

MINUTES OF REGULAR MEETING
GOODLETTSVILLE PLANNING & ZONING BOARD

January 5, 2004

5:00 PM

Massie Chambers

Present: Jim Galbreath, Jim Driver, Grady McNeal, Scott Trew, Margaret Wall, Jim Hitt, Susan Williams, John Coombs

Absent: Gary Manning

Also Present: David Wilson, Jim Thomas, Rick Gregory, Bill Terry, Jack Tompkins, Bennie Lane, Charlie Lowe, Vicky Ignatz, Sandra Lewis, Harold Woosley, John Murphy, David Luckey, Bob Shaw, Ken Hinkle, Mark Baker, Gary Vogrin, Pam Crunk, Donna & Wayne Bilbrey, Kenneth Hinton, Tom Head, Harry and Ruth Seals, Len Downs, Runez Owen, Ron and Jacque Parkinson, Carlos Butler, Mrs. & Mrs. Jerry Edwards, Diane Frakes, Dr. & Mrs. Grady Bryant, Ray & Prudy Wood, Terry Farris, Bill Barton, Shirley Johnson, Daniel Johnson, Steve Lowery, Minta Jackson, Debbie Locke, Allen Wiley, Ron Filson, Walter Townsend, Debra Head, Edgar Lowe, Marge Cantrell, Edward & Diane Drennan, Gary & Beth Faulkner, Dick & Jean Renfro, Larry Collier, Sarah Winn Terry, Diane Anderson, Mr. & Mrs. Larry Bryant, Brent Hager, Rose Drennan, John Ricks, Mark Allison, Doris Ruskin, Alton Chambers and others

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

Item #1 The minutes of the December 1, 2003 Goodlettsville Planning and Zoning Board meeting stand approved as written.

Item #2 (9.1 #01-04) Consider the request of Ragan-Smith-Associates, Inc. for approval of an amended final plat of Goodlettsville Heights Subdivision, Section II, Davidson County Tax Map 25-16, Parcel 12, Lot 10.

Staff reviewed. Terry reported the purpose of the amended plat is to change the setback line from sixty (60) feet to fifty (50) feet. The zoning district is R25 which requires a minimum front yard setback of forty (40) feet; therefore, the request is in compliance with the zoning requirement. The established house located on adjoining Lot 11 has an one hundred ten (110) foot setback; however, there appears to be no adverse effect on the existing home.

Motion by Trew for approval of an amended final plat of Goodlettsville Heights Subdivision, Section II, Davidson County Tax Map 25-16, Parcel 12, Lot 10 to change the front yard setback line from sixty (60) to fifty (50) feet. Motion seconded by Hitt. Motion passed unanimously.

Item #3 (9.1 #02-04) Consider the request of Civil Resource Consultants, LLC for approval of the amended final plat for J.M. Phipps Subdivision, Lindberg Avenue, Davidson County Tax Map 18-16, Parcels 40, 41 and 42, Lots 19, 20 and 21.

Staff reviewed. Terry reported the property on this plat was recently the subject of a rezoning ordinance. The plat is to combine the original three lots into one lot for the proposed expansion of the Richards and Southern Novelty Co., Inc. All changes recommended by staff have been made.

There is also the issue of abandonment of the alleyway adjoining lots 40 and 41. This Board recommended alleyway abandonment to the City Commission and an ordinance has passed first reading by the Commission and is currently pending second reading upon receipt of letters of abandonment of alleyway easements by public utilities. This plat includes the alleyway as a part of the property being replatted.

Motion by McNeal for conditional approval of the amended final plat for J.M. Phipps Subdivision, Lindberg Avenue, Davidson County Tax Map 18-16, parcels 40, 41 and 42, Lots 19, 20 and 21 based on approval by the City Commission and receipt of letters of abandonment of easements by public utilities. Motion seconded by Williams. Motion passed unanimously.

Item #4 (9.1 #26-03) Consider the request of Civil Resource Consultants, LLC for approval of the site plan for an addition to Richards and Southern Novelty Co., Inc., 108 Lindberg Avenue, Davidson County Tax Map 1-16, Parcels 40, 41 and 42, Lots 19, 20 and 21.

Staff reviewed. This site plan is to develop a new building on the lot created by the plat in agenda item #3. All existing buildings on the additional lot are to be demolished. Several changes were suggested by staff during the plan review process and most items have been adequately addressed. Three items for the Board's consideration are 1) the current plan depicts a poured concrete design for the retaining wall, 2) additional landscaping along the front of building cannot be provided as requested and 3) a problem still exists regarding off-site drainage. Staff considers the best solution regarding the drainage is to direct stormwater down Lindberg Avenue to existing drainage pipes on Bass Street.

Mark Baker, Civil Resource Consultants, LLC, stated that the poured in place concrete wall will provide adequate drainage. The recommendation by staff for additional landscaping in the front of the building is an area that is designated for paving, striping and covered parking. Terry withdrew the recommendation for additional front yard landscaping. Baker agreed with the recommendation to route the stormwater runoff down Lindberg Avenue into the existing drainage pipe on Bass Street. He will resubmit drainage plans for approval by City Engineer.

Motion by Hitt for conditional approval of the site plan for an addition to Richards and Southern Novelty Co., Inc., 108 Lindberg Avenue, Davidson County Tax Map 1-16, parcels 40, 41 and 42, Lots 19, 20 and 21 based upon receipt of letters from public utility companies granting abandonment of easements in the alley right-of-way on the property, final approval of abandonment of alley right-of-way by the City Commission and final review and approval of a revised off-site drainage plan by the City Engineer. Motion seconded by Williams. Motion passed unanimously.

Item #5 Discuss amending the Goodlettsville Land Use Plan as it relates to certain properties located in the southern portion of Goodlettsville currently assigned as Residential Development Low Density to a more appropriate density.

Staff reviewed. Terry reported the Goodlettsville Land Use Plan, as adopted, identifies the undeveloped land in the southern portion of the city as low density residential development. The plan further established low density as "one to two dwelling units per acre (dupa). This means

Item #6 (9.1 #28-03) Consider the request of LandDesign to rezone property at 733 Old Dickerson Road, Davidson County Tax 25, Parcel 67 from Agriculture Zoning District to a Residential Planned Unit Development Zoning District.

Staff reviewed. Terry stated the procedure of the Goodlettsville Planning Board is to retain consistency between the Goodlettsville Zoning Map and the Goodlettsville Land Use Plan. The Board has voted to leave the Land Use Plan unchanged. However, the request before you is to rezone the stated property to High Density Residential Planned Unit Development and should be considered.

Gary Vogrin, LandDesign, explained that the proposed density of the residential development is 4.4 dwelling units per acre which is medium density. The design and quality of the proposed development is high. The planned unit development offers controls regarding open space, amenities, architectural design, pedestrian walkways, roadways, interconnectivity and environment.

Motion by Coombs, based on action taken regarding the Goodlettsville Land Use Plan in agenda item #5, that the request to rezone property at 733 Old Dickerson Road, Davidson County Tax 25, Parcel 67 from Agriculture Zoning District to a Residential Planned Unit Development Zoning District be denied. Motion seconded by Williams. Motion passed unanimously.

Item #7 (9.1 #28-03) Consider the request of LandDesign for approval of the Preliminary Master Plan for Jackson Crest, 733 Old Dickerson Road, Davidson County Tax Map 25, Parcel 67.

Staff reviewed. The request for approval of the Preliminary Master Plan for Jackson Crest is based on high density planned unit development zoning; therefore, the plan is not in compliance with the Goodlettsville Zoning Map or the Goodlettsville Land Use Plan.

Motion by Driver to deny the request for approval of the Preliminary Master Plan for Jackson Crest, 733 Old Dickerson Road, Davidson County Tax Map 25, Parcel 67. Motion seconded by McNeal. Motion passed unanimously.

Item #8 (9.1 #13-01) Consider the request of Murphy Development Company for a release of Letter of Credit #S033027 and a release of bond for a grading permit for Meadowcreek HDRPUD, South Dickerson Road, Davidson County Tax Map 25, Parcels 17, 96 and 11.

Staff reviewed. Terry reported the city is currently holding a Letter of Credit in the amount of \$385,000 and a grading permit bond for \$13,438.70 for the overall project provided by the developer. The request is for complete release of all bonds posted by Murphy Development Company. In addition, the project contractor has recently posted a surety bond for the remaining landscaping installation, fencing and site stabilization in the amount of \$79,100. Jack Tompkins stated there is work remaining to be completed on the site. Madison Suburban Utility District is requesting a bond amount of \$15,000 for water line improvements related to the landscape plan. The recommendation by Public Works Department is to reduce the \$385,000 by \$307,000 to twenty-five percent of the original amount or \$78,000. This bond will insure water and sewer

that a development with up to two dwellings per acre can occur on these properties without any approved zoning changes. The zoning district that most closely approaches two (dupa) is R25 or a minimum lot size of 25,000 square feet which yields a density of one point seven (1.7) dwellings. If all of the vacant property in the area within the City of Goodlettsville were to be developed at the R25 density, a total of two hundred twenty-six (226) dwelling could feasibly be developed.

The board needs to consider the relationship of lot size, density and quality. How can we get the quality with a density that is acceptable to the community at large? The procedure that has been used in Goodlettsville to achieve this quality is the Planned Unit Development (PUD) process in the zoning ordinance based upon detailed review, discussion and approval of a master plan. Most recently, the low density PUD has been used, but this generates only 1.7 dwelling units per acres. So, in many cases a developer will not be interested in developing a low density PUD. A medium density PUD district was studied several years ago; however, the Board took no action to made a recommendation to the City Commission.

Terry continued that if the density classification changes in the area, the existing public streets will be negatively impacted by ingress and egress from any proposed development on Old Dickerson Road. The current roadway is a rural designed road with limited right-of-way. Tompkins stated that a new development would require curb, guttering and sidewalks and the sight distance on Old Dickerson Road is very limited.

John Coombs responded that after reviewing the facts and listening to the discussion of the Goodlettsville Land Use Policy Plan he sees no reason to change any properties in the southern portion of the city to high density residential districts. Nor does a medium density residential district appear necessary at this time. The request by one property owner for a high density development does not justify changing the character of an entire geographic area of the city. Jim Hitt questioned whether there have been any other requests for rezoning to a high density PUD district in this area. Terry reported that only one property owner has requested rezoning at this time. Hitt acknowledged that if the specific property requesting consideration tonight remains as a low density district, the reality is that it will not be financially feasible to develop the property residentially. Trew voiced his concern about permitting any development that would be detrimental to the established neighborhoods.

Driver recognized that there are drainage and visibility concerns on the adjoining rear portion of the proposed HDRPUD development. He agreed that a high density development was not viable. However, he asked the Board to consider a compromise to provide a quality development for the area. McNeal stated than a medium density development would eliminate the cluster factor of a high density development and provide a good transition from adjoining one acre lot properties.

Motion by Trew to change the Goodlettsville Land Use Plan. There was no action to second the motion; thereby, the motion failed. Galbreath declared that there will be no recommendation to the City Commission for an amendment to the Goodlettsville Land Use Plan.

maintenance, surveying monuments, receipt of record drawings and improvements to drainage relating to Mason Motel, the adjoining property located immediately north of the development. The cashiers check in the amount of \$13,438.70 for a grading permit may be release.

Mr. John Murphy questioned why the maintenance bond of \$78,000 will be required. Jack Tompkins stated the regulations state "in no event shall a performance bond be reduced below 25% of the principle amount prior of the final acceptance of all items covered on the bond". Tompkins instructed Mr. Murphy to request a release of this bond after all work has been completed and approved by the city. At that time Public Works will make a recommendation to the Planning Board that a ten percent maintenance bond be issued on the project for a period of one year.

Motion by Wall that Letter of Credit #S033027 in the amount of \$385,000 be reduced by \$307,000 to twenty-five percent of the original bond amount or \$78,000; release of the grading bond held as a cashiers check in the amount of \$13,438.70; and, acceptance of the performance bond in the amount of \$79,100 issued by John Coleman Hayes Construction Company to replace the original landscape bond. Motion seconded by Hitt. Motion passed unanimously.

Item #9 (9.1 #7-03) Consider the request of Powell Building Group for a release of Letter of Credit #500 for B. F. Myers Furniture, French Street, Davidson County Tax Map 25-4, Parcels 44, 45 and 46.

Staff reviewed. Terry reported the Letter of Credit #500 in the amount of \$15,803 is being held for the waterline installation of the B. F. Myers expansion. This project has been completed and approved by staff. A letter from Mark Johnson, Madison Suburban Utility District, indicates the bond may be released in full.

Motion by Driver to release Letter of Credit #500 in the amount of \$15,803 for B. F. Myers Furniture, French Street, Davidson County Tax Map 25-4, Parcels 44, 45 and 46. Motion seconded by Hitt. Motion passed unanimously.

Item #10 (9.1 #17-98) Consider the request of Southeastern Building Corp. for a reduction in Letters of Credit #3032569 and #3032568 for Wynridge HDRPUD, Long Hollow Pike, Sumner County Tax Map 140, Parcel 125 and part of Parcel 125.02.

Staff reviewed. Terry reported the Wynridge development is close to be completed; however, some work remains to be done. Jack Tompkins stipulated that the Public Works Department recommends Letter of Credit #30322569 in the amount of \$84,000 and Letter of Credit #3032568 in the amount of \$163,000 be combined for bonding of Wynridge HDRPUD and the bond be reduced by \$76,000 for a total bond amount of \$171,000.

Motion by Hitt to approve the request for reduction in Letter of Credit #3032569 and Letter of Credit #3032568 in the amount of \$163,000 by requesting one Letter of Credit for the project in the amount of \$171,000 reflecting a decrease of \$76,000. Motion seconded by Williams. Motion passed unanimously.

Non-agenda item

Motion by Trew to consider a request by McPherson-Shaw, Inc. for approval of an amended final plat for Twelve Stones Crossing, Phase V, Sumner County Tax Map 143N, Buffalo Run @ West Twelve Stones Crossing, Lot 172. Motion seconded by McNeal. Motion passed unanimously.

Terry reported the contractor is requesting a variance of six (6) feet in the side yard setback of a corner lot located at the intersection of Buffalo Run and Twelve Stones Crossing decreasing the required setback from thirty (30) feet to twenty-four (24) feet.

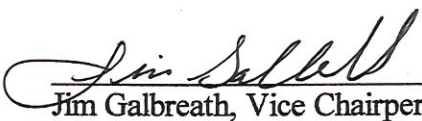
Bob Shaw thanked the Board for consideration of this variance request. There was some confusion regarding the side yard setback indicated on the final plat for this lot provided by Newmark Homes, the project developer. The architectural plan was prepared based upon the information that the side yard setback for this lot was twenty (20) feet. The builder was not aware that the Goodlettsville Zoning Ordinance requires the front and side yard setbacks to be uniform on corner lots. This corner lot setback requirement is not typical to zoning regulations in the remaining portion of Sumner County. Shaw acknowledged that excavation has begun on the site. No building permit has been issued for the site and indicated footings have not been erected. Terry confirmed that the corner lot setback requirement in the Goodlettsville Zoning Ordinance is unique to Sumner County requirements.

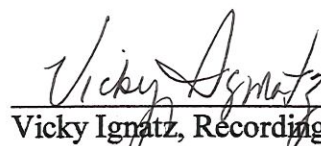
Motion by Hitt for approval an amended final plat for Twelve Stones Crossing, Phase V, Sumner County Tax Map 143N, Buffalo Run @ West Twelve Stones Crossing, Lot 172 decreasing the required side yard setback from thirty (30) feet to twenty-four (24) feet. Motion seconded by Trew. Motion passed unanimously.

Driver requested the staff prepare requirements for a medium density planned unit development district for consideration by the Planning Board. Thomas announced that the current vacancy on the Planning Board and reappointment of current members to the Board will be addressed at the next City Commission meeting.

Jim Thomas announced to the Board that this is the last meeting that David Wilson will be attending as City Manager due to his retirement on January 31, 2004. Wilson indicated that he had started his tenure with the City as a member of the Planning Board. He acknowledged the Planning Board does the hardest work of any Board in the city and is the first contact with the public on many issues. Galbreath recognized that the city has benefited greatly from David Wilson's service and wished him well on behalf of the Board members.

Meeting adjourned.


Jim Galbreath, Vice Chairperson


Vicky Ignatz, Recording Secretary