

City of Columbia
MUNICIPAL PLANNING COMMISSION
February 9, 2022

CALL TO ORDER:

Chairman Charlie Goatz called the February Planning Commission meeting for the City of Columbia to order at 4:00 p.m. The meeting was held in Council Chambers at City Hall.

ROLL CALL:

Quorum present and included the following:

Present were: Mr. Charlie Goatz
Mr. Thomas Hutto
Mr. Randy McBroom
Dr. Rose McClain
Mayor Chaz Molder
Mr. Ray Pace

Absent was: Councilman Ken Wiles

Other attendees: Ms. Gracie Aldridge, Staff Engineer
Mr. Austin Brass, City Planner
Mr. Glenn Harper, City Engineer
Mr. Paul Keltner, Director of Development Services
Mr. Tony Massey, City Manager
Mr. Kevin McCarthy, Planning Associate II
Mr. Travis Neas, Chief Building Official
Mrs. Sandra Richardson, Secretary
Mrs. Melissa Sanders, Planning Associate I
Mr. Douglas Toney, Assistant City Engineer

1. Organization

- 1.1. Call To Order
- 1.2. Roll Call
- 1.3. Welcome of Visitors/Rules of Conduct

OFFICIAL COMMUNICATIONS:

AGENDA ITEM # 1.4

Acknowledgement of Official Communications of the Columbia City Council on annexation and zoning.

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Mr. Keltner, stated on first consideration on Ordinance no. 4389 the property on Hampshire Pike rezone request from MCD to MRC was approved on first reading. On First consideration modification to the Access Management Ordinance with regards to allowing staff to look at those items first and retaining the board of appeals for the Ordinance. On second consideration and final consideration there was a request on Theta Pike to rezone from a manufactured home park district to a high density residential district, and that item was approved on second reading.

REVIEW OF BONDS: Agenda Item 1.5

City Engineer, Glenn Harper reported all letters of credit are in order, or in the process of being updated.

APPROVAL OF MINUTES: Agenda Item 1.6

The January minutes were presented for approval. Mayor Molder moved to approve with Dr. McClain seconding. Motion carried with a vote of six to zero.

2. Consent Agenda:

AGENDA ITEM #2.1

Case #21-0296

Request from Allen O’Leary for Final Plat approval of Armstrong Meadows Section 4 off Hampshire Pike being Tax Map 101 Parcel 12.00 with surety in the amount of \$475,000.

AGENDA ITEM #2.2

Case #21-0292 & 21-0294

Request from Bill Kottas for approval of a Final Master Development Plan and platting of Trotwood Villas being Tax Map 112 Parcel 19.20 off Trotwood Avenue.

AGENDA ITEM #2.3

Case #21-0170

Request from Ragan Smith Associates for Final Plat approval of Taylor Landing Phase 5B off River Road, with surety in the amount of \$72,000 (deferred from previous agenda).

Discussion:

Mr. Goatz inquired about the deferral reason. Mr. Keltner stated surety. Mr. Harper stated surety and the median closures. Mr. Goatz moved to approve Agenda Item 2.1. 21-0296, 2.2. 21-0292 &21-0294, and 2.3. 21-0170 subject to

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technical comments, with Mayor Molder seconding. Motion to approve passed six to zero.

3. Discussion

AGENDA ITEM # 3.1

Case #21-0257

Request from Phillip Evers for access management exception at 109 Lee Drive.

Staff Recommendation:

Mr. Harper gave the details of the staff report. This request for an additional driveway along Lee Drive. The driveway is of substandard width and culvert diameter which can be resolved the question is the location of the driveway. He met onsite with Mr. Evers they looked at the two driveway locations. The concern is inadequate site distance. Backing out of the driveway will be an issue.

Discussion:

Mr. Phillip Evers was present to answer questions. Mr. Goatz stated in regards to meeting the standard driveway requirements the applicant is willing to correct all of those. Mr. Harper stated yes, we discussed and all of those can be remedied. Discussion included turning around, ample driveway, exiting out the top driveway, and driveway installed. Mayor Molder inquired about the recommendation. Mr. Harper stated that at this point staff would recommend that the driveway be removed. There is an additional driveway installed at the location, this body would have to grant that exception. The driveway was already installed and it does not meet the Access Management Ordinance. If Planning Commission chooses to give the exception then they will have to grant the exception which would allow the driveway to stay where it is and then be widen and improve it to meet engineering standards. Mayor Molder asked the applicant if he was willing to widen the driveway, and improve it. Mr. Evers stated that he is willing to meet the requested conditions. Mr. Harper stated that it would cure two of the defects the substandard culvert, and the width of the driveway. He also stated that he doesn't know how you would remedy the motorist pulling out of the driveway opposed to backing out. Additional discussion included ample space to turn around, single family home, back up area, Mayor Molder stated basically we grant the variance subject to technical comments, subject to the City Engineer's comments, and if those modifications are not done to the satisfied of the City Engineer, the City Engineer would then bring it back before this body. Further discussion included an extraordinary amount of asphalt for a single-family home, blocking in, the length of the driveway, plans, specs in the books, illuminate the culvert. Mayor Molder moved to grant the variance subject to the requirements of the City Engineer which they have already met to discuss and if for some reason that does not happen then subject to the requirements the City Engineer would bring it back to this body for consideration. The motion was seconded by Mr. McBroom. Motion to approve passed six to zero.

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AGENDA ITEM # 3.2

Case #21-0293

Request from Martin Engineering for Preliminary Plat approval of Williamsport Pike Subdivision off Oak Springs Drive being Tax Map 88 Parcel 51.00.

Staff Recommendation:

Mr. Keltner gave the details of the staff report. Staff finds the request to be compliant subject to Technical Comments.

Discussion:

Mr. Gary Martin, was present to answer questions. Discussion included compliant to the zoning ordinance. Dr. McClain moved to approve subject to Technical Comments, with Mayor Molder seconding. Motion to approve passed six to zero.

AGENDA ITEM #3.3

Case #21-0286

Request from Chapdelaine and Associate for Preliminary Plat approval of East 7th Subdivision on the corner of East 7th and East End.

Staff Recommendation:

Mr. Keltner gave the details of the staff report. The applicant asked for a deferral on this item.

Discussion:

Mayor Molder moved to defer with Mr. McBroom seconding. Motion to defer passed six to zero.

AGENDA ITEM #3.4

Case #21-0287

Request from Chapdelaine and Associates for Preliminary Plat approval of Williamsport Subdivision off Williamsport Pike being Tax Map 88 Parcel 70.01.

Staff Recommendation:

Mr. Keltner gave the details of the staff report. The applicant asked for a deferral on this item.

Discussion:

Mr. Goatz moved to defer with Dr. McClain seconding. Motion to defer passed six to zero.

AGENDA ITEM #3.5

Case #21-0288

Request from Lynn Ealey to annex with a plan of services 1686 Lasea Road being Tax Map 73 Parcel 15.00 with a zoning of RS-10.

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Staff Recommendation:

Mr. Keltner gave the details of the staff report. The Fire plan of services were discussed at study session, and the school was reached out to, and they stated this would overcrowd the school for this zone.

Discussion:

Mr. Lynn Ealey was present to answer questions. Discussion included Fire comments in reference to additional staff will be needed. City Manager Mr. Tony Massey summarized Chief Cobbs and he stated that fire can handle it with our station on Bear Creek Pike, but it is right on the edge of the five-mile radius. Mr. McBroom inquired about the area. Mr. Massey stated once you get past Love's Truckstop it starts to get more questionable. Mr. Eddie Vaughn, 1768 Lasea Road, expressed sewer access concerns. Mr. Keltner stated that with all the new developments the City does look for opportunities to stub those out to the adjoining properties, which could be developed at a later date. Ms. Pamela Sproles, 1663 Lasea Road, expressed concerns for traffic, annexation, putting in solar power. Mayor Molder asked for clarification that Ms. Sproles' property would not be annexed in unless she requested it. Mr. Keltner confirmed. Mr. Bob Graham, District 1 or 5 expressed concerns about being at the point of needing another fire station, and payment for another fire station. Additional discussion included the road, needing comments, preliminary plat would be the point that staff would see the potential road plans, TIS, improvements, and conditions of the road. Mr. Harper stated that the traffic study looks at peak hour traffic, the condition of the roadway, and substandard lane width may be mentioned in the study. He also stated that he is not sure of the legality of the straight zoning requirements. Mr. Goatz stated that this request is for annexation and a straight zone to a RS-10, and it may limit staff on the requirements. Mr. Eddie Vaughn recommended getting a plan in place to meet the need due to the potential growth. Mayor Molder stated that Columbia was and is prepared for the growth, there is a new fire station that was opened two years ago. It is closer to this area than the previous station.

Mayor Molder stated that he wants to address the school system comments that has been provided for this project and then also for the Baker Road project. He stated that he takes great offense to the comment made that the school system would after experiencing the last ten years of growth that has been seen in north Maury County, and after what they have done with regards to new construction, new schools in Spring Hill. Battle Creek Middle, and Battle Creek Elementary, to be specific would now say that was ok for Spring Hill, and we are going to build these new schools, but now that the growth is in Columbia we are going to say hold on a second, we can't control, we have no plan. No plan is just a slap in the face to all of us, because fail to plan, plan to fail. If they couldn't see this growth coming to the City of Columbia they must have been blind for the last decade. Furthermore, what were they doing building schools in Spring Hill, and not tell Spring Hill to stop growing, but then now tell the City of Columbia to stop growing. He stated that he takes great offense to that and suggest that they better get a plan because the growth is not stopping. They are going to be the last people to dictate to the City of Columbia whether or not this community is going to continue to grow or not. He is disappointed in the comments that they are providing. He said he will not

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let the school system dictate the growth of our community. It is his hope that they will start planning for the growth, because five and seven years from now that growth will be south of Columbia. They will have the same issue in Mt. Pleasant if they don't start seeing the issues they have now already. He said it is unfortunate that they would make that comment.

Mr. Lynn Ealey, Land Solutions, stated that he read the staff report and agree with everything. In reference to growth, the builder approached them, you will see growth from these two projects in a very manageable pace. He has spoken with chief Cobbs. They plan to build and be successful, their building will be limited homes per month. Mr. Keltner stated in reference to the road conditions it would be up to Maury County Road Superintendent to allow the connection into this roadway. Any improvement on this roadway will have to be approved by their office. Even if staff were to require improvements, ultimately it is still up to the county to actually require those more so than the city at this point, unless they are requesting for the city to maintain ownership of the roadway. Mayor Molder stated and that is something that would be discussed during the preliminary plat stage. Mr. Goatz stated for clarification technically this could be annexed into the city with a concept plan, but the county could decide not to grant any access to this road. Mr. Keltner stated that there is a legal portion of it that he doesn't think you could deny someone access to the land, but what they could do is require a lot of things, and require the applicant to prove that they can't require it, sort of speak. He is not familiar with their matrix, and the requirements for them. Ultimately it is there road, and their access to approve not necessarily the City of Columbia. Mayor Molder moved to approve and stated he will be very interested in the preliminary plat, with Dr. McClain seconding. Motion to approve passed four to two, with Mr. McBroom, and Mr. Goatz voting nay.

AGENDA ITEM #3.6

Case #21-0289

Request from Lynn Ealey to annex with a plan of services 626 Baker Road being Tax Map 74 Parcel 37.00 with a zoning of RS-10.

Staff Recommendation:

Mr. Keltner gave the details of the staff report. The Ordinances were referenced, and the review criteria.

Discussion:

Mr. Lynn Ealey, 2725 Berry Hill Drive, Nashville, was present to answer questions. Discussion included density, from August wen down, Mr. Mark Cook, 925 Harmony Way, expressed concerns with right of way, sewage, utility easement, plan for red light, and the school system additional capacity, adding impact fees, putting burden back on the tax payers, raising taxes, infrastructure, and resolution bill 81675. Mr. McBroom stated that the builder is paying an adequate facility tax. The builder is paying something on it. Further discussion included state law lock down, impact fee, bill on the floor for consideration, additional city fees. Ms. Jean Wardlaw, 642 Northridge Road, expressed concerns with high density, additional houses, public safety issues, lot sizes, and traffic. Mr. Danny Coleman, 320 8th

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Avenue, Ward 5 City Councilman. He stated that impact fees are something that comes from the State Legislature, that is who we need to be leaning on in terms of getting the ability, and for the county to also have the ability to levy those types of fees. That is where the problem is now and we need to make sure we are getting help here at the local level to pay for these things. The growth is coming and there is nothing that we can do to stop it all our job is to do as a governing body is to make sure that we try to direct that growth in the smartest way possible. Mr. Dave Webb, 507 Jonells Way, expressed concerns with Baker Road being too small for truck traffic, future traffic, durability, plan, funding and construction. Mr. Gray, District 1 expressed concerns for publication of fees to be paid to help people to see and understand the situation. Mr. Randy McCall, 908 Harmony Way, expressed concerns with the challenges to get out of subdivision on Baker Road, and the road safety issue. Mr. Victor Beck, 3189 Oak Hill Farm Road, expressed concerns with doing the right thing, growth is here, be responsible, and he urged to move this forward. Mr. Brian McKelvy, District 5 County Commissioner, urged to delay the development until Baker Road is fixed, he recommended to this group to contact the representatives of the house sub-committee of property and planning in reference to getting the impact fee passed. Mayor Molder stated one problem here is we have begun to see the density go down for this development, which I think is something that is welcoming to most people even if they are still opposed to it. He said he agrees that the issue is Baker Road, and there is no question that there are issues there. He asked Mr. McKelvy if this is something that he has been able to talk with the road superintendent about. Mr. McKelvy stated that they have spoken to him many times about Baker Road. It keeps coming up that there is no right of way, that Baker Road is the right of way. There is only twenty-two feet, and the road is twenty feet, and that is the big issue. He stated that he believes it is in the plan to make Baker Road better from the city line to North Ridge. He believes that was originally talked about, and that helps that area, but you still have 300 plus cars still going from Northridge to 31. There is not any room to make it any wider. The Mayor stated the road could be improved but from an expansion the right of way is not there. Mr. David Henson, 667 Baker Road, stated he would not like to see any more homes, would like to see half acre homes, he asked about notifications, and where is the sewage going. Mr. Chuck Mahone, 654 North Ridge Road, concerns expressed were adding the road that connects Tom Sharpe, adding traffic to Baker Road, is the right of way 30 or 50 feet have it been secured., would like to see acre lots. Mr. Lynn Ealey, Land Solutions they have tried really hard to be sensitive to everybody's concerns. He stated that the majority of the folks are saying we know growth is coming, and let's do it the right way. It is clear the focus is on Baker Road. They did the traffic study, the study shows with or without them this is the signal light with dedicated turn lane, a correction to the curve to do away with the dangers of it, the right of way needs to be dedicated, the other end of Baker Road will be wise to have a right turn. The commitments to the traffic study will not change. There are portions of the road that is outside of their control. Further discussion included four lanes, a long term project that needs to be addressed, adequate facility tax, going above and beyond. Mr. Ealey stated that in reference to the stream it is blue line stream, and they will provide buffers. The

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sewer is the same plan from previously the sewer can come down existing right of way or it can come down easement separately if easement is attainable. Mr. Boshers prefers sewer in the road for proper maintenance. There was a question about connecting to Tom Sharp Road, and he believes that is the city's plan for them to provide a stub from this subdivision in some manner to make sure there is through connection. Mr. Goatz asked if the homes would all have individual driveways. Mr. Harper stated that the applicant would be required to have an alley, frontage road or some other means to access those lots. Mr. Goats asked about improvements along the stretch of Baker road up to the curve as far as widening or the asphalt from the developer. Mr. Harper stated it wasn't definitely apart of the traffic study, but the right of way was being dedicated and the roadway was being widen from Bear Creek up to the intersection with North Ridge. Mr. Ealey stated that he has to rebuild the road in the portions that he is able to. The traffic study shows the curve needs a stop condition, and that will either be a three way or a four way stop condition. Further discussion included widen the road enough to be safe, it could be fewer homes. Mayor Molder asked where are you with Mr. Van Boshers. Mr. Ealey stated that as of yesterday his commitment was to follow suite to the agreement that was drafted contributing to the county general roadway fund. Further discussion included firehall connection. Mr. Mark Cook, 925 Harmony Way expressed concern with Baker Road and Nashville highway once there is at light at bear creek and baker Road, left turn lane will be an issue. Further discussion new traffic study, the curve, improvement to accommodate some of the issues. Mr. Harper stated that the city is also undergoing improvements at Nashville Highway, and Bear Creek Pike, it is under design to get more traffic through there. Mr. Goatz asked Mayor Molder about clarification from Chief Cobb. Mayor Molder stated that the benefit for him is having the opportunity to see this at least a few more times in City Council he is in a better position there than in this Commission. He was actually thinking would the Commission be better off to see the agreement that the Superintendent and the developer were able to meet would that make for a better comfort with this project. The problem that he sees is that it sounds like everybody agrees that Baker Road need improvements which may or may not be possible, also it sounds like nobody is willing to do that until they are forced to. We have a developer that appears to be willing to make significant improvement to Baker Road if the project succeeds, but if it doesn't succeed it sounds like Baker Road is going to continue to deteriorate, and become more of a problem for which we are not going to be able to impact or influence in any event, because that would be the road superintendent's prerogative. He stated that he struggles with this one because re really do believe that there is an opportunity to not only improve Baker Road in this area, but also have a development that is 100 units less than what it was prior. Which is probably about the least amount of density that you could expect on this size property. Knowing that there is going to be a development on this property at some point over the next ten years, so are we working against ourselves to deny this request, and come back five years from now and have 300 plus on this site. He said he felt that the Baker Road issue is important enough that we need to get it right the first time. Mayor Molder moved to defer this project to the next month's agenda such that the Developer, and the Road Superintendent can formulize some

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sort of agreement and bring it back to this body for the Commission to have some adequate assurance that the Baker Road would be improved as the overall result of this development. The motion was seconded by Dr. McClain. Motion to defer passed six to zero.

AGENDA ITEM #3.7

Case #21-0291

Request from Jimmy Fleming to rezone Parcels 20.25 and 20.26 of Tax Map 66 off North Pointe Road from High Density Residential to Low Density Residential and amending the comprehensive plan from Employment to Rural Residential.

Staff Recommendation:

Mr. Keltner gave the details of the staff report. The request today is a two part. They are asking to amend the comprehensive plan, and a rezoning of this property.

Discussion:

Discussion including included high density development, set up as apartments currently, the original plan, adjacent to the ongoing plan that is already happening. Mayor Molder moved to approve, with Mr. McBroom seconding. Motion to approve passed six to zero.

AGENDA ITEM #3.8

Case #21-0295

Request from Civil Design Consultants for site plan approval of Legacy at Highland Estates off Willis Way being Tax Map 75 Parcel 51.06.

Staff Recommendation:

Mr. Keltner gave the details of the staff report. The applicant requested a deferral on this item, to have time to make adjustment and resubmit.

Discussion:

Discussion included several items including lot size, and the deferral request to allow for time to be able to respond and resubmit. Dr. McClain moved to defer, with Mayor Molder seconding. Further discussion included options, there are site plans and condos differences. Motion to defer passed six to zero.

AGENDA ITEM #3.9

Case #21-0205

Request from Joseph Ahler for a Preliminary Planned Unit Development Plan at 1451 Lasea Road and Bear Creek Pike (deferred from a previous agenda).

Staff Recommendation:

Mr. Keltner gave the details of the staff report. They have reduced the units on the North side. They added some additional buffering along Bear Creek.

Discussion:

Mr. Joe Ahler, 1019 Tanyard, Spring Hill, was present to answer questions. Discussion included clarification of lap siding, site plan review. Mr. Ahler stated that they are going to vary all of the units look and feel, the nature of the material.

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Mr. Goatz asked for clarification on the material. Mr. Ahler stated that he doesn't know which material it will be, it is up to the developer. Mr. Goatz stated this is a PUD so the Commission can have some say in what the material should be. Further discussion included a lot of density, location, looking at the rear of several of the units, and way to eliminate looking at the rear. Mr. Ahler stated that the developer basically agreed to widen the road. Additional discussion included the developer doesn't want to lose the units, there will not be any grading on the front portion of the property the tree scape that is there now will remain, all the patios on the rear will have privacy fences around them with the buffer, probably the only thing visible from Bear Creek will be the second story windows and the roof, facing Lasea Road, some units back up to Bear Creek, Hillside is on Bear Creek, the developer would be locked in to what he has submitted, this is an RM-1. Mayor Molder inquired about what the applicant can do today. Mr. Keltner stated that the RM-1 zoning allows apartments, townhomes, and single family. The applicant can actually do any of those items, within that with it being a PUD Commission, and City Council does have a right to look at the site plan and decide on which product types that they would like to see inside of this. Further discussion this is an RM-1 PUD, and the current request is currently RM-1. Mr. Keltner clarified that the this is RM-1, and it is staying RM-1 this is just a revisit to the master plan for the apartments that had expired. It is required to be a PUD by it being located on Bear Creek Pike. Mayor Molder asked what happen if this request was under the new zoning ordinances. Mr. Keltner stated that they would have to follow the apartment plan that was turned in which staff doesn't feel is constructible. Mayor stated in other words, there is some potential if the zoning ordinance passed then they couldn't deviate from what they have, approved previously. Mr. Keltner stated when they come in with a PUD they could remove the PUD, and then follow the underlying zoning, but to maintain the PUD, it is really trying to get away from PUDs. Mayor stated that they would be grandfathered in under the previous PUD. Mr. Keltner stated even that one is expired. Mr. Goatz stated, but on that note, if they come back that way it would either have to be either the apartment or the townhome, and they would have to conform to the new zoning. Mr. Keltner confirmed if it passed. Additional discussion density, character, review criteria, seeing more mixture, dislike the rear facing the street, this is not an annexation. Mr. Goat moved to deny, with Mr. McBroom seconding. Motion to deny passed four to one, with Mr. Hutto voting nay, and Dr. McClain abstaining.

4. Request from Development Services for review and recommendation of a new Columbia Development Code.

Mr. Keltner stated that he sent a combined email out today from the previous responses from January, and the special call meeting questions, and were able to respond to all of those. The majority of them were action items we can compromise by doing this to relieve the concerns. There are a few items that are preference of the Commission, and City Council when it moves forward regarding that subject matter. Mr. McBroom inquired about having a special call meeting for this item. Mayor Molder stated that the Zoning Ordinance is monumental it is not something

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that we do all the time, and clearly has people to show up for that purpose that wish to be heard. He stated that he wonder if there is some value in having a special call vote meeting, unlike the last special call meeting which was a work session. Mr. Keltner stated that it is not uncommon at all. We will give the notice in order to get that accomplished. Mr. Goatz agreed to a dedicated meeting. Mr. Keltner stated that we would schedule the consultants to be at the meeting. Mayor Molder suggested having the City Attorney here for the meeting as well. From a procedural situation, it would add some value to have him here. Mr. Goatz moved to defer this item going on the recommendation of Mr. McBroom, and Mayor Molder. Dr. McClain seconded the motion to defer. Motion to defer passed with a vote of six to zero.

5. OTHER BUSINESS:

Mr. Keltner stated that there was a handout at the stations, going along with this document it will require some modifications to the subdivision regulations and also the engineering details that accompany it. Subdivision Regulations are approved by this body. It is not approved by City Council. The Engineering standards themselves will need to move forward in an ordinance form. The Engineering standards is really just a technical document supporting the construction request of the zoning ordinance itself. The Zoning Ordinance is laying out what needs to be constructed, and the Technical Standards are saying how they are to be constructed. We can look at it with the codes or we can look at a month behind. Mr. Goatz stated that we can add this to the special meeting.

6. ADJOURNMENT:

Mr. McBroom made the motion to adjourn, with Dr. McClain seconding the motion. Motion to adjourn passed six to zero. Meeting adjourned at 6:05 p.m.

Planning Commission Chairman

Date