



July 5, 2022 Board of Zoning and Sign Appeals 5:00 PM City Hall - Massie Chambers

Agenda:

- 1 Approval of Meeting Minutes
 1. Approval of May 3, 2022 Meeting Minutes

Agenda Items

2. Sal Akbani, Gateway Classic Cars: Requests a conditional use approval for an entertainment and amusement use including indoor car sales, car viewing, and special events at 1000 Rivergate Parkway, Suite 2030. Property referenced as Davidson County Tax Map/Parcel# 03402007600. Property Owner-KDI Rivergate Mall, LLC. Zoning Ordinance Section 14-306 (3)(b)

For more information regarding this agenda, please contact the city recorder by email at:

amccormick@goodlettsville.gov

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105 S. Main Street – Goodlettsville, TN 37072 – 615-851-2200 – Fax 615-851-2212

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OFFICIAL MINUTES OF THE MEETING

GOODLETTSVILLE BOARD OF ZONING AND SIGN APPEALS

May 3, 2022

Goodlettsville City Hall

5:00 p.m.

Massie Chambers-Auditorium

Present: Chairman Cisco Gilmore, Mike Broadwell, Stuart Huffman, Brian Rager, Mark Writesman

Absent: N/A

Also Present: Addam McCormick (Staff), Russell Freeman-City Attorney, Tim Ellis, City Manager, and Sharon Reed (Staff)

Chairman Gilmore called the meeting to order at 5:00 pm and declared a quorum. McCormick stated no changes to the agenda.

Approval of April 5, 2022 Meeting Minutes: Rager made a motion to approve the minutes of the April 5, 2022 meeting, Broadwell seconded the motion. Huffman abstained since he was not at the meeting. Motion was approved.

AGENDA

Item #1 Metro Baptist Church of Nashville Inc, Property Owner: Requests a 0.3 feet variance from the minimum finished floor elevation requirement for a non-residential building addition in a FEMA designated floodplain on 24.16 acres at 322 E. Cedar Street. Property referenced as Davidson County Tax Map/Parcel# 01913009400 and is zoned IR, Industrial Restricted. Zoning Ordinance Section 14-209 (b)(ii)

Staff Discussion:

- The variance request is for a proposed site alteration including removal of an existing building section to replace with a two (2) story facility addition.
- Only a limited portion of the proposed addition is proposed within the FEMA, Federal Emergency Management designated floodplain flood zone area. The existing main portion of the building that the proposed addition area would be connected to is not within the FEMA floodplain for the 100-year risk flood zone and is within a non-regulated X zone for a 500-year risk flood zone.
- The section of the property including the portion of the proposed building alteration/addition is within a designated flood plain zone associated with a designated floodway along a section of Mansker Creek per the current FEMA (FIRM) Flood Insurance Rate Map dated February 25, 2022.
- Per the City's Flood Zone Ordinance adopted December 9, 2021 including the 2022 Davidson County flood map adoption, a non-residential building is required to be elevated a minimum two (2') feet above the FEMA (BFE) Base Flood Elevation included on the FEMA, FIRM Map and (FIS) Flood Insurance Rate Study information.
- The City's Flood Zone non-residential two (2') feet elevation requirement above the BFE per FEMA maps and studies is more stringent than the federal requirement.
- The Metro Baptist Church property was constructed in 2002 which was under previous FEMA, FIRM maps and the City's Flood Zone protection requirements.
- The City's current Flood Zone requirements includes a provision for substantial improvement that requires additions and alterations exceeding fifty (50%) of the current building value to require the new addition and alterations to meet current requirements including the building elevation above the BFE.

- A section of a FEMA guidance document defines the proposed alteration/addition as a lateral non-residential addition to a POST-FIRM building due to revised maps and BFE elevation requirements since the original project construction.
- The applicant will need to prove that the proposed addition/alteration would not be regulated as a substantial improvement.
- If the proposed addition/alteration would be considered a substantial improvement, then per the City's Flood Zoning Regulation the entire existing building if structurally connected with the proposed building alteration/addition would be required to be redesigned under a flood proofing option since elevating the entire existing building section to be two (2') feet above the BFE would not be financial or structurally feasible.
- If the proposed addition/alteration would not be considered a substantial improvement and would not be structurally connected, then only the addition would be required to be elevated two (2') feet above the BFE.
- FEMA's guidance information does include some alternatives for lateral additions per the existing building elevation under prior FEMA BFE and City Flood Zone requirements.
- The variance request is to elevate the alteration/addition building area at 1.7' feet above the BFE elevation.
- The proposed building alteration/addition elevation is 440.9'.
- The applicant's calculated and defined FEMA BFE for the proposed alteration/addition is 439.2'.
- The City's Flood Zone ordinance requires the building to be elevated at 441.2' which would be two (2') feet above the 439.2' BFE.
- The requested variance is the difference between the 441.2' - 440.9' elevations which is 0.3' feet.
- The requested variance is to be reviewed based on the Flood Zone -Standards for Variance section of the Zoning Ordinance and the Board will need to reference with any motion to approve or deny the request including any conditions and restrictions with the variance.
- The property including religious and educational facilities is currently served by a driveway located within the floodplain.
- The applicant will need to discuss why the proposed building addition area could not be elevated the additional 0.3' feet with a ramp section between the existing building and addition elevations or if the proposed addition design could be revised to be removed out of the flood plain section instead of the proposed variance.
- The applicant will also need to discuss the option for a FEMA map amendment based on fill to remove the proposed addition area from the flood plain instead of the proposed variance.
- Staff would recommend approval due to the limited dimension of the building alteration/addition in the flood plain that is proposed to be elevated 1.7' feet instead of 2.0' feet above the BFE matching the existing connected existing building elevation only if the proposed alteration would not be considered a substantial improvement. The recommendation is based on the FEMA guidance information and due to the existing main building area that the proposed addition would be connected to not being within a regulated flood plain.
- Staff read the following Zoning Ordinance Sections and Federal Regulations Sections for FEMA Guidance: *Substantial Improvement, Non-Residential Structures, Variance Procedures, Conditions for Variances, Flood Plain Management Criteria for Flood-Prone Areas, Substantial Improvement and Substantial-Damage Desk Reference May 2010*

Applicant: Jeff Hooper, Barge Cauthen & Associates

- Hooper discussed the long history with this property being the Civil Engineers on record when it was constructed in 2002.
- Hooper discussed the calculation off the FIRM profile and determined the base elevation is 0.3' feet lower than the City's current ordinance
- Hooper explained the request for the variance
- Hooper explained there are multiple connections to the facility.
- Hooper discussed the Church need for space and why they are requesting the variance for 1.7' feet

- McCormick discussed FEMA's classification of a substantial improvement
- Hooper agreed this would not be classified as a substantial improvement
- Hooper discussed the flooding history for this property and low risk associated with the variance request

Public Hearing Opened:

Public Hearing Closed: No one else requested to speak.

Board Discussion:

- Writesman asked McCormick if the City matched FEMA this would not be an issue at all?
- McCormick responded that is correct and each time FEMA releases a new flood map the State office will submit a new ordinance and the last two (2) versions the City adopted the two (2') feet for non-residential
- Freeman asked McCormick if this same issue was presented before on properties in that area?
- McCormick responded not aware of anything.
- Ellis discussed the 2010 flood area around I-65 and the risk may be greater than realized by photos taken days later.
- McCormick responded and discussed the proposed location of the addition in the FEMA floodplain.
- Writesman asked if this is at the City's elevation?
- McCormick responded yes, it is at 1.7' feet above the base elevation
- McCormick discussed how the addition will be used (e.g. school, events) and risk of the proposal
- Rager asked if this was a single story or two (2) story structure?
- Hooper responded a two (2) story.
- Huffman discussed the entrance of the building in the floodplain and possible alterations
- Hooper responded and discussed the stairwell that exits the building
- Hooper discussed the FEMA elevation requirement process

Motion: Rager made a motion to approve the variance based on the stipulations referenced in meeting, seconded by Writesman . The motion passed unanimously.

With no further business, Broadwell made the motion to adjourn, seconded by Writesman. The motion passed unanimously.

The meeting adjourned at 5:38 pm.

Cisco Gilmore, Chairman

Sharon Reed, Planning Assistant



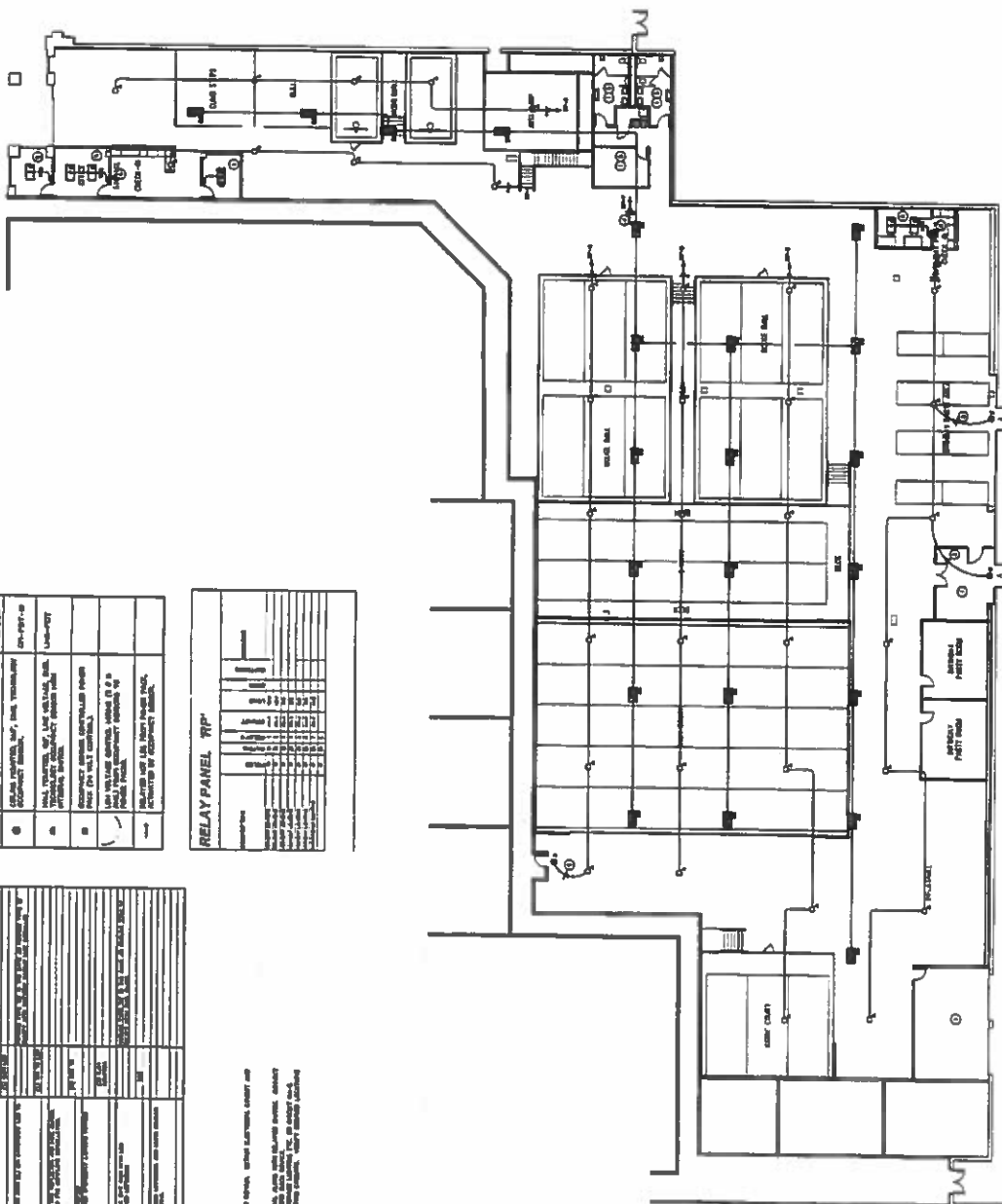
Adrian
REWARD LYN MOORE
PROJECT FIRST
 1705 Southwest Lane
 Indianapolis, Indiana 46208
 317-541-1444, 317-446-0410
 www.projectfirst.org

**Jumpstreet
Indoor
Trampoline Park**
Rivergate Mall
1000 Rivergate Parkway
suite 2030
Goodlettsville, TN

[illegible]

LIGHTING PLAN

E-2



01 FLOOR PLAN - LIGHTING

[illegible]

RELAY PANEL RP

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Einziges Problem: Laut "Business Insider" stieg der Verkauf von Aktien im 2. Halbjahr dieses Jahres nur um 10 Prozent. Zudem wird erwartet, dass die Aktienmärkte in den nächsten Monaten nicht mehr so stark steigen werden. Das könnte die Gewinne von Hedgefonds dämpfen.

CITY OF GOODLETTSVILLE
BOARD OF ZONING AND SIGN APPEALS
GOODLETTSVILLE CITY HALL – 105 SOUTH MAIN STREET
GOODLETTSVILLE, TENNESSEE 37072

MEETING APPLICATION

Applicant Sal Akbari Date 5/26/22
Owner Sal Akbari Map No. _____
Address 1237 Central Park Dr O'Fallon IL 62269 Parcel No. _____

Application Type: (Check Types that apply)

Conditional Use ☒ Variance _____
Administrative Appeal _____ Temporary Use _____

Request Summary:

Confirmation Gateway Classic Cars qualifies for conditional use zoning under CSL
entertainment and amusement type use. GCC is the largest classic/exotic car sales company since
1999 with 20 locations nationwide. Along with consignment sales in our classic car gallery setting,
GCC hosts car clubs/events for the local community including our monthly Caffeine and Chrome.
at (physical address) Rivergate Mall 1000 Rivergate Parkway Suite 2030 Goodlettsville TN

The undersigned agrees to appear at the public hearing for the request and shall furnish all required plans and data.


Owner Signature (if Different from Applicant)

Applicant (Signature)

1237 Central Park Dr
Address

O'Fallon IL 62269
City ST Zip

314-574-7315
Phone (Daytime)

Sal@gatewayclassiccars.com
E-Mail Address

1. REQUIRED APPLICATION FEE \$200.00.
2. ATTACH ALL REQUIRED PLANS AND SUPPORTING DOCUMENTS.

ACTION TAKEN: _____ DATE: _____

City of Goodlettsville
Board of Zoning and Sign Appeals
STAFF RECOMMENDATION REPORT
Tuesday July 5, 2022 - 5 PM

Approval of May 3, 2022, Meeting Minutes

Public Notice Information:

Advertisement June 8, 2022 edition of *The Ledger*

Adjoining property owner letters sent June 13, 2022 -Four (4) letters sent to mall building ownership

Notice installed on building space doors- June 20, 2022

ITEM#1 Sal Akbani, Gateway Classic Cars: Requests a conditional use approval for an entertainment and amusement use including indoor car sales, car viewing, and special events at 1000 Rivergate Parkway, Suite 2030. Property referenced as Davidson County Tax Map/Parcel# 03402007600. Property Owner-KDI Rivergate Mall, LLC. Zoning Ordinance Section 14-306 (3)(b)

Applicant website: <https://www.gatewayclassiccars.com>

STAFF NOTES:

The request is for an indoor car sales use that includes other features associated with an entertainment and amusement use including events and shows. The proposal would not be a typical car sales use due to the interior vehicle display, no vehicle service on-site, and the events and gallery associated with the sales use. The CSL, Commercial Services Limited does not permit an automobile sales use. The CSL zoning district permits the entertainment and amusement service use by conditional use through the Board. The Zoning Ordinance provides a review and approval process by the Board when there are questions about the appropriate activity use classification of a use. The Board's review is if the proposed use would fall under the entertainment and amusement condition use classification or the non-permitted auto sales use. The Board's review of the conditional use to be based on the general requirements standards since the specific condition use standards would not apply to the proposed use.

STAFF RECOMMENDATION:

Approval based on the unique characteristics of the proposed use including interior sales and vehicle displays, no on-site service, and the events and gallery component associated with the proposal. Due to the unique characteristics of the proposal, staff's interpretation of the Zoning Ordinance is that the proposal would not be considered a use variance. Staff's recommended approval includes the following stipulations:

- Conditional use approval to define that the use includes interior vehicle display only and no on-site service
- All proposed interior alterations and new use to comply with applicable building and fire codes
- All proposed changes to conditional use approval including any future proposed changes to the applicant to be reviewed by the Board

Referenced Zoning Ordinance Sections:

14-202 (1)

General classification rules. The provisions of this chapter shall be known as the use classifications. The purpose of these provisions is to classify land uses into a number of specifically defined types on the basis of common functional characteristics and similar compatibility with other uses, thereby with criteria which are directly relevant to the public interest. These provisions shall apply throughout the zoning regulations. ***Where there is a question concerning the appropriate activity classification for any use not listed herein, the board of appeals shall make the determination based upon the characteristics of the unlisted use.***

14-202 (6) (i) and (v)

Entertainment and amusement services includes the provision of cultural, entertainment, educational and athletic services, other than those classified as community facility activities, to assembled groups of spectators or participants.

- (i) Art galleries (commercial)
- (ii) Batting and golf driving ranges
- (iii) Bowling alleys and billiard parlors
- (iv) Coin operated amusement arcades
- (v) Exhibition halls and auditoriums
- (vi) Motion picture theaters (excluding adult entertainment as defined)
- (vii) Skating rinks
- (viii) Theaters - legitimate
- (ix) Theatrical producers, bands, orchestras and entertainers

Vehicular, craft, and related equipment includes the retail or wholesale sale or rental from the premises of watercraft, vehicular and related equipment with incidental maintenance.

- (i) Boat and motor dealers
- (ii) Mobile home dealers
- (iii) Motor vehicle dealers
- (iv) Motorcycle dealers
- (v) Motor vehicle leasing
- (vi) Recreational vehicles, including all-terrain vehicles (ATV) and utility trailer dealers

14-213 (9) (c)

(c) Requirements for conditional use permit. General requirements are hereby established which shall apply to all applications for conditional use permits, and specific standards listed shall apply to the issuance of a conditional use permit as appropriate. ***The board may impose such other conditions and restrictions upon the premises benefitted by a conditional use permit as may be necessary to comply with the provisions set out hereafter in this section in order to reduce or minimize the injurious effect of such conditional use upon and ensure compatibility with surrounding property and to better carry out the general intent of this ordinance.*** The board may establish expiration dates for the expiration of any conditional use permit as a condition of approval. ***A permit may not be transferred to another owner or type of use without***

a rehearing before the board.

14-213 (9) (d)

(d) **General requirements.** A conditional use permit shall only be granted provided the board makes specific findings that it:

- (i) Is so designed, located, and proposed to be operated so that the public health, safety and welfare will be protected;
- (ii) Will not adversely affect other property in the area in which it is located;
- (iii) Is within the provisions of "conditional uses" as set forth in this ordinance; and
- (iv) Conforms to all applicable provisions of this ordinance for the district in which it is to be located and is necessary for public convenience in that location and meets the specific standards below

14-213 (9) (f) (ii) (a)

(ii) **Special conditions** for entertainment and amusement services.

(a) When entertainment and amusement services are proposed to be located in the CSL and OP districts, the following types of activities shall be excluded: (i) Batting and golf driving ranges.