

MINUTES OF THE MEETING

GOODLETTSVILLE PLANNING & ZONING BOARD

November 7, 2005

5:00 PM

Massie Chambers

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

Also Present: Rick Gregory, Jim Thomas, Bill Brasier, Bennie Lane, Charlie Lowe, Vicky Ignatz, Richard Pope, David Wilson, Randall Philips, Brock Rust, Greg Dunham, John Poteet, Charles Fentress, Felicia Vinson, Kevin & Cassandra Kenerson, Betty Jackson, Dan & Andrea Stupka, DL & Susan Russell, Bruce & Darla DeVries, Mr. & Mrs. Neal Langdon, Gary Manning, Debbie Martin, Harry Frith, Gene & Shelia Lanius, Joe Snyder, Alison Turner, Kim Hawkins, Jimmy Granberry, Earl Brawner, John Ricks, Robert McCain, Jamie Grubbs and others

The meeting was called to order by Jim Galbreath. Prayer was offered by John Coombs.

Item #1 Trew asked for clarification of the Board's action at last month's meeting regarding the intended date to recommend to the City Commission the establishment of a six (6) month rezoning moratorium for the Long Hollow Pike Corridor. Hitt, Driver, Thomas and Finch confirmed their understanding that the Board's recommendation for the rezoning moratorium was to be considered by the City Commission at the next scheduled meeting.

Galbreath declared the minutes of the October 3, 2005 Goodlettsville Planning and Zoning Board meeting approved as written.

Item #2 (9.1 #26-05) Consider the request of Barge Cauthen & Associates, Inc. for approval of a Final Master Plan for Walgreens, Long Hollow Pike @ Caldwell Road @ Ellen Drive, Davidson County Tax Map 143, Parcel 63.02.

Staff reviewed. Gregory reported a few minor items regarding landscaping, lighting and signage have not been adequately addressed. The developer has asked for a variance on the requirement for foundation planting. Staff is opposed to a full waiver from foundation planting compliance and suggests that substitute landscaping could be installed which would break up the continuous pavement to wall design, adding vegetation to the area shown as painted parking island at the front entrance and enhancing the height of the berm around the front perimeter. In lieu of the forty-two (42) inch wooden fence, staff would encourage an enhanced landscaping buffer such as understory trees and shrubs at the location of the proposed fencing. A complete signage plan has not been included in the Final Master Plan. The size of the proposed neon encased marquee lighting, size and height of sign needs to be better detailed. The specific type of lighting fixtures is not evident on the photometric plan.

Kim Hawkins, Hawkins Partners Landscaping, clarified that landscape waiver is actually a partial waiver for foundation planting. Two (2) planting islands have been added to the front of the building to comply with the intent of foundation planting. The landscape plan includes forty-one percent greenspace on this site. Per the staff comments referencing the Goodlettsville Zoning Ordinance, the transitional buffering requirement of a forty-two (42) inch wooden fence has been added to the Final Master Plan as stated in staff's comments. We are in agreement with staff to remove the wooden

fence; however, additional plantings in lieu of the fencing would be very difficult. Hawkins reported the plan exceeds the zoning ordinance landscape requirements. This transitional area depicts sixty-two (62) shade and evergreen trees, eight (8) to (18) feet floor grade change from the site to the elevation of Ellen Drive. The overall landscape plan is twenty-two (22) caliper inches above the base requirements. Gregory stipulated that removing the fence would bring the plan out of compliance. He suggested that taking the monetary value of installation of the fence and installing additional evergreen trees in this area to bring the landscape plan into compliance. Jimmy Granberry, H.G. Hill Realty, informed the board that the tenants don't accept foundation planting due to the maintenance issue and any changes to these plans would have to be review/approved by the Real Estate Committee. The site is very under-built from the previously approved plan and as a result, the site will be heavily landscaped at forty-one (41) percent. Finch asked for assurance that the lighting plan indicated would provide no illumination to adjoining property. Turner Garrett stated that there would be no crossover illumination. Lane stated that a monument signage height variance would be required to allow the street signage proposed. The regulations permit a seven (7) feet monument sign. The proposed signage is thirteen (13) feet and eight (8) inches in height. The board agreed that a thirty (30) feet sign pole would not be appropriate for this sight. Hawkins agreed to the foundation planting and fencing barrier variances and to provide additional evergreen plantings comparable cost of fencing along the area of the proposed fence area.

Motion by Finch for conditional approval of the Final Master Plan for Walgreens, Long Hollow Pike @ Caldwell Road @ Ellen Drive, Davidson County Tax Map 143, Parcel 63.02 based on variances to the monument signage height requirement, foundation planting requirement and barrier fencing requirement, providing addition evergreen landscape planting comparable with cost of fencing at location of proposed barrier fencing and final review and approval by staff of resubmitted changes. Motion seconded by Garrett. Motion passed unanimously, 9-0.

Item #3 (9.1 #28-05) Consider the request of Caldwell Engineering and Surveying, P.O. Box 323, Hendersonville, TN for approval of an amended Final Plat for the Poteet Subdivision, Moncrief Avenue, Davidson County Tax Map 18-15, Parcels 5.01 and 106.

Staff reviewed. Gregory reported the proposal is to re-subdivide two existing parcels into two buildable lots. This resubdivision will bring Lot 1 into compliance for the rear yard setback requirements. A few technical changes need to be made to the plat: 1) identify utility easement and 2) change the identification of the current structure on Lot 2 to "existing building". John Poteet, property owner, stated that a sales contract for Lot 2 has been signed and the future property owners intend to build a new structure on the property.

Motion by Garrett for conditional approval of an amended Final Plat for the Poteet Subdivision, Moncrief Avenue, Davidson County Tax Map 18-15, Parcels 5.01 and 106 based on identify utility easement and labeling the current structure on Lot 2 as "existing building". Motion seconded by Drive. Motion passed unanimously, 9-0.

Item #4 (9.1 #38-03A) Consider the request of Civil Site Design, 1808 West End Avenue, Ste. 1402, Nashville, TN for approval of the architectural design for the Final Master Plan, The Villas at Twelve Stones Crossing, Phase III, Townhomes/MDRPUD, Willis Branch Road, Sumner County Tax Map 143, Parcels 1.00, 2.00, 3.00, 4.00 and 6.00.

Staff reviewed. Gregory reported the Final Master Plan for The Villas at Twelve Stones Crossing, Phase III was conditionally approved at the October, 2005 meeting pending submittal and review of the architectural design. The developer recently has provided elevation drawings for the Board's review.

Brock Rust, developer, explained the enhanced architectural design includes: brick façade on all side elevations, detail trim comprised of Hardy Plank, a thirty year dimensional shingle, carriage doors, widened trim around chimney, solid and roll lock course around the rear elevations and keystones on front and rear elevations. The building materials included are an aggregate fifty (50) percent brick or cultured stone. Finch informed the Board that he had met with the developer to offer suggestions to enhance the architectural design and is satisfied with the result presented tonight. McNeal and Trew agreed that the outstanding architectural issues have been properly addressed.

Motion by Driver for approval of the architectural design for the Final Master Plan, The Villas at Twelve Stones Crossing, Phase III, Townhomes/MDRPUD, Willis Branch Road, Sumner County Tax Map 143, Parcels 1.00, 2.00, 3.00, 4.00 and 6.00. Motion seconded by Garrett. Motion passed unanimously, 9-0.

Item #5 (9.1 #29-05) Consider the request of property owners Daniel & Andrea Stupka, 122 East Cedar Street, Davidson County Tax Map 26-1, Parcel 85 – Felicia Vinson, 120 East Cedar Street, Davidson County Tax Map 26-1, Parcel 84 – Betty Jackson, 118 East Cedar Street, Davidson County Tax Map 26-1, Parcel 83 – Kevin 7 Cassandra Kenerson, 116 East Cedar Street, Davidson County Tax Map 26-1, Parcel 82 – Fentress Family Partnership, 112 East Cedar Street, Davidson County Tax Map 26-1, Parcel 81 and Mrytle Freeman, 110 East Cedar Street, Davidson County Tax Map 26-1, Parcel 80 for approval of a zoning amendment for these properties to rezone from Residential (R-10) to an appropriate commercial zoning district.

Staff reviewed. Gregory reported this request is to change the zoning of six (6) parcels on the north side of East Cedar Street from R-10 residential to an "appropriate commercial zoning district". Walgreens and Regions Bank occupy property on the south side of East Cedar Street (zoned CPUD). The remaining lots on the south side of East Cedar Street are zoned ROPUD which permits several types of commercial uses; however, this zoning is more restrictive than CPUD. The named properties are each small in size, 10,000 to 15,000 square feet. The setback requirements of the ROPUD district are best suited to these small lots.

Ms. Vinson and Charles Fentress stated that all the applicants are in agreement that commercial zoning is the best use of the current properties due to adjoining commercial zoning areas and a significant increase in traffic flow. Gregory read a list of the approved commercial use categories that would be permitted in the ROPUD district. Fentress questioned if multi-family apartments would be permitted on these properties. Gregory responded that as the Commercial Core Overlay district develops, these properties could be included in the CCO in the future, whereby, upper floor residences would be permitted on these properties. However, the proposed ROPUD zoning district regulations do not allow multi-family housing. Coombs is concerned with ROPUD zoning in that utilization of the existing homes as businesses would be very limited.

Finch asked if the adjoining property owners have been notified. Gregory confirmed that adjoining property owners were notified and that the Planning Office had not received negative responses to the rezoning request. Upon the invitation of Chairman Galbreath, Susan Russell, 114 Myers Street, stated she is concerned about the type of zoning proposed, the impact relating to traffic and noise levels. Gregory responded that the ROPUD zoning district is primarily service/office/medical type uses. Any business wanting to utilize an existing home as a commercial venture would have to comply with all applicable regulations of the Goodlettsville Zoning Ordinance. Darla DeVries, 202 Church Street, asked what were the possibilities of the remaining block of residential properties on Myers and Church Streets being rezoned commercial. Gregory stated that the remaining residential properties are surrounded by commercial and industrial zoning districts presently. Should the remaining residential property owners submit a commercial rezoning application, it is logical that the Planning Board will seriously consider consolidating this area as commercial properties. Thomas confirmed that the adjoining property owners and the general public will be notified of the City Commission's public meeting during consideration of rezoning request.

Motion by Driver to recommend to the City Commission to consider the rezoning of the following properties from Residential (R-10) to Restricted Office Planned Unit Development (ROPUD): 122 East Cedar Street, Davidson County Tax Map 26-1, Parcel 85; 120 East Cedar Street, Davidson County Tax Map 26-1, Parcel 84; 118 East Cedar Street, Davidson County Tax Map 26-1, Parcel 8; 116 East Cedar Street, Davidson County Tax Map 26-1, Parcel 82; 112 East Cedar Street, Davidson County Tax Map 26-1, Parcel 81; 110 East Cedar Street, Davidson County Tax Map 26-1, Parcel 80. Motion seconded by Trew. Motion passed unanimously, 9-0.

Item #6 (9.1 #30-05) Consider the request of Neal Langdon, 1220 Twelve Stones Crossing, Goodlettsville, TN for approval of a zoning amendment relating to property at 727 South Dickerson Road, Davidson County Tax Map 25-12, Parcel 14 to rezone from Agricultural (A) to High Density Residential Planned Unit Development (HDRPUD) to allow a single level senior friendly community development.

Staff reviewed. Gregory reported this request involves approximately 5.3 acres on the west side of South Dickerson Pike. The proposed property is adjoined by an Agricultural (A) zoning district to the south, bound on the north and west by residential properties zoned R-25. As a result of the proposed development of twenty-eight (28) units on 5.3 acres, High Density Residential Planned Unit Development (HDRPUD) is the only zoning district that allows a density of 5.3 units per acre development. Certain aspects of the proposed development have some attractive features including a compact development and utilization of existing resources (utilities and street network). However, increasing an island of high density development, which already includes Vanco Manor and Colony Manor, in a predominant area of single family homes is not desirable. Due to the steep grade of the front of the property, ingress/egress issues relating to South Dickerson Road are of great concern when considering the proposed senior oriented population.

Garrett questioned if this property approved for rezoning to HDRPUD, what other types of developments are permitted. Gregory responded that multi-family housing, which allows a higher number of units per acre, is a permitted use in HDRPUD. Without the availability of a Preliminary Master Plan for this development, Gregory stated he would be hesitant to consider a rezoning request at this time due to the stability of this area. Galbreath acknowledged his concern with the impact on

the existing homes in the R-25 zoning district. Langdon informed the Board that there are vacant properties between Vanco Manor and the proposed development. The proposed plan has seven (7) buildings consisting of twenty-eight (28) units single units. The development will be located on the rear of the property which is very level. Gregory added that as the City progresses with the Commercial Core Overlay District, it is possible that the overlay district could be extended south from Shevel Drive to this area of South Dickerson Road. Garrett and Crews viewed the overall traffic density and the steep grade on South Dickerson Road as potential safety issues. Driver is very concerned that the rezoning application does not carry with it a Preliminary Master Plan for consideration.

Motion by Coombs to deny approval of a zoning amendment relating to property at 727 South Dickerson Road, Davidson County Tax Map 25-12, Parcel 14 to rezone from Agricultural (A) to High Density Residential Planned Unit Development (HDRPUD) to allow a single level senior friendly community development based on the lack of a Preliminary Master Plan and assurance from the owner that the property will be developed as presented. Motion seconded by Finch. Motion passed unanimously, 9-0.

Item #7 (9.1 #11-03) Consider the request of Tennessee Health Management, Inc. for reduction of Letter of Credit No. 6074090-1 in the amount of \$81,000 due to expire 12/9/05 for installation of landscaping for Vanco Manor 813 South Dickerson Road, Davidson County Tax Map 25, Parcel 137.

Staff reviewed. Gregory reported the initial request from the developer was a reduction of Letter of Credit 6074090-1 for installation of landscaping at Vanco Manor. Staff's inspection indicated that a portion of the planted vegetation did not survive. Staff suggested the developer amend the existing Letter of Credit in the amount of \$81,000, remove the dead landscaping and replant according to the approved landscape plan. After the replacement planting, the owner can request a reduction in landscaping to the amount of \$8180 or a 10% maintenance bond for a period of one year. As of this meeting, the developer has provided an amended LOC at \$81,000 with plans to replant the vegetation in late November, 2005.

Coombs questioned staff as to whether to drainage culvert under South Dickerson Road has been properly addressed. Brasier acknowledged that the structure has been revised to properly handle drainage. McNeal suggested that the developer be requested to install an irrigation system for the maintenance of landscaping. Gregory reported that a request for an irrigation system is usually make during the planning stage of the development.

Motion by Garrett to indefinitely defer consideration of the reduction request for Letter of Credit 6074090-1 in the amount of \$81,000 for installation of landscaping for Vanco Manor. Motion seconded by Finch. Motion passed unanimously, 9-0.

Item #8 Consider the amendment to the Goodlettsville Zoning Ordinance and Zoning Map to rezone the Goodlettsville Urban Growth Boundary recently designated as Goodlettsville's Planning Region.

Several months ago staff made a request to Sumner County to expand the City's planning jurisdiction into the Urban Growth Boundary (UGB) area. The request was approved by resolution on October 26, 2005 by the State of Tennessee thru the Local Planning Advisory Committee allowing the Board planning authority outside our city limits in the UGB. Gregory's expectation during this process was to also be granted zoning authority in the UGB. In further research, it is now Gregory's understanding that the City does not have zoning authority as dictated by current statutory authority. State statute indicates zoning authority remains with the county. In speaking with the City Attorney and other individuals, they all concur that the City of Goodlettsville does not have zoning authority. Gregory advised the Board that he will continue to pursue the rezoning authority issue at the county and state levels.

Gregory stated that as a result of the expansion of the City's planning jurisdiction into the Urban Growth Boundary, this Board will could serve as a legislative body, a quasi-judicial body and an administrative body for municipal and county jurisdiction issues. Review and approval of subdivision regulations, utility extensions, street improvements and transportation planning in the UGB will be under this Board's jurisdiction.

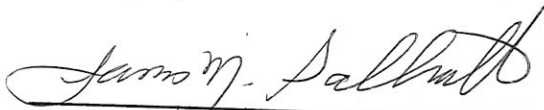
Item #9 Consider an amendment to the Goodlettsville Subdivision Regulations to apply the Goodlettsville Urban Growth Boundary recently designated as Goodlettsville's Planning Region.

Staff reviewed. A thirty (30) day Public Notice was published in the November 2, 2005 issue of The Community Ledger to inform the general public of a public meeting whereby the Planning Board will consider adoption of the Goodlettsville Subdivision Regulations at the December 5, 2005 Planning Board meeting.

Item #10 Commission comments.

Finch asked Rick to report on the status of proposals for the Long Hollow Pike Corridor Study. Gregory stated a monetary cap of \$15,000 for the project was set at the last meeting. Consideration of a rezoning moratorium relating to properties in the Long Hollow Pike Corridor was deferred at the last City Commission meeting. Staff has not sent out requests for bids, RFPs or Request for Qualifications for the Long Hollow Pike Corridor Study pending project funding by the City Commission. Finch stated that the item that failed or got deferred at the Commission meeting was the moratorium. The moratorium was to give us time to get the study done. I won't think that we need to wait on going through the process of, at least, having the proposals and knowing what it would cost. Finch stipulated that he would like us to move forward with that, so that, if such time the Commission does act, they will know what they are acting on. Gregory stated the moratorium resolution included City Commission action to enable expenditures up to \$15,000 for the LHP Corridor Study. So until we know how much money we have, it is hard to frame the study. Finch stated his thought would be to let's know what a good study should cost and then go see if we can go get the money to do it. If we let the money dictate the study, we might get a study that is not worth anything. Galbreath summarized that we need to take proposals. Finch stated that we should take proposals and see what is out there and what it costs. Gregory apologized that the process had not been initiated based on his understanding that the City Commission would need to pre-approve expenditures for the study. He reported that he will move forward immediately with the proposal process.

Meeting adjourned.



Handwritten signature of Jim Galbreath in cursive script.

Jim Galbreath, Chairman



Handwritten signature of Vicky Ignatz in cursive script.

Vicky Ignatz, Recording Secretary