

**OFFICIAL MINUTES OF THE GOODLETTSVILLE
BOARD OF ZONING AND SIGN APPEALS**

Date: November 7, 2016

Time: 4:30 P.M.

Place: Massie Chambers- Goodlettsville City Hall

Members Present: Owen Sanders, Commissioner Zach Young, William Carter, Edgar Lowe

Absent: Chairman Tom Mosier

Also Present: Addam McCormick, Mike Bauer, Jeff McCormick, Rhonda Carson and others.

Vice Chairman Owen Sanders called the meeting to order and reminded the Board members that this request was first presented at the October 3, 2016 Board of Zoning and Sign Appeals meeting with a public hearing. Mr. Sanders stated the meeting was deferred due to multiple questions about the proposed use.

Commissioner Zach Young made a motion to approve the minutes of the October 3, 2016 Board of Zoning and Sign Appeals meeting as written. Mr. Edgar Lowe seconded the motion. The motion passed unanimously 4-0.

Item #1 {PUBLIC HEARING}

Kentucky-Tennessee Conference Association of Seventh-Day Adventists, Inc.:

Requests conditional use approval for a religious facility in an IR, Industrial Restrictive Zoning District at 112 Connell Street. Property is referenced as Davidson County Tax Map/Parcel # 01913002500 containing approximately 0.19 acres. Adjacent properties are proposed to be included for the parking lot improvements. W.C Brummet Jr-Property Owner (16-4-611)

{DEFERRED FROM OCTOBER 3, 2016 MEETING}

Addam McCormick explained the request is for a conditional use for a church facility in the IR Industrial Restrictive zoning classification. He explained the property location at 112 Connell Street and stated that church representatives indicated they would acquire the two properties beside the location for parking. Mr. McCormick discussed the criteria used for conditional use standards:

- (d) General requirements.** A conditional use permit shall only be granted provided the Board makes specific findings that it:
 - (i) Is so designed, located, and proposed to be operated so that the public health, safety and welfare will be protected
 - (ii) Will not adversely affect other property in the area in which it is located;

(iii) Is within the provisions of “conditional uses” as set forth in this ordinance; and
(iv) Conforms to all applicable provisions of this ordinance for the district in which it is to be located and is necessary for public convenience in that location and meets the specific standards below.

(xi) Special conditions for religious facilities in commercial and industrial districts

- (A) All bulk, parking and landscaping regulations of the district shall be met
- (B) Traffic from such facilities shall be directed so as to avoid residential streets.
- (C) Used on adjoining properties shall be considered in determining if a particular site is appropriate for such use.

Mr. McCormick stated that parking requirements would be one (1) parking space to three (3) people. He stated parking requirements and landscaping requirements would have to be met before opening. He also discussed traffic flow and showed the multiple streets to enter and exit the proposed facility.

Mr. McCormick reviewed with the board members the Tennessee laws regarding religious uses, with it being to ensure that any conditions are essential to the city’s compelling interest in protecting public health, safety, and welfare and that the conditions are the least restrictive means possible of ensuring that the compelling interest is met.

Vice Chairman Owen Sanders opened the floor for anyone wanting to speak from the applicant, Kentucky-Tennessee Conference Association of Seventh - Day Adventist, Inc. Ms. Silke Hubbard addressed the board members. She stated she is the secretary of the association and was before this body to see if approval could be granted to open a church facility building in this zoning area. She stated the association wants to purchase this property for the church building and purchase the two lots beside of it for parking, but needs approval from this board before moving forward with a purchase agreement.

Commissioner Zach Young asked if the church planned on purchasing the lots next to the property. She said they planned on purchasing the lots for parking and possible expansion of the church building in the future. Commissioner Young asked for clarification from Staff to determine if the two lots beside of the property would need to be rezoned. Mr. McCormick stated that if the lots were going to be for parking only, he did not see a need to include in the conditional use in the industrial zone for parking areas, but if the church expanded the building, the conditional use permit would need to extend to these lots.

They discussed the surrounding lots and their zoning classifications. Commissioner Young stated he was uncomfortable with this conditional use request due to the small lot size for the proposed use. He stated he thought it might be harder to market the remaining lots and felt it might have a negative impact on the surrounding properties and not fit the mold for that particular street.

Terry Clendenin addressed the board members and stated he was there on behalf of 309 North Main Street. He stated he is to inherit the commercial property that is next to the proposed church site and thought a religious facility could hinder future prospects of his property. He stated he was not against a church, but felt this was business and it could limit his marketing ability in the future. Mr. Edgar Lowe asked about the restrictions for selling alcoholic beverages near a church facility. Addam McCormick discussed that the City Manager talked about this in the last meeting. At the October Board of Zoning and Sign Appeals meeting. Tim Ellis reviewed the current City Ordinance regarding beer sales and explained that according to Mr. Clendenin's property zoning classification, no distance is required for beer sales if established after January 1, 2011. He also stated in that meeting, The Alcoholic Beverage Commission with the State of Tennessee governs the sale of wine and liquor. Edgar Lowe asked about the restrictions regarding the State's wine and liquor sales. Addam McCormick stated it can vary depending on the way the sales would be set up per state law.

A resident of 111 Connell Street addressed the board and stated he would like to see the church at that location and thought it would be a good fit for the area, but was concerned with how narrow the street is and if the traffic congestion could be a problem. He stated he was also concerned with the entrance to the church being right in front of his property. Addam McCormick stated if the parking lot is constructed on the adjacent lots, then new drive would be in area of resident's property.

Mayor John Coombs addressed the Board and explained the history of the current zoning for the proposed properties. He stated that the Planning and Zoning Commission heard a request from the property owner about a year ago to rezone his entire tract of land to Industrial because parcels were zoned CSL. He explained that the owner thought it would be more marketable and appealing for all the property to be zoned Industrial. Mayor Coombs stated the Planning Commission changed the property along Connell from CSL (Commercial Serviced Limited) to Industrial to accommodate the request. Mayor Coombs stated the City still thinks this is a viable part of the industrial development and to do anything contrary to that particular long range plan, may not be in the best interest of the City.

Roy Clendenin addressed the board and stated he did not think this was the appropriate place for the church facility due to the small lot size and thought it could have a negative effect on his property at 309 N. Main and also the entire area surrounding the proposed site.

Nathan Delima addressed the board and stated he would be the Pastor of the proposed church. He stated that the small lot size could get complicated and informed the Board members that the church was negotiating a deal with the owner to purchase the entire section of lots all the way to Church Street. He explained the future plans to expand the church and include outreach programs for the community. Edgar Lowe asked for clarification on the lots proposed. Addam McCormick showed the lots on the map as the front lots along Connell. Addam McCormick stated if the whole area is being considered, the Board will need to make sure if approved, it includes all the area not just the three lots first presented.

Commissioner Zach Young made a motion to deny the request at this time. Edgar Lowe seconded the motion. The motion passed unanimously to deny the request 4-0.

Discussion Items:

Addam McCormick reminded the Board of Zoning and Sign Appeals members that a training session will be held at Hendersonville City Hall on November 28, 2016. He stated he will send out additional information.

Mr. McCormick introduced Jasmine Gales an intern working with the city. She is currently getting her Master's in Public Policy and working on community programs for the City.

The meeting adjourned at 4:53 P.M.

Owen Sanders, Vice Chairman

Rhonda Carson, ECD Assistant