

MINUTES OF REGULAR MEETING
GOODLETTSVILLE PLANNING & ZONING BOARD

March 6, 2000

5:00 PM

Massie Chambers

Present: John Cannon, Scott Trew, Grady McNeal, Jim Galbreath, Mary Ann Gourley, Jim Driver, Jim Hitt, Margaret Wall, Susan Williams

Absent: John Coombs

Also Present: David Wilson, Bill Terry, Jack Tompkins, Vicky Ignatz, Evelyn Woodrow, Carolyn & Steve Russell, John & Nancy Edmondson, Susie Pemerton, Judy & Don Pratt, Carl Willis, Phil Klober, David Kuehnen, Frank Horton, Steve Brown, Brock Rust, Rob Porter, William Crenshaw, Millard Bridges, Debbie Robinson

Prayer was offered by Grady McNeal. The minutes of the February 7, 2000 Goodlettsville Planning & Zoning Board meeting were approved as amended.

Item #1 (9.1 #14-89) Consider request of Bruce Rainey to approve final plat for Bobby S. Goad, Sr. property, 124 Long Hollow Pike, Davidson Co. Tax Map 26-1, Parcel 106.

Staff reviewed. The property is the current site of a car wash and was the former site of a B-B-Q drive-thru restaurant. In 1989, the restaurant was approved as a PUD, and it, along with the car wash and an old house were on one piece of property. The current owner wants to subdivide the property into two lots in order to separate the car wash from other potential uses.

One of the requirements on the master plan for the restaurant was that a "flow through" traffic lane be utilized. In order to approve this plat and create two separate uses, this requirement will need to be rescinded. In addition, any change of use that is substantially different from the pre-existing uses will have to be approved by the board due to the fact that the property is zoned CPUD.

William Crenshaw, Bruce Rainey & Associates, stated all corrections requested by staff have been addressed except the current sign being located in the right-of-way. Mr. Goad, the property owner, has applied for a sign permit to correct this problem. Terry stated there are a few technical items to be completed.

Cannon asked if the "flow through" traffic lane is rescinded, is there adequate access for both lots from their respective roads? Terry stated there is access from Long Hollow Pike for the car wash. There is currently access from Two Mile Parkway for the house; however, future adequate access to this lot will depend upon future proposed plans. If the flow through traffic lane is rescinded another drive thru restaurant would not require the approval of the Board; however, any other type use would require a master plan and the Board will be able to address access during this stage.

Driver asked if there is a minimum square footage requirement for a CPUD. Terry stated if you were to apply today for rezoning for a CPUD, you would need a five acre minimum. However, the property being considered for subdivision is currently in a CPUD district.

Williams and Hitt stated their concern regarding rescinding the flow through traffic lane and not including this requirement in place for future restaurant use. Terry stated the subdivision plat does not make any provision for the flow through traffic lane. This issue can be addressed in the subdivision approval by creating an easement reservation for common access for the two parcels. Cannon stated that the plat as it exists is inappropriate because it does provide for flow through traffic. Crenshaw asked if a note on the subdivision plat would be agreeable to denote flow through traffic. Terry stated a note at the exact location stating it is a reserved easement for common access would be required. Crenshaw stated he would need to discuss this issue with the owner of the property to determine if an easement would be agreeable.

Motion by Driver to defer item. Motion seconded by Gourley. Motion passed unanimously.

Item #2 (9.1 #1-00) Consider request of Millard Bridges to rezone the Maxine Sadler property on South Cartwright Street from A to IG, Davidson Co. Tax Map 26, Parcel 70.

Staff reviewed. The Sadler property is a remnant of a large parcel that existed prior to the construction of I-65 and the mall area. It is situated between I-65 and the Space Park North Industrial Park. The property has never been developed. The zoning of the property was shown as Agricultural on the 1985 zoning map. The property is now under contract to Med-Assets-REMEDPAR and the company is seeking rezoning from A to IG - Industrial General in order to construct a new plant and office facility. It will also be possible for further development to occur on the property.

The Land Use Policy Plan indicates that this property is for future industrial development, therefore the request is in accord with the plan. This property does not border a public road, but an easement through Space Park North property is available. Should this property be subdivided in any way, it would need to be on a public street as opposed to a private street. At that time a decision would need to be made of connecting the easement with the existing public aspect of Cartwright Street.

Motion by Driver to make a recommendation to the City Commission to rezone the Maxine Sadler property from A to IG. Motion seconded by Williams. Motion passed unanimously.

Item #3 (9.1 #2-00) Consider a request of Steve Brown, Barge Waggoner Sumner Cannon, to approve preliminary PUD for the McHan property, Willis Branch Road, Sumner Co. Tax Map 143, Parcel 51.01.

Staff reviewed. This proposal has been before the board for the last two months as an addition to Twelve Stones Crossing. A new request has been filed with the property as a free-standing PUD not using any of the open space of Twelve Stones Crossing. The new master plan now meets the density requirement of 1.7 units per acre for a low density planned unit development. This plan is in accordance with the Land Use Policy Plan for this property. Issues which need to be discussed are zoning, flooding, traffic and new road construction. The road alignment of the plan has also been changed and some lot sizes on steeper slopes have been increased.

Brock Rust, developer of the McHan property, stated 5 or 6 lots were removed from the flood plain area providing 83 lots, 15,000 square feet each which equals 1.7 units per acre with open space compliance. The developer will install 2,500 feet of trunk sewer line. Road alignment modifications have been made with a proposed alternate road built above the flood plain running parallel with Willis Branch Road and tying it back into Twelve Stones Crossing's road system. This would provide the residents along Willis Branch Road an alternative route during flood situations. This is a more viable solution than raising the elevation of Willis Branch Road and create a dam for the storm water drainage.

Cannon asked if the plan will conform with the Land Use Policy. Terry stated a low density planned unit development is in compliance.

Rob Porter, Barge Waggoner Sumner and Cannon, stated a traffic study has been prepared regarding traffic distribution and turning lanes required. The traffic model included Willis Branch Road at Long Hollow, Willis Branch at Caleb's Walk and Caldwell Road at Twelve Stones Crossing. The study included a Level of Service analysis indicating a Level B for these intersections. This indicates above average service for these locations. The study also showed there is not a need for turning lanes at this time. Willis Branch Road will be able to accommodate the addition of the 83 homes to the area. Porter reported there a Peak AM of 67 vehicles and a Peak PM of 97 vehicles which will produce 800 trips per day. Hitt asked Tompkins if the traffic study is acceptable to staff. Tompkins stated staff has not had time evaluate the study.

Terry stated the elevation of the existing bridge at Twelve Stones Crossing across Willis Branch Road needs to be addressed. The point has been raised as to whether or not the elevation can withstand a 100 year flood. Rust stated his engineers have met with Jack Tompkins, City Engineer, and measured the bridge. The box culvert and road are above the 100 year flood plain for Willis Branch. However, the box culvert and road are approximately 1 to 2 feet below 100 year flood plain for Madison Creek. The road will be brought up to the elevation for the 100 year floor plain for Madison Creek. When the intersection is constructed, the elevation will be above the 100 year floor plain for both Madison Creek and Willis Branch. There will be a need for two additional large drainage structures in order to not raise the flood elevation

Hitt asked if there had been additional stormwater calculations made for the new development. Tompkins stated detailed calculations on flow have not been determined; however, there will be a requirement for a two year detention pond for the area. Because the area is so close to the creek, the ten year detention pond was not used in order to permit the water to flow quickly downstream. Galbreath requested the Board require a new flood study prior to approval of the rezoning request. Rust stated the stormwater calculations have been studied twice. They have been reviewed and approved for the Twelve Stones Crossing development. Terry stated normally the stormwater calculation study is part of the final master plan. This information is not necessary for the rezoning issue.

Cannon asked if staff or TDOT has studied the Willis Branch issue. Tompkins stated the best way to correct the problem is to relocate the road out of the flood way. There could be future expansion of the proposed road in the new development to connect with Long Hollow Pike and leave the

current Willis Branch Road as a scenic route or future greenway.

Galbreath stated his concern regarding the families which are opposed to the development. Hitt stated the proposed new road will effect the adjoining property owners to the degree that they feel they would need to relocate. Terry stated the R-40 zoning of the property guarantees development of this property. The rezoning to LDPUD would permit a quality development, elevate the street system out of the 100 year floodplain and provide for an additional 2,500 feet of the public sewer system.

Motion by Wall for conditional approval of the preliminary plan based on final approval of staff and to recommend to the City Commission to rezone the McHan property from R-40 to LDPUD. Motion seconded by Trew. Motion passed 8-1 with Galbreath opposed.

Item #4 (9.1 #2-00) Consider request of Phil Klover to approve site plan for Northcreek Plaza addition, Conference Drive, Davidson Co. Tax Map 26, Parcel 105.

Staff reviewed. Terry stated this plan is the second phase of Northcreek Plaza. Phase I was completed in 1999. Staff suggested an alternative parking lot plan which has been incorporated into the plans. The landscape island is not necessary for compliance; however, the contractor did not remove from plans. There are technical details which can be left to staff.

Klover reported he is waiting for final approval from Madison Suburban Utility District and TDOT. A retaining wall will be situated along the property line of the proposed site and the KY/TN Conference building.

Galbreath stated the traffic egress is very dangerous at the location of Conference Drive and Northcreek Blvd. He asked what the effects of the widening of Conference Drive will have on the driveway access and the possibility of the installation of a traffic light at the intersection. Terry stated the driveway access will be maintained during the road widening. A traffic light is planned to be installed after the completion of construction. Terry commented if money is spent at this time to install a traffic light, additional money would be required to readjust the lighting system upon completion of the construction.

McNeal asked the reason for not eliminating the landscape island and increasing the access area for deliveries. Klover stated the landscape island was retained in the event of future owners.

Motion by Hitt for a conditional approval of the site plan for the addition to Northcreek Plaza based on final staff approval. Motion seconded by McNeal. Motion passed unanimously.

Item #5 (9.1 #3-99) Consider request of Steve Artz to approve final plat for Conference Subdivision Conference Drive, Davidson Co. Tax Map 26, Parcel 105.

Staff reviewed. Terry stated this plat creates the building site for the Northcreek Plaza addition. It is in compliance with the zoning regulations. There are technical details which can be handled by

staff.

Motion by Hitt for conditional approval of the final plat for Northcreek Plaza addition based on final staff approval. Motion seconded by McNeal. Motion pass unanimously.

Item #6 (9.71) Consider request of Russell Pitzer, Gresham Smith and Partners, to approve revised master plan for Northcreek CPUD, Davidson Co. Tax Map 19-14, Parcel 14 & 18, Lot 1A & 1B.

Staff reviewed. Terry stated the revised master plan represents a complete change from the original concept for the shopping center and eliminates the possibility that the existing building configuration will be continued with the new phase. There is no architectural integrity left of the original concept for the shopping center.

David Kuehnen, Gresham Smith and Partners, stated JDN Development Co. wanted to pursue additional outlots prior to final approval of the master plan. The total square footage of the proposed site has been reduced from 217,000 sq. ft. to 179,000 sq. ft. Trew and Cannon stated this proposal will eliminate the possibility of future development of an anchor store. Driver stated he was not in favor of this proposal.

Terry asked if the developer has current knowledge of other retail businesses interested in locating in the shopping center. Kuehnen stated that JDN Development Co. can produce interest and development with the three developed outlots.

Motion by Driver to deny approval of the revised master plan for Northcreek CPUD. Motion seconded by Trew. Motion passed unanimously.

Item #7 (9.1 #1.97) Consider request of Frank Horton and Brock Rust to change the Estates at Twelve Stones to a gated community with a private road, Willis Branch Road, Sumner Co. Tax Map 143, Parcel 81.

Staff reviewed. Terry stated the developers are examining the possibility of converting the street to a private street and making it a gated community. Additional requests include a gate structure and identification sign. The request has been researched and it is permissible under the subdivision regulations with the following provisions. Streets shall be constructed to the same standards as a public street; each lot must have a permanent access easement over the entirety of such street; all private improvements shall be maintained by a legally established homeowner association approved by the Goodlettsville Planning Board; public easements shall be provided for all utilities and drainage improvements; and special provisions must be made for emergency services and bypassing the gate. The gate would need to be approved by the Goodlettsville Fire and Police Departments.

Tompkins stated the final plat would need to include the dedication of a drainage easement to the city. Driver stated if all requirements set forth by the City are met then he would have no problem with the proposal.

Frank Horton, Landsource, Inc., will investigate and address the issues presented by staff. He is requesting informal comments at this meeting and will re-file a subdivision plat at a later date.

No action taken by the Board.

Non-agenda items:

Item #1 - Terry requested the Board to approve requested amounts for two letters of credit for North Creek Associates, LTD, the original developers for North Creek Commons. North Creek Associates, LTD. has amended the Letter of Credit #39403-01 of \$123,000 for certain improvements to Northcreek Blvd. and request a decrease in the amount to \$99,000.000. The letter of credit will be extended until March 4, 2001.

Motion by Hitt to approve the requested reduction amount of \$99,000 in the Letter of Credit #39403-01 for North Creek Commons. Motion seconded by Wall. Motion passed unanimously.

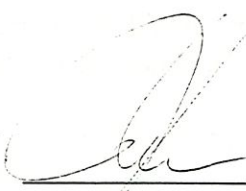
North Creek Associates, LTD. has amended the Letter of Credit #39403-02 of \$25,000 for sewer line extension across Lot 11, Section 8 of North Creek Commons. The letter of credit will be extended until March 28, 2001. Both letters of credit are issued through The Bank of Nashville.

Motion by Driver to approve the amount of \$25,000 in the Letter of Credit #39403-02 for North Creek Commons. Motion seconded by McNeal. Motion passed unanimously.

Item #2 - Terry requested approval of the Board to revise Planning and Zoning Board's submittal schedule for plans. The schedule would extend the submittal date period from the present three weeks to four weeks. This would eliminate the need for excessive conditional approval votes by the Board and allow the applicant additional time to revise plans based on staff review.

Motion by Williams to approve request to revise Planning and Zoning Board's submittal schedule. Motion seconded by Wall. Motion passed unanimously.

The meeting adjourned at 7:35 PM.



John Cannon, Chairperson

Vicky Ignatz, Recording Secretary