Town of Arlington
P.O. Box 507 • 5854 Airline Road • Arlington, TN 38002

Board of Zoning Appeals
February 13, 2017
5:30 P.M.
Meeting Minutes

I. Invocation

The opening prayer was led by Larry Harmon.

II. Call to Order and Establishment of a Quorum

Chairman Harmon called the meeting to order and noted that a quorum was present.

Present
Larry Harmon, Chairman
Russ Campbell
Tim Carter
Samuel Murrell, Vice Chairman
Van Watkins

Others Present
Angela Reeder, Town Planner
Alex Barthol, Planning Clerk
Gerald Lawson, Town Attorney

III. Approval of Minutes from the October 13, 2015 Meeting

Motion: Russ Campbell made a motion to approve the minutes of the October 13, 2015 meeting. Samuel Murrell seconded the motion.

Vote on Motion: The motion carried unanimously.

IV. Old Business

A. Other as Properly Presented

There was no old business to come before the Board.

V. New Business

A. Faith Baptist Arlington – North of Donelson Farms Parkway, 1735 feet west of Airline Road - Request for Conditional Use Permit

Chairman Harmon recognized Angela Reeder, Town Planner, who provided the analysis (on file) and stated that this is a request for a Conditional Use Permit from Faith Baptist Arlington for a church in a residential zoning district. The site is on the north side of Donelson Farms Parkway, adjacent to Donelson Elementary School. The site is roughly 12 acres in size, undeveloped, and is within the E: Estate Residential zoning district. Other than Donelson Elementary, most of the adjacent properties are undeveloped.
The applicant proposes to construct a just over 30,000 square foot building, with a 5,000 square foot sanctuary to accommodate Faith Baptist. The building will be situated in the center of the lot, approximately 310 feet back from Donelson Farms Pkwy. Access is through a single driveway on the west side of the site. The parking lies behind the church. The applicant’s intent for having the building so far back on the site is to allow additional space on the front of the lot for a future expansion. Ms. Reeder explained that if that were to occur, it would require them to come back in front of the BZA for review and approval, as no future plans were presented at this time.

She showed the floor plan, noting the main sanctuary, a youth worship center, classrooms for K-adult for services, offices and a decent sized lobby. The parking lot includes 103 spaces, including ADA spaces. Pedestrian access is available through a sidewalk that runs from the street, alongside the driveway to the building.

Ms. Reeder then went through the specific requirements for a church per the Code. She noted that the site is larger than the five (5) acres minimum required. She re-stated that the parking spaces are within Zoning Ordinance requirements, which call for between 102 and 128 spaces. The on-site lighting was addressed with a photometric plan, which showed minimal light trespass, if any, onto adjacent properties. She clarified that the DRC would also provide further review of these plans for consistency with Town guidelines.

A dumpster is provided at the rear of the site, which staff felt was not in a location that would be anticipated to create negative impacts to adjacent properties. It is also provided in a 6-foot tall masonry enclosure with landscaping around it. With regard to appropriate buffers, the only existing nearby use is the elementary school. She noted that the plan does include a 20-foot landscaped buffer with evergreen trees along the east (school) property line, and that when combined with existing trees on site to the north and west, and the streetscape proposed, that staff felt this was adequate buffer.

Ms. Reeder noted that a condition requires that the uses proposed not be detrimental to adjacent uses. The uses proposed are standard service on Sunday and Wednesday. They do not plan to provide daycare, but they do provide a mother’s day out a few times a week. The current location does have some impacts from traffic on Airline Road due to this program; however, Ms. Reeder noted that the much larger parking lot, drop off area, and long driveway would be anticipated to alleviate any impacts from that use.

Lastly, Planning Commission review is required. She noted that they did consider the item at their January 17th, 2017 meeting and recommended approval. She then noted the general requirements to be considered prior to approval of any CUP.

Staff recommended approval of the proposed CUP application, based on the conditions of approval that were provided by staff and the Planning Commission.

**Motion:** Russ Campbell made a motion to suspend the Board of Zoning Appeals Meeting and open the Public Hearing. Tim Carter seconded the motion.

**Vote on Motion:** The motion carried unanimously. (13:45)

Chairman Harmon noted that the public hearing was published in the Commercial Appeal on February 3, 2017. He asked anyone wishing to speak for or against the request to stand and be recognized by stating his/her name and address.
Ms. Donita Carmichael of 4770 Brooks Branch Road spoke first. She asked how the church would impact traffic on Airline Road. During school events, traffic is already backing up along Donelson Farms Parkway.

Hearing no further response, Chairman Harmon called for a motion to close the Public Hearing and resume the BZA Meeting.

**Motion:** Van Watkins made a motion to close the Public Hearing and resume the BZA Meeting. Samuel Murrell seconded the motion.

**Vote on Motion:** The motion carried unanimously. (17:00)

**Main Motion:** Tim Carter made a motion to approve a request to approve a Conditional Use Permit. Van Watkins seconded the motion.

To respond to public comments, Ms. Reeder noted that the applicant will be required to widen Donelson Farms Parkway in front of their property. No work is proposed on Airline Road. She also stated that there are plans for Donelson Farms Parkway to ultimately be to 90 foot wide, with 2 travel lanes in either direction, which would come with future development or Town projects. The Town is pursuing funding for this work, but it is still several years away.

Mr. Watkins noted that the school has officers that direct traffic at Airline Road and wondered if the church would do something similar. Ms. Reeder noted that it was not identified as a problem area and did not expect the church to require traffic control.

The project engineer, Lance Lanier from Ledford Engineering on Commander Drive, came forward and explained that the trip generation from this site would not be expected to discharge the congregation during times when the school would typically have events, Wednesday evening and Sundays. Mr. Campbell asked if all parking needs would be handled on site. Mr. Lanier stated it would, as the parking lot was designed based on the size of the building. Mr. Campbell asked if there is additional space for parking on the site, if needed. Mr. Lanier said there was.

Mr. Carter asked if the church expects school visitors to use the church parking. Mr. Lanier stated that the church would likely be open to that, but the parking is currently separated from the school by chain-link fencing owned by the school, which would restrict that option.

Mr. Campbell asked Ms. Reeder to bring up the slide with the four general requirements for CUP approval again. He stated that the proposal seemed to meet those CUP requirement parameters that are set for them to consider.

Chairman Harmon called for further discussion and hearing no reply, he called for a vote on the main motion.

**Vote on Main Motion:** The motion carried unanimously.

**CONDITIONS OF APPROVAL:**
1. It is found that the Site Plan application as presented and with the conditions of approval meets the provisions of the Town of Arlington Zoning Ordinance and any other applicable regulations, and the project shall be constructed in accordance with those regulations.
2. This CUP approval shall become effective thirty (30) days from the date on which it is granted. No building permit shall be issued prior to the effective date of approval and verified.
compliance with any applicable site plan, nor prior to any required subsequent approvals from the Planning Commission, DRC and BMA.

3. The applicant shall begin construction of the conditional use authorized by the BZA within one (1) year of approval, and/or fully establish the conditional use within two (2) years of approval in conformance with all applicable provisions of the Zoning Ordinance and any conditions of approval imposed by the BZA and other boards and commissions. Failure to begin construction or establish the conditional use within the prescribed time period shall result in the voiding of the approval.

4. The applicant may request an extension from the BZA not to exceed one (1) year if the conditional use is not established in the time period prescribed.

5. All approved plans, conditions, restrictions and requirements made part of the approval by the BZA shall run with the land once the conditional use is established as provided in the Arlington Zoning Ordinance.

6. The maximum building square footage permitted with this Conditional Use Permit is 30,500 square feet. Any increase above this will require approval of the Board of Zoning Appeals.

7. The applicant must execute a Development Agreement with the Town for any public improvements.

8. All construction improvements within the development shall be in compliance with the Town of Arlington Zoning Ordinance, Subdivision Regulations and Technical Specifications, as directed and approved by the Town Engineer, unless otherwise noted on the Site Plan.

9. This project must comply with the Tennessee Department of Environment and Conservation NPDES Regulations governing stormwater discharge during construction activity.

10. Prepare and submit to the State of Tennessee (with a copy to Arlington) a notice of intent and a Stormwater Pollution Prevention Plan for the site.

11. Erosion control measures as approved by the Town Engineer shall be implemented in compliance with the applicant’s filed Notice of Intent, and approved Notice of Coverage prior to any earth disturbance activity.

12. All signage design and location is subject to the review and approval of the Design Review Committee.

13. The applicant is required to have a pre-construction meeting with the Town of Arlington staff prior to commencing improvements.

14. Landscaping, lighting, building elevations and signage shall be reviewed and approved by the Design Review Committee in accordance with the Town of Arlington Design Review Manual.

15. Any sidewalk path across a driveway shall be ADA compliant.

16. Revise the Construction Plans to address comments as noted on the marked-up plan sheets provided by the Town Engineer and provide for Town review and approval.

17. Donelson Farms Pkwy widening improvements shall be built in accordance with the most current TDOT Standard Specifications for Road and Bridge Construction, including any changes, modifications, or addenda.

18. The sanitary sewer line extension shall be built to allow for future expansion to the proposed development on the south side of Donelson Farms Pkwy. This project will be responsible for coordinating the details of the proposed sewer extension, subject to the approval of the Town.

19. The project shall meet the Town adopted 2012 International Fire Code, including all referenced appendices.

20. Any future phases of construction or expansion will require separate review and approval by the BZA, Planning Commission and Design Review Committee.

B. Other as Properly Presented

There was no other new business to come before the Commission.
VII. Adjourn

**Motion:** Samuel Murrell made a motion to adjourn. Van Watkins seconded the motion.

The motion carried unanimously.

Meeting adjourned.

Larry Harmon, Chairman
Oscar Brooks

Submitted By: Angela Reeder