MINUTES OF REGULAR MEETING
GOODLETTSVILLE PLANNING & ZONING BOARD

Date: May 6, 1996 Time: 5:00 P.M. Place: City Hall

Present:		Also Present:	
John Coombs	Margaret Wall	Bill Terry	Walt Shepard
Bobbie Ann Wilson	Jim Thomas	Claudia Davis	Ronda Jarrett
Jim Hitt	Gary Webster	Charlie Lowe	C. L. Nichols, III
Pat Lydon	Jim Driver	George Welch	
Jim Galbreath	Mary Ann Gourley	Wayne Meadows	

The meeting was called to order by John Coombs and prayer was offered by Jim Driver. The minutes of the April 1, 1996 meeting were adopted as submitted.

Item 1 (#9-96) to consider request of G.E.D.S., Inc. for approval of Final Plat of resubdivision of Lots 1 and 2, Deana Gibbs Property, Sumner Co., Tax Map 141, Parcels 1900 & 7400.

Staff reviewed. Bill Terry noted this plat reduces the original Lot 1 and enlarges Lot 2 to build a proposed motel. Corrections and additions recommended by staff seem to have been addressed in a revised plat just submitted. Charlie Lowe indicated these revisions have not been checked for accuracy, specifically the information regarding the flood fringe areas.

Bobbie Ann Wilson made a motion for conditional approval subject to the technical conditions recommended by staff and the city engineer meet their approval. Jim Thomas seconded the motion and the board unanimously approved.

Item #2 (24-94) to consider request of Larry D. Epps to approve Final Plat, Subdivision of Lot 5A, Section 2 Rivergate Acres Limited, Davidson Co., Tax Map 33, Parcel 236.

Staff reviewed. Bill Terry noted this property is developed as Greens of Rivergate. The developer wishes to divide the property into two separate parcels for financial purposes. Such division would create two separate fee simple parcels enabling two separate owners. This division would require an amendment to the master plan. Parcel 5A-2 would be land locked with no street frontage. If these parcels were made separate, the density requirements of the regulations would not be met on Lot 5A-2 and the amenities for this development are all located on Lot 5A-1. Each lot must also be able to support all development standards specified in the zoning ordinance.

Walt Shepard, representing the developer, reiterated the purpose of this request is only for finance purposes and there is no intent to sell either parcel. Jim Driver noted approval of this request would be creating a non-complying tract. John Coombs added it is never in anyone's best interest to create a land locked situation. Other issues include requiring an access easement, the amenities all being located on Lot 5A-1, the issue of density and the infrastructure being set up to support the entire tract.

Jim Driver made a motion to defer this request based on the issues of density, access, amenity location, and land locked property. Pat Lydon seconded the motion and the board unanimously approved.

Item 3 (#5-94) to consider request of George Welch to approve Final Master Development Plan, Braxton Park, Section 4, Sumner County Tax Map 142, Part of Parcel 18.

Staff reviewed. Bill Terry indicated this section creates 30 more lots. There are three corrections recommended by staff.

George Welch indicated a public utility and drainage easement will be added between Lots 161 and 162. A natural drain beside Lot 161 will be undisturbed. Steep grade problems on Lots 64, 65, 66, and 67 will be similar to the end of Braxton Park Lane. Split level type buildings will be on these lots and the actual building site will be at a 15% grade. These grades are similar to some lots in Indian Hills. Staff also suggested there may be some confusion with Paige Park Drive as there is a Page Drive and a Park Drive already in the city. Charlie Lowe had no additional engineering suggestions.

Jim Hitt made a motion for conditional approval subject to the recommendations of the City Engineer and City Planner. Mary Ann Gourley seconded the motion and the board unanimously approved.

Item 4 (#5-94) to consider the request of George Welch to approve Final Plat of Braxton Park, Section 4, Sumner County Tax Map 142, Part of Parcel 18.

Staff reviewed. Bill Terry noted the plat meets all design requirements. There is some concern that closer fire hydrant spacing should be considered due to the fact that the homes are within 15 feet of others, the vinyl siding on the sides of the homes, and the size of these homes. The Fire Chief has recommended the hydrant location be within 300 feet of each home and no more than 600 feet apart.

Wayne Meadows agreed with this recommendation for Braxton Park, noting that Woodwyn Hills homes are brick sides and further apart and the current hydrant requirement should be adequate for that development.

Charlie Lowe noted on the southeast line, the technical bearings are reversed. Bill Terry indicated the Board needs to authorize acceptance of a letter of credit on this development for $621,500, the amount determined adequate by staff.

Jim Thomas made a motion for conditional approval, subject to the change in fire hydrant location as recommended by staff, and to authorize acceptance of a letter of credit for $621,500. Jim Hitt seconded the motion and the board unanimously approved.

Item #5 (5A-94) to consider request of George Welch, Ragan-Smith, for approval of Final Plat, Woodwyn Hills, Section 3, Sumner County Tax Map 142, Part of Parcel 18.

Staff reviewed. This plat creates 22 additional lots and meets all design requirements. The surface for the temporary turn-around on Loretta Drive should be decided.

George Welch indicated Paige Park Lane is accessible for vehicles to turn around at the temporary end of Loretta. Jim Thomas noted this can be an expense and nuisance to homeowners near the end with vehicles turning around in their driveways, damaging mailboxes, drains, and driveways. Wayne Meadows noted they would like to install a hard base turn-around and he would commit to pave the turn-around should any unexpected delay in the development occur. The board members were all in agreement to this arrangement. Bill Terry noted the letter of credit amount of $400,000 has been approved by staff as adequate.

Pat Lydon made a motion to conditionally approve this final plat and to grant authority for staff to accept a letter of credit for $400,000 to secure the improvements. Gary Webster seconded the motion and the board unanimously approved.

Item #6 (5A-94) to consider request of George Welch to approve rezoning from R25 to R15 Woodwyn Hills, Section 1, Lots 100, 101, and 102, Woodwyn Hill, Section 1, Sumner Co. Tax Map 142, Part of Parcel 18.

Staff reviewed. Development of this property has made storm water detention ponds necessary. One such pond is located on the back portion of these lots. The developer wishes to have the pond on common area under the maintenance and control of the homeowners association. The same open space would remain from the homes on these lots to the lots on Lynn Drive, only the lot size would be reduced to remove the pond footage from the lot into common area.

George Welch added their intent is to assure the pond structure and head walls are not on an individual's property. Wayne Meadows added that the home size for these lots will be the same and in keeping with the other homes in Woodwyn Hills and this end of this section joins the R-15 zoned Section 3, (Item #5 just approved).

Jim Hitt made a motion to recommend to the City Commission to rezone these three lots as requested. Jim Thomas seconded the motion and the board unanimously approved.

Non-Agenda Item:
Braxton Park & Woodwyn Hills (#5A-94, #5-94) Bill Terry noted the Braxton Park and Woodwyn Hills Letter of Credit is due to expire June 6, 1996. They would like to extend this for six months with no reduction. Jim Driver made a motion to approve this extension. Mary Ann Gourley seconded the motion and the board unanimously approved.

Item #7 (11-96) to consider the request of C. L. Nichols, III to use an easement for access to a tract for building purposes, Sumner County Tax Map 140, Parcel 131.03.

Staff reviewed. Bill Terry noted there is a section of land at the end of Emily Drive which was subdivided into five plus acre tracts and recorded before the city annexed the area. This division was illegal at the time it was done but the county did nothing about it and allowed two homes to be built. None of the tracts had proper frontage on a public street and access was provided by private easement. This board then approved building sites on the other two tracts since the property was already recorded, and the owners signed an affidavit stating that all access was private but giving the city rights of access for public services without any obligation to the city to maintain. Mr. Nichols, one of the owners, purchased five acres adjoining his property and added it to his parcel. Now he would like to get approval to divide the five acres off from his original parcel for another building site with access also by private easement. Any home on this proposed tract would be over 1,000 feet from Emily Drive and have no fire protection.

Mr. Nichols indicated originally, he had no intention to build on the five acres he purchased from Mr. Connor, but bought the property for seclusion. He does not intend to sell the tract at this time but would like to have that option should he decide to do so. He indicated, while this property was not included in the access affidavit mentioned above, the owners are all in agreement to grant the access easement for this additional tract.

Pat Lydon asked what would be involved in dedicating a road to these tracts. Bill Terry noted that the expense of building a road is $80 to $100 per foot. In the normal process of subdivision, the developer installs and pays for the streets and infrastructure and develops lots around the streets. Mary Ann Gourley pointed out the nearest fire hydrant is down Kimberly Drive approximately 180'. The two homes off this access at the farthest point are out of reach of a fire hydrant, as would be a home on the tract in question. This would create yet another home with no fire protection.

Jim Thomas made a motion to decline this request. Jim Driver seconded the motion and the board unanimously approved.

Item #8 (12-96) to consider request of Robert and Ronda Jarrett and Ernest & Valerie Harper to rezone from Agricultural to R15, Davidson County Tax Map 18, Parcels 41 and 42.

Staff reviewed. These two lots and two other lots on Moncrief Avenue are zoned Agricultural but are surrounded by R-15 zoning. There is one large tract that borders Parcel 41 that is zoned A. At one time most or all of the land along Moncrief was zoned A. As land has developed in this area, zoning has changed to another district. These four lots were never changed and do not meet the size requirements for the A district.

John Coombs noted the owners of Parcels 43 and 54 should be notified of this proposed action to include their property in the rezoning, before any recommendation should be made to the City Commission.

Bobbie Ann Wilson made a motion to recommend to the City Commission to rezone the parcels 41, 42, 43, and 54 from A to R15 subject to documentation in support of such action from the owners of parcels 43 and 54. Margaret Wall seconded the motion and the board approved unanimously.

Non-Agenda Items:

Callis Driveway - Long Hollow Pike (#8.312): Bill Terry indicated the City Attorney has rendered his legal opinion on the request to declare the driveway off Long Hollow Pike as a public street. The attorney has advised that the city is not obligated to accept this as a public street and there is no implied intent to do so. John Coombs recommended Mr. Callis be informed of this opinion. He can then request this item be put back on the agenda if he so chooses.

Rolling Meadows Tree (#6-90): Bill Terry wished to make the board aware of a situation that has risen at Rolling Meadows. At the urging of this board, a tree was not removed in a section of Rolling Meadows in an effort to preserve the mature tree. The location of the units have gotten within 8 to 10 feet of the tree and cutting the tree back has ruined it's shape and perhaps health. Now the homeowner and the association want the tree removed and there is a difference of opinion as to who should be responsible for the cost of such removal which will be rather expensive now that the units are completed.

The meeting was adjourned at 6:25 p.m.

John Coombs

John Coombs, Chairman

Claudia Davis

Claudia Davis, Secretary