

GOODLETTSVILLE PLANNING & ZONING BOARD

January 3, 2005

5:00 PM

Massie Chambers

Present: Jim Galbreath, Jim Driver, Jerry Garrett, Scott Trew, John Finch, John Coombs, Carol Crews

Absent: Grady McNeal, Jim Hitt, Margaret Wall

Also Present: Rick Gregory, Jim Thomas, Bill Brasier, Bennie Lane, Charlie Lowe, Vicky Ignatz, Jane Birdwell, Tim Smith, Rocky Montoya, Harold Willis, Jr., Larry McClanahan, George Welch, Valerie Stewart, Eddie Phillips, Scott Coile, Brock Rust, Cal Gentry, Don Tyree and others

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

Item #1 The minutes of the December 6, 2004 Goodlettsville Planning and Zoning Board stand corrected to indicate the present of board member Carol Crews.

Item #2 (9.1 #01-05) Consider the request of Burns and Associates, Inc., 2354 Highway 41 South, Greenbrier, TN for approval of the Final Plat for Alta Loma Estates, Davidson County Tax Map 34-1, Parcels 2.01, 3.00, 6.00 and part of Parcel 82.00.

Staff reviewed. Gregory reported this proposal is for consolidation of three existing parcels with a portion of an adjacent property to create a buildable lot for the development of Alta Loma Estates. There are a few technical corrections including depicting water and sewer lines and accompanying easements on the plat.

Motion by Driver for conditional approval of the Final Plat for Alta Loma Estates, Davidson County Tax Map 34-1, Parcels 2.01, 3.00, 6.00 and part of Parcel 82.00 based on water lines, sewer lines and accompanying easements being depicted on the corrected copy of the document. Motion seconded by Trew. Motion approved unanimously.

Item #3 (9.1 #02-05) Consider the request of Montoya Land Surveying, Inc, 412 Bass Street, Goodlettsville, TN for approval of the amended Final Plat for Willis Subdivision, Sumner County Tax Map 140, Parcel 125.01.

Staff reviewed. Gregory reported the amended Final Plat for Willis Subdivision was previously approved in 1999; however, the plat was not officially recorded and the approval lapsed after a period of one year. It should be noted that Lot 2 of the proposed lots is less than the required front yard width of one hundred twenty-five (125) feet in R-40 zoning. The Board of Zoning Appeals granted relief from this requirement on June 21, 1999.

Motion by Trew for approval of the amended Final Plat for Willis Subdivision, Sumner County Tax Map 140, Parcel 125.01. Motion seconded by Finch. Motion approved unanimously.

Item #4 (9.1 #5A-94) Consider the request of Ragan-Smith-Associates, 315 Woodland Street, Nashville, TN for approval of the amended Preliminary Master Plan for Woodwyn Hills, Section II, Lynn Drive, Sumner County Tax Map 142, part of Parcel 18.

Staff reviewed. Gregory reported the request is to downsize the previously approved subdivision of Woodwyn Hills, Section II from twenty-seven (27) lots to seven (7) lots and eliminate the approved street connection from Kimberly Drive to Lynn Drive. Woodwyn Hills, Section II has never been developed according to the owner and the engineer due to the steep slopes running approximately parallel to the extension of Kimberley Drive. Although the proposed street connect from Kimberly Drive to Lynn Drive is not an integral part of the circulation system in the area and no critical connection would remain undeveloped due to the proposed change, staff is always reluctant to eliminate cross connections with, through and around developments.

George Welch, Ragan-Smith, stated that the majority of the lots would build out at approximately twenty (20) to twenty-five (25) percent natural slope which is excessive. Lynn Drive already has an existing cul-de-sac. The proposed plan would create a cul-de-sac at the end of Kimberly Drive. Welch recognized staff's concern with the emergency access plan due to this revision; however, statistics show that the route from Loretta Drive to the proposed Kimberly Drive cul-de-sac measures twenty-nine hundred feet (2900) which is the same distance if Kimberly Drive was connected thru to Lynn Drive. Driver and Finch are in agreement of permitting a cul-de-sac to develop at this end of Kimberly Drive and the remaining land to remain undeveloped. Finch questioned if storm water runoff from Lots 44 and 46 would have an impact on the small lots at the lower elevations. Welch explained that the storm water drainage travels the natural drain pattern and will not effect the lower lots.

Motion by Finch for approval of the amended Preliminary Master Plan for Woodwyn Hills, Section II, Lynn Drive, Sumner County Tax Map 142, part of Parcel 18. Motion seconded by Driver. Motion passed unanimously.

Item #5 (9.1 23-04) Consider the request of Artech Incorporated, 559 Church Street East, Brentwood, TN for approval of the Site Plan for Woodman of the World, Dry Creek Road, Davidson County Tax Map 33, Parcel 202.

Staff reviewed. Gregory reported this request was deferred by the board at last month's meeting. A revised plan has been submitted which indicates dormer placement, site lighting and two separate plans for landscape buffering along S. Dickerson Road.

Larry McClanhan stated the outstanding issues have been addressed on the revised plan submitted: 1) two dormers have been included in the rear wall building elevation, 2) wall mounted downcast lighting specifications have been added, and 3) upon review by Ralph Parsons, one pole mounted light is sufficient for the site. Finch disagreed with the parking lot lighting plan submitted and stipulated that the landscape plan indicates the

location of trees in front of the pole light which would further inhibit site lighting. This being a place of assembly, lighting safety is a major concern. Lowe suggested that the pole lighting system for the site include a twenty (20) to twenty-five (25) feet high metal pole lighting system to include one and one-half (1½) foot candles and to not rely on the wall mounted lighting to obtain the required foot candles. McClanahan stated that Woodman of the World would be agreeable to the one and one-half (1½) foot candles lighting for the pole mounted light.

Scott Coile, landscape architect, stated the Plan A is a simple clean up of the existing tree row of all undergrowth and maintain all viable trees in natural clusters. This plan would more than meet the caliper inch requirements. Plan B is to remove all undergrowth and the planting of maples and tulip poplars outside of the utility easement. This plan would further increase the caliper inches above the landscaping requirement. Coile would appreciate a definitive answer from the board as to the direction to be taken. Coombs stated the entire tree line should be removed due to the condition of the trees after being cut back by NES on a regular basis. He would like to see the landscaping buffer relocated further onto the property to eliminate NES maintenance and enhance traffic safety. In doing this, the board could consider concessions regarding the landscape requirements. Coile found this suggestion excessive considering the landscape ordinance encourages retaining all viable native trees. Driver acknowledged that Plan B would be more advisable by adding maples and poplars. McClanahan suggested that staff and the landscape architect inspect the site and determine which trees should be removed/salvaged. Finch questioned if Woodman of the World would make a commitment to maintain the approved landscaping plan in the future. Valerie Stewart, Woodman of the World representative, verbally agreed to the future maintenance of the approved landscaping plan along the S. Dickerson Road landscape buffer.

Motion by Driver for conditional approval of the Site Plan for Woodman of the World, Dry Creek Road, Davidson County Tax Map 33, Parcel 202 based on 1) a photometric plan indicating the pole lighting system for the site to include a twenty (20) to indicate a twenty-five (25) feet high metal pole lighting system with minimum standards to include one and one-half (1½) foot candles and to not rely on the wall mounted lighting to obtain the required foot candle; 2) the site plan to clearly identify rated walls, the removal of the notation regarding adjacent vacant areas and include the detail for a future dumpster pad; 3) the use of Landscaping Plan - Proposal B for the landscape buffer along S. Dickerson Road, for staff to assist in determining trees to be removed/salvaged and the commitment of Woodman of the World to maintain the integrity of the approved landscape plan in the future. Motion seconded by Finch. Motion passed unanimously.

Item #6 (9.1 #38A-03) Consider the request of Civil Site Design, 1808 West End Avenue, Nashville, TN for approval of the Preliminary Master Plan for The Vineyard at Twelve Stones Crossing, Manor House, Sumner County Tax Map 143, Parcel 51.03.

Staff reviewed. Gregory reported this item was deferred last month based on obtaining a legal opinion regarding the ability of the city to ensure that should the property be

rezoned to HDRPUD, that only an elderly independent living facility could be developed on this property. Consultation with our attorney concerning this matter revealed no new alternatives to our existing PUD regulations. The provision of highly specific detailed drawings and reliance on those drawings for future development is the only existing means of controlling development of the property.

This is a major change in the zoning of this area. Nothing similar exists in this part of the city. All of Willis Branch Road and beyond is currently zoned R-40 or LDRPUD. All of the area needs to be considered when addressing this request. The Land Use Policy must be amended along with any zoning amendment. The fifty-six (56) independent living units will not appreciably overload any of the existing public utilities or facilities in the affected area.

Garrett stated he is in favor of approving the Preliminary Master Plan for the Vineyards at Twelve Stones. However, his major concern is with rezoning the property to HDRPUD, the property not being developed as an approved elderly independent living facility, another entity buying the property and presenting an alternate HDRPUD Preliminary Master Plan that is not in keeping with the intent of the rezoning nor the original plan. Garrett questioned staff as to whether there have been zoning ordinances developed that specifically address retirement developments. Gregory stated that HUD has stricter standards which can be reviewed and possibly incorporated into the current zoning by amendment.

Brock questioned if the Restrictive Covenants or Deed Restriction for the Manor House at the Vineyard at Twelve Stones could serve as a legal document denoting the specific use of the property as a elderly independent living facility. Gregory stated the city is not a property owner, cannot enforce a private agreement, nor be party to such action. Garrett asked Brock Rust if he would be agreeable to deferring the rezoning request until such time special legislation could be presented to the State legislature to address independent living retirement facilities. Brock responded that he was not certain that he could wait for the completed legislative process.

Jim Driver stated this board can decide that this independent living facility plan is good for the city. It would then be the responsibility of the City Commission to determine the legalities of the rezoning issue. Garrett agreed this would be the proper action.

Motion by Garrett to approval of the Preliminary Master Plan for The Vineyard at Twelve Stones Crossing, Manor House, Sumner County Tax Map 143, Parcel 51.03 and recommend to the City Commission the rezoning of Sumner County Tax Map 143, Parcel 51.03 R-40 to HDRPUD. Motion seconded by Driver. Motion passed 6-1. John Coombs voted no.

Item #7 (9.1 #13-01) Consider the request of John Murphy, Murphy Development Company, 813 Northshore Drive, Knoxville, TN for release of Letter of Credit No. S0033027 in the amount of \$78,000 due to expire on 1/27/05 for improvements for Meadowcreek HDRPUD, South Dickerson Road, Goodlettsville, TN.

Staff reviewed. Brasier recommended the reduction of Letter of Credit No. S00330027 from \$78,000 to \$5,000 to assure that record drawings for sanitary sewer installation are submitted by the developer. Finch stated that the reduction of bond does not provide an incentive to the developer to provide the documentation. Motion by Finch to deny the request for release of Letter of Credit S0033027. The motion died due to a lack of a second.

Motion by Garrett to extend the expiration date to April 27, 2005 for Letter of Credit No. S0033027 in the amount of \$78,000 for improvements for Meadowcreek HDRPUD, South Dickerson Road, Goodlettsville, TN to permit the developer to deliver record drawings for sanitary sewer installation to Goodlettsville Public Works. Motion seconded by Finch. Motion passed unanimously.

Item #8 (9.1 #17-98) Consider the request of Southeastern Building Corporation, 201 Molly Walton Drive, Hendersonville, TN for the release of Letter of Credit No. 3061416 in the amount of \$171,000 for Wynridge, Phases I & II.

Staff reviewed. Brasier stated that the remaining buildable lots in Wynridge have been sold by Southeastern Building Corporation to Tyree General Contractors. Brasier recommended the release of Letter of Credit No. 3061416 in the amount of \$171,000 issued by Southeastern Building Corporation.

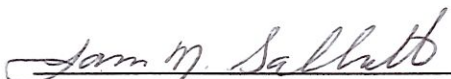
Don Tyree has agreed to provide a Letter of Credit in the amount determined by this board for the remaining undeveloped lots in Wynridge. Brasier recommended an amount of \$82,000 based on estimates of asphalt overlay, general site stabilization, the remaining work on the detention pond and bridge railing on box culvert. Finch stated he was somewhat uncomfortable with the recommended amount and proposed \$100,000 as a more substantial amount to provide incentive to the developer to complete the project.

Motion by Garrett to direct Tyree General Contractors to provide a Letter of Credit to the city in the amount of \$100,000 for Wynridge, Phases I, II and III and upon receipt of this document to release Letter of Credit No. 3061416 in the amount of \$171,000 issued for Wynridge, Phases I, II and III by Southeastern Business Corporation. Motion seconded by Finch. Motion passed unanimously.

Trew asked if there a plan in place to provide consistency for future developments in regards to landscape requirements along Dickerson Road. Gregory responded that the current Zoning Ordinance has a matrix of required landscape buffers based on zoning district and abutting zoning districts with layers of standards. The proposed amendments for the Zoning Ordinance have been heavily changed regarding buffering requirements for new developments. Staff welcomes additional changes at the time of review. Coombs acknowledged his concern with the landscape requirement that permits viable existing trees to remain close to the existing roadways. As traffic increases on Dickerson Road, drivers safety is impeded by these landscape buffers being located too close to the right-of-way.

Finch requested that staff present data to this board in a more consistent manner. There is a wide variation of plans submitted for our review. Finch is in favor of the board adopting stricter and more consistent standards and to require staff to implement and enforce these standards. Gregory stated that he is very responsive to any comment or suggestion that will assist in producing a better process. This board serves both as a ministerial body and a quasi-judicial body. The ministerial items are objective in nature with a set of guidelines that have to be met and staff assures the board that these standards will be met. The quasi-judicial items are subjective in nature and the board will ultimately have a greater role in determining the outcome. Thomas informed the board that other municipalities use more screening steps in the review process, such as a workshop venue prior to the scheduled planning board meeting, to review the submitted plans permitting greater understanding of the projects. Galbreath requested staff to schedule educational sessions in conjunction with the board meeting when possible.

Meeting adjourned.



Jim Galbreath, Chairman



Vicky Ignatz, Recording Secretary