



SMYRNA MUNICIPAL PLANNING COMMISSION

MEETING MINUTES SEPTEMBER 1, 2022

The regular meeting of the Smyrna Municipal Planning Commission was called to order at 5:00 p.m. on Thursday, September 1, 2022 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 Mike Allen and the Pledge of Allegiance was led by Vice Mayor Marc Adkins.

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

Present: Tim Morrell, Councilman; Marc Adkins, Vice-Mayor; Mike Allen; Amy Wise; Andrew Atkins III; Tim Slate; Tony Dover

Staff Present: Brian Hercules, Town Manager; Todd Spearman, Assistant Town Manager; Eric Hennessee, Assistant Town Attorney; Bill Culbertson, Fire Chief; James Lawrence, Assistant Fire Chief; Kevin Rigsby, Town Planner; Mitchell Wensman, Planner; Mark Crosslin, Planning Technician; Kathryn Bobbitt, Office Coordinator; Mike Strange, Utilities Director; Charles King, Engineer

1. Citizens' Comments: None at this time.
2. Approval of Minutes of the August 4, 2022 meeting.

Motion by Tim Slate, seconded by Andrew Atkins III to approve the Minutes of the August 4, 2022 meeting.

Vote: 7 - 0 Passed - Unanimously

3. Old Business:
 - a. Rezoning Request:
 1. Frank Malawski
President Place/Isabella Lane
Rezoning: C-2 to PCD

A Rezoning request was submitted for Presidents Place / Isabella Lane. This property can be further referenced by Rutherford County Tax Map: 28, Parcel: 72.00, and is comprised of 0.705 acres. The surrounding zoning is C-2. The Future Land Use Plan for this area is the Sam Ridley Corridor character area, which would support a combination of retail and service uses that serve both local and regional customers. The Major Thoroughfare Plan shows both Isabella Lane and President Place as collectors. Adequate right-of-way exists for both streets. The proposed PCD is for a quick service oil and lube business. The building is proposed to be 2,984 square feet. The following staff comments were made:

1. The developer is requesting a building setback along Isabella Lane of 28.1' and a setback along the side property line of 5' as a part of this PCD.
2. The plan has been revised to show the traffic exiting the building to Isabella Lane approximately 150' south of the intersection with President Place. The staff parking has been moved to the rear of the building allowing for the building to be moved closer to President Place. This has the effect of moving the building further away from Isabella Lane and creating more stacking room for cars awaiting service. The signage plan has been revised to be within the Town's Sign Ordinance. Staff is supportive of the project with these revisions.

At this time, Councilman Tim Morrell acknowledged Tim Kratz to speak regarding this request on behalf of the applicant.

Motion by Tim Slate, seconded by Mike Allen to recommend approval to the Town Council the rezoning of Rutherford County Tax Map: 28, Parcel: 72.00 with the above listed staff comments.

Vote: 6 - 1 Passed

NAY: Amy Wise

4. New Business:

a. Annexation, Zoning, and Plan of Service Request:

1. Jennifer Speich
3545 & 3368 Almaville Road
Annexation & PUD Zoning / PUD Amendment

A Rezoning request was submitted for 3368 & 3545 Almaville Road. These properties can be further referenced by Rutherford County Tax Map: 55, Parcels: 2.16 & 29.02, and are comprised of 53.8 acres. The surrounding zoning is RM in Rutherford County. The Future Land Use Plan would support Medium Density Single Family Residential in this area. The Major Thoroughfare Plan shows Almaville Road (SR 102) as a minor arterial.

There is an existing approved PUD for the Avian Glen Winery for Parcel 29.02. The approved PUD allows for 66 townhomes with a minimum size of 1,800 square feet. In addition, the approval includes 20,000 square feet of commercial space in 5 buildings, an event venue, horse stables, and a wine making facility. The request is to annex Parcel 2.16 and add it to the PUD and amend the overall development to allow for 78 single family lots with a minimum house size of 1,800 square feet, 84 townhomes with a minimum house size of 1,400 square feet, and 14 zero lot line units/villas with a minimum house size of 1,600 square feet. In addition, there would be approximately 2.1 acres of commercial property allowing for approximately 19,000 square feet of commercial buildings with uses as allowed in C-4. The following staff comments were made:

1. Any improvements recommended by the traffic study must be completed by the developer.
2. No onsite sewer is available. The nearest sewer available is at Amberton subdivision.

3. Submit the required H & H study for alterations to the flood hazard area and a CLOMR to FEMA for review.
4. A TDEC Permit and ARAP permit may be required.
5. At no point can the truck overhang. Show the fire truck going in front of the commercial buildings. If you have any questions please reach out to James Lawrence with the Town of Smyrna Fire Department.
6. Any dead end on a public or private road exceeding 150' in length will require a turn-around compliant with the 2018 International Fire Code.
7. Staff would recommend that the proposed parking within the townhome area be redistributed through that portion of the site to better serve all of the proposed units.
8. The required fire flow for commercial buildings is higher than 1,000 gpm at 20 psi, depending on the use. Contact CUD regarding a will serve letter.
9. CUD's existing infrastructure is not adequate to meet the fire flow requirement of 2,250 GPM for this development. Currently, CUD can only meet approximately 1,100 GPM .
10. Consolidated Utility District of Rutherford County (CUDRC) has an existing twelve (12) inch water main along Almaville Road to serve the annexed properties. Any further development would be subject to the property owner(s) submitting a Water Service Availability Request to CUDRC for feasibility study and approval. CUD's current infrastructure is sufficient to serve any existing structures. Any water service provided to future structures would be dependent of the results of the Water Service Availability Request feasibility study.
11. Submit full set of plans directly to CUDengineering@ cudrc.com for further review and comment.
12. The villa portion of the development is required to comply with the Housing for Older Persons Act.
13. Eliminate the alley with direct access to Almaville Road and provide an alternative fire truck turn around or that area, or construct a public street which meets Town standards in that location.

At this time, Councilman Tim Morrell acknowledged Kevin Estes with Land Solutions to speak regarding this request.

At this time, Councilman Tim Morrell acknowledged John Ellers, a concerned resident, to speak regarding this request.

At this time, Councilman Tim Morrell acknowledged Kevin Estes with Land Solutions to speak regarding this request.

Motion by Vice-Mayor Marc Adkins, seconded by Tim Slate to recommend approval to the Town Council the rezoning of 3545 & 3368 Almaville Road with staff comments and for the developer Kevin Estes and resident John Ellers to meet and discuss drainage.

Vote: 6 - 1 Passed

NAY: Mike Allen

2. Bob Hackel
North of Colonial Town Park (Kohl's)
Rezoning: PUD to PUD with H-2 Overlay

A Rezoning request was submitted for North of Colonial Town Park (Kohls). This property can be further referenced by Rutherford County Tax Map: 29, Parcel: 17.03, and is comprised of 3.540 acres. The surrounding zoning is R-4, R-6, and PUD (Colonial Town Park) in Town and I-2 Heavy Industrial in LaVergne. In addition, Parcel 17.02 directly east of this parcel was approved for an H-2 Height Overlay in January 2008. The Land Use Plan for this area is the Sam Ridley Corridor character area, which would support a mix of retail and service uses on both a local and regional scale as well as high density residential in appropriate locations. There are no streets as shown on the Major Thoroughfare Plan affected with this development. The proposed PUD amendment is to add an H-2 Height Overlay to this parcel to allow for a hotel with a height of 45' 2.25", as shown on the architectural elevations approved by the Planning Commission in August 2022.

Motion by Amy Wise, seconded by Tony Dover to recommend approval to the Town Council the rezoning of Rutherford County Tax Map: 29, Parcel: 17.03 with the above listed staff comments.

Vote: 7 - 0 Passed - Unanimously

b. Final Plats:

1. Chicken Pike

Chicken Pike

Owner / Developer: Hollingshead Land, LLC

A Final Plat was submitted for Chicken Pike. This property can be further referenced by Rutherford County Tax Map: 49, Parcels: 95.03 & 95.04, is comprised of 5.74 acres, and is zoned R-1 with 3 lots. The Major Thoroughfare Plan shows Chicken Pike as a collector. Adequate right-of-way is shown being dedicated with this plat. 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. Add signatures of the owners and CUD prior to recording.
3. Please provide the recorded documentation for the amended easement and new easement which are not on the plat for Patton Retreat, Section 2, Phase 2 recorded in Plat Cabinet 43, Pages 177-179. These are not labeled as public easements, so public infrastructure cannot be added within them.
4. Show a fire hydrant within 500' of all lots.
5. Add the Certificate of Approval of Water Systems Located in the Service Jurisdiction of Consolidated Utility District of Rutherford County.
6. CUD's existing infrastructure is not adequate to meet the fire flow requirement of 1,000 GPM for this project along Chicken Pike. Currently, there is not a water main on Chicken Pike along the frontage of these lots. CUD has an existing 12" water main along Old Nashville Hwy. which can meet the 1,000 GPM fire flow requirement.
7. Call out and show distance and direction to nearest fire hydrant.
8. If a fire hydrant is required, show proposed fire hydrant location which would have to connect off the 12" water main along Old Nashville Hwy. and submit a fire hydrant application to [CUDengineering@cudr.com](mailto:CUDengineering@ cudr.com).
9. Submit plat directly to [CUDengineering@cudrc.com](mailto:CUDengineering@ cudrc.com) for further review.
10. Show and call out a 20' CUD water line easement across the frontage of all lots.
11. Field locate and show the existing water services at the corner of lot 3.
12. At the SW corner of lot 3 at the meter location, call out and show a 20'x20' CUD set tap easement for the benefit of lots 1 and 2.
13. CUD recommends showing a private service line easement (10-15' beyond the 20' CUD water line easement) for the benefit of lots 1 and 2 beginning from the set tap easement, across lots 2 and 3 ending at lot 1.
14. Please submit a signed application.

Motion by Vice-Mayor Marc Adkins, seconded by Amy Wise to approve the final plat for Chicken Pike with the above listed staff comments.

Vote: 7 - 0 Passed - Unanimously

- 2. Oak Meadows, Section I
Lee Road
Owner / Developer: John Byrnes / JM Byrnes, LLC

A Final Plat was submitted for Oak Meadows, Section I. This property can be further referenced by Rutherford County Tax Map: 51, Parcels: 16.00 & 18.03, is comprised of 9.81 acres, and is zoned PRD with 28 lots. The Major Thoroughfare Plan shows Lee Road as a collector. Adequate right-of-way is shown to be dedicated with this plat. The following staff comments were made:

1. Signs will require a separate permit.
2. Add signatures of the owners prior to recording.
3. Olive Branch sewer is not operational, and the offsite sewer from this development to the Olive Branch sewer is not installed. No building permits will be issued until both are completed.
4. Provide dimensions for the oddly shaped drainage easements on Lots 2, 9, and 16-19.
5. Obtain a design locate through TN 811 and show correct location of CUD's existing 6" water main along the north side of Lee Road with a corresponding 20' CUD water line easement.
6. Submit plat directly to CUDengineering@ cudrc.com for further review.
7. Please submit a signed application.

Motion by Tony Dover, seconded by Andrew Atkins III to approve the final plat for Oak Meadows, Section I with the above listed staff comments.

Vote: 7 - 0 Passed - Unanimously

c. Site Plans:

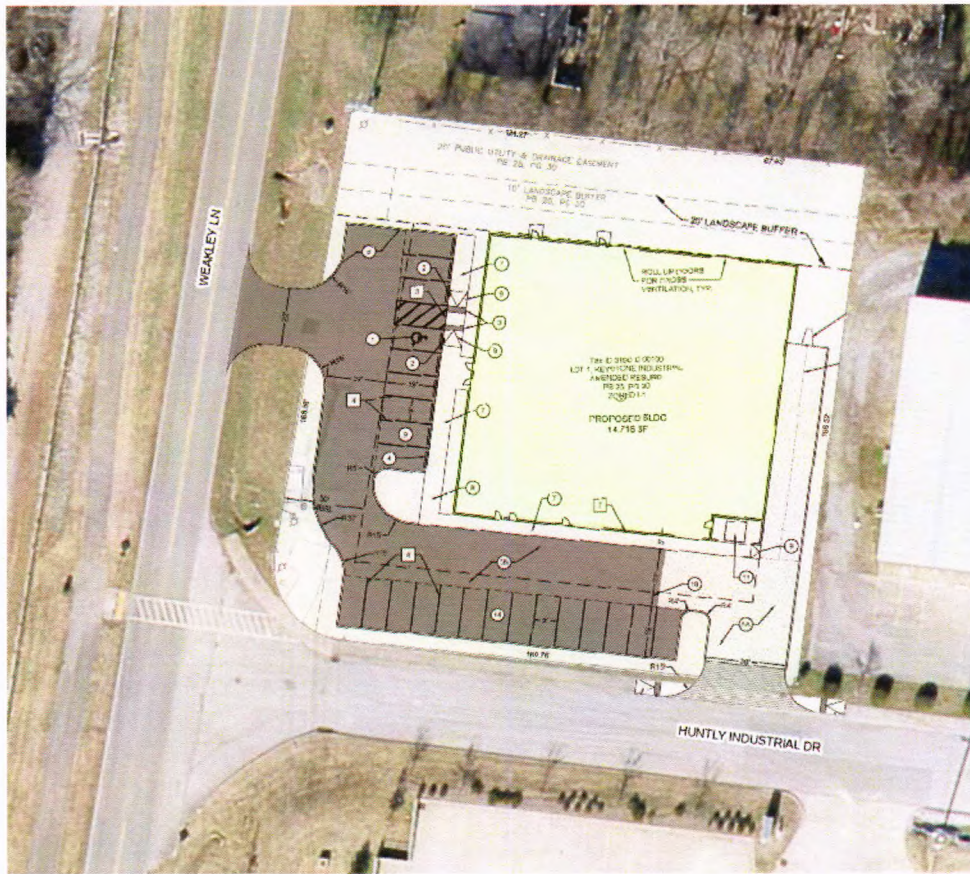
- 1. 501 Huntly Drive
Weakley Lane / Huntly Industrial Drive
Owner / Developer: Jake Berry TG Builders

Location: Huntly Industrial Drive	Applicant: Civil Infrastructure Associates
Tax Map/Group/Parcel: 19C/D/1.00	Property Owner(s): Jeffrey Turner
Zoning: I-1	Use Classification: Warehouse

Proposal

A. Location Analysis

An office/warehouse/machine shop is being proposed for the corner of Huntly Industrial Road and Weakley Lane. Proposed location has road frontage along Weakley Lane and Huntly Industrial Drive with access points to each roadway. Currently, the lot is vacant and would be the last developed parcel within the Keystone Industrial subdivision.



Development Standards

	Required	Proposed
Square Footage of Vehicular Use Area	N/A	11,663 SF
Square Footage of Open Space/Landscaping	933 SF	2,153 SF
Total Parking	23 spaces	21 spaces
Handicapped Parking Space(s)	1 space	1 space

B. Landscaping

Landscape plan shows trees and a variety of shrubs planted along both road frontages as well as the perimeter of the property. Additional shrubbery is proposed at the base of the building and in landscaped islands.

C. Design Review

Architectural elevations submitted show the building to be built with brick and metal. Metal siding is allowed in industrial zones as the primary material where the building is not visible from an arterial street. Revised elevations show the south and west elevations, which would be visible from Weakley Lane, meeting Design Review with at least 75% brick and glass/glazing, remaining material is metal. Staff believes the north elevation will be visible from Weakley Lane and must meet the 75% requirement. This does not meet Design Review and will need to be revised.

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. 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 permits.
- 3. A grading permit fee of \$474.00 will be required prior to issuance of a building permit.
- 4. Signs will require a separate permit.
- 5. The Major Thoroughfare Plan designates Weakley Lane as a minor arterial. Adequate right-of-way is shown for this street.

Staff Comments:

- 1. The building square footage should be consistent on all site plan sheets. The mezzanine square footage should be included in the total and for the required parking calculation. The landscape plan and lighting plan show square footage for the first floor only, not both floors.
- 2. Please show calculations for parking requirements. Please amend parking spaces accordingly.
- 3. The building is required to be sprinkled.
- 4. Building must meet Design Review. Submitted elevations do not meet Design Review. North elevation should meet the 75% primary material requirement.
- 5. Add a fire hydrant off of the fire line.

Staff Recommendation: Staff recommends approval with staff comments.

At this time, Councilman Tim Morrell acknowledged Jeff Turner with Turner Machine Company to speak regarding this request.

Motion by Vice-Mayor Marc Adkins, seconded by Mike Allen to approve the site plan for 501 Huntly Drive with the above listed staff comments.

Vote: 7 - 0 Passed - Unanimously

- 2. Almaville Retail Center
1929 Almaville Road
Owner / Developer: Bhikhabhai J. Patel

Location: 1923 & 1929 Almaville Road	Applicant: Huddleston Steele, Eng. - Chris Maguire
Tax Map/Group/Parcels: 55C/A/8.00 & 9.00	Property Owner(s): Bhikabhai Patel
Zoning: C-2	Use Classification: Retail & Restaurant

Proposal

A. Location Analysis

Almaville Road Retail is a proposed 3 unit retail complex. Proposed location has road frontage along Almaville Road with one access point. The proposed development is currently two parcels, and would need to be combined prior to issuance of permits. As proposed, the site would have two restaurants with drive-thru locations on the north and south sides of the building. The site has adequate stacking for vehicles to not back onto Almaville Road.



Development Standards

	Required	Proposed
Square Footage of Vehicular Use Area	N/A	22,772 SF
Square Footage of Open Space/Landscaping	2,277 SF	5,500 SF
Total Parking	43 spaces	46 spaces
Handicapped Parking Space(s)	2 spaces	2 spaces

B. Landscaping

Landscape plan shows shrubbery planted along Almaville Road due to the overhead utility easement and underground utility lines. A variety of trees are shown along the northern and southern property lines. The rear property line will require a Type C landscape buffer as it abuts a residential district, currently a row of arborvitae are shown along the property line with offset shrubbery behind the sewer easement to create this buffer.

C. Design Review

Architectural elevations submitted show the building to be built with primary materials of brick, stone and glass/glazing. EIFS and fiber cement are shown as secondary materials on the front of the building. The sides and rear of the building are composed of at least 95% primary materials. The front elevation has 75.52% primary materials, which meets Design Review.

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. 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 permits.
3. A grading permit fee of \$477.00 will be required prior to issuance of a building permit.

4. Signs will require a separate permit.
5. The Major Thoroughfare Plan shows Almaville Road as a minor arterial. Adequate right-of-way exists for this street.

Staff Comments:

1. A combination plat must be submitted for review and recorded prior to issuance of a building permit.
2. Any work within TDOT right-of-way requires a permit from TDOT. Please provide prior to issuance of any permits.
3. Submit construction plans for the proposed sewer main.
4. It appears that the dumpster enclosure is set up for two dumpsters for three businesses. If this proves to be inadequate and a third dumpster is needed in the future, the enclosure will have to be rebuilt to enclose all needed dumpsters.
5. There is a possibility that in the future the center turn lane of Almaville Road may be removed. At that time, the access to this site would become a right in/out only.
6. Adequate parking is shown to meet the Zoning Ordinance, but barely. The third space within this building cannot be used as a restaurant in order to maintain adequate parking for the site.
7. Provide details on the proposed retaining wall.
8. Show a fire hydrant on site connecting to a main that has been extended from the west side of Almaville Road. The proposed hydrant will not have adequate fire flow as shown.
9. The building square footage shown on the architectural plans and the site plan pages are inconsistent. Make the square footage of the building consistent on all sheets.
10. The building is required to be sprinkled.
11. Minimum fire flow will be 1,500 GPM at 20 PSI.
12. As it appears that CUD's infrastructure on the east side of Almaville Road is not adequate and the infrastructure on the west side may not be adequate. Please provide a CUD will serve letter.
13. CUD's existing infrastructure is not adequate to meet the fire flow requirement of 1,000 GPM for this development on the Eastern side of Almaville Road. Currently, CUD can only meet approximately 250 GPM on the Eastern side of Almaville Road as this location due to the limited flow of the existing two inch water main. CUD can meet the 1,000 GPM fire flow requirement only on the west side of Almaville Road (twelve inch main).
14. CUDRC has an existing two inch water main along the east side of Almaville Road across the frontage of these parcels and a twelve inch water main along the west side of Almaville Road. Any further development would be subject to the property owner(s) submitting a Water Service Availability Request to CUDRC for feasibility study and approval. CUD's current infrastructure is sufficient to serve any existing structures. Any water service provided to future structures would be dependent of the results of the Water Service Availability Request feasibility study.
15. Submit full set of plans directly to CUDengineering@ cudrc.com for further review and comment.
16. Show water services exiting the long side of the proposed meter vault.
17. Field locate and show all existing water meters onsite. These taps to be abandoned by CUD prior to construction commencing.

Staff Recommendation: Staff recommends approval with staff comments.

Motion by Tony Dover, seconded by Tim Slate to approve the site plan for Almaville Retail Center with the above listed staff comments.

Vote: 7 - 0 Passed - Unanimously

3. Stonecrest Development
Stonecrest Parkway / Rock Springs Road
Owner / Developer: Robert Bubis

Location: 521 Stonecrest Pkwy.	Applicant: Rhodes Engineering
Tax Map/Parcel: 28/129.00	Property Owner(s): Robert Bubis
Zoning: C-2	Use Classification: Medical & Hotel

Proposal

A. Location Analysis

Three medical buildings and a hotel are being proposed to be built on property northeast of the intersection of Rock Springs Road and Stonecrest Parkway. The property is approximately 5.55 acres in size and the southern portion of the site is located within the 500-year and 100-year floodplain. Most of the development in the floodplain is reserved for drainage and detention. The site would have access points off Stonecrest Parkway with other access points from the adjoining gas station and neighboring tract to the east.



Development Standards

	Required	Proposed
Square Footage of Vehicular Use Area	N/A	2.26 Acres
Square Footage of Open Space/Landscaping	9,854 SF	9,871 SF
Total Parking	113 Spaces	169 Spaces
Handicapped Parking Space(s)	6 Spaces	8 Spaces

B. Landscaping

Landscape plan shows a variety of shrubs and trees planted throughout the site. The shrubbery and trees are shown lining the perimeter of the property and throughout landscape islands.

C. Design Review

Architectural elevations submitted show all four buildings to utilize primary materials of brick and glass/glazing with an accent material of block around the base of the buildings. No more than 10% of the entire building may be finished with an accent material. Medical buildings 1 & 2 show 14.2% block, these elevations will need to be revised to meet Design Review.

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. 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 permits.
3. A grading permit fee of \$935.00 will be required prior to issuance of a building permit.
4. Signs will require a separate permit.
5. The Major Thoroughfare Plan designates Stonecrest Parkway and Rock Springs Road as collectors. Adequate right-of-way exists for both streets.

Staff Comments:

1. Water and sewer construction plans are under review.
2. All structures 3 or more stories in height will require building plan review and approval from the State Fire Marshal's office prior to issuance of a building permit. This building will be required to be sprinkled.
3. Provide details on the type of block that is proposed on the medical buildings, as the allowed percentage of concrete block varies with the type of block. Include the material percentages for the overall building for all three building types. At least 75% of all building elevations visible from a public street are required to be finished with primary materials.
4. All reduced pressure backflow preventers must be immediately downstream of each water meter.
5. Show how water mains shall be connected to existing water mains.
6. Show all existing water, sewer and natural gas lines.
7. Provide Smyrna Utilities water and sewer details.
8. Show all fire lines serving each building.
9. Show all FDC's immediately downstream of each fireline backflow preventer.
10. Show 20 foot public utility easement over all public water and sewer mains. A plat will be required to be recorded showing these easements.
11. Provide an auto-turn throughout all parking lots and the entire complex. The auto-turn provided will not work. Please contact James Lawrence with the Town of Smyrna Fire Department.
12. On Sheet 3.0, where are you ditching the water from the detention pond to?
13. Will one detention pond be large enough for the entire development? Provide stormwater calculations showing detention. If pervious pavers or concrete is proposed, show on the plans.
14. Building 4 needs a fire line with reduced pressure backflow preventer.

Staff Recommendation: Staff recommends denial due to the remaining unaddressed comments and concerns from Utilities and Fire Department.

At this time, Councilman Tim Morrell acknowledged James Lawrence Town of Smyrna Assistant Fire Chief to speak regarding this request.

At this time, Councilman Tim Morrell acknowledged Michael Strange Town of Utilities Director to speak regarding this request.

Motion by Tony Dover, seconded by Tim Slate to deny the site plan for Stonecrest Development.

Vote: 6 - 0 Passed

Other: Amy Wise (ABSTAIN)

Motion by Andrew Atkins III, seconded by Amy Wise to approve the September Bond Review Report with staff recommendations.

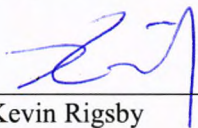
Vote: 7 - 0 Passed - Unanimously

6. Staff comments and/or other business

At this time, Vice Mayor Marc Adkins would like to give kudos to all emergency responders for responding so quickly to the tragedy at the Shell Station on Sam Ridley Parkway, and say thank you for a job well done.

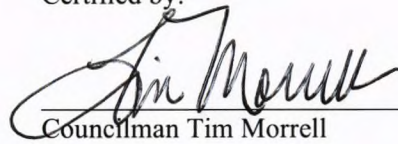
7. Adjournment

Respectfully submitted:



Kevin Rigsby
Secretary

Certified by:



Councilman Tim Morrell
Chairman