

MINUTES OF REGULAR MEETING
GOODLETTSVILLE PLANNING & ZONING BOARD

April 5, 1999

5:00 PM

Massie Chambers

Present:

John Cannon Jim Hitt John Coombs

Jim Galbreath Margaret Wall Jim Thomas

Pat Lydon Mary Ann Gourley

Absent

Susan Williams

Also Present:

David Wilson Bob Carpenter Grady Smith

Bill Terry David Kuehnen Steve Artz

Charlie Lowe Steve Brown Barry T. Tyree

Jack Tompkins David Luckey Wayne Meadows

Claudia Davis Randy Hoffman

Prayer was offered by Mary Ann Gourley. The minutes of the regular Planning Board meeting on March 1, 1999 were adopted as submitted. Bill Terry stated Item #1 and #3 on the agenda had been deferred by staff.

Item #2 (9.1#1-97) to consider request of Steve Brown, Barge, Waggoner, Sumner & Cannon, to approve site plan for open space improvements for Twelve Stones Crossing.

Staff reviewed. Bill Terry indicated this plan will add a swimming pool and playground to the amenities of the subdivision, and will be located near the intersection of Willis Branch Road. A revised plan had been resubmitted and most of the comments were addressed, except for some minor technical points and subject to the final review of the engineer. This facility will be owned by the homeowners association and will take up lot 47 of the development and be partially on common open space. The board must approve this use for this property, review the architecture of the structure, and require that a subdivision plat be filed for the lot. Tee three will be in close proximity to the pool and the playground.

Several board members expressed concern about the danger of golf balls being hit into the pool area. Steve Brown indicated there will be a seven foot high berm, topped with white pines, to shield the tee at hole three from the pool area. In reply to questions regarding the elevation of the pool area and the golf side of the berm, Brown indicated that additional height and length of the berm may be possible when the actual grading occurs and that they will pursue that end if at all possible. He added that the architecture of the building will be siding with a red roof, consistent with the style of the club house.

Mary Ann Gourley made a motion for conditional approval of the site plan, subject to the final review of staff, and subject to replatting lot 47. Jim Hitt seconded the motion and the board unanimously approved.

Item #4 (9.1#28-96)(9.62)(8.0) to consider request of David Kuehnen, Gresham Smith and Partners to approve changing street name of Northchase Drive.

Staff reviewed. Bill Terry indicated all the property on Northchase Drive is now owned by Dollar General Corporation with the exception of the One Northchase building. Dollar General would like to change the street name to better reflect their company image. The owner of the One Northchase building has provided written consent of the name change.

Bob Carpenter, Chief Administrative Officer, Dollar General Corporation, indicated they would like to change the name to Mission Ridge as it relates to their business. They plan to name their

building Integrity Place based on the culture of the company. The entrance signs will read Dollar General Center at Mission Ridge. He added the other property owner on this street has indicated he has no objection to the name change. They have determined by a study of street names that there are no other streets named Mission Ridge in Middle Tennessee.

Wayne Meadows, a tenant of the One Northchase building, inquired if it would be possible to keep the Northchase Drive name for the drive into the One Northchase building, noting it would be very difficult and expensive to change his address with all the entities in his business. Jim Thomas indicated the post office will continue to forward mail for one year, allowing time to use all printed materials and reorder with a new address. Carpenter indicated Dollar General currently occupies the first floor and about half of the third floor of the One Northchase Building, and will continue to occupy all or a portion of that space up to and beyond their moving into their new facility in August and September. Meadows indicated there are about three dozen other tenants who would be effected. David Wilson inquired if it would be possible to leave the name of the end portion of the street as Northchase Drive. Terry stated that would require approval by the 911 service. David Kuehnen indicated the second Dollar General building will be off the same cul-de-sac as the One Northchase Building. Wilson also noted that the owner owns the driveway and it is not a public street.

John Coombs expressed there appeared to be no reason to not change the name if the problem for the tenants of the One Northchase Building can be resolved. Coombs made a motion to recommend to the Commission that the name Northchase Boulevard be changed to Mission Ridge Drive, conditional that the impact on the existing tenants is resolved.

Item #5 (9.61) to consider request of David Johnson, Ragan Smith Associates, to approve final plat for Section 13, Lot 9A, Northcreek Business Park, Business Park Circle, Sumner County Tax Map 143-J, Group F, Parcel 4.

Staff reviewed. Bill Terry stated this plat will create an additional building lot for a single office building. This lot is in agreement with the approved preliminary plan for Northcreek and the infrastructure is in place. A final plat would need to be submitted. There are a few minor changes to the building recommended. Grady Smith represented the petitioner for this item.

John Coombs made a motion to approve the plat. Jim Thomas seconded the motion and the board unanimously approved.

Item #6 (9.1#5-94 and 9.1#5A-94) to consider acceptance of improvements and reduction of letters of credit for Woodwyn Hills Section 1, and Braxton Park Sections 1, 2, and 3.

Staff reviewed. Bill Terry noted there is an existing letter of credit for \$15,000 which expires April 30, 1999 on Braxton Park, Sections 2 and 3. The Public Works Department recommended that there are some items remaining that need to be addressed. There are seven areas of downspout piping through the curb lines that needs to be adjusted and two complete sets of as built drawings are needed. Terry added that his inspection revealed there is a fire hydrant missing and there is an issue on the concrete monuments which are not installed. At one monument location there is a surveyor's pin. There is considerable discussion among the surveying circles of what type of monumentation is appropriate for today's surveying methods. Our subdivision regulations were written twelve years ago and require concrete monuments.

Many cities have changed that requirement and now require a different type pin. George Welch, Ragan Smith Associates, indicated this is the type monument several of the surrounding counties, including Metro, has accepted in lieu of the concrete monuments. They are a lot easier to install, can be driven flush with the ground, are easier to maintain, and can be found with a metal detector. Terry added that in order to accept the improvements, if the board wants to allow this new type monument, approval for a variance to the subdivision regulations would be required. Welch indicated the new type pins can be installed by the end of the month when the letter of credit expires. He encouraged the board to pursue changing the subdivision regulations to accept this new type pin in all subdivisions. Jim Thomas made a motion to approve the variance to allow the surveyor's pin described above in lieu of concrete monuments. Jim Galbreath seconded the motion and the board unanimously approved.

Bill Terry noted that Public Works has recommended conditional approval to accept improvements subject to completion. Jim Thomas made a motion for conditional approval of acceptance of improvements subject to final inspection of the fire hydrant in question and the location of the required monuments. John Coombs seconded the motion and the board unanimously approved.

Bill Terry noted Woodwyn Hills Section 1, and Braxton Park Section 1 have also been inspected and that section is not quite ready for acceptance yet. The letter of credit does not expire until December 31, 1999 so the recommendation is to leave this in place and to complete all the improvements by then.

Item #7 (9.1#17-98 and 9.80) to consider new zoning district and application.

Staff reviewed. Bill Terry stated the board previously deferred a rezone request from Wyncrest Development and then deferred action on a new proposed district in the zoning ordinance. One question is that the board should determine what land use policy should the city pursue for new developments in the Madison Creek Road area. John Cannon stated the first of five questions presented by Bill Terry. Is the current policy of low density residential development to be maintained or is a higher density appropriate if sewer is available?

Jack Tompkins noted the pump station in place for the sewer service to Madison Creek Elementary has a maximum capacity for eighty additional homes to be added. Jim Thomas expressed that at the public meeting held, it was obvious that many of the area property owners desire to maintain the countryside. Some were open to new development but stated, "make sure it is done right". He added that he felt the board has a responsibility to preserve the wishes of as many of the property owners as it can. He indicated in his opinion a higher density with sewers available may be appropriate but that the city does not have an appropriate zoning district in place at this time to fit the needs for this area. John Cannon agreed, adding that whatever change might occur, that new development should be a planned unit development because it allows the City to have a significantly greater amount of control over the property.

John Coombs referred to the land use policy adopted in the 1980's, stating if a new medium density district is created, he would encourage minimizing the impact with considerable green space to maintain the atmosphere of a rural environment. Jim Galbreath expressed that he felt the City should preserve the R40 zoning districts that remain. He expressed concern about having high density areas joining large individual tracts without a gradual change and that he had no strong emotion for changing the zoning or the land use policy.

John Coombs indicated there are developments around that have nice large homes on compacted land where the land is scraped off with nothing to protect the green space and rural atmosphere. Jim Galbreath added that the current LDRPUD zoning district with 1.7 dwelling units per acre, 15,000 minimum square foot lots and 18-20% open space required, would be much more appropriate for this area than the proposed MDRPUD with 3 dwelling units per acre, 11,000 minimum square foot lots and 5% open space. John Cannon noted the MDRPUD would certainly be more economically feasible to a developer. Mary Ann Gourley agreed with John Coombs that in driving around she too has seen developments where the land has been scraped off and a home built and new small trees are planted on an otherwise bare lot. Coombs added there is a very big difference in 5% and 20% green space. Bill Terry explained that the 5% green space was determined by figuring three units per acre plus a minimum lot size, minus the area for the streets and infrastructure with a 50 foot right-of-way, equating to the 5% green space for the MDRPUD. Members discussed "open space" being "grassed areas" or "landscaped areas". Thomas indicated the adoption of the new landscape ordinance being proposed will influence the landscape requirements.

Jim Hitt questioned the feasibility of a MDRPUD at three dwellings per acre, equating to 150 lots less the infrastructure, compared to 85 lots under a LDRPUD or 105 lots originally requested by the developer. Jim Galbreath asked for clarification of restrictive covenants versus PUD requirements. Bill Terry reviewed this issue, stating the city has no authority to enforce restrictive covenants. They can only be enforced by another property owner who must hire an attorney and sue the owner violating the covenants of a subdivision. John Cannon added that subdivision restrictions have a 25 year lifespan. After that time, a property owner is not bound by the restrictions unless they have been renewed and re-recorded by the owners in the subdivision. He added the city does have the authority to insure that a developer does fulfill the requirements of the master plan in a PUD zoning district.

John Coombs indicated he felt there was no justification to consider any greater density than what is provided in the LDRPUD classification. Jim Galbreath noted that he felt the present zoning should remain in place and added that he has a concern that the City's infrastructure stays behind on new development. Jim Thomas stated whatever is done initially is going to be second guessed and challenged. He noted he is not ready to vote for a MDRPUD for this area. John Coombs noted if the board could increase the green space requirements and comply with the new landscape ordinance, he felt the board would like to achieve a common ground that would allow a development to put in a medium to upper end housing development. He asked Bill Terry if the board could put in a medium density district that would better address the green space issue. Bill Terry stated off the cuff that medium density sacrifices rural atmosphere. To get a higher percentage of open space, you have a higher density. Coombs indicated the LDRPUD is the only PUD he finds acceptable for this area. Jim Galbreath added that if it has to change at all, that he agreed with Coombs statement.

Jim Thomas concluded and the board agreed that Bill Terry should continue to work on the new MDRPUD ordinance for consideration as an alternative zoning district in other parts of the city.

Bill Terry asked if the City wants to continue to encourage LDRPUD development in this area, is the City willing to participate in funding sewers to allow that to happen? David Wilson pointed out that in order for any city to do a better job of providing infrastructure, specific long range planning for different areas must be in place. Another factor in considering funding for such projects is that higher density residential developments make it more difficult to maintain

the current level of services that the City can provide in relation to the income provided to the city by such a development. We have seen the revenue from local option sales taxes leveling off and do not know at what point they may even decline.

Bill Terry expressed there are two options for zoning for this area under the current land use plan, either R40 on septic systems, or with sewers available R25 or LDRPUD could be applied.

John Cannon asked the board if there was a consensus to leave the current land use policy in place for this area and that Bill Terry would continue to tweak the proposed MDRPUD for an additional zoning district to have available for consideration in other areas of the city. The board voted unanimously in agreement to that statement.

Item #8 (8.13) to consider making a recommendation to the City Commission for improvements to Loretta Drive.

Bill Terry stated this item was previously deferred, and Ragan-Smith, consulting engineers, have submitted a possible scope of work for such an improvement project to determine a basis for cost estimates.

Jim Thomas made a motion to recommend to the Commission that improvements be made to Loretta Drive. Jim Hitt seconded the motion and the board unanimously approved.

Item #9 (9.80) to discuss landscape ordinance revisions.

Bill Terry summarized the most important aspects of the revised proposed landscape ordinance, stating this is the best possible approach but that the city does not have the staff to enforce all the requirements.

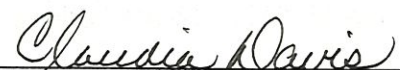
Jim Thomas recommended that if the board is serious about more extensive landscape requirements, they should not stop their creative thinking because of the price. He added that access to the resources to enforce the ordinance could be a requirement of the approval. Pat Lydon expressed that even if the requirements are not enforced, they will deter developers from violating the requirements. Jim Hitt noted that if the manpower is not available to enforce the ordinance, the City could get into "selective enforcement".

John Cannon made a motion to recommend to the Commission to adopt the proposed landscape ordinance with funding to enforce the requirements of the ordinance. Pat Lydon seconded the motion and the board unanimously approved.

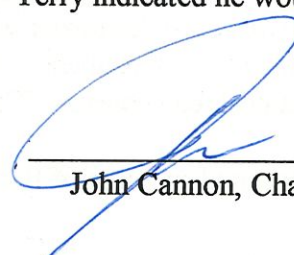
Non-Agenda Item

Bill Terry informed the board that the county wide growth plan for the proposed urban growth boundary requires the City to hold two public hearings. Jim Thomas recommended that the Planning Board conduct the public hearing. Terry indicated he would schedule the first public hearing to be held in May.

The meeting was adjourned at 7:20 p.m.



Claudia Davis, Recording Secretary


John Cannon, Chairman