

MUNICIPAL REGIONAL PLANNING COMMISSION
Meeting Minutes – April 23, 2019

Members Present:

David Taylor	Mack McCluskey	Chad Williams	Kathy Adams
Jesse Gilliam	Mike Walls	Ronnie Kelley	Camille Burdine

Staff Present:

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

CALL TO ORDER

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

CHAIRMAN'S COMMENTS

Chairman David Taylor explained the order of proceedings.

CHANGES TO THE AGENDA

- 3. Request by Tracey Markman for the abandonment of the unopened right-of-way for Linwood Drive in Ward 5*

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

- 9. Request by MIDTNDEV for plan of services approval of the Orchards of Lebanon for about 150 acres at an unaddressed property on Maple Hill Road (Tax Map 46 Parcel 21.01) and zoning to RS9 to be added to Ward 6*
- 10. Request by MIDTNDEV for annexation and zoning approval of the Orchards of Lebanon, about 150 acres at an unaddressed property on Maple Hill Road (Tax Map 46 Parcel 21.01) and zoning to RS9 to be added to Ward 6*

There was a typographical error on the Staff Report listing the incorrect Ward number.

PUBLIC HEARING

- 1. Public Hearing on the proposed amendment to the Future Land Use Plan of about 6.48 acres at 1060 Cainsville Road (Tax Map 82 Parcel 1.03) from C to I in Ward 3 (Planning Commission Resolution 19-03)*

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

APPROVAL OF MINUTES

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

CONSENT

1. *Request by Walker Estates, LLC for preliminary plat approval for Walker Estates Section 2, Phase 2 & 3, a 26-lot subdivision on about 7.87 acres at an unaddressed property on Raden Drive (Tax Map 59 Parcel 29) zoned RS9 in Ward 1*
2. *Request by Stream's Edge Properties LLC for preliminary plat approval for Dayton Freight Terminal, a 3-lot subdivision on about 36.92 acres at 1191 South Hartmann Drive (Tax Map 81 Parcel 111.01) zoned CG and IP in Ward 3*
3. *Request by Stream's Edge Properties LLC for final plat approval for Dayton Freight Terminal, a 3-lot subdivision on about 36.92 acres at 1191 South Hartmann Drive (Tax Map 81 Parcel 111.01) zoned CG and IP in Ward 3*

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

OLD BUSINESS

1. *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*

Planner Mary Turner noted that this item was submitted under the previous Chapter 8 Design Standards. The masonry standard was not met for the south elevation of Building Type 1, which would be 75% of the first half of the side of the building. The applicant would need a variance from this standard. Staff recommended approval with the condition that the building materials on the south elevation of Building Type 1 meet code.

Dean Design Group's Charlie Dean was available to answer any questions. He asked the commission for a variance for the building materials.

A motion was made by Chad Williams and seconded by Kathy Adams to approve the site plan with the materials meeting the code. Motion carried 8-0.

2. *Request by Stevens Group for site plan approval for Lot 22A, Eastgate Business Park, a non-residential development of about 10,251 sq. ft. on about 9.06 acres at 6100 and 6120 East Division Street (Tax Map 79 Parcel 69.15) zoned IP and IH in Ward 4*

Planner Mary Turner said that this item was previously deferred because there were two site plans on the property. The Smyrna Ready Mix project on the site has not yet received its permanent Certificate of Occupancy. They have since divided the property and now the site plan approval will be subject to the recording of the plat. Staff recommended approval of the site plan subject to the Lot 22 Eastgate Business Park plat being recorded.

A motion was made by Mack McCluskey and seconded by Jesse Gilliam to approve the site plan subject to the plat being recorded. Motion carried 8-0.

3. *Request by Tracey Markman for the abandonment of the unopened right-of-way for Linwood Drive in Ward 5*

The item was deferred.

NEW BUSINESS

1. *Request by Willard Gailbreath for final plat approval for Willard Gailbreath Property, a 2-lot subdivision on about 8.57 acres at 3668 Coles Ferry Pike (Tax Map 45 Parcel 11.03) zoned R-1 in the Urban Growth Boundary*

Planner Seth Harrison said that the TDEC buffer easement needs to be increased to 60ft. The block lengths that are not compliant are:

- Block length along Coles Ferry Pike will exceed 1,200ft. and would require a variance.
- The block perimeter will exceed 5,700ft. and would require variance.

Staff recommended approval with the variances for block length and block perimeter.

K&A Surveying's Brian Keith was available to answer any questions. He said that he addressed Staff's comments that had been mentioned and asked the commission for approval.

A motion was made by Chad Williams and seconded by Mack McCluskey to approve the final plat with the variances for block length and block perimeter. Motion carried 8-0.

2. *Request by Middle Tennessee Electric Membership Corporation for site plan approval for MTEMC Branch Office Renovations, a non-residential development of about 1,860 sq. ft. on about 10.77 acres at 201 Maddox Simpson Parkway (Tax Map 81 Parcel 85.01) zoned IP in Ward 3*

Planner Mary Turner said that this project is a temporary modular building that will be located on the MTEMC site at 201 Maddox Simpson Parkway while they renovate the interior of the existing building. All changes to the exterior site will be restored to the current state following the completion of the renovation. There will be a temporary modular building with the finish being gray painted EIFS to be placed on the site facing internally, with a few changes made to the drive and parking lot during the renovation, for a period of about six months. Staff recommended approval with the variances for orientation and material because of the temporary nature of the project.

Architect Jeffery Fackler was available to answer any questions.

A motion was made by Mack McCluskey and seconded by Chad Williams to approve the site plan with variances for the orientation and materials. Motion carried 8-0.

3. *Request by Frank Bryant for site plan approval for Expo Business Park, a non-residential development of about 20,000 sq. ft. on about 3.08 acres at an unaddressed property on East Baddour Parkway (Tax Map 67I Group D Parcel 2.01) zoned CS in Ward 2*

Planner Mary Turner said that the foundation planting for this district must include two (2) medium evergreen shrubs for every 30ft of building façade, eight (8) small evergreen shrubs of at least 2 species for every 30ft of building façade, and one (1) Class I shade tree, two (2) Class II shade trees or three (3) ornamental trees for every 60ft of building façade. The applicant has indicated that an access easement will be recorded for the site to the south. Staff asked for an easement to be provided along the drive at the rear of the property. Also, the Planning Commission will have the ability to require sidewalks with a 6ft planting strip between the back of curb and sidewalk or payment in lieu of amount of \$5,700.00. Additionally, regarding pedestrian circulation, the pedestrian-oriented entrance for Building 4 is oriented toward Baddour Parkway, however, there is no pedestrian infrastructure provided to that entrance and they will need to provide a sidewalk to the main entrance. Staff recommended approval with the conditions that the foundation plantings meet code, adequate sidewalk be provided to serve the front entrance of Building 4, and a 6ft planting strip be provided between the back of the curb and the sidewalk be provided to meet code.

Dean Design's Charlie Dean was available to answer any questions. He said that he will accept the landscaping condition. He said that the sidewalks will be added to the entrance to west side of Building 4. He explained that this property backs up to the fairgrounds and he will record an access easement to the south but he does not want to make a fourth entrance into the fairgrounds by having an easement to the east because of security, traffic, and maintenance issues. He requested a variance for the access easement to the east.

A motion was made by Mack McCluskey and seconded by Chad Williams to approve the site plan with a variance for the secondary entrance to the east to the fairgrounds and to require sidewalks and landscaping. Motion carried 8-0.

4. *Request by B&B Enterprises for site plan approval for Carver Station, a development of 105 units on about 11.81 acres at 208 Carver Lane (Tax Map 57 Parcel 62) zoned RP2 in Ward 5*

Planner Mary Turner said that the applicant is requesting a variance for the orientation for Buildings 1, 15, and 17. Additionally, Buildings 1, 15, 17, and 18 also have "primary façades" along Carver Lane and these building will need to meet the code. The applicant has indicated that these façades will be given 'front façade' treatments to meet code which needs to be wood, fiber cement or composite siding. The porches on some of the units do not meet the minimum 6ft depth requirement. Additionally, a cross-access easement will need to be coordinated with the Webb Property at the northeast corner of the development to provide the needed connection. The

applicant provided two options for the cross-access easement although the applicant preferred Option A because Option B goes through a sinkhole. Planning Commission would have the ability to require sidewalks or payment in lieu of amount of \$11,000.00 along Carver Lane. Staff recommended approval with the conditions that the porches meet code, a cross access easement be coordinated with the Webb property to the northeast, a cross access easement be provided to the west to the property line and Buildings 1, 15, 17, and 18 meet code for orientation and materials.

Civil Site Design Group's Joe Haddix was available to answer any questions. They respectfully asked for a variance request for the orientation of Buildings 1, 15, and 17 along Carver Lane. He said that the buildings are setback between 50ft and 75ft and they have increased the landscaping there. He said that they will meet the primary façade requirements for those three buildings and Building 18, as well as anything visible from Carver Lane. They are in agreement with the access to the Webb property and are already coordinating with the engineer.

Developer Hal Bone asked where the access to the west would be located?

Planning Director Paul Corder said it would be on the northern side of the property there is a stub and that they want it to be clear that if a road or access ever comes to there, that there would be an easement. He also wanted them to take the easement to the property line.

Commissioner Chad Williams asked for clarification regarding the setbacks for Buildings 1, 15, 17 and 18. He also inquired about the landscaping the developer is proposing for that area.

Joe Haddix responded that Building 17 is right on the 50ft line with the remaining buildings getting progressively farther back. He said that they will do the standard required planting along the frontage and at the base of each building and enhanced foundation plantings.

A motion was made by Chad Williams and seconded by Mack McCluskey for approval of the site plan provided that the porches meet code, cross access easement is coordinated with the Webb property which is Option A favorable to them, the stub out to the west, sidewalks, and a variance for the building materials and the orientation at the street. Motion carried 8-0.

5. *Request by Lebanon Platinum, LLC for site plan approval for Tru Hotel, a non-residential of about 87,375 sq. ft. on about 3.71 acres at 1045, 1055, and 1075 Franklin Road (Tax Map 81 Parcel 15) zoned CG in Ward 4*

Planner Mary Turner said that the developer provided an updated site plan with the second drive onto Franklin Road removed and the connection to Outback Steakhouse included. To meet the cross connection requirements, the project needs to provide connection through the roundabout on the adjacent site. The applicant indicated it is not possible because of the difference in grade. Engineering has visited the site and stated the connection may be feasible. Updated elevations were providing for the retail portion in the front. Also, the landscaping, foundation plantings, foundation trees, street trees, and planting strip are required. Planning Commission would have the ability to require sidewalks along Franklin Road or payment in lieu of amount of \$11,475.00. Staff

recommended approval with the conditions that the landscaping meets code, sidewalks be provided connecting to the sidewalk on Franklin Road if it is required, and the cross access easement be provided to the roundabout to the east.

Lebanon Platinum's Matt Raleigh was available to answer any questions. He said that landscaping requirement and the access to the Outback Steakhouse parking lot are okay, however he is concerned about the grade and the loss of parking spaces regarding the access to the roundabout.

A motion was made by Mack McCluskey and seconded by Chad Williams to approve the site plan with compliance for the landscaping, with an agreeable plan for the access connection to the roundabout, and with the sidewalks. Motion carried 8-0.

6. Request by Raymond Harris for Future Land Use Plan amendment of about 6.48 acres at 1060 Cainsville Road (Tax Map 82 Parcel 1.03) from C to I 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 #7. Because of the nature of the area, Staff noted that the Industrial/ Commercial Future Land Use Plan designation would be a better fit and the applicant has no opposition.

Warren and Associates' Jerry Warren was available to answer any questions.

A motion was made by Chad Williams and seconded by Kathy Adams to recommend approval of the amendment to the Future Land Use Plan to Industrial/ Commercial. Motion carried 8-0.

7. Request by Raymond Harris for rezoning approval of about 6.48 acres at 1060 Cainsville Road (Tax Map 82 Parcel 1.03) from CG to IL in Ward 3

Planner Mary Turner said that the Future Land Use Plan calls this area out as Commercial. New Business Item #6 was a request to amend the Future Land Use Plan to Industrial. Light Industrial would fit the request Industrial Future Land Use Category. Light Industrial would also fit the Industrial/Commercial Future Land Use Category that Planning Commission recommended approval of in the previous item.

Warren and Associates' Jerry Warren was available to answer any questions. He said that they agreed with the comments and would request approval of this recommendation to City Council.

A motion was made by Chad Williams and seconded by Mike Walls to recommend approval of the rezoning from CG to IL to City Council. Motion carried 8-0.

8. Request by Craighead Home Sales for rezoning approval of about 12.79 acres at 865 & 879 Coles Ferry Pike (Tax Map 58 Parcel 49 and 50) from RS20 to RM6 in Ward 1

Planner Mary Turner said that the Future Land Use Plan calls the area out as Residential Mixed Use and thus supports this rezoning request.

Crockett Surveying's Paul Crockett was available to answer any questions. He said that the request is in line with the Future Land Use Plan and asked the commission for approval.

Derek Dobson of 106 Chapman Drive said that this is putting a potential high density residential in an area where there are four schools. He said that no one could make a successful case that high density housing should be developed in this area with four school zones. He said that the fact that it is in the Future Land Use Plan as RM6 was the warped thinking of those responsible for that and one of those is former Mayor Philip Craighead who has a well-documented record of self-dealing.

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

9. *Request by MIDTNDDEV for plan of services approval of the Orchards of Lebanon for about 150 acres at an unaddressed property on Maple Hill Road (Tax Map 46 Parcel 21.01) and zoning to RS9 to be added to Ward 6*

Planner Mary Turner said that this request previously went through the Planning Commission and was scheduled to go before City Council but the applicant asked to bring the request back before the Planning Commission. Staff read a brief description of the Plan of Services. The total appraised property value for the parcel in the annexation area is about \$213,800.00 This equals to an assessed value of about \$53,450.00 for a residential property. The property tax generation from this property as a residential property in the City would be about \$324.71 per year. The estimated cost to serve the area is \$215,246.00.

A motion was made by Mack McCluskey and seconded by Chad Williams to recommend approval of the annexation to City Council because it is in the Urban Growth Boundary. Motion carried 7-1.

10. *Request by MIDTNDDEV for annexation and zoning approval of the Orchards of Lebanon, about 150 acres at an unaddressed property on Maple Hill Road (Tax Map 46 Parcel 21.01) and zoning to RS9 to be added to Ward 6*

Planner Mary Turner said that the Future Land Use Plan identifies the area as Medium Density Residential and thus supports the requested zoning to RS9.

A motion was made by Mack McCluskey and seconded by Kathy Adams to recommend approval of the amendment to the annexation and zoning to City Council because it is in the Urban Growth Boundary and the requested zoning matches the Future Land Use Plan. Motion carried 7-1.

11. *Request by Staff for Zoning Code amendment to Title 14 Chapter 8 Development Standards Section 14.808 Building Design to add the CD- Commercial Downtown zoning district to Subsection G. Standards Specific to Urban Mixed-use/ Commercial District DMU*

Planner Mary Turner explained that this amendment is to add the Commercial Downtown zoning district to the Building Design Standards section of the new Chapter 8 Development Standards.

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 8-0.

12. Request by McClain Christian Academy for a Zoning Code Amendment to amend Title 14, Chapter 8, Section 14.803 Supplemental Bulk Regulations Subsection H. Portable Building Regulations to allow temporary classroom buildings

Planner Mary Turner said that this is a request by McClain Christian Academy to amend the Zoning Code in order to place a portable classroom on their campus at 3521 Lebanon Road. Portable classrooms may be permitted in any district for temporary classroom space incidental to a primary school building. The permit shall not be valid for more than one year but may be renewed for one additional year.

McClain Christian Academy's Julie Elmore was available to answer any questions. She said that the classroom was needed for student growth.

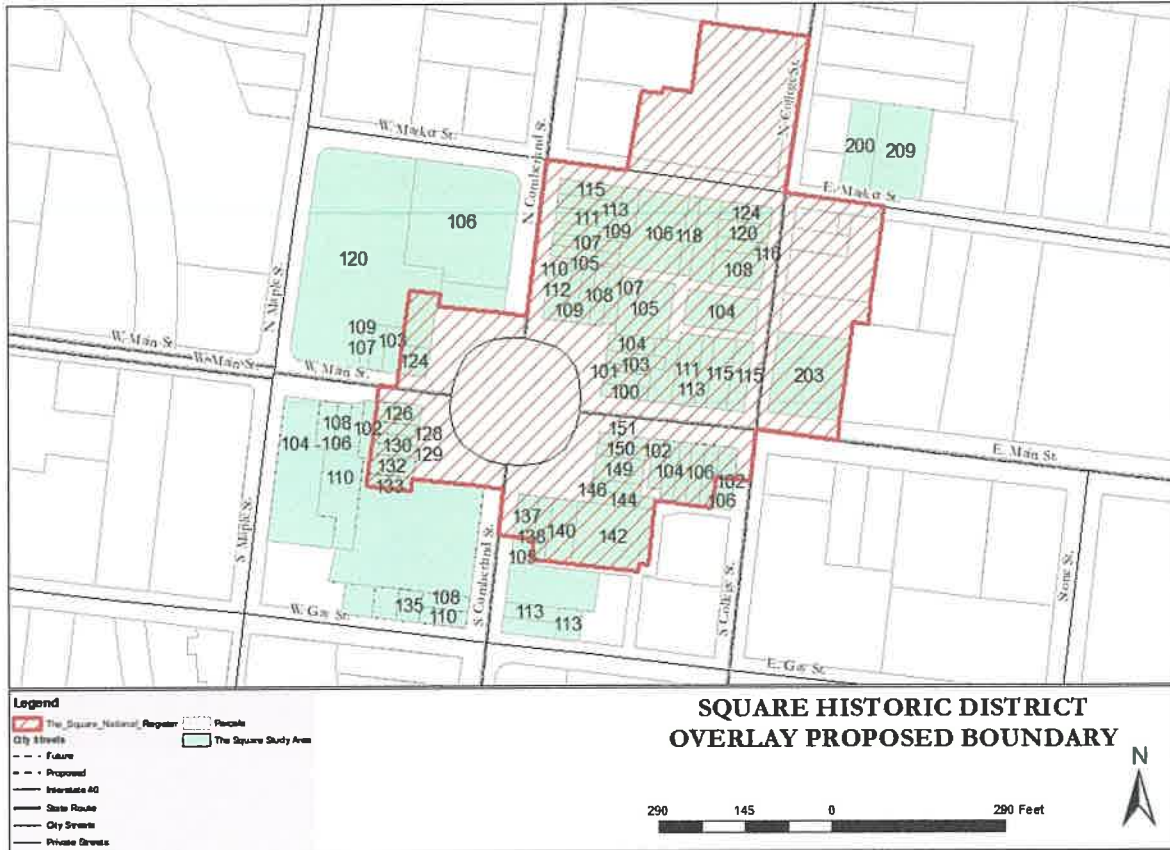
A motion was made by Camille Burdine and seconded by Jesse Gilliam to recommend approval of the amendment of the Zoning Code to City Council. Motion carried 7-1.

13. Request by Staff for approval of the Square Historic Preservation Overlay District of about 14 acres including 109 & 113 East Gay Street, 102, 103, 104, 105, 106, 108, 110, 111, 112, 113, 114, 115, & 203 East Main Street, 106, 118, 200, 209 & unaddressed East Market Street, 104-106, 108, 116, 120, & 124 North College Street, 105, 106, 107, 109, 111, 113, & 115 North Cumberland Street, 100, 101, 102, 103, 104, 105, 107, 108, 109, 110, 112, 118-121, 124, 126, 128, 129, 130, 132, 133, 135, 137, 138, 140, 142, 144, 146, 149, 150, 151, & Unaddressed Public Square, 102, 104, & 106 South College Street, 105, 108, 107-111, 113, & Unaddressed South Cumberland Street, Unaddressed West Gay Street, and 102, 103, 104-106, 107, 108, 109, 110, 120, & unaddressed West Main Street (Tax Map 68E Group P Parcel 1, 2, 3, 4, 5.01, 5.02, 6, 7, 7.01, 8, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, & 25, Tax Map 68E Group C Parcel 11, Tax Map 68E Group O Parcel 1, 2, 2.01, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, & 30.01, Tax Map 68E Group B Parcel 16 & 17, Tax Map 68E Group N Parcel 1, 1.01, 1.02, 2, 3, 3.01, 3.02, & 4, and Tax Map 68E Group Q Parcel 1, 2, 2.01, 2.02, 2.03, 3, 4, 5, 6, 7, 9, 10, 11, 13, 14 & 14.01)

Planner Mary Turner explained that the Historic Preservation Commission voted to recommend approval of the Square Historic Preservation Overlay District by a vote of 5-0 at their April 9, 2019 meeting. The Non-Residential Design Guidelines, which were approved by City Council on March 5, 2019, would apply to the Square Historic Preservation Overlay District.

Chairman of the Historic Preservation Commission Tracey Parks said that the commission worked for two years on the overlay and the boundaries. He said he is happy to recommend the Square Historic Preservation Overlay District to the Planning Commission for approval.

A motion was made by Kathy Adams and seconded by Chad Williams to recommend approval of the Square Historic Preservation Overlay District to City Council. Motion carried 8-0.



COMMISSIONER COMMENTS – none.

PLANNING DIRECTOR COMMENTS – none.

ADJOURN

The meeting was adjourned at 5:49 PM.

David Taylor
Chairman, David Taylor

05/28/19
Date

Kathleen Vail
Recording Secretary, Kathleen Vail

05/28/19
Date