

OFFICIAL MINUTES OF THE MEETING
GOODLETTSVILLE PLANNING AND ZONING COMMISSION

July 3, 2017
5:00 PM

Goodlettsville City Hall
Massie Chambers

Present: Chairman Tony Espinosa, Mayor John Coombs, David Lynn, Scott Trew, Jerry Garrett, Grady McNeal, Jim Hitt, Judy Wheeler

Absent: Bob Whittaker, Vice Chairman Jim Galbreath, Commissioner Jeff Duncan

Also Present: Addam McCormick, Greg Edrington, Tim Ellis, Commissioner Zach Young, Mike Bauer, Rhonda Carson and others

Chairman Tony Espinosa called the meeting to order and Mr. Scott Trew offered prayer.

Chairman Espinosa asked if any changes or additions had been added to the agenda. Addam McCormick noted that two discussions items were added after the advertised agenda and before them this evening. Jim Hitt made a motion to adopt the agenda as presented and updated. Grady McNeal seconded the motion. Motion passed unanimously 8-0.

Mr. Scott Trew moved for approval of the minutes from the June 5, 2017 meeting as written; seconded by Mr. David Lynn. Motion passed unanimously 8-0

Item #1 Zoning Ordinance Amendment-James T. Smiley, 112 Connell Street: Requests recommendation to the City Commission to amend the Zoning Ordinance Appendix A, Table 1 Land Use Activity Matrix to include Vehicular Craft and Related Equipment Sales as a permitted use in the IR, Industrial Restrictive Zoning District.

With no representation for item #1, Chairman Espinosa stated that after reading over the item, he had no objection moving forward. With no objection from the Board, Staff introduced the item. Addam McCormick gave a brief history of the property. He stated about a year and a half ago, The City rezoned the property to IR, Industrial Restrictive. The new property owner is requesting a zoning amendment to allow auto sales as a permitted use. The IR, Industrial Restrictive district allows auto repair, auto parking, and wholesale, warehouse/storage services, and building materials and farm equipment, but it does not permit auto/vehicle sales. The owner is currently operating an auto repair shop out of the existing building which is allowed in that zoning district. He is wanting to use the lot beside of the existing building for auto sales, which zoning does not allow.

Staff recommended approval based on the other items allowed in this district. Mr. McCormick stated it will give more uses to this district and is a compatible use.

Staff discussed if the request is approved, the owner will need to do improvements to the lot before it could be utilized for auto sales. The required improvements included, paved parking lot and landscaping.

Staff also noted, if the change is made to zoning, it would not just apply to this lot/property, but all properties zoned IR, Industrial Restrictive. He explained the general areas that are zoned IR, Industrial Restrictive. The areas are Connell Street up to Depot, North Springfield Highway

at the split (Bus for Sale property), and the property where Metro Baptist is located. Planning Commissioners discussed and asked Staff if any of the other areas zoned IR could be problematic if changed. Addam McCormick stated he thought it was a compatible use. Mayor Coombs asked if the owner is aware and willing to the necessary site improvements that would be required. Mr. McCormick stated he had discussed with the owner, and he is aware of what is required.

Scott Trew asked how the surrounding properties might be affected. Mr. McCormick discussed the zoning classification of the surrounding houses to be zoned CS, Commercial Services. He stated they are all still used as residential. Mayor Coombs stated the aesthetics of the property should be better than it presently is with the required site improvements.

With no further discussion, Mr. Jerry Garrett made a motion to recommend to the City Commission to amend the Zoning Ordinance Appendix A, Table 1 Land Use Activity Matrix to include Vehicular Craft and Related Equipment Sales as a permitted use in the IR, Industrial Restrictive Zoning District.

Judy Wheeler seconded the motion. The motion passed 7-1, with Jim Hitt voting to deny the request.

Item #2 Zoning Map Amendment-Lonnie Tinnin, 931 Hwy 41/Springfield Hwy: Requests recommendation to the City Commission to amend the Zoning Map from Agricultural to CPUD, Commercial Planned Unit Development for a four (4) acre property at 931 Hwy 41/Springfield Highway referenced as Sumner County Tax Map 141 Parcel 010.00. Property Owners: Lonnie and Susan Tinnin

Property owners, Lonnie and Susan Tinnin represented this request.

Staff reviewed. Addam McCormick stated this is a rezoning request for a change to property at 931 Springfield, which is currently zoned AG, Agricultural. The request is to rezone to CPUD, Commercial Planned Unit Development.

Mr. McCormick reviewed the zoning map and showed the adjacent properties to be CPUD and stated the owners are requesting to extend that zoning classification to their property. He stated, typically with Planned Unit Development, they do a Master Plan, but the CPUD has been used as a base zoning for the area, and if the property is ever developed it would have to go through the Master Plan process.

Mr. McCormick explained that when looking at a rezoning request, Staff looks at the Comprehensive Land Use Plan.

Staff recommended approval based on the Comprehensive Plan and with the industrial park across the street from the property. Staff thought commercial would be the best use for the property with future development.

Mayor Coombs and Staff discussed that sewage extension would need to be considered for that area. Mr. Lonnie Tinnin stated they would like to use the property for commercial use.

Based on Staff recommendation, and discussion had at this meeting, Mayor Coombs made a motion to recommend to the City Commission to amend the Zoning Map from Agricultural to CPUD, Commercial Planned Unit Development for a four (4) acre property at 931 Hwy 41/Springfield Highway. Jim Hitt seconded the motion. The motion passed unanimously, 8-0.

Item #3 Zoning Map Amendment-Dean Patel-Cartwright Street and East Cedar Street: Request recommendation to the City Commission to amend the Zoning Map to remove the INT, Interchange Overlay from a 2.14 acre property at Cartwright Street and East Cedar Street referenced as Davidson County Tax Map/Parcel 01913010300. Property is zoned CS, Commercial Services and is within the INT, Interchange and CCO, Commercial Core Overlay Districts. Property Owner-Booth Business Park

Dean Patel represented this request. Addam McCormick reviewed the property located at Cartwright Street. The property is zoned CS, Commercial Services and is within the INT, Interchange and CCO, Commercial Core Overlay Districts. He explained that the request is to remove the INT, Interchange Overlay from the property and the base zoning of CS, Commercial Services/CCO, Commercial Core Overlay is to remain the same. This 2.14 acre property is located behind the former Jack-N-Box building on Cartwright and East Cedar. Per discussion, the Jack-N-Box property would still remain in the Interchange Overlay. Mr. McCormick explained that the INT, Interchange Overlay limits the permitted used to restaurants, convenience markets, and hotels/motels. The CS, Commercial Services zoning has a variety of uses, which would include office professional, which has been discussed. Mr. McCormick stated if it is rezoned, any use in the CS, Commercial Services could be allowed. Dean Patel stated he would like the INT, Interchange Overlay to be removed and he could move forward with plans and drawings to develop the property. He stated his plans are to develop an office professional building with retail space on the bottom.

Mr. Patel stated he is still working on options for the former Jack-N-Box building. Staff recommended approval based on the discussion at last month's meeting to permit additional commercial uses on the property due to the property's limited visibility and access, and the number of recent hotel developments under construction, and to encourage additional commercial development opportunities on the property.

Based on Staff recommendations, and discussion had at this meeting, Scott Trew made a motion to recommend to the City Commission to amend the Zoning Map to remove the INT, Interchange Overlay from the 2.14 acre property at Cartwright Street and East Cedar Street. Grady McNeal seconded the motion. The motion passed unanimously, 8-0.

Item #4 Steven and Mary Albright, Property Owners-524 Natalie Drive: Request an alternative design for an accessory building with a roof height of twenty-four (24') feet. Property is referenced as Sumner County Tax Map 143A-B-Parcel 024.00 and contains 0.58 acres. Property is zoned R25, Low Density Residential

Property owners, Steven and Mary Albright represented this request. Staff reviewed. The property is located at 524 Natalie Drive. Mr. McCormick explained the applicants are requesting an alternative design for an accessory building (garage) with a roof height of twenty-four (24') ft. According to the accessory building ordinance, the maximum height allowed is eighteen (18') ft. The idea of the maximum eighteen (18') ft. in height is to prevent a second story residential living unit. The applicants request for a higher roof is to accommodate larger type recreational vehicle (RV) and still include a roof pitch to match the primary house.

Per the applicant, the roof would be a truss roof design and would not contain a second story

Living space. Property Owner, Steven Albright stated the primary house roof/roof line is about forty (40') ft. in height and most of the surrounding homes being consistent with three (3) stories. He explained that he would like to construct it to match the house and to store an RV. He would need to have a twelve (12') ft. ceiling, which would make the roof line higher than eighteen (18') ft. He would like to put the forty-two (42') trusses to match the roof of the house. Mr. Albright stated it would not be for residential space, only storage. Mr. McCormick stated the applicant could build a flat roof structure or provide a building connection to the primary house to meet the proposed roof height, but he understood Mr. Albright wanted the roof design to be consistent with the primary house which would require a six (6') ft. variance. Mr. Albright confirmed the proposed building would be brick with shingle roof, consistent with the house. Jim Hitt asked where the proposed building would be located on the property. Mr. Albright stated it would be built coming down the driveway to the basement. Mr. Hitt stated he drove by the property and asked if the existing above ground pool would stay as is. Mr. Albright stated the pool would remain as is. Chairman Espinosa asked for clarification on why the Board of Zoning and Sign Appeals could not hear this request. Mr. McCormick stated that by State Law, this request couldn't be justified as the Board of Zoning and Sign Appeals does not define/or review design issues. Staff recommended approval since the roof design would be consistent with the primary house roof design and the proposed design does not include a second story residential dwelling unit use which would meet the intention of the existing maximum height requirement. Based on Staff recommendation, and discussion had at this meeting, David Lynn made a motion for approval of the alternative design for an accessory building with a roof height of twenty-four (24') feet at 524 Natalie Drive. Scott Trew seconded the motion. The motion passed unanimously, 8-0.

Item#5 Zoning Ordinance Amendment-Planning/Development Services Department Staff: Request recommendation to the City Commission to amend the Zoning Ordinance Section 14-201, Provisions Relating to Construction Language and Definitions and Appendix A, Table 1 Land Use Activity Matrix to include a definition and permitted location of food trucks.

Chairman Espinosa asked for clarification from Staff if the proposed amendment related to Section 14-201 and 14-206. Mr. McCormick stated that both 14-201 (definition and language) and 14-206 (permitted location) are requested to be amended. Mr. McCormick discussed that the City Commission adopted food truck operating ordinances in May, basically to allow them and monitor them by license and permitting. He stated there was nothing in the ordinance that stated where they would be allowed. This request is to put a section in the zoning ordinance to coincide with that. He stated the definition is straight from the Municipal Code Section that the City Commission just adopted. Staff recommended allowing food truck and reviewed the proposed zoning ordinance amendments:

Proposed Zoning Ordinance Amendments:

14-201. Provisions relating to construction of language and definitions. (2) Rules for construction of language.

Food truck means a vehicle from which edible food products are cooked, prepared or assembled with the intent to sell such items to the general public, provided further that food trucks may also sell other edible food products and beverages that have been prepared or assembled elsewhere. (Definition per City of Goodlettsville Municipal Code Title 9, Article VI. Mobile Food Vendors)

Mobile food service vehicle means a food truck, canteen truck or ice cream truck and includes any portable unit that is attached to a motorized vehicle and intended for use in the operation of a food truck, canteen truck or ice cream truck. (Definition per City of Goodlettsville Municipal Code Title 9, Article VI. Mobile Food Vendors)

14-206. Commercial district regulations. (5) Other regulations

(h) Mobile Food Service Vehicles subject to provisions of the City of Goodlettsville Municipal Code Title 9, Article VI. 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 (200') feet of an existing building with a permanent food and beverage service facility.

Jerry Garrett then made a motion for this to be added as an agenda item since the request for the additional ordinance section (14-206) had been presented. Jim Hitt seconded the motion. Motion passed 8-0.

Chairman Espinosa asked Staff if there is any reason to define the style of restaurant (fast-food, sit-down/dine-in) that food trucks shall be within two hundred (200') feet of. Mr. McCormick stated he thought the two hundred (200') ft. should apply to all types of permanent food services. He stated he thought the Main Street area may be a good location for food trucks since there is not a lot of food services in that area. Jim Hitt and Mr. McCormick discussed provisions and the permitting requirements. Scott Trew asked where the food trucks are presently located in the City. Mr. McCormick stated the only one he is familiar with, is located at the corner of East and Main Street, and is not a specific food truck. He stated he is sure others will be interested in setting up in the City.

Based on Staff recommendation, Jerry Garrett made a motion to recommend to the City Commission to amend the Zoning Ordinance Section 14-201, Provisions Relating to Construction of Language and Definitions and Appendix A, Table 1 Land Use Activity Matrix to include a definition and permitted location of food trucks with section 14-206 added. Grady McNeal seconded the motion. The motion passed unanimously, 8-0

Discussion Items:

Accessory buildings square footage exemption

Staff discussed the Accessory Building zoning Ordinance and the exemption for buildings less than (375') sq. ft. from having to be consistent with the primary house building wall and roof materials. Mr. McCormick gave an example of a property owner inquiring about installing a 12'x 20' portable building on a residential property. The issue is that the property already contains an existing 576 sq. ft. accessory garage on the property that does not meet the consistency requirements since it was constructed a long time ago. He explained that when you add the second building, it exceeds the original 375' sq. ft. (requiring it to be constructed of the same building wall and roof materials). He stated this could be a concern, not only for this property owner, but others inquiring in the future with the same situation. He asked for input on how the Board members interpret the ordinance requirement. Jerry Garrett stated since the first building was already existing before the new ordinance (non-conforming), they should be allowed to install a new building under the current zoning ordinance.

Scott Trew and Staff discussed the issue of someone installing multiple buildings less than (375') sq. ft. to get around the ordinance design consistency requirements. After discussion, Mr. McCormick stated that Staff will work on putting a policy in place.

Long Hollow Pike commercial center preliminary design layout

Staff discussed a request for a commercial center development on Long Hollow pike on the vacant lot adjacent to the Sonic Restaurant and Century 21. The property is zoned CPUD, Commercial Planned Unit Development and is within the CCO, Commercial Core Overlay. Mr. McCormick stated he talked with the applicant regarding that new developments in the CCO are encouraged to be designed where parking is in the rear of the development with the building design focused on the street connection. He explained also that the City in 2014 amended the CCO requirements. The previous requirements included maximum setbacks or build to line and defined requirements regarding limited parking between the front of the building and the street. Mr. McCormick explained that the applicant is concerned with designing the site to have the building up close to the street with parking in the rear due to the proposed design for full tenant visibility from Long Hollow Pike. The applicant is also concerned with the building not being in line with the adjacent commercial buildings. Staff asked for input from the Board members regarding the intentions of the ordinance, so the applicant may know how to proceed forward with the proposed design.

Harold Crye was present to discuss his proposal and showed drawings of the proposed building and design. He discussed his vision for the property and building and noted his concerns with

the build to line and rear parking requirements. Jim Hitt asked which side of the property the entrance to the site would be located. Mr. Crye stated the engineer put it on the right side on the sketch, but it could be either side. Mr. Hitt expressed his concern about pulling out from that side of Long Hollow Pike (Sonic restaurant area) and if adding an additional entrance/exit that close to Sonic could create a problem. Mr. Crye stated he was not opposed to creating a shared drive with one of the existing businesses already there. Staff and Board members discussed possibly putting the entrance on the other side. Staff discussed sidewalk requirements within this zoning district. Mayor Coombs expressed that with the existing businesses along that corridor, he felt more comfortable with it being within the setbacks that are currently existing. Greg Edrington and Mr. Crye discussed storm water drainage and requirements. Jerry Garrett concurred with Mayor Coombs on the setback/building in line with the existing businesses. Chairman Espinosa thanked Mr. Crye for his interest in investing in the City and hoped the feedback from the Board members was helpful.

Public Forum on Planning Related Topics

No one was present to speak for the public forum

Meeting adjourned at 5:50

Tony Espinosa, Chairman

Rhonda Carson, ECD Assistant