MINUTES OF REGULAR MEETING
GOODLETTSVILLE PLANNING & ZONING BOARD

May 3, 1999 5:00 PM Massie Chambers

Present:			Also Present:		
John Cannon	Jim Hitt	Susan Williams	David Wilson	John Politis	Deborah Evilcizer
Scott Trew	Margaret Wall	Jim Thomas	Charlie Lowe	Doris Ruskin	Bill Evilcizer
Pat Lydon	Mary Ann Gourley		Jack Tompkins	Mark Baker	Robert Adair
Absent			Claudia Davis	Pamela Jenkins Adair	
Jim Galbreath	John Coombs		Tom Anderson	Richard Uselton	

Prayer was offered by Jim Thomas. The minutes of the regular Planning Board meeting on April 5, 1999 were considered and Margaret Wall made a motion to accept as submitted. Pat Lydon seconded the motion and the board unanimously approved.

Item #1 (9.1#9-88) to consider request of Pamela Jenkins Adair to approve variance for building setback line, 315 Dorr Drive, Emerald Cove, Lot 34, Davidson Co. Tax Map 18-12-A Parcel 34.

Staff reviewed. Charlie Lowe noted that a recent mortgage loan inspection revealed this home was built ten years ago and sits across the side yard and possibly front setback line. This is an unusual lot relative to others in the subdivision as there is common open space adjoining this lot on one side. There is little or no impact on other property owners. There is some question if a front setback variance is also needed as the house appears to also be built over the front setback line. In this PUD, the normal setback is five feet for the front and 25 feet for the side.

Jim Thomas recommended and made a motion that this item be deferred until the petitioner could be present. Jim Hitt seconded the motion and the board unanimously approved.

Later in the meeting, Pamela Jenkins Adair asked that her request be heard. She apologized for her late arrival, but indicated she had just received her notice of the meeting in the mail that evening. Charles Lowe asked for clarification on whether the front setback variance was also needed and included in her request. Ms. Adair stated the closing attorney did not mention the front.

Jim Thomas made a motion to grant a variance for the side setback and conditionally grant a front setback variance if it is determined that it is needed. Mary Ann Gourley seconded the motion and the board unanimously approved.

Item #2 (9.1#4-94) to consider request of John Politis. J P Realty II, Inc. to approve a variance to the sign ordinance for Lenoxgate Apartments, Davidson Co. Tax Map 26 Parcel 151.

Staff reviewed. Charlie Lowe stated the owner wishes to erect a banner stretched between two posts at each street frontage of the apartments. Any temporary banners must be on the face of the building and meet additional requirements. The sign ordinance prohibits this type of banner.

John Politis, owner, distributed pictures of the banners he would like to display, stating the banners on the building are not as visible to passing traffic. He indicated drive-by signs are the best advertisement. Jim Thomas stated he has permanent signs in place at the streets and inquired if they did not attract the passing traffic. Politis stated they do not inform drivers of specials being offered.

John Cannon stated that we have a sign ordinance, passed by the Commission, which governs every business and individual in the City. This board could not grant his request because he is asking the board permission to break the law. Jim Thomas stated this is an issue presented to the Commission frequently and their history has been to not grant any variance or make any change in the laws. Cannon restated the Planning Board is not empowered to change the Ordinance and he could appeal to the Commission.

Jim Thomas made a motion to deny the request. Mary Ann Gourley seconded and the board unanimously approved.

Item #3 (9.1#14-98) to consider request of Bruce Rainey & Associates to approve a final plat for Frank Duncan Subdivision, Kimberly Drive, Sumner County Tax Map 140, Part of Parcel 90.

Charlie Lowe stated the petitioner requested this item be deferred. Margaret Wall made a motion to defer. Susan Williams seconded the motion and the board unanimously approved.

Item #4 (9.1#3-99) to consider request of Thomas L. Anderson to approve a site plan for building for R. J. Par Co., Inc., Conference Drive, Davidson Co. Tax Map 26, Parcel 105.

Staff reviewed. Charlie Lowe indicated the comments from staff on this plan were submitted to the engineer about ten days prior to the meeting and a resubmission has not been received. There are approximately thirty comments to be addressed on the plan. Staff recommend deferral.

Richard Uselton stated he had not had enough time to address everything on the comments. He did not know if some of them could be worked out in the next thirty days. Ingress is a major issue. The topo has been completed. The traffic study requested would be a timely undertaking. This is a 1031 tax exchange transaction and if not approved by June 27, the property will probably be scrubbed. There is not enough time to purchase another site. He believes they can take care of the comments in ten days if the board could have a special called meeting, with the exception of the traffic study. He has an engineer that can do a detention pond within ten days. Tom Anderson began to address the first item on the list of comments, regarding the topo. Jim Hitt recommended that the board should not consider each item by item where there are some thirty issues in question.

John Cannon questioned Uselton what his absolute deadline would be. Uselton replied that June 7 is the crunch date. Jim Thomas questioned Charlie Lowe if ten days from today would allow time to review a new plan. If the board decides to have a special called meeting on May 17, prior to a public hearing already scheduled, completely revised plans would have to be completely revised and submitted by May 12.

Jim Thomas made a motion to defer the request. Margaret Wall seconded the motion and the board unanimously approved. Pat Lydon made a motion to call a special meeting for 5:00 p.m., May 17, 1999 with complete and revised plans to be submitted by May 12. Susan Williams seconded the motion and the board unanimously approved.

Jim Hitt stated this is the second time we have had to rush through this type plan for Mr. Uselton within two years and he expressed that is quite a bit to ask from this board, both times to avoid capital gains taxes. In the future, he felt the board should be given more consideration. John Cannon seconded Hitt's comments to Mr. Uselton.

Item #5 (9.1#4-99) to consider request of Patricia M. Williams, Ragan-Smith Associates, Inc., to approve final plat for Loyd Subdivision, Long Hollow Pike and Caldwell Drive, Sumner Co. Tax Map 143, Parcels 64.01, 68, 69, 69.01 and 73.

Staff reviewed. Charlie Lowe stated this plat will combine three existing parcels on Long Hollow Pike at Caldwell with some property from the adjoining church to create a building lot for a commercial building. Staff's comments have all been addressed on the revised plan. John Cannon stated there is a zone line through Caldwell Drive down through the property. One side is CPUD Limited and the other side is R10. In the future, if something is built on the property, a zoning change request would have to be submitted. He recommended that access to the site should be from Caldwell Drive and Jackson Road and not from Long Hollow Pike. This matter will be addressed when a building site plan is submitted under a CPUD plan, but he suggested to the developer that access on Long Hollow Pike will probably not be approved. David Wilson suggested to Roger Loyd that if he anticipates the sale of the property in the near future, that he consider proceeding with a rezone request because that process takes about sixty days.

Pat Lydon made a motion for conditional approval. Mary Ann Gourley seconded the motion and the board unanimously approved.

The meeting was adjourned at 6:15 p.m.

Claudia Davis

Claudia Davis, Recording Secretary

John Cannon, Chairman