

OFFICIAL MINUTES OF THE MEETING
GOODLETTSVILLE PLANNING & ZONING BOARD

December 6, 2010

5:00 PM

Goodlettsville City Hall
Massie Chambers

Present: Jim Galbreath, City Commissioner John Coombs, Jim Driver, Grady McNeal, Jim Hitt, Carol Crews, Scott Trew, Bubba Willis, Gary Franks, Bill Carter

Also Present: Rick Gregory, Jim Thomas, Tim Ellis, Jack Tompkins, Larry DiOrto, Mayor Gary Manning, Tom Tucker, Commissioner Jane Birdwell, Charlie Lowe, Brock Rust, John and Nancy Edmondson, Judy Pratt, Sam Edward and others

Jim Galbreath called the meeting to order. Trew offered prayer.

Item #1 Chairman Galbreath declared the minutes of the November 1, 2010 Goodlettsville Planning Commission meeting approved as written.

Item #2 (9.1 #2-10) Consider submittal by Civil Site Design Group, PLLC, 630 Southgate Avenue, Suite A, Nashville, TN for Annexation, Plan of Service, Rezoning and Revised Preliminary Master PUD approval, Willis Branch Road and Tara Lane, Sumner County Tax Map 143, Parcels 38, p/o 48.01, 51.02, 102, 103, 104, 105, 106, 107 and 108.

Staff reviewed. Gregory reported this proposal was previously considered at the *April 12, 2010 Planning Commission meeting*. Consideration of and action regarding the multiple requests occur in the following order: approval of annexation of approximately 11.96 acres *passed unanimously, 10-0*; recommendation to the City Commission of a plan of service for the area to be annexed *passed unanimously, 10-0*; rezoning to Low Density Residential Planned Unit Development (LDRPUD) approximately 6.35 acres for addition to The Vineyards at Twelve Stones, rezoning to High Density Residential Planned Unit Development (HDRPUD) approximately 0.90 acres for addition to the Manor House portion of The Vineyards at Twelve Stones development and rezoning to Medium Density Residential Planned Unit Development (MDRPUD) approximately 5.6 acres for addition to the Cottage Grove at Twelve Stones development *passed unanimously, 10-0*; and amendment of all four portions of the approved Preliminary Master Development Plan *failed with a split vote, 4-6 – YEA – McNeal, Driver, Willis, Franks/ NO – Trew, Hitt, Carter, Galbreath, Crews and Coombs*. The amendment to the Preliminary Master Plan for The Vineyards at Twelve Stones, Cottage Grove at Twelve Stones Crossing and the proposed Manor House at Twelve Stones Crossing failed to pass based on dead end street configurations not being suitable roadway access for emergency vehicle and weather related events; specific development scheduling; and project financing.

Subsequent action at *the July 12, 2010 Planning Commission meeting* was a request by City Commissioner John Coombs to reconsider amending the Preliminary Master Plans for The Vineyards at Twelve Stones Crossing and Cottage Grove at Twelve Stones Crossing. Chairman Galbreath informed the Planning Commission that the "request to reconsider" amending a submitted plan which has been denied by the majority of this body sets a precedent. Galbreath requested the Planning Commission to consider establishment of rules for this type of request as follows: 1) the request for "reconsideration" suspends any action of the submitted plan pending the outcome of the "reconsideration request". In this particular matter Planning Commission actions regarding annexation, rezoning and plan of service are not a part of the reconsideration request. 2) The "request for reconsideration" must be made by a Planning Commissioner who voted in the majority action of said plan. 3) A motion to reconsider a ruling is debatable and any arguments may include merits relative to the proposed plan as previously presented with any proposed amendments clearly identified relative to such plan. 4) If a "reconsideration request" prevails, the actual action of reconsideration will be placed on a subsequent Planning Commission meeting agenda for public notification and evaluation. These guidelines follow Roberts Rules of Order regarding such a request. Galbreath shared Commissioner Coombs comments related to the Preliminary Master Plan as presented at the April, 2010 Planning Commission meeting stating "Coombs asked the Commissioners to consider the integrity of the original master plans for The Vineyards at Twelve Stones and Cottage Grove at Twelve Stones developments and stated that this proposed plan is not in keeping with the intent of the original approved plans". Coombs reiterated that the Preliminary Master Plan submitted for consideration in April, 2010 did not provide assurance of the end

result of the development. His major concern relates to Cottage Grove at Twelve Stones Crossing and the proposed condominiums located on the slope of the existing hillside. Since that time, Coombs stated that he has had the opportunity to review the overall concept of the developments and completion of the entire development. A reconsideration of the overall development concept will provide the Planning Commission an opportunity to review the entire development and make a more informed decision. Galbreath asked Gregory to address any modifications or changes to the Preliminary Master Plan for The Vineyards at Twelve Stones Crossing and Cottage Grove at Twelve Stones Crossing. Gregory stated that the intent of the developer was for the property to be utilized at the density allowed within each development which has different zoning districts. Due to the fact the developer did not have control of the property being included in the density for the Cottage Grove development (identified as the John and Nancy Edmondson property) Gregory asked the developer not to include said property in the amended master plans and the developer complied with the request. Subsequently, the plans submitted at the April 12, 2010 meeting depicted less density and a lower utilization of the existing property. The future intent of the stated properties must be identified clearly by some method in any future plans submitted relating to The Vineyards at Twelve Stones Crossing and Cottage Grove at Twelve Stones Crossing developments. Driver made a motion to **reconsider amendments to the Preliminary Master Plan for The Vineyards at Twelve Stones Crossing, Sumner County Tax Map 143, part of Parcel 48.01 and Cottage Grove at Twelve Stones Crossing, Sumner County Tax Map 143, part of parcel 48.01.** *The motion passed 6-1 by a split vote - YEA - Coombs, Hitt, Willis, Carter, Driver and McNeal/ NO - Crews.*

At the **December 6, 2010 Planning Commission meeting**, Gregory reported that this application involves only the amendment to The Vineyards at Twelve Stones Crossing while retaining the request for MDRPUD zoning for proposed Lot 61, Manor House at Twelve Stones Crossing. The 0.24 acre difference in area from the previous proposal is for a fee simple connection to the proposed public street, Truvine Way. However, this new proposal would add an additional eighteen (18) units that would have access only along this dead end street. As an age restricted development, the previously approved 3.83 acres would allow a maximum residential density of ninety-six (96) units @ twenty-five (25) units per acre. This proposal requests 2.22 acres for an age restricted development with a maximum allowable density of fifty-six (56) units. The remaining 2.51 acres would be developed using the allowed density provision of the HDRPUD district of seven (7) units per acre up to a maximum of eighteen (18) units. This proposal also denotes six (6) individual lots with two-family attached townhomes for a total of twelve units on the 2.51 acres. Gregory acknowledged that this proposal further raises staff's concern with the lack of street connectivity and public safety access. The previously proposed dead end street for Truvine Way remains as on previous plans. If developed, as other portion of The Vineyard at Twelve Stones has been, only four (4) units would be allowed on the same 2.51 acres under the LDRPUD district allowances. Staff has serious concerns regarding emergency accessibility to the age restricted development. Staff provided commission members with excerpts from the Goodlettsville Subdivision Regulations relating to the Planning Commission's policy and purpose to promote, provide and insure efficient traffic movement and effective emergency response (Reference chapters 1-104, 1-108.3, 4-103.16 and 4-103.109) Other concerns related to this proposal, such as material types and percentages, architectural renderings and staging/phasing of the development have not been adequately addressed. The lack of secondary access/street connectivity has not been addressed adequately and staff cannot recommend this amendment.

Rust stated that this is a new and separate submittal for a single amendment to the Preliminary Master Plan for The Vineyards at Twelve Stones Crossing. He is not making use of the special action by the Planning Commission at the July 12, 2010 meeting for reconsideration of the amendments to the Preliminary Master Plans for both The Vineyards and Cottage Grove. Rust responded that all rules and regulations were followed relating to the extension of the residential street. Rust viewed that staff major concerns are issues related to emergency access to the High Density Residential age restricted site. Rust explained that he previously met with Fire Chief Gibson to review the proposed plan for age restricted site with Chief Gibson stating the emergency access was ok. The current review of the proposed plan for the age restricted site has created concern on the part of staff relating to ingress/egress and emergency response to this site.

Rust stated that the present property owners do not want the two developments to connect and that all future properties adjoining the Pratt property are to remain as single family lots. Rust suggested deferral of this application for thirty days and stated that he would meet with staff to determine if there is a way to work out the outstanding issues relating to driving patterns, emergency access and the proposed cul-de-sac on the Pratt property.

Coombs questioned Rust as to whether The Vineyards at Twelve Stones HOA is willing to accept the inclusion of additional homes on Truvine Way? Rust stated the additional homes would be added to the PUD, would be owned by the LLC, and not by The Vineyards at Twelve Stones HOA. The proposed MDRPUD high rise will eventually be added to

Cottage Grove. This plan indicates the high rise is accessed by Truvine Way via Tara Lane which is not a part of Cottage Grove. Members of the Planning Commission shared their concerns with the piecemeal amendments to the previously approved Preliminary Master Plans for The Vineyards at Twelve Stones Crossing and Cottage Grove at Twelve Stones Crossing. Future development on Truvine Way will seriously impact stormwater detention on the lower elevations of The Vineyards at Twelve Stones Crossing.

Driver made a motion to defer the application for Annexation, Plan of Service, Rezoning and Revised Preliminary Master PUD approval, Willis Branch Road and Tara Lane, Sumner County Tax Map 143, Parcels 38, p/o 48.01, 51.02, 102, 103, 104, 105, 106, 107 and 108 to allow the applicant to meet with planning and engineering staff to address concerns enumerated by staff and planning commission members. Willis seconded the motion. The motion passed unanimously, 10-0.

Item #3 Discussion of Goodlettsville Planning Commission Bylaws.

Gregory stated that the City of Goodlettsville PC bylaws include the State of TN statute relating to appointment of members and municipal planning commissions needing to state "finding of fact". When making a motion relating to an action item before you for consideration and approval, incorporate the valid information presented as material evidence used in the decision making process: 1) staff report, 2) plan submittals, reports, presentations and studies, 3) discussion during the meeting, 4) engineering, surveying, architectural comments, etc. to formalize and make a part of the minutes. Gregory requested the commissioners review the bylaws and provide him with any issues which need to be addressed by the commission.

Thomas stated there is a general increased sensitivity to procedural protocol by citizen boards appointed by elected officials in local/municipal government. Staff has the obligation to inform the commission of such issues. Tennessee State law requires an annual election of officers for each board/commission and such election to be recorded. Thomas recommended reading the APA publication A Citizens Guide to Planning for in-depth information relating to the planning process. Thomas voiced appreciation for the work and service of each member.

Item #4 Sam Edwards, Greater Nashville Regional Council, Executive Director and Legal Counsel, will follow-up on our discussion at the Sumner County Planning Commission Annual Seminar held in Gallatin on 11/5/10.

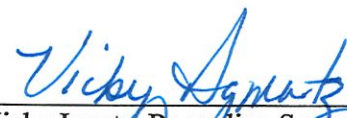
Edwards lead a question/answer session with the Planning Commission members relating to current planning legislation.

Item #5 Commissioner Comments.

No comments.

The meeting adjourned at 7:30 PM.


Jim Galbreath, Chairman


Vicky Ignatz, Recording Secretary