

MUNICIPAL REGIONAL PLANNING COMMISSION  
Meeting Minutes – March 23, 2019

Members Present:

David Taylor	Mack McCluskey	Chad Williams	Kathy Adams
Jesse Gilliam	Chuck Daley		

Staff Present:

Paul Corder	Mary Turner	Kathleen Vail	Seth Harrison
Dillan Jackson	Shahad Abdulrahman	Andy Wright	Brian Whitnel

CALL TO ORDER

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

CHAIRMAN'S COMMENTS

Chairman David Taylor explained the order of proceedings.

PUBLIC HEARING

1. *Public Hearing on the proposed amendment to the Future Land Use Plan of about 1.26 acres at 12 Franklin Road (Tax Map 81C Group D Parcel 4) from MDR to RMU in Ward 3 (Planning Commission Resolution 19-02)*

Seeing as there were no comments, the public hearing was closed.

CHANGES TO THE AGENDA

6. *Request by Randall Fuller for site plan approval for Park Avenue Cottages, a development of 6 units on about 0.97 acres at 554 Park Avenue (Tax Map 67I Group F Parcel 14) zoned CN in Ward 2*

The applicant had requested to defer this project until the April Planning Commission meeting.

8. *Request by Staff for abandonment of the unopened right-of-way for Linwood Drive in Ward 5*

This project was deferred until the April Planning Commission meeting.

APPROVAL OF MINUTES

A motion was made by Chad Williams and seconded by Jesse Gilliam to approve the minutes of the Regular Called February 26, 2019 Planning Commission Meeting.

OLD BUSINESS

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

Planner Mary Turner explained that this project was deferred from the February meeting. She went over the items that still needed variances because they do not meet the standards. The structures are oriented so that the rear of Lots 186-200 face Horn Springs Road, which are double frontage lots. This block does not have sufficient width to provide two tiers of residential lots. The landscape buffer was extended from 25ft to 35ft wide but will still not be sufficient to block the view of the rear facing structures. These are the block lengths that are not compliant:

- The Bellingham Place cul-de-sac is about 560ft in length and would require a variance.
- There are block lengths under 800ft along Paddington Way and Kings Cross Way and would require variances.
- The block length along Gospel Oak Road will exceed 1,200ft and would require a variance.
- The southern road connecting to Horn Springs is being placed on a sinkhole.

There are a large number of variances for this project, including, the rear facing lots on Horn Springs Road not being compliant with the code, which requires a full lot width for the Open Space to be compliant, variances for cul-de-sac length, and one street exceeding block length. Therefore, Staff recommended denial because of the harm that this amount of variances will have to the City Code.

Bell Builders' Jack Bell was available to answer any questions. He said that regarding the variances for block lengths, they are not asking for anything that that has not been approved before. As far as the entryway into the subdivision, he said that there are at least three 11ft lanes going in, with a total 60ft of roadway for turning in, and at least four cars able to turn left with no stop sign so there should not be a problem. He said that those lots, from the road there will be about 80ft to the rear of the house, 51ft of that being to the rear of the property line. He said that they agreed to do a landscaping plan, greenway plan, and a sidewalk or lieu of payment, plus the buffer and he feels that would be a better look. Conversely, he said that if the houses were flipped that there would be 40ft with a sidewalk and no landscaping. He finished by saying that they are trying to have nice single family neighborhood that will be fully bricked and that they could have asked for a higher density but they wanted a nice looking neighborhood. He asked for approval from the commission.

Michael Hershey of 2598 Horn Springs Road said that they are being presented a false choice by Mr. Bell with respect to homes with short driveways facing Horn Springs Road or rears of homes that do not comply with the ordinance because they are not the only two possibilities. He said that the neighbors are concerned with looking at rears of homes. He said that this particular plan calls for maximizing every square inch and he respects that, but the community has ordinances and they should be followed so he asked the commission to vote no. He inquired about the cemetery marker/obelisk that was on the west side of the property. Additionally, because of the Hickory Ridge Road issue, he feels that the commission should have some rules with respect to minimum driveway lengths and the turn-around capability to avoid any issues in the future with higher density on county roads. He reiterated that the commission vote no and requested that the developer come back with something more amendable to the community.

Jack Bell addressed the cemetery and the obelisk, he said that they hired someone to test whether there were actually bodies in that area and surprisingly they found two that were buried in 1864. They legally had the bodies and the monument moved to Mt Juliet after contacting the nearest next of kin and he stated that records could be supplied if they are requested.

A motion was made by Chad Williams and seconded by Mack McCluskey to approve the preliminary plat with variances for rear facing structures, lot width, cul-de-sac length and block length. Motion approved 6-0.

#### NEW BUSINESS

1. *Request by Hartmann Crossing Development Group for preliminary plat approval for Hartmann Crossing Master Plan, a 119-lot subdivision on about 43.23 acres at an unaddressed property on Rutledge Lane (Tax Map 59 Parcel 17.04) zoned RD9 in Ward 1*

Planner Seth Harrison said that Lots 101-111 would back a proposed future Hartmann Drive extension and would be considered double frontage lots in the future. Staff is requesting the area to the rear of these lots be wide enough for another lot to be created. The developer resubmitted and included Open Space D to meet the requirement of 20% for the conservation development, which increased the width to 41ft deep at the west end and 54ft deep at the east end along the proposed Hartmann Drive future extension. These are the block lengths that are not compliant:

- o Block lengths along Wrightford Drive, Wren Way, and Sparrow Lane have block lengths less than 800ft and would require a variance.
- o The block length along Wrightford Drive is about 1,234ft and would require a variance.

Staff recommended approval with all the block length variances and the condition that the conservation requirements meet the code.

A motion was made by Chad Williams and seconded by Chuck Daley to approve the preliminary plat with all the variances. Motion carried 6-0.

2. *Request by Lewis Vaden for final plat approval for Subdivision of the Lewis Vaden Property, a 6-lot subdivision on about 18.97 acres at 918 Rome Pike (Tax Map 59 Parcel 64) zoned R-1 in the Urban Growth Boundary*

Planner Seth Harrison noted that Lot 5 has three areas listed with front and rear setbacks and since Lot 5 is being added to the adjacent parcel, only the north and south boundaries will need to have the 40ft setback. The plat will also need variances for the block length and block perimeter along Rome Pike. Staff recommended approval with the variances for block length and block perimeter and the condition the setbacks for Lot 5 are corrected.

Crockett Surveying's Paul Crockett was available to answer any questions. He said that he would correct the minor setbacks.

A motion was made by Mack McCluskey and seconded by Kathy Adams to approve the final plat with the variances for block length and block perimeter. Motion carried 6-0.

3. *Request by American Wonder Porcelain for site plan approval for American Wonder Porcelain, Proposed Finished Goods Warehouses, a non-residential development of about 89,600 sq. ft. on about 147.94 acres at 5 Wonder Lane (Tax Map 55 Parcel 55) zoned IP in Ward 6*

Planner Mary Turner said that the proposed buildings are all metal and will require a variance. Staff is not opposed to this variance because it will match other buildings on the site. Also noted is that there will be pedestrian striping out to the warehouses. Staff recommended approval with the variance for building materials.

Warren Associates' Jerry Warren was available to answer any questions. He asked the commission for approval of the project.

A motion was made by Chad Williams and seconded by Chuck Daley to approve the site plan with the variance for the elevations. Motion carried 6-0.

4. *Request by Krishna Patel for site plan approval for Bellvue and Belcher Townhome-Phase 1, a development of 30 units on about 0.23 acres at 60, 70, 101, 109, 115, & 145 Bellvue Drive and 235, 241, & 260 Belcher Drive (Tax Map 81J Group A Parcels 2,3,4,5,8,9,10, & 11) zoned CN in Ward 3*

Planner Mary Turner said that the commission would have the ability to require sidewalks or payment in lieu of \$12,175.00 along the public roads on the site. Staff recommended approval based on compliance with the City of Lebanon Zoning Code.

Warren and Associates' Kramer Tuggle was available to answer any questions. He said that their client would want to put in the sidewalks.

A motion was made by Mack McCluskey and seconded by Kathy Adams to approve the site plan with the sidewalks. Motion carried 6-0.

5. *Request by Lebanon Market Place for site plan approval for S.R. Residential, Aviation Way Multifamily, a development of 240 units on about 17.19 acres at 909 South Hartmann Drive (Tax Map 81 Parcel 2.02) zoned CS in Ward 4*

Planner Seth Harrison noted that the dumpster enclosures are required to match the character of the buildings and they are shown as burnished block whereas the proposed buildings are masonry and cementitious siding. The Planning Commission may require the same building materials proposed for the street-side of the building be extended to all sides of the structure on Buildings A, B, C, G, and H because the commercial development is adjacent to a residential zone. Additionally, three gates are proposed for this property, which would require Planning Commission approval through a separate application. Staff recommended approval with the condition that the dumpster enclosure meets the code, and a separate application for the proposed gates be brought in front of Planning Commission before installation.

Tony Jones of 801 Maple Crest Drive, Vice President of the HOA for the 140 homes of West View Acres Subdivision, noted that they are not opposed to the apartments. They said they had already met with Mr. Bone and Lebanon Marketplace. He said he was there for assurance that there would be no roads going from the apartment to their community which is separated by a berm. He explained that it is part

of an agreement that they have with Lebanon Marketplace to keep the view of their neighborhood separate from the view of his commercial property.

S R Residential Partners' Ben Schaedle was available to answer any questions and he said that there was no intent to connect.

A motion was made by Chad Williams and seconded by Kathy Adams to approve the site plan with the condition that the building materials on Buildings A, B, C, G, and H be extended on all four sides and the dumpster has matching materials and meets the code. Motion carried. 6-0.

6. *Request by Randall Fuller for site plan approval for Park Avenue Cottages, a development of 6 units on about 0.97 acres at 554 Park Avenue (Tax Map 671 Group F Parcel 14) zoned CN in Ward 2*

This project was deferred until the April Planning Commission meeting.

7. *Request by Craighead Home Sales for site plan approval for Creekside Village, a development of 21 units on about 4.29 acres at 834 Coles Ferry Pike (Tax Map 58 Parcel 52) zoned RM6 in Ward 1*

Planner Mary Turner noted that Units 1 & 13 are adjacent to the public right-of-way and the code requires that the front entrance to these units face the public right-of-way. Also, the gate shown on the site plan will require a separate application. Staff recommended approval with the conditions that Units 1 & 13 have front façades be facing the public right-of-way, a note be added that mechanical units will be screened according to code, the required street trees meet code, and a separate application for the proposed gate be brought in front of Planning Commission before installation.

Dean Design Group's Charlie Dean was available to answer any questions. He said that they will provide 8 street trees. He said that the orientation of those buildings and shape of the property, lend themselves to one center drive, therefore he requested a variance.

A motion was made by Mack McCluskey and seconded by Jesse Gilliam to approve the site plan with the provision that the gate installation comes before Planning Commission and the variances for the front entrance façade. Motion carried 6-0.

8. *Request by Staff for abandonment of the unopened right-of-way for Linwood Drive in Ward 5*

This project was deferred until the April Planning Commission meeting.

9. *Request by Chip Smith for rezoning approval of about 4.26 acres at an unaddressed property and 1928 Leeville Pike and an unaddressed property on South Hartmann Drive (Tax Map 68 & 69 Parcels 19, 42.04 & 42.05) from CS to CG in Ward 3*

Planner Seth Harrison said that the Future Land Use Plan calls this area out as Suburban Commercial and thus supports this rezoning request. Staff recommended approval based on compliance with the Future Land Use Plan.

Chip Smith was available for any questions.

A motion was made by Chad Williams and seconded by Mack McCluskey to recommend approval of amendment to the Future Land Use Plan to City Council. Motion carried 6-0.

*10. Request by Brookside Properties Inc. for rezoning approval of about 100.17 acres at 2770 Tuckers Gap Road (Tax Map 80 Parcel 23.03) from RS20 to CS in Ward 4*

Planner Seth Harrison said that the Future Land Use Plan calls this area out as Commercial Office and thus supports this rezoning request. Staff recommended approval based on compliance with the Future Land Use Plan.

Derek Dobson of 106 Chapman Drive spoke in reference to Route 840 coming through that area to Leeville Pike. He said that Items #10, #11 & #12, with a combined total of 130 acres, are requesting zoning which allows five-story apartments. He said that the total is more like 300 acres because of the other properties nearby that will potentially "piggy-back off of" this zoning. He referred to Item #16, which is 228 apartments on 13 acres means that somebody could get over 5000 apartments next to I-40 based on that acreage. He said that if the apartments were ten stories then maybe there could be 10,000 apartments. He noted that the commission should not approve this until they can control what goes in there with a Specific Plan Overlay. He exclaimed that parts of the Future Land Use Plan regarding properties nearby are documented fraud. He also pointed out that the City does not have adequate buffer requirements siting what is going on with Villages of Hunters Point on Highway 231N which he said is a disaster with them building right up next to a highway that has not been widened yet.

David Gibbs of 3860 Leeville Pike said that the 8" water line that Staff referred to is only dedicated to Rowland Farms. He said there is a 12" water line but it is not adequate pressure for this property because it will not even supply his house. He is concerned that access to the area would be on Tuckers Gap Road which is a small road for traffic. He asked that it not be approved.

Michael Hershey of 2598 Horn Spring Road said that he was available at the preliminary meeting to hear what the developer was proposing, which was pretty remarkable for office space. He said that Mr. Dodson brought up a good point because the City has been burned before where a broad zoning is approved but then things changed. He said that he thinks the plan is terrific for the community but recommended that the commission control what goes there through an SP or whatever.

John Davenport of 2035 Tuckers Gap Road said that he is neither for nor against the rezoning because he does not know what they are doing. He feels that none of this has anything to do with the "gateway" to the City of Lebanon. He requests a deferral to let the developer give a presentation to the community to show what will happen there.

Mike Owens of 2065 Tuckers Gap Road said that he bought this house as a retirement house to look upon wildlife and does not want to look out and see a five-story building. He asks that the commission not approve it.

Ragan Smith's Caleb Thorne was available to answer any questions. He said that they feel they are following the vision that the City has with the creation of the Hartmann Gateway Corridor and the existing infrastructure. He said that this request allows the base zoning and is in compliance with the Future Land Use Plan.

Sheila Gibbs of 3860 Leeville Pike told a story about a previous planning commission and a piece of property that wanted to rezone but would not give any additional information as to what they were going to put there. She pointed out how property was not rezoned and has horses running on it today. She said that she would appreciate the same curtesy as the previous commission and wait to vote until they know what will be going there.

A motion was made by Mack McCluskey and seconded by Kathy Adams to recommend approval of the rezoning to City Council because it is compliance with the Future Land Use Plan. Motion carried 6-0.

Planning Director Paul Corder announced that copies of the presentation are available upon request.

*11. Request by Brookside Properties Inc. for rezoning approval of about 29.61 acres at an unaddressed property on Tuckers Gap Road (Tax Map 80 Parcel 20.02) from RS20 to CS in Ward 4*

Planner Seth Harrison said that the Future Land Use Plan calls this area out as Commercial Office and thus supports this rezoning request. Staff recommended approval based on compliance with the Future Land Use Plan.

Ragan Smith's Caleb Thorne was available to answer any questions.

Derek Dobson of 106 Chapman Drive said that part of this property is adjacent to a residential lot.

A motion was made by Chad Williams and seconded by Chuck Daley to recommend approval of the rezoning to City Council based on compliance with the Future Land Use Plan. Motion carried 6-0.

*12. Request by Jonathan Dugdale for rezoning approval of about 20.49 acres at 107 Hartmann Commerce Drive, an unaddressed property at Old Murfreesboro Road, an unaddressed property on Southgate Way, & an unaddressed property on South Hartmann Drive (Tax Map 81 Parcels 86.05, 86.13, 86.18 & 87.06) from CG to CN in Ward 3*

Planner Mary Turner said that the Future Land Use Plan calls this area out as Suburban Office/Residential and thus supports this rezoning request. Staff recommended approval based on compliance with the Future Land Use Plan.

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

A motion was made by Chad Williams and seconded by Chuck Daley to recommend approval of the rezoning to City Council based on compliance with the Future Land Use Plan. Motion carried 6-0.

*13. Request by Wilson County Community Help Center for rezoning approval of about 1.92 acres at 203 West High Street (Tax Map 68D Group C Parcel 15) from R2 to CG in Ward 2*

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

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

Planning Director Paul Corder stated that since he volunteers with the Help Center, he was not involved with this request.

A motion was made by Mack McCluskey and seconded by Kathy Adams to recommend approval of the rezoning to City Council based on compliance with the Future Land Use Plan. Motion carried 6-0.

*14. Request by Charles Martin for Future Land Use Plan amendment on about 1.26 acres at 12 Franklin Road (Tax Map 81C Group D Parcel 4) from MDR to RMU in Ward 3*

Planner Mary Turner said that this is a request to change the Future Land Use Plan to match the zoning request for New Business Item #15.

K&A Surveying's Brian Keith was available to answer any questions. He asked that the commission recommend approval to City Council.

A motion was made by Chad Williams and seconded by Chuck Daley to recommend approval of the amendment of the Future Land Use Plan to City Council. Motion carried 6-0.

*15. Request by Charles Martin for rezoning approval of about 1.26 acres at 12 Franklin Road (Tax Map 81C Group D Parcel 4) from RD9 to CN in Ward 3*

Planner Mary Turner said that the Future Land Use Plan calls this area out as Medium Density Residential. The Residential Mixed Use category would support this rezoning request. Staff recommends approval based on the recommendation of New Business Item #14.

A motion was made by Chad Williams and seconded by Mack McCluskey to recommend approval of the rezoning to City Council based on compliance with the Future Land Use Plan. Motion carried 6-0.

*16. Request by Gwaltney Communities, LLC for extension of site plan approval of Stonehenge Apartments, an apartment development of about 228 units on about 13.21 acres at 2645 Highway 109 North (Tax Map 56 Parcels 60.02 and 60.03) zoned CS in Ward 6*

Planner Mary Turner said that this project was approved by the Planning Commission at their March 2016 meeting. Staff included the approved minutes from that meeting. The developers are requesting an extension of their site plan approval. Staff recommended approval of the request for the extension of site plan.

A motion was made by Mack McCluskey and seconded by Chad Williams to grant the extension of the site plan. Motion carried 6-0.

*17. Request by Staff for Zoning Code Amendment to amend Title 14 Appendix D: Off-Street Parking Requirements, Commercial Facilities, Entertainment & Amusement Services to decrease the required parking spaces for Bowling Alleys*

Planner Mary Turner said that the amendment is intended to reduce the required parking from 10 spaces per lane to 2.5 for Bowling Alley use.



A motion was made by Jesse Gilliam and seconded by Chad Williams to recommend approval of the amendment to the Zoning Code to City Council. Motion carried. 6-0.

*18. Request by Camille Burdine for a Resolution to defer all rezoning requests within the Downtown Focus Area of the Comprehensive Plan from RD9- Medium Density Residential to any commercial zoning district designation.*

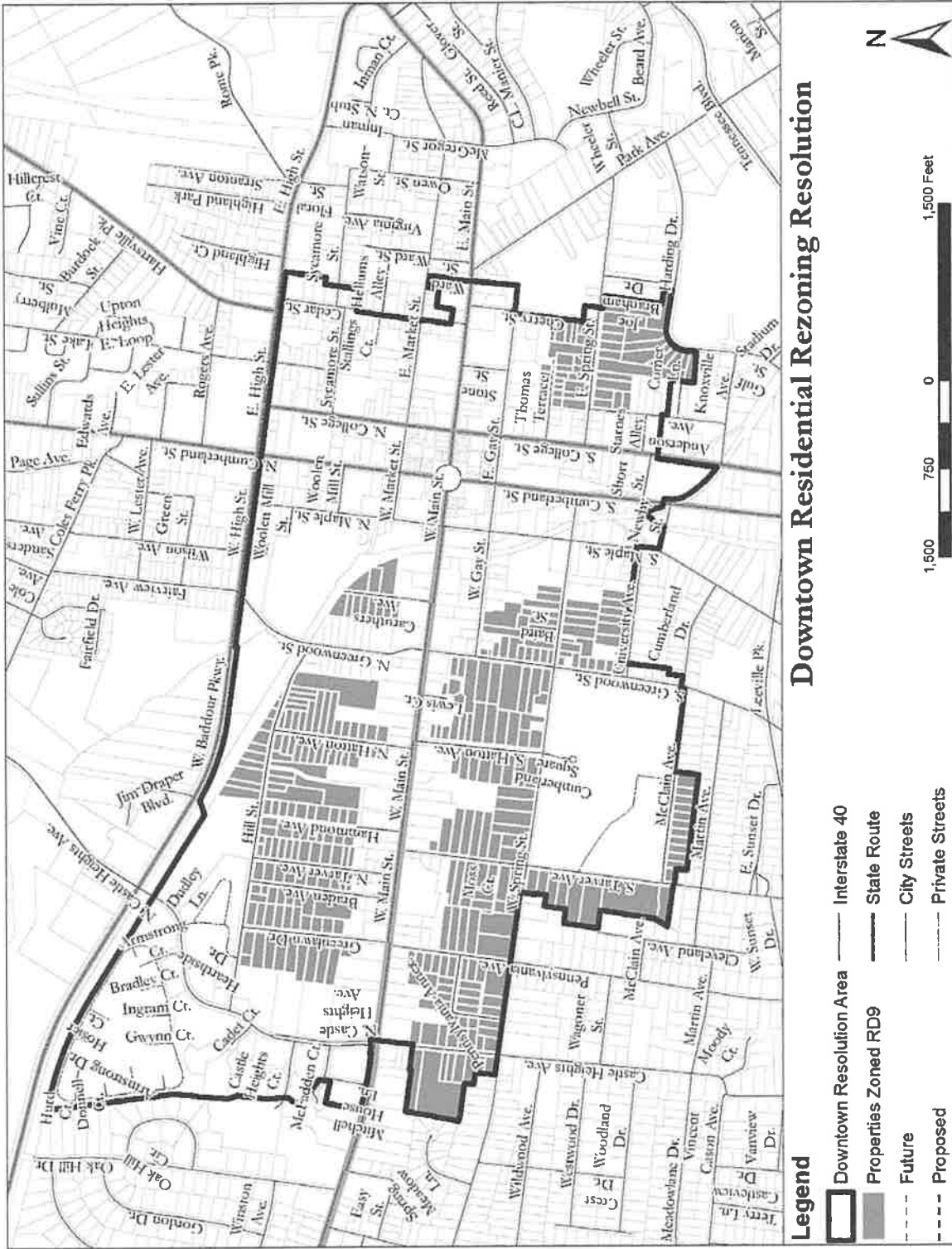
Planner Mary Turner explained that at the end of the February 19th Planning Commission meeting, there were discussions about rezonings in the downtown area. Since then, a neighborhood meeting was held and there was a conversation at the Residential Design Subcommittee meeting regarding the issue. Based on all of these meetings, it is the understanding of the City Staff that the main concerns are:

- Preserving the character of the downtown area and the historic districts.
- Concerns about conversion of residential properties to commercial.
- Caution about making decisions that will contradict the Comprehensive Plan.

Camille Burdine is proposing a resolution to alert developers and property owners that they can expect rezonings in the downtown area to be deferred if they are currently zoned RD9 and are requesting to be rezoned to any commercial zonings. The rezoning deferral will be in effect until the first Planning Commission meeting of 2020 or when the Future Land Use section of the Comprehensive Plan has been approved.

Lorrie Gay Hicks of 116 S Tarver Avenue thanked the commission for their consideration of the resolution. The majority of the commission stood behind the residents of the historic district to keep the residential area and keep the property zoned RD9. She said that whereas the historic overlay only deals with the façades, it is a way to distinguish the small number of homes that remain in the City dating to the late 1900s. She said that it is vital that these properties are protected from commercial districts. She said that this is a terrific first step.

A motion was made by Chuck Daley and seconded by Kathy Adams to recommend approval of the resolution to City Council. Motion carried 6-0.



**Downtown Residential Rezoning Resolution**

**Legend**

- Downtown Resolution Area
- Properties Zoned RD9
- Future
- Proposed
- Interstate 40
- State Route
- City Streets
- Private Streets

19. Request by Mayor Ash for an Ordinance to amend Title 14 to add the use abortion clinics to CN and IP zoning districts near hospitals.

Planner Mary Turner said that this is an amendment to the Zoning Code to allow abortion clinics as a conditional use in the IP and CN zoning districts close to hospitals and emergency rooms, which will contribute to their safety.


A motion was made by Chuck Daley and seconded by Chad Williams to recommend approval of the ordinance to amend the Zoning Code to City Council. Motion carried 6-0.

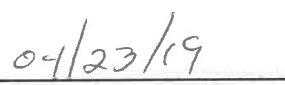
COMMISSIONER COMMENTS – none.

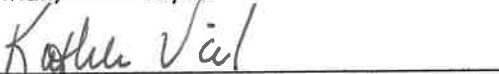
PLANNING DIRECTOR COMMENTS – none.

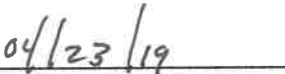
ADJOURN

The meeting was adjourned at 6:05 PM.

  
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Chairman, David Taylor

  
\_\_\_\_\_  
Date

  
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Recording Secretary, Kathleen Vail

  
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Date