

MINUTES
HENDERSONVILLE REGIONAL PLANNING COMMISSION
TUESDAY, NOVEMBER 3, 2015
6:30 P.M. – CITY HALL MEETING ROOM

Vice-Chairman David Jenkins called the meeting to order at 6:30 p.m. in the City Hall Meeting Room, 101 Maple Drive North, Hendersonville, TN.

ROLL CALL:

Present: Don Ames, Mark Bristol, David Jenkins, Charles Lea, Frank Pinson and Darlene Stringfellow. Absent: Lori Atchley, Kee Bryant-McCormick, Bob Freudenthal and Bryant Millsaps. Also present: Fred D. Rogers, Jr., Planning Director; Timothy D. Whitten, Landscape Architect/Planner; Will Hager, Senior Planner; Marshall Boyd, City Engineer; Chuck Swann, Fire Marshall; and Georgie Mathis, Administrative Secretary.

PUBLIC HEARINGS:

Public Hearing Request to modify the Preliminary Development Plan for Shute Lane Office Development.

Fred Rogers said this was deferred from the last meeting. This property was previously zoned for retail and for apartments and in 2008. Randy Smith came in with a rezoning plan to develop the property for retail and office. There are a number of buildings and one thing that I do need to straighten out from what we indicated before, the currently approved plan on Phase 1 is for one story only and then these buildings down here (Phase 2) are for two story. So that's the way it's currently zoned for office and retail in one story buildings on the east end and two story office buildings on the west end. On the new plan, they have reduced the number of buildings to four and they propose increase the height of the buildings to four stories and they reduced the amount of retail but increased the amount of office by a good bit and since the last meeting, the modification is that this building (the first building) they have proposed to reduce it from four stories to two stories and these other three would remain as four story buildings and then there is a potential for this four story parking garage there on the far end. But the square footage would remain the same as last month. They also submitted some viewshed studies that would show the extent to which the buldings would be screened.

Fred Rogers showed illustrations of these and explained how the proposed buildings would be screened initially and after 10-15 years of growth of the proposed evergreen shrubs and the trees.

REQUEST FOR INFORMATION AND ASSISTANCE: None

ADDITIONS TO AGENDA: None

MINUTES:

MOTION by Stringfellow, seconded by Ames, to approve the Hendersonville Regional Planning Commission Meeting Public Hearing Minutes of October 6, 2015. Ames, Jenkins, Lea, Pinson and Stringfellow voted aye. Nay: None. Abstain: Bristol. Absent: Atchley, Bryant-McCormick, Freudenthal and Millsaps. Motion carried.

MOTION by Ames, seconded by Pinson, to approve the Hendersonville Regional Planning Commission Meeting Minutes of October 6, 2015. Ames, Jenkins, Lea, Pinson and Stringfellow voted aye. Nay: None. Abstain: Bristol. Absent: Atchley, Bryant-McCormick, Freudenthal and Millsaps. Motion carried.

CONSENT AGENDA ITEMS: None

FINAL PLATS:

15-088-001: FINAL PLAT, MILLSTONE, PHASE 2, SECTION 1: MOTION by Bristol, seconded by Pinson, to approve Final Plat, Millstone, Phase 2, Section 1, with all staff comments as listed below. Ames, Bristol, Jenkins, Lea, Pinson and Stringfellow voted aye. Nay: None. Absent: Atchley, Bryant-McCormick, Freudenthal and Millsaps. Motion carried.

STAFF REPORT

This final plat creates 20 lots within the Millstone Planned Development. The plat complies with the approved final master development plan. These lots are designated for single-family residences. The street names shown on the plat need to be updated to correspond with previously recorded plats within this development. This concern has been included as a condition of approval below.

STAFF COMMENTS

Planning Department

1. Update street names per the previously recorded final plats.
2. Book and page reference for the recorded plat for Millstone Phase 1, Section 2 is incorrect. A revised plat was recorded in plat book 28, pages 398-400. Please correct.
3. Update the zoning to MXR PD
4. Provide street numbers. Coordinate with Sumner County 911.

Submitted by Will Hager, AICP, Senior Planner (October 28, 2015)

Public Works Department

1. No policy issues at this time.

Submitted by Marshall Boyd, City Engineer (October 28, 2015)

Fire Department

1. No comments at this phase.

Submitted by Shelley Burwell, Fire Inspector (October 28, 2015)

Utility District

1. Revise plat to show correct street names.

Submitted by David Brigance (October 16, 2015)

PRELIMINARY AND FINAL DEVELOPMENT PLANS:

15-084-001: SHUTE LANE OFFICE DEVELOPMENT, PRELIMINARY DEVELOPMENT PLAN:

Vice-Chairman Jenkins asked Mr. Rogers for a report on the currently approved plan and the proposed plan. Mr. Rogers explained the 2004 plan included 1-story buildings in Phase 1 and 2 story buildings in Phase 2. The proposed plan, as revised from last month's meeting, is for Building 1 to be 2 stories. The other 3 would be 4 stories.

What's currently approved for retail in the 2008 plan is 54,550 square feet and that's been reduced to 22,250. But the office square footage has increased from 82,500 to 319,000.

Mr. Rogers then showed the viewshed illustrations.

Charles Lea asked what is the increase in parking?

Fred Rogers said it is probably about three times as much parking.

David Jenkins called on the applicant.

Brett Creasman said, "I am with Kimley-Horn, Project Engineer representing the owner and developer on this project." As Mr. Rogers stated, we have in the last month been working with City staff and have tried to illustrate the viewsheds coming from the adjacent residential neighbors. We have reduced the building closest – what we are calling building one – which is the building closest to the existing residential neighborhood, closest to Riverchase, to a two story building. This is the most unscreened building in the current state. We are proposing several improvements to Shute's Lane. The first improvement which would go in with Phase 1 would be a right-hand or southbound decell lane on Shute's Lane. With the Phase 2 construction, we would also have a left-hand northbound dedicated left-hand turn lane on Shute's Lane with recommended storage depths. We would also at that time put in a traffic light for our proposed intersection. In addition to all these that are outlined in our Traffic Study, we've been working with Public Works and they've requested that additional shoulder be added to Shute's Lane so we plan to work with Public Works to also provide additional shoulders on Shute's Lane.

David Jenkins directed Mr. Creasman to the Fire Department comment.

Brett Creasman said we will work with the Fire Department to alleviate any concerns as this project moves forward; therefore, we agree with that comment.

Chris Rhodes said, "I am the Traffic Engineer that was involved in the preparation of the study. Traffic counts were performed along Shute's Lane with school in session so we wanted to capture the worst case scenario when school was in session so we did the traffic study and captured data while school was in session. Shute Lane probably has about 5,000 to 8,000 cars per day. A two-lane road maxes out in terms of capacity somewhere around 13,000 to 16,000 cars per day."

There was further discussion regarding capacity and the ability of Shute Lane to handle the traffic.

Brett Creasman noted as we go through these approval processes, we will have plans in place to handle stormwater on site in accordance with Public Works requirements.

David Jenkins said there were some comments about the light brightness.

Timothy Whitten stated that light spillover is addressed in the ordinance. No more than one foot candle can spill over the common property line between the office development and Riverchase. Light trespass – light travel from headlamps, is also addressed. That’s supposed to be taken care of with perimeter shrubs around the parking lots and the proposed buffer would help in that respect as well. Also, aerial lights that light up the parking lots in close proximity to the houses would have to have glare shields to help with light trespass.

Darlene Stringfellow voiced some concerns about the four story. I live in a neighborhood – it’s an older neighborhood – but it takes a long time for trees to grow to where you can’t see and then when the leaves change, fall off the trees, then you can still see. I have that issue now. The other thing is during the middle of the night, you have the garbage trucks that come and pick up around, behind wherever the buildings are so there is a lot of noise. Why would you want four story if that’s really in a neighborhood? Why couldn’t you make them all two story or make more that are two story?

Mr. Creasman said one of the things that I’ve been waiting to address tonight is the fact that we have been working very diligently on this property to figure out not only what’s best for us as the development moves forward but again, we want to work with the neighboring community and one thing that we’ve had an opportunity to really study is what’s labeled as a potential four story parking garage in the back of the development that essentially brings our parking numbers up and allows us to propose more square footage because we are able to park more. As we’ve gone through our cost exercises, we’ve actually determined that we don’t think that is a very feasible thing to propose on this site. We don’t think it is cost effective; therefore, we kind of alluded to this a little bit with Mr. Rogers this afternoon but with that, we are able to reduce all buildings on site to two-story buildings. We are asking for your recommendation for approval based on the fact that we have a maximum two-story, 35 foot building height for the proposed development.

Mr. Creasman said we are able to reduce our total square footage to 250,000 square feet for the entire development so we would come down from 341 to 250. We would propose to keep the 22,250 square feet of retail and the remainder would be office.

Mr. Creasman said we would also agree to meet all requirements that have already been agreed to with our traffic report.

David Jenkins noted we have a proposal to really modify your submittal from four story office buildings to two, maximum of four (buildings). The square footage would be 250,000.

Mr. Creasman commented 22,250 square feet of retail, 227,750 square feet of office.

Charles Lea said I think we are moving in the right direction certainly and I would like to see what that looks like before I could vote to approve it because you already have a plan with 11 buildings and only two stories and only 35 feet high and still your revised plan with just four buildings is going to be 120,000 square feet more of space so I guess I want to see how all of that is going to work out before I could be in a position to support it. I would move that we would defer this until that plan could be submitted and the Commission would have an opportunity to review it in detail.

David Jenkins noted we have a motion on the floor to defer. Second by Pinson.

Don Ames said I like the idea of perhaps deferring it but there's a whole bunch of questions.

Charles Lea responded I certainly understand. I do think they have heard tonight some very common themes of concerns that people have and I would assume that the plan, the new plan that they would come up with would address those themes – traffic, parking, drainage, privacy issues, safety issues.

Don Ames said I hope so too but I think there's some specificity that was brought up. Just as an example, is the road that goes through a private road or a public road? I think I know the answer but there were questions that I think might ought to be answered prior to anybody leaving here tonight.

Charles Lea withdrew the motion, seconded by Ames.

David Jenkins discussed the road being a private or public road.

Brett Creasman said we don't have an answer to that right now.

Don Ames commented there was a question relating to where the construction traffic would enter or not enter the grounds.

Brett Creasman said we will have to work through that as this project progresses. Our intent is to build building number 1, the building closest to Shute's Lane, first so my best guess at this point is that we would keep our construction haul road that's there for STR.

Don Ames said based on questions tonight and other questions that I have been emailed and over the phone, the question is - are there alternative locations for bringing in the construction traffic that might be safer?

Mr. Creasman responded we can work with Public Works through that. I think that is a similar question to asking if we can have a secondary access. It's kind of difficult, based on where this site lies, to have something that's not off Shute's Lane but we will work with the Public Work's Department.

Don Ames asked if this is deferred, will you come back with more specific answers on this and those other questions?

Brett Creasman commented I will try my best to address that, yes.

Don Ames noted one of the other questions that came up was the location of the main road through the development. It was suggested that perhaps that road could be farther away from the property line. I suspect in looking at the drawing, it's where it is in order to go over the narrowest part of the creek.

Brett Creasman responded you are exactly right.

Don Ames said because that would save money to do it that way.

Brett Creasman noted the State would be very happy with us as well to minimize disturbance.

Don Ames asked are there any circumstances under which that road could be moved up farther north through the middle of the property?

Brett Creasman said we can look into that – we are looking at probably double the span. I think that the Tennessee Department of Environmental Conservation would ask us why we're disturbing that portion of the stream as opposed to the smaller, more narrow portion of the stream.

Frank Pinson asked with the dramatic change in square footage and obviously the footprint of these buildings, is there a possibility that you may re-orient these buildings? Are you going to turn them?

Brett Creasman said to answer your question in general, there will not be any substantial changes to the location of the buildings.

David Jenkins noted the berm issue versus trees being planted was raised and how that will need to be addressed.

Charles Lea said the notion of a privacy wall that would absorb noise and provide light privacy and other versus the berm would be highly desirable and something I wish you could look at.

David Jenkins asked do we have to have another public hearing?

Fred Rogers suggested giving the residents an opportunity to speak at the next meeting without going to the expense of mailing another letter or posting another sign.

Charles Lea commented in lieu of the developer's desire to respond to the issues and concerns that have been expressed by the Planning Commission members as well as the residents and considering the quality and good neighbor of our developer and owner, Mr. Smith, I move that

we defer action on this to our next regular monthly meeting which would be the first Tuesday in December. Don Ames seconded. Ames, Bristol, Jenkins, Lea, Pinson and Stringfellow voted aye. Nay: None. Absent: Atchley, Bryant-McCormick, Freudenthal and Millsaps. Motion carried.

STAFF REPORT

This project was deferred from the last Planning Commission meeting, at the request of the applicant. Please refer to the original staff report, reproduced below, which gives a description of the project.

The new development plan before you tonight is identical to the plan from the first meeting, except that the office building closest to Shute Lane has been reduced from 4 stories to 2 stories and from 72,250 square feet down to 50,000 square feet. Building square footage across the entire development remains the same however. The square footage lost in the first building was absorbed into building 2 without increasing either its height or footprint. (This is possible because the stated square footage for building 2 on the initial plan was less than could be achieved given the stated height and footprint dimensions.)

Kimley-Horn has prepared a viewshed analysis of the project, showing how much of the proposed buildings would be visible from River Chase at planting and 10-to-15 years in the future. The analysis was prepared using assumed finish floor elevations, so views could change once those elevations are determined. The Phase 2 buildings at the back of the property should be well-screened by existing trees and undergrowth being retained. It should be noted that there may be gaps in the vegetation that will have to be supplemented with new plants, and the Phase 2 buildings will be visible through those gaps until the plants mature.

The Phase 1 buildings will not have the benefit of existing, mature trees to provide screening. A mandatory 20 foot buffer will be used to provide berms and evergreen trees to screen the buildings. In the viewshed package, the second and fifth pages give an indication of how much of the 2-story office building would be visible from 106 Devonshire Trail at planting. Evergreen plants are shown at 8 feet height, and deciduous trees are shown at 18 feet height. The sixth page shows how much would be visible with 10-to-15 years of growth. Deciduous trees lose their leaves in winter, and so lose some of their screening effectiveness. So, more emphasis should be placed on evergreen trees. Staff recommends that evergreen tree heights be increased to 14 feet at planting. This would provide immediate screening of the second-story windows of the 2-story building, and approaching the 3rd story windows of the 4-story building. The fourth story would still have an unobstructed view into the residential back yards. Please note that the recommended height may need to be adjusted up or down once a grading plan is prepared and actual finish floor and site elevations can be determined. Also, even with the increased plant height, sizeable gaps will exist between plants as they taper towards the top. These should decrease with maturity.

PREVIOUS REPORT:

This property is located along the south side of SR386. It extends from Smith Travel Research (STR) to Shute Lane. SR386 is on the north. The homes on Waterford Drive in River Chase subdivision back up to this property.

The property was purchased by Randy Smith, owner of STR, several years ago. At that time, it was zoned C-PUD-G (Commercial Planned Unit Development-General) and RM-1 (Residential Multi-family).

In 2007 the property was rezoned to General Commercial and Office Planned Unit Development. The development plan which was approved at that time and the proposed revisions are described and compared in the following table:

	Current Plan	Proposed Plan
# of buildings	11	4 (5 with parking structure)
Building height	2 story/35 feet	4 story/75 feet
Sq.ft. of retail	54,550	22,250
Sq.ft. of office	82,500	319,000

The proposed plan also includes a possible future 4 story parking garage.

Both plans require the preservation of existing trees along the Riverchase subdivision property line. Additional trees must be planted in the gaps.

Permitted uses are basically the same in both plans. The main difference is the new plan contains more office and less retail. See comparison above.

This property fronts on Shute Lane. The entrance will be about halfway between 31E and the entrance to River Chase subdivision (Devonshire Drive). Jack Anderson Elementary is located south of Devonshire.

A secondary emergency access will be through STR property which fronts on 31E.

A traffic study has been submitted to the City Engineer. It is very thick. Attached is the Title Page, Table of Contents, Section 1.0 Executive Summary, Section 7.0 Capacity Analysis, and Section 8.0 Recommendations. As can be seen from Sections 1.0 and 8.0, the developer will be required to make improvements to Shute Lane. In particular, a southbound right-turn lane must be constructed along Shute Lane for traffic coming from East Main Street. This lane must be constructed in conjunction with completion of Phase 1. Phase 2 will require the addition of a northbound left-turn lane on Shute Lane at the entrance to the development. Phase 2 will also require a traffic signal on Shute Lane at the entrance to the development.

The impact of this development on traffic on Shute Lane at the entrance and at Devonshire and at East Main Street is shown on Tables 10 and 11 on page 30 of Section 7.0 and is described in text

on page 31. Table 10 states the impact during the AM Peak Hour and Table 11 during the PM Peak Hour. Impact is given for Phase 1 (Future 2017 Conditions) and Phase 2 (Future 2019 Conditions). The impact is stated for the three impacted intersections: Shute Lane at East Main, at the proposed driveway/entrance, and at Devonshire. Finally, impact is stated in terms of Level of Service (L.O.S.). L.O.S. is described on pages 27-29. L.O.S. A is the best and F is the worst. C and possibly D are generally considered acceptable whereas E and F are not. The projected Levels of Service, which are shown in Tables 10 and 11, assume that the specified street improvements have been completed.

You will note that the Level of Service will decrease for certain directions of travel. Most notable is Shute Lane at Devonshire. For the AM Peak Hour at the eastbound approach (traffic exiting River Chase Subdivision), the L.O.S. after Phase 1 will decrease from D to E and after Phase 2, to F. The "Control Delay" will increase from 33.4 seconds to 104.7.

The City Engineer and the developer's Traffic Engineer will be present at the meeting to answer questions.

STAFF COMMENTS:

Planning Department

1. Remove duplicate building setback notes from General Notes (setbacks are shown in bulk table).
2. Show 20' minimum setback line along proposed public street. Adjust building locations to conform.
3. Shown surface parking represents about 90% of the required spaces. Additional surface parking, structured parking, or a reduction in building square footage will be required.
4. A berm may be required along that portion of the property adjacent to River Chase (approximately the first eight residential lots on east end of Devonshire/Waterford Way) where there few or no existing trees.

Submitted by Timothy Whitten, Landscape Architect/Planner (October 28, 2015)

Public Works

1. The proposed driveway is shown as public right of way. Further comments will be made regarding the driveway being public or private and even the possibility of the driveway being included as a part of the site plan. The parking layout (i.e. drive aisles) may change as a result of that decision. If preliminary development approved by Planning Commission, PW will work with owner's representative to address comments prior to final development plan submittal. Improvements will be required to Shute Lane to address safety concerns. Please reference TDOT standard drawing RD01-TS-2 for guidance.

Submitted by Marshall Boyd, City Engineer (October 28, 2015)

Fire Department

1. Access to the roof of the structure could be an issue. Our concern is that our aerial apparatus will not reach the roof due to the separation distance and therefore require the installation of additional suppression devices. This can be addressed at a later phase but wanted to make you aware.

Submitted by Shelley Burwell, Fire Inspector (October 28, 2015)

Utility District

1. WHUD water and sewer.

Submitted by David Brigance, (October 28, 2015)

SITE PLANS: None

SKETCH PLATS: None

PRELIMINARY PLATS: None

REZONING REQUEST: None

STAFF APPROVED PROJECTS:

15-092-001: PREMIER RADIOLOGY, MOBILE MRI – SITE PLAN: The Hendersonville Regional Planing Commission acknowledged staff approval of Premier Radiology, Mobile MRI – Site Plan.

OTHER:

ANNUAL MEETING:

Fred Rogers said the Annual Meeting will be December 15 at 6:00 p.m. It will be the same location as last year. Staff will give advice as to the best route to take in order to avoid the Christmas For Kids Event traffic congestion since this will be the same night.

ANNUAL TRAINING:

Fred Rogers noted the annual training is scheduled for November 30. Details and location are yet to be determined and the training usually starts at 5:00 p.m.

ADJOURNMENT:

MOTION by Pinson, seconded by Stringfellow, to adjourn the Hendersonville Regional Planning Commission Meeting at 8:08 p.m. Ames, Bristol, Jenkins, Lea, Pinson and Stringfellow voted aye. Nay: None. Absent: Atchley, Bryant-McCormick, Freudenthal and Millsaps. Motion carried.

DON AMES, Assistant Secretary

DAVID JENKINS, Vice-Chairman

FRED D. ROGERS, JR., Planning Director