

**MINUTES OF THE REGULAR MEETING
GOODLETTSVILLE PLANNING & ZONING BOARD**

September 8, 2003

5:00 PM

Massie Chambers

Present: Jim Galbreath, Jim Driver, John Coombs, Gary Manning, Grady McNeal, Scott Trew, Susan Williams, Jim Hitt

Absent: Margaret Wall

Also Present: Bill Terry, David Wilson, Jim Thomas, Jack Tompkins, Charlie Lowe, Bennie Lane, Steve Brown, Claudia Davis, Gary Vogrin, Denzil Carbine, Steve Artz, Jim Bale, Mark Baker, Bryce Powers, Jason Phillips, Jared Gray, John Finch, Tom & Debra Head, Carlos Butler, Sandra Lewis, and others.

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

Item #1 Approval of the minutes of the August 4, 2003 meeting was deferred until they are completed.

(Due to the number of attendees present for Item 12, the Board agreed to hear that item first.)

Item #12 (9.1#28-03) Consider the request of Gary Vogrin for approval of a preliminary master plan of Jackson Crest PUD and rezoning request from AG to HDRPUD for property located on Old Dickerson Road (the former Tommy Jackson farm), Davidson County Tax Map 25, Parcel 67.

Staff reviewed. Terry reported this plan includes 121 single family detached homes on small lots and 92 units of townhouse condominiums at a proposed density of 4.4 units per acre, less than the maximum allowed in HDRPUD zoning. Along the border of Old Dickerson Road, there is a main entrance, a detention pond in the corner and limited residences shielded to the roadway by a landscaped area. Proposed amenities include a pool and walking trail. The plan will generate approximately 1,700 to 1,800 vehicle trips per day and Old Dickerson Road has very limited sight distance. Terry distributed a map of the different land use in the area, indicating agriculture, and high density and low density residential development. He stated the land use plan shows this area to be "low density residential development". Rezoning this property to HDRPUD would require an amendment to the Land Use Plan and although it is not required, it would be practical to involve the public in such an amendment.

Gary Vogrin, Land Design, Inc., stated this is a high quality development by a local company. The plan is adapted to the land to preserve existing trees. The plan includes 1,100 to 1,200 square foot condominiums and 50 x 110 foot lots with single-family homes with sidewalks and tree lined streets.

Charlie Lowe stated he has reviewed the plan and his recommendations are included in the staff report. He recommended a traffic study should be done so that safety and capacity issues from the additional traffic could be analyzed. Vogrin indicated they are willing to do a traffic study before the final plan approval.

Grady McNeal inquired if low density had been considered for this site. Vogrin indicated the price of the land would make a low density development financially impossible. McNeal stated Old Dickerson Road is so dangerous now, he believes it would have to be improved to Dickerson Road to make this project possible.

Jim Driver stated he believes this is a good plan but there are serious traffic issues. He recommended that the board should look at all the agricultural property in this area and how it might be changed in the land use plan rather than single out this farm. He stated this property is not going to remain agriculture or developed into one acre lots which is just no longer cost effective for developers. It is the responsibility of the board to determine the best compromise for this and other properties. Motion by Coombs to conduct a public hearing to consider changing the land use plan for this area. Motion seconded by Driver. Motion passed unanimously. Motion by Manning to defer this request. Motion seconded by Williams. Motion passed unanimously.

Item #2 (9.1 #1-97) Consider the request of Steve Brown for approval of a final plat, resubdivision of Lots 103, 104, 173 and 175, Twelve Stones Crossing, Sumner County Tax Map 143N, Parcels 21, 22, 1, 2 & 3.

Staff reviewed. Terry reported this plat adjusts the rear setback line on these lots from 50 to 30 feet. The request appears to be feasible and all staff comments have been addressed in a corrected plat. During the review process, staff discovered that lots 173 and 174 do not meet the minimum size requirements of 15,000 square feet. They are 14,965 and 14,865, respectively. The applicant is also asking for a variance to cover the lot size issue. Motion by Williams to approve an adjustment in the rear setback line from 50 to 30 feet and to approve a variance in the lot size for 173 and 174. Motion seconded by Driver. Motion passed unanimously.

Item #3 (9.61) Consider the request of Bryce Powers for approval of a final master plan for JEP Properties Office Building, Northcreek Business Park, Phase II, Sumner County Tax Map 143-J-F, Part of Parcel 4.

Staff reviewed. Terry reported this plan is for a new office building on the property that is now developed with an existing building and a remaining vacant area. This vacant area is to be subdivided into a separate parcel containing the proposed building. The plan has been reviewed and revisions have been made, although there are a few minor issues remaining.

Powers indicated they will provide down lights on the rear of the building so that no light will be permitted to shine onto the houses behind the screening wall. They will install a fire hydrant and water lines as needed. The water services issue will be corrected regarding the catch basin. The erosion control barrier will be extended along the street line to protect the public street.

The staff recommended additional features should be added on the north elevation of the building where a wall is over 100 feet in length without a major architectural feature. Gaius Overton, Southeast Ventures, described how cost factors and the slope of the roof influenced the elevation and asked for recommendations. Manning stated with the windows and doors along

the span, he felt there are enough variations. McNeal recommended a couple of false columns, below the gutters, with capstones. Mr. Overton agreed to that suggestion.

Terry indicated the slope in the rear parking lot has been reduced but it is still at 7%. Staff recommends a 5% maximum. Lowe agreed and indicated the 5% should be attainable as this is new site construction. Trew also agreed the board should remain consistent with their grade requirements. McNeal questioned if the dumpster pad area is adequate and Powers confirmed that the area will accommodate access for trucks. Motion was made by Trew for conditional approval of the final master plan, subject to compliance of all staff's recommendations: 1. Lighting wall packs will light in a downward direction. 2. Assurance that the catch basin depth will not conflict with the water service lines. 3. Maintain a maximum 5% slope in the rear parking lot. 4. The erosion control barrier along the existing parking lot is to be extended along the street line to protect the street. 5. The north elevation of the building will have two false columns added with capstones. Motion was seconded by Hitt. Motion passed unanimously.

Item #4 (9.61) Consider the request of Bryce Powers for approval of a final plat, re-subdivision of Northcreek Business Park, Lot 2 Section 12, Sumner County Tax Map 143-J-F, Parcel 4.

Staff reviewed. Terry indicated this plat divides the existing lot into two parcels for building purposes. The plat has been revised, however there are technical drafting issues which staff recommends should be added to the plan. Motion was made by Williams for conditional approval, subject to staff's recommendations: 1. Provide the reference for the Tennessee Grid Coordinate System, 2. Change note 5 to reflect the correct panel number, 3. Correct the vicinity map to show the proper relationship of the site to the adjoining street system, 4. Provide the complete building envelope on both lots, 5. Provide the proper reference for the shared access and joint user agreement between lot 1 and the adjoining building and lot, and 6. Provide a public utility and drainage easement for the 48" pipe across lot 2. Motion was seconded by Trew. Motion passed unanimously.

Item #5 (9.1#25-03) Consider the request of Jim Bale for approval of a final plat, Charles W. Hassell Lot, 1317 Madison Creek Road, Sumner County Tax Map 140, Parcel 2.12.

Staff reviewed. Terry stated the existing parcel contains 5.8 acres and has an existing house. Mr. Jim Bale owns over 8 acres adjoining the subject parcel to the north. The owner would like to sell Mr. Bale a rear portion of the lot or 2.54 acres and leave lot 1 with 2.54 acres and the house. If the lot shown as 1A were to be sold to Mr. Bale by deed without a plat, the transaction would create an illegal subdivision. If lot 1A is created by plat as shown hereon, a landlocked, unbuildable lot is established. Staff recommends that Mr. Bale's 8 acres be included in the subdivision and that 8 acre be combined with lot 1A. Bale indicated the original subdivision was surveyed by Tommy Walker which should make this recommendation economically feasible. Motion was made by Coombs to defer this request. Motion was seconded by McNeal. Motion passed unanimously.

Item #6 (9.1#17-98) Consider the request of Steven Artz for approval of a final plat, Wynridge, Phase III, Sumner County Tax Map 140, Parcel 125 and part of Parcel 125.02.

Staff reviewed. Terry stated this plat adds three lots to this development as these lots can now be sewerred. The plat includes a lot where the sewer pump station is located which is to be given to the City along with the pump station. Motion was made by Coombs to approve this final plat. Motion was seconded by Driver. Motion passed unanimously.

Item #7 (9.1#1-88) Consider the request of Patty Williams for approval of a final plat, Echo Hill Estates, Section IV, Solitude Circle, Davidson County Tax Map 33, Part of Parcel 29.

Staff reviewed. Terry stated this plat adds 22 lots and meets all requirements of the subdivision regulations. The board needs to authorize staff to set and accept a bond. This development is zoned as a LDRPUD, approved and started prior to the adoption of the current zoning ordinance which requires a minimum lot size of 15,000 square feet. Echo Hills lots range in size from 11,000 to 14,000 square feet. The density and size of the lots originally approved were grandfathered in. Staff recommends that a blanket variance be approved to cover this phase.. Motion was made by Driver for conditional approval of the final plat, subject to posting a bond amount to be determined by staff, and to approve a variance on the lot size for all lots in this phase as platted. Motion was seconded by Williams. Motion passed unanimously.

Item #8 (9.1#26-03) Consider the request of Mark Baker for the approval of the Abandonment of an alley right-of-way on the property of Richards & Southern, Inc., 108 Lindberg Avenue, adjoining Davidson County Tax Map 18-16, Parcels 40, 41, 42.

Staff reviewed. Terry stated that the Richards & Southern building is situated on two parcels that face Main Street. The company has purchased the lot immediately behind their building facing Lindberg Street and would like to build on that lot. A 10-foot wide alley runs between the parcels and then continues along the back side of the lot that faces Lindberg Street and beyond to terminate at Church Street. There is no real purpose in keeping the alley, however, staff recommends that if the alley is to be abandoned, it should involve the entirety of the alley and thus, some other property owners. There are five other lots on Lindberg that back up to the alley. Motion was made by Trew to defer the request, suggesting that Mr. Baker get all the other property owners to agree to the abandonment. Motion was seconded by Manning. Motion passed unanimously.

Item #9 (9.1#26-03) Consider the request of Mark Baker for the approval of a rezoning request for property at 501 N. Main Street and 108 Lindberg Street, Davidson County Tax Map 18-16, Parcels 40, 41, 42.

Staff reviewed. Terry stated all of the property in this area is zoned CSL, Commercial Services Limited. There is a residential detached home on the lots in question and the new owners, Richards & Southern, want to convert the use of the property to light industry and distribution. Their existing operation on N. Main Street is a mix of light manufacturing, offices and warehousing. This type use is not permitted in the CSL zone, but since the business predated the adoption of the current zoning ordinance, it is permitted to continue as a non-conforming use. Under this legal protection and even though it is not properly zoned, the business can continue, can remodel, can tear-down and rebuild, but can't expand onto additional land.

He distributed a map showing the different land use patterns in this area. The land use map of the area shows a wide range of mixed uses, including residential, commercial retail, commercial services, offices, industrial and mobile home parks. The lots are small, and the streets are narrow. The area also contains other lots that have uses that are not permitted in the CSL zone. The land use plan shows this same area to be a commercial concentration. This too, would not include industrial or distributional activities. Thus, to approve this request would also involve an amendment to the land use plan. The requested CG zoning is a wide-ranging commercial zone that permits all types of commercial activity as well as light industry and warehousing. This type zone, while commercial, is not the type anticipated for the Main Street area. Other industrial uses of a much heavier nature than this one are already located in the area, as much of the area extending to the railroad track is zoned industrial.

Driver stated he would like to determine the best zoning to allow the expansion of this business. Trew inquired if the ban on metal buildings is included in CG zoning. Terry indicated it would be allowed. Manning withdrew from voting due to a similar request in the past regarding his business, adding the Industrial zoning may be the best choice for this situation but that he has a stigma about having Industrial zoning along Main Street. Coombs inquired about the parking issues of the existing business. Baker stated the new addition would include the required parking spaces for that lot. Coombs encouraged them to provide as much parking as possible to alleviate the limited parking situation on Main Street. Driver noted this building will not adjoin any residential parcels.

Motion by Coombs to approve rezoning this property to Industrial Restricted.. Terry stated this lot would not meet the lot size requirement for IR zoning. Coombs restated his motion to approve rezoning the property to Commercial General.. Motion was seconded by Trew. Motion passed unanimously.

Item #10 (9.1#7-03) Consider the request of Jared Gray for an amendment to the B. F. Myers final master plan to request a variance in the landscaping requirements near the building. McCain Drive, French Street and West Cedar Street, Davidson County Tax Map 25-4, Parcels 44, 45, 46.

Staff reviewed. Terry stated that significant ground water was encountered during construction. The approved plans include foundation landscaping as required by the zoning ordinance. The owner is now asking for a variance to amend the approved plan to remove all of the foundation landscaping. During the approval process, two landscape ordinance variances were approved,

one for the number of trees to be planted and one reducing the width of the landscape strip between the street and parking lot from 10 to 6 ½ feet.

Jared Gray, Ragan-Smith Associates, stated this request to eliminate perimeter landscaping is to eliminate water infiltration into the building. John Finch, Powell Building Group, stated their excavation involved a 16 to 18 foot deep cut and they encountered an extreme amount of water. They have redesigned their water-proofing system and added elaborate french drain systems to take out the water. Due to the extreme amount of water that they know is there, he stated it is prudent to do everything to prevent moisture infiltration.

Tompkins inquired if the increased run off will impact their drainage system. Gray agreed to look at their storm drain capacity as it relates to drains for the surface water that have been put in place. Gray added they are well beyond the landscape requirements. At Driver's request, Finch agreed to add flower planters to the plan.

Motion was made by Driver for conditional approval of the variance, subject to a review of the drainage capacity and the addition of ornamental flower planters. Motion was seconded by Williams. Motion passed unanimously.

Item #11 (9.1#27-03) Consider the request of Jimmy Yates for approval of a preliminary master plan of Dry Creek Commons on property located on Dry Creek Road at the intersection of Alta Loma Road, Dry Creek Road at Alta Loma Road Davidson County Tax Map 135, Parcel 329.

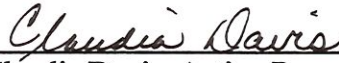
Staff reviewed. Terry indicated this is a proposal to construct a condominium development on property along I-65 and fronting on New Dry Creek Road, zoned HDRPUD. The proposed density is 7 units per acre, the maximum permitted for this zoning. All of the required site, open space and floor area requirements have been met. Staff suggests that the entry points to the development should be more attractive than just having a monument sign and some landscaping, and suggests an entry feature with stone, wooden or brick walls or fencing integrated with significant landscape treatment which would help provide an identity to the condominium community. A traffic study concluded the intersections and Dry Creek Road would continue to operate at an acceptable level of service. Due to sight distance and vertical curve problems, a left turn lane is needed at the eastern entry point into the project.

Tompkins inquired about the plans for garbage collection. Representative from Wamble & Associates indicated there will be a mass pickup location. He indicated the percent of masonry or stonework in the units will be a minimum of 25%. Coombs stated as the design process progresses, he would definitely prefer more masonry and more variety in the individual features in the units. He also recommended a review of the entrance sight distance. Motion was made by Manning for conditional approval, subject to staff's approval of further entry development features and addition of a left turn lane stripping on Dry Creek Road.

Motion was made by Coombs to adjourn at 7:40 p.m. Motion was seconded by Manning. Motion passed unanimously.



Jim Galbreath – Vice Chairperson



Claudia Davis, Acting Recording Secretary