

**City of Goodlettsville
Board of Zoning and Sign Appeals**

STAFF RECOMMENDATION REPORT

Tuesday December 7, 2021

5:00 PM

Item#1 **Taqueria y Birrieria Jalisco:** Request temporary use approval for an outdoor display and sale of seasonal food (food truck) at 703 Rivergate Parkway on a portion of 0.38 acres. Property referenced as Davidson County Tax Map/Parcel # 02613007700 and is zoned CSL, Commercial Services Limited/INT, Interchange Overlay. Property Owner: Tri Star Energy, LLC. Zoning Ordinance Section 14-208 (1)(o)(v).

STAFF NOTES:

The City's Zoning Ordinance for permanent food trucks does not apply to properties east of I-65 due to the numerous permanent food service establishments in this area. A Zoning Ordinance violation notice was sent on 9-16-2021 regarding the food truck on the property. The Zoning Ordinance Temporary Use section includes provisions for sales of food and merchandise for sixty (60) days a year. The Goodlettsville City Commission is scheduled on December 9, 2021 to review the final reading of an amendment to the Temporary Use section of the Zoning Ordinance. If the amendment is approved, similar requests of this item will be administered at a staff level. The Board of Zoning and Sign Appeals under the proposed amendments would still review temporary uses for the defined major uses when proposed in residential zoning districts or adjacent to residential zoning districts.

STAFF RECOMMENDATION: Approval with listed stipulations based on the proposed temporary use connected to the existing permanent fuel service center/market

1. Sixty (60) days temporary use permitted only on the current location at the property
2. Sixty (60) days maximum permitted either dispersed over the entire 2022 year or sixty (60) days at one time. Applicant to provide the proposed sixty (60) days calendar to staff for review and approval
3. Temporary use to comply with City's Temporary Sign Ordinance regarding maximum number, size, and duration of temporary signs if a temporary sign is proposed

Referenced Zoning Ordinance Sections:

(o) Temporary use permits. The following regulations shall govern the operation of certain necessary or seasonal uses which are

nonpermanent in nature. Application for a temporary use permit shall be made to the board of zoning appeals through the office of the planning director. Said application shall contain a graphic description of the property to be utilized and a site plan, a description of the proposed use, and sufficient information to determine yard requirements, setbacks, sanitary facilities, signage and parking space for the proposed temporary use. Area and bulk regulations of the district in which the use is proposed to be located shall apply as well as the requirement for ingress/egress and surfacing requirements for parking areas. The board may require additional standards to protect the public safety and to reduce any actual or potential adverse off-site impacts.

The board may grant such temporary use permits for the following uses subject to a public hearing, the specific regulations and time limits below, and any other limitation that may be necessary to protect adjoining property. After a temporary use permit has been properly granted, the board may authorize such use to be thereafter approved by administrative action of the planning director provided that no change in the character or layout of such use is proposed and provided that proper public notice is given.

v) Outdoor displays, sales of seasonal foods or

merchandise. A temporary use permit may be issued for outdoor displays and sales conducted either as a part of an existing business or as a free-standing use in any commercial or industrial district provided that such sales and displays shall be limited to a maximum of sixty (60) days per year, and provided further, that adequate parking and traffic circulation is available and any existing business operations will not be disrupted.

14-206. Commercial District Regulations. (5)

(h) **Mobile food service** vehicles subject to provisions of the City of Goodlettsville Municipal Code § 9-506. Except for special events, mobile food service vehicles that are located on private properties are permitted in commercial and industrial zoning districts where food and beverage service uses are permitted on properties located west of I-65 and shall not be within two hundred feet (200') of an existing building with a permanent food and beverage service facility

Public Hearing Information:

Public Hearing Notice Advertisement- *Ledger* November 17, 2021

Public Hearing Mailed Notices: Week of November 15th

Public Hearing Sign Installed: November 22, 2021



Item#2 **Community Development Staff:** Request approval of the 2022 meeting calendar

STAFF NOTES: N/A

STAFF RECOMMENDATION: Approval