

MINUTES
HENDERSONVILLE REGIONAL PLANNING COMMISSION
TUESDAY, MARCH 4, 2014
6:30 P.M. – CITY HALL MEETING ROOM

Chairman Bob Freudenthal 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, Kee Bryant-McCormick, Bob Freudenthal, David Jenkins, Ann Massey, Bryant Millsaps and Darlene Stringfellow. Absent: Mark Bristol and Frank Pinson. Also present: Fred D. Rogers, Jr., Planning Director; Lisa D. Milligan, Senior Planner; Timothy D. Whitten, Landscape Architect/Planner; Jerry Horton, Public Works Director; Paul Varble, Fire Inspector; and Georgie Mathis, Administrative Secretary.

PUBLIC HEARINGS:

Public Hearing to hear comments on a request by SSI Hazel Path, LLC to expand the list of permitted businesses for the property commonly known as Hazel Path Commons, part of The Maples Planned Unit Development, identified as parcel 23.00 on Sumner County Property Tax Map 159K, Group A; said property located on the south side of East Main Street, west of Bonita Parkway.

REQUEST FOR INFORMATION AND ASSISTANCE: None

ADDITIONS TO AGENDA: None

MINUTES:

MOTION by Millsaps, seconded by Ames, to approve Public Hearing Minutes of February 4, 2014 to hear comments on a rezoning request by Gallatin Land, LLC to rezone their property (6.40 acres) from Medium Density Residential (R-10) Planned Unit Development to Low Density Residential District (R-15), said property being identified as Parcel 25.00 on Sumner County Property Tax Map 164-I, Group C, located on west side of Sanders Ferry Road North of Nottingham Apartments. Ames, Atchley, Bryant-McCormick, Freudenthal, Jenkins, Massey, Millsaps and Stringfellow voted aye. Nay: None. Absent: Bristol and Pinson. Motion carried.

MOTION by Millsaps, seconded by Jenkins, to approve the Hendersonville Regional Planning Commission Minutes of February 4, 2014. Ames, Atchley, Bryant-McCormick, Freudenthal, Jenkins, Massey, Millsaps and Stringfellow voted aye. Nay: None. Absent: Bristol and Pinson. Motion carried.

CONSENT AGENDA ITEMS:

14-008-001: FINAL PLAT, STONE CREST, PHASE 3: MOTION by Millsaps, seconded by Bryant-McCormick, to approve Final Plat, Stone Crest, Phase 3, with all staff comments as listed below. Ames, Atchley, Bryant-McCormick, Freudenthal, Jenkins, Massey, Millsaps and Stringfellow voted aye. Nay: None. Absent: Bristol and Pinson. Motion carried.

STAFF COMMENTS

Planning Department

1. Provide a stamped approved electric plan.
2. Show location of underground power lines and equipment.

Submitted by Lisa Milligan, AICP, Senior Planner (February 28, 2014)

Public Works Department

1. No policy issues.

Submitted by Duane Allen, Assistant to City Engineer (February 28, 2014)

Fire Department

1. Hydrant locations are noted.
2. Requirements for the hammerhead and turnarounds at dead ends per IFC Appendix D, figure D103.1.

Submitted by Chuck Swann, Interim Fire Marshall (February 28, 2014)

Utility District

1. Approved for Planning.

Submitted by Ronnie Perdue, HUD (February 28, 2014)

FINAL PLATS: None

PRELIMINARY AND FINAL MASTER DEVELOPMENT PLANS:

14-009-001: FMDP, INDIAN LAKE VILLAGE, PHASE IIIB REVISION:

MOTION by Atchley to approve FMDP, Indian Lake Village, Phase IIIB Revision and motion died for lack of a second.

MOTION by Massey, seconded by Millsaps, to defer FMDP, Indian Lake Village, Phase IIIB Revision for two (2) weeks, March 18 Work Session, to allow evaluating the issue of value equity on the amenities and to address the elevation questions both in the multi-family and single family. Ames, Freudenthal, Jenkins, Massey, Millsaps and Stringfellow voted aye. Nay: Atchley. Abstain: Bryant-McCormick. Absent: Bristol and Pinson. Motion carried.

14-010-001: FMDP, HAZEL PATH COMMONS TO ADD USES:

Chairman Freudenthal questioned the permitted use term of Live Entertainment and whether it is outdoor, indoor or both.

Fred Rogers noted this list comes straight out of the new ordinance and the definition of Live Entertainment is indoor only; however, to be safe the staff will clarify that would be indoor live entertainment only.

MOTION by Jenkins, seconded by Stringfellow, to approve FMDP, Hazel Path Commons for the addition of permitted uses and with staff report as listed below.

MOTION by Atchley, seconded by Jenkins, to amend the motion to exclude taxidermy from the list of permitted uses. Ames, Atchley, Bryant-McCormick, Freudenthal, Jenkins, Massey, Millsaps and Stringfellow voted aye. Nay: None. Absent: Bristol and Pinson. Motion carried.

Ames, Atchley, Bryant-McCormick, Freudenthal, Jenkins, Massey, Millsaps and Stringfellow voted aye. Nay: None. Absent: Bristol and Pinson. Motion carried.

Planning Department

STAFF REPORT

The master plan for Hazel Path Commons (the Sears Shopping Center) was approved under the 1971 zoning ordinance. This master plan lists a very limited number of uses, some of which are unclear, i.e., “shops”.

The new owner, SSI Hazel Path, LLC, would like to expand and clarify the uses permitted in this shopping center. See attached list.

These uses are compatible with the surrounding area and consistent with the intent of the original approval of this development. Staff is supportive of this proposal.

Surrounding property owners have been notified of the public hearing. This change should be approved as a minor amendment.

STAFF COMMENTS

No comments.

Submitted by Fred Rogers, Planning Rogers (February 28, 2014)

SSI HAZEL PATH, LLC
5111 Maryland Way, #201
Brentwood, Tennessee 37027

City of Hendersonville Tennessee
Planning Commission
101 Maple Drive North
Hendersonville, Tennessee 37075

To Whom It May Concern,

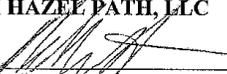
In connection with the proposed passage of the new zoning ordinance for the City of Hendersonville, we write today to request the addition of the following permitted uses for the property commonly known as Hazel Path Commons, part of The Maples Planned Unit Development, and located at 393 East Main Street:

- Retail Goods Establishment
- Office
- Health/Fitness Center
- Indoor Entertainment Facility
- Indoor Recreation Facility
- Live Entertainment
- Recreational Training School
- Caterer
- Financial Institution
- General Business Services
- Medical/Dental Clinic
- Medical/Dental Laboratory
- Meeting/Event Center
- Personal Services Establishment
- Printing Shop Not Exceeding 10,000 Square Feet
- Restaurant, Full Service
- Restaurant, Carry Out
- Taxidermy
- Animal Hospital
- Day Care Center, Child
- Educational Facility, Vocational School
- Art Gallery

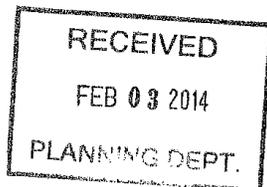
If there is any further information that you require, please do not hesitate to let us know. Thank you for your assistance and cooperation.

Sincerely,

SSI HAZEL PATH, LLC

By: 
Name: Brad McNutt
Title: Manager

ORIGINAL SUBMITTAL



SITE PLANS:

14-004-001: SITE PLAN, WAFFLE HOUSE:

MOTION by Millsaps, seconded by Ames, to affirm Staff Comment No. 2 requiring brick or other approved material. Ames, Atchley, Bryant-McCormick, Freudenthal, Jenkins, Massey, Millsaps and Stringfellow voted aye. Nay: None. Absent: Bristol and Pinson. Motion carried.

MOTION by Massey, seconded by Millsaps, to affirm Staff Comment No. 3 requiring freezer to be faced with brick. Ames, Atchley, Bryant-McCormick, Freudenthal, Jenkins, Massey, Millsaps and Stringfellow voted aye. Nay: None. Absent: Bristol and Pinson. Motion carried.

MOTION by Millsaps, seconded by Jenkins, to approve Site Plan, Waffle House, with all staff comments as listed below. Ames, Atchley, Bryant-McCormick, Freudenthal, Jenkins, Massey, Millsaps and Stringfellow voted aye. Nay: None. Absent: Bristol and Pinson. Motion carried.

STAFF REPORT

Waffle House is proposing a new location on one of the vacant out lots in front of Maple Row Shopping Center on East Main Street. It is west of and adjacent to the La Loma Mexican restaurant, and across the street from National Tire and Battery. The property is zoned GCS.

Waffle House is proposing to use Quikbrick as the primary building material. They have been informed that the Design Review Manual does not list Quikbrick as a recommended material, and that it should be replaced with brick, stone, or other material that is recommended. They are requesting a waiver of this requirement.

Waffle House is also proposing a cooler or freezer at the rear of the building. The cooler is approximately 12 feet by 8 feet, and about 7.5 feet high. The exterior finish is metal, which is a prohibited material in commercial zones. Staff asked that the freezer be faced with brick to match the building. Waffle House is instead asking for a waiver of this requirement. They are proposing to screen the unit with evergreen plants. When mature, these plants will mostly screen the unit from view, as long as they are maintained.

STAFF COMMENTS

Planning Department

1. Provide cut sheets of light pole and luminaire. Overall height may not exceed 22 feet. Finish shall be black or dark bronze.
2. Quik Brick is not a recommended material. Replace with brick or other approved material.
3. Freezer at rear of building shall be faced with brick to match building.

4. Provide shrub screening of the two rear parking stalls.

Submitted by Timothy Whitten, Landscape Architect/Planner (February 28, 2014)

Public Works Department

1. No policy issues.

Submitted by Duane Allen, Assistant to City Engineer (February 28, 2013)

Fire Department

1. Fire flow requirements shall be a minimum of 1500 gpm @ 20 psi per the 2012 International Fire Code. Fire Hydrants shall be installed every 500' along the roadway. Hydrants will be installed on a water main of 6" or greater. No hydrants may be installed on water mains of 6" if it dead ends and exceeds 300' in length, per the Hendersonville Subdivision Regulations 3-107.201. Hydrants will then need to be installed on a minimum of an 8" water main if these criteria are met.
2. Every building shall be accessible to the fire department apparatus including but not limited to ladder trucks and vehicles of similar size. An access roadway shall be an all-weather driving surface of not less than 26' of unobstructed width, with adequate roadway turning radius capable of supporting the imposed load of fire apparatus. There shall be do "dead end" roadways.
3. The roadway, water mains, and fire hydrants shall be installed and operational prior to any combustibles being placed on the construction site, including but not limited to trailers and construction offices. These will be maintained in working order throughout the construction project. The AHJ shall approve.
4. This project is subject to the regulation set forth in the City of Hendersonville Subdivision Regulation, the International Fire and Building Code, 2012 edition, and the National Fire Protection Agency Life Safety Code 101. While maintaining compliance with the above mentioned codes it may be necessary to comply with other sections of the National Fire Protection Agency (NFPA) standards and guidelines.
5. The AHJ reserves the right within code to require additional compliance and/or upon further review of plans submitted including site inspections for additional compliance to meet the code standard, although it may not be initially indicated during staff review.
6. Concerned about only one way into property with no place to turn around for the fire apparatus.
7. Fire hydrant to be installed on property as close to the entrance as possible.

Submitted by Chuck Swann, Interim Fire Marshall (February 28, 2014)

Utility District

1. Need to remove doghouse manhole.

Submitted by Ronnie Perdue, HUD (February 28, 2014)

SKETCH PLATS: None

PRELIMINARY PLATS:

14-012-001: PRELIMINARY PLAT, DURHAM, PHASE I: MOTION by Jenkins, seconded by Millsaps, to approve Preliminary Plat, Durham, Phase I, with all staff comments as listed below. Ames, Atchley, Bryant-McCormick, Freudenthal, Jenkins, Massey, Millsaps and Stringfellow voted aye. Nay: None. Absent: Bristol and Pinson. Motion carried.

STAFF COMMENTS

Planning Department

1. Provide a 911 street name approval form.
2. Provide updated covenants and Architectural Guidelines as they become available so staff can continue review of the documents.

Submitted by Lisa Milligan, AICP, Senior Planner (February 28, 2014)

Public Works Department

1. No policy issues.

Submitted by Duane Allen, Assistant to City Engineer (February 28, 2014)

Fire Department

1. Fire flow requirements shall be a minimum of 1500 gpm @ 20 psi per the 2012 International Fire Code. Fire hydrants shall be installed every 500' along the roadway. Hydrants will be installed on a water main of 6" or greater. No hydrants may be installed on water mains of 6" if it dead ends and exceeds 300' in length, per the Hendersonville Subdivision Regulations

- 3-107.201. Hydrants will then need to be installed on a minimum of an 8" water main if these criteria are met.
2. Every building shall be accessible to the fire department apparatus including but not limited to ladder trucks and vehicles of similar size. An access roadway shall be an all-weather driving surface of not less than 26' of unobstructed width, with adequate roadway turning radius capable of supporting the imposed load of fire apparatus. There shall be no "dead end" roadways.
 3. The roadway, water mains, and fire hydrants shall be installed and operational prior to any combustibles being placed on the construction site, including but not limited to trailers and construction offices. These will be maintained in working order throughout the construction project. The AHJ shall approve.
 4. This project is subject to the regulation set forth in the City of Hendersonville Subdivision Regulation, the International Fire and Building Codes, 2012 edition, and the National Fire Protection Agency Life Safety Code 101. While maintaining compliance with the above mentioned codes it may be necessary to comply with other sections of the National Fire Protection Agency (NFPA) standards and guidelines.
 5. The AHJ reserves the right within code to require additional compliance and/or upon further review of plans submitted including site inspections for additional compliance to meet the code standard, although it may not be initially indicated during staff review.
 6. Fire hydrant spacing for residential developments should not exceed 500' apart. The following list exceeds this limit;
 - a. Moonlight & Sunset to #255 Moonlight
 - b. #10 Indian Lake to #4 Indian Lake
 - c. #88 Creekstone to #96 Creekstone
 - d. #182 Drakes Creek Road to commercial area on Indian Lake

Will there be a fire hydrant installed at the entrance to the development on Drakes Creek Road?

Is there an existing fire hydrant near the proposed intersection of Drakes Creek Road and Old Drakes Creek Road?

Is there an existing fire hydrant near the proposed intersection of Drakes Creek Road and Old Drakes Creek Road?

Submitted by Chuck Swann, Interim Fire Marshall (February 28, 2014)

Utility District

1. No comment.

Submitted by Ronnie Perdue, HUD (February 28, 2014)

REZONING REQUEST: None

STAFF APPROVED PROJECTS:

14-011-001: SITE PLAN, THE RESERVE AT DRAKES CREEK CLUBHOUSE: The Hendersonville Regional Planning Commission acknowledged staff approval of Site Plan, the Reserve at Drakes Creek Clubhouse.

OTHER:

Discussion of possible amendment to Transportation Plan to eliminate the connection of Lakeside Park Drive with Imperial Drive:

Fred Rogers explained to the Planning Commission that investors are asking that the requirement to extend Lakeside Park through Waterford Crossing to Imperial be eliminated and to consider an alternative layout. A letter was presented to the Planning Commission from the Resource Manager, Corps of Engineers, stating there are other alternatives and would not recommend the approval of constructing a road extension of Lakeside Park Drive across Corps of Engineers property connecting to Imperial Boulevard.

David Coode, Kimley-Horn and Associates, spoke to the Planning Commission regarding a contingency or modified plan for the investors wanting to pursue developing the remainder of this property.

If the Planning Commission is agreeable to drop the requirement, the Transportation Plan will need to be amended to remove the connection of Lakeside Park to Imperial Boulevard.

Prior to amending the Transportation Plan, state law requires the Planning Commission conduct a public hearing and the public hearing must be advertised 30 days in advance. A public hearing has been advertised for the March 18 Planning Commission meeting.

Report on New Zoning Ordinance:

Fred Rogers told the Planning Commission that the City of Hendersonville has a new Zoning Ordinance as of a week ago. It was adopted basically without question. It goes into effect March 28, 2014. All applications considered at the April 1, 2014 Hendersonville Regional Planning Commission Meeting will be based on the new ordinance.

ADJOURNMENT:

MOTION BY Millsaps, seconded by Ames, to adjourn the Hendersonville Regional Planning Commission Meeting at 8:14 p.m. Ames, Atchley, Bryant-McCormick, Freudenthal, Jenkins, Massey, Millsaps and Stringfellow voted aye. Nay: None. Absent: Bristol and Pinson. Motion carried.

ANN MASSEY, Secretary

BOB FREUDENTHAL, Chairman

FRED D. ROGERS, JR., Planning Director