

**CITY OF LEBANON
MUNICIPAL REGIONAL PLANNING
COMMISSION**

**Meeting Minutes – May 24, 2016
Town Hall Meeting Room 5:00 PM**

Members Present:

Kathy Adams	Rick Bell	Beulah Garrett	Larry Hubbard	Pam Black
Dan Mack	Mike Walls	Jesse Gilliam		

Others Present:

Paul Corder	Regina Santana	Kathleen Vail	Shahad Abdulrahman
Richard Donovan			

Vice-Chairperson Rick Bell 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.

Vice-Chairperson Bell explained the order of proceedings.

CHANGES TO THE AGENDA

Planning Director Paul Corder explained that Engineering Director of Capital Projects, Randy Laine, was going to do a presentation on the sidewalks but further study was needed. He noted that the amount in the sidewalk fund as of April 27, 2016 was \$42,842.

APPROVAL OF MINUTES

Vice-Chairperson Rick Bell asked if the Planning Commission members had read over the minutes and a motion was made by Beulah Garrett and seconded by Jesse Gilliam to approve the minutes of the April 26, 2016 Planning Commission meeting. Motion carried unanimously.

OLD BUSINESS

1. Request by Jerry Earwood for plan of services approval for about 107.48 acres at unaddressed property on Hunters Point Pike/U.S. Highway 231 (Tax Map 45 Parcels 26 and 26.04) in Ward 1

Planner Richard Donovan explained that this is the third time this item has come before the Planning Commission at the request of City Council and the developer. The requested zoning is now RS20 changed from RS12. Mr. Donovan reiterated a few of the previous points in the plan of services noting the new change in the taxes is due because of the recent property reassessments. The RS20 is a Low Density Residential District and complies with our FLU Plan. Mr. Donovan reminds the Planning Commission that this is going to be a recommendation so it will go back to City Council.

Planning Director Paul Corder noted in the Commissioner's packets, there was a letter from Civil

Site acknowledging that they will pay for all services and they currently plan to do 174 lots.

Civil Site Design Group's Jim Harrison was available to answer any questions. Mr. Harrison mentioned that this RS20 would utilize the new Conservation Development. When looking at the open space, they will need to provide with the proper buffers and detention to make sure there is no increases in drainage. The development will have boulevard entrances and as noted by Staff, the developer will provide the entire infrastructure. Civil Site appreciates the Commissioner's consideration for this lower density request.

Billy Thorne of 127 Rutledge Lane asked why the Planning Commission continues to send his dead father notifications and asks why he has a paper that says that if he does not let this in, then his land will be materially retarded. He wants to know what that statement means and how does this possibly change the piece of property that he lives on?

Planning Director Paul Corder responded with Staff does not know what document you are referring to.

Mr. Thorne responded that his document is Resolution No. 15-1889 and dated May 3, 2016, Section 1 under Tennessee code 60-51-102.

Mr. Corder responded that the notification addresses used are taken from the tax records, the other reference to a resolution is to a state code and as far as the materially retarded property, Mr. Thorne would need to ask the tax assessor about any appraisals.

Mr. Thorne asked about the traffic issues that exist on Route 231 and the plan of services for the development but wanted to know about a plan of services for all the people that live around there. He wants to know what we are going to do as a County and as the City to fix it and how this will affect us.

Jim Harrison responded with they had a meeting with the Public Works Director Jeff Baines to discuss details of the traffic study. Normally on a project like this, they would only look at the entrance and any intermediate intersections but they are going to the intersection north of Africa Road, Old Hunters Point Pike and to Hartman Drive to the south. They will expand out the amount of area that they would cover as part of that traffic study. They are also in the process of talking to Deputy Commissioner Paul Degges regarding any safety funds that might be available to take care some existing things. They are committed to do all improvements that are necessary and identified as part of that traffic study, to make sure there are no safety concerns or diminish safety from our traffic in their development. Mr. Harrison also mentioned that the traffic study would be at the front end of the construction.

Scott Denuys of 2571 Hunters Point Pike wanted to know why is this back on the agenda again because the Planning Commission rejected it twice unanimously and he has a map dated May 3, 2016 that shows the 5 acres removed even though 106+ acres are shown. It is no longer the Marlin-Gibbs project because the Gibbs property is up for sale. In addition, he mentioned the watershed problem, with its rock and clay, and the runoff to the downtown would be great. He also wants to know why the speed limit is 40 mph in front of the school and why doesn't that continue into the City as well as no signs for engine brake ordinances. He also notes that the City wants to annex 1.35 acres of right-of-way, which is in his front yard, but not annex him and it

sounds like it is corrosive between the County and the City.

Planner Richard Donovan responded that this plan originally came before this body with about 101 acres that did not include the Gibbs property, which is why it came the second time to the commission. With any annexation, any time there is in addition to it, it has to come back to the Planning Commission. This time, it is back at the request of City Council. It has been 107.5 acres the last two times this body has seen it, which included the Gibbs property and the owner of the Gibbs property can to sell his property and still be included in the annexation request because the property owner asked it to be included. The 1.35 acres that the City is annexing for the right-of-way is on US 231 which is a Federal Highway, it runs parallel to the highway, and it extends south to connect to the current city limits line at Kontiki Subdivision.

Mr. Denuys pointed out that there are 13 properties that are going to be surrounded by the City that are not going to be annexed and wants to know if they become the buffer zone.

Planner Richard Donovan explained that there is not going to be a donut hole created by that annexation because is it not allowed by state law. Those properties are connected to other properties within Wilson County. At the current time, the City handles annexations by a property owner's request and currently we have not received any requests from any of those other properties owners.

Jeff Susan of 104 Chapman Drive noted his concerns are the same as what the other two people mentioned. He also questioned when the Villages of Hunters Point is going to restart.

Planning Director Paul Corder responded that there is an old PUD still in place, which is still active, and whereas people have asked about it, Staff has not had any official applications.

Commissioner Larry Hubbard noted that every subdivision in the City was built on a two-lane road and when the traffic becomes a situation, and then TDOT and the City's engineers will address it.

A motion was made by Larry Hubbard and seconded by Pam Black to recommend the plan of services to City Council. Motion carried unanimously

2. Request for Jerry Earwood for annexation and zoning approval for about 107.48 acres at unaddressed property on Hunters Point Pike/U.S. Highway 231 (Tax Map 45 Parcels 26 and 26.04) and RS20 zoning in Ward 1

Planner Donovan remarked that this is the companion to the plan of services.

A discussion ensues about a previous point between Commissioner Hubbard and Mr. Thorne.

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

NEW BUSINESS

1. Request by John Blackwell for preliminary plat approval of Kensington Phase 2, a 26

lot subdivision of about 13.96 acres on unaddressed property on Abbey Road (Tax Map 56 part of Parcel 14.01) zoned RS12 in Ward 6

Planner Richard Donovan pointed out that lot 131 needed to be addressed and that Staff had discussed with the engineers that they needed access to that lot either through an easement or some other means and the developer's engineer has agreed to the access.

Lose Associates' Mike Wyre representing John Blackwell was available for questions and he agreed that Staff is correct and it will be corrected with easements to that open space.

A motion was made by Pam Black and seconded by Larry Hubbard to approve the preliminary plat. Motion carried unanimously

2. Request by John Blackwell for final plat approval of Kensington Phase 2, a 26 lot subdivision of about 13.96 acres at unaddressed property on Abbey Road (Tax Map 56 part of Parcel 14.01) zoned RS12 in Ward 6

Planner Richard Donovan again noted that Staff would be looking for an access easement to parcel 131. He also reminded the Commission that the Surveyor was having computer issues and that an open space label came off lot 131 on the plat and their second front yard on the corner lot is a full 30 ft when it is supposed to be 22.5 ft. In addition, this is actually Kensington Phase 3 not Phase 2 and needs to be noted on the agenda.

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

3. Request by Montgomery G. Turner for site plan approval for Dollar General Store, a development of 2.27 acres at 955 Carthage Highway (Tax Map 67 Parcel 8) zoned CG in Ward 2

Planner Richard Donovan listed several items mostly relating to the building materials and the façade; they have submitted updated elevations that are 100% brick on the front and the two sides, and they meet the masonry requirements in the Zoning Code. The back is metal, which is allowed but discouraged. The rooftop equipment will be screened and the landscape plan has been updated with street trees as well as the parking islands and additional trees. The other item the developer needed to address is there are 37 parking spaces required and they only have 29. This project is subject to sidewalk requirements. If they choose to do a lieu of payment it will be \$3,307. The site scores 1 of 13 on the sidewalk study and is located at the city limits

Ferlisi Civil Design's David Ferlisi was available to answer any questions.

Commissioner Pam Black mentioned that the parking was 29 spaces, which seemed a lot for a Dollar General store, and asked if the Planning Commission decides or City Council and if that number is sufficient.

Planning Director Paul Corder reminded the Planning Commission that they have the ability to grant leniency on the number of parking spaces. Staff does not feel like they have any more knowledge as to calculating how many parking spots that they would need than the developer

would. There is very little risk of overflow parking however, any risk of them not having enough spaces would be the developers.

Commissioner Hubbard asked if Staff had a discussion on the back of the building being metal.

Planner Donovan remarked that he always has discussions with the developers about their masonry requirements and he does not give them the ability to get around it. He also reiterated that in this case that they have exceeded our masonry requirement and if this body is going to be concerned with the back of the building then we need an amendment for the Zoning Code.

A motion was made by Larry Hubbard and seconded by Dan Mack to receive the payment in lieu of sidewalks and the reduction of parking spaces. Motion carried unanimously.

4. Request by Montgomery G. Turner for final plat approval of Dollar General Store, a 2 lot subdivision of about 2.27 acres at 955 Carthage Highway (Tax Map 67 Parcel 8) zoned CG in Ward 2

Planner Donovan noted that all items have been addressed and meet the criteria in the code. They have corrected an easement as well as the rear setbacks.

Ferlisi Civil Design's David Ferlisi was available to answer any questions.

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

5. Request by Wilson Bank & Trust for site plan approval for Wilson Bank & Trust Operations Center, a development of 2.98 acres at 105 North Castle Heights Avenue (Tax Map 068 C Group A Parcel 14.05) zoned RP2 in Ward 5

Planner Richard Donovan mentioned that there were a few items and that the number of parking spaces again does not match our requirements. Whereas they have 144 spaces, the Zoning Code requires 230 spaces. A letter was provided at the preliminary meeting that pointed out that Wilson Bank controls the lot to the South and the lot to the East. Mr. Donovan reminded the commission about being able to grant leniency with the parking spaces. In addition, the Zoning Code required a photometric plan be submitted and on that plan, Staff requires .5 foot candle on the northern property line and there are some places where that needs to be addressed. The site is also subject to the sidewalk requirements. The payment in lieu of amount is \$6,778 and scores 7 of 13 on the sidewalk study. Engineering Director of Capital Projects, Randy Laine, will be working on a sidewalk plan to present to City Council, about adding sidewalks along North Castle Heights on the western side of the street and in other places in the City. City Staff recommends the Planning Commission accept an in lieu of payment to go into the sidewalk account to eventually go into building that sidewalk on the west side of Castle Heights to create one continuous sidewalk.

Manous Design's Mark Kawczynski representing Wilson Bank and Trust was available to answer any questions. He spoke to two issues as outlined by Staff, first the parking issue. He outlined that there has been an extensive Employee Population Study done that looked at the actual seats in the building and because the use of the building is financial and that is what the City is basing the number of parking spaces. However this building's use is going to be a back of the house use and

there is no public trip generator because it is an employee use only building. So the parking spots are accurately predicted and because of the existing parking lots to the south and to the east, we feel we have plenty of parking spaces to meet our needs for now and in the immediate future. In addition, we have the availability to control the parcel across the street should there be any issues. In regards to the photometric study, on the north side of the property, the lawyer's office parking lot is currently being lit from the football field lighting. The intent of our new lighting will be to replace the lighting of that parking lot. The plan heavily relies on the connectivity of the three properties so the light trespassing on that property is appropriate in this situation.

Commissioner Kathy Adams inquired Public Works Director Jeff Baines about when that sidewalk will be slated to be constructed.

Public Works Director Jeff Baines responded that the City would be putting out bids this spring or summer, so the sidewalks would be either late summer or fall.

A motion was made by Dan Mack and seconded by Jesse Gilliam with the parking space reduction and with the in lieu of payment contingent upon the completion of the sidewalk. Motion carried unanimously.

6. Request by Victor Nixon for rezoning approval, for about 3.57 acres at unaddressed property on Toshiba Drive (Tax Map 58 Parcel 15.27) from R2 to CS in Ward 1

Planner Donovan stated that the properties that surround this parcel are R2 and IP so a mix of uses already exists. The Future Land Use Plan called this out as a Residential Mixed Use area with it being 15% Commercial and the rest being different densities of housing. This zoning would allow it to continue the use in this area only denser.

Cumberland Real Estate's Sue Siens representing the property owner said that they looked at this zoning with marketing the property. There already is a mix of everything on that street including duplexes so it makes sense to rezone it to a mixed-use rather than a restricted residential-only zone.

Commissioner Black asked if the CS zoning still complies with the FLU Plan.

Staff affirmed that zoning does allow for both the residential and commercial uses.

A motion was made by Pam Black and seconded by Beulah Garrett to recommend the rezoning approval to City Council. Motion carried unanimously.

7. Request by David and Brenda Rahreer for rezoning approval, for about 0.43 acres at 1952 Murfreesboro Road (Tax Map 103 Parcel 15.01) from A-1 to C-3 (This item is in the County and within Lebanon's Urban Growth Boundary)

Planner Richard Donovan reminded the Planning Commission that they are recommending this rezoning request to the Wilson County Commission and that the FLU calls for RMU and it fits the zoning. The properties around it to the North and South zoned C-3 with property to East zoned I-2 of the property to the west is zoned A-1 as well some agricultural uses and industrial.

Property owner Brenda Rahreer stated that she owns the property next to this property and they are running out of room with holiday overstock and rental wedding equipment and wants to move them to this property.

A motion was made by Pam Black and seconded by Kathy Adams to recommend approval of the rezoning to the Wilson County Commission. Motion carried unanimously.

8. Request by Goodall Homes for review of the Second Amended and Restated Declaration of Covenants, Conditions and Restrictions for Colonial Village, a Planned Unit Development of 255 residential lots zoned HDRPUD in Ward 5

Planner Director Corder noted that the applicant informed the City that the CCR included a review by the Planning Commission because it is a PUD. The homeowners association voted and approved it. There are no changes to the lot size, minimum house size or building materials on certain lots, which are the things that concern Staff. This is just a courtesy.

Goodall Homes' Jack Luddington pointed out when they negotiated with the owners in the community during the zoning process; there was a commitment to bring any amendments to the Planning Commission to consider any changes due to the CCR. This is a housekeeping operation for this amendment and on May 9, the homeowners voted and accepted the amendments.

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

9. Request by Staff to amend the Future Land Use Plan North of Alhambra Drive between Carver Lane and Coles Ferry Pike and South of Huntington Drive from Medium Density Residential to High Density Residential

Planner Richard Donovan clarified that this is a proposed amendment to the FLU Plan, which is calling for this to be a medium density residential with 2.1 to 5 units an acre. Mr. Donovan reminded the commission that the FLU Plan is the plan of this body on how to make land-use decisions. This gives the Planning Commission the option to make these changes or not to. The high density residential is five units or more an acre. The RM6 zoning classification will allow for more than five units and as it is right now, does not comply with the next three items that are requesting the RM6 zoning. This will be a recommendation to City Council.

Jan Clayborn of 248 Carver Lane wanted to know how is this going to affect the Cedar Farm Village and how many units that they are going to put in. In addition, she noted that they would like consideration from the commission over the traffic issues.

Planner Donovan reminded the audience that this is not the rezoning request and it does not affect how many units they can put in. This does provide some protection if is challenged in the court system if the rezoning does not comply with the future land use plan.

Donald Lawkey wanted to know where this development would be located. He also wondered whether that parcel is currently a farm.

Planner Donovan replied that this actually involves two vacant parcels before you get to

Farmington between Alhambra and Farmington Woods and it is a farm presently.

Lose & Associates' Mike Wrye representing JD Lowry and Rick Hayes, developer of Farmington Woods was available to answer any questions.

Robert Williams of 316 Madrid Drive was concerned about the laws in the City concerning Madrid Drive where more than one family is living in a single unit. This is a concern with rental property.

Brady Ross, a former student of Cumberland University who has rented in Lebanon, thinks this would be beneficial for people of his demographic as a young professional for renting. He lives here and works in Nashville where the rentals are too high.

Gayle Douglas of 314 Madrid Drive was concerned over the present traffic on Madrid Drive and whether the units going to be low income or multi-family.

Planning Director Paul Corder addressed Ms. Douglas that the zoning would allow for multi-family.

Nick Audino had a concern that there is nothing available to rent in Lebanon and as a business owner, his employees have to travel from other cities to get to work. He thinks it is something we need and a good idea.

Terry Byrd of 112 Springfield Drive was concerned over type of residential area that is going to be coming in. If there are 732 units then there will be 1300 parking spaces so even at 80% occupancy, there will be a ton of cars dumping out on Carver Lane and the traffic will be significant. He is all for traffic studies and occupancy studies but he wants to be sure that they can put people in those units.

Walter Szkwarok of 127 Farmington Woods was concerned because it is a quiet neighborhood and he has read the crime studies.

Lose & Associates' Mike Wrye made a correction on behalf of the developers that this is not low-income housing and not tax credit housing, this is market rate housing.

Commissioner Pam Black noted that at the preliminary meeting that it was going from medium to high-density zoning and they had talked about doing a study that is not just this parcel of land but also a bigger area. The Planning Commission could see where would want the high-density items to go and to see how it affects the area.

Planning Director Paul Corder responded that one week was not enough time for Staff however; Staff is willing to do that study.

Commissioner Larry Hubbard noted that there has not been a lot of time as Staff mentioned but there is a FLU Plan that is being considered right now. This looks like a good example of high quality rental property but the decisions made on the zoning will not only affect the zoning and the annexation of this parcel but also will likely influence that which goes on beyond that. His recommendation to City Council would be that we wait for that plan to come to fruition before we

make a decision on this particular location.

Planner Donovan reminded the commission that a revision to our Land Use Plan is not likely in the near future. It will be a long process that will likely take a year or longer and it is not a good idea to delay development. Ultimately, the Planning Commission has to make that decision.

Commissioner Larry Hubbard remarked that he spent time looking at this area which has a wide mixed use, everything from light industrial to apartments. When the commission looks at the FLU Plan, it is never going to be right because it evolves to what the needs are. There is a buffer between these two properties. Commissioner Hubbard reminds the board have they have the right to control the usage. He also mentioned that Councilperson Lanny Jewell feels that it is a good project that he could endorse and that most people on Alhambra were happy about how this was going to be developed. So he reminded everyone again we what we are deciding right now, at this moment, is to amend the FLU.

Commissioner Larry Hubbard recommends to City Council to approve the amendment to the FLU, seconded by Jesse Gilliam.

Vice-Chairman Rick Bell called for a roll call vote:

Dan Mack	No
Larry Hubbard	Yes
Beulah Garrett	No
Pam Black	No
Rick Bell	Yes
Mike Walls	Yes
Jesse Gilliam	Yes
Kathy Adams	No

Vote is 4-4 tied. Motion failed due to lack of majority.

After a lengthy discussion, Vice-Chairman Rick Bell wondered what would happen to the next three votes because this one was a tied vote. He also queried whether City Council would see the vote.

Planning Director Paul Corder explained it will go to City Council and that courts do not generally overturn what City Council decided on a zoning level. If the City Council approves of the zoning and the annexation and then the project comes back as a site plan and if this commission disagrees with the City Council decision and denies it, then you are opening it up to being challenged. As far as the FLU Plan, you as a body need to ask whether this make sense or is it viable in this area. Things change, roads change, schools change.

10. Request by Country Acres, LLC for rezoning approval, for about 30.33 acres at unaddressed property off Madrid Drive (Tax Map 58 Parcel 15.45) from RS20 to RM6 in Ward 1

Planner Richard Donovan noted that the FLU Plan calls for medium density residential RS20 with 2.1 to 5 units an acre. The RM6 would allow for 527 units on this parcel piece, which is currently

within the City at 30.33 acres.

Lose & Associates' Mike Wrye representing JD Lowry and Rick Hayes, developer of Farmington Woods was available to answer any questions.

Developer JD Lowery responded to all the prior discussion and questions with pointing out that they looked at the zoning surrounding that property and it had several different types of uses. For instance there is industrial, with LoJack and the old Toshiba plant, there is a block manufacturing facility, a sewerage treatment plant and the soon to be the Rockwood recycling plant. On Madrid Drive, you have a duplexes and apartments. Over on Carver Lane there is a neighborhood, a gaming complex and additional elderly housing. When they looked at this property, they felt that this particular project would be a proper progression from that zoning. They sought to put in a development that complemented Farmington Woods and yet somewhat different. There will be stone and heavy brick veneer that is very high end like Hamilton Springs. It will have a green area, an aquatic area, a proposed sporting area and a dog-walking path where there is no traffic. They tried to look at what was the best use for this acreage because across the creek there is a shingle and tire recycling facility. They put a lot of thought into what as to what type of development would fit there and what they could get a return on. In regards to the traffic, it actually might help with the infrastructure with creating tax base and getting TDOT to improve that infrastructure. We understand that this body wants to take a very comprehensive approach and we commend them for that but development is coming. We tried to put the most conscientious development we felt might fit there and be a good transition.

Donald Oakley of 440 Carver Lane remarked that when they went to the meeting last week about this development they told us there would be only one entrance and they need two entrances. We also feel that they need to put up a security fence.

Commissioner Pam Black asked what the market value of these houses is.

Planning Director Paul Corder mentioned the Joint Economic Development listed that the average rents in Lebanon are three bedroom \$1212, two bedrooms \$1000 and a one bedroom being \$900.

Commissioner Dan Mack makes a motion to defer the rezoning approval. Kathy Adams seconds.

After a brief discussion, Commissioner Larry Hubbard mentioned that if the Visioning Committee cannot look at this within the next 30 days than it is useless to defer. The Planning Commission is in charge of this decision.

Planning Director Paul Corder mentioned that the Visioning Committee would not be meeting in June so a deferral for them to look at this would not be possible and they have not gotten to a point where they can even look at something like this.

Commission Black asked whether this would still go to City Council.

Planning Director Paul Corder replied yes.

Developer JD Lowery asked if he could make a point of order on that recommendation that he did not realize was there was a process to defer it unless the proposer had asked for it and with all due

respect, he requested if they could receive a yes or no vote.

Vice Chairman Rick Bell reminded the commission that a motion was made to defer the rezoning, Commissioner Mack, you want to keep that on the table.

Commissioner Dan Mack strikes his motion for a deferral. Kathy Adams removed her second.

Vice-Chairman Bell asked if there was another motion.

Rezoning failed for a lack of a motion. No recommendation was made.

11. Request by Carver Partners for plan of services approval for about 13.32 acres at 409 Carver Lane (Tax Map 45 part of Parcel 57) in Ward 1

Planner Donovan noted that a 50' strip would remain in the County to prevent a donut hole. He read the plan of services for the 13.32 acres in Ward 6 not Ward 1.

Planning Director Paul Corder reminded the commission that if this body takes no action enough times that it would be grounds for removal because it is their job to make motions.

Vice-Chairman Rick Bell wanted to remind everyone that they are there to make decisions they are commissioners and they need to make decisions.

A discussion ensued about the zoning of RM6.

Commissioner Black asked what the Staff's recommendation on making a motion is.

Planning Director Paul Corder said that Staff would expect the vote to be the same as the FLU unless there is a change to the zoning. To be close to what they are asking it would have to change to an RD9 or RS9 and that would fit the FLU Plan and still get it as close to what they are asking. At that point, you would stop City Council rezoning it to RM6 but it was still come back the Planning Commission.

A motion was made by Commissioner Larry Hubbard to approve as requested and to amend the POS to read Ward 6 instead of Ward 1, seconded by Commissioner Jesse Gilliam.

Vice-Chairman Rick Bell called for a roll call vote:

Dan Mack	No
Larry Hubbard	Yes
Beulah Garrett	No
Pam Black	No
Rick Bell	Yes
Mike Walls	Yes
Jesse Gilliam	Yes
Kathy Adams	No

Vote is 4-4 tied. Motion failed due to lack of majority.

12. Request by Carver Partners for annexation and zoning approval for about 13.32 acres at 409 Carver Lane (Tax Map 45 part of Parcel 57) and RM6 zoning in Ward 1

Planner Richard Donovan stated the RM6 zoning would allow for 230 multi-family units.

Lose & Associates' Mike Wrye was available to answer any questions.

Terry Byrd of 112 Springfield Drive mentioned that we are all for growth of Lebanon but we want to do it the right way. If they had come in to the meeting with a traffic plan to get Carver Lane to support the project with the infrastructure in place with ways in and out, it would ease tensions and anxiety.

A brief discussion occurred between Commission Hubbard and Mr. Byrd.

Crockett's Surveyor Paul Crockett spoke because he is involved in this project as the surveyor and was the surveyor for Farmington Woods when it was approved. At the time that it was approved, Rick Hayes, the developer, was required to pay \$600 for every lot that he sold to go into an escrow fund to go for improvements to Carver Lane. He had already paid \$158,000 and when he is done, it will be another \$114,000. Everyone has known the road needed to be improved and if there is never any development out there than it will not need to be improved. This is a great development and one of the nicest he had been involved with in 35 years and he feels it will not cost the City a nickel. He also feels that all the concerns he heard today from the neighbors will be taken care of.

Sue Seins commented again and reminded everyone that Carver Lane is only one of numerous roads that those of us who live in that area use. Maple Hill has a signal, we use Hartman Drive, which has a signal, we cut through Toshiba Drive, and we use Babb Drive, which has a signal. There are so many roads that connect to this area and everyone is talking like there is only Carver Lane. There is a true demand for a quality product like this that we do not have. We are really lacking and it needs to be addressed from a planning standpoint for this medium density need.

Gayle Douglas of 314 Madrid Drive remarked that she did not know about this plan or what it looked like until she saw the pictures and she noticed there would not be an entrance off Madrid Drive. She did say that it looks like a beautiful project and she would say to go ahead and build it. She did not know this development was going to be more upscale.

Walter Szkwarok spoke again and he believes that Lebanon has better areas for these types of developments to go.

Commissioner Larry Hubbard made a motion to approve as is a recommendation to City Council for zoning and annexation approval, Commissioner Jesse Gilliam seconds the motion.

Vice-Chairman Rick Bell called for a roll call vote:

Dan Mack	No
Larry Hubbard	Yes
Beulah Garrett	No
Pam Black	No

Rick Bell	Yes
Mike Walls	Yes
Jesse Gilliam	Yes
Kathy Adams	No

Vote is 4-4 tied. Motion failed due to lack of majority.

13. Request by Staff Zoning Code Amendment to Title 14 Chapter 2 14.203.B (Alteration of Existing Building and Other Structures) by adding 14.203.B.4 and 14.1205.B.1 to allow three and four unit residential developments to be reviewed as minor site plans

Planning Director Paul Corder there has been numerous conversations with the Planning Commission and the Residential Housing Committee regarding some of the issues of affordable housing options. Some of the developers mentioned that is cost prohibitive to do smaller developments. Staff noticed that in other cities, three and four units do not have go through the Planning Commission because Staff see them as minor site plans. This ordinance will make anything under 5000 sq ft. to be reviewed as a minor site plan.

Commissioner Dan Mack makes a motion to approve the three and four unit developments as minor site plans and seconded by Mike Walls. Motion carried unanimously.

COMMISSIONER COMMENTS

PLANNING DIRECTOR COMMENTS

Planning Director Paul Corder informed the commission that he will be on vacation. Any questions would go to Planner Richard Donovan.

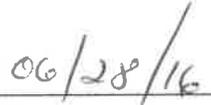
Development Engineer Regina Santana invited the Planning Commission to the Employee Fish Fry at the Gas Department on Friday at 11:00 am.

ADJOURN

There being no further business to come before the commission, the meeting was adjourned at 7:32 p.m.



Chairperson, David Taylor



Date