

MINUTES OF REGULAR MEETING GOODLETTSVILLE PLANNING & ZONING BOARD

September 9, 2002

5:00 PM

Massie Chambers

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

Absent: John Cannon, John Coombs, Margaret Wall

Also Present: Bill Terry, David Wilson, Jim Thomas, Jack Tompkins, Charlie Lowe, Bennie Lane, Vicky Ignatz, Steve Brown, Allen Ramsey, Terry Mulvaney, David Bailey, Carl Minchey, Clayton Gholson, Jack Polk, Ed Lowe, Lois Cobb, Martha Hickman, Sandra & David Lewis, Juanita & Charles Evilcizer, John Best, Tom & Debra Head, Adam & Audrey Head, Annette Howard, Jimmie Smith, Joan & Brent Hagar, Ona Bell & Howard Chapman, Charles Hampton, Jeff & Margaret Louder, Thomas Jamison, Linda Lynch, Ron Parkinson, Dirk Wiley, Emily Ann Wiley, David & Vicki Galbreath, Minister Edrienne Smith, Peggy Schroeder, Brenda Tune, Sue Blankenship, Dawn Bryant, Troy & Lisa Martin, Sarah Terry, Doris Ruskin, Jo Roth, Diane Fisher, Fentress Steele, Lawrence & Kimberly Robertson, Allen Wiley and others.

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

Item #1 The minutes of the August 5, 2002 Goodlettsville Planning and Zoning Board meeting stand approved as written.

Item #2 (9.1 #1-97) Consider the request of Steve Brown, Barge Waggoner Sumner & Cannon, for approval of the revised final plat for Twelve Stones Crossing, Phase 6, Sumner County Tax Map 143N, Parcels 38 and 39, Lots 120 and 121.

Staff reviewed. Terry reported this plat combines lots 120 and 121 into one lot thus creating a larger building lot. This plat meets zoning requirements.

Motion by Hitt to approve the revised final plat for Twelve Stones Crossing, Phase 6, Sumner County Tax Map 143N, combining parcels 38 and 39, lots 120 and 121. Motion seconded by Trew. Motion passed unanimously.

Item #3 (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. Terry reported this property is zoned HDRPUD. The Goodlettsville Land Use Policy, adopted in 1989, depicts this lot, as well as the area across Dickerson Pike know as the Worrell Farm, as a high density residential planned unit development. The corner lot directly across on Dry Creek Road adjacent to the Rivergate Acres Apartments has been rezoned ROPUD for an office/lodge complex. This site is currently undeveloped.

This area has been discussed recently by the board during the consideration of a proposed development plan for the Worrell Farm property. This particular plan was not approved;

however, the board and the city commission are in agreement that a re-evaluation of the Land Use Policy is needed to include viable commercial perspectives and residential development. The policy of this board has been to require commercial planned unit development, CPUD, zoning instead of straight commercial zoning. Therefore, any action on this rezoning request should include re-evaluation of the overall Land Use Policy for this area for long range planning purposes.

Peggy Schroeder, part owner of the property, stated that the site was purchased approximately eight years ago with the understanding the property was zoned for commercial development. Juanita Evilcizer, part owner of the property, indicated the community would be better served with a commercial development such as a service station or drive-in market. Currently there is not a specific developer interested in the property. Terry responded that the property has never been zoned commercial. He continued that prior to the adoption of the current Land Use Policy, the site was zoned multi-family. Galbreath questioned what the advantages would be for a commercial lot. Terry explained that the site is a difficult lot to develop and the buildable land is hampered by a TVA power line easement rendering part of the land as unusable. A residential development would be limited and financial restrictions would be attached due to the presence of power lines. Therefore, the site is not suitable as residential property. Driver agreed that the zoning classification for the site is not accurate and that the adjoining parcels, the Worrell Farm property bordering Dickerson Road, Old Dickerson Road and Dry Creek Road and the Tommy Jackson property bordering Old Dickerson Road and Highland Heights should be considered in the recommendation for an amendment to the Land Use Policy.

Motion by Driver to defer the rezoning request for Map 33, Parcel 221 and direct a subcommittee be formed from the Planning Board, staff and three community representatives to review and revise accordingly the Goodlettsville Land Use Policy for the southern portion of the city including the Worrell Farm property, the Tommy Jackson property and the properties adjoining the intersection of Dry Creek Road and Dickerson Road. Motion seconded by McNeal. Motion passed unanimously.

John Best, President, Rolling Meadows Home Owners Association and David Lewis, Highland Heights Drive, volunteered to serve on the subcommittee. A third citizen, to be named at a later date, will complete the group of community representatives. Trew recommended and Hitt and Williams agreed that the review of the Land Use Policy is a very important issue and should have the participation of the entire planning board.

Motion by Trew to require all members of the Planning Board, staff and three community representatives to serve on the subcommittee to review the Land Use Policy. Motion seconded by Williams. Motion passed unanimously. Galbreath, Vice-Chairman, instructed Terry to set the agenda and notify the members accordingly.

Item #4 (9.1 #12-02) Consider the request of Troy and Lisa Martin, Sue Blankenship and Dawn Bryant for approval of a zoning amendment changing the zoning classification from R40 to CPUDL at 963 and 971 Springfield Highway, Davidson County Tax Map 141, Parcels 7.01 and 7.02.

Staff reviewed. Terry reported this subdivision plat was approved several years ago and rezoned from agricultural to R40 during the plat approval process. The existing homes were built prior to Goodlettsville's annexation of this area. The applicants requesting the zoning amendment have stated that they are negatively impacted by the industrial area and truck terminal that are located across the highway which is located in Metro Nashville's jurisdiction.

Terry suggested that in considering the request, the board should also consider other properties in the area. The property directly across Springfield Highway and on the east side of Mansker Creek was recently rezoned CPUDL. The large area on the west side of Springfield Highway on the opposite side of the creek is the Mansker Industrial Park and USF Holland Truck Terminal. The existing homes in this area are scattered and occupied as residential properties with little prospect of additional homes being built along the highway frontage. Due to these factors, ample reasons exists to re-examine the Land Use Policy in this area.

Some negatives exist in a possible rezoning amendment. Sewer service is not available in this area and this will limit the scope of any commercial activity that might locate here. It is almost always a mistake to rezone residential property to commercial property in anticipation that an attractive development will occur. Small lot fragmentation usually prevents major commercial development and limits commercial conversion to small random businesses. Two other lots in the existing subdivision are not a part of the rezoning amendment which constitutes spot zoning. This is speculative zoning since no other use has been proposed.

Troy and Lisa Martin viewed the rezoning of the subdivision as perfect for commercial development with the established five lane highway and the planned traffic light at US Highway 41W and Williamson Road. Sue Blankenship commented that their properties are completing surrounded by commercial development, vehicle traffic and industrial lighting which has deteriorated the residential quality of the area. Lisa and Troy Martin added the owners of Parcel 7.03 (1 acre) and Parcel 8 (27.5 acres) wish to be included in this rezoning request. Terry stated that applications for a rezoning amendment from these property owners have not been received; therefore, these properties cannot be considered at this time.

Terry reiterated that the lack of sewer lines in this area would hinder commercial development. Troy Martin questioned if the developer would be responsible for installation of the sewer line. Terry clarified that the issue before the board is whether this is a feasible commercial development without sewer service. Gaylon Faulkner, adjoining property owner, questioned what would be involved in the installation of a sewer line to this area. Jack Tompkins, City Engineer, responded that normally the sewer line installation is at the expense of the developer. Generally for commercial development, the developer installs the sewer line and then dedicates the sewer line to the city.

Terry recommended that all the properties in the northern area of Springfield Highway be reviewed for rezoning and how the rezoning would impact the city's Land Use Policy. Manning clarified that the request is reasonable; however, all the property owners along this area of Springfield Highway will need to be included in the rezoning amendment application. Driver and McNeal added that the sewer lines development would need to be included in the overall study. Tompkins stated that a property can be zoned commercial without having access to sewer

service; however, it inherently limits the development of such property. Terry agreed that rezoning is an issue separate from sewer service accessibility and is not a factor in determining rezoning; however, when the property is developed, sewer service accessibility then becomes a part of the development process.

Terry recommended to the applicants that the property owners of Parcel 7.01, Parcel 7.02, Parcel 7.03, Parcel 7 and Parcel 8 join together to bring the rezoning request to the board. The property owners will be informed when the review of the Land Use Policy is completed. It will be up to the property owners to reapply for a rezoning amendment hearing.

Motion by Williams to defer action on a zoning amendment changing the zoning classification from R40 to CPUDL at 963 and 971 Springfield Highway, Davidson County Tax Map 141, Parcels 7.01 and 7.02 and have the board reconsider the Land Use Policy for the northern portion of Springfield Hwy. Motion seconded by Hitt. Motion passed unanimously.

Item 5 (9.1 #10-02) Consider the request of Jared Gray, Ragan-Smith Associates, for approval of the revised landscape plan and electronic message sign plan for Pinnacle Bank, Northcreek Commons, Section 11, Davidson County Tax Map 26, Parcel 15.

Staff reviewed. Terry reported the board deferred action of the landscape plan and the electronic variable message sign plan at the August 5, 2002 Planning and Zoning Board meeting. The developer and the designer have made the decision to comply with the landscape requirements for shrubbery screening rather than ask for a variance. The plan meets the caliper inch requirements for trees as well as the mixture of trees.

Terry Mulvaney, Ragan-Smith Associates, stated that the landscape plans have been revised to meet the landscape screening requirement and they agree to relocate three (3) inch canopy trees on the two (2) landscape islands at the front of the building. Additionally, the developer requests to scale back some foundation planting immediately around the building. Terry acknowledged that the landscape ordinance does not specifically address the type and number of plants required in foundation planting, it simply requires a good landscape plan which is a judgment call.

Motion by Driver to approve the landscape plan, a portion of the overall Master Plan for Pinnacle Bank, Northcreek Commons, Section 11, Davidson County Tax Map 26, Parcel 15. Motion seconded by Hitt. Motion passed unanimously.

Terry reported that staff review indicates the Goodlettsville Sign Ordinance permits a changing copy sign. The ordinance prohibits any animated or flashing signs, however, it does not specifically address electronic variable message signage. The key issue is the duration of the display of copy and how it will affect traffic safety on Conference Drive and Northcreek Blvd. David Bailey, Hastings Architecture, stipulated the manner of operation for the proposed sign does not depict animation, flashing or scrolling of the message. The message will include a stock market symbol and current stock price. The display duration of copy complies with the Metro Sign Ordinance requiring the display duration of two (2) seconds. Terry stated that the two (2) second display duration is adequate, but subjective. Terry has not found any standard display duration for the electronic variable message sign in his research.

Trew stated that the two (2) second display duration seems too short a time period to insure safety measures. Wilson questioned if the Walgreens ground mounted signs have similar safety issues. Terry stated that display duration for the Walgreens signs were not established; however, it is not be an animated, scrolling or flashing display.

Motion by Driver for approval of the electronic variable message sign plan for Pinnacle Bank, Northcreek Commons, Section 11, Davidson County Tax Map 26, Parcel 15 with the condition the sign maintains a two (2) second display duration. Motion seconded by Manning. Motion passed unanimously.

Item 6 (9.1 #9-02) Consider the request of Jared Gray, Ragan-Smith Associates, for approval of the revised final plat for Goodlettsville Church of Christ, Harris Street, Davidson County Tax Map 25-8, Parcels 21, 22, 23, 24 and 25, Lots 1, 2, 3, 4, and 5.

Staff reviewed. This subdivision plat re-subdivides four lots on Harris Street and dedicates some additional property to the site of the church for parking purposes. The Goodlettsville Board of Zoning Appeals has previously granted a conditional use permit to ALLOW the property to be used for church purposes.

Allen Ramsey, Ragan-Smith Associates, indicated the plat provides additional square footage to Lot 1 and clarifies the property lines of Lots 2, 3, 4 and 5. The lots conform to R10 zoning requirements. Lot 1 has been approved for a driveway addition and the structures on this lot will be demolished. McNeal viewed permitting traffic movement to turn north and south onto S. Main Street will only create additional congestion. McNeal asked if the Goodlettsville Church of Christ prepared to provide traffic officers at the Harris Street intersection to control traffic flow? Carl Minchey, representative for Goodlettsville Church of Christ, stipulated that police officers will be utilized during the main church service if needed.

Motion by Hitt to approve the revised final plat for Goodlettsville Church of Christ, Harris Street, Davidson County Tax Map 25-8, Parcels 21, 22, 23, 24 and 25, Lots 1, 2, 3, 4, and 5. Motion seconded by Williams. Motion passed unanimously.

Item 7 (9.1 #9-02) Consider the request of Jared Gray, Ragan-Smith Associates, for approval of the site plan for a parking lot expansion and an extension of the existing building for Goodlettsville Church of Christ, 411 South Main Street, Davidson County Tax Map 25, Parcel 25, Lot 1.

Staff reviewed. The replatting of the lots on Harris Street will provide additional space for a new parking area for the church. The church also proposes to extend the building 14 feet to the rear of the existing building. The Goodlettsville Board of Zoning Appeals and granted a conditional use permit for the parking lot to be used in a residential area.

The plan meets all site plan requirements. Jack Tompkins has reviewed and approved the grading plans. There is one suggestion by staff. One of the parking islands contains a relocated light pole, and because of the pole, the proposed tree is an ornamental rather than a three inch canopy tree. Staff suggests that the light pole be moved to another location and the island be

planted with a canopy tree. Allen Ramsey, Ragan-Smith agreed to relocate the light pole and plant a three (3) inch canopy tree in the island. Hitt questioned whether there is a need by the board to consider and approve a lighting plan for additional lighting. Terry stated that staff can be given the authority to review and approve any lighting plan proposed for additional lighting.

Motion by Williams for conditional approval of the site plan based upon relocation of the existing light pole, planting of a three inch canopy tree in the existing landscaping island and submission of any additional lighting plan be reviewed and final approval be given by staff. Motion seconded by Hitt. Motion passed unanimously.

Item 8 A public hearing to consider an amendment to the Goodlettsville Subdivision regulations regarding monument regulations.

Terry reported that Tennessee State law requires a public hearing anytime the Goodlettsville Subdivision Regulations are amended or adopted. Terry noted that a public notice was published advertising the public hearing.

Terry explained that concrete monuments have been a standard surveying technique for approximately fifty years. New techniques have been developed for monuments. A more common use is an iron pin which contains the surveyor's name and license number or engineering firm's name and address or identification number embossed on the pin. This amendment will permit concrete, steel or metal pins for permanent reference monuments. The amendment will read as follows:

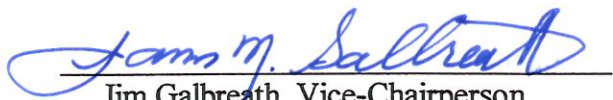
Goodlettsville Subdivision Regulations – Chapter 5, Section 101.3:

The subdivider shall place permanent reference monuments on the subdivision as required herein and as approved by a licensed surveyor. Monuments may be of the following types: (1) - concrete monuments shall be of concrete not less than eighteen (18) inches in length and must be steel reinforced, not less than four (4) inches square or five (5) inches in diameter; and marked on top with a metal cap bearing the surveyor's name and license number or company name and have a permanent mark to indicate the exact survey point or (2) - an iron bar monument shall be no less than five-eighths (5/8) inch in diameter and no less than twenty-four (24) inches in length with a permanent metal cap a minimum of two and one-half (2 ½) inches in diameter with the land surveyor's name, license or company name and have a permanent mark for the exact survey point. All such monuments shall be set flush with the ground. In case impregnable subsurface material is encountered, an iron bar may be shortened to a minimum of twelve (12) inches in length, and concretes shall be poured in a six (6) inch radius around the bar to a depth of twelve (12) inches. Monuments shall be located and set as follows:

Items 1 through 5 of Section 101.3 shall remain unchanged.

Galbreath opened the floor to the public for comment. There were no public comments. Galbreath closed the floor to public comment.

Motion by Williams to amend the Goodlettsville Subdivision Regulations, Chapter 5, Section 101.3 to include the use of concrete, metal or iron pin materials for reference monuments. Motion seconded by McNeal. Motion passed unanimously.


Jim Galbreath, Vice-Chairperson


Vicky Ignatz, Recording Secretary