

CITY OF PORTLAND

PORTLAND MUNICIPAL PLANNING COMMISSION

MEETING MINUTES

June 10, 2025

5:00 PM

LIVE VIDEO ON THE CITY OF PORTLAND WEBSITE

City of Portland City Hall
100 South Russell Street
Portland TN 37148

Roll Call

Chairwoman Blackburn asks for a roll call at 5:00 pm.

MEMBERS PRESENT:

Ann Blackburn-Chairwoman
Gail Gentry
Ty Crowder
Mark Harrison
Robert Tooker
Luther Bratton- Vice Chairman
Jessica Hunter

MEMBERS ABSENT:

Ted Jernigan
Vice Mayor Megann Thompson

[A quorum was established.](#)

STAFF PRESENT:

Nate Heisler-City Planner
Tracey Griffin-Planning Asst.
Zech Rowley- Utilities Assistant
Corbin Keen- Assistant Public Works Director

Other Interested Parties:

Josh Lyon
Richard Graves
Brent Ausbrooks
Nikita Westfield
Zach Wilkinson

Approval of Agenda

We had 1 Applicants asked to be **deferred**:

Brian Hamilton (applicant) request approval For County Inn & Suites with Moes Southwest Grill, Site Plan: location 243 & 245 TGT Road, Portland TN. (Tax Map 016 Parcels 034.01 & 034.02) 1.92 +/- acres. Zoned GCS (General Commercial Services)

Chairwoman Blackburn asked for motion to approve agenda as amended:

Motion to approve: Jessica Hunter

Second: Mark Harrison

Yes: Chairwoman Ann Blackburn, Luther Bratton, Ty Crowder, Jessica Hunter, Gail Gentry, Robert Tooker, Mark Harrison

Absent: Vice Mayor Megann Thompson, Ted Jernigan
Motion Passed (Voice Vote)

Approval of Minutes: May 13, 2025

Motion to approve: Gail Gentry

Second Motion: Jessica Hunter

Yes: Chairwoman Ann Blackburn, Luther Bratton, Ty Crowder, Jessica Hunter, Gail Gentry, Robert Tooker, Mark Harrison

Absent: Vice Mayor Megann Thompson, Ted Jernigan

Motion Passed (Voice Vote)

PUBLIC HEARINGS

Richard Graves (applicant) request rezone approval: location 631 Hwy 52 E, 380 and 392 Three Brothers Way, Portland TN. (Portions of Tax Map 33K Parcels 014.00, 015.00 and 073.00) 0.65 +/- acres. Rezoned from RM-1 (High Density Residential) and RS-20 (Low Density Single Family Residential) to R7.5 (Medium Density Residential)

Zach Wilkinson (applicant) request rezone approval: location 0 Searcy Lane, Portland TN. (Tax Map 034 Parcel 036.00) 2.2 +/- acres. Rezoned from RS-40 (Residential Single Family) to R-7.5 (Medium Density Residential)

Nikita Westfield (applicant) request rezone approval: location 0 Liberty Street, Portland TN. (Tax Map 0331 Parcel 026.00) 0.32 +/- acres. Rezoned from GCS (General Commercial Services) to R-7.5 (Medium Density Residential)

No one spoke on the Public Hearings, Section Closed Out.

PUBLIC COMMENTS

In accordance with Tennessee Public Chapter No. 300 and City Resolution #25-41, public comments are allowed when those comments are Germane to agenda items, except where otherwise prohibited; and the number of individuals speaking may be limited to ensure opposing viewpoints are fairly represented. Comments are limited to 5 minutes per individual.

1. Erica Penn: 357 Blue Door Road Portland TN 37148- Spoke on Kirby Factory Complex
Stance: Against Kirby
Number of issues that will affect their property.
 - Water: runoff already floods their property and the road.
 - Lights: Stadium lighting is already being installed, and she grows light sensitive plants on her property and sales wholesale in Nashville.
 - Noise: Forklifts running constantly.
 - The new proposed building will be 150 feet from the property line, never knew that it was going to be a factory complex.
 - Never knew that it was going to be a factory complex.
2. Tim Penn: 357 Blue Door Road Portland, TN 37148 -Spoke on Kirby Aristotle Project
Stance: Against Kirby
 - Concerns of property of devaluation
 - Truck Traffic
 - Noise from the trucks and forklifts
 - Lack of proposed fence between Kirby and our property.
 - Kirby's lack of respect for neighbors, trespassing and leaving their gate open.
 - Water management
 - Wildlife displacement, eliminating forests and reducing habitat and putting animal pressure on our property.

3. Kip Sweda: 363 Blue Door Road, Portland TN 37148, spoke on Kirby Aristotle Project
Stance: Neutral
 - Flower grower also.
 - The oldest remaining forest in Portland, many trees over 100-years-old and one over 200 years old.
 - Natural plant and wildlife habitat.
 - Now there is a 600-foot buffer of 100-foot trees, down to 20-foot trees intermittently on a 25-foot buffer, will have a direct impact on sight and sound.
 - Multiple shift facility, 175 feet from existing homes and a negligible buffer.
 - Don't know what type of manufacturing will be done or if any chemicals will be used to add environmental safety and odor for the homes just 175 feet away.
 - Natural Forest act as a great water absorber, and we would like to know how drainage would not flood, in fact help the flooding on the adjoining properties.
 - Want to see : Lighting: not stadium lights and limited in height and pointed away from residential neighborhood. A 50-foot landscape on the Northern and Western side instead of the 25 feet. Trees that are in the 50-foot landscape barrier be staggered. The tree preserved that is called General George that could be historic and landmarked protected. Go above and beyond and have minimized impacts on their neighbors.
4. Amber and Eugene Holland: 368 Blue Door Road, Portland TN 37148, Stance: Against Kirby Aristotle Project
 - Can see the lights of Kirby at night.
 - In the winter, they can hear the trucks, forklifts and the radios and who they are calling from inside their home. The summers help when the trees and the leaves help block the sound.
 - When we have a lot of rain there is so much water that builds up in the area that they are wanting to build up anyway let alone the runoff that comes down to our house it is a mud pile basically and if we have to come off our driveway at all we've gotten stuck several times because of the water runoff.
 - The company wants to tear woods all down, will decrease their property value and the neighbor's property value.
 - Eugene Holland: It's not a good idea, the forest back there, it's not a good idea. tear down all the big trees and all the animals, it's not good and it's not good for the environment.
 - Amber: It's not good for the people that live there that have made this place our home.
 - Eugene Holland: This is the biggest forest in Portland.
 - Amber Holland: Its beautiful and a beautiful place to live and this is going to destroy that. The property value hurting us alone is just going to be a lot.
5. Jay Anderson: 1030 Founders Lane Portland TN 37148, Stance: Against Kirby Aristotle Project
The concerns are
 - The noise from forklifts, trucks, radio and the things going in the dumpsters
 - The lights
 - Property values are decreasing and won't be able to sell
 - Roads are too small now
6. Mark Villines 1028 Founders Lane Portland TN 37148 Stance: Against Kirby Aristotle Project
 - Kirby tells them there want be any dust because they will water twice a day, dust already covers their homes.
 - The value of their homes will decrease.
 - The wildlife will be gone.
7. Thomas Robichaud 1024 Founders Lane, Portland TN 37148 Stance: Against Kirby Aristotle Project.
 - Opposed to anything Kirby says, stands for or speaks for.
 - The lighting is as bright as any stadium lighting
 - The home values, the noise, all the things that go along with Kirby now we don't want it, we don't want any part of it and we are opposed to it.
 -

Chairwoman Ann Blackburn closes out the Public Comment Period.

Old Business- No Old Business

New Business

Richard Graves (applicant) request rezone approval: location 631 Hwy 52 E, 380 and 392 Three Brothers Way, Portland TN. (Portions of Tax Map 33K Parcels 014.00, 015.00 and 073.00) 0.65 +/- acres. Rezoned from RM-1 (High Density Residential) and RS-20 (Low Density Single Family Residential) to R7.5 (Medium Density Residential)

Nate Heisler: This is located off Hwy 52E, lots 20 and 21 on Three Brothers Way, taking a portion of each lot, currently zoned RM1 and a portion of 631 Hwy 52 E currently zoned RS-20 and creating lot 20A, zoning it R7.5. The applicant and petitioner would like to rezone to R7.5 with it being one lot instead of RM1. The Council Resolution 23-52 requires all RM1 zoning requests to go to a PUD. This did bring up spot zoning in the Pre-Application Meeting since the closest R7.5 is over a ½ mile away.

Richard Graves: Brent Ausbrooks didn't own the Younce property at the time, he purchased it Oct/Nov of last year and started looking at filling in Three Brothers Way with a single duplex and still maintain a RS-20 lot on Hwy 52E. We are trying to go this route instead of a full-blown PUD for just this one lot.

Jessica Hunter: He's not spot zoning a lot, just one lot that will join what he already had before we passed our new Ordinance. Legally does that have any play with it. Since it's not a separate lot, just saying I want to spot zone this to change this It's being joined into said subdivision.

John Bradley: If that's something you want to do you can certainly look at it that way, it would be your justification. That's one possible way of looking at it.

Ann Blackburn: But it's not fitting into the subdivision because it is a whole different zoning. They are wanting to fit a 7.5 into an RM1.

Nate Heisler: And keep the front of this property a RS-20.

Brent Ausbrooks: Owner of all the properties that join and what we are trying to do. Illegal spot zoning is the problem, not spot zoning, if I'm correct. If nobody opposes it, it's not a problem. It's a residential zoning going to a residential zoning, not going to something totally different. 4 criteria for illegal spot zoning: size, benefit to the owners, detriment to others, and consistency and it stated totally different from the use around it. Size, yeah, it's small, can't argue that all zoning is going to benefit the owner, or they wouldn't be coming up here to ask for a rezone, detriment to others, I don't see how that holds water, and I don't see how not being consistent holds water as far as it being illegal spot zoning. There isn't even a TCA law on it, it's just there have been lawsuits and precedence in the courts. We wouldn't be here at all if the ordinance had a mechanism to kick in where you didn't have to do a PUD for RM-1. It would be nice to have the RM-1 around there and complete the street. It's a big void area, when I bought the property there were four hog barns there that were falling down, that's all been cleaned up, home's been remodeled. If I get the RM-1 PUD I could go for anything. I could go for a quad or put 4 or 5 units on there if I get the RM-1 PUD. The R7.5 restricts me to a duplex, it handcuffs me, so its actually better for everyone around to give me the 7.5 because I cant do anything else, I will have to do what's already there plus I own 25 lots in this subdivision, I'm not going to throw something totally different in there.

Ann Blackburn: Before we vote I would like to ask Mr. Bradley, is that illegal spot zoning?

John Bradley: You can look at what is reasonable, there is nothing that Mr. Ausbrooks saith that I disagree with, as far as the reason given its almost like grandfathered because of what is next to it. This is not doing damage to what is next to it. I think that the rule of all RM1 have to be a PUD, this should be an exception.

Ann Blackburn: Do we need to do our vote like justification of why we are voting that way even though its spot zoning?

John Bradley: Always explain why your doing it, explain because what is next to it, it doesn't hurt anyone else's property value, its less dense than if they went RM1. They could put more if they went RM1, but they're not doing that. So, with the current environment, there's something you want to approve rather than disapprove. Its not like so many other things that have come before me. Just because its spot zoning doesn't really mean its illegal spot zoning. Everything's got circumstances and I think in this case it makes sense.

Motion to approve: Mark Harrison

Second Motion: Robert Tooker

Yes: Chairwoman Ann Blackburn, Luther Bratton, Ty Crowder, Jessica Hunter, Gail Gentry, Robert Tooker, Mark Harrison

Absent: Vice Mayor Megann Thompson, Ted Jernigan
Motion Passed (Voice Vote)

Zach Wilkinson (applicant) request rezone approval: location 0 Searcy Lane, Portland TN. (Tax Map 034 Parcel 036.00) 2.2 +/- acres. Rezoned from RS-40 (Residential Single Family) to R-7.5 (Medium Density Residential)

Nate Heisler: This Property is located on the corner of Searcy Lane and WB Dye Road. The request is to rezone RS-40 to R7.5, it will be in close proximity to the bypass, and it brings up the same conversation that we just had with Deer Run. The closest R7.5 is 0.2 miles away.

Zach Wilkinson: Cornerstone Surveying: To address the spot zoning concern, Mr. Ausbrooks did a great job of explaining its not spot zoning unless it meets those 4 thresholds in that case and this case. It's not an inconsistent use, its residential all around it. This is a proposed residential use. The use is not inconsistent with the area. If we were proposing something Industrial or commercial, yes there is nothing touching it. As far as the proposed project, it would be a combination of single family and duplexes on the lot. We looked at doing a PUD, but the ordinance for a PUD is for doing large tracts of property and this is 2.2 acres. One of the first things when you do a PUD, you have to apply the 20-foot buffer around the whole perimeter if the property including the road frontage. This already has road frontage on all of the lots, so you will have open space that is owned by HOA along the road before you get to your lot and in this case, it doesn't even make sense with any kind of layout. That's why we didn't go the PUD route, the way the PUD ordinance is written there is now way we could meet that criteria and that lot be functional, that's why we decided to go with the R7.5 proposed zoning. I would be happy to answer any questions if I can.

Nate Heisler: I think with this request there are 2 things the Planning Commission needs to take into consideration. First, with the bypass being in such close proximity, what do they envision this lot to look like, residential or commercial, and second, the distance it is from the closest 7.5. RM1 is right down the road, so there is density down the road.

Zach Wilkinson: I looked at the current draft of the Preserving Portland plan and this area is currently showing in town neighborhood. It refers to the higher density residential uses. RM1 and R7.5 is consistent with the current draft of the land use for that area.

Robert Tooker: The concern that I have is it just seems like a plot of land that's just sticking out in the middle of nowhere. There is really no concept or plan for the land around it. I understand we have a school that's very close, adjacent. Dye Road is kind of a road, a small road. The high school has a lot of traffic; it's a high-density traffic in the morning and the afternoon.

Jessica Hunter: How many units are you thinking of putting on it?

Zach Wilkinson: The current conceptual, we have now is seven lots, duplexes are allowed in that zoning. When you go to duplexes, the lot has to get bigger so theoretically 12 units would be the maximum utilizing the existing road frontage. It would be a combination of duplexes and single family. That's without adding any additional road, internal road, utilizing the existing road.

Mark Harrison: What is the zoning for the three 3 lots that front 52?

Nate Heisler: We have RS-40, General Commercial Services and RS-40. All three of these are empty lots.

Robert Tooker: All the other land around it is RS-40?

Nate Heisler: In the dark green, yes. Low Density Residential.

Zach Wilkinson: Do you know what the land use plan, what that's proposed at? Is that supposed to be a commercial corridor along 52, from the current draft of Preserving Portland land use plan?

Nate Heisler: This is our draft comprehensive plan Preserving Portland. This is the map that we are currently working on at staff level, this area at Searcy Lane and WB Dye Road would be place type of the intown neighborhood. Potential land uses are single family detached residential, duplexes and townhomes, triplexes, fourplexes, with accessory dwelling, community, public, institutional facilities. What it is saying at this current point, but this plan hasn't passed by Planning Commission or Council, we are working on the draft version now, but it would be within a residential type zoning with the comprehensive plan.

Jessica Hunter: So, it doesn't fall under the criteria of technical spot zoning?

Nate Heisler: Our 7.5 is not contiguous, it's in the area and density is down the road but surrounding this property is commercial to the south and all the rest is the same zoning as the lot, its RS-40.

Ann Blackburn: How would you like to move forward?

Jessica Hunter: Does the board feel they don't want to approve what he's asking for?

Ann Blackburn: Mr. Bradley, you were shaking your head when Nate was talking, so you consider this spot zoning?

John Bradley: It is definitely spot zoning and its different from the other one, it was next to high density, this is next to lower density. Spot zoning obviously sticks out, the commercial lot, I don't know how that got zoned commercial but everything else around there is RS-40 so it's a little different from the other property which was next to something that was higher density, this is all-lower density, it's not as a clear path forward as the other one, in my opinion, it's just different. Everything around it is lower density, not higher. Its in your discretion, but still, you have to have some justification for ignoring the ordinance.

Robert Tooker: For the reasons I stated, I would be opposed to it.

Motion to Deny: Mark Harrison

Second Motion: Robert Tooker

Ann Blackburn: is there any discussion?

Ty Crowder: I think that the RS-40 that's next to it, eventually with future use will change because the expansion is moving that way, so all of that green that is RS-40 now, wont be in the future. Especially since the Preserving Portland overlay is for neighborhood use. So Personally, future planning, I could understand why they ask for that, I understand it sticks out and for spot zoning purposes, that makes me nervous. But for future use, that doesn't trigger me.

Zach Wilkinson: Can I speak one more time, on the spot zoning? If you look at all the zones on that map, all of them are isolated. What y'all are considering spot zoning, everything up there was spot zoned. That big red blob zoned RM1, there wasn't any RM1 around it. If you look at the 4 criteria's for spot zoning of how the courts look at it to be considered spot zoning in this case or that case, none of the factors are met. Now it is a different zone than what's around it? Yes, that's always going to be the case, generally. If you are considering a negative recommendation, I would encourage some education on spot zoning is, because this is specific, it's the use, not the specific zones. If you look at the map, all those different zones, they are all residential use and that's why they were allowed to be zoned that way. Nothings ever been brought to the courts about it, this is a residential use within a residential use, that's the way the courts have always looked at it, nit the specific density of the zoning. If your going commercial or industrial in there, yeah that a whole different argument and its consistency with the land use plan, current and the draft of the future and that's the criteria that any of the court cases have looked at, consistency with the land use plan. I would just ask that you consider that.

Ann Blackburn: We have a motion to deny and a second, so we will take a vote.

Jessica Hunter: so, if we deny, they can't bring it back?

Nate Heisler: They can bring it back as a PUD.

Zack Wilkinson: Yall are making a recommendation to Council, we will take it to Council.

Nate Heisler: It is a recommendation to Council but if denied at Council, they have alternatives after that.

Roll call Vote:

Yes: Chairwoman Ann Blackburn, Robert Tooker, Mark Harrison, Luther Bratton

NO: Ty Crowder, Jessica Hunter, Gail Gentry

Absent: Vice Mayor Megann Thompson, Ted Jernigan

Motion Denied (Roll Call Vote)

Nikita Westfield (applicant) request rezone approval: location 0 Liberty Street, Portland TN. (Tax Map 0331 Parcel 026.00) 0.32 +/- acres. Rezoned from GCS (General Commercial Services) to R-7.5 (Medium Density Residential)

Nate Heisler: The proposed lot is zoned GCS, and the rezone is for R7.5 off of Liberty Street. Properties along Hwy 52 at the intersection of Park Ave and Hwy 52 that are all orange are zoned GCS (General Commercial Services) the pink between Park Ave and Liberty Street are zoned CBD(Commercial Business District), The church next door is zoned R7.5 with a Conditional Use that has to go before BZA to get use approval and the area in the rear of Liberty Street and across the road at Oak Street are all zoned R7.5. Does the R7.5 fit into this area?

Richard Graves: The use would mirror the use across the street. The lot is an original lot and when the highway came through, they took a little of it by taken of the highway. With the drainage calculations and the buffering there isn't enough room for a new building even combining the lots.

Nakita Westfield: The applicant, as a residential it would still conform to the neighborhood. Due to the lot size, the setbacks, it's not conducive for commercial, that would be the justification for the rezone request.

Citizen from the Audience asked how the rezone would affect her property.

Chairwoman Ann Blackburn stated that it would turn this lot to residential so she could possibly build a house on it.

Motion to approve: Gail Gentry

Second Motion: Jessica Hunter

Yes: Ty Crowder, Jessica Hunter, Gail Gentry, Robert Tooker

No: Chairwoman Ann Blackburn

Abstained: Luther Bratton

Absent: Mark Harrison, Vice Mayor Megann Thompson, Ted Jernigan

Motion Passed: (Voice Vote)

Josh Lyon (applicant) request approval For Kirby Building Systems, Project Aristotle Site Plan: location 124 Kirby Drive, Portland TN. (Tax Map 19 Parcels 028.01, 029.00 & 029.02) 48.34 +/- acres. Zoned IG (Industrial General)

Nate Heisler: To give the Planning Commission and the community members the location of where this project is. If you are looking at Kirby's property, everything you see in the purple (GIS) is currently annexed and zoned properly in the city as IG. These three lots for the site plan consist of and zoned Industrial currently. The site plan, this is Kirby's building currently. The site plan is proposing a building in the rear parcel. The proposed building is 51,465 sq ft. To speak on the buffering, 100 feet buffers have been added to the back of the building. In the front is a laydown yard and it's a proposed gravel lay down yard. Our ordinance for dustless surfaces allows for Industrial Districts to not be paved if it is considered storage in an industrial district. A laydown would be storage. That's the reason for this area in the front to be gravel. These are the proposed landscaping plans, we have the property to the East, this is a county property currently, it has not been annexed into the city. You heard from a bunch of the residents earlier, this is Flounders lane here, this property here is currently in the county. To have any kind of development as far as industrial with Kirby on this site, it would need to be annexed and rezoned into the city which we have not started that process. There is a 100-foot setback off the property line for the building and the buffer falls in line with the city's regulations for what it should look like from residential to industrial.

Josh Lyon: All of the driving traffic for this particular development is all internal to the existing facility, it will tie into the existing truck route that goes around the existing facility, so there is no new connections to any public right of ways. All exits will come back out on Kirby. All the property for this site plan are all in IG zoning and inside city limits. The house the residents talked about is the parcel still outside the city limits and is zoned residential and that is not included in this site plan.

Luther Bratton: This may be a Planner question, I know they can allow for gravel, but in a site plan approval can we require a different type of surface to alleviate some of the dust?

The citizens are probably not aware of where we are, the property is currently zoned IG, at some point it was zoned industrial, at that point you could have made a complaint, and it may have not been rezoned. I don't know when it was rezoned, but when it was rezoned, they have a right, we cant not allow this because its currently zoned industrial. The only thing we can do maybe is limit some of the issues like the dust and some of those natures. Is the buffer in compliance?

Nate Heisler: The buffer, is it in compliance with the city regulations,

Luther Bratton: So maybe we could help with the dust.

Nate Heisler: Goes over the Dustless Surface regulations 4-111.302 **All exterior storage areas shall have paved entrances and exits. The rest of the lot maybe gravel if rocks are prevented from getting into the public streets. All areas shall be graded and drained so as to dispose of all surface water accumulated within the area. Exterior storage areas with direct access to a public right-of-way shall have entrances and exits surfaced with asphalt or concrete for at least fifty (50) feet.**

Kirby had another site plan a while back and this is the ordinance that was used for the paving of the entrance. They complied with the regulation, the dustless surface starts at the public right of way, that's where it needs to be paved.

Luther Bratton: Because of the impact to the residential area in close proximity and I understand you would

pave in the front right of way, but as you can see there is a really nice subdivision that's at the rear there and personally if we have the ability to require that, I would like to see us do that.

Jessica Hunter: Do we have that ability, as planning commission?

Nate Heisler: I believe you can ask, but if they are in compliance with 4-111.302

Luther Bratton: We don't have to approve it.

Gentleman in the Audience: Has Kirby presented to the city the water evapment plan for this property?

Nate Heisler: Yes, they are in the Plans

Josh Lyon: The stormwater treatment is in, yes. We have several large detention ponds to redirect the water to no longer to go north but to direct it to the more direct source to the east. Right now, it's like a bowl that drains northward, and we are taking all of that and sending it to 2 large detention ponds to greatly reduce the runoff, taking it to the east.

Luther Bratton: Is it difficult to control it with the gravel?

Josh Lyon: Not difficult, it will get to the basins because there is adequate slope, it's just on-going maintenance, rutting, they would need to maintain the gravel a lot more just for those purposes.

Robert Tooker: You heard a lot of opposition, is there anything you would like to address with those issues? Lighting, noise, traffic?

Josh Lyon: On the traffic, it's all internal and going to the existing entrances, we providing the buffer required by the current zoning regulations, the drainage is there for the increase, I did speak with Nate about the lighting plan and talked with the electrical engineer and they will be providing a lighting plan. All that's proposed for this building is wall packs, so once we run through the lighting plan, it won't exceed what's required at the property line. We have talked about gravel and dustless, that's up to you to determine. It's a laydown yard; it gets a lot of heavy traffic movement on it. Asphalt doesn't hold up honestly, it will get tore up, so gravel is better to maintain in those situations where there are laydown yards. Forklifts are out there moving around steel. So that's why they requested the gravel laydown yard like the previous site plan, a year and a half ago.

Luther Bratton: What is the acreage of the area?

Nate Heisler: 48.34 Acres

Luther Bratton: What is the distance from the lot to the first house in the subdivision there?

Nate Heisler: 0.23 Miles

Ann Blackburn: What is the closest house on Blue Door Road?

Nate Heisler: About 300 feet

Luther Bratton: what is that building going to be utilized for?

Josh Lyon: Its part of their manufacturing process for their cold form steel.

Robert Tooker: Can you help me, from a historical perspective, what came first, have the houses been there forever?

Jessica Hunter: No, not the new subdivision, Kirby, hence Kirby Road, I believe, was the first industry back in the day, built out there.

Nate Heisler: I can give you a little bit of history, there is a rezone ordinance 20-01, it was rezoned in 2020, February 2, 2020. This was city property (the triangle Piece of property) that was sold at one point and Kirby bought it. There is no date on that one, it could have been before that, but the property in the rear was 2020.

Ann Blackburn: When was the Subdivision built?

Citizen from Audience: 2006 and the properties all along Blue Door are longer than that.

Luther Bratton: Since its allowed, in your opinion, with it being on weak ground if we required something above that.

John Bradley: You can always ask for it. They can always say no. If you need to defer it, for them to make some decision about it, defer it. If you don't have a decision maker here tonight and you want it made, you can always defer it and see what their attitude is about it. Then you decide if you want to enforce it or not if they refuse.

Robert Tooker: Have you had any kind of neighborhood meeting, anything, to talk with the residence around this property? This is kind of one of those situations where we all need to coexist, so we need to find solutions.

Josh Lyon: so, we are developing a site plan on a currently allowed use property, of course the other 14 acres where the house was taken down. Yes, there has been conversations, I have not been involved in those, but I know Kirby has, so I cant speak to when it was or what was said or what happened or conversations. We are looking at a site plan for a permitted use piece of property at this point.

Luther Bratton: A legal use.

Josh Lyon: Yes.

Ann Blackburn: They are not asking for a new zoning or anything.

Josh Lyon: A dustless surface can fall under several different categories, payment, concrete, yes that's the high end, you got chip and seal and stuff like that to make it dustless since the code doesn't specify how to make it dustless at this point. Obviously, they are going to go back to what was recently approved was permitted to be gravel with the same type of use.

Representative of Kirby: An option to the dustless surface is maybe asphalt milling, its ground up asphalt and its more stable, dustless, its totally dust free but it is less dusty than gravel, we might be able to consider something like that for some of the surfaces, especially the roadways and stuff like that.

Josh Lyon: What would be happening on the laydown yards specifically? What would be traversing on the bigger laydown yards?

Representative of Kirby: Just lift and trucks. It wont get as much traffic as the actual road that goes around it.

Josh Lyon: The loop around it. I just wanted to make sure we are understanding what would have more traffic on it, the loop around the facility.

Representative of Kirby: We have sampled some milling in certain areas, and it seems to be holding up so. Its doing better than just straight up gravel.

Ann Blackburn: So, your already using it some?

Representative of Kirby: We got it in certain areas and we're trying it out, seeing the durability of it mainly and the dustless.

Ann Blackburn: How is it?

Representative of Kirby: It is better than gravel, it doesn't turn to dust like gravel.

Luther Bratton: As far as time frame, if this body wouldn't support this site plan tonight, as far as timeframe and moving forward, waiting 30 days to get approval to get utilize something other than gravel to help with the dust, would that be an issue?

Representative of Kirby: What kind of approval would we be waiting on?

Josh Lyon: We have recently got the State of Tennessee's approval for their State grading permit, their ARAP permit, they are all in place as of last week, so its with anticipation to use the moth of June and July to get started. So, they would essentially lose a month of starting on the site.

Jessica Hunter: So, are you saying you would be in agreeance not to use gravel?

Representative of Kirby: I'm saying that would be an option, I cant say that we would absolutely go for it, but its an option, something we can bring to our leadership team. If this is a concern, this is something we would consider.

Jessica Hunter: I know the other thing the citizens are having issues with is the lighting, but I heard there is a meeting with the lighting.

Nate Heisler: We're going to get the lighting plan, and then I will review it, if there are any approvals that would be part of it.

Luther Bratton: The lighting plan will address the issue.

Josh Lyon: There is no site lighting, just building lighting, wall packs on the building.

Nate Heisler: Our regulations for lighting in the city require that it doesn't go over 0.5 lumens across the property line. That's what I look for in the lighting plan and if it goes over 0.5, I ask the engineer to relocate the light.

Luther Bratton: Do you think it would be possible to commit to a percentage that would utilize to something other than gravel? I'm trying not to defer a month.

Representative of Kirby: If you mean the road surface going around to the back of the building, I can probably say we can probably try the milling on the back there, I don't know about the whole yard, but at least the perimeter.

Luther Bratton: The rear that backs up to those houses within 300 feet.

Representative of Kirby: Yes, that road surface going around.

Jessica Hunter: The water issues, drainage, would be covered under the city department.

Nate Heisler: I had a conversation with our stormwater engineer earlier today about this project and he feels comfortable with the comments that he's made, if the applicant addresses them, he seems ok with it. He said if there are any approvals on the site plan that it needs to come along with addressing staff comments and his comments would be pertaining to stormwater.

Ty Crowder: I see there are trees incorporated into the landscaping barrier around the back as well.

Josh Lyon: Yes, that's type D buffer.

Jessica Hunter: How do you feel about the other surface going around the barrier.

Luther Bratton: Yeah, I know we are trying to work a situation out, but if we could get some kind of commitment, something we could tie Planning to go make sure that that area would try to address some of the issues. Is there any way we could do that?

Representative of Kirby: I can't make a commitment tonight to say that I would definitely do that, I would have to take it up with leadership.

Ann Blackburn: I think it needs to be deferred

Luther Bratton: Is it going to hurt your project to be deferred for 30 days?

Representative of Kirby: Yeah, it will put us back quite a bit.

Luther Bratton: That's what I was thinking.

Jessica Hunter: How quickly do you think someone higher could have a conversation and decide this?

Representative of Kirby: I can go make a call right now.

Jessica Hunter: we don't want to ever hold anyone up, we want to keep peace with the landowners, I salute Kirby for being in Portland all of these years and coming to Portland to begin with but trying to keep peace and do as much as we can to keep them happy and work with you guys.

Luther Bratton: I think we need to take a 10-minute break.

Representative of Kirby: For the road around the back of the property there we putting the milling down to help control the dust We are going to Keep the 100- to 200-year-old possibly tree, we have decided to keep that one and in the buffer zone we will keep all mature trees we are not going to knock everything down, we will just add to that.

Motion to approve with agreements during the meeting and staff comments: Luther Bratton

Second Motion: Jessica Hunter

Yes: Ann Blackburn, Ty Crowder, Jessica Hunter, Gail Gentry, Robert Tooker, Luther Bratton

Absent: Mark Harrison, Vice Mayor Megann Thompson, Ted Jernigan

Motion Passed: (Voice Vote)

City Planner's Comments

We are having a meeting for Planning Commissioners and Developers for a Subdivision Regulations update the last week of June with Josh Suddarth, we will send out an email to figure a day and there is a Neighborhood meeting for an incoming Plan Unit Development Thursday at 5:00 PM at the Storage Buildings on Hwy 52. I sent an email out today with the location on it.

Planning Commission Members Comments: Noone Spoke

Motion to Adjourn: Luther Bratton

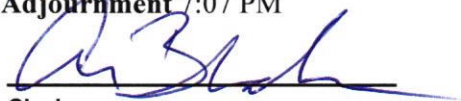
Second Motion: Jessica Hunter

Yes: Ann Blackburn, Ty Crowder, Jessica Hunter, Gail Gentry, Robert Tooker, Luther Bratton

Absent: Mark Harrison, Vice Mayor Megann Thompson, Ted Jernigan

Motion Passed: (Voice Vote)

Adjournment 7:07 PM



Chairwoman

7-8-2025
Date



Recording Secretary

7/8/2025
Date

City of Portland Public Comment Sign-In Sheet *(Please Read Before Signing Up)*

- In accordance with Tennessee Public Chapter No. 300 and Resolution #24-21, public comments are allowed when those comments are germane to agenda items, except where otherwise prohibited. Comments are limited to 5 minutes per individual; and time is not transferable to other speakers. To ensure opposing viewpoints are fairly represented, the number of speakers may be limited per agenda item. Individuals wishing to comment on an agenda item must first sign up in person before the start of the meeting. Any appropriate documents that the speaker wishes to distribute to Board members must be given to the designated minute keeper before the meeting starts.
- All meetings are to be conducted in a civil and orderly manner.
- If you wish to communicate with Board members about issues not on the agenda, please contact the City Recorder, or see the City's website www.cityofportlandtn.gov for more info.

Public Comments For Agenda Items		Stance On Item (Check one)			
Individual To Speak		Agenda Item	For	Against	Neutral
Print Name	Erica Penn	Kirby Factory Complex		X	
Address	357 Blue Door Rd				
Print Name	TIM PENN	KIRBY ARISTOTLE PROJECT		X	
Address	357 BLUE DOOR ROAD				
Print Name	KIP SWEDA	Kirby Aristotle Project			X
Address	303 Blue Door Rd				
Print Name	Amber Holland	Kirby Aristotle project		X	
Address	368 Blue Door Rd				
Print Name	Jay Anderson	Kirby Aristotle Project		X	
Address	1030 Founders Ln.				
Print Name	Mark Villines	Kirby Aristotle Project		X	
Address	1028 Founders Ln				
Print Name	Thomas Robichaud	Kirby Aristotle Project		X	
Address	1024 Founders Lane				

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