

MINUTES OF REGULAR MEETING
GOODLETTSVILLE PLANNING & ZONING BOARD

July 12, 2004

5:00 PM

Massie Chambers

Present: Jim Galbreath, Jim Driver, John Coombs, Scott Trew, Gary Manning, Jim Hitt, Grady McNeal, Margaret Wall, John Finch

Also Present: Rick Gregory, Jim Thomas, Bennie Lane, Charlie Lowe, Jack Tompkins, Vicky Ignatz, John Callis, Tom Mosier, Rocky Montoya, Doug Jenkins, Ed Lowe, Owen Sanders, Don Barnett

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

Item #1 The minutes of the June 7, 2004 Goodlettsville Planning and Zoning Board meeting stand approved as written.

Item #2 (9.1 #06-12-04) Consider the request of John Callis, 683 Long Hollow Pike, Goodlettsville, TN to recommend to the City Commission to designate the name Callis Road to a private driveway easement, Sumner County Tax Map 143, bordering Parcels 59, 60, 61 and 62.

Staff reviewed. Gregory reported this request was before the board during the June, 2004 meeting at which time staff was instructed to determine the ownership of the driveway easement. Staff has researched the status of the private driveway in question to try to ascertain whether it has ever been identified as a public street. The respective deeds describe the easement in some fashion; however, no documentation was found which indicates any method of dedication or acceptance as a public street by the city. Gregory stipulated that no plat was found which indicates the driveway easement. The only record depicting the easement is Sumner County Tax Map 143 which identifies it as a fee simple easement as part of Lot 61.

John Callis requested that a street name be assigned to the driveway easement in order to obtain postal delivery directly to his property. Mr. Callis also requested that the driveway easement be dedicated to the city as a public right-of-way in order to obtain road frontage for property resale purposes. He requested information regarding the procedure required to have the street dedicated to the city. Jim Thomas stated that for the city to accept a right-of-way for public maintenance, the right-of-way would have to be brought into current compliance and approved by this board and the city. The City Commission would then legislate acceptance of the right-of-way. Driver acknowledged that a fifteen (15) feet right-of-way would not qualify as a public street. An additional thirty-five (35) feet would need to be acquired and developed along the entire driveway easement. Driver shared his concern with setting a precedent to develop a public right-of-way from a private easement. Thomas stipulated that the request by Mr. Callis to name the private driveway easement and dedication of the easement as a public right-of-way are two separate issues. The request for naming of the private driveway should be considered at this time.

Motion by Driver to deny the request of John Callis, 683 Long Hollow Pike, Goodlettsville, TN to designate the name Callis Road to a private driveway easement, Sumner County Tax Map

143, bordering Parcels 59, 60, 61 and 62. Motion seconded by Hitt. Motion passed unanimously.

Item #3 (9.1 #07-13-04) Consider the request of Tom Mosier, 3075 Patton Branch Road, for approval of a revised Final Plat for Mosier Subdivision, Sumner County Tax Map 140, Parcel 1.

Staff reviewed. Gregory reported this request is to divide an existing lot of record into three buildable lots. The existing residence will remain on the lot fronting Patton Branch Road. A second lot is to be created with road frontage on Patton Branch Road. A third lot is to be created by easement with access to Patton Branch with access to Patton Branch Road across Lot 2, as provided for in the zoning ordinance. A few minor technical details need to be added to the plat.

Motion by Coombs for approval of the amended Final Plat for Mosier Subdivision, Sumner County Tax Map 140, Parcel 1. Motion seconded by Wall. Motion passed unanimously.

Item #4 (9.1 #07-14-04) Consider the request of Kroger L.P.I., 2620 Elm Hill Pike, Nashville, TN for approval of a Preliminary Master Plan for a fuel station at Kroger Store L541, 123 Northcreek Blvd., Davidson County Tax Map 19-14, Parcel 14.

Staff reviewed. Gregory reported this request is to add gas pumps and a canopy to an approved Commercial Planned Unit Development. The Preliminary Master Plan is designed to allow discussion of uses and compatibility with the surrounding area. There is no lack of opportunity to purchase gasoline on this section of Long Hollow Pike. The proposed plan offers very little improvement to the PUD while eliminating established parking spaces and reducing landscaping for the overall site. Twenty (20) parking spaces would be relocated to the southeastern corner of the development where they appear to be of little value. The proposed parking ratio would be reduced to 4.25 parking spaces per 1000 sq. ft. of retail space which is just above the minimum parking requirement of 4 spaces per 1000 sq. ft. Gregory confirmed that staff comments were adequately addressed by the applicant. Galbreath questioned if the zoning ordinance precludes this use in the development. Gregory stated that the fuel station is a permitted use for this PUD; however, this use was not a part of the originally approved master plan.

Don Barnett, Kroger representative, responded that there has been a major renovation of the Kroger store and the addition of a drive thru pharmacy to the complex. A fuel center would provide additional customer convenience. The proposed location of the fuel station is to enhance visibility, accessibility and make use of an under utilized portion of the parking area. The architectural features include a metal canopy panel with an applied treatment that is similar in appearance to Drivit with brick columns and cornice work which will match the materials used for the renovation of the exterior of the Kroger store. The kiosk will be all brick and have the same roof treatment as the canopy. Barnett stated that he believes the landscaping and parking requirements have been met and that the architectural appearance of the fuel station will set the standard along Long Hollow Pike. The Northcreek Commons property management company has provided written permission to use this location. A modified sign will be erected to match the existing architecture of the fuel center.

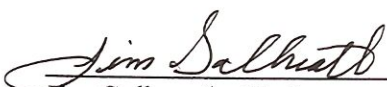
On July 7, 2004, a traffic study was conducted by Doug Jenkins, CEI Engineering, between the hours of 9:00 AM – NOON and 4:00 PM - 7:00 PM. Jenkins stated that the traffic on this date was comparable with traffic volume on Saturdays according to Kroger store management. The peak hour was determined to be 12:00 NOON which utilized fifty-two (52) percent of the parking spaces in the complex including retail stores along Long Hollow Pike. The proposed area for the fuel center utilized twenty-four (24) percent of the available parking during the peak hour time period. Should the fuel center be built in the proposed location, a total of thirty (30) parking spots will remain available in this area. The parking spaces that will be relocated to the southeastern side of the building will be designated as Kroger employee parking.

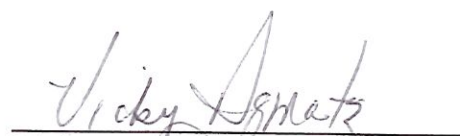
Manning stated his concern with the negative impact the removal of the parking spaces will have on adjoining retail establishments. Trew suggested the fuel center be located further south on the property to enhance traffic flow and retain parking spaces around retail stores. Finch does not believe the quality of the proposed fuel center is acceptable for this PUD. Also, Finch respectfully disagreed with the results of the traffic study relating to peak hour parking space usage based on his regular use of the parking facilities for shopping purposes. Hitt stipulated that this study is not a typical traffic study. The removal of fifty-nine (59) parking spaces is not acceptable. Driver agreed that the fuel center should be located on the southern portion of the complex to not interfere with existing parking around the retail area. The elimination of the first ingress/egress on Northcreek Blvd. would route traffic further south into the complex and allow traffic to turn right to the fuel center or left to Kroger. The existing driveway would be eliminated and additional parking developed in this area. Coombs responded that the addition of the pharmacy and the proposed fuel center has changed the concept of the original master plan for the PUD. The proposed location of a fuel center will negatively impact the small business owners along the Long Hollow Pike portion of the complex. Coombs agreed with the other members of the board regarding the improvement of architectural standards and the placement of the fuel center to an alternate site in the complex. McNeal, Wall, Hitt, Finch and Manning agreed that the applicant should consider relocation of the fuel center and a higher level of architectural standards.

Barnett asked the Board for direction regarding acceptable architectural standards for the fuel station. Coombs requested that the architectural integrity of Northcreek Commons be maintained. The location of the fuel center, the architectural enhancement of the site, improved site access and traffic flow should be reconsidered.

Motion by Manning to defer action regarding approval of a Preliminary Master Plan for a fuel station at Kroger Store L541, 123 Northcreek Blvd., Davidson County Tax Map 19-14, Parcel 14 to permit the applicant to consider the Board's recommendations. Motion seconded by McNeal. Motion passed unanimously.

Meeting adjourned.


Jim Galbreath, Chairman


Vicky Ignatz, Recording Secretary