

OFFICIAL MINUTES OF THE MEETING
GOODLETTSVILLE PLANNING AND ZONING COMMISSION

March 6, 2017
5:00 PM

Goodlettsville City Hall
Massie Chambers

Present: Chairman Tony Espinosa, Vice-Chairman Jim Galbreath, Mayor John Coombs, Commissioner Jeff Duncan, David Lynn, Jim Hitt, Scott Trew, Jerry Garrett, Judy Wheeler, Grady McNeal, Bob Whittaker.

Absent: All Present

Also Present: Addam McCormick, Tim Ellis, Commissioner Zach Young, Mike Bauer, Rhonda Carson and others

Chairman Tony Espinosa called the meeting to order and Mayor Coombs offered prayer.

Planning Director, Addam McCormick noted item #8 on the agenda had been withdrawn by the applicant. Clarification of item #3 was also discussed. With no other changes, Vice Chairman Galbreath made a motion to adopt the agenda. Mr. Grady McNeal seconded the motion. Motion passed to adopt the agenda, 11-0.

Mr. David Lynn moved for approval of the minutes from the February 6, 2017 meeting as written; seconded by Mr. Jim Hitt. Motion passed 11-0.

Item #1 **Copper Creek Section 2-Phase 5 /Ragan Smith Associates, Inc: Requests final subdivision plat 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)**

Staff reviewed. This request is for final subdivision plat approval for Section 2- Phase 5 and consist of 42 lots on Old Stone Road. Mr. Addam McCormick discussed that the final master plan was amended to include the full eighty (80') cul-de-sac pavement radius or forty (40') feet radius from the center of the cul-de-sac. The plat will need to be amended to include the amended dimension to be consistent with the final master plan. Mr. McCormick stated a cost of improvements will need to be submitted and approved to establish bond amounts.

Based on Staff recommendations, Mr. Jerry Garrett made a motion to approve the final subdivision plat with the following conditions:

1. *Submit the improvement cost breakdown*
2. *Include the eighty (80') pavement radius or forty (40') feet radius from the center of the cul-de-sac.*

Mr. Jim Hitt seconded the motion. The motion passed unanimously 11-0.

Item #2 **Copper Creek Section 2-Phase 6 /Ragan Smith Associates, Inc: Requests final subdivision plat 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)**

Staff reviewed. This request is for final subdivision plat approval for Section 2- Phase 6 and consist of 55 lots on Fall Creek Circle. Staff requested the cost of improvements (line item breakdown) to determine the development performance bond amount.

Based on Staff recommendations, Mr. Scott Trew made a motion to approve the final subdivision plat. Mr. Grady McNeal seconded the motion. The motion passed unanimously 11-0.

Item #3 Jackson Crossing/ Green Trails, LLC/Land Solutions Company, LLC: Request recommendation to the City Commission to rezone 2.1 acres from A, Agricultural, to CPUDL, Commercial Planned Unit Development Limited and approval of preliminary master plan approval for a 20,400 sq. ft. commercial center at 102 Long Hollow Pike and Jackson Road. Property is referenced as Sumner County Tax Map 143, Parcel 67 and 67.04. Property Owner: Jim and Carol Speakman and Alicia White. (9.1#7-17)

Staff advised this was a rezoning request for a Commercial Planned Unit Development with limited zoning. This will be a master plan development concerning 2.1 acres, and a 20,000 square foot building on the corner of Jackson Road and Long Hollow Pike. Staff advised that this property is challenging due to it being in the flood plain as well as being an odd shaped piece of property. Staff advised that we require a 35 foot perimeter around the development. Staff advised that the back of the property is tight against the edge of the flood plain. Staff advised the applicant is requesting alternative setbacks due to the flood plain and right of way challenges on the property. Staff advised that this building will front Long Hollow Pike and the design of the building will be consistent with the office building on the other side of Jackson Road. Staff advised that the patrons will enter the property from Jackson Road. Staff advised that this property will be required to do a traffic study due to its size, and informed the applicant that he may be required to supply a “right turn only” design at the point Jackson Road meets Long Hollow Pike due to the difficulty in making a left turn onto Long Hollow Pike. The site will not have any access points from Long Hollow Pike directly. Staff advised that this property has flood plains and floodways on it, so they will have to elevate the buildings and do a flood study to show there has not been any flood increase due to the development. Staff advised that what they were presenting to the Planning Commission at this time was a preliminary master plan to see if the commission approved of the design so they could go forward with the zoning request. Lynn Ealey with Land Solutions Company LLC represented this request Mr. Ealey advised that what he is looking for is the approval of the preliminary land plan for the site before they purchase the property. Mr. Ealey stated that they will be requesting a variance for the setbacks due to the uniqueness of the property. There is a pie shaped piece of property that fronts Long Hollow Pike that is owned by the State of Tennessee. They have been in contact with the state right of way department and have determined that it is a very old right of way that the state used to allow access to the lower part of the bridge. Mr. Ealey stated that he was advised by the state that they will be allowed to grade and clean up the right of way but will be required to get permits from the state to do this along the state right of way. The state did tell them though that they will not be able to buy it from the state. Mr. Ealey did agree with the need for a traffic study and already has that in the process of being completed and it will be presented with the construction plans. Commissioner Galbreath requested a clarification of the requested setbacks. Mr. Ealey stated that along the Long Hollow Pike side it was requested to have a uniform setback of 10 feet. The actual building will be more than ten (10) ft. for most of the building length, but at its tightest point with the setback will be at the ten (10) ft. mark. The applicant did advise that he was aware that this was a “plan specific” development, and they will have to follow exactly the master plan that is approved. Commissioner Galbreath advised he was aware of a drainage pipe that ran from the property across the street. Mr. Ealey stated that they were aware of this drainage plan and they are planning to connect onto it and carry the water on through their property to the creek. Commissioner Duncan asked if they were planning to place their surface water into this pipe. Mr. Ealey stated they

planned for a storm water detention pond to treat the water on the rear of the property before it entered the drainage system and believe it flowed straight into the creek once treated. Mayor Coombs questioned the required landscape buffer. Mr. Ealey stated that he was aware of the requirements and was working with Staff to meet these requirements. Staff advised that one of the challenges was to place a buffer that did not affect the flood plain flow. Mayor Coombs also requested clarification on the proposed retaining wall concerning the height and flood plain. Mr. Ealey advised the creek was special in the sense that it required only flood plain designation due to back water from Old Hickory Lake. Due to this it will not require compensation for the removal of any grade from the flood plain. This will allow the developer to add fill and adjust the flood plain. This will move any fence, parking and buildings out of the flood plain. Mayor Coombs request the vegetation stabilization design be presented on the final master plan as well as the stream buffer and Staff advised that it will be. Mayor Coombs requested Mr. Ealey provide the right of way agreement from Tennessee Department of Transportation as part of the Master Plan and Mr. Ealey advised that if they are able to obtain one then they will do so. Commissioner Duncan advised that he was concerned with the traffic pattern and will be looking to see what the traffic study determines on the final master plan for the site. Chairman Espinosa stated that the motion will be for approval of the preliminary master plan which will then go to the City Commission for rezoning with a condition of a setback allowance of ten (10) ft. on the building side. Mayor Coombs advised he wants the maintenance of the right of way along Long Hollow Pike to be added to the motion if it is granted by the state. Mr. Ealey advised that he would provide whatever permission is granted to them by the state to the City for this project. Mr. Garrett made the motion which was seconded by Mayor Coombs. The motion passed unanimously 11-0.

Item #4 Mr. Fix-It/Ryan Suggs: Requests site plan approval for a 744 sq. addition to an existing commercial building at 210 Graves Road. Property contains 0.47 acres and is zoned CSL, Commercial Services Limited. Property is referenced as Davidson County Tax Map/Parcel 01816015400. Property Owner: Windon & Cythia Reeder Suggs . (9.1#8-17)

Staff reviewed. Addam McCormick stated the request if for 744 sq. ft. addition onto the southeast corner of the existing building. Mr. Ryan Suggs represented this request and clarified that the property is located at 203 Graves Road. Mr. McCormick stated the 210 address was in error and should be corrected to be 203 Graves Road. Mr. McCormick continued with the discussion and reviewed the design guidelines for commercial buildings. He stated since this is a small addition to the existing building (18%), should the addition be required to meet the guidelines of minimum fifty (50%) percent brick and stone. Property owner, Ryan Suggs stated his intention is to add on to the building with the same metal materials and paint the building for a uniform look. Staff and Mr. Suggs discussed design guidelines including paint colors. Mr. Suggs stated he would be painting the entire building a muted red (burgundy). Mr. McCormick stated the goal is to not have a bright bold (primary red) color.

Staff recommended due to the limited size of the building addition and existing site conditions, approval with a variance for the extension of metal wall materials as proposed with the stipulation that the entire building be painted to be one consistent muted/natural color to ensure the appearance of site development order and consistency.

Based on Staff recommendations and discussion had at this meeting, Jim Hitt made a motion to conditionally approve the request with the painting of all buildings to be one consistent muted/natural color. Vice Chairman Galbreath seconded the motion. The motion passed unanimously, 11-0.

Item #5 Mark Morris, Property Owner: Requests approval to move in a single family structure at 404 Church Street per the provisions of Tennessee Code Annotated Movement of Single Family Residences Sections 13-3-501 – 13-3-504. The proposed single family structure is a replacement of a

non-conforming residential use damaged by fire. Property contains 0.19 acres and is zoned CSL, Commercial Services Limited and IR, Industrial Restricted. Property is referenced as Davidson County Tax Map/Parcel#01913000900. (9.1#9-17)

Staff reviewed. Addam McCormick stated this property at 404 Church Street previously had a residential house (960 sq. ft.) on it but was burned down due to arson. The burned out building was left on the property until the arson investigation was completed. Once the investigation was completed, the City had the building demolished in June 2016. The City was later reimbursed for the demolition. He stated the proposal is to move an existing house (768 sq. ft.) built in 1952, valued at \$56,600, from 1014 Curdwood Blvd. (East Nashville) to the property at 404 Church Street.

He explained that the property is zoned industrial and commercial, but the property owner has the ability to reestablish the use within a certain period of time and bring it back to residential. He stated the property is small and might be challenging to make it a commercial use.

Mr. McCormick reviewed State Law for moving structures into neighborhoods. He stated the goal for the law is to have consistency with the surrounding structures, such as look, age, size, and value, and he added, provisions are more stringent than new site built residential structures.

Mr. McCormick reviewed the surrounding properties of the area and provided data from Nashville Davidson County's on-line property assessment. After reviewing, Mr. McCormick stated the State Law provision for consistent size is to be within 100 sq. ft. of the average sq. ft. in the surrounding area. The data from the surrounding area, showed the average total sq. ft. size to be 1,209, so the minimum would need to be 1,109. The proposed house is twenty-six (26) years older than the average home construction in this area and close to the average valuation of \$59,223. Mr. McCormick stated that we have to be consistent with State Law. He thought the quality of the house was consistent, and the square footage could be increased with an addition onto the house. An addition could also increase the valuation of the property.

Property owner, Mark Morris represented this request. He addressed the Planning Commission and stated he owned four other surrounding properties in the area. He proposed to add a front porch to the home, which would increase the square footage. Mr. McCormick stated if this request is approved, a minor subdivision plat will be required to combine the old portions of the two (2) lots into one lot.

Chairman Espinosa stated that given the fact that there are strict State Law provisions, the Commission has to operate to those provisions. Mr. Morris asked how the Commission felt about him adding additional square footage to the house to meet the average. Vice Chairman Galbreath stated that he would approve of that proposal. Commissioner Duncan stated that would be roughly 300 sq. ft. that would need to be added to be consistent. Mr. Morris stated he would do what is required. Jerry Garrett stated the Commission understands and is sympathetic to the request, but the language is very specific to define the State Law.

Based on discussion had at this meeting, Mr. Jerry Garrett made a motion to conditionally approve the request based on adding the proper square footage to comply with State Law. Judy Wheeler seconded the motion. The motion passed unanimously, 11-0.

Note: Chairman Espinosa stated that the Commission will take as long as needed to work through the agenda items, but a break will be taken if the meeting last longer than an hour in a half.

Item #6 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)

{DEFERRED FROM FEBRUARY 6th AGENDA}

Staff reviewed. Addam McCormick reminded the Planning Commission that late last fall they approved a preliminary site plan to allow the development to include eighty-eight hotel rooms instead of ninety due to the limitation of parking. He stated since the last meeting a significant amount of changes had been made to questions Staff had requested. The only stipulation this month, was a request from the developer to submit landscaping plans to come with the building and plumbing plans. Mr. McCormick stated that was no problem. He discussed the changes that were submitted to Staff and felt that they had been completed as requested. Mr. McCormick stated the City Engineer and their engineer reviewed the possible left turn improvements and they determined with the site distance, it would not be needed. Staff recommended approval with the following stipulation and the basis for the alternative landscape design plan:

- Completion of a landscape irrigation plan with the building plans
- Approval of the proposed alternative transitional zoning buffer yard and limitation of tree replacement planting shown on the plans due to the elevation changes along the north property boundary and due to the existing condition on the property.

Ryan Williams with J&S Construction represented this request. Mayor Coombs asked for clarification on the front elevation drawing, showing on the left hand side, an eifs material opposed to stone. Mr. Williams clarified that the second note from left to right depicting the stone as eifs color number one should in fact be stone. Mayor Coombs also asked for clarification of signage of the west elevation side. Mr. Williams stated there would be signage on that side, but at the time, the sign had not been selected and approved by Best Western. Mr. Grady McNeal asked Mr. Williams to explain the amount of material to be moved off that site and fire truck access. Mr. Williams explained that he had meet with the Fire Chief and they worked together to make sure the requirements were met. He stated about 41,000 yards of dirt would have to come off this site.

Based on Staff recommendations, Commissioner Jeff Duncan made a motion to conditionally approve the site plan based on the following:

- Completion of a landscape irrigation plan with the building design
- Zoning buffer yard and tree replacement as discussed
- Northside should be Stone and not eifs

Jerry Garret seconded the motion. Before the vote was taken, Vice Chairman Galbreath asked for clarification on the grading contours. Mr. Williams stated they had been submitted in an earlier submission. After discussion, Mr. McCormick asked Mr. Williams to send a copy of the revised plan and he will forward to the Planning Commission members.

Chairman Espinosa proceeded with the vote, the motion passed unanimously, 11-0.

Item #7 Dr. Roderick Frazier, Property Owner requests a variance from the Subdivision Regulations Section 1-112.109 regarding the minimum width of an access easement to provide access for a proposed additional residential lot at 709 Dickerson Pike/Hwy 41/SR 11. Property is referenced as Davidson County Tax Map/Parcel# 02512000400 and is zoned R-25, Low Density Residential and contains two (2) acres.

Addam McCormick stated this is a request for a subdivision regulation variance to allow a twenty-five (25ft.) feet access easement instead of fifty (50ft.) feet easement. He reviewed the property at 709 S. Dickerson Rd. which is two acres and zoned R-25. The stone house sits in the middle of the property and has about 35 ft. from each side of the property line. He explained that the request is to split this into two,

one acre lots. He stated the property contains enough area for three (3) lots, but not enough frontage. He stated the Board of Zoning Appeals already approved a variance on it from the Zoning Ordinance, but the Subdivision Regulations define a fifty (50ft.) of dedicated road frontage or fifty (50ft.) of dedicated access easement with the existing house. He explained that the state law and city ordinances that require this is to protect future property owners by preventing land locked properties. He explained that the Board of Zoning and Sign Appeals approved the variance request based on it being a reasonable use of the property for what the property is zoned. Mr. McCormick stated the goal is to remove the existing out building (shed) on the property and to have one existing drive way for both lots.

Mayor Coombs asked if this request is approved for two plats, will there be a note on the plat to indicate responsibility to maintenance of that easement. Mr. McCormick stated that typically there is notation that it is shared between property owners. Mayor Coombs added that he would like to see it noted as well if the request is approved. Dr. Roderick Frazier, property owner represented this request. He had no comments or questions for the Planning Commission and stated Staff had addressed his request. Mr. Jim Hitt made a motion to approve the variance based on it being consistent with the Goodlettsville Board of Zoning and Sign Appeals decision, which determined it to be a reasonable use of the property for what the property is zoned. Mr. Bob Whittaker seconded the motion. The motion passed 11-0.

Note: Chairman Espinosa called for a five minute break at 6:10 p.m.

Item#8 Denham Blythe Design/Build: Requests building design approval for a preliminary commercial development on Business Park Circle. Property is zoned GOPUD, General Office Planned Unit Development. Item previously discussed at October 3, 2016 Meeting.

{Withdrawn by applicant}

Item#9

{PUBLIC HEARING#9}

Subdivision Regulation Amendments/ Planning and Development Services Staff request approval of amendments to the Subdivision Regulations Chapter 1 General Provisions, Sections 1-102 Authority, 1-103 Jurisdiction, 1-108.1 Procedures for Resubdivision, 1-112.103 Recording of Plats , Chapter 2 Procedures for Plat Approval, Sections 2-101.1 Plat Approval Requirements, and 2-104.3 Hearing and Decision on Final Plat. The amendments are to permit staff to approve minor two (2) lot subdivisions plats per state law provisions and define procedures for successive plan applications.

Addam McCormick, Director of Planning and Development Services introduced this item as a Subdivision Regulation amendment and stated it had been advertised 30 days for Public Hearing in the Ledger. No one came forward to speak. Mr. McCormick explained that item #9 has two parts. The first part being where Staff can approve minor two (2) lot subdivisions per state law, and the other part being to define procedures for successive plan applications. He reviewed the State Law as follows:

TENNESSEE CODE ANNOTATED SECTIONS:

13-4-302. Submission of subdivision plats to commission for approval -- Filing and recording.

(a) From and after the time when the planning commission of any municipality shall have adopted a master plan which includes at least a major street plan, or shall have progressed in its master planning to the stage of the making and adoption of a major street plan, and shall have filed a certified copy of such major street plan in the office of the county register of the county in which the municipality is located, no plat of a subdivision of land lying

within the municipality shall be filed or recorded until it shall have been submitted to and approved by the planning commission and such approval entered in writing on the plat by the secretary of the commission or by another designee of the planning commission; provided, **that if the plat of subdivision divides the tract into no more than two (2) lots, then the approval may be endorsed in writing on the plat by the secretary of the commission or by another designee of the planning commission without the approval of the municipal planning commission, upon certification by the planning staff of the municipal planning commission that the subdivision complies with such regulations governing a subdivision of land as have been adopted by the municipal planning commission pursuant to § 13-4-303; and provided further, that no request for variance from such regulations has been requested.**

13-3-402. Regional planning commission platting authority -- Recording plat by county register.

(a) (1) From and after the time when the regional planning commission of any region, as defined and created by the department of economic and community development, has adopted a regional plan which includes at least a major road plan or has progressed in its planning to the state of the making and adoption of a major road plan, and has filed a certified copy of such major road plan in the office or offices of the county register or registers of the county or counties lying in whole or in part in such region, then no plat of a subdivision of land within such region, other than land located within the boundaries of any municipal corporation, shall be filed for record or recorded until it has been approved by such regional planning commission, and such approval endorsed in writing on the plat by the secretary of the commission or by another designee of the regional planning commission; provided, **that if the plat of subdivision divides the tract into no more than two (2) lots, the approval may be endorsed in writing on the plat by the secretary of the commission or by another designee of the regional planning commission without the approval of the regional planning commission, upon certification by the planning staff of the regional planning commission that the subdivision complies with such regulations governing a subdivision of land as have been adopted by the regional planning commission pursuant to § 13-3-403; provided further, that no request for variance from such regulations has been requested.**

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approved by the planning commission and such approval entered in writing on the plat by the secretary of the commission or by another designee of the planning commission; provided, **that if the plat of subdivision divides the tract into no more than two (2) lots, then the approval may be endorsed in writing on the plat by the secretary of the commission or by another designee of the planning commission without the approval of the municipal planning commission, upon certification by the planning staff of the municipal planning commission that the subdivision complies with such regulations governing a subdivision of land as have been adopted by the municipal planning commission pursuant to § 13-4-303; and provided further, that no request for variance from such regulations has been requested.**

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Mr. McCormick then reviewed the proposed changes: (Proposed Amendments **BOLD**)

1-102 Authority -- These subdivision regulations are adopted by the Goodlettsville Planning Commission (hereinafter referred to as "Planning Commission"), in pursuance of the authority and powers granted by Sections 13-4-308 through 13-4-309, Tennessee Code Annotated. Having adopted a major thoroughfare plan, and filed a certified copy of the plan with the County Register of Deeds (hereinafter referred to as "County Register"), as required by Section 13-4-302, Tennessee Code Annotated, and having held a public hearing as indicated in Section 7-101 of these regulations, and as required by Section 13-4-202 Tennessee Code Annotated the Planning Commission has fulfilled the requirements set forth in state law as prerequisites to the adoption of these regulations.

1-103 Jurisdiction -- These subdivision regulations shall apply to all subdivisions, as herein defined, located within Goodlettsville, Tennessee, No land shall be subdivided within the jurisdictional area until the subdivider submits a plat as required by these regulations, obtains Planning Commission approval of the plat and files the approved plat with the county register.

The Planning Commission Secretary/Planning Director may review and approve two (2) lot subdivisions per the provisions of T.C.A 13-3-402 and 13-3-402 which do not include extensions or alterations of public improvements.

Within one (1) year of the date of denial by the Planning Commission of any plat or plan applications required by these regulations, a subsequent application shall not be reviewed or heard unless there is substantial new evidence available, or if a significant mistake of law or of fact affected the prior denial. Such subsequent application shall include a detailed statement of the grounds justifying its consideration.

1-108.1 Procedures for Resubdivision -- If any change in an approved or recorded subdivision plat would affect the layout of any public street, alley or road (hereinafter referred to as "public way") shown on such plat, or area reserved thereon for public use, or any lot line or if it would affect any map, or any lot line, or if it would affect any map, plan or plat legally recorded before the adoption of any subdivision regulations, such amendment shall be approved by the Planning Commission **or by the Planning Commission Secretary/Planning Director for two (2) lot subdivisions per the provisions of T.C.A 13-3-402 and 13-3-402** by the same procedure, rules and regulations as for a subdivision.

1-112.103 Recording of Plats -- Pursuant to Section 13-4-302, Tennessee Code Annotated, no plat of a subdivision of land within the jurisdictional area shall be received or recorded by the county registrar until the plat has received final approval of the Planning Commission **or Planning Commission Secretary/Planning Director for two (2) lot subdivisions per the provisions of T.C.A 13-3-402 and 13-3-402** in accordance with these regulations and such approval has been endorsed in writing on the plat by the Planning Commission Secretary in the manner prescribed by Section 2-105 of these regulations.

2-101.1 Plat Approval Requirements -- Before any contract is executed for the sale of any parcel of land which is proposed to be subdivided and before any permit for the erection of any structure in a proposed subdivision shall be granted, the subdividing owner or his authorized agent shall apply for and secure the Planning Commission's approval of the proposed subdivision in accordance with the procedures of this article. **The Planning Commission Secretary/Planning Director may review and approve two (2) lot subdivisions per the provisions of T.C.A 13-3-402 and 13-3-402.**

2-104.3 Hearing and Decision on Final Plat -- The Planning Commission shall hold a public hearing as required by Sections 13-4-304 and 8-44-102 through 8-44-104, Tennessee Code Annotated, on each final plat brought before it. The Planning Commission *or Planning Commission Secretary/Director for two (2) lot subdivisions per the provisions of T.C.A 13-3-402 and 13-3-402* shall, within thirty (30) days after submission of the plat, approve or disapprove the final subdivision plat by resolution, which shall set forth in detail any conditions to which the approval is subject or reasons for disapproval. The applicant may waive this requirement and consent to the extension of such period.

Failure of the Planning Commission to act upon a plat within the prescribed time shall be deemed approval of the plat and in such event, a certificate of approval, entitling the subdivider to proceed as specified in Sections 2-103.4 and 2-105, of these regulations shall be issued, upon demand, by the planning director. One copy of the final subdivision plat shall be returned to the subdivider with the date of approval, conditional approval or disapproval noted thereon. A copy of the minutes of the meeting at which the plat was considered may be substituted in this case.

After discussion, motion was made by Mr. Jerry Garrett to permit the Staff to approve minor two (2) lot subdivisions with amendments to Subdivision Regulations Chapter 1, General Provisions and Sections: 1-102, 1-103, and 1-108 Procedures for Resubdivision, 1-112.103 Recording of Plats, and Chapter 2, Procedures for Plat Approval Sections, 2-101.1 Plat Approval Requirements, 2-104.3 Hearing and Decision on Final Plat.

Commissioner Jeff Duncan seconded the motion. The motion passed unanimously, 11-0.

Item#10 Zoning Ordinance Amendment/ Planning and Development Services Staff: Requests recommendation to the City Commission to amend the Zoning Ordinance Section 14-208(4) (b) to define the scale of site development plans for staff approval. (DEFERRED FROM FEBRUARY 6th AGENDA)

Staff reviewed. Addam McCormick stated this is a proposed zoning ordinance amendment that would permit staff the ability to approve minor site plans without the Planning Commission's approval. He presented examples of how other cities define staff administrative approvals according to square footage of building and parking area improvements. He also stated Staff site approvals would not be for new site plans or new use of property, but only used for expansion of existing properties. The following items are changes proposed by staff and are referring to limited development site plans that may be reviewed and approved by Planning/Development Services Staff:

- 1. Building additions not to exceed twenty-five (25%) percent of the existing size of building up to 2,500 square feet but shall not include additional dwelling units for high density residential developments.***
- 2. Parking lot expansion not to exceed twenty-five (25%) percent of the existing parking area up to 7,500 square feet of parking area.***
- 3. New accessory buildings or uses which do not change the use of the property and do not exceed 2,500 square feet.*** (This is not part of the ordinance amendment but a note that one/two family dwellings and accessory building on one/two family dwellings properties are not required to be approved by the Planning Commission)
- 4. Minor exterior building renovations.***

Applicants may appeal the Planning/Development Service Department review and decision to the Planning Commission or to the Board of Zoning and Sign Appeals based on the provisions of this ordinance and the Design Guidelines.

Planning Commission Members had no questions or comments.

Based on Staff recommendation, Commissioner Jeff Duncan made a motion to recommend to the City Commission to amend the Zoning Ordinance Section 14-208(4) to define the scale of site development plans for staff approval. Mr. Grady McNeal seconded the motion. The motion passed unanimously 11-0, and will move forward to the City Commission.

**Item#11 Zoning Ordinance Amendment/ Planning and Development Services Staff: Requests recommendation to the City Commission to amend the Zoning Ordinance Section 14-208(4) (b) to define review procedures for successive site development plan applications.
{DEFERRED FROM FEBRUARY 6th AGENDA**

Staff reviewed. Addam McCormick explained this proposed ordinance amendment is to prevent denied applicants from resubmitting multiple times without any amendments or changes to plans. He stated an Applicant can always resubmit with changes or amendments to the original denial, and the applicant has the ability to pursue legal court appeals of all Planning Commission decisions. The following items are proposed changes from Staff:

if the site plan approval is denied, within one (1) year of the date of denial, a Subsequent application shall not be reviewed or heard unless there is substantial new evidence available, or if a significant mistake of law or of fact affected the prior denial. Such subsequent application shall include a detailed statement of the grounds justifying its consideration.

Planning Commission Members had no questions or comments.

Judy Wheeler made a motion to recommend to the City Commission to amend the Zoning Ordinance Section 14-208(4) (b) to define review procedures for successive site development plan applications. David Lynn seconded the motion. The motion passed unanimously 11-0, and will move forward to the City Commission.

**Item #12 Planning Commission By-Laws Amendment/Planning and Development Services Staff: Requests amendments to include provisions for consent agendas, designation of staff as Commission Secretary, define a public comments section of the agenda, and define an applicant Attendance procedure.
{DEFERRED FROM FEBRUARY 6TH AGENDA}**

Staff reviewed. Addam McCormick reviewed discussion from last month's meeting. He then discussed The proposed amendments to include provisions for consent agenda's, designation of Staff as Commission Secretary, defining a public comments section of the agenda, and to define an applicant attendance procedure. He stated this board is the only approval needed for the proposed changes because this board administers the Planning Commission By-Laws and Rules of Procedure. Following Mr. McCormick's review, Planning Commission and Staff discussed comments concerning some language of the proposed changes. Chairman Espinosa commended Mr. McCormick on helping to make the Planning Commission's role more efficient. Mr. McCormick stated he could make some changes and additions to proposed amendments and bring back next month for review. He stated he would also bring a copy of City Commission's By-Laws and Rules of Procedure for a guideline on some of the topics discussed.

Vice Chairman Galbreath made a motion to defer this item. Judy Wheeler second the motion. The motion passed to defer unanimously, 11-0

Discussion Items:

Comprehensive Plan Amendment April 3, 2017 Public Hearing- 71.23 Acre property French Street and Harris Street change from Residential Development Low Density to Residential Development Medium and High Density and limited area of Commercial Development. Property referenced as Davidson County Tax Map/Parcel# 02500005800

Mr. McCormick discussed a request that will be before them at the April meeting. He stated it will be a Public Hearing and will be advertised thirty (30) days before. Staff has received a preliminary request for a development proposal for 210 lot/units on 71.23 acres at French Street and Harris Street.

Meeting adjourned at 6:44

Tony Espinosa, Chairman

Rhonda Carson, ECD Assistant