

OFFICIAL MINUTES OF THE MEETING  
GOODLETTSVILLE PLANNING AND ZONING COMMISSION

September 9, 2019  
5:00 p.m.

Goodlettsville City Hall  
Massie Chambers

**Present:** Chairman Tony Espinosa, Vice-Chairman Jim Galbreath, Scott Trew, Jim Hitt, Mayor Jeff Duncan, Jerry Garrett, David Lynn

**Absent:** Bob Whitaker, Vice-Mayor Rusty Tinnin, Grady McNeal, Judy Wheeler

**Also Present:** Addam McCormick, Russell Freeman, Rhonda Carson, Mike Bauer, Tim Ellis, Mary Laine Hucks, Kimberley Lynn, Greg Edrington, and others.

Chairman Espinosa called the meeting to order.

Staff discussed that the animal care facility discussion item was removed from the agenda.

Jerry Garrett made a motion to approve the agenda as amended. Jim Hitt seconded the motion. The motion passed to approve the agenda unanimously 7-0.

With no additions or corrections, Scott Trew made a motion to approve the minutes of the August 5, 2019 meeting. David Lynn seconded the motion. Motion approved unanimously 7-0.

**ITEM#1**

**Long Hollow Pike Access Drive-Development Management Group, LLC: Requests site plan approval for a limited access drive connection on Long Hollow Pike for the Publix/Caldwell Square Center. Property referenced as Sumner County Tax Map 143J, Group G Parcel 04.00. Property Zoning: CPUDL, Commercial Planned Unit Development Limited. Property Owner- Caldwell Properties, LLC (9.1 # 06-19)**

**Ken Knuckles, Development Management Group, Project Representative**

**Staff Discussion Items:**

- Previous Planning Commission review at July 2019 Meeting
- Revised design based on similar design at Gallatin Shell- Long Hollow/SR 386
- TDOT approval also required- but they request city review and approval first
- Approval process- next step would be development site plans including signage associated with access driveway
- Sidewalk alteration with revised design- would require right-of-way or easement dedication
- Proposed revised design shifted further south- include large median and radius to reduce left turn opportunities

**Planning Commission Discussion Items:**

- Ken Knuckles heard July discussion comments
- Revised design remove ability for left turns
- Truck traffic concerns handled with signage
- Pork chop design more sidewalk and cross walk area to reduce left turn abilities
- Landscaped design incorporated more incentive not to turn then a solid concrete design
- Existing entry sign relocated
- Revised parking lot design included with proposal

Jim Hitt- Totally against this proposal

- Cannot go along with project
- If access approved can't stop left turns across street
- Ellen Drive across street- access into too much of a temptation- zig zap across Long Hollow Pike
- Design could create back up inside site and car sitting on Long Hollow waiting to access
- Cut thru into site development- don't approve it
- Staff letter stated if not approved then site development would not proceed- a great corner for development without drive

Ken Knuckles stated proposal would align access with drive aisle- answer to concern about site block up

- Due to property limitations with requirement for single tenant and retail single tenant
- Access is the concern for project and not interested in developing property
- Clients likely not to proceed with development if no direct access
- Existing site development has access issues

Vice Chairman Galbreath stated he agrees with Commissioner Hitt's comments and concerns

- No advantage from traffic coming from I-65 since still have to access Caldwell or Loretta
- Cannot see the necessity of another access into the site
- Site already has access from Loretta and Caldwell streets

Mayor Jeff Duncan stated he doesn't want to make a decision based on poor behavior of drivers- with stated concerns with left turns with access

- Better access design
- Looked at possible median design but can't block turns out of Ellen Drive
- Drivers heading south- easier access in and out of site

-Chairman Espinosa discussed history of the center and why the access wasn't originally included

- Staff stated the first set of plans included an access, but the plans were denied. When the plans came back to the Planning Commission for approval, the access point on Long Hollow was removed
- Staff stated the access on Long Hollow was never included in the Planning Commission minutes when plans were approved since access points from Loretta and Caldwell

-David Lynn discussed not seeing the benefit of the access point

-Ken Knuckles- discussed the site access for the proposed development is indirect and comes from the back of the development area

-Scott Trew stated the proposed access would remove some traffic load from Loretta and that with proposed design left turn would not be convenient, could benefit flow of site

-Jerry Garrett discussed Indian Lake area has limited access, has experience with limited access and customers will find it agree with others that are against design

-Mary Laine Hucks, City's Economic Development Director discussed retailers have discussed with her the access and the need for additional access into the site and have passed on the property in the past due to existing access

-Chairman Espinosa discussed with his background in restaurant industry would have to pass on-site without a direct access and

-Not everyone in agreement but he was in favor of proposal and design creating a barrier to discourage non intended turns

**Motion:** Mayor Jeff Duncan made a motion to approve, Stott Trew seconded the motion. The motion failed 3-4 with Jeff Duncan, Scott Trew, Chairman Tony Espinosa voting for and Jim Hitt, David Lynn, Jerry Garrett, and Vice-Chairman Galbreath voting against.

## **ITEM#2**

**Echo Hills Estates Master Plan/Civil Design Consultants, LLC: Request extension of preliminary master plan approval for phases five (5) and six (6) on 18.7 acres on Solitude Circle. Project phases one (1) through four (4) are completed. Property referenced as Davidson County Tax Map/Parcel 03300002900 and is zoned LDRPUD, Low Density Residential Planned Unit Development. Property Owner- J.D Eatherly**

**Jared Gray, Civil Design Consultants, Project Representative**

### **Staff Discussion Items:**

-Proposal to extend original master plan approval for phases 5-6

-Phases 1-4 are completed

-Original master plan from 1988 with extended approval in 2007

-State vested rights law in 2014 – plans would be expired in staff's opinion

-Staff stated new homes built would have to meet city's design standards

-houses in last phases majority all brick- larger homes

-Extended approval recommended at three (3) years and if they progress per state vested rights law the time would be extended

Jared Gray stated no objections to staff comments- developer intends to build homes on the larger lots - typically currently available in developments

**Planning Commission Discussion Items:**

Mayor Jeff Duncan asked if the same developer and development team from original project concerned since some lots do not have water or sewer service available  
-City would expect development to continue properly

Jared Gray discussed original owner but different development team

**Motion:** Jim Hitt made a motion to approve, Jerry Garrett seconded the motion. The motion passed unanimously 7-0.

**ITEM#3**

**Echo Hills Estates Master Plan/Civil Design Consultants, LLC: Request extension of final master construction plan approval for phase five (5) including thirty (30) single family home lots on a portion of 18.7 acres on Solitude Circle. Property referenced as Davidson County Tax Map/Parcel 03300002900 and is zoned LDRPUD, Low Density Residential Planned Unit Development. Property Owner- J.D Eatherly**

**Jared Gray, Civil Design Consultants, Project Representative**

**Staff Discussion Items:**

- Staff previously met with representative to discuss plan revisions needed
- Proposal to extend phase 5 approved construction plans from 2007
- Issues with roadway, cul-de-sac, intersection that would need to be revised to comply with Subdivision Regulations
- Existing detention pond specified alterations per engineer's proposal would require approval by Echo Hills Homeowners Association
- Staff does not recommend sidewalks in phases 5 and 6 since not in other phases and due to roadway slopes of close to ten (10%) in these phases
- Staff discussed drainage will be need to reviewed since existing drainage goes through yards in earlier phases
- Staff discussed currently reviewing what to do with street lights- only lights in previous phases- gas lamps in front of house.
- Revised if can be consistent with original plans either gas or electric or meet current requirements
- Recommend deferral and bring back revised plans

**Planning Commission Discussion Items:**

- Commission discussed sidewalks and any pedestrian access alternatives
- Staff discussed with slopes really the only method would be sidewalks but will be adjacent to steep roadway slopes
- Jared Grey- very costly grading project trying to avoid multiple yard retaining walls that would be required to install sidewalks

-Commission and Jared Grey discussed areas where retaining walls might be needed and Metro sewer service

Vice-Chairman Jim Galbreath discussed if they should address sidewalks now or later with revised plans. Staff discussed even if plans are deferred tonight- the sidewalk issue should be included so developer/engineer will know what design to bring back

Mayor Jeff Duncan discussed no problem waiving sidewalk since not part of previous phases and approved plans

**Motion:** Mayor Jeff Duncan made a motion to defer and revised plan be resubmitted meeting requirements stated and sidewalks not be required in this phase due to original development design and roadways slopes, David Lynn seconded the motion. The motion passed unanimously 7-0.

#### **ITEM#4**

**Cartwright Street Hotel and Convention Center, Rhodes Engineering and Environmental Services: Requests site plan approval for a Hotel and Convention Center on Cartwright Street and East Cedar Street, Properties referenced as Davidson County Tax Map/Parcels-. 01913010300, 01913007400, 01913009700 and 01913009800 containing 4.84-acres. Property zoning- CS, Commercial Services, CCO, Commercial Core Overlay, and INT, Interchange Overly District. Property Owner- Unique Omega, LLC (9.1 #05-19)**

Chet Rhodes, Rhodes Engineering and Environment and Dean Patel, Property Owner  
Project Representatives

#### **Staff Discussion Items:**

Items remaining include lighting, landscaping, building detailed exterior elevations (colors/materials) and drainage items

-Property includes flood plain and floodway- southern section- plans need to reflect no rise to floodway and less than one-foot rise in floodplain.

-Review off-site drainage outlets- in area of I-65 bridge and need drainage calculations to show pre and post storm water flows equal or less

-Board of Zoning Appeals on September 3<sup>rd</sup> approved a variance for one additional building story height

Chet Rhodes discussed remaining items and agreed with what was to be completed.

#### **Planning Commission Discussion Items:**

-Commission discussed remaining items and if deferral or conditional approval

-Staff ok with conditional approval and the key was staff wanted to hear from engineer that he agreed with remaining items

Mayor Jeff Duncan discussed conditional approval ok since owner has been forthcoming with project since day one.

-Mr. Patel and Commission discussed a proposal for additional building stories up to seven (7)

-Staff discussed currently approved for five (5) stories here with variance but asking for two (2) more would require zoning amendment.

-Two zoning districts CPUD and GOPUD already permit seven (7) stories

-Chet Rhodes wanted to make sure approval tonight is just for five (5) stories- if additional heights approved later then building design could be changed to reflect

Mr. Patel discussed 90-120 hotel rooms proposed might be around 100- parking an issue but most hotel occupants would be involved in conferences and events also

**Motion:** Jerry Garret made a motion for conditional approval only and remaining drainage, building, landscaping lighting, design items be completed as noted, Mayor Jeff Duncan seconded the motion. The motion passed unanimously 7-0.

#### **ITEM#5**

**Right-of-Way Closure- Planning Staff: Requests recommendation to the City Commission to close two (2) sections of non-improved Vecchione Drive right-of-way per the Manskers Heights Section Two (2) Subdivision and designate the right-of-way area to the four (4) adjacent property owners.**

#### **Staff Discussion Items:**

-Request came from the City Commission

-Process would include a subdivision plat being completed to remove right-of-way and include with adjacent four (4) properties

-Properties intended for right-of-way on both sides have developed limited development potential with subdivisions on both property boundaries

-Non-Buildable Tract "B" shown behind lot 59 which is owned by owner of lot 59 to be combined to prevent land locking the small Tract "B" with right-of-way closure

**Motion:** Jim Hitt made a motion for approval, **seconded** by Jerry Garrett. The motion passed unanimously 7-0

#### **ITEM#6**

**Zoning Ordinance Amendment-Planning Staff: Request recommendation to the City Commission to amend the Zoning Ordinance Sections 14-201. Provisions Relating to Construction of Language and Definitions (3) Definitions and Section 14-213. Administration and Enforcement (9) Conditional Use Permits (H) Specific Standards for Residential Activities (ii) Bed and Breakfast Homestay to include defined definitions of a**

**transient use and bed and breakfast homestay and included additional minimum property and building requirements for a bed and breakfast homestay conditional use**

**Staff Discussion Items:**

- City Commission adopted a 180-day moratorium on new bed and breakfast uses in June 27<sup>th</sup>
- Moratorium was due to number of request the Board of Zoning Appeals had received
- Concerned not true bed and breakfast homestay uses and just short term rentals under a loop hole
- Intention of amendment reduce application of bed and breakfast homestay application with minimum acreage of five (5) acres or historically significant properties only.
- Also intention for actual breakfast to be offered
- Difference in state law between bed and breakfast and bed and breakfast homestay
- Amendment is for bed and breakfast homestay reducing number of quest rooms from four (4) to three (3) to align with state law definition of bed and breakfast homestay
- State short term rental act does not include bed and breakfast uses
- Other part of amendment is to define transient residential uses in the zoning ordinance

**Planning Commission Discussion Items:**

- Commission discussed issues with bed and breakfast and short term rentals and how acreage requirement was determined.
- Staff discussed the existing bed and breakfast ordinance has a five (5) acre provision for detached bed and breakfast homestay in accessory buildings.
- Staff discussed the five acre (5) would be large lots within the city limits and limit the application of the conditional use.

**Motion:** Jerry Garrett made a motion to send to City Commission for approval, seconded by David Lynn. Vice Chairman Galbreath abstained. The motion passed 6-0

**DISCUSSION ITEMS**

**Sumner County Growth Boundary:**

Staff discussed the planning reviewed this back in 2017

- City submitted request to Sumner County Coordinating Committee to extend
- Includes a section of Hendersonville's Growth Boundary
- City staff met with Hendersonville staff about growth boundary and city agreeing to dedicate right-of-way at city's property along Cumberland River in Hendersonville off South Cedar Point Road
- Tim Ellis discussed proposal and agreement being considered between Hendersonville and Goodlettsville about growth boundary and right-of-way dedication
- State law only allows annexation upon owner's request

**Public Forum on Planning Related Topics**

Chairman Espinosa opened the public forum.

**John Fray- 407 Moss Trail**

- Ordinance amendment proposal to limit bed and breakfast to five (5) acres a good thing

- Concerned with operating businesses like a bed and breakfast in residential neighborhoods due to lighting, sound, and smell from a bed and breakfast
- Larger properties better to buffer and screen uses
- Would recommend increasing minimum from five (5) to ten (10) acres and minimum separations to adjacent property lines
- Experience with them in Old Hickory area- problem when in neighborhoods

**Kerry Metcalf -114 Myers Street**

- With hotel, Starbucks, Shell at intersection of Long Hollow and Cartwright, Tyson Shift Change
- concerned with traffic back up at intersection being routed along Cedar Street and limited traffic availability already in area due to railway bridge narrow width-
- Google maps show section of Cedar so concerned more traffic will come down roadway section

Chairman Tony Espinosa made a motion made to close public forum, seconded by Jerry Garrett-  
All in favor to close public forum

With no further business, the meeting adjourned at 6:42 pm.

---

Tony Espinosa, Chairman

---

Rhonda Carson, ECD Assistant