

**OFFICIAL MINUTES OF THE MEETING**  
**GOODLETTSVILLE PLANNING AND ZONING COMMISSION**

September 12, 2016     5:00 PM

Goodlettsville City Hall  
Massie Chambers

**Present:** Chairman Jim Galbreath, Vice Chairman Jim Driver, Commissioner Jeff Duncan, Mayor John Coombs, Scott Trew, Grady McNeal, David Lynn, Tony Espinosa, Jerry Garrett, Bob Whittaker, Jim Hitt

**Absent:** All present

**Also Present:** Addam McCormick, Tim Ellis, Greg Edrington, Commissioner Zach Young, Rhonda Carson, and others

Chairman Jim Galbreath called the meeting to order and Mr. Jerry Garrett offered prayer.

Addam McCormick noted the agenda advertised in the paper for September 12, 2016 had a request by Waffle House. He stated Waffle House representatives requested to withdraw the request for this meeting and the current agenda reflects this change.

Minutes of the August 1, 2016 Planning Commission meeting stand approved as written.

**Item#1** **McWhirter Office and Warehouse Building/Enfield Construction and Engineering: Requests site plan approval for a 14,964 sq. ft. office and warehouse building at 610 and 612 N. Main Street/Hwy 41/31W/SR11. Properties are referenced as Davidson County Map and Parcel 0181200600 and 01812006100. Property Owner: Carl R. McWhirter.** (9.1 16-16)

Staff reviewed. Addam McCormick discussed the development and noted it is located on two (2) lots. A subdivision plat will be required to combine the two (2) lots into one lot. He stated it is on a state highway, and TDOT will require an access permit to be issued. He reviewed the site development plan which showed a building of 14,000 sq. ft., with one entrance off of Main Street and a parking lot. He discussed additional Staff comments:

Landscaping- Additional landscaping on the north side of the driveway entrance to reduce glare onto Hwy 31 W/4. Additional landscaping at the rear property line due to it being a residential zoning boundary.

Variance from Sidewalk on Main Street- Addam McCormick explained that due to existing drainage issues in the area, staff requested grading improvements to reduce drainage runoff onto adjacent properties by collecting storm water from the N. Main Street/Hwy 31/41 with a new ditch and routing the storm water through the new detention area. This revised drainage design limits the ability to install a sidewalk along the front of the property in public right-of-way. City Engineer, Greg Edrington explained that the intent is to try to emphasize the quantity of water that is escaping from the site so they have allowed some lowering of the water quality discharge to enhance the quantity of detainment to help the downstream flow of water onto the adjacent property that exist now.

Variance of Exterior Building Materials- Addam McCormick stated that Staff has met with the owner several times regarding exterior building materials. He explained that the request presented was split face block on the front, north and south sides and the back would be metal. He explained the reason for the request on the back, the original site plan had a retaining wall which has been changed to a foundation wall, and only 5 to 7 feet of the building will be visible. Mr. Harris representing Enfield Group explained the grading plan drawings. Addam McCormick showed where the bay areas would be located on the side of the building and how the proposed screen wall will block the bay areas from being visible to Main Street. He stated the Design Standards encourage the bays to be on the back of the building, but due to elevations and narrow shape of the lot, it would be difficult in this location. Chairman Galbreath asked owner Carl McWhirter if he had received these recommendations from Staff. Mr. McWhirter stated he had received documentation of these issues. Mr. McWhirter proposed using stone across the front of the building like his other buildings in that area. It would be stone and split face. He stated the left side would not be visible due to landscaping. Commissioner Jeff Duncan asked if brick or stone is on three sides with metal being only on the back of the building. Addam McCormick clarified that the design standard variance is requested with the site plan for full split face block on the section of the south (left) side wall with limited visibility and a portion of the north wall and metal siding on the rear wall due to additional visibility limitations due to grade issues. Staff and the Commission discussed adding brick or stone on front wall, front portion of north wall from front wall to perpendicular screen wall, and on south wall from front wall to customer door.

Mayor Coombs thanked Mr. McWhirter for the other projects in the City that he has improved and stated he is looking forward to a new building as well. Mayor Coombs asked about a proposed use for the new building. Mr. McWhirter stated it would be a powder coating business. He explained that they are an existing business and would be moving to this location. Mayor Coombs asked about noise/sound concerns for the subdivision area located behind this property. Mr. McWhirter stated that the hill (grading) and landscaping (trees) should be an adequate noise barrier. He also stated, there is not much noise from this type of business. Mr. McWhirter, Staff and Commissioners discussed the sidewalk requirements and drainage issues and design to improve off site storm water. Mr. McWhirter, Greg Harris, Staff and Commissioners discussed building materials. Based on Staff recommendations and discussion had at this meeting, Mayor Coombs made a motion for Conditional Approval of this request based on the following items:

1. Final Subdivision Plat
2. TDOT access permit
3. Install landscaping per Staff comments
4. Variance to omit sidewalk
5. Revision to lighting plan to include a pole
6. Variance to Design Standards regarding exterior building materials to include brick or stone on three sides (front, north side to screen wall, and south wall to side door) with metal on the back due to grade issues and limited visibility.

Mr. Jim Hitt seconded the motion. The motion passed unanimously, 11-0.

**Item#2 Copper Creek Section 2-Phase 1 \$645,000 Subdivision Performance Bond/  
Meritage Homes of Tennessee Inc.: Request performance bond reduction. (9.1 14-14)**

Thomas Steffen with Meritage Builders represented this request. Addam McCormick stated this bond was for Copper Creek Phase 2-1 which includes the area at the end of Sydney Drive and a section off of Allen Road and the amenities area. Mr. McCormick stated that Staff received a request from Meritage Homes for a reduced bond amount from the current amount of \$645,000 to a proposed amount of \$383,556. Mr. McCormick stated staff recommended keeping the bond at a higher amount due to items found such as 25-30% curb and roadway binder that will be required to be cut out and replaced due to damage caused by construction. Other items included; landscaping that was left off the original bond list including street trees and entry features and also issues with bank erosion in the amenities area that will need to be corrected. Mr. McCormick stated the original bond list didn't include landscaping and sections of asphalt binder and curb repair due to the fact the binder was already in when the amount was established. Staff recommended a reduction to \$585,000 from the current \$645,000 to account for items not covered in the original bond list and repairs. Chairman Galbreath asked who approves the original bond amount. Mr. McCormick stated this amount was approved by the Public Works Department, but going forward a bond amount will be established during the final subdivision plat process. City Engineer, Greg Edrington clarified the issue with bank slope by the pool and amenity area. He said it has had some repairs, but it has not stabilized it, and could be a costly repair to have it thoroughly corrected. Thomas Steffen with Meritage Homes stated he understood Staff comments and said Meritage Homes is open to leaving the bond the original amount since the reduction would not be as significant as they had proposed. Based on Staff recommendations, Mr. Jerry Garrett made a motion to keep the original amount of the bond at \$645,000 and to deny the request for a performance bond reduction. Mr. Jim Driver seconded the motion. The motion passed unanimously 11-0 to deny the request to reduce the bond.

**Item#3 Copper Creek Section 2-Phase 1 and 2/ Meritage Homes of Tennessee Inc: request minor final master amendment regarding street tree landscaping planting location. (9.1 14-14 and 9.1 12-15)**

Staff reviewed. Addam McCormick explained that the Master Plan for Copper Creek section 2 and even section 1 show the street trees are supposed to be between the street curb and the sidewalk. He said due to miscommunication the trees have not been installed in this area and Meritage Homes has been installing trees in the front yard and were unaware of the requirement for the street trees between the roadway curb and sidewalk. Meritage representatives have requested alternative street tree installation locations for the street trees (same number and type) to be installed behind the sidewalk. Staff recommended approval to install the sidewalk either between roadway curb and sidewalk or within five (5) feet off the back of the sidewalk. Mr. McCormick stated whatever is decided, it will need to be consistent going forward and with future phases of the development. Thomas Steffen with Meritage Homes represented this request. He stated Meritage was just trying to carry out the same order that was already installed in Phase 1. Commissioner Jeff Duncan pointed out that if trees are planted behind the sidewalks, they are on private property after the developer sells it. He stated this may be harder to maintain a consistent look if the property owner decides to not maintain or cut the tree down. Thomas Steffen said the current trees are not maintained by HOA (Homeowners Association) because they are on private property. He stated the HOA would control the portions of common open space adjacent to the right of way. Mr. Steffen also stated it could be a concern to place the trees in the planting strip

between the curb and sidewalk because of the potential of the roots to push up sidewalks which could become a long term liability once the streets are turned over to the City.

Chairman Galbreath asked if an ordinance required the trees to be planted between the curb and sidewalk. Mr. McCormick stated it was part of the Master Plan, and generally where you see street trees, but not an ordinance.

City Manager, Tim Ellis stated that if the trees are planted on private property the City has no control of the long term appearance of the landscape design. Mr. Scott Trew asked who replaces the trees that are planted in between the sidewalk and curb if the tree dies or is struck by lightning. Mr. McCormick stated the City would be responsible for replacing them after the formal acceptance process is completed. Commission members asked how many trees have already been planted incorrectly to the master plan.

Mr. Steffen said around 40 homes have been completed, all of Phase 1. Mr. Steffen asked if the existing trees would need to be moved. Commissioner Jeff Duncan stated that each street needed the same continuity in the appearance. Mr. Bob Whittaker suggested the trees that have already been planted should be removed and the Master Plan followed with all trees installed between the street curb and sidewalks. Mr. Steffen stated that the trees already planted are now on private property. Mr. McCormick suggested leaving the existing trees and add to the planting strip and begin that going forward. City Manager, Tim Ellis discussed the option of leaving the trees in the yard areas and HOA (Homeowners Association) regulating the appearance or alterations of the trees. Mr. Ellis stated if the trees are between the curb and sidewalk, the City will be responsible once the subdivision is accepted. Mr. Steffen with Meritage Homes suggested deferring while Meritage explored the option of leaving the trees in the yard areas (private property) and HOA covenants mandate the requirements. Commissioner Jeff Duncan made a motion to defer this request until next meeting. Scott Trew seconded the motion. The motion passed 11-0 to defer until next Planning Commission meeting.

### **Discussion Items:**

#### **Tourist Oriented Limited Manufacturing Zoning Ordinance Amendment:**

Mr. Addam McCormick discussed with the Planning Commission a new zoning ordinance amendment that will be presented for the Town Center area to allow special zoning provisions for retail/manufacturing uses typically associated with and marketed in Town center areas. He discussed a request regarding opening a retail and accessory packaging business at 113 West Cedar where the business will manufacture, bake and package cookies. Staff will present this in the next couple of months.

#### **Digital Sign Zoning Ordinance:**

Mr. Addam McCormick discussed with the Planning Commission a zoning ordinance amendment for digital signs. He stated a couple of request have been received relating to digital signs. The first from Lamar Signs to convert their existing billboard on the West side of I-65 near the intersection of East Cedar and Cartwright Street to a digital changeable

billboard. The second request from a representative of Richard and Southern for a large scale digital wall sign on a proposed new building on South Cartwright. Mr. McCormick reviewed the current sign ordinance regarding digital signs and Staff and Commission members discussed options. Mr. McCormick stated Staff will explore options and recommendations to bring back before the Board.

#### **Residential Rental:**

Mr. Addam McCormick discussed how the City's current zoning ordinance does not have any rules specific to vacation rentals and Airbnb. He stated Metro and Hendersonville recently adopted provisions in their zoning ordinance to address this growing issue. He reviewed the City's current zoning ordinance sections: Permanent residential, and semi-permanent residential. Staff and Commission members discussed options for developing an amendment to regulate them in the future. Mr. McCormick stated it could be a lengthy process to develop and enforcement could be challenging.

#### **Goodlettsville Nazarene Church-Loretta Drive:**

Mr. Addam McCormick discussed that Church representatives have requested to make amendments to their exterior building revision to reduce the brick percentage. The plans were approved with roughly 70% brick on the three (3) new exterior walls. Their request is to reduce the brick percentage to 50% or less to take in account total percentages of the entire building walls at over 50%. He reviewed other church buildings in the area and gave history of their reduced amount of masonry construction.

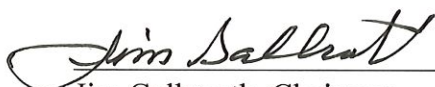
#### **Best Western-Conference Drive**

Mr. Addam McCormick discussed the current status of the proposed Best Western hotel development on Conference Drive. He reviewed the deferred zoning ordinance amendment that will remove hotels from the GOPUD, General Office Planned Unit Development zoning districts. This final reading has been deferred to ensure the Best Western Hotel site plan can be submitted since the preliminary design process has been undergoing for several months.

#### **KFC-Long Hollow Pike**

Addam McCormick discussed approved exterior alterations to KFC (Kentucky Fried Chicken) building on Long Hollow Pike. He presented the proposed plan for the updated design.

The meeting adjourned at 6:20 p.m.

  
Jim Galbreath, Chairman

  
Rhonda Carson, ECD Assistant