

OFFICIAL MINUTES OF THE MEETING
GOODLETTSVILLE PLANNING AND ZONING COMMISSION

April 5, 2021

Remote Zoom Format Meeting

5:00 p.m.

Present: Mayor Rusty Tinnin, Grady McNeal, Judy Wheeler, Jeff Parnell, Bob Whittaker, Chairman Tony Espinosa, Jim Hitt, Jeff Duncan, David Lynn, Vice Chairman Scott Trew, and Jerry Garrett

**Some members entered and exited meeting as referenced in meeting minutes below*

Absent:

Also Present: Addam McCormick (Staff), Russell Freeman, Mary Laine Hucks, Rhonda Carson, Tim Ellis

Espinosa called the meeting to order and Garrett offered prayer.

Trew made a motion to approve the agenda, Lynn seconded the motion. Roll call vote completed. The motion passed 8-0 with no votes received from Parnell, McNeal, Whitaker

Garrett made a motion to approve the minutes of the March 1, 2021 meeting, McNeal seconded the motion. Motion passed. Roll call vote completed. Motion passed 9-0 with no votes received from Parnell or McNeal

Duncan made the motion to suspend the Planning Commission's By-Laws to permit the remote meeting format, Wheeler seconded the motion. Roll call vote completed. The motion passed 9-0 with no votes received from Parnell or McNeal

Staff discussed that no public comments were submitted prior to the meeting.

AGENDA

Item#1	Dry Creek Planned Unit Development/Natelli Communities/Ragan-Smith Associates: Request Dry Creek Farms Master Plan Amendment and the rezoning of 21.38 acres from CPUD, Commercial Planned Unit Development to HDRPUD, High Density Residential Planned Unit Development for 117 townhouse units at Dry Creek Road and Dickerson Road, and Robert Cartwright Drive and 3.23 acres in commercial out lots. Property referenced as Davidson County Tax Map/Parcels# 03300004200 and 03300029700. Property Owners: Terry Wilkes and Fred Hix (#03-21) (DEFERRED MARCH MEETING)
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Item Representative: Scott Bernick, Ragan-Smith Associates, Michael and Thomas Natelli, Natelli Development

Staff Discussion:

-Deferred at last meeting

-Revised plans include an additional 1.75 acre outparcel for commercial, aligned access drive on Robert Cartwright Drive, townhouse buildings now meet design guideline requirements

- Staff approval recommendation presented with following stipulations:
- Traffic study review required with final master plan including a design for the Dry Creek Road/Dickerson Road intersection turn lane based on the master plan revision to ensure the proposed site access road into the site between the out lots is designed to prevent conflicts with the turn lane design
- The permitted uses of the two (2) commercial out lots to be defined on the final master plan including convenience commercial, restaurant, day care, retail and professional services including a center
- Revise landscape buffer design to include solid evergreen screen along a section of Dry Creek Road at the proposed access aligning with Trellis Way roughly 200' feet in each direction of the access road to provide screen
- Bernick discussed Dry Farms seventeen (17) year old plan and proposal is an evolved plan
- 1.75 acre out-lot with existing to total 3.25-acre commercial out-lots
- Generic footprints commercial areas not designed site plans at this time
- Discussed access designs and internal circulation designs
- Supplemental landscape buffers
- Building variance materials no longer requested with revised plans
- Espinosa confirmed stipulations with Bernick

Planning Commission Discussion:

- Trew discussed the plans are an improvement- appreciate revisions and if commercial not developed would this become residential and maintenance of properties
- Natelli discussed the site will be graded for positive drainage and would be mowed and maintained and changes would require this same process to be submitted
- Duncan discussed the plans addressed comments good to move project forward
- Hitt discussed like revised plans and if outparcel maintenance should be a condition of motion and asked if revised plans for residential would have to come back before the Planning Commission
- Staff confirmed yes on revision process back before Planning Commission and maintenance stipulation is the Planning Commission's decision and City's property maintenance code requirements are in place regarding high grass
- McNeal discussed liking the approach of design and no stored development waste materials on the out lots
- Garrett discussed plans include revisions requested by Planning Commission
- Espinosa discussed appreciate revised plans and desire for commercial developments of the out lots and explained staff stipulations
- Ellis discussed paving of Robert Cartwright Drive and Dry Creek along project
- Natelli discussed previous city agreement about final surface paving along project lengths but they would not be responsible for any existing asphalt binder repairs and no maintenance process or bond after final paving and striping due to issue with bond expiration
- Parnell entered the meeting

Motion:

Trew made the motion to approve the request with staff stipulations to the City Commission, seconded by Hitt. Roll call vote completed. The motion passed 11-0

Item#2	Echo Hills Estates Master Plan/Civil Design Consultants, LLC: Requests approval of final master /construction plans for phase five (5) and phase six (6) including sixty (61) single family home lots on 18.7 acres on Solitude Circle. Property referenced as Davidson County Tax Map/Parcel 03300002900 and is zoned LDRPUD, Low Density Residential Planned Unit Development. Property Owner- J.D Eatherly (# 07-19) (DEFERRED MARCH MEETING)
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Item Representative: Jared Gray, Civil Design Consultants

Staff Discussion:

- History of plan approvals including 2019 re-approval of original master plan to allow project to be completed
- Storm water drainage main issue and plans have revised for phase five (5) and six (6) areas to drain into detention pond in phase six (6) and original plans include sections draining to detention pond in first phase along Campbell Road
- Homeowners association would not approve alterations to existing pond so design changed
- Staff explained roadway slope and variance included with revised plans including intersection cross slope to be five (5%) with a section of roadway to be increased up to 11.2% with maximum per regulations at ten (10%)
- Staff discussed the original approved construction plans in 2007 included a 9.7% slope including across the intersection so the variance would be to increased roadway slope for section to improve intersection cross slope
- Staff presented approval recommendation presented with the following stipulations:

Approval with the following stipulations prior to any City land disturbance permit or building permits being issued and staff to report to Planning Commission the final staff and engineer consultant's approval of the stipulation items:

1. City's Engineer consultant review of revised drainage calculations (will report update at meeting)
2. Additional design information including headwalls and support calculations needed for the twenty-four (24") outlet pipe shown on lot 117 connecting the drainage flow from ditch behinds lot 109-117 to detention pond in phase six (6).
3. Label entry slope Solitude Court at intersection (revised grade but slope% not labeled)
4. Fire hydrant to be within 600' feet of all houses on Solitude Way other hydrant locations labeled in phases five (5) and six (6)

-Gray discussed will work with City Staff and City's consultant engineer on the remaining stipulation items

Planning Commission Discussion:

- Commissioners discussed the revised plans and Duncan discussed if the detention pond area in a utility easement then should the existing pond be used
- Gray discussed believes the pond is in an easement but this design best with directing water to pond in phase six (6) and eliminates the perception of more drainage in existing pond and possibility of clogged drainage facilities not functioning properly and concerns with concrete flume connection

Motion:

Wheeler made the motion to approve the request with staff stipulations, seconded by Lynn. Roll call vote completed. The motion passed 11-0

Freeman corrected that total number of homes is sixty-one (61) instead of sixty (60) confusion with agenda and staff stated sixty-one (61) is correct number. Gray discussed no change in lot numbers.

Item#3	Goodlettsville Elementary School/Barge Cauthen Associates: Request site plan for a 81,797 sq.ft. elementary school on 11.9 acres at 514 Donald Ave. Property referenced as Davidson County Tax Map/Parcel# 02605013100 and is zoned R25 Low Density Residential. Property Owner: Nashville Metropolitan Government (#4-21)
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Item Representative: Suzanne Jackson, Barge Cauthen Associates

Staff Discussion:

- Project is a replacement of existing project which does not include any storm water detention or water quality facilities and include detail of fire truck turn study
- New site includes both storm water detention and water quality- with by-pass design-staff presented project drainage calculations
- Staff recommendation is a limited storm water detention pond on north side of project to assist with velocity control- due to downstream issue on the north side of Rivergate Parkway
- Staff discussed playful architectural design and two (2) story design and wanted to show that print outs and picture to show primary colors accent designs

-Jackson discussed the area of the requested limited detention facility is in area of future building expansion and requested consideration for energy dissipater or outlet spread feature to assist with velocity instead of storm water detention- calculations show design meets city requirements

Planning Commission Discussion:

- Commissioners discussed excitement with project and thanks to Metro School Board to keep project funded and a priority and the project will be wonderful for city
- Espinosa discussed stipulation and Jackson's request
- Trew asked about sidewalk dimension along front of the project
- Staff stated five (5') feet they are using existing sidewalk except at revised entrance designs
- Duncan expressed thanks on project and building design
- Wheeler discussed planned opening date and number of kids planned for
- Jackson discussed planned to be used for the 2022-2023 school year and 600 kids

- Ellis discussed Metro moving fifth (5th) grader back to elementary school
- Staff discussed would request City's engineer consultant to review revised velocity control designs for north side of project area

Motion:

Tinnin made the motion to approve the request with stipulation for additional storm water outlet designs to meet staff request, seconded by Duncan. Roll call vote completed. The motion passed 11-0

Planning Commission took a recess at 5:57 pm and resumed at 6:01 pm

Item#4	Jon and Lana Lemay, Property Owners: Request alternative design approval for a proposed limited visibility 1,600 sq. ft. accessory building on 2.01 acres at 106 Essex Ct. Design review per Zoning Ordinance Section 14-208 (1)(c). Property referenced as Davidson County Tax Map/Parcel#02504012700 and is zoned R15 Medium Density Residential
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Item Representative: Jon and Lana Lemay, Property Owners

Staff Discussion:

- Presented city requirements for accessory building including matching primary house exterior materials and colors with buildings over 375 sq. ft. which is case with this proposal and material review by Planning Commission
- Request based on limited visibility of proposed accessory building and presented photo and proposed design (metal siding to match house colors) per applicant submittal
- Sent letters to adjacent property owners include agenda and received no calls on the information sent

Staff approval recommendations presented:

- Front of building to include a mixed brick front to match the house design and all metal wall panels and roof panels to be a similar color of the house wall and roof colors
- Evergreen landscaping type screen be planted to screen visible side wall sections from neighboring properties

-Lemay discussed proposal and height based on their camper they want to park in building and height proposed height limited as much as possible since twenty-eight (28') shown on plans with proposed 4:12 roof pitch

-Staff discussed height maximum is eighteen (18') feet at average roof height- recent ordinance amendment any variance would be through the Board of Zoning Appeals since height and size type issue not materials

Planning Commission Discussion:

- Parnell asked about heights proposed
- Tinnin discussed with information presented will not be able to reduce height per ordinance

- Duncan discussed five (5) acre provision in ordinance was intended for flexibility and this example another issue that comes up and owner can submit height variance to the Board of Zoning Appeals
- Parnell discussed proposal and questioned mixed brick design per staff stipulation
- Staff discussed consistency with house including roughly a third brick on the front of the house
- Ellis discussed the future residential development behind property and visibility limitation discussed would not apply to future project and building might be in back yard of houses built in future project- which would be visible at time of construction of the homes
- Tinnin discussed Ellis comment being valid about future visibility
- Lemay discussed trees in area behind proposed building they would maintain on their property
- Whitaker left the meeting
- Trew discussed with proposed widths and door size then front wall then room for only limited brick- so along building sides instead and house and proposed building colors
- Lemay discussed the house and proposed building color would be a moss green
- Parnell discussed the third height would be five (5') feet which would a lot on sides so could review three (3') feet on sides and front which would be twenty (20%) percent
- Trew discussed plans submitted and painting and material proposal
- Espinosa discussed a twenty (20%) percent to twenty-five (25%) percent brick requirements and discussed staff's proposed stipulations
- Whitaker had to leave the meeting

Motion:

Duncan made the motion to approve the request with twenty (20%) percent brick on all building walls and evergreen landscaping screen along visible sides of building from adjacent properties, seconded by Garrett. Roll call vote completed. The motion passed 10-0. Whitaker not present at time of vote

-Staff requested confirmation that landscaping would be required with brick on all sides of the building and Planning Commission confirmed the landscaping screen required

Item#5	Zoning Ordinance Amendment-Planning Staff: Request recommendation to the City Commission to amend the Zoning Ordinance Sections 14-201 Provisions Relating to Construction of Language and Definitions (3), 14-207 Industrial District Regulations (3)(c) Prohibited Uses to include reference to Tennessee Code Annotated Title Seven (7) Chapter Fifty-One (51), Part Fourteen (14) regarding defined location restrictions for adult oriented establishments and expanded definitions.
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Staff Discussion:

- Per City Managers and Planning Commission prior discussion the ordinance is based on currently the city not having a zoning district designated for the use and concern could be challenge of discrimination if tried in court
- Amendment not intended to include use but regulate location due to discrimination concerns
- Reviewed other ordinance examples and state law provisions with City Manager and City Attorney
- IG Districts including along I-65 include limited areas meeting state law spacing requirements
- Presentation of IG zoning districts in the city and separation measurements per state law

-Amendment would include novelty book stores also which per current ordinance depends on principal use- example Myatt Drive shop outside of Goodlettsville City limits not regulated business per Metro's business regulations

Planning Commission Discussion:

- Espinosa discussed zoning districts and applicable locations
- Staff discussed South Cartwright Street but future areas possible due to non-conforming uses that could change
- Espinosa discussed state law and could separation be increased over 1,000 ft
- Freeman discussed can't be more restrictive but could be reduce less than 1,000 ft
- Freeman discussed a reasonable placement very limited per state law with area for one use
- Ellis discussed the amendment and no designated zoning for the use and with a court case could be determined to allow them anywhere they want to go
- Espinosa discussed if minimum separation could be increased in proximity to interstate
- Hitt left the meeting
- Parnell discussed concern with clear visibility along I-65 and high rise signs for the business, proximity to downtown Nashville and to trucking center and other optional locations being more hidden
- Parnell discussed concern of being known as city with use along I-65 visibility and other areas of city possibly Rivergate Parkway area
- Freeman discussed other local cities in area do not have the uses and impact of city having I-65 frontage
- Espinosa discussed this is a necessary exercise and concerned with signage for use adjacent to I-65 and if specific sign regulations would apply
- Freeman discussed the request could be reviewed as a constitutional first amendment issue
- Staff discussed the IG zoning districts are not in the City's Interstate sign district and concern with separate sign regulations for different uses – regulation limited to harmful or obscene language and example given of adult world but not be either
- Espinosa discussed the questions are based on concern
- Trew asked how literal the definitions would apply to hotels and in room movie rentals
- Staff discussed that would depend on business advertisement and proposed use instead of in room movie rentals of all types
- Freeman discussed difficulty of enforcing hotels like private residences regarding resident's privacy
- Duncan discussed measurement provisions of ordinance
- Staff discussed ordinance measurement could cross jurisdiction boundaries
- Duncan discussed other cities with limited ordinances in place and difficulty of regulating business but without something the example old Kmart building could have been questioned for use – amendment provides guidance to the businesses – good to move regulations forward
- Wheeler discussed being proactive is better and important with growth of Nashville area
- Tinnin and McNeal discussed pro-active preferred move forward with amendment
- Parnell discussed agreement with moving forward and requested city to review purchasing Cartwright Street property to control property use

Motion:

Garrett made the motion to approve and move forward with ordinance, seconded by Duncan. Roll call vote completed. The motion passed 9-0. Whitaker and Hitt not present at time of vote

DISCUSSION ITEMS

- Allen Road Extension Public Hearing
- Staff discussed will plan for public meeting at the June Meeting

With no further business, the meeting adjourned at 7:10 pm.

Chairman Tony Espinosa

Addam McCormick, Planning Director