MINUTES OF REGULAR MEETING
GOODLETTSVILLE PLANNING & ZONING BOARD

Date: November 7, 1994
Time: 5:00 P.M.
Place: City Hall

Present:	
Grady McNeal	Billy Hitt
Pat Lydon	Bobbie Wilson
Mary Ann Gourley	Gary Webster
Charlotte Morris	Jim Thomas
Jim Driver	

Absent:
John Coombs

Also Present:	
Bill Terry	Ed Corlew
David Wilson	Allison Burch
Charlie Lowe	Gene Bryant
Claudia Davis	Gene Lanius
Steve Axley	Sheila Lanius
Danny Griffin	Maury Tidwell
Jeff Goldstein	Bobby Hensen
Donald Speakman	Susan Speakman
Chuck Crook	

The meeting was called to order by Vice Chairman McNeal. Prayer was offered by Jim Driver. Minutes of the September and October meetings were approved as submitted.

Item #1 (17-94), to consider the request of Allison Burch to change the zoning of her property from CSL to CS to be able to execute a 5 year lease with Gene Bryant to operate Showtime Auto Sales, Inc. at the north corner of Two Mile Parkway and Moss Trail. Davidson County Tax Map 26-9, Parcel 38.

Staff reviewed. Previously this property was a service station. CSL zoning prohibits certain auto related activities including used car lots. If this lot is rezoned, any use permitted in the CS district could locate on this lot.

Allison Burch indicated the restricted uses under CSL zoning have made it very difficult to lease the property which has been vacant for 4+ years. She distributed a list of reason's for her request to the board. Gene Bryant indicated he has operated his used car business for 8 years in Nashville, selling quality $5,000-$10,000 cars and plans to be at this new location for 5-10 years minimum.

Billy Hitt inquired if we could allow this use without changing the zoning, that this would be an improved use. Bill Terry offered that we cannot, a specific use cannot be permitted outside zoning requirements. Jim Driver noted that our zoning ordinance was established to set standards for land use. Mary Ann offered that changing the zoning to allow this proposed use would constitute spot zoning and the CS zoning would remain if in the future Mr. Bryant were to leave this location. The CS zoning would allow uses outside the standards set by the '89 zoning ordinance.

Jim Driver made the motion to reject this request to rezone from CSL to CS. Pat Lydon seconded the motion and the board voted unanimously in favor of this motion to reject the request.

Item #2 (#6-90) to consider the request of Ed Corlew to approve the Final Plat of Rolling Meadows, Phase One, Section Eight, Davidson County, Tax Map 33-4-A.

Staff reviewed. This is the final subdivision plat for the phase of Rolling Meadows now being completed. The final master plan has been approved, and this is the document to be recorded. Minor technical corrections to be made include changes in a couple of the signature block notes, look at a couple of cross-over use easements where the pavement crosses the property line for the parking lot, more detail information on dimensions and lot corner locations, parcel numbers of common areas, distances to fire hydrants, and a change in a couple of the notes.

Slides were shown illustrating the new construction in relation to previously developed sections. It was noted there have been concerns from existing residents about the closeness and height of the construction. This section is included in the original master development plan previously approved. The development has progressed in sections and it has been quite some time that the existing residents have had an open area behind them, not fully realizing the proximity this section would have to their homes. Drainage was discussed, noting that all roof drainage is piped underground so that it does not add to the drainage of the landscape between the structures.

Jim Thomas made a motion to approve this request subject to conditions identified above from the City Planner. Charlotte Morris seconded the motion and it was approved unanimously by the board.

Item #3 (#18-94) consider the request of North Creek Associates, Ltd. for approval of the Final Plat of Section Seven, Northcreek Commons, a Commercial PUD, Davidson County, Tax Map 26, Parcel 119.

Staff reviewed. This plat creates a new lot to be used for a motel on Conference Drive. There are some minor corrections to be made to the plat including showing fire hydrant locations, extending the developed sewer line actual location, and there is some question whether or not an easement should be extended down the property line which still needs to be answered.

Charlie Lowe noted the R.O.W. dedication in the proposed corridor of Conference Drive will achieve a 40 mph speed. Down north from there, illustrated as a R.O.W. shown out into Conference Drive, is shown incorrectly. Bill Terry said the size of this lot meets the minimum lot size requirements, and they will design the facility to meet the lot. Drainage was questioned and Charlie Lowe noted that detention on this site is not required because of its proximity to Mansker Creek. The drainage pattern for this site is set up so that nearly all the water is brought to the Eastern end of the property and then off the site.

Billy Hitt made a motion for conditional approval of this request subject to the conditions identified above from the City Planner and City Engineer. Pat Lydon seconded the motion, and the board voted unanimously to approve this motion.

Item #4 (#19-94) to consider the request of the Greens of Rivergate Limited Partnership, for approval of the Preliminary Master Plan for Greens of Rivergate, a Residential Planned Unit Development, Davidson County, Tax Map 33, Parcel 205.

Staff reviewed. Project is located on Dry Creek Road, zoned HDRPUD, proposing to construct 218 two and three bedroom rental apartment units on 23 acres. Issues to address are: density of units per acre, impact of traffic, length of throat at the entrance to the project, frontage berm to conceal sight of development, storm water detention, parking outlined relative to density, sidewalk system made continuous, sidewalk consideration on Dry Creek Road, eliminate dead ends, possible additional waste disposal dumpster(s), and stormwater provisions.

Slides of the proposed site were shown. A question raised is whether sidewalks are going to be needed on this section of roadway, particularly if more multi-family developments come in. The question is when they are constructed and whether it is done piece at a time with each new development or all at one time. This was not discussed when Dry Creek Point went in as it was a lower density subdivision.

On the issue of density, Bill Terry noted that the zoning provisions permit a density of 7 units per acre. Our PUD regulations permit the board to approve additional units per acre, up to a maximum of 13, but it is an optional procedure with the board, and the developers are asking for a density of 9.1 units per acre for this development.

Jeff Goldstein, representing the developer, presented a letter from Fox Ridge Homes, developer of the Dry Creek Pointe directly across the street from this proposed project, expressing their support of Greens of Rivergate Apartments as proposed. He also presented a fact sheet handout on the proposed development and the issues involved. He noted there is a revised plat, pointing out the following changes. Additional green space has been added. Number of units has been reduced to 210 units giving a 9.1 unit per acre ratio. All units will be two story townhouses with full brick fronts. Sidewalks have been increased so they are continuous throughout the project. Dead ends have been eliminated by connecting with each other to eliminate problems for emergency vehicles. More extensive berms and landscaping have been added. The entrance depth has been increased to five car lengths.

Bill Terry noted that a turn lane will very likely be needed. Mr. Goldstein noted the developer would be willing to paint the lines for the turn lane(s). Regarding the traffic study, requested by

the staff to the developer prior to this meeting, Charlie Lowe indicated that he received the study this morning and offered these preliminary comments until further evaluation of the study can be made. There are no final conclusions formed to the study or recommendations to the board at this point. What was asked of the developers was to look at two intersections:

1. The intersection at the main entrance to the project on Dry Creek Road with Dry Creek Pointe.
   A. Look at capacity analysis of the roadway and the entrances at that roadway.
   B. See if the turn lane is warranted for both the entrance into this site and into Dry Creek Point.
2. The intersection of Dry Creek Road at Dickerson Road.
   A. Look at the capacity analysis of the intersection
   B. See if a traffic signal is warranted.

Charlie Lowe further commented that a horizon year of 2004 was used on this study and we view this as a project to be built out and the traffic will be there immediately. The study does not take into account the development underway across the street and needs to be considered as an immediate build out. Stacking is helped considerably by increasing the throat to 100' at the entrance. Specifics are needed to know how the stop signs they propose will work. Traffic entering the site should not stop at the T but should have the right of way continuing through the site so that traffic will not back up into Dry Creek Road. There is no laneage implied at the entrance but we feel a minimum of one lane in and two lanes out at the entrance is necessary.

Concerning turn lanes into the site and across the street at Dry Creek Point, the study implies there is enough asphalt there but it has not been measured yet, to provide for three approximately 12' lanes, face of gutter to face of gutter on the section which will give two through lanes and a left turn lane into either development. They call for approximately 50' of stacking in those turn lanes and this may need to be discussed for possible additional stacking in those turn lanes if the asphalt is there.

Charlie Lowe further noted, the study implies a traffic signal at the intersection of Dickerson Pike is currently warranted by five warrants. This would justify a traffic signal, implying that it be put there, warranted as an existing situation. The developers do not feel they should be responsible for the light as it is already needed and not relative to the proposed development. We do not have enough information and need to discuss the warrants with them to see if they are correct. Ragan-Smith & Associates was hired to look at the same warrant in April 1993 and at that time warrants of a signal at that location could not be achieved.

Billy Hitt expressed that he believes the density requirement should remain at 7 units per acre. Mr. Goldstein noted that is very low density and generally not feasible financially. The developers would be willing to work with whatever is needed on turn lanes and further study of the turn signal and sidewalk situation.

Pat Lydon noted that it appears to be a desirable project and it appears the 9.1 density would be acceptable considering the allowances that have been made on the design. Gary Webster made a motion to accept the proposed density of 9.1 units per acre for this project. Pat Lydon seconded the motion and the Board approved with 8 voting Aye, and Billy Hitt opposed.

The traffic study needs to be further addressed and work out the details of the methodology between their engineer and the city engineer. The revised plan seems to have taken into account all of the previous items raised. One further question is the design capacity of the storm water detention facility. Confirmation should be secured by the developer's engineer from the Corp of Engineers that this facility is adequate for this project and the ultimate developments' water shed, and that no additional detention will be required on this site. It should also be determined whether sidewalks are or will be needed up and down Dry Creek Road and further determine when such sidewalks are installed and who installs what portion of such sidewalks. The School Board will be contacted to determine if children would be picked up by bus at the development or if they would be required to walk to Gateway Elementary, influencing the sidewalk decision.

Jim Thomas made the motion for conditional approval of the Preliminary Master Plan subject to the technical comments described above, including further determinations made on the traffic study in regard to turn lanes, traffic signal, and sidewalks on Dry Creek Road. These issues to be addressed and resolved with the developers, City Planner, and City Engineer. Charlotte Morris seconded the motion and the board unanimously approved.

Item #5 (#20-94) to consider request of Lavergne W. Dodd and Windall L. Taylor for approval of the final plat of The Dodd-Taylor Subdivision, the resubdivision of Lot 7, Gateway-Section 1, Davidson County, Tax Map 34-9.

Staff reviewed. This is a replat of two lots as one owner is buying a part of the other lot. As Gateway Subdivision has a continuing drainage easement down the property line, it was suggested that rather than abandon the easement, the easement should be taken down the new property line. The Metro sewer signature should be secured, which owner indicated has been taken care of.

Bobbie Wilson made a motion to accept this request conditionally to the items discussed. Gary Webster seconded the motion and the board unanimously approved the motion.

Item #6 (#21-94) to consider the request of Gene Lanius, property owner, and Denny Griffin, business owner, to conduct a new use in an existing building in a commercial PUD district, at Dickerson Rd. and Old Dickerson Rd., Dav. Co. Tax Map 25, Parcel 66.

Staff reviewed. It seems the business which has moved into this building, Southeastern Concrete Supply, Inc., may be prohibited in the CPUD district if the classification for this business is determined to be Construction Sales and Service.

Bill Terry presented slides of the property, noting the new owner has dramatically cleaned up the property and building including removing barrels and other containers stored outside. Colony Manor Apartments joins this property in the rear and looks down onto the back of the building and the area behind the building.

Gene Lanius assured the board that his clean up and improvements to this property is continuing and that the property will always be maintained and kept clean. He has installed a privacy fence and because it is not tall enough to conceal the view from the apartments, he plans to add evergreens for this problem. He is in the process of getting a contractor to change the exterior of the building.

Maury Tidwell and Danny Griffin of Southeastern Concrete Supply noted that their business does not involve pouring any concrete. They sell and service waterproofing, damp-proofing, caulking, and sealing concrete for commercial customers (99%). There is no large equipment coming in and out of the business. This location is used for administration and storage.

Bill Terry indicated that the classification of General Business Services under the land use policy would be allowed under the zoning of this property. It was discussed and determined that the applications defined for this classification do coincide with the business of Southeastern Concrete Supply.

Charlotte Morris made a motion to allow the existing use of this business, meeting the requirements of the General Business Services classification. Pat Lydon seconded the motion and the board approved the motion unanimously.

David Wilson asked to go on record that Mr. Lanius is his Brother-in-Law and that someone in the community stated that as kin folks, they felt special consideration would be given on this item. He stated that he knew nothing about the fact that anything was on this property until today and has refrained from any conversation and discussion on this issue.

Further business:

Bill Terry noted there were two additional requests not on the agenda where individuals had requested to appear before the board at this meeting after the submittal deadline. Motion was made by Jim Thomas to hear both non-agenda items, seconded by Mary Ann Gourley, and approved unanimously by the board.

Bill Terry noted that Bobby Henson would like the board to consider changing the zoning on four homes, including his property, on Long Hollow Pike from CPUDLTD to OP to permit converting a home into a business. Mr. Henson expressed that he has lost several deals on his property because of the existing zoning. Don Speakman, one of the property owners, and his daughter, expressed their opposition to changing the zoning, as less control would be maintained by the board if the zoning were changed to OP.

Charlotte Morris noted such a change would be spot zoning. Jim Driver recommended this item be deferred until a study could be made. The following board members were assigned as a committee to study this request: Jim Thomas (Chairman), Mary Ann Gourley, Charlotte Morris, and Pat Lydon, and City Planner, Bill Terry. This committee will bring this request and their findings to the Board at the next meeting.

Mr. Chuck Crook addressed the board, requesting a variance in the curb requirements and amount of his letter of credit regarding the conditionally approved final plat for Squire's Point Subdivision. In the conditional approval, one of the technical corrections was that the letter of credit be increased from $8,500 to $11,500 to complete the streets. Mr. Crook is asking that the letter of credit remain at $8,500 offset by removing the curb requirement. He would like to asphalt and shoulder the turnaround and utilize ditching and culverts rather than curbs. His reason for this is to reduce his costs, thus reducing the amount required on his letter of credit.

Based on the lack of information required to make an informed decision, specifically about drainage and costs involved in regard to the letter of credit issue, Mary Ann Gourley made the motion to defer this request until the Public Works Director, City Planner, and City Engineer can review the matter. Jim Driver seconded the motion and the board voted unanimously in favor of the motion.

Jim Driver discussed the matter of non-agenda items being presented to the board. He made a motion that no item will be heard by the board that is not on the agenda. Bobbie Wilson seconded the motion and the board approved the motion unanimously.

There being no further business, the meeting was adjourned at 8:02 p.m.

Grady McNeal, Vice-Chairman

Claudia Davis

Claudia Davis, Recording Secretary