



TOWN OF SMYRNA

MUNICIPAL PLANNING COMMISSION MEETING

AGENDA



The Citizen Comment Period shall be reserved for those citizens that have signed up to address a Board or Committee, at least 24 hours in advance of the meeting, pursuant to the Town's Public Comment Policy. Speakers are limited to 3 minutes. Additional comments may be submitted in writing.

September 4, 2025

5:00 PM

Smyrna Town Hall

1. Call to Order

Prayer

Pledge of Allegiance

2. Public Hearing

a. Subdivision Regulations Amendment for Section 7-101.2 and addition of Appendix A

b. Plan of Services for 452 Properties, LLC

3. Citizen Comments

4. Approval or Correction of Minutes

a. August 7, 2025 regular meeting

5. Old Business

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

1. 452 Properties, LLC
Mona Road & I-840
Annexation & PUD Zoning Request

2. Hamilton Development, LLC
West Jefferson Pike & Hickory Grove Road
Annexation & C-2 & I-1 Zoning

b. Final Plat:

1. Hidden Springs, Phase 1
Lee Road
Owner / Developer: David Weekley Homes

c. Site Plans:

1. 12415 Old Nashville Highway
12415 Old Nashville Highway
Owner / Developer: BLP Investments, Inc.
2. In-N-Out Burger
999 Industrial Boulevard
Owner/Developer: In-N-Out Burger

6. New Business

- a. Site Plan:
 1. Blakeney Commons, Lot 2
Rocky Fork Almaville Road / Morton Lane
Owner / Developer: Pillars Investment Group, LLC

7. Subdivision Regulations Amendment

- a. Section 7-101.2 and addition of Appendix A

8. Zoning Ordinance Amendment

- a. Article IV and Article V regarding Minimum Building Setbacks for Accessory Structures
- b. Article V regarding adding Tourist Homes in the C-4 District

9. Bond Review Report

- a. September Bond Review Report

10. Staff Comments and/or Other Business

11. Adjournment

Memorandum

To: Smyrna Municipal Planning Commission

From: Kevin Rigsby, AICP

CC: Town Council/Staff

Date: 08/01/25

RE: Revisions to the Subdivision Regulations

Attached are proposed revisions to Article 7, Section 7-101.2 as well as the addition of Appendix A to the Subdivision Regulations. These revisions are proposed to provide a third alternative for financial surety for recording of a plat with incomplete public improvements. Currently, letters of credit and cashier's checks are the only two alternatives. The revision would add the ability to provide surety in another form suitable to the Town Attorney which would ensure the Town is protected in the event of a developer's failure to complete a project. The appendix is to simply provide a boiler plate example of what is required if a letter of credit is provided as financial surety.

These changes are proposed to allow for the provision of alternative surety with review by the Town Attorney, as well as provide clarity to developers and financial institutions regarding what is required if surety is provided via a letter of credit.

The language to be removed is struck-through, and the new language is highlighted in yellow.

ARTICLE 7

ASSURANCE FOR COMPLETION AND MAINTENANCE OF IMPROVEMENTS

7-101 Improvements and Letters of Credit/Escrow Accounts

7-101.1 Completion of Improvements -- Before the final subdivision plat is signed by the Planning Commission officer specified in Section 3-106.1 of these regulations, all applicants shall complete, in accordance with the Planning Commission's decision and to the satisfaction of the Director of Public Works, Town Engineer, and the Director of Utilities, all public way, sanitary, and other improvements, including lot improvements on the individual lots of the subdivision, as required in these regulations and approved by the Planning Commission, and shall dedicate such improvements to the governing body free and clear of all liens and encumbrances on the property and public improvements thus dedicated. To this end, "as-built" plans as discussed in Section 3-106.1(2) herein shall be approved by said Director of Public Works and the Director of Utilities. These "as-built" plans must be submitted prior to the release of the financial surety on the plat.

7-101.2 Surety Instrument¹ -- The Planning Commission at its discretion may waive the requirement that the applicant complete and dedicate all public improvements prior to the signing of the final subdivision plat by providing that, as an alternative, the applicant post a bond at the time of submission for final subdivision approval in an amount estimated by the Planning Commission as sufficient to guarantee to the governing body the satisfactory construction, installation, and dedication of the incomplete portion of required improvements.

Said estimate shall include an additional twenty percent (20%) over and above the cost of securing all necessary improvements to cover the increase in costs due to inflation or other factors over the bondable period. The letter of credit or escrow funds also shall secure all lot improvements on the individual lots of the subdivision as required in these regulations. The Town may dispose of funds in any manner deemed appropriate and available to remedy improvements not constructed to the specified standards.

A performance bond/agreement authorized by the Planning Commission shall be secured by either an irrevocable letter of credit, or a cashier's check, or other form as approved by the Town

¹ Amended November 2003.

Attorney. The beneficiary of the surety shall be the Town of Smyrna. Such letter of credit shall comply with all statutory requirements and shall be satisfactory to the Town Attorney as to form, sufficiency, and manner of execution as set forth in these regulations. Accordingly, such letter of credit must be officially filed and approved on the appropriate form. Moreover, only commercial banks and federally chartered savings and loan associations located in Rutherford County, Tennessee or any bordering county to Rutherford County, Tennessee, shall be acceptable institutions for the issuance of letters of credit as required for the purposes of these regulations. See Appendix A of these Regulations for a sample letter of credit form.

It shall be the responsibility of the Director of Public Works to establish the amount for roadway and drainage and the Director of Utilities to establish the amount for water and sewer improvements. The Town Planner shall establish the total amount based on the amounts calculated by the Director of Public Works and the Director of Utilities of all performance bonds or letters of credit. All such surety instruments shall be segregated into cost estimates for each specific type of improvements, i.e. streets, drainage, lot improvements, utilities, etc.

The period within which required improvements must be completed as assured through the use of a performance agreement and letter of credit shall be specified by the Planning Commission in the resolution approving the final subdivision plat and shall be incorporated in the agreement and letter of credit. This period shall be for one (1) year and shall not in any event exceed two (2) years from date of final approval. Moreover, whenever such agreement and letter of credit is extended according to these regulations, the price of completing all bondable improvements must be reanalyzed and established by the Planning Commission in order that the surety instrument be adequate to cover the cost of all improvements. Again, an additional twenty percent (20%) of the cost of securing all necessary improvements shall be added to this cost figure in order to insure that these improvements be properly installed in relation to the rate of inflation for the period of extension. Such agreement and letter of credit shall be approved by the Town Planner or a designated representative as to amount, surety and conditions. The Planning Commission may recommend to the appropriate local legislative body, upon proof of difficulty, extension of the completion date set forth in such agreement and letter of credit (normally a one (1) year period) for a maximum period of one (1) additional year. The legislative body may accept, at any time during the period of such agreement and letter of credit,

a substitution of principal or sureties on the agreement and letter of credit upon the recommendation of the Planning Commission.

Appendix A

Letter of Credit Form

ISSUING BANK LETTER HEAD

IRREVOCABLE LETTER OF CREDIT

1. DATE OF ISSUE _____

2. LETTER OF CREDIT NUMBER _____

3. NAME OF ISSUING BANK _____

4. PROJECT NAME _____

5. ACOUNTEE NAME AND ADDRESS _____

6. BENEFICIARY NAME AND ADDRESS _____

7. EXPIRATION DATE _____

8. MAXIMUM AMOUNT _____

9. SPECIFIC IMPROVEMENTS INCLUDED IN THE MAXIMUM AMOUNT:

Streets:	\$ _____
Water:	\$ _____
Sewer:	\$ _____
Stormwater:	\$ _____
Other:	\$ _____

10. We hereby issue this letter of credit in favor of the Town of Smyrna which is available against your drafts at _____ drawn on _____ Bank, Credit No. _____ accompanied by the following document: A Certificate of Default signed by the Town Manager of the Town of Smyrna certifying that the Accountee has not complied with the terms of the development agreement and the amount necessary to complete the work, which amount shall be identical to the face amount of the accompanying draft.

11. We hereby engage with the bona-fide holders of all drafts or documents presented under and in compliance with the term of this Letter of Credit that such drafts or documents will be duly honored upon presentation to us.

Authorized Signature, Issuing Bank

RESOLUTION

A RESOLUTION ADOPTING A PLAN OF SERVICE FOR THE ANNEXATION OF CERTAIN AREAS BY THE TOWN OF SMYRNA, TENNESSEE.

WHEREAS, TCA 6-51-102 (a) (2) as amended May 19, 1998, requires that a Plan of Service be adopted by the governing body of a municipality for areas where an annexation ordinance was not final on November 25, 1997.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF SMYRNA, TENNESSEE, AS FOLLOWS:

SECTION 1. Pursuant to the provisions of Section 6-51-102, Tennessee Code Annotated, there is hereby adopted, for the area bounded as described below, the following plan of service:

452 Properties, LLC
W. Jefferson Pike/Mona Road

Tax Map 11, Parcel 5.00, owned and requested by 452 Properties, LLC. Bordered on the west by the right of way of I-840; on the south by the U.S. Army Corps of Engineers; on the east by the existing right-of-way of Mona Road, Parcel 4.03, owned by Nashville Speedway USA, Inc., Parcels 4.01 and 4.02, owned by CP Logistics Lebanon VI, LLC, and Parcel 4.00, owned by Fernando Martinez Mixteca; and on the north by Parcel 2.00, owned by Glendon Jay Barrett, and the right-of-way of Coulter Court. Area annexed contains approximately 226.33 acres.

The annexation includes the annexation of the existing rights-of-way of the following public roads:

SR 266/W. Jefferson Pike: approximately 5,200 linear feet from the existing Town limits to the intersection with Mona Road;

Mona Road: approximately 22,300 linear feet from the intersection with SR 266/W. Jefferson Pike northward.

A. Water

Water services will be provided by the Consolidated Utility District. Estimated costs from the will serve letter issued by CUD are included in the appendix to this plan of services.

B. Wastewater

Wastewater services will be provided by the Town of Smyrna upon extension of the wastewater mains by the property owner. Estimated costs are included in the appendix to this plan of services.

C. Streets

1. Emergency maintenance of streets (repair of hazardous chuck holes, measures necessary for traffic flow, etc.) will begin on the effective date of annexation.
2. Routine maintenance, on the same basis as in the present Town limits, will begin in the annexed areas when funds from the State gasoline tax based on the annexed population are received.
3. Reconstruction and resurfacing of streets, installation of storm drainage facilities, construction of curbs and gutters, and other such major improvements, as the need therefore is determined by the

governing body, will be accomplished under current policies of the town.

Estimated costs are included in the appendix to this plan of services.

D. Planning and Zoning

The planning and zoning jurisdiction of the Town of Smyrna will extend to the annexed area on the effective date of annexation. Town planning will thereafter encompass the annexed areas.

E. Street Lighting

Street lights will be installed in substantially developed areas within approximately 18 months after the effective date of the annexation, under the standards currently prevailing in the existing Town limits. Estimated costs are included in the appendix to this plan of services.

F. Recreation

Residents of the annexed areas may use all existing libraries and parks, etc., on and after the effective date of annexation.

G. Street Name Signs

Street name signs where needed will be installed within approximately 18 months after the effective date of annexation.

H. Fire Protection

Fire protection by the present personnel and equipment of the Smyrna Fire Department will be provided on and after the effective date of annexation. Additional personnel and equipment will be provided, if needed, to maintain current standards. Estimated costs are included in the appendix to this plan of services.

I. Police Protection

Police patrol and response to calls by the Smyrna Police Department will be provided on and after the effective date of the annexation. Police services will be provided with existing personnel and additional personnel will be provided, if needed, to maintain current standards. Estimated costs are included in the appendix to this plan of services.

J. Traffic Control

Traffic signals, traffic signs, street markings and other traffic control devices will be installed as the need is established by appropriate study and traffic standards.

K. Refuse Collection

Refuse collection and disposal services shall continue to be provided by private contracts with individual residents.

L. Inspection Services

Any inspection services now provided by the Town of Smyrna will begin in the annexed area on the effective date of the annexation.

Section 2. This Resolution shall be effective from and after its adoption.

ADOPTED THIS ____TH DAY OF OCTOBER, 2025

TOWN OF SMYRNA, TENNESSEE

Mary Esther Reed, Mayor

ATTEST:

Amber Hobbs, Town Clerk

452 Properties

Plan of Services Appendix

Introduction

The Town of Smyrna has received a request for annexation from 452 Properties for a parcel of land located on Mona Road, further referenced by Rutherford County Tax Map 11, Parcel 5.00, containing approximately 226.33 acres. The same owner has an additional parcel of land that is located on Bill France Boulevard and Powell's Chapel Road, further referenced by Tax Map 11, Parcel 6.00. It is anticipated that if the Town chooses to annex Parcel 5 that the portion of Parcel 6.00 that lies within the Town's Urban Growth Boundary would also be requested for annexation. The portion of that parcel that lies within the Town's UGB is 594.2 acres.

Estimated expenditures were developed through a review of the Town's FY 25-26 budget and discussions with various town department heads. Estimated revenues were based on the current Town property tax rate and a review of the records of the Rutherford County Property Assessor and current adopted impact fee rates. Table 1 provides a summary of this information.

Table 1		
Area, Street Mileage, Population, and Assessed Property Valuations		
Description	Current Request	Potential Request
Area (estimated acreage)	225.25	594.2
Street Mileage	5.2	3.9
Population	0	0
Residential and Farm Properties		
Number of Residences	0	0
Number of Vacant Properties	1	1
Total Assessed Valuation	\$221,250.00	\$786,775.00
Commercial and Industrial Properties		
Number of Parcels	0	0
Total Assessed Valuation	\$0.00	\$0.00

Municipal Costs and Services

The estimated costs for serving the proposed annexed properties are based on service to the properties with the proposed development plan when the properties are fully developed. At this time, the full development of the project is anticipated to take between fifteen (15) and twenty (20) years. Table 2 shows a summary of the annual expenditures.

General Government

There is not expected to be any increased cost in general government services to serve these properties.

Police Protection

The estimated cost to provide police protection services would include adding up to 2 additional patrol zones, which translates to 6 officers to cover 3 shifts, as well as 1 detective and 1 traffic officer. The estimated cost for 8 additional personnel would be \$750,000 for salaries and benefits, and an additional \$700,000 for equipment.

Fire Protection

Annexation of the currently requested parcel would not necessitate construction of an additional fire station. However, annexation of the potential additional parcel would require such construction as the distance to the nearest station would exceed 5 miles. The estimated cost to provide fire protection services in that scenario would include construction of a new station at a minimum cost of \$15 million with two apparatus at a cost of \$3 million. Additional personnel needed would be 3 for 3 shifts for a total of 9 at a cost of \$1 million. The developer has committed to provide land for a new fire station.

Refuse Collection/Disposal

The Town does not provide this service currently, and it is not anticipated that this will change. The cost to the Town for this service would be \$0, as it would be handled by private companies.

Street Maintenance

The streets proposed to be annexed will require expenditures for street maintenance and improvements. The cost to mill and resurface 7.2 miles of existing County roads would be \$192,133, based on \$25.27 per linear foot at 22 feet wide. This cost was derived using the current bid for milling and resurfacing. To annualize that cost, it would be \$19,213 based on a 10 year resurfacing schedule. There would be an additional cost of approximately \$14 million if the Town were to upgrade the existing County roads with shoulders. Rutherford County has a BRZ bridge replacement agreement with TDOT to replace a substandard bridge on Mona Road over Fall Creek. Based on discussions with TDOT, if the Town were to annex Mona Road the

grant would be transferred to the Town for the bridge replacement. The schedule from TDOT regarding this bridge replacement shows that it is expected that construction will begin in Fall 2028. An existing low-water bridge on Powell's Chapel Road would need to be replaced in the future as well.

Street Lights

The Town typically takes over lights that have been installed by a developer. The annual expense for one street light is approximately \$111. For purposes of this study, the estimated expense was derived by estimating one street light for every 300' of road frontage along the existing roadways. This would translate to approximately 160 new street lights for 9.1 miles, which would mean an annual cost of \$17,760.

Parks and Recreation

As there are no residential structures in the area being considered for annexation and no residential development is anticipated, it is not estimated that there will be additional expenditures for parks and recreation.

Water and Wastewater

This area lies within the service boundary of Consolidated Utility District. CUD has provided a will serve letter detailing the necessary improvements to serve the proposed development with water. These include \$6.6 million for a new water storage tank, \$4.9 million for a new pump station, and \$26.5 million for new water main installation. The developer is responsible for up to 90% of the water tank and water main installation and up to 85% of the cost of the pump station installation. There would be no cost to the Town for these services.

The cost for wastewater services is approximately \$10 million in construction costs to extend the necessary sewer mains and installation of sewer lift station along Fall Creek along with approximately \$435,000 in easement acquisition cost. The developer would bear the cost of construction of the main while the Town would acquire the easements. Capacity fees would be collected based on the proposed usage of the buildings, and monthly charges would cover the annual costs to serve the area. An evaluation of this development and its' impact to the wastewater treatment plant capacity is currently being undertaken by the Utilities Department but is not complete at the time this plan of services is being written.

Table 2		
Estimated Annual Expenditures		
Function		Estimated Cost
General Government		\$0.00
Police		\$750,000.00
Fire		\$1,000,000.00
Refuse Collection/Disposal		\$0.00
Street Maintenance		\$19,213.00
Street Lights		\$17,760.00
Parks and Recreation		\$0.00
Total Estimated Annual Expenditures		\$1,786,973.00
Water		\$0.00
Wastewater		\$0.00
Total Water and Wastewater Expenditures		\$0.00
Total Estimated Annual Expenditures		\$1,786,973.00

Municipal Revenues

The Town of Smyrna would receive revenues from a variety of sources to apply to the costs of providing services to this area. Table 3 provides estimates of revenue sources.

Property Taxes

Property taxes were estimated by utilizing the records of the Rutherford County Property Assessor's Office. The assessed value was determined by applying the 25% percentage to the properties as they are currently vacant tracts. The Town's present property tax rate (\$.5257/\$100 of assessed value) was applied to arrive at the estimates shown in Table 3.

Local Sales Tax

Local sales tax revenue would be \$0 until the point when the area proposed to be developed with commercial buildings becomes active. After that point, local sales tax would be collected, but it is difficult to provide an estimate until uses are identified.

State Shared Taxes

The State of Tennessee shares revenue from seven different taxes with local governments on a per capita basis. These include State Sales Tax at \$125.75, Gasoline and Motor Fuel at \$36.00, Special Petroleum Tax at \$1.83, State Beer Tax at \$.44, TVA In-Lieu at \$12.70, Gaming Tax at \$2.10, and Transportation Modernization at \$.47. As there is no population in the area requested for annexation, the Town would not realize any additional revenue from the State from these seven taxes.

Water and Wastewater

The Town would receive no revenue for water. Wastewater revenues would be \$0 until the property develops, which would be at least 2 years. It is difficult to estimate anticipated revenues without knowing the proposed building uses, but annual revenues would cover annual operating costs.

Impact Fees

The estimated revenues from impact fees have been calculated based on the proposed square footage within the development plan. The initial request includes 350,000 square feet of commercial space and 2,500,000 square feet of industrial space. These fees would be as follows:

Industrial - using the rate for Warehouse	
Road - \$839/1,000 sq. ft.	\$2,097,500
Public Safety - \$167/1,000 sq. ft.	<u>417,500</u>
	\$2,515,000

Commercial - using the rate for Retail/Commercial:	
Road - \$4,194/1,000 sq. ft.	\$1,467,900
Public Safety - \$1,685/1,000 sq. ft.	<u>589,750</u>
	\$2,057,650

For the future parcel, the proposed development plan shows 6,000,000 square feet of industrial space. The fees for those buildings would be as follows:

Industrial - using the rate for Warehouse	
Road - \$839/1,000 sq. ft.	\$5,034,000
Public Safety - \$167/1,000 sq. ft.	<u>1,002,000</u>
	\$6,036,000

In addition to the estimated revenues provided herein, the developer commissioned an economic impact study performed by an independent third-party. The one page summary of this study is attached.






Table 3		
Estimated Annual Revenues		
Source	Current Request	Potential Request
Property Taxes (\$.5257)	\$1,163.11	\$4,136.08
Local Option Sales Tax	\$0.00	\$0.00
Business Tax	\$0.00	\$0.00
Wholesale Beer Tax	\$0.00	\$0.00
Permits, Fines, Etc.	\$0.00	\$0.00
Refuse Collection Fees	\$0.00	\$0.00
State Shared Taxes:		
Sales Tax (\$125.75 per capita)	\$0.00	\$0.00
Gasoline & Motor Fuel (\$36.00)	\$0.00	\$0.00
Special Petroleum Tax (\$1.83 per capita)	\$0.00	\$0.00
State Beer Tax (\$.44 per capita)	\$0.00	\$0.00
TVA In-Lieu (\$12.70 per capita)	\$0.00	\$0.00
Gaming Tax (\$2.10 per capita)	\$0.00	\$0.00
Transportation Modernization (\$.47 per capita)	\$0.00	\$0.00
Total Estimated Annual Revenues	\$1,163.11	\$4,136.08
Water	\$0.00	\$0.00
Wastewater	\$0.00	\$0.00
Total Estimated Water and Wastewater Revenues	\$0.00	\$0.00
Total Estimated Annual Revenues	\$1,163.11	\$4,136.08



BILL FRANCE BLVD DEVELOPMENT OPPORTUNITY

Economic Impact Analysis

Key Findings - Town of Smyrna

Younger Associates was engaged by Hillwood to conduct an economic impact analysis of a proposed mixed-use development spanning approximately 1,435 acres located primarily in Rutherford County, TN, with a portion extending into Wilson County. The development includes industrial, warehouse, and distribution space, as well as a limited retail component. This analysis projects the economic contributions to the local economy of both the construction phase and the ongoing operations of the development. The summary below presents the projected annual impact, as well as cumulative impacts over the 25-year study period.

	Annual Impact At Full Operation	25-Year Impact
 Economic Impact	\$1.3 billion	\$23.2 billion
 Jobs Supported Direct & Indirect	5,815	5,815
 Indirect Sales & Property Tax	\$12.4 million	\$107.3 million
 Direct Sales Tax Town of Smyrna	\$2.0 million	\$28.5 million
 Hotel Tax Town of Smyrna	\$203,259	\$2.9 million

	Town of Smyrna	
	Annual	25-Year
 Direct Property Tax		
 General Fund	\$703,982	\$12.5 million



TOWN OF SMYRNA

**MUNICIPAL PLANNING COMMISSION
MEETING**

MINUTES



August 7, 2025

5:00 PM

Smyrna Town Hall

1. Call to Order

The meeting was called to order by Tim Morrell, Chairperson at 05:00 PM in the Council Chambers at Smyrna Town Hall, 315 South Lowry Street, Smyrna, Tennessee.

The following Planning Commission members and staff were present:

Members:

- Tim Morrell, Chairperson
- Marc Adkins, Vice-Mayor
- Steve Sullivan, Council Member
- Matthew Carver
- Salena Scott
- Ken Hill
- Charles Scurr, PhD

Staff:

- Kevin Rigsby, Town Planner
- Jeff Peach, Town Attorney
- Kathryn Smith, Office Coordinator
- Mitchell Wensman, Planner
- James Lawrence, Division Chief
- Mark Parker, Asst. Director of Utilities
- Charles King, Town Engineer
- Kristi Worrell, Building Official

Prayer

The invocation was given by Vice-Mayor, Marc Adkins.

Pledge of Allegiance

The Pledge of Allegiance was led by Matthew Carver.

2. Citizen Comments

The following citizens submitted comments in writing:

- Stephen Taylor, 6620 Lee Road, Smyrna - Hidden Springs, Phase 1 Final Plat
- Patrick & Dawn Beauchene, 6614 Lee Road, Smyrna - Hidden Springs, Phase 1 Final Plat

2.a. Theresa Stewart Fitzcharles, 6586 Lee Road, Smyrna - Hidden Springs, Phase 1 Final Plat

Theresa Stewart Fitzcharles noted that she lives at 108 Hutchinson Drive, Smyrna, but also owns the property in the county, 6586 Lee Road, Smyrna.

2.b. Simeon Panagatos, 611 Tammy Circle, Smyrna - Under Preservation of Green Space

3. Approval or Correction of Minutes

Following a review of the Minutes of the July 1, 2025 meeting and July 31, 2025 Quarterly Joint Workshop meeting, Matt Carver made a motion to approve the minutes; the motion was duly seconded by Salena Scott. The motion was approved 7-0.

3.a. July 1, 2025 Regular Meeting

3.b. July 31, 2025 Quarterly Joint Workshop meeting

4. Old Business

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

**4.a.1. 452 Properties, LLC - Recommended to be deferred until September
Bill France Road & I-840
Annexation & PUD Zoning Request**

452 Properties, LLC - Annexation & PUD Zoning

Location: Bill France Road & I-840

Tax Map: 11 Parcels: 5.00 and part of 6.00 Acres: 819.45

Current Zoning: RM

Proposed Zoning: PUD

1. The surrounding zoning is RM in Rutherford County.
2. The Land Use Plan for the area is the 840 Gateway character area along 840, which would support hospitality, restaurant, retail, high density residential, and industrial/warehousing uses. The eastern portion of the requested area is Mixed Industrial, which would support industrial and warehousing uses.
3. The Major Thoroughfare Plan designates Bill France Road as a principal arterial. The Plan also shows a future minor arterial connecting Bill France Road to Hickory Grove Road and eventually to Jefferson Pike. Development of these properties would require dedication of right-of-way and construction of this improvement.
4. The requested PUD is essentially 34.3 acres zoned C-2 and the remaining zoned I-2, with the request that the height limit in the I-2 areas be 60' in lieu of the 50' limit as stated in the Zoning Ordinance. The maximum square footage allowed in the C-2 area is 350,000, and the maximum square footage in the I-2 area is 8,500,000. No pole signs would be allowed.
5. The required minimum fire flow is 2,000 GPM @ 20 PSI with a sprinkler reduction.
6. This would require either a noncontiguous annexation or the annexation of several miles of existing County and State road right-of-way. The amount of right-of-way required to be annexed to create continuity would be 1 mile of W. Jefferson Pike and .9 mile of Bill France Road, which are State roads, and 4.2 miles of Mona Road, .8 mile of Allen Barrett Road, and 2.2 miles of Powell's Chapel Road, which are County roads. All distances are approximate. A noncontiguous annexation would require an interlocal agreement between the Town of Smyrna

and Rutherford County with regards to emergency response and road maintenance for the area between the existing Town limits and the newly annexed area. Annexation of existing roads would require the Town to begin maintenance of those roads, as well as provide emergency services including traffic accident response and traffic control, upon the effective date of annexation.

7. Staff is concerned that a portion of the requested area may not be located within Rutherford County. In discussions with Rutherford County staff, there is not a reliable map of the County boundary in this area. Staff is aware of efforts to better define this boundary. Staff is concerned that the assessed line is being used as a part of the annexation request based on opinions of several land surveyors that the “county line based on agreed assessment jurisdiction” allows for the Town to annex and serve the area. The Town of Smyrna cannot annex an area outside of the established Urban Growth Boundary, which in this area is the boundary line between Rutherford and Wilson Counties.
8. Sewer will not exist until the Fall Creek trunk line is in place. This will be approximately 2 years at a minimum. The Town of Smyrna will not provide sewer service to any property outside of Rutherford County boundaries. At this time, there is not an agreement on how sewer will be extended to the area and by whom.
9. If the annexation is approved as requested, parts of the area would exceed the 5 mile drive radius from Fire Station 4. This could jeopardize the Town’s ISO rating unless an additional station is built, equipped, and staffed, which would be a significant cost.
10. Show proposed utility extensions and stormwater facilities.
11. The PUD request references that the signs within the development would follow the Town’s Zoning Ordinance. Signs are regulated by the Sign Ordinance, so the request should be amended to reflect this.
12. The landscape buffers as proposed for the area of the PUD proposed to allow I-2 uses would be required to be Type D, not Type C, in any location where the development abuts property zoned for residential uses.
13. Sidewalks will be required per the Zoning Ordinance of the Town without any exemptions as requested as a part of the PUD.
14. The off-site improvements required to serve the annexed and rezoned areas have been determined by CUD and were approved for CUD to participate in for cost sharing. The developer(s) must enter and execute a legal contract with CUD for required cost sharing for water infrastructure improvements. Once off-site improvements are completed according to CUD, each property owner/developer should submit a separate water service availability request to CUDengineering@ cudrc.com for individual analysis to determine feasibility. Water availability to all annexed and rezoned areas is dependent on ALL conditions of said contract and required water infrastructure improvements being strictly adhered to.

- 15. The water service availability request is currently in queue to be reviewed by CUD. More detailed information should be available once CUD issues a Will Serve letter stating the level of service that can be provided to the site.
- 16. Once available, submit full set of plans directly to CUDengineering@ cudrc.com for further review and comment.

Following discussion, Vice-Mayor Marc Adkins made a motion to Table to the September meeting. Council Member Steve Sullivan seconded the motion. Following further discussion, the motion was approved 7-0.

5. New Business

5.a. Rezoning Requests:

**5.a.1. Gamble Design Collaborative
Rocky Fork Almaville & Briley Road
Rezoning R-3 to PRD & PRD Amendment**

Gamble Design Collaborative - R-3 to PRD and PRD Amendment

Location: Rocky Fork Almaville Road/Briley Road

Tax Map: 54

Parcel: 57.02

Tax Map: 73

Parcels: 13.00, 13.01, 13.03, 13.04, & 16.00

Acres: 67.68

Current Zoning: PRD

Proposed Zoning: PRD

Tax Map: 54

part of Parcel 57.00

Acres: 0.31

Current Zoning: R-3

Proposed Zoning: PRD

- 1. The surrounding zoning is PRD (Collins Grove, Alfaro Subdivision, Reverie at Music City, Lyndwood) in Town and RM in Rutherford County.
- 2. The Land Use Plan would support Medium Density Single Family Residential development in this area.
- 3. The Major Thoroughfare Plan designates Rocky Fork Almaville Road as a minor arterial. Right-of-way dedication is shown on the plans for this road.
- 4. The existing approved PRD for Briley Downs is for 212 single family lots on 67.68 acres, for a density of 3.13 units/acre. When the provided open space of 15.47 acres is considered, the density is 212 lots on 52.21 acres, for a density of 4.06 units/acre.
- 5. The requested PRD/PRD amendment would add .31 acre currently zoned R-3 from an adjacent tract. The requested PRD is for 217 single family lots on 67.99 acres, for a density of 3.19 units/acre. When the proposed provided open space of 15.45 acres is considered, the density would be 217 lots on 52.54 acres, for a density of 4.13 units/acre. In addition, the amenities proposed have been changed to add a pool and clubhouse replacing a pavilion, dog park, and

community garden. In addition, it has been requested to amend the front setback from 35' to 20' with a 35' setback to the garage. The overall layout, minimum/maximum house size, etc., has not changed.

6. The preliminary plat has been approved for this entire development using the current approved PRD, as well as the final plat for all phases of Section 1. If the PRD amendment is approved, the preliminary plats for Section 1, Phases 1, 3, and 4, Section 2, and Section 3 would be required to be resubmitted for review and approval. In addition, the final plats for Section 1, Phases 1, 3, and 4 would also be required to be resubmitted for review and approval.
7. Submit an updated Water Service Availability request to [CUDengineering@cudrc.com](mailto:CUDengineering@ cudrc.com) to receive a Will Serve letter from CUD.

Following discussion, Council Member Steve Sullivan made a motion to recommend approval to the Town Council. Charles Scurr seconded the motion. Following further discussion, the motion was approved 6-0-1 with Vice-Mayor Marc Adkins abstaining from the vote.

**5.a.2. Sewart's Landing
2001 Motlow College Blvd. & Sam Ridley Pkwy, West
Rezoning C-2 to PUD & PUD Amendment**

Sewart's Landing - C-2 to PUD/PUD Amendment

Location: Motlow College Blvd. & Sam Ridley Pkwy, West

Tax Map: 18 Parcels: 10.01, 10.02, 10.03, 10.04, and 10.05

Tax Map: 28 Parcels: 44.29, 44.30, and 44.31

Acres: 43.9 Current Zoning: C-2/PUD Proposed Zoning: PUD

1. The surrounding zoning is C-2 in Town and Ag (Agriculture) in LaVergne.
2. The Land Use Plan for this area is the Sam Ridley Corridor character area, which would support a combination of retail uses and services that provide markets for both local and regional customers.
3. The Major Thoroughfare Plan designates Sam Ridley Parkway, West as a principal arterial and Motlow College Boulevard as a collector. Adequate right-of-way exists for these streets.
4. The existing approved PUD would allow for 280,400 square feet of commercial buildings, 245,500 square feet of office space, 240 hotel rooms, and 75 for sale condominiums.
5. The requested PUD/PUD amendment would add 3 acres in the extreme northwest corner of this parcel which was excluded originally with a note that use would be coordinated with the Town and Motlow State Community College. This portion of the parcel is still zoned C-2, but has been requested to be incorporated into the PUD with this amendment. In addition, the PUD amendment would include the following:
 1. Remove the 75 for sale condominiums and replace them with

- 268 for rent apartments.
2. The requirement of a minimum of 75% brick, stone, and glass exterior has been requested to be amended to a minimum of 64.31% masonry and glass.
 3. The list of primary materials would be amended to add authentic stucco, composite metal panels, prefinished wood, and painted wood, and the list of secondary materials would be amended to add cementitious siding, fabric awnings, architectural metal panels, and smooth faced concrete masonry.
 6. At no time can any part of the fire apparatus leave the roadway. This includes the overhang within the turn. Please contact James Lawrence with the Town of Smyrna Fire Department regarding the autoturn.
 7. Any building over 30' in height requires the road or drive aisle to be 26' wide.
 8. The required minimum fire flow will be determined per building.
 9. Provide details for the proposed recreational amenities for the plazas/parks.
 10. The Town of Smyrna Sign Ordinance requires a PUD to include a signage plan to be included. This was a condition of the original PUD approval, and has still not been provided. Compliance with the Sign Ordinance requires submittal of a signage plan, not just multiple possible concepts. At minimum, a maximum height and size of the development ground signs should be established as a part of the PUD with the signage on the individual parcels to comply the appropriate sections of the Sign Ordinance.
 11. Staff would recommend that the standalone nonresidential buildings be required to meet the current approved PUD standard with regards to the minimum required percentage of brick/stone/glass. Staff would also recommend that the requested amendment be brick/stone/glass, not masonry/glass. This would be consistent with the Town's design standards for any commercial/office development. The requested percentage amendment would only apply to the commercial/residential mixed use buildings and the residential buildings. Staff would also recommend that the percentages be shown on the architectural guidelines similar to what was shown on the original PUD documents.

At this time, Chairperson Tim Morrell acknowledged Land Deleot with Equitable Property Company to speak regarding the request.

At this time, Chairperson Tim Morrell acknowledged Paul Bass with Consortium Architecture & Planning to speak regarding the request.

At this time, Chairperson Tim Morrell acknowledged Turnbull Pursley with Equitable Property Company to speak regarding the request.

Following discussion, Council Member Steve Sullivan made a motion to recommend

approval to the Town Council. Board Member Matt Carver seconded the motion. Following further discussion, the motion was approved 7-0.

5.b. Sketch Plat:

5.b.1. Hidden Hills, Section 7

**West of Tamland Drive, Burgundy Drive, & Bonifay Drive
Owner / Developer: OpenLand Communities**

Sketch Plat - Hidden Hills, Section 7

Location: West of Tamland Drive, Burgundy Drive, & Bonifay Drive

Tax Map: 33

Parcel: 9.00

Acres: 22.78

Zoned: R-3

Lots: 59

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 will be required.
4. Signs will require a separate permit and must be within setbacks where applicable.
5. A Stormwater Control Measure Long Term Maintenance Agreement designed to the specifications of the Long Term Maintenance Plan must be completed, recorded, and referenced on the final plat.
6. No streets are affected by the Major Thoroughfare Plan for this phase.
7. Each lot will require 1" water service.
8. The required minimum fire flow is 1,000 GPM @ 20 PSI. Any construction over 3,600 sq. ft. under roof will increase the minimum required fire flow.
9. No burn permits will be issued for this area.
10. Based on the existing topography, there will most likely be several critical lots within this development.

Following discussion, Vice-Mayor Marc Adkins made a motion to Approve with staff comments. Council Member Steve Sullivan seconded the motion. Following further discussion, the motion was approved 7-0.

5.c. Preliminary Plats:

5.c.1. Greystone, Phase 1D

Winnager Way

Owner / Developer: Meritage Homes

Preliminary Plat - Greystone, Phase 1D

Location: Winnager Way

Tax Map: 50

Parcel: 2.04

Acres: 15.82

Zoned: PRD w/ESO

Lots: 64

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 will be required.
4. Signs will require a separate permit and must be within setbacks where applicable.
5. A Stormwater Control Measure Long Term Maintenance Agreement designed to the specifications of the Long Term Maintenance Plan must be completed, recorded, and referenced on the final plat.
6. The required minimum fire flow is 1,000 GPM @ 20 PSI. Any construction over 3,600 sq. ft. under roof will increase the minimum required fire flow.
7. No streets are affected by the Major Thoroughfare Plan for this phase.
8. Each lot will require 1" water service.

6:25pm Charles Scurr left the room.

Following discussion, Vice-Mayor Marc Adkins made a motion to Approve. Board Member Matt Carver seconded the motion. Following further discussion, the motion was approved 6-0.

**5.c.2. Sewart's Landing - Squadron Street
2050 Motlow College Blvd.
Owner / Developer: Sewart's Landing Partners, LP**

Preliminary Plat - Sewart's Landing - Squadron Street

Location: 2050 Motlow College Blvd.

Tax Map: 18

Parcel: 10.01

Acres: 6.93

Zoned: PUD

Lots: 1

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 will be required.
4. Signs will require a separate permit and must be within setbacks where applicable.
5. A Stormwater Control Measure Long Term Maintenance Agreement

- designed to the specifications of the Long Term Maintenance Plan must be completed, recorded, and referenced on the final plat.
- 6. Submit construction plans prior to submittal of the final plat.
- 7. The Major Thoroughfare Plan designates Motlow College Boulevard as a collector. Adequate right-of-way exists for this street.

6:27pm Charles Scurr returns to the room.

Following discussion, Matt Carver made a motion to Approve. Salena Scott seconded the motion. Following further discussion, the motion was approved 7-0.

5.d. Final Plats:

**5.d.1. Cornerstone, Section I
Hollingshead Circle**

Owner / Developer: Southern Rock Manufacturers, LLC, Michael A. Hollingshead, Hollingshead Land, LLC

Final Plat - Cornerstone, Section I

Location: Hollingshead Circle

Tax Map: 26

Parcels: 18.00, 20.00, 24.01

Acres:

Zoned: PUD

1. A Stormwater Control Measure Long Term Maintenance Agreement designed to the specifications of the Long Term Maintenance Plan must be completed, recorded, and referenced on the final plat.
2. The Major Thoroughfare Plan designates W. Jefferson Pike as a principal arterial and Hickory Grove Road as a collector. Adequate right-of-way exists for W. Jefferson Pike, but right-of-way dedication is required for Hickory Grove Road.
3. This final plat does not match the approved preliminary plat. The preliminary plat showed a configuration of the Hickory Grove Road and Hollingshead Circle intersection as a 90 degree four way stop. It has not been constructed as such, and the final plat reflects the current construction. If the proposed connection is ever made on the north side as shown on the approved master plan, this intersection will have to be configured as originally planned. In addition, Hollingshead Circle was shown to be built as a public street, but has instead been built utilizing concrete which doesn't meet the Town's public street standards. As such, it is now shown as a private street.
4. Parcels 18.00 and 20.00 should be combined and reconfigured to be consistent with the property boundaries shown on the site plan for the convenience store.

Following discussion, Salena Scott made a motion to Approve. Vice-Mayor Marc Adkins seconded the motion. Following further discussion, the motion was approved 7-0.

5.d.2. Bulldog Drive Subdivision

Lee Victory Pkwy & Bulldog Pkwy

Owner / Developer: Nir Homes, Inc. / Kroger Limited Partnership I

Final Plat - Bulldog Drive Subdivision

Location: Lee Victory Parkway & Bulldog Drive

Tax Map: 34

Parcel: 45.00

Lots: 8

Acres: 27.51

Zoned: C-2

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 will be required.
4. Signs will require a separate permit and must be within setbacks where applicable.
5. A Stormwater Control Measure Long Term Maintenance Agreement designed to the specifications of the Long Term Maintenance Plan must be completed, recorded, and referenced on the final plat.
6. The Major Thoroughfare Plan designates Lee Victory Parkway as a principal arterial and Bulldog Drive as a collector. Adequate right-of-way exists for these streets.
7. Label the public utility and drainage easement and access easement along the rear of Lot 1 as a private drainage and access easement & public utility easement. The stormwater infrastructure within this easement will not be maintained by the Town.
8. The sign within the proposed 20' x 20' sign easement at the corner of Lot 4 is required to meet the minimum setbacks as dictated by the Sign Ordinance.
9. Provide an access easement from the proposed private cul-de-sac to the property proposed to be donated to the Rutherford County Board of Education per the approval of the preliminary plat.

At this time, Chairperson Tim Morrell acknowledged Eli Shelton with GMC to speak regarding the request.

Following discussion, Council Member Steve Sullivan made a motion to Approve. Ken Hill seconded the motion. Following further discussion, the motion was approved 7-0.

5.d.3. Hidden Springs, Phase 1

Lee Road

Owner / Developer: David Weekley Homes

Final Plat: Hidden Springs Subdivision, Phase 1

Location: Lee Road

Tax Map: 51
Zone: PRD

Parcels: 8.18 & 8.07
Lots: 52

Acres: 21.04

1. Signs will require a separate permit and must be within setbacks where applicable.
2. A Stormwater Control Measure Long Term Maintenance Agreement designed to the specifications of the Long Term Maintenance Plan must be completed, recorded, and referenced on the final plat.
3. The Major Thoroughfare Plan designates Lee Road as a collector. Adequate right-of-way dedication is shown for this street.
4. The required minimum fire flow is 1,000 GPM @ 20 PSI for dwellings under 3,600 square feet.
5. Add signatures of the owners and CUD prior to recording.
6. Show and label the landscape buffer required per the PRD approval along the western property lines abutting the single family tracts, as well as any easements or other modifications as required by the developer's agreement with the neighboring property owners to the west of the development.
7. Show, dimension, and label all easements where applicable.
8. Show a drainage easement for the stormwater pipe on Lot 1.
9. Label all open spaces.
10. Public easements should be labeled as such.
11. Extend a 20' wide public utility easement for the sewer line across the open space east of Napa Valley Drive.
12. Water line construction must be completed and fully released by the CUD inspector prior to CUD signature of final approval of final plat.
13. Submit plat directly to CUDengineering@ cudrc.com for review and specific comments.

Following discussion, Charles Scurr made a motion to Defer. Council Member Steve Sullivan seconded the motion. Following further discussion, the motion was approved 7-0.

5.e. Site Plans:

**5.e.1. 12415 Old Nashville Highway
12415 Old Nashville Highway
Owner / Developer: BLP Investments, Inc.**

12415 Old Nashville Highway

Site Plan

Location: 12415 Old Nashville Hwy.	Applicant: Huddleston Steele Eng.
Tax Map/Parcel: 33/30.00	Property Owner(s): BLP Investments, LLC
Zoning: C-2	Use Classification: Convenience Commercial

Proposal

A. Location Analysis

A vacant parcel on the western corner of Old Nashville Highway and Rocky Fork Road is proposed for development of a retail and convenience store with a fuel station. The one retail suite is 1,140 square feet and the convenience store is 4,122 square feet with 8 fuel pumps. Access to the site is shown via two access points, one on Old Nashville Highway and one on Rocky Fork Road. The access points are situated at the maximum possible distance from the intersection. This property is located within the Enon Springs Overlay and will be required to meet those additional requirements.



Development Standards

	Required	Proposed
Square Footage of Vehicular Use Area	N/A	0.59 Ac
Square Footage of Open Space/Landscaping	2,575 SF	10,064 SF
Total Parking	45 Spaces	47 Spaces
Handicapped Parking Space(s)	2 Spaces	2 Spaces

B. Landscaping

Landscape plan shows maple trees lining the perimeter of the property. Along both Old Nashville Highway and Rocky Fork Road, shrubbery is shown between the street trees. The landscaping plan will need to be revised to meet the Enon Springs Overlay requirements.

C. Design Review

Architectural elevations show the building to be finished with a mixture of two different colors of brick, glass/glazing and metal accents. All wall faces are shown to have at least 75% primary materials and the metal does not exceed 10% of the entire

building 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 will be required.
4. Signs will require a separate permit and must be within setbacks where applicable. Pole signs are not allowed in the ESO district.
5. The Major Thoroughfare Plan designates Old Nashville Highway as a minor arterial and Rocky Fork Road as a collector. Adequate right-of-way exists for Old Nashville Highway. Additional right-of-way is required to be dedicated for Rocky Fork Road.
6. A Stormwater Control Measure Long Term Maintenance Agreement designed to the specifications of the Long Term Maintenance Plan must be completed, recorded, and submitted to the Stormwater Department.
7. The required minimum fire flow is 1,500 GPM at 20 PSI.

Staff Comments:

1. A significant amount of stormwater is not being captured. Where is the runoff going?
2. The parapet wall for the elevations fronting Old Nashville Highway and Rocky Fork Road should be extended to cover the entirety of each building elevation.
3. Show the roof mounted equipment on the elevations. Must be screened by the parapet walls.
4. Electric transformers, utility pads, water meters, gas meters and electric meters are required to be screened from public view. Screening may be achieved with vegetation, fences or walls.
5. Sidewalks adjacent to parking stalls are required to be 7' wide to accommodate vehicle overhang.
6. The landscaping plan must meet the Design Review Manual and ESO requirements shown in Section 5.059 D.7 of the Zoning Ordinance. The submitted plan does not meet these requirements.
7. What material is proposed for the equipment screen wall?
8. No more than 15 parking spaces are allowed in a row without a landscape island. The row of parking along Old Nashville Highway has 17 spaces in a row.
9. The material square footage percentages for the east building elevation do not seem to match what is shown on the drawing. Are these correct?

Staff Recommendation: Staff recommends deferral due to the outstanding questions regarding landscaping compliance and drainage.

Following discussion, Vice-Mayor Marc Adkins made a motion to Defer. Council

Member Steve Sullivan seconded the motion. Following further discussion, the motion was approved 7-0.

**5.e.2. Sewart's Landing, Phase 1.5
Pilot Place & Motlow College Blvd.
Owner / Developer: Equitable Property Company**

Sprouts

Site Plan

Location: Intersection of Pilot Place and Motlow College Blvd.	Applicant: Fulmer Lucas Eng.
Tax Map/Part of Parcel: 18/10.01	Property Owner(s): Sewart's Landing Partners, LP
Zoning: PUD	Use Classification: General Retail Trade

Proposal

A. Location Analysis

Sprouts is proposing to locate a 23,300 square foot grocery store within the Sewart's Landing development. Access to the site would be provided via Pilot Place and Squadron Street. This building would be on the same parcel as two future buildings that will have a site plan submitted at a later date. A final plat will have to be recorded for this area prior to issuance of any building permits.



Development Standards

	Required	Proposed
Square Footage of Vehicular Use Area	N/A	3.72 Ac
Square Footage of Open Space/Landscaping	16,210 SF	27,085 SF
Total Parking	222 Spaces Shared Parking at 1/250 SF	323 Spaces
Handicapped Parking Space(s)	8 Spaces	10 Spaces

B. Landscaping

Landscape plan shows a variety of trees and shrubbery to be planted throughout the site, along the public roads and within landscaped islands. The Design Review streetscaping requirements are not being met with the proposed design. Additional street trees and shrubbery will be required along Motlow College Boulevard and Squadron Street.

C. Design Review

Architectural elevations show the building to be finished with a mixture of brick, stone, glazing, EIFS, fiber cement siding and metal trim. The sides and rear of the building meet Design Review while the front of the building does not. The front (east) elevation shows a total of 73.1% primary materials. Additional windows and trellises have been added to the sides and rear to provide architectural interest.

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 will be required.
4. Signs will require a separate permit and must be within setbacks where applicable.
5. The Major Thoroughfare Plan designates Sam Ridley Parkway, West as a principal arterial and Motlow College Boulevard as a collector. Adequate right-of-way exists for these streets.
6. A Stormwater Control Measure Long Term Maintenance Agreement designed to the specifications of the Long Term Maintenance Plan must be completed, recorded, and submitted to the Stormwater Department.
7. The required minimum fire flow is 1,000 GPM at 20 PSI.

Staff Comments:

1. The final plat will be required to be recorded prior to issuance of a building permit.
2. The architectural elevations for the front of the building does not meet the requirements

of the PUD and does not meet Design Review. At minimum, staff would recommend the elevations meet the architectural requirements of Design Review.

3. Fire hydrants cannot be located off of reuse water lines.
4. Landscaping along public right-of-ways should have street trees placed at intervals of no more than 40 feet on center with shrubbery between the trees.

Staff Recommendation: Staff recommends approval with the above listed comments.

At this time, Chairperson Tim Morrell acknowledged Yates Bateman with Fulmer Lucas Engineering to speak regarding the request.

Following discussion, Vice-Mayor Marc Adkins made a motion to approve with comments. Ken Hill seconded the motion. Following further discussion, the motion was approved 7-0.

5.e.3. SRM Block Plant

Hickory Grove Road

Owner / Developer: Hollingshead Land, LLC

SRM Block Plant

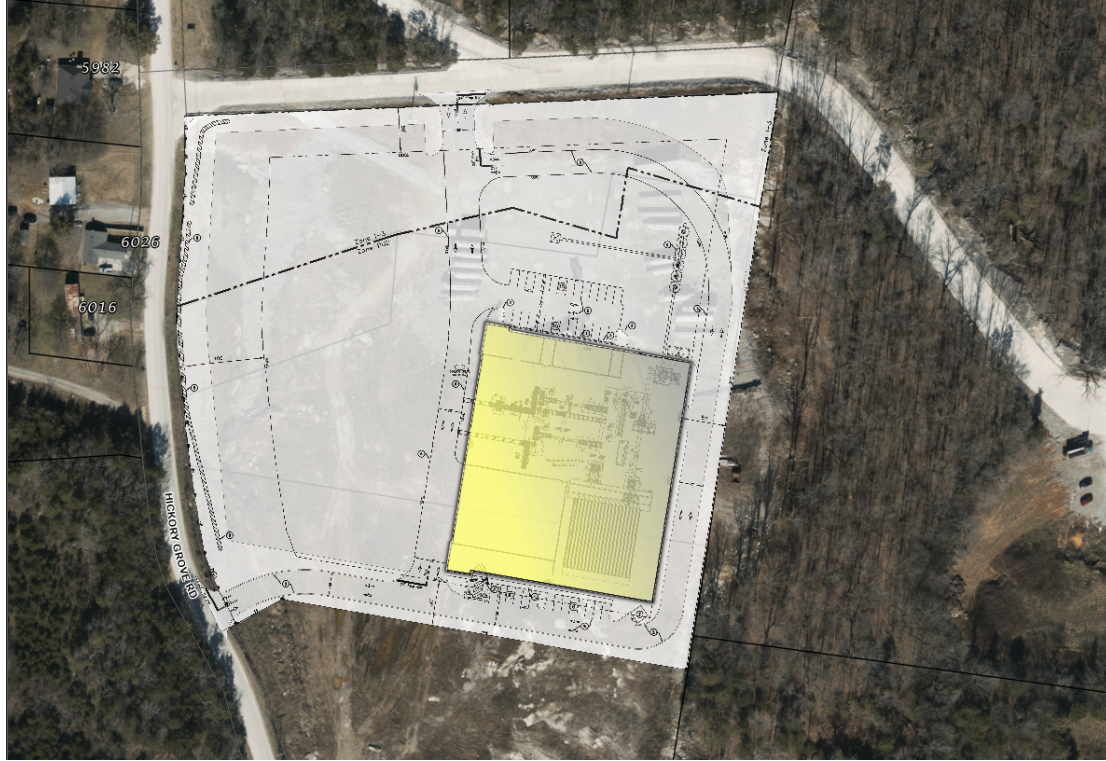
Site Plan

Location: Hickory Grove Road	Applicant: Hollingshead Land, LLC
Tax Map/Parcels: 20/42.00, 43.00, 46.01 & 48.00	Property Owner(s): Hollingshead Land, LLC
Zoning: PUD & RM (Rutherford County)	Use Classification: Heavy Industrial

Proposal

A. Location Analysis

SRM is proposing to construct a 62,350 square foot block plant on Hickory Grove Road south of the entrance to the quarry. Two access points are shown to access the site, one off of the access road and a new point of entry from Hickory Grove Road. Half of the 8.19 acre, proposed site, would be utilized for the building with the other half paralleling Hickory Grove Road to be used for product sales and storage.



Development Standards

	Required	Proposed
Square Footage of Vehicular Use Area	N/A	1.29 Ac
Square Footage of Open Space/Landscaping	4,523 SF	13,313 SF
Total Parking	46 Spaces	46 Spaces
Handicapped Parking Space(s)	2 Spaces	2 Spaces

B. Landscaping

Landscape plan shows a berm along Hickory Grove Road, a minimum 2 foot tall and 3 foot wide at the top. Atop the landscape berm is a variety of evergreens and ornamental trees. The purpose of the berm is to provide a buffer between Hickory Grove Road and an area on site to be utilized for product sales and storage. Additional shrubbery is shown along the southern drive aisle into the site with a mixture of trees and shrubbery. There are trees shown lining the right-of-way to the north of the site.

C. Design Review

Architectural elevations submitted show the building to utilize a mix of glass and concrete tilt panel with metal rollup doors. The PUD permits offices, retail shops and other buildings to be a combination of concrete, glass, stone, brick and cement board.

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 will be required.
4. Signs will require a separate permit and must be within setbacks where applicable.
5. The Major Thoroughfare Plan designates Hickory Grove Road as a collector. Adequate right-of-way would be required to be dedicated for this street.
6. A Stormwater Control Measure Long Term Maintenance Agreement designed to the specifications of the Long Term Maintenance Plan must be completed, recorded, and submitted to the Stormwater Department.

Staff Comments:

1. Site plan approval would be contingent upon approval of the annexation and I-3 zoning request.
2. Water/sewer plans are under review.
3. Show the size of the fire and domestic water lines.
4. This site is required to detain and treat stormwater. Please show.
5. Provide a sidewalk along Hickory Grove Road.
6. Submit architectural elevations for the dumpster enclosure, material bins, and other structures showing the height and materials to be utilized.
7. The landscape plan does not meet Design Review. Trees shown along Hickory Grove Road are not street trees. A waiver to the requirement has been requested by the developer.
8. The acreage shown is less than the total of the four parcels listed. Provide a survey/proposed plat to combine/resubdivide the four parcels into one/two tracts. This must be recorded prior to issuance of a building permit.
9. Show water meter and backflow size.

Staff Recommendation: Staff recommends approval with the above listed comments.

At this time, Chairperson Tim Morrell acknowledged Chris Maguire with Huddleston Steele Engineering, Inc. to speak regarding the request.

Following discussion, Council Member Steve Sullivan made a motion to Approve with comments including granting the waiver request for landscaping along Hickory Grove Road. Ken Hill seconded the motion. Following further discussion, the motion was approved 7-0.

6. Subdivision Regulations Amendment

6.a. Section 7-101.2 and addition of Appendix A

Kevin Rigsby discussed proposed amendments to the Subdivision Regulations. A public hearing and vote will be held at the September meeting.

7. Mandatory Referral

7.a. Imperial Boulevard Water Line Extension

Following discussion, Vice-Mayor Marc Adkins made a motion to recommend approval to the Town Council. Charles Scurr seconded the motion. Following further discussion, the motion was approved 7-0.

7.b. Unimproved ROW Description between Lots 24 & 25 Preserve at Stewarts Creek

Following discussion, Board Member Ken Hill made a motion to recommend approval to the Town Council. Matt Carver seconded the motion. Following further discussion, the motion was approved 7-0.

8. Bond Review Report

8.a. August Bond Review Report

Following discussion, Vice-Mayor Marc Adkins made a motion to Approve. Charles Scurr seconded the motion. Following further discussion, the motion was approved 7-0.

9. Staff Comments and/or Other Business

At this time, Kevin Rigsby informed the Commission of an upcoming Zoom training by MTAS on Thursday, August 14, 2025 from 4-6pm that is geared towards Planning Officials.

10. Adjournment

Certified by:

Respectfully Submitted:

Tim Morrell, Chairman

Kevin Rigsby, Town Planner



**Town of Smyrna
Municipal Planning Commission
Meeting
Agenda Summary**

**Agenda Item Number 5.a.1.
Department: Planning
Date: September 4, 2025**

Subject:

452 Properties, LLC
Mona Road & I-840
Annexation & PUD Zoning Request

Fiscal Impact:

Contract Type:

Contract Term (if applicable):

Background:

Summary:

452 Properties, LLC - Annexation & PUD Zoning

Location: Mona Road & I-840

Tax Map: 11

Parcel: 5.00

Acres: 225.25

Current Zoning: RM

Proposed Zoning: PUD/C-2/I-2

1. The surrounding zoning is RM in Rutherford County.
2. The Land Use Plan for the area is the 840 Gateway character area, which would support hospitality, restaurant, retail, high density residential, and industrial/warehousing uses.
3. The Major Thoroughfare Plan designates Bill France Road as a principal arterial. The Plan also shows a future minor arterial connecting Bill France Road to Hickory Grove Road and eventually to Jefferson Pike. Development of these properties would require dedication of right-of-way and construction of this improvement.
4. The requested PUD is essentially 34.3 acres zoned C-2 and the remaining 190.95 acres zoned I-2, with the request that the height limit in the I-2 areas be 60' in lieu of the 50' limit as stated in the Zoning Ordinance. The maximum square footage allowed in the C-2 area is 350,000, and the maximum square

- footage in the I-2 area is 2,500,000. No pole signs would be allowed.
5. The required minimum fire flow is 2,000 GPM @ 20 PSI with a sprinkler reduction.
 6. This would require either a noncontiguous annexation or the annexation of several miles of existing County and State road right-of-way. The amount of right-of-way required to be annexed to create continuity would be 1 mile of W. Jefferson Pike, which is a State road, and 4.2 miles of Mona Road, which is a County road. All distances are approximate. A noncontiguous annexation would require an interlocal agreement between the Town of Smyrna and Rutherford County with regards to emergency response and road maintenance for the area between the existing Town limits and the newly annexed area. Annexation of existing roads would require the Town to begin maintenance of those roads, as well as provide emergency services including traffic accident response and traffic control, upon the effective date of annexation.
 7. Sewer will not exist until the Fall Creek trunk line is in place. This will be approximately 2 years at a minimum. The Town of Smyrna will not provide sewer service to any property outside of Rutherford County boundaries. At this time, there is not an agreement on how sewer will be extended to the area and by whom, though one has been drafted and discussed between staff and the developer. Any potential new alignment will require an easement to be obtained from the Army Corps of Engineers approval.
 8. Provide a phasing plan.
 9. The developer will be responsible for the initial grading of the proposed fire station site. The actual location of the site is to be evaluated by the Smyrna Fire Department and may need to move from the currently shown location.
 10. The off-site improvements required to serve the annexed and rezoned areas have been determined by CUD and were approved for CUD to participate in for cost sharing. The developer(s) must enter and execute a legal contract with CUD for required cost sharing for water infrastructure improvements. Once off-site improvements are completed according to CUD, each property owner/developer should submit a separate water service availability request to [CUDengineering@cudrc.com](mailto:CUDengineering@ cudrc.com) for individual analysis to determine feasibility. Water availability to all annexed and rezoned areas is dependent on ALL conditions of said contract and required water infrastructure improvements being strictly adhered to.
 11. See CUD Will Serve letter issued 7/31/2025 for more detailed information regarding the required off-site improvements and the level of service that can be provided to the site.
 12. Once available, submit the full set of plans directly to [CUDengineering@cudrc.com](mailto:CUDengineering@ cudrc.com) for further review and comment.

Recommended Council Action:

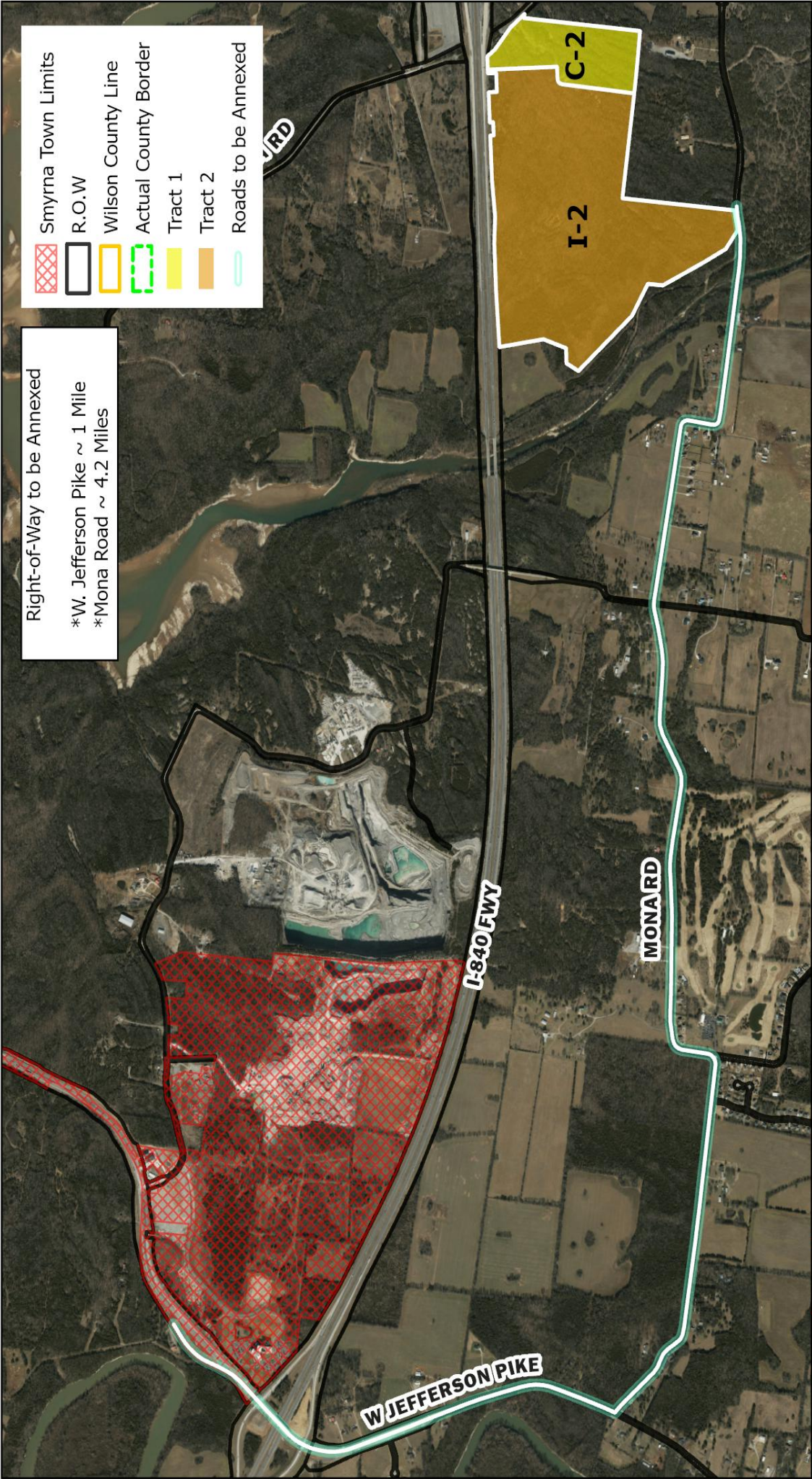


Town of Smyrna

Annexation Request Application

APPLICANT INFORMATION:		
Name/Company: 452 Properties LLC		
Street Address: 1730 S Federal Hwy PMB377		
City: Delray Beach	State: FL	ZIP: 33483
Email: don@321woodland.com	Phone: 423-663-2323	
CONTRACTOR/DEVELOPER INFORMATION: CHECK BOX IF SAME AS APPLICANT <input type="checkbox"/>		
Name/Company: Hillwood Investment Properties		
Street Address: 6410 Poplar Avenue, Suite 385		
City: Memphis	State: TN	ZIP: 38119
Email: paul.reinke@hillwood.com	Phone: 901-461-9034	
PROPERTY INFORMATION		
Street Address/Intersecting Streets: Bill France & Coulter Ct, Mona Rd, Marty Robbins Dr, Powells Chapel Rd		
Tax Map: 11	Group:	Parcel: 5.00 & 6.00
Requested Lot Area (Square feet/Acres): +/-819.45 acres		
Existing Zoning: Med. Density Residential	Requested Smyrna Zoning: P.U.D.	
*Current Property Owner (See Note Below): 452 Properties LLC		
APPLICANT AUTHORIZATION		
Applicant Signature: <i>[Signature]</i> President		Date: 4/3/25
OFFICE USE ONLY		
Staff Initials:	Review Fee:	Date:

- ***If the applicant is not the current property owner, authorization must be provided by the current property owner for the request of annexation as mandated by State law.***
- Applications are to be submitted no later than 12:00 PM noon on the initial deadline date unless otherwise noted.
- All meetings are held at Smyrna Town Hall - 315 South Lowry Street - at 5:00 PM in the Town Council Chambers.
- All supporting documents must be submitted at the time of application.



Right-of-Way to be Annexed
 *W. Jefferson Pike ~ 1 Mile
 *Mona Road ~ 4.2 Miles

- Smyrna Town Limits
- R.O.W
- Wilson County Line
- Actual County Border
- Tract 1
- Tract 2
- Roads to be Annexed



Annexation & PUD Zoning Request

Tax Map: 11 | Parcels: 5.00 | Acres: +/- 225.25
 Requested and Owned by: 452 Properties LLC

September 2025

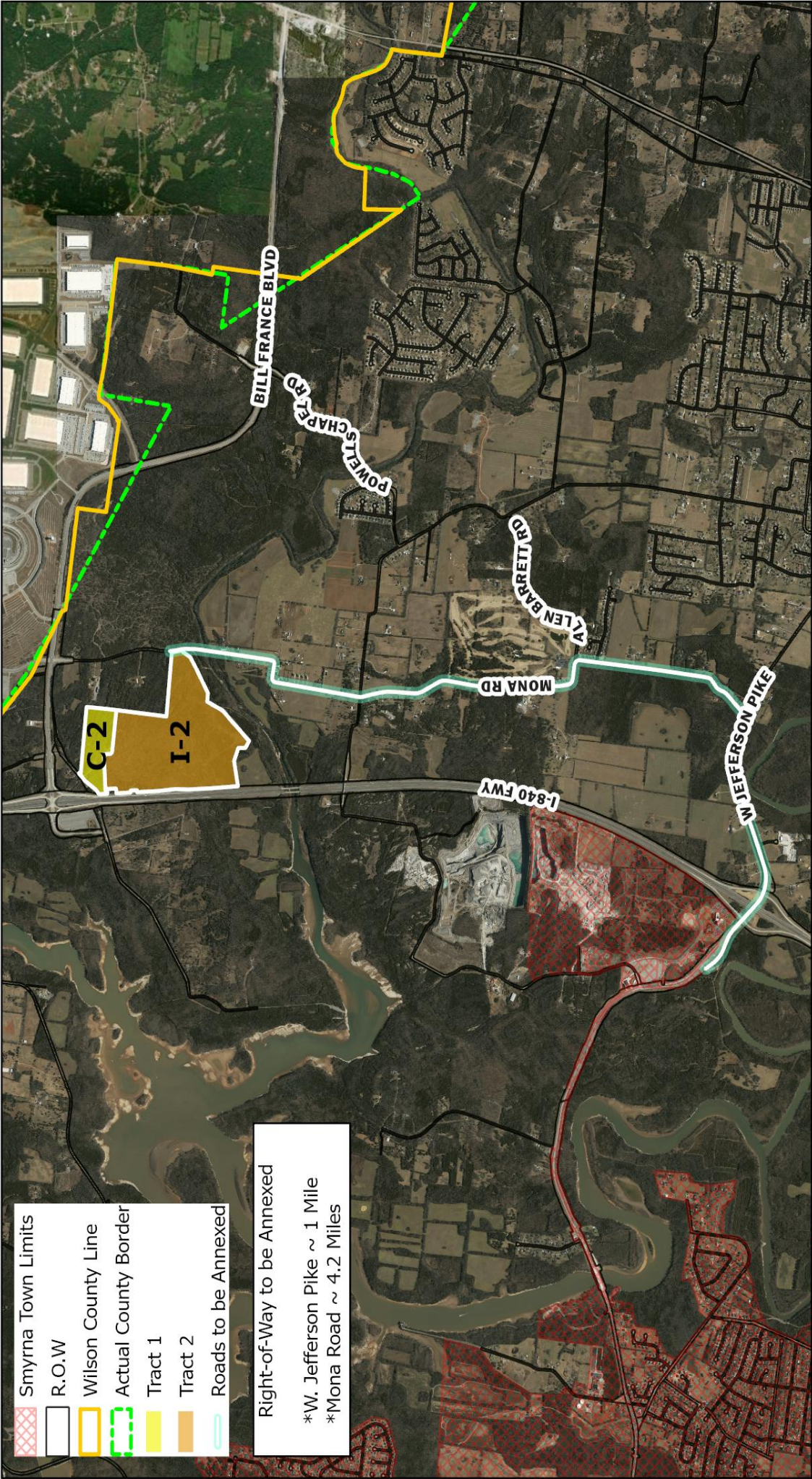
Coordinate System: NAD 1983 StatePlane Tennessee FIPS 4100 Feet

0 0.23 0.45

Mi

0 0.45 0.9

Km

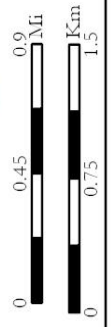


- Smyrna Town Limits
- R.O.W
- Wilson County Line
- Actual County Border
- Tract 1
- Tract 2
- Roads to be Annexed

Right-of-Way to be Annexed

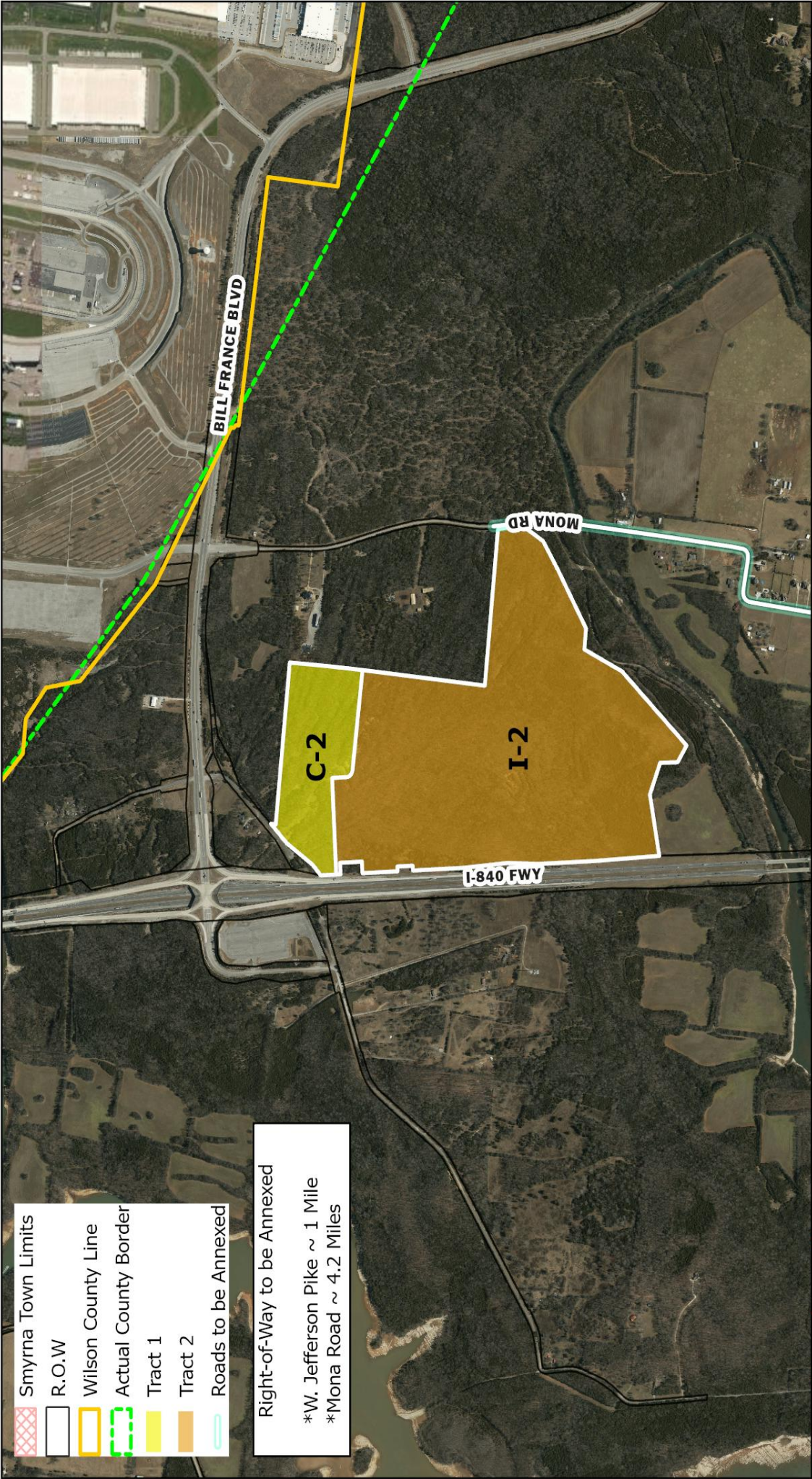
*W. Jefferson Pike ~ 1 Mile

*Mona Road ~ 4.2 Miles



Annexation & PUD Zoning Request	
Tax Map: 11 Parcels: 5.00 Acres: +/- 225.25	
Requested and Owned by: 452 Properties LLC	
Rutherford County OJT, Maxar, Map data © OpenStreetMap contributors, Microsoft, Google, Esri Community Maps contributors, Map layer by Esri	September 2025
Coordinate System: NAD 1983 StatePlane Tennessee FIPS 4100 Feet	





- Smyrna Town Limits
- R.O.W
- Wilson County Line
- Actual County Border
- Tract 1
- Tract 2
- Roads to be Annexed

Right-of-Way to be Annexed

*W. Jefferson Pike ~ 1 Mile
 *Mona Road ~ 4.2 Miles



Annexation & PUD Zoning Request

Tax Map: 11 | Parcels: 5.00 | Acres: +/- 225.25

Requested and Owned by: 452 Properties LLC

September 2025

Rutherford County, OJT, Maxar, Map data © OpenStreetMap contributors, Microsoft, Google, Esri Community Maps contributors, Map layer by Esri

Coordinate System: NAD 1983 StatePlane Tennessee FIPS 4100 Feet



- Smyrna Town Limits
- R.O.W
- Requested Parcels
- Wilson County Line
- Actual County Border
- Roads to be Annexed

Right-of-Way to be Annexed
 *W. Jefferson Pike ~ 1 Mile
 *Mona Road ~ 4.2 Miles



Annexation & PUD Zoning Request	
Tax Map: 11 Parcels: 5.00 Acres: +/- 225.25	
Requested and Owned by: 452 Properties LLC	
September 2025	Coordinate System: NAD 1983 StatePlane Tennessee FIPS 4100 Feet
Rutherford County, OJT, Maxar, Map data © OpenStreetMap contributors, Microsoft, Facebook, Google, Esri Community Maps contributors, Map Layer by Esri	



**Town of Smyrna
Municipal Planning Commission
Meeting
Agenda Summary**

**Agenda Item Number 5.a.2.
Department: Planning
Date: September 4, 2025**

Subject:

Hamilton Development, LLC
West Jefferson Pike & Hickory Grove Road
Annexation & C-2 & I-1 Zoning

Background:

Summary:

Hamilton Development, LLC - Annexation & C-2 & I-1 Zoning Request
Location: West Jefferson Pike/SR 266 across from Hickory Grove Road
Tax Map: 20 Parcels: 45.00, 61.01, 61.02, and 61.03
Tax Map: 26 Parcels: 13.00, 13.01, 13.02, 15.00, 15.01, and 18.01
Acres: 179.2 Current Zoning: RM Proposed Zoning: C-2 & I-1

1. The surrounding zoning is PUD (Cornerstone at Smyrna) in Town and RM and CS in Rutherford County.
2. The Land Use Plan for the portion of this request along W. Jefferson Pike is the 840 Gateway character area. Hospitality, retail, restaurant, high density residential, and industrial/warehousing uses are particularly appropriate for this area. This extends from 400 feet to 1200 feet off of W. Jefferson Pike, depending on the location. For the portion of these properties that are south and west of that designation, Low Density Residential development would be supported.
3. The Major Thoroughfare Plan designates W. Jefferson Pike/SR 266 as a principal arterial. Adequate right-of-way exists for this street.
4. The request is for approximately 30 acres along W. Jefferson Pike/SR 266 to be zoned C-2 and the remaining 149.2 acres to be zoned I-1.
5. A traffic study will be required with the submittal of any site plan for this development. Any improvements recommended by the traffic study must be completed by the developer.
6. The required minimum fire flow is 2,000 GPM @ 20 PSI.
7. A 60' average buffer is required for a jurisdictional feature.
8. The most recently submitted concept plan includes development of a parcel that is not included in the annexation and zoning request. Please revise to remove this parcel from the plan.

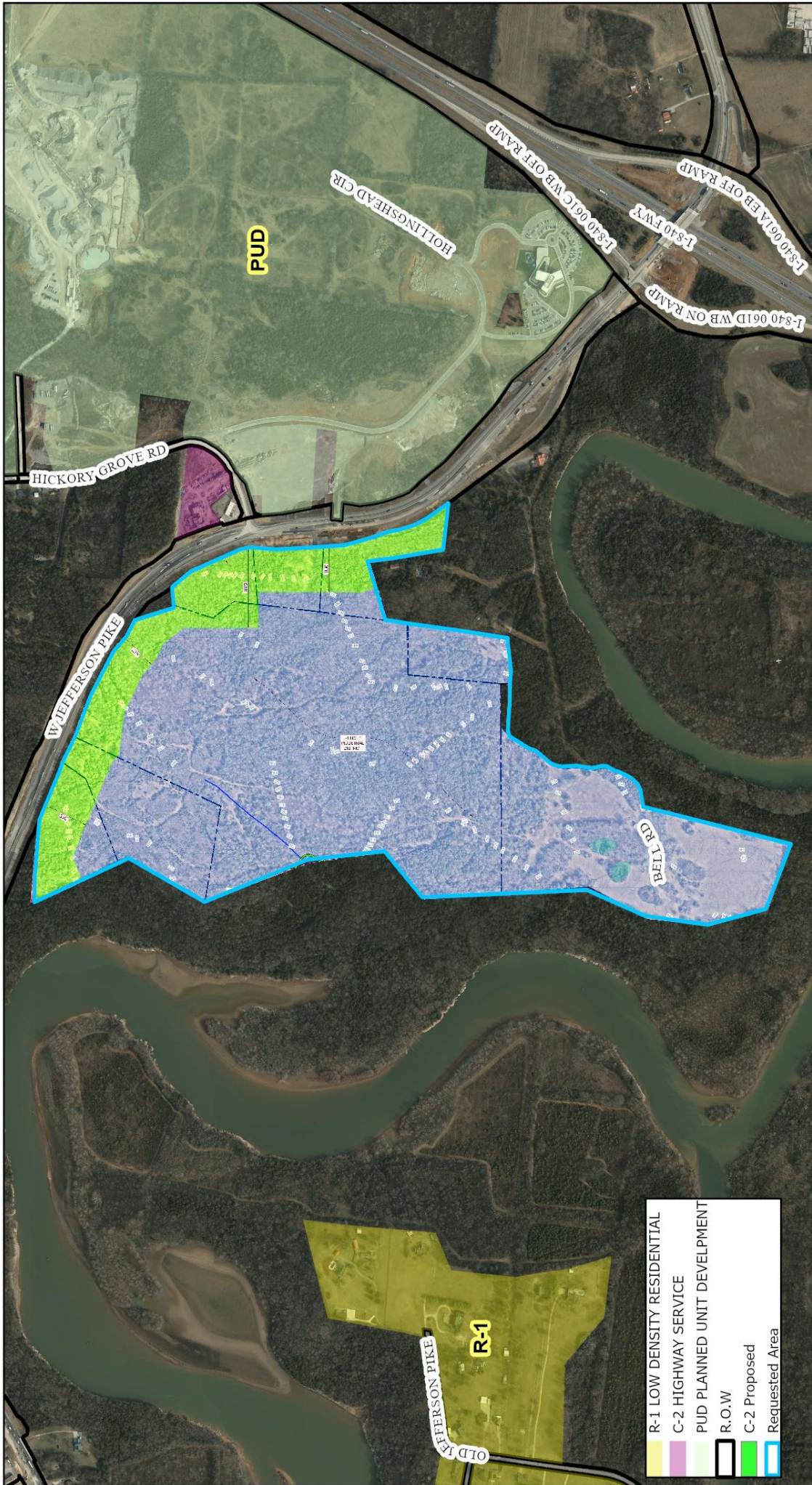


Town of Smyrna

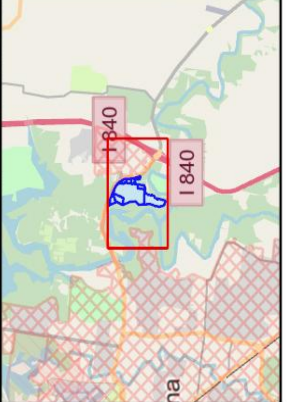
Rezoning Request Application


APPLICANT INFORMATION:		
Name/Company: Hamilton Development, LLC - Jeff Konieczny		
Street Address: 1 Music Circle South, Suite 110		
City: Nashville	State: TN	ZIP: 37203
Email: jeff@hamilton-devco.com	Phone: (303) 408-7817	
CONTRACTOR/DEVELOPER INFORMATION: CHECK BOX IF SAME AS APPLICANT		
Name/Company: Hamilton Development, LLC - Jeff Konieczny		
Street Address: 1 Music Circle South, Suite 110		
City: Nashville	State: TN	ZIP: 37203
Email: jeff@hamilton-devco.com	Phone: (303) 408-7817	
PROPERTY INFORMATION		
Street Address/Intersecting Streets: West Jefferson Pike & Hickory Grove Road		
Tax Map: Attached	Group: See Attached	Parcel: See Attached
Requested Lot Area (Square feet/Acres): 180.83 (8 parcels)		
Existing Zoning: RM	Requested Zoning: C-2 and I-1 (See Attached)	
*Current Property Owner (See Note Below): Hollingshead Land, LLC		
APPLICANT AUTHORIZATION		
Applicant Signature: <i>Jeffrey Konieczny</i>	Date: 6/9/2025	
OFFICE USE ONLY		
Staff Initials:	Review Fee:	Date:

- ***If the applicant is not the current property owner, authorization must be provided by the current property owner for the request of rezoning as mandated by State law.***
- Applications are to be submitted no later than 12:00 PM noon on the initial deadline date unless otherwise noted.
- All meetings are held at Smyrna Town Hall - 315 South Lowry Street - at 5:00 PM in the Town Council Chambers.
- All supporting documents must be submitted at the time of application.





- R-1 LOW DENSITY RESIDENTIAL
- C-2 HIGHWAY SERVICE
- PUD PLANNED UNIT DEVELOPMENT
- R.O.W
- C-2 Proposed
- Requested Area





TOWN OF SMYRNA
TENNESSEE

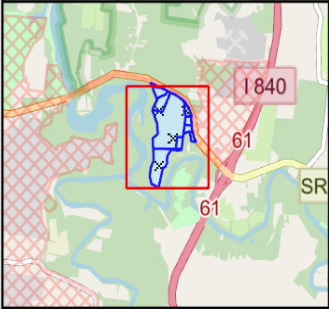
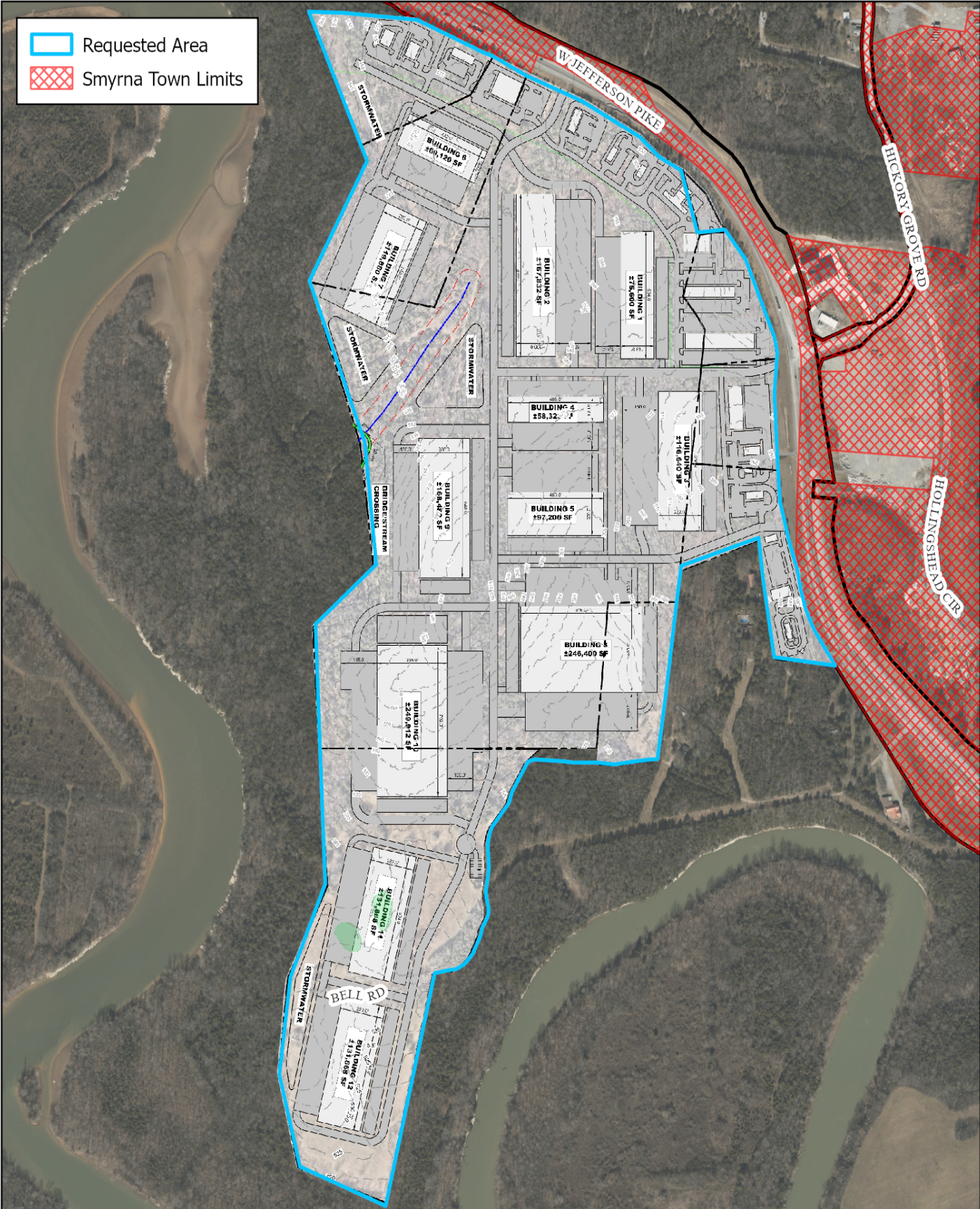




0 0.1 0.2 Miles
0 0.25 0.45 Km

Annexation - C-2 & I-1 Zoning Request	
Tax Map: 20 Parcels: 61.01, 61.03	
Tax Map: 26 Parcels: 13.00, 13.01, 13.02, 15.00, 15.01, 18.01	
Acres: +/- 180.83 Owners: Hollingshead Land, LLC	
Map data © OpenStreetMap contributors, Microsoft, Facebook, Google, Esri Community Maps contributors, Map layer by Esri	September 2025
Coordinate System: NAD 1983 StatePlane Tennessee FIPS 4100 Feet	

- Requested Area
- Smyrna Town Limits



Annexation - C-2 & I-1 Zoning Request

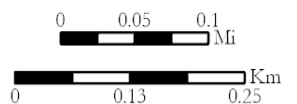
Tax Map: 20 | Parcels: 61.01, 61.03
 Tax Map: 26 | Parcels: 13.00, 13.01, 13.02, 15.00, 15.01, 18.01

Acres: +/- 180.83 | Owners: Hollingshead Land, LLC

Map data © OpenStreetMap contributors, Microsoft, Facebook, Google, Esri
 Community Maps contributors, Map layer by Esri

2025

Coordinate System: NAD 1983 StatePlane Tennessee FIPS 4100 Feet



RESOLUTION

A RESOLUTION ADOPTING A PLAN OF SERVICE FOR THE ANNEXATION OF CERTAIN AREAS BY THE TOWN OF SMYRNA, TENNESSEE.

WHEREAS, TCA 6-51-102 (a) (2) as amended May 19, 1998, requires that a Plan of Service be adopted by the governing body of a municipality for areas where an annexation ordinance was not final on November 25, 1997.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF SMYRNA, TENNESSEE, AS FOLLOWS:

SECTION 1. Pursuant to the provisions of Section 6-51-102, Tennessee Code Annotated, there is hereby adopted, for the area bounded as described below, the following plan of service:

Hamilton Development, LLC
W. Jefferson Pike/SR 266

Tax Map 20, Parcels 61.01 and 61.03, and Tax Map 26, Parcels 13.00, 13.01, 13.02, 15.00, 15.01, and 18.01, owned by Hollingshead Land, LLC, and requested by Hamilton Development, LLC. Bordered on the west, south, and east by U.S. Army Corps of Engineers; on the east by Tax Map 26, Parcel 14.00, owned by Lawrence A. and Karen Yatuzis; and on the north by Tax Map 20, Parcel 45.00, owned by William S. and Howard S. Thornton, Tax Map 20, Parcel 61.02, owned by Nancy Nelms Gannon, and the existing right-of-way of W. Jefferson Pike/SR 266. Area annexed contains approximately 178.6 acres.

A. Water

Water services will be provided by the Town of Smyrna.

B. Wastewater

Wastewater services will be provided by the Town of Smyrna upon extension of the wastewater mains by the property owner.

C. Streets

1. Emergency maintenance of streets (repair of hazardous chuck holes, measures necessary for traffic flow, etc.) will begin on the effective date of annexation.
2. Routine maintenance, on the same basis as in the present Town limits, will begin in the annexed areas when funds from the State gasoline tax based on the annexed population are received.
3. Reconstruction and resurfacing of streets, installation of storm drainage facilities, construction of curbs and gutters, and other such major improvements, as the need therefore is determined by the governing body, will be accomplished under current policies of the town.

D. Planning and Zoning

The planning and zoning jurisdiction of the Town of Smyrna will extend to the annexed area on the effective date of annexation. Town planning will thereafter encompass the annexed areas.

E. Street Lighting

Street lights will be installed in substantially developed areas within approximately 18 months after the effective date of the annexation, under the standards currently prevailing in the existing Town limits.

F. Recreation

Residents of the annexed areas may use all existing libraries and parks, etc., on and after the effective date of annexation.

G. Street Name Signs

Street name signs where needed will be installed within approximately 18 months after the effective date of annexation.

H. Fire Protection

Fire protection by the present personnel and equipment of the Smyrna Fire Department will be provided on and after the effective date of annexation. Additional personnel and equipment will be provided, if needed, to maintain current standards.

I. Police Protection

Police patrol and response to calls by the Smyrna Police Department will be provided on and after the effective date of the annexation. Police services will be provided with existing personnel and additional personnel will be provided, if needed, to maintain current standards.

J. Traffic Control

Traffic signals, traffic signs, street markings and other traffic control devices will be installed as the need is established by appropriate study and traffic standards.

K. Refuse Collection

Refuse collection and disposal services shall continue to be provided by private contracts with individual residents.

L. Inspection Services

Any inspection services now provided by the Town of Smyrna will begin in the annexed area on the effective date of the annexation.

Section 2. This Resolution shall be effective from and after its adoption.

ADOPTED THIS ____TH DAY OF SEPTEMBER, 2025

TOWN OF SMYRNA, TENNESSEE

Mary Esther Reed, Mayor

ATTEST:

Amber Hobbs, Town Clerk

signature of final plat. CUD reserves the right for further review once water line has been fully released by CUD inspector.

8. Submit plat directly to [CUDengineering@cudrc.com](mailto:CUDengineering@ cudrc.com) for review and specific comments.

Recommended Council Action:

Attachments:

None



**Town of Smyrna
Municipal Planning Commission
Meeting
Agenda Summary**

**Agenda Item Number 5.c.1.
Department: Planning
Date: September 4, 2025**

Subject:

12415 Old Nashville Highway
12415 Old Nashville Highway
Owner / Developer: BLP Investments, Inc.

Background:

Summary:

12415 Old Nashville Highway

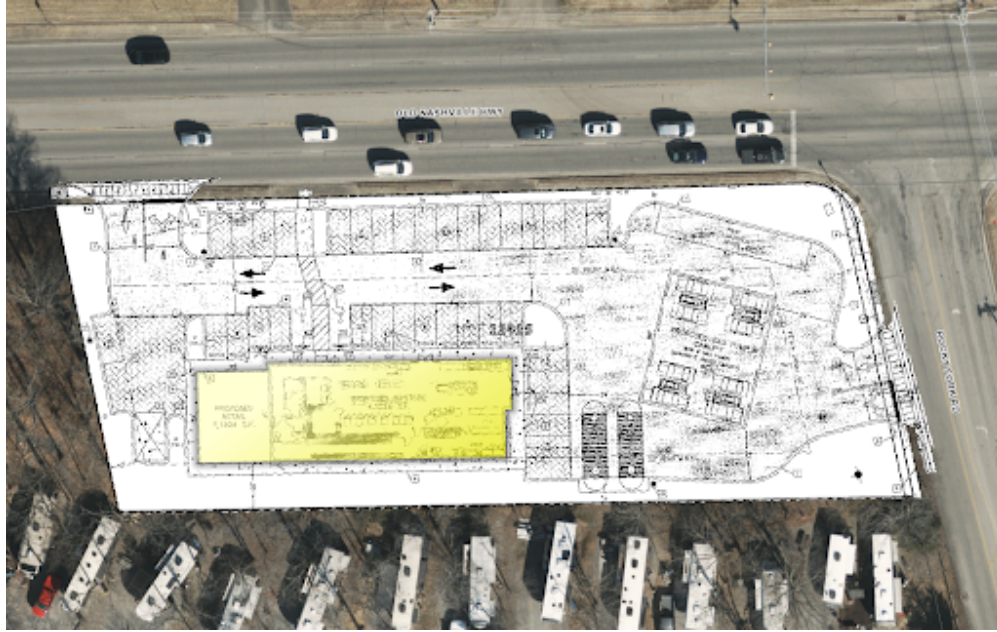
Site Plan

Location: 12415 Old Nashville Hwy.	Applicant: Huddleston Steele Eng.
Tax Map/Parcel: 33/30.00	Property Owner(s): BLP Investments, LLC
Zoning: C-2	Use Classification: Convenience Commercial

Proposal

A. Location Analysis

A vacant parcel on the western corner of Old Nashville Highway and Rocky Fork Road is proposed for development of a retail and convenience store with a fuel station. The one retail suite is 1,140 square feet and the convenience store is 4,122 square feet with 8 fuel pumps. Access to the site is shown via two access points, one on Old Nashville Highway and one on Rocky Fork Road. The access points are situated at the maximum possible distance from the intersection. This property is located within the Enon Springs Overlay and will be required to meet those additional requirements.



Development Standards

	Required	Proposed
Square Footage of Vehicular Use Area	N/A	0.59 Ac
Square Footage of Open Space/Landscaping	2,572 SF	10,064 SF
Total Parking	45 Spaces	47 Spaces
Handicapped Parking Space(s)	2 Spaces	2 Spaces

B. Landscaping

Landscape plan shows maple trees lining the perimeter of the property. Along both Old Nashville Highway and Rocky Fork Road, shrubbery is shown between the street trees. The landscaping plan will need to be revised to meet the Enon Springs Overlay requirements.

C. Design Review

Architectural elevations show the building to be finished with a mixture of two different colors of brick, glass/glazing and limestone face block with a metal cornice cap. All wall faces are shown to have at least 75% primary materials and the metal does not exceed 10% of the entire building to meet Design Review. The elevations will still need to be revised to meet the Enon Springs Overlay architectural requirements.

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 will be required.
4. Signs will require a separate permit and must be within setbacks where applicable. Pole signs are not allowed in the ESO district.
5. The Major Thoroughfare Plan designates Old Nashville Highway as a minor arterial and Rocky Fork Road as a collector. Adequate right-of-way exists for Old Nashville Highway. Additional right-of-way is required to be dedicated for Rocky Fork Road.
6. A Stormwater Control Measure Long Term Maintenance Agreement designed to the specifications of the Long Term Maintenance Plan must be completed, recorded, and submitted to the Stormwater Department.
7. The required minimum fire flow is 1,500 GPM at 20 PSI.

Staff Comments:

1. A significant amount of stormwater is not being captured. Where is it going?
2. At the manhole, there needs to be a grinder pump-to-cleanout connection (engineer to see sewer specs detail PS-1.3). Also, a meter box (Sewer Spec Detail PS-1.1 & 1.2) on the property side after the bore behind the sidewalk.
3. Extend water jack and bore casing to minimum 3' passed the proposed sidewalk on Rocky Fork Road.
4. Electric transformers, utility pads, water meters, gas meters, and electric meters are required to be screened from public view. Screening may be achieved with vegetation, fences, or walls.
5. Sidewalks adjacent to parking stalls are required to be 7' wide to accommodate vehicle overhang. The developer has requested this requirement be waived. The reasoning is "this property causes a geometric hardship because it is so shallow in depth. We are showing a 40' deep building with no room to spare. Cutting it down 2' to allow for a 7' sidewalk instead of a 5' sidewalk will cause a severe hardship on the interior layout of the building. For a solution to this issue, we are showing 6' wheel stops 2' off the 5' sidewalk so that cars would not overhang onto the 5' sidewalk."
6. The landscaping plan must meet the Design Review Manual and ESO requirements shown in Section 5.059 D.7. of the Zoning Ordinance. The submitted plan does not meet these requirements with regards to the requirement of landscaping around the foundation of the building. The developer has requested this requirement be waived. The reasoning is "this property causes a geometric hardship because it is so shallow in depth. We are showing a 40' deep building with no room to spare. Cutting it down 3' to allow for a 3' foundation planting strip will cause severe hardship on the interior layout of the building. For a solution to this issue, we are showing enhanced landscaping along Old Nashville Highway and Rocky Fork Road to provide a more aesthetically pleasing visual of the developed property."
7. Please show the "prefinished metal copping" at the top of the rear wall of the building.
8. The building architectural elevations do not meet the requirements of the Enon Springs Overlay with regards to the rear façade. The façade of the building is required to be divided into distinct sections no more than forty (40) feet in width and each section taller than it is wide. Large expanses

of blank walls are prohibited. Windows, columns, and other elements shall be used to reinforce the verticality of the façade. Please revise.

9. Materials on the gas canopy do not match the building. Please revise the canopy elevations to match the building.

Staff Recommendation: Staff recommends deferral or denial due to the outstanding questions regarding landscaping compliance, architectural compliance and drainage.

Attachments:

None



**Town of Smyrna
Municipal Planning Commission
Meeting
Agenda Summary**

**Agenda Item Number 5.c.2.
Department: Planning
Date: September 4, 2025**

Subject:

In-N-Out Burger
999 Industrial Boulevard
Owner/Developer: In-N-Out Burger

Background:

Summary:

In-N-Out

Site Plan

Location: 999 Industrial Boulevard	Applicant: DMG, LLC
Tax Map/Parcel: 28/66.01	Property Owner(s): In-N-Out Burgers
Zoning: C-2	Use Classification: Restaurant

Proposal

A. Location Analysis

In-N-Out Burger is proposing to locate at 999 Industrial Boulevard, which is the existing site of Hickory Falls. The existing building is proposed to be demolished and the site reconfigured with a drive-thru. Two drive-thru lanes are shown with the ability to queue approximately 33 vehicles. The site layout shows a utilization of the existing access points with one off of Industrial Boulevard and one off of Team Boulevard. Both of these locations, today, are full ingress and egress points with no limited turning motions. Staff does have concerns regarding the overall traffic flow to access this site and in the immediate vicinity. The recently approved SS4A plan identified this location as an area requiring further study for safety and pedestrian improvements.



Development Standards

	Required	Proposed
Square Footage of Vehicular Use Area	N/A	1.02 Ac
Square Footage of Open Space/Landscaping	4,456 SF	15,602 SF
Total Parking	49 Spaces	63 Spaces
Handicapped Parking Space(s)	3 Spaces	3 Spaces

B. Landscaping

Landscape plan shows a variety of shrubbery and trees lining both road frontages of Industrial Boulevard and Team Boulevard. Additional trees and shrubs are shown lining the western and southwestern property lines. Notable trees shown on the landscape plan include two variations of palm trees. Staff does have a concern the palm trees may be unable to survive due to the climate zones palm trees are typically found in which may not extend to the middle Tennessee region.

C. Design Review

Architectural elevations show the building to be finished with a mixture of EIFS, brick and glazing. Overall elevations for the building show a finished percentage of 54.74% EIFS, 33.48% brick and 6.52% glazing. Design Review requires a minimum of 50% of the entire building to be

finished with primary materials; as designed this building is approximately 40%. Additionally, Design Review requires at least 75% primary materials for any wall facade visible from a public street. No elevations for this building are shown to meet that requirement.

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 will be required.
4. Signs will require a separate permit and must be within setbacks where applicable.
5. The Major Thoroughfare Plan designates Industrial Boulevard as a collector. Additional right-of-way will be required to be dedicated to include the sidewalk along this roadway.
6. The required minimum fire flow is 1,500 GPM at 20 PSI.
7. A Stormwater Control Measure Long Term Maintenance Agreement designed to the specifications of the Long Term Maintenance Plan must be completed, recorded, and submitted to the Stormwater Department.

Staff Comments:

1. Coordinate the construction of the modifications to the access at Team Boulevard with the adjoining property owner.
2. A plat will be required to dedicate public right-of-way along Industrial Boulevard to show the sidewalk entirely within the public right-of-way.
3. Complete all note details. Please refer to Sheet 6.0.
4. All backflow preventers must be above ground.
5. Shift the FDC 15' south of the backflow preventer and approximately 40' east of the drive thru curbline. (Remove the FDC from the current location from the drive thru and adjacent to Team Blvd.).
6. Architectural elevations do not meet Design Review. Please revise.
7. Revise the dumpster enclosure to use only primary materials matching the building. Stucco is not a primary material.
8. Staff has concerns regarding the recommended traffic improvements, as the proposed improvements seem to work to benefit this property but not the area in its' entirety. At a minimum, staff recommends relocation of the access to Industrial Boulevard to be directly across from Movie Row. The Town will be undertaking a study for the area along Industrial Boulevard from the intersection with Sam Ridley Parkway to the Town limits consistent with the recommendations of the Safe Streets For All plan. This study would evaluate all access points on the corridor and make recommendations for improvements.
9. Please verify that the varieties of palm trees shown on the landscape plan will survive in middle Tennessee's plant hardiness zone. Staff does not believe palm trees will survive.
10. When the Zoning Ordinance and a recorded plat show two different minimum building setback

lines, the most restrictive applies. The required minimum front building setback in the C-2 district is 35', so the required setback along Industrial Boulevard is 35'. Please show correctly. As shown, the building is in violation of the Zoning Ordinance. The applicant proposes to request a variance from the Board of Zoning Appeals after approval of the site plan by the Planning Commission.

Staff Recommendation: Staff recommends denial due to the list of outstanding comments and concerns by staff that still need to be addressed.

Attachments:

None



**Town of Smyrna
Municipal Planning Commission
Meeting
Agenda Summary**

**Agenda Item Number 6.a.1.
Department: Planning
Date: September 4, 2025**

Subject:

Blakeney Commons, Lot 2
Rocky Fork Almaville Road / Morton Lane
Owner / Developer: Pillars Investment Group, LLC

Background:

Summary:

Blakeney Commons, Lot 2

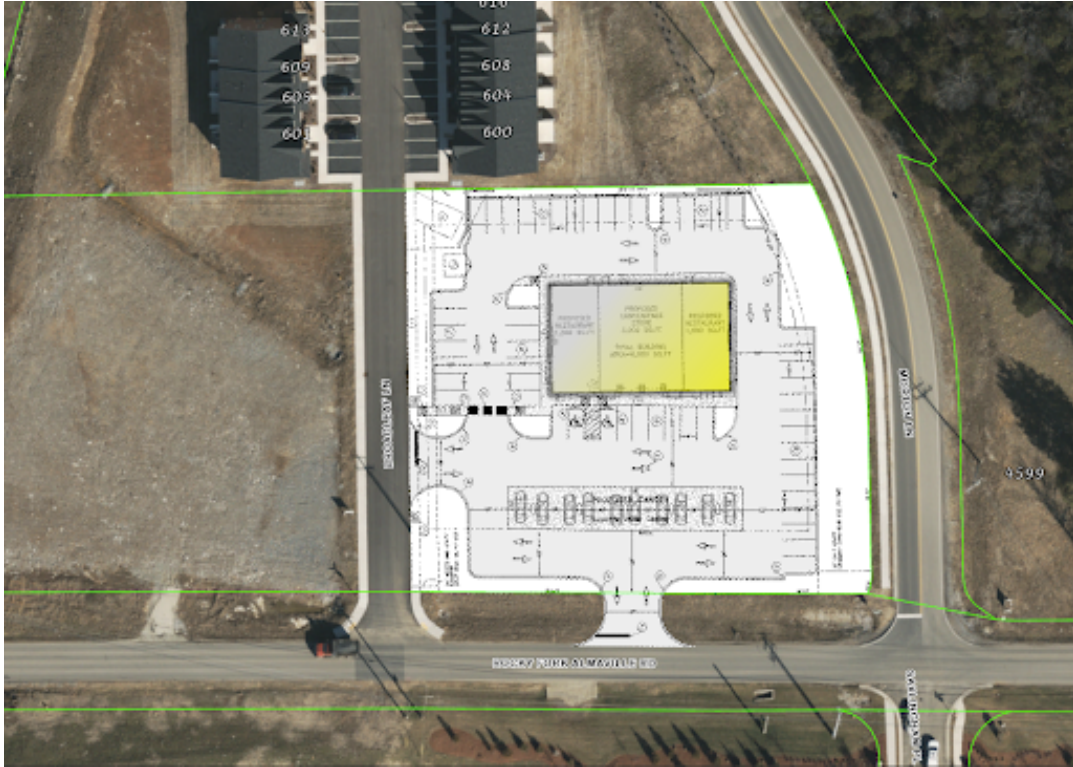
Site Plan

Location: Rocky Fork Almaville Rd & Broadleaf Ln	Applicant: Pillars Investment Group, LLC
Tax Map/Part of Parcel: 54/14.04	Property Owner(s): Collins Corner Ventures LLC
Zoning: PUD	Use Classification: Convenience Commercial

Proposal

A. Location Analysis

Blakeney Commons, Lot 2 is proposed for a convenience commercial development with a fuel center. The 6,000 square foot building has potential for two tenants in addition to a convenience store. Ten fuel pumps are proposed for the gas station. Two access points are shown to the site with one on Broadleaf Lane and one off of Rocky Fork Almaville Road. Broadleaf Lane provides the rear of the Blakeney Commons development consisting of townhomes with a proposed future commercial parcel to the north of Broadleaf Lane.



Development Standards

	Required	Proposed
Square Footage of Vehicular Use Area	N/A	0.76 Ac
Square Footage of Open Space/Landscaping	3,343 SF	4,000 SF
Total Parking	60 Spaces	63 Spaces
Handicapped Parking Space(s)	3 Spaces	2 Spaces

B. Landscaping

Landscape plan shows a variety of shrubbery and trees lining Rocky Fork Almadale Road and Morton Lane. Landscaping is also shown around the base of the building and within landscaped islands. Due to the residential townhomes behind this proposed development, a Type C landscape buffer would be required per the Zoning Ordinance. The applicant is requesting a 5' wide landscape strip with a privacy fence in lieu of the Type C landscape buffer.

C. Design Review

Architectural elevations show the building to be finished with a mixture of brick, stone and glass/glazing on all wall faces. The gas canopy is shown to have primarily stone in combination with brick to match the commercial building. The architectural elevations meet Design Review requirements.

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 will be required.
4. Signs will require a separate permit and must be within setbacks where applicable.
5. A Stormwater Control Measure Long Term Maintenance Agreement designed to the specifications of the Long Term Maintenance Plan must be completed, recorded, and submitted to the Stormwater Department.
6. The Major Thoroughfare Plan designates Rocky Fork Alnaville Road as a minor arterial. Adequate right-of-way exists for this street.
7. The required minimum fire flow is 1,750 GPM @ 20 PSI. If fire walls are installed between the individual spaces, the required minimum fire flow would be reduced to 1,500 GPM @ 20 PSI.

Staff Comments:

1. As a gas station constitutes a stormwater hot spot, stormwater runoff must be treated to remove oil and gas prior to leaving the site.
2. Staff is concerned about the proposed dumpster area easement. Staff is concerned about the ability for it to be emptied without blocking the road and the proximity to the adjoining residences. Staff is also concerned about the location of the dumpster for the commercial building and the proximity to the adjoining residences. Location on the opposite side of the building would be further away from any residences.
3. The sewer line shown on site is private. The location of the sewer line is acceptable, however, staff would recommend shifting it away from the retaining wall for ease of maintenance in the future.
4. Show the line sizes of the existing water and sewer mains.
5. A Type C buffer is required between the proposed store and the adjoining residential development. In lieu of a Type C landscape buffer, the applicant is proposing to install a fence with a 5' wide landscape buffer consisting of evergreen trees and shrubs. The reasoning submitted is that "a 15' buffer would be detrimental to the site's ability to have a gas station as the building would have to be reduced to a depth that would be difficult to lease or occupy". No fence details are supplied and the 5' landscaping buffer does not extend the entire length of the rear property line due to the dumpster and retaining walls.
6. Please include fence details for the proposed fence to be used along the rear property line.
7. Three handicapped parking stalls are required. Please ensure at least one has van accessible dimensions.
8. What material is proposed for the mechanical equipment screen wall? It should be labeled and the area and percentage added to the elevation calculations.
9. Submit a water service availability request to [CUDengineering@cudrc.com](mailto:CUDengineering@ cudrc.com) to receive a Will Serve letter for CUD to determine the level of service that can be provided to the site.

10. Once available, submit full set of plans directly to CUDengineering@cdrc.com for further review and comment.

Staff Recommendation: Staff recommends approval with the above listed comments.

Attachments:

None

Memorandum

To: Smyrna Municipal Planning Commission

From: Kevin Rigsby, AICP

CC: Town Council/Staff

Date: 08/01/25

RE: Revisions to the Subdivision Regulations

Attached are proposed revisions to Article 7, Section 7-101.2 as well as the addition of Appendix A to the Subdivision Regulations. These revisions are proposed to provide a third alternative for financial surety for recording of a plat with incomplete public improvements. Currently, letters of credit and cashier's checks are the only two alternatives. The revision would add the ability to provide surety in another form suitable to the Town Attorney which would ensure the Town is protected in the event of a developer's failure to complete a project. The appendix is to simply provide a boiler plate example of what is required if a letter of credit is provided as financial surety.

These changes are proposed to allow for the provision of alternative surety with review by the Town Attorney, as well as provide clarity to developers and financial institutions regarding what is required if surety is provided via a letter of credit.

The language to be removed is struck-through, and the new language is highlighted in yellow.

ARTICLE 7

ASSURANCE FOR COMPLETION AND MAINTENANCE OF IMPROVEMENTS

7-101 Improvements and Letters of Credit/Escrow Accounts

7-101.1 Completion of Improvements -- Before the final subdivision plat is signed by the Planning Commission officer specified in Section 3-106.1 of these regulations, all applicants shall complete, in accordance with the Planning Commission's decision and to the satisfaction of the Director of Public Works, Town Engineer, and the Director of Utilities, all public way, sanitary, and other improvements, including lot improvements on the individual lots of the subdivision, as required in these regulations and approved by the Planning Commission, and shall dedicate such improvements to the governing body free and clear of all liens and encumbrances on the property and public improvements thus dedicated. To this end, "as-built" plans as discussed in Section 3-106.1(2) herein shall be approved by said Director of Public Works and the Director of Utilities. These "as-built" plans must be submitted prior to the release of the financial surety on the plat.

7-101.2 Surety Instrument¹ -- The Planning Commission at its discretion may waive the requirement that the applicant complete and dedicate all public improvements prior to the signing of the final subdivision plat by providing that, as an alternative, the applicant post a bond at the time of submission for final subdivision approval in an amount estimated by the Planning Commission as sufficient to guarantee to the governing body the satisfactory construction, installation, and dedication of the incomplete portion of required improvements.

Said estimate shall include an additional twenty percent (20%) over and above the cost of securing all necessary improvements to cover the increase in costs due to inflation or other factors over the bondable period. The letter of credit or escrow funds also shall secure all lot improvements on the individual lots of the subdivision as required in these regulations. The Town may dispose of funds in any manner deemed appropriate and available to remedy improvements not constructed to the specified standards.

A performance bond/agreement authorized by the Planning Commission shall be secured by either an irrevocable letter of credit, or a cashier's check, or other form as approved by the Town

¹ Amended November 2003.

Attorney. The beneficiary of the surety shall be the Town of Smyrna. Such letter of credit shall comply with all statutory requirements and shall be satisfactory to the Town Attorney as to form, sufficiency, and manner of execution as set forth in these regulations. Accordingly, such letter of credit must be officially filed and approved on the appropriate form. Moreover, only commercial banks and federally chartered savings and loan associations located in Rutherford County, Tennessee or any bordering county to Rutherford County, Tennessee, shall be acceptable institutions for the issuance of letters of credit as required for the purposes of these regulations. See Appendix A of these Regulations for a sample letter of credit form.

It shall be the responsibility of the Director of Public Works to establish the amount for roadway and drainage and the Director of Utilities to establish the amount for water and sewer improvements. The Town Planner shall establish the total amount based on the amounts calculated by the Director of Public Works and the Director of Utilities of all performance bonds or letters of credit. All such surety instruments shall be segregated into cost estimates for each specific type of improvements, i.e. streets, drainage, lot improvements, utilities, etc.

The period within which required improvements must be completed as assured through the use of a performance agreement and letter of credit shall be specified by the Planning Commission in the resolution approving the final subdivision plat and shall be incorporated in the agreement and letter of credit. This period shall be for one (1) year and shall not in any event exceed two (2) years from date of final approval. Moreover, whenever such agreement and letter of credit is extended according to these regulations, the price of completing all bondable improvements must be reanalyzed and established by the Planning Commission in order that the surety instrument be adequate to cover the cost of all improvements. Again, an additional twenty percent (20%) of the cost of securing all necessary improvements shall be added to this cost figure in order to insure that these improvements be properly installed in relation to the rate of inflation for the period of extension. Such agreement and letter of credit shall be approved by the Town Planner or a designated representative as to amount, surety and conditions. The Planning Commission may recommend to the appropriate local legislative body, upon proof of difficulty, extension of the completion date set forth in such agreement and letter of credit (normally a one (1) year period) for a maximum period of one (1) additional year. The legislative body may accept, at any time during the period of such agreement and letter of credit,

a substitution of principal or sureties on the agreement and letter of credit upon the recommendation of the Planning Commission.

Appendix A

Letter of Credit Form

ISSUING BANK LETTER HEAD

IRREVOCABLE LETTER OF CREDIT

1. DATE OF ISSUE _____

2. LETTER OF CREDIT NUMBER _____

3. NAME OF ISSUING BANK _____

4. PROJECT NAME _____

5. ACOUNTEE NAME AND ADDRESS _____

6. BENEFICIARY NAME AND ADDRESS _____

7. EXPIRATION DATE _____

8. MAXIMUM AMOUNT _____

9. SPECIFIC IMPROVEMENTS INCLUDED IN THE MAXIMUM AMOUNT:

Streets:	\$ _____
Water:	\$ _____
Sewer:	\$ _____
Stormwater:	\$ _____
Other:	\$ _____

10. We hereby issue this letter of credit in favor of the Town of Smyrna which is available against your drafts at _____ drawn on _____ Bank, Credit No. _____ accompanied by the following document: A Certificate of Default signed by the Town Manager of the Town of Smyrna certifying that the Accountee has not complied with the terms of the development agreement and the amount necessary to complete the work, which amount shall be identical to the face amount of the accompanying draft.

11. We hereby engage with the bona-fide holders of all drafts or documents presented under and in compliance with the term of this Letter of Credit that such drafts or documents will be duly honored upon presentation to us.

Authorized Signature, Issuing Bank

Memorandum

To: Smyrna Municipal Planning Commission
From: Planning Staff
Cc: Town Council
Date: 08/29/2025
RE: Amendments to the Zoning Ordinance: Article IV and Article V
regarding Minimum Building Setbacks for Accessory Structures

Attached are proposed amendments to the Zoning Ordinance Article IV, Section 4.075 and Article V, Sections 5.051.1, 5.051.2, 5.051.3, 5.051.4, 5.051.5, and 5.051.6. These amendments are regarding the required minimum building setbacks for detached accessory structures. Currently, these are allowed in all residential zoning districts but must be located in the side or rear yard and must be located at least 8 feet from any property line. The proposed amendments would change the required minimum distance to 5 feet. These amendments would also clarify that in any planned development (PUD) where residential uses are allowed on individual lots, the same requirement would apply. The Town has been enforcing the same requirement of 8 feet within PUDs and PRDs, but technically the Zoning Ordinance is silent on this issue. This would clarify that and treat all residential lots the same with regards to detached accessory structure setbacks. These amendments would make the Town's requirement consistent with the requirements of the City of Murfreesboro and Rutherford County.

The proposed amendments are attached, with the language to be removed struck-through and the new language highlighted in yellow.

ARTICLE V - ZONING DISTRICTS

5.051.1 R-1, Low-Density Residential District.

B. Uses Permitted:

In the R-1, Low-Density Residential District, the following uses and accessory uses are permitted:

1. Single-family detached dwelling.
2. Prefabricated dwelling.
3. Customary accessory buildings or structures, including private garages and noncommercial workshops, provided they are located in the side or rear yard and not closer than **five (5) eight** (~~8~~) feet to any lot line.
4. Customary incidental home occupations as regulated in ARTICLE IV, SECTION 4.030.
5. Agricultural use.
6. Essential Public Transport, Communication and Utility Services.

5.051.2 R-2, Low-Density Residential District.

B. Uses Permitted:

In the R-2, Low-Density Residential District, the following uses and their accessory uses are permitted:

1. Single family detached dwelling.
2. Prefabricated dwelling.
3. Customary accessory buildings or structures, including private garages and noncommercial workshops, provided they are located in the side or rear yard and not closer than **five (5) eight** (~~8~~) feet to any lot line.
4. Customary incidental home occupations as regulated in ARTICLE IV, SECTION 4.030.
5. Essential Public Transport, Communication and Utility Services.

5.051.3 R-3, Medium Density Residential.

B. Uses Permitted:

In the R-3, Medium Density Residential District, the following uses and their accessory uses are permitted:

1. Single family dwelling.
2. Prefabricated dwelling.
3. Customary accessory buildings or structures, including private garages and noncommercial workshops, provided they are located in the side or rear yard and not closer than **five (5)** ~~eight (8)~~ feet to any lot line.
4. Customary incidental home occupations as regulated in ARTICLE IV, SECTION 4.030.
5. Essential Public Transport, Communication and Utility Services.

5.051.4 R-4, Medium-Density Residential District.

B. Uses Permitted:

In the R-4, Medium-Density Residential District, the following uses and their accessory uses are permitted:

1. Duplex dwelling.
2. Zero-lot line dwelling.
3. Single-family dwelling.
4. Prefabricated dwelling.
5. Board and rooming houses.
6. Customary accessory buildings including private garages and non-commercial workshops provided they are located in the side or rear yard and not closer than **five (5)** ~~eight (8)~~ feet to any lot line.
7. Customary incidental home occupations as regulated in ARTICLE IV, SECTION 4.040.
8. Essential Public Transport, Communication, Government, and Utility Services

5.051.5 R-5, High-Density Residential District.

B. Uses Permitted:

In the R-5, High-Density Residential District, the following uses and their accessory uses are permitted:

1. Mobile homes on single lots.
2. Customary accessory buildings including private garages and non-commercial workshops, provided they are located in the side or rear yard and not closer than **five (5) eight (8)** feet to any lot line.
3. Customary incidental home occupations as regulated in ARTICLE IV, SECTION 4.040.
4. Essential Public Transport, Communication, Government, and Utility Services.

5.051.6 R-6, High-Density Residential District.

B. Uses Permitted:

In the R-6 High-Density residential District, the following uses and their accessory uses are permitted:

1. Multi-family dwelling.
2. Board and rooming houses.
3. Customary accessory buildings including private garages and non-commercial workshops provided they are located in the side or rear yard and not closer than **five (5) eight (8)** feet to any lot lines.
4. Customary incidental home occupations as regulated in ARTICLE IV, SECTION 4.040
5. Essential Public Transport, Communications, Government, and Utility Service.

ARTICLE IV - SUPPLEMENTARY PROVISIONS APPLYING TO SPECIFIC DISTRICTS

4.075 Building Spacing.

- A. Minimum Building Spacing: Space between buildings shall comply with the fire code adopted by the Town Council.
- B. Minimum Distance to Side and Rear Property Line: The minimum distance between the building and the side and/or rear property shall comply with the fire code adopted by the Town Council.
- C. Perimeter requirements. If topographical or other barriers do not provide adequate privacy for existing uses adjacent to the planned development, the Planning Commission may impose either of the following requirements:
 - 1. Structures located on the perimeter of the planned development must be set back by a distance sufficient to protect the privacy and amenity of adjacent existing uses, if applicable.
 - 2. Structures located on the perimeter of the planned development must be permanently screened in a manner which is sufficient to protect the privacy and amenity of adjacent existing uses. Such screening should be suitably landscaped with grass and/or ground cover, shrubs and trees. (See definition of buffer strip).
- D. Additional requirements. If a side setback is requested in any planned development that is less than 10 (ten) feet, the construction materials required for the sides of any structure subject to that building setback shall be brick, stone, concrete siding, or other nonflammable masonry material. HVAC units for parcels subject to a side setback of less than 10 (ten) feet shall be located in the rear of the building or on the roof, if applicable.
- E. Within any planned development that allows for a residential use on an individual lot, customary accessory buildings including private garages and non-commercial workshops are allowed provided they are located in the side or rear yard and not closer than five (5) feet to any lot lines.

Memorandum

To: Smyrna Municipal Planning Commission
From: Planning Staff
Cc: Town Council
Date: 08/29/2025
RE: Amendment to the Zoning Ordinance: Article V regarding adding
Tourist Homes in the C-4 District

Attached is a proposed amendment to the Zoning Ordinance Article V, Section 5.052.4. This amendment is regarding adding the use of Tourist Home to the Uses Allowed by Right in the C-4 Neighborhood Service Business District. Currently, this use is allowed within the C-1, C-2, C-3, C-5, and A-1 districts under the wider banner of transient habitation. The proposed amendment would add this specific use as a use allowed within C-4. I have also included the definition of tourist home as defined by the Zoning Ordinance for everyone's information. This is an amendment that was discussed at the July joint Town Council/Planning Commission worksession.

The proposed amendment is attached, with the new language highlighted in yellow.

ARTICLE V - ZONING DISTRICTS

5.052.4 C-4, Neighborhood Service Business District.

B. Uses Permitted:

In the C-4, Neighborhood Service Business District, the following uses and their accessory uses are permitted:

1. Community Assembly.
2. Cultural and Recreational Services.
3. General Business Services.
4. Food and Beverage Service.
5. Professional Services – Medical.
6. Professional Services – Non-medical.
7. Financial, Insurance, Real Estate and Consultative Services, except alternative financial services.
8. General Personal Services.
9. Convenience commercial except for convenience markets where gas may be sold.
10. Antique and Second-Hand Merchandise Stores.
11. Book and Stationary Stores.
12. Florists.
13. Gift Shops.
14. Clothing and Accessory Stores.
15. Hobby, Toy, and Game Stores.
16. Religious Facilities.
17. Signs as regulated by Town ordinance.

18. Essential public transport, communication, and utility services.

19. Tourist home.

ARTICLE II - DEFINITIONS

2.020 Definitions.

TOURIST HOME: A residential building where lodging is furnished to transients for compensation, and containing not more than five (5) sleeping rooms for such transients.

DATE RECEIVED	DEVELOPMENT / DEVELOPER	EXP. DATE	SURETY COMPANY	AMOUNT
12/10/2018	Buckingham Place, Section 3/ JM Byrnes, LLC	9/10/2025	Southern Bank of Tennessee	\$10,000

Bond is for: Roads, Sewer, Stormwater, Water is CUD

Development is 100% built out. (32 out of 32 lots built)

Public Works Department Comments:

1. All P.U.D.E. and drainage ditches need to be put on grade per plan.
2. Put ditch on grade per plan at Lee Road (both sides of Lancaster Rd).

Utilities Department Comments:

1. Manhole A42-134 has debris in the trough that needs to be cleaned out.
2. Manhole A42-152 has water running it from the tap on lot 43.

DEVELOPER OLIVER CONSTABLE'S COMMENTS:

We will finish these last remaining items. We would like to get the bond released.

RECOMMENDATION:

End of the maintenance period. Release if all items are complete by 9/10. Otherwise, extend three months.

DATE RECEIVED	DEVELOPMENT / DEVELOPER	EXP. DATE	SURETY COMPANY	AMOUNT
9/10/2021	Sundale, Section II / Scott Butler	9/10/2025	Escrow	\$68,000

Bond is for: Roads, Sewer, Stormwater, Water, Sidewalk

Development is 100% built out. (47 out of 47 lots built)

Public Works Department Comments:

1. Need more gravel in temporary cul-de-sacs.
2. Remove silt fabric from catch basins before final inspection.
3. Sidewalks must go to end of phase line.
4. All P.U.D.E. and drainage ditches need to be put on grade per plan.

Utilities Department Comments:

1. No issues at this time.

DEVELOPER SCOTT BUTLER'S COMMENTS:

Paving and striping is done. We are still working on some street signs.

RECOMMENDATION:

Reduce to \$17,000 and extend one year as the maintenance bond.

DATE RECEIVED	DEVELOPMENT / DEVELOPER	EXP. DATE	SURETY COMPANY	AMOUNT
9/11/2023	Greystone, 1A / Meritage Homes of Tennessee, Inc.	9/11/2025	Regions Bank	\$255,000

Bond is for: Roads, Sewer, Stormwater, Water

Development is 96% built out. (144 out of 150 lots built)

Public Works Department Comments:

1. Place final topping and striping.
2. Sidewalks not complete. Sidewalks must go to end of phase line.
3. All sidewalks and crosswalks must be ADA compliant.
4. All P.U.D.E. and drainage ditches need to be put on grade per plan.
5. Remove silt fabric from catch basins before final inspection.
6. Clean bottom of all catch basins.
7. Some manholes and water valve boxes need adjusting.
8. All signage must meet MUTCD standards.
9. Some areas of curb and gutter are damaged and need to be repaired or replaced.

Utilities Department Comments:

1. No issues at this time.

DEVELOPER CLIF BERRY WITH MERITAGE HOMES' COMMENTS:

There are too many vertical trades/parking/supplies in the way to start this punchlist.

RECOMMENDATION:

Extend six months.

DATE RECEIVED	DEVELOPMENT / DEVELOPER	EXP. DATE	SURETY COMPANY	AMOUNT
9/11/2023	Greystone, Phase 1C / Meritage Homes of Tennessee, Inc.	9/11/2025	Regions Bank	\$78,800

Bond is for: Roads, Sewer, Stormwater, Water

Development is 100% built out. (70 out of 70 lots built)

Public Works Department Comments:

1. Place final topping and striping.
2. Sidewalks not complete. Sidewalks must go to end of phase line.

3. All sidewalks and crosswalks must be ADA compliant.
4. All P.U.D.E. and drainage ditches need to be put on grade per plan.
5. Remove silt fabric from catch basins before final inspection.
6. Clean bottom of all catch basins.
7. Some manholes and water valve boxes need adjusting.
8. All signage must meet MUTCD standards.
9. Some areas of curb and gutter are damaged and need to be repaired or replaced.

Utilities Department Comments:

1. No issues at this time.

DEVELOPER CLIF BERRY WITH MERITAGE HOMES' COMMENTS:

We will begin working on this punchlist as most of the vertical construction is done.

RECOMMENDATION:

Extend six months.

DATE RECEIVED	DEVELOPMENT / DEVELOPER	EXP. DATE	SURETY COMPANY	AMOUNT
9/12/2023	Woodmont, 8B / Meritage Homes of Tennessee, Inc.	9/12/2025	Regions Bank	\$80,200

Bond is for: Roads, Sewer, Stormwater, Water

Development is 96.2% built out. (25 out of 26 lots built)

Public Works Department Comments:

1. Place final topping and striping.
2. All sidewalks and crosswalks must be ADA compliant. Sidewalks must go to end of phase line.
3. Some areas of sidewalk are damaged and need to be repaired or replaced.
4. All P.U.D.E. and drainage ditches need to be stabilized and put on grade per plan.
5. All signage must meet MUTCD standards.
6. Some manholes and water valve boxes need adjusting.
7. Some areas of curb and gutter are damaged and need to be replaced or repaired.
8. Remove silt fabric from catch basins before final inspection.
9. Some areas of detention pond are eroding and need to be stabilized and put on grade per plan.
10. Stabilize all soils to 70% uniform vegetative coverage.
11. All headwalls with water flowing out of them need a riprap apron underlain with geotextile fabric.

1. No issues at this time.

DEVELOPER TRISTEN KELLER WITH MERITAGE HOMES' COMMENTS:

We have addressed most of the stormwater items. We are currently wrapping up contract language for final paving and repair/replacement work to be done.

RECOMMENDATION:

Extend six months.

DATE RECEIVED	DEVELOPMENT / DEVELOPER	EXP. DATE	SURETY COMPANY	AMOUNT
9/12/2024	Burton Farms Annex / RHB, LLC	9/13/2025	Pinnacle Bank	\$119,000

Bond is for: Roads, Sewer, Stormwater, CUD Water

Development is 79.4% built out. (27 out of 34 lots built)

Public Works Department Comments:

1. Place final topping and striping.
2. All P.U.D.E. and drainage ditches need to be put on grade per plan.
3. Resident at 7215 Corner Dr. needs to have ditch/yard addressed that was damaged/changed during road construction.
4. Remove silt fabric from catch basins before final inspection.
5. Clean bottom of all catch basins.
6. Some manholes and water valve boxes need adjusting.
7. All signage must meet MUTCD standards.
8. Some areas of curb and gutter are damaged and need to be repaired or replaced.

Utilities Department Comments:

1. Lot 18 140 San Juan Ct. Has the wrong casting in the driveway. Needs to Be a JOHN BOUCHARD 8006 FRAME AND COVER.
2. Lot 19 136 San Juan Ct. needs to have the sewer box uncovered and raised to grade.
3. Lot 25 112 San Juan Ct. Has the wrong casting in the driveway. Needs to Be a JOHN BOUCHARD 8006 FRAME AND COVER.

DEVELOPER GARY RINEHART WITH RHB'S COMMENTS:

There are six more lots to build on. Please extend six months.

RECOMMENDATION:

Extend six months.

DATE RECEIVED	DEVELOPMENT / DEVELOPER	EXP. DATE	SURETY COMPANY	AMOUNT
---------------	-------------------------	-----------	----------------	--------

3/14/2018	Woodcrest Subdivision, Section V / John Byrnes	9/14/2025	Southern Bank of Tennessee	\$12,300
<p>Bond is for: Roads, Sewer, Stormwater, Water is CUD</p> <p>Development is 100% built out. (9 out of 9 lots built)</p> <p>Public Works Department Comments:</p> <ol style="list-style-type: none"> 1. No issues at this time. <p>Utilities Department Comments:</p> <ol style="list-style-type: none"> 1. No issues at this time. <p><i>DEVELOPER OLIVER CONSTABLE'S COMMENTS:</i></p> <p>Please release.</p> <p><i>RECOMMENDATION:</i></p> <p>Release.</p>				