

OFFICIAL MINUTES OF THE MEETING

GOODLETTSVILLE PLANNING AND ZONING COMMISSION

December 6, 2021

Goodlettsville City Hall

5:00 p.m.

Massie Chambers-Auditorium

Present: Chairman Tony Espinosa, Vice Chairman Scott Trew, Jeff Duncan, Jim Hitt, Grady McNeal, Mayor Rusty Tinnin, Judy Wheeler, Bob Whittaker

Absent: Jeff Parnell

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

Espinosa called the meeting to order and Trew offered prayer.

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

Item #2 Approval of November 1, 2021 Meeting Minutes: Trew made a motion to approve the minutes of the November 1, 2021 meeting, Tinnin seconded the motion. Motion passed.

AGENDA

Item #3 B&T Landscaping/Ragan Smith Associates: Request site plan approval for a nursery/landscaping facility including 9,600 sq.ft. of buildings on 56.27 acres on Long Drive. Property is zoned R40, Low Density Residential and is referenced as Sumner County Tax Map/Parcel# 14008409 000. Property Owners: Shelly and Timothy Tinnin. (#15-21)

Item Representative: Heather Grimes, Ragan-Smith Associate, George Welch, Ragan-Smith Engineer

Staff Discussion:

- The Board of Zoning and Sign Appeals at the November 11, 2020 meeting approved a conditional use request for a plant and forest nursery use with conditions
- Condition-All site development access to be from Long Drive only
- Condition-Natural boundary screen to align with elevation and grades to ensure no increased storm water to adjacent residential areas- site drainage to be directed toward Long Drive and Slater Creek
- Condition-Existing landscape buffer screening a minimum of two hundred (200') feet along boundary with residential neighborhood on Loretta Drive, Paige Park, Marshall Green Circle, Braxton Park Lane any gaps with existing landscaping to include additional landscaping installed along boundary of site development
- Condition-Any site development and security lighting to be designed to not create glare onto adjacent residential neighborhood
- Condition-Planning Commission review of site plan incorporating these conditions of improvements
- Condition-Loretta Drive dead end at property line to be blocked or gated to prevent unapproved access
- The project property is located in the City of Goodlettsville but the section of Long Drive along the front of the property is within the City of Millersville. Staff sent the plans to the City of Millersville Planning Department for review. The project owner will be required to comply with the City of Millersville requirements regarding street access and driveway connection. The property is to be regulated similar

to an industrial site with the exterior building design per the industrial design standards and the gravel equipment and material storage and access areas at the back of the site.

- The site plan will be required to comply with the City's engineering consultant review comments. There are remaining items including questions about drainage calculations, stream buffers and Long Drive drainage culvert sizing. The only comment remaining that would impact the project layout would be if a thirty (30') feet or sixty (60') feet top of bank stream buffer would be required for the section of stream along the north side of the project. The revisions will be required prior to any site land disturbance or building permits being issued.

- Staff would recommend approval with stipulation for all engineering consultant review comments to be completed prior to any site land disturbance/grading or building permits being issued for the project

Planning Commission Discussion:

- Grimes discussed the sixty (60') foot stream buffer

- Welch discussed the proposed entrance bridge detail

- Trew asked if the house adjacent to the property would be impacted

- McCormick responded that the two hundred (200') foot landscape buffer would apply

Motion: Motion by Duncan to approve the request with stipulations referenced in meeting, seconded by Trew. Rusty Tinnin abstained. The motion passed.

Item #4 Cedars at Dry Creek/Ragan Smith Associates: Requests final master plan approval for 117 townhouse units on 19.83 acres and future commercial development area of 3.23 acres at Dry Creek Road, Dickerson Road Hwy 41/SR-11, and Robert Cartwright Drive. Property is zoned HDRPUD, High Density Residential Planned Unit Development and CPUD, Commercial Planned Unit Development and referenced as Davidson County Tax Map/Parcels# 03300029700/ 03300004200. Property Owner: Dry Creek, LLC. (#03-21) preliminary master plan approved as Dry Creek PUD

Item Representative: Sam Christman, Ragan-Smith

Staff Discussion:

- The plan includes roadway striping referenced per the project traffic study. Due to the previous lapse of the roadway development bonds with a prior developer, the current project developer is required to install an asphalt surface on Dry Creek Road and Robert Cartwright Drive. Once the asphalt surface is installed the City will take over maintenance of Dry Creek Road and Robert Cartwright Drive sections along the project. The developer of the Avalon Fuel Center and service station at Robert Cartwright Drive and Dickerson Road is responsible for the asphalt surface along their section of Robert Cartwright Drive. The asphalt surface requirement will be included in project bonds to guarantee the completion of the asphalt surface but a one-year maintenance bond for the sections of Dry Creek Road and Robert Cartwright Drive will not be required. All interior public streets to be bonded per the City's requirements including both performance and maintenance bonds.

- The plans will be required to comply with the City's engineering consultant review comments. There are remaining items including questions about drainage calculations and ditch grading.

- The building elevations have been revised to comply with City's Design Guidelines including fifty (50%) percent brick or stone on all elevations.

- Staff would recommend approval with the following stipulations.:

- Stipulation-All engineering consultant review comments to be completed prior to any site land disturbance/grading or building permits being issued for the project

- Stipulation-Additional visitor parking on the east side of the project- concern with on-street parking proposed in curve of roadway
- Stipulation-Fire Department and Public Works to review revised design based on results of the fire truck turn study due to two (2) sections of roadways off Robert Cartwright Drive that do not permit large vehicle turns that would include fire trucks and possibly trash trucks. A redesign of Public Road C loop street with central parking will be required to permit access by larger vehicles.
- Stipulation-Public Road B cul-de-sac to meet City's Street Standards including minimum forty (40') paved radius.
- Stipulation-Per the original Dry Creek Farms master plan process the commercial uses to be listed on final master plan. The commercial lot areas are zoned CPUD, Commercial Planned Unit Development.
- Stipulation-Revise swale and ditch grading due to questions about grading design in the area of lots 111-112 and 107-117.
- Stipulation-Per Public Works Department comments the speed limits to be lowered to twenty (20) mph and all parking in median and the associated parking lot lighting to be owned and maintained by the homeowner's association
- Stipulation-Final covenants and restrictions to be reviewed and approved with the final subdivision plats for the project
- Stipulation-Sidewalks along Dickerson Road to be reviewed with commercial out-lot development

Planning Commission Discussion:

- Christman discussed the drainage maps and storm water report.
- Duncan questioned McCormick about the number of stipulations moving forward
- McNeal questioned the design of the retaining wall for building lot- fifty-five (55)
- Christman responded they are working with engineering for flood zone mitigation rather than having the retaining wall
- Espinosa asked Christman if they are comfortable with the stipulations
- Christman responded yes, they agree and are working with an engineer on the stipulations

Motion: Duncan made a motion to approve the request with stipulations referenced in meeting since property has been previously approved, seconded by Hitt. The motion passed unanimously.

ITEM #5 Stone Bridge Lots/Studio A-Architecture, Inc: Request final master plan approval for 310 multi-family apartment units and 6,000 sq. ft. of commercial space on 19.22 acres at 619 N. Main Street/ Hwy 41/SR-11. Property is zoned HDRPUD, High Density Residential Planned Unit Development and referenced as Davidson County Tax Map/Parcel# 01812006900. Property Owner: Proctor Family Partnership (#012-20) *preliminary master plan approved as 619 N. Main Street*

Item Representative: Evan Holladay, Holladay Ventures, John Gore, Barge Cauthen

Staff Discussion:

-The Planning Commission and City Commission approved the preliminary master plan with stipulations including Church Street improvements from the current end of improved roadway to project access, 7,500 sq. ft. commercial area in the south side building front N. Main Street, and a minimum of 1.6 parking space per residential dwelling unit not including required parking for the commercial area. The final plans include proposed revisions to commercial square footage and parking minimum ratios. The applicant has discussed the north side Main Street frontage building being revised to include dedicated

commercial square footage in addition to the live work units to offset the reduced commercial square footage in the south side Main Street frontage building.

- The revised plans will be required to comply with the City's engineering consultant review comments. The engineers written response addressed the comments- awaiting on final review by consultant engineer.

- The traffic study to be revised to reflect commercial area per final plans instead of 6,000 sq. ft office defined traffic study criteria to reflect square footage as listed above and traffic for a variety of commercial uses in addition to offices. Staff will request discussion with TDOT regarding traffic study results due to anticipated delays and the design not meeting the criteria for a traffic signal.

- Staff would recommend approval with defined stipulations

- Stipulation-Provide revised traffic study addressing additional commercial square footage and uses in addition to offices and Dickerson Road sight distance design dimensions

- Stipulation-Provide dedicated loading area for commercial areas

- Stipulation-Provide additional information on Church Street improvements per the City Standards. The improvements are required from the current end of roadway improvements in the right-of-way to project access and proposed gate design to meet City's Fire Department widths and emergency access code coordination

- Stipulation-Provide revised N. Main drives including wider radius and coordination with TDOT for access without the traffic study recommended right turn lane and anticipated PM delays referenced in the traffic study. Planning Commission to review revised access design at an upcoming meeting.

- Stipulation-Parking space count revised to meet 1.6 parking spaces per residential unit required with preliminary master plan in addition to the minimum required parking spaces for commercial areas.

- Stipulation-Provide slopes of main drives to ensure meets City's Fire Code requirement including Church Street access and provide parking lot island alterations to remove possible obstruction per fire truck turn radius information at Dickerson Road entrance median and parking lot adjacent to building seven (7)

- Stipulation-Provide additional parking lot lighting foot candle intensity for commercial parking area

- Stipulation-Revise building #4 exterior elevations per preliminary master plan Planning Commission approval- visible north side elevations increased brick material percentage at fifty (50%) percent

- Stipulation-All engineering consultant review comments to be reviewed as complete prior to any site land disturbance/grading or building permits being issued for the project

Planning Commission Discussion:

- Moore discussed the access drive and in agreement with the stipulation of adding wider radius, starting the permit process with TDOT to get approval and that per stipulation driveway plans would come back to the Commission regarding TDOT requirements.

- Moore discussed the slopes and fire access drives being no steeper than ten percent (10%) and parking areas 5%.

- Moore discussed the revised parking ratio of 1.6 parking spaces per unit taking the total parking spaces from 497 to 520

- Moore discussed the Church Street access being a condition of the project

- Moore discussed the 6,000 sq. ft. first-floor commercial square footage on the revised plans and the North side live-work commercial unit and square footage based on grade limitations

- Espinosa asked if they have concerns with the conditions

- Moore responded no concerns

- Hitt discussed concerns with the traffic coming out of project and turning south on N. Main

- Trew asked about the Church Street access and the need for a gate
- Moore responded the residents have more security with a gate it remains open during the day and closed at night
- Espinosa discussed the speed limit on Main Street for the project area
- Ellis responded Main Street is a state highway so a traffic study would have to be conducted. Ellis states a study was conducted around 2012-2013 and the speed limit was lowered from 40 mph to 35 mph supporting the local businesses.

Motion: Tinnin made a motion to approve the request with stipulations referenced in meeting, seconded by Wheeler. Hitt voted no. The motion passed.

Item #6 Kim Gregory, Property Owner: Request recommendation to the City Commission to rezone the property or amend the Zoning Ordinance to permit a two (2) family detached dwelling unit at 410 Moss Trail. The 0.91-acre property is zoned R-25, Low Density Residential and is referenced as Davidson County Tax Map/Parcel# 02609005500.

Item Representative: Kim Gregory, Property Owner

Staff Discussion:

- The Codes Department sent a violation notice in October 2021 to the property owner about a duplex operating at the property.
- The property owner sent a request to rezone the property to permit a duplex or per Zoning Ordinance a detached two (2) family on the property. The R-25 zoning district does not permit the proposed use.
- The Planning Commission could review either changing zoning to R-15, Medium Density Residential or amending the Zoning Ordinance to permit a duplex in the R-25 zoning district.
- The City's Comprehensive Land Use Designation for the area along Moss Trail is Residential Conservation Low Density.
- Staff is currently reviewing the non-conforming status of the request since the use of the property as a duplex has occurred on the property in the past. The City in November 1985 permitted the duplex dwelling unit after the City's Appeals Board at the September 1985 meeting denied the request for a variance from the minimum property area permitted for a duplex dwelling on the property. Previous Davidson County tax assessment records define a duplex dwelling on the property, but current tax assessment information define a single-family dwelling.
- Staff would recommend denial of a Zoning Ordinance or Zoning Map amendment based on the Zoning Ordinance R-25 zoning district permitted uses and adjacent property zoning classification of R25 that is based on the City's Comprehensive Land Use Plan

Planning Commission Discussion:

- Espinosa clarified staff's recommendation
- Freeman states he and Ms. Gregory are partners in a parcel of commercial real estate and if asked for a legal opinion that is negative for Ms. Gregory or the City, he would need a waiver for conflict of interest
- Gregory discussed when she purchased the property in 2012 it was set up as a duplex with four (4) bedrooms, two (2) kitchens, and three (3) bathrooms and did not realize it was not permitted for a duplex until she received the notice.
- McCormick asked if it has two (2) utility meters
- Gregory responded one (1) utility meter for water and electrical
- Espinosa thanked Ms. Gregory for bringing the issue to the Planning Commission and asked McCormick for additional comments

- McCormick responded with additional information needed and State law time frame of non-conforming use
- Duncan discussed non-conforming use and if change of property/ownership void non-conforming use
- McCormick responded no with the sale of property but yes when making the property a conforming use or lapse in time
- Gregory responded she purchased the property as duplex, converted to single-family dwelling for several years, now wants it back to a duplex
- Trew asked Gregory where the entrances to the house are located
- Gregory responded on the side with patio to bottom dwelling and front door to upstairs dwelling.
- Gregory states when they bought the property in 2012, they renovated it and made it a single-family dwelling
- Trew asked McCormick if he could explain the other duplexes across the street from this property
- McCormick responded that when Goodlettsville Heights was originally sub-divided duplexes were allowed with a certain amount of property
- Trew discussed grandfathering this property to be fair to everyone
- McCormick responded it is documented as a duplex in the past, but we need more documentation to grandfather property
- Trew asked if there are complaints about the property
- McCormick responded not regarding the duplex but complaint about too many vehicles
- Gregory responded the property is cleaned up and she has no problem handling any issues with the tenants or the vehicles parked on the property
- Duncan discussed his opinion of the request before them changing the rezoning or amending the Zoning Ordinance

Motion: Duncan made the motion to deny the request, seconded by Hitt.

Trew asked if a deferral would be better than a denial?

Duncan responded he did not think they need to modify any of the residential R-25 zoning and since the non-conforming issue that could be reviewed by city staff.

The motion passed unanimously.

Item #7 Community Development Staff: Requests approval of the 2022 Planning Commission Meeting and Plan Submittal Calendar

Staff Discussion:

-The July and September 2022 and January 2023 meetings are moved back a week due to City offices being closed in observance of holidays. The revised plan submittal timelines have been increased to account for additional review time required for City's engineering consultants

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

Espinosa opened the Public Forum on Planning Related Topics

No one requested to speak at the meeting. The public forum was closed.

Whittaker made a motion to close the public forum, seconded by Tinnin.

DISCUSSION ITEM:

Lamar Advertising Company of Nashville requests discussion on a preliminary signage proposal to remove two (2) existing pole signs and replace with one sign with equal square footage at 707 Rivergate Parkway.

The applicant is requesting to remove the two (2) existing high rise pole signs on the property and install one sign including the combined square footage of the existing two (2) signs. The City's Sign Ordinance does not include a provision for this type of request and there would not be a basis for a zoning variance through the City's Board of Zoning and Sign Appeals Board. The discussion item is to determine if a Zoning Ordinance amendment should be researched and prepared and submitted at an upcoming meeting for review to authorize the signage proposal. The existing pole signs are 144 and 180 sq. ft. square feet with both at sixty (60') feet height.

Trew discussed the removal of signs and replacing with one (1) sign

Duncan asked for clarification of the request before the board or if it is a City Commission consideration that the board can recommend to the City Commission

McCormick responded he would recommend an ordinance

Duncan discussed the need to clean-up and condense the signs

Tinnin asked about the square footage of the new sign request

Cummings with Lamar Advertising responded options from standards sizes of 290 to 375 or existing square footage

Tinnin asked what the maximum square footage for one (1) sign is today

McCormick responded in the interstate sign district up to 227 sq. ft. and ninety (90) ft. height

Tinnin responded their small sign is 290 sq. ft. and exceeds the requirement

McCormick responded and discussed an ordinance

Duncan discussed Lamar Advertising, property owners, current signs, and a complicated ordinance

Harris responded that the property owner reached out to Lamar Advertising

McCormick responded he can prepare an ordinance if they want to go forward

Espinosa mentioned the Middle TN TAPA training is still available via YouTube

McCormick gave an update on Copper Creek improvement process including paving of streets and sidewalk and curb repairs completed but storm water detention repair completion is subject to weather at this point but would be completed before project is finalized.

With no further business, the meeting adjourned at 6:28 pm.

Tony Espinosa, Chairman

Sharon Reed, Planning Assistant