

MUNICIPAL REGIONAL PLANNING COMMISSION  
Meeting Minutes – June 25, 2019

Members Present:

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

Staff Present:

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

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.

CHAIRMAN'S COMMENTS

Chairman David Taylor explained the order of proceedings.

CHANGES TO THE AGENDA

- 15. Public Hearing on the proposed amendment to the Subdivision Regulations Article III Section B. Blocks to add an exemption to block length requirements at Staff's discretion for any subdivision plat where block length is the only variance require*

This item was legally advertised in the Lebanon Democrat on May 9, 2019 but was not on the Preliminary Planning Agenda.

PUBLIC HEARING

- 15. Request Public Hearing on the proposed amendment to the Subdivision Regulations Article III Section B. Blocks to add an exemption to block length requirements at Staff's discretion for any subdivision plat where block length is the only variance required.*

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

APPROVAL OF MINUTES

A motion was made by Chuck Daley and seconded by Robert King to approve the minutes of the Regular Called May 28, 2019, Planning Commission Meeting. Motion carried.

CONSENT

1. *Request by Farmington Woods LLC for final plat approval for Farmington Woods, Phase 4A, a 4-lot subdivision on about 2.63 acres at an unaddressed property on Huntington Drive (Tax Map 45 Parcel 55.06) zoned RS20 in Ward 1*
2. *Request by Farmington Woods LLC for final plat approval for Farmington Woods, Phase 9A, a 4-lot subdivision on about 2.22 acres at an unaddressed property on Farmington Drive (Tax Map 45 Parcel 55) zoned RS20 in Ward 1*
3. *Request by Richard Walters for final plat approval for Hearthstone, Phase 3, a 19-lot subdivision on about 18.31 acres at an unaddressed property on Fireside Drive (Tax Map 58 Parcel 33.02) zoned RS12 in Ward 1*
4. *Request by Gail King for final plat approval for Subdivision of the Gail King Property, a 3-lot subdivision on about 0.97 acres at 110 Head Court (Tax Map 971 Group G Parcel 4) zoned R2 in Ward 2*

A motion was made by Chad Williams and seconded by Chuck Daley to approve the consent items. Motion carried 10-0.

NEW BUSINESS

1. *Request by Farmington Woods LLC for preliminary plat approval for Farmington Woods, Phase 10, a 37-lot conservation subdivision on about 21.91 acres at an unaddressed property on Brook Trail (Tax Map 45 Parcel 12.01) zoned RS20 in Ward 1*

Planner Seth Harrison said that a northwest future road connection would need to be shown to the Richard Hayes Property, and that Brook Trail would need to be extended to the property line to the east to the John Trice Property to keep both roads in accordance with the Major Thoroughfare Plan. These are the block lengths that are not compliant:

- The block length along Brook Trail is over 2,300ft and would require a variance however, if a stub to the Hayes' property is shown, a variance will not be required.
- The Cul-de-sac length along the Rosa Lane is 554ft and would require a variance.

Staff recommended approval with the connection being made to the Richard Hayes and John Trice properties and adjustment of Rosa Lane to reduce the cul-de-sac length.

Crockett Surveying's Paul Crockett was available to answer any questions. He explained that the road extending from the Trice property is 1,300ft of floodway and he is doubtful that an extension will happen. Regarding the road to the Hayes' property, he said that road ends 50ft from the floodway at an 18-acre tract of land that is undevelopable. He is asking for an approval as the plat is drawn.

A motion was made by Chad Williams and seconded by Mack McCluskey to approve the preliminary plat as shown with variances for the cul-de-sac length and the block length. Motion carried 10-0.

- 2. Request by Clayton Properties Group, Inc. for preliminary plat approval for The Preserve, Phase 1, a 286-lot subdivision on about 85.43 acres at an unaddressed property on Cairo Bend Road (Tax Map 47 Parcel 10) zoned RS20 with a PUD in Ward 6*

Planner Seth Harrison said that this item meets the criteria in the code. Staff recommended approval based on compliance with the City of Lebanon Zoning Code and the approved Master Plan for The Preserve.

A motion was made by Mack McCluskey and seconded by Kathy Adams to approve the preliminary plat. Motion carried 10-0.

- 3. Request by Clayton Properties Group, Inc. for final plat approval for The Preserve, Phase 1, a 286-lot subdivision on about 85.43 acres at an unaddressed property on Cairo Bend Road (Tax Map 47 Parcel 10) zoned RS20 with a PUD in Ward 6*

Planner Seth Harrison said that this item meets the criteria in the code. Staff recommended approval based on compliance with the City of Lebanon Zoning Code and the approved Master Plan for The Preserve.

A motion was made by Kathy Adams and seconded by Chad Williams to approve the final plat. Motion carried 10-0.

- 4. Request by Frank Bryant for site plan approval for South Eastgate Warehouse, a non-residential development of about 7,475 sq. ft. at 91 South Eastgate Court (Tax Map 79 Parcel 69.18) zoned IP in Ward 4*

Planning Director Paul Corder said that Staff is not opposed to the current location and orientation of the dumpster enclosure. The landscaping items that would need to be included are the calculations, a planting strip, and tree. Additionally, the applicant is proposing a joint access and parking easement for the 14 spaces associated with the site to the north that are encroaching on this site and they would need a cross access connection to the adjoining property. The applicant is currently showing a sidewalk on the site plan. Staff recommended approval with the variance for the dumpster enclosure orientation, the required landscaping meets code, a physical roadway connection, and cross access easement to the property to the north be provided.

Dean Design's Charlie Dean was available to answer any questions. He said he will contact Staff about the location of the fifth tree. He said that they own the property to the north and are in the process now of getting a cross access agreement. He said that a connection would take away 3 parking spaces and he requested that there would be no connection.

Paul Corder said that a physical connection would keep them from going out to the road. Staff believes that only 2 spaces would be lost.

Commissioner Mack McCluskey asked the developer if those 3 parking spaces were removed, would they still meet the requirements.

Charlie Dean affirmed that it would.

A motion was made by Chad Williams and seconded by Chuck Daley to approve the site plan with variances for the dumpster orientation, the fifth tree, roadway connection and to require the sidewalks. Motion carried 10-0.

5. *Request by Callis Ventures for site plan approval for Hankins Station, a non-residential development of about 5,000 sq. ft. at 314 West Baddour Parkway (Tax Map 68C Group A Parcel 2) zoned IL in Ward 1*

Planning Director Paul Corder said that there were some minor issues required including the calculations for secondary façade material, bicycle parking, and the dumpster orientation. The applicant has shown planters along the front of the building which will require a variance. There are sidewalks existing on East Baddour and the applicant is showing sidewalks on North Greenwood, which would be beneficial being that close to the train station. Staff recommended approval subject to secondary façade materials, equipment screening, dumpster enclosure, the landscaping, and required bike parking meeting code.

Dean Design's Charlie Dean said that they received a Board of Zoning Appeals side setback approval on Greenwood. He said that location of the dumpster where is they could fit it and it will be bricked in. He asked for a variance in the front with the landscaping strip by using planters.

Mayo Architecture's Greg Mayo said that the tabulations for the secondary materials had been provided. He said because the property is wedged in there, that they are treating the front view and the two end views as if they were front elevations with 100% brick.

Paul Corder said that brick wall around the dumpster would meet the code. Staff was looking at the awning as a secondary material and they would need those percentages.

Commissioner Mack McCluskey asked Mr. Dean if he will provide the bike parking.

Charlie Dean said he did not receive the bike comment until after the resubmittal and he would be happy to provide it and there will be sidewalks on both sides.

A motion was made by Mack McCluskey and seconded by Camille Burdine to approve the site plan with the variance for landscaping strip and to include the bicycle and parking spaces and sidewalks as shown. Motion carried 10-0.

6. *Request by Frank Hickman for site plan approval for Hickman Label Co., a non-residential development of about 14,950 sq. ft. at an unaddressed property on Business Park Drive (Tax Map 56 Parcel 58.20) zoned IP in Ward 6*

Planning Director Paul Corder said that orientation said that the proposed structure faces toward the west, away from Business Park Drive and would require a variance. It would also require a minimum of 20% transparency on first floor façade facing the street and while the applicant has provided 384 sq. ft. of transparency, 472 sq. ft. of transparency is required to meet code. The applicant has noted that they will request a variance because the business utilizes products that are sensitive to UV radiation and sunlight. Staff feels that there should not be sidewalks as this is an industrial area. They will also require a variance on the dumpster location. He said that cross-access

should be considered for the property to the west and the rest of the same property to the east. Staff recommended approval subject to a pedestrian-oriented entrance facing Business Park Drive, that the transparency percentage and landscaping meet code, and that cross-access to properties to the East and West be provided.

Dean Design's Charlie Dean was available to any questions. He said that that property was essentially a quarry with bluff rock walls that are 15ft to 20ft high and it has been vacant since Business Park Drive was built. He said that the site slopes from back to front and that is why there is a 4ft dock height in front of the building which makes it hard to have a door out front. He requested a variance for the orientation. The dumpster location will be trucked in behind the building with that 8ft bluff wall and he asked for a variance. He said that he cannot provide the cross access to the east because of the dock and he noted that this property is a limited access industrial facility.

Planning Director Paul Corder said that this development is like the other industrial buildings in this area, however, in the future there would be a need for a connection.

Mayo Architecture's Greg Mayo said that there is 4ft grade change from the ramp to the loading dock so having an entrance on the front would be problematic so they provided an entrance on the side with parking so they requested a variance for the entrance. He said that regarding the requirement for the transparency, they are 88 sq. ft. short. He said that the side is provided with windows and combined with the front, there would be a total of 754 sq. ft. which is more than the requirement. Additionally, the products stored there are UV sensitive and having additional windows would also be a problem so he requested a variance.

A motion was made by Mack McCluskey and seconded by Chad Williams to approve the site plan with variances for having the transparency on the front, the entrance, screening, and the cross connections because of the unique nature of the property. Motion carried 10-0.

7. *Request by Stamps Design Group for site plan approval for Cumberland Mental Health Services Expansion, a non-residential expansion of about 5,616 sq. ft. at 1404 Winter Drive (Tax Map 58 Parcel 16.01) zoned CN in Ward 5*

Planner Seth Harrison said that the landscape plan and material calculations would need to be provided. The applicant has stated there will be lighting on this property and that a photometric plan will be provided. The Planning Commission will have the ability to require sidewalks along Babb Drive or payment in lieu of amount of \$5,118.75. Currently they are not showing sidewalks on the plan. Staff recommended approval subject to building material, transparency, landscaping, and lighting meeting code and that there would sidewalks along Babb Drive.

A motion was made by Chad Williams and seconded by Chuck Daley to approve the site plan subject to Staff's comments and requiring the sidewalk. Motion carried 10-0.

8. *Request by B & B Enterprises for site plan approval for Pavilion L4 Lifestyle, Senior Multi-family, a development of 29 units on about 7.52 acres at 1405 Medical Center Drive (Tax Map 58 Parcel 16) zoned CN in Ward 5*

Planning Director Paul Corder said that the code requires that principal buildings be oriented so that at least one principal pedestrian entrance faces a fronting street or fronts an open space. Buildings 1, 2, 3, & 10 along Medical Center Drive and Babb Drive would need to face the public right-of-way; however, if a sidewalk connection is provided it will fix the orientation. The applicant is requesting a variance for this orientation. Indication would need to be provided on which floor plans will be located in which areas of the site plan. The provided elevations for Buildings 1, 2, 3, & 10 would need to meet the code for material requirements. Calculations for landscaping required and a note stating the street trees will be planted in tree wells. The Planning Commission will have the ability to require sidewalks along Babb Drive and Medical Center Drive or a payment in lieu of amount of \$33,488.00. If sidewalks are required, they would need to connect to internal sidewalks. Staff recommended approval subject to Buildings 1, 2, 3, & 10 having the pedestrian-oriented façade requirement face the public right-of-way, the building materials, landscaping meeting code, and the sidewalks are connected between the driveways.

Civil Site Design's Ryan Lovelace was available to answer any questions. He said that he is not asking for any variances or the payment in lieu of amount because they want to install the sidewalks. He asked for site plan approval with Staff's comments.

A motion was made by Chad Williams and seconded by Chuck Daley to approve the site plan subject to Staff's comments. Motion carried 10-0.

9. *Request by Highland Heights Church of Christ for site plan approval for Highland Heights Church of Christ, a non-residential development of about 24,500 sq. ft. at 780 Cole Ferry Pike (Tax Map 58 Parcel 53) zoned RS20 in Ward 1*

Planning Director Paul Corder said that a photometric plan would need to be provided for proposed lighting. The applicant is requesting a variance from the required planting strip due to location and layout of existing sidewalks, in order to tie into existing sidewalks. The Planning Commission will have the ability to require sidewalks or payment in lieu of amount of \$15,575.00 and if sidewalks are required, then a pedestrian connection would need to be to the front entrance of the building. Staff recommended approval with the variance for the planting strip to tie into existing sidewalks in the area, and a 20ft pedestrian access easement be provided for future extension to the Cedar City Trail.

Warren and Associates' Jerry Warren was available to answer any questions. He said that they would be happy to discuss the location of the easement for the trail would go with City Staff. He asked for a variance to tie into the existing sidewalk, otherwise he is in agreement with the other conditions and would be happy to work with Staff.

A motion was made by Jesse Gilliam and seconded by Robert King to approve the site plan with the variance for the strip and with the access easement tying into the trail and required sidewalk. Motion carried 10-0.

10. *Request by Van Webber LLC for rezoning approval for about 0.60 acres at 1410 Bluebird Road (Tax Map 67G Group C Parcel 18) from RD9 to RM6 in Ward 2*

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

Van Webber's Richard Van Kluyve said that they are looking to put 6 units on the property which is currently zoned for 3 units. He explained that they will either be 2 buildings with 3 townhouses each or 3 buildings with 2 townhomes in each.

A motion was made by Mack McCluskey and seconded by Kathy Adams to recommend approval of the rezoning to City Council. Motion carried 10-0.

*11. Request by Envision Construction for rezoning approval for about 0.45 acres at 935 Bluebird Road (Tax Map 67G Group B Parcel 11) from R2 to RM6 in Ward 2*

Planner Seth Harrison said the Future Land Use Plan calls this area out as High Density Residential, and thus supports the rezoning request. Staff recommended approval based on compliance with the Future Land Use Plan.

Warren and Associates' Jerry Warren was available for answer any questions. He asked for approval.

A motion was made by Chad Williams and seconded by Jesse Gilliam to recommend approval of the rezoning to City Council. Motion carried 10-0.

*12. Request by CRV Holdings for rezoning approval of about 10.75 acres at an unaddressed property on North Castle Heights Avenue (Tax Map 58 Parcel 46.04) from CG to CN in Ward 1*

Planner Seth Harrison said the Future Land Use Plan calls this area out as Commercial and thus supports the 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. He described this as an overgrown piece of land. He said the CG zoning does not fit this property because it is long and narrow and a commercial project needs to have more visibility while still allowing some residential.

Derek Dobson of 106 Chapman Drive said that the applicant does not own this property and that it is 33 acres in the middle of a school zone, this one being about 10 acres. He said that this is the property that he mentioned in previous Planning Commission and City Council meetings and now it is on the agenda. He had three points as why having high density zoning in a school area is unwise. 1. There are not any high density zoning around other schools except Walter J Baird. He mentioned additional areas where there was high density residential that was recently passed as well as the potential for more in that area. 2. High density zoning near four schools would be a stupid city land use plan. He said that this property was already rezoned to its current zoning. 3. There are currently 1,400 houses and 3,000ish more cars in the pipeline near this property. Yet there are only two major arteries into the city. He said that he had warned everybody that the Craigheads would rezone those properties high density. The only justification the commission had for recommending

approval of the rezoning was that it adhered to the FLU Plan. He said that 13 acres owned by the Craighheads was fraudulently altered after that zoning map was approved by the City Council.

Chairman David Taylor interrupted Mr. Dobson and asked him to stop.

Paul Crockett said that it is not shown but there is a 40ft egress/ingress utility easement coming out to 231N to this property which would help with the traffic.

A motion was made by Camille Burdine 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 10-0.

*13. Request by Cody Joe Haynes for plan of services approval for about 0.96 acres at 1301 Bluebird Road (Tax Map 67 Parcel 40.28) and zoning RM6 to be added to Ward 2*

Planner Seth Harrison read a brief description of the Plan of Services. The total appraised property value for the parcel in the annexation area is about \$39,400. This equals to an assessed value of about \$9,850 for a residential property. The property tax generation from this property as a residential property in the City would be about \$59.84 per year. The estimated cost to serve this area is \$0. Staff recommended approval.

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

A motion was made by Mack McCluskey and seconded by Jessie Gilliam to recommend approval of the Plan of Services to City Council. Motion carried 10-0.

*14. Request by Cody Joe Haynes for annexation and zoning approval for about 0.96 acres at 1301 Bluebird Road (Tax Map 67 Parcel 40.28) and zoning RM6 to be added to Ward 2*

Planner Seth Harrison said the Future Land Use Plan identifies this area as Residential Mixed Use and thus supports the requesting zoning to RM6. Staff recommended approval because this annexation will benefit the City.

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

A motion was made by Chad Williams and seconded by Mike Walls to recommend approval of the annexation to City Council. Motion carried 10-0.

*15. Request by Staff for an amendment to the Subdivision Regulations Article III Section B. Blocks to add an exemption to block length requirements at staff's discretion for any subdivision plat where block length is the only variance required.*

Planning Director Paul Corder said that this amendment is for any subdivision plat where the block length is exempt from the block length requirement if it is the only variance required.

A motion was made by Kathy Adams and seconded by Chad Williams to approve the amendment to the Subdivision Regulations. Motion carried 10-0.



*16. Request by Staff for a Zoning Code amendment to Chapter 8, Section 14.808 Building Design to add design standards for residential zoning districts and non-residential uses in residential zoning districts*

Planner Seth Harrison said Staff reviewed the new standards and found that residential zoning districts are omitted from the Chapter 8 Building Design Standards to non-residential uses.

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

*17. Request by Staff for a Zoning Code amendment to Chapter 8 Section 14.808 Building Design to add design standards for the OP zoning district*

Planner Seth Harrison said Staff reviewed the new standards and found the OP- Office Professional zoning district is omitted from the Chapter 8 Building Design Standards.

A motion was made by Chad Williams and seconded by Kathy Adams to recommend approval of the amendment to the Zoning Code to City Council. Motion carried 10-0.

*18. Request by Staff for a Zoning Code amendment to Chapter 8 Section 14.805 Landscaping, Screening, and Buffering to add standards for dumpster enclosure location/ orientation*

Planner Seth Harrison said Staff reviewed the new standards and found dumpster enclosure doors are required to face a street in the Chapter 8 Design Standards, however dumpster enclosures and trash receptacles should not be located in front of the principal building and should be subordinate to the principal building.

A motion was made by Chad Williams and seconded by Kathy Adams to recommend approval of the amendment to the Zoning Code to City Council. Motion carried 10-0.

*19. Request by Staff for a Zoning Code amendment to Chapter 8 Section 14.805 Landscaping, Screening, and Buffering to add front yard landscaping standards for residential zoning districts and non-residential uses in residential zoning district.*

Planner Seth Harrison said Staff reviewed the new standards and found that residential zoning districts are omitted from the Chapter 8 Landscape, Screening, and Buffering. This amendment adds front yard/foundation landscaping standards to non-residential uses.

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

*20. Request by Staff to update the remainder of the 2019 Planning Commission Calendar submittal dates for Future Land Use Plan Amendments*

Planner Seth Harrison noted that the reason Staff was asking for an updated calendar was that the Lebanon Democrat changed their ownership and the advertising dates would not work for advertising any Future Land Use Plan Amendments.

**Lebanon Regional Planning Commission  
JANUARY 2019 - JANUARY 2020**

	FLU Amendment Submittal Deadline	Submittal Deadline	Initial Comments to Developers	Re-Submittal Deadline	Preliminary Meeting	Re-Submittal Deadline	Regular Meeting
	<b>4:30 PM</b>	<b>NOON (12:00PM)</b>	<b>4:30 PM</b>	<b>NOON (12:00PM)</b>	<b>11:00AM</b>	<b>NOON (12:00PM)</b>	<b>5:00PM</b>
January 2019*	December 18, 2018	December 26, 2018	January 4	January 10	January 15	January 17	January 22
February 2019	January 23	January 30	February 8	February 14	February 19	February 21	February 26
March 2019	February 20	February 27	March 8	March 14	March 19	March 21	March 26
April 2019*	March 20	March 27	April 5	April 11	April 16	April 28	April 23
May 2019	April 24	May 1	May 10	May 16	May 21	May 23	May 28
June 2019	May 22	May 29	June 7	June 13	June 18	June 20	June 25
July 2019*	June 19	June 26	July 5	July 11	July 16	July 18	July 23
August 2019	July 23	July 31	August 9	August 15	August 20	August 22	August 27
September 2019	August 20	August 28	September 6	September 12	September 17	September 19	September 24
October 2019	September 17	September 25	October 4	October 11	October 15	October 17	October 22
November 2019	October 22	October 30	November 8	November 14	November 19	November 21	<i>November 26</i>
December 2018*	November 12	November 20	November 29	December 5	December 10	December 12	<i>December 17</i>
January 2020	December 17	January 2	January 10, 2020	January 16, 2020	January 21, 2020	January 23, 2018	January 28, 2020

Every effort will be made to stick with this calendar; however, only the submittal deadline, preliminary meeting and Planning Commission meeting date are absolute.

\* Months with an extra week between the Regular Meeting and Submittal Deadline

\*\* The December meeting is scheduled on a Tuesday at 4:00 PM due to the holidays.

*Italics indicate dates near holidays that can be adjusted based on Planning Commission preference*

A motion was made by Chad Williams and seconded by Chuck Daley to approve the updated Planning Commission Calendar. Motion carried 10-0.

COMMISSIONER COMMENTS


Commissioner Mack McCluskey said that he would like to have a workshop on traffic flow on West Main Street.

Engineering Services Director Regina Santana said that there is a grant and they are waiting for a notice to proceed from TDOT with a traffic management center.

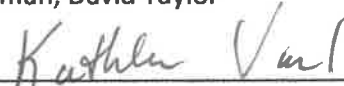
The commissioners requested a workshop at the preliminary meeting.

ADJOURN

A motion was made by Chad Williams and seconded by Chuck Daley to adjourn. The meeting was adjourned at 6:12 PM.

  
\_\_\_\_\_  
Chairman, David Taylor

07/23/19  
Date

  
\_\_\_\_\_  
Recording Secretary, Kathleen Vail

07/23/19  
Date