MINUTES OF REGULAR MEETING
GOODLETTSVILLE PLANNING & ZONING BOARD

Date: June 4, 1996 Time: 5:00 P.M. Place: City Hall

Present:		Also Present:	
Mary Ann Gourley	Margaret Wall	Bill Terry	Jack Tompkins
Bobbie Ann Wilson	Jim Thomas	Claudia Davis	John Callis
Jim Galbreath	Gary Webster	Charlie Lowe	Lisa Lewis
Pat Lydon	Jim Driver	David Wilson	R. L. Montoya
Absent:		Bret Smith	
John Coombs	Jim Hitt		

The meeting was called to order by Jim Thomas, acting chairman, and prayer was offered by Jim Driver. The minutes of the May 6, 1996 meeting were adopted as submitted.

Item 1 (#12-96) to consider request of R. L. Montoya to amend plat for Lot 71, Long Hollow Place, Sec. Two, Sumner Co. Tax Map 140 P-C, Parcel 7.

Staff reviewed. Bill Terry noted that on the original plat, a sewer line easement was on the line of Lots 70 and 71. The actual sewer line was constructed outside the easement and totally on Lot 71. The home on 71 has been built recognizing this new easement and the amendment does not abandon the original easement included on Lot 70.

Jim Driver made a motion to approve this plat amendment. Gary Webster seconded the motion and the board unanimously approved.

Item #2 (13-96) to consider request of Ragan-Smith Assoc. to approve a concept plan and specific land use for Super 8 Motel, Northcreek Commons, Sec. 8, Lot 12, Dav. Co., Tax Map 26 Parcel 4.

This item was deferred to consider later in the agenda and subsequently deferred until the July meeting as the representatives for this request were not present to address the board and discuss the issues relating to a market analysis they have prepared.

Item 3 (#14-96) to consider request of Lisa Lewis to operate Island Sno Shaved Ice at Long Hollow Pike and Caldwell Lane, Sumner Co. Tax Map 143 Parcel 6800 and 6401.

Staff reviewed. Bill Terry indicated this request is before the board as this property is zoned Commercial PUD Limited which requires a master plan for development of the lot. This type use, which is not actual development of the property, is not addressed by the zoning ordinance.

Linda Lewis noted she has operated this business at a location in Lebanon for four years. The period of operation would run from now through September. She will landscape with planters and offered to put up cones or directional signs to offset any traffic problems.

The board expressed concern about the added traffic and congestion at this intersection, especially during the period when the fireworks tent is open on this site during the July 4th holiday period. Bill Terry noted the problem here is the zoning. On another property zoned such as Commercial Services General, only a temporary use permit would be required. David Wilson expressed concern that allowing this use might set a precedent for other PUD properties for what this board might allow and not allow. He also expressed that permanent businesses feel temporary businesses present unfair competition as they do not have the initial investment and overhead of an ongoing permanent business location. Jim Driver noted the time frame for "temporary" would be expanded. Bill Terry said our ordinance defines to a specific number of days uses such as Christmas tree sales, fireworks, etc. as temporary uses The time requested for this use is not addressed by our ordinance.

Jim Driver made a motion to reject this request and asked Bill Terry to work on the ordinance to cover more than fireworks and tree sales. Mary Ann Gourley seconded the motion and the board unanimously approved.

Item 4 (8.312) to reconsider the request for acceptance by the city as a public street, portion of Sumner Co. Tax Map 143, Parcel 60.

Staff reviewed. Bill Terry reviewed previous consideration of this request and noted the City Attorney's opinion on this matter is that the city is under no obligation to accept the driveway simply because some maintenance has been done in the past. This property was developed over 30 years ago without a subdivision plat and development of a street. The parcels were simply divided up with one common private access approximately 400-500 feet, with no offer of dedication, no intent for the public to use, and no acceptance by public authority. The drive does not meet city standards or requirements for a public street.

John Callis addressed the board with the concerns of the property owners. He noted the county and then the city have helped to maintain this drive for over 20 years, on occasion adding gravel, grading, and cleaning out the ditches. When rains are heavy, the drive washes with deep ruts and another major concern is to get a street address which would enable the utility company to run a water line up the road. Currently, their water lines come off Long Hollow Pike through an individual's property and the water pressure is very poor. He indicated the property owners are all willing to dedicate any amount of footage required to meet the requirements for a public street.

Pat Lydon stated in his opinion the Public Works should continue to periodically assist in the drive maintenance. Jim Driver agreed but added the city should not assume or commit to any responsibility for improvements or in any capacity as a public street.

Mary Ann Gourley made a motion to reject this request for acceptance as a public street as it does not meet the requirements for a public street, but that the city will continue to maintain the driveway periodically to enable access by public vehicles for public services, while disclaiming any responsibility for improvements or in any capacity as a public street. Pat Lydon seconded the motion and the board unanimously approved.

Item #5 (#1-90) to reconsider a site plan for the expansion of Budgetel Inn, Northgate Park, Section 12, Davidson Co., Tax Map 26-1, Parcel 134 and 135.

Staff reviewed. Bill Terry noted the subdivision plat for this property was given conditional approval by this board. The site plan was deferred in March due to problems with the sewer system. Jack Tompkins, City Engineer, has come up with a solution, to repair lines upstream of the wastewater collector to remove access water coming into the system. The main pumping station is still backing up but this should not affect this expansion at Budgetel. There are a few minor corrections recommended by staff.

Bret Smith informed the board the location of the sewer service line would be extended through the new addition and come out the end to an 8" main. This will abandon the existing line and take care of the pool fence encroachment. Regarding slopes and drainage, fill will be added so that the addition is at the same elevation.

Charlie Lowe agreed this is the best approach on the sewer line issue. Bill Terry noted to abandon the previous easement requires a subdivision plat revision and recommended authorizing the staff to approve this change on the subdivision plat with the other corrections included in the previous conditional approval . Board members agreed to authorize staff to approve this change.

Pat Lydon made a motion for approval of the site plan subject to conditions recommended by staff. Bobbie Ann Wilson seconded the motion and the board unanimously approved.

Item #6 (#19.94, #12.92, 9.71) to consider requests for bond reductions and releases for Greens of Rivergate, Dry Creek Pointe, and Northcreek Boulevard.

Northcreek Boulevard (9.71), requests a bond reduction from $658,125 to $426,800. This amount is acceptable to staff to complete improvements. Gary Webster made a motion to accept this bond reduction to $426,800. Jim Driver seconded the motion and the board unanimously approved.

Dry Creek Pointe (#12.92), requests a bond reduction from $80,000 to $15,000. The Public Works Director recommends $42,000 be retained. Bobbie Ann Wilson made a motion to reduce the bond to $42,000. Mary Ann Gourley seconded the motion and the board unanimously approved.

Greens of Rivergate (#19.94), requests release on two bonds, one for $126,000 for landscaping and one for $257,000 for water and sewer improvements. Bill Terry reported the water line improvements are installed and the water company has accepted. "As Built" plans have not been received. He recommended $5-10,000 be retained for the as builts and another $5,000 be retained for erosion and landscaping. Jim Thomas made a motion to accept a reduction in the letter of credit down to $15,000. Pat Lydon seconded the motion and the board unanimously approved.

Item #7 (7.14) to consider the request of Parks and Recreation Department for approval of the site plan for Interpretive Center at Moss-Wright Park.

This item was deleted from the agenda prior to the meeting.

Item #8 (9.80) to discuss zoning provisions on outside storage tanks.

Bill Terry informed the board that he has determined there is some provision in the zoning ordinance which can apply to outside storage tanks under accessory use structures to existing buildings. There are provisions and requirements detailed in that section which will give some direction for regulation on this matter, including NFPA requirements and fire codes. He feels these provisions should provide adequate direction to regulate outside storage tanks.

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

Claudia Davis
Claudia Davis, Secretary

James L. Thomas
Jim Thomas, Acting Chairman