

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

May 6, 2002

5:00 PM

Massie Chambers

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

Absent: Jim Hitt

Also Present: Bill Terry, David Wilson, Jim Thomas, Jack Tompkins, Charlie Lowe, Bennie Lane, Vicky Ignatz, Steve Brown, Roy Dale, Brian Wray, John Murphy, Allen Ramsey, Dan Hawkins

The meeting was called to order by John Cannon. Prayer was offered by Grady McNeal.

Item #1 The minutes of the April 1, 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 the resubdivision of Lots 123-127, Twelve Stones Crossing, Phases 5 and 6, Sumner County Tax Map 143N, Parcels 41, 42, 43, 44 and 45.

Staff reviewed. Terry reported that the developer wishes to resubdivide the five lot to provide four larger lots. All zoning requirements have been achieved.

Motion by Williams to approve the Revised Final Plat for the resubdivision of Lots 123-127, Twelve Stones Crossing, Phases 5 and 6, Sumner County Tax Map 143N, Parcels 41, 42, 43, 44 and 45. Motion seconded by Wall. Motion passed unanimously.

Item #3 (9.1 #13-01) Consider the request of Kevin Estes, Dale and Associates, for approval of the Final Plat for Meadowcreek, HDRPUD, Davidson County Tax Map 25, Parcels 17, 96 and 11.

Staff reviewed. Terry reported that a meeting was held on April 4, 2002 with Brian Wray, Dale and Associates, Charles Lowe, consulting engineer and staff members including Bennie Lane, Phillip Gibson, Jack Tompkins, Bill Terry and Jim Thomas. The previously submitted plan presented at the April 1, 2002 Planning and Zoning Board meeting and the details of the corresponding staff's review of said plan were discussed in great detail and the expectations of staff for an acceptable plan were included in the discussion. Staff requested revised plans to be submitted by April 10, 2002. Dale and Associates submitted the revised final plat on the agreed upon date.

After reviewing the final plat submitted for the May agenda, staff comments were sent to the design firm on April 23, 2002. Dale and Associates responded to these staff comments by submittal of a revised final plat which has been recently reviewed by staff.

Terry acknowledged that most of the comments are minor technical details. Cannon requested that the items to be discussed be presented to the Board in detail.

Comment #2 – The proposed twelve (12) inch water main connects on each end to a line that is off the property. An easement providing access to this line should be shown if in existence.

Terry stipulated that Madison Utility District may or may not give easement approval for the developer to tie into the twelve inch (12) water main. Lowe, Ragan Smith and Associates, reported that the existing six (6) inch water main will not provide adequate service for the development. Roy Dale, Dale and Associates, explained that a decision from Madison Utility District regarding granting of the easement is pending and that the utility easement will be included on the plat at the time of recording. Cannon asked if a written easement agreement is currently available. Dale replied that at this time a written agreement has not been prepared.

Terry suggested that the Board establish a bond to cover the cost of installation of water and sewer lines in the event the lines are not approved prior to the recording of the plat. Tompkins stated that if the Board gives the authority for the issuance of the bond and the developer defaults on the installation of the water and sewer lines, the City would then condemn the property and install said lines.

Comment #3 – A drainage easement should be provided around the extent of the detention pond and from the pond to the creek then to the property line.

Comment #4 – Indicate whether north is true, grid or magnetic and tie to the Tennessee Grid Coordinate System.

Comment #6 – Indicate whether pins are old or new and provide concrete monuments at the points required by the subdivision regulations.

Comment #7 – There is one recorded deed referenced, but three parcels are being combined. What about the deed for all three parcels?

Comment #8 - Note 3 should reflect the latest FEMA maps, The 1981 maps have been superceded.

Comment #16 – Check to determine if the plat size meets the requirements of the Register of Deeds.

Dale assured the Board that all the technical details would be addressed properly before the final plat is submitted for recording. He requested conditional approval of the plat.

Galbreath questioned if it is appropriate for a condition of approval to require the developer to drop the pending lawsuit. Cannon suggested that approval of the plan is an implied good faith agreement and that it would be in the best interest of the City for the Board not to require an action to drop the lawsuit. Murphy, developer and property owner, stipulated that final approval of the development, the issuance of the building permits and the issuance of the certificate of occupancy must be forthcoming before the lawsuit can be dropped based on the difficult

experience of the approval process. Dale speculated that perhaps the developer is concerned that during the construction process an unusual burden of meeting the requirements will be expected by staff and that this development process will be held to a higher standard. Dale added that, based on his experience working with the City of Goodlettsville, there is not reason for concern on the part of the developer. Brian Wray, Dale and Associates, shared his concern regarding Mr. Terry's plans to check the site, specifically measuring plant material for landscape requirements. Wray stated that based on the past experience with the staff and the review process, it is appropriate for Mr. Murphy to keep the lawsuit in place to insure that everything goes smoothly during the next phase of the project.

Cannon explained that the lawsuit is mute after approval of the final master plan. It is the responsibility of staff to ensure that the development is built according to the approved plan. The Planning Board has worked in good faith to resolve all the issues for the project. There has been no mal intent; however, the planning process has been very difficult. The Board has had problems with the multiple comments relating to each resubmitted plan as well as problems with personal feelings which should not have entered into the process. David Wilson, City Manager, added that Bill Terry doesn't take it upon himself to inspect a site. As director of the Planning and Codes Department, it is incumbent upon him to review and inspect landscaping to assure compliance. Dale agreed that there have been communication problems. He acknowledged that the City, the Planning Board and staff have worked in good faith during the planning process and he anticipates continued good faith during the construction phase of the project. Murphy stated that he would drop the lawsuit upon approval of the final master plan.

Motion by Manning for conditional approval of the Final Plat for Meadowcreek, HDRPUD, Davidson County Tax Map 25, Parcels 17, 96 and 11 based on compliance with the following conditions. 1) The pending lawsuit against the City of Goodlettsville is to be reviewed by the City Attorney. 2) Correction of minor technical details for items 3, 4, 6, 7, 8, 10 and 16 provided in the staff review comments dated April 23, 2002 submitted to Dale and Associates. 3) Provide the City of Goodlettsville proof of an easement agreement with Madison Utility District for a twelve (12) inch water line to connect to Old Dickerson Pike. 4) The Board hereby grants staff authority to establish a bond should the improvements for the project not be installed prior to the issuance of a building permit. Motion seconded by Trew. Motion passed unanimously.

Item #4 (9.1 #13-01) Consider the request of Kevin Estes, Dale and Associates, for approval of the Final Master Plan for Meadowcreek, HDRPUD, Davidson County Tax Map 25, Parcels 17, 96 and 11.

Staff reviewed. Terry reported that due to the grading plan being completely reworked, a lengthy staff comment list was provided to Dale and Associates on April 23, 2002. Most of the comments were adequately addressed. Terry summarized that the majority of the remaining minor technical details are grading/drainage issues and specifically identified items 5, 7, 8, 9, 10, 12, 26 and 27 listed in the staff comments for the final master plan.

Lowe acknowledged that there has been a lot of detail and attention to steps and grading. In the plan review approximately ten to twelve locations were identified as not providing adequate illustrations of drainage. The reason the level of detail regarding drainage is required is due to numerous previous projects in the City which have experienced drainage problems. It is entirely

the developer's problem to resolve the drainage issues. However, it doesn't preclude the fact that the residents historically involve the City in repairing drainage problems or assisting in requesting the developer to take action regarding drainage problems. Cannon questioned Dale as to whether the remaining technical details identified on the grading plan can be corrected. Dale agreed to enlarge the size of the building plan sheets and provide additional spot elevations on the grading plan.

Sheet C5 #2 – The water lines should show the location of the backflow preventors.

Dale indicated that the public service line requires individual backflow preventors to each building. The plan will be amended to show the location of each backflow preventor as determined by Madison Utility District. Terry reported that the notes on the plan indicate the Fire Chief and the Fire Marshal's Office have final approval of the arrangement of the post indicator valves. Lowe requested that the location of the backflow preventors be placed in such a manner as to be esthetically pleasing.

Sheet C5 #4 – More detail is needed in regards to the indication of the supply line from the twelve inch water main to the water meter. Based on the guidelines of the Madison Utility District, the size of the line needs to be included on the plans.

Sheet L1 #2 – The HVAC units between buildings eight and nine do not show any screening.

Sheet L1 #3 – There was some discussion at the meeting between the designer and city staff about "wrapping" the shrubs around the end of the units.

Terry explained that the landscape designer's opinion is to not wrap the landscaping around the unit in order to provide adequate access for maintenance purposes. Cannon viewed the issue as the balance of aesthetics versus utility purposes. The Board decided to not require wrapping of the landscaping based on practical utility purposes.

Sheet E1 #1 – The lighting plan indicates flood lights attached to the rear side of the building project lighting away from the building to the adjoining property owners.

Lowe determined that the street lighting is fine as designed with recessed lighting. The wall packs are outward casting and need to be adjusted and shielded downward. Dale agreed to adjust lighting of wall packs to downward casting position.

Terry stipulated that there are two variances to the landscape ordinance which have been discussed by the Board previously. The first variance is a waiver of the screening and barrier requirements for the southwest corner of the property which is to remain undeveloped. The second variance is a waiver of the forty-two (42) inch wooden fence barrier requirements along the residential property lines. The variance will permit placement of a six (6) feet vinyl coated chain link fence with supplemental landscaping along the residential property line extending southward from Old Dickerson Road to the State right-of-way.

Terry reminded the Board that the approval of the master plan includes the acceptance of the plan's architectural elevations as previously submitted.

Motion by Manning for conditional approval of the Final Master Plan for Meadowcreek, HDRPUD, Davidson County Tax Map 25, Parcels 17, 96 and 11 based on compliance with the following conditions. 1) Drainage concerns are to be resolved by additional details and spot elevations to the grading plan. 2) Submit proof to the City of Goodlettsville of an easement agreement with Madison Utility District for a twelve (12) inch water line to connect to Old Dickerson Pike; indicate easement and back flow preventors, as required by Madison Utility District, on the utility plans; and, provide esthetic placement of said back flow preventors. 3) Indicate landscape screening for the HVAC units between buildings eight (8) and nine (9). 4) Adjust wall pack lighting from outward casting to downward lighting. 5) Approve two landscape ordinance variances: a) grant a waiver of the screening and barrier requirements for the southwest corner of the property which will remain undeveloped and b) grant a waiver of the forty-two (42) inch wooden fence barrier requirements along the residential property lines. This variance will permit placement of the six (6) feet vinyl coated chain link fence with supplemental landscaping along the residential property line extending southward from Old Dickerson Road to the State right-of-way. 6) Approval of the architectural elevations for the site.

Item #5 (9.1 #4-01) Consider the request of Allen Ramsey, Ragan-Smith Associates, for approval of the Signage Plan for First State Bank, Northcreek Blvd., Northcreek Commons, Davidson County Tax Map 26, Parcel 72.

Staff reviewed. Terry reported that when the site plan for First Bank was approved by the Board, the signage plan had not been completely developed. Therefore, action to defer consideration of the signage plan was approved. This submission completes the signage plan.

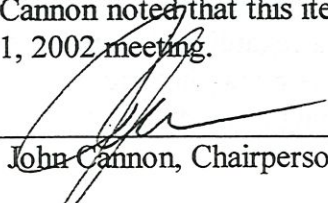
The property is located in the interstate sign zone, and as such, there are no problems with the square footage of the sign. The sign ordinance permits a sign height of sixty-five (65) feet which exceeds the height of the proposed sign. However, by classification and construction, the proposed sign is a monument or ground sign measuring thirteen (13) feet and seven (7) inches. The sign ordinance permits a monument sign height of seven (7) feet. Therefore, a variance in the height of the monument sign height of six (6) feet and seven (7) inches is requested.

Ramsey stipulated that the Architectural Review Committee of Northcreek Commons has approved the monument sign for the site. The building materials for the sign will coordinate with the main structure.

Motion by Coombs to approve the variance request for an oversized monument sign for First State Bank, Northcreek Blvd., Northcreek Commons, Davidson County Tax Map 26, Parcel 72. Motion seconded by Driver. Motion passed unanimously.

Item #6 (9.1 #1-97) Consider the request of the Goodlettsville Planning Department for approval of a one-year extension of Letter of Credit #S993143 in the amount of \$38,335 for Twelve Stones Crossing, Phase I.

Cannon noted that this item was previously considered and action taken by the Board at the April 1, 2002 meeting.


John Cannon, Chairperson


Vicky Ignatz, Recording Secretary