

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

February 7, 2000

5:00 PM

Massie Chambers

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

Absent: John Coombs, Susan Williams

Also Present: David Wilson, Bill Terry, Charlie Lowe, Jack Tompkins, Vicky Ignatz, Rusty Tinnin, Fran Tinnin, Mark Writesman, Larry McClanahn, Gary Batson, John Manor, David Lucky, Steve Artz, Dwayne Caldwell, Mike Bjertsett, Evelyn Woodrow, Carolyn & Steve Russell, Fay Birdwell, John & Nancy Edmondson, Susie Pemerton, Valerie Boehm, Judy & Don Pratt, Tom Ouellette, George Robinson, Jason Wood, L. Steven Bridges, Jr., Tim Boyd, Lori White, Chris Vanover, Carl & Connie Willis, C. Fessenden

**Item #1 (9.1#16.95) Public hearing and consider request of Fran & Judi Tinnin to rezone property on Dorris Drive from CS/R10 to CS, Davidson Co. Tax Map 18-15, Parcel 191.**

Staff reviewed. Terry stated this request was before the board on Nov. 6, 1995. Nothing related to the physical conditions of the property have changed. The property is split zoned R-10 and CS. There is no direct access to the property from Dickerson Road. The property owners would like to sell the property and could perhaps get more revenue for the property if the entire lot is zoned commercial services.

Cannon asked for comments from adjoining property owners. Craig Fessenden, Tom Willette, and Pam Birdwell, speaking on behalf of adjoining property owners Faye & Wesley Birdwell, spoke in opposition to the request due to the impact of commercial traffic on the dead end street and the difficult egress onto Dickerson Road. Terry stated Carnell Cripps, adjoining property owner, called his office today to inform the board of his opposition to the zoning request. Mrs. Alice Smith stated she was not opposed to the rezoning of the property if a preliminary plan for commercial use of the property could be reviewed to determine how it would impact her property and other property owners.

Rusty Tinnin stated the property is presently zoned 72% commercial and it would be financially beneficial to rezone the remaining property commercial. The parcel is the first property on the right side of the street and would not impact the traffic on the remainder of the street. Tinnin stated there is no current offer on the property due to the split zoning. In the past, developers had been interested in the property had it been zoned CS.

Driver read from the zoning ordinance regarding commercial services district stating "The uses in this district service a wide market area; and, therefore, ease of automotive access is a requirement". He stated he would not be in favor of rezoning the property commercial services and increasing traffic on a dead end, steep sloped street entering Dickerson Road.

Motion by Driver to deny the request to rezone the property on Dorris Drive from CS/R10 to CS. Motion seconded by Trew. Motion passed unanimously.

**Item # 2 (9.1 #1.97) Public hearing and consider request of Steve Brown, Barge Waggoner Sumner and Cannon, to approve the revised preliminary PUD for Twelve Stones Crossing, Sumner Co. Tax Map 143, Parcel 51.01.**

Staff reviewed. Terry stated the developer is proposing to acquire additional land on Willis Branch Road across from the existing northern boundary line of Twelve Stones and wants to include this area as part of the overall PUD. This approach will require rezoning of the new area from R40 to Low Density PUD. The basic reason for this approach is to capitalize on the golf course as open space and use it in the density calculations for the additional land to build on 15,000 square foot lots. There are several corrections/changes that need to be addressed as part of the master plan; however, the basic issue here relates to land use policy.

The maximum density permitted in the PUD is 1.7 dupa (dwelling units per acre). The existing Twelve Stones development has a density of approximately .75 dupa. Thus, by calculating the golf course as permanent open space, the development has a density which is much lower than actually permitted. Now the developer wants to add additional land to utilize that same open space in density calculations in order to achieve smaller lots than permitted by R40.

Cannon requested comments from the adjoining property owners. Susie Pemberton stated she is in favor of the proposed development; however, she would like the storm water drainage measures and the inadequate construction of Willis Branch Road as it relates to flood waters and heavy traffic to be addressed. John and Nancy Edmondson stated they are against the rezoning of the property and are concerned about flood water management, the physical condition of Willis Branch Road as it relates to increased traffic and flooding as well as overpopulation of existing schools. Mr. Edmondson stated the flood water has already reached the surface of the newly built bridge in Twelve Stones eliminating the proposed exit for Willis Branch Road residents in a flood si Carl Willis stated he is against rezoning. The traffic volume has increased dramatically with the Twelve Stones development and he would like to see a traffic study completed as to how any future development will impact the area. He is concerned about the proposed landscape buffer as it relates to adjoining property owners. Judy Pratt is in favor of the proposed development; however, she has a concern regarding increased flood water drainage due to the development.

Brock Rust, developer for Twelve Stones Crossing, addressed the citizens comments. The original proposal is less than one unit per acre and will utilize 15000 sq. ft. lots combined with common open space. The development will be a low density residential PUD as in Twelve Stones along with the restrictive covenants and amenities. Rust stated a revised traffic impact study for Twelve Stones Crossing has been submitted to the City for review. The traffic review distributed traffic to Caldwell Road and Willis Branch Road. The study anticipated that most of the residents will continue travel on Caldwell Road. Steve Brown, Barge Waggoner Sumner Cannon, provided revised data from the original 1997 traffic study for Twelve Stones Crossing. The proposed development will generate 67 new trips during the A.M. peak travel time. The P.M. peak travel time will generate 91 new trips. The average daily traffic will increase to 69 trips per day. The A.M. peak travel time on Willis

Branch Road will generate 45 new trips and P.M. peak travel time will generate 60 new trips. Cannon asked if the staff has time to review the revised traffic study for Twelve Stones Crossing presented to the Board. Terry stated the study has not been reviewed by staff.

Rust stated the street design for Twelve Stones Crossing was designed and built to be at or above the 100 year flood plan and will tie into the road system for the proposed development allowing access from Willis Branch Road during a flood event. A substantial elevation of Willis Branch Road would essentially create a dam dividing the water flowing down Madison Creek and the storm water drainage moving down the hill. Rust proposed to leave the road system essentially as designed; decrease the number of lots from 92 to 88, therefore, decreasing the density; and top pave Willis Branch Road for the length of the property. This would allow the traffic generated from the new development to use the new portion of the road. Landscape buffers will include a 20 ft. landscape easement to include all existing trees over 4" in diameter and 20 ft. of additional landscape buffer for a total of 40 ft. buffer for adjoining property owners and to eliminate the building of any structure in this area.

Cannon directed the Board to consider whether the proposal is an appropriate usage of property currently zoned R40 and, secondly, whether the revised plan can be incorporated into the existing PUD based up the open space of Twelve Stones Crossing's golf course. Terry stated the revised plan does eliminate 4 lots creating additional open space, however, it does not meet the density requirements for a free-standing low density PUD which is 1.7 dupa. The revised plan provides for 1.79 dupa.

Galbreath asked if the city has generated a current traffic study of Willis Branch Road and how the proposed development will impact traffic flow on Willis Branch. Terry stated there is no current study available, therefore, there is no point of reference regarding impact of development. Galbreath asked how this parcel of land is identified in Goodlettsville's land use policy. Terry stated the parcel is shown as low density residential zoning which permits 1 to 2 dwelling units per acre. Galbreath asked Charlie Lowe, the city's engineering consultant, if this development would increase the storm water drainage into Madison Creek. Mr. Lowe confirmed it would increase storm water drainage. The present road system in Twelve Stones has met the FEMA criteria for the 100 year flood line and is in compliance with engineering and construction requirements. The proposed road system for the new development also complies with the criteria for the 100 year flood line and should provide a means of egress from the development to Caldwell Road during a flood event. Driver asked Lowe and Tompkins for feedback regarding handling the storm water drainage. Lowe stated the full storm water management documents are accomplished through construction plans at the final approval of the site plan and cannot be determined at this stage. Tompkins stated storm water detention would be required in some form for the development during the final approval.

*McNeal*

McNeal stated he is against changing the criteria of the land use policy and believes the development should only be approved as a freestanding PUD. There are several other items, including the current construction of Willis Branch Road which need to be addressed before any development in the area should be approved.

Motion by Galbreath to deny the request to approve the revised preliminary PUD for Twelve Stones Crossing. Motion seconded by Driver. Motion passed unanimously.

**Item #3 (9.1 #1.97)** Consider a request of Steve Brown, Barge Waggoner Sumner and Cannon, to approve the final plat for The Estates at Twelve Stones Crossing, Willis Branch Road, Sumner Co. Tax Map 143, Parcel 81.

Staff reviewed. This development is located along Willis Branch Road. The preliminary plat was approved and the roadway is rough graded with utilities installed. The final plat is the recording document that creates 16 new lots and dedicates the public improvements. There are some minor technical corrections that need to be made and a bond needs to be authorized for the security of improvements.

Motion by Hitt for conditional approval of the final plat for Twelve Stones Crossing based on final staff approval and to authorize the City to accept a bond to be established by the City Engineer. Motion seconded by Gourley. Motion passed unanimously.

**Item #4 (9.1 #12-92)** Consider request of Larry McClanahan, P.E. to approve revised master plan for Dry Creek Pointe PUD, Phase II, Dry Creek Lane, Davidson Co. Tax Map 33, Parcel 206.

Staff reviewed. Dry Creek Pointe was approved for development in two phases. All of the lots in Phase I have been completed and houses finished. Phase II was left undeveloped but was planned as the same type of single family lot and house. A housing development firm has optioned the Phase II land and wants to amend the approved plan in order to construct a 17 unit apartment housing development for handicapped individuals. This does constitute a major change in the approved master plan because it changes the configuration since the original plan was for single family lots. There are also several items relating to design and technicalities of the plan which need to be addressed.

Larry McClanahan, P.E. and Mike Bjertsett, National Handicapped Housing, proposed a revision to the master plan for the PUD. Phase II is high density permitting 7 units per acre. The development would include 17 units housed in two building and would provide a density of 2.89 dwelling units per acre. The property on the north of the development will be maintained as open space due to flood plain elevations. The development will provide independent living for handicapped individuals.

Betty Balthrop, Councilwoman for Metropolitan Nashville Davidson County, 10<sup>th</sup> District, introduced Ms. Smith, President of the Homeowners Association of Dry Creek Pointe, Phase I.

The Declaration of Restrictions, establishes that if Phase II is ever developed, the development must follow the guidelines and bylaws of the Homeowners Association. The Declaration of Restriction states that construction of any kind is restricted to single family homes not apartment buildings.

Single Family Home Residential Construction, Part II of the bylaws, states "No building shall be erected, altered, or permitted to remain on any lot other than one detached single family residential dwelling, not to exceed two and one half stories in height and a private garage for not more than three cars". They would like to develop Phase II with single family homes. The Home Owners Association

Board has to approve any recommendations made by the Planning Board. They will not do this and will follow their guidelines and bylaws.

Cannon asked if the Declaration of Restrictions been recorded with the Registrar's Office for Davidson County. Ms. Smith stated this document has been registered under No. 9863PC153. Cannon stated the Declaration of Restrictions is a binding document for the homeowners and the only way to change the restrictions is by action of the Homeowners Association. We have been advised by the Homeowners Association this will not occur.

Mike Bjertsett, National Handicapped Housing, requested a deferral of the request. Motion by Wall to accept request to defer action on this item. Motion seconded by Gourley. Motion passed unanimously.

**Item #5 (9.1#17-98) Consider request of Steven Artz to approve final master plan for Wynridge, Section I, Long Hollow Pike, Sumner Co. Tax Map 140, Parcel 125 & part of Parcel 125.02.**

Staff reviewed. Terry stated this plan is for the residential development located behind Madison Creek School. The latest submission of plans appears to take into account most of the changes suggested by staff. There are four remaining issues to be discussed. 1) The landscape plan needs to address additional tree screening along the Long Hollow Pike side of the property lines.

2) Provisions have been made for access from the subdivision to the school. There is no provision on the plan to construct a trail or walkway. This should be done in order to keep the common area and access from being incorporated into the lots by default. 3) The deed restrictions proposed do not exactly match the provisions that were approved with the preliminary master plan. The approved preliminary plan indicates each house will have 60% minimum brick, masonry or stucco. The final master plan states a 50% minimum of masonry or veneer. This needs to be corrected. 4) A letter is needed from the Sumner County Board of Education that a sewer line can be located in the easement on the school property. 5) Revisions have been made to the construction plans relating to sewers, storm water drainage and fire hydrants. These are still being reviewed and minor adjustments may be required.

The City Engineer has the construction plans which has two items that need to be addressed: 1) The construction plans show a drainage plan which is not totally consistent with the preliminary master plan approved. The current plans do not indicate a detention pond located on the school site to handle storm water drainage. 2) There are several areas on the plans showing where drainage pipe is to be located on the site. There may be some additional easements locations that need to be considered more closely on the construction plans and the final plat;

Cannon asked David Lucky, developer for Wynridge, if he had any objections to any of the corrections stated by Bill Terry. Lucky stated he agrees to all the requested changes. He did request conditional approval of the sewer line easement due to the possible use of adjoining property for sewer easement purposes. Should this situation not develop, a letter will be obtained from the Sumner Co. Bd. of Education regarding sewer easement.

Tompkins stated there are two major issues to be based on conditional approval. 1) The sewer line needs to be constructed through the Sumner Co. Bd. of Education easement or another easement.

2) The developer has agreed to construct a drainage pipe for the detention pond storm water flow to be routed through a proposed easement on the Willis property; however, this will occur only if the Willis property is subdivided. If the Willis property is not subdivided, the developer will revisit the easement request through the Sumner Co. Bd. of Education. Tompkins stated the current drainage problem on the Willis property would be corrected with the granting of an easement for sewer line and detention pond drainage for the Wynridge development. Terry asked what would occur if the easement is not granted. Tompkins stated the City cannot force the developer to construct a drainage pipe to correct an existing drainage problem.

Galbreath questioned two sections of the Declaration of Covenants, Conditions and Restrictions for Wynridge. On page 13, item 9 as it relates to "septic tanks", Mr. Lucky stated the description is an error and will be removed from the document. On page 16, section 6, 2<sup>nd</sup> paragraph, final sentence regarding homeowners maintenance of open space, Terry suggested amending the statement to read "....., such agency shall continue maintenance for yearly periods with cost to be accessed to the individual property owner".

Motion by Trew for a conditional approval of the final master plan for Wynridge based upon final staff approval. Motion seconded by Hitt. Motion passed unanimously.

**Item #6 (9.1 #17-98) Consider request of Steven Artz to approve final plat for Wynridge, Section I, Sumner Co. Tax Map 140, Parcel 125 & part of Parcel 125.02.**

Staff reviewed. Terry stated the plat needs some minor corrections which are of a technical nature. The location and width of the easements of the drain pipes in the ground need to be addressed. The City Engineer might want to request a provision for the easement across the common open space where the drain pipe empties. There is a discrepancy between the final plat and the construction plans regarding the location of the water line. Staff needs to be given the authority to accept and set the amount of bond prior to deed recording.

Motion by Gourley for a conditional approval of the final plat for Wynridge, Section I based upon final staff approval and the authority to accept and set the amount of bond prior to recording of deed. Motion seconded by Driver. Motion passed unanimously.

**Item #7 (9.1 #1-98) Consider request of L. Steven Bridges, Jr. to approve preliminary master plan for The Hill Place, Old Brick Church Pike, Davidson Co. Tax Map 18-16, Parcel 114.**

Staff reviewed. This proposal was presented to the board three months ago as a concept for a PUD. This cluster development would provide 10 buildings with 20 dwelling units with a double drive leading into the development instead of individual driveways entering onto Old Brick Church Pike. The development provides 3 units per acre, whereas, high density PUD zoning allows 7 units per acre. There are some revisions to the master plan that need to be addressed by staff.

Gourley and Neal asked if this development will continue to be owned by one person. Mark Writesman, owner and developer, stated long term ownership is planned. Terry stated should the PUD development convert to condominiums a plat would have to be approved to sell the individual units and a homeowners association formed to own and manage the common open space.

Motion by Trew for a conditional approval of The Hill Place PUD, Old Brick Church Pike based upon final staff approval. Motion seconded by Driver. Motion passed unanimously.

**Item #8 (9.1 #1-98) Consider request of L. Steven Bridges, Jr. to rezone property on Old Brick Church Pike from R-15 to HDPUD, Davidson CO. Tax Map 18-16, Parcel 114.**

Staff reviewed. The zoning request goes with the preliminary master plan as a recommendation to the City Commission

Motion by Trew to approve the request for rezoning and forward it to the City Commission. Motion seconded by Gourley. Motion passed unanimously.

**Item #9 (9.71) Consider request of Russell Pitzer, Gresham Smith & Partners, to approve final plat for Northcreek Commons PUD, Northcreek Blvd., Davidson Co. Tax Map 19-14, Parcel 14 & 18, Lot 1A & Lot 1B.**

Request for indefinite deferral by Russell Pitzer, Gresham Smith & Partners.

Motion by Wall for indefinite deferral of approval of final plat for Northcreek Commons PUD. Motion seconded by Gourley. Motion passed unanimously.

**Item #10 (9.1 #11-99) Consider request of Gary Batson, P.E. to approve revised site plan for an addition to Goodlettsville Elementary School, 514 Donald Street, Davidson Co. Tax Map 26-5, Parcel 131.**

Staff reviewed. Terry stated the plans have been reviewed and all changes have apparently been made. The revised site plan has not been thoroughly reviewed by staff. Issues that have been addressed include the poor design of the current entrance into the school's driveway, provisions for a hard service durable driveway leading behind the school for access for emergency vehicles and on site detention pond as shown on the grading and drainage plan.

Batson stated a traffic study has been completed to attempt to alleviate the limited driveway and parking area which currently exists at the front of the school. Separate lanes for bus traffic, private vehicle traffic and daycare vehicle traffic have been developed. This will not solve all the problems, however, it will help the traffic flow greatly. Other improvements include 10 additional classrooms, a multi-purpose gymnasium and enlargement of the library

Terry stated the drainage and detention issues have been addressed on the plans. The calculations have not been reviewed by the City Engineer, therefore, conditional approval would be required.

Neal asked if the building would have a sprinkler system. Batson stated this issue would be deferred to the project architect.

Motion by Wall for conditional approval of revised site plan for an addition to Goodlettsville Elementary School based on final approval of City Engineer and City Planner. Motion seconded by Gourley. Motion passed unanimously.

**Item #11 (9.1 #6-99) Consider request of Dwayne Caldwell to approve revised site plan for Calvary Chapel, Willis Branch Road, Sumner Co. Tax Map 143, Parcels 51.03 & 51.05.**

Staff reviewed. Terry stated this site plan is for a new church on Willis Branch Road at Long Hollow Pike. A conditional use permit has been approved by the Appeals Board to allow the church be built in a residential zone. There are still issues to be addressed. More detail is needed on the plan regarding handicapped parking, landscape planting and location of sign. Whether the building is to be sprinklered or not is an issue which affects fire protection, placement of water lines, siamese connects and hydrants. Spot elevations are needed for the parking area to determine if the parking area will drain properly without creating ponds. The issue of storm water drainage can be addressed by Jack Tompkins who has been working with Mr. Caldwell on the issue of the detention pond.

Caldwell stated the proposed sign is shown on the revised site plan. There is an agreement between Mr. Caldwell and Jack Tompkins that the sewer pump specifications will be prepared by another party who will work with Jack Tompkins. Additional spot elevations can be placed on the plans if required.

Tompkins stated the City Commission and Calvary Church have entered into a legal agreement which outlines the provisions and conditions under which the church can construct a sewer pump and individual pump station for this building. A run of 1 ½" force main down Willis Branch Road and tie into an existing man hole at Twelve Stones Crossing. The agreement will govern what is approved for the sewer pump project. Wilson stated the current sewer agreement is an exception to the City's past sewer policy regarding right-of way. It is a condition of the agreement that at such time when gravity sewer becomes available to the church the system must be converted over to the gravity system. Tompkins stated per the agreement the church is responsible for all maintain costs on the pumps, pump station, the line and cost for relocation of line if required by the City.

John Manor, project architect, met with the State Fire Marshall's office. The final agreement is to a Type IV fire-rated building with all the area increases allowed and applied to it. Also, it would be non-sprinklered. Terry asked if that included the requirement under NFP 101 that any occupancy more than 300 must be sprinklered. Mr. Manor stated that would fall under the exception clause. Cannon requested a copy of the State Fire Marshall's exception clause regarding the non-sprinklered building be provided to the Planning Dept. The State Fire Marshall's office recommended the location of the fire hydrants within 500 ft. of the building. Terry stated the Chief of the Goodlettsville Department would not approve a fire hose lay of longer than 300 ft. from the building. Mr. Manor stated this would be an acceptable location for the fire hydrant.

Motion by Driver for conditional approval of the revised site plan for Calvary Chapel based upon final staff approval. Motion seconded by Hitt. Motion passed unanimously.

**Item #12 (9.1 #6-99) Consider request of Dwayne Caldwell to approve final plat for Calvary Chapel, Willis Branch Road, Sumner Co. Tax Map 143, Parcels 51.03 & 51.05.**

Staff reviewed. Terry stated the plat is needed because the property was in two separate parcels and needed to be combined into one parcel to meet all site plan requirements. All requested changes to the plat have been met.

Motion by Neal to approve the final plat for Calvary Chapel, Willis Branch Road. Motion seconded by Wall. Motion passed unanimously.

**Item #13 Consider authorization to accept an amended letter of credit for Twelve Stones Crossing, Phase II. The letter of credit is being reduced from \$269,000 to \$83,000.**

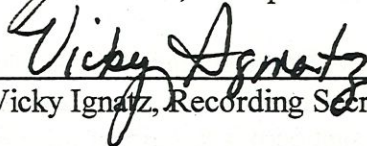
Terry stated that most of the infrastructure required in Phase II of the development has been completed. The developer has requested a reduction of the letter of credit. Tompkins stated this phase includes the bridge at the intersection with Willis Branch Road. He is concerned about the elevation of the bridge and will recheck the structure; therefore, Tompkins recommended a conditional approval of the letter of credit reduction.

Motion by Neal for conditional approval of an amended letter of credit of \$83,000 for Twelve Stones Crossing, Phase II based on the City Engineer's final approval. Motion seconded by Wall. Motion passed unanimously.

Meeting adjourned at 7:57.



John Cannon, Chairperson



Vicky Ignatz, Recording Secretary