

MINUTES OF THE MEETING
GOODLETTSVILLE PLANNING & ZONING BOARD

December 3, 2007

5:00 PM

Massie Chambers

Present: Jim Galbreath, John Coombs, Scott Trew, Jim Hitt, Grady McNeal, Carol Crews, Garry Franks, Bubba Willis, William Carter

Absent: Jim Driver

Also Present: Rick Gregory, Jim Thomas, Bill Brasier, Larry DiOrio, Jerry Garrett, Charlie Lowe, Tommy Walker, Rick Fussell, Brock Rust, Jim Harrison, John & Nancy Edmondson, Cal Gentry, Keith Davis, William B. Carter, Jerry Reynolds, Bill Hall, Sean Stroud and others

Jim Galbreath called the meeting to order. Scott Trew offered the prayer.

Item #1 The minutes of the November 5, 2007 Goodlettsville Planning and Zoning Board stand corrected as approved to indicate a motion by Hitt for conditional approval of the Preliminary Master Plan for Cobblestone Townhomes and the second to the motion by Trew.

Item #2 (9.1 #37-07) Consider the request by Tommy Walker, RLS, P.O. Box 495, Ridgetop, TN for approval of the two (2) lot Amended Final Plat for William A. Hall Lots, 833 Long Hollow Pike, Sumner County Tax Map 143, Parcel 22.03.

Staff reviewed. Gregory reported this is a proposal to create two (2) building lots and to retain street frontage for the existing property on the south side of Long Hollow Pike. The few remaining minor technical issues include indication of the distance and bearing to the nearest street intersection, original surveyor signature required, size and location of water lines and sewer lines east of and adjacent to this property and the size of all segments of the sanitary sewer line along Long Hollow Pike.

Motion by Franks for conditional approval of the Amended Final Plat for William A. Hall Lots, 833 Long Hollow Pike, Sumner County Tax Map 143, Parcel 22.03 based upon submission of a revised Final Plat with indicated changes, review and final approval by staff. Motion seconded by Trew. Motion passed unanimously, 8-0.

Item #3 (9.1 #39-07) Consider the request of Brian McCain, Thornton Surveying, 1205 South Graycroft Ave, Madison, TN for approval of the two (2) lot Amended Final Plat for Hitt Properties, 850 Springfield Highway, Davidson County Tax Map 142, Parcel 4.00.

Staff reviewed. Jim Hitt, Planning Commissioner, informed the board that he is the property owner of this development. Gregory reported this division of land divides an existing lot on Springfield Highway into two (2) parcels with one existing building on each lot. The few remaining minor technical issues include indication of the size of both segments of the sanitary sewer line and correction the reference to N. Gallatin Road in the vicinity map. The southern most building was completed in 1988 requiring a front setback of fifty-feet (50) and a side setback of twenty-feet (20). Due to the lack of official records for this site, staff has determined this building complies with established setback regulations based on the front setback occurring at the existing interior roadway of the property and the side setback occurring at Springfield Highway.

Motion by McNeal for conditional approval of the Amended Final Plat for Hit Properties, 850 Springfield Highway, Davidson County Tax Map 142, Parcel 4.00 based on submission of a revised Final Plat with indicated changes, review and final approval by staff. Motion seconded by Crews. Motion passed 7-0-1, Hitt abstained.

Item #4 (9.1 #40-07) Consider the request of Crawford Land Surveyors, 1929 21st Avenue north, Nashville, TN for approval of the proposed seventy-nine (79) lot Final Plat for Cottage Grove at Twelve Stones Crossing, Phase One, Section Two, Willis Branch Road, Sumner County Tax Map 143, Parcels 51, 51.02 and 51.04. (Formerly titled The Villas at Twelve Stones Crossing).

Staff reviewed. Gregory reported this is a proposal for final approval of a five-lot (5) subdivision ranging in size from 0.81 acres to 14.83 acres. Included in this proposal is the section of Willis Branch Road to be abandoned to the City of Goodlettsville. The remaining minor technical issues require a complete accuracy certificate to include current language, location of dimensions for sewer line along Willis Branch Road, sewer easement reference, include zoning boundary designations, a correct title block reference showing open space at 0, area of Lot 2 designated for future home owners use to meet applicable setbacks. Staff recommends conditional approval of the Final Plat and a recommendation to the City Commission to abandonment of old Willis Branch Road ROW and offer of dedication of remaining properties indicated to Dr. Peter Smith and Villa Properties.

Coombs questioned if the open space dedicated to Villa Properties will be utilized as walking trails. Gregory confirmed this is the determined use of the open space. Coombs asked who would be responsible for maintenance. Brock Rust stated that the Cottage Grove at Twelve Stones Crossing Homeowner Association maintains Tracts 2, 3, 5 and the indicated open space areas. Tract 4 will be deeded to the Edmondsons and Tract 1 is deeded to Dr. Peter Smith. Lots 1 and 2 are not buildable lots and will be utilized as walking/recreational use.

Motion by Coombs for conditional approval of the Final Plat for Cottage Grove at Twelve Stones Crossing, Phase One, Section Two, Willis Branch Road, Sumner County Tax Map 143, Parcels 51, 51.02 and 51.04 based on submission of a revised Final Plat with indicated changes, review and final approval by staff. Motion seconded by Hitt. Motion approved unanimously, 8-0.

Item #5 (9.1 #41-07) Consider the request of Ragan-Smith Associates, 315 Woodland Street, Nashville, TN for approval of the twenty-one (21) lot Final Plat for Copper Creek, Phase One, Section Two, Long Hollow Pike, Sumner County Tax Map 143, a portion of Parcel 22.00.

Staff reviewed. Gregory reported that his proposal involves the addition of twenty-one (21) lots located on the eastern section of the Copper Creek development, Phase I, Section II along Allen Road and Osprey Drive. The remaining technical issue is: wording of the typical lot detail need to be restated as "Minimum of 15 feet separation between buildings".

Motion by Franks for conditional approval of the Final Plat for Copper Creek, Phase One, Section Two, Long Hollow Pike, Sumner County Tax Map 143, a portion of Parcel 22 based on submission of a revised Final Plat with indicated changes, review and final approval by staff. Motion seconded by Trew. Motion passed unanimously, 8-0.

Item #6 (9.1 #44-07) Consider the request of Ragan-Smith Associates, 315 Woodland Street, Nashville, TN for approval of the one (1) lot Final Plat for Northcreek Business Park, Lot 1, Section 15, Jackson Road, Sumner County Tax Map 143-I, a portion of Parcel 9.

Staff reviewed. Gregory reported this plat creates a single buildable lot in Northcreek Business Park. All technical issues have been properly addressed regarding sewer, floodway and floodplain challenges. Cal Gentry, Southeastern Building Corporation, agreed with staff comments.

Motion by Hitt for approval of the Final Plat for Northcreek Business Park, Section 15, Lot 1, Jackson Road, Sumner County Tax Map 143-I, a portion of Parcel 9. Motion seconded by Carter. Motion passed unanimously, 8-0.

Item #7 (9.1 #42-07) Consider the request of Scott A. Jones, 811 Rivergate Parkway, Goodlettsville, TN for approval of a Zoning Amendment Application by Extreme Marine Sports, 811 Rivergate Parkway, Davidson County Tax Map 34-01, Parcel 93 to change the zoning district from Commercial Services Limited (CSL) to Commercial Services (CS).

Staff reviewed. Gregory reported this is a request to rezone an individual property west of Rivergate Parkway to Commercial Services (CS) zoning district to allow for the exterior sales of motorized vehicles. It is premature to consider a zoning change of a single parcel due to the current analysis being conducted as Phase III of the Goodlettsville Retail Study specifically examining appropriate zoning for the entire Rivergate Mall area.

Scott Jones, owner of Extreme Marine Sports, stated that he opened his watercraft sales and service business in June, 2007 at the Rivergate Parkway location and displayed vehicles on the front exterior of the building until which time he was notified by staff that vehicle, craft and related sales equipment was not permissible in the Commercial Services Limited (CSL) zoning district. Due to the fact that the landlord had not made the business owner aware of the lease restrictions, staff permitted the ski boats to be moved to the interior of the building and continue sales/servicing of the ski boats at this location. Mr. Jones acknowledged following this action, patron volume decreased drastically and Mr. Jones is seriously considering relocating to Williamson County.

The consensus of the board is very favorable of the watercraft dealership remaining in the city; however, the current vehicular sales operations on Rivergate Parkway predate the Goodlettsville Zoning Ordinance and rezoning of the individual parcel would not correspond with the Goodlettsville Land Use Plan or the current zoning district regulations. Coombs referred Mr. Jones to Tom Tucker, Economic Development Director for the city to find a suitable site for the dealership.

Motion by Franks to deny the request for Zoning Amendment Application by Extreme Marine Sports, 811 Rivergate Parkway, Davidson County Tax Map 34-01, Parcel 93 to change the zoning district from Commercial Services Limited (CSL) to Commercial Services (CS). Motion seconded by Carter. Motion passed unanimously, 8-0.

Item #8 (9.1 #43-07) Consider the request of Ragan-Smith Associates, 315 Woodland Street, Nashville, TN for approval of the Site Plan for Stroud's Properties LLC – Stroud's BBQ, North Cartwright Street and Stroud's Self Storage, East Cedar Street, Davidson County Tax Map 19-13, Parcel 10.

Staff reviewed. Gregory reported this is a proposal for a new Stroud's Bar-B-Q restaurant and two (2) mini-storage buildings each with eleven (11) bays to be located on the property between South Cartwright Street and East Cedar Street. Most technical issues have been addressed. One significant remaining issue is: access across the common ingress-egress easement which does not extend across the entire southern property line of this development which could impact internal circulation of the businesses should a gate be erected to deter historically documented cut-through travel.

Franks, Coombs, Hitt and Trew agreed that safety concerns existed relating to the cut-through traffic's impact on patrons and vehicles utilizing the mini-warehouse. Sean Stroud stipulated that it is not his intent to place a gate to separate the two businesses. He would be amendable to interior roadway speed bumps and the placement of a concrete island to narrow the entrance on East Cedar Street to eliminate eighteen-wheeler (18) truck traffic.

Motion by Franks to approve the Site Plan for Stroud's Properties LLC – Stroud's BBQ, North Cartwright Street and Stroud's Self Storage, East Cedar Street, Davidson County Tax Map 19-13, Parcel 10 based on final staff review regarding the installation of interior roadway speed bumps and concrete traffic control island at the East Cedar Street ingress. Motion seconded by Willis. Motion passed unanimously, 8-0.

Item #9 Consider the request by Tennessee Health Management, Inc. P.O. Box 10, Parsons, TN for release of the Letter of Credit No. 6074090-1 for Vanco Manor, 813 South Dickerson Road, Goodlettsville, TN in the amount of \$8,180 due to expire on 12/9/07 fro a landscape maintenance surety.

Staff reviewed. Gregory reported that it is the desire of the surety holder to replace distressed landscape vegetation prior to the expiration date of 12/9/07.

Motion by Trew for a one-year extension of Letter of Credit No. 6074090-1 in the amount of \$8,180 for a landscape maintenance surety for Vanco Manor, 813 S. Dickerson Road. Motion seconded by Hitt. Motion passed unanimously.

Item #10 Consider the request by Phillips Family Investment, 3012 Business Park Circle, Ste. 400, Goodlettsville, TN for renewal of letter of Credit No. P-0008 for Woodwyn Hills, Sections I & III in the amount of \$47,100 due to expire sixty days after notice of cancellation by the developer for an infrastructure maintenance surety for the asphalt overlay of Loretta Drive.

Staff reviewed. The developer has presented an amended LOC for a period of one year.

Motion by Coombs for a one-year extension of Letter of Credit No. P-0008 for Woodwyn Hills, Sections I & III in the amount of \$47,100 for an infrastructure maintenance surety. Motion seconded by Franks. Motion passed unanimously, 8-0.

Item #11 Consider the request for Caldwell Properties, LLC c/o Ledbetter Properties, 1464 Turner McCall Blvd. SW, Rome, GA for reduction of Letter of Credit No. 9715 for Caldwell Square/Publix, 460 Long Hollow Pike in the amount of \$383,450 due to expire 12/21/07 for an infrastructure installation surety.

Staff reviewed. Gregory reported a punch list regarding distressed landscape vegetation remains. Staff recommends that if the landscape is replaced, inspected and approved by staff prior to the LOC expiration date, the surety can be reduced to a 10% one-year maintenance bond. Brasier reported a punch list regarding sanitary sewer and detention pond issues remain. Staff recommends that if these items are completed, inspected and approved by staff prior to the LOC date of expiration, the surety can be reduced to 25% of the original bond amount. However, the developer is agreeable to extend the current Letter of Credit, if required.

Motion by Franks to extend the installation of infrastructure Letter of Credit No. 9715 in the amount of \$383,450 for Caldwell Square/Publix, 460 Long Hollow Pike for a six-month period. Motion seconded by Crews. Motion passed unanimously, 8-0.

Item #12 Consider the request of Brock Rust, Villa Property, LLC, 509 Indian Hills Mount, Goodlettsville, TN for reduction of Letter of Credit No. 522 for The Vineyards @ Twelve Stones Crossing, Phases I & II, Willis Branch Road in the amount of \$215,000 due to expire 1/3/08 for an installation of infrastructure surety.

Staff reviewed. Brasier reported the developer is requesting a reduction in the LOC from \$215,000 to \$112,000 for Willis Branch Road overlay and landscaping maintenance. The Goodlettsville Subdivision Regulations dictates the surety is reduced to no less than a 25% of the original installation bond amount. Brasier recommends a one-year infrastructure maintenance bond in the amount of \$203,650. Rust stated that approximately 90% of the development is complete. Water, sewer, electric, stormwater systems are operational. NES, White House Utility District and the City of Goodlettsville have been receiving revenue as a result of this development for over one year. Franks, Coombs and McNeal agreed that the Subdivision Regulations should be revisited regarding regulations for maintenance bond calculations; however, compliance with the established guidelines is required.

Motion by Franks to deny the requested \$112,000 for a maintenance bond reduction for The Vineyards at Twelve Stones Crossing based on non-compliance with current Subdivision Regulations and to reduce the surety to a maintenance bond in the amount of \$203,650 for a period of one year. Franks requested staff revisit the Goodlettsville Subdivision Regulations relating to required maintenance bond percentages. Motion seconded by Hitt. Motion passed unanimously, 8-0.

Item #13 Consider the request of Dr. Mohammad Jahan, 815 Wren Road, Goodlettsville, TN for release of Letter of Credit No. 55100943 for the 815 Wren Road medical/retail building in the amount of \$1,100 due to expire 1/5/08 for a landscape installation surety.

Staff reviewed. Gregory reported that staff reported that several trees were replaced last year prior to the late freezes and subsequent drought. If the installed landscaping has survived, it would be in order to release the maintenance Letter of Credit. If any dead materials can be replaced prior to the expiration of the Letter of Credit, a conditional approval can be issued to release the Letter of Credit; however, if any dead materials cannot be replaced prior to the expiration date of 1/5/08, the Letter of Credit is to be extended for a period of six months, June 7, 2008 in the amount of \$1,100.

Motion by Coombs for conditional approval of the release of letter of Credit No. 55100943 in the amount of \$1,100 due to expire on 1/5/08 if all dead materials are replaced with living vegetation prior to the 1/5/08 expiration date of the current Letter of Credit. Should the dead materials not be replaced with living vegetation prior to the 1/5/08 expiration date, the landscape maintenance bond will be extended for a period of six months until June 7, 2008 in the amount of \$1,100 to allow replanting of materials and inspection by staff. Motion seconded by Willis. Motion passed unanimously, 8-0.

Item #14 Discuss proposed amendments to the Goodlettsville Land Use Policy Plan recommended in the Goodlettsville in the Goodlettsville Retail Development Strategy Plan.

Staff reviewed. Gregory reported all proposed amendments to the Goodlettsville Land Use Policy Plan will define and refine the recommendations of the Goodlettsville Economic Development Study regarding the sixteen (16) development/redevelopment properties identified. The current Land Use Policy Plan, Zoning Map, Annexation Plan for the Urban Growth Boundary Area will be impacted by this study. Administrative procedures, off-street parking requirements, landscaping standards and sign regulations will need to be properly adapted to the identified sites.

Item #15 Discuss proposed amendments to the Goodlettsville Sign Districts included in the Goodlettsville Sign Ordinance.

Staff reviewed. Gregory distributed proposed amendments to the Goodlettsville Interstate Sign Districts which denotes enlargement of the following locations within the districts: 1) Interchange Sign District @ I-65, Exit 96 to include the Wade Circle area; 2) Interchange Sign District @ I-65, Exit 98 to include areas from Jackson Farm property to Long Drive; 3) I-65 north of Exit 96 to include the Conference Drive area. Coombs stated his concern with billboard signage encroaching upon the elevation of the Dollar General Headquarters. Gregory recommended a work session be scheduled to complete the analysis of the proposed amendments to the Goodlettsville Sign Ordinance.

Item #16 Commissioner Comments

Franks informed the commission that the Economic Development Committee is developing a PowerPoint presentation relating to the Goodlettsville Economic Development Study. Jim Thomas recognized Larry DiOrio as the new Codes Director effective October 1, 2007. The employees are working to inventory codes violations within the city. They will work with the police, fire and public work department to implement plans for enforcement actions. The owner of the Goodlettsville Plaza was notified today regarding the need for significant, specified improvements to the property either by cooperative means and mandated corrections. Bubba Willis apologized to the board for missing meeting as a result of health related issues and stated that it is a privilege to serve on this board.

Meeting adjourned at 7:12 PM.

Jim Galbreath, Chairman

Vicky Ignatz, Recording Secretary