

**OFFICIAL MINUTES OF THE MEETING**

**GOODLETTSVILLE BOARD OF ZONING AND SIGN APPEALS**

August 6, 2024

Goodlettsville City Hall

5:00 p.m.

Massie Chambers-Auditorium

**Present:** Chairman Brian Rager, Commissioner Stuart Huffman, and Larry Jones.

**Absent:** Commissioner Jimmy D. Anderson, and Mark Writesman.

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

Chairman Brian Rager called the meeting to order at 5:00 pm and declared a quorum.

**Approval of July 2, 2024 Meeting Minutes:** Huffman made a motion to approve the minutes of the July 2, 2024 meeting, Jones seconded the motion. Motion was approved.

**Rager opened the Public Hearing for Citizen Comments:**

No one requested to speak or comment.

Huffman made a motion to close the public hearing, seconded by Jones. The motion passed.

**The Public Hearing was closed.**

**AGENDA**

**Item #1 Derick Faison:** Requests conditional use approval for a day care center at 705 Rivergate Parkway. The 2.86-acre property is referenced as Davidson County Tax Map/Parcel# 02613001500 and is zoned CSL, Commercial Services Limited. Property Owner: The Impact Church of Nashville.

**Staff Discussion:**

- The 2.86-acre property including the existing church facility is zoned CSL, Commercial Services Limited.
- The CSL zoning district permits day care centers by conditional use review by the Board.
- The Zoning Ordinance provides general and specific conditional use review criteria.
- The applicant's request is for a day care center facility within the existing church childcare/classroom portion of the building.
- If the conditional use is approved, the applicant will be required to obtain approval from the State Fire Marshal's office.
- The applicant's proposal is to use the existing church childcare facilities/classrooms for the day care center.
- Due to the property being an existing developed church facility including a large off-street parking lot facility, then a site plan for the day care center was not requested.
- Staff did discuss with the applicant the requirement for an outdoor fenced playground facility.
- Staff Stipulation-Applicant to provide a plan showing the proposed outdoor fenced area for the playground facility and the proposed number of children in the day care center. The playground facility to be sized per the Zoning Ordinance section# 14-213 (9)(e)(ii) (2)(iv) ***A fenced outdoor play area shall be provided of at least 200 square feet per child or 2,000 square feet whichever is greater.***
- Staff presented Zoning Ordinance Sections: 14-213 (9)(c) and 14-213 (9)(e)(ii)(2)(iv).
- Motion Option-To approve the conditional use request including staff stipulation since the request meets the Zoning Ordinance conditional use general and specific review criteria as determined by the Board during the

Meeting. (Staff Recommendation)

- Motion Option-To deny the conditional use request based on the request not meeting the Zoning Ordinance conditional use general and specific 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: Derick Faison, Lead Pastor at The Impact Church of Nashville**

**Board Discussion:**

- Faison stated the building is approximately 29,000 sq. ft. with approximately 2,800 sq. ft. dedicated to the children on Sunday.
- Faison discussed the outside area that they are requesting to get approval for and the fencing for that playground area.
- Faison stated after doing research in the City they determined there is a need for an affordable, safe daycare in this area.
- Faison stated that since they already have a facility that is dedicated to children complete with age appropriate bathrooms they would like to provide a daycare/childcare development facility in this area.
- McCormick asked if they would have the square footage available for outside fencing?
- Faison responded yes on the Northside of the building a greenspace area.
- Faison discussed the areas around the building that are available for fencing according to the codes.
- McCormick asked even with fencing are you able to get around the building?
- Faison responded yes even with fencing you are able to get around the building.
- Freeman discussed the Zoning Ordinance 14-213 (2) a fenced outdoor play area shall be provided of at least 200 sq. ft. per child or 2,000 sq. ft. whichever is greater.
- Freeman is concerned with the number of children they anticipate enrolling and the outdoor play area fencing requirement per child.
- Freeman discussed a stipulation if the request for conditional use is approved.
- McCormick responded if the request is approved he would send a notice defining the action of the board.
- Huffman asked for clarification of the Zoning Ordinance wording 200 sq. ft. per child or 2,000 sq. ft. whichever is greater is that at the time the children are outside?
- Freeman responded obviously not all children can be out there at the same time because you would have to have fenced outdoor play area so it is a matter of interpretation.
- Huffman discussed the Zoning Ordinance wording "a fenced outdoor play area shall be provided of at least 200 sq. ft. per child or 2,000 sq. ft. whichever is greater".
- Freeman responded the Zoning Ordinance is vague and we should look at that in the future and take the vague concept out.
- Ellis asked if this will affect the fire department access to the building?
- Faison responded the fire lanes are all around the facility and it does not impede on where they are putting the fencing.
- Huffman asked what are the initial plans on how many square feet are they fencing?
- Faison discussed the plan requirements of 2,000 sq. ft. and space for expansion on the West side of the building.

**Motion:** Huffman made a motion to approve the conditional use request with the stipulation the fenced outdoor play area shall be a least 2,000 square feet and any additional fencing or increase number of children must go through the City's Code's Department and City's Fire Marshal's office for approval, seconded by Jones. The motion passed.

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

**The meeting adjourned at 5:23 pm.**

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**Brian Rager, Chairman**

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**Sharon Reed, Planning Assistant**