

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

December 2, 2002

5:00 PM

Massie Chambers

Present: John Cannon, Jim Galbreath, Scott Trew, Gary Manning, Jim Hitt, John Coombs, Margaret Wall

Also Present: Bill Terry, David Wilson, Jim Thomas, Charlie Lowe, Bennie Lane, Vicky Ignatz, Bob Nichols, Jay Cochran, Peggy Schroeder, Juanita and C.W. Evilcizer, Paul Holloway, Robert Hill, Daniel Morris and others

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

Item #1 The approval of the minutes for the November 4, 2002 Goodlettsville Planning and Zoning Board meeting was deferred by staff.

Item #2 (9.1 #5-94) Consider the request of George Welch, Ragan-Smith Associates, for approval of an amendment to the final master plan for Braxton Park, Section 7, HDRPUD, Sumner County Tax Map 142, part of Parcel 18, Lots 95-101 and Lots 137-149, Loretta Drive.

Staff reviewed. Terry reported the master plan and the final plat for Braxton Park, Section 7 have been approved. After its approval, it was discovered by the plat engineer and the developer that the 50-foot front setback lines were applied to the new section of Braxton Park along Loretta Drive. The Woodwyn Hills section of Loretta Drive is zoned R-15 and requires the 50-foot front yard setback. However, Braxton Park is a high density residential PUD and permits a 30-foot front yard setback. Consequently, the 50-foot setback as applied makes the building area on the smaller lots very restrictive and in some cases almost impossible to build upon. Therefore, the developer has requested an amendment to permit a 35-foot front yard setback for the properties along Loretta Drive, Braxton Park, Section 7.

Staff suggests that the setback be staggered on the first lots of Braxton Park, Section 7 with 40-foot front yard setbacks immediately adjacent to the last lots of Woodwyn Hills. The remaining lots would be decreased to 35-foot setbacks. This would offer a modest transition of lot lines. All other zoning requirements have been met.

Also, the extension of Loretta Drive to Long Drive will be completed in this phase of the development. The board will need to consider establishing a bond for the Loretta Drive extension.

Bob Nichols, Ragan-Smith, Associates, added that the 50-foot setback drives the building envelope further back on the lot creating grading problems. The revised setback lines will better accommodate the smaller lots.

Motion by Wall to amend the final master plan for Braxton Park, Section 7, HDRPUD, Sumner County Tax Map 142, part of Parcel 18, Lots 95-101 and Lots 137-149, Loretta Drive to reflect a 35-foot front yard setback for these lots. A 40-foot front yard setback is established for the first

lots of Braxton Parks, Section 7 immediately adjacent to the final lots of Woodwyn Hills to provide an appropriate transition of lot lines. The Board grants staff permission to establish and secure a bond for the Loretta Drive Extension to Long Drive as approved for Braxton Park, Section 7. Motion seconded by Coombs. Motion passed unanimously.

Item # 3 (9.1 #20-02) Consider the request of Jay Cochran, LandSouth, for approval of decking building materials for Preston Run @ Northcreek, Northcreek Blvd., Davidson County Tax Map 26, part of Parcels 4, 119, 117 and 79.

Staff reviewed. Terry reported that at the November, 2002 Board meeting, the Preston Run project was conditionally approved with the stipulation that the architect re-examine the materials to be used to construct the decking. The request was that concrete be considered to reduce fire hazards. The architect has responded that concrete would be cost prohibitive due to the amount of additional structural support required. An alternative presented by the developer is to install sprinkler heads on the individual decks and that management will strictly enforce the prohibition of any type of grilling or cooking on the deck. The Fire Chief has indicated that this is an acceptable alternative.

Jay Cochran, project developer, stated that the sprinkler system would be a dry system to prevent freezing and will be installed in the ceiling of the decks. This will be the most efficient management for fire protection. Terry indicated the countywide law prohibiting grilling on decks is being regulated more effectively by citing the apartment complex's management company for any violations and provides better enforcement of outside grilling regulations.

Motion by Hitt for approval of the installation of a dry sprinkler head system inserted in the ceiling of each individual deck at Preston Run @ Northcreek to provide adequate fire protection. The building materials submitted in the preliminary master plan may be used for deck materials. Motion seconded by Coombs.

Item #4 (9.1 #11-02) Consider the request of Peggy G. Schroeder and C.W. Evilcizer for approval of a zoning amendment changing the zoning classification from HDRPUD to CS for one lot at the corner of Dickerson Road and Dry Creek Road, Davidson County Tax Map 33, Parcel 221.

Staff reviewed. This is a reconsideration of a rezoning request brought to this board at the September, 2002 meeting. The item was deferred pending further study of the Land Use Policy plan for the entire area. This lot and three adjacent lots are currently zoned HDRPUD; however, this lot is currently not a viable residential property due to the topography and TVA easement located on the property. At the time the application was submitted, the owner requested commercial zoning such as CSL or CS to be permitted to locate a quality convenience market on the site.

The approval last month of the preliminary master plan for Dry Creek Farms, inclusive of the Commercial PUD, now makes the request for commercial zoning on this lot more feasible and will be in accordance with the most current land use plan decision. Staff recommends the CPUD zoning for continuity of the commercial development of this portion of the city.

Coombs explained that a similar request regarding rezoning of this property had been presented to the Board several years ago. Coombs and Cannon agreed that the Board is committed to residential conservation whenever possible.

Motion by Coombs to deny the request for an amendment changing the zoning classification from R-25 to HDRPUD at 450 Moss Trail, Davidson County Tax Map 26, Parcel 41 based on the current Land Use Policy plan pertaining to residential preservation. Motion seconded by Trew. Motion passed unanimously.

Item #6 (9.1 #2-98) Consider the request of Robert Hill, Heibert and Associates, for approval of an amended landscape plan for The Townhomes at Windsor Green, Phase 1B, Davidson County Tax Map 26, Parcels 40 and 115.

Staff reviewed. Terry reported that The Townhomes at Windsor Green, Phase I was approved in 1996, developed very slowly and is currently moving toward completion. Phase II was approved in 1998. In the initial grading of Phase II, problems developed due to the slope of the land, grading operations and timing of the installation of the necessary drainage facilities. As a result of some major rainfalls, heavy stormwater runoff drained onto adjoining properties located downhill of the construction at Lidgate Terrace and Hanover Court. The landowners requested the city's assistance in correcting the drainage problems. Public Works Department was in the process for working with the contractor to correct the drainage errors. The property owners were evidently not satisfied with the speed of the adjustments; thereby, they contacted the news media to bring added attention to the situation.

As a result of the above circumstances, Terry wrote a letter to David Dial, developer, detailing a number of items on the Public Works Department's punch list which needed to be addressed and properly corrected. Another concern was, by all appearances, that the grading operations had trespassed in the tree protection zone approved on the final master plan near Windsor Trace Blvd. As a result of these issues, David Dial had the engineer and surveyor stake and survey the tree protection zone and complete the items in the Public Works punch list including stabilizing all ditches and making operable the drainage detention pond.

City employees, the project developer, project engineer and a representative of the Windsor Green Homeowners Association attended an on-site inspection. It was discovered there had indeed been a slight encroachment into the tree protection zone and significant evidence of efforts to correct the drainage problems. The construction of the detention pond and the berm to enclose the detention pond will require additional tree removal. Consequently, the landscape plan before you depicts the correction and replanting of the area involved in the tree protection plan and increase the level of screening in the detention pond area around the berm. It has been suggested to the landscape architect that Foster Holly be substituted for the proposed American Holly, additional evergreen trees be utilized and that an alternative species of shrubbery be used in place of the one exotic species of shrubbery depicted on the plan.

Tompkins questioned if the homeowners have been shown the revised drainage, detention pond and landscape plans. David Dial, developer, confirmed the Homeowners Association has been shown the original and revised plans. Terry, Lowe and Cannon complimented the developer and

landscape architect on the landscape design and an earnest effort to correct the problems. These excellent mixtures of planting will eventually replace the wooded area that previously existed prior to construction.

Thomas noted the lack of representation by the Windsor Green Homeowners Association and the news media at the meeting tonight.

Motion by Wall for approval of an amended landscape plan for The Townhomes at Windsor Green, Phase 1B, Davidson County Tax Map 26, Parcels 40 and 115. Motion seconded by Trew. Motion passed unanimously.

Item #7 (9.1 #1-02) Consider the request of Daniel Morris for approval of an amended signage plan for Walgreens, 101 North Main Street, Davidson County Tax Map 26, Parcel I.

Staff reviewed. Terry reported the master plan that was approved for Walgreens included the signage plan. Because the development is located in a Commercial Planned Unit Development, the Board must reconsider any requests for revision. The developer plans to change the two wall signs to include the terms "One Hour Photo and Pharmacy". The drawings that are included in the revised plan result in a larger sign area on each wall with the total square footage increasing from 102.1 to 180. The total square footage measurement is within the permitted amount of signage specified in the sign ordinance.

Motion by Hitt for approval of the request by Daniel Morris, MJM Goodlettsville, LLC for an amended signage plan for Walgreens, 101 North Main Street, Davidson County Tax Map 26, Parcel I. Motion seconded by Wall. Motion passed unanimously.

Item #8 (9.1 #8-94) Consider the request of the Goodlettsville Planning Department for a one-year renewal of the Letter of Credit No. 239 for The Wynlands, Phase II, Section I in the amount of \$29,600.

Staff reviewed. Jack Tompkins, City Engineer, recommended a one-year renewal of the bond for The Wynlands, Phase II, Section I in the amount of \$29,600 due to the ongoing development of the project.

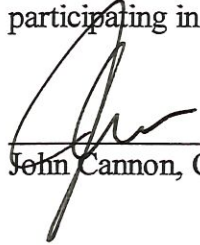
Motion by Hitt for approval for a one-year renewal of the Letter of Credit No. 239 in the amount of \$29,600 for The Wynlands, Phase II, Section I. Motion seconded by Wall. Motion passed unanimously.

Item #9 (9.1 #1-97) Consider the request of the Goodlettsville Planning Department for a one-year renewal of the Letter of Credit No. S993021 for Twelve Stones Crossing, Phase II in the amount of \$83,000.

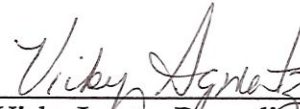
Staff reviewed. Jack Tompkins, City Engineer, recommended a one-year renewal of the bond for Twelve Stones Crossing, Phase II in the amount of \$83,000 due to the ongoing development of the project.

Motion by Wall for approval the request of the Goodlettsville Planning Department for a one-year renewal of the Letter of Credit No. S993021 in the amount of \$83,000 for Twelve Stones Crossing, Phase II. Motion seconded by Trew. Motion passed unanimously.

Thomas recognized Ms. Denise Paige, Tennessee Municipal League staff member, who will be participating in a one-week internship with the City of Goodlettsville.



John Cannon, Chairperson



Vicky Ignatz, Recording Secretary