

**MINUTES**  
**HENDERSONVILLE REGIONAL PLANNING COMMISSION**  
**TUESDAY, JANUARY 7, 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, Mark Bristol, Kee Bryant-McCormick, Bob Freudenthal, David Jenkins, Ann Massey, Bryant Millsaps, Frank Pinson and Darlene Stringfellow. 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 for the purpose of receiving public comment on the proposed New Zoning Ordinance and Zoning Map for the City of Hendersonville and Planning Region.

**REQUEST FOR INFORMATION AND ASSISTANCE:** None

**ADDITIONS TO AGENDA:** None

**MINUTES:**

MOTION by Atchley, seconded by Millsaps, to approve Public Hearing Minutes of December 3, 2013 on request by Donovan Ames to rezone his property located at 108 Nokes Drive, Hendersonville, TN from Town Center Residential (TC-R) to Office Professional Service (OPS). Sumner County Property Map 163E, Group A, Parcel 014.00. Atchley, Bristol, Bryant-

McCormick, Freudenthal, Jenkins, Massey, Millsaps, Pinson and Stringfellow voted aye. Nay: None. Abstain: Ames. Absent: None. Motion carried.

MOTION by Millsaps, seconded by Pinson, to approve Public Hearing Minutes of December 3, 2013 to hear comments on a request by BT & T Investments, LLC to amend the Indian Lake Village Overall Final Master Development Plan, Phases IIIA2, IIIA3, IIIB, IIIE, IIIF, III Outparcels IV, V, & VI to add Special Personal and Group Care Facilities to Phase VI. Phase VI is located on Saundersville Road, east of Stop 30 and is identified as parcels 44.02 and 44.06 on Sumner County Property Tax Map 145. Ames, Atchley, Bristol, Bryant-McCormick, Freudenthal, Jenkins, Massey, Millsaps, Pinson and Stringfellow voted aye. Nay: None. Absent: None. Motion carried.

MOTION by Millsaps, seconded by Stringfellow, to approve the Hendersonville Regional Planning Commission Minutes of December 3, 2013. Ames, Atchley, Bristol, Bryant-McCormick, Freudenthal, Jenkins, Massey, Millsaps, Pinson and Stringfellow voted aye. Nay: None. Absent: None. Motion carried.

## **CONSENT AGENDA ITEMS:**

**13-078-001: FINAL PLAT, THE RETREAT:** MOTION by Millsaps, seconded by Pinson, to approve Final Plat, The Retreat, with all staff comments as listed below. Ames, Atchley, Bristol, Bryant-McCormick, Freudenthal, Jenkins, Massey, Millsaps, Pinson and Stringfellow voted aye. Nay: None. Absent: None.

## **STAFF COMMENTS**

### Planning Department

1. Payment in lieu of curb and gutter and sidewalks is required along Sanders Ferry Road. This payment must be made prior to the recording of any final plat.
2. Payment in lieu of the required bike lane along Sanders Ferry Road is required. This payment must be made prior to the recording of any final plat.
3. Add the following note: Each individual lot will have access to the Common Access Easement extending to Sanders Ferry Road.
4. Provide finalized covenants and restrictions. These must be reviewed and approved by staff prior to the recording of any final plat.

Submitted by Lisa Milligan, AICP, Senior Planner (January 3, 2014)

Public Works Department

1. No policy issues.

Submitted by Duane Allen, Assistant to City Engineer (January 3, 2014)

Fire Department

1. All responses to the previous comments are noted. No further comments at this time.

Submitted by Chuck Swann, Interim Fire Marshall (January 3, 2014)

Utility District

1. Approved for Planning.

Submitted by Ronnie Perdue, HUD (January 3, 2014)

**13-086-001: SITE PLAN, MAPLE ROW SHOPPING CENTER REMODEL: MOTION** by Millsaps, seconded by Pinson, to approve Site Plan, Maple Row Shopping Center Remodel, with all staff comments as listed below. Ames. Atchley, Bristol, Bryant-McCormick, Freudenthal, Jenkins, Massey, Millsaps, Pinson and Stringfellow voted aye. Nay: None. Absent: None. Motion carried.

Planning Department

**STAFF REPORT**

Maple Row Shopping Center is located on East Main Street across from Publix. It is the old location for Kmart and Big Lots. The property is zoned GCS.

The owner of Maple Row Shopping Center, Victory Real Estate Investments, is planning a remodel of the entire façade to accommodate new and existing tenants. The existing façade is made up of concrete block and brick, but is dominated by a large metal mansard roof. Victory plans to remove the metal mansard, and use a mixture of stone, EIFS and split face block to update the façade. Some of the existing concrete block will be retained and repainted. The new materials conform to Design Review requirements, save for a metal roof cap feature which is being placed on top of the LA Fitness space (the cap is located just above the LA Fitness sign on the included rendering). The Design Review Manual does not permit metal in commercial zones. However, within the context of the overall shopping center, the metal cap could be considered an accent. Design Review does allow metal in the form of standing seam roofing. In

total, the proposed improvements are a substantial upgrade to the center, and greatly increase the degree of conformity with Design Review.

It should be noted that while the renderings only show two sides of the building (front and west), the east side will be identical to the west side, and no changes are being proposed to the rear.

No changes are being proposed to the site, other than re-striping. Victory has indicated that they may voluntarily install some landscape islands and landscaping, though this is not required by the Zoning Ordinance.

#### STAFF COMMENTS

None

Submitted by Timothy Whitten, Landscape Architect and Planner (January 3, 2014)

**FINAL PLATS:** None

**PRELIMINARY AND FINAL MASTER DEVELOPMENT PLANS:** None

#### SITE PLANS:

Without objection by the Hendersonville Regional Planning Commission, The Retreat – Amenity Area was tabled until the end of the agenda.

**13-079-001: SITE PLAN, THE RETREAT – AMENITY AREA:** MOTION by Millsaps, seconded by Jenkins, to approve Site Plan, The Retreat – Amenity Area, with amendment of inclusion of three (3) automotive parking spaces, and that one (1) of these three be for handicap designation, at the amenity area and with all staff comments as listed below. Ames, Atchley, Bristol, Bryant-McCormick, Freudenthal, Jenkins, Massey, Millsaps, Pinson and Stringfellow voted aye. Nay: None. Absent: None. Motion carried.

Planning Department

STAFF REPORT

The amenity plans for the Retreat consists of an entry feature, pool and cabana. A parking lot will serve the pool. The parking lot is not designed to accommodate automotive parking; instead, it will accommodate 15 golf carts. As the subdivision only has 25 units, staff expects that the cart parking lot will be underused. Staff asked the applicant to redesign the parking lot to accommodate at least a few full-size vehicles, expecting that residents will from time to time have need for extra parking for pool parties or other events. The applicant has declined the suggestion.

Submitted by Timothy Whitten, Landscape Architect/Planner (January 3, 2014)

STAFF COMMENTS

1. Show building setback lines.

Submitted by Timothy Whitten, Landscape Architect/Planner (January 3, 2014)

Public Works Department

1. No policy issues.

Submitted by Duane Allen, Assistant to City Engineer (January 3, 2014)

Fire Department

1. No comment on the Amenities Area at this time.

Submitted by Chuck Swann, Interim Fire Marshall (January 3, 2014)

Utility District

1. Approved for Planning.

Submitted by Ronnie Perdue, HUD (January 3, 2014)

**13-082-001: SITE PLAN, VENUE AT GLENBROOK – PARKING CANOPIES:**  
MOTION by Millsaps, seconded by Jenkins, to approve Site Plan, Venue at Glenbrook – Parking

Canopies with all staff comments as listed below. Ames, Atchley, Bristol, Bryant-McCormick, Freudenthal, Jenkins, Massey, Millsaps, Pinson and Stringfellow voted aye. Nay: None. Absent: None. Motion carried.

Planning Department

STAFF REPORT

The site plan for the Venue at Glenbrook was approved on July 9, 2012. Construction has begun on the site. The owner is requesting an amendment to the approved site plan to allow for the construction of 33 parking canopies on the site. This would be in addition to the garages that were approved with the original site plan. The owner is proposing for the canopies to have a black standing seam metal roof with details on each end of the structure. The end columns that are adjacent to a landscape island would be partially covered with brick. Interiors columns would be metal. The color will match the fencing around the property and the light fixtures. The Planning Commission must determine if the canopies are compatible with the site plan as previously approved.

Submitted by Lisa Milligan, AICP Senior Planner (January 3, 2014)

STAFF COMMENTS

Public Works Department

1. No policy issues.

Submitted by Duane Allen, Assistant to City Engineer (January 3, 2014)

Fire Department

1. Response noted and no further comments at this time.

Submitted by Chuck Swann, Interim Fire Marshall (January 3, 2014)

Utility District

1. No comment.

Submitted by Ronnie Perdue, HUD (January 3, 2014)

**SKETCH PLATS:** None

**PRELIMINARY PLATS:** None

**REZONING REQUEST:** None

**STAFF APPROVED PROJECTS:**

**13-081-001: SITE PLAN, NASHVILLE TEMPERED GLASS:** The Hendersonville Regional Planning Commission acknowledged staff approval of Site Plan, Nashville Tempered Glass.

**OTHER:**

**NEW ZONING ORDINANCE AND ZONING MAP**

Fred Rogers reviewed a memorandum given to the Hendersonville Regional Planning Commission with a list and short description of changes the staff has made with the new zoning ordinance to cover solar panels and canopies as well as recycling drop-off centers; and of allowing LED changing message signs for institutional uses in residential zones which include churches, schools, day care centers, assisted living, nursing homes, independent living, cultural facilities and marinas.

MOTION by Millsaps, seconded by Jenkins, to amend the draft ordinance to include LED signs in residential areas with the provisions as noted from Mt. Juliet and with an exception being 150 feet versus 300 feet. Ames, Atchley, Bristol, Bryant-McCormick, Freudenthal, Jenkins, Massey, Millsaps, Pinson and Stringfellow voted aye. Nay: None. Absent: None. Motion carried.

MOTION by Ames, seconded by Pinson, to remove Footnote 2 in Section 6, Page 5 regarding Bulk Regulations. Ames, Atchley, Bristol, Bryant-McCormick, Freudenthal, Jenkins, Massey, Millsaps, Pinson and Stringfellow voted aye. Nay: None. Absent: None. Motion carried.

MOTION by Massey, seconded by Atchley, to leave Recreational Training School, under Cultural, Recreation and Entertainment Uses, in HC (Heavy Commercial) and I (Industrial) Districts as a Conditional Use (Section 7.2, Table 3). Ames, Atchley, Bristol, Bryant-McCormick, Freudenthal, Jenkins, Massey, Millsaps, Pinson and Stringfellow voted aye. Nay: None. Absent: None. Motion carried.

MOTION by Jenkins, seconded by Millsaps, to amend to 5 acres from 10 acres minimum for residential PUD (Section 8.6A). Ames, Atchley, Bristol, Bryant-McCormick, Freudenthal, Jenkins, Massey, Millsaps, Pinson and Stringfellow voted aye. Nay: None. Absent: None. Motion carried.

MOTION by Ames, seconded by Jenkins, to approve staff drafted procedures for revocation process including the option of revoking just the Master Plan and leaving the base zoning as is or revoking both Master Plan and new zoning reverting back to the original zoning (Section 8.8D1). Ames, Atchley, Bristol, Bryant-McCormick, Freudenthal, Jenkins, Massey, Millsaps, Pinson and Stringfellow voted aye. Nay: None. Absent: None. Motion carried.

MOTION by Atchley, seconded by Ames, to leave the maximum size of all accessory buildings in the rear yard to not exceed 50% of the size of the house or 1,000 square feet, whichever is less (Section 10.4A5b). Ames, Atchley, Bristol, Bryant-McCormick, Freudenthal, Jenkins, Massey, Millsaps, Pinson and Stringfellow voted aye. Nay: None. Absent: None. Motion carried.

MOTION by Ames, seconded by Jenkins, to take the two notes out from Section 10.4B and leave the standards for accessory apartments as they are in current regulations and as currently proposed in the draft ordinance. Ames, Atchley, Bristol, Bryant-McCormick, Freudenthal, Jenkins, Massey, Millsaps, Pinson and Stringfellow voted aye. Nay: None. Absent: None. Motion carried.

MOTION by Jenkins, seconded by Millsaps, to increase fences in commercial districts from 6 to 8 feet in height (Section 10.4I3b). Ames, Atchley, Bristol, Bryant-McCormick, Freudenthal, Jenkins, Massey, Millsaps, Pinson and Stringfellow voted aye. Nay: None. Absent: None. Motion carried.

MOTION by Jenkins, seconded by Atchley, to amend Section 10.4I5dii to include synthetic wood composite or equivalent and add Item VI to say any other material approved by the Planning Department. Ames, Atchley, Bristol, Bryant-McCormick, Freudenthal, Jenkins, Massey, Millsaps, Pinson and Stringfellow voted aye. Nay: None. Absent: None. Motion carried.

MOTION by Jenkins, seconded by Millsaps, to change the Major Home Occupation may have no more than 2 customers or other persons other than employees on the premises at one time and no more than 4 per day to be increased to no more than 8 per day (Section 10.4J6). Ames, Bristol, Bryant-McCormick, Freudenthal, Jenkins, Massey, Millsaps, Pinson and Stringfellow voted aye. Nay: Atchley. Absent: None. Motion carried.

Chairman Freudenthal noted that staff is adding a sentence in a descriptive phase for clarity in Old Town Center Commercial with some sub-districts.

MOTION by Millsaps, seconded by Atchley, to recommend to the Board of Mayor and Aldermen the adoption of the ordinance with changes as agreed upon tonight. Ames, Atchley,

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

#### **ELECTION OF OFFICERS FOR 2014**

MOTION by Millsaps, seconded by Stringfellow, to re-elect the current 2013 officers for 2014. Ames, Atchley, Bristol, Bryant-McCormick, Freudenthal, Jenkins, Massey, Millsaps, Pinson and Stringfellow voted aye. Nay: None. Absent: None. Motion carried.

Chairman – Bob Freudenthal  
Vice Chairman – David Jenkins  
Secretary – Ann Massey  
Assistant Secretary – Don Ames

#### **ADJOURNMENT:**

MOTION by Pinson, seconded by Ames, to adjourn the Hendersonville Regional Planning Commission Meeting at 8:13 p.m. Ames, Atchley, Bristol, Bryant-McCormick, Freudenthal, Jenkins, Massey, Millsaps, Pinson and Stringfellow voted aye. Nay: None. Absent: None. Motion carried.

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ANN MASSEY, Secretary

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BOB FREUDENTHAL, Chairman

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FRED D. ROGERS, JR., Planning Director