

**CITY OF LEBANON  
MUNICIPAL REGIONAL PLANNING  
COMMISSION**

**Meeting Minutes – April 26, 2016  
Town Hall Meeting Room 5:00 PM**

**Members Present:**

Kathy Adams	Rick Bell	Beulah Garrett	Larry Hubbard	David Taylor
Bernie Ash	Mike Walls	Jesse Gilliam		

**Others Present:**

Paul Corder	Richard Donovan	Regina Santana	Kathleen Vail
	Shahad Abdulrahman		

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.

Chairperson Taylor explained the order of proceedings.

**PUBLIC HEARINGS**

**1. Public Hearing on proposed amendment to the Subdivision Regulations Article II Section E “Conservation Development” to add Conservation Development**

Planning Director Paul Corder stated that this is the second public hearing for the Conservation Development and as it is an amendment to the Subdivision Regulations, any approval by the Planning Commission will be final. Mr. Corder gave a brief overview of the regulation noting that to have this development, there has to be natural constraints or hardships on 20% of the property for the development to be considered for reduced lot sizes. However, the number of units never goes below what the zoning district allows. He noted on Item F that the Maximum Building Coverage was increased to 50% and Item J Bordering Lower Density Zones was added because of a request by City Council, with the lots on the edge of a development that abuts a lower density remain what the zoning calls for or to allow a 20 ft buffer zone.

No citizens chose to address the commission. The Public Hearing was adjourned.

**APPROVAL OF MINUTES**

Chairperson David Taylor asked if the Planning Commission members had read over the minutes and a motion was made by Kathy Adams and seconded by Bernie Ash to approve the minutes of the March 22, 2016 Planning Commission meeting. Motion carried unanimously.

**OLD BUSINESS**

**1. Request by Gross Builders for Site Plan approval for the Traditions at Hamilton Springs, a multi-family development of 258 units on about 10.77 acres at 3075 Lebanon Road (Tax Map 57 Parcel 8.04) zoned SP in Ward 6.**

Planner Richard Donovan explained that Staff worked with Lose & Associates to make changes to the SP, which passed on the first reading at City Council and will become effective on May 03 with those changes applying, subject to City Council approval.

To note the variances in the SP:

1. Allows for a variance to the build to zone requirements because of the slope.
2. Frontage of building is on public road with a knee wall of 18" to sit on. Staff had concerns about the placement of the wall. The current wording of the SP allows the wall to be placed in its current location on the site plan; they are allowed to keep that wall there. Staff is asking for them to change the notes from a seat wall on the SP to be labeled a knee wall.
3. A wayfinding sign is located in the right-of-way that will require a Hold Harmless Agreement with the City.

Lose & Associates' Mike Wyre represented the applicant and was available to answer any questions. In regards to the knee wall qualification and the location, we have no issues with Staff comments. To follow up on a couple of issues, in reference to Chairman Taylor's previous concerns, we are in compliance with ADA requirements. The slope and topography has created issues and speaking for the Associates and myself, we appreciate Paul Corder and Richard Donovan who are good and cooperative to work with.

Commission member Rick Bell made public note that he is one of the owners of this property.

A motion was made by Bernie Ash and seconded by Kathy Adams to approve the site plan. Motion carried unanimously.

**NEW BUSINESS**

**1. Request by Darrell Tidwell for final plat approval of The Darrell Tidwell Property, a development of about 2.3 acres at unaddressed property on Bluebird Road (Tax Map 67G Group B Parcel 1) zoned RM6 in Ward 2**

Mr. Donovan remarked that Staff has reviewed this item and it meets all the criteria in the code.

A motion was made by Bernie Ash and seconded by Mike Walls to approve the final plat. Motion carried unanimously.

**2. Request by Greg Taylor for payment in lieu of sidewalks approval for Leeville Pike Storage, a development of about 2.6 acres at 3000 Leeville Pike (Tax Map 79 Parcel 51.16) zoned CG in Ward 4 (Applicant will be requesting as payment in lieu of sidewalks instead of the sidewalks that are required by Planning Commission at the October 27, 2015 Meeting)**

Planner Richard Donovan reported that this item came before Planning Commission last year and they will need to decide to require sidewalks or a payment in lieu of sidewalk construction. This property scores a 0 of 13 in the walk study. The payment in lieu of would be \$15,897.00.

A motion was made by Bernie Ash and seconded by Rick Bell to approve the payment in lieu of sidewalks. Motion carried unanimously.

**3. Request by David Whittaker for site plan approval of My Favorite Storage, a development of about 2.93 acres at 807 North Cumberland Street (Tax Map 58M Group J Parcel 29) zoned CG and IL in Ward**

Planner Donovan pointed out a few items.

1. The rear of the building is metal, which is allowed but strongly discouraged. The remaining three sides are 100% split-faced block.
2. The elevations on building #4 have not been listed but is very similar to the other buildings. Staff expects them to match the façade.
3. The gate will require them to come back for approval.
4. The sidewalks score a 7 of 13 in the walk study. W Forrest Street has new sidewalks because of the Safe Routes to School Grant. There is a partial sidewalk going up N Cumberland and Forrest Ave. The payment in lieu of sidewalk is \$3,875.00.

Dean Design Group's Charlie Dean was available to answer any questions. He noted that they would like to make the payment in lieu of instead of installing sidewalks. They are open to whatever the board decides. Building #4 will comply with the rest of the buildings elevations.

Council member Larry Hubbard reminded everyone how the façade being metal was strongly discouraged. Why are we seeing that again?

Mr. Dean said it was just the owner's preference to have metal. To the East of this property is a factory so the backs of the buildings with the metal would be facing those buildings.

Council member Rick Bell posed the question of whether we should have sidewalks up and down all the main roads.

Planning Director Paul Corder remarked there is frequently a lot of foot traffic there and a number 7 is a fairly high score as well as it being a Federal highway.

Council member Kathy Adams asks that at the next meeting in May that Staff presents the Commission with the amount in the in lieu of sidewalks account.

After a brief discussion, a motion was made by Bernie Ash and seconded by Kathy Adams to approve the site plan with sidewalks. Motion carried unanimously.

**4. Request by Wilson County Board of Education for site plan approval of Addition to Southside Elementary School, a development of about 29.93 acres at 1224 Murfreesboro Road (Tax Map 92 Parcels 15 and 54.01) zoned RR in Ward 3**

Mr. Donovan pointed out that the same items mentioned in the preliminary meeting are still outstanding. Staff still needs a survey of the property. Staff had discussions with the engineer about the parking spaces and they are providing 143 parking spaces (which is generally a typical day) with overflow parking for meeting or assemblies. Staff still does not have a landscaping plan.

Civil Site Design Group's Sam Dyer represented the project and was available to answer any questions. They are in agreement with Staff's comments as far as the landscaping. The way these projects are usually handled is that the landscaping would be provided at a later date by school organizations.

Council member Bell asked if Planning Director Paul Corder would restate what he explained at the preliminary meeting about the landscaping at schools.

Mr. Corder explained that with this government project, the Planning Commission is making a recommendation for approval. However, there is the potential to be overridden by a school board.

Council member Bell remarked that he is bothered that governments can play by separate rules. He stated for the record that if he were on the school board, he would want his school to look good and be properly landscaped.

A motion was made by Kathy Adams and seconded by Rick Bell to approve the site plan. Motion carried unanimously.

**5. Request by the Pavilion Assisted Living, LLC. for site plan approval of Pavilion Assisted Living Facility, a development of about 6.16 acres at 1409 Medical Center Drive (Tax Map 58 Parcel 16.2) zoned CN in Ward 5**

Planner Richard Donovan noted that this item came to Staff delayed. Staff reviewed it and sent out the comments to the developer. The plan needs to be cleaned up. This is for the fourth wing of a building; the other wings were approved by the Planning Commission earlier. The minor items on the site plan include setbacks and lot coverage and a mismarked zoning designation. One issue is a porch or covering encroaching on the setback, and it is not clear. In addition, there is no landscaping around the dumpster. The fourth wing represented on the site plan by a box outlined in blue.



Manous Design Group's representative Mark Kawczynski was available to answer any questions. He stated that this was just a reapproval of a site plan that was originally proposed. The original site plan showed all of the site development that supported this fourth wing. The building wing will look exactly like the other building and will be a seamless transition.

Planner Donovan notes that the additional landscaping plans shown bring it into compliance with the current zoning code requirements.

After a brief discussion, a motion was made by Kathy Adams and seconded by Bernie Ash to approve the site plan with the overhang to be 18" or less. Motion carried unanimously.

**6. Request by Donald Crabtree for plan of service approval for about 5.95 acres of unaddressed property on Highway 109 North (Tax Map 56 Parcels 60.04) and zoning to IP in Ward 6**

Planner Richard Donovan noted that this Plan of Service is a recommendation to City Council and noted that the cost to serve this area would be \$145,000 and the request is to zone this area to IP. The Future Land Use is Residential Mixed Use and Commercial Office. The zoning in the surrounding area is IP to the North is Commercial Service to the East and the West are County zoned Residential.

Council member Beulah Garrett asked if changing it to CG instead of IP was discussed in the preliminary meeting.

Mr. Donovan confirmed to commission member Beulah Garrett that it was discussed as an option and it would have required a conditional use permit for their purposes and the owner chose to request the IP zoning.

Commission member Larry Hubbard asked Rick Bell his opinion on the matter.

Council member Bell remarked that he had not heard from the person requesting this and several of the council members had doubts about it

A motion was made by Rick Bell and seconded by Pam Black to recommend to City Council to deny the request of a Plan of Service. Motion carried unanimously.

**7. Request by Donald Crabtree for annexation and zoning approval for about 5.95 acres of unaddressed property on Highway 109 North (Tax Map 56 Parcels 60.04) and zoning to IP in Ward 6**

Mr. Donovan reiterated a few of the previous points in the plan of service. He noted that again the Future Land Use Plan called this out as Residential Mixed Use and Commercial Office.

Chairperson David Taylor asked if Mr. Crabtree could still approach City Council to get a conditional use on CG and if so, would it fit our land use plan.

Mr. Donovan concurred that he could if it was zoned Commercial General, it would require going to the Board of Zoning Appeals to request a conditional use permit for the warehousing

and transportation. As far as the land use, it is residential mixed use so they would have to have some residential uses. There is always the option of changing the Future Land Use Plan.

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

#### **8. Request by Staff for approval of an amendment to the Subdivision Regulations Article II Section E “Conservation Development” to add Conservation Development**

Planning Director Paul Corder pointed out that there were two public hearings already held on this regulation.

Council member Bernie Ash remarked that this is another tool for a developer to use, is that correct?

Mr. Corder affirmed that it is correct. With this regulation, developers can get the same number of units allowed in the zoning district if the property has 20% constraints or hardships. They are just reducing the lot size. Mr. Corder wants to add that City Council Member Lanny Jewell is here and he suggests that the RS20 minimum lot size moved up from 15,000 sq ft instead of 13,000 sq ft for the Conservation Development so we can consider it

Council member Larry Hubbard asserted that lot sizes have to stop increasing. There is no way that a developer can build a \$125,000 - \$150,000 home in Lebanon anymore. Every time we raise it back up after we try to minimize it does not help the plan of action. In looking at these plans, people want to say I am developer friendly but it is not that, I am Lebanon friendly. I am working to resolve to get affordable housing in Lebanon.

Council member Larry Hubbard motions to approve this without the landscaping buffer and keep the lots sizes as we had it originally.

Planning Director Paul Corder wants clarification of the motion with Item J. There are two options when bordering lower densities:

1. Leave your bordering properties what the zoning allows and not take advantage of the conservation.
2. Do the buffer.

Chairperson David Taylor asked Mr. Hubbard if he wants to remove both those or just leave the option of keeping the properties larger.

Council member Larry Hubbard responded no, I want to remove the landscaping requirement of Item J. They can have buffering by having the larger lots on the outside of the property that would be considered buffering, correct. I just do not wish to have the landscaping because I do not see how we can control that. That would require an HOA in every subdivision in Lebanon.

Council member Larry Hubbard makes the motion to approve Item J to remove the landscaping portion of the buffer and keep the lots sizes as is with no recommendations.

Planning Director Paul Corder clarifies the lot sizes, in this case, is if it is bordering a zone of lower density with larger lots, then what he is asking that we take away the option to have a 20 ft

buffer. Also requiring that the lots stay what the original zone is. Then the developer will not be able to take advantage of the minimum lot reduction from the Conservation, with the border that touches a larger or a lower zone.

Council member Ash asks what the minimum size lot is.

Mr. Corder explained, In the RS20, we can discuss this it is listed as 13,000 sq ft. City Council Member Lanny Jewell asks if it could go up to 15,000 sq ft. The RS12 which normally would have 12,000 would be reduced to a minimum of 10,000 sq ft, an RS9 to 7,000 sq ft and a RS6 to 6,000 sq ft. Basically not reducing the number below the next zoning district and leaving it 1000 sq ft higher than the next zoning district.

Chairperson Taylor asks Mr. Hubbard if he wants to amend the motion to take it to 15,000 sq ft instead of 13,000 sq ft.

Council member Larry Hubbard replied that no he wants to leave it at 13,000 sq ft.

Council member Kathy Adams asks if we are we totally taking out Item J.

Council member Hubbard responds, no, just the landscaping portion.

Council member Kathy Adams seconds to approve Larry Hubbard's motion with the changes. All voted aye with the exception of Bernie Ash who voted nay.

**9. Request by Staff for Zoning Code Amendment to Title 14 Chapter 5 Section 14.502. A. RR – Rural Residential Agricultural District, B. RS20 – Low Density Residential District, C. RS12 – Medium Density Residential District 12,000 , D. RS9 – Medium Density Residential District 9,000, E. RD9 – Medium Density Residential District, F. RS6 – High Density Residential District, G. RM6 – High Density Residential District, H. R2 – High Density Residential; Chapter 10 Section 14.1004 PRP2 – Medium Density Residential/Professional Office; Chapter 10 Section 14.1005 DMU - Downtown Mixed Use; Table 5.1 and Table 10.1 to amend the Accessory Structures size limits**

Planning Director Corder started by noting that this was a request from a citizen to look at the size of accessory structures. We brought this before the Residential Subcommittee to review. Because these are accessory dwelling units, agenda items, #9 and #10 are related and these are updates to where we stand at this time. The proposal that we would look at with the RR (Rural Residential) is proposing is to take out any size limits, because of barns and sheds they need larger accessory structures. With the stories of buildings, we can control that with the existing rules already in the code. The accessory structures have to be subordinate and secondary to the main structure. He recommends that no action be taken on this item tonight.

Council member Kathy Adams motions to defer the amendment to a later date, Jesse Gilliam seconds. Motion carries.

**10. Request by Staff for Zoning Code Amendment to Title 14 Chapter 3 Section 14.303 and Chapter 8 Section 14.801 by adding Section 14.801 D. Accessory Residential Units and Section 14.303 N. to allow and regulate Accessory Dwelling Units and Accessory**

## Structure size

These are related to a secondary dwelling unit known as, Grannie Flats, Mother-in-Law Suites or Accessory Dwelling Units. It ties into #9 Accessory Structures size limits. If we take away the one-story limit, they could be over garages. What Staff is proposing if you are in a zoning district and you are halfway to being allowed a second unit, then you would be eligible to have an accessory dwelling. The RR is a 3-acre zoning so if you are halfway there to the next unit you have to get up to 4.5 acres so you would not be eligible for an accessory dwelling. A 12,000 sq ft. is required in the RS to be eligible you would have to have 18,000 sq ft, etc. The RD9 is a duplex zoning unit with 9000 sq ft for the first unit, 6000 sq ft for each additional. This is being presented because of the some of the affordable housing issues and the possibility of spreading out some of the rentals units. He recommends that no action be taken on this item tonight.

Council member Kathy Adams motions that to defer the amendment for a later date, Jesse Gilliam seconds. Motion carries.

**COMMISSIONER COMMENTS – None.**

## PLANNING DIRECTOR COMMENTS

Planning Director Paul Corder reminded the Commission of the training opportunity with MTAS in Nashville. He reported that the Visioning Committee met for the first time and it went well and the second meeting would be on May 12, at 2:00. Any recommendations they make will go to the Planning Commission and they will send them to the City Council. Mr. Corder was also pleased to announce the completion of the Safe Routes to School Grant with Walter J Baird and the education event for the school to be on held May 6.

Development Engineer Regina Santana introduced the new engineer Shahad Abdulrahman.

There being no further business to come before the commission, the meeting was adjourned at 6:25 p.m.

  
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Chairperson, David Taylor

6-28-16  
Date