

MINUTES OF REGULAR MEETING
GOODLETTSVILLE PLANNING & ZONING BOARD

Date: July 6, 1992
 Time: 5:00 P.M.
 Place: City Hall

<u>Present:</u>	<u>Absent:</u>	<u>Also Present:</u>
John Coombs	Grady McNeal	James Conner
Sonny Ponder	Billy Hitt	Rocky Montoya
Charles Moore	(1 vacancy)	Bob Johnson
Bobbie Wilson		Robbie James Cole
Charlotte Morris		Mr. Cole
Jerry Garrett		David White
Jim Driver		Tim Garrett
		J.C. Garrett III
		5 Residents of Hogan Branch Road
		Tommy Cunningham
		Joyce Washington
		Amelia Bryant
		Pete Ragan
		Bill Terry
		David Wilson
		Nancy Allen

The meeting was called to order by Chairman John Coombs. Prayer was offered by Jim Driver. Minutes of the June meeting were approved as submitted. It was announced that Billy Hitt is recuperating at home following hospitalization. Best wishes were extended to him.

Item #1 (#3-92), hear report from the committee to study renaming the Dry Creek extension road. Committee Chairman Billy Hitt could not be present; however, he had discussed the suggested name of Solitude Drive with Terry. Since there is already a street named Solitude Circle in Echo Hill Estates, he recommended that the committee meet to re-study. Committee members Garrett and Moore (McNeal absent) agreed with the recommendation and will try to meet before the next meeting.

Item #2 (#5-92), consider the request of Rocky Montoya, on behalf of James Conner, owner of Parcel 130, Sumner County Tax Map 140, for approval of a Preliminary Plan for Conner's Subdivision, 6 lots to be subdivided from the 61+ acre parcel located on the west side of Madison Creek Road at the intersection of Patton Branch Road.

Terry showed slides of the property. Staff was concerned about the creek along the back side of the property which junctures with another creek at lot 6. All lots will have to have a bridge structure across the creek. A flood study is needed to determine first floor elevations. Montoya said that Bob Johnson had been working on the calculations but was not able to complete prior to the meeting.

We need assurance that all bridges across Madison Creek will be able to handle a 25- or 100-year flood (whichever the flood study shows); also, that we have accessible points for access to the back of the property. We need a proposal as to the crossings. Also, Terry said there are a number of corrections and additions needed in order to meet subdivision regulations.

All of these problems were considered significant enough to defer until the flood study is completed. On a motion by Garrett, seconded by Ponder, this item was deferred subject to a flood plan satisfactory to the city planner and city engineer.

Item #3 (#6-92), consider the request of Robbie James Cole, executrix of the Nina James Estate (James Trailer Park, 611 N. Main Street, Parcel 70, Davidson County Tax Map 18-12), to abandon the right-of-way of Tinnon Avenue and a portion of Central Avenue.

Terry showed slides of the property. Ms. Cole has requested action similar to the abandonment of Williams Avenue and a part of Central Avenue recently granted to Richard Uselton. She contends that many years ago they were permitted by the city to use the dedicated rights-of-way for access to the trailer park and that they have paved and maintained them since that time. The trailer park currently utilizes all of the right-of-way of Central Avenue adjoining their property.

Staff reviewed. Central Avenue has no value to the city; however, Tinnon Drive may be a different situation. Church Street ends at a common property line with the northern right-of-way of Tinnon Drive. The distance between the two is approximately 175 feet. With the acquisition of some additional right-of-way, it may be possible to construct a connecting link to Church Street. This would provide several benefits for the city as well as all the properties that must be accessed by using the existing narrow streets connecting Church Street and Dickerson Road.

Based on the possibility of a future use, Tinnon Drive was not considered for abandonment. A motion was made by Garrett, seconded by Ponder, to abandon the right-of-way of the remaining portion of Central Avenue to the adjoining property owners. The motion passed unanimously. (See page 145 for amended motion.)

Item #4 (#7-92), consider annexation of land adjacent to the city limits on Happy Hollow Road. Terry reviewed. A tract of land owned by Johnny Claude Garrett and others (Sumner County Tax Map 121, Parcel 130) was split by the City limit line when the area was annexed in 1986. At the time, it was one 211-acre parcel of land. Since the annexation split the property, the tax assessor apparently created a second parcel (130.01) for the area that was annexed by the City. The result is that part (96 acres) of the original parcel is in the City and part (125 acres) is out, thus the proposed annexation will consist of about 125 acres. Because the land is vacant and is less than 1/4 square mile, annexation could be accomplished by ordinance, with no plan of services required.

Staff has not done a complete annexation study; however, there appear to be few costs involved for the City. The City would be taking about .7 of a mile of Happy Hollow Road, but it is a good double bituminous surface road with a 50-foot right-of-way. It would not require any immediate maintenance. The property is over

five miles from the fire department, which means a Class 6 rating would not be available for any houses that might be built. The only fire hydrant near is at the intersection of Happy Hollow and Hogan Branch Roads. It appears that there is a four-inch water line available in Happy Hollow Road. If this property were developed, it would require upgrading to a six-inch main. If a recommendation in favor of the annexation is passed, it should include the recommended zoning classification.

Terry showed slides of the wooded, undeveloped property. Sonny Ponder asked if it would be a conflict of interest if he, as a Board member, asked that Hogan Branch Road be considered for annexation along with the Garrett property. He lives on Hogan Branch Road (parcel 122). He was brought a petition over the weekend asking that he make the request. The petition was signed by 12 property owners on Hogan Branch Road, some of whom were present.

Regarding Hogan Branch Road, Garrett said that annexation by ordinance for this size developed area would require a plan of services, and the City could not provide sewer service to that area any time in the near future. In order not to be required to provide a plan of services, a referendum would have to be scheduled.

Hogan Branch Road property owners asked some questions regarding possible changes which would affect them should they be annexed, such as: schools, zoning requirements, regulations on shooting blackpowder guns, owning horses, conducting business in their homes, etc.

The Board did not oppose consideration of the Hogan Branch request, but felt the two requests should be acted upon separately, especially after hearing the concerns of those property owners present. Any action could possibly be delayed should there be a controversy among the residents of Hogan Branch Road. On the other hand, there would be no reason to delay annexing Parcel 130, since the original intent was to follow property lines, and this entire parcel should have been included in the 1986 annexation.

A motion was made by Garrett, seconded by Ponder, to recommend annexation of Parcel 130 by ordinance, and at the same time recommend that the staff study the request based upon the petition for annexation of Hogan Branch Road. The motion passed unanimously.

(Back to Item #3) Since Central Avenue has never been accepted by the City, it was determined that the right-of-way of this portion of Central Avenue would have to be accepted first, then abandoned by ordinance. Garrett rescinded his motion, and Ponder rescinded his second. The motion was amended as follows:

A motion was made by Garrett, seconded by Driver, to recommend that the right-of-way of Central Avenue be accepted by Resolution, then

abandoned, by ordinance, to adjoining property owners from the point of its recent abandonment to the intersection of Tinnon Drive. The motion passed unanimously.

David White, the only other adjoining property owner, was present. He said he has told Ms. Cole that she could continue to use the portion that would be abandoned to him as she has in the past. It will become private property, not to be used as a throughway.

Cole and White were advised that the City will be quitclaiming any and all interest in the Central Avenue easement. After the ordinance to abandon the right-of-way has passed 3rd reading by the City Commission, they should have a description of the revised property lines prepared and recorded in the Register's Office of Davidson County to clear the titles to their property.

Item #5, consider release of the \$85,000 Letter of Credit for Indian Hills. Staff conducted a thorough inspection and Bill Brasier prepared a punch list for completion of Section I and Section II. In addition, less than half the monuments shown on the plat were found. Further, less than half the houses have been built in Section II, and construction traffic will have to use the streets with the resultant damage that normally occurs.

Bruce Hite, with Ragan-Smith, said the developers would like complete release of Section 1, and a reduction in the amount of the Letter of Credit held on Section 2. Brasier requested that the Letter of Credit only be reduced to \$60,000.

With regard to item 4 on the punch list for Section 1 regarding non-standard signs, Hite said the Homeowners Association would maintain the signs. Terry advised that the City requires that the signs meet standard regulations; should an accident occur caused by the substandard-size signs, the City could be held liable.

On a motion by Ponder, seconded by Morris, approval was granted to reduce the Letter of Credit for Indian Hills to \$60,000, provided the 8 items on the punch list for Section 1 can be resolved.

Following the published agenda, Terry asked the Board to consider two additional items.

Item 6 (#8-92), Tommy Cunningham purchased at auction recently, 33 acres (Lot 5 of the Rivergate Acres Master Plan) located on the south side of the Dry Creek extension road. This property is zoned RPUD, thus the Board has authority to approve the use. Cunningham is requesting approval to restore the existing red barn and convert into a residence. He plans to live there. He brought one pencil drawing. Asked how he planned to develop the 33 acres, Cunningham said if the Board would allow, he would eventually like to develop a golf driving range and use the restored barn for the club house.

A new Master Plan will be required; however, in order for Cunningham to begin construction on the house, a variance could be

granted by the Planning Board, which has the authority to waive the Board of Zoning Appeals Action for a Planned Unit Development (Chapter 11, Section 11-1102 (h) of the Goodlettsville Zoning Ordinance).

On a motion by Garrett, seconded by Moore, approval was granted for Cunningham to begin remodeling the existing barn for a single family dwelling, for residential occupancy only, prior to coming back to the Board with a Master Plan.

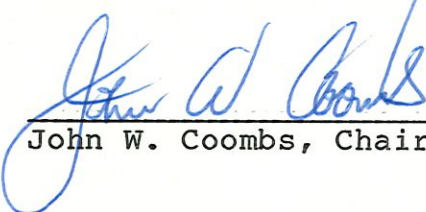
Item 7 (#9-92), Joyce Washington and Amelia Bryant presented a proposal for a senior day care center which would provide day care for 12 to 15 elderly people Monday through Friday, 6 AM to 8 PM, providing a mid-morning snack and lunch, and the same type activities as the J.B. Knowles Senior Citizens Center in Nashville, at a cost of \$31-\$35 a day. They are considering using the existing vacant (round) building adjacent to the railroad which fronts on Long Hollow Pike.

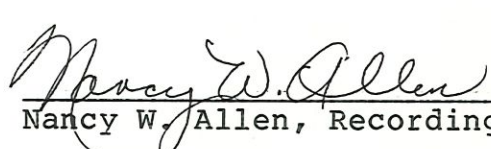
Terry said the property is zoned CPUD and this is a permitted use; however, the Board needs to study if that location would be acceptable for the proposed use. Considerable work needs to be done on the house to bring it up to basic standard requirements; i.e., the floor needs shoring in places, the roof leaks, wiring needs to be reworked, it needs to be made accessible for handicapped, etc. Washington said they would be leasing the building, and the owner has agreed to do the necessary work at his own expense.

The Board gave their endorsement to the concept, saying this type private enterprise is needed, and they were encouraged to move forward if that building can be brought up to standard.

A last item...David Wilson had a letter from the Nashville Chamber of Commerce with regard to the Metro Planning Commission's area-wide Land Use Planning Program. Goodlettsville is included in Sub-Area 4. A Citizens' Advisory Committee is being established and Tim Garrett asked the Planning Board for three recommendations for appointments to this committee. John Coombs offered to serve and Sonny Ponder offered to serve as an alternate if there is no conflict because he lives in Sumner County.

There being no further business, the meeting adjourned at 7 PM.


John W. Coombs, Chairman


Nancy W. Allen, Recording Secretary

/nwa