

**MINUTES OF A MEETING OF  
THE PLANNING COMMISSION OF  
THE CITY OF FOREST HILLS**

**NOVEMBER 16, 2006**

The Forest Hills Planning Commission (herein also the "Board") held its regular monthly meeting on November 16, 2006 at the City's Offices, 4012 Hillsboro Road, Nashville, Tennessee, beginning at 6:00 p.m. Vice Chairman Winston Evans presided. Also present were Mr. Clay Jackson, Mr. James Gardner, Mr. Sandy Moore, Mr. David Waller, Mr. Em Ghianni, Mayor Evers, Commissioner Coke, and Vice Mayor Lovell. Others present are shown on the attached sign-in sheet. A copy of the Agenda is also attached to these minutes.

1. Approval of the minutes of the October 19, 2006 Planning Commission meeting. Upon motion by Commissioner Coke, which was seconded by Mr. Clay Jackson, the Board unanimously voted to approve the minutes of the October 19, 2006 meeting.

2. Letters of Credit ----- no action required

(a) Expires: August 31, 2008 / Issued: September 06, 2006  
#SCL012915 National City, Cleveland, OH  
Advising Bank ---Tennessee Commerce Bank, Franklin, TN  
WDL Investments, LLC (Tyne Estates) ---\$497,000

3. Mr. Charlie Lowe, Ragan-Smith, representing Agincourt Subdivision, requested approval of final plat, which would modify one lot, add an entranceway security gate, and make the street and subdivision private. Mr. Lowe stated the City

Attorney has a copy of an amendment to the restrictive covenants requiring owners to pay for and maintain privacy gate and street, and submitted approval of Metro Fire of the cul-de-sac. Upon motion by Mr. Sandy Moore, which was seconded by Commissioner Coke, the Board the Board unanimously voted to approve the Agincourt final plat as requested.

4. Mr. Tom King, representing Mr. Wes Lamoureux of WDL Investments seeks final plan approval of the revision of Lots 1, 9, 10, and 11 in the Tyne Estates Subdivision. The revision reduces the length of the private access off Saxon, enabling use of more level terrain. The revision would also make Lot 1 have access only from Tyne Blvd., and Lot 1 would be removed from the joint Access and Maintenance Agreement for the Private Drive, which Lots 9, 10, and 11 would share. Upon motion by Mr. David Waller, which was seconded by Mr. Clay Jackson, the Board unanimously voted to approve the final plat as requested.

5. City Engineer- Letter of Credit

(a) Agincourt. Mr. Bivens informed the Board that the minimum bond is 30%. Based on his calculation of the original bonding requirement, the current level should be \$51,000. Upon motion by Mr. Clay Jackson, which was seconded by Mr. David Waller, the Board the Board unanimously voted to approve a Letter of Credit and a one-year Maintenance Agreement of \$51,000.

(b) Cambridge Downs. Mr. Bivens' calculations, based on the original

Performance agreement, established the current required letter of credit at \$165,600.

Upon motion by Mayor Evers, which was seconded by Mr. James Gardner, the Board unanimously voted to defer action on this item.

After discovering the original letter of credit had expired and that no Letter of Credit was in place, Mr. James Gardner, offered a motion to reconsider the previous motion, which was seconded by Mr. Em Ghianni, and the Board voted to reconsider. Following a discussion about the remaining construction which needs to be secured (landscaping, trees, final asphalt topping, and bringing the entranceway into compliance)

Commissioner Coke made a motion to require a one year Maintenance Agreement in the amount of \$165,600, which was seconded by Mr. Clay Jackson, and the Board unanimously voted to approve a Letter of Credit in that amount and a one-year Maintenance Agreement.

6. Proposed Amendments to the Zoning Ordinance. The Board discussed the eight (8) major amendments to the Zoning Ordinance, for an extended period of time. The discussion focused on open space conservation and new subdivision development. Mr. James Gardner made a motion to recommend to the Board of Commissioners a six (6) month moratorium on demolition of houses and new developments, until a study can be conducted on teardowns of existing house and open space conservation. The motion was seconded by Mr. David Waller and the board voted 4 to 3 to recommend a six (6) month moratorium to the Board of Commissioners. Those voting yes were: Mr. James Gardner, Mr. David Waller, Mayor Evers, and Mr. Winston Evans. Those voting no were: Mr. Moore, Mr. Jackson, and Mr. Ghianni.

Upon motion by Mr. James Gardner, which was seconded by Mr. David Waller, the Board unanimously voted to move the December 21, 2006 Planning Commission meeting to December 14, 2006 and to adjourn the meeting and resume discussion of the Zoning Ordinance, moratorium, and open space conservation at that time.

There being no further matters to be discussed and there being no further business to come before the Board, the meeting was adjourned.

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Recorder

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Vice Chairman