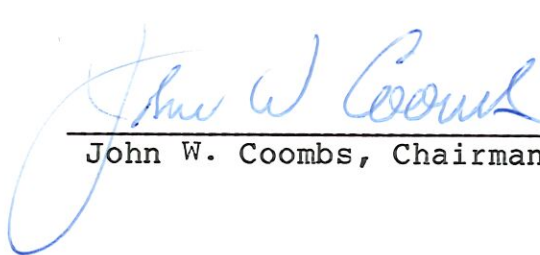
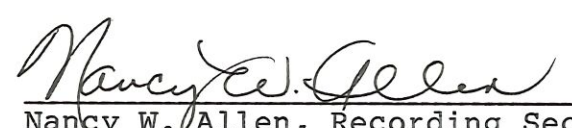


There being no further business, the meeting adjourned at 8:10 P.M.


John W. Coombs, Chairman


Nancy W. Allen, Recording Secretary

/nwa

MINUTES OF REGULAR MEETING
GOODLETTSVILLE PLANNING & ZONING BOARD

Date: October 5, 1992
Time: 5:00 P.M.
Place: City Hall

Present:

John Coombs	Bobbie Wilson
Sonny Ponder	Grady McNeal
Billy Hitt	Jerry Garrett
Charles Moore	Jim Driver
Gary Webster	
Charlotte Morris	

Also Present:

Charlie Lowe	Linda Eller
Don Hosea	Buddy McNeese
Virginia Pemerton	Bob Capps
Dillard/Edna Scott	Bob Ingram
Kathy Chrestman	David Wilson
R. A. Bates	Bill Terry
Delegation from	Nancy Allen
Willis Branch	
Road & Long Hollow Pike	

The meeting was called to order by Chairman John Coombs. Prayer was offered by Jim Driver. Minutes of the September meeting were approved as submitted.

Item #1 (#15-92), consider the request to annex Willis Branch Road. Petition was presented at the City Commission on 9/10/92 and the item was referred to the Planning Board. Staff reviewed. Terry showed slides from various viewpoints on Willis Branch Road. The area is small in size and in the number of people, a situation similar to the Hogan Branch Road area. This would involve about 1/2 mile of Willis Branch Road and 1/2 mile of Whitaker Lane (which may now be called Willis Branch Road). There are 24 names on the petition representing 19 households.

Terry noted that the people in this area as well as those in the areas along Allen Road and Caldwell Drive requested annexation in 1989. A study was prepared at that time and should provide a basic overview of the issues today, though the analyses and conclusions are dated.

The Willis Branch Road area has no fire protection; police protection is provided by the Sumner County Sheriff; street maintenance by the county. Goodlettsville can provide services to the area with no additional city personnel or equipment. The road is in good condition. It is within four miles of the fire department. However, if this area is annexed along with the Hogan Branch Road area, which was recommended last month, the potential impact increases. To be fair, the other areas that requested annexation should be considered as well. If this is done, the cumulative effect of all areas should be studied. An annexation report could be prepared that would consider the feasibility of each area as well as the feasibility of the total area.

Since the staff has previously made an extensive annexation study of the five areas in Sumner County whose property owners have, at some time in the past, petitioned the City for annexation; and, since the study will need to be upgraded, Chairman Coombs appointed the following committee, along with Bill Terry, to study and bring their findings and recommendation to the November meeting: Bobbie Wilson, Chairman, Charles Moore, Sonny Ponder, and Gary Webster.

Item #2 (#16-92), consider the request by petition to rezone Long Hollow Pike from Loretta Drive to the City limits. The petitioners have not stated what kind of zoning is desired other than some kind of commercial zoning. The basic intent Mr. Hosea stated to Terry was that with the widening of Long Hollow Pike the land will be no good for residential and that some would like to establish some kind of business.

Terry showed slides of the area, pointing out the impact on some properties by TDOT's project to widen Long Hollow Pike. Staff reviewed. Opinion: "This type of zoning...that of "stripping" a highway commercial...would be in violation of the adopted land use policy plan of the City. Further, the City is already overzoned with this type zoning where established residential areas have been rezoned to commercial for speculative purposes. The result is a mixture of incompatible land uses where some property may be converted but not all property so zoned is converted. A conflict between the new commercial and the remaining residences is assured, and the residences are damaged for residential purposes. Several examples where these types of conflicts now exist are Louisville Highway, Echo Meadows, Wade Circle, and the Church Street/Depot Street area.

"A few existing houses are going to be damaged by the widening; however, it is doubtful if there is any market for these types of properties to be converted to commercial use. If such a market existed, then all the existing areas zoned in this manner would

develop. Other problems that occur when houses are rezoned commercial is lack of maintenance and conversion to rental property. This appears to be more prevalent where the owner/occupant pattern has changed but the anticipated big profits for commercial property don't materialize."

At this time, petitioners in the audience were given an opportunity to speak. With regard to a planned use, Don Hosea said he wants to build an old general store, similar to Cracker Barrel. He said others thought the State may give them a better price on their property acquired for the ROW if zoned commercial. Buddy McNeese said the 5-lane road would be in his front yard; Bates said when Loretta is widened, the road would be 18' from the side of his house. He has small children and is concerned about the increased traffic hazard. Kathy Chrestman asked about the necessity for a 5-lane highway...why design that wide unless it was intended to develop for commercial use?

Terry explained that TDOT feels their study of increased traffic between Nashville and Gallatin justified a 5-lane highway. The projected time for starting construction is Spring of 1993 and could take 2 to 5 years to complete. This is the first phase of widening Long Hollow Pike to 5 lanes all the way to Gallatin (or 4 lanes with a center turning lane).

Coombs explained that the widening of Long Hollow Pike is a project of the Tennessee Department of Transportation, and asked that the petitioners understand that the City has no control over that project. The Board has to consider the best use of the land as established in the adopted land use plan. Other considerations are: 1) is there a planned use? 2) what zoning would be appropriate that would give them relief and at the same time not jeopardize the adjoining residential properties? 3) the increased traffic such zoning would create.

Moore noted that the last time property on Long Hollow Pike was rezoned from residential to commercial use (4 lots rezoned to ROPUD, Restricted Office Planned Unit Development), the Board mutually agreed that there would be no more rezoning beyond Loretta until such time as there is a definite need.

Terry said those four lots had not developed as was expected. He felt an injustice would be done to the petitioners as well as to the City to rezone without a plan. If zoned commercial, he could not turn down a request for commercial use for any lot, even though lots on either side might be still used as residential.

Hosea restated they felt the State was not going to do anything to help them, and that's why they came to the City. If the City won't help, he said they will go somewhere else and get legal help. He asked if it would help to get more names on the petition. Terry explained that a petition can not be resubmitted within one year of the time it was first presented, according to the zoning ordinance.

McNeese asked if the Board would reconsider if they came back with a use plan for property from Loretta to Grace Drive. Coombs said the Board would consider a request to rezone if a plan of use is presented; however, this would be considered strip zoning which is against the Board's policy.

After lengthy consideration, on a motion by Ponder, seconded by Hitt, the request to rezone property along Long Hollow Pike from Loretta Drive to the City limits was denied.

Item #3 (#7-92), consider rezoning the newly annexed property in Sumner County (Garrett property) from Agricultural to R-40. Staff reviewed. When this property was annexed, the staff recommended Agricultural zoning, their Opinion being: "The entire track is now undeveloped, but there is about a mile of road frontage. If it is zoned R-40, then lots could be created fronting along Happy Hollow Road every 125 feet. There have been expressions from various people that such development is objectionable. The only way to control this is through zoning. If the property or a portion thereof is proposed for development, a rezoning would be necessary, thereby giving the Board and Commission more control over the situation. Otherwise, all that is required is a plat."

The City Commission suggested that it be rezoned R-40 to be compatible with the zoning in the Madison Creek/Patton Branch area. On a motion by Ponder, seconded by Bobbie Wilson, the Board voted to recommend to the Commission that Parcels 128 and 130, Sumner County Tax Map 121, be rezoned from Agricultural to R-40.

Item #4 (#17-92), consider the request of Preston Quirk with Quirk Designs, on behalf of the owner, for Site Plan approval for a Family Life Center for the First Baptist Church at 613 S. Main Street.

Terry showed slides of the property. Staff reviewed. The project will involve construction of a new building and the development of some additional parking. There is also some additional land to be purchased by the church. When that sale is finalized, a subdivision plat will be required. Also, an easement dedication for utilities and a fire hydrant relocation are required. There is a zoning issue on the west side parking lot. This off-site lot is zoned R-25. They will need to go before the Board of Zoning Appeals for a variance on setback (on Shevel) and use as a parking lot.

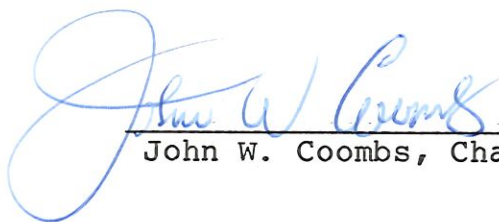
Discussion mostly involved the impact of this additional development on the existing drainage problem caused by runoff from the parking lot dumping into the creek causing problems downstream, and the best way to prevent this project from exacerbating the problem. Charlie Lowe said some form of retention facility is needed for collection of all church water in order to slow down the runoff. Garrett said the church owns 3 parcels of property which should be enough to build a retention area to the rear of the church.

Bob Capps was concerned with building a retention pond because of nursery children playing in the area and the church's liability. He suggested curbing the north side of the parking lot and opening a drain to the west to funnel water off the parking lot. He said, however, that he was not aware of problems downstream, and realized this would not take care of the problem.

Motion was made by Moore, seconded by Hitt, to grant conditional approval of the Site Plan for a Family Life Center for the First Baptist Church, subject to final details being worked out by the staff. Motion passed unanimously.

Following the published agenda, Terry asked that another item be discussed. Commissioner Long asked that the Board consider what a "yard sale" is and what a "consignment sale" is. The City has recently had complaints about a "consignment sale" on Emily Drive causing traffic problems. Terry said there are two "consignment sales" in Sumner County that are held twice a year as "yard sales". He has talked to them about their "business" and the traffic problem they are causing, but this is difficult to regulate. The Board agreed that a "consignment sale" is a business because they are receiving a percentage of the sale of items taken in on consignment. This type business is not permitted in a residential area. Terry said Ordinance No. 87-376 (Goodlettsville Municipal Code Title 2, Chapter 2), the ordinance written to regulate yard sales, can be reworded to redefine "yard sales". The Board agreed this should be done. This will give the Planning & Codes Director the authority to shut this type of business down.

There being no further business, the meeting adjourned at 6:30 P.M.



John W. Coombs, Chairman



Nancy W. Allen, Recording Secretary

/nwa