

**Minutes of the
Board of Zoning Appeals Meeting
Eagleville City Hall, Eagleville, TN
July 17, 2023 – 6:30 PM**

BOARD MEMBERS

Chairman Nick Duke	P	Commissioner Darren Shanks	A
Councilman Chris Hendrix	P	Commissioner Derrick Lynch	P
Commissioner Justin Bryant	P		

STAFF

Hellyn Riggins, City Manager and City Planner	P
Katy Sanderson, City Clerk	P

GUESTS

Vijay Patel, 99 Market Bhaygesh Patel, 99 Market Craig Campbell
Mike Picklesimer for 99 Market John Gordon
Bill Huddleston, Huddleston Steele Engineering for 99 Market

CALL TO ORDER

The meeting was called to order at 6:43 p.m. by Chairman Nick Duke.

ROLL CALL

Roll was called by City Clerk, Katy Sanderson, with a quorum present.

APPROVAL OF MINUTES

Approval of Minutes from June 5, 2023 Meeting.

Motion to Approve:	Commissioner Derrick Lynch
Seconded by:	Councilman Chris Hendrix
Motion Passed:	4-0

City Manager, Hellyn Riggins explained the process of the Public Hearing in regard to discussion of the proposed projects. A presentation by the applicants, followed by discussion with the Board of Appeals ensued.

It was explained that when the Public Hearing is closed, there would be no further communication from the audience.

A request was presented for a special permit for a fuel station with the site zoned C-2 and a cabinet shop, also zoned C-2.

The first item on the agenda was the fuel station. The applicant was given a packet with notes taken by the City Planner and the City Engineer at the meeting of the Board of Zoning Appeals held June 5, 2023

1. OPEN PUBLIC HEARING

a. Case BZA 2023-005: Continued from June 5, 2023 Meeting

Applicant: Vijay Patel

Address: Main Street, Parcel 144 05715

Zoning: C-2

Request: Applicant Requests a Special Exception to allow a Fuel Station at Main Street – Parcel 144 05715, North East Corner of Highway 41A and Highway 99.

Bill Huddleston, engineer for the project, stated that these are the plans that were reviewed at the previous meeting of June 5, 2023, however edited to address concerns raised at that time. The following changes were added:

- A retention pond to mitigate a 100 year storm event and reduce post development runoff rates to pre-development runoff rates
- Additional parking as required
- A sidewalk along Main Street
- Added background traffic to traffic study. Reviewed five year traffic projection & outlined improvements needed for turn lanes as well as separate lanes to exit this development
- A review of signal warrants based on TDOT requirements, determined a signal would not be installed at intersection of Highway 99 and Highway 41A.

The traffic study recommended that the south bound left turn lane on South Main Street at Highway 99 should be extended north past the proposed westerly access on South Main Street. Currently, the turn lane is not long enough to allow people in to the Main Street access. To create the necessary width, the white edge lines would need to be widened. Highway 99 would also need the turn lane widened to accommodate access into the south entrance of the development. Both access points into the property would need to be three lane accesses – left turn lanes going out, right turn lanes going out and another lane coming in.

City Engineer, Will Owen, stated his concerns in the staff notes regarding both entrances and that they are as far from the intersection of Highways 41A and 99 as possible.

City Manager, Hellyn Riggins, reminded the Commission that the request for the special permit included a gas station, a fast-food restaurant and a quick mart. It was noted that this lot was a remnant lot, created when the highway was constructed and that the lot across the street was subdivided. She stated that until recently, the two lots held the same parcel number. It was stated that due to the shape of the lot, the gas pumps were not parallel to the building. Traffic will flow toward the pumps and the drive thru of the fast-food restaurant. Drivers will navigate from the pumps to exit the property onto Highway 99. Additionally, it was explained that:

- access off Main Street will intersect with drivers exiting the drive thru.
- there are no road markings to indicate a proposed traffic pattern in the parking lot.
- three of the highest traffic uses proposed, culminate in this location.
- the required additional parking was added to the north side of the lot, which would cause pedestrians to cross the path of the drive thru in order to gain access to the building.
 - Staff would predominantly occupy this parking area.

Mr. Huddleston stated that the access on Highway 99 could be moved away from the intersection. A separate left turn lane from the current turn lane to access the site was proposed.

Chairman Nick Duke expressed concern for people turning onto Highway 99 from Highway 41A South and then navigating into the property, especially during high volume traffic times such as before and after school. He stated that, in addition to the traffic along the road, there would be students going to the market for snacks or breakfast before school which would add to the traffic, significantly.

Mr. Huddleston stated that the traffic study did not take into account traffic turning into the school although the volume of traffic, during school hours, on Highway 99 was included. Currently, sidewalks are not proposed along Highway 99 past the property lines. Councilman Chris Hendrix expressed his desire for a sidewalk to extend toward the school to ensure the safety of students accessing the property. It was noted that, as of this date, the City Engineer had not yet expressed his views regarding this updated traffic study.

Discussion ensued noting the following:

- The speed limit of 55 mph on Highway 99 should be considered. There is a memo from the police chief regarding the traffic on Hwy 99.
- Delivery of goods to the businesses would be scheduled for early morning or late in the evening to mitigate the impact on traffic.
- Business hours, currently are planned as 6:30 a.m. to 10:00 p.m.
- The market and gas pumps are not scheduled to be open 24 hours a day.
- The public would not be able to further partake in the discussion regarding this matter after the close of the public hearing.
- It was confirmed that public notices were placed at Eagleville City Hall and in the newspaper according to State Statutes and Eagleville City Ordinance.

b. Case BZA 2023-006:

Applicant: Robert Hoffmann

Address: 184 Clark Street, Parcel 144H A 02104

Zoning: C-2

Request: Applicant Requests a Special Exception to allow a Cabinet Making Shop at 184 Clark Street – Parcel 144H A 02104, (located behind 188/194 Clark Street).

Ms. Riggins reviewed the regulations for C-2 zoning that, by special permit, would allow the business to operate within the definition of light industry and that it would be a suitable use for the area.

Ms. Riggins introduced Robert Hoffman, the applicant requesting a special permit for a cabinet shop. Mr. Hoffman addressed the Board and explained that the following points regarding the business:

- The shop is small and services approximately 12-15 homes per year.
- Materials already finished/painted are used to build the custom cabinets.
- The cabinets are taken in an unmarked box truck to the job sites for installation.
- Currently, there are 3 employees including Mr. Hoffman.
- A forklift is used to unload the delivered materials from a flatbed truck. This requires that a concrete pad be poured for the parking lot. Until the concrete pad is poured, the materials would be unloaded in front of the shop.
- Materials would not be delivered by semi-trucks.

Ms. Riggins stated that, John Gordon, the engineer working on the site plan, did not think the concrete pad coupled with the negligible curbing would impact the flood plain. She also noted that 2 parking spaces must be added to the three parking spaces the site currently has, in order to fulfill requirements and that this would include handicapped parking. Ms. Riggins stated that she advised the applicant, as well as the owner of the building, that there have been complaints of sewage leaking from the site. She requested that they submit documentation to the City - showing that that these complaints have been investigated to ascertain if the septic tank is leaking or if it needs to be pumped. Ms. Riggins noted that she had not received a response on this matter.

It was noted that the owner of the property asked Mr. Hoffman to direct questions to him, however the owner was not present at this meeting.

CLOSE PUBLIC HEARING

Motion to close the public hearing at 7:29 pm: Commissioner Derrick Lynch
Second: Councilman Chris Hendrix
Approved: 4-0

2. NEW BUSINESS – Deliberation of Board

a. Case BZA 2023-005:

Applicant: Vijay Patel

Address: Main Street, Parcel 144 05715

Zoning: C-2

Request: Applicant Requests a Special Exception to allow a Fuel Station at Main Street – Parcel 144 05715, North East Corner of Highway 41A and Highway 99.

Commissioner Derrick Lynch stated that he liked the recommendation of adding the sidewalk further down Highway 99, as well as moving the entrance further east, and the additional striping in the parking lot. He noted that the original location of the entrance on Highway 99 may make it

easier for the semi trucks to enter and exit. It was surmised that this could require a new design of the islands within the parking lot, in order for large trucks to maneuver safely.

Ms. Riggins reminded the Board that their duty was to determine if this property and development plan qualified under the Zoning ordinance for a special exception.

Chairman Duke stated he did not believe it was a good fit at this time due to the volume of traffic, high speed limit and the lack of a stop light. Commissioner Bryant concurred and noted that several accidents had happened in that area; citing the high level of traffic and 55 mph speed limit.

Ms. Riggins reminded the Board that the Tennessee Department of Transportation (TDOT) would not assess the situation until the City has an approved plan. She also stated that if a special permit is denied the Planning Commission will discuss the impact of the site at the next meeting. Chairman Duke felt the special permit should be denied the related applications would be moot.

Motion to deny special exemption: Commissioner Justin Bryant
Second: Commissioner Derrick Lynch
Denied: 4-0

a. Case BZA 2023-006:

Applicant: Robert Hoffmann

Address: 184 Clark Street, Parcel 144H A 02104

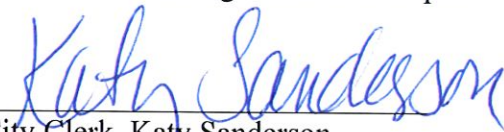
Zoning: C-2

Request: Applicant Requests a Special Exception to allow a Cabinet Making Shop at 184 Clark Street – Parcel 144H A 02104, (located behind 188/194 Clark Street).

Motion to approve contingent on septic analysis and approval:
Commissioner Derrick Lynch
Second: Councilman Chris Hendrix
Approved: 4-0

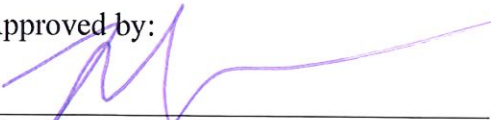
ADJOURNMENT

Motion to adjourn: Chairman Nick Duke
The meeting ended at 7:36 pm.



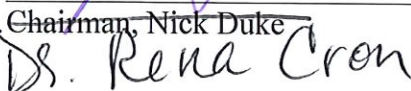
City Clerk, Katy Sanderson

Approved by:



Chairman, Nick Duke

Date minutes were approved: 10/9/23



Dr. Rena Cron