CITY OF LEBANON
MUNICIPAL REGIONAL PLANNING COMMISSION
Meeting Minutes – June 28, 2016
Town Hall Meeting Room – 5:00 PM

Members Present:

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

Others Present:

Paul Corder	Regina Santana	Angela Fantom
Richard Donovan	Andy Wright	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.

CHANGES TO THE AGENDA

Planner Richard Donovan indicated that Engineering Director of Capital Projects, Randy Laine, was going to do a brief presentation on the sidewalks. Mr. Donovan also noted that there was a change to item #8; instead of two signs, there will only be one sign location.

Engineering Director of Capital Projects Randy Laine started by reporting that this year, the City has removed and installed about one mile of sidewalk. Project locations include the south side of University Avenue, east side of South Tarver Avenue from Main Street to East Spring Street, and East Spring Street from College Street to Park Avenue. All of that totaled to about $340,000 including contingency items with the sidewalks running about $7/sq ft. Additional projects that the City hopes to complete in the fall are Fairview Avenue from the bypass to Coles Ferry Pike, Maple Hill Road from Publix to Treasury Lane, and North Castle Heights Avenue from West Main Street to City Hall. When the ADA Task Force met, they suggested talking to the schools and when Staff talked to Lebanon Special School District Director Scott Benson, he mentioned the two biggest needs are Byars Dowdy and Sam Houston. The City also hopes to add a section to Hickory Ridge Road by Byars Dowdy with the intent of extending it someday across the bridge and connecting it to the trail system. The City has $500,000 to spend and the payment in lieu of account has $43,000. Mr. Laine emphasized that if anyone feels there is an area that needs sidewalks, contact him and it will get placed on the ADA Task Force agenda. He also mentioned that the Safe Routes to School project was finished on Forrest Avenue; this project provided connectivity to Walter J. Baird School. One other thing he mentioned was that at City Councilor Rob Cesternino's request, Public Works crews are cleaning sidewalks around the City.

APPROVAL OF MINUTES

Chairperson David Taylor asked if the Planning Commission members had read over the minutes. A motion was made by Beulah Garrett and seconded by Pam Black to approve the minutes of the May 24, 2016 Planning Commission meeting. Motion carried unanimously.

OLD BUSINESS - None

NEW BUSINESS

1. Request by Carroll Homes, Inc. for preliminary plat approval of Wilson Farms Phase 1 and 2, a 5 lot subdivision of about 186.0 acres at unaddressed Highway 109 South (Tax Map 79 Parcels 60 and 61.02) zoned CG, RM6 and RS20 in Ward 4

Planner Richard Donovan noted that all items have been addressed and meet the criteria in the code.

Lose & Associates' Mike Wrye representing Carroll Homes was available for questions.

A motion was made by Bernie Ash and seconded by Rick Bell to approve the preliminary plat. Motion carried unanimously.

2. Request by Charles Dornan for preliminary plat approval of Subdivision of Billy Comer Property Tract 1 & 2, a 2 lot subdivision of about 7.76 acres at unaddressed property on Murfreesboro Road (Tax Map 92 Parcel 53.03 and 20.01) zoned CS in Ward 3

Planner Richard Donovan noted that all items have been addressed and meet the criteria in the code; however, due to the sewer extension, Staff had not received the $50.00 fee and the plat would be held until the fee is paid.

A motion was made by Pam Black and seconded by Beulah Garrett to approve the preliminary plat pending the payment of the $50.00 fee. Motion carried unanimously.

3. Request by Charles Dornan for final plat approval of Subdivision of Billy Comer Property Tract 1 & 2, a 2 lot subdivision of about 7.76 acres at unaddressed property on Murfreesboro Road (Tax Map 92 Parcel 53.03 and 20.01) zoned CS in Ward 3

Planner Richard Donovan noted that the plat meets the code but the signatures will be held until the fee is paid on the preliminary plat.

A motion was made by Bernie Ash and seconded by Pam Black to approve the final plat pending the payment of the $50.00 fee. Motion carried unanimously.

4. Request by Hodges Group for final plat approval of Five Oaks Phase 5 Section 2A2, a 15 lot subdivision of about 5.47 acres at unaddressed property on Callaway Drive (Tax Map 56 part of Parcel 24) zoned HDRPUD in Ward 6

Planner Donovan noted that all items have been reviewed and meet the criteria in the code.

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

5. Request by Sumerel Tire Services, Inc. for site plan approval for Wilson Co. Tire, a

development of 10.04 acres at 917 Carthage Highway (Tax Map 67 Parcel 5.03) zoned IL in Ward 2

Planner Richard Donovan noted that this project does not meet the masonry standards; however, since this is an addition, it matches the materials (metal) of the existing building. In regards to the landscaping on the existing site, the developer would add landscaping but needs direction.

Dean Design Group's Charley Dean representing the developer explained that with the landscaping, there are four trees in front of the main building and they will add the fifth. There is one island off the front left of the building where a tree was added. They are adding three trees on the left side and they feel as if they filled the spaces available and they are open to additional landscaping.

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

6. Request by D3 Lebanon, LLC for site plan approval for Panera Bread, a development of 1.01 acres at 639 S. Cumberland Street (Tax Map 81 Parcel 34) zoned CG in Ward 3

Planner Donovan noted that the building's masonry does not meet the standard with only 26% brick and 73% EIFS; however, the Planning Commission has counted EIFS as a masonry-like product in the past.

	Brick	EIFS
West (Front)	26.6%	73.3%
North (Side)	62.9%	34.2%
South (Side)	73.1%	26.4%
East (Rear)	12.1%	87.9%

This site scored a 4 of 13 on the sidewalk study and the Planning Commission will need to decide if they should require sidewalks or accept the payment in lieu of amount of $3,642. If the commission approves the sidewalks then Staff would like an update to the pedestrian circulation plan with a sidewalk built to the front door of the business.

D3's Lebanon's David Bailey representing Panera Bread was available for questions.

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

7. Request by Verizon Tennessee Partnership for site plan approval for Verizon Cell Tower, a development of acres at 1030 N. Castle Heights Avenue (Tax Map 58 Parcel 57) zoned CG in Ward 1

Planner Donovan noted that Staff has reviewed this item and it meets the criteria in the code.

Baker Donelson's Joey Hargis representing Verizon described their request for a 125 ft cell tower. There will be landscaping around the compound. This site is needed for capacity and helps offload surrounding towers.

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

8. Request by Five Oaks Home Owners Association for a subdivision sign approval for a sign located at the intersection of Jasmine Street and Five Oaks Boulevard (Tax Map 56 Parcel 24) zoned HDRPUD in Ward 6

Planner Donovan noted that prior to the installation of the sign there will need to be a hold harmless agreement with City Council to allow that sign to be built in the PUDE.

Commission member Pam Black asked Engineering Director of Development Regina Santana if she had all the information she needed.

Ms. Santana replied that when they looked at it, they noted that it needed to be moved back 5 ft, but otherwise it was okay.

A motion was made by Pam Black and seconded by Rick Bell to approve the sign. Motion carried unanimously.

9. Request by Staff to amend the Future Land Use Plan for about 162 acres at 1501 Hunters Point Pike (Tax Map 58 Parcel 68) from Medium Density Residential to High Density Residential

Planner Richard Donovan noted that the item is related to item #10. The Future Land Use Plan and the RS6 District conflict as far as density is concerned. The Medium Density Residential designation calls for 2.1 to 5 units an acre while High Density Residential calls for 5 or more units an acre. The RS6 would be higher than 5 units an acre.

Donnie Webb of 317 Princeton Drive wanted to know what they plan to put there.

Planner Richard Donovan replied that currently the developer does have a concept plan of single family residences. However, because this is conceptual, the City cannot hold them to this.

Engineering Director of Development Regina Santana explained that there was an original site plan and plat approved by the Planning Commission and the utilities and storm system are already in from the original construction. She believes the lots behind Mr. Webb will be left alone.

Civil Site Design Group's Ryan Lovelace confirmed that they want to leave alone that portion. The intent is to get rid of the townhouses, commercial and apartments and to make a single family homes development. He is surprised the land use does not match the apartments and townhomes.

Commission member Bernie Ash asked about the amount of homes that are planned.

Mr. Lovelace replied that the PUD allows 594 homes but the conceptual plan shows 585. The purpose of this rezoning is to fit the lot sizes they want with the new conservation standards. The entrance, turn lanes and connections will remain the same.

Planning Director Paul Corder remarked that the main thing the PUD allowed for was a commercial section and that has been removed. This would be just a single family development.

Currently this could be denser than what they requested but they are asking to get rid of the PUD which had 1114 units already approved.

Commissioner Ash asked what size the houses would be.

D R Horton Homebuilders' David Reisen answered 1,400-1,900 sq ft for first-time homebuyers with the price to be determined.

Leonard Tipps of 2171 Hunters Point Pike noted that if they build more houses than what the property was originally zoned for, it would dump more water on that property and the highway. There is too much traffic on Route 231 already. He would rather have larger houses and believes the property should go back to previous zoning.

Carol Weiler, owner of property on Raden Drive and 1847 Hunters Point Pike, is concerned that building small houses would decrease her property value. She is also concerned about drainage issues.

D R Horton Homebuilders' Danny Clawson described their business, which has been around for 35 years, as one of the largest builders in the nation. When they build a community like this, they implement HOAs to manage and maintain those. They take a lot of pride in their homes and they want to do the right thing by this community. They have engineers for a reason, they are there to design that watershed and take care of any drainage issues. They have three different companies, Express Homes, D R Horton Homebuilders and Emerald Homes.

Commissioner Ash asked if they were open to changing zoning to RS9.

Applicant Danny Clawson replied that if they went any less than the requested RS6 zoning district, they might as well not be in Lebanon. The numbers would not work. There is a need for some affordable housing in Middle Tennessee.

Commissioner Ash noted that the Planning Commission's job is to protect the citizens. He is concerned about 600 houses on small lots. He is concerned about the low income housing problem in Lebanon.

Applicant Danny Clawson explained that low income and affordable housing are two different things and that these homes are not Section 8 homes. They hope to start in the $170,000 price range. Currently as this property is zoned for 1114 units, they are looking at 585 and already it will help to remedy the traffic situation. In regards to the zoning, they are needing the 55 ft wide range (zoning at 6000 sq ft) for the Conservation Standards because their home product fits the 55 ft lots.

Billy Thorne of 388 Rutledge Lane wanted to know why they are not doing a TDOT study like it has been talked about. What is the plan for this City to handle the traffic and where is it going to go? He also commented that there are no rezoning signs on that property.

Jeff Susan of Chapman Drive wanted to know if this property has already been purchased.

Planning Director Paul Corder replied that the property is under contract; the way it works is the applicant will ask for a rezoning and will not buy it if the rezoning request fails.

Planner Donovan reminded the commission that this item is for the FLU Plan amendment going from MDR to HDR. This request will go to City Council.

Commission member Larry Hubbard commented that this is a difficult time in Lebanon, as there are no houses to sell which in turn is driving the price of current houses up. He appreciates that people want to build here. In regards to the infrastructure, TDOT will not do anything until capacity is reached. Also, Millennials do not care about large lots as they do not want the maintenance. The City is going to have to have these types of developments if we want to grow as a community.

A motion was made by Larry Hubbard and seconded by Pam Black to recommend City Council approval of the requested Future Land Use Plan amendment. Vote to approve was 8-1. Bernie Ash voted no. Motion carried.

10. Request by David Reisen for rezoning approval, for about 162 acres at 1501 Hunters Point Pike (Tax Map 58 Parcel 68) from CG, RD9 and RM6 with a PUD overlay to RS6 in Ward 1

Planner Richard Donovan noted that this request is to rezone to RS6. This is a recommendation to City Council with two readings and a public hearing.

Commission member Bernie Ash motioned to change the zoning request from RS6 to RS9. There was no second. Motion failed.

A motion was made by Larry Hubbard and seconded by Kathy Adams to recommend City Council approval of the rezoning request. Vote to approve was 8-1. Bernie Ash voted no. Motion carried.

11. Request by Fleming Homes for rezoning approval, for about 19.9 acres at unaddressed Leeville Pike (Tax Map 80 Parcel 6) from RR to RS9 in Ward 4

Planner Donovan noted that this property is currently zoned RR with a maximum of 6 single family units that could be built. At the RS9 density, without counting infrastructure, this property will allow approximately 96 single family homes.

Lose & Associates' Mike Wrye representing the Rowland family and Fleming Homes was available to answer any questions. He mentioned a couple of points, as they have seen from rezoning, that emotions get high and people have their opinions. This proposed zoning does keep with the Future Land Use Plan; the property is on an arterial corridor with ample utilities available. It is a good way to develop this corridor.

Commission member Bernie Ash asked if there is any way to build a berm.

Mr. Wrye cautioned that he would highly recommend against a berm and pointed out that installing a berm on Blair Lane was a mistake. He recommends landscaping instead. They have discussed some sort of buffer and Fleming Homes would be happy to provide one.

Chris Crowell of 3831 Leeville Pike noted some of the unique characteristics of the area. He

provided photos of an old house which meets the criteria of a Century Farm. Mr. Crowell pointed out that the intersection of Tuckers Gap Road and Leeville Pike is a hazard as two people were killed there as a result of existing traffic. The only real heavy density area is Stonebridge, and that is a good place to continue development as opposed to this property. Mr. Crowell commented that this buffer is needed between Mt. Juliet and Lebanon. He asked the commission to please recommend maintaining the current zoning.

Charles Gibbs of 3860 Leeville Pike remarked that sometimes there is no water at his residence. What is going to be done with low water pressure when these houses are there? The infrastructure is not there unless they make this a high-pressure line. Traffic is also a concern.

Ann Gaines of 2979 Leeville Pike loves Lebanon and the way it had developed and been maintained. She is absolutely against this development beside the Crowell property and she wants to know if there is a need because she sees no need for 64 units. She pointed out that when Blackwell Realty came before this board, Mr. Blackwell mentioned very little of what is there now and it sounded reasonable. However, there is now a big-lighted sign, paved front yard with 6-10 cars at a time and either he was a poor planner or completely untruthful. She advised that she cannot be convinced that there is a need for housing and then asked the commission to not approve the rezoning request.

Sheila Gibbs of 3860 Leeville Pike is concerned about the NW gas lines on property. In addition, she lives at the end of the water line. The water is sufficient, but on some days she can barely get a glass of water. The proposed homes will take away more water if there is not a high-pressure water line. She is very concerned about infrastructure and traffic is an issue and the sewer system ends in her yard. There is a century old farm there and history must be preserved.

Commission member Rick Bell asked Staff about the reported water issues.

Engineering Director of Development Regina Santana responded that to the left of the property is a water tank, but the Crowell property is higher than that water tank and that is why they have pressure issues there. A 16" water main comes from that tank that heads west down Leeville Pike and up north behind Hillview Farms and runs back to Hickory Ridge Road. Therefore, this unaddressed Leeville Pike property would be served off that 16" water main coming from the 2-million-gallon water tank. According to the City's water manager, there is sufficient water pressure to serve the potential development.

Fleming Homes' Jordan Fleming described the vision for this property as 64 well-built homes. He is not talking sub-standard but high quality with four-sided brick with high amenities. In regards to the century farm, it is something to be proud of and should be recognized. Previously the company purchased 20 acres with a century farm and did a fantastic job with the development.

Charles Gibbs of 3860 Leeville Pike said that Ms. Santana spoke of a 16" water line. There is not enough water pressure there because they came out and put a meter on it, on the tank; and it had 25 pounds of pressure that was verified by the City. The water line will not carry the load.

Chairman David Taylor asked how this would affect them.

Engineering Director of Development Regina Santana responded that she would have to check. Stonebridge had no reported issues of pressure off an 8" line. That 16" main is big enough. A 25

psi should be adequate because it works for fire hydrants.

Maggie Crowell of 3831 Leeville Pike loves looking out over her grandmother's fence at the property and she does not support 64 houses being built there.

Real Estate Broker Drew Boggs is facilitating the project and spoke as to why they identified this as a good property for Fleming homes. This property is close to the interstate and the hospital and his active vision on this property is an adult community consisting of one level, all-brick homes in the $300,000 - $400,000 price range. They are aware of the gas line and because they cannot build on it or utilize, it will be greenspace. They are also aware of the Crowell Farm and it is centrally located. This property makes great sense for more housing. Mr. Boggs has been in real estate for 15 years and there is a consensus that there is a lack of inventory. If the infrastructure is not there then he understands; it has to be there and it will be there. This is only the first step.

Ann Gaines of 2979 Leeville Pike inquired if the property has been sold and who owns it.

Ms. Rowland replied that she owns it and she very much wants to sell it.

Mrs. Gaines asked that if it is not approved, what the developer does then. She understands it is Ms. Rowland's property and she was given the land but she feels that this is not the time to develop and this is not the place.

Lose & Associates' Mike Wrye rebutted that as far as he knows, Ms. Rowland was not given the land; she paid for it and has owned it a very long time. When options are discussed, there is always an erroneous assumption that it will develop the way it was proposed or not be developed at all. That is not the case; this property is zoned and it can be developed.

Property owner Sue Rowland of 65 Geris Way talked about how she grew up a farmer, married a farmer and how she loves farms. She has always wanted to live on Leeville Pike. When Drew and Jordan came to her with this proposal, it was like a dream come true. To sell that property and live on it and have her daughter have a home on it means a lot to her. Wilson County is growing and you cannot stop growth. She would like to see it develop in her lifetime and she hopes the commission takes that into consideration.

Banker Chris Crowell remarked that the developments he has financed were all continuations of current developments as that is one of the things that banks look at as well as planners, individuals, builders and developers. Where do we put these developments? Do we put them where they make sense or do we put them out somewhere encroaching on special areas within our community? He thinks it is important as we consider changing the zoning requirements.

A motion was made by Pam Black and seconded by Beulah Garrett to recommend City Council approval of the requested RS9 zoning district.

Commissioner Ash wanted to amend the motion to defer this item until the next meeting to see a landscaping plan and discuss any water issues.

Chairman David Taylor asked about the landscaping.

Planning Director Paul Corder reminded the commission that they normally cannot hold the

developers to the design at this stage. They cannot make conditions on a rezoning. If it becomes a single family development, then the commission will see the plat; but single family homes are exempt from site plans and Planning Commission approval.

Commissioner Ash is still concerned.

Chairman David Taylor restated the motion to rezone from RR to RS9. Bernie Ash withdrew his request to amend the motion to defer this until next meeting.

Commission member Larry Hubbard reminded the commissioners that they need to make decisions based on material evidence and not based on emotion. The requested zoning matches the FLU Plan. These developments cannot be built if they do not meet engineering, planning, and other requirements. Mr. Hubbard advised that the commission must trust City Staff.

The original motion made by Pam Black to recommend City Council approval of the requested RS9 zoning district was approved by a vote of 7-2. Rick Bell and Kathy Adams voted no. Motion carried.

12. Request by Sue Siens for plan of services approval for about 11.66 acres at 1035 Maple Hill Road (Tax Map 46 Parcel 9.08) in Ward 1

Planner Richard Donovan read the plan of services with the total appraised property value for the parcel in the annexation area being about $122,300. This equals an assessed value of about $30,575 for a residential property. The property tax generation from this property as a residential property in the City would be about $185 per year. The estimated cost to serve this area is $76,973. He reminded the commission that this request will go to City Council.

Sue Siens, owner of the property, explained that this property is currently Maple Hills Driving Range. She has requested the annexation and the RS20 zoning to become compatible with Farmington Woods. There are no plans to develop immediately; the request is for future planning purposes for the streets and utilities as Farmington Woods develops. Until then the property would keep running as a driving range.

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

13. Request by Sue Siens for annexation and zoning approval for about 11.66 acres at 1035 Maple Hill Road (Tax Map 46 Parcel 9.08) and RS20 in Ward 1

Planner Richard Donovan noted that the nearest property that is in the City is zoned RS20 and the FLU Plan supports the zoning request. The RS20 zoning would allow approximately 25 single family homes.

A motion was made by Pam Black and seconded by Rick Bell to recommend City Council approval of the annexation and zoning request. Motion carried unanimously.

14. Request by Staff for Sign Regulations Amendment to Title 20 Chapter 1 Section 20-103 (cccc) "Yard Sign" and Section 20-125 "Temporary Signs" to the definition of a yard sign and regulate temporary signs

Planner Richard Donovan indicated that the Public Works Commissioner Jeff Baines and Codes Department Director Patsy Anderson worked on the sign amendments and they were able to answer any questions. He reminded the commission that this is a recommendation to City Council.

Public Works Commissioner Jeff Baines explained that they talked for months about this and this is a small portion of the ordinance strictly dealing with the signs. It addresses some permits, some fees, and some issues about community events. The intent is to adopt something that can be enforced.

Paul Gould of 642 Five Oaks Boulevard asked that the City please change the sign ordinance altogether because it was very difficult to get the sign for Five Oaks. It took 3 months to get the sign approved and he believes that once Commissioner Baines and Engineer Santana agree that it is not in a right-of-way, then they should be able to sign off on it. Then it would not have to go to the Planning Commission and then afterwards to City Council. It took a total of 4 months to get a sign.

A motion was made by Kathy Adams and seconded by Pam Black to recommend City Council approval of the proposed amendment. Motion carried unanimously.

15. Request by Staff for Zoning Code Amendment to Title 14 Chapter 8 Section 14.802 Off-Street Parking and Loading Requirements A. General Provisions and F. Variance from Required Parking and Appendix D: Off-street Parking Requirements to amend the requirement to round the number of parking spaces up, to add a formal process for requesting a parking variance and to amend the minimum parking standards by half of the current standard

E. Off-Street Loading and Unloading Requirements

TOTAL USABLE FLOOR AREA	SPACE REQUIRED
0 to 19,999 ~~9,999~~ sq. ft.	One (1) space
20,000 ~~10,000~~ to 24,999 ~~14,999~~ sq. ft.	Two (2) spaces
25,000 ~~15,000~~ to 29,999 ~~19,999~~ sq. ft.	Four (4) spaces
Over 30,000 ~~20,000~~ sq. ft.	Three (3) spaces, plus one (1) additional space for each additional 30,000 ~~20,000~~ sq. ft.

Planner Richard Donovan noted the changes including rounding down on parking spaces and a reduction by half in the spaces required. Also noted is a Variance from Required Parking:

1. Parking demand on similar type developments
2. Availability of shared parking facilities
3. Availability of reasonable pedestrian and bicycle infrastructure
4. Proximity of mass transit (i.e. Music City Star Stations)
5. A general parking study
6. A site specific parking study
7. The level of risk for a negative impact on the normal flow of traffic if the number of parking spaces is not adequate
8. The availability of an area where parking could be expanded if the demand increase

A motion was made by Pam Black and seconded by Jesse Gilliam to recommend City Council approval of the proposed amendment. Motion carried unanimously.

COMMISSIONER COMMENTS – None.

PLANNING DIRECTOR COMMENTS

Planning Director Paul Corder noted that the July training session date was changed to Tuesday, July 12, at 7:30 a.m. at the Historic Lebanon July Meeting. Joseph Minicozzi will be speaking there as well as at the Vision Committee Meeting on July 14 at 2:00 p.m. Email notifications have been sent.

Planning Director Corder stated that in regards to a previous comment saying that there were no notification letters sent out, Planner Richard Donovan sent out nearly 100 letters and there were rezoning signs placed on properties. Mr. Corder normally does not point this out; however, Planner Donovan put in a lot of work to provide proper notifications.

ADJOURN

There being no further business to come before the commission, the meeting was adjourned at 6:52 p.m.

David Taylor — 08/02/16

Chairperson, David Taylor — Date