

CITY OF LEBANON
MUNICIPAL REGIONAL PLANNING COMMISSION
Remote Meeting Minutes – June 22, 2021

Members

David Taylor
Ronnie Kelley
Chris Crowell

Mack McCluskey
Robert King

Chuck Daley
Chad Williams

Jesse Gilliam
Mike Walls

Staff

Matt Schenk
Andy Wright

Kathleen Vail
Joshua Stahle

Paul Corder

Regina Santana

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.

Changes to the Agenda

NB2. Request by Rae Cartwright for final plat approval for Subdivision of Cartwright, Allen & Hurd Property, a 3-lot subdivision on about 0.95 acres at 218, 220 and 222 Owen Street (Tax Map 67H Group A Parcels 15, 16 & 17) zoned R2 in Ward 2

This item was withdrawn by the applicant.

NB3. Request by Mid-South Companies for preliminary plat approval for Reunion at Township, a 4-lot subdivision on about 51.01 acres at 6715 Lebanon Road (Tax Map 55 Parcel 28) zoned CN in Ward 6

This item was deferred by the applicant.

NB9. Request by Suncrest Real Estate & Development for a South Hartmann Gateway Overlay Amendment for about 44.18 acres at an unaddressed property on South Hartmann Drive (Tax Map 68 Parcel 7 & 10.01) from WU-TCMx to WU-MxH in Ward 4

This item was deferred by the applicant.

Approval of Minutes

Regular Called March 23, 2021 Planning Commission Meeting

Regular Called April 27, 2021 Planning Commission Meeting

A motion was made by Chad Williams and seconded by Ronnie Kelley for approval of the minutes.

Consent Agenda

1. *Request by Copperstone Development, LLC for preliminary plat approval for Hunters Grove, a 180-lot subdivision on about 106.55 acres at 2711 and unaddressed property on Hunters Point Pike (Tax Map 45 Parcels 26 & 26.04) zoned RS20 in Ward 1*
2. *Request by Copperstone Development, LLC for final plat approval for Hunters Grove, a 64-lot subdivision on about 43.15 acres at 2711 and unaddressed property on Hunters Point Pike (Tax Map 45 Parcels 26 & 26.04) zoned RS20 in Ward 1*
3. *Request by Clayton Properties Group, Inc. for a minor master plan amendment for The Preserve PUD in Ward 6*
4. *Request by Clayton Properties Group, Inc. for preliminary plat approval for The Preserve at Belle Pointe, Phase 2, a 128-lot subdivision on about 39.65 acres at an unaddressed property on Cairo Bend Road (Tax Map 47 Parcel 10) zoned RS20 in Ward 6*
5. *Request by Lennar Homes of Tennessee, LLC for final plat approval for Phase 2C Vineyard Grove, a 31-lot subdivision on about 5.72 acres at 1500 Hunters Point Pike (Tax Map 58 Parcel 66.01) zoned CN in Ward 1*
6. *Request by Lennar Homes of Tennessee, LLC for final plat approval for Phase 2D Vineyard Grove, a 22-lot subdivision on about 4.79 acres at 1500 Hunters Point Pike (Tax Map 58 Parcel 66.01) zoned CN in Ward 1*
7. *Request by Stewart Knowles Construction, Inc. for final plat approval for Creekside Subdivision, a 4-lot subdivision on about 3.13 acres at an unaddressed property on Hart Lane (Tax Map 59 Parcel 17.09) zoned RD9 in Ward 1*
8. *Request by City of Lebanon for site plan approval for City of Lebanon Police Vehicle Storage Facility, a non-residential development on about 6.62 acres at 1017 Sparta Pike (Tax Map 67P Group A Parcel 13) zoned CG and RD9 in Ward 2*

A motion was made by Chad Williams and seconded by Chuck Daley for approval of the Consent items. Motion carried 9-0.

New Business

1. *Request by Suncrest Real Estate & Land for preliminary plat approval for Barton Village, a 731-lot subdivision on about 242.45 acres at 700 & 1139 Pinhook Road and unaddressed properties on Bartons Creek Road and South Hartmann Drive (Tax Map 81 Parcels 122.02 & 124.01, Tax Map 92 Parcel 88, and Tax Map 93 Parcel 18) zoned CN, RS6, RS9, and RS12 in Ward 3*

The applicant is requesting a variance for the 35 MPH design speed requirements for portions of the following roads:

- Arches Lane, reduction to 15 MPH
- Pinnacles Lane, reduction to 15 MPH
- Tortugas Road, reduction to 25 MPH along curve

- Saguaro Lane, reduction to 25 MPH along curve
- Great Basin Drive, reduction to 25 MPH
- Cabrillo Road, reduction to 30 MPH
- Bur Oak Road, reduction to 30 MPH
- Yosemite Drive, reduction to 30 MPH
- Kings Canyon Road, reduction to 30 MPH

The block length for Tortugas Road is 1,334 feet and the applicant has requested a variance. Staff recommended approval with Tortugas Road meeting block length requirements and a variance for design speeds subject to engineering approval.

Civil Site Design Group's Ryan Lovelace was available to answer any questions. He said that this is the new Del Webb Community, similar to the one in Mt. Juliet. He said that one of the variances, the block length, they have decided not to ask for that variance, and they will make it work. The design speed variances were always just worked out with staff but now because of the Subdivision Regulations, we have to formally ask for it just to modify our horizontal lines vertically.

Commissioner Chris Crowell asked if they ever looked at a straight shot from Hartmann to Pinhook.

Ryan Lovelace said they would have filled the whole site with lots if they could have, however, there are a lot of creeks, TVA easements, and MTEC easements and they are just staying off these things environmentally. He said a lot of these roads have lots on one side, not something they wanted, and this is what they were left with. Additionally, he said that having a few stop signs and some left and right turns to go through project is great from a subdivision standpoint because it does slow people down since it is a residential community, and nobody wants people traveling at 50 MPH through it.

Commissioner Chad Williams said asked if we could talk about the design speed requirements being before planning commission now instead of with staff. He said that dropping the design speed requirements would only make them a little weaker, but he needs further understanding.

Staff said that they are in the Subdivision Regulations with a note in the design speeds about Planning Commission having the ability to vary those requirements. Next month Staff will look at this to fix these issues.

Engineering Services Director Regina Santana said the construction drawings don't come to Planning Commission, and what they are asking for is not anything different then we already do. Engineer Mattie Neely and Traffic Engineer Kristen Rice have taken the design speed chart in the subdivision regulations and tweaked it, and it was going to be on this agenda. However, Planning said that there needed to be a public hearing first. Engineering staff thinks that the chart can be removed because ultimately it is the engineering department that works with the design engineers. Look for it to be on the July agenda.

A motion was made by Chad Williams and seconded by Chuck Daley for approval of the preliminary plat with the variances for design speed subject to engineering approval. Motion carried 9-0.

2. *Request by Rae Cartwright for final plat approval for Subdivision of Cartwright, Allen & Hurd Property, a 3-lot subdivision on about 0.95 acres at 218, 220 and 222 Owen Street (Tax Map 67H Group A Parcels 15, 16 & 17) zoned R2 in Ward 2*

This item has been withdrawn by the applicant.

3. *Request by Mid-South Companies for preliminary plat approval for Reunion at Township, a 4-lot subdivision on about 51.01 acres at 6715 Lebanon Road (Tax Map 55 Parcel 28) zoned CN in Ward 6*

This item has been deferred by the applicant.

4. *Request by Mid-South Companies for site plan approval for Reunion at Township Apartments, a development of 254 units on about 51.01 acres at 6715 Lebanon Road (Tax Map 55 Parcel 28) zoned CN in Ward 6*

In CN zoning district, for multi-family residential, garage parking cannot be on the primary façade. The side facing an open space can serve as a primary façade if there is a pedestrian connection. For this development, a sidewalk connection from the units to the open space sidewalk is required. Staff recommended approval with primary façade facing open space including a primary pedestrian entrance.

Civil Site Design Group's Joe Haddix was available to answer any questions. He said that they are in agreement with Staff to additional pedestrian connectivity to the front façade facing the open space.

A motion was made by Chad Williams and seconded by Robert King for approval of the site plan based on Staff's recommendation.

5. *Request by Clayton Properties Group, Inc. for site plan approval for The Preserve at Belle Pointe, Phase 2, a 128-lot subdivision on about 39.65 acres at an unaddressed property on Cairo Bend Road (Tax Map 47 Parcel 10) zoned RS20 in Ward 6*

Building elevation requirements for The Preserve PUD are required. Staff recommended approval with the building elevation requirements included on plan.

Ragan Smith's Jake Vincent was available to answer any questions. He asked for the commission's approval.

A motion was made by Chad Williams and seconded by Chuck Daley for approval of the site plan based on Staff's recommendation.

6. *Request by Horizon Construction and Development for site plan approval for Carthage Highway Townhomes, a development of 12 units on about 1.77 acres at 840 & 852 Carthage Highway (Tax Map 67B Group A Parcels 27 & 27.01) zoned R2 in Ward 2*

A primary pedestrian entrance facing Carthage Highway is required. For the elevation facing Carthage Highway, 20% transparency is required. In R2 zoning, for multi-family and townhome developments, 90-degree parking is required to be on the sides or rear of the building. The applicant has provided 90-degree parking on the front of the buildings. The applicant has requested a variance. Cross access to the West is required to be constructed to the property line. Staff recommended approval with cross access constructed to the property line and building elevations and parking meeting zoning code requirements.

615 Design Group's C J Murrell was available to answer any questions. He said that they are requesting the variance to match the existing parking on site. The existing building to the west and the building to

the south are on site with apparent 90-degree parking facing in toward the building and they want to match that. The building to the west made it very difficult to provide access on the site for fire access, etc. He said they agree with Staff comments with cross access to the west. They are in the process for putting together elevations for the northern most facing unit that faces Carthage Highway

A motion was made by Chad Williams and seconded by Mack McCluskey for approval of the site plan with the variances for transparency, parking and with the primary pedestrian entrance facing Carthage Highway and cross access constructed to the property line.

C J Murrell said that they would meet the transparency requirement and are not requesting a variance.

Chad Williams amended his motion to add the requirement that transparency met code.

Motion carried 9-0.

7. *Request by JCF Residences for site plan approval for Urban Silos of Lebanon-Amenity Center, a non-residential development on about 44.38 acres at 6750 Franklin Road (Tax Map 101 Parcel 16) zoned CN in Ward 4*

This project was originally approved in November 2018. The amenity center has been changed in subsequent revisions. Staff recommended deferral until a public meeting is held, based on the request from the city councilor for this ward in the city council meeting.

Lose Design's Mike Wrye said that the project was originally approved in 2018. He said that comment about revisions and having been changed in subsequent revisions seems a bit misleading to him. The history is that this plan was approved by Planning Commission in 2018. As in most of the case in post Planning Commission approval, he said that revisions were made, so the amenity building shifted. Sometimes these revisions are a function of staff comments, not so in this case. The amenity Center was relocated retaining walls were presplit requirement would have been around 30ft, he explained that meant the contractor would have had to drill about 30ft into the rock, so it was moved, as in often the case, to provide a better situation from a grading perspective. He said that the plan was approved by staff, the grading permit was issued, and construction commenced. He said that he received a call from staff around 3 months ago making it clear that there was a neighbor complaint and his client spoke to the city and agreed to push the building further away from that property line, which was accomplished in that it is slightly further away from that property line than what was approved by city staff. He said that he wanted to make sure the history was understood, and he sees no benefit in a deferral.

Anna Faye Lehman at 6880 Franklin Road said that this was approved three years ago by the Planning Commission and all of a sudden, she has a swimming pool at the end of her house, a community building, a weight room, a pool house in the corner of her yard and a parking lot right in her front door. That was not in the original plan that was approved three years ago. She said none of that was in her face, none of that. She said the front of her house was clear except for the road. She said the original plan was a 50-foot drop at the end of her property and the only thing that she saw good that would come out of this was it was all below her, not up in her face. She said she has been here for 16.5 years and this is directly affecting her. She said that if the Planning Commission can be railroaded then why do we need Planning Commission. Engineering signed off on a revised plan, she said and is not even the one that's on here now, and that's how it got caught, they slid under the table and got a signature and that is wrong. Go back to the original plan was approved in 2018 and drop all this baloney and get it out of her face and don't put

their trees blocking her view of Franklin Road, which she said she has seen all her life. She asked for a fence all around her property and she asked for trees. She said she tried to reach out to JCF Residences through the construction company who told them to go see her sit on the porch and talk to her, but they won't do it. She talked to Ken Beale to have them reach out to her and nothing, and she said they will not talk to her. She stated that she can't do what she needs to do in three minutes. (Allotted time by the Planning Commission for citizens to talk.) They should have enough courtesy for her as a homeowner she said for them to sit down and talk with her and go over these plans. She said we should just go back to what Planning Commission approved and the homeowner should be protected, with trees and a buffer, and she wants her property line fenced and she shouldn't be the one that pay for it. She asked the Planning Commission to do what's right and noted that as of right now, today, they are digging right by her house and the city said specifically that nothing was to go on. She said they don't pay attention to y'all, they don't pay attention to the rules or the codes department and she's just telling it like it is.

Derek Dobson of 106 Chapman Drive asked about JCF Residences and what JCF stands for.

The developer replied that it is John C Fitzmorgan.

Chairman David Taylor said that they went through this pretty heavily three years ago and they thought they worked out a compromise. He said he sees no reason to change what they approved three years ago and that's his opinion and that is how he will vote.

Commissioner Chad Williams said that the dirt and rock didn't change over the years, and they knew what they were getting when they bought.

Commissioner Chris Crowell said that this is just from his viewpoint, and not the first time that he has seen a communication problem between the developer and the neighborhood, and he is disappointed in the communication here. There hasn't been good communication with the neighborhood and there hasn't been good communication with the city and hopefully that is not the case in other developments that they have but he is disappointed here that possibly could have been a better path from the beginning to now. He said he's not in favor of this.

A motion was made by David Taylor and seconded by Chad Williams for denial of the site plan based on what the Planning Commission approved three years ago. Motion carried 9-0.

8. Request by Mapco for site plan approval for Mapco-Quarry Loop, a non-residential development on about 3.58 acres at 3450 Highway 109 (Tax Map 55 Parcels 48 & 50) zoned CG in Ward 6

A landscaping warranty note is required. For the photometric plan, footcandles cannot exceed 0.5 at the property line. Staff recommended approval with required landscaping note and the photometric plan meeting code.

Fulmer Lucas Engineering's Josh Hutcheson was available to answer any questions.

Real Estate Manager Nigel Hodge said that he has grown up down the road and visited Lebanon and is glad to see your city grow and were very excited. He has worked with the company for 8.5 years and this is a somewhat local company and is very excited for the quality of the project and the future in Lebanon.

Commissioner Chris Crowell asked if there are adequate landscape buffers.

Staff said that they do have adequate buffers and there is industrial right behind them, it is an industrial neighborhood.

A motion was made by Chad Williams and seconded by Chuck Daley for approval of the site plan. Motion carried 9-0.

9. *Request by Suncrest Real Estate & Development for a South Hartmann Gateway Overlay Amendment for about 44.18 acres at an unaddressed property on South Hartmann Drive (Tax Map 68 Parcel 7 & 10.01) from WU-TCMx to WU-MxH in Ward 4*

The applicant has requested deferral to the July 27, 2021 Planning Commission Meeting.

10. *Request by Staff for an amendment to the 2021 Planning Commission Calendar*

This request is to amend the deadline for Future Land Use Plan amendments due to advertising requirements by two or three days.

A motion was made by Mack McCluskey and seconded by Chad Williams for approval of the amendment to the calendar. Motion carried 9-0.

Planning Director Comments

There will be a Special Called Planning Commission on July 8, 2021 with a Public Hearing, a Work Session will follow.

A meeting for the Zoning Committee will be on Wednesday June 30th at 3:00 PM.

Adjourn

A motion was made by Chad Williams and seconded by Chuck Daley to adjourn. Meeting adjourned at 5:35 PM.

David Taylor
Chairman, David Taylor

07/27/2021
Date

Kathleen Vail
Kathleen Vail, Recording Secretary

July 27, 2021
Date