

**Minutes of the  
CITY OF WHITE HOUSE  
Meeting of the  
Municipal/Regional Planning Commission  
Tuesday, October 11, 2011**

**Call to order** 7:00 p. m.

**Roll call:** Mayor Mike Arnold, Aldermen Clif Hutson, Bob Dorris, Jerry Summers, Scott Wiggins, Paula Eller, Chairperson.

**Staff:** Addam McCormick, Jason Reynolds, Engineer Consultant, David Amonette, City Attorney, Angie Carrier, City Administrator

**Absent:**

**Approval of prior minutes:** Motion was made to approve the prior minutes from September 12, 2011 meeting by Scott Wiggins, seconded by Bob Dorris. Motion passed unanimously.

**Approval of Consent Agenda:** Motion was made to approve by Mayor Arnold, seconded by Bob Dorris. Motion passed unanimously.

Chairperson Eller stated that the Major Thoroughfare Plan item has been postponed until next month's meeting. Chairperson Eller stated that the Commission discussed several alternate routes and that they would like to have a public hearing for any concerned citizens to have input and view those routes.

Chairperson Eller stated that Item #1 on the agenda is a request by her in-laws and that she would not participate in any discussion or vote of the item because of conflict of interest. Scott Wiggins, Vice-Chairman, opened up the public hearing for Item #1.

**AGENDA**

**PUBLIC HEARING {Item # 1}**

**Item # 1** **Ray C. Eller, Jr. and Hazel S. Eller:** Requests Recommendation to the Board of Mayor and Aldermen for rezoning of 2.28 acres from R-20, Low-Density Residential to C-2, General Commercial. Properties are referenced as Robertson County Tax Map 106-E, Group A, Parcel 21.00 and Map 106-E, Group A, Parcel 22.00. One property is currently vacant and the other is located at 530 Highway 76.

Vice-Chairman Wiggins stated the property owners, have requested that only one lot, with the existing home, will be considered for rezoning. Staff received a letter from Mr. Eller this week.

Vice-Chairman Wiggins opened the public hearing.

**Mr. Ray Eller-530 Hwy 76**-stated that they currently have the property for sale and that there is commercial property all around them. Mr. Eller stated the reason they have removed the rezoning request for the corner lot is due to increased property tax rate for the vacant lot.

Staff reviewed rezoning requests criteria in Planning Commission By-Laws: 1. Comprehensive Plan area designation-Staff stated that this area is shown as a Hwy 76 Gateway Commercial Activity Node. 2. Existing and adjacent property uses-Staff stated there are various highway commercial uses along Hwy 76 and single family residential uses behind the property. 3. Future uses of area-Staff stated that would be highway commercial and the existing single family residential. 4. Permitted uses in the proposed zoning district (C-2, General Commercial). Staff stated that the approval recommendation is based on the Comprehensive Plan designation, existing commercial uses of adjacent properties along SR 76, 2010 TDOT Traffic Data, which is approximately 17,000 daily traffic trips, and a need for commercial zoning to service adjacent developments.

**Motion was made to recommend to the Board of Mayor and Aldermen by Bob Dorris, seconded by Jerry Summers. Motion passed. Chairperson Eller abstained.**

**Item # 2**

**Ladybug's Learning Center/James Terry & Associates:** Request site plan approval to convert an existing house into a 1,400 sq ft day care center and install a parking lot and playground facilities. Property is referenced on Robertson County Tax Map 107-H, Group A, Parcel 19.00. Property is zoned C-1, Central Business District and is located at 400 Highway 76.

Staff stated the subdivision regulations do not state when storm water detention and drainage calculations are required. Staff stated with smaller site plans there is nothing that states when drainage calculations would be required. Staff requested additional drainage calculations to ensure the proposed on-site detention pond and ditch along the western property line are designed to handle the increased amount of storm water with the new parking area. Staff stated that Jason Reynolds, City's consultant engineer is working on a storm water ordinance to meet future expected TDEC requirements for the city. Staff discussed that Metro Nashville requires drainage calculations for any commercial site. Staff stated he contacted the City of Goodlettsville and they require drainage design and calculations when 5 + parking spaces are added. Mr. Reynolds, Staff, and Commission had lengthy discussion on future drainage requirements as the city grows and having a written threshold of when engineered calculations are required on site developments.

**Motion was made to approve by Mayor Arnold with the stipulation that drainage calculations be submitted and approved by staff, seconded by Scott Wiggins. Motion passed unanimously.**

**Item # 3**

**White House Health Care/Sonya Kemp:** Requests site plan approval extension for the White House Health Care site plan for an 84-unit nursing home building on 5.16 acres. The site plan was approved at the May 10, 2010 Planning Commission Meeting. Property is referenced on Robertson County Tax Map 107-L, Group B, Parcel 80.01. The property is zoned C-4, Office/Professional Service District and is located at 2871 Hwy 31W.

Staff stated that currently the Zoning Ordinance has an 18-month time line for approval for site plans. Staff stated the site plan was approved at the May 10, 2010 Planning Commission meeting with the stipulations including revised detention and culvert design, landscaping, and lighting issues. Staff stated the project is planned to start as soon as TDOT approved the Hwy 31W access. Staff stated that this request is in case the state approval requires a longer timeline. Staff recommends the site plan and stipulations approval be extended for no more than six (6) months. Staff stated per discussion with the project design engineer firm representative, the plans have been revised per the stipulations approved by the Planning Commission.

**Motion was made to approve by Cliff Hutson with a six (6) month extension, seconded by Jerry Summers. Motion passed unanimously.**

**Item # 4**

**Lochinvar Subdivision/Harold Tate:** Requests recommendation to the Board of Mayor and Aldermen for acceptance of street improvements on Knight Circle and Maiden Lane with a maintenance bond. The request also includes deferring the installation of sidewalks along Knight Circle from Hester Dr to the intersection of Maiden Lane and Knight Circle.

Staff stated that when this street was originally constructed, the City requested that they connect Knight Circle to Sage Road. Staff stated two of the three platted lots have buildings, but the large acreage tracts along Knight Circle and Maiden Lane have not be subdivided or have constructed completed on the lots. Staff stated the development was originally approved without sidewalks

but that was amended so that the sidewalks would be built as the development occurred. Staff stated an exception was that the owner would be required to install sidewalks along Knight Circle from Hester Drive to the Knight Circle and Maiden Lane intersection. Staff stated that Mr. Tate has requested to install the sidewalks at a later date due to his recent request to reconstruct the intersection of Knight Circle and Hester Drive to improve the existing turn radius for larger vehicles. Staff stated due to adjacent slopes, he does not recommend that the 300 ft sidewalk section be installed on the west side of Knight Circle between Hester Drive and Holiday Inn Development at Knight Circle. Staff stated the Planning Commission at the May 10, 2010 meeting discussed permitting the final layer of asphalt be installed with only limited development on the roadways due to the condition of the roadways since the binder layer of asphalt was installed in 2002. Staff stated the Planning Commission discussed to allow the final asphalt installation and street acceptance, but with longer five (5) year maintenance bond period. Staff stated he would recommend the Planning Commission require a separate \$20,000 sidewalk bond and that the Commission review the development progress during the annual bond renewal process to determine when a sidewalk is required to be installed. Staff stated the current bond is \$50,000 and he would recommend a five (5) year \$29,500 maintenance bond and that a separate \$20,000 sidewalk bond be required. Staff discussed other stipulations include: cutting in expansion joints by the curb grates, speed limit signs being installed, stop bars being painted, and the streets be cleaned of vegetation. Mr. Tate asked for clarification regarding the requirement of a maintenance bond. Staff explained that the five year bond requirement would include possible pot holes or if the curbs buckle up, not just normal wear and tear of the asphalt. Staff explained that the City's Subdivision Regulations require 75% of the development to be completed prior to the final layer of asphalt being installed. Staff stated the 5-year bond requirement is also due to the limited development of the subdivision. Staff and Commission discussed requiring the one sidewalk on the west side of Knight Circle between Hester Drive and the Holiday Inn development. Staff and Commission had discussion to require a \$10,000 separate sidewalk (one side of roadway only) bond and a \$29,500 maintenance bond.

**Motion was made to approve by Mayor Arnold with a five (5) year \$29,500 maintenance bond and a \$10,000 sidewalk bond, seconded by Scott Wiggins. Motion passed unanimously.**

**Item # 5**

**Zoning Ordinance Amendment, Section 7.060-Exceptions to Setback Requirements:** Staff requests recommendation to the Board of Mayor and Aldermen to amend the zoning ordinance to add fences, retaining walls, driveway, and similar structure to the exception to setback requirements.

Staff stated he was recently contacted for information from an adjacent city involving a court case between two property owners regarding a retaining wall. Staff stated that the City's policy regarding fence and walls is that the owner can construct the fence up to the property line. Staff stated that it is recommended to come off the property line to protect property owners from any property line conflicts. Staff stated that he posts the fence policy in the city's newsletter annually to prevent fences from being built over easements containing drainage and utility infrastructure. Staff stated that fences are allowed within easements except when the fence would block a drainage ditch or limit access to utility lines. Staff stated that the City's Zoning Ordinance defines a structure as anything such as a concrete slab or building structure as long as it meets the set back requirements. Staff stated setbacks can range from 5 to 50 ft, depending on the property zoning classification. Staff stated that the purpose of the proposed amendment is to remove any confusion or conflicts between the City's policy on fences and the provisions of the zoning ordinance.

*Staff stated the proposed ordinance amendment:* Retaining walls, walls, fences, driveways, pads, mailboxes and similar structures are permitted to be installed or constructed over minimum

building setbacks. Structures regulated by this section over eight (8ft) feet in height and any structure used as the foundation support wall for a connected building and structure not regulated in this sections are required to be a minimum of five (5ft) feet or the distance determined by the recorded property easement from the property line. The setback exceptions listed in this section does not permit easements to be blocked or limited for drainage or access to utilities as determined by city staff.

**Motion was made to approve by Scott Wiggins, seconded by Bob Dorris. Motion passed unanimously.**

**Discussion Items:**

1. **Major Thoroughfare Plan:** Staff stated that this item will be on the November Planning Commission Agenda. Chairperson Eller discussed that the alternate routes that were presented at last month's meeting would need to be decided and approved at next month's meeting.

*Meeting adjourned at 7:37 p.m.*

ATTEST:



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Paula Eller, Chairperson



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Addam McCormick, Secretary