

**MINUTES**  
**CITY OF LEBANON REGIONAL PLANNING COMMISSION**  
**REGULAR MEETING – TUESDAY, FEBRUARY 25, 2020**

**Members Present**

Kathy Adams	Jesse Gilliam	Robert King	David Taylor
Camille Burdine	Ronnie Kelley	Mack McCluskey	Chad Williams

**Staff Present**

Paul Corder	Seth Harrison	Regina Santana	Brian Whitnel
Angela Fantom	Dillan Jackson	Matt Schenk	Andy Wright

**CALL TO ORDER**

Chairman David Taylor called the meeting to order at 5:00 p.m.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Commissioner Ronnie Kelley opened with the invocation and led the Pledge of Allegiance.

**CHAIRMAN'S COMMENTS**

Chairman Taylor explained the order of proceedings.

**CHANGES TO THE AGENDA**

Planner Seth Harrison notified attendees of one change to the agenda: as requested by the applicant, Old Business Item 1 [*Request by City of Lebanon Fire Department for site plan approval for WCH New Tower, a non-residential development on about 42.83 acres at 419 Wildcat Way (Tax Map 101 Parcel 29) zoned RS20 in Ward 4*] has been deferred until the March 2020 Planning Commission meeting.

**PUBLIC HEARING**

1. **Public Hearing** on the proposed amendment to the Future Land Use Plan for about 6.09 acres at 203 and 373 Quarry Loop Road (Tax Map 55 Parcels 43 & 46.09) from RMU to IC in Ward 6 (Planning Commission Resolution 20-02)

No one addressed the commission regarding this item. The public hearing was closed.

**APPROVAL OF MINUTES**

A motion was made by Jesse Gilliam and seconded by Chad Williams to approve the minutes of the Regular Called January 28, 2020 Planning Commission Meeting. Motion carried.

**CONSENT**

1. **Request by MRA Development, LLC for preliminary plat approval for MRA Development, LLC, an 8-lot subdivision on about 2.85 acres at 413 Maple Hill Road (Tax Map 57 Parcel 50) zoned RD9 in Ward 5**
2. **Request by Stewart Knowles Construction, Inc. for final plat approval for Creekside Subdivision, a 6-lot subdivision on about 6.32 acres at unaddressed Hart Lane (Tax Map 59 Parcel 17.09) zoned RD9 in Ward 1**
3. **Request by Wilson County for site plan approval for Wilson County Agricultural Learning Center, a non-residential development on about 22.5 acres at unaddressed Bluebird Road (Tax Map 67 Parcel 80) zoned RD9 in Ward 2**

- 4. Request by Meritage Homes of Tennessee, Inc. for site plan approval for Holland Ridge Phase 4-Townhomes, a development of 36 units on about 44.13 acres at unaddressed Leeville Pike (Tax Map 79 Parcel 50) zoned RM6 in Ward 4**

A motion was made by Chad Williams and seconded by Robert King to approve the consent items. Motion carried 8-0.

#### **OLD BUSINESS**

- 1. Request by City of Lebanon Fire Department for site plan approval for WCH New Tower, a non-residential development on about 42.83 acres at 419 Wildcat Way (Tax Map 101 Parcel 29) zoned RS20 in Ward 4**

As requested by the applicant, this item has been deferred until the March 2020 Planning Commission meeting.

- 2. Request by Kimberly Boykin for a Future Land Use Amendment for about 0.75 acres at 411 Hill Street (Tax Map 68C Group A Parcel 10) from MDR to RMU in Ward 3**

Planner Seth Harrison presented the requested Future Land Use Plan amendment from MDR (Medium Density Residential) to RMU (Residential Mixed Use). The property to the North is indicated as Public and the properties to the East, South, and West are indicated as MDR in the Future Land Use Plan. The RMU Future Land Use Category would support the requested CN (Commercial Neighborhood) zoning in Old Business Item #3.

Staff is not opposed to the change of the Future Land Use Plan but would prefer the area leading towards North Greenwood Street be amended as well. This is a recommendation to City Council. The expected City Council readings for this ordinance are as follows:

- 1<sup>st</sup> Reading = March 17, 2020
- Public Hearing = March 17, 2020
- 2<sup>nd</sup> Reading = April 7, 2020

Neal Agee, whose business is located at 406 West Main Street, stated that the requested amendment is to utilize the property in the same manner as properties along North Greenwood Street. He believes the RMU designation is also entirely appropriate for the area leading towards North Greenwood Street since the area joins the train station. Mr. Agee believes the City is trying to promote walkable and vibrant local businesses in the train station area. He does not think the requested amendment is controversial and will address the rezoning request separately under Old Business Item #3.

Commissioner Mack McCluskey advised that he cannot support the items, as they are an example of trying to correct a problem that should have been dealt with through enforcement. He added that it's more of an abuse issue of zoning rather than a consideration of rezoning.

A motion was made by Mack McCluskey and seconded by Camille Burdine to recommend City Council denial of the requested Future Land Use Plan amendment. Motion carried 8-0.

- 3. Request by Kimberly Boykin for rezoning approval for about 0.75 acres at 411 Hill Street (Tax Map 68C Group A Parcel 10) from RD9 to CN in Ward 3**

Planner Seth Harrison presented the requested rezoning from RD9 (Medium Density Residential) to CN (Commercial Neighborhood). The property to the North is zoned IL (Light Industrial) and the properties to the East, South, and West are zoned RD9. The requested Future Land Use Plan would identify this area as RMU (Residential Mixed Use) and would support the rezoning request to CN.

Based on the Planning Commission's previous recommendation that City Council deny the requested Future Land Use Plan amendment to RMU, staff recommends denial of the rezoning request. This is a recommendation to City Council. The expected City Council readings for this ordinance are as follows:

1<sup>st</sup> Reading = March 17, 2020  
Public Hearing = March 17, 2020  
2<sup>nd</sup> Reading = April 7, 2020

Mr. Neal Agee acknowledged the commission's previous recommendation but believes the requested rezoning is right for the subject property. He explained that the request is an attempt to correct a situation/controversy about having three units on the property. Mr. Agee stated that many years ago, the City issued permits and permitted the conditions and construction of the building that turned out to be three units.

A motion was made by Camille Burdine and seconded by Mack McCluskey to recommend City Council denial of the requested rezoning. Motion carried 8-0.

#### **NEW BUSINESS**

**1. Request by Lennar Homes of Tennessee LLC for preliminary plat approval for Vineyard Grove, a 320-lot subdivision on about 128.64 acres at 1500 Hunters Point Pike (Tax Map 58 Parcel 66.01) zoned CN in Ward 1**

Planner Seth Harrison presented the preliminary plat. The code states that the minimum block length is 800 feet. The block lengths on numerous roads are below the 800-foot minimum.

Staff recommends approval with the variances for block length.

A motion was made by Chad Williams and seconded by Jesse Gilliam to approve the preliminary plat with the variances for block length. Motion carried 8-0.

**2. Request by Vogue Tower Partners VII, LLC for site plan approval for Vogue Towers, a non-residential development on about 60.2 acres at 500 Blue Devil Boulevard (Tax Map 69 Parcel 29.02) zoned RR and RP2 in Ward 4**

Planner Seth Harrison presented the site plan. The code requires that the tower is located at least 110% away from the property line based on the tower height. The tower proposed is 160 feet tall and located 130 feet away from the property line.

Staff is not opposed to the variance for the tower height based on the provided documentation stating the tower will remain on the property in the event of a failure.

Pat Tant, owner of applicant Vogue Tower Partners VII, LLC (430 Chestnut Street, Chattanooga, TN), was available to answer any questions. She advised that they do have a fall zone letter for the

proposed 160-foot monopole tower; the letter states that the theoretical fall zone radius will not exceed 50% of the tower height (80 feet).

A motion was made by Chad Williams and seconded by Jesse Gilliam to approve the site plan based on the provided documentation stating the tower will remain on the property in the event of a failure. Motion carried 8-0.

**3. Request by Fence Row Properties, LLC for rezoning approval for about 3.1 acres at 1030 North Castle Heights Avenue (Tax Map 58 Parcel 57) from CG to CN in Ward 1**

Planner Matt Schenk presented the requested rezoning from CG (Commercial General) to CN (Commercial Neighborhood). The property to the North is zoned CS (Commercial Service), the properties to the East and West are zoned CG, and the property to the South is zoned CN. The Future Land Use Plan identifies this area as C (Commercial) and would support the rezoning request to CN.

Staff recommends approval based on compliance with the Future Land Use Plan. This is a recommendation to City Council. The expected City Council readings for this ordinance are as follows:

- 1<sup>st</sup> Reading = March 17, 2020
- Public Hearing = March 17, 2020
- 2<sup>nd</sup> Reading = April 7, 2020

A motion was made by Chad Williams and seconded by Mack McCluskey to recommend City Council approval of the requested rezoning based on compliance with the Future Land Use Plan. Motion carried 8-0.

**4. Request by Krishna Patel for rezoning approval for about 2.54 acres at 1439 Toshiba Drive (Tax Map 58 Parcel 15.19) from RD9 to RM6 in Ward 1**

Planner Matt Schenk presented the requested rezoning from RD9 (Medium Density Residential) to RM6 (High Density Residential). The property to the North is zoned RD9, the properties to the East and South are zoned IP (Planned Business/Industrial Park), and the properties to the West are zoned R2 (High Density Residential) and RD9. The Future Land Use Plan identifies this area as RMU (Residential Mixed Use) and would support the rezoning request to RM6.

Staff recommends approval based on compliance with the Future Land Use Plan. This is a recommendation to City Council. The expected City Council readings for this ordinance are as follows:

- 1<sup>st</sup> Reading = March 17, 2020
- Public Hearing = March 17, 2020
- 2<sup>nd</sup> Reading = April 7, 2020

A motion was made by Kathy Adams and seconded by Camille Burdine to recommend City Council approval of the requested rezoning. Motion carried 8-0.

**5. Request by CRV Holdings for rezoning approval for about 0.48 acres at 319 North College Street (Tax Map 68D Group G Parcel 18) from CG to DMU, about 0.39 acres at 317 North College Street (Tax Map 68D Group G Parcels 16 & 17) from CS to CG and about 0.49 acres at unaddressed Lake Street (Tax Map 68D Group G Parcels 4 & 5) from CS and CG to CN in Ward 2**

Planner Seth Harrison presented the item. This is a request to rezone adjacent parcels including 0.48 acres at 319 North College Street from CG (Commercial General) to DMU (Downtown Mixed Use), 0.39 acres at 317 North College Street from CS (Commercial Service) to CG, and 0.49 acres at unaddressed Lake Street from CS and CG to CN (Commercial Neighborhood). The properties to the North are zoned CN, the properties to the East and South are zoned CN and CS, and the properties to the West are zoned CG and CS. The Future Land Use Plan identifies this area as C (Commercial) and RPC (Residential Public Commercial) and would support the rezoning request to CG, CN, and DMU.

Staff recommends approval based on compliance with the Future Land Use Plan. This is a recommendation to City Council. The expected City Council readings for this ordinance are as follows:

1<sup>st</sup> Reading = March 17, 2020

Public Hearing = March 17, 2020

2<sup>nd</sup> Reading = April 7, 2020

Crockett Surveying's Paul Crockett represented the applicant and was available to answer any questions.

Planning Director Paul Corder advised Krionda Allen, 311 Lake Street, that staff does not have the plans for the subject properties yet and a lot of these zoning districts allow commercial or residential uses. Mr. Crockett added that the planned use for the Lake Street property is residential while the planned use for the North College Street properties is commercial.

A motion was made by Chad Williams and seconded by Camille Burdine to recommend City Council approval of the requested rezonings based on compliance with the Future Land Use Plan. Motion carried 8-0.

**6. Request by Cody Joe Haynes for rezoning approval for about 0.40 acres at 233 West Spring Street (Tax Map 68E Group L Parcel 20) from RD9 to RM6 in Ward 3**

Planner Matt Schenk presented the requested rezoning from RD9 (Medium Density Residential) to RM6 (High Density Residential). The properties to the North, South, East, and West are zoned RD9. The Future Land Use Plan identifies this area as RMU (Residential Mixed Use) and would support the rezoning request to RM6.

Staff recommends approval based on compliance with the Future Land Use Plan. This is a recommendation to City Council. The expected City Council readings for this ordinance are as follows:

1<sup>st</sup> Reading = March 17, 2020

Public Hearing = March 17, 2020

2<sup>nd</sup> Reading = April 7, 2020

Planning Director Paul Corder confirmed to Commissioner Chad Williams that the subject property is surrounded by properties zoned RD9.

A motion was made by Chad Williams and seconded by Mack McCluskey to recommend City Council denial of the requested rezoning, as the rezoning is a classic example of spot zoning. Motion carried 8-0.

**7. Request CA South Development, Inc for rezoning approval for about 33.77 acres at 1770 and 2000 Callis Road (Tax Map 79 Parcels 56 and 56.01) from RS20 and CG to IP in Ward 4**

Planner Seth Harrison presented the requested rezoning from RS20 (Low Density Residential) and CG (Commercial General) to IP (Planned Business/Industrial Park). The properties to the North are zoned RS20 and CG and are in the County, the properties to the East are in the County, the properties to the South are zoned IP and are in the County, and the properties to the West are zoned CG and RS20. The Future Land Use Plan identifies this area as IC (Industrial/Commercial) and would support the rezoning request to IP.

Staff recommends approval based on compliance with the Future Land Use Plan. This is a recommendation to City Council. The expected City Council readings for this ordinance are as follows:

1<sup>st</sup> Reading = March 17, 2020

Public Hearing = March 17, 2020

2<sup>nd</sup> Reading = April 7, 2020

Kevin Eakes with Fulmer Lucas Engineering, LLC (2002 Richard Jones Road, Nashville, TN), represented the applicant and was available to answer any questions.

Planning Director Paul Corder advised Commissioner Mack McCluskey that the Planning Commission has not considered a rezoning request for the subject property in the past. He informed Chairman David Taylor that the property to the north is Wilson Farms (apartments), and to the south is Journeys Distribution Center/Genesco. The City is currently working with the State of Tennessee on extending Genesco Parkway just west of the subject property and all the way up to Callis Road.

After a brief discussion, a motion was made by Mack McCluskey and seconded by Kathy Adams to recommend City Council denial of the requested rezoning because of the adjoining residential property to the north. Motion carried 8-0.

**8. Request by Special Event Services for a Future Land Use Plan Amendment for about 6.09 acres at 203 and 373 Quarry Loop Road (Tax Map 55 Parcels 43 & 46.09) from RMU to IC in Ward 6**

Planner Seth Harrison presented the requested Future Land Use Plan amendment from RMU (Residential Mixed Use) to IC (Industrial Commercial). The properties to the North are shown as CO (Commercial Office) in the Future Land Use Plan, and the properties to the East, South, and West are shown as RMU. The IC Future Land Use Category would support the requested IP (Planned Business/Industrial Park) zoning in New Business Item #9.

Staff is not opposed to this Future Land Use amendment due to the existing nature of the neighboring properties. This is a recommendation to City Council. The expected City Council readings for this ordinance are as follows:

1<sup>st</sup> Reading = March 17, 2020

Public Hearing = March 17, 2020

2<sup>nd</sup> Reading = April 7, 2020

Kyle Jones, 101 Ballentrae Court in Hendersonville, TN, is a Vice President of applicant Special Event Services and was available to answer any questions. He explained that Special Events Services is an entertainment-based company that provides services including live event production for Joyce

Meyer, Joel Osteen, country music acts, and others. Mr. Jones commented that the subject property, which used to be industrial three years ago, will be used to park some of the company's semi-trailers and buses when they are not being used for touring; more than 90% of the use will be parking. He advised that the company has already cleaned up the property a lot and plans on spending a lot more to make it nicer for the community.

A motion was made by Chad Williams and seconded by Jesse Gilliam to recommend City Council approval of the requested Future Land Use Plan amendment. Motion carried 8-0.

**9. Request by Special Event Services for rezoning approval for about 6.09 acres at 203 and 373 Quarry Loop Road (Tax Map 55 Parcels 43 & 46.09) from CG to IP in Ward 6**

Planner Seth Harrison presented the requested rezoning from CG (Commercial General) to IP (Planned Business/Industrial Park). The properties to the North and West are in the County. The property to the East is zoned CG. The properties to the South are zoned IP and County. The requested Future Land Use Plan of IC (Industrial/Commercial) would support this zoning request.

Staff is not opposed to the rezoning request based on the Planning Commission's previous recommendation that City Council approve the requested Future Land Use Plan amendment to IC. This is a recommendation to City Council. The expected City Council readings for this ordinance are as follows:

1<sup>st</sup> Reading = March 17, 2020

Public Hearing = March 17, 2020

2<sup>nd</sup> Reading = April 7, 2020

A motion was made by Chad Williams and seconded by Jesse Gilliam to recommend City Council approval of the requested rezoning. Motion carried 8-0.

**10. Request by Staff for a Zoning Code amendment to Appendix F Section 5.1 Rehabilitation to add requirements for fencing for non-residential buildings**

Planner Seth Harrison presented the requested amendment to prohibit untreated wood, chain link, and vinyl fencing materials; new fences visible from the road would need to be reviewed by the Historic Preservation Commission.

This is a recommendation to City Council. The expected City Council readings for this ordinance are as follows:

1<sup>st</sup> Reading = March 17, 2020

Public Hearing = March 17, 2020

2<sup>nd</sup> Reading = April 7, 2020

A motion was made by Chad Williams and seconded by Mack McCluskey to recommend City Council approval of the requested Zoning Code amendment. Motion carried 8-0.

**11. Request by Ed Bess for a Zoning Code amendment to Chapter 3 Section 14.310 Temporary Use Permits to add firework stands**

Planner Seth Harrison presented the requested amendment to add a section related to distance from buildings and property lines:

Fireworks: A temporary use permit may be issued for outdoor displays and sales conducted either as a part of an existing business or as a free-standing use in any commercial or industrial district provided all fireworks tents shall be a minimum of fifty (50) feet from an adjacent property line or other building. To be measured from the edge of the tent side or overhang of the top, not to include ropes, tie-downs or other appendages used to secure tents.

Staff is not opposed to this addition to the Zoning Code. This is a recommendation to City Council. The expected City Council readings for this ordinance are as follows:

- 1<sup>st</sup> Reading = March 17, 2020
- Public Hearing = March 17, 2020
- 2<sup>nd</sup> Reading = April 7, 2020

Upon City Councilor/Planning Commissioner Camille Burdine's request, Planning Director Paul Corder explained that a request to have the minimum distance changed from fifty to twenty feet was recently presented to City Council. Councilors discussed having fireworks stands added to the Zoning Code which would grant the Board of Zoning Appeals the authority to allow such requests on a case-by-case basis. Had City Council approved the request, the change would have applied throughout the City.

A motion was made by Camille Burdine and seconded by Chad Williams to recommend City Council approval of the requested Zoning Code amendment. Motion carried 8-0.

**PLANNING COMMENTS**

Planning Director Paul Corder notified attendees of a public meeting regarding the South Hartmann Gateway Zoning Overlay to be held Monday, March 9, at 5:00 p.m. This is a follow-up to the study completed a few years ago. A joint City Council and Planning Commission meeting may be scheduled in the near future.

**COMMISSIONER COMMENTS**

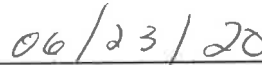
None.

**ADJOURN**

A motion was made by Chad Williams and seconded by Kathy Adams to adjourn. Motion carried. The meeting was adjourned at 5:32 p.m.



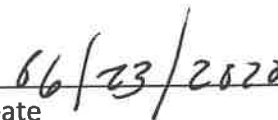
David Taylor, Chairman



Date



Angela Fantom, Recording Secretary



Date