

MINUTES
HENDERSONVILLE REGIONAL PLANNING COMMISSION
TUESDAY, JUNE 7, 2016
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, Lori Atchley, Mark Bristol, Kee Bryant-McCormick, David Jenkins, Charles Lea and Bryant Millsaps. Absent: Bob Freudenthal, Frank Pinson and Darlene Stringfellow. Also present: Fred D. Rogers, Jr., Planning Director; Timothy D. Whitten, Landscape Architect/Planner; Will Hager, Senior Planner; Marshall Boyd, City Engineer; Shelley Burwell, Fire Inspector; Jim Waters, Ward 6 Alderman; and Barbara Story, Temporary.

PUBLIC HEARINGS:

Public Hearing to hear comments on a request by Drakes Creek Marina, LLC to amend the General Framework Map of the Hendersonville Land Use and Transportation Plan to expand northward the Waterfront Living character area designation of Drakes Creek Marina, 441 Sanders Ferry Road, to encompass Parcel 11. This lot is currently Suburban Living.

Public Hearing to hear comments on a request by Drakes Creek Marina, LLC to rezone from a 1.8 acre tract located on the north side of Drakes Creek Marina from SR-1 (Suburban Residential) to GC PD (General Commercial Planned Development), and to approve a new expanded Preliminary Development Plan for Drakes Creek Marina located on the east and north side of Sanders Ferry Road, Sumner County Property Tax Map 169P, Group E, Parcels 11.00, 12.00, 12.01, 13.00 and 14.00, containing 11.14 acres.

Public Hearing to hear comments on a request by Mathews Partners Inc., First Bank and Ryan Companies US, Inc. to revise the Final Development Plan for Indian Lake Center, Phase 5, to add an Assisted Living, Independent Living, and Memory Care Facility to the list of Permitted Uses for property located on the west side of Indian Lake Boulevard at Maple Drive North.

REQUEST FOR INFORMATION AND ASSISTANCE: None.

ADDITIONS TO AGENDA: None.

MINUTES:

MOTION BY Ames, seconded by Millsaps, to approve the Public Hearing Minutes of May 3, 2016, on a request by Creekside Homes LLC to rezone from Estate Residential to Estate Residential Planned Development and to approve a Preliminary Development Plan for Gates of Savannah. Ames, Atchley, Bristol, Bryant-McCormick, Jenkins, Lea, Millsaps, voted aye. Nay: None. Absent: Freudenthal, Pinson and Stringfellow. Motion carried.

MOTION BY Millsaps, seconded by Ames, to approve the Hendersonville Regional Planning Commission Meeting Minutes of May 3, 2016. Ames, Atchley, Bristol, Bryant-McCormick, Jenkins, Lea, Millsaps, voted aye. Nay: None. Absent: Freudenthal, Pinson and Stringfellow. Motion carried.

CONSENT AGENDA ITEMS:

MOTION BY Atchley was seconded by Bryant-McCormick, to combine all Consent Agenda Items with one vote to include all Staff Comments, Ames, Atchley, Bristol, Bryant-McCormick, Jenkins, Lea, Millsaps, voted aye. Nay: None. Absent: Freudenthal, Pinson and Stringfellow. Motion carried.

16-049-001: MILLSTONE, PHASE 3, SECTION 1 – FINAL PLAT: MOTION BY Bryant-McCormick, seconded by Atchley, to approve Millstone, Phase 3, Section 1-Final Plat, with all staff comments as listed below. Ames, Atchley, Bristol, Bryant-McCormick, Jenkins, Lea, Millsaps, voted aye. Nay: None. Absent: Freudenthal, Pinson and Stringfellow. Motion carried.

STAFF REPORT

The plat creates 30 residential lots and 1 open space lot. The plat conforms to the preliminary plat for this phase. Lots 44-49 front on open space, instead of a public street, and rear-loaded garages are accessed from Poppy Springs Trail. Mailbox location for these units will need to be determined by the postal service due to the unique configuration.

STAFF COMMENTS

Planning Department

1. Verify with USPS that addressing for lots 44-49 will suffice. Provide information regarding alternative mailbox locations, if required.

2. Clarify with Sumner County 911 as to how lots 44-49 will be addressed. Will these be addressed to Fern Hollow Road or Poppy Springs Trail?

Submitted by Will Hager, AICP, Senior Planner (June 2, 2016)

Public Works

1. No comment at this phase.

Submitted by Marshall Boyd, City Engineer (June 2, 2016)

Fire Department

1. No comments

Submitted by Shelley Burwell, Fire Inspector (June 2, 2016)

Utility District

1. No comments.

Submitted by David Brigance, HUD Construction Supervisor (May 12, 2016)

16-041-001: DURHAM, PHASE 1, SECTION 9 – FINAL PLAT: MOTION BY Bryant-McCormick, seconded by Atchley, to approve Durham, Phase 1, Section 9-Final Plat, with all staff comments as listed below. Ames, Atchley, Bristol, Bryant-McCormick, Jenkins, Lea, Millsaps, voted aye. Nay: None. Absent: Freudenthal, Pinson and Stringfellow. Motion carried.

STAFF REPORT

The attached final plats for the next sections of Durham create new single-family lots between the new Drakes Creek Road alignment and Avant Lane (formerly Drakes Creek Road). There are a combination alley loaded and front loaded cottage lots in these sections. The plats conform to the preliminary plat and master plan for the community.

STAFF COMMENTS

Planning Department

1. No comments

Submitted by Will Hager, AICP, Senior Planner (June 2, 2016)

Public Works

1. No comments at this phase

Submitted by Marshall Boyd, City Engineer (June 2, 2016)

Fire Department

1. No Comment

Submitted by Shelley Burwell, Fire Inspector (May 12, 2016)

Utility District

1. White House Utility District

Submitted by David Brigance, HUD Construction Supervisor (May 12, 2016)

16-042-001: DURHAM, PHASE 1, SECTION 13 – FINAL PLAT: MOTION BY Bryant-McCormick, seconded by Atchley, to approve Durham, Phase 1, Section 13-Final Plat, with all staff comments as listed below. Ames, Atchley, Bristol, Bryant-McCormick, Jenkins, Lea, Millsaps, voted aye. Nay: None. Absent: Freudenthal, Pinson and Stringfellow. Motion carried.

STAFF REPORT

The attached final plats for the next sections of Durham create new single-family lots between the new Drakes Creek Road alignment and Avant Lane (formerly Drakes Creek Road). There are a combination alley loaded and front loaded cottage lots in these sections. The plats conform to the preliminary plat and master plan for the community.

STAFF COMMENTS

Planning Department

1. No comment

Submitted by Will Hager, AICP, Senior Planner (June 2, 2016)

Public Works

1. No comments at this phase.

Submitted by Marshall Boyd, City Engineer (June 2, 2016)

Fire Department

1. No Comment

Submitted by Shelley Burwell, Fire Inspector (May 12, 2016)

Utility District

1. White House Utility District

Submitted by David Brigance, HUD Construction Supervisor (May 12, 2016)

16-043-001: DURHAM, PHASE 1, SECTION 14 – FINAL PLAT: MOTION BY Bryant-McCormick, seconded by Atchley, to approve Durham, Phase 1, Section 14-Final Plat, with all staff comments as listed below. Ames, Atchley, Bristol, Bryant-McCormick, Jenkins, Lea, Millsaps, voted aye. Nay: None. Absent: Freudenthal, Pinson and Stringfellow. Motion carried.

STAFF REPORT

The attached final plats for the next sections of Durham create new single-family lots between the new Drakes Creek Road alignment and Avant Lane (formerly Drakes Creek Road). There are a combination alley loaded and front loaded cottage lots in these sections. The plats conform to the preliminary plat and master plan for the community.

STAFF COMMENTS

Planning Department

1. No comment

Submitted by Will Hager, AICP, Senior Planner (June 2, 2016)

Public Works

1. No comments at this phase

Submitted by Marshall Boyd, City Engineer (June 2, 2016)

Fire Department

1. No Comment.

Submitted by Shelley Burwell, Fire Inspector (May 12, 2016)

Utility District

1. White House Utility District

Submitted by David Brigance, HUD Construction Supervisor (May 12, 2016)

16-044-001: DURHAM, PHASE 1, SECTION 15 – FINAL PLAT: MOTION BY Bryant-McCormick, seconded by Atchley, to approve Durham, Phase 1, Section 15-Final Plat, with all staff comments as listed below. Ames, Atchley, Bristol, Bryant-McCormick, Jenkins, Lea, Millsaps, voted aye. Nay: None. Absent: Freudenthal, Pinson and Stringfellow. Motion carried.

STAFF REPORT

The attached final plats for the next sections of Durham create new single-family lots between the new Drakes Creek Road alignment and Avant Lane (formerly Drakes Creek Road). There are a combination alley loaded and front loaded cottage lots in these sections. The plats conform to the preliminary plat and master plan for the community.

STAFF COMMENTS

Planning Department

1. No comment

Submitted by Will Hager, AICP, Senior Planner (June 2, 2016)

Public Works

1. No comments at this phase.

Submitted by Marshall Boyd, City Engineer (June 2, 2016)

Fire Department

1. No Comment

Submitted by Shelley Burwell, Fire Inspector (May 12, 2016)

Utility District

1. White House Utility District

Submitted by David Brigance, HUD Construction Supervisor (May 12, 2016)

16-050-001: GLENBROOK NORTH RETAIL – FINAL PLAT: MOTION BY Bryant-McCormick, seconded by Atchley, to approve Glenbrook North Retail-Final Plat, with all staff comments as listed below. Ames, Atchley, Bristol, Bryant-McCormick, Jenkins, Lea, Millsaps, voted aye. Nay: None. Absent: Freudenthal, Pinson and Stringfellow. Motion carried.

STAFF REPORT

The attached final plat would create 3 commercial lots south of Good Shepherd United Methodist Church.

STAFF COMMENTS

Planning Department

1. Coordinate required improvements for New Shackle Island Road with the Public Works Department. Sidewalks are required along New Shackle Island Road. Payment-in-lieu of construction would be appropriate based on the number of lots proposed.
2. Label detention facility shown on lot 2.

Submitted by Will Hager, AICP, Senior Planner (June 2, 2016)

Public Works

1. No comments at this phase

Submitted by Marshall Boyd, City Engineer (June 2, 2016)

Fire Department

1. Hydrants installed on a dead end main exceeding 300' require the main to be 8" per subdivision regulations. Please include this revision on your site plan

Submitted by Shelley Burwell, Fire Inspector (June 2, 2016)

Utility District

1. Need more details on water connections.

Submitted by David Brigance, HUD Construction Supervisor (May 12, 2016)

16-045-001: WYNBROOKE, PHASE 6 – PRELIMINARY PLAT: MOTION BY Bryant-McCormick, seconded by Atchley, to approve Wynbrooke, Phase 6 – Preliminary Plat, with all staff comments as listed below. Ames, Atchley, Bristol, Bryant-McCormick, Jenkins, Lea, Millsaps, voted aye. Nay: None. Absent: Freudenthal, Pinson and Stringfellow. Motion carried.

STAFF REPORT

The attached preliminary plat would create 64 single-family lots in general compliance with the Wynbrooke master plan. Two cul-de-sacs have been omitted from the original design due to site topography. There are some areas with steep slopes that will require additional review prior to issuance of building permits.

STAFF COMMENTS

Planning Department

1. If any areas exceed 25% label as "Land Unsuitable for Development".

Submitted by Will Hager, AICP, Senior Planner (June 2, 2016)

Public Works

1. No comments at this phase.

Submitted by Marshall Boyd, City Engineer (June 2, 2016)

Fire Department

1. No comment

Submitted by Shelley Burwell, Fire Inspector (June 2, 2016)

Utility District

1. Okay for planning.

Submitted by David Brigance, HUD Construction Supervisor (May 12, 2016)

FINAL PLATS: None

PRELIMINARY AND FINAL DEVELOPMENT PLANS:

16-039-001: DRAKES CREEK MARINA – AMEND LAND USE PLAN: MOTION BY Atchley, seconded by Bryant-McCormick, to approve the request by Drakes Creek Marina –to Amend Land Use Plan, with all previous staff comments including staff comments as listed below. Atchley, Bristol, Bryant-McCormick, Jenkins, and Lea voted aye. Nay: Ames and Millsaps. Absent: Freudenthal, Pinson and Stringfellow. Motion carried.

16-039-001: DRAKES CREEK MARINA PDP: MOTION BY Atchley, seconded by Bryant-McCormick, to approve the request by Drakes Creek Marina –to Amend Preliminary Development Plan, with all previous staff comments including staff comments as listed below. Atchley, Bristol, Bryant-McCormick, Jenkins, and Lea voted aye. Abstained: Millsaps. Nay: Ames. Absent: Freudenthal, Pinson and Stringfellow. Motion carried.

Public Works

1. Please incorporate all improvements from past approvals; particularly the greenway connection from the marina to the park.

Submitted by Marshall Boyd, City Engineer (June 2, 2016)

Fire Department

1. Per our agreement hydrant locations are to be reviewed for approval during the preliminary plat phase of the HRPC process.

Submitted by Shelley Burwell, Fire Inspector (June 2, 2016)

Utility District

1. No comments.

Submitted by David Brigance, HUD Construction Supervisor (May 12, 2016)

16-046-001: INDIAN LAKE CENTER, PHASE 5 AND CREEKSIDE - FDP REVISION to add Assisted Living, Independent Living and Memory Care Facility to the list of Permitted Uses for property located on the west side of Indian Lake Boulevard at Maple Drive North: MOTION BY Lea, seconded by Atchley, to approve the request by Mathews Partners, Inc., First Bank and Ryan Companies US, Inc. to revise the Final Development Plan for Indian Lake Center, Phase 5, to add Assisted Living, Independent Living and Memory Care Facility to the list of Permitted Uses for property located on the west side of Indian Lake Boulevard at Maple Drive North, with all staff comments as listed below. Ames, Atchley, Bristol, Jenkins, Lea, Millsaps, voted aye. Nay: None. Abstained: Bryant-McCormick. Absent: Freudenthal, Pinson and Stringfellow. Motion carried.

STAFF REPORT

This is an amendment to two different final development plans. The proposed development straddles the Indian Lake Center Phase 5 FDP and the Creekside FDP. Indian Lake Center Phase 5 covers all of the west side of Indian Lake Boulevard from the railroad tracks down to Demos Restaurant, except for a chunk in the middle (at the Maple Drive North intersection) where the Creekside PD is located. It also encompasses area on the east side of Indian Lake Boulevard and south of Maple Drive North, including where JEA Assisted Living is currently under

construction. Creekside consists of Goodwill, Union University, and a small commercial center containing Fuji's Steakhouse, a dental clinic and a mattress store. There are also some undeveloped lots within Creekside. Both developments are governed by one set of design guidelines, and both are very similar in their master plan restrictions and bulk requirements.

This new FDP takes about 29 acres of the Indian Lake Center PD and about 4.3 acres of the Creekside PD and combines them into a new PD for the purpose of building an assisted and senior/independent living facility, shown on lot D. Assisted living was added as an approved use to the Indian Lake Center Phase 5 PD in 2014 for the JEA lot only. Now, this applicant is requesting that the use, along with senior/independent living, also be allowed on lot D. Otherwise, allowed uses remain unchanged from the ILC and Creekside plans, except that Transient Habitation (i.e. hotels) has been removed.

The site data chart indicates a total floor area of 279,500 square feet on Lot D. The assisted living facility will be a multi-story building. The applicant has requested a maximum building height of 60 feet on lot D only, with the remaining lots capped at 35 feet. Currently the Indian Lake Center PD allows 35 feet; the Creekside PD allows up to 52 feet on two of the large backlots, which was done for the purpose of accommodating hotels. One of those hotel sites is now a Goodwill, the other will be displaced by the proposed assisted and senior living facility.

In April the Planning Commission considered another request to put assisted living and senior living facilities within a commercial area behind the Streets of Indian Lake in the Indian Lake Village PD. Those facilities would have displaced a large portion of the planned retail.

The proposed assisted and senior living facility has some dissimilarity from that case. The development it will be displacing was designed to be either retail or office. The trend of development in the immediate area, at least on the large parcels behind the out lots, has been largely office or institutional. To the north you have Union University. To the south is a large undeveloped parcel, but adjacent to it is the Indian Lake Office condos. Across the street is JEA Assisted Living. Further south is a church, a restaurant, a dental clinic and an office building. The transition to full retail uses is occurring north of Maple Drive North.

Some of the questions that were asked in relation to the ILV assisted/senior living request were:

1. Should this area be retained to accommodate retail and office needs?
2. Will an assisted living facility and an independent living facility complement and support other businesses?
3. Will an assisted living facility be compatible with existing and future retail, restaurants and bars and other active commercial developments?
4. Will there be conflicts between these diverse types of activities?
5. Will these institutional residential uses be adversely impacted by the traffic, congestion, hazards and noise?
6. In a somewhat related matter, the Planning Commission recently denied a request for a daycare center in the retail area in front of Sam's Club. Upon appeal, the Board upheld the Planning Commission's decision.

7. Are there other additional uses which should be considered and integrated into a revised plan?
8. Should an Assisted Living Facility be a part of the mix of uses, or, are there better locations where such use is already planned/permitted?

STAFF COMMENTS

Planning Department

1. Revise site data table to show a minimum landscape surface ration of 25%.

Submitted by Timothy Whitten, Landscape Architect/Planner (June 2, 2016)

Public Works

1. No Comments at this Phase

Submitted by Marshall Boyd, City Engineer (June 2, 2016)

Fire Department

1. No comments

Submitted by Shelley Burwell, Fire Inspector (June 2, 2016)

Utility District

1. No comments.

Submitted by David Brigance, HUD Construction Supervisor (May 12, 2016)

SITE PLANS:

16-005-002: KG MACHINE SITE PLAN: MOTION BY Bryant-McCormick, seconded by Atchley, to approve KG Machine – Site Plan, with all staff comments as listed below. Ames, Atchley, Bristol, Bryant-McCormick, Jenkins, Lea, Millsaps, voted aye. Nay: None. Absent: Freudenthal, Pinson and Stringfellow. Motion carried.

STAFF REPORT

This is a 3,800 square foot addition to KG Machine at 208 Molly Walton Drive. The Planning Commission gave preliminary approval to the overhead door facing the street at its last meeting. Now, the full site plan is before you for your approval.

STAFF COMMENTS

Planning Department

1. No comments.

Submitted by Timothy Whitten, Landscape Architect/Planner (June 2, 2016)

Public Works

1. No comment at this phase.

Submitted by Marshall Boyd, City Engineer (June 2, 2016)

Fire Department

1. No comment at this phase. Note: A review of the Fire Protection System required for your facility will be addressed during the building permit phase.

Submitted by Shelley Burwell, Fire Inspector (June 2, 2016)

Utility District

1. No comments

Submitted by David Brigance, HUD Construction Supervisor (May 12, 2016)

16-044-001: PARRISH CORNER SITE PLAN: MOTION BY Atchley, seconded by Bristol, to approve Parrish Corner Site Plan, with all staff comments as listed below. Ames, Atchley, Bristol, Bryant-McCormick, Jenkins, Lea, Millsaps, voted aye. Nay: None. Absent: Freudenthal, Pinson and Stringfellow. Motion carried.

STAFF REPORT

This site is located at the intersection of North Anderson Lane and Parrish Place, across the street from where Ascend Financial is under construction. It is in the Indian Lake Market planned development.

The proposed uses are a medical clinic and retail store.

STAFF COMMENTS

Planning Department

1. Provide an electrical service plan.
2. Provide landscape screening for utility box at west corner of site.
3. Pole lights must be Lithonia #KSF2 or equal.

Submitted by Timothy Whitten, Landscape Architect/Planner (June 2, 2016)

Public Works

1. No comments at this phase.

Submitted by Marshall Boyd, City Engineer (June 2, 2016)

Fire Department

1. No comment at this phase. Note: A review of the Fire Protection System required for your facility will be addressed during the building permit phase.

Submitted by Shelley Burwell, Fire Inspector (June 2, 2016)

Utility District

1. Move 6 inch clean out back toward sewer main in grass area.
2. 8 inch meter vault must have 8 inch bypass around vault.
3. Change note # 1 to September 2015.
4. Water Utility note # 6 to September 2015.
5. Water note # 10 change to 48 inches of cover.
6. Water note # 16 should say all meters over 2 inch will be installed by contractor.
7. Change water note # 19 to David Brigance instead of Larry Davis.

Submitted by David Brigance, HUD Construction Supervisor (May 12, 2016)

SKETCH PLATS: None

PRELIMINARY PLATS: None

REZONING REQUEST: None

STAFF APPROVED PROJECTS:

16-016-001: TEXAS ROADHOUSE UPGRADES –SITE PLAN: The Hendersonville Regional Planning Commission acknowledged staff's approval of Texas Road House Upgrades-Site Plan.

16-037-001: ALLEY CASSETTY ADDITION – SITE PLAN: The Hendersonville Regional Planning Commission acknowledged staff's approval of Alley Cassetty Addition-Site Plan.

16-051-001: MILLSTONE AMENITIES CENTER – SITE PLAN: The Hendersonville Regional Planning Commission acknowledged staff's approval of Millstone Amenities Center-Site Plan.

16-052-001: KFC – EXTERIOR UPGRADES– SITE PLAN: The Hendersonville Regional Planning Commission acknowledged staff's approval of KFC-Exterior Upgrades-Site Plan.

OTHER:

Dr. Lea requested to revisit the Hendersonville Zoning Ordinance regarding vacation house rentals. Ames stated he had received calls and complaints regarding vacation house rentals.

Mr. Rogers stated that there would be a third Tuesday night, June 21, 2016, Planning Commission Meeting to discuss Long Range Planning Issues.

ADJOURNMENT:

MOTION BY Millsaps, seconded by Ames, to adjourn the Hendersonville Regional Planning Commission Meeting at 8:30 p.m. Ames, Atchley, Bristol, Bryant-McCormick, Jenkins, Lea and Millsaps voted aye. Nay: None. Absent: Freudenthal, Pinson and Stringfellow. Motion carried.

LORI ATCHLEY, Secretary

BOB FREUDENTHAL, Chairman

FRED D. ROGERS, JR., Planning Director