

**CITY OF LEBANON
MUNICIPAL REGIONAL PLANNING COMMISSION
December 20, 2011
Town Hall Meeting Room
5:00 PM**

Members Present:

Beulah Garrett	Rick Jones	Robert Schmidt
Joe Hayes	W.D. (Mack) McCluskey	David Taylor

Others Present:

Joren Dunnavant	Will Hager
Angela Fantom	Regina Santana

Chairperson Robert Schmidt called the meeting to order at 5:00 p.m. Commission member David Taylor then opened with the invocation and also led the Pledge of Allegiance.

Chairperson Schmidt explained the order of proceedings. Planning Director Will Hager informed the commission that there were no changes to the agenda.

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 Mack McCluskey, all voting aye, to approve the minutes of the November 29, 2011 regular Planning Commission meeting.

NEW BUSINESS

1. Rezoning - 102-104 Bay Court – M-2 to B-4 - ≈ 0.57 acres – (Ward 5)

Planning Director Will Hager presented the item. He explained that property to the north of the subject property as well as other nearby properties fronting West Main Street are zoned B-4. The Future Land Use Plan supports the rezoning request as the subject area is designated for Commercial development.

Mr. Hager pointed out that Bay Court is a cul-de-sac and provided photos of the property and area. He reported that the applicant hopes to rezone this property in order to accommodate a gymnastics and dance studio.

Realtor Dan Midgett represented applicants Glenn and Lynn Farmer and was available to answer any questions. He respectfully requested the commission's approval of the rezoning request.

A motion was then made by David Taylor, seconded by Beulah Garrett, all voting aye, to recommend City Council approval of the rezoning request.

OTHER BUSINESS

1. Historic Overlay

Planning Director Will Hager presented the item. He informed the commission that Tennessee Code Annotated (TCA) enables local governments to create Historic Zoning Commissions to administer and make recommendations for Historic Zoning Districts and Historic Landmarks. Mr. Hager commented that a Historic Zoning District is an "overlay" used to protect historically significant structures, neighborhoods, battlefields or other areas within a community.

In response to commission member Mack McCluskey's inquiry, Mr. Hager explained that the zoning action must be approved by City Council with recommendations from the Historic Zoning Commission and the Planning Commission. He added that the Historic Zoning Commission would also review construction, alteration, relocation and demolition of structures within a Historic Zoning District.

Planning Director Will Hager pointed out that Historic Zoning Commission decisions can be appealed; however, appeals are reviewed by a designated court and not the City's Board of Zoning Appeals.

Commission member Mack McCluskey expressed his concern about creating another commission and additional requirements when the Planning Commission approves items based on current requirements that are not always enforced. Mr. Hager replied that creating a Historic Zoning Commission is the City's first step toward implementing Historic Zoning Districts; enforcement can be discussed at the appropriate time. Mr. McCluskey commented that he is interested in establishing such a commission but he wants it to be a success.

Planning Director Will Hager explained to commission member David Taylor that while several sites within the City are included in the National Register of Historic Places, there are no special regulations governing the properties. He reported that a Historic District meets one or more of the following criteria:

- It is associated with significant events.
- It includes structures associated with significant persons.
- It contains historically distinct structures or groups of structures.
- It is listed in the National Register of Historic Places.

Mr. Hager informed commission member Beulah Garrett that peer communities with Historic Zoning include Gallatin, Columbia, Murfreesboro, Smyrna, Franklin and Hendersonville. He advised that Columbia's regulations look to be a good model for the City of Lebanon and commented that prior to final designation of the district or landmark, the City of Columbia requires a petition to be signed by at least 51% of the property owners indicating approval of the designation.

In response to Chairperson Robert Schmidt's question, Planning Director Will Hager explained that while the City's B-6 (Transitional Office) zoning district's intent is to retain the existing residential character of its structures rather than have new buildings constructed, the zoning district is not necessarily intended only for historic structures. He added that a Historic Zoning District could be comprised of only one house.

Mr. Hager pointed out that some areas are easier to identify as historic than others. He advised Chairperson Robert Schmidt that the time frame for creating the Historic Zoning depends on the intent and focus of the Historic Zoning Commission. Mr. Hager stated that building materials, colors, etc. can but do not have to be dictated by the Historic Zoning Commission.

Commission member Joe Hayes recalled past discussions concerning the Cumberland University neighborhood and questioned if the City currently has any kind of historic district. Planning Director Will Hager replied that the topic has been discussed off and on for years but no such district has been established within the City of Lebanon.

Mr. Hager pointed out that while Historic Lebanon Tomorrow's goal focuses on the downtown business district, there is also concern about older neighborhoods as over the past few years some of their buildings have been demolished.

Commission member Rick Jones echoed commission member Mack McCluskey's sentiments; he would like to see a Historic Zoning Commission established but wants to ensure that any new requirements related to Historic Zoning are enforced. Planning Director Will Hager will present a draft ordinance pertaining to the issue at next month's Planning Commission meeting.

As requested by Chairperson Robert Schmidt, Mr. Hager will contact the City of Columbia and ask how long it took to establish its Historic Zoning District. Chairperson Schmidt emphasized the desire to move as quickly as possible to prevent the demolition of any more historic buildings in the City of Lebanon.

2. Sidewalk Policy

Planning Director Will Hager presented the item. As requested at the September Planning Commission meeting, commission members were provided with a Pedestrian Facilities Plan/map to help them visualize how different areas would be affected by the proposed changes to the sidewalk policy. Under the proposed changes, either sidewalk installation or payment in lieu of sidewalk installation would be required.

Referring to the map, Mr. Hager reported that new development within beige areas are identified for Low Density Residential (LDR), Industrial (I) or Industrial/Commercial (IC) per the City's Future Land Use Plan and would be required to make a payment in lieu of sidewalk construction. New development within blue areas would be required to install new sidewalks unless current traffic counts are below 500 average daily trips with no expectation to increase. Mr. Hager explained more specifically that new development within light blue areas are located in the Pedestrian Service Area and identified for Medium Density Residential (MDR) or High Density Residential (HDR) per the City's Future Land Use Plan while new development within dark blue areas are located within 1/2 mile from schools, transit, and community services.

Planning Director Will Hager informed commission member Mack McCluskey that the map/20 year sidewalk plan is based on the City's Future Land Use Plan. He emphasized that staff is much more comfortable with adopting the proposed policy than the map itself due to ever-changing variables. Mr. Hager assured Mr. McCluskey that the map would be kept up-to-date so that staff can inform developers where sidewalks are required.

Commission member Rick Jones expressed that he hates to burden someone with a payment in lieu of sidewalk construction fee for a property that will never have sidewalks. Mr. Hager replied that in such cases the fee would be collected so that improvements can be made elsewhere. He advised that the proposed amendments to the sidewalk policy can be presented at the January Planning Commission meeting.

3. Urban Growth Boundary

Planning Director Will Hager informed the commission that the County's Growth Plan Coordinating Committee has met three times now as the City of Mt. Juliet has proposed to nearly double its existing Urban Growth Boundary in response to unprecedented growth it has experienced within the last ten years. Mr. Hager pointed out that the meetings present a good opportunity to clean up boundaries but he is uncertain what the outcome will be as currently

there may be little consensus among committee members. The Growth Plan Coordinating Committee must forward a recommendation to legislative bodies by April 19, 2012.

4. 2012 Calendar

Planning Director Will Hager presented the proposed calendar to the commission. He commented that the standard submittal and meeting schedule can always be amended if necessary.

A motion was then made by Beulah Garrett, seconded by David Taylor, all voting aye, to accept the 2012 Planning Commission Calendar as presented.

There being no further business to come before the board the meeting was adjourned at 5:30 p.m.



Chairperson Robert Schmidt



Date