

**MINUTES**  
**HENDERSONVILLE REGIONAL PLANNING COMMISSION**  
**TUESDAY, SEPTEMBER 15, 2015**  
**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, Bob Freudenthal, David Jenkins, Bryant Millsaps, Frank Pinson and Darlene Stringfellow. Absent: Lori Atchley, Mark Bristol, Kee Bryant-McCormick and Charles Lea. Also present: Fred D. Rogers, Jr., Planning Director; Timothy D. Whitten, Landscape Architect/Planner; Marshall Boyd, City Engineer; and Georgie Mathis, Administrative Secretary.

**SITE PLANS:**

**15-079-001: SITE PLAN, TWICE DAILY:**

Fred Rogers showed the Planning Commission three different layouts for the Twice Daily Site Plan: original 2008 layout, September 1, 2015 layout (deferred), and the latest proposed layout as of September 15, 2015. The original 2008 layout is reverse of the September 1, 2015 layout which was deferred until tonight's meeting. The developer does not want to go back to the original 2008 plan. They want to go with layout 3 which is the latest proposed plan. The plan that was deferred would be rotated counter clockwise 90 degrees and have the canopy along Saundersville Road and the building along the south line backing up to Pour Vous. They will have less canopy fronting on Indian Lake Boulevard and have some brick building on the end – hopefully a storefront. The negative is that the canopy will be highly visible from southbound Indian Lake. The front of the building will look like the Twice Daily on Anderson Lane. The access is the same as the plan that was deferred on September 1, 2015 – main entrance and exit on the back and a right-in off of Saundersville Road.

Randy Perry presented elevations for the ends of the building.

MOTION by Jenkins, seconded by Stringfellow, to approve Site Plan, Twice Daily, latest proposed layout as submitted with revised elevations. Freudenthal, Jenkins, Millsaps, Pinson and Stringfellow voted aye. Nay: Ames. Motion carried.

Fred Rogers noted a full set of plans possibly could come back to the Planning Commission in November.

**OTHER:**

Fred Rogers gave an update on the Savannah project. The revised Savannah plan was denied by the Planning Commission. The application has been withdrawn but they are working with the residents and there is a good chance they could gain a reversal on the opposition from the residents. But according to the information he has received, the residents still want the remainder of Savannah to be developed as per the original or current plan.

Chairman Freudenthal noted it appears that the developer's perception of the situation remains the same as before.

Mr. Rogers said what the residents would love to see is for them to basically shut off the existing Savannah from the rest of the Savannah – close both streets. The big thing is they want the control of the HOA because they are concerned that Creekside is not using the dues properly, not maintaining common open space properly, amending covenants to reduce home size, and not making the homes comply with the established design standards. They would like to be rid of Creekside.

Chairman Freudenthal said that remedy is not with the Planning Commission on that particular issue.

Mr. Rogers noted the developer is talking with the Fire Marshall about some other options, which is a plan that would meet the Fire Department standards – that is both of the streets that stub into this property would be dead-ended with just a fire department gate but the problem is it wouldn't meet City standards. Over 200 homes on Gorden Crossing, south of Gaston in the southern end, would have one way in and one way out and that gets into the Millstone/Wynbrooke type of situation. The Commission may be contacted by some of the residents and/or by Creekside. The Savannah project has been withdrawn but the developer may very well come back with another plan.

Fred Rogers gave a quick update on Hendersonville Horizons which would be a follow-up to Hendersonville Tomorrow. The vision, goals and objectives, which were established a few years ago, need to be updated and right now the new term is Hendersonville Horizons and we are working with the Chamber of Commerce on the name. The first step is to get with the Board for approval, get an ordinance passed, and then move forward. A lot of the goals and objectives of Hendersonville Tomorrow will be carried forward but the thought is it needs to be a fresh effort since the past effort didn't get off the ground very well.

The new Zoning Ordinance goes into effect next Thursday. The Planning Commission should have the new Zoning Ordinance which was given out at the last meeting.

Annual training is coming up soon and welcome any input that you might have as far as what the Commission might like to see in the way of annual training. The Commission typically gets together with the other planning commissions in the county and has a dinner and about three or

four hours of training which is required by law, but, depending on what we can come up with, there is also the possibility that we could/might be better served to utilize the webinars provided by APA which are anywhere from 30 minutes to an hour long and then take one hour at a time and perhaps get some better training and it could be done at the end of the regular meeting or on the third Tuesday.

Bob Freudenthal suggested not necessarily having the same body of presenters. There have been major changes in annexation law in the State of Tennessee, in eminent domain law in the State of Tennessee and in land use law and there is more to come because it is coming from North Carolina this way. It would be beneficial for this Body, if not all bodies, to understand that's dramatically different and what we can and can't do. Functionally, unless everybody agrees, you're not annexing and that changes how we do things. It changes how you master plan long-term, even in other governmental type functions – utilities etc. We now don't know how to plan for the future as well as we did before because the whole urban growth thing could blow up tomorrow. You serve, or exist that way – land use wise functionally – at the whim of a county commission and we know how that works so a briefing on that, not necessarily from the same voices, would be good but also the webinars are not a bad idea either. The next legislative session will resemble the last one in its tenacity towards that end. There was a move by a prominent state senator, chair of a committee, to eliminate all zoning in the State of Tennessee.

Mr. Rogers said this needs to be done in the next month. Last year was in November so ideally we would do it not later than the early part of November; otherwise, we are getting into the holiday season but if that didn't work out, then we may come back starting in January with one hour at a time training.

Fred Rogers opened the floor to any discussion that the Planning Commission might have relative to process, policy and procedures, staff reports and things of that nature. The third Tuesday meeting originally was a process review meeting and we discussed process all the time. We just wanted to give the Commission an opportunity on a regular basis to discuss any changes that needs to be made with the agenda and staff reports – the presentations, the overhead visuals, etc. The new zoning ordinance will not change any of the process of any magnitude relative to the Planning Commission. There will be some new forms implemented next Thursday.

Don Ames pointed out this Body asked for the zoning for Southeastern at the Good Shepherd Church entrance to Glenbrook. The Board of Mayor and Aldermen is really wrestling with that because of traffic concerns predominately and even though the Planning Commission got rid of the convenience store, we still allowed fast food and there is a great deal of concern about the impact of traffic with a fast food restaurant. There is a lot of consternation. It got deferred as well and will be coming back soon but there is a great deal of thought that maybe that should only be offices if it's anything other than residential. The only thing that has been discussed is what was approved which was fast food and no one has said can we downgrade the impact. I guess it would be less impact if we had just a regular sit-down restaurant. There's also a question, and I am not even sure what the interpretation is yet, as to whether or not a fast food is allowed there.

Fred Rogers said it is whatever the Board approves.

Don Ames said it wasn't really part of Glenbrook as far as the limitation of fast food.

Fred Rogers said yes and no. Technically, you have to have at least five (5) acres for a commercial PUD. They don't have five (5) acres. They have three (3) acres so that's why it was couched as an expansion to Glenbrook and Glenbrook only allows three (3) so the bottom line is whatever the Board wants to approve.

Fred Rogers said the Long Range Plan does show it as commercial. That was a statement in my staff report that the request does conform to the Land Use Plan.

Bob Freudenthal asked what is the major route plans designation for New Shackle and is there sufficient right-of-way for that through there when you go north of Glenbrook?

Fred Rogers said it will be five (5) lanes. They will be required to dedicate if there is not sufficient right-of-way.

Ames said they are talking about using the entrance to the church which is a really bad idea because if the restaurant is open Sunday, the egress and ingress would be right by the church's front door where cars are parked. That's what they are giving as Plan B if they don't get a TDOT approval – joint access through the parking lot.

## **ADJOURNMENT:**

MOTION by Millsaps, seconded by Pinson, to adjourn the Hendersonville Regional Planning Commission Meeting at 7:33 p.m. Ames, Freudenthal, Jenkins, Millsaps, Pinson and Stringfellow voted aye. Nay: None. Absent: Atchley, Bristol, Bryant-McCormick and Lea. Motion carried.

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DON AMES, Assistant Secretary

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BOB FREUDENTHAL, Chairman

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FRED D. ROGERS, JR., Planning Director