

**MINUTES  
OF THE  
METROPOLITAN PLANNING COMMISSION**

Date: Thursday, October 19, 1995  
Time: 1:00 p.m.  
Place: Howard Auditorium

**Roll Call**

**Present:**

Gilbert N. Smith, Chairman  
Arnett Bodenhamer  
Councilmember Stewart Clifton  
William Harbison  
Janet Jernigan  
James Lawson  
William Manier  
Ann Nielson  
Stephen Smith

Also Present:

**Executive Office:**

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

**Current Planning and Design Division:**

Edward Owens, Planning Division Manager  
Mitzi Dudley, Planner III  
Tom Martin, Planner III  
Shawn Henry, Planner II  
John Reid, Planner I  
Charles Hiehle, Planning Technician II

**Advance Planning and Research Division:**

Deborah Fleming, Planner III

**Community Plans Division:**

Jerry Fawcett, Planning Division Manager

**Others Present:**

Leslie Shechter, Department of Law

Chairman Smith called the meeting to order.

**Absent:**

Mayor Philip Bredesen

**ADOPTION OF AGENDA**

Mr. Owens announced 95S-288U, the A. B. Miles Subdivision, was scheduled for a public hearing but the application had been withdrawn by the applicant, 90-86-P, Harborview, Phase One-A, Section Six, had been duplicated on the agenda, and 93S-105G, Judy Creek Subdivision should be recaptioned as a request for an extension.

Ms. Nielson moved and Mr. Lawson seconded the motion, which was unanimously passed, to adopt the agenda with the changes noted by Mr. Owens.

**RECOGNITION OF COUNCILMEMBER LARRY MCWHIRTER**

Chairman Smith presented Mr. McWhirter with a plaque in recognition of his term served from June 1994 through September 1995.

**ANNOUNCEMENT OF DEFERRED ITEMS**

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

- 167-73-U            Sugartree, Phase 3, Lot 204            Deferred two weeks by applicant.
  - 95P-026U            Sunset Meadows.                            Deferred two weeks by developer.
  - 94P-004U            M. View Apartments                        Deferred two weeks by applicant.
- Consideration of the Merits of Setting a Subarea 12 Amendment Public Hearing - deferred to the November 16th meeting.

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

Ms. Kathryn Baker owner of the Sunset Meadows property was present and inquired why this item had been deferred. [During subsequent discussion and upon representation by Ms. Baker that she was the property owner and actual petitioner, this matter was placed back on the agenda for consideration.]

**APPROVAL OF MINUTES**

Ms. Jernigan moved and Mr. Lawson seconded the motion, which unanimously passed, to approve the minutes of the regular meeting of September 21, 1995.

**RECOGNITION OF COUNCILMEMBERS**

Mr. James Dillard was present and expressed his concerns regarding parking, traffic, the road frontage and storm water drainage relative to Subdivision 95S-299G, Apache Close, and asked the Commission to disapprove this proposal. He presented a petition opposing this proposal to the Commission.

**ADOPTION OF CONSENT AGENDA**

Mr. Lawson moved and Ms. Nielson seconded the motion, which was passed unanimously, with the exception of Mr. Steve Smith's abstaining on Subdivision No. 9-87-P, River Plantation, Section Ten, Phase Two-A, to approve the following items on the consent agenda:

**APPEAL CASES:**

**Appeal Case No. 95B-190U**  
Map 147-6, Parcel 125  
Subarea 12  
District 26

A request for a conditional use permit under the provisions of Section 17.124.360 (Floodplain) as required by Section 17.116.030 to construct a 400 square foot addition to an existing residence within the R10 District, on property abutting the northwest margin of Blackman Court cul-de-sac (.3 acres), requested by Henry P. Rogers, appellant/owner.

**Resolution No. 95-719**

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 95B-190U to the Board of Zoning Appeals:

**The site plan complies with the conditional use criteria."**

**Appeal Case No. 95B-195G**  
Map 44, Parcel 10  
Subarea 14  
District 11

A request for a conditional use permit under the provisions of Section 17.124.360 (Floodplain) as required by Section 17.116.030 for a 1,980 square foot modular home in the R10 District on property abutting the south terminus of Claudia Drive, approximately 1,500 feet west of Robinson Road (5.11 acres), requested by Lillian C. Starks, appellant/owner.

**Resolution No. 95-720**

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 95B-195G to the Board of Zoning Appeals:

**The site plan complies with the conditional use criteria."**

**ZONE CHANGE PROPOSALS:**

**Zone Change Proposal No. 95Z-095U**  
Map 95-15, Parcels 24, 25 and 27-32  
Map 107-3, Parcels 11 and 12  
Subarea 14  
District 15

A request to change from R8 District to OP District certain property abutting the south margin of Elm Hill Pike and the east margin of Ermac Drive (5.16 acres), requested by Patrick Emery, Trinity Corporation, for Sky Harbor Properties, Inc., and Willis Corroon Corporation of Nashville, owners.

**Resolution No. 95-721**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 95Z-095U is **APPROVED**:

**These vacant properties are designated with non-residential ‘office concentration’ policy in the Subarea 14 Plan, which the requested OP district will implement. Ermac Drive is situated between two commercial PUDs (Century City to the east and Highland Ridge Office Park to the west), and it has long been a goal to transition these residential properties into a non-residential zoning classification.”**

**Zone Change Proposal No. 95Z-098U**  
Map 115, Parcel 8  
Subarea 6  
District 23

A request to change from R40 District to OP District certain property abutting the southeast margin of Charlotte Pike, opposite Old Charlotte Pike (15.82 acres), requested by F. Clay Bailey, Joanne Geny Bailey and Oscar Geny, Jr., owners.

**Resolution No. 95-722**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 95Z-098U is **APPROVED**:

**This property is in an area policed for ‘commercial mixed arterial’ in the Subarea 6 Plan. The requested OP district is appropriate to implement this policy classification.”**

**Zone Change Proposal No. 95Z-099U**  
Map 81-6, Parcel 354  
Subarea 8  
District 20

A request to change from R6 District to RM6 District certain property abutting the east margin of 24th Avenue North, approximately 170 feet south of Clarksville Pike (.2 acres), requested by Eric and Karen Robertson, owners.

**Resolution No. 95-723**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 95Z-099U is **APPROVED**:

**This property is within an area policed for ‘commercial arterial existing’ in the Subarea 8 Plan. A residential multi-family zoning district is one of the districts designed to implement this policy classification.”**

**Zone Change Proposal No. 95Z-100U**  
Map 162, Part of Parcels 219, 220 and 221  
Subarea 12  
District 31

A request to change from AR2a District to RM8 District certain property abutting the south margin of Bell Road, 2,100 feet east of Brook View Estates Drive (12.73 acres), requested by B. J. Odom, for B. J. Odom, Frank Davis, Jr., and Charles Leach, owners.

**Resolution No. 95-724**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 95Z-100U is **APPROVED**:

**The Subarea 12 Plan places this area in residential ‘medium-high’ density policy, which the requested RM8 district will implement. The rezoning is to extend southward from Bell Road to the center of the TVA line.”**

**Zone Change Proposal No. 95Z-101U**  
Map 95-15, Parcel 39  
Subarea 14  
District 15

A request to change from RM8 District to CS District certain property abutting the south margin of Elm Hill Pike, approximately 150 feet east of Ermac Drive (.83 acres), requested by Bob W. Howard, for Air Corporate Associates LTD, owner.

**Resolution No. 95-725**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 95Z-101U is **APPROVED**:

**This property is within ‘commercial mixed arterial’ policy in the Subarea 14 Plan. The requested CS district is one of the districts designed to implement this policy classification.”**

**Zone Change Proposal No. 95Z-102U**  
Map 102-8, Part of Parcel 120  
Subarea 7  
District 22

A request to change from OP District to CS District certain property abutting the northeast margin of Hillwood Drive, approximately 450 feet southeast of Charlotte Pike (.2 acres), requested by Beverly Hamer, for Hada Company, owner.

**Resolution No. 95-726**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 95Z-102U is **APPROVED**:

**This property is on the boundary of ‘retail concentration community’ and ‘residential conservation’ policy in the Subarea 7 Plan. The OP zoning on this property is the remainder of a larger OP district which was left when the rest of the property was zoned to CS in 1976. The unimproved alley adjacent to this site contains screening in the form of heavy vegetation. This will provide an adequate land use transition between this property and the residential property to the east.”**

**Zone Change Proposal No. 95Z-104U**  
Map 91-9, Parcels 43, 43.2 and 309  
Subarea 7  
District 22

A request to change from CG District to RS8 District certain property abutting the north margin of Robertson Avenue, approximately 300 feet east of Duluth Avenue (1.6 acres), requested by Dannie Hodges, for Judy M. and David H. Friedli, owners.

**Resolution No. 95-727**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 95Z-104U is **APPROVED**:

**This request to change from CG to RS8 is the kind of residential reclamation the Subarea 7 Plan has visualized for this Robertson Avenue area. This property was zoned to CG in 1989, but has remained vacant since. This application indicates that there is a viable market for residential uses on Robertson Avenue."**

**PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:**

**Proposal No. 122-73G**  
Lane Estates Commercial  
Map 162-8, Parcel 86  
Subarea 12  
District 30

A request for final approval for a Phase of the Commercial (Neighborhood) Planned Unit Development District abutting the northwest corner of Tusculum Road and Blue Hole Road (1.3 acres), to permit the development of a retail, laundry and dry cleaning facility, requested by James E. Stevens and Associates, for French McKnight and Glen Craig, owners.

**Resolution No. 95-728**

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 122-73G is given **CONDITIONAL FINAL APPROVAL FOR A PHASE**. The following conditions apply:

1. Written confirmation of approval from the Stormwater Management and Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. Approval will become effective with the recording of a PUD boundary plat.
3. Revised plans which designate a 30 foot wide landscape buffer along the north PUD boundary."

**Proposal No. 1-74-G**  
McDonalds-Hickory Hollow Mall  
Map 163, Parcel 230  
Subarea 13  
District 28

A request to revise the approved final site development plan for the Commercial (General) Planned Unit Development District located at the southwest quadrant of the intersection of Bell Road and Hickory Hollow Lane (1.3 acres), to allow an addition of 1,407 square feet to an existing restaurant, requested by Cole Construction Company, Inc., for McDonald's Corporation.

**Resolution No. 95-729**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 1-74-G is given **CONDITIONAL APPROVAL OF A REVISION TO FINAL FOR A PHASE**. The following condition applies:

Written confirmation of approval from the Stormwater Management and Traffic Engineering Sections of the Metropolitan Department of Public Works.”

**Subdivision No. 74-74-U**  
Woodlea Place, Phase 2  
Map 147-7-A, Parcel 55  
Subarea 12  
District 26

A request for final approval for Phase 2 of the Residential Planned Unit Development District abutting the south margin of Edmondson Pike, approximately 400 feet west of Nolensville Pike (2.24 acres), to permit the development of a 14 unit residential complex, requested by Anderson Delk and Associates, Inc., for Radnor Development Corporation, owner. **(Also requesting final plat approval).**

**Resolution No. 95-730**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 74-74-U is given **CONDITIONAL PUD APPROVAL FOR PHASE 2, AND FINAL PLAT APPROVAL**. The following conditions apply:

1. Written confirmation of final approval from the Stormwater Management and Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. The recording of a final plat.”

**Proposal No. 46-83-U**  
Metropolitan Airport Center  
Map 108, Part of Parcels 36 and 37  
Subarea 14  
District 14

A request to revise the approved preliminary site development plan and for a final phase of the Commercial (General) Planned Unit Development District (5.9 acres) abutting the northeast quadrant of Airport Center Drive, Elm Hill Pike and Royal Parkway, by combining five lots into two lots and permitting the development of 186,087 square feet of office facilities and final approval for a 78,000 square foot office facility, requested by Waste Water Engineers and Gresham Smith and Partners, for Metropolitan Airport Center LTD, owner. **(Also requesting final plat approval).**

**Resolution No. 95-731**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 46-83-U is given **CONDITIONAL PUD APPROVAL; FINAL PLAT APPROVAL SUBJECT TO A BOND IN THE AMOUNT OF \$10,000.00**. The following conditions apply:

1. Written confirmation of approval from the Stormwater Management and Traffic Engineering Sections of the Metropolitan Department of Public Works.

2. Prior to receiving a building permit, Form 7460-1 shall be filed with the Federal Aviation Administration.
3. Recording of a final plat of subdivision upon the posting of bonds in the amount of \$10,000 as required by the Metropolitan Department of Public Works.”

**Proposal No. 235-84-U**  
Harbor Village, Phase 1  
Map 34-7-A, Parcels 21-32  
Subarea 4  
District 10

A request to revise the approved final site development plan for Phase 1 of the Residential Planned Unit Development District abutting the south margin of Spring Branch Drive (1.59 acres), to permit the development of a 12 unit residential complex, requested by Joel Cooper, for Glen Nabors, owner. **(Also requesting final plat approval).**

**Resolution No. 95-732**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 235-84-U is given **CONDITIONAL PUD APPROVAL FOR PHASE 1, FINAL PLAT APPROVAL**. The following conditions apply:

1. Written confirmation of approval from the Stormwater Management and Traffic Engineering sections of the Metropolitan Department of Public Works.
2. Recording of a final plat of subdivision.”

**Proposal No. 47-87-P**  
Hunter’s Green  
Map 149, Parcel 9  
Map 149-1-B, Parcel 70  
Subarea 13  
District 28

A request to amend a portion of the Residential Planned Unit Development District abutting the west margin of Una-Antioch Pike, approximately 220 feet north of Billingsgate Road (3.87 acres), to permit the development of 15 single-family lots, requested by Joe McConnell, for Robin York, owner. **(Deferred from meeting of 09/21/95).**

**Resolution No. 95-733**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 47-87-P is given **CONDITIONAL APPROVAL AS AN AMENDMENT REQUIRING COUNCIL CONCURRENCE**. The following conditions apply:

1. Written confirmation of approval from the Stormwater Management and Traffic Engineering sections of the Metropolitan Department of Public Works.
2. Prior to any final approval, a boundary plat shall be submitted and recorded.



3. Detention shall be demonstrated prior to any final approvals as referenced by Note number 5 on the Preliminary PUD plan.”

**Proposal No. 88P-061U**  
Harding Mall Village, Lots 2 and 3  
Map 147, Parcels 44 and 45  
Subarea 12  
District 26

A request for final approval for lots 2 and 3 of the Commercial (General) Planned Unit Development District abutting the north margin of Harding Place, approximately 460 feet east of Nolensville Pike (1.44 acres), to permit the development of a 2,500 square foot food service and 5,000 square foot medical office complex facility, requested by Wamble and Associates, for David Miller Development, owner.

**Resolution No. 95-734**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 88P-061U is given **CONDITIONAL FINAL APPROVAL FOR A PHASE**. The following condition applies:

Written confirmation of approval from the Stormwater Management and Traffic Engineering Sections of the Metropolitan Department of Public Works.”

**Proposal No. 93P-016G**  
Traceside, Section 6  
Map 155, Part of Parcel 241  
Subarea 6  
District 35

A request for final approval for Section 6 of the Residential Planned Unit Development District abutting the southeast margin of State Route 100, to permit the development of 28 single family lots (8.75 acres), requested by Ragan-Smith Associates, Inc., for Centex Homes, owner.

**Resolution No. 95-735**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 93P-016G is given **CONDITIONAL FINAL APPROVAL FOR SECTION 6**. The following conditions apply:

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

**Proposal No. 95P-003U**  
Forge Ridge  
Map 135, Parcels 22 and 23  
Subarea 13  
District 27

A request for final approval for the Residential Planned Unit Development District abutting the north margin of Franklin Limestone Road, approximately 460 feet west of Rice Road (14.51 acres), to permit the development of 52 single-family lots, requested by Barge, Waggoner, Sumner and Cannon, Inc., for Dewey Pettago, Trustee, owner.

**Resolution No. 95-736**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 95P-003U is given **CONDITIONAL PUD APPROVAL, FINAL PLAT APPROVAL SUBJECT TO A BOND IN THE AMOUNT OF \$156,100.00.** The following conditions apply:

1. Written confirmation of approval from the Stormwater Management and Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. Revised plans approved by the Metropolitan Department of Public Works which show a sidewalk within the right of way of the 2 lots which front on Franklin Limestone Road (outside the PUD boundary).
3. The recording of a final plat of subdivision upon the posting of bonds in the amount of \$156,100 as required by the Metropolitan Department of Water Services. This plat shall dedicate 5 feet of right of way along the road frontage of the 2 lots along Franklin Limestone Road which are immediately east of the east PUD boundary.
4. Compliance with the Fire Marshall’s memorandum dated September 27, 1995.”

**SUBDIVISIONS:**

**Final Plats:**

**Subdivision No. 62-86-P**

The Crossings at Hickory Hollow, Tract 6 Revised  
Map 163, Parcels 147, 160, 190 and 323  
Subarea 13  
District 29

A request to consolidate four lots into one lot abutting the southwest corner of Mt. View Road and Old Franklin Road (12.54 acres), classified within the R10 Commercial Planned Unit Development District, requested by South Creek Properties, L.L.C., owner/developer, Cherry Land Surveying, surveyor.

**Resolution No. 95-737**

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 62-86-P, be APPROVED subject to posting a performance bond in the amount of \$15,000.00.”

**Subdivision No. 93S-247U**

Waste Management Tracts  
Map 148, Parcels 52, 53, 55-57, 203 and 220  
Subarea 13  
District 28

A request to consolidate eight lots into two lots abutting the northeast corner of Franklin Limestone Road and Antioch Pike (11.25 acres), classified within the CG District, requested by Waste Management, Inc. of Tennessee, owner/developer, Jesse Walker, surveyor.

**Resolution No. 95-738**

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 93S-247U, be APPROVED.”

**Subdivision No. 94P-017G**

October Woods, Phase One, Section One  
Map 183, Part of Parcel 4  
Subarea 12  
District 31

A request to create three lots abutting the west margin of Old Hickory Boulevard, approximately 1,100 feet south of Hobson Drive (2.21 acres), classified within the R10 Residential Planned Unit Development District, requested by October Woods, L.P. owner/developer, Anderson-Delk and Associates, surveyor.

**Resolution No. 95-739**

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 94P-017G, be APPROVED subject to posting a performance bond in the amount of \$157,000.00.”

**Subdivision No. 95S-247U**  
Meadow Valley Estates  
(formerly Green Meadows Subdivision)  
Map 60-16, Parcels 175 and 182  
Subarea 5  
District 4

A request to create 11 lots abutting the southeast corner of Bullock Avenue and Jones Avenue (3.78 acres), classified within the R10 District, requested by Linder, Stevens, Bodor and Martin, owner/developer, Caldwell Engineering and Surveying, surveyor.

**Resolution No. 95-740**

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 95S-247U, be APPROVED subject to posting a performance bond in the amount of \$28,000.00.”

**Subdivision No. 18-84-U**  
Village of Cherry Glen, Phase 1  
Map 131-6-A, Part of Parcel 16  
Subarea 10  
District 33

A request to create 17 lots abutting the south margin of Seven Hills Boulevard and the south terminus of Cumberland Place (1.93 acres), classified within the R15 Residential Planned Unit Development District, requested by Cherry Glen Partners, L.P., owner/developer, Gresham, Smith and Partners, surveyor.

**Resolution No. 95-741**

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 18-84-U, be APPROVED (subject to posting a performance bond in the amount of \$207,050.00 and the recording of an associated open space plat.”

**Subdivision No. 95P-003U**  
Forge Ridge PUD Boundary and Subdivision Plat  
Map 135, Parcels 22 and 23  
Subarea 13  
District 27

A request to subdivide two lots into three lots abutting the north margin of Franklin Limestone Road, approximately 460 feet west of Rice Road (15.51 acres), classified within the R10 Residential Planned Unit

Development District, requested by Dewey Pedigo, Jr., trustee, owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

**Resolution No. 95-742**

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 95P-003U, be APPROVED subject to posting a performance bond in the amount of \$156,100.00.”

**Request for Bond Extension:**

**Subdivision No. 5-73-G**  
Music Valley PUD  
William C. Oakes, co-principal  
Jones Brothers, Inc., co-principal

Located abutting the west margin of Music Valley Drive, approximately 312 feet west of Music Valley Drive.

**Resolution No. 95-743**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of a performance bond for Subdivision No. 5-73-G, Bond No. 94BD-110, Music Valley PUD, until June 1, 1996, as requested, in the full amount of \$77,900.00, said approval being contingent upon submittal of a letter by **November 23, 1995** from American Home Assurance Company agreeing to the extension. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 74-73-G**  
Fiddlers Corner  
Fiddlers Inn, Inc., principal

Located abutting the northwest margin of Music Valley Drive and the north margin of McGavock Pike.

**Resolution No. 95-744**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 74-73-G, Bond No. 94BD-011, Fiddlers Corner, until January 31, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the full amount of \$76,700.00 by **November 13, 1995** and extending the expiration date to 07/28/96. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 154-73-G**  
Hermitage Creste  
Hermitage Creste Apartments, L.P., principal

Located abutting the east margin of Andrew Jackson Way, approximately 930 feet south of Old Lebanon Dirt Road.

**Resolution No. 95-745**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of a performance bond for Subdivision No. 154-73-G, Bond No. 94BD-104, Hermitage

Creste, until June 1, 1996, as requested, in the full amount of \$72,100.00, said approval being contingent upon submittal of a letter by **November 23, 1995** from North American Specialty Insurance Company agreeing to the extension. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 155-74-G**

Larchwood Commercial Subdivision, Section 8, Lot One  
Nashville Land Fund, Ltd., L.P., principal

Located abutting the south margin of Percy Priest Drive, approximately 423 feet west of Percy Priest Drive.

**Resolution No. 95-746**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 155-74-G, Bond No. 94BD-117, Larchwood Commercial Subdivision, Section Eight, Lot 1, until October 1, 1996, as requested, in the full amount of \$11,500.00."

**Subdivision No. 82-41-U**

The Summit, Section One  
Carl Adams, Sr., co-principal  
W. Andrew Adams, co-principal  
Advent Properties, co-principal

Located between Old Hickory Boulevard and Stonebrook Drive.

**Resolution No. 95-747**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 82-41-U, Bond No. 87BD-018, The Summit, Section One, until September 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the full amount of \$11,600.00 by **November 23, 1995** and extending the expiration date to March 1, 1997. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 151-82-G**

Somerset Farms, Section Three  
Somerset Farms, J.V., principal

Located abutting the east terminus of Somerset Farms Circle, approximately 77 feet east of Somerset Farms Road.

**Resolution No. 95-748**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 151-82-G, Bond No. 94BD-010, Somerset Farms, Section -Three, until June 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the reduced amount of \$78,000.00 by **November 23, 1995** and extending the expiration date to December 1, 1996. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 206-83-G**

Chelsea Village Addition, Section One  
Jerry Butler, principal

Located abutting the northwest terminus of Highmeadows Drive, approximately 427 feet northwest of Edge-O-Lake Drive.

**Resolution No. 95-749**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 206-83-G, Bond No. 93BD-059, Chelsea Village Addition, Section One, until June 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the reduced amount of \$11,300.00 by **November 13, 1995** and extending the expiration date to December 1, 1996. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 206-83-G**  
Chelsea Village Addition, Section Two  
Jerry Butler, principal

Located at the northwest terminus of Grovesnor Road, approximately 252 feet northwest of Dover Glen Drive.

**Resolution No. 95-750**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 206-83-G, Bond No. 93BD-060, Chelsea Village Addition, Section Two, until June 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the full amount of \$110,000.00 by **November 23, 1995** and extending the expiration date to December 1, 1996. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 84-467-G**  
Village by the Creek, Section Nine  
Robert E. Earheart, principal

Located abutting both margins of Valley Creek, approximately 100 feet southeast of Valley Trail.

**Resolution No. 95-751**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 84-467-G, Bond No. 94BD-007, Village by the Creek, Section Nine, until October 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the full amount of \$64,500.00 by **November 23, 1995** and extending the expiration date to April 1, 1997. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 84-623-G**  
Village by the Creek, Section Twelve  
Robert E. Earheart, principal

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

**Resolution No. 95-752**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of a performance bond for Subdivision No. 84-623-G, Bond No. 87BD-020, Village by the

Creek, Section Twelve, until October 1, 1996, as requested, in the full amount of \$39,950.00, said approval being contingent upon submittal of a letter by **November 23, 1995** from Aetna Casualty and Surety Company agreeing to the extension. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 70-85-P**  
Somerset, Phase Four  
Phillips Builders, Inc., principal

Located abutting the northwest margin of Mt. View Road, approximately 90 feet northwest of Huntingboro Trail.

**Resolution No. 95-753**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of a performance bond for Subdivision No. 70-85-P, Bond No. 95BD-024, Somerset, Phase Four, until October 1, 1996, as requested, in the reduced amount of \$322,200.00, said approval being contingent upon submittal of a letter by **November 23, 1995** from Frontier Insurance Company agreeing to the extension. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 85-85-P**  
Brentwood Commons, 2nd Revision  
American General Life and Accident  
Insurance Company, principal

Located abutting the north margin of Old Hickory Boulevard, approximately 800 feet east of Franklin Pike Circle.

**Resolution No. 95-754**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 85-85-P, Bond No. 95BD-056, Brentwood Commons, 2nd Revision, until June 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the full amount of \$163,500.00 by **November 23, 1995** and extending the expiration date to December 1, 1996. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 85-693-U**  
The Summit, Section Two  
Carl Adams, Sr., co-principal  
W. Andrew Adams, co-principal  
Advent Properties, co-principal

Located abutting the west side of Stonebrook Drive, opposite Fox Ridge Drive.

**Resolution No. 95-755**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 85-693-U, Bond No. 87BD-019, The Summit, Section Two, until September 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the full amount of \$70,700.00 by **November 23, 1995** and extending the expiration date to March 1, 1997. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 85-735-U**  
Metro Airport Center, Section Four, Phase Four  
Metropolitan Airport Center, Ltd., principal

Located abutting the southwest side of Elm Hill Pike, east of Donelson Pike.

**Resolution No. 95-756**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 85-735-U, Bond No. 86BD-001, Metro Airport Center, Section Four, Phase Four, until June 1, 1996, as requested, in the full amount of \$5,000.00."

**Subdivision No. 31-86-P**  
Whitworth, Phase Three, Section Two  
Clements-Bartosh Interests, L.L.C., principal

Located abutting the northwest corner of Woodlawn Drive and Compton Road.

**Resolution No. 95-757**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 31-86-P, Bond No. 94BD-094, Whitworth, Phase Three, Section Two, until June 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the reduced amount of \$213,350.00 by **November 23, 1995** and extending the expiration date to December 1, 1996. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 31-86-P**  
Whitworth, Phase Three, Section Three  
Clements-Bartosh Interests, L.L.C., principal

Located abutting the northwest corner of Woodlawn Drive and Compton Road.

**Resolution No. 95-758**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 31-86-P, Bond No. 94BD-095, Whitworth, Phase Three, Section Three, until June 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the reduced amount of \$241,515.00 by **November 23, 1995** and extending the expiration date to December 1, 1996. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 57-86-P**  
Whites Creek Commercial Center  
Cracker Barrel Old Country Store, Inc., principal

Located abutting the south margin of Old Hickory Boulevard, approximately 0 feet west of Interstate 40.

**Resolution No. 95-759**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 57-86-P, Bond No. 90BD-026, Whites Creek Commercial Center (Cracker Barrel), until October 1, 1996, as requested, in the full amount of \$57,250.00."



**Subdivision No. 86-625-G**  
Whites Creek Commercial Center  
Nathan T. Wall, principal

Located abutting the southwest corner of Old Hickory Boulevard and I-24.

**Resolution No. 95-760**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 86-625-G, Bond No. 87BD-021, Whites Creek Commercial Center, until October 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the full amount of \$12,400.00 by **November 23, 1995** and extending the expiration date to April 1, 1997. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 86-639-G**  
Interchange City Industrial Park, Section Thirty-Two  
Wolfe Investment Company, principal

Located at the southeast corner of J. P. Hennessy Drive and Firestone Parkway.

**Resolution No. 95-761**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 86-639-G, Bond No. 87BD-006, Interchange City Industrial Park, Section 32, until October 1, 1996, as requested, in the full amount of \$8,600.00."

**Subdivision No. 9-87-P**  
River Plantation, Section Ten, Phase Two-A  
Haury & Smith Contractors, Inc., principal

Located abutting the south margin of Sawyer Brown Road, approximately 915 feet south of General George Patton Road.

**Resolution No. 95-762**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 9-87-P, Bond No. 95BD-034, River Plantation, Section Ten, Phase Two-A, until June 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the full amount of \$176,772.00 by **November 23, 1995** and extending the expiration date to December 1, 1996. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 68-87-P**  
Northside Station (Kroger)  
Kroger Company, principal

Located abutting the east margin of Clarksville Pike, opposite Fairview Drive.

**Resolution No. 95-763**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of a performance bond for Subdivision No. 68-87-P, Bond No. 94BD-103, Northside Station (Kroger), until October 1, 1996, as requested, in the full amount of \$160,000.00, said approval being

contingent upon submittal of a letter by **November 23, 1995** from National Fire Insurance Company of Hartford agreeing to the extension. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 75-87-P**  
River Glen, Phase Two-C, Section Three  
Julius Doochin, principal

Located abutting both margins of Alandee Street and both margins of Sonar Street.

**Resolution No. 95-764**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 75-87-P, Bond No. 95BD-044, River Glen, Phase Two-C, Section Three, until September 1, 1996, as requested, in the full amount of \$10,000.00."

**Subdivision No. 79-87-P**  
Calumet, Phase Three  
James T. McLean, principal

Located at the terminus of Calumet Drive, approximately 1,160 feet northeast of Hamilton Church Road.

**Resolution No. 95-765**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 79-87-P, Bond No. 94BD-014, Calumet, Phase Three, until June 1, 1996, as requested, in the full amount of \$14,000.00."

**Subdivision No. 84-87-P**  
Crossings at Hickory Hollow, Section One  
American General Realty Investment, principal

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

**Resolution No. 95-766**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 84-87-P, Bond No. 90BD-007, Crossings at Hickory Hollow, Section One, until October 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the full amount of \$83,750.00 by **November 23, 1995** and extending the expiration date to April 1, 1997. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 84-87-P**  
Crossings at Hickory Hollow, Section One,  
Resubdivision of Lot 1  
Hickory Hollow Associates, principal

Located abutting the south margin of Mt. View Parkway between Hickory Hollow Parkway and Crossings Boulevard.

**Resolution No. 95-767**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 84-87-P, Bond No. 93BD-067, Crossings at Hickory Hollow, Resubdivision of Lot 1, until June 1, 1996, as requested, in the full amount of \$25,500.00."

**Subdivision No. 84-87-P**

Crossings at Hickory Hollow, Section Two  
American General Realty Investment, principal

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

**Resolution No. 95-768**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 84-87-P, Bond No. 90BD-008, Crossings at Hickory Hollow, Section Two, until October 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the full amount of \$144,164.00 by **November 23, 1995** and extending the expiration date to April 1, 1997. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 89-87-P**

Chateau Valley, Phase One  
Chateau Associates, Ltd., principal

Located abutting the east terminus of Stokers Lane.

**Resolution No. 95-769**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of a performance bond for Subdivision No. 89-87-P, Bond No. 89BD-002, Chateau Valley, Phase One, until June 1, 1996, as requested, in the full amount of \$32,500.00, said approval being contingent upon submittal of a letter by **November 23, 1995** from Reliance Insurance Company agreeing to the extension. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 87-166-G**

Chitwood Downs  
Fox Ridge Homes, Inc., principal

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

**Resolution No. 95-770**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 87-166-G, Bond No. 89BD-003, Chitwood Downs, until June 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the full amount of \$45,000.00 by **November 23, 1995** and extending the expiration date to December 1, 1996. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 88P-023G**

Little Creek Farm, Section One  
I-24 Northwest Partners, principal

Located abutting the south margin of Old Hickory Boulevard, approximately 900 feet west of I-24 North.

**Resolution No. 95-771**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of a performance bond for Subdivision No. 88P-023G, Bond No. 90BD-015, Little Creek Farm, Section One, until October 1, 1996, as requested, in the full amount of \$26,900.00, said approval being contingent upon submittal of a letter by **November 23, 1995** from Reliance Insurance Company agreeing to the extension. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 88S-028G**  
Creek Trail  
Khushru H. Frenchman, principal

Located abutting the west side of Brick Church Pike, approximately 441 feet south of Old Hickory Boulevard.

**Resolution No. 95-772**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 88S-028G, Bond No. 88BD-005, Creek Trail, until September 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the full amount of \$54,825.00 by **November 23, 1995** and extending the expiration date to March 1, 1997. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 88P-038G**  
Long Hunter Chase, Phase Two, Section One  
JCH Development, Inc., principal

Located abutting the southwest corner of Smith Springs Parkway and Hobson Pike.

**Resolution No. 95-773**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of a performance bond for Subdivision No. 88P-038G, Bond No. 94BD-021, Long Hunter Chase, Phase Two, Section One, until September 1, 1996, as requested, in the full amount of \$64,000.00, said approval being contingent upon submittal of a letter by **November 23, 1995** from Frontier Insurance Company agreeing to the extension. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 88S-066G**  
Northbrook Subdivision, Phase One  
Roy C. Flowers, principal

Located abutting the east side of Brick Church Pike, approximately 850 feet north of Village Trail.

**Resolution No. 95-774**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 88S-066G, Bond No. 89BD-024, Northbrook Subdivision, Phase One, until October 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the full amount of \$67,875.00 by **November 23, 1995** and extending the expiration date to April 1, 1997. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 88P-067G**  
Brandywine Pointe, Phase Twelve, Section Two  
Brandywine Pointe Partners, L.P., principal

Located abutting the north margin of Shute Lane, approximately 210 feet east of Brandywine Pointe Boulevard.

**Resolution No. 95-775**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 88P-067G, Bond No. 94BD-080, Brandywine Pointe, Phase Twelve, Section Two, until October 1, 1996, as requested, in the full amount of \$6,000.00."

**Subdivision No. 88S-389U**  
Whitworth Apartments  
HSW Associates, L.P., principal

Located abutting the south side of Richardson Avenue, west side of Sharondale Drive.

**Resolution No. 95-776**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 88S-389U, Bond No. 92BD-046, Whitworth Apartments, until October 1, 1996, as requested, in the full amount of \$27,700.00."

**Subdivision No. 89P-017G**  
Bradford Hills, Section Sixteen  
J & Y, L.P., principal

Located abutting both margins of Bradford Hills Place, approximately 120 feet north of Bradford Hills Place.

**Resolution No. 95-777**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 89P-017G, Bond No. 94BD-041, Bradford Hills, Section Sixteen, until August 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the full amount of \$13,000.00 by **November 23, 1995** and extending the expiration date to February 1, 1997. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 89P-017G**  
Bradford Hills, Section Seventeen  
Hurley-Y, L.P., principal

Located abutting both margins of Cobble Street, approximately 1,161 feet south of Bradford Hills Drive.

**Resolution No. 95-778**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 89P-017G, Bond No. 95BD-008, Bradford Hills, Section Seventeen, until October 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the reduced amount of \$10,500.00 by **November 23, 1995** and extending the expiration date to April 1, 1997. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 89S-187U**  
Perimeter Place, Section Six  
Larry M. Vaden, principal

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

**Resolution No. 95-779**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 89S-187U, Bond No. 89BD-012, Perimeter Place, Section Six, until October 1, 1996, as requested, in the full amount of \$7,800.00."

**Subdivision No. 90P-008G**  
Chandler Grove  
Brent A. Campbell, co-principal  
Charles V. Duncan, co-principal

Located abutting the south margin of Chandler Road, approximately 2,410 feet east of Tulip Grove Road.

**Resolution No. 95-780**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 90P-008G, Bond No. 94BD-082, Chandler Grove, until October 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the full amount of \$223,000.00 by **November 23, 1995** and extending the expiration date to April 1, 1997. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 90S-022G**  
Quail Ridge, Section Three  
The Developers, principal

Located abutting both sides of Indian Summer Drive and both sides of Quail Ridge Drive.

**Resolution No. 95-781**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 90S-022G, Bond No. 90BD-020, Quail Ridge, Section Three, until October 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the full amount of \$35,600.00 by **November 23, 1995** and extending the expiration date to April 1, 1997. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 91P-007G**

Sunset Oaks, Section Two  
B & P Developments, principal

Located abutting the east margin of Old Tulip Grove, approximately 424 feet north of Old Lebanon Dirt Road.

**Resolution No. 95-782**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 91P-007G, Bond No. 94BD-074, Sunset Oaks, Section Two, until September 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the reduced amount of \$150,000.00 by **November 23, 1995** and extending the expiration date to March 1, 1997. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 91P-008G**  
Addition to Brelan Park, Section Two  
Wayne Meadows, principal

Located abutting both margins of Ridge Farm Place, approximately 110 feet southwest of Saddlewood Lane.

**Resolution No. 95-783**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 92P-008G, Bond No. 95BD-001, Addition to Brelan Park at Saddlewood, Section Two, until June 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the reduced amount of \$28,500.00 by **November 23, 1995** and extending the expiration date to December 1, 1996. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 91P-008G**  
Oakmont Subdivision, Phase Two  
Brent A. Campbell, principal

Located abutting the southeast terminus of Grand Oak Way and both margins of Red Feather Lane.

**Resolution No. 95-784**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 91P-008G, Bond No. 94BD-057, Oakmont Subdivision, Phase Two, until August 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the full amount of \$45,000.00 by **November 23, 1995** and extending the expiration date to February 1, 1997. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 91S-133U**  
Royal Park Business Center, Lot 4  
Royal Park Investments, L.P., principal

Located abutting the southeast margin of Rachel Drive, approximately 305 feet southwest of Shacklett Drive.

**Resolution No. 95-785**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 91S-133U, Bond No. 93BD-087, Royal Park Business Center, Lot 4, until June 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the full amount of \$28,600.00 by **November 23, 1995** and extending the expiration date to December 1, 1996. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

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

Located abutting both margins of Cobble Street, approximately 1,252 feet south of Bradford Hills Drive.

**Resolution No. 95-786**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 93P-011G, Bond No. 95BD-012, Holt Woods, Section Three, until July 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the full amount of \$79,000.00 by **November 23, 1995** and extending the expiration date to January 2, 1997. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 93P-019G**  
Lakeridge, Phase One  
B & P Developments, Inc., principal

Located abutting the west margin of Bell, opposite Lincoya Bay Drive.

**Resolution No. 95-787**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 93P-019G, Bond No. 94BD-115, Lakeridge, Phase One, until October 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the full amount of \$270,400.00 by **November 23, 1995** and extending the expiration date to April 1, 1997. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 93S-305G**  
Andrew Jackson Business Park, Phase One  
B B Doubleday, principal

Located abutting the west margin of Andrew Jackson Parkway, approximately 740 feet north of Lebanon Pike.

**Resolution No. 95-788**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 93S-305G, Bond No. 95BD-029, Andrew Jackson Business Park, Phase One, until October 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the full amount of \$24,000.00 by **November 23, 1995** and extending the expiration date to April 1, 1997. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"



**Subdivision No. 94P-026U**  
Hill Place  
H. G. Hill Realty Company, principal

Located abutting both margins of Post Road, between Davidson Road and Fransworth Drive.

**Resolution No. 95-789**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 94P-026U, Bond No. 95BD-031, Hill Place, until October 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the reduced amount of \$2,416,000.00 by **November 23, 1995** and extending the expiration date to April 1, 1997. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 94S-294U**  
Chadfield, Section One  
Houston Ezell Corporation, principal

Located abutting the northwest margin of Una-Antioch Pike, opposite Hickory Hollow Parkway.

**Resolution No. 95-790**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of a performance bond for Subdivision No. 94S-294U, Bond No. 94BD-088, Chadfield, Section One, until September 1, 1996, as requested, in the reduced amount of \$259,400.00, said approval being contingent upon submittal of a letter by **November 23, 1995** from Frontier Insurance Company agreeing to the extension. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 95S-034U**  
Noel's Subdivision of Watkins Grove,  
Resubdivision of Lots 194 and 222  
Hilton Wickham, principal

Located between Golf Club Lane and Benham Avenue, approximately 225 feet north of Woodmont Boulevard.

**Resolution No. 95-791**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 95S-034U, Bond No. 95BD-006, Noel's Subdivision of Watkins Grove, Resub. of Lots 194 & 222, until June 15, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the full amount of \$6,900.00 by **November 23, 1995** and extending the expiration date to December 15, 1996. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 95S-042U**  
MetroCenter, Tract 23  
Curt Hahn, principal

Located abutting the north margin of Dominican Drive, between Athens Way and Ninth Avenue North.

**Resolution No. 95-792**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 95S-042U, Bond No. 95BD-041, MetroCenter, Tract 23, until June 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the full amount of \$7,100.00 by **November 23, 1995** and extending the expiration date to December 1, 1996. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 95S-068U**  
Revco Subdivision  
KHK, Inc., principal

Located at the northwest corner of Kings Lane and Clarksville Pike.

**Resolution No. 95-793**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of a performance bond for Subdivision No. 95S-068U, Bond No. 95BD-022, Revco Subdivision, until June 1, 1996, as requested, in the full amount of \$21,000.00, said approval being contingent upon submittal of a letter by **November 23, 1995** from Continental Insurance Company agreeing to the extension. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 95S-151U**  
Noel's Subdivision of Watkins Grove,  
Resubdivision of Lots 195, 220 and 221  
Hilton Wickham, principal

Located abutting the north margin of Woodmont Boulevard between Golf Club Lane and Benham Avenue.

**Resolution No. 95-794**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 95S-151U, Bond No. 95BD-057, Noel's Subdivision of Watkins Grove, Resub. of Lots 195, 220 & 221, until June 15, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the full amount of \$6,600.00 by **November 23, 1995** and extending the expiration date to December 15, 1996. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Subdivision No. 95S-166U**  
Royal Park Business Center, Lot 11  
Royal Park Investments, L.P., principal

Located abutting the northwest margin of Rachel Drive, opposite Shacklett Drive.

**Resolution No. 95-795**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 95S-166U, Bond No. 95BD-048, Royal Park Business Center, Lot 11, until October 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the full amount of \$172,500.00 by **November 23, 1995** and extending the

expiration date to April 1, 1997. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Request for Bond Extension and Replacement:**

**Subdivision No. 88P-061U**  
Harding Mall Village, Section One  
Harding Place Partnership, principal

Located abutting the north margin of Harding Place, approximately 450 feet east of Nolensville Pike.

**Resolution No. 95-796**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 88P-061U, Bond No. 88BD-025, Harding Mall Village, Section, until June 1, 1996, as requested, in the amount of \$2,000.00, said approval being contingent upon submittal of appropriate security and execution of the replacement bond by **November 23, 1995. Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Request for Bond Release:**

**Resolution No. 95-797**

**Subdivision No. 17-83-U**  
Grand Old Golf, Third Revision  
Factory Stores of America, Inc., principal

Located abutting the west margin of Music Valley Drive, approximately 164 feet north of Rudy Circle.

**Resolution No. 95-798**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 17-83-U, Bond No. 94BD-066 Grand Old Golf, 3rd Revision, in the amount of \$3,000.00, as requested."

**Subdivision No. 113-84-G**  
Ransom Place, Phase One  
Ransom Place Homes, Inc., principal

Located at the northwest corner of Una-Antioch Pike and Piccadilly Row.

**Resolution No. 95-799**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 113-84-G, Bond No. 89BD-014 Ransom Place, Phase One, in the amount of \$66,010.00, as requested."

**Subdivision No. 23-85-P**  
Forest View Park, Section Ten, Phase Two

Fox Ridge Homes, Inc., principal

Located abutting both margins of Calais Circle, approximately 825 feet southeast of Calais Court.

**Resolution No. 95-800**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 23-85-P, Bond No. 85BD-003 Forest View Park, Section Ten, Phase Two, in the amount of \$62,000.00, as requested."

**Subdivision No. 70-85-P**  
Somerset, Phase Four  
Phillips Builders, Inc., principal

Located abutting the northwest margin of Mt. View Road, approximately 90 feet northwest of Huntingboro Trail.

**Resolution No. 95-801**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 70-85-P, Bond No. 93BD-092 Somerset, Phase Five-D, in the amount of \$19,000.00, as requested."

**Subdivision No. 83-85-P**  
Ransom Place, Phase Two, Section One  
Ransom Place Homes, Inc., principal

Located abutting the west terminus of Ransom Place.

**Resolution No. 95-802**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 83-85-P, Bond No. 92BD-034 Ransom Place, Phase Two, Section One, in the amount of \$10,000.00, as requested."

**Subdivision No. 83-85-P**  
Ransom Place, Phase Two, Section Two  
Ransom Place Homes, Inc., principal

Located abutting both margins of Ransom Place, approximately 80 feet southwest of Olive Circle.

**Resolution No. 95-803**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 83-85-P, Bond No. 85BD-005 Ransom Place, Phase Two, Section Two, in the amount of \$8,000.00, as requested."

**Subdivision No. 90-86-P**  
Harborview, Phase One-A, Section Six  
B & P Development, Inc., co-principal  
Jones Brothers, Inc., co-principal

Located abutting the northeast terminus of Harborwood Circle, approximately 100 feet northeast of Timber Valley Drive.

**Resolution No. 95-804**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 90-86-P, Bond No. 93BD-076 Harborview, Phase One-A, Section Six, in the amount of \$28,500.00, as requested."

**Subdivision No. 79-87-P**  
Calumet, Phase Two  
James T. McLean, principal

Located abutting the east margin of Hamilton Church Road, approximately 3,300 feet east of Murfreesboro Pike.

**Resolution No. 95-805**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 79-87-P, Bond No. 92BD-010 Calumet, Phase Two, in the amount of \$32,500.00, as requested."

**Subdivision No. 88P-067G**  
Brandywine Pointe, Phase Two-A  
Brandywine Pointe Partners, L.P., principal

Located abutting the north margin of Shute Lane, approximately 150 feet east of Willowbough Lane.

**Resolution No. 95-806**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 88P-067G, Bond No. 92BD-007 Brandywine Pointe, Phase Two-A, in the amount of \$22,578.00, as requested."

**Subdivision No. 88P-067G**  
Brandywine Pointe, Phase Three, Sections One and Two  
Brandywine Pointe Partners, L.P., principal

Located abutting the north margin of Shute Lane at Brandywine Pointe Boulevard.

**Resolution No. 95-807**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 88P-067G, Bond No. 92BD-008 Brandywine Pointe, Phase Three, Sections One & Two, in the amount of \$21,708.00, as requested."

**Subdivision No. 88P-067G**  
Brandywine Pointe, Phase Three, Section Three  
Brandywine Pointe Partners, L.P., principal

Located approximately 200 feet west of Brandywine Pointe Boulevard.

**Resolution No. 95-808**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 88P-067G, Bond No. 92BD-009 Brandywine Pointe, Phase Three, Section Three, in the amount of \$5,000.00, as requested."

**Subdivision No. 88P-067G**  
Brandywine Pointe, Phase Four, Section One  
Brandywine Pointe Partners, L.P., principal

Located abutting the northwest corner of Brandywine Pointe Boulevard and Safety Harbor Cove.

**Resolution No. 95-809**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 88P-067G, Bond No. 88BD-023 Brandywine Pointe, Phase Four, Section One, in the amount of \$29,000.00, as requested."

**Subdivision No. 88P-067G**  
Brandywine Pointe, Phase Four, Section Two  
Brandywine Pointe Partners, L.P., principal

Located abutting both sides of Robards Circle.

**Resolution No. 95-810**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 88P-067G, Bond No. 88BD-024 Brandywine Pointe, Phase Four, Section Two, in the amount of \$22,900.00, as requested."

**Subdivision No. 88P-067G**  
Brandywine Pointe, Phase Five, Section One  
Brandywine Pointe Partners, L.P., principal

Located abutting the northwest corner of Shute Circle and Brandywine Pointe Boulevard.

**Resolution No. 95-811**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 88P-067G, Bond No. 93BD-052 Brandywine Pointe, Phase Five, Section One, in the amount of \$13,600.00, as requested."

**Subdivision No. 88P-067G**  
Brandywine Pointe, Phase Five, Section Two  
Brandywine Pointe Partners, L.P., principal

Located abutting the northwest corner of Shute Circle and Brandywine Pointe Boulevard.

**Resolution No. 95-812**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 88P-067G, Bond No. 93BD-053 Brandywine Pointe, Phase Five, Section Two, in the amount of \$6,250.00, as requested."

**Subdivision No. 88P-067G**  
Brandywine Pointe, Phase Eight, Section One  
Brandywine Pointe Partners, L.P., principal

Located abutting the northeast corner of Shute Circle and Brandywine Pointe Boulevard.

**Resolution No. 95-813**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 88P-067G, Bond No. 93BD-054 Brandywine Pointe, Phase Eight, Section One, in the amount of \$9,200.00, as requested."

**Subdivision No. 88P-067G**  
Brandywine Pointe, Phase Eight, Section Two  
Brandywine Pointe Partners, L.P., principal

Located abutting the northwest corner of Shute Circle and Brandywine Pointe Boulevard.

**Resolution No. 95-814**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 88P-067G, Bond No. 93BD-055 Brandywine Pointe, Phase Eight, Section Two, in the amount of \$5,000.00, as requested."

**Subdivision No. 88P-067G**  
Brandywine Pointe, Phase Eight, Section Three  
Brandywine Pointe Partners, L.P., principal

Located abutting the north margin of Shute Court and both margins of Shute Circle.

**Resolution No. 95-815**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 88P-067G, Bond No. 93BD-074, Brandywine Pointe, Phase Eight, Section Three, in the amount of \$5,000.00, as requested."

**Subdivision No. 91P-007G**  
Sunset Oaks, Phase One  
B & P Developments, Inc., principal

Located abutting the east margin of Tulip Grove Road, approximately 424 feet north of Old Lebanon Dirt Road.

**Resolution No. 95-816**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 91P-007G, Bond No. 93BD-026 Sunset Oaks, Phase One, in the amount of \$156,000.00, as requested."

**Subdivision No. 93S-168G**  
Peppertree Forest, Section Eighteen  
Jerry Butler, principal

Located abutting the north margin of Maxwell Road, approximately 115 feet east of Peppertree Drive.

**Resolution No. 95-817**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 93S-168G, Bond No. 93BD-046 Peppertree Forest, Section Eighteen, in the amount of \$40,000.00, as requested."

**Subdivision No. 94S-308U**  
James W. McClendon Subdivision  
Martha C. McClendon, principal

Located abutting the northwest margin of Charlotte Pike, opposite Davidson Road.

**Resolution No. 95-818**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 94S-308U, Bond No. 94BD-102, James M. McClendon Subdivision (sewer), in the amount of \$14,300.00, as requested."

**Request for Bond Extension:**

**Subdivision No. 93S-105G**  
Judy Creek Subdivision  
Gary B. Thompson, principal

Located abutting the south margin of Judy Creek Road and the northeast corner of Knight Drive and Whites Creek Pike.

**Resolution No. 95-819**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for an extension of the performance bond for Subdivision No. 93S-105G, Bond No. 94BD-001, Judy Creek Subdivision, until June 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the full amount of \$14,700.00 by **November 23, 1995** and extending the expiration date to December 1, 1996. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**MANDATORY REFERRALS:**

**Proposal No. 95M-095U**  
Alley 1706 Closure  
Map 117-2  
Subarea 10  
District 25

A proposal to close Alley No. 1706 between Springdale Avenue and Oxford Road, requested by Scott C. Chambers, for adjacent property owners. **(Easements are to be retained).**

**Resolution No. 95-820**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES with conditions** Proposal No. 95M-095U.

**The Commission's approval is conditioned upon a plat being put to record which will reconfigure the parcels abutting this right-of-way in such a manner as to provide all parcels with adequate street frontage as required by the Subdivision Regulations."**



**Proposal No. 95M-098G**  
Lebanon Pike Sewer Relocation  
Subarea 14  
District 11

A mandatory referral from the Department of Water Services to relocate approximately 2,155 feet of 12 and 18 inch sanitary sewer main along Lebanon Pike and Tulip Grove Road in conjunction with the widening of Lebanon Pike. **(Project No. 95-SG-85).**

**Resolution No. 95-821**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-098G.

**Proposal No. 95M-099U**  
Signs at 139 Second Avenue North  
Map 93-6-2, Parcel 60  
Subarea 9  
District 19

A mandatory referral from the Department of Public Works proposing the installation of two signs over the public sidewalk at 139 Second Avenue North for McDonalds restaurant, requested by Frank Chalfont, Chalfont and Associates, adjacent property owner.

**Resolution No. 95-822**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-099U.

**Proposal 95M-100U**  
Awning at 209 Third Avenue North  
Map 93-2-3, Parcel 166  
Subarea 9  
19th District

A mandatory referral from the Department of Public Works proposing the installation of a 22'6" by 6' fabric awning over the public sidewalk at 209 Third Avenue North, requested by Kathey Hurt, for The Captain's Table, lessee.

**Resolution No. 95-823**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-100U.

**Proposal No. 95M-101U**  
Council Bill No. 095-18  
Improvements to Franklin Limestone Road Bridge  
Subarea 13  
Districts 27 and 28

A mandatory referral from the Department of Public Works to widen and repair the Franklin Limestone Road Bridge over Mill Creek. **(Project No. 95-B-04, CIB Nos. 95PW007 and 72PW216A).**

**Resolution No. 95-824**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-101U.

This concluded the items on the consent agenda.

**ZONE CHANGE PROPOSALS:**

**Zone Change Proposal No. 95Z-094G**

Map 97, Parcel 114

Subarea 14

District 12

A request to change from R8 District to RM8 and OP Districts certain property abutting the north margin of Bell Road and the west margin of Old Hickory Boulevard, opposite Hermitage Park Lane (14.96 acres), requested by J. D. Eatherly, optionee, Frank F. Friedman, trustee et al, owners. **(Deferred from meeting of 09/21/95).**

**Proposal No. 111-82-U (Public Hearing)**

American Square

Map 97, Parcel 114

Subarea 14

District 12

A request to cancel the Commercial (General) Planned Unit Development District (consisting of 32,767 square feet of office and retail space) and the Residential Planned Unit Development District (62 multi-family units), all abutting the west margin of Old Hickory Boulevard, opposite Hermitage Park Lane (14.96 acres), requested by J. D. Eatherly, optionee, Frank F. Friedman, trustee. **(See Zone Change Proposal No. 95Z-094G, page 2). (Deferred from meeting of 09/21/95).**

Ms. Dudley stated the petitioner desired to cancel the commercial and residential planned unit developments now applied to the property in question, and to change the base zoning from R8 to RM8 and OP. These base zone changes would allow development of the property for multi-family residential and office development, similar to the approvals granted by the two PUDs. She stated the PUDs are unbuilt. The commercial PUD, approved for 33,000 square feet of office, retail and commercial space, is in commercial mixed concentration policy that encourages a mixture of commercial uses and even some residential uses. The residential PUD is in residential medium high policy. The residential PUD is approved for 62 units. Staff is recommending approval of both the PUD cancellations and the zone change request because the OP district will implement the mixed policy category and the RM8 will implement the residential medium high density policy category.

Councilman Phil Ponder stated their had been some neighborhood meetings on the subject at the site.

Mr. Bill Lockwood, representing the landowner, spoke in favor of the proposals and stated they have had and will continue to have meetings with the area homeowners through the entire public process.

Mr. John Stern, representing area residents, asked the Commission to disapprove removing the PUDs from the properties because all the properties along the road frontage are overlaid with PUDs. Mr. Stern stated his objection was to taking the proposal out of the PUD controls.

Mr. Lockwood stated they would uphold their plans for the buffering restrictions and will work with the neighborhood for their approval.

Ms. Dudley stated that anytime the Codes Department received a multi family development approval for permit, it is referred to the Planning Commission staff for design review.

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

**Resolution No. 95-825**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 95Z-094G is **APPROVED**:

**The Subarea 14 Plan recognized the PUD on this property when it was adopted and applied ‘commercial mixed-concentration’ policy on the commercial side and ‘residential medium-high’ density policy on the residential side. The office district will serve as another land use option to implement the mixture of land uses proposed around I-40E interchange; it allows office as well as multi-family development. This application is consistent with the long-range development goals of the subarea plan.”**

“BE IT FURTHER RESOLVED that Proposal No. 111-82-U is given **APPROVAL FOR CANCELLATION.**”

**Zone Change Proposal No. 95Z-103U**  
Map 147-16, Part of Parcel 19  
Subarea 12  
District 26

A request to change from R10 District to OP District the rear parcel portion to a depth of 55 feet from the rear property line of certain property abutting the east margin of Aquatic Road, approximately 700 feet south of Northcrest Drive (approximately .1 acres), requested by Giles Edwin Derryberry, owner.

Ms. Dudley stated that from a policy standpoint this property was on a boundary of low medium residential policy and commercial retail policy along Nolensville Pike. General planning principles encourage deepening of commercial properties around intersections when warranted to stabilize existing commercial development. However, this applicant wants to legitimate an illegal paved parking lot consisting of approximately 14 spaces that extends into the residential district. Staff is concerned with the precedent this would set in the area. If the Commission were to approve this application it may have to extend the commercial boundary for other properties that might have the same situation.

The area that is being proposed for the OP zoning district is 100 feet by 55 feet and the zoning ordinance requires a twenty foot open area adjacent to any abutting residential zoning district in which no parking or driveways can occur. This proposal does not meet those requirements and staff is recommending disapproval. Staff pointed out that if the setback requirement is met, the parking lot would contain fewer parking spaces than the current 14.

Mr. Giles Derryberry, owner, stated he felt this was a legitimate change because of drainage problems, the sudden topographic changes in the area and the fact that the lot was landlocked and of no use to anyone.

Mr. Hampton, owner of property behind Mr. Derryberry’s property, stated he had spent approximately \$11,000 to fix drainage problems on the property and putting in the parking lot but Codes stopped the construction because of complaints.

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

**Resolution No. 95-826**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 95Z-103U is **DISAPPROVED**:

**This property is on the border between residential ‘low-medium’ density policy and commercial ‘retail community-scale’ policy in the Subarea 12 Plan. The CS district on the properties on either side of this site extends consistently to a depth of approximately 250 feet. This proposal would alter that consistency by extending the CS district another 55 feet into the residential neighborhood. Additionally, from a practical standpoint, the zoning code’s requirement of a 20’ undisturbed buffer area on three sides of this property would result in the reduction of usable lot area from 100’x 55’ to 60’x 35’.**

**If this expansion is permitted, it will be difficult to disapprove similar requests for the remaining properties along Aquatic Drive. The resulting development pattern would then become very difficult to confine, putting undo pressure on an otherwise stable residential community.”**

**PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:**

**Proposal No. 68-79-G**  
Antioch Commercial PUD  
Map 148-7, Parcel 178  
Subarea 13  
District 28

A request for final approval for Section 2 of the Commercial (General) Planned Unit Development District abutting the east margin of Antioch Pike, approximately 400 feet north of Cherokee Place (.47 acres), to permit the development of a 528 square foot car sales facility, requested by Roy Dale, for Mike and Sharon Jones, owners.

Mr. Martin stated this request was for approval of an additional curb break within a commercial PUD. Mr. Martin stated the PUD was originally approved with four curb breaks to accommodate several lots which would share these four curb ramps using a common access drive. Staff has reviewed the request with the traffic engineer and suggest it would be appropriate to revise the previous plan. It was noted that spacing between ramps would still exceed 185 feet as called for in the proposed zoning ordinance for Nashville.

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

**Resolution No. 95-827**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 68-79-G is given **CONDITIONAL FINAL APPROVAL FOR A PHASE**. The following conditions apply:

1. Written confirmation of final approval from the Stormwater Management and Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. The recording of an instrument or a revised plat which establishes a 10 foot private sewer service line easement across parcel 179 on map 148-7.”

**Proposal No. 235-84-G**  
Harbor Village, Phase 2  
Map 34, Part of Parcel 34  
Subarea 4

District 10

A request for final approval for Phase 2 of the Residential Planned Unit Development District abutting the eastern terminus of Spring Branch Drive, approximately 350 feet east of Shepherd Hills Drive (3.2 acres), to permit the development of 7 single-family lots, requested by Dewayne Caldwell, for Glen Nabors, owner. **(Also requesting final plat approval). (Deferred from meeting of 09/21/95).**

Mr. Reid stated the construction of Spring Branch Drive will require a variance to the maximum road grade standards of the subdivision regulations. The applicant wants to construct the road at an 11.3 percent vertical grade which is slightly greater than the 10 percent allowed in the regulations. The applicant and the department of Public Works both agree that it is justifiable to grant the variance because it will prevent excessive fill on two existing single family lots which would be located on each side of the street. Otherwise the application is in order and all reviewing agencies recommend approval.

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

**Resolution No. 95-828**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 235-84-G is given **CONDITIONAL PUD APPROVAL** with a variance to the subdivision regulations for the slope on Spring Branch Drive; **FINAL PLAT APPROVAL** subject to posting a bond in the amount of \$58,000.00. The following conditions apply:

1. Written confirmation of approval from the Stormwater Management and Traffic Engineering Sections of the Metropolitan Department of Public Works.”
2. Recording of a final plat of subdivision upon the posting of bonds in the amount of \$58,000 as required by the Metropolitan Department of Water Services and the Madison Suburban Utility District.”

**SUBDIVISIONS:**

**Preliminary Plats:**

**Subdivision No. 95S-156G (Public Hearing)**

Merritt Subdivision  
Map 114, Parcel 89  
Map 128-2, Parcel 8  
Subarea 6  
District 23

A request to subdivide a lot and a deed tract into two lots abutting the northwest margin of Forrest Valley Court, approximately 410 feet southwest of Forrest Valley Drive (10 acres), classified within the R40 District, requested by Marvin T. and Renee B. Merritt, owners/developers, Walker Engineering, surveyor. **(Also requesting final plat approval).**

Mr. Owens stated this was a request to take a 9.5 acre tract of land created by deed and combine it with a platted lot that has frontage on Forrest Valley Court. The request is to put these two lots together under one plat and create two platted lots, both of which would have 18 feet of street frontage on the cul-de-sac. To approve this plat as proposed, the Planning Commission would have to grant: a street frontage variance, since the subdivision regulations require a minimum of 35 feet of frontage along a public street; an exception to the provisions prohibiting creation of lots that are more than four time deeper than their width at the minimum front setback line; an exception to the provisions prohibiting the creation of lots that are

more than three times the minimum lot size of the zoning district; and a variance to the provision that lot lines be laid out radial to streets. Both lots would be designated as critical on the plat. Staff stated the variances and exceptions are justified because the very steep topography in the area precluded traditional subdivision layout.

No one was present to speak during the public hearing.

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

**Resolution No. 95-829**

“BE IT RESOLVED by the Metropolitan Planning Commission that the Plan of Subdivision No. 95S-156G be given PRELIMINARY AND FINAL APPROVAL with a variance to Section 2-4.2A, and exceptions to Section 2-4.2D and E of the Subdivision Regulations.”

**Subdivision No. 95S-241U (Public Hearing)**  
Melrose Shopping Center (Residential Lots)  
Resubdivision of Lot 9  
Map 118-6, Parcel 42  
Subarea 10  
District 17

A request to create six lots abutting the east margin of Vaulx Lane, approximately 224 feet south of Kirkwood Avenue (2.09 acres), classified within the RS10 District, requested by Land Trust Corporation, owner/developer, Crawford Land Surveyors, surveyor. **(Also requesting final plat approval). (Deferred from meeting of 09/07/95).**

Mr. Owens stated the request was to subdivide a parcel of property into six lots along Vaulx Lane. He stated the property originally was subdivided into six lots in 1935, and remained that way until the property was consolidated into one parcel of property in 1993. The petitioner wishes to resubdivide the property into six lots.

Mr. Owens stated this matter had been deferred for the Legal Department to investigate a Mandatory Referral that had been approved by the Commission and Council earlier this year which was an offer to donate this land to Metro as a park. It was reported that when the adjacent Kroger commercial planned unit development was approved in the late eighties, there was a promise made to the community that this land would be offered to Metro as park property. Staff has been researching records of that PUD approval and found that earlier this year there was an offer made to Metro Government in writing to dedicate this property to the Parks Department for a park. That offer was processed as a mandatory referral, was approved by the Commission, and was approved by ordinance by Council. That offer had a contingency clause stating the offer would be null and void if the lien holder did not agree with the dedication.

The Legal Department has researched this matter and verified the offer of dedication was conditioned upon agreement by the lien holder. Consequently, the Legal Department advises that the offer became null and void when the lien holder refused to release this area. The Legal Department further advises that action should have no bearing on the subdivision case before the Commission.

Staff and the Legal Department have looked at the PUD approval documents, the minutes of the meetings of the Commission approving this PUD, have listened to the tape recordings of those meetings and investigated the Council Ordinance creating the PUD, and have found no reference to a commitment made by the developer to offer this property to the community. In reviewing this application according to the zoning regulations and subdivision regulations, staff finds this subdivision meets all requirements and staff is recommending approval.

Mr. Tom Hardin, representing Land Trust Corporation, stated he and Mr. Fred White, president of Land Trust, were present to answer any questions the Commission might have and that the staff report covered most of the facts. He presented the Commission with a response to a statement filed by Mr. Johnston two weeks ago.

Mr. Joe Johnston, representing Mr. Richard Scofield, the named petitioner on the administrative complaint filed two weeks ago in opposition of the subdivision, explained the basis of the petition and the legal support the Metro Planning Commission has for denying approval of this proposed resubdivision. He stated this parcel fronts Vault Lane and was proposed by the Land Trust Corporation as a greenway to satisfy area residents complaints. Initially when the planned commercial development was originally proposed there was a suggestion that this parcel might be sold and the proceeds would be deposited into a fund for scholarship for neighborhood students. The neighborhood felt that a greenway would be a preferable mechanism for protecting the neighborhood. They have gone through extensive steps with the Parks Department to satisfy all the conditions for neighborhood maintenance for this particular parcel. A written offer was made that did contain a condition that the lien holder would have to approve the assignment for dedication for this parcel but there was no follow-up on that by the developer. Mr. Johnston presented the staff report for the mandatory referral which read:

*“Approval is recommended.(for the greenway) This Council bill authorizes acceptance of a donation of property (Map 118-6: Parcel 42) near Franklin Pike and Gale Lane by Land Trust Corporation to the Metropolitan Government on behalf of the Board of Parks and Recreation. The proposal would address neighborhood buffering and public greenway objectives, reflecting in part approval conditions for the commercial PUD (Melrose 89P-022U) adjoining this parcel.*

*The PUD developer has agreed to dedicate this wooded parcel of approximately two acres for use as a greenway segment and buffer between the commercial PUD and the adjacent neighborhood (Breeze Hill). The donation would cover about half of the area designated for a natural vegetation screen as a condition of approving the Melrose PUD.”*

He stated the staff understood from the beginning that this parcel 9 was part of the commercial PUD and what was to be done to protect the neighborhood from the impact of the commercial development that is now almost complete. The Council approved the greenway proposal, the dedication was accepted and the Mayor signed the bill, but apparently the deed was never presented. Finally a letter was submitted by an attorney of Land Trust stating they had made a mistake and were withdrawing their proposal because they could not get the lien holder to approve this transfer.

Mr. Johnston stated that for background purposes the neighborhood felt this constitutes a violation of a prior condition of this commercial development and would be grounds for the Commission to deny this proposed resubdivision. There are additional complaints that may fall more specifically within the jurisdiction of the Planning Commission. One is the lot size of the proposed subdivision lots. The lots being offered by the developer now are smaller than those in the surrounding area and therefore would in effect require some discretionary action on the part of the Commission other than to just grant an approval. Where there is a history of non compliance with conditions the Commission’s discretion to withhold or deny approval has been withheld.

Mr. Richard Scofield, a resident of Vault Lane, stated he was in opposition of the subdivision and presented a petition in opposition to the Commission from sixteen neighbors including those resident owners of seven of the neighboring properties. He stated that to his knowledge, he agreed that there was never a promise to donate the land for a park.

He further stated that in a letter to Councilman at Large Jay West from Mr. Ted Cromer of the Trion Group, there was a commitment made and entered into the Council’s record during the public hearing to create a \$250,000 scholarship for neighborhood residents. Neighbors were told that Mr. Cromer was going to put up \$125,000 and that Doug Hale, representing Land Trust, would donate the remaining half from the sale of the six lots. There was an intent to give something back to the neighborhood. On August 2, 1993, Mr.

White and Mr. Hale agreed at a neighborhood meeting to donate the land for a greenway; the area residents said they preferred green space and buffering from the shopping center rather than a neighborhood park.

Mr. Scofield passed around a map of the area showing the proposed and surrounding lots. He stated that the lots were not comparable to the other neighborhood lots. He stated neighbors felt the parcel should not be subdivided for the purpose of further private development since the developers have repeatedly failed to meet or have violated prior conditions imposed by the Planning Commission designed to protect the residential quality of the existing Breeze Hill neighborhood and protect it from the adverse impact of commercial PUD 89P-022U known as the Melrose PUD. The sale of these lots will restrict access for landscaping maintenance and replacement within the required natural buffer between the Melrose PUD and the residential area.

He presented correspondence to the Commission for their record consisting of various letters, photographs and exhibits to be placed in the Planning Commission's file.

Mr. Manier asked Mr. Owens to address the comparability of the lots.

Mr. Owens cited the subdivision regulations and using this average the lots may be a few feet narrower than some in the area but would meet comparability.

Mr. Harbison stated he had heard references to original approval conditions and asked if there was any record of that.

Mr. Owens stated staff had investigated whether or not there were commitments made to dedicate this land as a public park or greenway in the official record of the PUD approval process. Staff's thorough review indicated there was no reference to park or greenway dedication as a condition of PUD approval.

Mr. Lawson moved and Ms. Jernigan seconded the motion to close the public hearing and to approve the following resolution:

**Resolution No. 95-830**

“BE IT RESOLVED by the Metropolitan Planning Commission that the Plan of Subdivision No. 95S-241U, be given PRELIMINARY AND FINAL APPROVAL subject to posting a performance bond in the amount of \$2,200.00.”

The motion carried with all members present voting in favor of the motion, with the exception of Mr. Clifton who abstained. Councilman Clifton arrived during the public hearing and chose to abstain because he was not present for the entire discussion.

**Subdivision No. 95S-268U (Public Hearing)**

Arbor Close  
Map 117-1, Parcel 106  
Subarea 10

A request for preliminary approval for an 11 lot subdivision abutting the east margin of Bowling Avenue, between Woodlawn Drive and Forrest Park Avenue (6.3 acres), classified within the RS20 District, requested by Beryl W. Horn, owner/developer, Gresham-Smith and Partners, surveyor. **(Deferred from meeting of 09/21/95).**

Mr. Owens stated the public hearing was still open on this application but the developer for this project was requesting another deferral so that they could continue to meet with neighborhood groups and discuss additional concepts.



Mr. Mickey Sullivan, representing Gresham- Smith and Partners, stated they were requesting deferral because they have offered the neighbors a revised plan which was not completely satisfactory and are now working on another plan which should be satisfactory.

Mr. Steve Smith moved and Mr. Lawson seconded the motion to defer this matter for two weeks; the public hearing remained opened. Upon voting all present voted in favor of the motion except Mr. Harbison who abstained.

**Subdivision No. 92S-275G (Public Hearing)**  
Smith Subdivision  
Map 127, Parcel 58  
Subarea 6  
District 23

A request to subdivide a lot into three lots abutting the southeast margin of Charlotte Pike, approximately 1,707 feet northeast of the Memphis-Bristol Highway (8.67 acres), classified within the R40 District, requested by Mary Edith Boone Smith and Michael Smith, owners/developers, American Surveying Company, surveyor. **(Also requesting final plat approval).**

Mr. Owens stated the septic fields had been approved by the Health Department and staff recommends approval.

There was no one present to speak during the public hearing.

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

**Resolution No. 95-831**

“BE IT RESOLVED by the Metropolitan Planning Commission that the Plan of Subdivision No. 92S-275G, be given PRELIMINARY AND FINAL APPROVAL.”

**Subdivision No. 95S-279U (Public Hearing)**  
Grassmere, Section 7, Resubdivision of Lot 1  
Map 132-16, Parcel 125  
Subarea 11  
District 26

A request to subdivide a lot into four lots abutting the northwest margin of Trousdale Drive, opposite Grassmere Park (2.1 acres), classified within the IR District, requested by Third National Bank, Trustee, owner/developer, Barge, Waggoner, Sumner and Cannon, surveyor. **(Also requesting final plat approval).**

Mr. Owens stated this property met all requirements for subdivision and staff recommends approval.

There was no one present to speak during the public hearing.

Ms. Jernigan moved and Ms. Nielson seconded the motion to close the public hearing and to approve the following resolution:

**Resolution No. 95-832**

“BE IT RESOLVED by the Metropolitan Planning Commission that the Plan of Subdivision No. 95S-279U, be given PRELIMINARY AND FINAL APPROVAL.”

Upon voting all voted in favor of the resolution with the exception of Mr. Harbison who abstained.

**Subdivision No. 95S-280U (Public Hearing)**  
State Farm Claims Service Office  
Map 92-8, Parcels 316-320  
Subarea 10  
District 19

A request to consolidate five lots into one lot abutting the west margin of 14th Avenue North, approximately 150 feet north of Hynes Street (.76 acres), classified within the CF District, requested by The 4-J L.P., owner/developer, Dale and Associates, Inc., surveyor.

Mr. Owens stated staff recommended approval.

There was no one present to speak during the public hearing.

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

**Resolution No. 95-833**

“BE IT RESOLVED by the Metropolitan Planning Commission that the Plan of Subdivision No. 95S-280U, be given PRELIMINARY APPROVAL.”

**Subdivision No. 95S-286U (Public Hearing)**  
Stevens Resubdivision of Kenner Manor,  
Resubdivision of Part of Lot 9  
Map 116-8, Parcel 61  
Subarea 10  
District 34

A request to subdivide a lot into two lots abutting the southwest corner of Woodmont Circle and Clearview Drive (.48 acres), classified within the R10 District, requested by Douglas R. Cavener, owner/developer.

Mr. Owens stated this was a predominantly developed residential area. Therefore, it is appropriate to look at comparability. In applying the formula for comparability each lot should have a minimum lot area of 16,117 square feet. Lot A as proposed would have 10,800 square feet and lot B would have 10,092 square feet. Therefore, both lots would fail comparability in area.

The circumstance that the Commission should take into consideration is whether or not the existence of the residential PUD on the corner immediately to the east should come into play in the comparability question. Comparability is intended to insure that new development in a predominantly built up area is similar in character (lot size and frontage) as other developed lots. Mr. Owens stated surrounding lots are uniform in size and larger than the proposed lots within this subdivision. The exception is the in-fill PUD to the east which contains two duplex structures and one single family dwelling on a 30,000 square foot lot. While the lot is larger than those proposed in this subdivision, the clustering of five dwelling units on one parcel should be taken into consideration as the Commission determines whether the proposed lots are comparable to development within the neighborhood.

Mr. Owens stated there was a letter from Councilman Fentress asking the Commission to accommodate the wishes of the area residents.

Mr. Douglas Cavener, owner/developer, stated he felt he had followed the rules of comparability and pointed out the new home would be nicer than the existing home and would add to the overall value and beauty to the neighborhood. He said that Woodmont Circle would not change character and that on Clearview Drive the frontage would still be generous.

Mr. Steven Young, Ms. Barbara Smazer, Ms. Carolyn Farris, Ms. Mandy Haynes Young were present to speak in opposition to the proposal. They expressed their concerns regarding comparability, traffic, property values, flooding and the setbacks.

Mr. Douglas Cavener stated he was unaware of the opposition to the subdivision and that he would like to withdraw the proposal.

Chairman Smith said that instead of withdrawing the proposal the Commission could vote for disapproval and then there would be a record of the proceedings.

Ms. Jernigan moved and Mr. Lawson seconded the motion, which was unanimously passed, to close the public hearing and to approve the following resolution:

**Resolution No. 95-834**

“BE IT RESOLVED by the Metropolitan Planning Commission that the Plan of Subdivision No. 95S-286U, be DISAPPROVED since it fails to comply with lot area comparability per Section 2-4.7 of the Subdivision Regulations.”

**Subdivision No. 95S-287U (Public Hearing)**

Glendale Park, Resubdivision of Lot 2

Map 131-8, Parcel 107

Map 131-12, Parcel 96

Subarea 10

District 33

A request to subdivide two lots into three lots abutting the south margin of Glendale Lane and the northeast margin of Milesdale Drive (1.46 acres), classified within the R20 District, requested by Jennifer J. Small and B. A. Tanksley et ux, owners/developers, E. Robert Alley and Associates, Inc., surveyor.

Mr. Owens stated this proposal was to take two existing lots and using some excess area in each to create a third lot. There is some exchange of land occurring in order to give the new lot frontage to Milesdale. Because Milesdale is a dead end street, the applicant is proposing to provide to Metro, a proper cul-de-sac. By doing that, it also affords the new lot the proper street frontage of 35 feet. Staff has looked at the comparability of this lot to its surrounding area and both of these lots satisfy comparability requirements. Staff recommended approval.

There was no one present to speak during the public hearing.

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

**Resolution No. 95-835**

“BE IT RESOLVED by the Metropolitan Planning Commission that the Plan of Subdivision No. 95S-287U, be given PRELIMINARY APPROVAL with the condition the owners/developers provide a minimum 35’ frontage in the form of a cul-de-sac on Milesdale Drive.”

**Subdivision No. 95S-291G (Public Hearing)**  
Madison Southern Methodist Church Property  
Map 42-4, Parcel 55  
Subarea 4  
District 3

A request to subdivide a lot into four lots abutting the south margin of Campbell Road and the north margin of Amqui Road (1.86 acres), classified within the R20 District, requested by Southern Methodist College, owner/developer, Cole Land Surveying, surveyor. **(Also requesting final plat approval).**

Mr. Owens stated the approval of this subdivision would require a variance because of a substandard street that would need to be improved for further subdivision. Amqui is a substandard street because it has a 20 foot pavement section. Staff and Public Works recommend a variance to any requirement to improve the street because Amqui is now and will remain a dead end. Following the public hearing this applicant will be requesting a two week deferral in order to continue to work with Water Services to verify this property can be sewerred.

There was no one present to speak during the public hearing.

Mr. Lawson moved and Ms. Nielson seconded the motion, which carried unanimously, to close the public hearing and defer for two weeks.

**Subdivision No. 95S-292G (Public Hearing)**  
Woodard Subdivision  
Map 21, Parcel 387  
Subarea 1  
District 1

A request to create three lots abutting the southeast corner of Eatons Creek Road and Clarksville Pike (6.04 acres), classified within the R40 District, requested by Becky Woodard, owner/developer, H & H Land Surveying, Inc., surveyor. **(Also requesting final plat approval).**

Mr. Owens stated this would be served with septic fields which the Health Department has approved and staff recommended approval.

There was no one present to speak during the public hearing.

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

**Resolution No. 95-836**

“BE IT RESOLVED by the Metropolitan Planning Commission that the Plan of Subdivision No. 95S-292G, be given PRELIMINARY AND FINAL APPROVAL.”

**Subdivision No. 95S-293U (Public Hearing)**  
Glen Echo, Resubdivision of Lot 17  
Map 117-11, Parcel 78  
Subarea 10  
District 25

A request to subdivide a lot into two lots abutting the north margin of Hillmont Drive, approximately 683 feet east of Glen Echo Road (.95 acres), classified within the R10 District, requested by Montgomery G. Turner, owner/developer, H & H Land Surveying, Inc., surveyor. **(Also requesting final plat approval).**

Mr. Owens stated Glen Echo Road was a mixture of single family homes and duplexes, with single family structures on larger lots to the west, and duplexes on smaller lots to the east. The issue before the Commission would be comparability, because it is a developed area and the decision would be whether or not to vary the comparability requirements. Staff's recommendation is that comparability is appropriate in this case.

Mr. Owens stated that the Subarea 10 Plan acknowledged the different character of this area by establishing a policy boundary of low density conservation to the west and low medium residential density policy to the east. This eastern area has gone through redevelopment in recent years. One lot on Glen Echo was created in December 1994 by the Commission's waiving the comparability requirements and also a lot was created in 1974 by plat. There has been subdivision along Glen Echo in the past year.

If comparability is applied to this property the lot should have a minimum frontage of 151 feet. The smaller lot width is proposed at 70 feet and the second lot's width is proposed at 110; therefore, both lots would fail frontage comparability. Comparability would require an area of 27,007 square feet. The smaller lot is proposed at 15,000 square feet and the larger lot is proposed to have 26,136 square feet: therefore, both lots would fail area comparability. Because staff feels comparability should be applied and because the lots fail both area and frontage requirements, staff is recommending disapproval.

Mr. Montgomery Turner, owner, spoke in favor of the proposal. He pointed out that over the last few years the subdivision of two lots to the southeast was approved two years ago and has 15 feet less frontage and is approximately 5,000 feet smaller than his proposed subdivision. This did require a variance approved by the Commission. Other trends in the neighborhood were the subdivisions on Glen Echo and those lots on average were 2,500 feet smaller than the subject property. There are two zero lot line developments one lot to the east of the subject property. Out of 31 total dwelling units on Hillmont only eleven are owner occupied. He stated he intended to create a single family lot which should enhance the character of the neighborhood and would restrict it to minimum square footage. Councilman Kleinfelter and neighbors have expressed no opposition.

Mr. Owens announced the Commission had received a letter in support of the project from Mr. George Moore, owner of the property immediately to the east of this tract.

Mr. Steve Smith asked if he was correct in assuming there was no opposition to this project.

Chairman Smith stated that was correct.

Mr. Steve Smith moved for approval and to grant the variance because there was no opposition to the proposal.

Mr. Manier stated that with opposition or not the Commission should apply the standards and should not depreciate an area by encroaching upon what seemed to be logical, physical and visual boundaries. This area does have a different character and therefore comparability does apply.

Chairman Smith said the discretion was up to the Commission and the staff clearly stated the zoning density does not change. Hearing no second to the motion the chairman declared the motion died for lack of a second.

Mr. Lawson moved and Mr. Bodenhamer seconded the motion to close the public hearing and to approve the following resolution:

**Resolution No. 95-837**

“BE IT RESOLVED by the Metropolitan Planning Commission that the Plan of Subdivision No. 95S-293U be DISAPPROVED since it fails to meet lot area and frontage comparability per Section 2-4.7 of the Subdivision Regulations.”

Upon voting all members present voted in favor of the motion, with the exception of Mr. Steve Smith who voted in opposition.

**Subdivision No. 95S-299G (Public Hearing)**

Apache Close  
Map 53, Parcel 28  
Subarea 4  
District 9

A request to subdivide a lot into three lots abutting the south margin of Apache Lane, approximately 175 feet east of Cheyenne Boulevard (1.1 acres), classified within the R15 District, requested by Volunteer Investments, Inc., owner/developer, Land Surveying, Inc., surveyor.

Mr. Owens stated comparability is in effect in this case. To the west and north there is an R10 zoning district with an established residential subdivision which is predominately single family. To the east is R15 zoning which takes in the subject property. Within this area are numerous duplex developments. In applying comparability this property should have an average street frontage of 87 feet per lot. Each of these lots as proposed are 73 feet in width; therefore they would fail frontage comparability. In area each lot would have to have a minimum of 15,000 square feet; each lot has more than 15,000 square feet. Staff feels that even though there is a mixed character in this area comparability should be applied and recommends disapproval as failing lot frontage. The applicant has not yet obtained verification of sewer capacity.

Ms. Eva Scott and Mr. Roy Gillian spoke in opposition to the proposal expressing concerns regarding frontage comparability, water drainage problems and property value depreciation.

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

**Resolution No. 95-838**

“BE IT RESOLVED by the Metropolitan Planning Commission that the Plan of Subdivision No. 95S-299G, be DISAPPROVED since it fails lot frontage comparability per Section 2-4.7 of the Subdivision Regulations..”

**Proposal No. 95P-026U**

Sunset Meadows  
Map 52, Parcel 8  
Map 62, Parcel 1  
Subarea 14  
District 15

A request to grant preliminary approval for a Residential Planned Unit Development District abutting the north margin of Pennington Bend Road and the west margin of Lock Two Road (8.8 acres), to permit the development of a 43 unit residential complex, requested by The Marchetti Company, for Milton and Kathryn Baker, owners.

Mr. Owens announced that at the outset of the meeting there was a request from Mr. Marchetti for deferral on this proposal but the owner was present and asked the Commission to hear the proposal today.

Chairman Smith stated the Commission was prepared to hear the presentation but there might have been someone in the audience that was present to speak regarding the matter.

Mr. Owens stated this was a Preliminary PUD and was not open for a public hearing.

Mr. Martin stated this proposal meets the current policies for residential low medium density and the design is acceptable with minor conditions. The only reason this proposal was to be presented was because of the activity in Subarea 14. The Subarea 14 Plan is the first subarea to be updated and there are discussions going on which may lead to some areas in Pennington Bend being considered for nonresidential uses. At the time Subarea 14 Plan comes in, the Commission may be asked to deal with such issues.

Chairman Smith stated the Commission should reconsider their deferral and act on the proposal.

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

**Resolution No. 95-839**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 95P-026U is given **CONDITIONAL PRELIMINARY APPROVAL**. The following conditions apply:

1. Receipt of written confirmation of approval from the Stormwater Management and Traffic Engineering sections of the Department of Public Works.
2. Provision of cut and fill sections and calculations for the disturbed floodplain areas with the final plan submittal.
3. Recording of a final plat of subdivision which combines the two parcels as well as the posting of bonds as may be required for any necessary public improvements.
4. Compliance with the requirements of the Fire Marshal’s memo of September 27 at the time of final plan submittal.”

**OTHER BUSINESS:**

1. Visioning.

Mr. Owens reported to the Commission on the process and status of the Zoning Ordinance, the general nature of the comments received to date, the aspects of the code the committee has been focusing on and the schedule ahead.

2. FY 1995 Work Program - Budget Status Report.

Mr. Lawson explained in detail the 1995 Work Program and Budget Status Report and the process the staff used for the report.

3. APR Division Manager Contract for Jeff Ricketson.

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

**Resolution No. 95-840**

BE IT RESOLVED by the Metropolitan Planning Commission that a one year employment contract be approved for Mr. Jeff Ricketson as Advance Planning and Research Division Manager at a salary equivalent to Step 3, Grade GS-13 of the Metropolitan Pay Plan.

BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that moving expenses be approved up to \$3,500.00.

4. Legislative Update.

Ms. Dudley provided an update on the current legislative status of items previously considered by the Commission.

**PLATS PROCESSED ADMINISTRATIVELY**

September 21 through October 18, 1995

95S-247U      Asheford Crossing, Lots 195 & 196  
Plat relocates the common line between two lots.

95S-284G      Walter Wells Property  
Plat divides one lot into two.

95S-290U      Autozone, Charlotte Pike  
Plat divides one lot into two.

95S-295G      Burris & Smith Property  
Plat reconfigures two lots.

95S-296G      Reeder Subdivision  
Plat reconfigures two lots.

95S-305U      Taco Bell No. 2, Resubdivision, Lot 2  
Plat divides one lot into two.

95S-306U      West Grove, Resubdivision, Lots 92 & 93  
Plat relocated the common line between two lots.

**ADJOURNMENT:**

There being no further business, upon motion made, seconded and passed, the meeting adjourned at 5:00 p.m.

---

Chairman



---

Secretary

Minute Approval:  
This 2nd day of November, 1995