

OFFICIAL MINUTES OF THE MEETING
GOODLETTSVILLE PLANNING AND ZONING COMMISSION

January 9, 2017
5:00 PM

Goodlettsville City Hall
Massie Chambers

Present: Chairman Jim Galbreath, Mayor John Coombs, Commissioner Jeff Duncan, David Lynn, Grady McNeal, Judy Wheeler, Jerry Garrett, Tony Espinosa,

Absent: Jim Hitt, Bob Whittaker, Scott Trew

Also Present: Addam McCormick, Tim Ellis, Jeff McCormick, Greg Edrington, Commissioner Zach Young, Rhonda Carson and others

Chairman Jim Galbreath called the meeting to order and Mr. Grady McNeal offered prayer.

Motion made by Mr. Jerry Garrett to delete items #8 and #10 from the agenda, which were both withdrawn by the applicants. Mr. David Lynn seconded the motion. The motion passed unanimously 8-0.

Chairman Galbreath welcomed and introduced Judy Wheeler as a new member of the Planning And Zoning Commission.

Election of Officers for 2017 David Lynn made a motion to nominate Tony Espinosa for Chairman of the Goodlettsville Planning and Zoning Commission. Jerry Garrett seconded the motion. The motion passed unanimously 8-0.

Jerry Garrett made a motion to nominate Grady McNeal for Vice-Chairman. Grady McNeal declined the nomination, stating “he didn’t feel comfortable at this time accepting the nomination/position.”

David Lynn made a motion to nominate Jim Galbreath for Vice-Chairman. Tony Espinosa seconded the motion. The motion passed unanimously, 8-0.

Mayor Coombs expressed gratitude to Jim Galbreath for all the years of service to the Planning Commission and the City as Chairman and said the Vice Chairman seat will be well filled.

Jim Galbreath stated, “It is a pleasure to serve the City.” He turned the meeting over to new elect Chairman, Tony Espinosa.

Tony Espinosa thanked the Commission and accepted the position of Chairman of the Planning and Zoning Commission.

Minutes of the December 5, 2016 Planning and Zoning Commission meeting stand approved as written.

Chairman Espinosa asked for clarification of item #11. Addam McCormick stated it is still on the agenda and had not been withdrawn. Mayor Coombs made a motion to accept the agenda. David Lynn seconded the motion. Motion passed unanimously, 8-0.

Item #1 Karl J. Nixon Property/L. Steve Bridges Land Surveying and Consulting:
Requests minor final subdivision plat approval to add 0.35 acres to a 1.85 acre property at 3155 Patton Branch Road. Property is zoned R-40, Low Density Residential. Property is referenced as a portion of Sumner County Map 140, Parcel 57.01. Property Owners: Mark and Patricia Writesman. The 0.35 acres is from the adjacent 17.95 acre property referenced as Sumner County Map 140, Parcel 57.00. (9.1 # 1-17).

Staff reviewed. Addam McCormick stated this is a request for minor subdivision plat for 3155 Patton Branch Road. He explained the purpose for the subdivision plat is to remove a 0.35 acre portion from a 16.10 acre property and add the 0.35 acre portion to the back of the adjacent existing 1.85 acre property to increase the property size to 2.20 acres. The property already contains an existing house. The subdivision plat will not create a separate buildable lot. Staff recommended approval based on the subdivision plat meets the provisions of the Subdivision Regulations.

Steve Bridges/Bridges Land Surveying Consulting represented this request. He had no comments or questions for the Board. Based on Staff recommendation, Mayor Coombs made a motion to approve the request. Jerry Garrett seconded the motion. The motion passed unanimously, 8-0.

Item #2 Miller Finishing & Equipment Sales Subdivision/ Steven E. Artz and Associated, Inc request minor final subdivision plat approval to create two (2) lots on 1.07 Acres at 200 Connell Street. Property is zoned IR, Industrial Restricted. Property is referenced as Davidson County Map/Parcel# 01913006200. Property Owners: Miller Property Owners (9.1 # 2-17)

Staff reviewed. Addam McCormick discussed the purpose of the subdivision plat is to subdivide one lot into two (2) lots which will be voiding the 2008 subdivision plat approval which combined the two (2) lots into one lot. He explained the Board of Zoning and Sign Appeals at the January 3rd meeting approved variances for the minimum lot size, side setback, and maximum building lot coverage requirements. The variances were required since the lots are less than the minimum 25,000 sq. ft. required for IR (Industrial Restrictive) zoned properties. Proposed lot number one is 22,314 and proposed lot number two is 24,279 sq. ft. Another variance was required for an existing building side setback. The Board of Zoning and Sign Appeals approved the variance with the stipulation of a minimum five (5') foot side setback on proposed lot one from the existing building. This will prevent creating a building party wall with the subdivision plat. The proposed subdivision plat shows two (2') feet but the plat will be required to be amended to include a five (5') feet minimum side setback.

Staff recommended approval based on it being a minor subdivision plat meeting the provisions of the Subdivision Regulations, and the lot sizes not being inconsistent with the area.

Matt Burnett represented this request and agreed with Staff comments.

Jerry Garrett made a motion for Conditional approval based on:

1. Five (5') feet side setback for the existing building on lot one.

Grady McNeal seconded the motion. Motion passed unanimously, 8-0

Item #3 Tinnin Car Lot/Klober Engineering Services: Requests site plan approval for a 750 sq. ft. automobile sales building at Forks Road and Hwy 41/Springfield Hwy. Property is zoned CS, Commercial Services District and contains 0.25 acres. Property is referenced as Sumner County Map 26, Parcel 6.03. Property Owners: Sam and Glenda Tinnin.

(9.1# 3-17)

Addam McCormick discussed the site at Forks Road and Hwy. 41/Springfield Hwy. He stated the lot is small (0.25 acres) and limited. The proposal is to have a 750 sq. ft. building for automobile sales and the rest of the facility will be for cars/sales. Mr. McCormick stated the comments and concerns of the site.

1. Due to the current roadway situation, Staff recommended against a sidewalk in the area of Forks Road due to reduced visibility created by Hwy. 41 bank elevation and the speed of vehicles turning from Hwy. 41 entering onto Forks Road.
2. Concern with trucks/haulers parking on Forks road to unload vehicles
3. Replacing the fencing in the area required by TDOT
4. Landscaping is also limited on the site. He discussed options for the landscaping plan, since it is being designed under alternative landscape provision of the landscape ordinance due to the limited sight visibility, overhead utilities, and limited property area.
5. Lighting concerns with the glare from the tilted light on the parking lot pole light
6. If additional sign is proposed, it will need a 100ft. separation from the existing sign.

Josh Lyon with Klober Engineering Services represented this request. He stated they agree with Staff comments and stipulations and he believed it will be an improvement to the site.

Grady McNeal asked for clarification of the tree landscaping requirements. Mr. McCormick stated fifty (50%) of the proposed trees should be three (3") caliper per the landscape requirements.

Mayor Coombs asked questions regarding, storm water, dumpster location, and sales building design. City Engineer, Greg Edrington stated the storm water requirements had been addressed and sufficient. Josh Lyons stated a dumpster had not been addressed due to the size of the business and only one or two employees. Mr. McCormick stated the proposed building was an on-site built facility on a slab, frame wall, and façade covering.

Commissioner Jeff Duncan complemented Mr. Lyons on the design of this project and based on Staff recommendations, made a motion to conditionally approve the request with the following stipulations:

1. Sidewalk design variance
2. Prohibited loading and unloading of vehicles on Forks Rd.
3. Alternative landscaping design
4. Fence replacement to be coated chain link and not to exceed six (6) feet in height unless larger height required by TDOT on limited access right-of-way sections.
5. Ground sign shown on the site plan to be relocated to comply with the zoning requirements of one (100) feet separation between signs.
6. Lighting for parking lot / not create a glare from tilted light

Jim Galbreath seconded the motion. The motion passed unanimously, 8-0.

Item #4 Copper Creek Section 2-Phase 5 /Ragan Smith Associates, Inc: Requests final master plan approval for forty-two (42) lots on Old Stone Road. Property is zoned

MRPUD, Medium Density Residential Planned Unit Development. Property is a portion of the 57.80 acre property referenced as Sumner County Map 143, Parcel 37. Property Owner: Meritage Homes of Tennessee Inc. (9.1 #4-17)

Addam McCormick discussed revised drawings and changes submitted for the final master plan for Copper Creek Section 2-Phase 5 (forty-two (42) lots on Old Stone Road.) He discussed revised drawings and changes that were submitted including an acceptable design for the roadway slope requirements. Staff and Board members discussed storm water detention for this area. Mr. McCormick also stated the side building setback will need to be five (5') feet as discussed with other phases. Staff recommended approval with the following stipulations:

1. Add rock check dam detail on plans
2. Minimum five (5ft.) side building setback

Jake Vincent with Ragan Smith Associates, Inc. represented this request and agreed with Staff comments. Vice-Chairman questioned the slope of the sewer line. Greg Edrington stated it was per White House Utility standards. Commissioner Duncan clarified this is White House Utility service area to operate and maintain.

Suzie Pemberton, a resident at 1237 Willis Branch Rd. addressed the Board with concerns regarding velocity flow/water runoff onto her property. Mr. Vincent explained the proposed design for drainage. City Engineer, Greg Edrington requested adding an energy dissipator to the headwall as well as blocks to break the water flow to make it less of a velocity issue. Mr. Vincent agreed to the request. After discussion, Jerry Garrett made a motion to defer this item for review. Vice Chairman Galbreath seconded the motion. The motion passed unanimously to defer, 8-0.

Item #5 Copper Creek Section 2-Phase 6 /Ragan Smith Associates, Inc.: Requests final master plan approval for fifty-five (55) lots on Fall Creek Circle. Property is zoned MRPUD, Medium Density Residential Planned Unit Development. Property is a portion of the 26.16 acre property referenced as Sumner County Map 143, Parcel 36.01. Property Owner: Meritage Homes of Tennessee Inc. (9.1 #5-17)

Addam McCormick discussed the development of Copper Creek Section 2-Phase 6 final master plan consisting of fifty-five (55) lots.

Staff recommended approval with the following stipulations:

1. Add rock check dam detail on plans
2. Notation about minimum five (5ft) side building setbacks
3. Include an additional street light location in area of lots 145/146.

Jake Vincent with Ragan Smith Associates, Inc. represented the request. With no comments, or questions, Jerry Garrett made a motion for conditional approval based on Staff's stipulations discussed and noted. Mayor Coombs seconded the motion. The motion passed 7-1, with Vice-Chairman Galbreath voting to deny.

Item #6 Copper Creek Section 2- Phase 2/ Meritage Homes of Tennessee: Requests reduction of \$ 250,000 Subdivision Performance Bond performance bond. (9.1 #12-15)

Addam McCormick discussed the remaining improvements to be completed at Copper Creek Section 2-Phase 2. The remaining items included: the top layer of roadway asphalt, sections of sidewalks, repair of damaged asphalt binder and curb sections, sewer acceptance process, and finish grading to be completed with lot construction. Staff recommended reducing the amount of the performance bond to \$161,000 for one year only and for the remaining improvements to be completed during the one year bond extension period.

Thomas Steffen represented Meritage Homes of Tennessee Inc. With no questions or comments, Commissioner Jeff Duncan made a motion to reduce the Subdivision Performance Bond to \$161,000 for a period of one year. Mr. Grady McNeal seconded the motion. The motion passed unanimously, 8-0.

Item #7 Copper Creek LLC: Requests extension of the final master plan and final subdivision plat approval of Copper Creek Section 1-Phase 2 approval for twenty-one (21) lots on Hillview Drive and Allen Road. Property is zoned LDRPUD, Low Density Residential Planned Unit Development. Property is referenced as Sumner County Map 143, Parcel 22.06. Property contains 7.95 acres. (9.1#31-05 / 9/1#41-07).

Staff reviewed and gave a history of the development at Copper Creek Section 1-Phase 2 consisting of twenty-one (21) lots. He explained the project master plan approval has expired per provisions of the City's Zoning Ordinance and State of Tennessee Vested Rights law from 2014 due to expired grading permit period of 2007-2008. The original developer previously installed storm water drainage and sanitary sewer lines and base roadway grades. He stated due to the economy at the time, the project was not finished. He stated it would be positive to try to get this project finished up. Staff recommended approval for plan extension for three (3) years to give them time to get the plats ready. Mr. McCormick discussed drainage issues at this development.

The issues include: ditch capacity, soil conditions and concerns with additional damage onto the adjacent property along the ditch line and west project boundary. He stated the stipulation with approving this extension is to have the drainage issues resolved. He requested that an engineer review it with a correction plan for the ditch/drainage.

Gary Armstrong with Dalamar Homes, LLC (prospective owner) represented this request. He stated their intent is to complete the project the way it has been engineered and would like to see this plan extended. Daryl McCoven represented the lender of this project. He stated they talked with the City before buying this debt and checked to ensure the developer could move forward with the permits that were in place. He stated once the project is finished and completed the way it was designed, it should work.

Beverly Goodwin at 110 Allen Rd. addressed the Board. She stated she is the immediate downhill neighbor. She asked the Planning Commission members not to grant the extension on the master plan of Copper Creek Section 1-Phase 2. She reviewed concerns she has encountered with storm water coming from Copper Creek Subdivision. She showed a report from a Geotechnical and Environmental Consulting Firm confirming a sinkhole on her property. She stated problems have been ongoing since the Copper Creek development started. She continued with discussion and history of her concerns. She concluded with asking that correction of the drainage issues be first before going on with Section 1-Phase 2.

After discussion, Jerry Garret made a motion to deny the request. Chairman Espinosa had questions before the second motion was made. Discussion continued. Addam McCormick clarified Staff's recommendation as: extending the approval for three (3) years with stipulation that the west property boundary drainage be re-reviewed and corrected before any grading or building permits will be granted. He stated if the request is denied, it does not move forward. He stated the City's best interest is to get the project moving forward, but the problem has to be fixed. After discussion, Jerry Garret withdrew his motion to deny the request. Based on Staff recommendations, and discussion had at this meeting, Commissioner Jeff Duncan made a motion to conditionally approve this request with the stipulation of not releasing any grading or building permits until the engineering has been submitted and approved to address any drainage issues. Vice Chairman Galbreath suggested deferral until a definitive plan is submitted to solve the engineering issues. City Manager, Tim Ellis stated the timeline is the end of January and needs to be decided this month. He stated it needs to be approved for it to concur with State Law by the end of January. He stated that it can be approved with the developers knowing the requirement that nothing can move forward until all the drainage issues are addressed and corrected as in regards to discussion this evening. Mayor Coombs then seconded the motion made by Commissioner Jeff Duncan. The motion passed unanimously, 8-0. Mr. McCormick noted that this Board will see the revised plans.

**Item #8 Cobblestone Townhomes/Mid-TN Capital, LLC: Requests reduction of \$ 351,935
Subdivision Performance Bond {WITHDRAWN BY APPLICANT} (9.1# 36-07)**

**Item #9 North Creek Commons Lots 23-27/ Suiter Surveying & Land Planning, Inc.:
Requests construction master plan approval for five (5) lots on Conference Drive across
from Windsor Green Boulevard. Property contains 9.29 acres and is referenced as
Davidson County Map/Parcel# 02600010600. Property is zoned GOPUD, General Office
Planned Unit Development. Property Owner: Armed Services Mutual Benefits Association.
(9.1 # 6-17)**

Staff reviewed the proposed development including five (5) commercial lots on Conference Drive. He reminded Board members that this Commission previously approved a preliminary subdivision layout plan. He stated this is across from Windsor Green and are proposing an extension of Windsor Green. Mr. McCormick stated the project still has remaining issues and discussed the remaining plan requirements. Discussion included:

- Existing detention pond on the property was designed and installed per TDOT requirements with the Conference Drive improvements. Conference Drive is a city street but since the existing detention pond was installed per a previous TDOT design, the applicant has submitted plans and a request to TDOT to permit the removal of the detention pond. The proposed revised detention pond including a bio retention water quality facility is shown on the development plans
- Coordination with the City on signalization of traffic lights, signal timing and turn lane striping on Conference Drive
- Landscaping Requirements/Street Trees/Tree replacement

- Applicant reviewing options for lot 27 driveway
- Roadway Slope
- Street Lights/style proposed for the commercial lots/NES

Matt Suiter with Suiter Engineering and Carter Howard represented this item. They discussed ideas and options for the remaining requirements. Staff recommended deferral until remaining items are detailed in the development plan. Commissioner Jeff Duncan made a motion to defer the request. Jerry Garrett seconded the motion. The motion unanimously to defer, 8-0.

Item #10 Best Western Plus / J&S Construction and Thomsen Engineering: Request site plan approval for a 57,549 square feet/ eighty-eight (88) unit hotel project on Conference Drive adjacent to the Lennox Place Apartments. Property is zoned GOPUD, General Office Planned Unit Development. Property is referenced as Davidson County Tax Map/Parcel 02600010300 and contains 2.85 acres. Property Owner: Shiv Sai Hospitality Group Inc. Partial Site Plan approval at the November 7, 2016 Meeting. (9.1 # 15-16) {WITHDRAWN BY APPLICANT}

Item #11 Zoning Ordinance Amendment/ Planning and Development Services Staff: Requests recommendation to the City Commission to amend the Zoning Ordinance Section 14-208 Supplementary District Regulations to incorporate temporary family healthcare structures in single family residential zoning districts. Deferred from December 5th Meeting.

Staff and Board Members continued discussion regarding temporary family healthcare structures in single family residential zoning districts. No action was taken on this item.

Discussion Items:

Discussion Items deferred to next meeting

*-Allen Road right-of-way annexation progress report February 6th Planning Commission Meeting
-2016 Planning Commission Training Report*

Vice Chairman Galbreath reminded members to fill out the Conflict of Interest Forms by January 31, 2017

Staff and Members discussed storm water fees

Meeting adjourned at 6:50

Tony Espinosa, Chairman

Rhonda Carson, ECD Assistant