

OFFICIAL MINUTES OF THE MEETING

GOODLETTSVILLE PLANNING AND ZONING COMMISSION

October 4, 2021

Goodlettsville City Hall

5:00 p.m.

Massie Chambers-Auditorium

Present: Chairman Tony Espinosa, Vice Chairman Scott Trew, Jim Hitt, Grady McNeal, Jeff Parnell, Judy Wheeler, Bob Whittaker

Absent: Mayor Rusty Tinnin, Jeff Duncan

Also Present: Addam McCormick (Staff), City Manager Tim Ellis, Russell Freeman, Mary Laine Hucks, and Sharon Reed

Espinosa called the meeting to order and McNeal offered prayer.

Item #1 Approval of Agenda: Hitt made a motion to approve the agenda, McNeal seconded the motion. The motion passed unanimously.

Item #2 Approval of August 2, 2021 and August 30, 2021 Meeting Minutes: Parnell made a motion to approve the minutes of the August 2, 2021 and August 30, 2021 meetings, Trew seconded the motion. Motion passed.

AGENDA

Item #3 Copper Creek 2-5/Meritage Homes: Requests recommendation to the City Commission for acceptance of public improvements with a one-year maintenance bond. Planning staff to define final improvement completion status.

Item Representative: N/A

Staff Discussion:

- Project Status: One hundred (100%) percent lot construction- seventy-six (76%) lots.
- Subdivision Plat Information: Copper Creek Section Two (2) Phase Five (5) recorded February 1, 2018
- Subdivision Roadways: Old Stone Road cul-de-sac section and Dunbar Court
- Subdivision Bond Information: Performance Bond \$ 210,000 November 9, 2021 Expiration
- Remaining Improvements:
 - Asphalt surface and pavement markings
 - One sidewalk section by detention pond
 - Storm water finish grading and detention pond and ditch sections final stabilization
- Remaining Improvement Cost Estimate: \$ 75,000
- Staff recommend approval with \$ 40,000 maintenance bond subject to all remaining improvements being inspected, approved, and completed by the October 28, 2021 City Commission meeting. Per project representatives, the improvements are all scheduled to be completed within this time frame.
- Asphalt paving is anticipated the first week of October. If the remaining improvements are not completed per the Planning Commission's requirement, the project including performance bond will be in default and the City will request bond payment to complete the remaining improvements.

Planning Commission Discussion:

- Espinosa asked McCormick if the bond default is standard or a stipulation
- McCormick explained the bond requirements

Motion: Motion by Wheeler to approve the request, seconded by Hitt. The motion passed unanimously.

Item #4 Rivergate Shell Building/Community Solutions by Design, LLC: Requests buffer screen design approval for a 3,055 sq. ft. commercial center on 0.44 acres at 120 Rivergate Parkway and Donald Ave. Site plan approved at the August 30, 2021 Meeting. Property referenced as Davidson County Tax Map/Parcel# 02605014200 and is zoned CSL, Commercial Services Limited and CCO, Commercial Core Overlay. Property Owner: Rafee & Fatimah Syed (#5-21)

Item Representative: N/A

Staff Discussion:

- The Planning Commission at the August 30th, 2021 meeting approved the site plan with the stipulation for staff to discuss the rear buffer design with the adjacent residential property owner. The property line fence design and installation location were based on an agreement between both property owners. The landscape buffer was requested with the existing fence including a dense evergreen landscaping screen to have a mature height of twelve (12'+) plus feet.

Planning Commission Discussion:

- Trew asked McCormick if all agreed with the landscaping
- McCormick explains the property line landscape, solid fence area and evergreen landscaping screen

Motion: Motion by Trew to approve, seconded by Parnell. Motion passed unanimously.

Item #5 Villas at Highland Park/TTL/Sage Legacy, Developer: Request preliminary master plan approval for 133 townhouse units on 19.12 acres on Dickerson Road. The plan includes the addition of a 1.2-acre property on Dickerson Road zoned CPUD, Commercial Planned Unit Development that does not include any residential units. Planning Commission at the April 27, 2020 meeting recommend approval to the City Commission to rezone the 19.12 acres from A, Agricultural to HDRPUD, High Density Residential Planned Unit Development. Properties referenced as Davidson County Tax Map/Parcels#02500006000, 0250021900, 0250021800, and 02500006200. Property Owners: Thomas and Tammy Cox and Robert and William Burton (#9- 21) (*Deferred at August 30, 2021 Meeting*)

Item Representative: George Grundler, Sage Legacy LLC, and Barry Cleveland, TTL

- Parnell recused himself from agenda item #5 Villas at Highland Park.
- Espinosa-made a recommendation to follow the guidelines of the City Commission meeting regarding Public Forum speakers.

Staff Discussion:

- The Planning Commission at the April 27, 2020 meeting approved the rezoning recommendation to the City Commission with the list of project design guidelines.

- The City Commission at the July 23, 2020 meeting approved the rezoning ordinance on first reading only with the project guidelines.
- The City Commission's rezoning ordinance second reading and Planning Commission's Comprehensive Plan review were both deferred until the project master plan was submitted for review and approval.
- The project proposal includes two (2) story townhouse designs to include more square footage for the units versus a mixture of one and two story designs.
- The applicant has discussed property dimension and grade limitations, undeveloped Tennessee Valley Authority (TVA) easement across the property, looped street design, and the fifty (50') feet buffer along the north side of the property required per property acquisition agreements limits the area available for larger one-story unit designs.
- The Planning Commission at a previous meeting discussed unit layout and design and the number of units on the property.
- The Planning Commission at a follow up meeting discussed perimeter project buffers, open space and project layout, and if the commercial area shown at the front of the project should be included or not.
- The Planning Commission's 2020 review of the rezoning proposal and City Commission's approval on first reading defined half of the units limited to one story in height and the unit cluster design to preserve more green space. The approval also included the maximum permitted density. If the Planning Commission determines the site layout does not meet the open space clustering previously approved guideline then the site layout could be reviewed to incorporate more intermixed open space which would reduce the unit number. The site layout is limited with limitations as discussed above. The Planning Commission and City Commission can review reducing the density below the maximum per the following zoning ordinance section. Since the Planning Commission previously approved the permitted density then any requested reduction in density would need to be reviewed and discussed during the meeting and any motions include a basis for any proposed reduction to the City Commission.
- The project representative discussed at the July meeting the intention for individual for-sale units. If the preliminary master plan is approved, the restrictive covenants submitted at the final master plan stage will need to include this statement.
- The project design includes a public exterior loop street with multiple small private drives for the residential unit connections. The City's Fire Marshal's review comment included a loop street design for emergency services traffic. The revised design includes the loop street with designated parking. The revised design has been reviewed and agreed upon by the City's Fire Marshal. The revised design includes a wider entrance roadway section to accommodate a three (3) lane entrance section for the possible use of multiple emergency vehicles.
- The proposal includes revised building design requirements per the City's Design Guidelines. One of the building designs includes revised two (2) car garage dimension of twenty-two (22') feet x twenty-two (22') feet. The one garage dimensions proposed are ten-half (10.5') feet x twenty-one (21') feet. The City Commission at the September 23, 2021 meeting adopted an ordinance requiring minimum garage dimensions of twelve (12') x twenty-two (22') feet one car garage dimensions and twenty-two (22') feet x twenty-two (22') feet for two (2) car garage dimensions. The one car garage dimension will be required to be revised to meet this requirement.
- The proposal includes the additional 1.2-acre property not included in the initial 2020 rezoning review. The property area is zoned CPUD, Commercial Planned Unit Development. The additional property was included to provide an improved sight access intersection design.

- An engineering traffic study will be required with the final master plan phase of the project. The revised plans include additional visitor parking areas in the one-way loop section on the south side of the project.
- Staff met with adjacent property owners and discussed the project design.
- Staff sent the applicant a list of requested design changes discussed in the property owner meeting and staff discussed the applicant's response
- The flipped site design caused an issue with the planned unit development minimum setback requirements along the south property line between the units and adjacent nursing home and apartment complex. Staff would recommend the Planning Commission to review the flipped site design alternative to discuss if setback reductions could be included with the preliminary master plan to permit the alternative layout design.
- The project plan has been amended to extend the development area onto a larger percentage of the property and maintain the frontage commercial area.
- Staff would recommend approval with the following stipulations being included on the preliminary master plan submitted for City Commission review:
 - Stipulation-revised building design information including increasing the one car garage dimension to twelve (12') feet x twenty-two (22') feet and Planning Commission's determination on revised design including all two (2) story units versus a mixture of one and two (2) story units per original guidelines
 - Stipulation-restrictive covenants submitted with final master plan to include statement of for-sale units.
 - Stipulation-review alternative flipped project design which would include reduced exterior building setbacks along the south property line. If the flipped design with perimeter setback reductions is determined by the Planning Commission not to work, then a fence or other method be required to prevent alteration of natural buffer easement area.

Planning Commission Discussion:

- Grundler discussed the revised updated Master Plan that best matches the site, and the approved Rezoning. The revised plan shows the homes upon the site have been spread throughout the entire site reducing the concern of the site being too dense and "scrunched". Updated architecture in regard to materials, garage size and massing. The fifty (50') feet of conservation easement along a portion of the Northern edge will remain. Parking for the homes, visitor parking, providing a safe and walkable community are addressed in the updated plan. Traffic slowing island provided in the area of the TVA easement.
- David Wilson-resident 510 Utley Drive – owns property adjacent to this property. Main concern is the transition of density adjacent to the single-family residential properties.
- Wilson discussed the City's Zoning Ordinance Section on "Limitation on Density"
- Wilson discussed the request to flip the site design to lower density
- Espinosa discussed the flipping and changing the setback requirement for the development
- Cleveland discussed concerns with flipping the site to the opposite side of property extending beyond the twenty (20') feet building setback
- Espinosa discussed the mixture of one (1) and two (2) story units and concerns with the transition between adjacent properties
- Espinosa asked if the property was flipped would the units have issues with selling?
- Grundler explains flipping the site would make the units less marketable

- Cleveland explains the alley section and storm water drainage area if site was flipped
- Trew discussed talking with Mr. Garrett and Mr. Grundler outside the board meeting.
- Trew commented he wants to be fair to the developer and the adjacent property owners and wants to work with all to try and accommodate everyone. Trew discussed concerns with the property owners along the Northern property line having the most impact with the development
- Grundler states they understand the concern and will do everything to mitigate if that means installing a fence or reducing density along the Northern side they are willing to accommodate all the requests
- Espinosa asked about the pavilion space location on the site map
- Grundler explains the site map and TVA easement
- Wheeler discussed additional use of the 1.2-acre commercial property for residential units instead
- Grundler explains the setback of the homes would be a concern and less desirable
- Trew comments on how long he thinks it will be before the commercial property developed
- Espinosa discussed the challenges for commercial property along Dickerson Pike and this area
- Hucks discussed the commercial property proposal and best options for this development
- McCormick explains the proposed use of the 1.2-acre commercial property
- McNeal asked McCormick if the City's Fire Marshal reviewed the plan
- McCormick explains the revised design includes a wider entrance and loop street design
- McNeal asked about the site drainage and landscaping plan
- Cleveland discussed the site drainage location, maintaining the drainage pattern area, trees remaining in the conservation easement and far back side of property
- Hitt asked about the entrance to the property, commented on the traffic flow, and questioned if the restricted covenants will state owner occupied units
- Cleveland discussed the divided four lane highway and similar count patterns on other projects
- Grundler discussed the proposed development is to be for sale homes
- Trew asked if approved when would they start clearing the land
- Grundler states he would anticipate beginning in the Spring and delivering homes in the fourth quarter of next year
- Parnell discussed the history of how the 19 acres was bought and sold. He discussed the parcel purchased from Dawn Milanovich and how the developer addressed concerns of adjacent property owners and vacant lots.
- Hitt comments on the board approving 133 units was to spread over 19 acres.
- Grundler states the property is now larger with the commercial space.
- Espinosa asked if the developers and investors are willing to consider the redesign of the property
- Grundler states nothing is non-negotiable, and they are more than willing to accommodate
- Cleveland asked if the board could be polled
- Trew discussed expanding the middle section and moving houses to the pavilion area reducing the number of units next to the adjacent property
- Cleveland states they can consider the request
- Freeman states the board can vote but cannot be polled.
- Espinosa discussed the board's request for space, transition in the area, flip the plan and come back to the board one more time.
- Parnell explains the contract for sale is supposed to close before the next Planning and Zoning meeting and request the board to approve with conditions.
- Espinosa discussed the number of units located adjacent to property owners East of Milanovich's and

West of Garrett's properties

- Hitt explains at this point he cannot consider a conditional approval with all the "maybe's" and "what if's" being discussed

- Espinosa explains his position if they received a conditional approval going West of Garrett property removing or allocate 19-units to the pavilion area

- Grundler asked Espinosa if he would be comfortable in refining his statement

- Espinosa stated he would not be comfortable in refining the statement

- Ellis suggested a work session to discuss the project before the next Planning Commission meeting.

- Trew discussed the commercial area and stated he thinks the work session would be very beneficial

- Wheeler discussed other issues with the project and she thinks the work session would be good

- Hitt asked Freeman for a legal view of a study session

- Freeman explains they can publicize and give notice of a work session to look over matters before the board. The work session is not for negotiation but for discussion of the project.

Motion: Trew made a motion to defer the request and have a study session referenced in meeting, seconded by Wheeler. The motion passed unanimously.

Item #6 Planning and Development Services Staff: Requests an amendment of the City's Comprehensive Land Use Plan to change an area designation from residential low density to high density residential for the requested rezoning and preliminary master for properties on Dickerson Road as referenced in Item#5. (*Deferred at the August 30th, 2021 Meeting*)

Motion: Whittaker made the motion to defer, seconded by Hitt. The motion passed unanimously.

Item #7 Hendon Properties: Request recommendation to the City Commission to amend the I-65 @ Long Hollow Pike Interstate Sign Zone Map to include a section of the 6.13-acre property along the south side of Vietnam Veterans Memorial Blvd (SR-386) referenced as Davidson County Tax Map/Parcels# 02600000700. Property Owners: Alton B. Fitzpatrick Revocable Living Trust

Item Representative: N/A

Staff Discussion:

- The applicant is requesting an extension of the Interstate Sign Zone map to include a section of property on the mall side of Vietnam Veterans Memorial Boulevard/SR-386.

- The proposed signage is for advertising and increased visibility for a proposed significant regional retail development in the Rivergate area.

- Recommend the Commission review a larger area to increase the visibility of business with larger signage.

Motion: Trew made the motion to approve the request, seconded by Wheeler . The motion passed unanimously.

Item #8 International Fire Sprinkler Protection INC/ IFP Realty, LLC: Request zoning use approval prior to site plan approval for a fire sprinkler design, engineering, and contractor facility on 1.52 acres on Windsor Green Ct. The property is zoned GOPUD, General Office Planned Unit Development and referenced as Davidson County Tax Map/Parcel# 026060B02400CO.

Item Representative: Keith Horn, C&M Property Development

Staff Discussion:

- The property is zoned GOPUD, General Office Planned Unit Development.
- The zoning permits office and professional services but does not include contractor services including storage of heavy construction equipment and building material storage yards.
- Staff has reviewed similar contractor's office and service uses as office and professional services uses when not including on-site heavy equipment and storage yards.
- Staff wanted to confirm the proposed use with the Planning Commission prior to the final site plan being submitted.
- The proposal includes roughly forty (40%) percent of the building for design, engineering, sales, and management services.
- Recommend approval based on preliminary building and site design

Planning Commission Discussion:

- Espinosa asked about the outside storage
- Horn explains the outside storage will be moved inside
- Parnell asked for the vertical elevation difference from the hotel property and this property
- Horn discussed the elevation
- Wheeler asked if the plan is for the trucks to be stored or parked there for a long period of time?
- Horn explains the bay doors are open for delivery of equipment
- McCormick discussed the service vans parking on site
- Parnell discussed the request for special use and not rezoning
- McCormick discussed the zoning "General Office Planned Unit Development" and service bays
- McNeal questioned the trucks parking and exhaust from the interior building area
- Horn explains the warehouse space exhaust units
- Parnell discussed a landscaping buffer along the North boundary of property

Motion: Parnell made the motion to approve the request with additional landscaping referenced in meeting seconded by McNeal. The motion passed unanimously.

Item #9 Planning Staff requests approval to amend the Planning Commission By-Laws and recommend to the Goodlettsville City Commission to request the Tennessee Department of Economic and Community Development with the approval of the Local Government Planning Advisory Committee to change the City of Goodlettsville's Planning Commission Designation from a regional designation back to a municipal designation per Tennessee Code Annotated provisions.

Item Representative: N/A

Staff Discussion:

- The request is per the discussion at the August 30th meeting including the reasons for the City requesting to remove the Regional Planning Commission designation.
- The Goodlettsville City Commission at the September 9th meeting approved Ordinance 21-1014 on first reading. The second reading is scheduled for October 14th.

- The Ordinance is the formal request for the necessary state agency to officially remove the regional designation. Goodlettsville will maintain the Municipal Planning Commission designation which includes all levels of planning and zoning jurisdiction in the city limits.
- This request does not alter the existing and the current proposed amendments to the Sumner County Urban Growth Boundary maps. The Planning Commission and City Commission have previously approved an amendment to the City's Sumner County Urban Growth Boundary map.
- The proposed amendment and other map amendments by other jurisdictions in Sumner County are currently being reviewed by the Sumner County Coordinating Committee.
- The proposed by-law amendments are to remove all references to the Tennessee Code Annotated Regional Planning sections.
- The City Commission at the September 23rd meeting amended Ordinance 21-1009 to alter the Planning Commission membership to seven (7) members starting January 1, 2022.

Motion: Hitt made the motion to approve the request, seconded by Wheeler. The motion passed unanimously.

Item #10 Zoning Ordinance Amendment-Planning Staff: Request recommendation to the City Commission to amend the Zoning Ordinance Section 14-210 Planned Unit Development District Regulations (6) to include Regional Center Planned Unit Development Zoning District Regulations.

Staff Discussion:

- The proposed amendment will include two (2) Regional Center zoning districts under the planned unit development zoning ordinance section.
- The Regional Center areas and project and building designs were defined by a recent Comprehensive Plan amendment. Any rezoning requests to the Regional Center classification would require the initial preliminary master plan to be reviewed and approved by Planning Commission and City Commission. - The project design requirements would only apply to a property requested to be rezoned to the Regional Center classification.
- The intention is for the project master plans to define the individual project designs.
- The proposed ordinance has been amended to include additional defined areas for a minimum commercial component with new developments.

Planning Commission Discussion:

- Ellis discussed the intention for Planned Unit Development including what areas
- McCormick responded a master plan would be for the property in question and one project cannot include a master plan for area beyond the particular project unless property owners agree, or the city can do a concept design plan for a large area and that a majority of the mall area will require joint properties due to layout of the properties in the mall area

Motion: Parnell made the motion to approve the request, seconded by McNeal. The motion passed unanimously.

DISCUSSION ITEMS:

-Planning Commission By-Laws Overview

Staff will provide an overview of some sections of the By-Laws due to recent discussion items and questions about public comments for individual agenda items and the minimum number of members that need to be present to vote on agenda items. Staff discussed will submit public hearing review amendment later this year

McCormick discussed the Middle TN TAPA is hosting a Planning Commissioner/BZA training via digital. The training will be on Friday November 5th from 8 am to 12 noon. They have three session topics designed to provide the full 4 hours of required training. The training is free & will be recorded for those who can't make the live sessions.

Espinosa opened the Public Forum on Planning Related Topics

No one requested to speak at the meeting the public forum was closed.
Hitt made a motion to close the public forum, seconded by McNeal.

With no further business, the meeting adjourned at 7:53 pm.

Tony Espinosa, Chairman

Sharon Reed, Planning Assistant