

CITY OF LEBANON
MUNICIPAL REGIONAL PLANNING COMMISSION
Meeting Minutes –June 28, 2022

Members

David Taylor	Mack McCluskey	Jesse Gilliam	Adrian Kelley
Ronnie Kelley	Chris Crowell	Chuck Daley	Nick Hayes

Staff

Kristy Barhite	Joshua Stahle	Kathleen Vail	Andy Wright
Paul Corder	Regina Santana	Sarah Haston	

Call to Order

Chairman Mack McCluskey called the meeting to order at 5:00 PM. Commission member Jesse Gilliam opened with the invocation and led the Pledge of Allegiance.

Staff Reports

1. Sidewalks Report - Staff said that all forty-six of the sidewalk permits for the month are being installed.

Date	Project	Lots	Status	
			Sidewalk	Payment In-Lieu
5/26/2022	Holland Ridge	7	Installing	
6/10/2022	West End Townhomes	4	Installing	
6/13/2022	West End Townhomes	4	Installing	
6/14/2022	Holland Ridge	9	Installing	
6/21/2022	Hunters Point	9	Installing	
6/23/2022	Holland Ridge	6	Installing	
6/23/2022	Cedar Station	7	Installing	
		46		

Committee Reports

1. SP & Annexation Committee Report – Chuck Daley, Chairman reported there was only one item and that will be returning to the committee next month.
2. Historic Preservation Committee Report – No report.
3. Sidewalk, Bike, and Trails Committee Report – The committee did not meet.
4. Zoning Committee Report – No report.
5. Residential Development Committee – Chuck Daley reported that the committee discussed regarding:
 - Legalities of requiring building materials.
 - Apartments having its own zoning district.
 - The zoning districts rewrite.
6. Training Committee Report – Nick Hays, Chairman reported that basically they discussed things that would make understanding easier for new members and current members. One of the things they discussed was having a handbook or pamphlet of things that they can discuss on a regular

basis. One of the other issues they discussed was understanding what they can and cannot do from a legal standpoint and possibly using one of their training sessions with Andy Wright.

Changes to the Agenda - Public Hearing Item # 2 was advertised but was omitted from the agenda.

Public Hearing

1. *Public Hearing on the proposed amendment to the Future Land Use Plan for about 2.2 acres of the Rezone Gravel Lot for storage project at unaddressed property on Sparta Pike (Tax Map 82 Parcel 129.01) from CI to IL in Ward 2*

Richard Jones of 1234 Sparta Pike said that this would be for more trailers. The city code department had them remove them from there previously. He said that trailers were not a good fit for that area and there would be traffic issues.

The public hearing was closed for this item.

2. *Public Hearing on the proposed amendment to the Future Land Use Plan for about 49.37 acres of the Remington Grove project at unaddressed properties on Trousdale Ferry Pike and Bluebird Road (Tax Map 67 Parcels 40.37 & 48) from FLH2 to FLH16 in Ward 2*

The public hearing will remain open for this item.

Approval of Minutes

A motion was made by David Taylor and seconded by Chuck Daley for approval of the regular called May 24, 2022 Planning Commission minutes. Motion carried.

Consent Agenda

1. *Request by Clayton Properties Group, Inc. for final plat approval for The Preserve at Belle Pointe, Phase 1B, a 41-lot subdivision on about 13.82 acres at unaddressed property on Cairo Bend Road (Tax Map 47 Parcel 10) zoned RS20 with The Preserve PUD Overlay in Ward 6*
2. *Request by Forestar Group, Inc. for site plan approval for Campbell Place Amenity, a non-residential development on about 12.8 acres at 879 Coles Ferry Pike (Tax Map 58 Parcel 49) zoned RM6 in Ward 1*
3. *Request by George Bashour for site plan approval for Sparta Pike Subway Site Plan, a non-residential development on about 1.34 acres at 1150 Sparta Pike (Tax Map 82 Parcel 11.01) zoned CG in Ward 2*

Derek Dobson of 106 Chapman Drive asked what the amenity would be for Consent Item #2.

Staff explained that it would be a swimming pool and pool building.

A motion was made by David Taylor and seconded by Jesse Gilliam for approval of the consent items. Motion carried 8-0.

Old Business

1. *Request by Land Solutions Company, LLC for rezoning approval for about 13.27 acres of the 210 Alligood Way project at 210 & an unaddressed property on Alligood Way and 1960 SE Tater Peeler Road (Tax Map 81 Parcel 77.03, 77.13, 77.16 & 84) from CG & IP to CG & IP in Ward 6*

Staff recommended approval because it follows the Future Land Use Plan.

A motion was made by Chuck Daley and seconded by Adrian Kelley for recommended approval of the rezoning to City Council. Motion carried 8-0.

2. *Request by 6505 HR LLC for annexation and zoning approval for about 25.5 acres of the Hickory Ridge SP at 6505 Hickory Ridge Road (Tax Map 70 Parcel 69.02) and zoning to HRDSP to be added to Ward 4*

Staff comments:

- The city is requesting 2 connections per unit for gas service.
- The applicant should try to meet the townhome regulations with straight zoning rather than the SP.
- The City has requested some element of commercial on this property.
- The applicant should make the case that this project is a benefit to the city.
- The driveways and sidewalks should be separated, or the driveways should be deep enough to provide 2 vehicles without parking and obstructing the sidewalks.
- The city has asked for regulations to prevent this from becoming a rental community.

Staff recommended denial. The applicant is not providing the gas connections that the city had requested. This request also does not follow the city's townhome regulations. This is a high-traffic area that is ideal for commercial use and this project does not provide an opportunity for that. The driveway/sidewalk design proposed has proven to be an issue in other developments where people are parking on the sidewalks. The applicant has not provided any way to prevent this area from becoming a rental community. With the new submittal that was received Friday, they are showing some commercial, but it is not mandatory it is just an option.

Warren and Associates' Jerry Warren was available to answer any questions. He said he wanted to address some of the comments.

- They have been through several meetings.
- They agreed to the gas connections and have included it in the proposed CCR.
- The CCR also included some supported parking and providing 2.6.
- They are meeting the townhome regulations for a portion of the property.
- They feel the provided elevations are enhanced.
- They had a commercial component using 50ft for access into the property, plus sidewalks, and added a potential commercial use.
- Rental was discussed and they agreed to allow up to 33% and included it in the CCR.
- They originally submitted this property as CN and were told that use was not suitable.

Greg Smith, the property owner said that economic director had stressed that she wanted commercial on this site. He said that she has helped us reach out to four different commercial brokers and that the two who had showed up, agreed that this property was not a commercial piece of property. He said that he felt like this is a high-quality product.

Jerry Warren said that they had provided a conservative financial review of between \$850,000 and \$1.3 million in development fees and taxes.

Economic Development Director Sarah Haston said that commercial was wanted from the first day because it is in a high traffic area. She also noted that she had concerns with this project not meeting the townhome regulations.

The commissioners asked about the outstanding items and the noncompliance of the townhome regulations.

Staff explained that the items they put in the CCR are civil items and not written in the Specific Plan which are totally different documents and the CCR is not controlled by the city. If the gas connections are not put in the SP, they are not enforceable. Regarding the townhomes, a large portion are front loaded.

Commissioner David Taylor said that the topography is similar to an area on Charlotte Pike, and he understood how the access would be difficult.

Jerry Warren suggested that they could add a simple sentence in the SP that refers to the CCR.

Greg Smith said that it is ridiculous to defer this project since it is the third time this had been put off.

There was continued discussion regarding the SP and the non-binding legal issues of CCRs.

Commissioner Chuck Daley told the developer that if they add the 33% rental cap, two gas connections per unit, the designated area for commercial, the 2-vehicle parking and meet the townhouse regulations in the SP, then they will pass it with those conditions.

Jerry Warren stated that they would have difficulty meeting the townhouse regulations because of the shape of the property.

A motion was made by Nick Hays and seconded by Chris Crowell for recommended denial of the annexation to City Council. Motion carried 7-1.

3. *Request by EQT Exeter for a future land use plan amendment for about 30 acres of the Cedartree Development project 4455 Highway 109 N, unaddressed property on Lebanon Road, and 841, 880, 887 & 926 E Old Laguardo Rd (Tax Map 48 Parcels 39, 39.02, 47, 47.02 & 47.03 & Tax Map 56 Parcel 1) from FLH2, FLH3 & RPO to CI & IL in and near Ward 6*

Staff recommended approval.

Ragan Smith's Caleb Thorne was available to answer any questions. He noted that the acreage stated was off and that this was a clean-up of the FLU Map to match the existing zoning in the city limits.

Carl Wiley of 2017 East Old Laguardo Road said that he understands that industrial already zoned will be built and he does not have a problem with the access to Hwy 70. He noted problems with the containments in the water. He estimated there would be 289 vehicles and cause traffic issues. He asked that the first 15 acres of property not be zoned industrial and make it a community area.

Ed Bernard of 791 East Old Laguardo Road said that the developer first came to him, he explained that all the development would be behind them, and they would get a traffic light and road connection. Then he

said that they bought additional property to zone industrial. He asked that they keep their area the same and make all the development go in the back.

Derek Dobson of 106 Chapman Drive asked if the Planning Director had a meeting with anyone with Exeter other than the civil engineers.

Staff said that he believed he did not have any meeting.

Dennis Hodous of 1045 East Old Laguardo Road said that you can barely fit two cars on their road now and with the proposed roadway and traffic accidents on Hwy 109, he is concerned about the traffic.

Ben Briggs of East 917 Old Laguardo Road is concerned about the extra 10 acres of industrial park, and he asked that the rest of it is left residential or make a truck lane.

Commissioner Chris Crowell asked the developer to say what the public benefit is.

Caleb Thorne summarized that it would be:

- Traffic signal (Hwy 109 and Rock Castle) of which they are paying 50% (\$175,000).
- Public/private agreement of 1.7 miles of walking trails (\$1.6 million with max cap of \$2 million).
- Connection of parks.
- Additional fees, taxes, etc. (\$2 million).

A motion was made by Chuck Daley and seconded by Adrian Kelley for recommended approval of the amendment to the Future Land Use Plan to City Council. Motion carried 8-0.

4. *Request by EQT Exeter for rezoning approval for about 30 acres of the Cedartree Development project at an unaddressed property on Lebanon Road (Tax Map 56 Parcel 1) from IP to CG in Ward 6*

Staff recommended approval because CG is a more appropriate use than IP along Lebanon Road.

Ragan Smith's Caleb Thorne was available to answer any questions. He explained that the property to the south is zoned industrial and they want to change the zoning to have commercial.

A motion was made by David Taylor and seconded by Jesse Gilliam for recommended approval of the rezoning to City Council. Motion carried 8-0.

Commissioner Chris Crowell said that he appreciated the zoning change and that it is good for the city.

Motion continued. Motion carried 8-0.

5. *Request by EQT Exeter for Plan of Services approval for annexing about 22.38 acres of the Cedartree project at 4455 Highway 109 N and 841, 880, 887 & 926 E Old Laguardo Rd (Tax Map 48 Parcels 39, 39.02, 47, 47.02 & 47.03) and zoning to CG & IP to be added to Ward 6*

Staff recommended approval.

Ragan Smith's Caleb Thorne was available to answer any questions. He said that this fills a hole with the services connecting from the East to the West.

A motion was made by Chuck Daley and seconded by Adrian Kelley for recommended approval of the Plan of Services to City Council. Motion carried 8-0.

6. *Request by EQT Exeter for Annexation and zoning approval for about 22.38 acres of the Cedartree project at 4455 Highway 109 N and 841, 880, 887 & 926 E Old Laguardo Rd (Tax Map 48 Parcels 39, 39.02, 47, 47.02 & 47.03) and zoning to CG & IP to be added to Ward 6*

Staff recommended approval.

Ragan Smith's Caleb Thorne was available to answer any questions. He said that they are creating a transition zoning from a commercial use along the corner of Hwy 109 and the proposed road, to the east side of Old Laguardo as well as adding 10 acres to the existing zoning of industrial.

Carl Wiley of 2017 East Old Laguardo Road said that this is 15 acres is what they were commenting on with NB#5 and that is the buffer that they would like to see.

Ben Briggs of 917 East Old Laguardo Road asked that they turn down this request.

Chad Bernard of 791 East Old Laguardo Road asked that they not annex this project; there is a lot of water issues, and they are already in a flood zone.

A motion was made by Chuck Daley and seconded by Adrian Kelley for recommended approval of the annexation to City Council. Motion carried 8-0.

New Business

1. *Request by Goodwill Industries for preliminary plat approval for Resubdivision of Lot 1 & Consolidation Wilson County Livestock Market Partnership Property, a 2-lot subdivision on about 6.95 acres at 1414 & an unaddressed property on W Main Street (Tax Map 68A Group A Parcels 3 & 4) zoned CG in Ward 5*

Staff comments:

- Brick veneer is the primary building material which is not an allowed building material in this district. The secondary materials of cedar shake and cement siding exceed their allowed percentage of the façade by 10%. The applicant has requested a variance for these building materials to be used as such.
- A 24-foot-wide driveway is being proposed when a 12-foot-wide max driveway is allowed. The applicant has requested a variance.
- The applicant is requesting payment in-lieu-of sidewalks which if approved would be \$8,448.00, if the driveway width variance is granted, or \$9,024.00 if the variance is not granted.
- This item has been reviewed by Staff and meets all other criteria under consideration by the Planning Commission.

Staff recommended approval with a 12-foot-wide driveway at the property line. The applicant has proposed a 4-foot sidewalk but has also requested payment-in-lieu-of sidewalks. The city standard for the CS district is 6-foot-wide sidewalks.

Dean Design's Charlie Dean was available to answer any questions. He said that the sidewalks on site would be private and asked for a variance on the sidewalks and the driveway.

Manous Design's Mike Manous, architect for the project, said that he came up with an interesting design and neglected to check the material percentages however, he felt that the design was quite attractive.

Derek Dobson of 106 Chapman Drive said that this property is a city driven fraud and that it was miscoded by the city, the two houses that were allowed there, blocks the drain causing flooding.

Charlie Dean noted that FEMA has not mapped this area as a flood area.

Commissioner Adrian Kelly disclosed that he was involved in the sale of this property.

Engineering Director Regina Santana said that the private sidewalk would need to be 5ft not 4ft to meet ADA regulations.

Commissioner Chris Crowell asked if the zoning is appropriate.

Staff said that the use was already allowed.

A motion was made by David Taylor and seconded by Adrian Kelley for recommended approval of the site plan with the variances for the driveway, building material, 5ft private sidewalks and a payment in-lieu-of amount of \$8,488.00. Motion carried 8-0.

2. *Request by Wilson County Road Commission for site plan approval for Wilson County Road Commission – Proposed Equipment Storage Building, a non-residential development on about 2.46 acres at 970 Tennessee Boulevard (Tax Map 67 Parcel 85.05) zoned IH in Ward 2*

Staff comments:

- Minor note corrections are needed.
- Rear setback needs to be adjusted due to residential zoning to the rear.
- Bike parking is not being provided.
- No landscaping plan has been provided. The applicant has requested a variance to do no landscaping, no fee payment has been recorded.
- Metal siding is being used as the primary building material when only 25% of the façade is allowed for this material. The applicant has requested a variance, no fee payment has been recorded.
- The applicant has requested payment in-lieu-of sidewalks which if approved would be \$15,504.00.
- This item has been reviewed by Staff and meets all other criteria under consideration by the Planning Commission.

Staff recommended approval with the variances.

Warren and Associates Jerry Warren was available to answer any questions. He requested approval of the variances and noted that there were no sidewalks in that area of Tennessee Blvd.

A motion was made by Chuck Daley and seconded by Jess Gilliam for recommended approval of the site plan with variances for landscaping and building material and a payment in-lieu-of amount of \$15,504.00. Motion carried 8-0.

3. *Request by Lebanon Partners, LLC for site plan approval for StayAPT Suites South Eastgate Court Lebanon TN, a non-residential development on about 1.78 acres at an unaddressed property on S Eastgate Court (Tax Map 79 Parcel 69.29) zoned IP in Ward 4*

Staff comments:

- Minor note corrections needed.
- Applicant has requested a variance for transparency. The transparencies are at 14% where 20% are required.
- Building articulation is required every 50 feet. The elevations state the articulation is at 50'-6". So, this would require a variance for 6 inches on multiple sections of the building.
- This item has been reviewed by Staff and meets all other criteria under consideration by the Planning Commission.

Staff recommended approval with the variance for articulation granted because it is so minor. The request for a variance for transparency is self-imposed, therefore, is not a valid hardship.

Arnold Consulting Engineering Services' Daniel Whitley was available to answer any questions.

Lebanon Partners' Josh Randall, owner, said that he is excited to bring this project to Lebanon, next to the other two hotels and felt that the project is consistent to that area.

There was a discussion about the windows and transparency.

A motion was made by David Taylor and seconded by Chuck Daley for recommended approval of the site plan with the variance for transparency and articulation. Motion carried 8-0.

4. *Request by Goodwill Industries of Middle TN for site plan approval for Goodwill Industries, a non-residential development on about 3.48 acres at 1414 W Main Street (Tax Map 68A Group A Parcels 3 & 4) zoned CG in Ward 5*

Staff comments:

- EIFS is being used on the first story of the building when it is only allowed above the first story. The applicant has requested a variance.
- This item has been reviewed by Staff and meets all other criteria under consideration by the Planning Commission.

Staff recommended approval of the site plan and is not opposed to the building material variance as it meets the intent of the code that aims to keep EIFS away from the ground.

Dean Design Group's Charlie Dean was available to answer any questions. He said that it is a very tall building and that the EFIS is well off the ground.

A motion was made by Chuck Daley and seconded by Jess Gilliam for recommended approval of the site plan with variance for building material. Motion carried 8-0.

5. *Request by Three Forks Holding, LLC for site plan approval for Site Development Plans of Zaxbys (Highway 109), a non-residential development on about 1.25 acres at 447 Highway 109 N (Tax Map 79 Parcel 43) zoned CS in Ward 4*

Staff comments:

- Minor note corrections needed.
- Applicant has requested a variance on transparency of the non-drive thru façade. There is no transparency required on this façade.
- Applicant has requested a variance on secondary façade material percentage requirements.
- Applicant has requested payment in lieu of sidewalks. The fee for the payment in lieu of sidewalks is \$9532.00. The dental office adjacent to this parcel is installing sidewalks.

- This item has been reviewed by Staff and meets all other criteria under consideration by the Planning Commission.

Staff recommended approval and is not opposed to the façade materials variance.

CSR's Darrell Hill was available for any questions or comments. He said that they want to install sidewalks now instead of the payment.

Lee Oliver, the architect for the project was available to answer any questions.

A motion was made by Chuck Daley and seconded by Chris Crowell for recommended approval of the site plan with the variance for façade materials and building the required sidewalk.

Commissioner Chris Crowell thanked them for the opportunity to have another fine restaurant on Hwy 109.

Motion continued. Motion carried 8-0.

6. *Request by JIT-EX for site plan approval for East Division Street, a non-residential development on about 12.46 acres at an unaddressed property on E Division Street (Tax Map 78 Parcel 32.06) zoned IP in Ward 4*

Staff comments:

- A connection to the south is needed. The applicant has requested a variance and a valid hardship exists due to the stream being Stream Order 5 at this location.
- The applicant has requested payment in-lieu-of sidewalks and if approved, the fee will be \$19,200.00.
- This item has been reviewed by Staff and meets all other criteria under consideration by the Planning Commission.

Staff recommended approval with the variance for the connection to the South because of a valid hardship.

615Design Group's Corey Nelson was available to answer any questions.

A motion was made by Chuck Daley and seconded by David Taylor for recommended approval of the site plan with the variance for the connection to the south and the payment in-lieu-of amount of \$19,200.00. Motion carried 8-0.

7. *Request by Suncrest Real Estate & Land for SP amendment approval for about 124.50 acres of the BVSP-Barton Village SP project at unaddressed property on South Hartmann Drive and Bartons Creek Road (Tax Map 81 Parcel 122.02) in Ward 3*

Changes being requested:

- Amending opening notes section to only require amendment and site plans to come to Planning Commission at the applicant's request instead of all site plans coming before the Commission.
- Number of flats increasing by 97 units.
- Number of Townhouse increasing by 97 units.
- Number of total units increasing by 194.
- Adding Cultural and Recreational Services – Swimming Pool to list of allowable uses in the WU-TCR subdistrict.

- Changing the definition of a Townhouse to read “The definition of the Townhouse building type to i) allow for fronting on Open Spaces or Natural Open Spaces. ii) Remove private rear courtyards and separation from rear parking as a typical feature.”
- Changing standards for townhouses that exceed two stories to reduce the ground ceiling height to 8ft from 9ft.
- Increasing block length maximum to 1,100ft from 600ft.

Staff Comments:

- The language in the SP document shall reflect the language in the South Hartmann Gateway Overlay is regarding the site plan process.
- The block length requirement should stay at 600ft with an exception to allow for compliance with the South Hartmann Access Management Plan.

Staff recommended approval with the applicant coming back to the Planning Commission for any amendments to the SP and specifying which blocks can exceed 600ft.

Suncrest’s Casey Warner was available to answer any questions. He said that they had worked with Staff to get the comments resolved. He explained the changes and said that the block length is only denoted to two streets now because of the access, there was no way to meet it. He said that unit count increase was originally submitted however, it was omitted in the City Council documents that were approved.

Chairman Mack McCluskey asked if they have to come back before the commission for the block length.

Staff said that the developer fixed the block length.

A motion was made by Chuck Daley and seconded by Adrian Kelley for recommended approval of the amendment to the BVSP-Barton Village – SP. Motion carried 8-0.

8. Request by Cato Industrial Development, LLC for a future land use plan amendment for about 2.2 acres of the Rezone Gravel Lot for storage project at unaddressed property on Sparta Pike (Tax Map 82 Parcel 129.01) from CI to IL in Ward 2

The properties to the North and South are indicated as Interchange Commercial, to the East as Rural/Open Space, to the West are indicated as Interchange Commercial and Residential 2 Units per Acre on the Future Land Use Plan. Staff recommended denial because an industrial use is not consistent with the established commercial corridor on Sparta Pike

Staff recommended denial because an industrial use is not consistent with the established commercial corridor on Sparta Pike.

Richard Jones of 1243 Sparta Pike said he appreciated the time the commissioners spend because it is a tough job, and he knows being a former planning commissioner. He said that this development will be having a lot of trailers on this site at a busy intersection drop lots and NB#11 will have 650 drop trailers and that is not what we want welcome to Lebanon see our apartments, see our warehouses, and see our trailers. Sparta Pike is a main throughfare into our city. He remarked that this is not good smart growth.

City Councilor Fred Burton said that he has numerous meetings with the citizens and commissioners and this request does not meet the FLU Plan and he requested that they do not amend it.

Derek Dobson of 106 Chapman Drive said that this is also not a great way to welcome people to the Tennessee State Fair.

Eric Tyson of 2875 Eastover Road said that back when trailers were on that property, it was a traffic snarl and a dustbowl, and this property does nothing to enhance the quality of their lives.

A motion was made by Nick Hayes and seconded by Chuck Daley for recommended denial of the amendment to the Future Land Use Plan to City Council because it does not meet the Future Land Use Plan. Motion carried 8-0.

9. *Request by Cato Industrial Development, LLC for rezoning approval for about 2.2 acres of the Rezone Gravel Lot for storage project at unaddressed property on Sparta Pike (Tax Map 82 Parcel 129.01) from CG to IL in Ward 2*

The Future Land Use Plan identifies this area as Interchange Commercial with would not support this request. The FLU amendment requested would make this Light Industrial which would support this rezoning request. Staff recommended denial because the request does not follow the Future Land Use Plan.

Staff recommended denial because the request does not follow the Future Land Use Plan.

A motion was made by Nick Hayes and seconded by Chuck Daley for recommended denial of the amendment to the rezoning to City Council because it does not meet the Future Land Use Plan. Motion carried 8-0.

10. *Request by Rodger Mitchell Properties, LLC for rezoning approval for about 0.6 acres of the Rodger Mitchell Property project at 311 Cainsville Road (Tax Map 68M Group D Parcel 20) from IL to RM6 in Ward 2*

The Future Land Use Plan identifies this area as Residential 16 Units per Acre which would support this request. Staff recommended approval because the request follows the Future Land Use Plan.

A motion was made by Adrian Kelley and seconded by Chuck Daley for recommended approval of the rezoning to City Council. Motion carried 8-0.

11. *Request by Raymond Harris for rezoning approval for about 20.24 acres of the Sparta Pike - Specific Plan - Commercial project at 1317 & 1331 Sparta Pike and 85 Eastover Road (Tax Map 82 Parcels 81, 81.01, and 84) from CG & CS to SPSP in Ward*

Staff comments:

- Changes to the SP were provided too close to the preliminary meeting to address in the new Staff Report.
- The applicant has not specified if the proposed DBST pavement is dust-free.
- The city has asked for an access to Eastover Road, even if "emergency exit only" and this has not been provided.
- Block perimeter is well beyond the 5,700 feet requirement. This needs to be addressed.
- The applicant has updated the SP Ordinance to include exemptions for the following requirements:
 - Landscape island standards
 - Off-street parking area barrier requirements
 - Parking dimensions, turn radii on corners, and widths of drives and entrance points. Block perimeter is well beyond the 5,700 feet requirement. This needs to be addressed.

Staff recommended denial because the storage of trucks and trailers is an industrial use, and this is not consistent with the established commercial corridor on Sparta Pike and does not meet the Future Land Use Plan.

Shirley Hickerson of 484 Eastover Road said that it is 20 acres instead of 30 acres.

Joe Varossa of 1287 Eastover Road is a very small and dangerous road. He was against the project.

Richard Jones of 1243 Sparta Pike said that the city has had to issue stop work orders and citations on this because without approval, there has been grading and construction and since he has cleared off all the trees and vegetation there may be drainage issues. He asked for denial.

City Councilor Fred Burton said that area has increased traffic of over 100 trucks a day making that turn and we do not need anymore trucks and asked for denial.

Beverly Ayers of 1581 Eastover Road asked for denial.

Deborah Varossa of 1287 Eastover Road said it is a dangerous road and the bridge is a hazard.

Mary Ashworth of 353 Eastover Road said that it is not only dangerous for them, but a dangerous road for traffic trailers to be on. She asked that the commission not pass this item.

William Hokowitz of Eastover Road explained some near miss accidents involving trucks on that road. He asked for denial.

Warren and Associates' Jerry Warren said that respected the comments asked for an indefinite deferral of this project.

12. Request by Staff to amend Zoning Code Section 14.1208.F.7. Deferred Presentment to add language establishing a minimum distance from banks and credit unions

Staff noted that this was not a positive thing for community and competition.

Economic Development Director Sarah Haston noted that the city is raising its standards and there is a lot of interest in commercial development and there are better uses.

City Attorney Andy Wright said that it is legal to impose minimum distances on businesses.

A motion was made by David Taylor and seconded by Chuck Daley for recommended approval of the amendment to the Zoning Code to City Council. Motion carried 8-0.

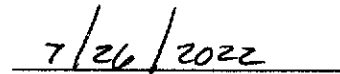
Adjourn

The meeting was adjourned at 7:07 PM.


Mack McCluskey, Chairman


Date


Kathleen Vail, Recording Secretary


Date