

MINUTES OF THE MEETING
GOODLETTSVILLE PLANNING & ZONING BOARD

June 4, 2007

5:00 PM

Massie Chambers

Present: Jim Galbreath, Jim Driver, John Coombs, Scott Trew, Grady McNeal, Bubba Willis, William Carter, Carol Crews, Garry Franks

Absent: Jim Hitt

Also Present: Rick Gregory, Jim Thomas, Bill Brasier, Bennie Lane, Jerry Garrett, Vicky Ignatz, Alan Thompson, Carter Howard, Jim Hysen, Billy Ray Suiter, Donnie Eatherly, John Ray, Mr. Rasmussen and others

The meeting was called to order by Jim Galbreath. Prayer was offered by Bill Carter.

Item #1 The minutes of the May 7, 2007 Goodlettsville Planning and Zoning Board stand approved as written.

Item #2 (9.1 #17-07) Consider the request by Suiter Surveying, P.O. Box 30271, Clarksville, TN for approval of a Final Plat for Northcreek Commons, Section 13, Northcreek Blvd. and Conference Drive, Davidson County Tax Map 26, Parcel 152.

Staff reviewed. Gregory reported the final plat meets all zoning ordinance requirements.

Motion by Franks for approval of the Final Plat for Northcreek Commons, Section 13, Northcreek Blvd. and Conference Drive, Davidson County Tax Map 26, Parcel 152. Motion seconded by Crews. Motion passed unanimously, 8-0.

Item #3 (9.1 #19-07) Consider the request by J.D. Rivergate Land Trust to rezone the commercial property at 707 Rivergate Parkway, Davidson County Tax Map 26-13, Parcel 71 for Commercial Services Limited (CSL) to Commercial Services (CS).

Staff reviewed. Gregory reported this is a proposal to rezone property from Commercial Services Limited to Commercial Services to allow for the sale of motorized vehicles. Motorized vehicle sales are not included in the CSL district as established in the adoption of the 1989 Goodlettsville Zoning Ordinance. This proposed rezoning of one parcel would constitute spot zoning, which is illegal according to the zoning ordinance, since no other similarly zoned property adjoins this property. Phase III of the Goodlettsville Retail Study has commenced and is specifically analyzing uses currently allowed in the CSL district in the entire Rivergate Mall area and uses identified as viable for application to the mall area. It is premature to change zoning of a single parcel when the entire area is the subject of a special study recently commissioned by the city for the benefit of the entire area.

Donnie Eatherly, property owner, explained that the majority of the building is vacant. The Vietnam Veterans overpass has created a visual barrier to the property. The site has been difficult to rent and the proposed dealership is a destination business. He currently has the opportunity to secure a ten (10) year lease with a high-end motorcycle dealership based on approval of rezoning of the property to allow vehicular sales. Bubba Willis stated that he has researched the proposed product and believes it would be a revenue producer based on area sales; the location would be convenient for regional sales due to interstate access; the business is the type of retail development the city is attempting to attract; and, this type destination sales site would be a great asset to the city. Franks questioned if CSL requirements can be modified to permit this type vehicle sales and not wait for the results of the retail study for the Rivergate area. He doesn't believe the retail study will bring a better solution. Gregory stated that this modification can be accomplished prior to the end result of the study. Crews shared her concern that spot zoning would be contrary to the current law. Carter agreed that the site is unique and commercial viable and should be considered. Driver responded that people do not like to drive or park under roadways which is referred to as the "Chicago" effect. The Vietnam Veterans overpass and the railroad line adjoining the site have negatively impacted the commercial site. Spot zoning could be justified due to the site specific handicap relating to the "Chicago" effect. Gregory stipulated that he understands the views of the board member and these issues were considered during the staff evaluation and will be addressed during the retail development study; however, the spot zoning regulations will continue to apply. CS zoning would open up an entire new type of businesses into the Rivergate Mall area. Street patterns on Rivergate Parkway limit the maneuvering of vehicular delivery trucks.

John Ray, owner of R&B Cycles, Indian Motorcycles Inc., described the business as a Big Dog and Indian motorcycles sales/service business offering accessories, upgrades and custom personalization. There is also the possibility of a Polaris dealership locating on-site. Coombs agreed that the property is very unique. Considering the atmosphere the area currently has due to the construction of Vietnam Veterans Highway, CSL doesn't seem to have as effective zoning as originally designated. A destination type business is well suited for the area. He can imagine losing the opportunity to allow a commercial business of this caliber into the city. Approval of the zoning request will send a positive signal to other potential businesses interested in locating in Goodlettsville. Coombs stipulated that he doesn't advocate spot zoning; however, due to the unique logistics of the site, there is justification to recommend rezoning in this particular situation. There is no reason for the city to lose this opportunity to wait for the results of the retail development study. Gregory recommended that the board consider an alternate zoning designation, Commercial Planned Unit Development, which permits vehicular sales. This zoning would produce the least likelihood of creating adverse affects on the area and provide the Planning Board some control of future proposed uses of the building. Gregory requested the property owner provide exterior building plans for the site with the understanding the CPUD zoning has specific requirements. The property owner agreed to provide this information to the city. Thomas clarified that the rezoning request would be forwarded to the City Commission for consideration.

Motion by Driver to recommend to the City Commission to consider the rezoning of the commercial property at 707 Rivergate Parkway, Davidson County Tax Map 26-13, Parcel 71 from Commercial Services Limited (CSL) to Commercial Planned Unit Development (CPUD). Motion seconded by Franks. Motion approved unanimously, 8-0.

Item #4 (9.1 #20-07) Consider the request of Thomas Miller, 463 Moncrief Avenue, Goodlettsville, TN to rezone the residential property, Davidson County Tax Map 25-3, Parcel 27 from Residential R-25 to Residential R-15.

Item deferred due to no representation by the applicant.

Item #5 (9.1 #21-07) Consider the request of Ragan-Smith Associates, 315 Woodland Street, Nashville, TN for approval for Annexation, Plan of Service, Amendment to the Goodlettsville Land Use Policy Plan, Rezoning to Medium Density Residential Planned Unit Development (MDRPUD) and Preliminary Master Plan for approximately 37.03 acres of property on Allen Road, Sumner County Tax Map 143, Parcels 36 and 36.01.

Staff reviewed. Gregory reported the developer has decided to request a Low Density Residential Planned Unit Development (LDRPUD) zoning at 1.7 units per acre. Lowering the density eliminates most of staff's comment and concerns regarding the Preliminary Master Plan. A proposed connector road from the Copper Creek development and the proposed Kennewyck development has been eliminated. Removal of the access between developments does not create additional life safety issues for residents. Technical issues regarding extension of the sewer system, perimeter and supplemental landscaping and the stormwater detention on Allen Road can be addressed prior to consideration of the Final Master Plan.

Alan Thompson, Ragan-Smith Associates, officially requested that rezoning for the development be changed from MDRPUD to LDRPUD which will eliminate action to amend the Goodlettsville Land Use Policy Plan. He described the development as consisting of six-three (63) lots approximately two thousand (2000) feet from Long Hollow Pike on Allen Road. The development will provide eight hundred (800) linear feet of sewer which meets the standards set by the Goodlettsville Public Works Dept. The water shed issue is not significant and can be addressed satisfactorily and an existing perimeter tree line is available to allow for adequate detention pond. Franks questioned if the additional traffic on Allen Road has been addressed. Thompson stated the developer is agreeable to making any adjustments at the development entrance by widening Allen Road to include a right hand deceleration lane which can be addressed at the Final Master plan submission. The single access point on Allen Road is a high point in the road to provide excellent site distance capability. The amenities include ornamental streetlights, a hiking/walking trail interconnecting with the sidewalk system. Gregory stated no sidewalks are required on Allen Road due to the fact that the roadway will remain a county road after the proposed annexation. Thompson continued that the adjoining development has minimal visibility due to perimeter mature vegetation and

the developer will install a landscape buffer with evergreen tree materials at the rear the development to future diminish visibility. The plan calls for side loaded garages unless a cul-de-sac home, as a result of grading, requires a front loaded, cottage style courtyard. The building materials are sixty (60) percent brick, with the remaining materials containing one hundred (100) percent masonry, stone, Hardiplank or brick.

Motion by McNeal to recommend to the City Commission the annexation of approximately 37.03 acres of property to be known as Kennewyck (LDRPUD), Allen Road, Sumner County Tax Map 143, Parcels 36 and 36.01. Motion seconded by Willis. Motion pass unanimously, 8-0.

Motion by Coombs to recommend to the City Commission a Plan of Service for Kennewyck (LDRPUD), Allen Road, Sumner County Tax Map 143, Parcels 36 and 36.01. Motion seconded by Franks. Motion passed unanimously, 8-0.

Motion by Franks to recommend to the City Commission to rezone approximately 37.03 acres of property to be known as Kennewyck, Allen Road, Sumner County Tax Map 143, Parcels 36 and 36.01 from the current Sumner County zoning district to the City of Goodlettsville's Low Density Residential Planned Unit Development (LDRPUD) zoning district. Motion seconded by Trew. Motion passed unanimously, 8-0.

Motion by Coombs for approval of the Preliminary Master Plan for Kennewyck (LDRPUD), Allen Road, Sumner County Tax Map 143, Parcels 36 and 36.01 based on a twenty feet evergreen landscape buffer, boundary to boundary, on the western elevation of the development and other noted staff comments. Motion seconded by Willis. Motion passed unanimously, 8-0.

Item #6 Consider the renewal of Letter of Credit No. 0006 for installation of infrastructure for Woodwyn Hills, Section IV in the amount of \$38,280 due to expire 6/30/07

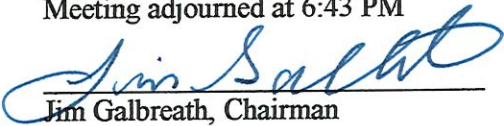
Staff reviewed. Brasier reported that due to the increase in asphalt prices, staff recommends the amount of the Letter of Credit increase to \$56,000 and extension of the LOC for a period of one year.

Motion by Drive for a one- year renewal of Letter of Credit No. 0006 for installation of infrastructure for Woodwyn Hills, Section IV and an increase the amount of the bond to \$56,000. Motion seconded by McNeal. Motion passed unanimously, 8-0.

Commissioner Comments:

Coombs requested the status of the search for an Economic Development Director. Thomas replied that the search for an Economic Development Director is ongoing. The city has received twelve (12) applications and three (3) viable candidates are being consideration. Thomas reported that the status of the issue regarding liquor by the drink for Sumner County is for a registered voters petition to be submitted to the Sumner County Election Commission for the referendum to appear on the ballot for the November, 2008 general election. McNeal shared his safety concerns regarding right-of-way access to Goodlettsville Plaza from Shevel Drive/Main Street and East Cedar Street at the railroad overpass. Willis asked in the City Commission can influence the property owner of the Goodlettsville Plaza to properly maintain the commercial property relating to parking lot trash, structural maintenance of parking lot and provide regulation handicapped parking spaces. Coombs suggested an ordinance be considered to address the problem of graffiti on the rear of the plaza building. Thomas explained the city can address this property relative to life safety issues and other city regulations, not cosmetic issues. Franks indicated that the property owner previously wanted to redevelop the site, but did not wish to comply with the Commercial Core Overlay restrictions for the property. Franks stipulated that the property owner has no future plans to improve the site.

Meeting adjourned at 6:43 PM


Jim Galbreath, Chairman


Vicky Ignatz, Recording Secretary