

OFFICIAL MINUTES OF THE MEETING
GOODLETTSVILLE PLANNING AND ZONING COMMISSION

August 3, 2020
5:01 p.m.

Electronic-Remote Format
City Hall Auditorium Closed

The remote electronic format meeting was completed through the ZOOM hosting site due the impacts of COVID-19 and the Governor's Order including extension to August 29th to permit the remote electronic meeting format. The intention of the remote electronic format is to protect the health and safety of the Planning Commissioners and Citizens of Goodlettsville while meeting the City's intention to continue the business of the City.

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

Roll Call Vote-completed and Planning Commissioners stated that no one was in attendance with them at their remote meeting location other than family members that reside with them

Absent: Vice-Mayor Rusty Tinnin

Also Present: Addam McCormick, Russell Freeman, Mary Laine Hucks, Tim Ellis, and Rhonda Carson

Espinosa called the meeting to order and Garrett offered prayer

Garrett made a motion to approve the agenda, Whitaker seconded the motion. The motion passed unanimously 10-0. Roll call vote completed

Lynn made a motion to approve the minutes of the July 6, 2020 meeting, Trew seconded the motion. Motion approved 10-0. Roll call vote completed

Duncan made the motion to suspend the Planning Commission's By-Laws to permit the remote meeting format and prior submitted public forum comments to be reviewed before the regular agenda items, Hitt seconded the motion. The motion passed unanimously 10-0. Roll call vote completed

Public Forum on Planning Related Topics

Staff summarized the public comments regarding Item#3 Dry Creek Cottage received by phone and email prior to the meeting

- Adjacent resident called concerning the retaining wall and was the wall to be installed on the property line.
- Concerned about the appearance and height of the retaining wall
- Retaining wall de-value property
- Developer crossed property line and created damage
- Developer keeps changing plans

CONSENT AGENDA

Item#1 **Rivergate Acres Limited Section Two, Wamble and Associates, PLLC:**
Request Final Subdivision Plat approval to combine four (4) properties into one-11.26-acre property on Dry Creek Road. Properties referenced as Davidson County Tax Map 033/Parcels# 023500, 020700, 4006700, 400700 and zoned HDRPUD, High Density Residential Planned Unit Development and Agricultural. Property Owner: Vastland/Eatherly/McClung Development, LLC

Item#2 **Copper Creek 2-1, Meritage Homes,** Performance Bond Extension

Duncan made a motion to approve the consent agenda items, McNeal seconded the motion. The motion passed unanimously 10-0. Roll call vote completed

AGENDA

Item#3 **Dry Creek Cottage / CDS Capital, LLC:** Request Final Master Plan Amendment approval regarding retaining wall design for a residential development on 2.4 acres on Dry Creek Road. Property referenced as Davidson County Tax Map/Parcel# 03300020800 and zoned HDRPUD, High Density Residential Planned Unit Development. Property Owner: CDS Capital, LLC

Item Representative: Bert Morton, CEC Civil and Environmental Consultants, Inc

Staff Discussion:

- Dry Creek Cottages Master Plan approval process from 2017
- Master Plan referenced a segment block retaining wall design including solid fence on top with drainage ditch and landscaping plantings along exterior of wall
- Proposal to change from a segment block to a cast-in place or formed and poured concrete retaining wall with an exterior stamped retaining wall design
- Staff previously approved but thought the Planning Commission would need to review due to this being a master plan issue- preference for poured wall with fence, ditch along top and room for landscaping

Planning Commission Discussion:

- Morton discussed the request to have the option to do a cast in place or formed and concrete retaining both would be structurally sound and both designs will include stamped design plans.
- Morton discussed less labor with proposed wall due to compacted fill in lifts with segment wall design and landscaping per the master plan would be the same
- Espinosa discussed the request and clarified the request is for the ability to use the design option of the cast in place retaining wall
- Staff discussed how far would the segment retaining wall step back over the height of the wall

- Morton discussed design is typically one inch back per foot of height so the segment retaining wall would step back between height of wall and up to eighteen (18) to twenty-four (24) inches
- Trew discussed the type of fence at the top no problem with proposed wall change
- Morton and another representative from CEC discussed per the master plan for a solid opaque fence which would be wood privacy fence
- Duncan discussed if any elevations had changed since master plan approval
- Staff stated no the grading design has not been proposed to change
- Duncan discussed this being an aesthetic design issue walls since both wall designs are just as strong- concerned with stamped concrete sometimes experience failures like sections along I-65
- Wheeler, Lynn, and Hitt discussed preference for segmented wall for looks
- Parnell discussed the type of wall design is not an issue for him but prefer the segment wall design but not wanting to vote against the proposed design but wanted to make sure whatever wall design was used would also be used on the other retaining wall shown on the master plan – consistent design
- McNeal asked the height of wall where the property owner that submitted comments- referenced in Public Comments section at the start of the meeting.
- Staff discussed the wall ranges in height from fourteen (14) to eighteen (18) feet in height and in area of units one to four (4) and staff discussed landscaping shown on master plan
- Garrett, Whitaker, and Espinosa discussed preference to segment wall
- Espinosa discussed a similar wall design in Green Hills and segment wall offers variable surface appearance
- Morton discussed finishes can be repaired and they can use any pigment in the concrete for color and stamp with design and the proposal is a natural finish with stamp to match limestone appearance but landscaping will eventually screen wall design
- Trew asked if fence would be attached to the top of the wall
- Morton discussed the fence would be preferred to installed with cast in place wall design with direct connection into wall or if with the segment wall the fence would be installed with post holes behind wall –and with installation make sure not to compromise the webbing for the segment wall design
- Trew asked about wind damage for fence
- Morton explained the fence installation methods typically used with both wall designs
- Parnell discussed an open fence better design with retaining wall design
- Espinosa asked about the fence design with the master plan
- Staff discussed the plans reference an opaque fence
- Garrett discussed safety issue with fence- make sure a kid cannot climb the fence
- McNeal discussed the practical use of the wall design proposals and designs and larger height sections of the wall
- Duncan discussed proposal including modifying retaining wall design

Motion:

Garrett made the motion to deny the request to amended the retaining wall design seconded by Duncan. The motion passed 8-0. Parnell and McNeal- Abstained. Roll call vote completed

Item#4	<u>Zoning Ordinance Amendment-Planning Staff:</u> Request recommendation to the City Commission to amend the Zoning Ordinance Section 14-206 <u>Commercial District Regulations</u> , (a)(1), (c), (Table 1)
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(Appendix A) to remove the Auto Repair and Cleaning and Automobile Servicing Use Activities from the permitted uses in the CSL, Commercial Services Limited and CPUD, Commercial Planned Unit Development Zoning Districts and the Vehicular Craft, Related Equipment Sales Activity Use from the permitted uses in the CPUD, Commercial Planned Unit Development Zoning District

Staff Discussion:

- Staff has received many calls for auto service and sales uses and tow in lots due to Goodlettsville's location and businesses moving out of fast developing areas of Nashville
- Recent auto service and sales project approvals on S. Dickerson and Springfield Highway and two (2) more being discussed with auto repair approved with Springfield Highway project
- The proposal would be to remove auto service use from the CSL, Commercial Services Limited zoning district and auto service and sales from the CPUD, Commercial Planned Unit Development zoning district. These uses are permitted in the CS, Commercial Services and the CG, Commercial General zoning districts
- Existing uses would be protected non-conforming uses and existing approved project plans not yet under construction would be under state's vested rights

Planning Commission Discussion:

- Duncan asked about what tow-in lots had to do with proposal
- Staff stated they are permitted as auto-repair not an issue with this amendment but shows interest in these uses in Goodlettsville
- Duncan asked if the proposal to add these uses in the district or delete the uses
- Staff responded to delete the auto service and sales uses from CSL and CPUD districts
- Wheeler discussed the city's intent for a family friendly atmosphere along Main Street- the appearance of these uses could be an issue
- Parnell discussed the amendments and uses and the need for a nice automated car wash
- Staff discussed auto cleaning/washes are listed as auto repair uses but could review adding a provision for automated car washes
- McNeal discussed the proposal would be good for the integrity of Main Street and first class car wash could be a positive
- Garrett discussed that time is of the essence suggest to pass immediately
- Whitaker asked about existing uses and would they be grandfathered including the auto repair at Moss Trail
- Staff stated the auto repair at Moss Trail and Rivergate Parkway is already non-conforming since auto repair not permitted in the CSL zoning district
- Garrett discussed the non-conforming uses would be allowed to stay
- Freeman discussed and confirmed there are non-conforming protections by law
- Staff discussed the general non-conforming protections and change of ownership does not impact zoning
- Espinosa discussed sharing same comments as Garrett

Motion:

Garrett made the motion to approve the request, seconded by Wheeler. Discussion on the motion about an automated carwash. Garrett stated that would not be his intention. The motion passed unanimously 10-0. Roll call vote completed

Break at 6 pm- Meeting Resumed as 6:06 pm

DISCUSSION ITEM

-Dry Creek Farms Residential Project

- Taze Lundy- Source Land Development Representative

Staff Discussion:

- Request to change Dry Creek Farms Master Plan- Commercial to Multi-family residential
- Process to amend master plan and zoning
- Traffic study would need to be reviewed regarding proposed change

Planning Commission Discussion:

- Trew discussed similar request a few years ago and was denied- short on retail in the area but heavy on multi-family- hold out for retail use
- Garrett discussed agreement with Trew
- Duncan discussed how changing area G of the Dry Creek Master Plan would change for existing homeowners in area A and agree with statement to hold out for commercial
- Staff discussed the proposal would change from commercial to multi-family residential and some residents in Ivy Hill might not be in favor
- Parnell discussed commercial only comes in with enough roof tops and would converting to residential bring in more commercial and requested Mary Laine Hucks, City Economic Development Director to discuss
- Hucks discussed grocery retailers review vehicle trips in addition to roof tops and this area of town not as many people and section of Dickerson Road traffic is more limited but more roof tops would help with getting additional retail
- Parnell discussed area of G of the master plan would be better for commercial but area I will never develop as shown on master plan so residential would work in this area
- Staff discussed 4.5 acres in area I on Robert Cartwright Drive
- Parnell discussed in developments with storm water improvements that benefit storm water issues would be encouraged- due to downstream drainage issues
- Lundy discussed market may have spoken since no commercial development in 17 years on the property – suggested residential use instead
- Lundy discussed the property is difficult including lots of flood plain and drainage and need both sides of creek and only area I would be not enough to justify development
- Lundy discussed proposal to leave a 2.5-acre property at corner of Dry Creek and Dickerson for convenience commercial
- Ellis discussed that during the time the property has remained vacant but recession hit shortly after development started

- Ellis discussed house hold income is also a factor used by retail developers
- Ellis discussed the property is still viable for commercial use especially with traffic signal
- Staff discussed Mr. Lundy is also reviewing multiple properties on Hwy 31W for a residential development
- Staff discussed the properties are at the edge of the city limits and a possible additional adjacent property in Millersville city limits
- Staff discussed current zoning agricultural and general commercial and comprehensive plan industrial-commercial so both items would be required to be amended for a proposal
- Lundy discussed the area would be good for high density residential – work force family housing- townhouses and single family and close to interstate access
- Duncan discussed the widening of I-65 and with the recent high mast lighting project the City Commission’s intention for this to be an attractive area for development but feels the City needs a vision of what the city wants for this area
- Espinosa discussed he agreed and this is important for future business in the area including that the Quik Trip development will be a good addition
- Parnell discussed possible challenges with a coordinated development with City of Millersville and Design Standards
- Staff discussed each City’s jurisdictional zoning and codes authority would apply and Millersville has adopted design standards that are stringent so that would have to reviewed
- Duncan discussed providing services with two (2) cities
- Ellis discussed would need to work with Millersville regarding automatic aid agreements issues but feels could overcome both issues in working with Millersville
- Wheeler discussed other projects they could review
- Lundy discussed he would not be builder he partners with local Middle TN builders like Ryan Homes but would expect all masonry products
- Lundy discussed that he had not yet talked to the City of Millersville about the project and property
- Trew discussed if could be a mixed use commercial and residential development
- Lundy discussed with limited road frontage would be difficult but if more property added together along frontage could be area for commercial center
- Trew discussed landscaping issues along the Publix Caldwell Square project including - overgrown shrubs /bushes along Long Hollow Pike and sections of Loretta Drive landscaping have grown to not meet intent with project design intention since landscaping has grown into a large hedge blocking visibility of the center
- Staff stated would send notices to the property owners

-Rivergate Comprehensive Plan Amendment- September Meeting

- Staff discussed notice process and possibility of moving to October meeting
- Ellis discussed meetings with mall ownership groups

With no further business, the meeting adjourned at 6:40 pm.

Tony Espinosa, Chairman

Addam McCormick, Planning Director

Planning Commission Training Session- Performance Bonds Following Meeting- Thirty (30) minutes

- Purpose of bonds
- Different types of bonds-performance bonds, letter of credit, maintenance bonds
- Current City bond list
- Tennessee Code sections authorizing cities to require bonds
- Private site versus public improvements
- Issues with bonds- expiration, maintenance bonds, non-adequate bond amounts

Members Present: Chairman Tony Espinosa, David Lynn, Scott Trew, Mayor Jeff Duncan, Grady McNeal, Judy Wheeler, Jeff Parnell, Bob Whitaker, Jim Hitt, and Jerry Garrett.