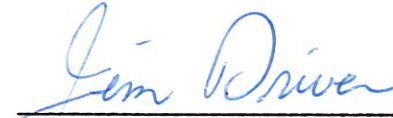


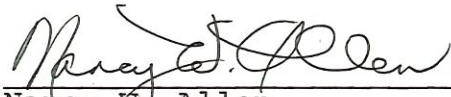
extensive damage. With regard to maintenance, a standing cash bond would be offered for total replacement, or, if opted, to remove and repave. Another concern was, when Conference Drive is widened, the sign will have to be moved back. Is there room without blocking an access road?

With so many unanswered questions, it was determined to defer the request until the city attorney can be asked about the city's liability, and the alternative of lowering the sign is studied. On a motion by Morris, seconded by Wilson, the request was deferred until the February meeting.

The meeting adjourned at 6:20 P.M.



 Jim Driver, Acting Chairman



 Nancy W. Allen
 Recording Secretary

/nwa

MINUTES OF REGULAR MEETING
GOODLETTSVILLE PLANNING & ZONING BOARD

Date: February 3, 1992
 Time: 5:00 P.M.
 Place: City Hall

Present:

John Coombs	Sonny Ponder
Grady McNeal	Charlotte Morris
Johnny Long	Jerry Garrett
Billy Hitt	Charles Moore
Bobbie Wilson	

Absent:

Jim Driver

Also Present:

Pete Ragan
 Butch Duke
 Richard Uselton
 Sid Smith
 David Wilson
 Nancy Allen

The meeting was called to order by Chairman John Coombs. Prayer was offered by Charlotte Morris. Minutes of the January meeting were approved as submitted.

Item #1 (#1-92), reconsider the request of Jim Brown, First Management Services, for approval of a monument-type street sign at the intersection of Professional Park Drive and Conference Drive, to be an entrance identification sign for Northchase Professional Park.

This item was deferred from the January meeting for further study. In the absence of City Planner Bill Terry, David Wilson reviewed the request and referred to Terry's analysis. The current proposal would locate a sign on the street right-of-way but behind the curb. Preliminary review by Public Works indicates that this will eliminate the objections about a new median in the middle of the street and apparently won't create any sight distance problems. However, in permitting this location, there is a problem with the sign ordinance, which prohibits any sign on a public right-of-way except as a part of a landscaped median. A variance is required in order to permit a sign at this location.

The next question is who considers the variance request. The PUD regulations in the zoning ordinance expressly give the Planning Board rather than the Appeals Board the authority to grant variances as a part of the approval of a master plan. The regulations do not address specifically the Board of Sign Appeals, which governs appeals from the sign ordinance. It probably could be "construed" that the intent of the zoning ordinance language is to give the Planning Board all this power in considering a unified and comprehensive master plan for a planned unit development. Also, the Planning Board might be able to exercise more flexibility than the Appeals Board in determining whether a hardship exists that would justify a variance.

To determine if this is a specific hardship situation, and that it does not set a precedent for others, several questions need to be addressed:can a hardship that is caused by the unique circumstances of the site be identified?.....do any similar situations exist?.....if this were a particular business, the sign would be prohibited because the ordinance prohibits off-site advertising; does the fact that this identifies a development differ from a business?.....would the public (city) interest be served by granting the request? This is a judgement situation.

Sid Smith was present representing First Management and reviewed the reason for the request. They were unable to lease space for the sign on property on either side of the entrance road and were left with no alternative. Identifying the hidden property is vital to the existence of anyone occupying a business in the cul de sac. Some leases are up in June and they may not renew if some identification can't be worked out. However, he understood the position of the Board. If he is to go to the Board of Appeals, he asked that the Planning Board send with their "blessing".

The Board recognized that failure to provide for identification in that development at the time the PUD was approved was an unfortunate oversight. The questions put forth by the Planning Director were discussed. Approving this variance could be setting a precedent as the Board will probably be asked to do this again and again as these and other lots are developed piecemeal.

In considering liability, a similar situation is Windsor Green, which has an entrance median with a sign, so the City is already

liable; however, liability risk on the right-of-way would be less than in a median. Also, in this situation the sign is not to identify a particular business..only to get traffic into the cul de sac. Common ingress and egress is provided for all, but the cul de sac is out of sight with no identification. Also, with regard to the future widening of Conference Drive, they realize they may have to move the sign back a little, and agreed to do that now or later, whatever the Board asks.

Making the decision that the request for a sign variance should be considered by the Sign Appeals Board, a motion was made by Long, seconded by Garrett, to pass the request over to the Sign Appeals Board, with a non-binding endorsement that the Planning Board looks with favor on this request. The motion carried unanimously. (The Sign Appeals Board meets again the 2nd Monday in March.)

Item #2 (#15-91), consider the request of Richard Uselton for Site Plan approval of a commercial building on the D. B. Kimmel Addition Resubdivision. The site plan was reviewed by staff. The commercial service building is a permitted use and the number of parking spaces is adequate. The following corrections or additions needed were requested in a letter to R. L. Montoya: 1) Due to danger of the sight distance at the intersection with Dickerson Road, some statement or submission needs to be made regarding how this will be improved. 2) Ground utilities to the building need to be shown. 3) There needs to be an additional tree along the south property line. 4) Erosion control measures must be shown and in place during construction. 5) The grading and drainage plan will not work as shown. There needs to be a break in the direction of flow from front to back at about the midway point of the driveway so that one-half the lot will drain to the rear and one-half to the front. A curb break is needed about midway along the back line with rip-rap added to control flow. The curb breaks along the west curb line should be eliminated and the flow directed toward the access drive. 6) Ditch improvements along Dickerson Road are needed.

Revised plans with the changes made were brought to the meeting. Uselton said he is working with Mike Tugwell with the State about a "concealed driveway" sign which Uselton will purchase from the State and they will install. The State will also trim the bushes and take out a tree which obstructs vision at that point on Dickerson Road.

The City Engineer was concerned about grading and drainage (item 5); this is not reflected on the plat. Water coming down the steep driveway will overflow unless some kind of barrier is provided. The plan doesn't have many grades on it; if plan is approved, provision for a grading and drainage plan should be made a part of the motion. One handicap parking space in the rear is provided, as required, but Uselton agreed that one additional space would be preferable, and he will add one in the front.

An 8-cubic yard dumpster with a concrete pad will be positioned on the back corner on right side. It will take up one parking space, but 24 spaces are provided, which is more than required. The building will be brick on the front (facing Dickerson Road). The asphalt paving runs all the way up to the building, which could be a problem with cars backing out of parking, as the only barrier between parking and the building is a 4' sidewalk across the front. On a motion by Ponder, seconded by Garrett, the Site Plan was approved, subject to compliance with all the City Planner's notations in the letter to Montoya, subject to grading and drainage plan being added to the plat, and the addition of one handicap parking space.

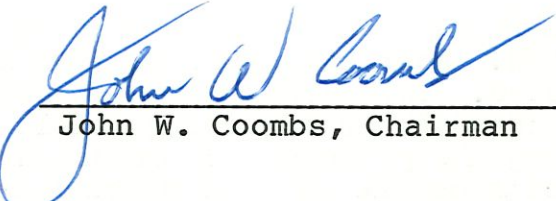
Item #3 (#1-91) Consider the request of Butch Duke for approval of a sign at Duke & Dorris Realtors, 126 Long Hollow Pike. Staff reviewed. The request for a sign was originally considered in May 1991, and approval was granted subject to certain guidelines being complied with. This is a completely different request for a single pole sign, 19 feet high and 45 square feet in size; it is in compliance with the sign ordinance. A reader board of about 10 square feet is included which also meets the size requirements of the ordinance.

Duke said the sign will be placed on the left side of the entrance, with a brick planter or cross-ties for landscaping. Asked why he didn't follow the Board's previous guidelines, Duke said this meets his needs better.

Although this sign is different from the previous guidelines of the Board, it does meet requirements. Feeling that Duke would do nothing to degrade his property which is an asset to the community, on a motion by Long, seconded by Ponder, the sign was approved, with Moore opposing.

After the agenda had been published, Terry had received a request from Butch Worrell for consideration to be heard on a minor plat amendment to Lots 3 and 4 of Echo Hill Estates. However, Worrell was not present, so the request will be heard at a later meeting.

The meeting was adjourned at 6:00 P.M.


 John W. Coombs, Chairman


 Nancy W. Allen
 Recording Secretary

/nwa