MI NUTES OF SPECIAL CALLED MEETING
GOODLETTSVILLE PLANNING & ZONING BOARD

Date: January 13, 1997 | Time: 5:00 P.M. | Place: City Hall

Present:		Also Present:	
John Coombs	Jim Hitt	Bill Terry	Dewayne Caldwell
Jim Galbreath	Margaret Wall	David Wilson	Gary Grooms
John Cannon	Jim Thomas	Charlie Lowe	Sharon Todd
Mary Ann Gourley		Jack Tompkins	
		Claudia Davis	

Absent:	
Pat Lydon	Gary Webster
Bobbie Ann Wilson	

(The January 6, 1997 regular meeting was rescheduled for a special called meeting on January 13, 1997 as their was not a quorum in attendance.)

The meeting was called to order by John Coombs. Prayer was offered by Jim Thomas. Minutes of the November 18, 1996 and December 2, 1996 meeting were adopted as submitted.

Item #1 (#19-94) to consider the request of Gresham, Smith and Partners for approval of Final Master Plan of Greens of Rivergate, Davidson County Tax Map 33, Parcel 236.

Staff reviewed. Bill Terry indicated a letter of agreement has been submitted by Cumberland Ventures, Inc. which addresses several management situations. The basic issue now is an amendment to the master plan that would incorporate a phased line on the master plan to permit a division of the property into two different tracts. Along with the letter submitted from the owners regarding the operation of this PUD, there is a declaration of easements that guarantee the rights of use and access for each phase upon the other. There are a few minor changes that need to be made in the declaration.

Jim Thomas made a motion to approve the amendment of the final master plan including the letter of agreement, regarding management situations, and the declaration of easements.

Gary Grooms of Gresham, Smith and Associates, asked to address the board on this item. He noted this matter has been pending for six months. When the item was first submitted, there were technical and procedural issues raised related to the plat and concerns of the city regarding egress and amenities. He noted they addressed and amended the plat and submitted the declaration of easements that all the residents on the second plat would be able to use all the improvements that are already there on Lot 1. The city has told them the plat conforms with the technical requirements of the subdivision regulations. Once they accomplished these requirements, they had done what the law required and the request should be approved. In addition the City has raised some concerns about the management of the property as they move into the development of the second phase. They have tried to be responsive to those concerns but they believe that once they meet the stipulations then they have done all that the law requires them to do for approval.

Nevertheless, because they want to cooperate with the City and be a good corporate citizen and they want this complex to be an asset to the City and a good reflection on their clients, they have agreed to do a number of things to insure the City that this complex will be operated appropriately as they move forward to develop Phase 2. Senator Haynes, City Attorney, wrote them a letter some time ago requesting that they give him various assurances about what they will do as Phase 2 is developed. Mr. Grooms wrote a letter to Haynes from Cumberland Ventures, the general partner of the developer, on December 23, 1996 and a copy of that letter was given to all the members of the board. He noted that in the letter they agreed to every request Senator Haynes made. They agreed that the property will continue to be managed by a common management entity. They agreed that they would continue to provide an on-site manager. The City had raised a concern that if the proposal is adopted, they could have to deal with different people at the property and they have addressed that concern. They have also agreed to conduct appropriate background checks on all new residents to the complex. He noted, frankly when the development of Phase 1 started, they did not do a very good job, and as a result the City had some problems. They have tried to address those and the document they have provided shows that they are guaranteeing that the things they have already started doing will continue as they move forward to Phase 2. They appreciate the concerns the City has raised but they feel they have done everything the law requires them to do and beyond that by agreeing to do all the things in the letter to Senator Haynes.

Bill Terry noted that what Mr. Grooms said about the subdivision plat is true, however one item which makes this case a little different is that this is a Planned Unit Development under our zoning ordinance. The first step in a PUD before it can be developed is a master plan. Before the plat could be amended, in accordance with our subdivision regulations and state law, the master plan had to be amended.

The motion to approve having been previously made, Jim Galbreath seconded the motion and the board unanimously approved.

Item #2 (#19-94) to consider the request of Gresham, Smith and Partners for approval of Subdivision Plat of Lot 5A, Section 2, Rivergate Acres Limited, Davidson County Tax Map 33, Parcel 236.

Staff reviewed. Bill Terry noted this is the document that will divide the property into two separate tracts. With the approval of the master plan amendment in Item 1, this subdivision plat can be addressed and approved. The changes and recommendations for the plat have been made on the amended plat and it meets the city's requirements.

Jim Thomas made a motion to approve the subdivision plat of Lot 5A, Section 2, Rivergate Acres Limited. Margaret Wall seconded the motion and the board unanimously approved.

<u>Item #3 (#9-96)</u> consider request of Dewayne Caldwell for approval of Site Plan for Microtel #235, Lot 2 Resub. Deana Gibbs Property, Sumner Co. Tax Map No. 141, Parcel 74.

Staff reviewed. Bill Terry noted this item has previously been presented and deferred each time pending the necessary corrections. All the corrections have been made with the exception of grading along the property line and grading and filling on the floodway line and floodway fringe. The staff recommends conditional approval would be acceptable subject to the final grading plans being reviewed and approved by the staff and City Engineer. They are at the absolute minimum on parking spaces, meeting our zoning requirements but not the requirements of the ADA.

Charlie Lowe indicated he has reviewed the revised plans. There were fourteen items, mostly minor, which have been addressed and the major item remaining is the fill in the floodway which is still showing. Also, a permit for a ramp from TDOT is needed for access on 31W.

Mary Ann Gourley made a motion for conditional approval of the site plan, subject to final acceptance by staff and the City Engineer. Jim Hitt seconded the motion and the board unanimously approved.

<u>Item #4 (#24-96)</u> to consider request of Dwayne W. Bailey to rezone from R25 to OP 450 Moss Trail, Davidson County Tax Map 26-9, Parcel 41.

Staff reviewed. Bill Terry explained that this property is located on Moss Trail just past Lodge North Drive from Two Mile Parkway. On our zoning map, the dividing line for CSL and residential zoning is the Lodge North Drive. The day care across the street is a nonconforming use which preceded our current zoning laws. The property in question is used as a residence, is rented, and was purchased recently and totally renovated. The owner wishes to establish some sort of office in the building. Our land use policy plan adopted in 1989 restricts commercial uses encroaching into residential areas in order to preserve and protect the residential environment. Any zoning change would mean changing the land use policy plan.

David Wilson noted several years ago, zoning issues in this area were presented to this board. Because of the concerns of property owners, the Planning Board went on record to be committed to those residents that there would not be any further commercial zoning beyond Lodge North Drive. John Coombs noted the land use plan is established to guide this board in such decisions. Bill Terry answered Jim Thomas' inquiry that the land use plan map does specifically address Lodge North Drive as a distinct boundary.

Sharon Todd, Crye Leike Realty, indicated the driveway into this residence is off Lodge North Drive for access into the property.

Margaret Wall expressed the opinion that if the board allows this change, she felt adjoining owners would have the same request to rezone their properties. John Coombs agreed that the residential integrity of the area should be upheld.

John Cannon made a motion to deny the request to rezone this property. Margaret Wall seconded the motion and the board unanimously approved.

<u>Item #5 (#9.62)</u> consider request of Mark D. Spalding, P.E., Barge, Waggoner, Sumner and Cannon, Inc. to approve a minor plat amendment for Northchase Office Park Phase II, Davidson County Tax Map 26, Parcel 137.

Staff reviewed. Bill Terry indicated the site plan for an office building was approved last month. It was discovered that the building was across an existing sewer line. This plat amendment will abandon the old sewer easement and records a new easement.

Jim Hitt made a motion to approve this minor plat amendment. Mary Ann Gourley seconded the motion and the board unanimously approved.

<u>Item #6 (9.71)</u> to consider request for bond reduction for Northcreek Boulevard, Davidson County.

Staff reviewed. Bill Terry noted much of the work on Northcreek Boulevard has been completed and the developers are requesting a reduction in their letter of credit from $284,720 to $90,000. The Public Works Department has recommended $110,000 be retained for the improvements to be completed.

Margaret Wall made a motion to reduce the letter of credit to $110,000. Jim Hitt seconded the motion and the board unanimously approved.

<u>Non-Agenda Items:</u>

Letter of Credit - Ashlin Downs
Bill Terry noted the letter of credit for improvements in Ashlin Downs was reduced in the past and now the work has been completed to the staff's approval. Staff recommends the release of their remaining letter of credit and the acceptance of the improvements in this development, subject to the completion of as-built plans.

Jim Thomas made a motion for conditional release of the letter of credit for Ashlin Downs, subject to staff's receipt and approval of as-built plans. Mary Ann Gourley seconded the motion and the board unanimously approved.

Election of Officers - Planning & Zoning Board
As the election of officers will be held at the February meeting, Jim Thomas shared that it has been his pleasure to serve as Vice Chairman on this board. However, he is now an elected Commissioner and commission liaison for the planning board and he feels there may be some situations where these roles and also an officer of the board might conflict. It is his personal desire to avoid any possible conflict from arising and asked the members to appoint a new vice-chairman. John Coombs added he has served as Chairman for a number of years and has enjoyed the opportunity to serve in that capacity. He added that with anything, sometimes with longevity, changes may be needed. He asked the board to open their thoughts and give serious consideration of how this board would be best served in anticipation of the officer election next month.

By-Laws of Planning Board

Bill Terry clarified questions from the previous meeting that a quorum for this ten member board is a majority, in this case six members. Also, the board is governed by by-laws, first adopted in 1970 and revised in 1991.

Long-Range Planning

Bill Terry expressed that in recent months several groups in the city have discussed various aspects of planning and concerns about developing a long-range plan and goals for the city. The regulatory zoning and sign ordinances of the city need to be updated and revised. This process requires a lot of time and research. The board discussed the options to accomplish this through either an outside consultant or by utilizing in house personnel. Bill indicated a long range plan goes beyond the land use plan. It should evaluate and address the long range needs of the community. After discussions between the City Commission and the Chamber of Commerce, the committee "Outlook Goodlettsville" was formed to develop a long-range vision or goal for the city as a basis for planning. Coordinated through the Municipal Technical Advisory Service a survey of city residents has been conducted to determine the views of the citizens. The Tennessee Code gives responsibility and legal authority for community-wide comprehensive planning to the locally appointed planning board. Therefore, Bill noted efforts toward a long-range plan should be done by this board and adopted by this board as the official plan of the city. It is appropriate for other boards and groups to be involved and have input into the plan.

John Cannon, Chairman of Outlook Goodlettsville, said the results of the survey are still being formulated. Their efforts are a joint project of the Commission and Chamber and representation from other boards and citizen groups. Based on the ideas on issues from respondents of the survey, most want the city to have a plan. The next meeting is January 28 and plans are to go over any follow-up questions on the survey. He will furnish copies of that meeting to the planning board members with information about the survey results.

Jim Thomas, who also serves on the Outlook Goodlettsville Committee, expressed that they now have an inventory of ideas. He recommended the Planning Board become involved with their efforts and also suggested utilizing the talents of the City staff. He noted this board is accustomed to "react" to situations and he would like to see the role of the planning board enhanced by becoming proactive in planning ideas.

John Coombs recommended that Outlook Goodlettsville and the Planning Board might consider having a joint meeting in the future. Bill Terry added that there are some issues regarding the sign and zoning ordinances that should be given more timely attention and a special meeting to address these issues should be considered.

The meeting was adjourned at 6:00 p.m.

James L. Thomas

Jim Thomas, Acting Chairman

Claudia Davis

Claudia Davis, Recording Secretary