

**CITY OF LEBANON  
MUNICIPAL REGIONAL PLANNING COMMISSION  
Meeting Minutes – January 26, 2016  
Town Hall Meeting Room 5:00 PM**

**Members Present:**

Bernie Ash Pam Black Larry Hubbard David Taylor  
Rick Bell Beulah Garrett Dan Mack Mike Walls

**Others Present:**

Paul Corder Regina Santana  
Angela Fantom Kathleen Vail

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

**ELECTION OF OFFICERS**

- 1. Chairman** – Bernie Ash nominated David Taylor to serve as chairman. All voted aye to elect David Taylor as chairman.
- 2. Vice-Chairman** – Mike Walls nominated Rick Bell to serve as vice-chairman; David Taylor seconded. Dan Mack nominated Pam Black to serve as vice-chairman; Ms. Black declined. All voted aye to elect Rick Bell as vice-chairman.
- 3. Secretary** – Larry Hubbard nominated staff to serve as secretary; Pam Black seconded. All voted aye to elect staff as secretary.

Chairperson David Taylor explained the order of proceedings.

**PUBLIC HEARING**

**Public Hearing on the proposed amendment to the Subdivision Regulations Article II Section E “Cluster Subdivisions” to add Cluster Subdivisions.**

Planning Director Paul Corder explained that because the draft amendment (included in the agenda packet) needs to be discussed further and revised, no action will be taken on it during this meeting. He briefly reviewed the proposed amendment which provides the legal means to build detached, single-family dwelling units on properties with natural or man-made features that add value to the City and are worth preserving while allowing the number of units allowed in the zoning code. It has been suggested to Mr. Corder that design standards for cluster subdivisions be included in the zoning code; this would require City Council approval.

Resident Derek Dodson addressed the commission. He acknowledged that cluster subdivisions can be good or bad but stressed that the north side of Lebanon cannot handle high-density development as traffic is already an issue on Highway 231 North, a road that cannot and will not be widened due to water lines located on both sides of it. Mr. Dodson commented that a classic example of a bad idea for development is the Marlin Property which was presented to the commission in July and again in November of last year.

Mr. Corder anticipated that the item will be discussed during Saturday's work session with City Council. It must be brought back to the commission for approval once it has been considered by the residential subcommittee. Commission members Dan Mack, Pam Black and David Taylor agreed that they prefer a title for the amendment that avoids controversy. The public hearing was closed.

### **APPROVAL OF MINUTES**

Chairperson David Taylor asked if the Planning Commission members had read over the minutes and requested a motion. A motion was made by Beulah Garrett to approve the minutes of the November 24, 2015 Planning Commission meeting, December 15, 2015 Planning Commission meeting, and December 22, 2015 special called Planning Commission meeting.

Commission member Larry Hubbard had a question about the December 22, 2015 special called meeting minutes as he felt that the rezoning request by Paul Bass remains open/unanswered. Planning Director Paul Corder advised that while there was no spoken rejection of the request, the Planning Commission's recommendation for City Council to rezone the property RS12 was an answer. He added that the commission can make a less intensive recommendation than requested but not a more intensive one.

Mr. Hubbard commented that it is confusing to developers and the public when a developer is asked to select from a menu of zoning districts and then the commission recommends differently and blindsides the developer; the commission had been trying to help both the developer and the neighborhood. Mr. Corder advised that generally, the Future Land Use Plan should be followed. Mr. Hubbard expressed that the commission should honor the applicant's request if it is on the menu and let City Council address it. He wondered why the City has a Future Land Use Plan if the commission is not going to honor it. Issues like this, he said, need to be addressed during Saturday's work session.

Commission member and City Councilor Bernie Ash expressed that while he supports developers, it is the Planning Commission's job to represent the people. He commented that the commission failed the people when it recently approved The Pointe at Five Oaks site plan as the development will devalue area properties.

Commission member Larry Hubbard countered that property values are already declining in Lebanon due to lack of growth; because the City has approximately the same density as Hartsville rather than Murfreesboro, Smyrna, Mr. Juliet, or Gallatin, investors believe there are not enough people here to invest. Mr. Hubbard serves on the Planning Commission because he wants to bring quality growth to the City.

Planning Director Paul Corder advised that these issues can be discussed further during Saturday's work session. He informed Mr. Hubbard that the work session will be advertised as well.

Commission member Dan Mack expressed his appreciation of Mr. Hubbard's passion but commented that quality of life is a bigger issue. Mr. Mack supports smart development rather than development for the sake of development. Commission member Pam Black added that she believes it is important to vote with one's conscience.

Motion to approve the November and December meeting minutes was seconded by Rick Bell and carried unanimously.

## OLD BUSINESS

**Request by Rocco Spizzirri for site plan approval of Firestone Complete Auto Care Storage Building a development of 0.69 acres at 1623 West Main Street (Tax Map 57 Parcel 58.04) from CG in Ward 5.**

Planning Director Paul Corder advised that the site plan now complies with the code as the storage containers are proposed to be located in a roofed structure that connects to the main building. The proposed facade of the roofed structure matches the existing building and now complies with the City's building material requirements.

CEI Engineering Associates' Jenny Smith represented the applicant and was available to answer any questions. She informed commission member Pam Black that no landscaping is proposed around the structure at this time; however, existing landscaping will be re-groomed.

A motion was made by Larry Hubbard and seconded by Dan Mack to approve the site plan. Motion carried unanimously.

## NEW BUSINESS

- 1. Request by Hodges Group for Final Plat approval of Five Oaks Phase 5, Section 2A1, a 5 lot subdivision of about 1.02 acres at unaddressed property on Five Oaks Boulevard (Tax Map 56 Parcel 24) zoned HDRPUD in Ward 6.**

Planning Director Paul Corder presented the final plat which creates two 2-family lots and one single-family lot.

Civil Site Design Group's Jim Harrison represented the applicant and was available to answer any questions. He agreed with staff's comments and explained that the item is part of a 19-lot plat approved in 2014. Mr. Harrison explained that the applicant is requesting that the lots be broken apart a little differently.

Traci Peel, 107 Village Circle, reported that Five Oaks Homeowners' Association President Paul Gould asked her to attend the meeting. Ms. Peel commented that she is unsure what is being requested for approval. She and Mr. Gould had questions about landscaped entrances and cart path relocations.

Mr. Harrison advised that the plan Ms. Peel is referring to is for all of Phase 5. He confirmed that there are a couple of locations in future sections where the cart path must be relocated; the golf course and fairly minor relocations were carefully examined with a Five Oaks HOA representative quite a while ago. Mr. Harrison added that the site plan approved in 2014 included landscaping.

A motion was made by Dan Mack and seconded by Pam Black to approve the final plat. Motion carried unanimously.

- 2. Request by Staff for rezoning approval of about 1.38 acres at 813 North Cumberland Street (Tax Map 58L Group J Parcel 3) from RD9 to CG in Ward 1.**

Planning Director Paul Corder reported that the purpose of the rezoning request is to extend the CG zoning to the entire parcel that is currently being utilized for commercial activities (auto repair). The Future Land Use Plan calls for this area to be Medium Density Residential.

Property owner Neal Shipper confirmed that he wants all of the property zoned commercial. Ward 1 City Councilor Lanny Jewell voiced his support of the rezoning request.

A motion was made by Bernie Ash and seconded by Rick Bell to recommend City Council approval of the rezoning request. Motion carried unanimously.

**3. Request by Mike Slarve and Nick Audino for Plan of Service approval for about 117.03 acres on unaddressed property on Quarry Road (Tax Map 55 Parcels 60.05, 60.06, 60.07, 60.08, 60.09 and 67.01) in Ward 6.**

Planning Director Paul Corder commented that a large lake is located on the property and railroad tracks run to the south. The new SO.F.TER. development is the nearest point located in the City of Lebanon. No new right-of-way will be added to the City in this annexation.

Mr. Corder reported that sewer will need to be extended by the applicant; estimated cost is \$240,000. If any new fire hydrants are needed the cost would be between \$2,500 and \$3,000 each. The cost of extending a main gas feed line to the site would be approximately \$200,000 to \$250,000. Mr. Corder added that the City and/or Wilson County may require road improvements by the owner as the property develops.

Planning Director Paul Corder advised that the requested zoning for the annexation is RM6 (High Density Multi-Family Residential). The current Future Land Use Plan classification for this area is Commercial and RMU (Residential Mixed Use).

Lose & Associates' Mike Wrye represented the applicants and was available to answer any questions.

Mr. Corder confirmed to commission member Pam Black that the cost to serve this property (an estimate of \$440,000 to \$490,000) will be the responsibility of the developer. The City would have to pay to maintain services.

After a brief discussion, a motion was made by Rick Bell and seconded by Dan Mack to recommend City Council approval of the requested Plan of Service. Motion carried unanimously.

**4. Request by Mike Slarve and Nick Audino for annexation and rezoning approval of about 117.03 acres on unaddressed property on Quarry Road (Tax Map 55 Parcels 60.05, 60.06, 60.07, 60.08, 60.09 and 67.01) and RM6 zoning in Ward 6.**

Planning Director Paul Corder explained to commission member Larry Hubbard that this is the commission's opportunity to address zoning of the property unless the item gets deferred back to the commission by City Council. If approved on first reading by City Council, the requested Plan of Service, annexation, and zoning will most likely be presented for public hearing and second reading at the March 15 City Council meeting.

Mr. Corder advised Mr. Hubbard that if annexed, it makes the most sense for the property to become part of Ward 6. Lose & Associates' Mike Wrye represented the applicants and confirmed that Mr. Slarve has had at least two conversations with Ward 6 City Councilor Kathy Warmath and she has indicated that she is in favor of the requests.

A motion was made by Dan Mack and seconded by Mike Walls to recommend City Council approval of the requested annexation and zoning. Motion carried unanimously.

**5. Request by Robert C. Streeter for abandonment of unopened right-of-way between Maddox Simpson Parkway and Nashville & Eastern Railroad right-of-way in Ward 3.**

Planning Director Paul Corder reported that the City will need to maintain both an access and utility easement within the right-of-way to be abandoned. The access easement must be maintained to allow 24/7 access to the City's gas regulation station that services the industrial park and the entire southeast portion of the service area. The right-of-way also contains a gas, sewer, and water line; utility easements will need to be maintained for each of these.

A motion was made by Larry Hubbard and seconded by Dan Mack to recommend City Council approval of the requested right-of-way abandonment. Motion carried unanimously.

**6. Request by Staff for Zoning Code Amendment to Title 14 Section 14.502 (A) RR – Rural Residential Agricultural District, (B) RS20 – Low Density Residential District, (C) RS12 – Medium Density Residential District, (D) RD9 – Medium Density Residential District, (E) RS6 – High Density Residential District, (G) R2 – High Density Residential and Table 5.1 and Title 14 Section 14.1004 RP2 District – Medium Density Residential/Professional Office and Table 10.1 to allow a maximum height of three (3) stories.**

Planning Director Paul Corder explained that staff is clarifying the intent of the ordinance to limit building height in residential districts. Currently, most residential districts list a number of stories allowed and a height. The intent of the ordinance as written would limit a building to three stories and 35 feet tall. As written, the limit of 35 feet almost requires flat roofs for three-story buildings.

Mr. Corder advised that the proposed changes would still limit buildings to three stories but remove the measurement, making pitched roofs easier for three-story buildings. The ordinance would apply to the proposed RS9 zoning district as well. Mr. Corder commented that architects have requested the proposed amendment to the code. He confirmed to commission member Larry Hubbard that the amendment is more of a design issue and does not affect accessory structures.

A motion was made by Pam Black and seconded by Dan Mack to recommend City Council approval of the proposed zoning code amendment. Motion carried unanimously.

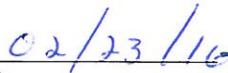
**COMMISSIONER COMMENTS** – None.

**PLANNING DIRECTOR COMMENTS**

Planning Director Paul Corder advised that Sonic Drive-In has requested a special called meeting be held to review its landscaping plan. The meeting was tentatively scheduled to be held prior to Saturday's 9 a.m. work session with City Council. Mr. Corder will contact commission members via email and will provide the landscaping plan prior to the meeting.

There being no further business to come before the commission, the meeting was adjourned at 6:05 p.m.

  
Chairperson, David Taylor

  
Date