



## MEMORANDUM

**Date:** August 15, 2024

**To:** Luke Winchester, Chairman  
and Planning Commission

**From:** Jon Baughman, City Planner  
Jill Johnson, Planner I

**Re:** In & Out Burger GBG/I-40  
Commercial Design Standards Waiver  
Map - 078  
Parcel(s) – 17.01, 10.06

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**Request:** Jeff Bryant with In-N-Out Burger requests a Commercial Design Standards Waiver for a drive through restaurant. The restaurant is proposed for the Northeast corner of Golden Bear Gateway and Old Beckwith Road in District 3.

**Analysis:** This In-N-Out Burger concept is for a 3,887 square foot restaurant that will accommodate up to 105 guests. This restaurant will also include 1,100 sf of outdoor patio seating and a drive through with dedicated onsite queuing for up to 38 cars. The site is currently zoned CI, Commercial interchange, but proposed to be part of the PUD for Golden Bear Place in District 3.

The restaurant will be 23.5' tall with a façade of primarily stucco (80%), masonry wainscot (11%) and glazing (9%). The applicant has noted that the proposed building is a prototypical, and each store is hand-selected by the owner Lynsi Snyder and follows the consistency of the corporate branding and identity of In-N-Out. The applicant is proposing enhanced landscaping and lighting and is open to considering other higher cost site enhancements that are non-building architecture related.

**Article 6.103.7.2 – Commercial Design Standards:** Code section excerpted below:

*Building design. Building(s) may be required to incorporate similar design elements and shall be compatible with surrounding buildings with regard to massing, color, scale, proportion of openings, roof types, types of glazed openings, and degree of detail. Color and design elements shall also be compatible with buildings in the vicinity which have been approved in accordance with these design provisions. Color schemes considered to be unpleasant, distasteful or objectionable, as determined by the Planning Commission, will be sufficient reasoning for a negative vote. On corner lots, both sides of the building facing the street are considered the front of the building, and shall include design elements such as windows, doors, texture and wall treatment to provide visual interest and prevent development of a long continuous blank wall. Commercial and institutional buildings which are visible from a public street are required to have a minimum of 100 percent brick and/or stone on the facade(s) facing a public street and 100 percent brick and stone on all other facades. Commercial and institutional buildings which are*

*not visible from a public street are required to have a minimum of 50 percent brick and stone on all facades. The Planning Commission may permit any other construction materials allowed under state law. In determining whether to allow such materials, the Commission may consider whether the material is proposed as an accent, as a portion of a corporate motif, as well as whether the design is in line with general aesthetic goals of the City of Mt. Juliet as set forth herein, and any other factors deemed relevant by the applicant.*

**Summary:** The applicant is requesting a Commercial Designs Standards waiver to the 100% brick or stone façade requirement, as found in 6.103.7.2, design standards for commercial structures. This proposal includes a façade of 80% stucco, 11% masonry and glazing. Should the waiver request be granted by the Planning Commission, a site plan submittal will follow and be reviewed for compliance with all applicable regulations. Staff will work with the applicant on additional site enhancements and landscaping.

**Recommendation:** Staff recommends approval of the Commercial Design Standards waiver for In-N-Out Burger on Golden Bear Gateway, subject to the conditions below:

**Planning and Zoning:**

1. Unless a waiver is granted, elevations must comply with the Commercial Design Standards as provided in Article 6.103.7.2 upon submission of the Site Plan.

**Public Works:**

1. No comments.

**Wilson County Schools:**

1. No comments provided.

**West Wilson Utility District:**

1. No comments provided.