

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

December 3, 2001

5:00 PM

Massie Chambers

Present: Jim Galbreath, John Coombs, Jim Driver, Gary Manning, Scott Trew, Margaret Wall, Jim Hit

Absent: John Cannon, Susan Williams, Grady McNeal

Also Present: Bill Terry, Jim Thomas, Charlie Lowe, Bennie Lane, Vicky Ignatz, Mark Baker, Tommy Walker, Murry Brown, Tim Tinnon, Lillian White, Versie Ferguson

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

**Item #1** The minutes of the November 5, 2001 Planning and Zoning Board meeting were amended to indicate that Grady McNeal was not in attendance at the meeting. The minutes were approved as amended.

**Item #2 (9.1 #16-01)** Consider the request of Mark Baker, Civil Resource Consultants, LLC, for approval of a revision to the master plan of Northcreek Commons, office building for McPherson-Shaw, Inc. Northcreek Blvd. Davidson County Tax Map 26, part of Parcel 152.

Staff reviewed. Terry reported that the site has a previously approved plan for a dental clinic. The current proposal is for a two-story multi-purpose office building with a different building footprint and parking plan. Comments were submitted to the architect and most of the issues were addressed satisfactorily; however, minor issues remain regarding the layout detail of the handicapped spaces, drainage along the north property line and off-site drainage. The adjoining property to the south has not been platted; therefore, no public utility and drainage easement currently exists.

Baker responded that the current PUD requirement does not permit open drainage along Northcreek Blvd. The water currently drains through the existing culvert headwall located on the property to the south of the proposed site; therefore, the culvert has to be extended to allow the stormwater to move to this location. The headwall culvert has been extended off property to permit the completion of grading, sidewalk construction and easy access for the adjoining property owner during development of the site. The culvert can be terminated before the property line. However, this would impact the length of the sidewalk for the site and future development of the adjoining property would impact this site during construction. Baker acknowledged that this issue will be discussed with the owner of the adjoining property and an agreement will be secured to permit drainage onto the property. Terry requested that a written letter of agreement regarding off-site drainage be obtained from the adjoining property owner and evidence of plan approval be provided from the Northcreek Commons Architectural Review Committee. Lowe addressed the drainage along the north property line. The current plans shows the drainage ditch located outside of the drainage easement. Lowe requested that the drainage ditch be placed on the property line between the two properties which will place the ditch within the current and future public drainage easements. Lowe added that a written

agreement from the adjoining property owner permitting off-site drainage be secured by the architect.

Terry acknowledged that the handicapped ramps, specifically the front parking area's handicapped ramps, are not located on the plan per ADA regulations. The ramps should be relocated directly in front of the entrance doors to provide for better handicap access. Baker responded that the current ramp location permits the person to exit the vehicle to the common access isle and move directly to the ramp. However, Baker agreed that the plan can be modified to locate a handicapped ramp at the main entrance and relocate the parking sign.

Terry reminded the Board that architectural style, building elevations and signage is a part of the approval process. Murry Brown, McPherson-Shaw, described the proposed building as a 12,000 total sq. ft. two-story structure with a two level atrium lighted front entrance, covered rear entrance red earthtone brick veneer, bronze tone aluminum store front fixed window panels, greenish brown singles, almond colored efface and gutters.

Motion by Hitt for conditional approval for the revision to the master plan for Northcreek Commons to allow a general use office building at Northcreek Blvd., Davidson County Tax Map 26, part of Parcel 152, Lot 12 based on final review and approval by Northcreek Commons Architectural Review Committee and staff regarding the relocation of the handicapped access ramp, extension of the drainage culvert along Northcreek Blvd. onto the adjoining property, relocation of the northern drainage ditch onto the property line within the drainage easement and written approval of off-site drainage easements from both adjoining property owners. Motion seconded by Coombs. Motion passed unanimously.

**Item #3(9.1 #16-01) Consider the request of Tommy Walker, R.L.S., for approval of a minor subdivision plat for the Tim Tinnon Subdivision, Moncrief & West Cedar, Map 26, Parcel 1.**

Staff reviewed. Terry explained that the proposed plat will create three lots from an existing parcel that currently contains two houses on one parcel. The plat will place each house on a separate lot and create a new lot, which then can be developed. The area is zoned R7 and the lots meet the minimum requirements for this zoning district. Lot #2 has a non-conforming use due to the house not meeting required setback requirements. This usage will continue as is. Lot #1 has an unusual shape to the property; therefore, it might be difficult to build a conforming residence on the property. Due to the fact that the lot is being created now and currently there is no non-conformity on the property, this lot is not eligible for any variances from the Board of Appeals regarding minimum building envelope or setback requirements. There are several drafting details which need to be changed on the plat.

Walker asked the Board to consider granting a 10 feet front yard setback on one of the streets due to the property facing two streets. This would increase the building footprint. Terry stated the regulations require a front setback from each street; therefore, the Board could not grant a setback variance. Coombs, Manning and Hitt were concerned about dual street access from the property. Terry acknowledged that either West Cedar or Moncrief could serve as the access street; however, access from both streets is not permitted. Tinnon expressed that his immediate

concern was approval of the plat to subdivide the lots. Tinnon added he understands the setback requirements for Lot #1 and the inability of the Board to grant setback variances for the property and will properly address all requirements when the lot is developed.

Motion by Manning for conditional approval of the final plat for the Tim Tinnon Subdivision, Moncrief & West Cedar, Map 26, Parcel based on final review and approval by staff of technical corrections to the plat. Motion seconded by Trew. Motion passed unanimously.

**Item #4 (9.1 #6.94) Consider the request of Tim Carver for approval of an amendment to the master plan for Long Hollow Square, Section III, East Cedar Office Building, regarding the distance of the driveway parking lot to the property line.**

Staff reviewed. Terry informed the Board that the plan for this lot was approved and the building permit was issued. The site has been completely developed. Upon final inspection, staff noted that the developed site did not comply with the approved plan. The changes in the site differed to the extent that staff could not grant approval in the field; therefore, the owner/developer has requested an amendment to the master plan.

The approved plan included the required five-foot open space separation of the paved area from the adjoining west property line and the open area was to have contained four trees according to the landscape plan. The actual construction moved the paved area and curb to within one-foot of the line. The trees were not planted. By moving the driveway, the owner created some landscaped area next to the building creating a better alignment for access to the dumpster pad. Also, the dumpster pad was moved closer to the rear property line and encroaches upon a public utility easement. The owner has agreed to plant additional trees in another location on the site to help meet landscaping requirements and provided a hold-harmless agreement regarding the easement encroachment should sewer repairs be required. The Board can either accept the changes and approve the finished construction as an amendment to the master plan or request compliance with the original approved plan which would require complete reconstruction of this area of the driveway by tearing out what has been done. This solution would be costly and destructive to the completed development. The owner/occupant is working under a temporary certificate of occupancy pending action by the Board.

Tim Carver, property owner and project contractor, stated that the decision to adjust the driveway was made at the beginning of the paving process and offered that the action was an oversight on his part. The parking lot was not surveyed prior to paving and the adjustments made during paving seemed appropriate for the sight; however, it was not an intentional act to deviate from the approved site plan.

Galbreath questioned if there were any precedents in regards to non-compliance of construction of an approved site plan. Terry responded that he was not aware of any situations to date that would apply to this situation. Driver stated that is disturbing that the Planning Board reviews and approves plans and that some projects are not constructed as required. Serious deviations requiring alterations of an approved plan is a problem that needs to be addressed. Driver was concerned about setting a precedence regarding approval of non-compliance of previously approved site plans. Galbreath agreed that it is infuriating to be required to consider amendments

to approved plans. Terry informed the Board that internal final inspection shows a large number of deviations from approved plans. A process to alleviate future situations could include pre-construction reviews with staff, contractors and sub-contractors.

Carver agreed to accept an alternative recommendation from the Board; however, he believed the deviation from the approved plan is not a life safety issue and could be handled by an amendment. Hitt stated that, taking into consideration that there are degrees of non-compliance, this situation is a lesser infraction than the majority of non-compliance issues.

Coombs stated his objection to the ribbed asphalt speed bump located across the parking entrance which retains water on-site instead of directing stormwater to the street. The approved plan depicts a concrete ramp which demonstrates the asphalt is not a finished product. Carver stated that the asphalt elevations were placed along the driveway entrance to divert stormwater drainage from Connell Street and East Cedar Street away from the site. Manning agreed that the elevations show that stormwater would flow into parking area if not for placement of the asphalt elevations.

Motion by Coombs to amend the master plan for Long Hollow Square, Section III, East Cedar Office Building, and approve the distance of the driveway parking lot from the property line. Motion seconded by Trew. Motion passed 6-1. Driver voted no.

#### **Non-agenda items:**

**Item #1** - Terry shared with the Board that all communities should review their local planning policies to determine if the plan and policies previously adopted are still relevant for current activities and long-range planning purposes. Goodlettsville's Land Use Policy plan upon which the Zoning Ordinance is based was discussed and adopted in 1989. It is substantially unchanged from that time, however, many other areas of the community have changed.

Specifically, the following areas should be considered: (1) should the city continue to have regulations which encourage new development; (2) at what density should property be developed; (3) should the city be doing more to encourage commercial development; (4) what can the city do to revitalize and upgrade existing buildings/businesses; and (5) should the city be more aggressive in developing new sites.

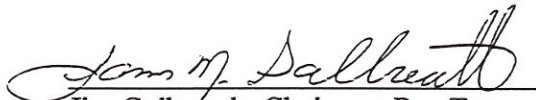
Driver and Galbreath concurred that re-evaluation of the Land Use Policy is needed and suggested a work session be scheduled for the Board to review the policy. Terry added that should the Land Use Policy be changed, the Zoning Ordinance would need to be revised also. Trew stated that he was concerned about deviating from commercial master plans to accommodate the current market. Terry agreed that the market refuses to align with the current land use plan. Terry was directed by the Board to develop a work schedule to review the Land Use Policy.

**Item #2** - Bennie Lane, Director of Codes, requested the Board make a recommendation to the City Commission to officially change the name of portions of Dickerson Road within the city limits to Main Street. The roadway from East Cedar Street to the county line at Mansker Creek

would be renamed North Main Street with addresses ranging from 100 to 799. The roadway from East Cedar Street to Shevel Drive would be renamed South Main Street with addresses ranging from 100 to 699. All city departments, Metro Public Works Department, Davidson County Emergency Services (911) and the Goodlettsville Postmaster have been contacted and have no objections to the change.

Coombs recommended and Manning concurred that the plan be redesigned to establish Long Hollow Pike as the division between north and south. Lane stated that the current businesses located at 100 South Main Street would be affected by the Long Hollow Pike north/south boundary; however, this location is currently being considered for future development.

Motion by Coombs to recommend to the City Commission to rename the portion of Dickerson Road extending from Shevel Drive to Mansker Creek to Main Street. with the north and south artery to delineate from Long Hollow Pike. Motion seconded by Manning. Motion passed unanimously.

  
Jim Galbreath, Chairman Pro Tem

  
Vicky Ignatz, Recording Secretary