



SMYRNA MUNICIPAL PLANNING COMMISSION

MEETING MINUTES NOVEMBER 5, 2020

The regular meeting of the Smyrna Municipal Planning Commission was called to order at 5:00 p.m. on Thursday, November 5, 2020 by 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 Mike Allen.

The following Planning Commission members/staff were present/absent:

Present: Tim Morrell, Councilman; Marc Adkins, Vice-Mayor; Mike Allen; Andrew Atkins III; Tony Dover
Absent: Regina Medlen; Tim Slate
Staff Present: Kevin Rigsby, Town Planner; Mitchell Wensman, Planner; Jeff Peach, Town Attorney; Jennifer Bizarri, Planning Technician; Brian Hercules, Town Manager; Todd Spearman, Assistant Town Manager; Charles King, Engineer; Bradly Jordan, Environmental Technician; Mike Strange, Utilities Director

1. Citizens' Comments: None at this time
2. Approval of Minutes of the October 1, 2020 meeting

Motion by Vice-Mayor Marc Adkins, seconded by Tony Dover to approve the Minutes of the October 1, 2020 meeting.

Vote: 5 - 0 Passed - Unanimously

3. New Business:
 - a. Annexation and Plan of Service Request:

1. **Larry Davis/Avian Glen Winery**
3545 Almaville Road
Annexation and C-2 Zoning

Avian Glen Winery is located at 3545 Almaville Road and can be further referenced by Rutherford County Tax Map 55, Parcel 29.02, consisting of approximately 37.00 acres. Property is currently zoned AG - Agricultural in the County and surrounded by RM zoned property, but is contiguous to the Town via Almaville Road. Future Land Use Plan would support low density single-family residential development in this area. Staff had the following comments:

1. There is currently no access to public sewer at this site. If sewer is extended to the Lynnwood development, this property would have access to sewer.
2. This property is currently developed as Avian Glen Winery. They manufacture and sell wine

from the property, as well as have tastings and other events. Currently, manufacturing of alcoholic beverages is only allowed in the industrial districts. Staff has developed an amendment to the Zoning Ordinance to allow for manufacturing of alcoholic beverages in the C-2 district within certain parameters. This would allow for wineries, microbreweries, etc. This amendment is also on the agenda for consideration.

3. CUD's existing infrastructure is adequate to meet the fire flow requirement of 1,000 GPM for this development via the green top fire hydrant location on the property across from Batey Court. Approximately 1,300 GPM available.
4. If additional water service is required other than what exists, submit a Water Service Availability Request and full set of plans to CUDengineering@ cudrc.com for feasibility and to obtain Will Serve Letter.

At this time, Councilman Tim Morrell acknowledged Meekhal Davis to speak regarding this request.

Following discussion, Meekahl Davis, speaking on behalf of applicant Larry Davis, withdrew this annexation request.

b. Rezoning Requests:

1. **Jaime Gonzalez**
815 Rock Springs Road
Rezoning R-3 to C-2

A rezoning request was submitted for 815 Rock Springs Road, from R-3 to C-2 zoning. The property can be further referenced by Rutherford County Tax Map 28, Parcel 87.04 and contains approximately 4.81 acres. Surrounding zoning consists of R-3, R-6 and C-2. Future Land Use Plan would support medium density single-family residential development in this area. Staff had the following comments:

1. There is no on site sewer access. Development of this property will require an easement across one of the adjoining properties that front Old Nashville Highway.
2. The water line from Needham Drive or Old Nashville Highway would have to be extended to provide adequate fire flow. The existing 6" water line along Rock Springs Road does not have adequate fire flow for commercial uses.

Motion by Vice-Mayor Marc Adkins, seconded by Tony Dover to recommend denial to the Town Council of the rezoning request from R-3 to C-2 at 815 Rock Springs Road.

Vote: 5 - 0 Passed - Unanimously

2. **Dr. Egbert Rebeiro/Pinto Place Townhomes**
Pinto Drive
Rezoning C-2 to PRD

Pinto Place Townhomes is located on Pinto Drive, requesting a rezoning from C-2 to PRD. The property can be further referenced by Rutherford County Tax Map 27-O, Group D, Parcel 10.00, consisting of 2.14 acres. Proposed PRD is for a 27 unit townhome development. Surrounding zoning consists of R-4 and C-2. The Future Land Use Plan would support office/retail/multi-family residential development in this area. Staff had the following comments:

1. A water line will have to be extended from Joyner Drive to serve this lot.
2. Gravity sewer will have to connect to the line on Joyner Drive near the proposed detention pond for this development. An easement will have to be obtained from the adjoining property owner to achieve this.
3. A Type C buffer strip is required along all property lines other than along Pinto Drive.
4. Please label building materials on rear and side elevations.
5. Staff is concerned regarding the density of this proposed development. The end unit of one of

the buildings is 15'-20' off of Pinto Drive. Staff recommends a reduction in units to provide a better end product for the future residents in the development.

At this time, Councilman Tim Morrell acknowledged applicant Clyde Rountree to speak regarding this request.

Following discussion, Mr. Rountree withdrew the rezoning request.

c. Preliminary Plat:

1. **Hidden Hills, St. Francis Avenue Extension**
St. Francis Avenue
Owner/Developer: CFIJ, LLC

A preliminary plat was received for St. Francis Avenue extension, connecting to Enon Springs Road, West, within Hidden Hills. The property can be further referenced by Rutherford County Tax Map 33-F, Group C, Parcel 11.00 and is zoned C-2. The following staff 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. A 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 permit.
3. This road extension will divide existing properties. These properties could end up less than 5 acres, and therefore would need to be shown as lots or the properties will need to be combined prior to the final plat approval.
4. Please submit construction plans.

Motion by Vice-Mayor Marc Adkins, seconded by Mike Allen to approve the preliminary plat for St. Francis Avenue Extension with staff comments.

Vote: 5 - 0 Passed - Unanimously

d. Final Plats:

1. **Hidden Hills, Section V, Phase I**
Bonifay Drive & Percival Street
Owner/Developer: Scott Butler

A final plat was received for Hidden Hills, Section V, Phase I, which includes 8 single family residential lots near the intersection of Bonifay Drive and Percival Street. The property is further referenced by Rutherford County Tax Map 33, Parcel 10.03 on 2.90 acres and is zoned R-3. The following staff comments were made:

1. Add owner's signature before plat is recorded.
2. Please confirm whether USPS will require a mail kiosk or not for this development. If so, show the proposed location.

Motion by Tony Dover, seconded by Andrew Atkins III to approve the final plat for Hidden Hills, Section V, Phase I with staff comments.

Vote: 5 - 0 Passed - Unanimously

2. **Hidden Hills, Section VI, Phase I
McGrath Drive & Summerline Road
Owner/Developer: Scott Butler**

A final plat was received for Hidden Hills, Section VI, Phase I, near McGrath Drive and Summerline Road, consisting of 18 single family residential lots. Property can be further referenced by Rutherford County Tax Map 33, Parcel 8.00, encompassing 7.00 acres and is zoned R-3. The following staff comments were made:

1. Add owner's signature before plat is recorded.
2. Please confirm whether USPS will require a mail kiosk or not for this development.

Motion by Vice-Mayor Marc Adkins, seconded by Mike Allen to approve the final plat for Hidden Hills, Section VI, Phase I with staff comments.

Vote: 5 - 0 Passed - Unanimously

At this time, Councilman Tim Morrell ceded the Chair to Vice-Mayor Marc Adkins for the next two items.

3. **Lee Bohman Sub. 2nd Resubdivision of Lot 2, Phase I
Potomac Place
Owner/Developer: John Lee, LLC**

Final plat was received for the second resubdivision of Lot 2, Phase I as part of the Lee Bohman commercial subdivision on Potomac Place. The property is further referenced by Rutherford County Tax Map 28, Parcel 67.12 on 2.10 acres. This subdivision would create two new lots, both zoned C-2. The following staff comment was made:

1. Add owner's signature before plat is recorded.

Motion by Andrew Atkins III, seconded by Tony Dover to approve the final plat for Lee Bohman Subdivision 2nd Resubdivision of Lot 2, Phase I with staff comments.

Vote: 4 - 0 Passed

Other: Councilman Tim Morrell (ABSTAIN)

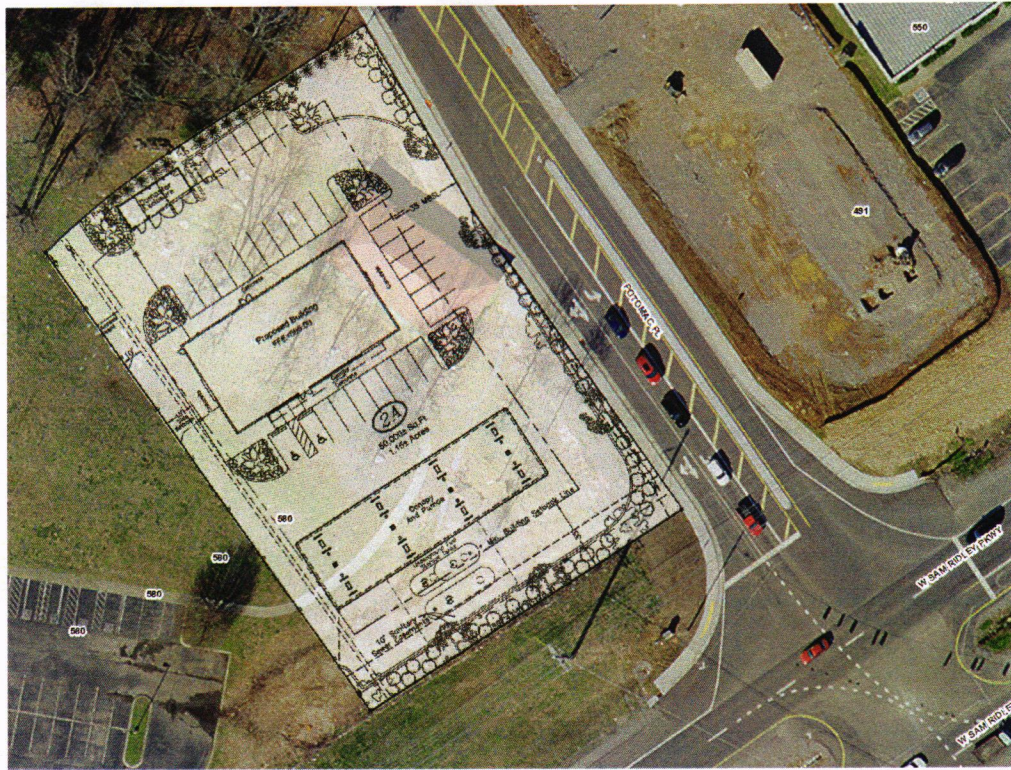
e. Site Plans:

1. **Lot 2A, Lee Bohman Subdivision
560 Sam Ridley Parkway, West
Owner/Developer: John Lee, LLC**

<i>Location:</i> 560 Sam Ridley Parkway, W.	<i>Applicant:</i> Dave Bohman
<i>Tax Map/Part of Parcel:</i> 28/67.12	<i>Property Owner(s):</i> John Lee, LLC
<i>Zoning:</i> C-2	<i>Use Classification:</i> Convenience Commercial

1. *Location Analysis*

The proposed site plan for Lot 2A, within the Lee Bohman Subdivision, consists of 1.15 acres located at 560 Sam Ridley Parkway, West. The property is zoned C-2 and the applicant is proposing for a gas station with convenience store. This site would have two ingress and egress locations, one on Potomac Place and one via a joint access easement from a future road north of the proposed site. This joint access easement will be shared between this site and the adjoining development on Lot 2B.



2. Development Standards

	Required	Proposed
Square Footage of Vehicular Use Area	N/A	32,990 SF
Square Footage of Open Space/Landscaping	3,299 SF	3,500 SF
Total Parking	47 spaces	48 spaces
Handicapped Parking Space(s)	2 spaces	2 spaces

3. Landscaping

Landscape plan shows a variety of trees and shrubs to be planted along Potomac Place and the future private roadway and in landscaped islands surrounding the building. Shrubs are proposed to line Sam Ridley Parkway.

4. Design Review

Architectural elevations show a mixture of a brick and stone veneer on the east, south and west elevations with full brick on the north elevation.

Standard Comments:

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. A storm water fee will be required.
4. Signs will require a separate permit.

Staff Comments:

1. Please coordinate with the trash company to schedule trash removal during non-peak operation

hours. The turning radius for the dumpster enclosures is too tight if there are cars in the row of parking behind the building.

Staff Recommendation: Approval with staff comments.

Motion by Tony Dover, seconded by Andrew Atkins III to approve the site plan for Lot 2A, Lee Bohman Subdivision with staff comments.

Vote: 4 - 0 Passed

Other: Councilman Tim Morrell (ABSTAIN)

At this time, Vice-Mayor Marc Adkins turned the Chair back to Councilman Tim Morrell.

2. **Ashley Grove Apartments**
417 Enon Springs Road, East
Owner/Developer: Ashley Grove, LLC

<i>Location:</i> 417 Enon Springs Road, East	<i>Applicant:</i> Dominion Development Group, LLC
<i>Tax Map/Parcel:</i> 27/40.02	<i>Property Owner(s):</i> Ashley Grove LLC
<i>Zoning:</i> R-6	<i>Use Classification:</i> Apartments

1. *Location Analysis*

The proposed site plan for Ashley Grove consists of 12.01 acres located 417 Enon Springs Road East. The property is currently zoned R-6, and this proposed site plan is for two additional apartment buildings. Currently, there are 128 existing units, with the additional buildings, 46 new units are proposed for this site and would create the maximum density for this lot. Surrounding zoning consists of R-2, C-2 and C-4. As proposed, the site may be accessed from the existing entrance off Enon Springs Road.



2. Development Standards

	Required	Proposed
Square Footage of Vehicular Use Area	N/A	40,195 SF
Square Footage of Open Space/Landscaping	4,019 SF	9,222 SF
Total Parking	92 spaces	233 spaces existing 14 removed 149 proposed Total: 368 spaces
Handicapped Parking Space(s)	4 spaces	6 spaces

3. Landscaping

Landscape plan submitted by the applicant shows a variety of trees to be planted around the new parking areas and shrubs planted around the base of the new buildings.

4. Design Review

Architectural elevations show a primary material to be used of fiber cement and secondary material of brick on the first level of the new buildings.

Standard Comments:

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. A storm water fee will be required.
4. Signs will require a separate permit.
5. Submit address layout for the development.

Staff Comments:

1. Submit a soil study, submitted by a state-certified soil scientist to verify the receiving soils, beneath the pavers, are porous enough to accept the rainfall seeping downward between the neighboring pavers.
2. Show backflow preventer at tap locations on the main.
3. Show rim elevations of all proposed and existing sewer manholes.
4. FDC must be placed at least 30' from building in the island in front of Building 1.
5. Relocate the fire hydrant from behind the existing building to within 100' of FDC.
6. Along the western property line, between the pavers and the wetland, a silt fence will be needed and shown on plans.
7. Please submit complete auto-turn for the entire development.

Staff Recommendation: Approval with staff comments.

Motion by Vice-Mayor Marc Adkins, seconded by Mike Allen to approve Ashley Grove Apartments site plan for two additional buildings with staff comments.

Vote: 5 - 0 Passed - Unanimously

3. **Blakeney Amenity Center**
6005 Doster Drive
Owner/Developer: Land Solutions Company, LLC

<i>Location:</i> 6005 Doster Drive	<i>Applicant:</i> Land Solutions Company, LLC
<i>Tax Map/Group/Parcel:</i> 54L/B/29.00	<i>Property Owner(s):</i> Land Solutions Company, LLC
<i>Zoning:</i> PRD	<i>Use Classification:</i> Amenity Center

1. *Location Analysis*

Blakeney Subdivision is proposing an amenity area at the entrance of the subdivision on the corner of Doster Drive and Rocky Fork Almaville Road. The site area consists of 3.80 acres and is shared with an existing detention pond. Included in this amenity area will be a 288 square foot pavilion accompanied by a fire pit, playground area and mail kiosks.



2. *Development Standards*

	Required	Proposed
Square Footage of Vehicular Use Area	N/A	4,510 SF
Square Footage of Open Space/Landscaping	451 SF	13,406 SF
Total Parking	N/A	20 spaces
Handicapped Parking Space(s)	1 space	2 spaces

3. *Landscaping*

Landscape plan submitted by the applicant shows a variety of trees to be planted around the perimeter of the parcel behind residential lots, creating a buffer effect. A couple canopy trees are also shown to be planted nearby the playground and parking lot.

4. *Design Review*

Architectural elevations for the pavilion show a rectangular structure with wooden posts and a metal roof.

Standard Comments:

1. 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.
2. Signs will require a separate permit.
3. 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 500 GPM. 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 noted in the Blakeney Will Serve Letter issued by CUD on 3/23/2019.

Staff Recommendation: Approval with staff comments.

Motion by Vice-Mayor Marc Adkins, seconded by Tony Dover to approve Blakeney Amenity area site plan with staff comments.

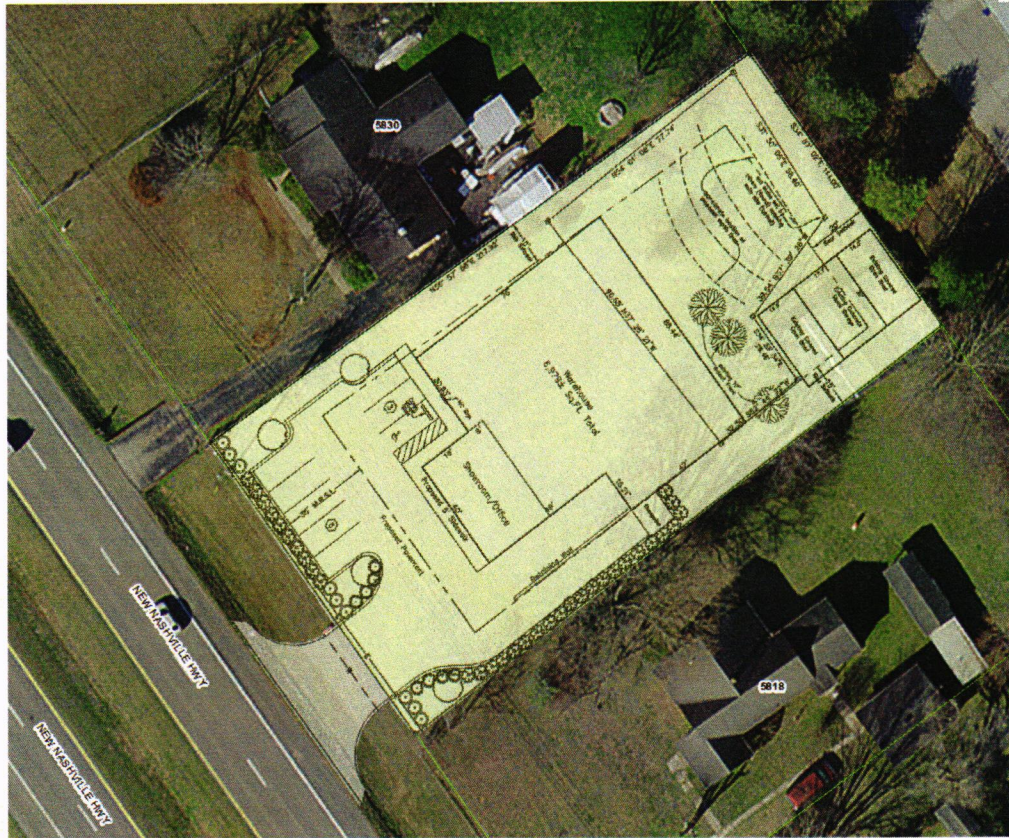
Vote: 5 - 0 Passed - Unanimously

4. **Decorama Homes Cabinetry**
5824 New Nashville Highway
Owner/Developer: Decorama Homes, LLC

<i>Location:</i> 5824 New Nashville Highway	<i>Applicant:</i> Decorama Homes
<i>Tax Map/Group/Parcel:</i> 57A/A/21.00	<i>Property Owner(s):</i> Decorama Homes
<i>Zoning:</i> C-2	<i>Use Classification:</i> Office and warehouse

1. *Location Analysis*

The proposed site plan for Decorama Homes consists of 0.59 acres located at 5824 New Nashville Highway. The property is currently zoned C-2, and this proposed site plan is for a 7,193 square foot storage supply warehouse and showroom for cabinetry. Currently, the lot is vacant, situated between two single family homes with frontage on New Nashville Highway. This parcel utilizes a septic tank and has water service provided by CUD.



2. *Development Standards*

	Required	Proposed
Square Footage of Vehicular Use Area	N/A	6,010 SF
Square Footage of Open Space/Landscaping	601 SF	1,000 SF
Total Parking	4 spaces	8 spaces
Handicapped Parking Space(s)	1 spaces	1 spaces

3. *Landscaping*

Landscape plan shows a variety of shrubs planted along the road frontage and lining the southern paved drive area. Oak trees are also proposed to be planted around the parking lot.

4. *Design Review*

Architectural elevations show a mix of brick and EIFS, with brick being the primary building material. Front elevations for the office show a glass front with EIFS accents and brick around the rest of the building.

Standard Comments:

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 will require a separate permit.
4. CUD's existing infrastructure is adequate to meet the fire flow requirement of 1,000 GPM for this development via the blue top fire hydrant located northwest of the property. Approximately 2,000 GPM available.

5. Access to New Nashville Highway requires a permit from TDOT.
6. The total grading permit fee is \$444.00.

Staff Recommendation: Approval with staff comments.

Motion by Vice-Mayor Marc Adkins, seconded by Mike Allen to approve Decorama Homes Cabinetry site plan with staff comments.

Vote: 5 - 0 Passed - Unanimously

4. Zoning Ordinance Amendment:

a. **Microbreweries/Microwineries/Microdistilleries**

Memorandum

To: Smyrna Municipal Planning Commission
From: Kevin Rigsby
Cc: Town Council
Date: 10/30/2020
RE: Amendment to the Zoning Ordinance: Microbreweries/Microwineries/Microdistilleries

Attached are proposed Zoning Ordinance amendments regarding Article II, Section 2.030 Definitions, Article IV, Section 4.010 Off-street parking requirements, Article V, Sections 5.052.1 C and 5.052.2 C Uses Permitted as Special Exceptions, and Article VII, Section 7.061.17 Special Conditions for Microbreweries, Microwineries, and Microdistilleries. These amendments have been created in response to inquiries from someone considering locating a microbrewery in Smyrna, as well as the request to annex an existing winery on Almadale Road. Currently, the manufacturing of alcoholic beverages is only allowed in I-1, I-2, I-3, and A-1.

These amendments would have the effect of allowing the manufacturing of alcoholic beverages in the C-1 and C-2 districts via special exception review by the Board of Zoning Appeals. There would be limits as to the size of the building, as well as requirements regarding outdoor storage, loading zones, screening, and parking. There are also several provisions within Tennessee Code Annotated that would apply. The T. C. A. provisions limit the amount of alcoholic beverages that can be produced annually to be considered a "micro" facility, among many other things.

These amendments are very much a draft that I have written in order to begin the discussion regarding this issue. Staff recommends consideration of this amendment, especially as we believe it could be a very appropriate use in the commercial area of the Depot District. This type of use could also be appropriate in other areas of Town, but as a BZA review there would be additional review and a public hearing where neighboring property owners could share concerns.

I have attached the proposed amendments. The new language is italicized while the items to be removed are struck-through.

ARTICLE II

DEFINITIONS

2.020. *Definitions.* The following words, terms, and phrases are hereby defined as follows and shall be interpreted as such throughout this ordinance. Terms not herein defined shall have their standard dictionary definitions or such as the context may imply.

MICROBREWERY/MICROWINERY/MICRODISTILLERY: A facility in which beer, wine, or other

alcoholic beverages are brewed, fermented, or distilled for distribution and consumption, generally referred to as a craft, boutique, or artisan establishment. Tasting rooms, brewpubs, or other facilities for the consumption of any alcoholic beverages produced on-site are permitted on the premises. All relevant federal, state and local regulations apply, including but not limited to T.C.A. Title 57 and the Town of Smyrna Municipal Code Title 8.

4.010.3.A *Commercial Activities*

4.010.3.A(1) *Uses Located on Freestanding Sites*

The provisions of this subsection shall apply to uses that are located on individual lots of record where no parking is shared with any other use or activity.

Microbrewery/Microwinery/Microdistillery - 1 space per 300 square feet

5.052.1 *C-1, Central Business District*

C. Uses Permitted as Special Exceptions:

In the C-1, Central Business District, the following uses and their accessory uses may be permitted as special exceptions after review and approval in accordance with ARTICLE VII, SECTION 7.060.

1. Limited manufacturing conducted in completely enclosed building.
2. Upper story residential dwelling as per the supplemental requirements cited in Section E.6. below, as well as the requirements cited in ARTICLE VII, SECTION 7.060.C.9.
3. Day Care Centers.
4. *Microbrewery/Microwinery/Microdistillery.*

5.052.2 *C-2 General Commercial District.*

C. Uses Permitted as Special Exceptions:

In the C-2, General Commercial District, the following uses and their accessory uses may be permitted as special exceptions after review and approval in accordance with ARTICLE VII, SECTION 7.060.

1. Transient habitation: Sporting and recreational vehicle camps.
2. Group assembly, other than racetracks and drag strips.
3. Car Washes and Automobile Detailing.
4. *Microbrewery/Microwinery/Microdistillery.*

7.061 *Conditional Use Permits*

7.061.17. ~~Reserved.~~

7.061.17. *Special Conditions for Microbreweries, Microwineries, and Microdistilleries.*

1. *No outdoor storage is allowed.*
2. *The maximum building square footage dedicated for such use is 4,000 square feet.*
3. *An offstreet loading and unloading zone must be provided.*
4. *The door must remain closed for any street facing loading bay except when actively in use.*
5. *Fencing, screening, and landscaping shall be provided as appropriate to protect the surrounding area.*
6. *The off-street parking requirements of this ordinance shall apply.*

Motion by Tony Dover, seconded by Andrew Atkins III to recommend approval to the Town Council for the Zoning Ordinance Amendment regarding microbreweries/microwineries/microdistilleries.

Vote: 5 - 0 Passed - Unanimously

5. November Bond Review Report

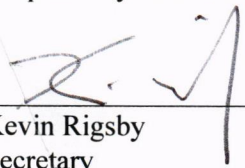
Motion by Vice-Mayor Marc Adkins, seconded by Mike Allen to approve November Bond report with staff recommendations.

Vote: 5 - 0 Passed - Unanimously

6. Staff comments and/or other business

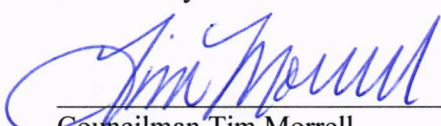
7. Adjournment

Respectfully submitted:



Kevin Rigsby
Secretary

Certified by:



Councilman Tim Morrell
Chairman