

**MINUTES  
OF THE  
METROPOLITAN PLANNING COMMISSION**

Date: August 20, 1998  
Time: 1:00 p.m.  
Place: Howard Auditorium

**Roll Call**

**Present:**

Gilbert N. Smith, Chairman  
Tim Garrett, Councilmember  
James Lawson  
William Manier  
Ann Nielson  
Douglas Small  
Pat Tatum  
Marilyn Warren

**Absent:**

Mayor Philip Bredesen  
Stephen Smith

**Others Present:**

**Executive Office:**

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

**Current Planning & Design Division:**

Theresa Carrington, Planner III  
Jennifer Regen, Planner III  
Doug Delaney, Planner II  
John Reid, Planner II  
Jeff Stuncard, Planner I  
James Russ, Planning Technician I

**Community Plans Division:**

Jerry Fawcett, Planning Division Manager  
Kim McDonough- Planner III  
Robert Eadler, Planner II  
Jennifer Higgs, Planner II

**Advance Planning & Design:**

John Boyle, Planning Division Manager  
April Alperin

**Others Present:**

Jim Armstrong, Public Works  
Leslie Shechter, Legal Department

Chairman Smith called the meeting to order.

**ADOPTION OF AGENDA**

Ms. Carrington announced the caption for Subdivision No. 28-79-G should show buildout at 69% rather than 79%.

Mr. Lawson moved and Ms. Nielson seconded the motion, which unanimously passed, to approve the agenda with the above mentioned change.

**ANNOUNCEMENT OF DEFERRED ITEMS**

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

62-85-P	PUD deferred two weeks, by applicant. Plat deferred indefinitely, by applicant.
91P-006U	Deferred two weeks, by applicant.
98S-204U	Deferred two weeks, by applicant.

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

**APPROVAL OF MINUTES**

Chairman Smith questioned the accuracy of the August 6, 1998 minutes related to Proposal 75-87-P, River Glen, Phase 4, Section 2. The minutes stated the Commission granted approval subject to approval by the Director of Public Works for storm water management. The motion the Commission made was to approve without conditions.

Mr. Lawson moved and Ms. Nielson seconded the motion, which unanimously passed to approve the minutes of the regular meeting of August 6, 1998 with the above correction to the minutes.

**RECOGNITION OF COUNCILMEMBERS**

Councilmember Willis McCallister spoke in favor of Zone Change Proposal No. 98Z-142U.

Councilmember Regina Patton expressed traffic concerns and drainage concerns regarding Subdivision No. 98S-276U and spoke in favor of the cul-de-sac cancellation for Subdivision No. 98S-273U.

Councilmember Phil Ponder stated he was in support of Zone Change Proposal No. 98Z-009T in that it would change a portion of the current zoning code which Council's staff has opined is unconstitutional because it does not afford the same regulations for commercial development in floodplains as in residential situations.

Councilmember Leo Waters stated Zone Change Proposal No. 98Z-008T needed further consideration and asked the Commission to look at it very carefully over the next six months.

### **ADOPTION OF CONSENT AGENDA**

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

#### **ZONE CHANGE PROPOSALS:**

**Zone Change Proposal No. 98Z-141G**  
Map 52-1, Parcel 17  
Subarea 5 (1994)  
District 9 (Dillard)

A request to change from OR20 to CS District property located at 134 Harris Street, approximately 575 feet east of South Gallatin Pike (.22 acres), requested by Randall D. Reed, appellant, for Randall D. and Winford A. Reed, owners.

#### **Resolution No. 98-612**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-141G is **APPROVED (8-0)**:

**This property falls within the Subarea 4 Plan's Commercial Mixed Concentration (CMC) policy calling for office, retail, and higher density residential uses. Applying CS zoning to this property is consistent with this policy and will create an even zoning boundary with the property across the street (parcel 251) which contains an auto repair shop."**

**Zone Change Proposal No. 98Z-146U**  
Council Bill No. O98-1331  
Map 60, Parcel 21  
Subarea 3 (1998)  
District 2 (Black)

A council bill to change from R8 to IWD District property located at 2850 Brick Church Pike, approximately 800 feet north of Haynie Avenue (11.53 acres), requested by April Dawn Lanius Williams, appellant, for Fred H. Lanius, owner.

#### **Resolution No. 98-613**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-146U is **APPROVED (8-0)**:

**This property falls within the Subarea 3 Plan's Industrial (IND) policy calling for warehousing, wholesaling, manufacturing, and storage activities. The IWD district is consistent with this policy and the area's existing industrial zoning pattern."**

**Zone Change Proposal No. 98Z-147U**

Council Bill No. O98-1332

Map 60-14, Parcel 25 (1.45 acres)

Map 71-2, Parcels 91 (.2 acres), 91.01 (.21 acres),  
92 (.33 acres) and 93 (.66 acres)

Subarea 3 (1998)

District 2 (Black)

A council bill to change from R8 to IWD District properties located at 2501, 2505, 2507 and 2509 Brick Church Pike and Brick Church Pike (unnumbered), abutting the southeast corner of Brick Church Pike and Southerland Drive (2.85 acres); requested by James Atkinson, appellant, for John E. Howlett, Jr., Irma H. Farthing, Louis F. Norris, Smithy McClain, Sr., H. Herman and Connie P. Southerland, and Metropolitan Government, owners.

**Resolution No. 98-614**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-147U is **APPROVED (8-0)**:

**These properties fall within the Subarea 3 Plan's Industrial (IND) policy calling for warehousing, wholesaling, manufacturing, and storage activities. The IWD district is consistent with this policy and the area's existing industrial zoning pattern."**

**PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:**

**Proposal No. 209-73-G**

McHenry PUD

Map 34-6, Parcel 1

Subarea 4 (1993)

District 10 (Garrett)

A request to revise the approved final site development plan of the Commercial (General) Planned Unit Development District abutting the northwest margin of Gallatin Road, and the southwest margin of Two Mile Pike (17.56 acres), classified SCR, to revise the building configuration and add 6,412 square feet of retail space to a portion of the site, requested by R. Chris Magill Architects, LLC, for Rivergate Crossroads, LLC, owner.

**Resolution No. 98-615**

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 209-73-G is given **CONDITIONAL FINAL APPROVAL OF A REVISION TO FINAL (8-0)**. The following condition applies:

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

**Proposal No. 188-84-G**

I-24 Limited/Century South

Map 183, Parcels 46 and 99

Subarea 12 (1997)

District 31 (Alexander)

A request for final grading approval for a portion of the Commercial (General) Planned Unit Development District abutting the west margin of Old Hickory Boulevard and the southwest margin of Interstate 24 (7.6 acres), classified CS, to permit access to the site only, requested by Barge, Waggoner, Sumner and Cannon, for B. F. Enterprises, Inc., owner.

**Resolution No. 98-616**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 188-84-G is given **CONDITIONAL APPROVAL FOR GRADING OF A PORTION OF THE SITE (8-0)**. The following condition applies:

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

**Proposal No. 291-84-U**  
Lakeview Ridge Office Park, Phase 5  
Map 95-16, Parcel 40  
Subarea 14 (1996)  
District 15 (Dale)

A request to revise the preliminary master plan and final site development plan for Phase 5 of the Commercial (General) Planned Unit Development District located abutting the north margin of Elm Hill Pike, west of Henry Drive (3.35 acres), classified CL, to permit the development of a 3-story, 120 room, 88,849 square foot hotel, requested by Barge, Waggoner, Sumner and Cannon, for DSG, Inc., owners.

**Resolution No. 98-617**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 291-84-U is given **CONDITIONAL FINAL APPROVAL FOR A PHASE (8-0)**. The following condition applies:

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

**Proposal No. 78-87-P**  
Fredericksburg Townhomes  
Map 171, Part of Parcel 89  
Subarea 12 (1997)  
District 32 (Jenkins)

A request to revise a portion of the approved preliminary master plan of the Residential Planned Unit Development District abutting the south margin of Old Hickory Boulevard, approximately 670 feet east of Cloverland Drive (21.5 acres), classified R20, to permit the reconfiguration of 110 townhouse units, requested by Anderson-Delk and Associates, Inc., for Radnor Homes and Pulte Homes, owners.

**Resolution No. 98-618**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 78-87-P is given **CONDITIONAL APPROVAL OF A REVISION TO PRELIMINARY (8-0)**. The following condition applies:

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

**Proposal No. 96P-007G**  
Banbury Crossing  
Map 172-9-A, Parcels 2 and 35  
Subarea 12 (1997)  
District 32 (Jenkins)

A request to revise the approved final site development plan for a portion of the Residential Planned Unit Development District abutting the west margin of Edmonson Pike and both margins of Banbury Crossing (2.43 acres), classified R40, to permit the development of four single-family lots, requested by Gresham, Smith and Partners, for Nashville Foursquare Church, owner. (Also requesting final plat approval).

**Resolution No. 98-619**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 96P-007G is given **CONDITIONAL FINAL PUD APPROVAL; FINAL PLAT APPROVAL (8-0)**. The following conditions apply:

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

**Proposal No. 98P-005E**  
Vine Hill Homes  
Map 105-15, Parcels 1, 2, 3 and 5  
Subarea 11 (1993)  
District 17 (Douglas)

A request to revise the preliminary master plan and for final approval of the Residential Planned Unit Development District abutting the west margin of Bransford Avenue and the south margin of Benton Avenue (27.23 acres), classified R6, to permit the development of 152 multi-family units, 21 single-family lots and a 12,500 square foot community center/day care, requested by the Metropolitan Development and Housing Agency, for Vine Hills Homes, LLC, owner. (See also Mandatory Referral No. 98M-084U, page 20). (Deferred from meeting of 8/6/98).

**Resolution No. 98-620**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 98P-005E is given **APPROVAL OF REVISION TO PRELIMINARY AND CONDITIONAL FINAL APPROVAL TO PERMIT 152 MULTI-FAMILY UNITS AND 21 SINGLE FAMILY LOTS (8-0)**. The following conditions apply:

1. Written confirmation of final approval from the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. The closing, by the Metropolitan Council, of all the public streets within the development.
3. The recording of a final subdivision plat.”

**SUBDIVISIONS:**

**Final Plats:**

**Subdivision No. 98S-123G**

Northbrook, Phase 2  
Map 50, Part of Parcel 27  
Subarea 2 (1995)  
District 4 (Majors)

A request for final plat approval to create 28 lots abutting the northeast terminus of Northbrook Drive, approximately 85 feet northeast of Ridge Top Drive (11.41 acres), classified within the R10 District, requested by Buddy Dunn Contractors, L.P., owner/developer, Dale and Associates, Inc., surveyor. (Deferred from meetings of 7/9/98, 7/23/98 and 8/6/98).

**Resolution No. 98-621**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-123G, is **APPROVED SUBJECT TO A BOND OF \$392,500.00 (8-0).”**

**Subdivision No. 98S-262U**

Barbara Orbison and Tandy M. Jarvis  
Map 116-4, Parcels 66 and 191  
Subarea 10 (1994)  
District 34 (Fentress)

A request for final plat approval to reconfigure two lots abutting the west margin of Ensworth Place, approximately 670 feet south of Woodlawn Drive (5.26 acres), classified within the R40 District, requested by Barbara Orbison and Tandy M. Jarvis, owners/developers, Daniels and Associates, surveyor.

**Resolution No. 98-622**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-262U, is **APPROVED (8-0).”**

**Subdivision No. 98S-266G**

98 Stoner Creek Limited Liability Company  
Map 86, Parcel 338  
Subarea 14 (1996)  
District 12 (Ponder)

A request for final plat approval to record a portion of one lot abutting the southeast corner of Central Pike and Nashville & Eastern Railroad (3.5 acres), classified within the IWD District, requested by 98 Stoner Creek L.L.C., owner/developer, Joseph G. Petrosky Associates, Inc., surveyor.

**Resolution No. 98-623**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-266G, is **APPROVED SUBJECT TO A BOND IN THE AMOUNT OF \$46,500.00 (8-0).”**

**Subdivision No. 98S-267U**

5441, 5453 and 5501 Edmondson Pike Subdivision  
Map 161, Parcel 28, 29 and 30  
Subarea 12 (1997)  
District 32 (Jenkins)

A request for final plat approval to consolidate three parcels into two lots abutting the west margin of Edmondson Pike, approximately 1,600 feet north of Old Hickory Boulevard (10.34 acres), classified within the R10, R15 and RM4 Districts, requested by Wilbur H. Cate, Jr., and Edward R. Cunningham, owners/developers, Cherry Land Surveying, surveyor.

**Resolution No. 98-624**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-267U, is **APPROVED SUBJECT TO A BOND IN THE AMOUNT OF \$15,000.00 (8-0).”**

**Subdivision No. 98S-271U**  
Brownstone, Section 2  
Map 171, Parcels 94 and 139  
Subarea 12 (1997)  
District 32 (Jenkins)

A request for final plat approval to create 38 lots abutting the northwest margin of Greystoke Drive, approximately 90 feet northeast of Almadale Circle (16.59 acres), classified within the R40 Residential Planned Unit Development District, requested by Radnor Homes, Inc., owner/developer, Anderson-Delk and Associates, Inc., surveyor.

**Resolution No. 98-625**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-271U, is **APPROVED SUBJECT TO A BOND IN THE AMOUNT OF \$311,000.00 (8-0).”**

**Subdivision No. 98S-272G**  
Southeast Elementary School  
Map 164, Parcels 133 and 208  
Subarea 13 (1996)  
District 29 (Holloway)

A request for final plat approval to consolidate two parcels into one lot abutting the northeast corner of Old Hickory Boulevard and Murfreesboro Pike (14.85 acres), classified within the RS7.5 and R8 Districts, requested by the Metropolitan Board of Education, owner/developer, Volunteer Surveying, surveyor.

**Resolution No. 98-626**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-272G, is **APPROVED (8-0).”**

**Subdivision No. 98S-274U**  
Briley Parkway Business Center, Section 2,  
Resubdivision of Lot 2  
Map 50, Parcel 2  
Subarea 2 (1995)  
District 3 (Nollner)

A request for final plat approval to subdivide one lot into two lots and to dedicate the extension of Briley Park Boulevard North abutting the northeast corner of Brick Church Lane and Briley Park Boulevard North (38.67 acres), classified within the IWD Industrial Planned Unit Development District, requested by NWI Warehouse Group, L.P., owner/developer, Ragan-Smith Associates, Inc., surveyor.

**Resolution No. 98-627**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-274U, is **APPROVED SUBJECT TO A BOND IN THE AMOUNT OF \$261,000.00 (8-0).”**

**Subdivision No. 98S-282G**  
Houston’s One Lot Subdivision  
Map 98, Parcel 3  
Subarea 14 (1996)  
District 12 (Ponder)

A request for final plat approval to record one parcel as one lot and offer a 50 foot by 50 foot right-of-way dedication for street purposes abutting the east terminus of Timberview Lane, approximately 665 feet east of South New Hope Road (14.52 acres), classified within the RS15 District, requested by Houston and Peggy J. Hagar, owners/developers, Briggs Engineering Company, Inc., surveyor.

**Resolution No. 98-628**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-282G, is **APPROVED WITH CONDITIONS (8-0).”**

**Subdivision No. 98S-284U**  
Fischer’s One Lot Subdivision  
Map 108, Parcel 188  
Subarea 14 (1996)  
District 14 (Stanley)

A request for final plat approval to record one parcel as one lot abutting the north margin of Elm Hill Pike, approximately 450 feet west of White Pine Drive (1.82 acres), classified within the RS10 District, requested by James M. Fischer, Jr., owner/developer, Briggs Engineering Company, Inc., surveyor.

**Resolution No. 98-629**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-284U, is **APPROVED WITH CONDITIONS (8-0).”**

**Request for Bond Extension:**

**Subdivision No. 191-69-G**  
Hermitage Hotel Heights  
Bimal Patel, principal  
[Buildout is at 0%]

Located abutting the southeast margin of Mills Road, approximately 260 feet west of Old Hickory Boulevard.

**Resolution No. 98-630**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 191-69-G, Bond No. 98BD-012, Hermitage Hotel Heights, in the amount of \$25,000 to 7/15/99 subject to submittal of an amendment to the present Letter of

Credit by **9/20/98** which extends its expiration date to 1/15/2000. **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  
[Buildout is at 0%]

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

**Resolution No. 98-631**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 84-623-G, Bond No. 87BD-020, Village by the Creek, Section 12 in the amount of \$39,950 to 9/15/99 subject to submittal of a letter from the Aetna Casualty and Surety Company by **9/20/98** agreeing to the extension. **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 32  
Wolfe Investment Company, principal  
[Buildout is at 0%]

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

**Resolution No. 98-632**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 86-639-G, Bond No. 87BD-006, Interchange City Industrial Park, Section 32 in the amount of \$8,600 to 10/1/99.”

**Subdivision No. 88S-206G**  
Pebbles Subdivision  
Katherine K. Pebbles, principal  
[Buildout is at 0%]

Located abutting the north side of Poplar Creek Road, approximately 421 feet east of Rolling River Parkway.

**Resolution No. 98-633**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 88S-206G, Bond No. 88BD-014, Pebbles Subdivision, in the amount of \$8,000 to 8/15/99 subject to submittal of an amendment to the present Letter of Credit by **9/20/98** which extends its expiration date to 2/15/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

**Subdivision No. 88S-404U**  
Nocturne Forest, Section 1  
Chateau Associates Ltd., principal  
[Buildout is at 66%]

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

**Resolution No. 98-634**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 88S-404U, Bond No. 89BD-008, Nocturne Forest, Phase 1 in the amount of \$117,550 to 12/15/98 subject to submittal of a letter from the Reliance Insurance Company by **9/20/98** agreeing to the extension. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

**Subdivision No. 95P-003G**

Forge Ridge, Resubdivision of Lot 1  
Dewey Pedigo, Jr., trustee, principal  
[Buildout is at 48%]

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

**Resolution No. 98-635**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 95P-003G, Bond No. 95BD-093, Forge Ridge, Resubdivision of Lot 1 in the amount of \$100,000 to 8/1/99.”

**Subdivision No. 95P-015G**

New Hope Pointe, Phase 1, Section 3  
Robert E. Earheart, principal  
[Buildout is at 10%]

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

**Resolution No. 98-636**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 95P-015G, Bond No. 97BD-083, New Hope Pointe, Phase 1, Section 3, in the amount of \$38,000 to 10/15/99 subject to submittal of an amendment to the present Letter of Credit by **9/20/98** which extends its expiration date to 4/15/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

**Subdivision No. 96P-001G**

Stone Creek Park, Section One-A  
Gillespie Land Development, LLC  
[Buildout is at 63%]

Located abutting the west margin of Redmond Lane, opposite Redmont Court.

**Resolution No. 98-637**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 96P-001G, Bond No. 97BD-002, Stone Creek Park, Section 1-A, in the amount of \$172,250 to 12/15/98 subject to submittal of an amendment to the present Letter of Credit by **9/20/98** which extends its expiration date to 6/15/99. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

**Subdivision No. 96P-001G**

Stone Creek Park, Section One-C  
Gillespie Land Development, LLC  
[Buildout is at 62%]

Located abutting the south margin of Stone Run Drive, opposite Holt Branch.

**Resolution No. 98-638**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 96P-001G, Bond No. 97BD-098, Stone Creek Park, Section 1-C, in the amount of \$133,750 to 12/15/98 subject to submittal of an amendment to the present Letter of Credit by **9/20/98** which extends its expiration date to 6/15/99. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

**Subdivision No. 96S-361U**  
Trailwood, Section 7  
Trailwood, Section 7 LLC, principal  
[Buildout is at 57%]

Located abutting the south margin of East Lake Drive, opposite Elm Run.

**Resolution No. 98-639**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 96S-361U, Bond No. 97BD-013, Trailwood, Section 7, in the amount of \$103,000 to 12/1/98 subject to submittal of an amendment to the present Letter of Credit by **9/20/98** which extends its expiration date to 6/1/99. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

**Subdivision No. 97S-172U**  
Gayle Malone Subdivision  
Gayle Malone, Jr., principal  
[Buildout is at 0%]

Located abutting the west terminus of Wimbledon Road, approximately 355 feet west of Foxhall Road.

**Resolution No. 98-640**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 97S-172U, Bond No. 97BD-078, Gayle Malone Subdivision, in the amount of \$31,875 to 6/15/99 subject to submittal of an amendment to the present Letter of Credit by **9/20/98** which extends its expiration date to 12/15/99. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

**Subdivision No. 97S-298G**  
New Hope Estates, Phase 3  
Raymond D. Lane, principal  
[Buildout is at 0%]

Located abutting both margins of Elijah Court and both margins of Edwards Court.

**Resolution No. 98-641**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 97S-298G, Bond No. 97BD-081, New Hope Estates, Phase 3, in the amount of \$266,500 to 9/1/99 subject to submittal of an amendment to the present Letter of Credit by **9/20/98** which extends its expiration date to 3/1/2000. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

**Request for Bond Release:**

**Subdivision No. 9-87-P**

River Plantation, Section 11, Phase 1

Haury & Smith Contractors, Inc, principal

Located abutting the south margin of Sawyer Brown Road, approximately 867 feet northeast of Old Harding Pike.

**Resolution No. 98-642**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 9-87-P, Bond No. 97BD-091, River Plantation, Section 11, Phase 1 in the amount of \$135,000.”

**Subdivision No. 75-87-P**

River Glen, Phase 4, Section 1

Julius Doochin, principal

Located abutting both margins of Benay Road, approximately 150 feet northwest of Allandee Street.

**Resolution No. 98-643**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 75-87-P, Bond No. 96BD-012, River Glen, Phase 4, Section 1 in the amount of \$64,600.”

**Subdivision No. 97S-250U**

Regency Realty Subdivision

Regency Realty Group, Inc., principal

Located abutting the northwest corner of West Eastland Avenue and Gallatin Pike.

**Resolution No. 98-644**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 97S-250U, Bond No. 97BD-089, Regency Realty Subdivision in the amount of \$3,500.”

**MANDATORY REFERRALS:**

**Proposal No. 98M-080G**

Eleventh Street, 11<sup>th</sup> Street

Map 44-14

Subarea 14 (1996)

District 11 (Wooden)

A request by the Director of Public Works to change the Official Street and Alley Map by renaming 11th Street between Fowler Avenue and Livingston Street to "Livingston Street" and 11th Street between Merritt

Street and Bryan Street to "Merritt Street" in order to reduce confusion of emergency personnel responding to 911 calls.

**Resolution No. 98-645**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 98M-080G.

**Proposal No. 98M-081U**  
Hard Rock Café; 100 Broadway  
Map 93-6-2, Parcel 86  
Subarea 9 (1997)  
District 19 (Sloss)

A request by Hard Rock Café for an aerial encroachment to allow the installation of three (3) stationary awnings projecting two feet over the public right-of-way approximately 26 feet above the sidewalk at the intersection of First Avenue North, requested by Bill Bishop, Identigraph, Inc., for First American National Bank, et al, trustee.

**Resolution No. 98-646**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 98M-081U.

**Proposal No. 98M-082U**  
Smooth Moves; 114 Second Avenue North  
Map 93-6-2, Parcel 50  
Subarea 9 (1997)  
District 19 (Sloss)

A request by Smooth Moves for an aerial encroachment to allow the installation of one 16 foot tall double-faced sign projecting 4'4" over the public right-of-way approximately 15'6" above the sidewalk at 114 Second Avenue North for Smooth Moves, a juice bar, requested by Bill Bishop, Identigraph, Inc., for CSC Properties, owner.

**Resolution No. 98-647**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 98M-082U.

**Proposal No. 98M-084U**  
Magnolia Road, Vine Hill Road, Sycamore Road  
Map 105-15, Parcels 1, 2 and 3  
Subarea 11 (1993)  
District 17 (Douglas)

A request by the Metropolitan Development and Housing Agency to close three streets within the Vine Hill Homes to enable the property's redevelopment: Magnolia and Vine Hill Roads (between Benton Avenue and Sycamore Road) and Sycamore Road (between Magnolia Road and Bransford Avenue). (Easements are to be retained).

**Resolution No. 98-648**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 98M-084U.

**Proposal No. 98M-085U**  
Council Bill No. O98-085U  
Downtown Greenway Property Transfer  
Map 82-13, Parcels 394 and 395  
Map 82-14, Parcel 93  
Subarea 9 (1997)  
District 20 (Haddox)

A council bill authorizing the transfer of 0.89 acres of property (zoned IG) located just north of Stockyard Street, between First and Fourth Avenues North, from MDHA to the Metropolitan Greenways Commission.

**Resolution No. 98-649**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 98M-085U.

**Proposal No. 98M-086U**  
Lakeview Ridge Office Park Easement Abandonment  
Map 95-16, Parcels 18 and 40  
Subarea 14 (1996)  
District 15 (Dale)

A request from the Department of Water Services to abandon an existing 10" sewer line easement in the Lakeview Ridge Office Park located on the north side of Elm Hill Pike between Briley Parkway and Donelson Pike.

**Resolution No. 98-650**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (8-0)** Proposal No. 98M-086U.

This concluded the items on the consent agenda.

**ZONE CHANGE PROPOSALS:**

**Zone Change Proposal No. 98Z-008T**  
Council Bill No. O98-1321

A council bill to amend various sections of the Zoning Regulations regarding convenience centers, kennels, large day care centers, automotive service uses, and the definitions of floodwater and floodplain, sponsored by Councilmember Leo Waters.

Ms. Regen reviewed the 12 proposed text amendments that are included in the bill.

Councilmember Garrett stated he felt the only two amendments that may be a problem is the “Collection Center” and the “Day Care Center”. Perhaps those could be pulled out and given more consideration.

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

**Resolution No. 98-651**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-008T is **APPROVED (8-0) with a request for the amendments for convenience centers and large day care centers to be re-referred to the MPC for further study.**

**These text amendments clarify the intent of certain sections of the existing zoning code text. Further study is needed, however, on Convenience Center and large Day Care Center amendment proposals, particularly the criteria for locating and operating these facilities."**

**Zone Change Proposal No. 98Z-009T**  
Council Bill No. O98-1322

A council bill to amend Section 17.28.040 of the Zoning Regulations to remove all floodplain protection standards, sponsored by Councilmember Phil Ponder.

Mr. Delaney stated prior to the adoption of the new code on January 1, 1998, there were no floodplain protection standards in the code itself. Everything was based on the Stormwater Management Ordinance. With the adoption of the new code, not only is everything required to meet the Stormwater Management Ordinance but also the floodplain protection standards in the code. The standards provide for the reasonable use of property while retaining, the maximum extend possible, the more environmentally sensitive portions of the property.

Mr. Delaney made a presentation to the Commission using the proposed new standards tables and explained how they worked. He referred any questions about the constitutionality of the current regulations to Ms. Shechter.

Chairman Smith stated it seemed this whole thing had been set up so property could be confiscated and asked if that was the constitutionality problem. If someone wants to donate property for a greenway that is fine but if the use is restricted so they have to donate the land that would change the nature of charity.

Ms. Shechter stated that in drafting the new Zoning Ordinance, which is incentive and performance based, there was a decision made when the ordinance was drafted and through the committees, which included representatives of all the development community, that one of the goals to achieve was to protect environmentally sensitive areas, and that there be a recognition that there would be some restriction on the right to develop those properties.

Ms. Shechter stated that the constitutional question of taking of property continues to be litigated. However, it is apparent from case law thus far that the issue of constitutional taking comes into play when there is taking of all practical use of property. That is not the effect of the flood protection provisions currently in Nashville's zoning code. Perhaps the question Councilmember Ponder raised was not a takings question but an equal protection question. That is, can you treat property that is zoned residentially and multi-family differently from property that is zoned commercial and industrial. Throughout the code there

are provisions that treat those properties differently. As long as all residential properties are treated alike and all commercial properties alike there is no equal protection violation.

Chairman Smith stated there needed to be more work done on this.

Councilmember Garrett recommended the Commission to follow staff recommendation and then let Council refer the bill back to the Commission and staff for further study.

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

**Resolution No. 98-652**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-009T is **DISAPPROVED (8-0) with a request to re-refer back to the MPC for further study.**

**If the floodplain/floodway provisions were repealed by this council bill all development within the floodplain/floodway would be guided by the Stormwater Management Ordinance which does not safeguard these sensitive lands to the same degree as the current Zoning Regulations. Further study is needed, however, to address specific concerns about the zoning codes development restrictions in floodplain/floodway areas."**

**Zone Change Proposal No. 98Z-010T**  
Council Bill No. 098-1323

A council bill to amend various sections of the Zoning Regulations by reducing the size and type of landscape buffer yards required between different land uses, and establishing the design and configuration of parking area landscaping, sponsored by Councilmember Ronnie Steine.

Ms. Regen stated this was a proposal by the Zoning Administrator to revise the Landscape Buffer Yard standards and changing parking lot layout landscaping. She stated the current regulations allow clustering landscaping and trees within parking areas. She indicated Codes personnel feel the clustering has the effect of removing tree plantings from too large areas of parking lots.

One of the problems with the existing table is its complexity. The Zoning Administrator is suggesting to revise it, not only to make it visually easier to interpret but to change the kind of buffer yards required for residential and commercial land uses. This change is so significant staff needs time to form a working committee to review the proposed changes. The proposal is to come up with development standards in the code to insure that residential areas would be protected from commercial and industrial districts.

Mr. Sonny West stated the Codes staff heard a lot of complaints about the Landscape Buffer Yard table. The table puts some restrictive buffer yards between what are considered to be very similar uses. He stated he was concerned about tree clustering in parking lots because if the trees are spread out they make the lots look better and they help slow down the water runoff.

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

**Resolution No. 98-653**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-010T is **DISAPPROVED (8-0) with a request to re-refer back to the MPC for further study.**

**This council bill proposes to amend the Landscape Buffer Yard standards by reducing the number of instances where a large buffer yard would be required and simplifying the buffer yard table for ease**

**of use. In addition, the bill seeks to address the specific spacing of trees in a parking lot. The bill departs significantly from the new zoning code's approach which is to provide design creativity and flexibility, yet ensure adequate protection of adjacent lands. Further study is needed, to address specific concerns about the size of buffer yards and placement of parking lot trees. A committee composed of Metro departments, developers, landscape architects should review these proposed amendments and develop recommendations for presentation to the Commission."**

**Zone Change Proposal No. 98Z-138U**  
Council Bill No. O98-1320  
Map 72-10, Parcel 85  
Subarea 5 (1994)  
District 7 (Campbell)

A council bill to change from R6 to OR20 District property located at 1021 Spain Avenue, approximately 200 feet west of Gallatin Pike (.19 acres), requested by Maude R. Hopkins, appellant, for Phillips Robinson Company, Inc., owner.

Ms. Regen stated this was a council bill going to public hearing on September 1, 1998. The request is to rezone property located 1021 Spain Avenue from residential to OR20 (office and multi-family residential). The existing R6 district is intended for single-family homes and duplexes. The proposal is by the Phillips and Robinson Funeral Home to rezone a residential home they own. Staff feels the OR20 zoning is too intense and that the property should remain residential or rezoned to ON (office neighborhood). Area residents are opposed to this rezoning because they do not want office, multi-family or funeral home expansion on the property. The ON zoning would not allow the funeral home to expand. It could only be used as an office.

Councilmember Earl Campbell stated this home had been rental property in the past and was not in good condition so Phillips Robinson Company has decided to renovate it and turn it into an office. He said the neighbors he had talked to felt an office in that location would compliment the neighborhood and that he would support this zone change at the council level.

Mr. Steve Hager and Ms. Carla Fox expressed concerns regarding the building of another crematorium, invasion into the residential neighborhood and buffering and reminded the Commission the Subarea 5 Plan called for that area to remain residential.

Mr. Lawson stated Ms. Fox's presentation was a good wake up reminder of the Commission's responsibilities. He stated it was clear that the subarea plan contained several provisions which discourage extending any kind of commercial activity into a residential neighborhood. Therefore, he stated the zoning of the property should not be changed.

Mr. Manier stated he felt the Commission could either defer this matter and look at the General Plan or disapprove the rezoning.

Ms. Warren stated this was definitely a residential area and the OR20 has been extended far enough. The residential neighborhood should be protected and this zone change would be detrimental.

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

**Resolution No. 98-654**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-138U is **DISAPPROVED (8-0)**:"

**This property falls at the boundary between the Subarea 5 Plan’s Commercial Arterial Existing (CAE) policy along Nolensville Pike and Residential Medium (RM) policy to the west. The OR20 district is not compatible with the abutting RM policy calling for conservation of the residential neighborhood at up to 4 to 9 units per acre. Non-residential zoning should not encroach any further into the established neighborhood.”**

**Zone Change Proposal No. 98Z-139U**  
Map 135, Part of Parcel 254  
Subarea 13 (1996)  
District 28 (Hall)

A request to change from R10 to CL District a portion of property located at 2400 Murfreesboro Pike, approximately 20 feet south of Brooksboro Place (.88 acres), requested by Will and Robert Braswell, appellants, for Tucker Rychen, et ux, and Robert H. and Will V. Braswell, owners.

Ms. Regen stated this request is to rezone a portion of property from residential to commercial on the east margin of Murfreesboro Pike. Staff is recommending disapproval because the policy along Murfreesboro Road is to have this area develop as residential. There is plenty of other commercial opportunity in and around this area that has not been developed.

Mr. Robert Warren stated that in this particular case there are topographical issues that should be considered. This property is long and narrow and just off of Murfreesboro Road in this area there is a very deep ravine and it has influenced the way that area has developed.

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

**Resolution No. 98-655**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-139U is **DISAPPROVED (8-0)**:

**This property falls within the Subarea 13 Plan’s Residential Medium (RM) policy calling for 4 to 9 units per acre. Brooksboro Place forms the boundary between the Retail Concentration Super-community (RCS) policy around the Murfreesboro Pike/Una Antioch Pike node and the RM policy. Allowing commercial zoning to gain a foothold at this location could adversely impact the established residential area to the south. The existing R10 or the RM4 district would be preferred in this area along the frontage of Murfreesboro Pike.”**

**Zone Change Proposal No. 98Z-140U**  
Map 161, Parcel 107  
Subarea 12 (1997)  
District 31 (Alexander)

A request to change from AR2a to R10 District property located on Nolensville Pike (unnumbered), approximately 1,000 feet south of and opposite Swiss Avenue (3 acres), requested by Armelda Comer-Cain, appellant, for Armelda Comer-Cain and Theresa J. Comer, owners.

Ms. Regen stated this is a request to rezone property from agriculture to residential along Nolensville Road. The Subarea 12 Plan intends for this area to develop as commercial. Staff is recommending disapproval of this request because by allowing for residential use here, in an area that is supposed to be commercial, would be giving residential a foothold and would allow for expansion for more residential.

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

**Resolution No. 98-656**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-140U is **DISAPPROVED (8-0)**:

**This property falls within the Subarea 12 Plan's Retail Concentration Super-Community (RCS) policy calling for intense retail development around the Nolensville Pike/Old Hickory Boulevard commercial node. The R10 district is inconsistent with this policy since residential uses should not be encouraged in areas envisioned for strictly commercial development. The CL or CS district would be the preferred zoning along this stretch of Nolensville Pike."**

**Zone Change Proposal No. 98Z-142U**  
Council Bill No. O98-1342  
Map 92-7, Parcels 173 (.24 acres), 174 (.16 acres),  
and 175 (.16 acres)  
Subarea 8 (1995)  
District 21 (McCallister)

A council bill to change from OR20 and IR Districts to OR20, IR, and RS3.75 Districts properties located at 801 19th Avenue North, and 1910 and 1912 Batavia Street (.56 acres), requested by Metropolitan Development and Housing Authority, appellant, for Julius Doochin Fabrication Properties, LLC, owner.

Ms. Regen stated this was a request by MDHA to rezone some property from industrial to residential office and one property from office to industrial. MDHA is involved in a land swap between the owner of some property in the area. The proposal is to rezone a property from industrial to single family residential. The next request is to rezone a property from industrial to office and multi-family residential and the other request is to rezone a property from office and multi-family residential to industrial. Staff supports the rezoning to single family residential and office because that supports the mixed use policy of the Subarea 8 Plan. However, staff is not supportive of the rezoning to industrial because it would place industrial zoning in an area where the land use policy calls for office or residential development.

Staff recommends disapproval of the bill as proposed and to indicate to Council support for the rezoning to residential and office.

Ms. Warren asked if the Commission did not approve this would the land swap deal be cancelled.

Mr. Joe Cain, with MDHA, stated that he had not spoken with the property owner to address that question directly. More than likely the swap would still go through.

Chairman Smith stated that one reason he would be in favor of this is because this has been a terrible area and this is an MDHA government directed deal in order to improve the neighborhood.

Mr. Manier asked Ms. Regen to reiterate staff's concern.

Ms. Regen stated staff always tried to limit industrial development occurring next to residential zoning and uses. Industrial zoning would be more appropriate south of the railroad or across the street in industrial policy. Industrial zoning is not appropriate in mixed use policy.

Mr. Small stated he agreed with staff's recommendation and felt it would be more appropriate to wait and see how the property next door developed and how it fit into the plan instead of going ahead and making the change on parcel 173.

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

**Resolution No. 98-657**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-142U is **DISAPPROVED (8-0) with an advisory to Metro Council that the Commission supports the rezoning on parcels 174 and 175 as proposed.**

**These properties fall within the Subarea 8 Plan's Mixed Use (MU) policy calling for a mixture of compatible residential and nonresidential uses. While the proposed RS3.75 and OR20 districts are consistent with MU policy, the proposed IR zoning is not since it permits industrial uses. The Subarea 8 Plan ultimately intends to eliminate industrial uses on the west side of 19<sup>th</sup> Avenue North since this area is redeveloping with single-family homes. Industrial uses are encouraged on the east side of 19<sup>th</sup> Avenue North or south of the railroad tracks within the Subarea 8 Plan's Industrial (IND) policy."**

**Zone Change Proposal No. 98Z-143G**

Council Bill No. 098-1346

Map 51-6, Parcels 35 (1.09 acres), 36 (1.01 acres), 37 (1.02 acres)  
and 38 (.73 acres)

Map 51-10, Parcels 4 (.83 acres), 5 (1.03 acres), 11 (.88 acres) and 12  
(.94 acres)

Subarea 4 (1993)

District 3 (Nollner)

A council bill to change from RS20 to OR20 District properties located at 1203, 1205, 1207, 1209, 1211, 1213, 1301, and 1304 South Graycroft Avenue, approximately 200 feet south of Due West Avenue (7.53 acres), requested by Donald W. and Carol S. Belles, appellants, for Larry and Daisy B. Buggs, Paul R. Stephens, Ruth Horn Wain, Ginger Lee Valenti, Donald W. Belles et ux, William G. McCreery et ux, James D. Lawson et ux, W. M. Hardcastle et ux, and Viola P. Cantrell, owners.

Ms. Regen stated this proposal is to rezone property from single family residential to office and multi-family residential along South Graycroft Avenue. Staff recommends disapproval of this bill because the OR20 district is not consistent with the Subarea 4 Plan's Residential Low density policy. Councilmember Nollner has indicated he is now contemplating amending this bill to ON zoning which would allow for the reuse of the existing single family homes along South Graycroft Avenue for office use. Staff recommends disapproval of this bill as OR20 and even if it is amended to ON staff would still recommend disapproval. Staff feels the single family residential zoning that exists there today should remain.

Councilmember Ron Nollner stated this area is at the end of Ellington Parkway and these properties are the last eight homes that are not commercial on this stretch. These property owners cannot get in and out of their property because of traffic problems. The ON that will be requested will allow residential or a small office in the existing residential house. It will not open up back into the neighborhood.

Councilmember Garrett asked why would ON not be a good transition.

Ms. Regen stated Graycroft Avenue serves as a solid boundary between policies and the area to the east is to remain single family residential.

Chairman Smith stated this area was in transition and creating too much office could be detrimental.

Mr. Small stated that rezoning this to multi-family residential or office would create more traffic than the single family homes that are there now and there would be no significant improvement.

Mr. Small moved and Mr. Lawson seconded the motion, which carried, with Councilmember Garrett in opposition, approve the following resolution:

**Resolution No. 98-658**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 98Z-143G is **DISAPPROVED (7-1)**:

**These properties fall within the Subarea 4 Plan's Residential Low (RL) policy calling for up to 2 units per acre. The OR20 district is not consistent with this policy since it would permit office uses and multi-family developments at up to 20 units per acre. The existing RS20 district is the preferred zoning district in this established residential area."**

Chairman Smith stated 98Z-146U was approved on the consent agenda and there was someone in the audience that had wanted to talk about the sewer in this particular region. They did not speak up when that item was called out as being on the consent agenda but that they had given him information before the meeting that he had not had a chance to read.

Ms. Regen stated they had already left.

Chairman Smith stated that item would go to Council where they would have a chance for a public hearing.

**PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:**

**Proposal No. 74-73-G**  
Music Valley Drive PUD  
Map 62, Parcel 29  
Subarea 14 (1996)  
District 15 (Dale)

A request for a front setback variance to Section 17.32.070 (Sign Regulations) of the zoning code for a portion of the Commercial (General) Planned Unit Development District located abutting the north margin of McGavock Pike and the west margin of Briley Parkway, classified CA, to permit a ground sign with a zero foot front setback, requested by Cummings Sign Company, for OLH, L.P., owner.

Mr. Delaney stated this is a request for a sign variance. The owners want to put up a new sign with a 0 foot front setback along McGavock Pike. Staff recommends that the Commission advise the Board of Zoning Appeals there was no special conditions placed on signs relative to setback or location when this planned unit development was approved by the Commission.

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

**Resolution No. 98-659**

**"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 74-73-G, THE COMMISSION ADVISED THE BOARD OF ZONING APPEALS THERE WERE NO SPECIAL CONDITIONS PLACED ON SIGNS RELATIVE TO SETBACK LOCATION WHEN THIS PLANNED UNIT DEVELOPMENT WAS APPROVED BY THE COMMISSION (8-0):**

**SUBDIVISIONS:**

**Preliminary Plats:**

**Subdivision No. 98S-255G (Public Hearing)**

Albatross at Old Hickory  
Map 53, Parcel 40  
Subarea 14 (1996)  
District 11 (Wooden)

A request for preliminary approval for 10 lots abutting the south terminus of Hurst Drive, approximately 3,000 feet southeast of Ryburn Drive (15.5 acres), classified within the R15 District, requested by Jerry Lemons, owner/developer, Steve Sanders, surveyor. (Deferred from meeting of 8/6/98).

Ms. Carrington stated staff is recommending approval. This is a request for 10 cluster lots and meets all regulations in the Zoning Ordinance for cluster lot subdivision. This application was deferred from the last meeting so the applicant could provide a stub street to the vacant property to the west, and that has been done.

Mr. Kenneth Gwynn, Mr. Neil Jenkins, Mr. Robert Wilson and Mr. David Rollins expressed concerns regarding flooding and building a lake in the flood water drainage path.

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

**Resolution No. 98-660**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-255G, is **APPROVED (8-0).”**

**Subdivision No. 98S-268U (Public Hearing)**

Acklen Place  
Map 104-5, Parcel 63  
Subarea 10 (1994)  
District 24 (Johns)

A request for preliminary approval for three lots abutting the northwest margin of Acklen Park Drive, opposite Hillsdale Avenue (.41 acres), classified within the R6 District, requested by Robert E. Baker, owner/developer, C. Michael Moran, surveyor.

Ms. Carrington stated staff is recommending approval. This a request for three lots and they meet the comparability requirements for both frontage and area in the Subdivision Regulations.

No one was present to speak at the public hearing.

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

**Resolution No. 98-661**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-268U, is **APPROVED (7-0).”**

**Subdivision No. 98S-269U (Public Hearing)**

Maplewood Heights Second Subdivision,  
Resubdivision of Lots 184, 185 and 186  
Map 61-10, Parcel 34, 35 and 36

Subarea 5 (1994)  
District 4 (Majors)

A request for preliminary approval to subdivide three lots into four lots abutting the east margin of Hudson Avenue, approximately 560 feet south of Virginia Avenue (1.72 acres), classified within the RS15 District, requested by Bob Thomas & Doug Hensley, optionees, James L. Terry, surveyor.

Ms. Carrington stated the applicant is requesting a deferral for two weeks.

No one was present to speak at the public hearing.

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

**Subdivision No. 98S-276U (Public Hearing)**  
Drake's Run Subdivision  
Map 58, Parcels 70 and 71  
Map 58-11, Parcels 18, 208 and 209  
Map 58-15, Parcels 175 and 176  
Subarea 3 (1998)  
District 1 (Patton)

A request for preliminary approval for 41 lots abutting the west margin of Drakes Branch Road, approximately 406 feet north of Kings Lane (18.15 acres), classified within the RS15 District, requested by Howard and Company Realtors, owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

Ms. Carrington stated staff is recommending disapproval. This is a cluster lot subdivision and does meet the requirements for the cluster lot provisions in the Zoning Ordinance. They are requesting a variance on one lot in the northwest corner which does exceed the 4 to 1 lot depth to width ratio in the Subdivision Regulations. Because of the unusual shape of the property and the fact they are doing good street connections to the north and to the east staff feels the variance is appropriate. However, after the staff report was mailed last week staff received a revised plat. There were reserve parcels that were part of the adjacent subdivision to the west. Originally they were incorporating the reserve parcel into this development which is appropriate under the Subdivision Regulations. The revised plat has removed these reserve parcels due to a dispute over ownership with adjacent property owners.

Mr. Bill Lockwood, representing the applicant, stated he was still working with the owners of the reserve parcels and trying to comply by bringing those reserve parcels into the subdivision. There may be some question with the ownership of two of the parcels. He requested the Commission approve the preliminary with 37 lots with the assurance that before any final plat comes back those reserve parcels will be handled one way or the other.

Chairman Smith stated that staff would prefer the Commission not approve this but to defer it until everything has been settled.

Mr. Lockwood stated that from a timing standpoint he would prefer the Commission consider it even if the balance of the lots that adjoin were held out until they were accommodated.

Chairman Smith stated the Commission preferred the applicant come back with something that works under the current ownership.

Mr. Lockwood stated he was committing to the Commission that he would take care of those reserve parcels on the final plat.

Mr. Bill Himes, principal, stated this reserve issue just came to their attention two days ago and that he understood the Commission's stance that they do not want reserve parcels and are committed to the point they will give the reserve parcels to whoever owns the property.

Mr. Lockwood asked the Commission to approve the original plat as stated on the agenda.

Mr. Charles Bryant and Mr. William Terrell expressed concerns regarding water drainage and traffic and asked there be an access from Drakes Branch Road.

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

**Resolution No. 98-662**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-276U, **APPROVED ORIGINAL PRELIMINARY PLAT WHICH INCLUDED RESERVE PARCELS WITH A VARIANCE TO SECTION 2-4.2E OF THE SUBDIVISION REGULATIONS FOR ONE LOT (7-0).”**

**Subdivision No. 98S-277G (Public Hearing)**  
Tree Haven (Remaining Portion) Revised  
Map 164, Parcel 262  
Subarea 13 (1996)  
District 29 (Holloway)

A request to revise a portion of a preliminary plan for 162 lots abutting the east terminus of Ashford Trace and the south terminus of Brentwood Drive (45.2 acres), classified within the RS7.5 District, requested by Parks-Harney Development Company, owner/developer, MEC, Inc., surveyor.

Ms. Carrington stated staff was recommending conditional approval subject to approval by the Department of Public Works, including a pro-rata contribution toward the improvements identified in the 1997 traffic study.

The first section of this subdivision is final. They are proposing to revise the remaining part of the preliminary. It was originally approved for 161 lots and they are adding 1 lot. They have also revised it to be a cluster lot development and have changed the alignment of the collector street. In 1997 they submitted a traffic study that included the adjacent Ashford Crossing Subdivision and both subdivisions were participating in a turn lane on Mt. View. Since they have increased the size of their subdivision by one lot with this proposal their contribution may increase slightly.

No one was present to speak at the public hearing.

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

Councilmember Garrett left at 3:50 p.m. at this point in the agenda.

**Resolution No. 98-663**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-277G, is **APPROVED WITH CONDITION REQUIRING PRO-RATA CONTRIBUTION TOWARD IMPROVEMENTS IDENTIFIED IN THE 1997 TRAFFIC STUDY (6-0).”**

**Subdivision No. 98S-279G (Public Hearing)**

Town Hill Subdivision  
Map 156, Parcel 70  
Subarea 6 (1996)  
District 35 (Lineweaver)

A request for preliminary plat approval for seven lots and final approval of a phase (one lot) for property abutting the west margin of Old Harding Pike, approximately 170 feet south of Poplar Creek Trace (3.78 acres), classified within the RS15 District, requested by Donna Turek, owner/developer, Wamble and Associates, surveyor.

Ms. Carrington stated staff is recommending conditional approval subject to the proposed street being bonded and constructed with the next phase of development. There is an existing house on the property and they are proposing a preliminary plan with 7 lots. The first phase would be one lot on Old Harding Pike. The first lot had been approved without requiring the street and staff has decided that since one lot does not have frontage on the street, any future sections would be required to bond that street.

Mr. John Brittle, Jr., realtor representing the owner, asked if getting a permit and tearing down the shed and building a garage would require the lot to be platted.

Mr. Browning stated it may require that. That lot that has the existing house on it would require platting for any improvements.

Mr. Brittle asked if the roof were replaced would the lot have to be platted and the road built.

Mr. Browning stated that was not the case. It would only pertain to buildings that were subject to setbacks.

Mr. Jeff Stevenson expressed concerns regarding drainage if other homes are built.

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

**Resolution No. 98-664**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-279G, is **APPROVED WITH CONDITION THAT PROPOSED STREET MUST BE BONDED AND CONSTRUCTED WITH THE NEXT PHASE OF DEVELOPMENT (8-0).”**

Mr. Lawson left at 4:30 p.m. at this point in the agenda.

**Final Plats:**

**Subdivision No. 96S-219G**  
River Glen, Phase 4, Section 2  
Map 52, Part of Parcel 2  
Subarea 14 (1996)  
District 15 (Dale)

A request for final plat approval to create 43 lots abutting the northern terminus of Benay Road (8.47 acres), classified RS10 Residential Planned Unit Development District, requested by Julius Doochin, owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

Ms. Carrington stated the petitioner had asked for approval at the last meeting. At that time staff did not have estimates for extension of roads and utilities. Public Works has refused to give those estimates.

However, staff does have a bond estimate from the applicant's engineer. Those estimates have been reviewed and staff believes it is a good bond estimate in the amount of \$231,500.

Ms. Warren stated she was not at the last meeting and asked what the reason was that Public Works would not give the estimates.

Ms. Carrington stated it was because the floodplain elevations that they were proposing did not match the new regulations that FEMA has proposed and which Public Works is attempting to enforce before FEMA adoption. Public Works is not supporting the application as a whole so they will not participate in the estimate of the bond.

Chairman Smith informed Ms. Warren the Commission voted at the last meeting that the flood elevations that are in effect are the ones the Commission is going to go by.

Mr. Manier asked if the Commission could approve this development without Public Works approval.

Mr. Browning stated the Commission had the right to establish a bond.

Mr. Manier asked Ms. Shechter if there was anything wrong with what the Commission was doing.

Ms. Shechter stated that Councilmember Dale has asked the Legal Department to render a legal opinion as to whether Public Works has the authority to establish the floodplain lines prior to the final approval by FEMA of those maps. That is being looked at right now.

Mr. Small asked if the Commission set this bond amount and it was too low could Public Works come back and raise it.

Ms. Carrington stated that since 1997 there were provisions in the bond instruments that if the amount of the bond was too low for the actual improvements, it can be raised or get that increment difference between what the bond is and what the actual cost is.

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

**Resolution No. 98-665**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 96S-219G, is **APPROVED A BOND IN THE AMOUNT OF \$231,500.00 (8-0).”**

**Subdivision No. 98S-066U**

Jackson Subdivision (formerly Charlotte Park,  
Resubdivision of Part of Lots 5 and 6  
Map 103-3, Parcel 31  
Subarea 7 (1994)  
District 24 (Johns)

A request for final plat approval to reconfigure part of two lots and a 40 foot strip into two lots abutting the east margin of 54th Avenue North, approximately 403 feet south of Nevada Avenue (.52 acres), classified within the RS7.5 District, requested by Bruce Jackson, owner/developer, John Kohl and Company, surveyor.

Ms. Carrington stated staff was recommending approval with a variance to the lot depth to width ratio in the Subdivision Regulations. This is a request to reconfigure part of two single family lots and a 40 foot strip of land into two lots on .52 acres on 54<sup>th</sup> Avenue North. This was a preliminary plat that was approved in

March of this year and at that time a variance was granted to comparability requirements. These lots were 3 feet short on their frontage.

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

**Resolution No. 98-666**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-066U, is **APPROVED WITH A VARIANCE TO SECTION 2-4.2E OF THE SUBDIVISION REGULATIONS (8-0).”**

**Subdivision No. 98S-231U**  
Tanksley Real Estate Minor Subdivision  
Map 82-6, Parcel 76  
Subarea 5 (1994)  
District 5 (Harrison)

A request for final plat approval to subdivide one lot into two lots abutting the east margin of Cowan Street, opposite Cowan Court (2.63 acres), classified within the IG District, requested by Tanksley Real Estate Company, owner/developer, Adams and Company Surveyors, surveyor.

Ms. Carrington stated staff recommends approval with a variance to the minimum lot frontage requirements in the Subdivision Regulations. This is a request to subdivide a lot into two lots on Cowan Street in IG zoning. The northern most lot does not meet the 50 foot minimum lot frontage. However, the proposed use is for a water pumping station and they can get only 25 feet for their driveway. Because of the use of the property and the fact that they would have to condemn more land to get the 50 feet, which would impact an adjacent parking lot, staff feels that would justify the variance.

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

**Resolution No. 98-667**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-231U, is **APPROVED WITH A VARIANCE TO SECTION 2-4.2A OF THE SUBDIVISION REGULATIONS (8-0).”**

**Subdivision No. 98S-248U**  
Castlegate, Section 1, Resubdivision of Lot 1  
Map 136-10, Parcels 1, 8 and 9  
Subarea 13 (1996)  
District 29 (Holloway)

A request for final plat approval to consolidate one lot, two reserve parcels and abandoned right-of-way into one lot abutting the southwest corner of Smith Springs Road and Castlegate Drive (.56 acres), classified within the R10 District, requested by J. Michael Wood, owner/developer, MEC, Inc., surveyor. (Deferred from meeting of 8/6/98).

Ms. Carrington stated staff is recommending conditional approval subject to approval by the Department of Water Services and that in this case that a legal instrument be recorded prior to the recording of the final plat, which is a hold harmless type of an agreement because of a house encroaching on an existing sewer line.

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

**Resolution No. 98-668**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 98S-248U, is **APPROVED WITH A CONDITION THAT A HOLD HARMLESS AGREEMENT FOR THE HOUSE ENCROACHMENT ON THE SEWER LINE BE RECORDED BEFORE THE PLAT IS RECORDED (8-0).”**

**Subdivision No. 98S-273U**  
Wrightwood Estates, Section 1, Revised Lot 7  
Map 59-9, Parcel 190  
Subarea 3 (1998)  
District 2 (Black)

A request for final plat approval to abandon a cul-de-sac and utility anchor easement abutting the west terminus of Fairmeade Drive, approximately 797 feet southwest of Boyd Drive (21.05 acres), classified within the RS10 District, requested by John K. and Norma J. Wright, owners/developers, Dale and Associates, Inc., surveyor.

Ms. Carrington stated staff is recommending disapproval. This is a request to abandon a cul-de-sac and a utility anchor easement on one single family lot abutting the west terminus of Fairmeade Drive. This plat was approved in 1989 with a cul-de-sac on the westernmost end of Fairmeade. The applicant is requesting to abandon the unimproved cul-de-sac and easement. This item was bonded with the approval in 1989. A request to release the bond is also on this agenda and staff is not supporting that request either. At the time this plat was approved Fairmeade was not planned to go through the adjoining property. It is steep topography and the Subdivision Regulations require a turnaround for any streets that are longer than 300 feet. This street is longer than 300 feet so the turnaround is required. Since the approval would violate the Subdivision Regulations by removing that turnaround staff cannot support this request.

Mr. John Wright, owner and developer, stated he thought he had an agreement worked out with staff from two weeks ago and asked for time to talk with staff again before the Commission makes a decision.

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

**Request for Bond Extension:**

**Subdivision No. 28-79-G**  
Cambridge Forest, Section 1  
Double M. Partners, principal  
[Buildout is at 69%]

Located abutting the west margin of Rural Hill Road, approximately 1,300 feet south of Rice Road.

Ms. Carrington stated as she had pointed out there was a mistake on the agenda because the applicant originally submitted that the buildout was at 79%. They recalculated and they were counting houses that were not yet under roof. When they did their new calculations it came up as 69% so staff is now recommending approval of their request for an extension in the revised amount of \$39,000 to December 15, 1998 subject to submittal of an amendment to their present letter of credit by September 20, 1998, which extends its expiration date to June 15, 1999.

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

**Resolution No. 98-669**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** request for extension of a performance bond for Subdivision No. 28-79-G, Bond No. 97BD-022, Cambridge Forest, Section 1, in the revised amount of \$39,000 to 12/15/98 subject to submittal of an amendment to the present Letter of Credit by **9/20/98** which extends its expiration date to 6/15/99. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**”

**Request for Bond Release:**

**Subdivision No. 88S-433U**  
Wrightwood Estates, Section 1, Revised  
John K. Wright, principal  
[Buildout is at 60%]

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

Ms. Carrington stated this application is for release of the bond on the cul-de-sac for Subdivision No. 98S-273U, which was deferred. Staff is recommending disapproval of the request for release unless the required cul-de-sac is constructed and accepted by Public Works by October 1, 1998.

The Commission stated it would be preferable to defer this matter since the related item on this agenda was deferred.

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

**Consideration of Bond Collection:**

**Subdivision No. 93P-008G**  
Chandler Grove  
Brent A. Campbell, co-principal  
Charles V. Duncan, co-principal  
[Buildout is at 100%]

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

Ms. Carrington stated staff is recommending approval of the request for collection of the performance bond in the amount of \$35,000 because the principal has not constructed the sidewalks required by bond in compliance with Metro Public Works specifications. This is a case where buildout is a 100%. Public Works has been working with the applicant on the sidewalk issue since January. At the time they requested this bond be collected they did not feel work was progressing and since it has been placed on the agenda the developer has been working on the sidewalks and thinks he can get them completed by October 1, 1998. Because their letter of credit expires November 13, 1998, staff recommends the Commission approve the collection.

Mr. Brent Campbell, developer, stated this subdivision was designed before the sidewalk requirement was part of the Metro Code. Sidewalks have been built, for the most part, on both sides of the street. After the subdivision was built out Public Works rejected the sidewalk construction where they crossed the

driveways. After meeting with the homeowners an agreement was reached to tear out 1,100 feet of sidewalks and correct them to bring them into compliance.

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

**Resolution No. 98-670**

“BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for collection of a performance bond for Subdivision No. 93P-008G, Bond No. 94BD-082, Chandler Grove, in the amount of \$35,000 unless the principal completes construction of the required sidewalks in compliance with Metropolitan Public Works specifications by 10/1/98.”

**MANDATORY REFERRALS:**

**Proposal No. 98M-083U**  
Butler’s Run, 138 Second Avenue North  
Map 93-6-2, Parcel 76  
Subarea 9 (1997)  
District 19 (Sloss)

A request by Butler’s Run, LLC for an aerial encroachment to allow the installation of four (4) stationary awnings projecting five feet over the public right-of-way approximately 10 feet above the sidewalk at 138 - 140 Second Avenue North for Butler's Run, requested by Grace Smith, for Joseph N. Baker, trustee.

Ms. Regen stated staff had recommended disapproval of this Mandatory for 4 awnings over the sidewalk because NES had objected to it. Staff received a fax today and NES is now approving it, so staff is also recommending approval.

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

**Resolution No. 98-671**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (6-0)** Proposal No. 98M-083U.

**OTHER BUSINESS:**

3. Employee contract renewal for Michelle Kubant.
5. Employee contract for Cyrus Shiek.

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

**Resolution No. 98-672**

“BE IT RESOLVED by the Metropolitan Planning Commission that it approves the employee contract for Michelle Kubant for one year, from September 1, 1998 through August 31, 1999 and the employee contract for Cyrus Shiek for one year, from September 16, 1998 through September 15, 1999.

Mr. Browning stated there was an issue in the morning *Tennessean* about enforcement of the Tree Ordinance in subdivisions and using Burton Hills as an example. It is true throughout Davidson County that the developers mass clear all of the trees during the initial stages of developing subdivisions. When the Tree Ordinance was written in 1995 that issue was addressed by requiring the developer to define the areas that would have to be cleared of trees to install streets, utilities and drainage. Those were the only areas that were authorized for tree clearance.

Once the plat was given final approval and recorded, and lots began to be sold, then by the Tree Ordinance they become exempt. At this point the purchaser of the lot was not bound by the Tree Ordinance. The theory was that if the trees could be protected to the point that the lots would transfer to the builder or the homeowner who would be building a home, there was a greater chance of preserving the trees during construction of the house.

This provision of the Tree Ordinance is not being enforced, which is resulting in premature removal of trees. Staff is seeking Commission support in sending notification to various engineering and survey firms to ask their help in notifying subdividers of the requirement to delineate areas of clearance during subdivision construction, and to limit tree removal to just those areas.

The Commission agreed the memorandum should be sent as information to the architects, engineers and developers.

1. Madison Historic Business District Plan consideration and endorsement.

This item was deferred for two weeks.

2. Economic Development Functional Plan. Consideration of Adoption.

This item was deferred for two weeks.

4. Demonstration of Internet Access to Metro Map Data.

This item was deferred for two weeks.

6. Legislative Update.

This item was deferred for two weeks.

#### **PLATS PROCESSED ADMINISTRATIVELY**

August 6, 1998 through August 19, 1998

**98S-232U WEST MEADE FARMS, INC., Section 7, Lot 704**  
Plats one lot into two lots

**98S-234G BELLSHIRE ESTATES, Section B, Resubdivision of Lot 477**

Two unit condominium plat

- 98S-237U**      **VICTORIA PLACE, Part of Lot 236**  
Platting a deeded parcel and shifting an interior lot line
- 98S-264U**      **TENNESSEE WORKERS CREDIT UNION SUBDIVISION**  
Plats one lot into two lots
- 98S-258U**      **JUDY'S SUBDIVISION, Second Revision**  
Consolidates two lots into one lot
- 98S-278G**      **FOX HOLLOW FARMS, Lot 18**  
Plats a portion of a large parcel as a lot
- 98S-285G**      **GARY HAMLIN LOTS**  
Plats one parcel into two lots

**ADJOURNMENT:**

There being no further business, upon motion made, seconded and passed, the meeting adjourned at 5:15 p.m.

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Chairman

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Secretary

Minute Approval:  
This 3<sup>rd</sup> day of September, 1998