

OFFICIAL MINUTES OF THE MEETING

GOODLETTSVILLE PLANNING AND ZONING COMMISSION

November 7, 2022

Goodlettsville City Hall

5:00 p.m.

Massie Chambers-Auditorium

Present: Chairman Tony Espinosa, Jeff Duncan, Grady McNeal, Jeff Parnell, Mayor Rusty Tinnin, Scott Trew, and Judy Wheeler

Absent: N/A

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

Tony Espinosa called the meeting to order, and Trew offered prayer.

Item #1 Approval of Agenda: Wheeler made a motion to approve the agenda, McNeal seconded the motion. The motion passed unanimously.

Item #2 Approval of October 3, 2022 Meeting Minutes: Trew made a motion to approve the minutes of the October 3, 2022, Tinnin seconded the motion. Parnell abstained since he was absent at the meeting. The motion passed.

Item #3 Espinosa opened the Public Forum on Planning Related Topics.

James Brentlinger, 1020 Louisville Highway – Louisville Highway Industrial Development

- Concerns with the survey submitted discrepancy of the lot size verses his deed
- Purchased the property seven (7) years ago
- Plan to renovate the house and move his wife and nineteen-month-old son into the home
- Concerns with the retention pond and standing water with a toddler
- Concerns with no fencing around the retention pond
- Concerns with drainage and erosion on the front of his property
- Concerns with the seismic activity for potential blasting and noise pollution
- Concerns with the submitted traffic study
- Concerns with the landscaping design being the only buffer from the entrance of their property

Espinosa asked for any additional comments and no additional comments were received. Duncan made a motion to close the public forum, seconded by Tinnin. The motion passed unanimously.

The Public Forum was closed.

AGENDA

Item #4 Dry Creek Commons: Vastland, Eatherly. McClung Development LLC: Requests performance bond reduction.

Item Representative: Adam McCormick-Staff

Staff Discussion:

- Project Status: Forty (40) of the forty (40) units in phase one are completed
- Subdivision Plat Information: Phase One Horizontal Property Regime Master Deed—recorded

May 29, 2020

- Subdivision Roadways: Dry Creek Commons private drive
- Subdivision Bond Information: Performance Bond \$ 115,000 January 30, 2023 Expiration
- Remaining Improvements are concrete curb and asphalt binder surface repairs due to construction, asphalt surface and pavement striping, replacement landscaping, detention pond bank finish work
- Remaining Improvement Cost Estimate: \$ 85,000
- Staff would recommend approval to reduce bond to \$ 40,000 after completion of asphalt surface final layer and pavement striping and concrete repairs. Bond extension for one additional year to ensure the remaining improvements are completed and additional construction in phase two (2) is completed before the phase one bond is released. The project improvements are private improvements.

Planning Commission Discussion:

- Parnell asked McCormick if they can approve with stipulations?
- Freeman asked McCormick the current bond expiration date.
- McCormick responded January 2023 and explained the remaining repairs and improvements.
- Parnell asked McCormick if he expected the paving to be complete within the next month?
- McCormick responded yes that is his understanding.
- Espinosa asked McCormick if any issue with timeline of the expiration date January 2023?
- McCormick responded their goal is to have the paving and phase one finished this year.
- Parnell questioned if the board has approved to reduce a bond in the past in similar circumstances?
- Espinosa responded yes, the board has voted to approve in the past.
- Duncan commented he interprets this as giving staff permission to lower the bond once the improvements are completed.

Motion: Motion by Duncan to approve the request, seconded by Wheeler. The motion passed unanimously.

Item #5 Dry Creek Townhomes Phase One / Ragan Smith Associates Inc: Request revised final subdivision plat approval for fifty-five (55) town home lots and public right of way dedication on 9.61 acres on Robert Cartwright Drive. Properties referenced as Davidson County Tax Map/Parcel#03300029700 and a portion of 03300004200 and are zoned HDRPUD, High Density Residential Planned Unit Development. Property Owner: Dry Creek. LLC

Item Representative: Adam McCormick-Staff

Staff Discussion:

- The final subdivision plat was approved at the October 2022, meeting based on the understanding the lots were being set up under the horizontal property regime property ownership recording format.
- The property owners have requested the revised final subdivision plat amendment to include individual lots instead of the horizontal property regime property format.
- Staff would recommend approval.

Planning Commission Discussion:

- Duncan asked if there were any changes in the layout from original approval.
- McCormick responded no changes in the layout- showing fee simple lots instead of horizontal property set-up
- Parnell asked if phase one (1) and phase two (2) going to be the same and for the City pros and cons

from horizontal property format to individual lots.

-McCormick responded it is still for sale property, common areas, and rights-of-way are public.

-Parnell questioned from a legal opinion does it make a difference to the City changing from horizontal property to fee simple?

-Freeman responded no difference.

-McCormick responded the way it is set-up and recorded.

Motion: Motion by Trew to approve the request, seconded by McNeal. The motion passed unanimously.

Item #6 Al Neyer Louisville Highway Industrial Development/ CESO, Inc: Request site plan approval for two (2) industrial buildings totaling 225,200 square feet at 1016 Louisville Hwy 31W. Properties referenced as Sumner County Tax Map 141 Parcels# 58.00, 58.02, 59.00. Properties are zoned CG, Commercial General, and IC, Industrial Commercial. Property Owners: Felix, Nancy, and Sarah G Neely (#12-22)

Item Representative: Kelly Hiatt, P.E. Manager with Al Neyer, Matt Regenold, CESO

Staff Discussion:

-The project includes two (2) buildings totaling 225,200 square feet with the north side building at 123,200 square feet and the south side building at 102,000 square feet.

-The existing site includes multiple industrial buildings that will be demolished with the project.

-The project traffic study and design are currently being reviewed by TDOT, Tennessee Department of Transportation for any Louisville Hwy 31W turn lane and I-65 ramp improvements required with the project.

-Staff recently was involved in a meeting reviewing the I-65 widening project preliminary design plans. The preliminary plans include signalized intersections for both the north and south bound ramp intersections at exit 98.

-The TDOT I-65 project is currently projected to start in the spring of 2025.

-The City's Engineer consultant is currently reviewing the revised plans.

-The items previously discussed being a concern with the project design was the detention pond outlets connections to existing off-site ditches leading to the drainage culverts under Louisville Hwy 31W which all drain to Slaters Creek.

-The project includes three (3) storm water pond facilities and a section of the stream running through the property being piped.

-The developer is proposing to pay the City's sidewalk in-lieu of fee instead of installing sidewalks along the Louisville Hwy 31W frontage of the property.

-The developer is requesting a design variance from the City's Design Guideline requirement from the industrial provisions regarding building walls facing public streets to include thirty-three (33%) percent brick or stone only on the street facing building wall section.

-The remaining wall areas are permitted to be tilt up panel concrete and metal walls.

-The project design includes with the north building a defined building entrance/office area with the tilt up panel concrete wall design.

-The design variance request is based on the location of the north building in relation to Louisville Hwy 31W since most of the north building is behind buildings along Louisville Hwy 31W and the separation of the front facing building wall to Louisville Hwy 31W is roughly 375 feet behind a landscaped feature.

-The south building would not be covered by the regulation due to the building location behind the

building and lots along Louisville Hwy 31W.

- The developer is requesting with transitional buffer yards along the north and east property lines between the IC, Industrial Commercial and Agricultural and CG, Commercial General zoning districts to install a solid decorative stamped vinyl fence with a line of landscaping to reduce the width of the buffer requirement.
- The buffer areas include sloped grades with limited areas for masonry wall or wood fence with masonry columns.
- The City's buffer requirements permit reductions to buffer widths and number of plantings with the installation of masonry walls.
- The City has permitted wood fences with masonry columns and bases as alternatives to solid masonry walls in buffer areas.
- The proposed fence design would be required to be reviewed as an alternative fence/wall material.
- Staff would recommend approval with stipulations:
 - Stipulation - Approval of revised plans by City's Engineer Consultant prior to any City Land Disturbance permit issuance
 - Stipulation - City's Fire Department review and approval of revised layout plans regarding turn arounds shown with the fire truck turn study information
 - Stipulation - Landscaping or other screening method for grouped utility meter/connection area at the Louisville Hwy 31W drive entrance.

Planning Commission Discussion:

- Hiatt discussed the Al Neyer project previously before the board for re-zoning to comply with the master plan.
- Hiatt discussed the previous plans, building smaller buildings, and revised the traffic study.
- Hiatt explained these are speculative buildings, due to the size lighter industrial type user with rear loading docks, and are class A buildings equivalent to an office building in downtown Nashville with all the special amenities.
- Hiatt explained they have built in Wilson County and Lebanon and are excited to build in Goodlettsville.
- Regenold discussed the traffic study AM peak hours are 7 am to 9 am and PM hours are 4 pm to 6 pm.
- Regenold discussed truck traffic with a speculative building not an exact mix but following the same regulations it is 3% to 5% for trucks.
- Regenold discussed the northern drainage pond location, maintaining the swale flow draining into the right-of-way.
- Regenold discussed the storm water retention, detention pond and the under drain to filter out and discharged downstream.
- Regenold discussed the request for a different fence with masonry and concern with blasting rock
- Hiatt discussed blasting and seismic monitoring during the entire process.
- McCormick asked if the company they use for monitoring will send out preliminary notices for residents/property owners
- Hiatt responded not sure what their policy process is but will be within State regulations.
- McCormick asked to explain how the storm water will drain into the 31W culvert.
- Hiatt responded they are proposing improvements to the swale to keep the drainage in the right-of-way to the culvert.
- Regenold explained they will go back and review the survey and work with the landowners to correct the property size.
- Hiatt discussed the survey, title and any discrepancies will be clarified and adjust the design if

necessary.

- Espinosa questioned if landscaping is the only barrier between the properties?
- Hiatt responded yes, that complies with the code.
- Espinosa commented there was a question regarding noise pollution.
- Hiatt responded noise pollution for class A buildings are not manufacturing so they will comply with the City noise ordinance.
- Duncan commented on the culvert on 31W taking the flow away from the discharge point into the Pond
- Regenold responded because of the slope not all of it will and discussed the areas for drainage
- Hiatt responded and discussed the right-of-way drainage and the impervious areas
- Regenold discussed the pond on the South side of the property and drainage
- Hiatt responded they will be happy to work with the City engineer to make sure all the drainage goes where it is supposed to flow.
- McCormick commented he has talked with the engineer regarding the storm water design and property owner to make sure it does not pond on the front of his property.
- Hiatt commented they hope to correct the problem in the area they are draining into.
- Duncan commented on the seismic monitoring and velocity wave for a blasting survey.
- Tinnin discussed the ditch on the other side of the highway and if it connects to the creek
- Regenold responded it does connect to the creek.
- McNeal questioned McCormick the staff note proposing to pay the City's sidewalk in-lieu of fee how does that work?
- McCormick responded it is an option they have to pay a sidewalk fee rather than put in a sidewalk along the road where there are no plans for a sidewalk.
- McNeal questioned the longevity of the vinyl fencing?
- McCormick responded the key would be the maintenance and cleaning of the fencing.
- Trew asked if the safety of the detention pond was addressed
- Hiatt responded planting landscaping in between the home and basin not to jeopardize a gas line and power line to the home
- Trew asked with a heavy rain how deep will the pond get and how long will it stay?
- Regenold responded he did not have the information in front of him.
- Trew asked for a guess?
- Regenold responded no more than four (4) to six (6) feet in one-hundred-year flood storm which is a very high-volume storm, five (5) to ten (10) year standard storm less than foot and half and will drain quickly.
- Parnell explained according to the project plans the pond elevation and flood storm volume.
- Parnell discussed the grading of the pond and child safety around the pond.
- Parnell discussed the culvert in front of the neighbor's house, culvert south of the neighbors, and the metal driveway culvert and how much water is draining from the south.
- Regenold responded when they did the basin study it was considered more drainage was coming to the pond and the flow coming out of the pond was below pre-existing flow conditions.
- Parnell asked about the sixty (60) inch pipe is that existing or proposed?
- Hiatt responded actually both, there is an existing pipe, but they are proposing to replace it with a another type of sixty (60) inch pipe
- Parnell commented everything makes sense and the City engineer will look at the drainage calculations and make determinations because it was hard to follow in the project plans
- Hiatt responded a full report was provided to the City engineer that describes all that.

- Parnell commented there will be no more proposed development in the location.
- Hiatt responded correct and discussed the re-design of the green planting.
- Parnell commented on the property owner being surrounded by the industrial area and wants to make sure his concerns are addressed.
- Duncan discussed the wall product and asked if it could be a test case to have staff evaluate over a timeframe period of three (3) to five (5) years to see if it has the appearance per the plans.
- Duncan commented it may be a good alternative for industrial type areas.
- Ellis responded he thought that was an excellent idea to monitor the wall over the next thirty-six months and report back to the board how it has withheld and maybe become part of the preferable retaining system.
- Tinnin commented thirty-six months from completion.
- McCormick asked any other comments or thoughts on the building.
- Duncan responded it sounds reasonable and from the rendering views he has no problem.
- Tinnin commented people can go to the web-site to see the buildings.

Motion: Motion by Duncan to approve the request with the four (4) stipulations referenced in meeting, seconded by Wheeler . The motion passed unanimously.

Item #7 BJ'S Wholesale Club/Barge Design Solutions: Request site plan approval for a 103,004 square feet retail building at 1000 Rivergate Parkway. Properties referenced as Davidson County Tax Map/Parcel# 02614003900, 026140002700, 02614005300, 02600000700, 02600012700, and 02614004600 and are zoned CSL, Commercial Services Limited and GOPUD, General Office Planned Unit Development. Property Owners: BJ Rivergate, LLC and KDI Rivergate Mall, LLC (#13-22)

Item Representative: Cameron Zurbruegg, Hendon Properties Developer

Staff Discussion:

- The project includes the removal of an existing movie theater and existing parking lots and alteration of multiple property lines in the development area.
- The project fuel station and the intersection of Rivergate Private Drive and Conference Drive are under the Metro Nashville planning and zoning jurisdiction and will require their review and approval.
- Metro Nashville recently approved an alteration of the original Rivergate Mall master plan zoning for this property to permit the fuel center use.
- Staff requested a limited traffic study due to the existing drive and signalized intersection improvement based on previous higher traffic conditions to determine the need for any traffic signal timing alteration at both ends of the private Rivergate Drive mall frontage road. Per the applicant, Metro Public Works has reviewed the traffic study and any signal timing alterations would be as required by Metro.
- The project includes a 103,004 square feet general retail building including an accessory vehicle service center similar to other large scale retail sales uses.
- The vehicle service center is an accessory to the primary general retail sales use.
- The project will require a final subdivision plat amendment to be reviewed by the Planning Commission to alter the existing property lines and combine the multiple properties/lots into one for the project.
- The final subdivision plat will also require alteration of existing easements due to the lot alterations.
- The City's Consultant Engineer submitted additional comments with the main comment including additional storm water calculations revisions needed for the proposed project connection to the existing thirty (30") inch drainage culvert that drains the project area.
- The project design includes underground storm water quality and quantity facilities.

- Staff sent the remaining consultant engineer comments to the project design engineer and they agreed with the consultant comment items being approval stipulations.
- The developer is requesting a variance from the City's Design Guidelines to permit concrete tilt-up panel construction as an alternative material for commercial developments.
- The City's standards permit the tilt up panel with industrial developments.
- The plans show a majority of the building including the tilt-up panel construction with sections of brick materials at the building main entrance area and the brick columns/pilasters along the building elevations to break up the building wall areas.
- The concrete tilt-up panel construction would be reviewed as an alternative material with a commercial development.
- Staff discussed options with the developer due to the large scale of the building including reviewing brick installation along sections of the building front and along half of the building side walls with the back half of the side walls and rear wall remaining the concrete tilt-up panel construction with paint to match the other building areas.
- The developer has requested the Planning Commission's discussion on the landscaping requirement for a building front wall foundation landscaping feature due to the location of the building fronting a private drive instead of a public street.
- Staff would recommend approval with stipulations:
- Stipulation -Approval of revised plans by City's Engineer Consultant prior to the City's land disturbance permit issuance
- Stipulation - Final subdivision plat reviewed and approved by the Planning Commission including revised property lines and easement locations prior to building permit issuance.
- Stipulation - Building elevations (front elevations red area will be brick with brick columns/pilasters and front entry area and half of side wall red areas to be brick others tilt up panel painted per elevations) building foundation planting feature as determined by the Planning Commission based on meeting discussion.
- Stipulation - Staff to confirm any required building material alterations or foundation planting feature requirements prior to the building permit issuance.
- Stipulation - Revised parking lot lighting plan to reduce parking lot pole light height to be consistent with building height.
- Ellis addressed the Planning Commission stating the project came to the City over twenty-four (24) months ago associated with a different site. They have wanted to be in Goodlettsville for over two (2) years. It is a unique concept bringing a third level membership club into the middle Tennessee area. Currently they have one under construction in LaVergne, and soon to begin in Mt Juliet. Staff has worked with Hendon and BJ's and really worked with all parties associated over the past week. They have made great progress to meet our design standards for this significant size building.
- Ellis stated City staff normally does not get into negotiating but this is such a significant piece as a City in regard to our local economics and economy we felt like we needed to.
- Ellis stated this project started twenty-four (24) months ago with the project name Clubhouse and we are here before you all for consideration of a site plan.

Planning Commission Discussion:

- Zurbruegg discussed working with Hendon properties for over thirty (30) years.
- Zurbruegg discussed the BJ's project originally was going to the Macy's building, but that deal did not make and Hendon provided them a successful alternative for developing the project.
- Zurbruegg discussed over the past eighteen (18) months they have assembled sixteen (16) acres of

property, which is six (6) parcels, four (4) ownership groups and seven (7) of the sixteen (16) acres of undeveloped property covered in trees.

-Zurbruegg discussed the rezoned Metro 2.6-acre parcel located on Conference Drive and Rivergate owned by KDI Rivergate Mall, LLC.

-Zurbruegg stated everything they have done to date has been successful without any pushback from any municipalities or businesses addressed in the rezoning process.

-Zurbruegg stated they are trying to bring a quality building and quality use to an area that right now is unproductive.

-Zurbruegg stated all the positives are no rezoning issues, no opposition to the project, if approved will be cleaning up sixteen (16) acres, increase vehicle, pedestrian traffic to the mall area, increase City tax revenues and adjacent property values.

-Zurbruegg stated the purpose for being here tonight is to answer any questions you may have so we have certainty of backing from the City before we continue to go forward.

-Espinosa stated adding to his list being right off the exit is an exceptional option and thanked Zurbruegg for bringing the project before the Commission.

-Trew stated he is excited about the project and asked how the square footage compares to the Sam's in Hendersonville?

-Zurbruegg responded the clubs are national competitors and basically have the same format.

-McNeal stated, "Let's start digging".

-Duncan commented on the large number of recommendations for traffic control and asked if this is doable?

-McCormick responded most of the recommendations are on the site which are access points and internal connections.

-Duncan commented it is a perfect site already built for large volume of traffic.

-Parnell commented he is concerned with getting into and out of the site to private roads and getting into and out of the gas station will be difficult.

-Parnell asked if there will be any four (4) way stops into the site or just stop signs?

-Zurbruegg responded not aware of any four (4) way stops but a lot of talk regarding ingress and egress to the fuel center

-McCormick discussed the internal connections on the site plan.

-Parnell discussed concerns with traffic control around the site and mall drive without a four (4) way stop.

-Zurbruegg responded because it is a private drive and mall they have to get approval from Goodlettsville, BJ's, Metro, Dillard's, JC Penny's, Macy's, and Sears when they modify any operating agreements.

-Espinosa asked Parnell if his concerns for entrance and exit are fuel pump or site based?

-Parnell responded for him it is the entire site access points.

-Parnell discussed traffic problems now from Rivergate Pkwy and Target area.

-Duncan commented everything Parnell described going on with the developments and becomes successful will be a better conservation for the mall and the City to add or move a three (3) or four (4) way stops to the location.

-Ellis discussed the re-development of the area that has been needed for some time.

-Ellis commented not the best traffic pattern but they are limited in what they can do and as Duncan commented may need alterations as time goes on.

-Tinnin commented the best blessing they could have would be a traffic problem again in the Rivergate Mall area and we can work on those problems when they are in place and is pleased with the project.

- Zurbruegg commented they would take a second look at the site and discussed additional property from JC Penny's and maybe a way to enhance the access jointly with JC Penny's.
- Parnell commented the Board is very positive and everybody is headed in the right direction and would like the traffic concerns to be addressed going forward.

Motion: Motion by Tinnin to approve the request with the four (4) stipulations referenced in meeting, seconded by Trew. The motion passed unanimously.

Trew requested to be excused for the remainder of the meeting.

Item #8 R&C Enterprises: Request recommendation to the Goodlettsville City Commission to rezone a 0.32 property at 107 Harris Street from R-10, Medium Density to CSL, Commercial Services Limited/Commercial Core Overlay The property is referenced as Davidson County Tax Map/Parcel# 02508002100. Property Owner: Goodlettsville Church of Christ

Item Representative: N/A

Staff Discussion:

- The property is requested to be rezoned to be consistent with the existing adjacent properties zoned CSL, Commercial Services Limited/Commercial Core Overlay.
- The adjacent three (3) properties fronting N. Main north of Harris Street and this referenced property are proposed for a commercial development.
- This referenced property being included in the development area would improve the commercial development opportunities to provide a more "square shaped" development area.
- Staff would recommend approval based on the existing adjacent frontage commercial zoning and the rezoning would provide a consistent line of commercial zoning with adjacent frontage properties along S. Main Street on both sides of Harris Street.
- The City's Comprehensive Land Use Plan includes commercial concentration frontage along this section of S. Main Street.

Planning Commission Discussion:

- No discussion

Motion: Motion by Parnell to approve the request, seconded by Duncan. The motion passed.

Item #9 Zoning Ordinance Amendment/ Planning and Development Services Staff: Request recommendation to the City Commission to amend the Zoning Ordinance Sections 14-201 (3) (ii) and 14-213 (9)(e)(ii)(a) to define a Home Day Care Center as including three (3) to eight (8) kids. **(City resident submitted request)**

Item Representative: Cynthia Morgan

Staff Discussion:

- The City's Board of Zoning and Sign Appeals recently reviewed and denied a conditional use request for a home day care center due to concerns with the setting of the request and questions about the total number of kids that would be kept at the property.
- The Board of Zoning and Sign appeals questioned the City's Zoning Ordinance not including a defined

minimum threshold for a home day care center.

- The City's Zoning Ordinance defines home day care centers up to eight (8) kids being kept in a home.
- The proposed amendment would define a home day care center as three (3) to eight (8) kids being kept in a home.
- Staff included examples from other Middle Tennessee cities and state law.
- Staff received a request from a resident for the home day care center to include four (4) to eight (8) kids.
- Staff's proposed amendment is for three (3) to eight (8) kids for better consistency with the City's Home Occupation Zoning Ordinance provisions.
- The proposed amendment would permit two (2) kids to be kept at a home and not be regulated as a home day care center.

Planning Commission Discussion:

- Parnell asked if only when money is involved?
- Morgan responded a home day care is defined if watching a child for up to three (3) days a week and eight (8) to twelve (12) hours a day even if you are not getting paid.
- McCormick discussed the State's definition of a home day care.
- Freeman discussed the frequency issue.
- McCormick responded the City ordinance would not include kids related by blood or other family members.
- McCormick discussed the request for a home day care to include four (4) to eight (8) kids and what are they comfortable with.
- Duncan responded he is good with four (4) to eight (8) and wants to make sure this is clear and they are being reasonable.
- Morgan responded the State of Tennessee requires a license for five (5) or more kids and she understands that. She is home and trying to help families out that cannot afford day care.
- Freeman discussed the proposed ordinance amendments and the State of Tennessee requirements.
- Parnell discussed City staff having to deal with this issue.
- Espinosa asked McCormick what would be the right threshold three (3) to eight (8)?
- McCormick responded three (3) or more makes a difference and discussed with a home day care they have requirements that must be met.
- Espinosa asked for a motion on a threshold.
- Duncan responded with the examples given four (4) is the minimum.
- Parnell asked Morgan if there was a specific reason, she requested four (4)?
- Morgan responded because that is what the State requirements are.

Motion: Motion by Duncan to approve the proposed language with a four (4) minimum and eight (8) maximum request, seconded by Parnell. The motion passed.

Item #10 Zoning Ordinance Amendment/Planning and Development Services Staff: Request recommendation to the City Commission to amend the Zoning Ordinance Sections 14-205 (3)(b) and 14-213 (9)(h) to include a conditional use in residential zoning districts for an accessory residential unit in defined residential zoning districts. **(City resident/property owner submitted request)**

Item Representative: N/A

Staff Discussion:

- Staff received a request from a property owner for an accessory dwelling unit.
- Staff discussed the City's Zoning Ordinance does not permit accessory dwelling units or accessory buildings to be used for a dwelling unit.
- The owner has requested to discuss the request with the Planning Commission.
- The Planning Commission recently discussed a similar request and decided not to direct staff to provide a Zoning Ordinance amendment for review and recommendation to the City Commission.
- The proposed amendment includes an accessory dwelling unit being either attached or detached to the primary house building.
- The Planning Commission could determine if the accessory dwelling unit would only be permitted to be an attached unit.
- The recommendation is based on the Planning Commission previously discussing and deciding not to request staff to complete a Zoning Ordinance amendment for a similar request.

Planning Commission Discussion:

- Espinosa asked for a motion to defer.
- Duncan commented the board has discussed this subject for a number of years and have not made any movements for a number of reasons.
- McCormick responded the property owner requested to speak to the board.
- Duncan commented he welcomes all to speak to the board or any board of the City.

Motion: Motion by Wheeler to defer the request, seconded by McNeal. The motion passed 5-1. Duncan voted no.

DISCUSSION ITEM

McCormick discussed the Tennessee American Planning Association is offering virtual training for Planning Commissioners & Board of Zoning Appeals members on Friday, November 18th from 8-11:30am. The training is free and will be recorded for those who can't make the live sessions.

Due to a misunderstanding of the agenda, Espinosa asked for a motion to set the deferral aside for agenda Item **#10 Zoning Ordinance Amendment/Planning and Development Services Staff**. Wheeler made the motion to set aside the deferral, seconded by McNeal. The motion passed.

Item #10 Zoning Ordinance Amendment/Planning and Development Services Staff**Item Representative: Josh and Melody Barnes****Staff Discussion:**

- Staff discussed the proposed ordinance

Planning Commission Discussion:

- Barnes commented the request falls under the guidelines and rules.
- Barnes states it is for a family member.
- McCormick asked if the proposal is for attached or detached?
- Barnes responded detached.
- Espinosa discussed the request and asked for comments from the board.

- Duncan responded does this fit in the residential zoning, because residential zoning is based on lot size.
- Duncan discussed the zoning districts with accessory buildings and dwellings.
- Barnes discussed current home size, lot size and proposed accessory dwelling unit.
- Duncan discussed the conditional use in zone R-40.
- McCormick discussed deed restrictions limited to family members of the primary dwelling.
- Duncan discussed once the need goes away what happens to the auxiliary buildings and larger residential zoning districts for these types of requests.
- McCormick responded he can bring back some dimension examples for lots, and discussed accessory dwelling units in planned unit developments and HOA's.
- Duncan discussed zoning in the A, R40, and R25 versus R10 and R7 districts
- Parnell gave examples of guidelines on how they could zone future conditional land use.
- McCormick responded with conditional use there would be a public hearing process.
- Barnes discussed the purpose of the accessory dwelling for her mother and after her mother could be a guest house or studio and will not be moved.
- Parnell discussed the need for this across the City and they need to address ways to utilize the property for the betterment of the citizens.
- Espinosa commented there are things the board will need to work out and think through and asked for a motion.

Motion: Motion by Parnell to defer the request for staff to work on Zoning Ordinance amendment guidelines, seconded by Wheeler. The motion passed.

With no further business, the meeting adjourned at 7:36 pm.

Tony Espinosa, Chairman

Sharon Reed, Planning Assistant