

MINUTES OF THE MEETING
GOODLETTSVILLE PLANNING & ZONING BOARD

October 2, 2006

5:00 PM

Massie Chambers

Present: Jerry Garrett, Scott Trew, John Finch, Carol Crews, John Coombs, Grady McNeal, Jim Hitt, Jim Galbreath, Margaret Wall

Absent: Jim Driver

Also Present: Rick Gregory, Bennie Lane, Jim Thomas, Vicky Ignatz, Charlie Lowe, Mark Baker, Jim Harrison, Rick Morgan, David Reagan, Bethel Brown, Rick Fussell, David Mulakoff and others

The meeting was called to order by Jim Galbreath. Prayer was offered by Scott Trew.

Motion by Hitt to amend the agenda by adding an item to discussion of the Drainage Improvements Assessment: Old Brick Church Pike and Bell Street to the agenda. Motion seconded by Garrett. Motion passed unanimously, 8-0.

Item #1 The minutes of the September 11, 2006 Goodlettsville Planning Board meeting were approved as written.

Item #2 (9.1 #14-06) Consider the request of Paradigm Design, Inc., 550 3 Mile NW, Grand Rapids, Mi for approval of as Site Plan for Gordon Food Services Marketing store, 317 Bluebird Drive, Davidson County Tax Map 34-0, Parcel 4.

Staff reviewed. Gregory reported the revised proposal has addressed most of the technical issues previously identified. The remaining issues are on-site truck turning movement, architectural content lacking brick and accents, and a minimal landscaping plan. There are remaining portions of the plans that have not been properly stamped by a State of TN licensed civil engineer.

Rick Morgan, Gordon Food Services, agreed to work with staff to improve the landscaping plan, architecture and on-site truck turning radius. Morgan stated that since the proposed site is in bankruptcy, a reduced option period exists; therefore, he is asking the city for an indication that the overall site plan is appropriate. Finch responded that it is not his desire to impede the process of the plan's approval; moreover, if the plan were designed as required by TN state law and the Goodlettsville Zoning Ordinance, he would be in favor of this development. Garrett questioned whether a non-binding agreement would be an appropriate action. Finch and Lowe reiterated that an agreement or conditional approval of this plan, as presented, is not appropriate.

Motion by Hitt to defer action on the request. Motion seconded by Garrett. Motion passed unanimously, 8-0.

Item # 3 (9.1 #18-06) Consider the request of Michael Williams, RLS, for approval of a Final Plat Amendment for Bethel Brown Subdivision, Long Hollow Pike @ Ellen Drive, Sumner County Tax Map 143J, Parcel 14.

Staff reviewed. Gregory reported this proposed division of land plat creates two lots from an existing lot fronting Long Hollow Pike and Ellen Drive. A residence that previously occupied

the southern proposed lot was destroyed in the April, 2006 tornado. The northern part of the property is zoned CPUDL, the southern part of the property is zoned R25. A few remaining minor technical issues, which have been previously presented to Mr. Williams, need to be addressed.

David Reagan, representative for Michael Williams, agreed to address remaining technical issues. Finch questioned if this request interferes with the current zoning moratorium for Long Hollow Pike. Gregory responded that the creation of lots is not related to any rezoning requests and is an appropriate action. Bethel Brown, property owner, stated that there is no intent to build on the vacant lot at this time.

Motion by Wall for conditional approval of the Final Plat Amendment for Bethel Brown Subdivision, Long Hollow Pike @ Ellen Drive, Sumner County Tax Map 143J, Parcel 14 based on staff review and approval of revised plat submittal requested by staff. Motion seconded by Garrett. Motion passed unanimously, 8-0.

Item #4 (9.1 #19-06) Consider the request of Civil Resource Consultants, 2703 Memorial Blvd., Springfield, TN for approval of a Site Plan for KY-TN Conference Association of The Seventh Day Adventists, 850 Conference Drive, Davidson County Tax Map 26, Parcel 95.

Staff reviewed. Gregory reported the proposed plan is a substantial addition to the existing KY-TN Conference complex. The extent of this development technically invoke the provision in the Zoning Ordinance requiring the entire site be brought into compliance with current regulations. This proposal does that in all regards with the exception of parking requirements. Current regulations require 88 spaces while the plan depicts 61 parking spaces, a net increase of 5 spaces over the current number of spaces. The parking plan is adequate for this type business. Landscaping has been enhanced to meet current requirements. The front addition is to be constructed of brick, the rear elevation of Hardiplank. All other aspects of the proposal have been addressed satisfactorily.

Motion by McNeal for approval of the Site Plan for KY-TN Conference Association of The Seventh Day Adventists, 850 Conference Drive, Davidson County Tax Map 26, Parcel 95 and a variance to the current regulations for minimum parking space requirements in the Commercial Services Zoning District. Motion seconded by Crews. Motion approved 7-0-1. Finch abstained.

Item #5 (9.1 #20-06) Consider the request of Civil Site Design Group, PLLC, 1808 West End Avenue, Ste. 1402, Nashville, TN for approval of a Preliminary Master Plan for Volunteer State Bank, Long Hollow Pike & Caldwell Road, Sumner County Tax Map 143, Parcel 69.

Staff reviewed. Gregory reported this proposal is for a two building development at the corners of Long Hollow Pike, Caldwell Drive and Jackson Road has a number of physical constraints, the number and size of easements and the three street frontages, making it a fairly difficult site to develop. Access easements have been lined up on Caldwell Road with Walgreens on the north street elevation, Volunteer Bank and Page Heights Baptist Church on the south street elevation. Most of the technical issues have been addressed satisfactorily. Issues that remain to be

determined are limiting access on Jackson Road to one driveway, depicting limits of floodway on plan and showing baseline (foundation) landscaping for the retail building.

Jim Harrison, Civil Site Design, stated that an agreement is being discussed with Page Heights Baptist Church to line up a shared access easement to be located directly across from the Walgreens' access easement on Caldwell Road. The second access easement on Jackson Road will permit better traffic circulation, easier trash removal and easier access to the retail building on southeast elevation of site. Galbreath shared his concern regarding traffic congestion on Jackson Road. Lowe explained that the site has no access from Long Hollow Pike. Jackson Road has less traffic, will encourage turning movement away from traffic light at Caldwell Road and Long Hollow Pike and provides good traffic access for circulation purposes. Lowe added that proper traffic circulation can be accomplished with one functional access as far away from Long Hollow Pike as possible which will be mutually beneficial to the bank and retail building. The north access, as proposed, will create operational issues with cuing of the drive thru window traffic and cause traffic flow problems for the site. Harrison stated Phase I, Volunteer State Bank, will be built within one year. Phase II, retail building, will be built out within three years. He will take staff's comments into consideration on the Final Master Plan presentation. Finch requested the illumination of the proposed electronic signage be considered in the final planning stage. Hitt questioned if approval of this preliminary plan would create consequences in the proposed shared access at Caldwell Road did not materialize. Lowe responded that if the proposed access can't be achieved, the developer will have to present a revised plan depicting access to the site for consideration by the board.

Motion by Garrett for conditional approval of a Preliminary Master Plan for Volunteer State Bank, Long Hollow Pike & Caldwell Road, Sumner County Tax Map 143, Parcel 69 with the following conditions: alignment of the shared access easement of Volunteer State Bank property and Page Heights Baptist Church with the existing access easement at Walgreens on Caldwell Road; restrict access on Jackson Road to one access easement; and correct technical issues provided by staff. Motion seconded by Trew. Motion passed unanimously, 8-0.

Carol Crews left the meeting at 5:45 PM.

Item #6 (9.1 #24-05) Consider the request of Ragan-Smith Associates, 315 Woodland Street, Nashville, TN for approval of a Revised Preliminary Master Plan for Caldwell Square – Revision One, Long Hollow Pike @ Loretta Drive, Sumner County Tax Map 143-J, Group A – Parcels 1, 3, 3 and 4; Group B- Parcels 3, 3.03, 4, 5, 6, 27, 28 and 29.

Staff reviewed. Gregory reported this proposal to amend the approved Final Master Plan for the Caldwell Square development changes the use of the two building in the southeastern corner of the development previously shown as an approved bank site to a restaurant site and an approved restaurant site to a retail space site, shown on the plan as "Retail C" and minor adjustments to landscaping and parking. All technical corrections have been addressed.

Rick Fussell, Ragan-Smith Associates, stated the intent of the developer is to initially build the Retail C building. Finch questioned if the remaining undeveloped property on the Caldwell Square site will be seeded, strawed and properly maintained until which time it is developed. The project manager for Ledbetter Properties agreed that the undeveloped portion of the property would be prepared maintained properly. Coombs is concerned with the proposed rear elevation

the restaurant site facing Caldwell Road or Long Hollow Pike. Rick Fussell acknowledged that the proposed restaurant site could face inward on site. Gregory stipulated that the board could require the front elevation of the proposed restaurant to front Long Hollow Pike and back up to the Retail C building in the Final Master Plan approval process.

Motion by Coombs for approval of a Revised Preliminary Master Plan for Caldwell Square – Revision One, Long Hollow Pike @ Loretta Drive, Sumner Count Tax Map 143-J, Group A – Parcels 1, 3, 3 and 4; Group B- Parcels 3, 3.03, 4, 5, 6, 27, 28 and 29. Motion seconded by Finch. Motion passed unanimously, 7-0.

Item #7 Consider renewal of Letter of Credit No. NY-00379-3003872 due to expire 10/20/06 for The Estates at Twelve Stones Crossing in the amount of \$88,000 for installation of infrastructure.

Brasier requested a one year renewal of the established Letter of Credit in the amount of \$88,000 for installation of infrastructure due to continued construction of this development.

Motion by Garrett for a one year renewal of Letter of Credit No. NY-00379-3003872 in the amount of \$88,000 for installation of infrastructure for The Estates of Twelve Stones Crossing. Motion seconded by Hitt. Motion passed unanimously, 7-0.

Item #8 Consider renewal of Letter of Credit No. S033027 due to expire 10/27/06 for Meadowcreek, LLC in the amount of \$7,800 for landscape maintenance.

Gregory requested conditional approval to release Letter of Credit for landscape maintenance of Meadowcreek Apartments based on replacement of approximately one dozen trees.

Motion by Garrett for conditional approval to release Letter of Credit No. SO33027 due to expire 10/27/06 in the amount of \$7,800 for landscape maintenance for Meadowcreek Apartments if required planting is completed in a timely manner. If landscape installation is not properly replaced, a one year extension of the Letter of Credit in the amount of \$7,800 is required. Motion seconded by Finch. Motion passed unanimously, 7-0.

Item #9 Discuss the proposed Residential Rental Regulations – Multi-family Registration, Inspection and Maximum Occupancy Ordinance.

Gregory presented the Board with a proposed ordinance regarding registration, inspection, maximum occupancy & exterior/interior maintenance for enforcement purposes. Hitt shared his concerns with the constitutionality of the proposed ordinance. Galbreath requested feedback from the City of Springfield regarding enforcement of this ordinance and questioned how this ordinance interfaces with current zoning ordinances, building codes and enforcement. Finch informed the Board that the City Commission directed Senator Haynes to draft, in a timely manner, a constitutionally appropriate ordinance addressing these issues.

Jim Hitt left the meeting at 6:15 PM.

Additional discussion: Drainage Improvements Assessment: Old Brick Church Pike & Bell Street

Thomas reported the City Commission directed staff to identify property ownership, address infrastructure reconstruction in the Old Brick Church Pike area regarding drainage issues, right-of-way access easement, roadway improvements and installation of sidewalks. Ragan-Smith completed a study to identify these issues in August, 2006. The established subcommittee determined that the first problematic issue that needed to be addressed was drainage. Charlie Lowe, Ragan-Smith Associates, reported that a preliminary hydraulic assessment to identify localized and major drainage problems of the area was conducted. The results were favorable to what was anticipated. The drainage basin was not as large as anticipated in acreage and required flows. The second charge was to make improvement recommendations. Structural improvements are to be made going upstream, linear footage improvements of 2,500 feet of corrugated metal pipe along Old Brick Church Pike (OBCP) with several cross drains on streets adjoining OBCP and additional drains along OBCP and removal/replacement of all existing culverts. The improvements are based on a 10 year storm event which is subdivision standards in Goodlettsville. Construction cost estimate is \$228,000 for the drainage improvement recommendation which includes erosion control, street access cuts, utility relocation, grading stabilization, paving, pipe and structures.

Thomas stated the cost estimate is based on the assumption that the city has the available right-of-ways and easements and that additional utility relocation is not required. There is the possibility of additional drainage construction on the north side of Old Brick Church Pike to direct stormwater under the roadway culvert system to the south side of Old Brick Church Pike. Therefore, the cost estimate of \$228,000 is a preliminary estimate. Thomas will work with staff to determine if there are external financial sources available and/or consideration by the City Commission for project funding in the 2007 City of Goodlettsville Budget process. Garrett added that another option, if deemed appropriate, is to amend the 2006-2007 city budget.

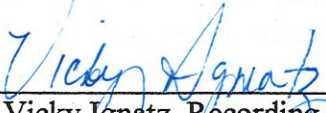
Motion by Coombs to recommend to the City Commission to consider action on the Drainage Improvements Assessment: Old Brick Church Pike and Bell Street. Motion seconded by Garrett. Motion passed unanimously, 6-0.

Item #10 Commissioner Comments - Finch asked to defer the light meter demonstration until the November, 2006 meeting. Finch asked for update on amendment to reduce front yard setbacks for properties along Long Hollow Pike and Rivergate Parkway located in the Commercial Core Overlay District. Gregory reported the amendment has been passed and the concerned property owners were notified of the change in regulations.

Citizen Comments - Nancy Murphy, 518 Elba Drive, shared her concern that the homes on Elba Drive damaged by the April, 2006 tornado which have not been repaired are creating safety issues for the neighborhood children. Bennie Lane reported that some of the property owners are having problems with insurance companies and some litigation is ongoing. Murphy asked if the homes can be blocked from public access. Thomas offered to contact the property owners to request that the properties are secured as quickly as possible.

Meeting adjourned.


Jim Galbreath, Chairman


Vicky Ignatz, Recording Secretary