

OFFICIAL MINUTES OF THE MEETING

GOODLETTSVILLE BOARD OF ZONING AND SIGN APPEALS

April 2, 2024

Goodlettsville City Hall

5:00 p.m.

Massie Chambers-Auditorium

Present: Stuart Huffman, Larry Jones, and Mark Writesman.

Absent: Jimmy D. Anderson, Brian Rager

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

Vice-Chair Mark Writesman called the meeting to order at 5:00 pm and declared a quorum.

Approval of March 5, 2024 Meeting Minutes: Huffman made a motion to approve the minutes of the March 5, 2024 meeting, Jones seconded the motion. Motion was approved.

AGENDA

Item #1 Ronnie and Sumer Yates, 615 Event Center: Requests conditional use approval for an entertainment and amusement services use (event center) at 458 Moss Trail. The 0.67-acre property is located at the corner of Moss Trail and Rivergate Parkway and is zoned CSL, Commercial Services Limited/ CCO, Commercial Code Overlay. The City is currently reviewing the removal of the INT, Interchange Overlay zoning district. The property is referenced as Davidson County Tax Map/Parcel# 02609003800. Property Owner- Jessy James

Staff Discussion:

- The Board of Zoning and Sign Appeals review is subject to the Goodlettsville City Commission on April 11, 2024 approving the second and final reading of a requested property rezoning removing the INT, Interchange Overlay from the property.
- Any motion to approve will need to be subject to the City Commission rezoning approval.
- If the conditional use application is approved by the Appeals Board but the rezoning is not approved by the City Commission, then the Appeals Board approval will be void.
- The INT overlay removal from the property would permit the uses defined by the CSL, Commercial Services
- The Zoning Ordinance defines uses permitted in the zoning districts and the uses only permitted by conditional use review through the City's Board of Zoning and Sign Appeals.
- The City's Zoning Ordinance Conditional Use section includes both general and specific review criteria.
- The defined specific conditional use review criteria would not apply based on the Zoning Ordinance section due to the proposed use in the CSL, Commercial Services Limited zoning district not being a batting cage/golf driving range.
- Per the Zoning Ordinance Conditional Use section, the Board can define reasonable restrictions on the conditional use application including restrictions to reduce or minimize the injurious effect of such conditional use and ensure compatibility with surrounding properties.
- Due to the available on-site parking including forty-two (42) spaces per prior parking lot striping, the Zoning Ordinance would permit a building occupancy of 105.
- The possible impacts on the adjacent area would primarily be any on-street or off-site overflow parking and noise associated with nighttime events due to the adjacent residential apartment and hotel use currently under construction.
- The Board would need to define any restrictions to the conditional use application with the meeting motion.
- Any proposed beer service with an event would require review and approval by the City's Beer Board.

- Staff presented the Zoning Ordinance Sections: 14-202 (7)(i), 14-213 (9)(c), 14-213 (9)(f)(iii), and 14-208 (2)(d).
- Stipulation-Approval motion would be subject to City Commission April 11, 2024 approval of property rezoning removing INT, Interchange Overlay.
- Stipulation- Building occupancy to be limited to 105 occupants by the Zoning Ordinance minimum parking requirement of forty (40%) percent occupancy based on forty-two (42) available on-site parking spaces. The occupancy limitation does not alter any building occupancy limits or building alteration requirements determined by the City's Fire Marshal based on available building exits or fire protection systems.
- Stipulation-Parking spaces to re-striped or other approved parking lot layout.
- Stipulation-Due to limited parking available on-site, no exterior events permitted.
- Motion Option-To approve the conditional use request including staff stipulations and any additional stipulations meeting the conditional use general review criteria as determined by the Board during the meeting.
- Motion Option-To deny the conditional use request based on the request not meeting the Zoning Ordinance conditional use general review criteria as determined by the Board during the meeting.
- Motion Option-To defer the request for the applicant to provide additional information as determined by the Board during the meeting.

Applicant: Ronnie and Sumer Yates

- Yates commented that they were fine with the limit of 100 occupants based on fire protection system proposed including building not to be fire sprinkled and forty-two (42) on-site parking spaces.
- Yates discussed the limited on-site parking spaces and how they plan to manage parking.
- Yates discussed her and her husband's background and experience in event planning services, construction, and interior design.
- Yates discussed living in the area and wanting to contribute something positive and make the space attractive.

Public Hearing Opened: No one requested to speak.

Public Hearing Closed

Board Discussion:

- Huffman discussed a wedding with maximum 100 occupants would be considered small.
- Yates responded her desire to open this event center was after her wedding in 2022 and not being able to find an affordable space for small events.
- Yates discussed the event center will not be just for weddings, can be for baby showers, bridal parties, rehearsal dinners etc.
- Yates discussed the kitchen area and catering.
- Huffman asked McCormick about the parking stipulations.
- McCormick responded yes, you would have parking stipulations.
- Yates discussed the hours for the event center.
- Huffman asked if a manager will be on site at the event center?
- Yates responded they will be on site at the event center until they are fully functioning and can afford staff for management and cleaning.
- Huffman asked McCormick if midnight would be a problem for the area.
- McCormick responded he did not think so since it is on a commercial roadway.

Motion: Huffman made a motion to approve the request with the four (4) staff stipulations with staff stipulation #2 being limited to 100 occupants, seconded by Jones. The motion passed.

Item #2 UNIQUE OMEGA, LLC, Property Owner and Arnold Consulting Engineering Services, Inc: Requests an amendment to the March 5, 2019 front building setback variance granted for the property located at 320

Cartwright Street. The variance is to amend the front setback variance on East Cedar Street from twenty (20') feet to fifteen (15') feet. The 2.14-acre property is located at the corner of East Cedar Street and Cartwright Street and is zoned CS, Commercial Services. The property is referenced as Davidson County Tax Map/Parcel# 01913010300.

Variance Request Application:

Unique Omega is requesting a 5' Variance from the previously approved twenty (20') foot setback from East Cedar Street. This is a thirty-five (35') foot deviation from the fifty (50') foot setback required by the zoning ordinance. We are also requesting a six (6') foot reduction of the required ten (10') foot street yard to allow parking closer to the street. The variance requests are due to the required stream flood plain buffer zone that encroaches on the site.

Staff Discussion:

- The Board of Zoning and Sign Appeals at the March 5, 2019, meeting approved a setback variance to reduce the front setbacks along Cartwright Street and East Cedar from fifty (50') feet to twenty (20') feet.
- The revised variance request is due to site layout issues created incorporating the proposed hotel and parking spaces on the property with the FEMA (Federal Emergency Management Agency) designated floodway and floodplain and the TDEC, Tennessee Department of Environment and Conservation and the City's Storm Water Ordinance stream buffer requirements.
- Per the site plan layout, a corner of the building would be within the current twenty (20') feet front building setback per the March 5, 2019 variance.
- The reduced street yard area (between perimeter of parking lot and property line) is shown on the site plan with five (5') feet on the majority of site.
- A section of street yard along the eight (8) parking spaces fronting East Cedar contains the most limited street yard planting area.
- Staff presented Zoning Ordinance Sections: Appendix A, Table III, 14-208 (1)(j), 14-208 (5)(h)(iii), and 14-213 (8)(c)
- Stipulation-All landscaping in the proposed reduced front parking street yard to be installed on private property and off the public right of way.
- Motion Option-To approve the revised variance request with staff stipulation based on the request meeting the variance review criteria providing a reasonable use of the property due to the property limitations of the property being a corner lot with two (2) front building setbacks, stream buffer and FEMA flood way/flood plains determined by the Board during the meeting.
- Motion Option-To deny the variance request based on the request not meeting the Zoning Ordinance variance
- Motion Option-To defer the request for the applicant to provide additional information as determined by the Board during the meeting.

Applicant: Karan Patel

Public Hearing Opened: No one requested to speak.

Public Hearing Closed

Board Discussion:

- Huffman asked McCormick if there would be a problem with the variance on East Cedar.
- McCormick responded with the way the property is set up in the corner he did not foresee it being a problem.
- McCormick discussed the site design.
- Attorney Freeman discussed motion process to be referenced

Motion: Huffman made a motion to approve the revised variance request based on Zoning Ordinance Section 14-213 (8) (c) (i) to provide a reasonable use of property with staff stipulation the additional five (5') feet setback variance on East Cedar and landscape open area is only for a hundred (100) room hotel proposal and any future changes to the proposed use and design to be reviewed by the board again, seconded by Jones. The motion passed.

With no further business, Huffman made the motion to adjourn, seconded by Jones.

The meeting adjourned at 5:31 pm.

Mark Writesman, Vice-Chair

Sharon Reed, Planning Assistant