

MINUTES
OF THE
METROPOLITAN PLANNING COMMISSION

Date: September 4, 1997
Time: 1:00 p.m.
Place: Howard Auditorium

Roll Call

Present:

Gilbert N. Smith, Chairman
Arnett Bodenhamer
William Harbison
William Manier
Ann Nielson
Stephen Smith
Marilyn Warren

Absent:

Mayor Philip Bredesen
Councilmember Tim Garrett
James Lawson

Others Present

Executive Office:

T. Jeff Browning, Executive Director and Secretary
Carolyn Perry, Secretary II

Current Planning and Design Division:

Ed Owens, Division Manager
Jennifer Regen, Planner III
John Reid, Planner II
Doug Delaney, Planner I
Jeff Stuncard, Planner I

Community Plans Division:

Jerry Fawcett, Division Manager

Advance Planning and Research Division:

John Boyle, Division Manager
Jackie Blue, Planner I

Others Present:

Rachel Allen, Legal Department
Jim Armstrong, Public Works

Chairman Smith called the meeting to order.

ADOPTION OF AGENDA

Mr. Owens announced a change in the caption of the Capital Budget Amendment item number 3 under Other Business and also the addition of Addendum item 96CB006.

Chairman Smith announced the Commission had been asked to add Mandatory Referral No. 97M-106U to the agenda.

Mr. Bodenhamer moved and Mr. Manier seconded the motion, which unanimously passed, to adopt the agenda with the above changes and additions.

ANNOUNCEMENT OF DEFERRED ITEMS

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

97S-319G Deferred two weeks, by applicant.

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

APPROVAL OF MINUTES

Ms. Nielson moved and Mr. Manier seconded the motion, which unanimously passed, to approve the minutes of the regular meeting of August 21, 1997, and the Called Meeting of August 14, 1997.

RECOGNITION OF COUNCILMEMBERS

Councilmember Lawrence Hart stated he had held a public meeting regarding this zone change and spoke in favor of item 97Z-070U and also item 97P-036U, Riverwood Close.

Councilmember Mansfield Douglas spoke in favor of 97M-098U, Alley 493 closure.

Councilmember Stewart Clifton updated the Commission on the status of the new Zoning Ordinance and his position as sponsor.

ADOPTION OF CONSENT AGENDA

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

APPEAL CASES:

Appeal Case No. 97B-173U
Map 59-9, Parcel 116
Subarea 3 (1992)
District 1 (Patton)

A request for a conditional use permit in the R10 District, under the provisions of Section 17.124.090 (Family and Group Care) and as required by Section 17.124.030, to construct two additions containing 1,092 square feet and 120 square feet, and to convert the existing residence into a family care facility for three (3) elderly individuals. The property is located at 4005 Boyd Drive, approximately 100 feet north of Kings Lane (.40 acres), requested by Jefferson R. Ross, III, appellant/owner.

Resolution No. 97-696

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 97B-173U to the Board of Zoning Appeals:

The site plan complies with the conditional use criteria (7-0)."

ZONE CHANGE PROPOSALS:

Zone Change Proposal No. 97Z-079U
Map 61-14, Parcels 22 and 23
Subarea 5 (1994)
District 4 (Majors)

A request to change from R15 District to CS District, certain property located at 715 and 717 Hart Lane, approximately 100 feet west of Edwards Avenue (.67 acres), requested by Alfred B. and Eathel K. Robertson, appellant/owner.

Resolution No. 97-697

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-079U is **APPROVED (7-0)**:

This property falls within an area of Commercial Mixed Concentration policy (calling for a mixture of retail, office, and multi-family residential uses) around the State of Tennessee Department of Health and properties fronting onto Hart Lane between Ellington Parkway and Edwards Avenue. The CS District is consistent with this policy."

Zone Change Proposal No. 97Z-082G
Map 86, Parcels 83 and 84
Subarea 14 (1996)
District 12 (Ponder)

A request to change from CSL District to CS District, certain property located at 4017 and 4027 Central Pike, approximately 400 feet east of Old Hickory Boulevard (1.68 acres), requested by American Development Amdev LLP, appellant/owner.

Resolution No. 97-698

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-082G is **APPROVED (7-0)**:

This property falls within an area of Commercial Mixed Concentration policy around the Central Pike/Old Hickory Boulevard intersection, allowing for a mixture of retail, office, and multi-family residential uses. The CS District is consistent with this policy."

Zone Change Proposal No. 97Z-083U
Map 91-14, Parcels 66 and 72
Subarea 7 (1994)
District 22 (Holt)

A request to change from R8 District to CS District, certain property located at 5604 O'Brien Avenue and abutting the north margin of Alley 1519, approximately 200 feet west of White Bridge Road (.35 acres), requested by Lester Moore, appellant/owner.

Resolution No. 97-699

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-083U is **APPROVED (7-0)**:

This property is within an area of Commercial Mixed Concentration policy in the Subarea 7 Plan, allowing for a mixture of retail, office, and multi-family residential uses around the I-40/White Bridge Pike interchange. The proposed CS District is consistent with this policy and the surrounding zoning pattern."

PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:

Proposal No. 28-81-G
Hickory Hills Village Park, Lot 5
Map 142, Parcel 345
Subarea 6 (1996)
District 23 (Crafton)

A request for final approval for Lot 5 of the Commercial (General) Planned Unit Development District abutting the west margin of Old Hickory Boulevard, approximately 1,260 feet north of Highway 70S (1.0 acres), classified R15, to permit the development of a 2,600 square foot convenience market and car wash, requested by Wamble and Associates, for Gary Satyshur, owner.

Resolution No. 97-700

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 28-81-G is given **CONDITIONAL FINAL APPROVAL FOR A PHASE (7-0)**. The following conditions apply:

1. Written confirmation of final approval from the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. Submittal to the staff of the Metropolitan Planning Commission a revised drainage plan which has been approved by the Metropolitan Department of Public Works."

Proposal No. 46-83-U
Metropolitan Airport Center
Map 108-1, Part of Parcel 82
Subarea 14 (1996)

District 14 (Stanley)

A request for final approval for a portion of the Commercial (General) Planned Unit Development District abutting the southeast corner of Royal Parkway and Airport Center Drive (2.7 acres), classified CG, to permit the development of a 55,630 square foot hotel, requested by Waste Water Engineers, Inc., for Metropolitan Airport Center, LTD., owner.

Resolution No. 97-701

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 46-83-U is given **CONDITIONAL FINAL APPROVAL FOR A PORTION (7-0)**. The following conditions apply:

1. Written confirmation of final approval from the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. The recording of a final subdivision plat upon the posting of a bond for all necessary road improvements as required by the Metropolitan Department of Public Works and all water and sewer line extensions as required by the Metropolitan Department of Water Services.”

Proposal No. 94P-016U
Williamsburg at Brentwood
Map 171, Part of Parcel 88
Subarea 12 (1997)
District 32 (Jenkins)

A request for final approval for a section of the Residential Planned Unit Development District abutting the southwest corner of Cloverland Drive and Saddlewood Drive (7.16 acres), classified R20, to permit the development of 15 single-family lots, requested by Anderson-Delk and Associates, Inc., for Phillips Builders, Inc., owner.

Resolution No. 97-702

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 94P-016U is given **CONDITIONAL FINAL APPROVAL FOR A PHASE (7-0)**. The following conditions apply:

1. Written confirmation of final approval from the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. Prior to construction, the recording of a final subdivision plat and the posting of any required bonds.”

Proposal No. 97P-022G
American Retirement Corporation - Nine Mile Hill
Map 129-14, Parcel 2
Subarea 6 (1996)
District 23 (Crafton)

A request for final approval for the Residential Planned Unit Development District located between Highway 70S (Memphis-Bristol Highway) and Brookmont Terrace (11.0 acres), classified R15, to permit the development of a 90 rooming unit, assisted living facility, requested by Barge, Cauthen and Associates, for American Retirement Corporation, owner.

Resolution No. 97-703

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 97P-022G is given **CONDITIONAL FINAL APPROVAL (7-0):**
The following conditions apply:

1. Written confirmation of final approval from the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. Site distance improvements at the entrance as detailed in a letter to the Metro Traffic Engineer.”

SUBDIVISIONS:

Final Plats:

Subdivision No. 96S-304U
Baby Ruth Lane Estates, Section 1
Map 163, Parcels 121 and 311
Subarea 13 (1997)
District 28 (Hall)

A request to create nine lots abutting the west margin of Baby Ruth Lane, approximately 1,000 feet north of Mt. View Road (4.89 acres), classified within the R8 District, requested by Houston Ezell Corporation, owner/developer, MEC, Inc., surveyor.

Resolution No. 97-704

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Preliminary plan of Subdivision No. 96S-304U, is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$48,500.00.**”

Subdivision No. 97S-228U
Twin Oaks, Phase 2
Map 133, Parcel 44
Subarea 11 (1993)
District 27 (Sontany)

A request to record one parcel as one lot located between Twin Oaks Drive and Antioch Pike, approximately 850 feet east of Glencliff Road (11.15 acres), classified within the R8 Residential Planned Unit Development District, requested by Glenn Associates, owner/developer, A. and A. Engineers, Inc., surveyor.

Resolution No. 97-705

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Preliminary plan of Subdivision No. 97S-228U, is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$146,000.00.**”

Subdivision No. 97S-299U
B. J. Homebuilders Subdivision
Map 147-10, Part of Parcel 86
Subarea 12 (1997)
District 32 (Jenkins)

A request to create five lots abutting the southeast corner of Edmondson Pike and Durrett Drive (2.27 acres), classified within the R10 District, requested by B. J. Home Builders, Inc., owner/developer, Ragan-Smith Associates, Inc., surveyor. (Deferred from meeting of 8/21/97).

Resolution No. 97-706

“BE IT RESOLVED by the Metropolitan Planning Commission that the Preliminary plan of Subdivision No. 97S-299U, is granted **APPROVAL.**”

Subdivision No. 97S-304U
Townhomes of Fredericksburg, Phase 1, Section 3
Map 171, Part of Parcel 89
Subarea 12 (1997)
District 32 (Jenkins)

A request to record 40 condominium units abutting the south margin of Old Hickory Boulevard and the north margin of Fredericksburg Way West (5.92 acres), classified within the R20 Residential Planned Unit Development District, requested by Radnor Development Corporation, owner/developer, Anderson-Delk and Associates, Inc., surveyor.

Resolution No. 97-707

“BE IT RESOLVED by the Metropolitan Planning Commission that the Preliminary plan of Subdivision No. 97S-304U, is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$20,500.00.**”

Subdivision No. 97S-310U
Hickory Hollow Townhomes
Map 163, Parcel 188
Subarea 13 (1996)
District 28 (Hall)

A request to record a phase boundary plat abutting the north margin of Hickory Hollow Parkway, approximately 2,035 feet west of Bell Road (17.77 acres), classified within the RM8 District, requested by Vastland Realty Group, owner/developer, Crawford Land Surveyors, surveyor.

Resolution No. 97-708

“BE IT RESOLVED by the Metropolitan Planning Commission that the Preliminary plan of Subdivision No. 97S-310U, is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$209,500.00.**”

Subdivision No. 97S-313U
Rogers and Rowan Subdivision
Map 105-3, Parcels 30-32
Subarea 11 (1993)
District 19 (Sloss)

A request to consolidate three parcels into two lots abutting the northeast corner of Chestnut Street and Fourth Avenue South (.36 acres), classified within the CS District, requested by Thomas E. Rogers, Jr. and Pat Rowan, owners/developers, A. and A. Engineers, Inc., surveyor.

Resolution No. 97-709

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Preliminary plan of Subdivision No. 97S-313U, is granted **APPROVAL.**”

Subdivision No. 97S-315U

One American Center, Resubdivision of Lots 1-3
Map 104-2, Parcels 408-410
Subarea 10 (1994)
District 21 (McCallister)

A request to consolidate three lots into two lots abutting the southwest margin of 31st Avenue North, between Park Drive and West End Circle (6.67 acres), classified within the MRO District, requested by Quantum Realty Partners Limited Partnership, owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

Resolution No. 97-710

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Preliminary plan of Subdivision No. 97S-315U, is granted **APPROVAL.**”

Subdivision No. 97S-320U

Ashford Crossing, Section 3
Map 164, Part of Parcel 14
Subarea 13 (1997)
District 29 (Holloway)

A request to create 58 lots abutting both margins of Murphywood Crossing and both margins of Monroe Crossing (15.36 acres), classified within the RS8 District, requested by Phillips Builders, Inc., owner/developer, Dale and Associates, Inc., surveyor.

Resolution No. 97-711

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Preliminary plan of Subdivision No. 97S-320U, is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$633,000.00.**”

Subdivision No. 97S-321G

Andrew Jackson Business Park, Phase 1,
Resubdivision of Lots 1 and 2
Map 64-16, Parcels 30-34
Subarea 14 (1996)
District 12 (Ponder)

A request to consolidate five lots into one lot abutting the southwest margin of Jackson Meadows Drive and Andrew Jackson Parkway (1.31 acres), classified within the CS District, requested by B. B. Doubleday, Jr., owner/developer, Dale and Associates, surveyor.

Resolution No. 97-712

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Preliminary plan of Subdivision No. 97S-321G, a request to create 58 lots abutting both margins of Murphywood Crossing and both margins of Monroe Crossing (15.36 acres), classified within the RS8 District, requested by Phillips Builders, Inc., owner/developer, Dale and Associates, Inc., surveyor, is granted **APPROVAL.**”

Subdivision No. 97S-323G
Moore Family Subdivision
Map 24, Parcel 50
Subarea 2 (1995)
District 10 (Garrett)

A request to create five lots abutting the east margin of Campbell Road, approximately 4,712 feet southeast of Brick Church Pike (22.25 acres), classified within the AR2a District, requested by George H. Reson and Gary L. Moore, owners/developers, David Demerich, surveyor.

Resolution No. 97-713

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Preliminary plan of Subdivision No. 97S-323G, is granted **APPROVAL.**”

Subdivision No. 97S-326G
Traceside, Section 8
Map 169, Part of Parcel 241
Subarea 6 (1996)
District 35 (Lineweaver)

A request to create 36 lots abutting both margins of Meadow Ridge Circle, approximately 95 feet southeast of Timber Gap Drive (11.19 acres), classified within the R30 Residential Planned Unit Development District, requested by Centex Homes, owner/developer, Ragan-Smith Associates, Inc., surveyor.

Resolution No. 97-714

“**BE IT RESOLVED** by the Metropolitan Planning Commission that the Preliminary plan of Subdivision No. 97S-326G is granted **CONDITIONAL APPROVAL subject to posting a performance bond in the amount of \$309,000.00.**”

Request for Bond Extension:

Subdivision No. 163-73-G
Bellevue Shopping Center, Phase 2
Service Merchandise Company, Inc., principal

Located abutting the south margin of the Memphis-Bristol Highway, approximately 1,000 feet west of Sawyer Brown Road.

Resolution No. 97-715

“**BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 163-73-G, Bond No. 91BD-001, Bellevue Shopping Center, Phase 2 in the amount of \$65,000 to 9/15/98.”

Subdivision No. 151-82-G
Somerset Farms, Section 4, Phase 2
Somerset Farms, J.V., principal

Located abutting both margins of Somerset Farms, approximately 192 feet south of Autumn Court.

Resolution No. 97-716

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 151-82-G, Bond No. 97BD-018, Somerset Farms, Section 4, Phase 2, in the amount of \$190,000 to 11/15/97 subject to submittal of an amendment to the present Letter of Credit by **10/4/97** which extends its expiration date to 5/15/98. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 47-86-P

Briley Parkway Business Center, Section 2
Weeks/NWI Warehouse Group, L.P., principal

Located abutting both margins of Brick Church Lane, between Brick Church Pike and I-24.

Resolution No. 97-717

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 47-86-P, Bond No. 96BD-060, Briley Parkway Business Center, Section 2 in the amount of \$28,000 to October 1, 1997."

Subdivision No. 94P-017G

October Woods, Phase 1, Section 2
October Woods, L.P., principal

Located abutting the west margin of Old Hickory Boulevard, approximately 900 feet south of Hobson Drive.

Resolution No. 97-718

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 94P-017G, Bond No. 95BD-083, October Woods, Phase 1, Section 2, in the amount of \$28,000 to 11/1/97 subject to submittal of an amendment to the present Letter of Credit by **10/4/97** which extends its expiration date to 5/1/98. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 94P-021G

Hanover Park of Sheffield
Phillips Builders, Inc., principal

Located abutting the west margin of Somerset Place and the north terminus of River Fork Drive.

Resolution No. 97-719

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 94P-021G, Bond No. 96BD-010, Hanover Park of Sheffield in the amount of \$170,200 to 11/15/97 subject to submittal of a letter from the Frontier Insurance Company by **10/4/97** agreeing to the extension. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 95S-326G

Dunaway Woods, Phase 2
Mark E. O'Neill, principal

Located abutting the north terminus of Hallows Drive, approximately 285 feet north of Indian Springs Drive.

Resolution No. 97-720

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 95S-326G, Bond No. 95BD-101, Dunaway Woods, Section 2, in the amount of \$19,500 to 5/1/98 subject to submittal of an amendment to the present Letter of Credit by **10/4/97** which extends its expiration date to 11/1/98. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 96P-007G
Banbury Crossings, Section 1
Jones Land Company, LLC, principal

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

Resolution No. 97-721

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 96P-007G, Bond No. 97BD-007, Banbury Crossings, Section 1, in the amount of \$680,500 to 9/1/98 subject to submittal of an amendment to the present Letter of Credit by **10/4/97** which extends its expiration date to 3/1/99. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 96S-043U
Asheford Crossing, Section 2
Phillips Builders, Inc., principal

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

Resolution No. 97-722

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 96S-043U, Bond No. 96BD-005, Asheford Crossing, Section 2 in the amount of \$335,200 to 6/1/98 subject to submittal of a letter from the Frontier Insurance Company by **10/4/97** agreeing to the extension. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 96S-063U
Trinity Commercial Subdivision, Section 2
Jenkins Property, L.P., principal

Located abutting the south margin of West Trinity Lane, between Lucas Lane and Dickerson Pike.
Request for Bond Release:

Resolution No. 97-723

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 96S-063U, Bond No. 96BD-013, Trinity Commercial Subdivision, Section 2 in the amount of \$7,000 to 10/1/97 subject to submittal of a letter from the Fidelity and Guaranty Insurance Company by **10/4/97** agreeing to the extension. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

Subdivision No. 93P-011G
Holt Woods, Section 5
Hurley-Y, L.P., principal

Located abutting the east margin of Holt Hills Road, approximately 1,061 feet north of Holt Road.

Resolution No. 97-724

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 93P-011G, Bond No. 95BD-014, Holt Woods, Section 5 in the amount of \$33,750."

Subdivision No. 93P-021G
Holt Woods, Section 6
Hurley-Y, L.P., principal

Located abutting the west margin of Holt Hills Road, approximately 1,061 feet north of Holt Road.

Resolution No. 97-725

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 93P-021G, Bond No. 95BD-055, Holt Woods, Section 6 in the amount of \$31,000."

Subdivision No. 93P-011G
Holt Woods, Section 7
Hurley-Y, L.P., principal

Located abutting the west margin of Holt Hills Road, approximately 80 feet north of Crosswind Drive.

Resolution No. 97-726

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 93P-011G, Bond No. 95BD-055, Holt Woods, Section 7 in the amount of \$12,000."

MANDATORY REFERRALS:

Proposal No. 97M-090U
Conservation Easement Acceptance
from Southeastern Building Corporation
Map 85, Parcel 78
Subarea 14 (1996)
District 14 (Stanley)

A council bill authorizing the acceptance of conservation easements from the Southeastern Building Corporation, which are located along the Stones River for greenway purposes. The easement acceptance is requested by the Board of Parks and Recreation.

Resolution No. 97-727

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 97M-090U.

Proposal No. 97M-091U
Council Bill No. O97-860

Conservation Easement Acceptance
from Mathews Partners, Inc.
Map 85, Part of Parcel 55
Subarea 14 (1996)
District 14 (Stanley)

A council bill authorizing the acceptance of a 6.9 acre access, parking and conservation easement from a 36.69 acre tract belonging to Mathews Partners, Inc., which is located along the Stones River. The easement is for the establishment of a greenway and is requested by the Board of Parks and Recreation.

Resolution No. 97-728

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 97M-091U.

Proposal No. 97M-093U
Second Avenue North
Map 93-6-2, Parcel 79
Subarea 9 (1991)
District 19 (Sloss)

A mandatory referral from the Department of Public Works proposing the installation of a sign over the public right-of-way in front of 128 Second Avenue North, requested by Bill Hemrick for Graham Central Station.

Resolution No. 97-729

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 97M-093U.

Proposal No. 97M-094U
Unnamed Street
Map 83-10
Subarea 5 (1994)
District 6 (Beehan)

A proposal to close an unnamed street segment between Ordway Place and Alley No. 729, approximately 350 feet east of North 17th Street, requested by Bradley Peterson for adjacent property owners. (Easements are to be retained).

Resolution No. 97-730

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 97M-094U.

Proposal No. 97M-095U
Fifth Avenue South

Map 93-6-3, Parcel 112
Subarea 9 (1991)
District 19 (Sloss)

A mandatory referral from the Department of Public Works proposing the installation of one sign and one canopy over the right-of-way in front of 104 Fifth Avenue South, requested by Jack D. Johnson for Blimpie Subs and Salads, proprietor.

Resolution No. 97-731

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 97M-095U.

Proposal No. 97M-096U
Additional Property Acquisition for the Apex Storm Inlet
Map 82-4, Parcel 264
Subarea 5 (1994)
District 5 (Harrison)

A mandatory referral request from the Department of Water Services to acquire .33 acres of property on Granada Avenue, for the purpose of installing a screening facility on the storm inlet in that area.

Resolution No. 97-732

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 97M-096U.

Proposal No. 97M-097U
Old Hobson Road
Map 162, Parcel 76
Subarea 12 (1997)
District 31 (Alexander)

A proposal to close an unimproved segment of Old Hobson Road abutting the south margin of Old Hickory Boulevard, approximately 1,350 feet east of Nolensville Pike, requested by Farokh Fani, adjacent property owner. (Easements are to be abandoned).

Resolution No. 97-733

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 97M-097U.

Proposal No. 97M-099U
Over Vaughns Gap Branch Utility Relocation
Map 129-4, Part of Parcel 82
Subarea 7 (1994)
District 34 (Fentress)

A mandatory referral request from the Department of Water Services to acquire a 20' permanent easement and a 10' temporary easement for the purpose of relocating a utility easement on property located on Highway 70S near the CSX Railroad, in relation to the Tennessee Department of Transportation bridge repair project. (Project No. 97-SG-56).

Resolution No. 97-734

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 97M-099U.

Proposal No. 97M-101U
 Property Acquisition for Storage
 Map 72-5, Part of Parcel 60
 Subarea 5 (1994)
 District 5 (Harrison)

A proposal to purchase 12.61 acres of property and improvements (122,000 square foot industrial building) in the southeast quadrant of Ellington Parkway and Trinity Lane, for the purpose of storage, requested by the Metropolitan Government.

Resolution No. 97-735

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (7-0)** Proposal No. 97M-101U.

OTHER BUSINESS:

- 2. APR Fund Appropriation.

1ST Quarter FY98 APR Fund Expenditures

Actual Expenditures for Consultants Services for Previous Quarter

	Total Consult.	\$0.00
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Projected Expenditures for August, September

211 Postage - MPO Survey (questionnaire) for Household Travel Behavior Study (NUSTAT)		\$6,500.00
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237 Advertising		APR Fund
FY 1998 Unified Planning Work Program (UPWP)		600.00
FY 1998/2000 Transportation Improvements Program		600.00
	Total Ads	<u>\$1,200.00</u>
226 Central Printing		
TIP & UPWP		\$1,000.00
	Total Printing	<u>\$1,000.00</u>
235 Membership, Registration, Training		
Travel Demand Forecasting		\$200.00
Rail Volution (Conference)		400.00
NEXTEA Teleconference		100.00
	Total Training	<u>700.00</u>
258 Contractual Services		
Tech. Assist. - Portland		\$3,900.00
Tech. Assist. -Lebanon		2,640.00
Tech. Assist. - GNRC		7,015.00
1996 Plans Updates - Hend., Murf., Ruth City.- Huddleston Steele		13,748.00
1996 Plans/Updates - Franklin RPM		15,500.00
1996 Plans/Updates - Wilson City - Gresham Smith		15,000.00
Household Travel Behavior - NuStats		10,500.00
	Total Consult.	<u>\$68,303.00</u>
	Total APR Fund	\$77,703.00

Resolution No. 97-736

“BE IT RESOLVED by the Metropolitan Planning Commission that it approves the APR Fund Appropriation as listed above.”

3. Capital Budget Amendment:

A request to amend the 1997-98 Capital Improvements Budget and Program to add the following project:

I.D. No. 97GS008
Storage Facility
Property Acquisition and Renovation

\$500,000	Miscellaneous Funds	FY 1997-98
\$775,000	Proposed GO Bonds	FY 1997-98

Resolution No. 97-737

“BE IT RESOLVED by the Metropolitan Planning Commission that it approves the 1997-98 Capital Improvements Budget and Program as follows:

I.D. No. 97GS008

Storage Facility
Property Acquisition and Renovation

\$500,000	Miscellaneous Funds	FY 1997-98
\$775,000	Proposed GO Bonds	FY 1997-98”

ADDENDUM:

Proposed Amendment to the 1997-1998 to 2002-2003 Capital Improvements Budget and Program
(Proposal No. 97CB006)

Amended Projects

I.D. No. 88BE001 <u>BELLSHIRE</u> <u>ELEMENTARY -</u> <u>ADDITION</u> Bellshire Elementary 1128 Bell Grimes Lane Add eight Classrooms and Support Space	From: \$147,000 Proposed G.O Bonds FY 1997-98, \$2,266,000 Proposed G.O. Bonds FY 1998-99	To: \$1,586,000 Proposed G.O. Bonds FY 1997-98
I.D. No. 87BE004A <u>GRANBERRY</u> <u>ELEMENTARY -</u> <u>EXPAND</u> Granberry Elementary_ 495 Hill Road Expand Existing Facility Add fifteen Classrooms and Support Space	\$153,000 Proposed G.O Bonds FY 1997-98, \$2,398,000 Proposed G.O. Bonds FY 2000-01	\$2,551,000 Proposed G.O. bonds FY 1997-98
I.D. No. 97BE057 <u>NAPIER</u> <u>ELEMENTARY -</u> <u>CONSTRUCT</u> Napier Elementary 60 Fairfield Avenue Construct New Enhanced Options Facility for 400 to Replace Old Unit	\$369,000 Proposed G.O Bonds FY 1997-98, \$5,773,000 Proposed G.O. Bonds FY 1998-99	\$7,787,000 Proposed G.O. bonds FY 1997-98
I.D. No. 97BE060 <u>NEW ELEMENTARY</u> <u>1/ANTIOCH ZONE -</u> <u>CONSTRUCT</u> New Elementary 1 and Land, Antioch Cluster Construct Elementary for 500 students on New, Site in Antioch Zone	\$382,000 Proposed G.O Bonds FY 1997-98, \$4,395,000 Proposed G.O. Bonds FY 1999-2000	\$5,390,000 Proposed G.O. bonds FY 1997-98

I.D. No. 87BE010 \$145,000 Proposed G.O Bonds FY 1997-98, \$1,586,000 Proposed G.O. bonds FY
WESTMEADE \$2,293,000 Proposed G.O. Bonds FY 1998-99 1997-98
ELEMENTARY -
ADDITION

Westmeade Elementary
6641 Clearbrook Drive
Expand Existing
Facility by Adding eight
Classrooms and Support
Space

I.D. No. 88BE013A1 \$317,000 Proposed G.O Bonds FY 1997-98, \$5,290,000 Proposed G.O. bonds FY
WHITSITT \$4,973,000 Proposed G.O. Bonds FY 1999-2000 1997-98
ELEMENTARY -
LAND ACQUISITION
/CONSTRUCT

Whitsitt Elementary
110 Whitsitt Road
Land Acquisition and
Construct New Facility
to Replace Old Unit

New Project:

I.D. No. 97BE105
PARK AVENUE ELEMENTARY - CONSTRUCT
Park Avenue Elementary
Construct New Enhanced Options Facility for
400 students to replace old building

\$5,810,000 Proposed G.O. Bonds FY 1997-1998

Resolution No. 97-738

“BE IT RESOLVED by the Metropolitan Planning Commission that it approves the amendment as listed above to the 1997-1998 to 2002-2003 Capital Improvements Budget and Program (Proposal No. 97CB006).

This concluded the items on the consent agenda.

PUBLIC HEARING: SUBAREA 5 AMENDMENT TO THE CAE POLICY ALONG THE WEST SIDE OF GALLATIN PIKE BETWEEN BRILEY PARKWAY AND WEST KIRKLAND AVENUE.

Ms. Uken stated that at the August 7, 1997 Planning Commission meeting, the Commission directed staff to re-evaluate the manner in which Commercial Arterial Existing (CAE) policy is applied along Gallatin Pike between West Kirkland Avenue and Briley Parkway, based on zone change request 97Z-070U, which is a request to change from OP District to CS District, property abutting the west margin of Gallatin Pike,

approximately 600 feet north of Oak Street. As a result of research, staff is recommending that the policy remain as it currently is in the Subarea 5 Plan.

The area to be considered for amendment in the Subarea 5 Plan is found in Inglewood, along Gallatin Pike between West Kirkland Avenue and Briley Parkway. Although this area is mapped as CAE policy on the land use policy plan, much of it is either zoned for offices and used both residentially and for offices, or zoned and used for residential purposes.

The Subarea 5 Plan is very specific about the future development of Gallatin Pike, and this section of Gallatin Pike in particular. The text of the Subarea 5 Plan states that only a part of the CAE area north of the CSX line, is currently committed to retail commercial uses. The plan recognizes that most of the area on the west side of Gallatin Pike between Broadmoor Drive and Stratford Avenue is committed to office zoning and contains institutional, office, and residential uses. The plan specifically states that the intent for this area is to continue to accommodate retail and other CAE uses in the part of the area currently committed to those uses. However, broadening the range of uses to include retail activities is not recommended for the portions of this area that are currently limited to office and/or residential development.

During the subarea planning process, the Citizen Advisory Committee paid significant attention to this area. The committee prepared a suggested design plan for further guidance in development, in addition to the Land Use Policy Plan and the text. The design plan suggests mixed office, townhouses, walk-up apartments, and institutional uses for most of this area. The CAC recognized that this area had not yet given in to strip commercial development. They also recognized that this was an excellent opportunity to carry out the intent of the CAE policy.

Countywide policies for arterial development strongly discourage traditional strip commercial development. While Nashville's General Plan acknowledges that this type of development is widespread in Nashville, it also recognizes that arterial access alone does not make a site suitable for commercial development. In general, commercial development should be focused at major intersections or interchanges. The General Plan offers further guidance with regard to strip commercial development. When opportunities arise, existing strip commercial areas should be redeveloped into a more compact and efficient development pattern, utilizing the proper design controls. The redevelopment of strip commercial is an extremely lengthy process, made longer if completely left to market forces. Efforts should be made gradually to correct the negative features of stripping, even though the development pattern may continue for some time. Additionally, alternatives to commercial uses should be sought for undeveloped arterial sites located between major intersections. Higher density residential is the most likely alternate use.

Most of Gallatin Pike is already committed to strip commercial development, the type of development which the General Plan strongly discourages. Strip commercial development is not considered to be a desirable development pattern because it compromises the primary purpose of arterials, which is to facilitate the efficient circulation of traffic. Providing access is a secondary purpose of arterials, yet it has become the primary purpose in commercially stripped areas such as Gallatin Pike.

It is a countywide goal to develop arterials so that they carry traffic and provide only low volume property access between major intersections. Major intersections, where principal turning movements are already accommodated, is where commercial development with large traffic demand should be located. It is the intent of the General Plan to transform existing commercial strips into nodes at major intersections, as well as to encourage nodal commercial development in growing areas. This revitalization effort may be difficult and lengthy, but it is also necessary in order to achieve the satisfactory use of arterials in Davidson County.

The existing CAE land use policy for Gallatin Pike, with the accompanying text, presents the Planning Commission with the perfect opportunity to discourage traditional strip commercial development and support the goals of the General Plan. Here is an opportunity to take homes and adaptively reuse them as offices that would be compatible with the surrounding land uses (especially the residential land uses that back up to these properties). While the attempt to introduce office uses along Gallatin Pike to the area

between Oak Street and McIver Street in the past may not have been totally successful, there are no guarantees that an area is ripe for a particular use at a particular time. This concept applies to commercial and retail uses as well. A commercial use at this particular location is not guaranteed to be successful either, and if it is, it may relocate to a more profitable part of the county.

One of the functions of subarea plans is to implement the countywide policies regarding arterials. A change in the Subarea 5 Plan to substantially expand arterial commercial zoning opportunities at this location is inconsistent with the policies of the General Plan, unless some exceptional circumstances are found to exist which warrant unique treatment of this particular area. Staff has been unable to identify any such circumstances here. Strip commercial development is often the pattern which results from reliance on market forces. These commercial strips are typically not prosperous. Adding additional commercial opportunity to this area will not necessarily revitalize it, and may actually serve to take away from the viability of the existing nearby commercial development, creating an even greater number of marginal uses.

One of the primary reasons to provide additional commercial opportunity is due to a lack of existing commercial opportunity. There is no lack of existing commercial opportunity in this case. There are reasonable opportunities available along Gallatin Pike just within a 2 mile stretch north and south of this particular area, from about Due West Avenue to Douglas Avenue. Looking at the acreage used by existing Sonics, it is reasonable to assume that a half acre parcel or larger would more than accommodate this proposed Sonic. Acreages for other Sonics in the county range from just over half an acre to just under an acre. Concentrating on the vacant commercially zoned properties a half acre or larger in size within 200 feet of the centerline of Gallatin Pike, and within 2 miles north and south of this site, there are 10 parcels that are vacant, commercially zoned, and more than a half acre in size. Because this information is from the tax assessors office, the 10 vacant parcels only include properties without improvements. Therefore, this information does not include vacant parcels with improvements that could accommodate a Sonic.

This section of Gallatin Pike has a more than generous supply of commercially zoned land, some of which is vacant and some of which is underutilized. This area is also not one of Davidson County's growing areas. What growth does occur here is needed to enhance market demand for the existing commercial areas. Expanding commercial opportunity under these conditions will tend to perpetuate marginal use of existing commercial areas rather than spur general revitalization of the area.

The area under consideration for the amendment is of a completely different character than the rest of Gallatin Pike. An amendment to the Subarea 5 Plan would probably cause this unique area to become like the rest of Gallatin Pike. An amendment to this plan, would also be compromising the objectives of the General Plan. This is one of the best opportunities that the Commission has to apply the objectives of the General Plan in order to preserve and enhance this particular stretch of Gallatin Pike. If this opportunity is not taken advantage of, the implications will be county wide.

Mr. Richard Jones and Ms. Michelle Carrater spoke in favor of the amendment.

Chairman Smith stated it seemed to him the community did not care what the policy is in that area.

Mr. Harbison stated that Jennifer's report was a compelling case not to amend the plan because it would be voting in favor of further strip commercial and that he was not in favor of that. But there is a possibility that what will go in there would improve the area.

Ms. Warren stated she was in favor of the amendment until she heard there were ten available lots and that should be used commercially instead of having more space being developed.

Mr. Manier stated this was a short term and long term problem. Short term, anything new and cleaned up would be an improvement, but there is a definite negative for the long term. Continued endorsement of stripping is detrimental to the long run welfare of this area. A high percentage of the properties available are under utilized. The reason for the under utilization is further continual zoning of vacant or under utilized land. That is what makes the existing properties be under utilized. It is kind of a throw away

society. Large companies, whether they be retail or food service, move in, stay for ten years, are back out and gone down the road to another rezoned piece of land and what they left deteriorates, goes bad and is under utilized and is an ongoing cycle. From a broad perspective, the neighborhood may not have viewed the problem. They were looking at it as a new facility and a cleaned up improvement that would help the neighborhood. It would in the short term, but in the long term it would be a very negative thing for that whole general area.

Mr. Bodenhamer stated there was too much strip in that area already and that he was at the meeting when the subarea advisory committee discussed the area and they felt very strongly about the land use.

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

Resolution No. 97-739

“BE IT RESOLVED by the Metropolitan Planning Commission that the Subarea 5 amendment to the CAE policy along the west side of Gallatin Pike between Briley Parkway and West Kirkland Avenue is **disapproved.**”

ZONE CHANGE PROPOSALS:

Zone Change Proposal No. 97Z-070U
Map 61-15, Parcels 56-60
Subarea 5 (1994)
District 8 (Hart)

A request to change from OP District to CS District, certain property abutting the west margin of Gallatin Pike, approximately 600 feet north of Oak Street (2.15 acres), requested by Richard Jones, appellant for various owners.

Ms. Regen stated this zone change was associated with the General Plan Amendment just discussed by the Commission. The applicant is requesting to rezone the property from OP to CS. In light of the Commission’s decision to not amend the General Plan to permit commercial retail uses on this property, staff recommends disapproval of this zone change request as contrary to the General Plan.

Mr. Richard Jones spoke in favor of the zone change and stated there was no opposition to the rezoning at the Council public hearing.

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

Resolution No. 97-740

“BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-070U is **DISAPPROVED** as contrary to the General Plan (7-0):

These properties are included within a larger general area policed “Commercial Arterial Existing” (CAE) by the adopted Subarea 5 Plan. The General Plan encourages locating future retail and commercial uses at major intersections and redeveloping existing commercial areas. Therefore, this request would contradict General Plan policies as it would expand strip commercial opportunities, in an area not located at a major intersection. There are a number of CS zoned properties along Gallatin Pike suitable for new retail and commercial uses that are either vacant or underutilized.”

Zone Change Proposal No. 97Z-078G
Map 68, Part of Parcel 67

Subarea 3 (1992)
District 1 (Patton)

A request to change from AR2a District to CS District, certain property abutting the north margin of Hydes Ferry Pike, approximately 80 feet west of WWCR Avenue (4 acres), requested by William A. Veach, appellant/owner.

Mr. Reid stated this was a request to rezone property in the north part of the county from AR2a to CS. It is located on the north margin of Ashland City Highway. The Briley Parkway intersection is approximately 1.5 miles to the east and the Old Hickory Boulevard intersection is approximately 1 mile to the west. The applicant wants to rezone this property because currently he owns an outdoor vehicle storage and repair business on an existing commercial lot which has been zoned since 1974. Because Ashland City Parkway is being widened, it is taking up approximately ½ acre of the property and the owner needs to relocate his business to adjacent property.

In the subarea plan, the entire area is within Natural Conservation Policy. This area is characterized by very low density residential development due to the steep topography in the area and because of that, the subarea plan does not envision a lot of new residential development to the area and therefore the need for additional commercial zoning. There are existing commercial opportunities around the intersections to the east and to the west. Staff feels this would set a very dangerous precedent to the Natural Conservation Policy and is recommending disapproval as contrary to the General Plan. Placing commercial zoning here would also encourage a strip development pattern which would hurt the goals for providing commercial in the future around the major intersections as called for in the subarea plan.

Mr. William Veach stated he needed this property rezoned because the Ashland City Highway was being made into four lanes and was taking his business property. The only other land he had for the business was across the road. He stated all his neighbors had signed a petition and there were no objections to the zone change.

Chairman Smith asked when Subarea 3 was to be revisited.

Mr. Reid stated it was to be revisited this year and was on today's agenda to determine the level of citizen participation.

Mr. Stephen Smith asked if this would qualify for one of the special circumstance items.

Mr. Harbison stated it was just a coincidence that he owned property on the other side of the street. Normally when there is a condemnation there is compensation to allow relocation wherever appropriate.

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

Resolution No. 97-741

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-078G is **DISAPPROVED** as contrary to the General Plan (7-0):

This property falls within an area of Natural Conservation (NC) policy in the Subarea 3 Plan which calls for very low intensity residential uses. Due to the area's steep topography, the plan envisions a very low density residential population. Placing CS zoning in the middle of this rural residential area would violate the intent of this NC policy. Sufficient commercial opportunities (i.e. CS zoning) for this rural area already exist at the Briley Parkway/Hydes Ferry Pike intersection (1.5 miles to the east) and the Old Hickory Boulevard/Hydes Ferry Pike intersection (1 mile to the west). New commercial development should be focused around these two major intersections per the General Plan."

Zone Change Proposal No. 97Z-080G

Map 86, Parcels 77 and 333

Subarea 14 (1996)

District 12 (Ponder)

A request to change from R8 District to OP District, certain property located at 3939 Central Pike, abutting the north margin of Central Pike, and the east and west margins of Old Hickory Boulevard (12.58 acres), requested by HCA Health Services of Tennessee, Inc., appellant/owner.

Proposal No. 61-86-P (Public Hearing)

Lincoln Point

Map 86, Parcels 77 and 333

Subarea 14 (1996)

District 12 (Ponder)

A request to cancel the Commercial (General) Planned Unit Development District abutting the northwest corner of Central Pike and Old Hickory Boulevard (12.5 acres), classified R8 and proposed for OP, requested by HCA Health Services of Tennessee, Inc., owner.

This is a request to rezone property between Central Pike, Old Hickory Boulevard and the I-40 ramp from R8 to OP and to cancel the commercial PUD. Staff is recommending approval of both of these items since the office zoning will implement the commercial policy around this intersection.

Mr. Tom Ramsey, with Columbia HCA, spoke in favor of the proposal and stated the intent for this property was to put in a surgery center and an office building

Councilmember Phil Ponder spoke in favor of the proposal and stated Columbia was a great community member and had provided a twenty-two acre site for a new police precinct, community center and library.

Mr. Stephen Smith moved and Mr. Bodenhamer seconded the motion, which carried unanimously, to close the public hearing and approve the following resolution:

Resolution No. 97-742

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-080G is **APPROVED (7-0)**:

The property falls within Commercial Mixed Concentration (CMC) policy around this intersection, allowing for a mixture of retail, office, and multi-family residential uses in the Subarea 14 Plan. The OP District will implement CMC policy by permitting office and multi-family uses, and is consistent with the zoning pattern to the west which includes the Columbia Summit Medical Center."

"BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that Proposal No. 61-86-P is given **APPROVAL OF THE CANCELLATION REQUIRING COUNCIL CONCURRENCE (7-0)**."

PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:

Proposal No. 300-84-U (Public Hearing)

Coventry Woods, Phase II

Map 52-1, Parcels 142-149 and Part of Parcel 141

Subarea 4 (1993)
District 9 (Dillard)

A request to cancel the unbuilt Residential Planned Unit Development District abutting the east margin of Forest Park Drive, 250 feet north of Neeley's Bend Road (approved for a 90 unit multi-family development), (5.98 acres), classified R6, requested by Henry E. Hooper, owner.

Mr. Delaney stated this PUD was originally approved in 1984 and thus far none of this project has been developed. This is listed as a public hearing item because it is a cancellation and staff is recommending approval of that cancellation. Staff is in receipt of a letter from Councilmember Dillard requesting the Commission to consider a two week deferral of this item to give the owner time to discuss with the neighbors and himself the proposed plans with the PUD overlay removal.

No one was present to speak at the public hearing.

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

Proposal No. 97P-036U
Riverwood Close
Map 72-12, Parcel 315
Map 73-5, Parcels 22, 104 and 149
Map 73-9, Parcels 3, 4, 64 and 65
Subarea 5 (1994)
District 8 (Hart)

A request to grant preliminary approval for a new Residential Planned Unit Development District abutting both margins of Cooper Lane and the southeast margin of Demarius Drive (59.1 acres), classified R10, to permit the development of a 600 unit residential development, of which 219 are intended to be assisted living units, requested by Barge, Waggoner, Sumner and Cannon, for Tom Stewart, owner.

Mr. Delaney stated the staff was recommending disapproval of this request, and reminded the Commission of two previous proposals to develop this site. One was a Residential Planned Unit Development for 170 single family lots, resulting in a density of just slightly above 3 units per acre, and also a 94 single family lot subdivision on another portion of the property that resulted in an overall density of approximately 2.9 dwelling units per acre. As with those two previous proposals, the main issue with this current proposal are policy, zoning, density, traffic and comparability to the surrounding residential area.

In the subarea plan, this property falls within residential low-medium policy, which allows 2 to 4 dwelling units per acre. The subarea plan recommends the conservation of the established single and two family developments in this area. Basically, this is the last remaining large undeveloped tract of land in the area. The existing zoning is R10 and with a Residential PUD overlay on it could conceivably reach a density of 8 dwelling units per acre.

The applicant has indicated this is a proposal intended for occupancy by elderly residents. Under today's code a development specifically designed for the elderly can get a 50% density bonus, or up to 12 dwelling units per acre. The current proposal is for 600 multi family units that range from flats to one and two story apartment buildings. There are also a couple of six story high rise apartment buildings. With the 600 units, 219 of those being assisted living, the overall density would be 8.3 dwelling units per acre, and as staff indicated that is above the subarea policy.

The Traffic Engineer has concerns with the traffic impact study that has been submitted by the applicant. The Traffic Engineer believes this development, with its 600 units, will generate more traffic than the impact study indicates. As a result of that conclusion, he feels there are some necessary potential improvements that need to be made as far as off site road improvements. One is a left turn lane on

McGavock Pike onto Cooper Lane as well as some additional improvements to Cooper Lane to access the development. The traffic impact study, as submitted, identifies that this 600 unit residential development will have no additional impact on the infrastructure and that no off site improvements are necessary.

It is the intent and purpose of a residential PUD district, as stated in the zoning code, to encourage a variety and flexibility in land development and land use that is consistent with the long range Comprehensive General Plan and also to provide a harmonious relationship with the surrounding development minimizing land use incompatibility, heavy traffic and congestion and excessive demands on planned and existing public facilities. While under the current R10 zoning, the proposed development could conceivably achieve the proposed densities, the subarea policy and comparability must also be considered. The residential low-medium policy of the subarea plan indicates the development should be kept in the range of 2 to 4 dwelling units per acre. Staff does not feel the proposed development, consisting of flats, one, two and six story high rise apartments, at an overall density of 8.31 dwelling units per acre is comparable to the surrounding single and two family existing residential development.

Mr. Delaney summarized a letter from the Riverwood Neighborhood Alliance stating the proposed development was presented at an open neighborhood meeting and at which more than 90% of those in attendance voted in favor of this development for the elderly.

Mr. Bill Lockwood, with Barge, Waggoner, Sumner and Cannon, stated the elderly housing component of this facility would be a community facility use and are unmapped. The types of uses that are allowed within the community facility are nursing homes, non-profit organizations, assisted living, medical care, places of worship, community centers, meeting activity houses and neighborhood parks. Mr. Lockwood stated the development was planned with the less intensive single story buildings around the edge of the property, next to existing development, with the taller, more intensive buildings toward the center of the property.

Mr. Manier asked Mr. Lockwood if he worked on the other two proposed developments.

Mr. Lockwood stated he did not personally but his company did.

Mr. Manier stated that he thought he heard at that time the local people were concerned about drainage and asked if that was a factor?

Mr. Lockwood stated he understood the primary concern was the development that was being proposed. The smaller lots, they felt, were not being in keeping with what they saw as their neighborhood. This is offering something that they want as a facility. As far as drainage, there will have to be detention and all other criteria will have to be met on the final plan.

Mr. Lockwood stated he felt that from the Traffic and Parking standpoint their concern was because the traffic study numbers were based on elderly residents. That is specifically what the proposal is going to be and that is what the traffic projections were based on. The traffic engineers are concerned that if this was changed to a multi-family not occupied by elderly residents, then there would be more traffic. They also still have a concern with the intersection of Cooper Lane and McGavock. The speed limit of McGavock is a little faster than expected but it warrants a turn lane today without this development's traffic.

Mr. Harbison asked if this proposal was conditioned on or would the elderly component be a requirement of the PUD approval.

Mr. Lockwood stated he felt the Commission could do that because the Zoning Ordinance specifically talks about design for groups 60 years or older.

Ms. Nielson stated she was reluctant to use the elderly component to increase the density. This has been done before and what was put in place was certainly not for the elderly.

Chairman Smith stated he understood this was 600 units of which 200 hundred were retirement units and the rest are for the general population.

Mr. Lockwood stated all of the units are intended for the elderly, for 60 years or older. Any project in the Zoning Ordinance that is designed for 60 years or older gets the 50% bonus.

Mr. Browning asked to what extent are we guaranteed, through the zoning process, that commitment to the elderly. On this project there are only 219 units that are being considered as assisted living housing where you get two units for one and they are designed with one communal kitchen. The other 300 and some units in this complex are plain living units not necessarily designed for the elderly.

Mr. Harbison asked if the Commission could say those plain units are for the elderly through the approval process.

Mr. Owens stated the Commission could say that but a dwelling unit is a dwelling unit and the government cannot go in and police and monitor who rents the unit.

Mr. Stephen Smith asked if the plain units were going to be rental units or if they would be sold.

Mr. Tom Stewart stated the flats were planned as condominiums. The assisted living would be owned by one entity to be rented out because of the centralized nursing. The 300 units will be for sale to the elderly only.

Mr. Bodenhamer stated he was concerned about the traffic study and that you could not build 600 units in this city and not have traffic.

Mr. Lockwood stated the rates used in the study were higher than the actual counts and that he was confident there would be a conservative number of trips in and out for this type of a facility.

Mr. Browning explained the difference in the current code and how it treats the units for the elderly in allowing the 50% bonus, because the assumption that elderly generated fewer trips. The ordinance also allowed for there to be a reduction in the required parking and that was more or less the guarantee that you would have the reduced traffic generation. There was one development that was contemplated but was not done at the corner of Hillsboro Road and Woodmont Boulevard where Post Properties is located. They attempted to come in with 50% bonus, but the development would not reduce the parking because they were not sure the market would stand up to leasing to elderly people. The development the Commission is concerned with today has more than the parking for normal occupancy. The plan has approximately 800 parking spaces and low traffic figures will not be generated with 800 parking spaces.

Ms. Nielson stated that she felt that when this came back for final approval the Commission should make sure the amount of parking spaces had been adjusted.

Mr. Browning stated the simple solution would be to reduce the density to fit the subarea policy plan.

Michelle Carrater expressed her concerns regarding the neighborhood association's interest in having a park in this area and suggested connecting the Shelby Bottoms Greenway to this area by bike and walking trails and making the area into a park.

Mr. Ali Afis, Traffic Engineer, stated the submitted traffic impact study and proposal had been reviewed and the numbers generated were based upon total occupancy by elderly residents. He stated if this occupancy was not guaranteed, the traffic figures could be three times higher than the study reflected. He also stated the 800 parking spaces provided would not typically indicate low traffic generation that is reflected in the applicant's traffic study. He stated a development of this magnitude should be located on at least a collector street, which is not occurring with this development.

There is also a problem with the left turn movements from McGavock onto Cooper Lane and on Cooper Lane into the project and it has been suggested to the developer that they should install a turn lane from McGavock onto Cooper Lane. This traffic analysis also assumed the speed limit was 35 miles per hour but it is 40 miles per hour. They were asked to redo the analysis and they came out with an analysis that a left turn lane was needed without their development. Cooper Lane is not a collector street and the traffic will be increased in that area and therefore Traffic and Parking is requesting that developer be denied this proposal unless they commit to a left turn lane on McGavock into Cooper Lane, design Cooper Lane as a collector street and construct a left turn lane into the development.

Mr. Lockwood stated the Traffic Engineer's analysis was not based on an elderly development. Based on the speed a turn lane is needed now and with the additional traffic it would still be required, and if required the developer could make that improvement. During a previous conversation with John Gregor, the collector standard for that road was not an absolute necessity.

Mr. Afis stated that was not the case. It was agreed within their staff that Cooper Lane be designed as a collector from McGavock into the site.

Ms. Nielson asked if there were statements that could be put on this plan that would make those things happen if the development was not designed to accommodate the traffic.

Mr. Owens stated the Commission could impose a condition to reflect what the Traffic Engineer is recommending.

Mr. Manier stated the right-of-way might not be available to upgrade Cooper Lane to a collector standard.

Mr. Owens stated it was not appropriate to impose a condition on a developer that he could not perform. In situations where there have been questions about adequate right-of-way necessary to make improvements, the Legal Department has advised this Commission not to put a condition like that on the developer, unless the developer knows he can perform it.

Mr. Stephen Smith stated this should be deferred for two weeks to see what kind of traffic improvements the developer could incorporate and to address the density concerns.

Mr. Stephen Smith moved and Mr. Bodenhamer seconded the motion, which carried unanimously, to defer this matter for two weeks.

SUBDIVISIONS:

Preliminary Plats:

Subdivision No. 97S-325G (Public Hearing)

Scenic River Farms

Map 141, Parcels 40, 104 and 107-114

Subarea 6 (1996)

District 35 (Lineweaver)

A request to plat ten deeded parcels located between the CSX Railroad and the Harpeth River (105.8 acres), classified within the AR2a District, requested by Ed and Wanda Smith et al, owners/developers, Jesse Walker, surveyor.

Mr. Stuncard stated staff was recommending deferring this item due to unresolved issues concerning street standards. Scenic River Lane, formerly known as Buffalo Road, is a one lane substandard road that is too narrow. Another issue is the status of the existing section of road south of the railroad tracks that serves the existing lots. Special circumstances may call for variances in regard to these street standards. The

subdivision was started over a year ago under old policies in which building lots could be created by deed thus circumventing the subdivision process. Currently five of the ten lots are built upon. Approximately 70% of this subdivision lies within the floodplain and no future phases or road extensions are anticipated. This proposed street does not qualify for a private street as originally submitted by the developer. Currently Scenic River Lane has approximately 12 feet of pavement for Coley Davis Road to the CSX Railroad tracks. After the railroad tracks the pavement widens to 20 feet with a 6 foot gravel shoulder and a 12 foot conventional ditch. These standards continue around the cul-de-sac, which was built with the intention of being a private street.

Public Works will need to examine the construction plans in order to determine to what degree this section will need to be upgraded. It is recommended that Scenic River Lane be widened to provide adequate access to this proposed subdivision. There is an existing 25 foot right-of-way dedication along Scenic River Lane which would enable the widening of this road. The development to the east of Scenic River Lane will not have direct access to this road. The development to the west, which is the meadows PUD has received conditional preliminary approval for a future phase of development that connects to Scenic River Lane. This approval was granted approval contingent upon the developer making improvements to Scenic River Lane between Coley Davis Road and the Meadows connection. Public Works advises this section of Scenic River Lane will be upgraded to minor local street standards, which is 23 feet of pavement with curb and gutter. The costs of these improvements will be accessed to the Meadows PUD at that time.

The developer for Scenic River Farms will be responsible for the remainder the road being upgraded. Public Works has recommended that 20 feet of pavement with an 8 foot shoulder and ditch section will be adequate for this section. In addition to the Scenic River Lane improvements, each lot in the subdivision will be responsible for contributing to the Coley Davis Road Improvement Fund. The cost for each unit for this residential portion has been determined to be \$154 per unit. In conclusion, staff recommends this item be deferred till such time as a meeting can be arranged with Public Works to arrive at a determination of street standards and convey this information to the applicant.

No one was present to speak at the public hearing.

Mr. Stephen Smith moved and Mr. Bodenhamer seconded the motion, which carried unanimously, to close the public hearing and defer this matter for two weeks.

Request for Bond Extension:

Subdivision No. 103-79-G
Riverfront Shopping Center, Section 2, Lot 3
Riverfront Development, Ltd., Partnership, principal

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

Mr. Owens stated this was a commercial project and that at this point in time the only outstanding improvements needed are to correct some water valve facilities. Staff feels there is no real need for an extension of this bond and is recommending disapproval of the extension request and give the developer until October 1, 1997 to complete.

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

Resolution No. 97-743

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **DISAPPROVES** the request for extension of a performance bond for Subdivision No. 103-79-G, Bond No. 94BD-062, Riverfront

Shopping Center, Section 2, Lot 3 in the amount of \$5,000 and collect unless the developer completes required water valve corrections by 10/1/97.”

Subdivision No. 88P-067G

Brandywine Pointe, Phase 11, Section 2

Brandywine Pointe Partners, principal

Located abutting the northeast margin of Shute Lane and both margins of Rachel Way.

Mr. Owens stated the only outstanding issue with this development is a detention pond. The detention basin is built; however, an adjacent owner is claiming damages by additional runoff in this development and Public Works agrees there are problems with the design and construction of the detention pond and that the developer needs to go back and redesign and reconstruct the pond to reduce the amount of water coming off the property. Public Works, therefore, is asking that this bond be extended in order to allow them to continue to work with the developer and the property owner. Staff feels, with this project being 77% build out, that this problem needs to be corrected immediately, particularly since Public Works is agreeing it is potentially damaging to an off site property owner. It is for that reason staff recommended that the bond not be extended but fixed in a timely manner. The developer is asking for an extension of the bond. Public Works is requesting an extension of that bond until March of 1998. Staff is encouraging the Commission to get this resolved quickly by not extending the bond.

Mr. Keeling Turner, developer, stated he would like to have Public Works give final inspection and approval on the project so the bond can be released. Attempts have been made to work with the neighbor and solutions offered to help the drainage by building a 300 foot long 12 inch pipe and catch basin and concrete wall which would take the water down to a pond area where there has been natural drainage for years. However, the neighbor is not agreeable to this solution. The detention pond was built in compliance with the approved plans, and the developer requested that Public Works make the final inspection and grant approval.

Mr. Jim Armstrong stated Public Works was hoping the situation could be resolved if time was extended. This situation is whether they have done what Public Works has asked them to do and right now they do not have an approved plan from Public Works.

Mr. Stephen Smith stated he felt like the Commission did not want to get into a position of officiating between the two property owners. Once this developer does what he is supposed to do then this type problem could be settled in court.

Mr. Turner stated he was just asking for final inspection, approval and release of the bond.

Mr. Bodenhamer asked if the November 1 date was not suitable.

Mr. Turner stated he was not asking for an extension, he was asking for release of the bond.

Mr. Stephen Smith asked why Mr. Turner did not have an approved plan.

Chairman Smith asked if the plan Public Works had did not satisfy the situation and how could the bond have been set if Public Works did not have a plan.

Mr. Armstrong stated Public Works did not set the bond. The bond was set by a private engineer because it is a private development.

Mr. Stephen Smith stated he was confused because an \$84,000 bond was a bond to do something and either it had been done or it had not been done.

Mr. Turner stated the \$84,000 covered roads, drainage and other infrastructure. Greshem-Smith was the engineer and the retention pond was built per their plan as submitted. Now the project is complete and ready for final approval.

Mr. Armstrong stated that was correct except that the plan from Greshem-Smith was never approved.

Mr. Stephen Smith moved to release the bond.

Mr. Browning stated the Department of Public Works does not like to set bonds and inspect private developments. This staff feels Public Works should make no distinction between a private and public subdivision because a subdivision is a subdivision and this is an example of why there should be no distinction. There are people living out there, there are lots being sold and they are people who are relying on this Planning Commission to establish a standard that will protect the health, safety and welfare. Now Public Works is saying they don't inspect the plans in a private subdivision.

Mr. Stephen Smith suggested that if this has not been inspected by the next meeting, release the man from his bond.

Mr. Manier stated he did not want to release anything until someone takes the burden of responsibility.

Mr. Harbison agreed but stated if the Commission just does not grant an extension of this bond then there will be a bond the city can't call because they are not going to be able to prove that he has not met his conditions and that way the Commission will not be involved in the private property owner dispute.

Mr. Stephen Smith moved and Mr. Harbison seconded the motion, which carried unanimously, to approve the following resolution:

Resolution No. 97-744

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **DISAPPROVES** the request for extension of a performance bond for Subdivision No. 88P-067G, Bond No. 96BD-008, Brandywine Pointe, Phase 11, Section 2, in the amount of \$84,000 and collect unless the developer completes all drainage corrections by 11/1/97."

Subdivision No. 95P-015G

New Hope Pointe, Phase 1, Section 1

Robert E. Earheart, principal

Located abutting the southwest margin of Cape Hope Pass and New Hope Road.

Mr. Owens stated this was a residential lot development dealing with the first section of the first phase. The situation is that the first phase has reached 75% build out and Public Works is asking that the Commission not require the streets and sidewalks not to be completed at this time. Staff is saying it is at 75% and the Subdivision Regulations say the street should be completed. Staff is recommending this bond extension be denied and the Commission authorize collection if work is not complete by November 1, 1997.

There are five lots in the first section and now section two is now recorded, which is not part of this bond. Public Works is saying the Commission should not require the topping of this street yet because the base asphalt has not been down long enough to have been adequately compressed by normal construction traffic. If the topping is put down at this time there may be continued settling of the base course and therefore, failure of the street.

Public Works believes these five lots comprise too small of a phase to require final topping at the entrance and if the sidewalk is installed now it will simply be damaged by the construction of homes at a future time. Staff's response to that is that developments are coming in smaller and smaller phases all the time to reduce

the up front cost and there are always going to be situations where the first phase of development, the entrance, is going to be completed before the last phases of development.

If the streets are adequately designed in their specifications, those streets should be able to handle construction traffic. After all, all construction vehicles travel the streets of Metro to get to a development site. Further, this Commission has long rejected the idea that sidewalks should be delayed until all lots are developed because no one knows how long it will take for every lot to be built upon. Staff feels the only potential legitimate concern that Public Works could be raising at this time is the fact that initial base coat has not been down long enough to have properly settled to accept the top coat.

Mr. Stephen Smith asked what the down side was because the developer is not asking for the bond to be released.

Mr. Owens stated the developer said he was ready to finish the road if that is what Metro wants him to do. It is Public Works that has the concern that it is premature.

Mr. Browning stated the down side is that as time goes on the roads begin to deteriorate and the residents begin to complain.

Chairman Smith stated they would have to find some other way to compact the street.

Mr. Harbison stated they would have to build it to standards to satisfy the bond.

Mr. Jim Snyder, design manager for Public Works, stated there was a way to accelerate the compaction of the base. It will require additional work and is more expensive but it is possible and will accelerate the compaction.

Mr. Harbison asked if Public Works was recommending a particular time frame for extension.

Mr. Snyder stated it was until March.

Mr. Stephen Smith stated there was one phase ready for road completion and if the bond is extended, it could be called if the work is not complete. The simple suggestion would be to build a construction road.

Mr. Browning stated there had been previous problems of letting a whole subdivision go for long periods of time without their streets being improved and the Commission has received a lot of criticism for that and had to lobby long and hard to get a set of established rules regarding the final coat. There was an agreement with Public Works that when 75% build out occurred that was the point when the final coating would be applied.

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

Resolution No. 97-745

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **DISAPPROVES** the request for extension of a performance bond for Subdivision No. 95P-015G, Bond No. 96BD-051, New Hope Pointe, Phase 1, Section 1 in the amount of \$38,500 and collect unless the developer completes final paving and sidewalks by 11/1/97."

MANDATORY REFERRALS:

Proposal No. 97M-098U
Alley 493
Map 81-7

Subarea 8 (1994)
District 20 (Haddox)

A proposal to close Alley No. 493 between 11th Avenue North and Owen Street, requested by Wade Phelps, adjacent property owner. (Easements are to be retained).

Ms. Regen stated this request is before the Commission for the third time. Last year and the Commission reviewed this same request twice by the same applicant in conjunction with a zone change which was disapproved. Staff has re-evaluated, visited the site and has determined the alley is still being used by the public. Staff feels the alley provides a good line between the commercial uses and the residential.

Chairman Smith stated that alley was designed for trash pickup behind the lots. The man owns the property on both sides and has a good and reasonable use for it. Trucks could go around on Buchanan Street.

Mr. Harbison asked that with the alley closure if the title of the land would revert to the owner to the center of the road and with that, would it give him enough space for parking.

Mr. Bodenhamer stated he had been out to look at the alley and it was an unimproved alley and did not look like anyone used it because there was a big rock right in the middle of it. If you walk on the ground you can see no purpose for this alley. It comes off of Owen, which there is no cut, the cut is on 11th Avenue and there is no purpose for it at all.

Mr. Owens stated Public Works has expressed no opposition to the closure of the alley from an operational standpoint.

Mr. Bodenhamer moved and Mr. Harbison seconded the motion, which carried unanimously, to approve the following resolution.

Resolution No. 97-746

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (6-0)** Proposal No. 97M-098U.

Proposal No. 97M-100G
Council Bill No. O97-919
Acceptance of Heath Road
Maps 112 and 126
Subarea 6 (1996)
District 23 (Crafton)

A proposal to amend the Official Street and Alley Acceptance and Maintenance Map of Nashville and Davidson County by accepting the dedication of Heath Road.

Ms. Blue stated Heath Road is very similar to Pine Hill Road which the Commission disapproved at its May 15th meeting. When this road was built, the developers, under an old state law, bypassed local Subdivision Regulations which govern how roads are built. In order for a private road to be accepted by Metro, it must meet Metro standards and this road does not. It was not constructed to Metro standards. The roadway base is deficient, pavement thickness is inadequate, it lacks shoulders, its drainage facilities are inadequate, is over a mile in length, is a dead end and violates Subdivision Regulations which state that dead end streets shall be limited to 750 feet and it lacks acceptable right-of-way. As with Pine Hill Road, the acceptance of Heath Road will impose a higher risk of liability for Metro and would also set a precedent in requiring Metro to accept similar roads that exist throughout the county. Public Works is also recommending

disapproval. Staff recommends declining acceptance of Health Road at this time; however, if this road is constructed to meet Subdivision Regulation specifications and if the applicant requests a variance for its length and that request is granted, then it could be accepted by Metro.

Mr. Jim Snyder, with Public Works, stated they had driven the road and in addition to items Ms. Blue listed, there are also vertical and horizontal alignment problems and Public Works is also recommending disapproval.

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

Resolution No. 97-747

"BE IT RESOLVED by the Metropolitan Planning Commission that it **DISAPPROVES (6-0)** Proposal No. 97M-100G:

This private road has neither adequate right-of-way (ROW) nor does it meet the minimum roadway construction standards for acceptance as a public street as established by Metro."

ADDENDUM:

97M-106U

Fiber Optic Telecommunications Franchise Lease with TCG
Midsouth Inc.

Maps: Various

Subarea: Various

Council District: Various

A council bill granting a franchise to TCG Midsouth, Inc. to construct, maintain and operate a telecommunications system with Metropolitan Nashville and Davidson County under the provisions of Bill No. O94-1103.

Mr. Browning introduced Ms. Billie Sanders, representing TCG, which is a telecommunications firm that is requesting a franchise to provide telecommunications services in Davidson County. Unfortunately, this is a matter that is a Council bill and that is going to third reading at Council on September 16th. Due to some fault within the Metro bureaucracy it was never referred to the Planning Commission.

Ms. Sanders gave a brief history of TCG Midsouth and asked the Commission for approval of the franchise lease.

Mr. Browning stated the operational and franchise payment provisions are stipulated in an ordinance approved by council in 1994. Therefore, this company would be subject to the same provisions as several other companies who have been granted similar permission since 1994.

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

Resolution No. 97-748

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 97M-106U.

OTHER BUSINESS:

1. Consideration of the level of citizen participation to be used in the update of the Subarea 3 Plan.

Ms. Frank stated the purpose of this agenda item is for the Commission to decide the level of citizen participation in which staff will carry out the Subarea 3 Plan update. Subarea 3 includes the Bordeaux, Whites Creek, Jordonia, Trinity Hills and Scottsboro communities. Subarea 3 is bounded by I-24 and I-65 to the east; the Cumberland River to the south; Cheatham County to the west; Little Marrowbone Road, Eatons Creek Road; Old Hickory Boulevard and a ridge line to the north.

The Subarea 3 Plan was adopted in August of 1992 and is the seventh subarea plan to be updated. There are three levels of participation to consider for updating subarea plans, Levels 1, 2 and 3. Participation at Level 1 is employed when there are minor changes to the plan and involves one to two public workshop style community meetings. Level 2 participation is utilized when there are moderate changes to the plan from what was anticipated and involves a series of public workshop style community meetings. Participation at Level 3 is employed when there have been major changes in the actual concept of the plan.

The plan is fundamentally sound. Staff reached this conclusion by reviewing ten factors to determine unanticipated changes in the subarea. The factors reviewed were: environmental conditions; major business and institutions; infrastructure; format; population and employment; provisions of other plans; land use; zone changes and controversial provisions of the adopted plan. Each factor was evaluated in terms of actual changes in the subarea since the plan was adopted and just how well those changes compare to the growth or changes anticipated in the plan.

In general, staff found that there were no unanticipated changes in the environmental conditions, no unanticipated gain or loss of major businesses or institutions, no unanticipated major infrastructure changes, and no need to reformat the plan. Staff found that population and employment have not grown at the rate that was anticipated in the plan, and recommends that the land use policies and other recommendations established as a result of the anticipated growth be reviewed during the update. Also, from the review staff found that there were a few unanticipated changes in the subarea since the adoption of the plan. However, the changes that took place are localized, not widespread or generally applicable throughout the subarea. The two unanticipated changes are among four areas identified by staff as having the greatest need for review during the update.

Ms. Frank stated staff is recommending Level 2 Participation to carry out this update. We have not received any comments from the community in regards to the level of citizen participation in which this update should be conducted.

Michelle Carrater stated there were a large number of residents in that area that would like to be involved in the update of the plan and that they would definitely have input.

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

Resolution No. 97-749

“BE IT RESOLVED by the Metropolitan Planning Commission that a Level 2 Citizen Participation review for the Subarea 3 Plan update be approved.

4. Legislative Update.

Mr. Owens provided an update on the current legislative status of items previously considered by the Commission.

PLATS PROCESSED ADMINISTRATIVELY
August 21, 1997 through September 3, 1997

- 96S-155U TOWNHOMES of FREDERICKSBURG,**
Phase 1 Section 1, 2nd Revision
Changes to proposed floor plan on five buildings
- 97S-230U RIVER CREST, First Revision**
Amends owner's certificate and title block
- 97S-245G BOBBY BURGESS SUBDIVISION**
Plats one deeded parcel
- 97S-302U E. A. LINDSLEY, Resubdivision**
One lot into two lots
- 97S-305U BROWNSTONE**
PUD Boundary Plat
- 97S-307U GORE SUBDIVISION**
Consolidation of parcels and reconfiguration of lot line
- 97S-311U CALUMET, Phase 5 Lots 74 and 75, First Revision**
Amends arrangement of minimum side yards
- 97S-318G HERITAGE MEADOWS, Resubdivision of Lot 57**
Shifting lot line to increase lot size
- 97S-317G HERON WALK, Phase 1 Section 2, Resubdivision of Lot 32**
Minor revision of rear lot line and open space
- 97S-324G LAKEWOOD VILLAGE**
PUD Boundary Plat

ADJOURNMENT:

There being no further business, upon motion made, seconded and passed, the meeting adjourned at 4:45 p.m.

Chairman

Secretary

Minutes Approval:
This 18th day of September 1997.