

MUNICIPAL REGIONAL PLANNING COMMISSION  
Meeting Minutes – January 22, 2019

Members Present:

|                 |                |               |             |
|-----------------|----------------|---------------|-------------|
| David Taylor    | Mack McCluskey | Chad Williams | Kathy Adams |
| Mike Walls      | Robert King    | Ronnie Kelley | Chuck Daley |
| Camille Burdine | Jesse Gilliam  |               |             |

Staff Present:

|                |                    |               |               |
|----------------|--------------------|---------------|---------------|
| Paul Corder    | Mary Turner        | Kathleen Vail | Seth Harrison |
| Regina Santana | Shahad Abdulrahman | Sarah Haston  | Andy Wright   |
| Dillan Jackson | Brian Whitnel      |               |               |

CALL TO ORDER

Chairman David Taylor called the meeting to order at 5:00 PM. Commission member Ronnie Kelly opened with the invocation and led the Pledge of Allegiance.

ELECTION OF OFFICERS

1. Chairman – A motion was made by Mack McCluskey and seconded by Robert King to nominate David Taylor. No other nominations were made. Motion to make David Taylor the Chairman. Motion carried unanimously.
2. Vice Chairman – A motion was made by Chad Williams and seconded by Jessie Gilliam to nominate Mack McCluskey. No other nominations were made. Motion to make Mack McCluskey the Vice Chairman. Motion carried unanimously.
3. Secretary – A motion was made by Chad Williams and seconded by Chuck Daley to nominate Staff. No other nominations were made. Motion to make Staff the Secretary. Motion carried unanimously.

CHAIRMAN'S COMMENTS

Chairman David Taylor explained the order of proceedings.

CHANGES TO THE AGENDA

1. *Request by Jack Bell for preliminary plat approval for Stratford Station Subdivision, a 221-lot subdivision on about 49.79 acres at 2135 Lebanon Road (Tax Map 57 Parcel 27) zoned CN in Ward 6*

This item was deferred by the applicant.

APPROVAL OF MINUTES

A motion was made by Chad Williams and seconded by Jesse Gilliam to approve the minutes of the Regular Called December 18, 2018 Planning Commission Meeting.

OLD BUSINESS

1. *Request by Staff for an amendment to the Major Thoroughfare Plan for Project #7: Interstate 40 Frontage Road to connect Leeville Road to Sullivan Bend*

Planning Director Paul Corder explained that this amendment would limit access to Route 109 with a connection ensuing from Leeville Road to the proposed Sullivan Bend Road and Callis Road. This amendment would allow for the closing of the Leeville Road connection to Highway 109. Staff recommended approval of the amendment to the Major Thoroughfare Plan Project #7: Interstate 40 Frontage Road.

A motion was made by Chad Williams and seconded by Chuck Daley to recommend approval of the Major Thoroughfare Plan amendment to City Council. Motion carried 10-0.

**NEW BUSINESS**

1. *Request by Jack Bell for preliminary plat approval for Stratford Station Subdivision, a 221-lot subdivision on about 49.79 acres at 2135 Lebanon Road (Tax Map 57 Parcel 27) zoned CN in Ward 6*

This item was deferred by the applicant.

2. *Request by Larry Ferrell for final plat approval for Sanders Addition Subdivision of Lots 1 & 2, a 3-lot subdivision on about 0.47 acres at 405 & 407 Coles Ferry Pike (Tax Map 58M Group A Parcel 13 & 14) zoned R2 in Ward 1*

Planner Mary Turner said that these properties are zoned R2 and because these properties are only 40ft wide, they do not meet the minimum lot width at building line requirement. Staff recommended approval with the variance for minimum lot width requirement at the front building line.

Crockett Surveying's Paul Crockett represented Larry Ferrell and was available to answer any questions. He said that this property contained two 60ft lots with rental houses and they would like to remove the houses and build three single-family homes. He noted that they actually could put five apartment units on that property. He asked for a variance on the lot width requirement.

A motion was made by Mack McCluskey and seconded by Kathy Adams to approve the final plat with the variance for the three lots. Motion carried 8-2.

3. *Request by Horizon Development for final plat approval for Bonnie Oakes Subdivision Phase 5 & 6, a 44-lot subdivision on about 17.86 acres at 841 Carthage Highway (Tax Map 67 Parcel 5.08) zoned RD9 in Ward 2*

Planner Mary Turner said that there were minor issues under General Content on the plat regarding the open space lots. In addition, a connection to Carthage Highway and an extension of the cul-de-sac to the property line would be required to meet code. This final plat would require variances for block length and for the cul-de-sac at Bella Court not extending to the property line and she reminded the Planning Commission that they had granted these variances for the preliminary plat. Staff recommended approval with the conditions that Alley A be extended to the property line and the Open Space lots be numbered correctly, and with variances for block length and the cul-de-sac at Bella Court not extending to the property line.

Crockett Surveying's Paul Crockett was available to answer any questions. He said that they will address any of Staff's outstanding comments.

A motion was made by Chad Williams and seconded by Chuck Daley to approve the final plat with the variances for block length and the cul-de-sac at Bella Court not extending to the property line. Motion carried 10-0.

4. *Request by James White for final plat approval for The Jennings Property, a 3-lot subdivision on about 6 acres at 2793 Leeville Pike (Tax Map 69 Parcel 50.04) zoned RS12 in Ward 4*

Planner Seth Harrison said that Leeville Pike exceeds both the maximum block length and block perimeter requirements so they will need variances. Staff recommended approval with a variance for block length and block perimeter.

Crockett Surveying's Paul Crockett was available to answer any questions. He said that they addressed the comments and are asking for variances on the block length and block perimeter and approval.

Derek Dodson of 106 Chapman Drive said that the actual address of the property is correct on this agenda but was not when it came up to the commission nine months ago and feels that it is a tactic used to hide this from the public. He said that this property was one of the shadiest rezonings by the City and to look for upcoming information at City Council about this issue.

A motion was made by Kathy Adams and seconded by Robert King to approve the final plat with a variance for block length and block perimeter. Motion carried 10-0.

5. *Request by Insight Properties LLC for final plat approval for Vineyard Grove Phase 1A, a 10-lot subdivision on about 3.99 acres at 1500 Hunters Point Pike (Tax Map 58 Parcel 66.01) zoned CN & CG in Ward 1*

Planner Seth Harrison said that this item has been reviewed by Staff and meets the criteria in the code. Staff recommended approval based on compliance with the City of Lebanon Subdivision Regulations and Zoning Code.

Crockett Surveying's Paul Crockett was available to answer any questions.

Derek Dodson of 106 Chapman Drive stated that this property lists Insight Properties LLC., located at 108 East Main Street, as owned by Philip Craighead. He asked why Philip Craighead is hiding rezonings and real estate holdings.

Director of Project Operations for Insight Properties' Adam Green addressed Mr. Dodson and asked him if it ever occurred to him that somebody else could own the office and lease it to another person. He stated that Mr. Craighead had nothing to do with this project.

A motion was made by Chad Williams and seconded by Jessie Gilliam to approve the final plat because it meets all the criteria in the code. Motion carried 10-0.

*6. Request by Lennar Homes of Tennessee for site plan approval for Townhomes at Vineyard Grove, Phase 2, a development of 39 units on about 6.89 acres at 1500 Hunters Point Pike (Tax Map 58 Parcel 66.01) zoned CN & CG in Ward 1*

Planner Mary Turner said that the end units, units 70 & 75, that front Merion Way are currently 21% brick and 79% cementitious siding and will need to meet material requirements. Staff recommended approval with the condition that the materials on the façades that front the public right-of-way meet the code.

Dean Design Group's Charlie Dean was available to answer any questions. He said that the owner does not have any problem with changing the sides of those two units to meet the requirements.

Commissioners Mack McCluskey asked about the sidewalks.

Charlie Dean said that the sidewalks are actually along both sides of Merion Way and additionally, there are internal sidewalks that will continue the loop.

Mary Turner said that the sidewalks were shown as a whole on the site plan.

A motion was made by Chuck Daley and seconded by Chad Williams to approve the site plan provided it meets the code with the end units. Motion carried 10-0.

*7. Request by Lennar Homes of Tennessee for site plan approval for Townhomes at Vineyard Grove, Phase 3, a development of 28 units on about 2.72 acres at 1500 Hunters Point Pike (Tax Map 58 Parcel 66.01) zoned CN & CG in Ward 1*

Planner Mary Turner noted that these townhomes are adjacent to residential zoning. Units 76, 89, 90 & 103 that face the right-of-way need to meet material requirements. Currently, they are 21% brick and 79% cementitious siding. Planning Commission may require the street-side building materials be extended to all sides of the structures. Staff recommended approval with the condition that the materials on the façades that front the public right-of-way meet code.

Dean Design Group's Charlie Dean was available to answer any questions. He asked for approval for the north elevations (facing Torrey Pines Lane), the rear side (adjacent to R2 zoning), and also the south side (facing the Greens subdivision) to keep the siding that they have listed on the elevations and to be in compliance with the materials on the north side.

Derek Dodson of 106 Chapman Drive pointed out to Planning Director Paul Corder that the plat is here and there was still no buffer requirements.

A motion was made by Mack McCluskey and seconded by Kathy Adams to approve the site plan with the variance on the materials. Motion carried 10-0.

8. *Request by Waits Development Group for site plan approval for River Oaks Townhomes, a development of 113 units on about 24 acres at unaddressed River Oaks Boulevard (Tax Map 56 Parcel 12.03) zoned CS with a PUD Overlay in Ward 6*

Planner Mary Turner noted that Walton Drive will be extended in the future to provide a second exit to the north. She said that there are existing sidewalks along River Oaks Boulevard. Planning Commission will have the ability to require sidewalks along Palmer Road or payment in lieu of in the amount of \$19,600.00. Staff recommended approval based on compliance with the City of Lebanon Subdivision Regulations and Zoning Code.

Civil Site Design Group's Ryan Lovelace was available to answer any questions. He said that they would agree to payment in lieu of sidewalk fee if the commission allows. He said this site is approximately six to ten feet below Palmer Road and they would rather leave that road rural and have that money of a needed sidewalk somewhere else. He said that these would be nice townhouses and asked for the commission's approval.

A motion was made by Chad Williams and seconded by Mack McCluskey to require sidewalks on Palmer Road. Motion carried 10-0.

9. *Request by Lebanon Special School District for plan of services approval for about 7.34 acres at 1530 Hartmann Drive (Tax Map 58 Parcel 31) and zoning to RS12 to be added to Ward 1*

Planner Mary Turner read an abbreviated plan of services. The subject property does drain into tributaries of Walker Branch which has been identified as having the presence of endangered species, the Streamside Salamander and any stormwater requirements would be vetted out during the permitting process. The total appraised property value for the parcel in the annexation area is about \$1,334,600.00. This equals to an assessed value of about \$0 for the property, as it is owned

by the Lebanon Special School District. The property tax generation from this property, as is, in the City would be about \$0 per year. The estimated cost to serve this area is \$85,030.00.

Lebanon Special School District's Superintendent Scott Benson was available to answer any questions. He said that he will be the construction manager of the new school project.

A motion was made by Mack McCluskey and seconded by Chad Williams to recommend the plan of services to City Council because this is in the Urban Growth Boundary. Motion carried 10-0.

*10. Request by Lebanon Special School District for annexation and zoning approval of about 7.34 acres at 1530 Hartmann Drive (Tax Map 58 Parcel 31) and zoning to RS12 to be added to Ward 1*

Planner Mary Turner said that the Future Land Use Plan identifies this area as Residential Mixed Use and thus supports the requested zoning to RS12. Staff recommended approval of the zoning based on compliance with the Future Land Use Plan and approval of the annexation because this will bring the city limits closer to compliance with the State regulations.

Lebanon Special School District's Superintendent Scott Benson was available to answer any questions.

A motion was made by Chad Williams and seconded by Jessie Gilliam to recommend approval of the annexation and zoning to City Council based on compliance with the Future Land Use Plan. Motion carried 10-0.

*11. Request by Lebanon Special School District for rezoning approval of about 6.50 acres at 1530 Hartmann Drive (Tax Map 58 Parcel 31) from CG to RS12 in Ward 1*

Planner Mary Turner said that the Future Land Use Plan identifies this area as Residential Mixed Use and thus supports the rezoning request. Staff recommended approval based on compliance with the Future Land Use Plan.

Lebanon Special School District's Superintendent Scott Benson was available to answer any questions.

A motion was made by Kathy Adams and seconded by Chad Williams to recommend approval of the Future Land Use Plan to City Council based on compliance with the Future Land Use Plan. Motion carried 10-0.

*12. Request by HNH Enterprises for rezoning approval on about 0.14 acres at unaddressed Page Avenue (Tax Map 58M Group F Parcel 17) from CG to CN in Ward 2*



Planner Mary Turner said the Future Land Use Plan identifies this area as Commercial and thus supports this rezoning request. Staff is not opposed to this rezoning based on compliance with the Future Land Use Plan.

Derek Dodson of 106 Chapman Drive said that this property is currently for sale and he has no problem with this rezoning. He inquired about HHH Enterprises and who owned it since the state website says that it does not exist and there has been no company by that name.

City Attorney Andy Wright pointed out that there was a typographical error on the agenda, the company name is HNH Enterprises and the owner is Ray Hubner.

A motion was made by Chad Williams and seconded by Robert King to recommend the rezoning to City Council. Motion carried 10-0.

*13. Request by Deanna Dodd for rezoning approval on about 0.15 acres at 110 South Hatton Avenue (Tax Map 68F Group D Parcel 7) from RD9 with a Historic Preservation District Overlay to OP with a Historic Preservation District Overlay in Ward 3*

Planner Mary Turner said that the Future Land Use Plan identifies this area as Residential Mixed Use and thus supports this rezoning request. Staff is not opposed to this rezoning based on compliance with the Future Land Use Plan.

Crockett Survey's Paul Crockett was available to answer any questions. He said that there is a medical use company that has been in operation for 23 years in Lebanon who is interested in purchasing this property. He said that the owners asked for the office professional zoning after talking with Staff. He noted that the property is the smallest lot on South Hatton at 63ft wide and 106ft deep bordered on the north and west by the library. The OP zoning requires parking to be added and he said he does not feel that will work here. He did point out that a normal single family house would have three or four cars to have to park anyway. He noted that there will be no foot traffic to the building. He asked for the commission's approval.

Shawn Hicks of 116 S Tarver Avenue said that they like the residential community and love that fact that the neighborhood has a lot of active renovation including this property. He said that the listing for this house described it as part of a Mayberry-like neighborhood and that is how they see this district. They said the smaller homes turning into small office buildings will encroach on the preservation and feel of the historic district. He said that they would like the property to stay residential and that there are plenty of strip malls so there is a lot of real estate for lease that could be used instead. He was concerned at the medical use aspect. Additionally, there is limited parking in that area.

Commissioner Kathy Adams stated that the medical use is a medical records company interested in the property.

Troy Simpson of 115 S Hatton Avenue stated that he sent letters to the commission regarding the neighborhood and to change this zoning can affect the long term view of what will happen to this historic residential neighborhood. He said that this historic district is in its infancy and this is one of those defining decisions on whether it will stay residential.

Will Hager of 116 S Hatton said that he does not support this rezoning because it is limited in size. He said that this area is residential and that they are concerned about the parking and the signage which would diminish the character of their neighborhood and impact their values.

David Pine of 112 S Hatton Avenue said that they have lived there for 15 years and whereas they appreciate Ms. Dodd and Ms. Mitchell for reaching out and informing them and meeting with the neighborhood, their main concerns were still the parking and the signage. He mentioned the post office no longer delivers to the door so they would have to put up a mailbox. He mentioned parking issues there between the library and Cumberland University.

Paul Crockett said they are not asking to change anything; the driveway already supports the needed parking and there would be no signage.

Owner Dorie Mitchell started off by saying that they are invested in the community and that this house is the first house in on S Hatton Avenue and on this street there are single residences, multi-family, offices, and the library and this zoning was created specifically for this type of area. She pointed out that all the streets within the historic district have a "one house in" office professional zoning and feel that this property would be a good fit. She said they did not make the application until after they talked with the neighborhood and Planning Director Paul Corder who recommended the office professional zoning. She said that they have retained the historic integrity of the building and they would appreciate the commission's approval.

Lori Hicks of 116 S Tarver Street said that if the property becomes rezoned it could be opened up to another permitted use. She pointed out that there are plenty of others places for commercial uses. She asked the commission to please think about the neighborhood.

City Councilor Camille Burdine disclosed that she lives in Greenlawn Historic District and she owns a house that is zoned commercial.

Commissioner Kathy Adams noted that all the houses that are located "first one in" were there before the area became a historic district. She said she is very sympathetic to the people there who have put a lot of time and effort into their homes. She said she is concerned about the parking on the street.

Commissioner Mack McCluskey stated that he opposes the rezoning. The historic designation has only been in place a short time and he is concerned that anything the commission does would detract that.



There was a discussion about signage.

A motion was made by Kathy Adams and seconded by Mack McCluskey to send a negative recommendation of the rezoning to City Council. Motion carried 10-0.

*14. Request by MLM Ventures, GP for a Zoning Code amendment to Title 14, Chapter 7 Industrial District Regulations, Section 14.702 Purposes of Industrial Districts, Subsection C. IH- Heavy Industrial, 1. Uses Permitted and Appendix B: Land Use Activity Classification Table to add Vehicular, Craft & Related Equipment Sales to the allowed uses*

Planner Mary Turner said that this is a request to add Vehicular, Craft & Related Equipment sales to the allowed uses in the heavy industrial zoning district. Staff recommended approval to provide a zoning district for the existing auto auctions to be able to expand.

MLM Ventures' Joe McKnight was available to answer any questions.

A motion was made by Camille Burdine and seconded by Chuck Daley to recommend approval of the Zoning Code amendment to City Council. Motion carried 10-0.

*15. Request by Staff for a Zoning Code amendment to Title 14, Appendix F: Lebanon Tennessee Historic District Guidelines Subsection 5. Design Guidelines for Commercial Buildings to replace in whole Subsection 5. Design Guidelines for Commercial Buildings with Subsection 5. Design Guidelines for Non-Residential Buildings*

Planner Mary Turner explained that these guidelines will replace the current commercial Historic District Overlay guidelines for commercial buildings. Staff recommended approval of the Design Guidelines for Non-Residential Buildings.

A motion was made by Robert King and seconded by Jessie Gilliam to recommend approval of the Zoning Code amendment to City Council. Motion carried 10-0.

*16. Request by Staff for a Zoning Code amendment to Title 14 Chapter 8. Supplementary District Guidelines to replace in whole Chapter 8. Supplementary District Guidelines with Chapter 8. Development Standards*

Planner Mary Turner explained that the changes to Chapter 8 include landscaping standards, façade materials, lighting and parking and will replace the previous whole chapter. Staff recommended approval of the Chapter 8 Development Standards.

A motion was made by Camille Burdine and seconded by Chuck Daley to recommend approval of the Zoning Code amendment to City Council. Motion carried 10-0.

COMMISSIONER COMMENTS

Commissioner Kathy Adams welcomed Councilor Camille Burdine to the Planning Commission.

PLANNING DIRECTOR COMMENTS

Planning Director Paul Corder said that the Planning Commission Workshop for the Comprehensive Plan will be on Tuesday, January 29, 2019 from 6:00 to 8:00 PM. City Council will also be in attendance. This Workshop will count for two hours of training for the commissioners so please be sure to attend. Additionally, the Community Workshop for the Comprehensive Plan will be held at Venue 142 in the Arcade on the Square on Thursday, January 31, 2019 from 5:00 to 7:30 PM. All are welcome to attend.

ADJOURN

The meeting was adjourned at 6:04 PM.

David Taylor  
Chairman, David Taylor

02/26/19  
Date

Kathleen Vail  
Recording Secretary, Kathleen Vail

3/01/19  
Date