



## SMYRNA MUNICIPAL PLANNING COMMISSION MEETING MINUTES APRIL 2, 2020

The regular meeting of the Smyrna Municipal Planning Commission was called to order at 5:00 p.m. on Thursday, April 2, 2020 by Vice-Chairman Councilman Tim Morrell. The meeting was held in the Council Chambers at Smyrna Town Hall, 315 South Lowry Street, Smyrna, Tennessee. The invocation was given by Vice-Mayor Marc Adkins and the Pledge of Allegiance was led by Regina Medlen.

The following Planning Commission members and staff were present:

Members:

Councilman Tim Morrell  
Vice-Mayor Marc Adkins  
Regina Medlen  
Andrew Atkins  
Mike Allen

Staff:

Kevin Rigsby, Town Planner  
Jeff Peach, Town Attorney  
Charles King, Engineer  
Brian Hercules, Town Manager  
Todd Spearman, Assistant Town Manager

Absent:

Edwin Davenport, Chairman  
Trey Lee

**1<sup>st</sup> Item: Citizen's Comments**

There were no citizens' comments at this time.

**2<sup>nd</sup> Item: Election of Officers**

At this time, Vice-Mayor Marc Adkins made a motion and seconded by Mike Allen to defer the Election of Officers until the May 7, 2020 meeting. Motion carried unanimously.

**3<sup>rd</sup> Item: Approval of the minutes of the March 5, 2020 meeting**

Following a review of the minutes of the March 5, 2020 meeting Vice-Mayor Marc Adkins made a motion to approve the minutes; the motion was duly seconded by Regina Medlen. Motion carried unanimously.

**4<sup>th</sup> Item: Jerry Butler (Andrews Subdivision)  
3782 Rocky Fork Road  
Annexation and zoning PRD and C-2  
Plan of Service**

An annexation, plan of service, and zoning request of PRD and C-2 was received from Jerry Butler for the proposed Andrews Subdivision. The property is further referenced as Rutherford County Tax Map 33, Parcels 100.00 and 101.00 located at 3782 Rocky Fork Road. The property consists of approximately 91.50 acres to be annexed and is currently zoned R-M in the County. The following comments were made:

1. Surrounding zoning consists of R-1 and R-3 in Smyrna and RM in Rutherford County.
2. The current Land Use Plan would support Commercial development for this entire property. The proposed Land Use Plan would place the property in a Gateway character area. This would support a mix of commercial uses and high-end multi-family in strategic locations.

3. The proposed PRD is for:
  - 134 single family lots on 40 acres
  - 160 townhomes on 10.5 acres
  - 9.5 acres of open space
  - 31.5 acres zoned C-2
4. Please submit a traffic study for the subdivision and account for existing approved project. The study should be inclusive of Highwood Blvd and Blair Rd.
5. The Major Thoroughfare Plan shows Greentree Drive connecting directly to Rocky Fork Road. It also has a future principal arterial coming off of the future interchange crossing the front of the property.
6. Staff recommends extension of the Enon Springs Gateway Overlay District to this property as a part of the annexation.
7. Sewer must come from the proposed Olive Branch gravity line.
8. Available fire flow is 1200 gpm @ 20 psi.
9. Development of the commercial area will require installation of the 12" line under I-24 for adequate fire flow.

Following discussion, a motion was made by Vice-Mayor Marc Adkins and seconded by Andrew Atkins to send with a positive recommendation to the Town Council the annexation, plan of service, and zoning of PRD and C-2 for Jerry Butler (Andrews Subdivision) for the property located at 3782 Rocky Fork Road subject to the above noted conditions. Motion carried unanimously.

**5<sup>th</sup> Item: Pyramid Event Center  
71 Mayfield Drive  
Site Plan**

A site plan was received from owner/developer Johnny Carlton for a proposed event center to be located at 71 Mayfield Drive. The property is further referenced as Rutherford County Tax Map 27-I, Group D, Parcel 1.05 the property is zoned C-2 and consists of approximately 1.15 acres. The following comments were made:

1. A Development Agreement will be required prior to any construction activity beginning with this section per Smyrna Municipal Code Title 14, Chapter 7.
2. For sites disturbing less than one acre add the following the land disturbance guidelines to the plans which can be found online at <http://www.townofsmyrna.org/home/showdocument?id=1841>.
3. Signs require a separate permit.
4. A 1,500 gallon grease trap will be required for any proposed kitchen or food preparation area.
5. Available fire flow is 2,500 gpm @ 20 psi.
6. Building must have a fire sprinkler system.
7. The minimum parking requirement for this use is 40% of the building capacity. In other words, 40 spaces for every 100 people. The building capacity as calculated based on the International Building Code is a total of 446 people with tables and chairs and 748 people with chairs only. This would translate to 178 parking spaces or 299 spaces, depending on how the room was set up. The site plan shows 76 parking spaces.

At this time Vice-Chairman Tim Morrell recognized Johnny Carlton to speak regarding this request.

Following discussion, a motion was made by Vice-Mayor Marc Adkins and seconded by Andrew Atkins to deny the site plan for Pyramid Event Center due to inadequate parking provided. Motion carried unanimously.

**6<sup>th</sup> Item: Gwynne Farms  
6914 Lee Road / 4675 Rock Springs Road**

### **Annexation and zoning PRD and PRD Amendment Plan of Service**

An annexation, plan of service, zoning request of PRD, and PRD amendment was received for the proposed Gwynne Farms Subdivision located at 6914 Lee Road and 4675 Rock Springs Road.

The property to be annexed is further referenced as Rutherford County Tax Map 51, Parcels 5.00 and 6.00 and is currently zoned RM in Rutherford County consisting of approximately 30.80 acres.

The PRD amendment is further referenced as Rutherford County Tax Map 32, Parcel 20.00 and Rutherford County Tax Map 51, Parcel 7.00 consisting of approximately 190.5 acres.

The following comments were made:

1. Surrounding zoning consists of R-3 and R-1 in Town and RM in Rutherford County.
2. The Land Use Plan would support Low Density Residential development 0-4 units per acre in this area.
3. The PRD is proposed to be 421 single family lots and 217 townhomes.
4. The original PRD approval was granted before the Town began requiring 35' front setbacks and 7.5' side setbacks for single family residences. The proposed amendment would keep the setbacks at 25' and 5' as previously approved. The existing PRD has received a preliminary plat approval for 2 phases with 25' front and 5' side setbacks.
5. All homes will be required to have adequate double width parking pads.
6. Amend the design of the entrance to Dale Drive to allow for fire truck access without leaving the pavement of the roadway.
7. Harris Property section will be sewered by gravity main to the proposed Olive Branch sewer line.
8. CUD is agreeable to serve the development on the south side of the unnamed tributary as described on sheet 6 of the submittal. However, the proposed service boundary modification will require an official approval of both Town of Smyrna and CUD.
9. CUD's existing infrastructure **is not** adequate to meet the fire flow requirement of 1,000 GPM for this development. Currently, CUD can only meet approximately **800 GPM** at Lee Road. Further improvements must be completed in order to meet the 1,000 GPM fire flow requirement. This includes Phase 2 of the Rocky Fork Road water main replacement project as denoted in the Gwynne Farms Will Serve Letter issued by CUD on 3/26/2020.
10. Once construction plans are available, submit directly to CUDengineering@ cudrc.com for further review.

Following discussion, a motion was made by Vice-Mayor Marc Adkins and seconded by Regina Medlen to send with a positive recommendation to the Town Council the annexation, plan of service, zoning of PRD, and PRD amendment for Mike Koch with Suncrest Real Estate and Land for the proposed Gwynne Farms for the property located at 6914 Lee Road / 4675 Rock Springs Road subject to the above noted conditions. Motion carried unanimously.

**7<sup>th</sup> Item: Westover Subdivision, Phase 2  
8916 Rocky Fork Almadale Road  
Preliminary Plat**

A preliminary plat was received from owner/developer Rich Vantassel with Middle Tennessee Developers, LLC for the proposed Westover Subdivision, Phase 2 to be

located at 8916 Rocky Fork Almadillo Road. The property is further referenced as Rutherford County Tax Map 54, Parcels 15.00 and Part of Parcel 15.23. The property is zoned PRD and consists of approximately 25.6 acres with 85 single family lots proposed. The following comments were made:

1. A Development Agreement will be required prior to any construction activity beginning with this section per Smyrna Municipal Code Title 14, Chapter 7.
2. An NPDES permit will be required for land disturbance activities greater than one acre. The Town of Smyrna must have a copy of the NOC (Notice of Coverage) prior to issuance of any grading or building permits.
3. Grading permit fee is \$2,945 based on 25.6 acres of disturbed area.
4. Submit 911 approvals for all street names.
5. Add driveway with parking spaces for mail kiosk with one drive out. Move all parking outside of the public right-of-way.
6. Extend Kennebec Street to southern property line.
7. Will need to meet fire flow of 1,000 GPM per the approved PRD.
8. CUD's existing infrastructure is **not** adequate to meet the fire flow requirement of 1,000 GPM for this development at Lee Road. Currently, CUD can only meet approximately 500 GPM. It is CUD's understanding that the developer intends to install residential fire sprinklers for this development.
9. Once construction plans are available, submit directly to [CUDengineering@cudrc.com](mailto:CUDengineering@ cudrc.com) for further review.

At this time Vice-Chairman Tim Morrell recognized Thomas Steffen with Land Solutions to speak regarding this request.

Following discussion, a motion was made by Regina Medlen and seconded by Andrew Atkins to approve the preliminary plat for the proposed Westover Subdivision, Phase 2 subject to the above noted conditions. Motion carried with Vice-Mayor Marc Adkins not voting or participating in discussion.

**8<sup>th</sup> Item: Brittian Commercial  
1577 Rock Springs Road  
Preliminary Plat**

A preliminary plat was received from owner/developer Gateway Properties of Middle TN, LLC for the proposed Brittian Commercial to be located at 1577 Rock Springs Road. The property is further referenced as Rutherford County Tax Map 28, Parcel 113.00 and is zoned C-4 and R-1 and consists of approximately 6.75 acres on 4 lots. The following comment was made:

1. Provide approval from FEMA for floodplain alterations.

Following discussion, a motion was made by Vice-Mayor Marc Adkins and seconded by Regina Medlen to approve the preliminary plat for the proposed Brittian Commercial subject to the above noted condition. Motion carried unanimously.

**9<sup>th</sup> Item: Brittian Commercial  
1577 Rock Springs Road  
Final Plat**

A final plat was received from owner/developer Gateway Properties of Middle TN, LLC for the proposed Brittian Commercial to be located at 1577 Rock Springs Road. The property is further referenced as Rutherford County Tax Map 28, Parcel 113.00 and is zoned C-4 and R-1 and consists of approximately 6.75 acres on 4 lots. The following comments were made:

1. Add owner signature prior to submittal for recording.

2. Available fire flow is 3,000 gpm at 20 psi.
3. Provide approval from FEMA for floodplain alterations.

Following discussion, a motion was made by Vice-Mayor Marc Adkins and seconded by Mike Allen to approve the final plat for the proposed Brittan Commercial subject to the above noted conditions. Motion carried unanimously.

**10<sup>th</sup> Item: Lee Bohman, Resub of Lots 2, 3, and 4  
Potomac Place and Chaney Road  
Final Plat**

A final plat was received from owner/developer John Lee, LLC for the proposed Lee Bohman, Resub of Lots 2, 3, and 4 to be located on Potomac Place and Chaney Road. The property is further referenced as Rutherford County Tax Map 28, Parcels 67.12, 67.13, and 67.14 and is zoned C-2 and consists of approximately 7.26 acres on 3 lots. The following comments were made:

1. Add owner signature prior to submittal for recording.
2. A Development Agreement will be required prior to any construction activity beginning with this section per Smyrna Municipal Code Title 14, Chapter 7.
3. An NPDES permit will be required for land disturbance activities greater than one acre. The Town of Smyrna must have a copy of the NOC (Notice of Coverage) prior to issuance of any grading or building permits.
4. Available fire flow is 3,500 gpm at 20 psi.

Following discussion, a motion was made by Vice-Mayor Marc Adkins and seconded by Regina Medlen to approve the final plat for the proposed Lee Bohman, Resubdivision of Lots 2, 3, and 4 subject to the above noted conditions. Motion carried unanimously.

**11<sup>th</sup> Item: 230 North Lowry Retail Center  
230 North Lowry Street  
Site Plan**

A site plan was received from owner/developer Richard Johnson for a proposed 4,000 sq. ft. general retail trade building to be located at 230 North Lowry Street. The property is further referenced as Rutherford County Tax Map 28-E, Group B, Parcel 3.00 the property is zoned C-3/LSO and consists of approximately 0.71 acres. The following comments were made:

1. A Development Agreement will be required prior to any construction activity beginning with this section per Smyrna Municipal Code Title 14, Chapter 7.
2. For sites disturbing less than one acre, add the following the land disturbance guidelines to the plans which can be found online at <http://www.townofsmyrna.org/home/showdocument?id=1841>.
3. Signs require a separate permit.
4. New access to Lowry Street is subject to approval by TDOT.
5. A 1,500 gallon grease trap will be required for any restaurant that goes into the proposed building.
6. Available fire flow is 2,200 gpm at 20 psi.
7. Submit water construction plans for proposed fire hydrant. This will require TDEC approval.
8. Grading permit fee is \$396.00 based on 0.71 acres of disturbed area.
9. Submit a landscape plan that complies with the Lowry Street Overlay District, Zoning Ordinance Section 5.058 H.9. Specifically, this includes the following:
  - a. Show the square footage of all landscape beds. Each one must be at least 75 square feet.
10. Show the driveway ramp construction detail.

11. Dumpster enclosure must be brick and match building.

At this time Vice-Chairman Councilman Tim Morrell recognized Steve Steele with Huddleston-Steele Engineering to speak regarding the request.

Following discussion, a motion was made by Mike Allen and seconded by Regina Medlen to approve the site plan for the proposed 4,000 sq. ft. general retail trade building for 230 North Lowry Retail Center subject to the above noted conditions. Motion carried unanimously.

**12<sup>th</sup> Item: Veritas Federal Credit Union  
685 Ken Pilkerton Drive  
Site Plan**

A site plan was received from owner/developer Terri Crowl with Veritas Federal Credit Union for a proposed 8,332 sq. ft. financial service building to be located at 685 Ken Pilkerton Drive. The property is further referenced as Rutherford County Tax Map 34-G, Group C, Parcel 9.02 the property is zoned C-2 and consists of approximately 3.34 acres. The following comments were made:

1. A Development Agreement will be required prior to any construction activity beginning with this section per Smyrna Municipal Code Title 14, Chapter 7.
2. An NPDES permit will be required for land disturbance activities greater than one acre. The Town of Smyrna must have a copy of the NOC (Notice of Coverage) prior to issuance of any grading or building permits.
3. Signs require a separate permit.
4. Available fire flow is 3,000 gpm at 20 psi.
5. Grading permit fee is \$496 based on 1.11 acres of disturbed area.
6. Submit a plat subdividing this lot. Must be recorded prior to issuance of a building permit.
7. Metal panels and interlocking metal fluted fascia panels are not allowed under Design Review. These areas must be changed to a material that meets Design Review requirements.

At this time Vice-Chairman Councilman Tim Morrell recognized Dereck Bischook and Teri Crowl with Veritas Federal Credit Union and Jeff Conar with S&ME Engineering to speak regarding the request.

Following discussion, a motion was made by Vice-Mayor Marc Adkins and seconded by Regina Medlen to approve the site plan for the proposed 8,332 sq. ft. financial service building for Veritas Federal Credit Union subject to the above noted conditions. Motion carried unanimously.

**13<sup>th</sup> Item: Zoning Ordinance Amendment:  
Agricultural Accessory Structures**

At this time, Town Planner Kevin Rigsby presented the following proposed Zoning Ordinance amendment for Agricultural Accessory Structures:

The proposed Zoning Ordinance amendment regarding Article III, Section 3.100 Accessory use regulations. This amendment has been requested by Rob Thomson at 602 Rock Springs Road. This amendment would change the provisions of the ordinance for detached accessory buildings that are used for agricultural purposes. This would remove any size limitations, but would require a parcel to be at least 15 acres in size and on the greenbelt for it to be applicable. It would still require such structures to be located at least 10 feet from any side or rear property line and behind the principle structure.

The new language is double-underlined while the items to be removed are struck-through.

3.100 Accessory use regulations. The use of land, buildings, and other structures permitted in each of the districts established by this ordinance are designed by listing the principal uses. In addition to such principal uses, accessory uses which are customarily incidental to the permitted principal uses are also permitted in each district subject to the following conditions:

Each accessory use shall:

- A. Be customarily incidental to the principal use established on the same zone lot.
- B. Be subordinate to and serve such principal use.
- C. Be subordinate in area, intent, and purpose to such principal use.
- D. Contribute to the comfort, convenience, or necessity of users of such principal use.
- E. Detached accessory structures are allowed in residential districts as follows, whether for one structure or multiple structures:
  - 1. For parcels up to 15,000 square feet, the maximum size shall be 600 square feet.
  - 2. For parcels greater than 15,000 square feet up to 1 acre, the maximum size shall be 800 square feet.
  - 3. For parcels greater than 1 acre up to 3 acres, the maximum size shall be 1,200 square feet.
  - 4. For parcels greater than 3 acres up to 5 acres, the maximum size shall be 1,500 square feet.
  - 5. For parcels greater than 5 acres, the maximum size shall be 2,400 square feet.
  - 6. For purposes of the square footage calculations listed above, only the footprint of the structure shall be included. In the cases of a structure with more than one floor as defined by the Building Code, the upper floor will not be counted for purposes of this provision.
- F. Detached accessory structures are allowed in commercial and industrial districts up to ten (10) percent of the total square footage of the principal structure not to exceed 5,000 square feet in size.
- G. Detached agricultural accessory structures of any size are allowed in conjunction with agricultural uses as defined in Article II on parcels of land at least ~~five (5)~~ fifteen (15) acres in size in the appropriate zoning districts as allowed by this Ordinance. ~~These structures cannot exceed 2,500 square feet, whether for one structure or multiple structures. Structures exceeding this size limit may be reviewed as a special exception by the Board of Zoning Appeals for the type of structure and proposed use.~~ Agricultural accessory structures must be setback a minimum of ten (10) feet from any side or rear property line and be located behind the principal structure. For this provision to be applicable for a parcel, it must be under the Greenbelt designation as stipulated by Tennessee Code Annotated 67-5-1001 through 1050 as administered by the Tennessee Comptroller of the Treasury.

Following discussion, a motion was made by Vice-Mayor Marc Adkins and seconded by Regina Medlen to send with a positive recommendation to the Town Council the Zoning Ordinance Amendment for Agricultural Accessory Structures. Motion carried unanimously.

**14<sup>th</sup> Item: April Bond Review Report**

Following discussion of the April Bond Review Report a motion was made by Mike Allen and seconded by Regina Medlen to approve staff's recommendations as to the bonds set forth on the attached chart. Motion carried unanimously.

**15<sup>th</sup> Item: Staff comments and/or other business**

There were no staff comments and/or other business to report at this time.

**16<sup>th</sup> Item: Adjournment**

There being no further business, Vice-Chairman Councilman Tim Morrell declared the meeting adjourned.

Respectfully submitted:

Certified by:

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Kevin Rigsby  
Secretary

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Councilman Tim Morrell  
Vice-Chairman