abutting the west margin of Crossings Boulevard, 2,800 feet south of Mt. View Road, classified R10 (11.53 acres), to permit a 32,035 square foot automobile dealership, a 24,000 square foot retail building, and a 50,000 square foot retail building on three lots, replacing 57,115 square feet and 80,000 square feet of undeveloped commercial uses on two lots, requested by Gresham, Smith and Partners, for TSC Realty Capital, LP, owner, and Smith, Crowe, Wilson, LLC, optionee.

Resolution No. 2000-469

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 84-87-P-13 is given **CONDITIONAL APPROVAL TO REVISE A PORTION OF THE PRELIMINARY PLAN (8-0).** The following conditions apply:

1. Prior to the issuance of any building permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the stormwater management and traffic engineering sections of the Department of Public Works.
2. Prior to the issuance of any building permits, a final plat shall be recorded and bonds shall be posted for all necessary public improvements, including construction of roads, sidewalks, and extension of utilities.”

84-87-P-13

The Crossings (Crossings Technology Center)
Map 163, Parcels 215 and 354
Subarea 13 (1996)
District 28 (Alexander)

A request to revise the preliminary plan and for final approval for a portion of the Commercial (General) Planned Unit Development District located abutting the east margin of Crossings Boulevard, 1,200 feet south of Mt. View Road, classified R10 and AR2A (16.86 acres), to develop two 68,828 square foot office buildings and a 26,000 square foot retail building, replacing a 178,800 square foot office building, requested by Littlejohn Engineering, for TSC Realty Capital LP, owner. **(Also requesting final plat approval).**

Resolution No. 2000-470

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 84-87-P-13 is given APPROVAL TO REVISE A PORTION OF THE PRELIMINARY PLAN, CONDITIONAL FINAL APPROVAL, AND THE FINAL PLAT IS APPROVED SUBJECT TO A BOND IN THE AMOUNT OF \$125,000.00 (8-0). The following conditions apply:

1. Prior to the issuance of any building permits, confirmation of preliminary and final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. Prior to the issuance of any building permits, a final plat shall be recorded and bonds shall be posted in the amount of \$125,000.00 for all necessary public improvements, including construction **of roads and extension of utilities.”**

97P-010U-13
Bayview Estates
Map 136, Parcel 3
Subarea 13 (1996)
District 27 (Sontany)

A request to revise a portion of the preliminary plan and for final approval for a portion of the Residential Planned Unit Development District located abutting the west margin of Bell Road and the western terminus of Harbor Lights Drive, classified R10 (28.09 acres), to develop 84 single-family lots and to revise the project phasing plan, requested by Gresham, Smith and Partners, for Bayview Venture, owner. **(Also requesting final plat approval for Phase 2).**

Resolution No. 2000-471

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 97P-010U-13 is given APPROVAL TO REVISE THE PRELIMINARY PLAN, CONDITIONAL FINAL APPROVAL AND THE FINAL PLAT IS APPROVED SUBJECT TO A BOND IN THE AMOUNT OF \$362,000.00 (8-0). The following conditions apply:

1. Prior to the issuance of any building permits, written confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the stormwater management and traffic engineering sections of the Department of Public Works.
2. Prior to the issuance of any building permits, a final plat shall be recorded and bonds shall be posted in the amount of \$362,000.00 for construction of roadways and extension of utilities.”

MANDATORY REFERRALS

2000M-042U-10
Rename General Bate Drive to Coral Way
Map 132-5, Parcels 107, 119, 120, 142 and 144
Subarea 10 (1994)
District 33 (Turner)

A request to rename "General Bate Drive" between Glendale Lane and the northern property line of parcel 143 on tax map 132-5 to "Coral Way" for enhanced E-911 System efficiency and emergency response, requested by the Interim Director of Public Works.

Resolution No. 2000-472

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 2000M-042U-10."

2000M-046U-13

Close Portion of Clearwater Drive
Map 149, Parcel 184
Map 149-8, Parcels 55 and 206
Map 150-5, Parcels 169 and 368
Subarea 13 (1996)
District 29 (Holloway)

A request to close a portion of Clearwater Drive located south of Edgemoor Drive to its terminus at parcel 206 on tax map 149-8, requested by Priest Lake Baptist Church, an abutting property owner.

Resolution No. 2000-473

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 2000M-046U-13."

2000M-048U-10

Green Hills Commons Waterline Easement Abandonment
Map 117-14, Part of Parcels 159 and 173
Subarea 10 (1994)
District 25 (Shulman)

A request to abandon a waterline easement measuring approximately 320 feet in length by 10 feet in width on the site of Green Hills Commons at Crestmoor Road and Cleghorn Avenue, adjacent to Green Hills Mall, requested by Cauthen and Associates, appellant, for Green Hills Commons, LLC, owner.

Resolution No. 2000-474

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 2000M-048U-10."

2000M-049G-02

Close Portion of Burgundy Drive
Map 42-14, Parcel 57 and 58
Subarea 2 (1995)
District 3 (Nollner)

A request to close an unbuilt section of Burgundy Drive from Rhine Drive to its terminus at I-65, requested by Greg Morgan, abutting property owner.

Resolution No. 2000-475

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 2000M-049G-02."

OTHER BUSINESS

1. Employee contracts for Anita McCaig and Jennifer Regen

Resolution No. 2000-476

“BE IT RESOLVED by the Metropolitan Planning Commission that it APPROVES the employee contracts for Anita McCaig and Jennifer Regen for one year, from June 16, 2000 through June 15, 2001.”

This concluded the items on the consent agenda.

Theresa Carrington announced the resignation of Mike Calleja.

SUBDIVISION AND BOND PROPOSALS

2000S-132U-14 (Public Hearing)

Pennington Place
Map 62, Parcels 46 and 47
Subarea 14 (1996)
District 15 (Loring)

A request for preliminary approval for 12 lots abutting the east margin of Pennington Bend Road, approximately 40 feet northwest of Alvinwood Drive (5.11 acres), classified within the R15 District, requested by Volunteer Investments, Inc., owner/developer, Survey Solutions, surveyor.

Mr. Calleja stated staff is recommending approval of the preliminary plan. The applicant has requested preliminary subdivision plan approval for 12 lots that will end in a cul-de-sac. The cluster lot subdivision provisions have been instituted with this subdivision and they have reduced the lot size from the R15 down anywhere to the smallest lot is about 8,000 square feet. They have provided the appropriate buffering in open space to meet the requirements of the cluster lot subdivision. The road that is going to be extended will be 50 feet in width and will also have a sidewalk along the northern side of it.

No one was present to speak at the public hearing.

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

Resolution No. 2000-477

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2000S-132U, is APPROVED (8-0).”

2000S-134U-12 (Public Hearing)

McMurray Woods Addition, Section 2,
Resubdivision of Lot 56
Map 161, Parcel 134
Subarea 12 (1997)
District 30 (Kerstetter)

A request for preliminary approval for 18 lots abutting the east margin of Amalie Drive, approximately 140 feet south of Amalie Court (17.61 acres), classified within the R10 District, requested by Countrywood Investment Group, Ltd., owner/developer, Ragan-Smith Associates, Inc., surveyor.

Mike Calleja stated the applicant has requested indefinite deferral. They went to the Board of Zoning Appeals and did not receive all their requests, therefore, they cannot move forward with the preliminary plan.

No one was present to speak at the public hearing.

Ms. Nielson moved and Mr. Manier seconded the motion, which carried unanimously, to close the public hearing and to defer indefinitely as requested by applicant.

2000S-148U-07 (Public Hearing)

Doris Subdivision
Map 90-12, Parcels 26 and 360
Subarea 7 (1994)
District 22 (Hand)

A request for preliminary and final plat approval to subdivide two lots into three lots abutting the west margin of Westboro Drive, opposite Freedom Drive (1.26 acres), classified within the R10 District, requested by Doris L. Hodges, owner/developer, John J. O'Connor, surveyor.

Mr. Calleja stated staff is recommending approval of the preliminary subdivision plan and the applicant has requested a two week deferral on the final plat to deal with some water services issues.

No one was present to speak at the public hearing.

Ms. Oglesby moved and Mr. Manier seconded the motion, which carried unanimously, to close the public hearing, to approve the following resolution, and to defer the final plat for two weeks.

Resolution No. 2000-478

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2000S-148U-07, is **APPROVED FOR THE PRELIMINARY PLAN (8-0).”**

2000S-167U-04 (Public Hearing)

Walton Oaks
Map 51, Parcels 147, 148 and Part of
Parcels 149 and 150
Map 51-15, Parcel 25
Subarea 4 (1998)
District 4 (Majors)

A request for preliminary approval for 25 lots abutting the south margin of Walton Lane, opposite Oakland Acres Drive (7.7 acres), classified within the R10 District, requested by Hickory One Development, owner/developer, Anderson-Delk and Associates, Inc., surveyor.

Mr. Calleja stated staff is recommending approval of the preliminary subdivision plan. The preliminary subdivision plan is for 25 lots on about 7.7 acres. The subdivision will have two small cul-de-sacs within the subdivision and there will also be some lots fronting Saunders and Walton Lane. The applicant has agreed that they will provide joint access easements to the lots that front both Saunders and Walton. The subdivision will be providing sidewalks within the subdivision.

Mr. Lawson asked what the distance was between that access point on the corner lot to the intersection. Mr. Calleja stated it was right at 120 feet and Traffic and Parking has no problem with this.

Mr. John Taylor, 4612 Saunders Avenue, stated he was not in opposition to this development, but that he had some concerns regarding drainage that ran through several of the lots. Mr. Calleja and Mr. Lawson

stated Public Works will have to satisfy the requirements on drainage and stormwater management when they come in for final approval.

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

Resolution No. 2000-479

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2000S-167U-04, is **APPROVED (8-0).”**

Mr. Calleja asked that 96S-376G and 97S-208G be taken together.

Request for Bond Release

96S-376G
New Hope Pointe, Phase 1, Section 2
Robert E. Earheart, principal
Subarea 14 (1996)

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

Mr. Calleja stated staff is recommending approval of the release of the performance bond in the amount of \$37,000. He stated confirmation has been received from Water Services and Public Works that all work has been done in accordance with the construction plans.

Request for Bond Release

97S-208G
New Hope Pointe, Phase 1, Section 3
Robert E. Earheart, principal
Subarea 14 (1996)

Located abutting both margins of Cape Hope Pass and both margins of Annapolis Circle.

Mr. Calleja stated staff is recommending approval of the release of the performance bond in the amount of \$38,000. He stated confirmation has been received from Water Services and Public Works that all work has been done in accordance with the construction plans.

Mr. Lawson asked Mr. Calleja to give a little background about the bonds because there has been a lot of confusion and miscommunication in that community about what the bond covers and what our obligation is in either refusing to release the bond or authorizing the bond release.

Audrey Humphreys, homeowner in Section 2 of New Hope Pointe, stated there is an illegal access road that runs back behind the property which is not covered by the bond. This road is causing unbearable amounts of water drainage issue problems and that is probably why that road was not suppose to remain in those areas. Ms. Humphreys stated they were told from Planning Commission that that road was not suppose to be in their subdivision; that it is not on the final plat.

Mr. Calleja stated there is a piece of property that has a house on it. It has had an easement to this piece of property along the back side of this PUD and from our understanding that easement has existing for well over 20 years. When the developer was developing this subdivision it's our understanding that there was an agreement between the developer and this property owner that if he ended up having access to the main road in this subdivision that he would vacate this easement. The developer has provided him a lot in here

and this property owner now owns this lot so he would have access. However, the property owner now has decided that he doesn't want to release that easement and that's where the problem is.

Ed Taylor, 4716 Cape Hope Pointe, stated there is a berm that was pushed up behind six homes. This berm contains nothing but rock and dirt and grass and weeds. The people have told us that this is an unsafe situation. By your releasing the bond today that property becomes ours; part of the homeowners association. We are about to accept a piece of property that is unsafe through the actions of either the developer and/or the builder. We just need you to know that the plan you approved got altered. That berm is not on the plat you approved. While we agree that the homeowners whose property back up to this berm enjoy it because it does protect them from seeing the subdivision behind, the homeowners association is going to be faced with fixing an unsafe piece of property that according to the map you approved should not have been there.

Mr. Calleja stated the Codes Department is the one that enforces the provisions with regard to landscaping on the plans. A final plat does not show berming, landscaping and that type of stuff. All that is handled through the zoning ordinance through the plans that come in through the Codes Department. Mr. Calleja suggested the homeowners association go to the Codes Department and see if they can assist them with regard to the landscaping provisions, the berm and those type of things. Mr. Calleja stated that would be your area of recourse.

Bob Alsweed, president of the homeowners association, thanked the commission for listening to their concerns. He stated he has been engaged with some negotiations with the developer, but they have been fruitless.

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

Resolution No. 2000-480

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 96S-376G, Bond No. 97BD-082, New Hope Pointe, Phase 1, Section 2, in the amount of \$37,000.”

Resolution No. 2000-481

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 97S-208G, Bond No. 97BD-083, New Hope Pointe, Phase 1, Section 3, in the amount of \$38,000.”

Request for Bond Extension

96S-248U
Oxton Hill
Dudley W. Warner, principal
Subarea 10 (1994)
[Buildout is at 98%.]

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

Mr. Calleja stated staff is recommending disapproval for the request of extension and authorizes collection of the performance bond in the amount of \$5,000 unless they finish up some items they need to do regarding handicap ramps by August 21, 2000.

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

Resolution No. 2000-482

“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-248U, Bond No. 97BD-043, Oxtown Hill, in the total amount of \$5,000 unless the detention pond is enlarged and the handicap ramps are constructed by 8/25/2000.

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 for the request of extension and authorizes collection of the performance bond in the amount of \$27,000 unless some minor drainage issues are corrected and they do the water and sewer testing so they can do the deeds and transfer ownership by August 25, 2000. **Ms. Nielson moved and Mr. Manier seconded the motion, which carried unanimously, to approve the following resolution:**

Resolution No. 2000-483

“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 total amount of \$27,000 unless minor drainage items and water and sewer line testing are completed by 8/25/2000. 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-429G
Templegate, Section 3
Jones Land Company, LLC, principal
Subarea 6 (1996)
[Buildout is at 84%.]

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

Mr. Calleja stated staff is recommending disapproval for the request of extension and authorizes collection of the performance bond in the amount of \$65,000 unless final paving and sidewalks are completed by August 25, 2000.

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

Resolution No. 2000-484

“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-429G, Bond No. 98BD-024, Templegate, Section 3, in the total amount of \$65,000 unless final paving and sidewalks are completed by 8/25/2000.

Request for Bond Extension

97S-453G
Lakewood Village, Section 1
Fischer & Ford Group, LLC, principal
Subarea 13 (1996)
[Buildout is at 81%.]

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

Mr. Calleja stated staff is recommending disapproval for the request of extension and authorizes collection of the performance bond in the amount of \$37,250 unless final paving and sidewalks are completed by August 25, 2000.

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

Resolution No. 2000-485

“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-453G, Bond No. 97BD-076, Lakewood Village, Section 1, in the total amount of \$37,250 unless final paving and sidewalks are completed by 8/25/2000.

ZONE CHANGE AND PUD PROPOSALS

2000Z-044G-01
Map 14, Parcel 100
Subarea 1 (1997)
District 1 (Gilmore)

A request to change from RS40 to I district and to apply the Institutional Overlay District to property at 6484 Clarksville Pike, abutting the south margin of I-24 (122.80 acres), requested by Sandy Goodfellow, appellant, for Freewill Baptist Bible College, owners.

Mr. John Reid stated staff is recommending disapproval because the applicant has not yet paid the sewer capacity fees. He stated they intend to go to the July 6 Council Public Hearing and have this item referred back to the Planning Commission when those sewer capacity fees are paid at which time staff could recommend conditional approval.

Bill Lockwood, architect, stated they are working with Water and Sewer to try to pay for their availability and asked if the Commission could make this a conditional approval subject to that being paid prior to the public notice going out. He stated otherwise, they are asking for a disapproval today and the councilmember would refer it back to the Commission after first reading.

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

Resolution No. 2000-486

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-044G-01 is **DISAPPROVED (8-0)**:

While this institutional use is consistent with the Subarea 1 Plan, the applicant has not sufficiently addressed the provision of sewer service to the campus. If sewer service is provided, the campus

would be consistent with the intent of the I district and the IOD. These districts allow colleges to function and grow in a sensitive and planned manner that preserves the integrity of the surrounding residential area."

2000Z-073G-06

Map 128, Parcels 71 (32.5 acres) and 44 (26.31 acres)

Subarea 6 (1996)

District 23 (Bogen)

A request to change from R15 and R20 districts to RM4 district properties at Sawyer Brown Road (unnumbered) and Old Hickory Boulevard (unnumbered), approximately 1,900 feet south of Ridgeland Parkway (58.81 acres), requested by Gary Whaley, appellant, for Hutton R. Buchanan et ux, owners.

John Reid stated staff is recommending disapproval of the RM4 district because the back portion of these properties were intended for single-family. Mr. Reid stated staff has learned that this property used to operate as both a municipal and construction demolition landfill. Documentation received from the EPA isn't enough to determine that this property is suitable for residential development. Therefore, staff is not comfortable intensifying the uses on this portion of property.

Carolyn Buchanan, 7848 McCrory Lane, stated she and her husband own this property, a total of 60 acres in the Bellevue area. In 1989 Old Hickory Boulevard was moved. The hillside was moved and the hill was moved onto this property so there's about two million yards of dirt that's been put on this property between 1989 and 1995. The EPA has looked at this property at least twice since we've owned it and prepared extensive reports, as well as the State of Tennessee, and have never found anything. The last time the EPA said they would not visit the property again. We own a piece of property that is part of the other 30 acres that backs up to Holt Valley and rather than it being an easement onto Holt Valley, it is actually a 30 or 40' space that we own. It was never our intention to use this access to this property. Whatever has to be done to stop it from being an access we would be willing to do it.

Mr. Manier stated the staff report indicates a significant number of potential students under this zoning and we're already at capacity and beyond on available schools. Mr. Manier recommends disapproval until the school problem is addressed.

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

Resolution No. 2000-487

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-073G-06 is **DISAPPROVED (8-0)**:

The multi-family uses permitted within the RM4 district are not consistent with the single-family development pattern of the Holt Valley subdivision to the west and the abutting Residential PUDs to the south."

2000Z-075U-05

Map 61-14, Parcel 36

Subarea 5 (1994)

District 4 (Majors)

A request to change from RS15 to CS district property at 741 Saunders Court, abutting the west margin of Saunders Avenue (.73 acres), requested by Claudia Beasley, appellant, for Claudia Beasley and W. M. Murray, owners.

John Reid stated staff is recommending disapproval as contrary to the General Plan because it is not consistent with the residential policy east of Edwards Avenue. In the Commission's previous approval of commercial zoning along Hart Lane the Commission has cited Edwards Avenue as the boundary between the commercial policy to the west and the residential policy to the east. Also, if we extend commercial zoning past Edwards Avenue, you would implicate the single-family homes that are on these properties.

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

Resolution No. 2000-488

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-075U-05 is **DISAPPROVED as contrary to the General Plan (8-0)**:

This property falls within Subarea 5 Plan's Residential Low Medium (RLM) policy calling for up to 4 residential units per acre east of Edwards Avenue. Edwards Avenue is the boundary between the commercial uses fronting Hart Lane and the residential uses to the east. The CS district is not consistent with RLM policy and would extend non-residential zoning too far into this neighborhood."

2000Z-077U-11
Map 118-4, Parcel 2
Subarea 11 (1999)
District 16 (McClendon)

A request to change from R6 to OR20 district property at 538 Rosedale Avenue, abutting the west margin of Waycross Drive (.73 acres), requested by James D. and Deborah H. Kennedy, appellants/owners.

Jennifer Regen stated staff is recommending disapproval of the rezoning to OR20 which would allow office and multi-family residential. It is staff's feeling that this piece of property with the existing single-family homes should remain residential.

Don Kennedy, property owner, stated his support for rezoning to allow commercial use but voiced his opposition for multi-family dwelling.

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

Resolution No. 2000-489

"BE IT RESOLVED by the Metropolitan Planning Commission that the following Zone Change Proposal No. 2000Z-077U-11 is **APPROVED (8-0)**:

The OR20 district is a transition between the Commercial Planned Unit Development (PUD) to the north and the residential neighborhoods to the east and south. Waycross Drive is the boundary between commercial uses to the west along Rosedale Avenue and the residential area to the east. The east side of Waycross Drive should remain residential consistent with the Residential Low Medium (RLM) policy calling for up to 4 dwelling units per acre."

OTHER BUSINESS

3. Election of Officers.

Elected James Lawson as Chairman, Doug Small as Vice-Chairman, Bill Manier as representative to the Historic Zoning Commission, and James Lawson as representative to the Board of Parks and Recreation

3. Legislative Update

ADJOURNMENT:

There being no further business, upon motion made, seconded and passed, the meeting adjourned at 3:00 p.m.

Chairman

Secretary

Minute Approval:
This 8th day of June, 2000