

CITY OF LEBANON
MUNICIPAL REGIONAL SPECIAL CALLED PLANNING COMMISSION
Remote Meeting Minutes – March 31, 2020

Special Note: Due to the nature of this meeting being remotely broadcast, all of Staff's recommendations were viewed previously on the PDF and Audio Staff Reports. Those Staff Reports were published and displayed on the Planning Department website available to all the Commissioners, the Applicants, and the Public prior to this meeting. The Staff Report will be attached to these minutes as Exhibit A. The format for the meeting will be Exhibit B.

Members Participating Remotely

David Taylor	Mack McCluskey	Chuck Daley	Kathy Adams
Ronnie Kelley	Camille Burdine	Robert (Bob) King	

Staff Present in City Hall

Seth Harrison	Matt Schenk	Kathleen Vail
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Call to Order

David Taylor called the meeting to order at 5:03 PM and turned the meeting over to Planner Seth Harrison to run.

1. *Request by Staff to hold a remote meeting because the health of the public requires it*

Roll call vote

Kathy Adams	Yes
Camille Burdine	Yes
Chuck Daley	Yes
Robert (Bob) King	Yes
Mack McCluskey	Yes
David Taylor	Yes

Motion passed 6-0.

2. *Request by Innovation Group, LLC for preliminary plat approval for KFC Lebanon Subdivision, a 47-lot subdivision on about 13.2 acres at unaddressed South Maple Street (Tax Map 81C Group C Parcel 33) zoned RD9 in Ward 3*

Additional Staff comments:

Engineering Director Regina Santana said that in looking at the resubmittal, there was a driveway or a roadway through a sinkhole where it ties into South Maple that was not there when it was reviewed on the original plat. She said that there was a chance that the connection may or may not work with the Engineering Department.

Planner Seth Harrison said that the applicant stated previously that it was not a sinkhole, just a depression in the ground. He could see that Barry Cleveland was signed into the meeting but not connecting.

Regina Santana said that the commission could proceed, but that connection might not work for Engineering, that the drainage in that area will be a top priority and Engineering will not know until they have a geotechnical report. It is a very large area that has a closed depression there.

Applicant response:

Barry Cleveland from DBS & Associates Engineering, Inc. was trying to connect via Microsoft Team Meetings. He will text his comments.

PC comments:

Commissioner Camille Burdine asked to see the PowerPoint slide showing the street overview. She noted that she has not heard anything from anybody regarding this project.

Commissioner Kathy Adams said that she used to live over on Ligon Drive and that there is definitely a sinkhole back there.

Planner Seth Harrison said that the sinkholes are shown on the property. He pointed out the sinkholes on the PowerPoint. He said that this was not shown as a sinkhole, but he is not an engineer.

Commissioner Burdine asked if this was one by the stormwater drain on the corner of Franklin and Maple that is next to a larger storm drain.

Engineering Director Regina Santana responded with yes, the one behind Lowes, that is also a sinkhole. She explained that when you have sinkholes like this they generally occur in patterns, which is a concern because Engineering has not seen a geotechnical report and there are several sinkholes at that subdivision; so, that connection may or may not work just because of that large sinkhole. South Maple Chase (which is the subdivision on the other side of South Maple), where the driveway is lining up, there are several open sinkholes. When that subdivision developed, they kept those open instead of remediating them because there is not a good outlet for any of the drainage there. If you let somebody close them all up, then there is nowhere for the water to go and that was the concern initially when Engineering met with the developers.

Commissioner Mack McCluskey said that it looks like the commission has two choices; they can defer this project or take action subject to approval by City Engineering.

Chairman David Taylor said that either one would be preferable, but he would not be comfortable voting with a positive recommendation today with the limited information.

Commissioner Chuck Daley said that he agreed that they need to figure out the sinkholes problem first.

Planner Seth Harrison reminded the commission that they can approve it subject to Staff's comments now and if something is wrong at the engineering end, then it can be changed; or it can be denied in the process. The commission can approve it, deny it, or defer it tonight.

Commissioner Burdine asked if anyone was available to speak on this.

Seth Harrison said that Barry Cleveland is listed as someone who is participating, but he cannot hear him. Armando Estrada messaged on Facebook that Barry Cleveland was available. Seth said to Mr. Cleveland to text him and that he could read his comments if he wanted to type them in.

Regina Santana said that she was just pointing out the sinkholes and it is up to the commission how they want to handle it. She just wanted them to know that if the road does not work for Engineering, they will have to take it off. She is not opposed to the commission proceeding with the project, but Engineering will be looking at it because of the drainage in that area.

The agenda moved to the next item until the applicant was able to connect and respond. After item #4 was voted on, this item resumed.

Communication by text from the applicant Barry Cleveland:

“The connection at Maple can be adjusted to accommodate the depressed area. We aligned this with the intersection. The larger sinkholes will remain open but improved to maximize the stormwater detention for the subdivision. Engineering will be conducted after the preliminary approval. A geotechnical will be conducted during the engineering design phase. We will adjust the site plan as required during the engineering phase.”

Engineering Director Regina Santana responded to the text from the applicant. She said that basically, her comments still stand as Engineering has not received a geotechnical report yet and there is a lot of pieces and parts to go with that; so, Engineering may or may not be okay with that connection as shown. They still have the other connection, so it is not that the project does not work; but right now, they have the connection shown through the center of that closed depression. Until they have a geotechnical report, they do not know if they have a sinkhole or not.

Commissioner Chuck Daley asked if the commission could defer the project until they can get a geotechnical report to look at the sinkholes.

Regina Santana replied that normally that comes during the design process. They just have a road shown through something that is that significant as far as the closed contour aspect of it. The concern is that they have a lot of work to do on their end. If it works, Engineering will be okay with it; and if it does not, they will just have to take that little piece of stub road off.

Barry Cleveland replied by text with we will work with Planning and Public Works for this alignment.

A motion was made by Kathy Adams and seconded by Chuck Daley for approval of the preliminary plat subject to Staff’s comments.

Roll call vote

Kathy Adams	Yes
Camille Burdine	Yes
Chuck Daley	Yes
Robert (Bob) King	Yes
Mack McCluskey	Yes
David Taylor	Yes

Motion passed 6-0.

3. *Request by CRV Holdings for right-of-way abandonment for unapproved right-of-way between North College Street and Lake Street in Ward 2*

A motion was made by Camille Burdine and seconded by Kathy Adams to recommend approval of the right-of-way abandonment to City Council.

Roll call vote

Kathy Adams	Yes
Camille Burdine	Yes
Chuck Daley	Yes
Robert (Bob) King	Yes
Mack McCluskey	Yes
David Taylor	Yes

Motion passed 6-0.

4. *Request by CRV Holdings for final plat approval for Martin Denton Property, a 3-lot subdivision on about 1.63 acres at 317 & 319 North College Street and unaddressed Lake Street (Tax Map 68D Group G Parcel 4, 5, 16, 17 & 18), zoned CG, CN, and DMU in Ward 2*

PC comments:

Commissioner Mack McCluskey asked about the location of the right-of-way.

Planner Seth Harrison pointed out the location on the PowerPoint and said that it was a vacant alley that has no use and that there were no comments from City Staff regarding it.

Applicant response – None.

A motion was made by Camille Burdine and seconded by Chuck Daley for approval of the final plat.

Roll call vote

Kathy Adams	Yes
Camille Burdine	Yes
Chuck Daley	Yes
Robert (Bob) King	Yes
Mack McCluskey	Yes
David Taylor	Yes

Motion passed 6-0.

(The meeting moved back to Item #2).

5. *Request by Fence Row Properties, LLC for final plat approval for Subdivision of Fence Row Properties, LLC, a 3-lot subdivision on about 6.25 acres at 1030 North Castle Heights Avenue (Tax Map 58 Parcel 57) zoned CG and CN in Ward 1.*

A motion was made by Chuck Daley and seconded by Camille Burdine for approval of the final plat.

Roll call vote

Kathy Adams	Yes
Camille Burdine	Yes
Chuck Daley	Yes
Robert (Bob) King	Yes
Mack McCluskey	Yes
David Taylor	Yes

Motion passed 6-0.

6. *Request by Makram Gendy for site plan approval for 1024 Center, a non-residential development on about 0.29 acres at 1024 Sparta Pike (Tax Map 67P Group A Parcel 8) zoned CG in Ward 2*

Applicant comments:

Warren and Associates' Kramer Tuggle commented using Microsoft Teams and asked the commission for approval. He also asked for variances on the building and dumpster enclosure setbacks.

PC comments:

Chairman David Taylor stated that he would rather have sidewalks with this project than a payment in lieu of.

Planner Seth Harrison stated that the sidewalks were shown on the site plan.

A motion was made by Chuck Daley and seconded by Ronnie Kelley for approval of the site plan subject to Staff's comments and with the variances for the building and dumpster enclosure setbacks.

Roll call vote

Kathy Adams	Yes
Camille Burdine	Yes
Chuck Daley	Yes
Ronnie Kelley	Yes
Robert (Bob) King	Yes
Mack McCluskey	Yes
David Taylor	Yes

Motion carried 7-0.

7. *Request by Kroger Limited Partnership I for site plan approval for Kroger U-557 Fuel Center Expansion, a non-residential development on about 12.85 acres at 1418 West Main Street (Tax Map 68A Group A Parcel 2.02) zoned CG in Ward 5*

Applicant comments:

Randy Harper commented with Microsoft Team Meetings. He thanked everyone for putting the electronic meeting together, and he was with Kroger's Jason Lansdale. He said that they had one comment in regards to the landscape plan; this project is the first phase with two additional phases to follow that have to do with moving tenants and a reconfiguration of the entire parking lot. What they have done with the fuel center is add a canopy in the middle of the parking lot pavement, and they did not do landscaping with that because it is entirely closed in the existing paved area. They will be back next month to reconfigure the parking lot, and at that time they will provide landscaping. They asked for approval.

PC comments:

Commissioner Camille Burdine asked about the bank that was going to be there; is that still happening?

Commissioner Chuck Daley asked if they are going to be adding diesel fuel pumps.

Commissioner Bob King asked if they are adding a non-ethanol type of fuel.

Commissioner Mack McCluskey asked if they can approve this subject to a future landscaping plan.

Applicant response:

Randy Harper responded:

To Commissioner Burdine – the bank is not happening, just the expansion of the fuel center.

To Commissioner Daley – they are adding a diesel tank, and they have the existing premium and unleaded. The front five dispensers will have the diesel.

To Commissioner King – non-ethanol is not shown right now. It would be something depending on sales models possibly in the future.

Planner Seth Harrison responded to Mack McCluskey with the commission can approve it subject to a future landscaping plan on the site.

A motion was made by Mack McCluskey and seconded by Chuck Daley to approve the site plan subject to having a future landscaping plan.

Roll call vote

Kathy Adams	Yes
Camille Burdine	Yes
Chuck Daley	Yes
Ronnie Kelley	Yes
Robert (Bob) King	Yes
Mack McCluskey	Yes

David Taylor Yes

Motion carried 7-0.

8. *Request by Carroll Homes, Inc. for final plat approval extension for Kensington Subdivision Phase 4.1, a 95-lot subdivision on about 46.40 acres at unaddressed Manchester Boulevard (Tax Map 56 Parcel 14.01) zoned RS12 in Ward 6*

Applicant response:

Lose Design's Matt Shearon communicated by text indicating that his microphone was not working. He said that there were no comments at this time.

A motion was made by Chuck Daley and seconded by Ronnie Kelley to approve the final plat.

Roll call vote

Kathy Adams Yes
Camille Burdine Yes
Chuck Daley Yes
Ronnie Kelley Yes
Robert (Bob) King Yes
Mack McCluskey Yes
David Taylor Yes

Motion carried 7-0.

9. *Request by Boggs Builders for rezoning approval for about 1.87 acres at unaddressed and 110 Head Court and 899 East Baddour Parkway (Tax Map 67H & 67I Group G Parcels 4, 4.01 & 9.02), from R2 to RM6 in Ward 2.*

Applicant response – None.

A motion was made by Bob King and seconded by Chuck Daley to recommend approval of the rezoning to City Council.

Any discussion about the motion – None.

Roll call vote

Kathy Adams Yes
Camille Burdine Yes
Chuck Daley Yes
Ronnie Kelley Yes
Robert (Bob) King Yes
Mack McCluskey Yes

David Taylor Yes

Motion carried 7-0.

10. Request by Tol Swindell for plan of services approval for about 0.68 acres at 1370 Bluebird Road (Tax Map 67J Group C Parcel 19) and zoning to RM6 be added to Ward 2

A motion was made by Camille Burdine and seconded by Ronnie Kelley to recommend approval of the Plan of Services to City Council.

Roll call vote

Kathy Adams Yes
Camille Burdine Yes
Chuck Daley Yes
Ronnie Kelley Yes
Robert (Bob) King Yes
Mack McCluskey Yes
David Taylor Yes

Motion carried 7-0.

11. Request by Tol Swindell for annexation and zoning approval for about 0.68 acres at 1370 Bluebird Road (Tax Map 67J Group C Parcel 19) and zoning to RM6 to be added to Ward 2

Applicant response – None.

A motion was made by Chuck Daley and seconded by Camille Burdine to recommend approval of the annexation to City Council.

Roll call vote

Kathy Adams Yes
Camille Burdine Yes
Chuck Daley Yes
Ronnie Kelley Yes
Robert (Bob) King Yes
Mack McCluskey Yes
David Taylor Yes

Motion carried 7-0.

12. Request by Staff for an ordinance allowing for sites impacted by the March 3rd tornado to be approved at the Staff level if designs are compliant with previous building or closer to current design standards

PC comments:

Commissioner Camille Burdine asked how many have been received so far.
Planner Seth Harrison said none, mostly preparation.

Applicant response – None.

A motion was made by Chuck Daley and seconded by David Taylor to approve the ordinance for staff level approval for sites damaged by the tornado.

Roll call vote

Kathy Adams	Yes
Camille Burdine	Yes
Chuck Daley	Yes
Ronnie Kelley	Yes
Robert (Bob) King	Yes
Mack McCluskey	Yes
David Taylor	Yes

Motion carried 7-0.

Adjourn

The meeting was adjourned at 5:50 PM.

David Taylor
Chairman, David Taylor

06/23/20
Date

Kathleen Vail
Kathleen Vail, Recording Secretary

06/23/2020
Date

EXHIBIT A

STAFF REPORT

THE CITY OF LEBANON REGIONAL PLANNING COMMISSION WILL HAVE A SPECIAL CALLED MEETING BY STREAMING VIDEO ON TUESDAY, MARCH 31, 2020 AT 5:00 PM IN THE TOWN HALL MEETING ROOM AT 200 NORTH CASTLE HEIGHTS AVENUE

CALL TO ORDER

CHANGES TO THE AGENDA

NEW BUSINESS

1. Request by Staff to have a remote meeting because the health of the public requires it.
2. Request by Innovation Group, LLC for preliminary plat approval for KFC Lebanon Subdivision, a 4-lot subdivision on about 13.2 acres at unaddressed South Maple Street (Tax Map 81C Group C Parcel 33) zoned RD9 in Ward 3.

See digital preliminary plat at the following [link](#).

General content:

Item has been reviewed by Staff and meets the criteria in the code.

Required notes:

Item has been reviewed by Staff and meets the criteria in the code.

Setbacks:

Item has been reviewed by Staff and meets the criteria in the code.

Minimum lot size:

Item has been reviewed by Staff and meets the criteria in the code.

Road frontage:

Item has been reviewed by Staff and meets the criteria in the code.

Block length:

Item has been reviewed by Staff and meets the criteria in the code.

Easement:

Item has been reviewed by Staff and meets the criteria in the code.

Flood data:

Item has been reviewed by Staff and meets the criteria in the code.

Utilities:

Item has been reviewed by Staff and meets the criteria in the code.

Staff Recommendation:

Staff recommends approval based on compliance with the City of Lebanon Zoning Code.



Planning Commission
200 Castle Heights Avenue North, Suite 300
Lebanon, Tennessee 37087
Phone: (615) 444-3647
Fax: (615) 444-1515

Planning Commission Application
Preliminary Subdivision Plat General Info

Title of Project: Replat of Lot 3 KFC Lebanon Subdivision
Street Location or Parcel #: S MAPLE STREET (095 081C C 03300 000 2019)
Total Acreage: Parcel

- S MAPLE STREET: 13.213410850000001

acres

Approval Requested:

 Preliminary Subdivision 47 Lots (*NOTE: This lot count must include any open space/unbuildable lots on the plat. Open space/unbuildable lots are also subject to the per lot platting fee. See current fee schedule.*)

Project Contact: Owner/Developer

Josh Powers
Innovation Group, LLC
3310 Aspen Grove Drive, suite 302
Franklin, TN 37067
P:615-778-8828
jpowers@innovationsgrp.com

Project Contact: Surveyor/Engineer

Barry Cleveland
DBS & Associates Engineering, Inc.
95 White Bridge Road, Suite 250
Nashville, TN 37205
P:6152442040
bcleveland@dbsegr.com

Information required for all applications:

- Cover Letter or Written Narrative Explaining the Purpose of the Request
- One (1) Digital Copy Submitted in IDT Plans
- Non-refundable Application Fee (See current fee schedule)

Date Application Filed: 02/26/2020 **Date of Requested Planning Commission Meeting:** 3/24/2020 5:00 PM

3. Request by CRV Holdings for right-of-way abandonment for unimproved right-of-way between North College Street and Lake Street in Ward 2.

This is a request to abandon approximately 345ft of public right-of-way between North College Street and Lake Street.

Water Comments:

No Comments

Sewer Comments:

No Comments

Gas Comments:

No Comments

Fire Comments:

No Comments

Police Comments:

No Comments

Planning Comments:

This ROW abandonment will does not land lock any property

Stormwater Comments:

No Comments

Middle Tennessee Electric Comments:

No Comments

Staff recommends approval of the ROW abandonment due to no conflicts with the utility providers or City.

This is a recommendation to City Council. The expected City Council reading for this ordinance are as follows:

1st Reading = April 21, 2020

Public Hearing = April 21, 2020

2nd Reading = May 5, 2020

Dates could change at the request of the applicant or City Council.

4. Request by CRV Holdings for final plat approval for Martin Denton Property, a 3-lot subdivision on about 1.63 acres at 317 & 319 North College Street and unaddressed Lake Street (Tax Map 68D Group G Parcel 4, 5, 16, 17 & 18), zoned CG, CN, and DMU in Ward 2.

See digital final plat at the following [link](#).

General content:

Item has been reviewed by Staff and meets the criteria in the code.

Required notes:

- This plat will be subject to a ROW abandonment.

Setbacks:

Item has been reviewed by Staff and meets the criteria in the code.

Minimum lot size:

Item has been reviewed by Staff and meets the criteria in the code.

Road frontage:

Item has been reviewed by Staff and meets the criteria in the code.

Block length:

Item has been reviewed by Staff and meets the criteria in the code.

Easement:

Item has been reviewed by Staff and meets the criteria in the code.

Flood data:

Item has been reviewed by Staff and meets the criteria in the code.

Utilities:

Item has been reviewed by Staff and meets the criteria in the code.

Staff Recommendation:

Staff recommends approval subject to the approval of the ROW abandonment at City Council.



Planning Commission
200 Castle Heights Avenue North, Suite 300
Lebanon, Tennessee 37087
Phone: (615) 444-3647
Fax: (615) 444-1515

Planning Commission Application
Final Subdivision Plat General Info

Title of Project: Martin Denton Property

Street Location or Parcel #:

- LAKE STREET (095 068D G 00400 000 2019)
- 310 LAKE STREET (095 068D G 00500 000 2019)
- 317 N COLLEGE STREET (095 068D G 01600 000 2019)
- N COLLEGE STREET (095 068D G 01700 000 2019)
- 319 N COLLEGE STREET (095 068D G 01800 000 2019)

Total Acreage: Parcel

- LAKE STREET: 0.16306298
- 310 LAKE STREET: 0.37077113
- 317 N COLLEGE STREET: 0.40616107000000001
- N COLLEGE STREET: 0.0560178
- 319 N COLLEGE STREET: 0.55565025000000001

acres

Approval Requested:

___ Final Subdivision 3 Lots (NOTE: This lot count must include any open space/unbuildable lots on the plat. Open space/unbuildable lots are also subject to the per lot platting fee. See current fee schedule.)

Project Contact: Owner/Developer

MARK CONNER
CRV HOLDINGS
607 HILL STREET
LEBANON, TN 37087
P:615-310-7910
CONNERMA@REALTRACS.COM

Project Contact: Surveyor/Engineer

Paul Crockett
Crockett Surveying
427 Park Ave.
Lebanon, TN 37087
P:615-444-6693
crocsurv@bellsouth.net

Information required for all applications:

- Cover Letter or Written Narrative Explaining the Purpose of the Request
- One (1) Digital Copy Submitted in IDT Plans
- Non-refundable Application Fee (See current fee schedule)

Date Application Filed: 02/27/2020 **Date of Requested Planning Commission Meeting:** 3/24/2020 5:00 PM

5. Request by Fence Row Properties, LLC for final plat approval for Subdivision of Fence Row Properties, LLC, a 3-lot subdivision on about 6.25 acres at 1030 North Castle Heights Avenue (Tax Map 58 Parcel 57) zoned CG and CN in Ward 1.

See digital final plat at the following [link](#).

General content:

Item has been reviewed by Staff and meets the criteria in the code.

Required notes:

Item has been reviewed by Staff and meets the criteria in the code.

Setbacks:

Item has been reviewed by Staff and meets the criteria in the code.

Minimum lot size:

Item has been reviewed by Staff and meets the criteria in the code.

Road frontage:

Item has been reviewed by Staff and meets the criteria in the code.

Block length:

Item has been reviewed by Staff and meets the criteria in the code.

Easement:

Item has been reviewed by Staff and meets the criteria in the code.

Flood data:

Item has been reviewed by Staff and meets the criteria in the code.

Utilities:

Item has been reviewed by Staff and meets the criteria in the code.

Staff Recommendation:

Staff recommends approval based on compliance with the City of Lebanon Zoning Code.



Planning Commission
200 Castle Heights Avenue North, Suite 300
Lebanon, Tennessee 37087
Phone: (615) 444-3647
Fax: (615) 444-1515

Planning Commission Application
Final Subdivision Plat General Info

Title of Project: SUBDIVISION OF FENCE ROW PROPERTIES, LLC PROPERTY
Street Location or Parcel #: MAP 058 PARCEL 057.00 (Unverified)
Total Acreage: acres

Approval Requested:

 Final Subdivision 3 Lots (NOTE: This lot count must include any open space/unbuildable lots on the plat. Open space/unbuildable lots are also subject to the per lot platting fee. See current fee schedule.)

Project Contact: Owner/Developer
RICK MORROW
FENCE ROW PROPERTIES, LLC
P. O. BOX 100
HOHENWALD, TN 38462
P:6157141037
rmorrow2@bellsouth.net

Project Contact: Surveyor/Engineer
Paul Crockett
Crockett Surveying
427 Park Ave.
Lebanon, TN 37087
P:615-444-6693
crocsurv@bellsouth.net

Information required for all applications:

- Cover Letter or Written Narrative Explaining the Purpose of the Request
- One (1) Digital Copy Submitted in IDT Plans
- Non-refundable Application Fee (See current fee schedule)

Date Application Filed: 02/27/2020 **Date of Requested Planning Commission Meeting:** 3/24/2020 5:00 PM

6. Request by Makram Gendy for site plan approval for 1024 Center, a non-residential development on about 0.29 acres at 1024 Sparta Pike (Tax Map 67P Group A Parcel 8) zoned CG in Ward 2.

See digital site plan at the following [link](#).

Orientation of structures:

- The building and dumpster enclosure encroach on the side and rear minimum building setbacks.
 - The applicant is requesting a variance for this.
 - Due to the narrowness of the lot and parking requirements, this is a valid hardship.

Building materials:

Item has been reviewed by Staff and meets the criteria in the code.

Façade, roofs, and roofing materials:

Item has been reviewed by Staff and meets the criteria in the code.

Roof mounted equipment, dumpsters, and loading area:

Item has been reviewed by Staff and meets the criteria in the code.

Miscellaneous structure and hardware:

Item has been reviewed by Staff and meets the criteria in the code.

Utility or storage structures and outdoor storage:

Item has been reviewed by Staff and meets the criteria in the code.

Off-street parking lot design standards:

Item has been reviewed by Staff and meets the criteria in the code.

Landscaping, screening and buffering:

Item has been reviewed by Staff and meets the criteria in the code.

Access requirements:

Item has been reviewed by Staff and meets the criteria in the code.

Block length and perimeter:

Item has been reviewed by Staff and meets the criteria in the code.

Pedestrian circulation:

- Pedestrian circulation in the parking lot is required to be shown on the site plan
- Planning Commission will have the ability to require sidewalks or payment in lieu of along Sparta Pike.
 - Payment in lieu of will be \$2,834.80.
 - Sidewalks are shown.

Fences, gates, walls, and hedges:

Item has been reviewed by Staff and meets the criteria in the code.

Sign Location:

Item has been reviewed by Staff and meets the criteria in the code.

Content of site plans:

- A photometric plan will be required.

Required notes:

Item has been reviewed by Staff and meets the criteria in the code.

Required certificates:

Item has been reviewed by Staff and meets the criteria in the code.

Staff Recommendation:

Staff is not opposed to granting a variance for the building and dumpster enclosure setbacks, as the narrowness of the lot and parking requirements create a valid hardship. Staff recommends approval with pedestrian circulation shown on the site plan and a photometric plan.



Planning Commission
200 Castle Heights Avenue North, Suite 300
Lebanon, Tennessee 37087
Phone: (615) 444-3647
Fax: (615) 444-1515

Planning Commission Application
Site Plan General Info

Title of Project: 1024 Center - 1024 Sparta Pike
Street Location or Parcel #: 1024 SPARTA PIKE (095 067P A 00800 000 2019)
Total Acreage: Parcel
• 1024 SPARTA PIKE: 0.288764999999999999
acres

Approval Requested:

- Residential Site Plan Units
- Non Residential Site Plan 2400.00 Bldg Sq. Ft.
- Mixed Use Development Units and 2400.00 Commercial/Industrial Bldg Sq. Ft.

Project Contact: Owner/Developer
Makram Gendy

2211 Monthermer Cove
Mt. Juliet, TN 37122
P:615-668-4904
ma_gak@yahoo.com

Project Contact: Surveyor/Engineer
Kramer Tuggle
Warren and Associates Engineering, PLLC
109 Pennsylvania Avenue
Lebanon, TN 37087
P:(615) 444-2996
rktuggle@warrenandassociates.net

Information required for all applications:

- Cover Letter or Written Narrative Explaining the Purpose of the Request
- One (1) Digital Copy Submitted in IDT Plans
- Non-refundable Application Fee (See current fee schedule)

Date Application Filed: 02/26/2020 **Date of Requested Planning Commission Meeting:** 3/24/2020 5:00 PM

7. Request by Kroger Limited Partnership I for site plan approval for Kroger U-557 Fuel Center Expansion, a non-residential development on about 12.85 acres at 1418 West Main Street (Tax Map 68A Group A Parcel 2.02) zoned CG in Ward 5.

See digital site plan at the following [link](#).

Orientation of structures:

Item has been reviewed by Staff and meets the criteria in the code.

Building materials:

Item has been reviewed by Staff and meets the criteria in the code.

Façade, roofs, and roofing materials:

Item has been reviewed by Staff and meets the criteria in the code.

Roof mounted equipment, dumpsters, and loading area:

Item has been reviewed by Staff and meets the criteria in the code.

Miscellaneous structure and hardware:

Item has been reviewed by Staff and meets the criteria in the code.

Utility or storage structures and outdoor storage:

Item has been reviewed by Staff and meets the criteria in the code.

Off-street parking lot design standards:

Item has been reviewed by Staff and meets the criteria in the code.

Landscaping, screening and buffering:

- Include landscaping plan.

Access requirements:

Item has been reviewed by Staff and meets the criteria in the code.

Block length and perimeter:

Item has been reviewed by Staff and meets the criteria in the code.

Pedestrian circulation:

Item has been reviewed by Staff and meets the criteria in the code.

Fences, gates, walls, and hedges:

Item has been reviewed by Staff and meets the criteria in the code.

Sign Location:

Item has been reviewed by Staff and meets the criteria in the code.

Content of site plans:

Item has been reviewed by Staff and meets the criteria in the code.

Required notes:

Item has been reviewed by Staff and meets the criteria in the code.

Required certificates:

Item has been reviewed by Staff and meets the criteria in the code.

Staff Recommendation:

Staff recommends approval subject to landscaping following the code.



Planning Commission
200 Castle Heights Avenue North, Suite 300
Lebanon, Tennessee 37087
Phone: (615) 444-3647
Fax: (615) 444-1515

Planning Commission Application
Site Plan General Info

Title of Project: Kroger U-557 Fuel Center Expansion
Street Location or Parcel #: 1418 W MAIN STREET (095 068A A 00202 000 2019)

Total Acreage: Parcel

- 1418 W MAIN STREET: 13.004539429999999

acres

Approval Requested:

- Residential Site Plan Units
- Non Residential Site Plan **81.00** Bldg Sq. Ft.
- Mixed Use Development Units and **81.00** Commercial/Industrial Bldg Sq. Ft.

Project Contact: Owner/Developer

Jason Larsdel
Kroger Limited Partnership I
2620 Elm Hill Pike
Nashville, TN 37214
P:615-871-2421
jason.larsdel@kroger.com

Project Contact: Surveyor/Engineer

Randy Harper
GMC
3310 West End Ave., Suite 420
Nashville, TN 37203
P:615-417-7175
randy.harper@gmcnetwork.com

Information required for all applications:

- Cover Letter or Written Narrative Explaining the Purpose of the Request
- One (1) Digital Copy Submitted in IDT Plans
- Non-refundable Application Fee (See current fee schedule)

Date Application Filed: 02/14/2020 **Date of Requested Planning Commission Meeting:** 3/24/2020 5:00 PM

8. Request by Carroll Homes, Inc. for final plat approval extension for Kensington Subdivision Phase 4.1, a 95-lot subdivision on about 46.40 acres at unaddressed Manchester Boulevard (Tax Map 56 Parcel 14.01) zoned RS12 in Ward 6

This plat was previously approved by Planning Commission April 24, 2017. This extension will extend the deadline to record the plat to March 31, 2023

9. Request by Boggs Builders for rezoning approval for about 1.87 acres at unaddressed and 110 Head Court and 899 East Baddour Parkway (Tax Map 67H & 67I Group G Parcels 4, 4.01 & 9.02), from R2 to RM6 in Ward 2.

This is a request to rezone 1.87 acres from R2 – High Density Residential to RM6 – High Density Residential District. The properties to the North, East, and West are zoned R2. The property to the South is zoned CG. The Future Land Use Plan identifies this area as HDR - High Density Residential would support this zoning request. Below are the regulations for the R2 and RM6 districts.

Staff recommends approval based on compliance with the Future Land Use Plan.

This is a recommendation to City Council. The expected City Council reading for this ordinance are as follows:

1st Reading = April 21, 2020

Public Hearing = April 21, 2020

2nd Reading = May 5, 2020

Dates could change at the request of the applicant or City Council.

H. R2 – High Density Residential

This district provides a high-quality environment for individual mobile homes, either owned or leased, in a planned development. This district also permits single, two- and multiple family dwellings, community facilities and public utility installations that are necessary to serve the public.

1. Uses Permitted

Dwelling, one-family detached
Dwelling, semi-detached
Dwelling, two-family detached
Dwelling, townhouse
Dwelling, mobile home park
Dwelling, multi-family

2. Allowed Conditional Uses

Administrative Services
Community Assembly
Community Education
Cultural and Recreational Services

3. Prohibited Uses

Special training and schooling services offered by private individuals for profit nor technical schools, colleges, or universities
Any use not specifically allowed

4. Minimum Lot Area

Area: 6,000 sq. ft. for the first unit
3,000 sq. ft. for each additional unit

5. Minimum Lot Width at Building Line

Lot Width: 50 ft.

6. Minimum Yard Depths/Building Setbacks

Front – 25 ft.
Rear - 20 ft.
Side
 1 or 2 stories – 5 ft.
 3 stories – 10 ft.
Side on a corner lot – 50% greater than minimum side yard requirement

7. Maximum Lot Coverage of Structures

Coverage of Structures – 35% of total lot

8. Maximum Height

Principal Building Height – 3 stories
Accessory Structures Height – 1 story

9. Accessory Structures size limits

Accessory structures shall be subordinate in size and height to primary structure

G. RM6 - High Density Residential District

This district is designed to provide suitable areas for high density development where sufficient urban services are available or where such services can be physically and economically extended. The residential development will consist of all types of residential activities and structures with the exception of mobile homes mounted on a single chassis. This district also permits single, two- and multiple family dwellings, community facilities and public utility installations that are necessary to serve the public.

1. Uses Permitted

Dwelling, one-family detached
Dwelling, semi-detached
Dwelling, two-family detached
Dwelling, multi-family
Dwelling, townhouse

2. Allowed Conditional Uses

Administrative Services
Community Assembly
Community Education
Cultural and Recreational Services

3. Prohibited Uses

Special training and schooling services offered by private individuals for profit nor technical schools, colleges, or universities
Any use not specifically allowed

4. Minimum Lot Area

Area: 6,000 sq. ft. for the first unit
2,500 sq. ft. for each additional unit

5. Minimum Lot Width at Building Line

Lot Width: 50 ft.

6. Minimum Yard Depths/Building Setbacks

Front -30 ft.
Rear - 20 ft.
Side - 5 ft.
Side on a corner lot - 50% greater than minimum side yard requirement

7. Maximum Lot Coverage of Structures

Coverage of Structures - 40% of total lot

8. Maximum Height

Principal building Height - 3 stories
Accessory Structures Height - 1 story

9. Accessory Structures size limits

Accessory structures shall be subordinate in size and height to primary structure

10. Request by Tol Swindell for plan of services approval for about 0.68 acres at 1370 Bluebird Road (Tax Map 67J Group C Parcel 19) and zoning to RM6 to be added to Ward 2

Below is a draft copy of the plan of service.

This is a recommendation to City Council. The expected City Council reading for this ordinance are as follows:

1st Reading = April 7, 2020

Public Hearing = April 21, 2020

2nd Reading = April 21, 2020

Dates could change at the request of the applicant or City Council.

March 31, 2020
PROPERTY AT 1370 BLUEBIRD ROAD
CITY OF LEBANON, TENNESSEE

The City of Lebanon, Tennessee, is pursuing the annexation of about 0.68 acres at 1370 Bluebird Road as described in this report, along with a corresponding plan of services and zoning plan for the area. The area is inside the existing Urban Growth Boundary (UGB). This annexation is proposed to take place in 2020.

This report begins with a brief overview of the annexation process and the requests by the landowners for annexation. The report then turns to a proposed Plan of Services (POS) for the annexation area. The services described are those that would be necessary for the City to provide under Tennessee law. This area is proposed to receive City services in accordance with the POS.

Introduction

Public Chapter 1101 (PC 1101), adopted as Tennessee law in 1998, required cities to work cooperatively with other local governments to determine an Urban Growth Boundary (UGB) in which annexations could occur. Lebanon can annex property within its UGB by ordinance.

PC 1101 Section 19 requires a "Plan of Services" (POS) prior to annexation and a Plan of Services must include: police and fire protection; water, electrical, and sanitary sewer services; solid waste collection; road and street construction and repair; recreational facilities and programs; street lighting; and zoning services. Public Chapter 225 adopted by the Tennessee General Assembly and signed by Governor Bredesen on June 2, 2003, amended TCA 6-51-102 to include impact on school attendance zones.

The owner of the property at 1370 Bluebird Road had asked the City of Lebanon to consider annexing their property.

Plan for Serving the Annexation Area

1. Police Protection

Patrolling, radio response to calls, and other routine police services using the City's personnel and equipment will be provided on the effective date of the annexation.

2. Fire Protection

Fire protection by the present personnel and the equipment of the fire fighting force, within the limitations of available water and distances from fire stations, will be provided on the effective date of annexation.

3. Domestic Water, Sanitary Sewer Service, and Fire Hydrants

1. Domestic Water – This property is serviced by the Wilson Water Authority. Any improvements or extensions to the domestic water will be the responsibility and at the cost of the developer/owner.

2. Sanitary Sewer – An 8-inch sewer line is located to the West of the property. Any improvements or extensions to the domestic water will be the responsibility and at the cost of the developer/owner.

3. Fire Hydrants – If any new hydrants are needed the cost would be between **\$3500 and \$4000** each.

4. Electric Service

There are existing Middle Tennessee Electric power lines on this lot. Any additional development would be \$675 per lot.

5. Public Works

1. Stormwater – Stormwater services will be available to this property in the same manner they are available to the rest of the City.

2. Sanitation – City sanitation services will be available at the time of annexation.

3. Street and Right-of-Way Repair and Maintenance – The annexation include 0.94 acres of right-of-way.

4. The City and/or the County may require road improvements by the owner as this property develops.

6. Gas

This property is serviced by the City of Lebanon. Any improvements or extensions to gas will be the responsibility and at the cost of the developer/owner.

7. Schools

Wilson County Schools does not anticipate any noticeable effect from the annexation.

8. Inspection and Codes Enforcement

All inspection and building/code enforcement programs existing within the City will be extended to the annexation areas on the effective date of the annexation.

9. Planning and Zoning

The zoning jurisdiction of the City will extend to the annexation areas upon the effective date of the annexation and all municipal planning activities will encompass the needs of the annexed areas.

1. The requested zoning for the annexation is RM6 – High Density Residential.

Zoning Map

2. The requested Future Land Use Plan classification for this area is Residential Mixed Use and thus matches the RM6 zoning requested.

FLU Map

10. Animal Shelter

The City operates a full-time animal control program including an animal shelter. The animal shelter is located on Park Drive. Services include pick-up of stray and/or dangerous animals. These services will be available to the annexation areas on the effective date of the annexation.

11. Voting Rights and City Elections

1. If an eligible voter's permanent place of residence is located in an annexed area, that voter is automatically eligible to vote in City elections.
2. If an eligible voter is in the category of a property rights voter, then that voter must register at the Election Commission Office prior to voting in a City election.

Revenue

The total appraised property value for this parcel in the annexation area is about \$60,700. This equals to an assessed value of about \$15,175 for a residential property. The property tax generation from this property as a residential property in the City would be about \$92.18 per year. The estimated cost to serve this area is \$24,220.

11. Request by Tol Swindell for annexation and zoning approval for about 0.68 acres at 1370 Bluebird Road (Tax Map 67J Group C Parcel 19) and zoning to RM6 to be added to Ward 2

This is a request to annex property at 1370 Bluebird Road and zone it RM6 - High Density Residential. The nearest properties in the city are zoned CS - Commercial Service, IH - Heavy Industrial, and RM6 - High Density Residential. The Future Land Use Plan has this area is RMU - Residential Mixed Use and thus supports the zoning to RM6. Below are the regulations for the RM6 district.

This is a recommendation to City Council. The expected City Council reading for this ordinance are as follows:

**1st Reading = April 7, 2020
Public Hearing = April 21, 2020
2nd Reading = April 21, 2020**

Dates could change at the request of the applicant or City Council.

G. RM6 - High Density Residential District

This district is designed to provide suitable areas for high density development where sufficient urban services are available or where such services can be physically and economically extended. The residential development will consist of all types of residential activities and structures with the exception of mobile homes mounted on a single chassis. This district also permits single, two- and multiple family dwellings, community facilities and public utility installations that are necessary to serve the public.

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7. Maximum Lot Coverage of Structures

Coverage of Structures - 40% of total lot

8. Maximum Height

Principal building Height - 3 stories
Accessory Structures Height - 1 story

9. Accessory Structures size limits

Accessory structures shall be subordinate in size and height to primary structure

12. Request by Staff for an ordinance allowing for sites impacted by the March 3rd tornado to be approved at the Staff level if designs are compliant with previous building or closer to current design standards

Below is a draft copy of the ordinance

This is a recommendation to City Council. The expected City Council reading for this ordinance are as follows:

**1st Reading = April 7, 2020
Public Hearing = April 21, 2020
2nd Reading = April 21, 2020**

Dates could change at the request of the applicant or City Council.

ORDINANCE NO. 20-xxxx

AN ORDINANCE ALLOWING PROPERTIES AFFECTED BY THE MARCH 3, 2020 TORNADO TO HAVE SITE PLANS APPROVED AT STAFF LEVEL WHEN FOLLOWING ELIGIBILITY CRITERIA

WHEREAS, on March 3, 2020 a tornado impacted the State of Tennessee and the City of Lebanon; and

WHEREAS, on March 3, 2020 Governor Bill Lee declared a state of emergency due to the impact created by the tornado; and

WHEREAS, numerous buildings were destroyed or damaged as a result of the tornado; and

WHEREAS, Staff desires to reduce the amount of time required to approve a new construction affected by the tornado; and

WHEREAS, the Lebanon Municipal Regional Planning Commission recommended approval of this ordinance to the Mayor and City Council by a vote of **7-2** at the March 31, 2020 Meeting.

NOW, THEREFORE, BE IT ORDAINED by the City of Lebanon, Tennessee, that the following be added to 14.1205.B.2 Minor Site Plan Required:

Section 1. The following criteria should be followed to be eligible for Staff level approval:

1. The current site has been affected in some way, i.e. damaged or destroyed, by the March 3, 2020 tornado.

2. The new construction will occur in the existing building footprint or if it is an expansion or a new building the roofed area does not increase more than 25% over the size on March 3, 2020.
3. The new construction will be either be built to the same standard as the previous building or more closely current design standards. If a building is going to be further from the current standard than the previous building design a variance from the Planning Commission will be required.
4. No new variances would be required.
5. At any point city staff, a commissioner or a councilor can request that the site plan be brought to Planning Commission for approval.

Section 2. That all Ordinances in conflict herewith are repealed to the extent of said conflict.

Section 3. That this Ordinance shall take effect from and after its passage on final reading, the public welfare requiring it.

ADJOURN



EXHIBIT B

Bernie Ash, Mayor

Paul Corder, AICP
Planning Director
200 North Castle Heights Avenue. Suite 300
Tennessee 37087
Lebanon, Tennessee 37087
Phone: (615) 444-3647 Ext# 2321
Fax: (615) 444-1515
paul.corder@lebanontn.org

200 North Castle Heights Ave.
Suite 100
Lebanon,

March 26, 2020

Re: PC Meeting on Tuesday, March 31, 2020 at 5:00 PM

This will be a remote meeting. being recorded live, so it is important that we not talk over each other. To facilitate this, we will be taking comments and roll call votes.

The commissioners will be called for each item with a roll call vote in alphabetical order as follows:

- 1. Kathy Adams**
- 2. Camille Burdine**
- 3. Chuck Daley**
- 4. Jesse Gilliam**
- 5. Ronnie Kelley**
- 6. Robert (Bob) King**
- 7. Mack McCluskey**
- 8. David Taylor**
- 9. Mike Walls**
- 10. Chad Williams**

This will be slow but necessary process so we can keep minutes. Everyone should be on mute unless it is your turn to talk. The PC should not need to follow on Facebook live because all the images will be coming through TEAMS. However, if you are following the Facebook Live feed please mute it because we will get bad feedback through your microphone. For PC comments we will continue circling around in alphabetical order until no one has anything else to say.

Setup

At least one person from City Staff will be in the Council Chambers. This is where we will be hosting the meeting from. The TEAMS meeting will be held and broadcast through video and audio on Facebook Live. Images will be available on the live video feed.

Other people in the room

1. The public will not have the option of being in the room for health safety reasons. Any member of the press is allowed in. We will work with the press to make sure they have access to the meeting in the best way possible.
2. Kathleen Vail may also need to be in the room to make it easier to take role for every vote and take the official minutes.
3. We may have one other staff member in the room to manage the phones.

Comments

The Planning Commission will be on the TEAMS meeting. We will also invite the applicants to be on the TEAMS meeting. If that is not possible, we will find the best way to get their comments. The Public will be able call in and can give comments live. We are also publishing the Staff Report with a video explanation about 4 days before the meeting. The Public can respond and comment via email regarding the posted Staff Report on the Planning Department page on the City's website and the video.

In the meeting, each agenda item will run in this order

- a. Chairman David's introduction
- b. Reading the Staff report item
- c. Applicant comments
- d. Any written, comments given to Staff or Facebook live comments
- e. Phone calls either live or playing back a message
- f. Additional Staff comments (Engineering, Economic Development...)
- g. Applicants response
- h. PC comments
- i. Applicants response
- j. Motion
- k. Motion second
- l. Any discussion about the motion
- m. roll call vote

The Governor's executive order allowing this meeting can be [found here](#).

The Staff Report with the video explanation can be [found here](#) as well as any additional information.

The phone number used for live calls will be 615-444-3647 Extension 2304 or email at seth.harrison@lebanontn.org .

Sincerely,



Paul Corder, AICP