

OFFICIAL MINUTES OF THE MEETING

GOODLETTSVILLE PLANNING AND ZONING COMMISSION

November 1, 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, Jeff Parnell, Mayor Rusty Tinnin, Judy Wheeler, Bob Whittaker

Absent: None

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: Due to no representation and information received Item #9 Kenjoh Outdoor Advertising and Item #10 John and Nicole Levoy were removed from agenda. Hitt made a motion to approve the agenda, Tinnin seconded the motion. The motion passed unanimously.

Item #2 Approval of October 4, 2021 Meeting Minutes: Wheeler made a motion to approve the minutes of the October 4, 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:

- Detention ponds clean out and final stabilization is ongoing. Contractor expects work to be completed weather permitting within two (2) weeks.
- Sidewalk and curb repairs work has been awarded to a new subcontractor. Work has started on the repairs.
- Final paving of section 2-5 the paving contractor is expected to complete binder repairs and asphalt surface the first two (2) weeks of November.
- Staff would recommend approval with a \$ 47,000 one-year maintenance bond with completion of the remaining improvements.

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

Item #4 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 October 4, 2021 Meeting*)

Item Representative: George Grundler, Sage Legacy LLC

Staff Discussion:

- After the Planning and Zoning Commission meeting on October 4, 2021, a Planning Commission Study Session was conducted on October 18th, 2021 to discuss the project site design.
- The project plan has been flipped with reduced project setbacks along the south property line.
- The number of proposed units 132.
- The plans include a revised list of permitted commercial uses for the proposed frontage commercial area excluding drive thru lanes, car washes and fuel pumps, and live outside music venues associated with restaurants.
- The building architectural design revised to reflect the City's Design Guideline of fifty (50%) percent brick or stone with a Hardi board mixture on all exterior elevations.
- The City Commission at the July 23, 2020 meeting approved the rezoning ordinance on first reading only with the project guidelines.
- Items and comments discussed at the October 18th, 2021 Planning Commission Study Session
- Staff would recommend approval with the following stipulations being included on plans referenced in stipulation items.
- Stipulation-Submitted with revised preliminary master plans submitted to the City Commission. 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. If Planning Commission determines the proposed two (2) story townhouse design will be recommended, then staff recommends submittal of revised building designs to provide variety in roof lines and building designs as discussed at the October 18th study session.
- Stipulation-Revise loop roadway and unit design with final master to ensure the rear parking for units backing up to roadway include sufficient dimension for off-street parking
- Stipulation-Restrictive covenants submitted with final master plan to include statement of for-sale units.
- Stipulation-Drainage and engineering site grading design review with final master plan to ensure storm water quality and quantity design are routed into engineered sized detention facilities with revised plan layout.
- Stipulation-The design of the proposed sidewalks and roadways included in the proposed public rights-of-ways to be reviewed with final master plan to ensure the designs meet the City's Street Design standards regarding sidewalk location in relation to curbs and two (2) lane-twenty-four (24') feet minimum street widths.

Planning Commission Discussion:

- Espinosa thanked everyone who attended and participated in the Planning Commission Study Session.
- Grundler discussed the flipped site design and new conceptual plan

- Grundler discussed the benefits of flipping the site design, increasing the space between future homes and adjacent properties, additional green and open space, increased landscaping and greenery buffer adjacent to the conservation easement.
- Grundler discussed a landscaping island and a walkable pedestrian community
- Glen Garrett-resident 107 Roanoke Dr.- discussed the flipped design being a better transition with the adjacent residential properties but thinks the density is still too high
- Garrett shared his thoughts with the development being spread over the entire area including the commercial property in front
- Garrett discussed landscaping better than a fence for multiple reasons
- Trew asked Garrett what type of landscape buffer he would like to see in the area
- Garrett discussed natural barriers and evergreens
- Grundler explains with the new conceptual plan there are additional landscaping pods added and along the front of conservation easement landscaping will be installed
- Hitt asked if the commercial property was now part of the proposal and how that improves the site
- McCormick responded it is part of the proposal and explains the 1.2 acres defined uses for commercial area
- Duncan asked for clarification of commercial property use (i.e., real estate office, engineering firm)
- McCormick responded and discussed general business would be permitted for commercial use
- Tinnin discussed his concern with the density, one- and two-story appearance looking like apartments
- Grundler explained they will submit a final construction drawing as part of the construction approval process as required
- Espinosa shared concern with the density and number of units
- Grundler discussed the zoning of 133 units, and they are planning 132 on the 19.12 acres
- Tinnin asked McCormick how they will proceed with the existing approval for one- and two-story units
- McCormick responded it would be an amended ordinance going to City Commission for second reading
- Ellis discussed the City Commission first reading ordinance and the one- and two-level units
- Freeman explains the City Commission will need to make an amendment to the ordinance

Motion: Duncan made a motion to approve the request with stipulations referenced in meeting, seconded by Whittaker. Parnell abstained. Roll call vote completed. The motion passed 5-3.

Item #5 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#4. (*Deferred at the October 4th Meeting*)

Staff Discussion:

- The Planning Commission at the June 5, 2020 meeting held a public hearing to discuss the amendment. The amendment was deferred until a preliminary master plan was submitted for the project.
- The amendment area is adjacent to a Commercial Development classification and an existing apartment complex.
- The Comprehensive Plan amendment is needed to support the High Density Residential Planned Unit Development rezoning proposal.

Motion: Duncan made the motion to approve, seconded by Hitt. Parnell abstained. Roll call vote completed. The motion passed 8-0.

Item #6 Advanced Care Medical/CESO, Inc/American Development Partners: Requests site plan approval for a 3,550 sq. ft. medical office facility on 1.05 acres at the corner of Long Hollow Pike/SR 174 and Loretta Drive. Property is referenced as Sumner County Tax Map/Parcel# 143JG00400 and is zoned CPUDL, Commercial Planned Unit Development Limited. Property Owner: Seeley Wallis Investments LLC (#11-21)

Item Representative: Kelly Hiatt, CESO, Inc.

Staff Discussion:

- The site plan includes the site development of the Caldwell Square/Publix Center out-lot at the corner of Long Hollow Pike/ SR-174 and Loretta Drive.
- The site development access includes the shared Long Hollow Pike access point and internal access.
- The building design includes materials and colors to match the center design and a section of decorative siding.
- Staff would recommend approval with applicant complying with the revised consultant engineer comments regarding storm water and utility design prior to permit issuance

Planning Commission Discussion:

- Parnell asked about signage for building elevations
- Hiatt explains still working with the sign vendor, but they will meet the City's Design sign requirements
- McCormick responded and discussed the proposed building signage
- Trew discussed the fence in back of the building

Motion: Duncan made the motion to approve the request, seconded by Tinnin. The motion passed unanimously.

Item #7 Dry Creek Townhomes/Wamble & Associates/Gallardia Properties: Request preliminary master plan approval for thirty-seven (37) townhouses on 11.00 acres on Dry Creek Road. Property is referenced as Davidson County Tax Map/Parcel# 03300020500 and is zoned HDRPUD, High Density Residential Planned Unit Development. Property Owner: Gallardia Properties, LLC (#12-21)

Item Representative: Danny Wamble, Engineer, and Clay Cauble, Vastland Co.

Staff Discussion:

- The property is currently zoned HDRPUD, High Density Residential Planned Unit Development.
- Staff would recommend approval with following stipulations:
- Stipulation - provide sewer availability letter from City of Goodlettsville Public Works- currently in review stage
- Stipulation - at final master plan provide revised building elevations (instead of photos submitted) to reflect compliance with the City's Design Guideline requirements.

-Staff discussed the proposal for 50% brick, 45% hardi-board (type) and 5% vinyl accents and issue with vinyl but with limited percentage and recent state law addressing this would not be problem in limited instances.

Planning Commission Discussion:

- Wamble agrees and accepts conditions for approval.
- Wamble discussed the density allowed for the development
- Duncan asked if the units are for individual own with a HOA or rentals
- Wamble explains the plan of development is for units to be sold and a HOA established
- Parnell asked if units are identical to Dry Creek Commons
- Cauble discussed the difference in Dry Creek Commons and Dry Creek Townhomes

Motion: Wheeler made a motion to approve the request with stipulations referenced in meeting, seconded by Trew. The motion passed unanimously.

Item #8 Vintage Northcreek Phase Two/Ragan Smith/Jason Philips-Vintage Northcreek LLC: Request recommendation to the City Commission to rezone 2.26 acres on North Creek Boulevard from CPUD, Commercial Planned Unit Development to HDRPUD, High Density Residential Planned Unit Development preliminary master plan approval for seventy-six (76) apartment units and a one-acre commercial lot. Property is referenced as Davidson County Tax Map/Parcel# 01914001900. Property Owner: LNS Development Tennessee General Partnership (#13-21)

Item Representative: Matt Lackey, PE and Jason Phillips, Developer

Staff Discussion:

- The development proposal is an expansion of the recently completed Vintage Northcreek Apartment complex.
- The design includes maintaining a one-acre commercial frontage lot along North Creek Boulevard. At this time the commercial development is preliminary without defined commercial tenants. Similar to the review and approval process of the existing complex, the proposal is being developed per the increased residential density provision in the Zoning Ordinance-Planned Unit Development section.
- The increased density is permitted when a project is a mixed used development or included in a commercial setting. Also, like the review and approval process of the existing complex, the proposal is being reviewed consistent with the Comprehensive Land Use Plan Commercial Development Designation due to the mixed-use project setting. The project density for both the existing section and proposed phase two is based on the combined acreage of lots two (2), three (3), five (5), and six (6) including a total of 203 units on 16.13 acres.
- Staff would recommend approval with the stipulation that staff's approval of the two (2) lot subdivision plat is subject to City Commission approval of rezoning and preliminary master plan.

Planning Commission Discussion:

- Trew asked if there is access behind Kroger
- McCormick responded in addition to the access behind Kroger there are multiple access points to the property
- Duncan questioned traffic during the development of Lot 3

- Lackey discussed the joint access easement would be constructed per staff expectations with Lot 7 to access 4-way stop
- Parnell questioned the mitigation measures for this area
- McCormick responded and discussed the FEMA map amendment for the property
- Lackey discussed the letter for a map amendment removing the area from flood plain
- Parnell discussed the need of a City wide ordinance for mitigation for future areas
- McCormick responded and discussed the FEMA ordinance, storm water ordinance, and flood plains, and floodways.
- McCormick revised stipulation that final plat for two (2) lot could be approved as minor staff approval prior to City commission is agreed upon by both property owners.

Motion: Tinnin made a motion to approve the request with stipulation referenced in meeting, seconded by Duncan. The motion passed unanimously.

Item #11 Zoning Ordinance Amendment-Planning Staff: Request recommendation to the City Commission to amend the Zoning Ordinance Section 14-208 Supplementary District Regulations (o) Temporary Use Permits to replace ordinance with an updated section including revised review and approval process.

Staff Discussion:

- The proposed amendments are to update the existing regulations including more defined limitations, review and approval process, and additional uses.
- The Board of Zoning Appeals and Sign Appeal's review of new temporary uses is proposed to be limited to major uses in residential zoning districts or major uses within 500 feet of residential zoning districts.
- Staff presented the proposed major and minor "Temporary Use Permit" ordinance section

Planning Commission Discussion:

- Freeman asked how the decision for Item (ix) Farmers Market (i.e., farmers selling cheese for 30 days) but you can sell Christmas trees for 60 days and how other example ordinances were different
- McCormick responded and discussed Item (vii) Christmas Tree/Holiday Merchandise Sale and (ix) Farmers Market and that Farmers Market could be included in food sales
- Trew asked how the City benefits from temporary use permits (i.e., fireworks stand, farmers markets)
- McCormick responded and discussed the opportunities for different type of businesses in the community for residents

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

Item # 12 Zoning Ordinance Amendment-Planning Staff: Request recommendation to the City Commission to amend the Zoning Ordinance Section 14-202 Use Classification (6)(c) Auto Repair and Cleaning Establishments and (h) Convenience Commercial to add automated car washes in the convenience commercial classification.

Item Representative: Galyna Saltkovska

Staff Discussion:

- The existing car wash at 155 Long Hollow Pike is proposed to be demolished and replaced with a fully automated car wash including a coffee shop.
- The property is zoned CPUD, Commercial Planned Unit development which does not permit auto repair uses including car washes. The existing carwash use is a legal non-conforming use.
- Staff discussed with the applicant that per the State's Non-Conforming Zoning Use provisions that they can demolish and rebuild but they wanted their proposed use to not have any non-conforming issues and discussed a possible property rezoning.
- The City in 2020 amended the Zoning Ordinance to remove auto service and sales uses from the CPUD zoning.
- The auto repair and cleaning use was not included in recent amendment since it was already prohibited in the CPUD zoning district.
- The rezoning request would require either the CS, Commercial Services or CG, Commercial General zoning which neither zones are adjacent to the property.
- Staff discussed an option to review a Zoning Ordinance amendment instead of a rezoning request due to either the CS or CG zoning in this location could be considered a spot zoning.
- The proposed amendment is to include automated car washes similar to the convenience commercial-fuel service use only within the CPUD zoning districts.

Planning Commission Discussion:

- Espinosa asked for clarification on Zoning Ordinance section "Convenience commercial"
- McCormick responded and discussed the amendment to the "Convenience commercial" section
- Parnell asked for explanation of square footage limitations
- McCormick discussed the ordinance square footage in the "Convenience commercial" section

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

Item #13 Zoning Ordinance Amendment/ Planning and Development Services Staff: Request recommendation to the City Commission to the amend the Zoning Ordinance Section 14-209 Floodplain Districts to incorporate the updated Davidson County Flood Insurance Rate Maps (FIRM) and Flood Insurance Study report (FIS) set to be effective February 25, 2022 and other sections of the ordinance to incorporate the updated sections of the State of Tennessee Model Flood Hazard Protection Ordinance

Staff Discussion:

- The amended model ordinance is to incorporate the Davidson County revised FEMA flood maps and associated flood studies in the City's Zoning Ordinance.
- The maps and flood studies will be effective February 25, 2022.
- The amended ordinance is the model ordinance provided by the State of Tennessee Flood Plain Coordinator

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

Item #14 Planning and Development Services Staff: Request recommendation to the City Commission to amend the Zoning Map to align the R-10, Medium Density Residential, CSL, Commercial Services Limited, and CCO, Commercial Overlay zoning districts with the rear property line at 115 Hollywood Street

Staff Discussion:

- The property owner at 115 Hollywood Street discussed during recent discussion regarding fence and landscape buffer with the adjacent project at 120 Rivergate Drive that the property lines and dimensions were recently amended between the two (2) property owners.
- The amendment is to relocate the area zoning boundaries to align with the revised property lines.
- The owner at 115 Hollywood Street discussed the need to have the zoning boundaries consistent with the new property line dimensions due to concerns with possible property tax assessments issues.
- Staff discussed with the property owner the request would be administered by City Staff to the Planning Commission and City Commission.
- Parnell discussed the zoning districts in the area

Motion: Tinnin made a motion to approve the request, seconded by Duncan. The motion passed unanimously.

DISCUSSION ITEMS:

McCormick reminded the members of the TAPA training on Friday November 5th presented in zoom format. The training is free and will be recorded for those who can't make the live session.

Espinosa opened the Public Forum on Planning Related Topics

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

Espinosa thanked everyone for their work and attending the study session for Item #4.

With no further business, the meeting adjourned at 7:00 pm.

Tony Espinosa, Chairman

Sharon Reed, Planning Assistant