

MINUTES OF REGULAR MEETING
GOODLETTSVILLE PLANNING & ZONING BOARD

August 7, 2000

5:00 PM

Massie Chambers

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

Absent: John Cannon

Also Present: David Wilson, Jim Thomas, Bill Terry, Jack Tompkins, Vicky Ignatz, Ralph O'Mara Garcia, David Chandler, Bruce Bennett, Richard Pope, Bennie Lane, Teresa Galbreath, Will Galbreath, Greg Mayo, Debbie Robinson, Richard Uselton, Rocky Montoya, Bill Geiger, Dan Hawkins, Robert McCain

Prayer was offered by Grady McNeal. The minutes of the July 10, 2000 Goodlettsville Planning and Zoning meeting stand approved as written.

Item #1 ((.1 #4-00)) Consider request of Jason Blakeman, DDS Engineering, to approve the final master plan for the Immigration and Naturalization Services Building, Northcreek Commons, Sect. 8, Lot 12, Northcreek Blvd., Davidson Co. Tax Map 26, Parcel 153.

Staff reviewed. Terry stated members of the Planning & Zoning Board and city officials traveled to Bowling Green, KY on August 1, 2000 to visit the site of a newly completed INS building. Terry noted the location for the facility is not in a business or office park. It is a highway strip zone that is undergoing a change from low density residential and agricultural to high density residential and commercial. Terry noted that a key issue for the Board to consider relative to the use of this building is whether the building is a detention facility. He then clarified for the Board that the Goodlettsville Zoning Ordinance does not define a detention facility nor does the ordinance make the distinction, as defined in law enforcement terminology, that temporary detention for a limited period of hours is not detention. Within the use classification system of the zoning ordinance, a facility of this type is classified as an extensive impact community facility and is not permitted within a commercial planned unit development.

Trew requested a summary of Northcreek Commons preliminary master plan. Terry stated the 1987 plan included the anchor shopping center that includes a Kroger store with adjacent retail shops. Additional proposed uses included lots for restaurants, retail stores, showrooms, a hotel and a theatre. The master plan has been revised over the years to include one office building, a USPS satellite office, three motels, an outlot for a Dollar General retail site. One area was rezoned to permit a high density residential development which was approved to support retailing in the area.

Vice-Chairman Galbreath invited comments David Chandler, developer of the proposed INS site. Mr. Chandler thanked the Planning Board for touring the INS location in Bowling Green, KY. He stated he is a private landowner in Goodlettsville with plans to become a corporate citizen. He believes the use of land in Northcreek Commons is well documented. He doesn't feel the Planning Board has the autonomy to disallow the proposed use of the property nor does he believe the Circuit Court would agree with the autonomy of the Board in ruling against the request.

Trew stated that there is a false impression within the community that the INS building would create a dangerous situation for Goodlettsville. His reservation with the request is the location of the proposed site which is in the last viable retail area in the City. He believes the scheduled expansion of Conference Drive will ultimately open up ample retail opportunities for Northcreek Commons. Detention is a gray area according to the zoning ordinance and the proposed facility would not be in agreement with the master plan for the PUD.

Driver stated he has a great concern regarding the detention issue. He believes the proposed facility does represent a detention facility and should not be placed in the commercial PUD. He agrees with Trew that the facility would not pose any threat to the community; however, the use of a prime retail site would not be appropriate.

Motion by Driver to deny the request of approval of the master plan for the INS building in Northcreek Commons based on the original intent of the PUD master plan as a commercial retail development and the Board's interpretation and finding that the proposed use is in fact detention for zoning purposes and, therefore, is not permitted in the commercial PUD. Motion seconded by Coombs. Motion passed unanimously.

Item #2 ((.1#3-99)) Consider request of J.R. Parr Company, Inc. to release the \$14,275 letter of credit for Northcreek Plaza, Phase I.

Staff reviewed. Terry reported the handicapped parking spaces and ramps, grading of drainage ditch and landscape requirements have been addressed and are acceptable upon review of the site.

Uselton asked the Board to consider the construction of a turning lane on Conference Drive at Northcreek Blvd. Terry stated the Conference Drive widening project would be bid in December, 2000 and construction beginning in Spring, 2000 with an estimated eighteen month construction process. Tompkins stated Public Works Department has discussed the possibility of building a temporary turning lane at this site and determined the construction costs would be the responsibility of the developer.

Motion by Coombs to accept the request for the release of the \$14,275 letter of credit for Northcreek Plaza, Phase I and to direct Richard Uselton to provide the City with a \$5,000 cashiers check for his percentage share of the installation of the proposed traffic light at Conference Drive and Northcreek Blvd. Motion seconded by McNeal. Motion passed unanimously.

Item #3 (9.1 #5-00) Consider request of Greg Mayo, Mayo Architecture Associates, LLC, approve the site plan for an addition to Destination Nashville, Lot 16, 835 Wren Road, Davidson Co. Tax Map 34-1, Parcel 16.

Staff reviewed. Terry reported the site plan is for an existing business located in a converted house. The business wants to expand and proposed to double the size of the building by adding on to the rear of the existing building. The Zoning Ordinance was amended to include the provision that any increase in square footage more than 1/3 of the existing building would require the entire site to be brought into full compliance with current zoning requirements. This situation applies to this site plan. The plan has been submitted and reviewed by staff on two

occasions. Staff has not received a response to requested corrections dated 8/4/00 relating to drainage, grading and landscape issues.

Galbreath stated due process by the Board can't proceed without staff approval of an acceptable site plan. Greg Mayo, project architect, stated the remaining issues were technical in nature. Terry stated the major issues remaining are drainage calculations, landscape requirements, grading relating to stormwater runoff and non-compliance of width of the rear parking lot.

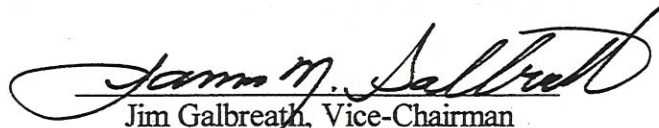
Motion by Coombs to defer item until September, 2000 Planning & Zoning Board meeting. Motion seconded by Williams. Motion passed unanimously.

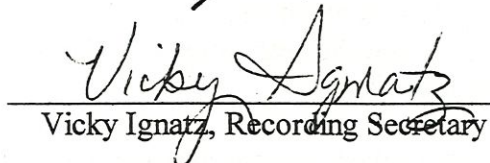
Item #4 (9.1 #8.98) Consider request of Steve Brown, Barge Waggoner Sumner Cannon, to rezone the Jackson Property from A to HDRPUD and to approve the preliminary master plan for the site, Old Dickerson Pike, Davidson Co. Tax Map 25, Parcel 67.

Petitioner deferred request until further notice.

David Wilson reported during the July 27, 2000 City Commission meeting Mary Ann Gourley's resignation from the Planning & Zoning board was accepted. The City Commission will consider candidates to fill the vacancy.

The meeting adjourned at 5:40 PM.


Jim Galbreath, Vice-Chairman


Vicky Ignatz, Recording Secretary