

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

Date: Thursday, November 30, 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

**Absent:**

Mayor Philip Bredesen  
Stephen Smith

**Also Present:**

Executive Office:

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

**Current Planning and Design Division:**

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

**Advance Planning and Research Division:**

Jeff Ricketson, Planning Division Manager  
Deborah Fleming, Planner III  
Marie Darling, Planner I  
Jerry Yuknavage, Planner I

**Community Plans Division:**

Jerry Fawcett, Planning Division Manager  
Gary Dixner, Planner III

**Others Present:**

Leslie Shechter, Department of Law

Chairman Smith called the meeting to order.

## **ADOPTION OF AGENDA**

Mr. Owens announced item 84-87-P, a request to cancel a portion of a PUD had been withdrawn and that would also cancel the public hearing.

Mr. Manier asked if there was any explanation for that withdrawal.

Mr. Owens stated the petitioner was reconsidering the concept, and was asking for the deferral for that reason. Mrs. Owens stated the staff was prepared to recommend approval of the PUD plan submitted.

Mr. Owens also announced that in Proposal 95P-024U the caption should be changed from 12 single-family homes to 11 single-family homes.

With all changes noted, Mr. Lawson moved and Mr. Bodenhamer seconded the motion, which unanimously passed, to adopt the agenda.

## **ANNOUNCEMENT OF DEFERRED ITEMS**

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

95Z-115G	Deferred indefinitely, requested by applicant.
95Z-116U	Deferred until January 11, 1995, requested by applicant.
95P-034U	Deferred until January 11, 1995, requested by applicant.
68-85-P	Deferred two weeks, requested by applicant.
95S-342A	Deferred two weeks, requested by applicant.
199-83-U, Phase Four	Deferred two weeks, requested by staff.
199-83-U, Section Five	Deferred two weeks, requested by staff.
93P-006U	Deferred two weeks, requested by staff.

Mr. Owens stated that Mr. Ken Johnson, owner of the property has asked the Commission to defer Proposal 57-78-G, John Davis Development, because Councilman Dillard was not able to attend today's meeting and Mr. Johnson prefers that Councilman Dillard be present when the Commission hears this PUD.

Mr. Owens read a letter from Councilman Dillard, addressed to the Commission, agreeing with the staff's recommendation of disapproval of this proposal.

Mr. Owens suggested that when this comes up on the agenda, the Commission could decide at that time whether they would like to act on this proposal today or to defer.

Mr. Lawson moved and Ms. Jernigan seconded the motion, which carried unanimously, to defer the items listed above with the exception of 57-78-G.

## **APPROVAL OF MINUTES**

Mr. Manier moved and Ms. Jernigan seconded the motion, which unanimously passed, to approve the minutes of the regular meeting of November 16, 1995.

## **RECOGNITION OF COUNCILMEMBERS**

No Councilmembers were present.

## **ADOPTION OF CONSENT AGENDA**

Mr. Lawson moved and Mr. Bodenhamer seconded the motion, which was passed unanimously, to approve the following items on the consent agenda:

**APPEAL CASES:**

**Appeal Case No. 95B-214G**

Map 52, Parcel 10  
Map 62, Part of Parcels 72, 41 and 148  
Subarea 14  
District 15

A request for a conditional use permit under the provisions of Section 17.124.060 (Extensive Impact) as required by Section 17.24.030 to develop an 18 hole golf course, club house, maintenance building and cart storage facility within the AR2a District, on property abutting the north margin of Barton Lane and Pennington Bend Road (approximately 179 acres), requested by Terry Properties, for E. L. Strasser, Jr. and Sisters of Mercy of Nashville, Inc., appellant/owner. **(See PUD Proposal No. 88P-002G).**

**Resolution No. 95-944**

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 95B-214G to the Board of Zoning Appeals:

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

**Appeal Case No. 95B-216U**

Map 150-9, Parcel 115  
Subarea 13  
District 29

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 1,500 square foot single family residence within the R10 District, on property abutting the southwest margin of Kinwood Drive, approximately 120 feet west of Kinwood Court (.44 acres), requested by Charles Stumph, for Fox Ridge Homes/C & S Builders, appellant/owner.

**Resolution No. 95-945**

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 95B-216U to the Board of Zoning Appeals:

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

**ZONE CHANGE PROPOSALS:**

**Zone Change Proposal No. 95Z-121U**

Map 58, Parcel 150.2  
Subarea 3  
District 1

A request to change from R40 District to R15 District certain property abutting the east margin of Clarksville Pike, approximately 2,000 feet north of Fairmeade Drive (.65 acres), requested by Wallace P. Burke, owner.

**Resolution No. 95-946**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 95Z-121U is **APPROVED**.

**The Subarea 3 land use policy for this area is residential ‘low medium’ density (up to 4 dwelling units per acre), which the R15 District will implement.”**

**PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:**

**Proposal No. 5-73-G**  
Music Valley PUD (Marriott Courtyard)  
Map 62, Parcels 171 and 115  
Subarea 14  
District 15

A request for final approval for a phase of the Commercial (General) Planned Unit Development District abutting the western terminus of Music City Circle (1.74 acres), to permit the development of a 94 unit motel, requested by Heibert and Associates, for Glenn Higdon, owner.

**Resolution No. 95-947**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 5-73-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 a final subdivision plat which combines parcels 171 and 115 on map 62.”

**Proposal No. 31-86-P**  
Whitworth (The Grove at Richland)  
Map 104-14, Parcel 312  
Subarea 10  
District 25

A request for final approval for a phase of the Residential Planned Unit Development District abutting the east margin of Elmington Avenue, south of Richardson Avenue (10.49 Acres), to permit the development of a 292 unit residential apartment complex, requested by Barge, Waggoner, Sumner and Cannon, for SWH Development L.P.

**Resolution No. 95-948**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 31-86-P 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 a revised final plat and the abandonment of existing sewer easements.”

**Proposal No. 88P-002G**  
Sisters of Mercy Convent  
Map 62, Parcel 148  
Subarea 14  
District 15

A request to revise the approved preliminary site development plan of the Residential Planned Unit Development District abutting the north margin of Pennington Bend Road, approximately 3,200 feet east of Lock Two Road (19.08 acres), to permit the widening and extension of an existing private drive through the PUD to allow access to a neighboring golf course, requested by Thomas, Miller, and Partners, for Sisters of Mercy Convent, owner. **(See Appeal Case No. 95B-214G).**

**Resolution No. 95-949**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 88P-002G is given **APPROVAL.**”

**Proposal No. 94P-016U**  
Williamsburg at Brentwood, Phase One  
Map 171, Part of Parcel 88  
Map 171-8, Parcel 34  
Subarea 12  
District 32

A request for final approval for Phase One of the Residential Planned Unit Development District abutting the south margin of Cloverland Drive and the west margin of Saddlewood Lane (5.88 acres), classified R40, to permit the development of 12 single-family lots, requested by Anderson-Delk and Associates, for Phillips Builders, owner. **(Also requesting final plat approval).**

**Resolution No. 95-950**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 94P-016U is given **CONDITIONAL FINAL APPROVAL FOR PHASE ONE, FINAL PLAT APPROVAL SUBJECT TO POSTING A BOND IN THE AMOUNT OF \$164,000.00.** 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 upon the posting of a bond in the amount of \$164,000.00 for road improvements as required by the Metropolitan Department of Public Works and water and sewer line extensions as required by the Metropolitan Department of Water and Sewer Services.
3. The recording of a boundary plat.”

**SUBDIVISIONS:**

**Final Plats:**

**Proposal No. 88P-046G**  
Poplar Ridge, Section Four  
Map 141, Part of Parcel 11  
Subarea 6  
District 35

A request to create 15 lots abutting both margins of Poplar Ridge Drive, approximately 185 feet south of Dove Valley Drive (3.17 acres), requested by Sunflower Properties, owner/developer, Wamble and Associates, surveyor. **(Deferred from meeting of 11/16/95)**

**Resolution No. 95-951**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 88P-046G, be **APPROVED** subject to posting a performance bond in the amount of \$121,825.00, and a \$2,310.00 contribution to the Coley Davis Road Improvement Fund.”

**Subdivision No. 95S-030G**  
High Valley Subdivision  
Map 159, Parcel 66  
(Subarea 10)  
(District 33)

A request to re-approve the creation of 17 lots abutting the west margin of Oman Drive, approximately 2,676 feet northeast of Granny White Pike (25.02 acres), classified within the R40 District, requested by McCohen Development, Inc., owner/developer, Ragan-Smith Associates, Inc., surveyor.

**Resolution No. 95-952**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 95S-030G, be **APPROVED** subject to posting a performance bond in the amount of \$535,000.00.”

**Subdivision No. 95S-343A**  
West Meade Hills, Section Five, Lot 156  
Map 115-5, Parcel 53  
Subarea 7  
District 23

A request to remove the reserve status on a parcel abutting the east margin of Pennywell Drive, approximately 447 feet northwest of Rodney Drive (.99 acres), classified within the RS40 District, requested by Davidson Road Corporation, owner/developer, Lose and Associates, Inc., surveyor.

**Resolution No. 95-953**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 95S-343A, be **APPROVED.**”

**Subdivision No. 95S-356U**  
Woodmont Estates, Block 7  
Resubdivision of Lots 1, 2 and 3  
Map 117-5, Parcel 159  
Map 117-9, Parcel 42  
Subarea 10  
District 25

A request to subdivide three lots into two lots abutting the southwest corner of Woodmont Boulevard and Wimbledon Road (2.78 acres), requested by William F. and Alice W. Meacham, owners/developer, Campbell, McRae Associates Land Surveying, Inc., surveyor.

**Resolution No. 95-954**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 95S-356U, be **APPROVED.**”

**Request for Bond Extension:**

**Subdivision No. 103-79-G**  
Riverfront Shopping Center, Section Two, Lot 3  
Riverfront Development Limited Partnership, principal

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

**Resolution No. 95-955**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of the performance bond for Subdivision No. 103-79-G, Bond No. 94BD-062, Riverfront Shopping Center, Section Two, Lot Three, until March 1, 1996, as requested, in the amount of \$5,000.00."

**Subdivision No. 177-80-U**  
Bell Crest, Section One  
William L. Rudolph, principal

Located abutting the east margin of Hickory Park Drive, approximately 75 feet south of Hickory Court Park East.

**Resolution No. 95-956**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of the performance bond for Subdivision No. 177-80-U, Bond No. 94BD-023, Bell Crest, Section One, until March 1, 1996, as requested, in the amount of \$7,000.00."

**Subdivision No. 44-81-U**  
Villages of Brentwood, Phase Twelve  
Fox Ridge Homes, Inc., principal

Located abutting the south terminus of Village Trace, approximately 115 feet south of Village Way.

**Resolution No. 95-957**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 44-81-U, Bond No. 93BD-095 Villages of Brentwood, Phase Twelve, in the amount of \$5,000.00, as requested."

**Subdivision No. 117-83-U**  
Music City Outlet Center  
Factory Stores of America, principal

Located abutting the north margin of McGavock Pike, approximately 800 feet west of Music City Drive.

**Resolution No. 95-958**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of the performance bond for Subdivision No. 117-83-U, Bond No. 83BD-007, Music City Outlet Center, until March 1, 1996, as requested, in the amount of \$9,000.00."

**Subdivision No. 130-85-P**  
Northside Festival  
Nashvest Associates, L.P., principal

Located abutting the southwest corner of Gallatin Pike and Northside Drive.

**Resolution No. 95-959**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of a performance bond for Subdivision No. 130-85-P, Bond No. 95BD-043, Northside Festival, until March 1, 1996, as requested, in the amount of \$161,200.00, said approval being contingent upon submittal of a letter by January 4, 1996 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. 20-86-P**

Barton Vale

Barton Development Corporation, principal

Located abutting the north margin of Old Hickory Boulevard, approximately 940 feet east of Thrible Springs Drive.

**Resolution No. 95-960**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of the performance bond for Subdivision No. 20-86-P, Bond No. 93BD-051, Barton Vale, until March 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the amount of \$5,000.00 by January 4, 1996 and extending the expiration date to September 1, 1996. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

**Subdivision No. 31-86-P**

Grove at Whitworth

HSW Whitworth I, L.P., principal

Located abutting the northeast margin of Elmington Avenue, approximately 335 feet southeast of Richardson Avenue.

**Resolution No. 95-961**

"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-043, Grove at Whitworth, until March 1, 1996, as requested, in the full amount of \$10,400.00."

**Subdivision No. 86P-100U**

Brentwood Glen

Mrs. A. T. Simpson, principal

Located abutting the west margin of Edmonson Pike, approximately 1,800 feet south of and opposite Huntington Parkway.

**Resolution No. 95-962**



"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of the performance bond for Subdivision No. 86P-100U, Bond No. 89BD-001, Brentwood Glen, until June 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the increased amount of \$12,500.00 by January 4, 1996 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. 102-86-P**  
Riverside, Phase One-B  
Rochford Realty and Construction Company,  
Inc., principal

Located abutting the south side of Northridge Drive, opposite Glenleigh Court.

**Resolution No. 95-963**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of the performance bond for Subdivision No. 102-86-P, Bond No. 90BD-023, Riverside, Phase One-B, until June 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the amount of \$2,850.00 by January 4, 1996 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. 102-86-P**  
Riverside, Phase Two  
Rochford Realty and Construction Company,  
Inc., principal

Located abutting both margins of Glenridge Drive, approximately 145 feet south of Northridge Drive.

**Resolution No. 95-964**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of the performance bond for Subdivision No. 102-86-P, Bond No. 86BD-010, Riverside, Phase Two, until June 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the amount of \$56,500.00 by January 4, 1996 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. 7-87-P**  
Haywood Oaks, Phase One  
Duke Construction Management, Inc., principal

Located at the south terminus of Linbar Drive.

**Resolution No. 95-965**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of a performance bond for Subdivision No. 7-87-P, Bond No. 89BD-006, Haywood Oaks, Phase One until June 1, 1996, as requested, in the amount of \$15,000.00, said approval being contingent upon submittal of a letter by January 4, 1996 from the American Motorist Insurance Company agreeing to the extension. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

**Subdivision No. 78-87-P**

Fredericksburg, Section Four  
Radnor Homes, Inc., principal

Located abutting the south margin of Fredericksburg Way and both margins of Potomac Lane.

**Resolution No. 95-966**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of a performance bond for Subdivision No. 78-87-P, Bond No. 94BD-042, Fredericksburg, Section Four, until March 1, 1996, as requested, in the amount of \$50,000.00, said approval being contingent upon submittal of a letter by January 4, 1996 from the 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. 88P-067G**  
Brandywine Pointe, Phase Twelve, Section One  
Brandywine Pointe Partners, L.P., principal

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

**Resolution No. 95-967**

"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-079, Brandywine Pointe, Phase Twelve, Section One, until June 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the amount of \$13,000.00 by January 4, 1996 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. 88S-433U**  
Wrightwood Estates, Section One, Revised  
John K. Wright, principal

Located abutting the east terminus of Fairmeade Court, approximately 252 feet east of Fairmeade Court.

**Resolution No. 95-968**

"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-433U, Bond No. 89BD-019, Wrightwood Estates, Section One, until June 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the amount of \$23,000.00 by January 4, 1996 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. 89P-017G**  
Bradford Hills, Section Fourteen  
J & Y, L.P., principal

Located abutting the north terminus of Cody Hill Road, approximately 100 feet north of Scout Drive.

**Resolution No. 95-969**

"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. 93BD-073, Bradford Hills, Section Fourteen, until March 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the amount of \$5,000.00 by January 4, 1996 and extending the expiration date to September 1, 1996. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

**Subdivision No. 92P-008G**  
Addition to Breelan Park, Section One  
The Meadows Group, principal

Located abutting the south terminus of Saddlewood Lane.

**Resolution No. 95-970**

"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. 94BD-046, Addition of Breelan Park, Section One, until March 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the amount of \$7,000.00 by January 4, 1996 and extending the expiration date to September 1, 1996. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

**Subdivision No. 92P-010G**  
Ottershaw Subdivision  
Ottershaw Development Company, Inc., principal

Located abutting the east margin of Granny White Pike, approximately 1,546 feet north of Old Hickory Boulevard.

**Resolution No. 95-971**

"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-010G, Bond No. 93BD-040, Ottershaw Subdivision, until June 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the amount of \$58,000.00 by January 4, 1996 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-006U**  
Montgomery Place, Phase Two  
Radnor Homes, Inc., principal

Located on the south margin of Old Hickory Boulevard, approximately 745 feet west of Copperfield Way.

**Resolution No. 95-972**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of a performance bond for Subdivision No. 93P-006U, Bond No. 94BD-071, Montgomery Place, Phase Two, until June 1, 1996, as requested, in the amount of \$18,000.00, said approval being contingent upon submittal of a letter by January 4, 1996 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. 93P-011G**  
Holt Woods, Section One

Hurley-Y, L.P., principal

Located abutting both margins of Call Hill Road, approximately 436 feet south of Roundhill Drive.

**Resolution No. 95-973**

"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. 94BD-025, Holt Woods, Section One, until March 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the amount of \$54,000.00 by January 4, 1996 and extending the expiration date to September 1, 1996. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

**Subdivision No. 93S-141U**  
Adkisson Estates  
Billy D. Morton, Jr., principal

Located abutting the east terminus of Adkisson Lane, approximately 490 feet east of Templeton Drive.

**Resolution No. 95-974**

"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-141U, Bond No. 95BD-072, Adkisson Estates, until March 1, 1996, as requested, in the amount of \$7,500.00."

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

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

**Resolution No. 95-975**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of the performance bond for Subdivision No. 94S-308U, Bond No. 95BD-033, James W. McClendon (water), until March 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the amount of \$5,000.00 by January 4, 1996 and extending the expiration date to September 1, 1996. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

**Request for Bond Release:**

**Subdivision No. 134-84-G**  
Devon Glen, Phase Two  
MME Limited Partnership, principal

Located abutting the northeast terminus of Glenway Drive, approximately 550 feet northeast of Devon Valley Drive.

**Resolution No. 95-976**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 134-84-G, Bond No. 84BD-007, Devon Glen, Phase Two, in the amount of \$15,000.00, as requested."

**Subdivision No. 134-84-G**  
Devon Valley, Phase Two  
MME Limited Partnership, principal

Located abutting the northeast terminus of Devon Valley, approximately 700 feet northeast of Glenway Drive.

**Resolution No. 95-977**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 134-84-G, Bond No. 84BD-008, Devon Valley, Phase Two, in the amount of \$12,500.00, as requested."

**Subdivision No. 7-87-P**  
Haywood Oaks, Phase Three  
Duke Realty Ltd. Partnership, principal

Located abutting the west margin of Linbar Drive, approximately 1,965 feet south of Wallace Road.

**Resolution No. 95-978**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 7-87-P, Bond No. 95BD-039, Haywood Oaks, Phase Three, in the amount of \$91,000.00, as requested."

**Subdivision No. 93S-146G**  
WDC Subdivision  
WDC Properties Limited Partnership, principal

Located abutting the east margin of Dickerson Pike, approximately 400 feet north of Due West Avenue.

**Resolution No. 95-979**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 93S-146G, Bond No. 93BD-057, WDC Subdivision, in the amount of \$16,800.00, as requested."

**Subdivision No. 94S-344U**  
Priest Lake Investments  
Priest Lake Investments, G.P., principal

Located abutting the southwest margin of Murfreesboro Road and the north margin of Forest View Drive.

**Resolution No. 95-980**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 94S-344U, Bond No. 94BD-113, Priest Lake Investments, in the amount of \$8,200.00, as requested."

**Subdivision No. 94S-406G**  
Mill Stream Subdivision

William H. Thompson, Jr., principal

Located abutting the west margin of Whites Creek Pike, approximately 1,444 feet north of Old Hickory Boulevard.

**Resolution No. 95-981**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond for Subdivision No. 94S-406G, Bond No. 95BD-017, Mill Stream Subdivision, in the amount of \$3,000.00, as requested."

**MANDATORY REFERRALS:**

**Proposal 95M-104U**

Encroachments at 800 Harrison Street  
Map 93-1  
Subarea 9  
District 20

A mandatory referral from the Department of Public Works proposing the installation of a pipe bridge over the right-of-way of Harrison Street approximately 200 feet west of Tenth Avenue North and the installation of ten light fixtures over the sidewalk at 800 Harrison Street, requested by Mac Holt, for United States Tobacco Manufacturing Company (**Deferred from Meeting of 11/16/95**).

**Resolution No. 95-982**

"BE IT RESOLVED by the Metropolitan Planning Commission that it APPROVES Proposal No. 95M-104U.

**Proposal No. 95M-111U**

Surplus Property - 716 Shelby Avenue  
Map 93-4, Parcel 32  
Subarea 5  
District 6

A mandatory referral from the Finance Department's Division of Public Property Administration to sell surplus property located at 716 Shelby Avenue in East Nashville.

**Resolution No. 95-983**

"BE IT RESOLVED by the Metropolitan Planning Commission that it APPROVES Proposal No. 95M-111U.

**Proposal No. 95M-112U**

Old Mount View Road and  
Old Franklin Road Easement Abandonments  
Maps 163 and 174  
Subarea 13  
District 28

A request to abandon portions of the public utility and drainage easements retained in the former rights-of-way of Old Mount View Road and Old Franklin Road which were closed by Ordinance O92-171, requested by Angela L. Duncan, Gresham, Smith and Partners, for American General Land Development.

**Resolution No. 95-984**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-112U.

**Proposal No. 95M-115U**

Brick Church Pike Right-of-Way and Easements  
Map 60-2, Portion of Parcel 4  
Subarea 3  
District 2

A mandatory referral from the Finance Department's Division of Public Property Administration to sell property located on the west side of Brick Church Pike north of Ewing Drive to the State of Tennessee in conjunction with the construction of Project No. 19108-2704-54.

**Resolution No. 95-985**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES** Proposal No. 95M-115U.

This concluded the items on the consent agenda.

**ZONE CHANGE PROPOSALS:**

**Zone Change Proposal No. 95Z-122G**

Map 114, Parcel 316 (formerly the lower part of parcel 41)  
Subarea 6  
District 23

A request to change from R2a District to R15 District certain property (with no road frontage) approximately 800 feet south of Old Charlotte Pike and 550 feet west of Sawyer Brown Road (6.552 acres), requested by Jesse E. Walker (Walker Engineering) for Eric and Wayne Crafton, owners.

Mr. Reid stated this overall area was characterized by a combination of steep hillsides and moderately steep to flat hilltops. Today there is existing R15 zoning along Sawyer Brown Road all the way to Charlotte Pike. There is R2a zoning to the west of the R15 zoning. The applicant desires to rezone the R2a property, which is partly on a hilltop and combine it with an existing R15 zoned property to develop a single family subdivision. The overall area is designated as a conservation area in the subarea plan due to the presence of some steep topography. The conservation policy suggests that development be directed toward more suitable locations on hilltops and in valleys so the hillsides can be protected. This is why conservation policies suggest that densities be restricted to the lower end of the density scale when there is steep topography. The R15 district is not the ideal choice to implement conservation policy.

Commissioner Ann Nielson arrived at this point in the agenda.

The more ideal choice would be R2a zoning given the particular circumstances of this area. If this whole area were zoned R2a, the best development approach to protect the hillside would be through the use of a

PUD which is the most prevalent method of dealing with hillsides in the Bellevue area today. However, the fact is that R15 zoning exists on the rougher topography today and has been in place since 1974. The applicant contends that there is R15 zoning on the worst part of the property and asked if the zoning could be expanded onto the hilltop, which is the better part of the property. It is hard to argue against this logic, given the prevalence of R15 zoning on the steepest part of this overall area. He pointed out concerns that if this property were to be rezoned R15 that it may spread to other property that is zoned R2a with steep hillsides in this area and in similar areas in Bellevue. There are very few environmental regulations in the base zones in the current code, which is why there is so much reliance on PUDs in the Bellevue area. Staff will recommend a PUD be used.

Mr. Jesse Walker stated they had addressed the staff's comments and were proposing in the vicinity of two lots per acre to protect the steep slopes. He stated the average size lot would be approximately one acre and that they had a reasonable plan. He stated that Public Works staff did not think there would be any major problem. Given the fact that the other piece of property had been zoned R15 for so long he requested the Commission grant the zone change.

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

**Resolution No. 95-986**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 95Z-122G is **APPROVED**:

**The Subarea 6 Plan land use policy for this area is residential 'low medium' density policy (up to 4 dwelling units per acre), which the R15 District will implement. The Commission determined that it is appropriate to extend the adjacent R15 district onto this hilltop property."**

**PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:**

**Proposal No. 57-78-G**  
John Davis Development  
Map 43-11, Parcels 142-144  
Subarea 4  
District 9

A request to revise the approved final site development plan for the Commercial (General) Planned Unit Development District abutting the north margin of State Route 45 and the west margin of Myatt Drive (.56 acres), to permit the addition of a 720 square foot storage trailer, requested by and for Ken Johnson, owner. **(Deferred from meeting of 11/16/95).**

Mr. Martin announced this was the item that Councilman Dillard had written the letter on in support of staff's recommendation to disapprove and that had been requested for deferral by the applicant. This is an old commercial PUD that was approved in 1978 for the specific use as a ceramic studio and shop. That was the specific and only use it was approved for. The applicant has moved a trailer onto the site for storage purposes and has come forward with this request to legitimize that trailer. Staff has recommended disapproval because they feel this PUD was structured so tightly and narrowly that it would be inappropriate to intensify the use with this approval.

Chairman Smith stated that Mr. Johnson had asked to appear before the Commission.



Mr. Johnson stated he had asked that his item be deferred at this meeting because he was not prepared to fully present this item today. He said he thought it had been deferred until he received a call that morning saying it was not.

Chairman Smith stated that if he had not asked to speak the Commission would have automatically deferred the item.

Mr. Johnson stated he wanted the item deferred.

Mr. Lawson moved and Ms. Nielson seconded the motion, which carried unanimously, to defer this item two weeks.

Mr. Johnson stated that he had owned this property since 1982 and had not been able to use the property or been able to get it rezoned. Ceramics went out in the early eighties and there is nothing that can be done with that property that he is paying commercial taxes on. He stated the trailer was not a mobile home with a kitchen but that it was an office type portable trailer with wheels on it that can be moved.

Councilman Clifton stated the trailer should be moved if it is not legal.

**Proposal No. 89P-003G**  
Still Springs Ridge  
(Part 2 of Still Springs Hollow)  
Map 128, Parcels 36 and 74  
Map 142, Part of Parcel 305  
Subarea 6  
District 23

A request to amend the approved Residential Planned Unit Development District abutting the east margin of Hicks Road, approximately 1,400 feet north of the Memphis-Bristol Highway, (83.56 acres), classified R20, to add land area for an additional 100 single-family lots and a 10,000 square foot private recreation facility, requested by Barge, Waggoner, Sumner and Cannon, Inc., for Greater Middle TN Development Partnership, owner.

**Proposal No. 93P-017G**  
Hicks Road Development  
Map 128, Parcel 36  
Subarea 6  
District 23

A request to cancel the approved Residential Planned Unit Development District abutting the east margin of Hicks Road, approximately 1,400 feet north of the Memphis-Bristol Highway (41.76 acres), requested by Barge, Waggoner, Sumner and Cannon, Inc., for Greater Middle TN Development Partnership, owner.

Mr. Martin suggested the Commission hear the two items listed above together because they are related. He stated one item is a request to cancel an existing PUD which would necessitate a public hearing. Mr. Martin stated the applicant is proposing to add 38.5 acres and 100 single family residential lots to an existing PUD. He stated staff approved of the concept because it better utilized the flatter ridge tops for development. In order to increase the number of lots on the flatter hilltops, the applicant was canceling a previously approved PUD which allowed 33 single family residential lots in a very narrow stream valley encumbered with severe slope and soil stability problems. In lieu of the 33 lots in the stream valley, the proponents was proposing a private recreational facility in this location. Mr. Martin stated the staff recommended approval of both petitions.

No one was present to speak at the public hearing.

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

**Resolution No. 95-987**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 89P-003G is given **CONDITIONAL APPROVAL AS AN AMENDMENT REQUIRING COUNCIL CONCURRENCE**. 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. At the time of the submittal of the final PUD, the applicant shall file a plat of subdivision which combines the parcels into a single parcel and a Boundary Plat which defines the revised Planned Unit Development District.
3. All lots shall be designated ‘Critical Lots,’ and site plans for each lot shall be filed and reviewed as set out in the Subdivision Regulations.
4. At the time of submittal of the final PUD, the applicant shall provide a geotechnical study which addresses the potential stability of all areas to be disturbed by the proposal. This geotechnical study shall specifically address the potential for slippage or landslide, erosion, suitability of materials for engineered construction and the remedial measures recommended to alleviate such shortcomings.
5. Receipt of revised preliminary plans which remove Alternate Plan #2, corrects the tabular data accordingly and lessens the gradient at the end of the east-west roadway atop the ridge to meet the requirements of the Subdivision Regulations.
6. The existing road system shall not be extended to serve over 200 lots.”

“BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that Proposal No. 93P-017G is given **APPROVAL FOR CANCELLATION**.

**Proposal No. 95P-024U**  
(Council Bill No. O95-50)  
Carter’s Glen  
Map 142, Parcel 69  
Map 142-10, Parcel 27  
Subarea 6  
District 35

A request to grant preliminary approval for a Residential (Reduced Site Size) Planned Unit Development District abutting the southeast margin of Old Harding Pike and Bellevue Road (2.74 acres), classified R15, to permit the development of 11 single-family cluster lots, requested by Wamble and Associates, for Joel Wilson, owner.

Mr. Martin stated this proposal was referred back to the Commission from Council. The plan that was approved on August 28, was a proposal for 11 lots and had the access taken from Bellevue Road and had broad easements for protection of tree frontage and limited driveway cuts on Bellevue Road. The applicant met with neighbors and the Council representative and agreed to modify the plan to better suit the neighborhood. Instead of having a local road that would serve the lots from Bellevue Road the applicant agreed to move the roadway to Old Harding Pike and provide a greater tree protection easement and no driveway cuts on Bellevue Road. This plan basically retains the positive aspects of the previous plan. Staff was concerned about the issue of traffic and addressed this issue with the traffic engineer. The proposed

plan is not likely to cause any operational problems according to the Metro traffic engineer. Staff recommended approval.

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

**Resolution No. 95-988**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 95P-024U 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. Recording of a Boundary Plat before any final plat approval.”

**Proposal No. 95P-037G**  
Hampton Hall  
Map 98, Parcels 18, 37, 116, 131 and 151  
Subarea 14  
District 12

A request to grant preliminary approval for a Residential Planned Unit Development District, abutting the east margin of New Hope Road, opposite Port Jamaica Drive ( 58.33 acres), classified RS15, to permit the development of 170 single family lots, requested by Anderson-Delk, for Phillips Builders.

Mr. Martin stated this proposal met the requirements of the RS15 PUD. The applicant has agreed to work with Public Works in helping alleviate some regional flooding problems in the area. The roadway system contacts New Hope Road opposite Port Jamaica Drive and comes into the site and feeds the roadway at the eastern end of the property that would give a link to the south for future expansion or improvement of Bell Road. This was removed from the consent agenda to remind the Commission that this proposal is in the old Cumberland Utility District and Water Services stated they do not have adequate background data to fully say that they have adequate sewer capacity. They are willing for this to go forward with a condition that it should not have its third and final reading in Council until they can verify sewer capacity.

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

**Resolution No. 95-989**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 95P-037G is given **CONDITIONAL APPROVAL**. The following conditions apply:

1. The Metropolitan Council is advised that the ordinance authorizing this proposal should not be passed on third reading unless the Department of Water Services has issued a letter confirming sanitary sewer capacity for the 170 lots.
2. Filing of a plat of subdivision which combines the five parcels into a single entity.
3. Recording of a boundary plat prior to any final plat approval.”

**SUBDIVISIONS:**

**Preliminary Plats:**

**Subdivision No. 94S-291G (Public Hearing)**

Burning Bush  
Map 174, Part of Parcel 96  
Subarea 12  
District 31

A request to create 141 lots abutting the southeast corner of Old Franklin Road and Cane Ridge Road (63.79 acres), classified within the RS10 District, requested by Paul E. Johnson, owner/developer, Anderson-Delk and Associates, Inc., surveyor.

Mr. Henry stated this matter was approved by the Commission last year and at that time it was proposing a cul-de-sac of one street but now have continued that street through to Old Franklin Road. There are now two points of ingress/egress to this subdivision and staff believes that improves the circulation within the subdivision. When the subdivision was considered a year ago, concern was expressed whether or not the proposed southeast arterial, currently being studied by a consultant group, would impact this subdivision. In discussions with that consultant, staff has found that the proposed southeast arterial as it intersects with Interstate 40 will avoid this subdivision entirely. Staff is recommending approval.

No one was present to speak at 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. 95-990**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that the Plan of Subdivision No. 94S-291G, be given **PRELIMINARY APPROVAL.**”

**Subdivision No. 95S-205G (Public Hearing)**

Fox Hollow Farms, Section One  
Map 177, Parcels 10 and 13  
Map 178, Part of Parcel 69 and Parcel 71  
Subarea 6  
District 35

A request to create 24 lots abutting the west margin of State Route 96, opposite Old Harding Pike (approximately 175 acres), classified within the AR2a District, requested by Duke and Company, owners/developers, Crawford Land Surveyors, surveyor. **(Also requesting final plat approval).**

Mr. Henry stated this subdivision is located just south of Highway 100. It is served by a private driveway off of Highway 96 that has already been constructed and goes up into a valley and actually ends at the Williamson County line.

This subdivision began development in 1993. Both the Planning Commission and Codes Administration advised that this property would not have to go through the platting process because each lot was going to be five acres or greater in size. Large acreage lots were recorded and building permits were issued for six houses.

Two years later, after the sixth house was constructed, the Legal Department advised that the property should be platted, and advised Codes Administration not to issue any more building permits until the Planning Commission could consider subdivision approval for the lots. Staff stated the Legal Department

advised property must undergo the platting process even though the lots are greater than five acres in size if there are utilities being extended to the subdivision. Staff stated utilities were provided in this subdivision.

Mr. Henry stated that a variance was required in the number of lots that were to be served by a private road. He stated the subdivision regulations allowed up to ten lots to be served from a private road. This subdivision was proposing 24 lots, and further indicated another 13 lots could be proposed in the future. Mr. Henry suggested that the Commission grant this variance so long as the private road is built with base and pavement thickness equal to those required for public streets. He stated the developer had agreed to these conditions.

Mr. Glen Duke, owner, stated he came to the Planning Commission in 1993 with a master plan for Fox Hollow Farms which at that time encompassed approximately one hundred and seventy-five acres for thirty-seven five acre lots, three of which would be in Williamson County. He asked at that time if he should come before the Commission for subdivision approval. He said he was told the development was exempt because all of the lots were five acres or larger. He met with staff on at least two other occasions to address this issue again because it continued to arise during the planning of the project. Finally, he asked for the Planning Commission staff to issue a letter, which they did, which said the subdivision was exempt from residential subdivision regulations.

All of the roadways are now constructed with an eight inch base, a two inch binder and an inch and a half topping. In a meeting with staff earlier when he was asked if he would comply with the private street standards in expanding the binder to twenty-three feet he said he agreed to do that. If this had been taken care of two years ago it would have cut down on many of the problems. In regards to future maintenance of the road, there is a set of restrictive covenants that are in place and have been recorded and there is a homeowners association that is involved. The developers will continue to maintain the roadway until seventy-five percent of the homes have been built and at that time the developer will fund to the neighborhood association a sufficient amount of money to put the topping down.

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

**Resolution No. 95-991**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that the Plan of Subdivision No. 95S-205G, be given **PRELIMINARY AND FINAL APPROVAL with a variance to the number of lots on a private street, subject to construction of private streets at a 23 foot minimum width.**”

**Subdivision No. 95S-337U (Public Hearing)**  
Eastmoreland Place,  
Resubdivision of Lots 1, 69-72 and 83-86  
Map 71-15, Parcel 11  
Subarea 5  
District 5

A request to resubdivide one lot into eight lots and eight lots into one lot for property abutting the east margin of Dickerson Pike, between Marie Street and Lucille Street (3.99 acres), classified within the CS and R6 Districts, requested by Dickerson Road Associates, Inc., owner/developer, Bruce Rainey and Associates, surveyor. **(Also requesting final plat approval).**

Mr. Henry stated the large CS portion was being divided up into eight lots and the R6 District lot was being consolidated into one lot. Three commercial lots will face the residential street. The developer has not satisfied Water Services regarding the sewer capacity study so staff is recommending disapproval. The applicant is requesting deferral.

No one was present to speak at the public hearing.

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

**Subdivision No. 95S-347G (Public Hearing)**  
Madison Annex, Resubdivision of Lots 2 and 3  
Map 43-5, Parcels 37 and 38  
Subarea 4  
District 3

A request to subdivide two lots into two lots abutting the west margin of Gallatin Pike, approximately 640 feet south of Nesbitt Lane (1.78 acres), classified within the CG District, requested by Joe Corley, owner/developer, GCG Land Surveyors, surveyor.

Mr. Henry stated the two lots which extend from Gallatin Pike back to the railroad tracks are currently formed like all the other tracts along Gallatin Pike. The proponent is proposing to redraw the lot lines to widen one lot along Gallatin Pike, and to create a larger lot in the rear with a narrow (26.5 foot wide) frontage along Gallatin Road. Mr. Henry stated this lot configuration is called “flag” shaped lots and is discouraged. The subdivision regulations require a minimum of 50 feet of road frontage, which this plan does not meet. Mr. Henry stated the lots could maintain a configuration to meet the subdivision regulations, and the lot owners could apportion actual lot usage between them through easements. In staff’s review of this, there was no evidence of a reason for the subdivision line not to comply with the fifty foot requirement. Staff is recommending disapproval.

Mr. Bob Caine stated all that he was asking for was a variance on the road frontage because the fence is already up on the property and it would not adversely affect anyone because it is presently being leased as is and has been like this for over twenty years.

No one else was present to speak on this matter.

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

**Resolution No. 95-992**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that the Plan of Subdivision No. 95S-347G, be **DISAPPROVED since the variance requested was not supported by a finding of a hardship or practical difficulty in complying with The Subdivision Regulations.”**

**Subdivision No. 95S-352U (Public Hearing)**  
Cumberland Elementary Subdivision  
Map 69, Parcels 2, 3, 4 and 10  
Subarea 1  
District 1

A request to subdivide four lots into four lots abutting the west margin of Cato Road, approximately 802 feet north of Ashland City Highway (15.02 acres), classified within the R15 District, requested by Metropolitan Government of Nashville et al, owners/developers, H and H Land Surveying, Inc., surveyor. **(Also requesting final plat approval).**

Mr. Henry stated construction had begun on the new elementary school on this site. In order to enlarge this site, the School Board purchased the back portions of two lots which front Ashland City Highway and they also bought a portion of a large tract which abuts Briley Parkway. This subdivision is to create one large lot of fifteen acres for the School board. All departments reviewing this have approved and staff is recommending approval.

No one was present to speak at 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. 95-993**

“BE IT RESOLVED by the Metropolitan Planning Commission that the Plan of Subdivision No. 95S-352U, be given **PRELIMINARY AND FINAL APPROVAL.**”

**Subdivision No. 95S-353G (Public Hearing)**

Anna Rebecca Estates  
Map 127, Parcel 39  
Subarea 6  
District 23

A request to create five lots abutting the southwest margin of the Memphis-Bristol Highway, approximately 2,040 feet northwest of Hooten Hows Road (10.49 acres), classified within the R40 District, requested by Jeffrey R. and Lynn B. Hodges, owners/developers, Walker Engineering, surveyor. **(Also requesting final plat approval).**

Mr. Henry stated this proposal was to carve out four lots with frontage on U. S. Highway 70 and leaving behind a large tract for a building site. These lots will be on a private septic system and each is one acre or more and will be designated critical lots due to their slope. All have set aside property for future widening of Highway 70 as well as a reservation for scenic arterial space. Staff recommends approval.

No one was present to speak at the public hearing.

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

**Resolution No. 95-994**

“BE IT RESOLVED by the Metropolitan Planning Commission that the Plan of Subdivision No. 95S-353G, be given **PRELIMINARY AND FINAL APPROVAL.**”

**Final Plats:**

**Subdivision No. 95S-308U**

River Meadows, Section One  
Map 80, Part of Parcel 52  
Subarea 3  
District 2

A request to create 13 lots abutting the southeast margin of Hinkle Drive, approximately 120 feet east of Leawood Drive (3.75 acres), classified within the R8 District, requested by Ozburn-Hessey Storage Company, owner/developer, Young and Associates, surveyor. **(Deferred from meetings of 11/02/95 and 11/16/95).**

Mr. Henry stated that some of the problems that have kept the subdivision from being approved have been resolved. Water Services has approved the plans and have also issued a bond estimate. The problem still remains with the drainage calculations. They have not been provided to Public Works and they are unable

to provide a bond estimate without those drainage calculation worksheets. Staff if recommending disapproval because inadequate progress is being made to supply needed information.

Mr. Bodenhamer asked if this was the property the church was going to build on when the Commission was talking about the Greenways?

Mr. Henry stated it was but unfortunately it was very slow.

Mr. Browning stated there were no concept issues here; it is just detail issues.

Mr. Henry stated staff was in favor of the subdivision because it was the first that had a greenway easement proposed, but unfortunately they did not do the technical requirements necessary to approve the subdivision.

Ms. Jernigan asked why the Commission could not just defer the item.

Mr. Browning reminded the Commission this matter had been deferred since November the 2nd and these things tend to remain stacked up in each department's files.

Mr. Lawson moved and Ms. Nielson seconded the motion, which carried unanimously, to defer the above matter for two meetings.

Commissioner Lawson and Councilman Clifton left at this point in the agenda.

**Subdivision No. 95S-341U**  
Perry Subdivision  
Map 49, Parcel 183  
Subarea 3  
District 1

A request to subdivide two lots into two lots abutting the northeast margin of Whites Creek Pike, approximately 2,070 feet northwest of Green Lane (1.48 acres), classified within the R10 District, requested by Elmer and Jane Perry, owners/developers, H and H Land Surveying, surveyor.

Mr. Henry stated the existing lot was proposed to subdivide allowing a twenty foot wide access road off of Whites Creek Pike to the rear of this property, which is very hilly, creating a second lot in the back for residential building. The Board of Zoning Appeals has already varied the minimum street frontage requirement from 50 feet to 20 feet for that small access road and the Commission is being asked to approve the same variance to the subdivision regulations as well as to vary the four to one ratio in the subdivision regulations which pertain of the ratio to the width to the depth of the site. There are very deep lots in this area and it is very hilly terrain and staff can see no other means of reasonable subdivision of that property. Staff recommends approval of both variances.

Mr. Manier asked if this was another situation where there is R10 zoning and it should not be.

Mr. Henry said he did not know what the Subarea 3 land use policy was for that area.

Mr. Owens stated there was a rather mixed topography out in this area. In fact it is not far from an industrial policied area just to the south and just to the north is a commercial and residential PUD that has been approved for years.

Chairman Smith stated it looked like the Commission would be leaving themselves open for all kinds of houses next to a little driveway which may or may not be maintained.



Mr. Henry stated the land use policy was residential medium-medium high and the zoning that exists is conforming to the long range land use policy.

Chairman Smith asked if there was a photograph or a larger scale drawing of the area.

Mr. Henry stated staff did not have that information.

Mr. Browning stated this matter could be deferred for two weeks and the staff could gather that information for the Commission.

Ms. Nielson moved and Mr. Harbison seconded the motion, which carried unanimously, to defer the above item for two weeks.

**Subdivision No. 95S-344U**

The White Property  
Map 131-8, Parcel 84  
Subarea 10  
District 33

A request to subdivide a lot into two lots abutting the east margin of Granny White Pike, approximately 115 feet north of Lipscomb Drive (1.78 acres), classified within the R20 District, requested by Taylorm, Jason L. and Ellary W. White, owners/developers, Campbell, McRae Associates Land Surveying, Inc., surveyor.

Mr. Henry stated there was a house on this site which would remain on one lot and there are two accessory buildings, a garage and an out building which will have to be torn down with the creation of the new lot. Accessory buildings cannot remain on a lot unless there is a principle building on the lot. A demolition bond has been provided as estimated by the Codes Administration.

When applying comparability to the subdivision of this property in relation to surrounding property both lot area and frontage are tested. Lot area compares equally to other properties in the area but lot frontage falls just a little short of the average. A 100 foot wide lot is proposed at the street and the average is 107 feet. There are also two 100 foot lots in the immediate area and staff believes the 100 foot frontage would be insignificant. Staff is recommending approval with a variance of the comparability provision of average street frontage and also subject to a bond of \$4,000.00.

Ms. Nielson asked what was the building setback on Granny White and what the setback of the remaining house was.

Mr. Henry stated the required setback was twenty feet and the current setback of the house to remain was approximately 100 feet.

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

**Resolution No. 95-995**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 95S-344U, be **APPROVED with a variance to lot frontage comparability subject to posting a performance bond in the amount of \$4,000.00.”**

**Subdivision No. 95S-358A**

River Bend, Lot 37  
Map 141-12-C, Parcel 37  
Subarea 6  
District 35

A request to amend the building envelope on a lot abutting the northeast corner of River Bend Lane and River Bend Road (0.29 acres), classified within the RS30 Residential Planned Unit Development District, requested by John E. Morgan, owner/builder.

**Subdivision No. 95S-364A**  
Brandywine Pointe, Phase 12, Section 1, Lot 85  
Map 64-3-A, Parcel 57  
Subarea 14  
District 12

A request to amend the building envelope on a lot abutting the northwest corner of Rachel Way and Grandy Place (.51 acres), classified within the R20 Residential Planned Unit Development District, requested by Zaring Homes, Inc., owner/developer.

Mr. Martin stated the two items listed above were both building envelope violations. Item 95S-358A is a lot in RS30 residential planned unit development and the plan for the house is pushed to the rear of the lot. The applicant states that he made a three foot surveying error in the layout of the house setbacks. Codes inspectors verified appropriate setbacks from the surveyor's measurements. Since the survey measurements were inaccurate, the house was built in violation of the setback requirements.

Mr. Browning stated both of these items were survey errors. Fortunately the Codes inspections were made and found to be enough to meet the zoning requirements. In both cases the lots were staked incorrectly.

Chairman Smith asked if there was any sight distance problems?

Mr. Martin stated there was not.

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

**Resolution No. 95-996**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 95S-358A, be **APPROVED.**”

**“BE IT FURTHER RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 95S-364A, be **APPROVED.**”

**Request for Bond Release:**

**Subdivision No. 87-260-G**  
Piccadilly Square, Phase Four  
Precision Homes, Inc., principal

Located northeast of Piccadilly Row between Una-Antioch Pike and Bishopgate Road.

Mr. Henry stated the developer is offering to provide Metro with \$18,500 in cash to complete certain required drainage and paving items within their development. They are currently bonded by a surety bond,

and are asking that the surety bond be released. Public Works has stated the work can be completed with the amount being surrendered by the developer. Staff recommended approval.

Mr. Harbison asked why a surety bond was difficult to collect?

Mr. Owens stated a surety bond was posted by an insurance company and Metro would have to sue for performance but because it is not in the form of a cash security, cannot sue to receive cash.

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

**Resolution No. 95-997**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for release of a performance bond in lieu of collection for Subdivision No. 87-260-G, Bond No. 87BD-013, Piccadilly Square, Phase Four, in exchange for cash payment in the amount of \$18,500.00, as requested."

**Consideration of Bond Collection:**

**Subdivision No. 158-77-G**  
Willow Pointe Apartments  
Willow Pointe Ltd. Partnership, principal

Located abutting the northwest corner of Bell Road and Hickory Hollow Terrace.

Mr. Henry stated that in the staff report bond collection was recommended because the principle had failed to meet the agreement. When they were notified of the bond collection, they completed most of the remaining work including the street paving. Since the subdivision is still less than 75 percent built out, staff is now recommending extension of the bond rather than collection until March 1, 1996. The only thing lacking is testing and deed work to be performed by the Water Services Department. Staff is asking the Commission to condition this extension upon receipt of an updated letter of credit.

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

**Resolution No. 95-998**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby APPROVES the request for an extension of a performance bond for Subdivision No. 158-77-G, Bond No. 94BD-111, Willow Pointe Apartments, until March 1, 1996, as requested, in the amount of \$76,400.00, said approval being contingent upon submittal of a letter by January 4, 1996 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. 88P-046G**  
Poplar Ridge, Section One  
Sunflower Properties, principal

Located abutting the west terminus of Coley Davis Road, approximately 50 feet south of I-40 West.

Mr. Henry stated staff was recommending collection of the \$66,050.00 covering various punch list items. They have paved the development and are a 92% build out. The punch list items which primarily deal with

drainage were sent to the developer several months ago but there have been no attempts by the developer to make those improvements necessary to release the bond.

Mr. Sandy Haury, a partner in Sunflower Properties, stated he and his partner had purchased this property approximately 26 months ago. This included Section One, 37 lots, and 9 more lots in Sections Two and Three. Section Four was before the Commission for approval on this agenda.

The bond amount included paving and some remedial punch list items Public Works wanted done on Section One. The paving has been completed which was the largest part of the bond amount. The rest has to do with some pipes and street signs. He stated he had bought this property in foreclosure and it has been impossible to get them out to the subdivision to complete work. He estimated items that needed to be done are in the range of \$7,000 to \$8,000 on a \$66,000 bond. Site improvement arrangements have been made for Section Four with Mr. Red Earhart who would also complete improvements on other sections. He asked for an extension for preferably sixty days to make these improvements while he started the improvements on Section Four.

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

**Resolution No. 95-999**

"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-046G, Bond No. 89BD-026, Poplar Ridge, Section One, until March 1, 1996, as requested, said approval being contingent upon posting an amended letter of credit in the full amount of \$66,050.00 by December 14, 1995 and extending the expiration date to September 1, 1996. Failure of principal to provide amended security documents shall be grounds for collection without further notification."

**Subdivision No. 88S-221U**  
Lakeland, Section Two, Phase Two  
SunTrust Bank, principal

Located abutting the west side of Hibbets Road, opposite Airwood Drive.

Mr. Henry stated that SunTrust Bank had foreclosed on this development. They are ready to relinquish the \$18,300 bond and staff recommends collection.

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

**Resolution No. 95-1000**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby authorizes the COLLECTION of a performance bond for Subdivision No. 88S-221U, Bond No. 90BD-014, Lakeland, Section Two, Phase Two, because the developer has not completed the required work."

**OTHER BUSINESS:**

1. Decide the level of citizen participation for the Subarea 6 update.

In his opening remarks, Mr. Dixner said that, although this is not a public hearing, the Planning Commission agreed to permit public input when this agenda item was scheduled. Either level two or level three is considered appropriate on updates for the first four subarea plans which require reformatting and

utilization of standardized land use policy categories. The basic difference between the two levels is that level three includes appointment of a citizens advisory committee.

He explained that staff recommended level two for the Subarea 6 update because, judging from input received at Planning Commission meetings, in writing, and over the telephone, the community consensus is that the original plan is basically sound and is working. Goals of the plan established by the citizens advisory committee for the original plan appear to be still appropriate, and have, with few exceptions, been adequately addressed by the plan during its 5+ years of existence.

Mr. Dixner then listed the following topics which staff feels are likely to be of concern to the community during the update process:

- 1) protection of environmentally constrained land,
- 2) the nature of future commercial development,
- 3) apartment growth, and
- 4) flooding and erosion problems.

He concluded his remarks by saying that, of the eight people who had contacted him about the update process, two felt that a committee was needed, citing concerns about the future of Biltmore land, inadequate monitoring of PUD plans, storm water management problems, the Hicks Road zoning decision, and need for roads and other infrastructure to accommodate development. The rest of the callers felt that a committee is not necessarily needed as long as they had assurance that there would be a sufficient number of meetings for them to attend and that the consensus would be adequately conveyed to the Commission. All who called stressed the importance of community input in the planning process.

Chairman Smith stated this was not a public hearing but would allow anyone in the audience to speak if they desired.

Paula Underwood Winters, editor of the Westview Newspaper, presented copies of the survey the newspaper had run to the Commissioners.

Mr. Jimmy Vance stated he had lived in Bellevue for 33 years and that back when this subarea process was started he was a member of the Planning Commission. He disagreed with Mr. Dixner in regards to the residents of Bellevue being happy with the subarea plan as developed. There is still a lot of controversy and discussion in the community about the plan. He felt that what should happen in this plan update was that staff should look over the plan and decide what changes should be made. Those changes should be articulated in writing and by the use of a map. Then the people in Bellevue, individually or as groups, should have access to that information for maybe a period of time of sixty to ninety days in which to absorb that and come back to the staff with recommendations. The final decision should be with the Planning Commission.

Mr. John Rumble, president of Bellevue Citizens for Planned Growth, spoke in support of staff's recommendation for a level two review of the Subarea 6 Plan.

Ms. Karen Webb, president of the Cross Timbers Neighborhood Association, also spoke in support of staff's recommendation for a level two review of the plan and expressed support of the nodal concept in the area rather than strip commercialization.

Ms. Nielson moved and Mr. Harbison seconded the motion, which carried unanimously, to approve a level two citizens participation plan for the Subarea 6 Plan.

2. Review of congested intersections.

Ms. Deborah Fleming distributed a handout to the Commission and explained how the Congested Intersections Study came about. She provided background information on federal funding available for intersection improvements and the criteria which a project must meet to receive this money. Ms. Fleming indicated that Metro set aside \$5 million in 1992 to spend on approximately 5 intersection improvements. Referring to the handout, she stated that Metro Public Works and the Planning Department started out with a list of 20 locations where the volume of traffic going through the intersection exceeds the capacity of the intersection to handle it. She went on to say that intersections which had already been studied or had improvements programmed or underway were eliminated from the list. Other considerations in selecting 10 locations for further study were geographic coverage and ease of implementation. Referring again to the handout, Ms. Fleming listed the 10 intersections which were given to a private engineering firm for study and analysis. After the study was completed, Metro Public Works and the Planning Department, along with TDOT staff, evaluated the consultant's recommendations and scored the 10 intersections using a variety of factors. Five (5) were selected and submitted for inclusion in the regional transportation improvement program and the CIB.

Mr. Browning explained the situation of several individual intersections the Commission inquired about.

3. Consider Major Street Plan Specifications for Old Hickory Boulevard.

Mr. Ricketson prefaced the presentation by stating that Metro is having a problem implementing the Major Street Plan. He stated that from the time they were first included in the Major Street Plan in 1980 to the present, no scenic arterials have been implemented. Further, he discussed the purpose and intent of scenic arterials as defined in the Major Street Plan and illustrated the differences between the design characteristics of these and other roads. The problem, Ricketson concluded, is that all roads designated as scenic arterials in Nashville-Davidson County are state highways. Therefore, all improvements to these roads are made according to state specifications and not local specifications. Hence, roads designated as scenic arterials in the Major Street Plan have routinely been developed as urban or rural arterials due largely to the expense in developing scenic arterials.

Mr. Ricketson said it's not that TDOT wishes to flout the Major Street Plan. However, the political and budgetary constraints under which TDOT must work make it extremely difficult to implement Metro's scenic arterial concept. The Planning Commission instructed APR staff to develop some more flexible scenic arterial cross-sections to be presented at the January 11th MPC meeting. In a case involving a particular scenic arterial, Ricketson also briefed the Planning Commission on a study which TDOT is conducting with respect to the design and location of a segment of Old Hickory Boulevard in southwest Nashville near Warner Park.

Mr. Browning stated there were two issues that could prompt a later public hearing. One would be whether the Planning Commission wants to consider alternative A through Williamson County. If the Commission wanted to do that it would require a public hearing to amend the Major Street Plan. The second would be to consider different cross sections that would also require a public hearing to amend the Major Street Plan. He asked if the Commission wanted to set a public hearing.

The Commission agreed they wanted to hear what the public had to say regarding the proposed street plans.

Mr. Harbison moved and Ms. Nielson seconded the motion, which carried unanimously, to consider in January the staff's recommendations on route alignment and alternative cross sections for the scenic arterial. Should the Commission find adequate information is available to warrant a public hearing, the Commission will set a public hearing 30 days after that presentation.

4. Capital Improvements Budget Amendment.

Mr. Browning stated this was a very large amendment. It is advantageous because it has been done very comprehensively. The amount is \$38,000,000. This should represent all of the amendments for the G. O. Bonds during this fiscal year. There is about \$6,000,000 of new moneys in the budget. The bigger effect is that \$14,000,000 is being moved into the first year and that means there are several projects currently in the budget that are not going to be funded because they are not included here. These projects do address needed sidewalk projects, drainage projects, intersection and park projects and staff is recommending approval.

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

**Resolution No. 95-1001**

“BE IT RESOLVED by the Metropolitan Planning Commission that it approves amendments to the 1995-2001 Capital Improvements Budget and Program as follows:

**Park and Recreation Projects**

***Amend From:***

I.D. No. 73PR002B  
Antioch Open Space  
Land Acquisition  
Planning Unit 64  
Land for Playground Park

\$250,000 Proposed General Obligation Bonds FY 1998-1999

***To:***

I.D. No. 73PR002B  
Antioch Open Space  
Land Acquisition and Development  
Planning Unit Number 64  
Land for Playground Park  
Community Center Development

\$1,000,000 Proposed General Obligation Bonds FY 1995-1996

***Delete:***

I.D. 73PR003  
Antioch Open Space  
Planning Unit Number 64  
Plan and Develop Playground Park

\$350,000 Proposed General Obligation Bonds Beyond FY2000-2001

***Amend From:***

I.D. No. 73PR066  
Hermitage Hills Open Space  
Land Acquisition  
Planning Unit Number 80  
Land for Playground Park

\$350,000 Proposed General Obligation Bonds FY 1997-1998

***To:***

I.D. No. 73PR066  
Hermitage Open Space  
Land Acquisition and Development  
Planning Unit Number 80  
Land for Playground Park  
Community Center Development

\$1,000,000      Proposed General Obligation Bonds      FY 1995-1996

**Delete:**

I.D. No. 73PR067  
Hermitage Hills Open Space  
Planning Unit Number 80  
Plan and Develop Playground Park

\$450,000      Proposed General Obligation Bonds      Beyond FY 2000-2001

**Amend From:**

93PR100  
R.W. Hartman Park Swimming Pool  
Planning Unit 28  
Construct New Swimming Pool

\$500,000      Proposed General Obligation Bonds      FY 1996-1997

**To:**

93PR100  
R.W. Hartman Park Development  
Planning Unit Number 28  
Construct Club Room and Indoor Swimming Pool

\$1,100,000      Proposed General Obligation Bonds      FY 1995-1996

**Amend From:**

I.D. No. 91PR075  
Open Space or Greenways  
Countywide  
Acquisition

\$750,000      Proposed General Obligation Bonds      FY 1995-1996

\$500,000      Proposed General Obligation Bonds      FY 1996-1997

**To:**

I.D. No. 91PR075  
Open Space or Greenways  
Countywide  
Acquisition and Development

\$1,150,000      Proposed General Obligation Bonds      FY 1995-1996

\$1,700,000      Proposed General Obligation Bonds      FY 1996-1997

**Delete:**

I.D. No. 91PR076A  
Open Space or Greenways



Countywide  
Development

\$400,000	Proposed General Obligation Bonds	FY 1995-1996
\$1,200,000	Proposed General Obligation Bonds	FY 1996-1997

***Amend From:***

I.D. No. 94PR020  
Warner Parks Nature Center  
Development of Master Plan as  
Adopted by the Metropolitan Board  
of Parks and Recreation

\$250,000	Proposed General Obligation Bonds	FY 1998-1999
\$750,000	Proposed General Obligation Bonds	Beyond FY 2000-2001

***To:***

\$200,000	Proposed General Obligation Bonds	FY 1995-1996
\$750,000	Proposed General Obligation Bonds	Beyond FY 2000-2001

***Amend From:***

I.D. No. 78PR229  
Roof Replacement  
Repair and Replace Roofs  
at Various Community Centers

\$250,000	Proposed General Obligation Bonds	FY 1995-1996
\$250,000	Proposed General Obligation Bonds	FY 1997-1998
\$500,000	Proposed General Obligation Bonds	Beyond FY 2000-2001

***To:***

\$270,000	Proposed General Obligation Bonds	FY 1995-1996
\$250,000	Proposed General Obligation Bonds	FY 1997-1998
\$500,000	Proposed General Obligation Bonds	Beyond FY 2000-2001

***Amend From:***

I.D. No. 90PR100  
Road Restoration  
Various Parks

\$300,000	Proposed General Obligation Bonds	FY 1996-1997
\$250,000	Proposed General Obligation Bonds	FY 1998-1999
\$300,000	Proposed General Obligation Bonds	FY 2000-2001
\$1,500,000	Proposed General Obligation Bonds	Beyond FY 2000-2001

***To:***

\$250,000	Proposed General Obligation Bonds	FY 1995-1996
\$250,000	Proposed General Obligation Bonds	FY 1998-1999
\$300,000	Proposed General Obligation Bonds	FY 2000-2001
\$1,500,000	Proposed General Obligation Bonds	Beyond FY 2000-2001

***Add New Park and Recreation Projects:***



Thermal Ash Landfill Site  
Acquisition, Engineering and Development

\$450,000	Miscellaneous Funds (Tipping Fee Revenue)	FY 1995-1996
\$450,000	Miscellaneous Funds (Tipping Fee Revenue)	FY 1996-1997

**To:**  
\$700,000 Proposed General Obligation Bonds FY 1995-1996

**Amend From:**  
I.D. No. 84PW028B  
Miscellaneous Storm Drainage  
General Services District Area  
Drainage Improvements at Various  
Locations in the General Services District

\$1,000,000	Proposed General Obligation Bonds	FY 1996-1997
\$1,000,000	Proposed General Obligation Bonds	FY 1997-1998
\$1,000,000	Proposed General Obligation Bonds	FY 1998-1999
\$1,000,000	Proposed General Obligation Bonds	FY 1999-2000
\$1,000,000	Proposed General Obligation Bonds	FY 2000-2001
\$5,000,000	Proposed General Obligation Bonds	Beyond FY 2000-2001

**To:**  
\$4,842,000 Proposed General Obligation Bonds FY 1995-1996  
\$5,000,000 Proposed General Obligation Bonds Beyond FY 2000-2001

**Amend From:**  
I.D. No. 88PW001  
Bridge Rehabilitation Program  
General Services District

\$500,000	Proposed General Obligation Bonds	FY 1995-1996
\$500,000	Proposed General Obligation Bonds	FY 1997-1998
\$500,000	Proposed General Obligation Bonds	FY 1999-2000
\$4,500,000	Proposed General Obligation Bonds	Beyond FY 2000-2001

**To:**  
\$595,000 Proposed General Obligation Bonds FY 1995-1996  
\$405,000 Proposed General Obligation Bonds FY 1997-1998  
\$500,000 Proposed General Obligation Bonds FY 1999-2000  
\$4,500,000 Proposed General Obligation Bonds Beyond FY 2000-2001

**Amend From:**  
I.D. No. 92TP001  
Annual Growth  
Traffic Signal Equipment  
Install New Traffic Signals and  
Modify Existing Signals As Needed

\$450,000	Proposed General Obligation Bonds	FY 1996-1997
\$450,000	Proposed General Obligation Bonds	FY 1998-1999
\$450,000	Proposed General Obligation Bonds	FY 2000-2001
\$1,419,000	Proposed General Obligation Bonds	Beyond FY 2000-2001

**To:**  
 \$195,000 Proposed General Obligation Bonds FY 1995-1996  
 \$705,000 Proposed General Obligation Bonds FY 1998-1999  
 \$450,000 Proposed General Obligation Bonds FY 2000-2001  
 \$1,419,000 Proposed General Obligation Bonds Beyond FY 2000-2001

**Amend From:**  
 I.D. No. 88TP001B  
 Major Intersection and  
 Operations Improvements  
 Make Major Intersection Improvements

\$750,000 Proposed General Obligation Bonds FY 1997-1998  
 \$590,000 Proposed General Obligation Bonds Beyond FY 2000-2001

**To:**  
 \$680,000 Proposed General Obligation Bonds FY 1995-1996  
 \$70,000 Proposed General Obligation Bonds FY 1997-1998  
 \$590,000 Proposed General Obligation Bonds Beyond FY 2000-2001

**Add New Public Works Project:**

I.D. No. 95PW0A03  
 Sidewalk Construction and  
 Improvements Throughout  
 the General Services District

\$2,600,000 Proposed General Obligation Bonds FY 1995-1996

5. Fee Structure for Yard Violation Applications.

Mr. Owens stated there had recently been a lot of yards violations and the question had been asked how much time it involved for staff and should the fee structure be re-evaluated. That has been done over the course of the past few months. There have been three cases in the last couple of months. Two of them were on today's agenda. The charge is \$107.50 for this type of application. It is a standard flat fee for a plats and they are amendments to plats. Staff has looked at the amount spent on the review process and basically find the \$107.50 is an accurate representation of the time spent when the different salary levels are factored into work involved. Staff's recommendation to the Commission is that the fee structure should not be altered.

Mr. Owens stated that if the Commission were to get into penalty assessment that Ms. Shechter had cautioned everyone in the past regarding the appropriateness of leveling a penalty fee. There are penalty fees at Codes if there is construction prior to requesting a building permit. However, these are authorized in the legislation.

**PLATS PROCESSED ADMINISTRATIVELY**

99S-318U Marcel Y. Eluhu Property  
 Combined two parcels  
 95S-348A Sunny Acres, Section 2, Lot 18  
 Amended minimum sideyard from 40 feet to 15 feet

95S-359G      Coker Subdivision  
Divided one lot into two lots

95S-362U      Malone Subdivision, Section 1, Resubdivision  
Altered interior lot line between two platted lots

95S-365U      Darsinos  
Combined two lots into one lot

**ADJOURNMENT.**

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

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Chairman

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Secretary

Minute Approval:  
This 14th Day of December, 1995