

MINUTES OF REGULAR MEETING
GOODLETTSVILLE PLANNING & ZONING BOARD

June 7, 2004

5:00 PM

Massie Chambers

Present: Jim Galbreath, Jim Driver, Scott Trew, Gary Manning, Jim Hitt, Grady McNeal, Susan Williams, Margaret Wall

Absent: John Coombs, John Finch

Also Present: Rick Gregory, Jim Thomas, Bennie Lane, Charlie Lowe, Bill Brasier, Vicky Ignatz, John Callis, Roger Fultz, Larry Wynns, Greg Hartman, Tim Smith, Mark Baker

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

Item #1 The minutes of the May 3, 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 is a request by John Callis for a formal name to be assigned to a private drive to Callis Road. The drive is located on the south side of Long Hollow Pike behind Long Hollow Winery.

Callis stated the reason to name the road is to allow USPS mail delivery to the homes which are located on this drive. The residents currently have mail boxes located on Long Hollow Pike. This action will also help with the resale value of the homes. Thomas asked if this private driveway is a dedicated right-of-way. Gregory responded that he is not aware of formal action to dedicate the street since the annexation of this area of Long Hollow Pike. The city has performed occasional maintenance of the street. Callis stated that he was at a meeting in which the city accepted the road. Brasier acknowledged that the request to name this driveway has come before the Planning Board in 1996 and 2003. At the 1996 meeting, the Planning Board directed Public Works to provide occasional maintenance of the road. Driver stipulated that the request to name this driveway was not presented to the Planning Commission for official action during his tenure. Driver recommended that the City Attorney determine the legal possession of the easement. Thomas offered to initiate a search by the City Attorney to determine the ownership of the road prior to consideration of the request to assign a name to the road.

Motion by Driver to defer this request until such time that ownership of the road is determined and to request the City Manager initiate contact with the City Attorney to obtain documentation for this purpose. Motion seconded by Wall. Motion passed unanimously

Item #3 (9.1 #8-94) Consider the request of Larry Wynns, Larry Wynns Construction Company, LLC, 105 Wynlands Drive, Goodlettsville, TN for reduction of Letter of Credit No. 81513 in the amount of \$20,000 for The Wynlands and the establishment of a

maintenance bond. These properties are located within Sumner County Tax Map 143-B, Groups E and F.

Staff reviewed. Bill Brasier, Public Works Director, reported the developer is requesting the release of the performance bond for The Wynlands and the establishment of a maintenance bond for the development. Public Works has not inspected the site at this time and does not have an official recommendation of this time.

Larry Wynns reported that this request was deferred at the February, 2004 meeting due to Public Works presenting a punch list at that time. This punch list was completed and the request for release of the performance bond was considered at the March meeting. A \$20,000 performance bond was established at the March meeting. A second punch list was presented by Public Works and has been completed. Wynns stated that he is requesting the establishment of a maintenance bond for The Wynlands and will continue to maintain the development as required. Thomas responded that if the Board wishes to make this a conditional approval, the site will be inspected this week and a final determination made. Mr. Wynn will be informed of the outcome of the inspection.

Motion by Trew for conditional approval of the release of Letter of Credit No. 81513 in the amount of \$20,000 and the establishment of a \$10,000 maintenance bond for The Wynlands for a period of one year based on the final inspection and approval of the Public Works Department. Motion seconded by Williams. Motion passed unanimously.

Item #4 (9.1 #4-03) Consider the request of Edward Asci, The Hardin Group, LLC, 209 10th Avenue South, Nashville, TN for release of Letter of Credit No. L033618 in the amount of \$15,000 for Kidz Kare Pediatric Dental Clinic, Rivergate Parkway, Davidson County Tax Map 26-05, Parcel 108.

Staff reviewed. Brasier reported that the punch list for this site has been completed by the developer and Public Works recommends release of the \$15,000 performance bond for landscaping.

Motion by McNeal for release of Letter of Credit No. L033618 in the amount of \$15,000 for Kidz Kare Dental Clinic. Motion seconded by Driver. Motion passed unanimously.

Item #5 (9.1 #04-08-04) Consider the request of Fox Oil & Gas Company, 863 Tennessee Avenue, Parsons, TN for approval of the site plan for Goodlettsville Phillips 66, 219 Dickerson Road, Davidson County Tax Map 25-4, Parcel 100.

Staff reviewed. Gregory reported this is a request to renovate the existing property. The primary issue regarding the site plan is the proposal for two (2) access points from Main Street to the property. Staff recommended that the northern access point on Main Street be closed, the southern access point be utilized and that a second access point on Jones Avenue be considered. The canopy will be moved three (3) feet closer to the road frontage to accommodate landscaping in front of the building. A front yard setback variance will be required and a two (2) feet

variance in the landscaping requirement along the front of the building will need to be obtained. The drive isle will be adequate for delivery truck traffic. All other comments are minor.

Mark Baker, Civil Resource Consultants, stated his major concern with staff comments is altering the proposed access points into the site. In his limited research, Jones Avenue appears to be a private drive. A dedicated easement would need to be obtained from the current property owner. The driveway measures ten (10) feet in width and would negatively impact traffic flow. Lowe responded that the northern entrance on Main Street should not be allowed. The applicant has the option of obtaining an access easement from Jones Avenue. The city has the option of prescriptive right to improve Jones Avenue. Although the half-acre site is a challenge, this is a new site plan and the Board has allowed only one access on Main Street for the last three developments approved. Baker stated that, if necessary, the northern ingress/egress can be eliminated as requested by staff. He stated that the retaining wall on the southern border of the lot will be removed and a 3 to 1 slope will be established. An extruded curb will be installed. Lowe added that cut through traffic from the adjoining property can be eliminated if the lot is sloped as depicted, three parking spaces adjacent to the retaining wall are removed and landscaping planted in this area. Lowe continued that two (2) parking spaces can be obtained by reducing the size of the large island and relocating the parking spaces in this area. A variance to the parking space requirement will be required to eliminate one (1) parking space. Baker agreed to eliminate the three parking spaces adjacent to Jones Avenue. Baker stated for the record that it is not his intent to speak for the property owner regarding the future use of Jones Avenue as an access point.

Motion by Driver for conditional approval of the site for Goodlettsville Phillips 66, 219 Dickerson Road, Davidson County Tax Map 25-4, Parcel 100 based on eliminating the current northern ingress/egress, compliance with staff comments and the obtaining the necessary regarding parking, landscaping and setback variances. Motion seconded by Williams. Motion passed unanimously.

Item #6 (9.1 #04-06-04) Consider the request of Bruce and Tim Smith, 803 Hadley Avenue, Old Hickory, TN for approval of the Preliminary Master Plan for Alta Loma Estates, Alta Loma Road, Davidson County Tax Map 34-01, Parcel 82.

Staff reviewed. Gregory reported the plan is for a small planned unit development. There are numerous minor comments which need to be addressed by the engineer on the final master plan. Staff considers the following comments of major importance. The street cross section needs to be revised to show from the centerline of road 12 feet pavement, 1.5 feet concrete curb and gutter, 6.5 feet grass strip with street tree and 5 feet sidewalk as requested in other small lot PUDs. Fire protection needs to be extended throughout the site to provide fire hydrants to building sites within two hundred and fifty (250) feet of an existing fire hydrant. Indicate by a note the disposition of the unbuildable lot that would be created with dedication of right-of-way east of the access road across Parcel 82. Show proof of to whether NES or Homeowners Association will maintain street lights.

Greg Hartman, DeWall and Associates, responded and agreed to most of the staff comments. Lane noted that the site plan indicates the building side yard setbacks need to indicate fifteen

(15) feet minimum setbacks. Hartman agreed to add note regarding fifteen (15) feet side yard setback. Lowe asked for confirmation for the established street cross section of concrete curb and gutter. Tim Smith stated that he met previously with the Public Works Director to discuss the street design in the development. It was his understanding that an extruded curb design would be acceptable. Brasier verified that at the meeting with the owner, a copy of the subdivision regulations was provided which depicts the extruded curb design. Lowe stated that standard subdivision regulations allow for an extruded curb; however, a precedent has been set for a small lot PUD to include street cross section with concrete curb and gutter. Gregory recommended the Board approve the curb and gutter street cross section for the development.

Motion by Wall for conditional approval based on the revision to the plan to indicate street cross section with curb and gutter and adding a note on the final master plan to indicate a fifteen (15) feet side yard setback. Motion seconded by Manning. Motion passed unanimously.

Jim Thomas agreed to present the 2004-05 City of Goodlettsville budget at the next meeting.

Meeting adjourned.



Jim Galbreath, Chairperson



Vicky Ignatz, Recording Secretary