

CITY OF LEBANON
MUNICIPAL REGIONAL PLANNING COMMISSION
June 24, 2008
5:00 PM

Members Present:

Robert Schmidt Rick Jones Paul White Pam Black Beulah Garrett
Bill Durham

Others Present:

Magi Tilton Seth Rivard Will Hager Andy Wright Regina Santana Joyce Allen

Chairperson Robert Schmidt called the meeting to order at 5:30 P.M. Beulah Garrett, Planning Commission member, opened with a prayer followed by the Pledge of Allegiance led by Robert Schmidt.

Chairperson Robert Schmidt asked City Planner, Magi Tilton, if there were any changes to the agenda. Ms. Tilton stated there was one change; Item #2 under New Business is deferred at the request of the applicant.

Mr. Schmidt explained the order of proceedings and administered the oath to all participants.

Chairperson Robert Schmidt asked if the Planning Commission members had read over the minutes and requested a motion. A motion was made by Beulah Garrett, seconded by Paul White, all voting aye, to approve the minutes of the May 27, 2008 regular Planning Commission Meeting.

CONSENT ITEMS

1. Final Plat – Villages of Five Oaks, Phase 4 – Village Circle – 27 units (Ward 6)
2. Final Plat – Amendment to Lot 2A of Pamela Cooper Property – 2.19 acres – 1 Lot (County).
3. Final Plat – H. M. McIntyre Property, Lot 3 – 235 Knoxville Ave. – 1.369 ac. – 3 Lots (Ward 2)
4. Final Plat – Walker Estates. Sec 1, Phase 3 – Knoll Ln. – 2,806 acres - . 70 – 14 Lots (Ward 6)
5. Final Plat – Spence Creek, Phase 13 – Hwy. 109 – 4.00 acres – 20 Lots (Ward 6)
6. Final Plat – Jackman Property – Bethlehem Road – 2.76 acres – 1 Lot (Ward 6)

All consent items are subject to Engineering, Cross Connection and Fire Department requirements.

City Planner, Magi Tilton, read the list of consent items. A motion was made by Rick Jones, seconded by Beulah Garrett, all voting aye, to approve the consent items subject to engineering, fire department & cross-connection requirements.

NEW BUSINESS

1. Annexation – Hartmann Drive ROW (Ward 1)

City Planner, Magi Tilton, explained this request is initiated by the City of Lebanon. This portion was recently opened up and the annexation request is just for the ROW. It is a 100 foot right-of-

way, approximately 3,000 feet in length to be annexed, the eastern-most 3,000 feet is already within the city. As adjacent property develops it is very likely that the developers will want to connect to the city's sewer system and therefore will request to be annexed at that time.

After discussion a motion was made by Bill Durham, seconded by Paul White, all voting aye to recommend approval on to City Council for their consideration.

2. Annexation, Plan of Services and Zoning – General Construction Inc. – 203 Quarry Loop Rd. – Map 55 Parcel 43 – B-4 (Ward 6)

Deferred by Applicant

3. Rezoning – Jerry Young Construction – Stumpy Lane – Map 92 Parcel 14.05 – from B-4 to M-1 (Ward 3)

Planner, Seth Rivard, explained Mr. Young currently owns this M-1 property. This property is directly to the west of property owned by Jerry Young. The property is currently vacant with surrounding uses and zoning to the north and south as single-family residences on large lots and vacant parcel zoned Agriculture. To the east is a vacant lot zoned M-1 and to the west is a single family home zoned B-4. Growth Management Plan designates the subject property as Planned Business, which includes such uses as offices, warehouses and light manufacturing. The update to the Land Use Plan designates the subject property as Commercial.

Randy Laine, engineer for the project, stated Mr. Young has bought the property and wants to expand and would like for it all to be zoned M-1.

After discussion a motion was made by Paul White, seconded by Bill Durham, all voting aye, to recommend approval to City Council for their consideration.

4. Rezoning – Mark Tuggle Property – 1755 W. Main Street – Map 57 Parcel 32 – from R-1A to B-1 (Ward 6)

Planner, Will Hager, explained the Tuggle property is approximately 2 acres and is located on Hwy. 70 across from the entrance to Lei Lani Estates. This property is adjacent to the following item, the Larimore Warren property, and both of these items are requesting to be rezoned from R-1A to B-1. Current Growth Management Plan designates the subject property for Commercial Development. The update to the Land Use Plan designates the subject property as Residential Mixed Use, which allows for Low, Medium, High density housing as well as light commercial. The impact of some commercial signage on residential areas has been an issue in recent months.

The City of Lebanon is working toward a resolution of these potential conflicts but, no consensus has been formed to date.

Randy Laine, filling in for Paul Crockett, was available to answer any questions.

Chairperson Robert Schmidt read a letter from Bob O'Brien, 115 Geers Drive to Planning Commission members and Staff asking for them to consider the new zoning district for these properties.

Council Member, Kathy Warmath, representing Ward 6, explained she has several issues with this and one being the sign ordinance regarding electrical message boards. She states we have met and are looking at a special zoning but it is very vague. She will ask her colleagues to consider the least zoning for the area. We need to meet in the middle for light commercial. Ms. Warmath further states she could support this if prohibition on signs were made possible.

Chairperson Robert Schmidt asked; what assurance do we have, if in fact, we recommend this rezoning to City Council and the sign issue does not go through?

Council Member, Kathy Warmath, responded by saying, no assurance. If City Council does not accept this, she will only approve B-1 for this area.

Pam Black explained she would like to see the sign prohibition go through second reading first before we recommend B-1 zoning for this item. She has no problem with B-1 zoning just the special sign ordinance.

Bill Durham states he appreciates Council Member, Kathy Warmath, showing up and representing her ward. He feels there are a lot of problems with the sign issue.

Randy Laine asked for a deferral on behalf of Paul Crockett and the Tuggle and Warren family properties.

A motion was made by Bill Durham, seconded by Beulah Garrett, all voting aye, to accept deferral on item#4.

5. Rezoning – Larimore Warren Property – 1751 W. Main Street – Map 57 Parcel 33 – from R-1A to B-1 (Ward 6)

Deferred until next month by applicant.

A motion was made by Bill Durham, seconded by Beulah Garrett, all voting aye, to accept deferral on item#5.

6. Rezoning – Joseph Houston Roberts Property – 109 W. End Heights – Map 68B “C” Parcel 45 – from R-1 to RP-2 (Ward 5)

Planner, Seth Rivard, explained this property is located on West End Heights with an existing single family home on the parcel. Growth Management Plan designates the property as Existing Core Development without providing any other guidance. The Future Land Use Plan designates the subject property as Residential Mixed Use, which allows for Low, Medium, High density housing and light commercial.

Randy Laine, filling in for Paul Crockett, explained this property has been before you and deferred. They are bringing it back to Planning Commission for rezoning under a different use zone.

Planner, Seth Rivard, stated his office received an e-mail from Marilyn Hartsoe, 234 West End Heights, opposing this rezoning.

Council Member, Haywood Barry, representing Ward 5, explained this is one of the oldest subdivision in the City of Lebanon. He is submitting a signed petition of opposition against the rezoning, with signatures of 45 residences, including some signatures from residences in Hidden Acres Subdivision. He further states that traffic is already a problem and anything not R-1 zoning would be detrimental to their neighborhood. Mr. Barry asked as representative of this ward to deny this request.

Kevin Browning, 257 West End Heights, states his concern is the ground cover was taken out of his backyard due to the Hartmann Drive expansion and he can accept that but does not want to look across the street and see something come in that would be hard to look at. He feels no good can come from the rezoning.

After further discussion a motion was made by Bill Durham, seconded by Pam Black, all voting aye, to recommend denying this rezoning request on to City Council.

7. Special Request – McClain Christian Academy – temporary gravel (Ward 3)

Planner Seth Rivard, explained the applicant is requesting to use an area that is approximately 30 by 60 for physical education and recreation. The area is supposed to be paved, and the applicant is requesting to use gravel. This will be a temporary use until a gymnasium can be built.

Donna Macon, representing McClain School, explained the gravel was put in for a play area. The ground has been rolled so the gravel in the area is not loose. It would cost \$3500.00 to pave the 30 by 60 area.

Rick Jones asked Ms. Macon how long a time frame for the temporary use.

Ms. Macon responded by saying one year. The school does not have the money right now to pave the area.

After discussion a motion was made by Paul White, seconded by Pam Black, to approve temporary use of one (1) year until paving can be done. Vote was 5 to 1 with Robert Schmidt voting nay. Motion carried.

8. Site Plan – Builders First Source – 3315 Hwy. 109 – 28.634 acres (Ward 6)

Planner, Will Hager, explained the proposal is for to extend a drive and additional parking. The widening of Hwy 109 and the relocation of the rail line have eliminated Builders First Source's ingress/egress. In order to remedy this, the applicant proposes to connect to Pryor Creek Road which currently terminates due south of the property. Security measures necessitate the routing of the entrance through the existing gate on the northwest side of the building.

Charlie Dean, engineer for the project, was available to answer any questions.

Pam Black states the place does not look good from Hwy 109 and wants to know if there is any way they could move the dumpsters and clean it up some.

Charley Dean responded by saying it met the original requirement approved 8 years ago before the current landscaping design and with this submittal they will be adding landscape. The dumpsters are in conjunction with the TDOT work for relocating the RR and they will be relocated.

After discussion a motion was made by Beulah Garrett, seconded by Pam Black, all voting aye to approve site plan with property landscaping being done according to our requirements.

9. Site Plan – L.R. Jones Police Facility – 406 Tennessee Boulevard – 21,085 sq. ft. (Ward 2)

City Planner, Magi Tilton, explained we are proposing expansion for the Police Facility. The addition will be to the rear of the existing police station with additional parking shown to be provided behind the building.

Jerry Warren, Warren & Associates, states he is in agreement to all comments and was available to answer any questions.

After discussion a motion was made by Rick Jones, seconded by Bill Durham, all voting aye to approve the site plan for the Police Department Expansion subject to the following conditions:

1. The drive-through shall be appropriately marked and signed for one-way traffic.
2. Site Plan needs to indicate the location of the sprinkler system Fire Department connection. This connection needs to be on the west side of the building with a fire hydrant provided within approximately fifty (50) feet of this connection.
3. Subject to Engineering, Cross-connection and Fire Department requirements.

10. Preliminary Plat – Manor View Drive – 3.63 acres – 13 Lots (Ward 5)

City Planner, Magi Tilton, explained the property is located off Classic View Drive and the proposal is to subdivide into 13 lots. A final plat for this property was approved in 2007 but not recorded, since that time the applicant has modified the plan and added three lots. All of the proposed lots are large enough to accommodate a duplex. Staff recommends several conditions be included in any approval of this preliminary plat.

Ryan Loveless, representing the developer, is in agreement to all staff comments and available to answer any questions.

After discussion a motion was made by Rick Jones, seconded by Bill Durham, all voting aye to approve preliminary plat subject to the following conditions:

1. Sidewalks shall be required to be installed along the street frontage of all lots.
2. Subject to Engineering, Cross-connection and Fire Department requirements.

There being no further business to come before the board the meeting was adjourned at 6:45 pm.



Chairperson, Robert Schmidt



Date