

CITY OF PORTLAND
PORTLAND MUNICIPAL PLANNING COMMISSION
MEETING MINUTES

April 14, 2026

5:00 PM

LIVE VIDEO ON THE CITY OF PORTLAND WEBSITE

City of Portland City Hall
100 South Russell Street- Room 111
Portland TN 37148

Call To Order

Roll Call

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

MEMBERS PRESENT:

Ann Blackburn-Chairwoman
Vice Mayor Megann Thompson
Jessica Hunter
Robert Tooker
Ted Jernigan
Gail Gentry
Jim DiPiazza
Luther Bratton
Chirag Patel

MEMBERS ABSENT:

A quorum was established.

STAFF PRESENT:

Nate Heisler-City Planner
Mang Bik-Utilities
Carlton Cobb- Public Works Director
Corbin Keen- Public Works Assistant Director

Other Interested Parties:

Troy Gardner
Darryl Hartley
Mack Hodges
Zach Wilkinson
Richard Graves
Bruce Rainey

Approval of Agenda

Motion to Approve: Jessica Hunter

Second Motion: Gail Gentry. All were in favor, motion carried.9-0.

Yes: Ted Jernigan, Vice Mayor Megann Thompson, Jim DiPiazza, Robert Tooker, Gail Gentry, Jessica Hunter, Chairwoman Ann Blackburn, Luther Bratton, Chirag Patel

Absent: No One

Approval of Minutes: February 10, 2026

Motion to Approve: Ted Jernigan

Second Motion: Jessica Hunter, All were in favor, motion carried. 9-0.

Yes: Ted Jernigan, Vice Mayor Megann Thompson, Jim DiPiazza, Robert Tooker, Chairwoman Ann Blackburn, Jessica Hunter, Gail Gentry, Luther Bratton, Chirag Patel

Absent: No One

Public Comments

In accordance with Resolution #25-41, public comments are allowed when those comments are germane to agenda items, except where otherwise prohibited. The number of individuals speaking and/or the allotted time to speak may be limited by the presiding officer to ensure opposing viewpoints are fairly represented. Each speaker is limited to a maximum of 5 minutes for public comment and must sign-up to speak in person before the start of the meeting. Sign-up sheets will be available just before the start of each meeting in the same room where the meeting is being held.

1. Zach Wilkinson 1065 Rapids Road Portland, TN 37148

Zach Wilkinson wanted to talk with the Commissioners about the process with the City and Planning Commission. There is over \$1,000 worth of prints sitting there from our office. I have some suggestions to help maybe lower that cost for citizens wanting to apply to this body. One of them is, the requirement is 12 X 18-inch prints. An 11 X 17 inch is a tenth of the cost. You can print that off a standard printer versus a plotter. The way most plotters are set up, you waste about half that page. The prints in front of you are from the original submittal. They have been revised since they have been printed. To me it makes more sense for you to look at the latest version. Most of the cities require digital submittals, you don't have computers in front of you so it would be up to you to use your personal devices. I understand that may not make sense right now, but I encourage the body to do that in the future, that's the way most jurisdictions operate. That makes it easy on staff getting you the submittals and you have more time to review them. Those are just a few suggestions. The biggest thing for me is going from the 12 X 18 to 11 X 17 would make a huge cost difference, ultimately for our clients. I appreciate you listening to me.

Public Comment Period Closed Out.

Presentation: Old Westmoreland Road PUD Conceptual

Nate Heisler: This is located off Old Westmoreland Road. When you are looking at these plans, you can see Parkside Estates on the left-hand side, a development that has been built out here recently. You have Dez Way and a connection. This is a PUD Conceptual for residential and is in line with the city's comprehensive plan for what they are proposing here.

A little Site information here its 27.2 Acres, the current zoning is R-15 and RR county, so there would be an annexation involved with this. We are looking at 94 lots on this Conceptual plan. Lot area being proposed is 5,000sq ft per lot, the density is 3.5 units per acre. The proposed setbacks proposed 20' front setbacks, 5' side setbacks and 20' rear and a 30' side street setback. They have landscaping buffers on here, open space, we require 20% min and they are proposing 34% at 9.29 acres. Access off Old Westmoreland Road and another access off Dez Way. The amenities being proposed are pickleball courts, a pavilion, basketball court, a walking trail, pavilion #2, picnic area, playground, mail kiosk and a dog park. Stormwater to the north and in the middle of the development.

Troy Gardner- Landscape Architect and Project Manager at Pape Dawson, here on behalf of Brimstone Builds. We are here on conceptual review on our request to annex and rezone to PUD. The site is located at 120 Old Westmoreland Road, consisting of 2 parcels. The southern parcel is within the city, and the northern parcel is in the county. We would be proposing annexation for the northern parcel. The current zoning is R-15 and RR in the county. We would be proposing a rezone to PUD for both parcels. When we first started looking at this site, we looked at Preserving Portland Comprehensive Plan, and we found a future land use policy. This one actually has 2 policies, mixed use urban and in town neighborhood. Mixed use urban supports single family residential and residential density 3-20 dwelling units per acre and in town neighborhood also supports single family residential and residential density 6-10 dwelling units per acre. Looking at the Portland PUD regulations, no proposed building lot within a PUD may not be reduced to less than 5,000 square feet and for setbacks front no less than 20 feet, side no less than 5 feet and rear no less than 15 feet. Within the regulations there are considerations for granting the exceptions to produce these lot sizes. Many of these we are meeting. We are proposing an additional landscape buffer around the perimeter, what is required is a 15-foot type B buffer. We are proposing a 20-foot type C buffer, proposing pedestrian facilities, preservation of natural features, recreational amenities and other amenities, as well as ornamental streetlights, street name signs and stop signs. So, taking all of that into consideration, we prepared the plan you see before you tonight. We are proposing 94 lots ranging in sizes of 5,000 to 10,000 square feet, a proposed density of 3.5 dwelling units per acre. This site requires 20% open space, we are proposing 34%, the usable open space required is 10% and we are proposing 11%. We are doing a little bit larger landscape buffer than required. The amenities being proposed are pickleball courts, a pavilion, basketball court, a walking trail, pavilion #2, picnic area, playground, mail kiosk and a dog park. There are some discussions about lot sizes, so we prepared this to show how the lot sizes are distributed throughout the neighborhood. 5000 sq ft lots are 56%, the remainder 44% are greater than 5000 sq ft lots.

Ted Jernigan: Has there been any discussion with you and the city of how we are going to get these 94 lots back on 52?

Troy Gardner: So, it will be using the existing roads. We are doing a traffic study for this project. The intersections were studied are Hwy 52 and South Russell Street, South Russell Street at Old Westmoreland Road at the project access.

Ted Jernigan: Has the city talked about how to alleviate this, to get the traffic to 52? Has there been any discussion?

Nate Heisler: We have had discussions around study points at this point and time; we don't have a traffic study at this point with it being conceptual. It's hard to look at the conclusions

of that and make determinations without a traffic study just yet, but we have had focus meetings on where to study at.

Ted Jernigan: So, we are going to have these 94 plus Parkside right beside it, all on Old Westmoreland Road, coming to Hwy 52. It's not their problem, it's Portland's problem, but have we talked about how to alleviate that problem?

Nate: Right now, we are in the study phase, we don't have a study to look at and have those conversations just yet. Typically, when the traffic study comes in, we will have those conversations with staff and look at the conclusions of that traffic study and go from there.

Chairwoman Ann Blackburn: Where have y'all talked about doing the traffic study locations?

Troy Gardner: Hwy 52 at South Russell Street, South Russell Street at Old Westmoreland and Old Westmoreland at the project access point.

Nate Heisler: That's the 3 locations we thought was most impactful.

Jessica Hunter: Old Westmoreland isn't a very wide road.

Ted Jernigan: So, one of the locations isn't Old Westmoreland and Hwy 52, down to the east, that's not one of the sites?

Troy Gardner: No sir. So, we met with Planning and had the pre-app and I'm not sure who we had to scope that with but agreed upon the intersections that would need to be studied. There were conversations of what areas that would need to be studied.

Jessica Hunter: There will be a lot of traffic coming out there without a traffic light. I know we probably can't do a traffic light that close to the South Russell traffic light.

Chairwoman Ann Blackburn: The pickleball court and basketball court are right beside an existing house, was there anywhere else those could go, where there's not an existing house right beside it? It's going to get loud right there, teenagers playing basketball or whatever.

Troy Gardner: That's something we would have to look at, if that's something we need to do.

Robert Tooker: Would those be lighted courts?

Troy Gardner: We've not discussed that, potentially.

Robert Tooker: That would be another thing for the people that live in that house.

Megann Thompson: Nate, can you address your Planning Department notes, on lot sizes, what they show, change the layout enough to fall under PUD (Planned Unit Development) regulations?

Nate Heisler: From what I saw on the lot size photograph, I haven't seen that before, it's new to me, it's in the direction of where my comment was on that.

Megann Thompson: Do we have a ratio after 5,000sq ft?

Nate Heisler: No, it's just based off that comment. I can look at that; this is the first time I'm seeing it and make a determination and give some advice later on when preliminary plans come through. Just looking at the rough conceptual we saw at the beginning, it's helpful to know that lot sizes are broken up based on lot sizes and color. It was hard to see on the original conceptual plan.

Troy Gardner: I don't think the plan was clear, the way it was labeled, I think it said required 5,000 proposed 5,000 and it should have said proposed 5,000 minimum because it is 5,000 and greater.

Megann Thompson: What was that percentage you had that was the 5 to 6,000?

Troy Gardner: 5,000 IS 56%, 5-6,000 IS 16%, 6-7,000 IS 9%, 7 TO 8,000 IS 7% AND 8,000 AND GREATER IS 12%.

Jessica Hunter: Are those based off the lay of the land?

Troy Gardner: Yes mam.

Megann Thompson: I wasn't here for the Council meeting when you did your conceptual plan there, but I think the concern was, within the city, at some point, everyone is going to get sick of seeing the exact same 5,000 sq foot lots. There's no characteristics, even the PUD's. Your amenities are great and hold up to what you're asking as far as the density. I appreciate you looking at laying out some bigger lots, even if it was just lay of the land. I encourage any developer moving forward, lot characteristics go a long way, along with amenities, along with anything for the city, that can benefit from having this community. Nate, I would like you to go over that and get those numbers and see if there is anything else that might can change, that might can lower that minimum percentage down just a little bit, maybe even if it out a little bit more, we will just have to see. It's a unique piece of property with some wetland in the middle of it.

Troy Garner: That's another part of it, we did preserve the wetland and the stream here, stream there, we did work around those features, we wanted to maintain those. That factors into how things are laid out.

Jessica Hunter: How deep does that water get on a bad rain? Is it going to be fenced?

Nate Heisler: As far as I know there has been no engineering for that.

Darryl Hartley: That's actually a pond in the middle of the old farm. The land all kind of rolls toward the pond. That overflow there is overflow of the pond. It never fills up with water. We are designing two ponds toward the back. All the storm water for this development will filter toward the storm ponds and it slows down all the runoff of the water. You can go on Parkside Estates that we developed

last year and working through, but that same buffer runs under Parkside Blvd right there and goes toward the park property and through the park and out the back. It's called a stream, but it's not a stream. That hole where it says existing wetland in the middle is an actual pond, is an old pond, and we are leaving it and the layout is because we are working around the pond.

Luther Bratton: I'm not concerned about the density; it's something the community is going to get accustomed to. The concern I have, and I had that concern with Parkside, the same concern Ted has, Old Westmoreland Road down to South Russell, with this type of density, we may want the city to look at something being done with that. Now you have 2 developments going to build out that's going to be dumped there. I understand why you're not going back to the East; it doesn't make much sense. I don't know what that would entertain. I don't know if there are easements already there that could be utilized on Old Westmoreland from there down to South Russell, on South Russell out to 52. I have some of the concerns that Ted has, it needs to be looked at. We need to look at the entrances out to 52 where the civilization is at.

Troy Gardner: I know this won't address completely that concern, we do have stubs for the connectivity for this site. We have the access from Old Westmoreland we have a stub to the east, a stub to the west and a stub to the north. We are one part of the puzzle; I don't know if we can do the comprehensive look at something like that. I feel like we are doing our part to connect to all of our neighbors.

Luther Bratton: I'm familiar with the community, most of that is unusable land that won't ever be developed in anyone's lifetime, its city property that's unusable.

Ann Blackburn: The mail kiosk, is there a parking space to pull in and get your mail or are they pulling off the side of the road to get their mail?

Troy Gardner: We currently don't have one but that's something that can be added.

Ann Blackburn: Is there a walking trail right there beside it?

Troy Gardner: Yes, there are sidewalks on both sides of the street, as well as the walking trail that connects up to the sports court area.

Ted Jernigan: The size of the lots that are on Old Westmoreland, how do they compare to what's across the road?

Troy Gardner: I'm not sure what's across the road, as far as sizing goes.

Ted Jernigan: Is it comparable, Nate?

Luther Bratton: Its not as dense.

Ted Jernigan: Its not as dense across the road.

Luther Bratton: No.

Ted Jernigan: I'm talking about on the south side of Old Westmoreland.

Nate Heisler: We are looking at R-15, RM-1, primarily R-15 across the road. There are some RM-1 sprinkled in there to.

Ted Jernigan: So, across the road we have 15,000 sq ft lots and looking out their front doors, they have 5,000.

Troy Gardner: So, I know some of the larger, the pink lots are 8 to 10,000, the red are 5,000, the green are 7-8,000, the orange are 6-7,000. There is a mixture there along Old Westmoreland Road.

Megann Thompson: Have there been any talks of the home sizes?

Troy Gardner: Yes, we have, it will be in the pattern book that we will be submitting, 1100 sq ft and greater.

Darryl Hartley: We are back and forth about what to put in the PUD and what not to put. The builders, whether I build or other builders, are going to build houses that will sell as far as price point and square footage wise. Even if I put 1200 in here minimum, or 1500 sq ft minimum, they are going to build whatever they can that's going to sell. Builders want to build a larger house, because they can make more profit off of one piece of property, building a 2000 sq ft house instead of a 1200 sq ft house. Simply based off a percentage. They make money that way with each lot. They also want to put out houses that are affordable and what people are purchasing, the price points that sell the most. No, we have not settled on a percentage of whether it's 1200 sq ft minimum or 1500 sq ft, we haven't put anything yet. If it were up to me, I would probably put 1100 to 1200 and leave it there, and that's the minimum, but all builders, I can just tell you, if you go look at Parkside Blvd, that its attached to, they are building 1800 to 2000sq ft houses. Not because that's what the PUD said, because the PUD said 1100 sq ft and no garages, concrete driveways and 75% masonry. They are all building 2000 sq ft houses right now. So, to answer your question, no we haven't put anything in here yet but that's our conversation we have been back and forth about that. That is where we are right now.

Luther Bratton: It's a nice project and I would like to see it succeed. The safety factor of dumping those vehicles out on Old Westmoreland, the people in the community can't control that, they have to drive that. Has there been any consideration about even looking what that

would look like?

Daryl Hartley: Brimstone is paying 3rd party people, I don't know who they are, to do traffic studies. That is the extent of what we can do. Until we get the traffic study back, and what it actually says widen the turning lane or make a longer turning lane, I don't know until we get it back. Once we get it back, we can look over it and go over it and we are not opposed of doing something for the traffic, if the traffic study shows it needs or warrants, it can be done.

Luther Bratton: I understand we can hang our hat on the traffic study but if we feel like its an area in the community, it's an area that needs, I think this body and the city council has to actually ask for that. That's the biggest obstacle.

Daryl Hartley: You had asked about the lighting, solar streetlights through the community and the courts will get lights as well. There are lights everywhere.

Megann Thompson: with Parkside Community, you said they are building larger homes, what percentage are you seeing that, like every 5 homes, is it one?

Daryl Hartley: No. Most of them are 1500, a lot of the ones listed on Real Tracs you go look they are 1800 to 2000 sq ft houses. Over in Parkside Point DR Horton is building 1200 sq ft homes or 1150 sq ft, little single boxes, but they not building those over there, they are 1500, 1800, 2000 sq ft homes.

Megann Thompson: Do you feel like we are over saturating with starter home, affordability and missing the next tier? Someone moves to the community and get a job and buys a starter home, then they get married and have a family and they are ready to move up. When we look at the markets for homes, the majority of our home market is affordability starter homes. Do you feel like that is something that this board should start looking into?

Daryl Hartley: I think what you should research is the sales point price of homes in the community and what the percentages of them are, and you can go on Real Tracs and look at homes for sale, how many days they have been for sale, and as a builder I look at those things. I build houses on lots like this, and I build houses out in the county on 1 acre lots. I build all over and we build different price point things but also, we do those in different volumes based on sales. What is going to sale and what people are buying is what drives the market and is going to make the town grow. I can go build half a million-dollar homes out in the county but you're not going to have 200 people buy those in the next 4 months. If I had 200 of them setting out there, they won't sale all year, it would take over a year to sell them, but these will. If you want the town to grow, you have to have density here for places to come here, retail, restaurants, and those type things. Portland is getting there, I remember when Portland was very small, but the town is continuing to grow, and it will continue to grow. As you get more things here, you will bring the higher volume of people buying larger homes on larger lots, where you can make more 1/2 acre lots instead of 5 ,8, or 10000 sq ft lots. They will branch right outside of town. Right in the middle of town is made for this type of development, that's what it is.

Megann Thompson: Thank you for the honesty, that's something that's been on my mind as far as growing a market and understanding density and wanting to keep movement forward in the city, and knowing that its needed but at some point, do you get upside down. The residents that invested in that starter home can't afford, because all that's left is 5-acre tracts or 1-acre tracts even to build a home. That's just one of my questions.

Daryl Hartley: Obviously there is a ton of farmland around here, at a certain point, maybe not in the

next 20 years but the land will slowly start to move, and people will slowly start to build on 1 acre or 2 ½ lots, obviously that's county driven here in Portland because some of it still in the county, that stuff will still be out there and it will continue to happen slowly.

Megann Thompson: my only other comment is, I have pushed every PUD that has been through recently, for 100% masonry product.

Daryl Hartley: That's all we build anyway.

Megann Thompson: I want it in the pattern book; I want all of that squared away.

Ted Jernagin: Just for my clarification and maybe yours as well, my understanding is whatever size home he decides to build, goes in the pattern book, that is what has to be built. When you start saying this PUD is building different stuff, that's not the intent, I don't think that we were told that the pattern book was supposed to hold.

Nate Heisler: The PUD that's being talked about was before we updated our PUD regulations.

Ted Jernigan: Right, I just want him to know that the new regulations, whatever pattern book you come up with, whatever you put in there, has to stay with that PUD. If it says 1100 sq ft, it can't build 2000.

Daryl Hartley: It can say 1200 and larger. I don't have to have the exact specific square footage of each house.

Nate Heisler: It can be whatever the body agrees upon with the developer. it doesn't have to be nailed down, but it can also say 1200 and larger.

Ted Jernigan: It could say that, but they all don't say that. Just so you know that.

Daryl Hartley: Yeah, I would just say 1200 and larger and 100% masonry.

Ted Jernigan: We would have to agree to that, just so you know that.

Public Hearings

Zack Wilkinson (applicant) request annexation and rezone approval: location 0 Fowler Ford Road, Portland TN. (Tax Map 033 Parcel 089.05) 1.20 +/- acres. Rezoned from County-Residential to RS-40 (Low Density Single Family Residential-Urban Services)

Ann Blackburn closed out the Public Hearing Portion.

Notice of this public hearing was published in the *Portland Sun* on March 10, 2026, and posted on the municipal website and at City Hall in accordance with state law.

New Business

- A. Richard Graves (applicant) request Final Plat approval for Bracken Estates, Phase 2: Location: North Harris Lane, Portland TN. (Tax Map 019 Parcels 092.00 & 092.01) Sumner County, 4.84 +/- acres. Zoned R-10(Low Density Residential)

Nate Heisler: This location is on North Harris Road. The Bracken Estates Subdivision, the Preliminary plat came through Planning Commission in 2024 and was approved, then phase 1 came at the end of 2025. So, we have already approved the preliminary plat and phase 1, this is phase 2. Phase 1 encompasses lots 1-3. We are looking at phase 2 which encompasses lots 4-11. Staff has gone through reviews on this, there are a couple of open comments regarding the utilities department, one is for fees and the other is for nailing down Letters of Credit. I feel like for both of those that is something we can work on after this meeting. Just judging from the reviews with staff and all the departments and talking to them, staff recommends approval based upon meeting the comments that are open.

Motion to Approve Contingents Upon Staff Comments: Ted Jernigan

Second Motion: Robert Tooker - All were in favor, motion carried.8-0.

Yes: Vice Mayor Megann Thompson, Ted Jernigan, Robert Tooker, Jessica Hunter, Gail Gentry, Jim DiPiazza, Chairwoman Ann Blackburn, Chirag Patel

Abstained: Luther Bratton-Conflict of Interest

Absent: No One

Motion Passed: (Voice Vote)

- B. Zach Wilkinson (Applicant) request Concept Plat approval for Richland Estates
Subdivision: Location: North Russell Street and Victor Reiter Parkway, Portland, TN
(Tax Map 033A Parcels 006.00, 007.01, 011.00 and 011.02) Sumner County, 6.23 +/-
acres. Zoned NMU (Neighborhood Mixed Use) and RMU (Residential Mixed Use)

Nate Heisler: This is off of North Russell Street just right down from City Hall. Originally this came through Planning Commission as a Town Home development. There are 2 parcels here and the zoning is NMU and RMU, they are both mixed use zoning, the districts do include single family homes. This is a Conceptual Plat to redesign this property as a single-family home development. What we are looking at is 27 lots for single family and to just let the Planning Commission know this development is kind of starting over and it will fall in line with our new Subdivision Regulations. One thing that me and the applicant had talked about was road widths originally in this development were 10-foot lanes and the developer has agreed to 11-foot lanes and there were 5-foot sidewalks and he has agreed to move to 6-foot sidewalks through the whole development to meet our new Subdivision Regulations. There is access off Victor Reiter and Access off North Russell.

Zach Wilkinson: I just wanted to clarify one of those comments, on the sidewalks, wasn't it 6-foot sidewalks along Victor Reiter and 5-foot on the internal development?

Nate Heisler: I had done measurements on all the internal and they all measured 6 foot to me, the internal.

Zach Wilkinson: They are labeled as 5 feet. Was it the grass strip that had to be 6? I think we made the grass strips 6, based on the new regs. Either way we will come in compliance with the new regs.

Nate Heisler: We can go back and look at that to match the regulations.

Zach Wilkinson: Originally it was 42 Town Homes lots reduced it down to 27 Single Family, the infrastructure is identical. We demo both of the existing houses on the property. The grading, we have the Pre-Con for that next week. The market has dictated and we feel more confident with Single Family homes there instead of Town Homes.

Ted Jernigan: If I remember right, I remember reading the old subdivision regulations correctly, the entrance to the subdivision was commercial based upon the wording and the old definition of the zoning.

Zach Wilkinson: The zoning definition is the same as it has been, the zoning ordinance hasn't changed, the sub regs did. The commercial thought in there is a mixed use. It does allow specific commercial uses. We are not proposing any.

Ted Jernigan: Does it read allow for or does it read, I read it as it must have commercial use off the roadway.

Zach Wilkinson: Not that I'm aware of, no.

Ted Jernigan: Maybe I read that incorrectly. It allowed for commercial use off the roadway into the entrance of the neighborhood.

Jessica Hunter: Is that correct?

Nate Heisler: It gives a list of uses that are allowed, also prohibited and the allowable commercial uses.

If you look at the top of that zoning, it says that single family is permitted.

Ted Jernigan: It's just an unusual zoning.

Ann Blackburn: I think the reason we did that at that time, it was the only zone that allowed town homes, without being a PUD.

Ted Jernigan: I just make sure, the way it reads, I read it as you had to have commercial into the entrance of the neighborhood.

Zach Wilkinson: Is there a desire for commercial?

Ted Jernigan: I don't have a desire.

Zach Wilkinson: We don't either.

Ted Jernigan: That's why I said it was an unusual zoning; it did not fit how I read that zoning. Just make sure that the way it reads, it doesn't require them to have commercial use off of the entrance to the subdivision.

Motion to approve: Robert Tooker

Second Motion: Jessica Hunter - All were in favor, motion carried. 9-0.

Yes: Ted Jernigan, Robert Tooker, Jessica Hunter, Gail Gentry, Jim DiPiazza, Chairwoman Ann

Blackburn, Chirag Patel, Vice Mayor Megann Thompson, Luther Bratton

Abstained: No One

Absent: No One

Motion Passed: (Voice Vote)

- C. Zach Wilkinson (Applicant) request Concept Plat approval for Groveland Subdivision: Location: 403 and 405 College Street, Portland, TN (Tax Map 033A Parcels 005.00, 005.01) Sumner County, 9.08 +/- acres. Zoned R-7.5 (Medium Density Residential)

Nate Heisler: This is off College Street; it originally came through as a PUD for town homes a couple of years ago, which ultimately ended up failing at City Council. Fast forward to last year, it came back as a plat for duplexes. Zoning for the whole property is R7.5, at that time duplexes are permitted in R7.5 districts. We had a Pre-Application meeting with Zach and the owner, this is a conceptual re-design for the same property but to convert it into single family homes. We are looking at 31 single family homes. You can see College Street to the south and it has the stub out to the west and the Cul de sac. All the hatched area at the top (of the Cul de sac) is the floodplain and we asked during the pre-application meeting to asterisk out lots 16,17,18 and 19 as critical lots just because they are in the floodplain, so we will be asking for critical lot plans for these specific lots. All of these lots will be following the R7.5 specifications.

Motion to approve with the changes made: Robert Tooker

Second Motion: Jessica Hunter - All were in favor, motion carried. 9-0.

Yes: Vice Mayor Megann Thompson, Ted Jernigan, Robert Tooker, Jessica Hunter, Gail Gentry, Jim DiPiazza, Chairwoman Ann Blackburn, Luther Bratton, Chirag Patel

Absent: No One

Abstained: No One

Motion Passed: (Voice Vote)

- D. Zack Wilkinson (applicant) request approval of Grandview Estates Preliminary Master Development Plan: for a parcel of about 4.45 +/- acres at 304, 310 & 306 Fowler Ford Road, Portland TN. (Tax Map 033J Parcels 001.00, 011.00 & 012.00). Zoned R-15(Low Density Residential) and GCS (General Commercial

Service) to RM-1(High Density Residential) Planned Unit Development (PUD)

Nate Heisler: This was the Grand View Estates PUD, that came through Planning Commission last year. We had gone through Preliminary approvals with Planning Commission; City Council and the Planning Commission gave its final development plan approval at the end of last year. This the plating stage of this PUD, the preliminary plat, this is a duplex development. The Planning Commission has gone back and forth with the applicant, a lot of talks about access, a lot of talks about parking and lot locations and the developer/applicant edited the plans to meet the Planning Commissions wishes for those items. We are at the plating stage of this; there are 13 duplex lots.

Robert Tooker: Are the backyards still five feet?

Zach Wilkinson: The plans are exactly as proposed first, they aren't 5 foot, I think they are like 10, 20 or 30.

Robert Tooker: 20 or 30?

Zach Wilkinson: On the back yard? Yeah, so on the west side its 20' buffer plus another 5' to the back. There is a 5' setback between the back of the building and the lot line and then there is buffer between that lot line and the property line, 25 in total on the west side, I think it's 20 in total on the east, at minimum, some are bigger than that.

Motion to approve: Ted Jernigan

Second Motion: Jessica Hunter - 8 were in favor, motion carried. 8-0.

NO: Robert Tooker

Yes: Vice Mayor Megann Thompson, Ted Jernigan, Jessica Hunter, Gail Gentry, Jim DiPiazza,

Chairwoman Ann Blackburn, Luther Bratton, Chirag Patel

Absent: No One

Abstained: No One

Motion Passed: (Voice Vote)

- E. Zach Wilkinson (Applicant) request Preliminary Plat approval for Brimstone Gateview Location: 1041 and 1035 Gateview Drive, Portland, TN (Tax Map 034 Parcels 131.00 and 132.00) Sumner County, 5.18+/- acres. Zoned RM-1(High Density Residential)

Nate Heisler: This is located off of Hwy 52W. You can see FieldHaven Apartments, what we are talking about is Gateview Drive. The property is already zoned as RM-1, development for duplexes. The conceptual had come through Planning Commission in January and was approved. One thing to keep in mind is that we made some changes to duplex parking, and then we adopted our new subdivision regulations, these came at a later date, after we had already approved the original plan. We are operating off the old duplex parking regulations and the old subdivision regulations. When we look at this, our old duplex parking regulations called for 1.5 spaces per unit. The new ones call two per unit they also ask to apply for guest parking, which isn't shown on this because we are on the regulations. Staff has done reviews on this, there are no open comments, so we recommend approval on this one.

Megann Thompson: I'd like to say thank you for still putting in 2 parking spots.

Motion to approve: Jessica Hunter

Second Motion: Chirag Patel - All were in favor, motion carried.9-0.

Yes: Ted Jernigan, Robert Tooker, Jessica Hunter, Gail Gentry, Jim DiPiazza, Chairwoman Ann

Blackburn, Chirag Patel, Vice Mayor Megann Thompson, Luther Bratton

Abstained: No One

Absent: No One

Motion Passed: (Voice Vote)

- F. Zack Wilkinson (applicant) request annexation approval: location 0 Fowler Ford Road, Portland TN. (Tax Map 033 Parcel 089.05) 1.20 +/- acres. Rezoned from County-Residential to RS-40 (Low Density Single Family Residential-Urban Services)

Nate Heisler: This Annexation is off Fowler Ford Road, you can see the city's center here, this is on the East side of the city. This parcel is 1.2 acres, and we were approached by the property owner. He is wanting to annex that parcel and then combine it with the already existing 3.8 acres to the north and build a single-family home and have it rezoned as RS-40, which RS-40 is in that area and right next to it. He has family that lives right here on this parcel, so he wants to be closer to his family.

This process will allow the property owner to have his property that is split zoned, because if the city limits, to be all in the city and have one zone that will be RS-40 since it is all in one deed.

Motion to approve: Jim DiPiazza

Second Motion: Chirag Patel- All were in favor, motion carried. 9-0.

NO: No One

Yes: Vice Mayor Megann Thompson, Ted Jernigan, Jessica Hunter, Gail Gentry, Jim DiPiazza, Chairwoman Ann Blackburn, Luther Bratton, Chirag Patel, Robert Tooker

Absent: No One

Abstained: No One

Motion Passed: (Voice Vote)

- G. Zack Wilkinson (applicant) request rezone approval: location 0 Fowler Ford Road, Portland TN. (Tax Map 033 Parcel 089.05) 1.20 +/- acres. Rezoned from County-Residential to RS-40 (Low Density Single Family Residential-Urban Services)

Jessica Hunter: So, the gentleman is planning on just building one house, not going to come back later and say its rezoned now, I want to develop it.

Zach Wilkinson: I know the next think in our scope of work is to do a plot plan for one house on that piece of property, but that being said, you can sell it tomorrow and build but also keep in mind the zoning is RS-40. You would have to come back.

Motion to approve: Jessica Hunter

Second Motion: Jim DiPiazza - All were in favor, motion carried. 9-0.

NO: No One

Yes: Vice Mayor Megann Thompson, Ted Jernigan, Jessica Hunter, Gail Gentry, Jim DiPiazza, Chairwoman Ann Blackburn, Luther Bratton, Chirag Patel, Robert Tooker

Absent: No One

Abstained: No One

Motion Passed: (Voice Vote)

- H. Zach Wilkinson (applicant) request Site Plan approval for 5 Chefs and Occasions: Location: 103 McGlothlin Street, Portland TN. (Tax Map 033H Parcels 017.00 & 019.00) Sumner County, 1.47 +/- acres. Zoned CBD (Central Business District)

Nate Heisler: On the map here, I've highlighted a portion of the lot that we are going to be talking about. You can see the existing building there at 5 Chefs. The site plan is geared toward expansion of 5 Chefs, retail expansion and then also restaurant expansion. You can see in the purple, that's the expansion points, you can see the existing building hatched out. What we are looking at is to the north, that's showing all the restaurant expansion. I believe the square footage on that is just over 1,600 sq ft. To the south, you can see the existing building, this is McGlothlin Street. The purple expansion on the side of the existing building. The square footage for the retail part of this is just over 3,000 sq ft. Zach, I don't know if you want to jump in and make some comments. We had some conversations earlier today around how stormwater is going to work. I don't know if you want to kind of talk about that and do a short presentation on that.

Zach Wilkinson: Definitely, yeah. I guess we got staff comments, and there were a couple of comments that I guess we wanted to make sure we had clarity, and then also on what the purpose and intent of the comment. As Nate said, stormwater was one of them, but we will hit that one last if that's okay. I wanted to go, if you want to start with comment 10 about the finished floors or the requirement of FEMA form FY206FY. I think we worked this out today. We had a discussion with the city's engineering consultant that what we are proposing does not show anything in the floodway, therefore the form doesn't apply. We just want to confirm that that's understood. That's a whole different kind of FEMA, wouldn't accept one for what this is. They would get it and they'd get it and be like what is this. Comment 14 is regarding the access off of McGlothlin Street. So right now, here is an existing drive there that's used for loading and unloading. We're proposing shifting that a couple of feet to where the shipping and receiving retail portion is. The comment, and I don't have the comment verbatim in front of me, but was basically, hey do you think it would be better to have a turnaround there? And with that building there and the site constraints and the road vicinity, there is no way to do a turnaround. They are going to use it the same, the proposed use to use it exactly the same way as they are now, as far as pulling in and using it for shipping and receiving. We want to make sure that hey if this plan gets approved tonight, we don't want it approved with that condition. The way the comment was worded, I don't want that, it was a hard condition, but we wanna make sure this body is ok with what's proposed there and not expecting a big Cul de sac in the middle of the site, because of course, make this project infeasible. Comment 25 is regarding the architectural materials. So, Nate has guided using the direction we need to go for this. The requirement in CBD zoning is 100% brick, is that right? In this case, we'd like to match the existing building, and we'll be using a masonry product, but it will match the existing kind of white siding. Based on Nate's guidance, we need to go to City Council to ask for what would it be, a variance or an exception?

Nate Heisler: It's labeled in the design regulations as an appeal.

Zach Wilkinson: An appeal, so it is our attempt to appeal that architectural standard to allow masonry products to match what's out there already.

Nate Heisler: Can I speak on that a little bit? So, the appeals process for design review, it's laid out in our design

review regulations. It explicitly says in there that if there is an appeal that is requested, first it would need to go to the design review board. But it also says but in there, if the planning commission is acting as

design review, it needs to go to city council. So that's the reason for that. They laid it out in there, the appeal process, to where the planning commission couldn't grant appeals if they're acting as the design review board. If they're not the design review board, and there's a separate board for that, then it would go to planning commission. But with this board being design review, it specifically says in there that it needs to go to city council. That's the reason for that.

Robert Tooker: But we can make a contention at this approval.

Nate Heisler: Yes.

Jessica Hunter: And we used to have a design review board for those things; we had planning and a design review board at one time.

Zach Wilkinson: And so, I think the last comment, and there's several that kind of all regarded how to handle the stormwater on the site. And this is going to be a very similar conversation to the next project on the agenda as well. This project and really a lot of the sites in Portland's kind of downtown development corridor, are in a either FEMA marked floodplain or floodway. Flood line is in a flood zone. Everything through there, CMC, that whole area. So, where that makes it really tricky on a stormwater drainage design standpoint is we've worked through all the challenges in making sure we're compliant with FEMA. But the city's stormwater ordinance has some requirements that are somewhat vague and geared towards detention outside of a flood zone. Well, this site, like I said, the next site we'll be talking about, is all in a flood zone. So, what that means is the city's got detention requirements. You've got to detain up to a 100-year storm. Well, this site sits in a 100-year floodplain. So, for a detention pond to work, if it's underwater, it's not going to work, basically. So, you can't build, you can't, it's extremely impractical to build a, you'd be pumping water up into a pond that would then drain back into the flood. So, it's not a practical or a smart way to handle stormwater on the site. A lot of jurisdictions and a lot of state and Army Corps of Engineers guidance's, you generally don't want to detain when you're in a flood zone because it's kind of, it's called the 10% rule. If your site makes up less than 10% of the overall watershed, you risk double peaking the hydrograph and gets into a bunch of technical stuff that nobody wants to even think about or listen to. But all of that to be said, what we are proposing is on this phase of this project, we'd like to address stormwater quality, which is handling that first flush of, or first inch of rain, putting it underground to infiltrate, and then any, rather than doing a detention pond, that would be underwater in larger storm events. We just handled the water quality aspect of it. We had a meeting with the consultant engineer for the city. I think we're getting on the right track. I think the big concern is the way that the 100-year requirement it's impossible for us to put a detention pond on this site and it functions in a 100-year storm because of where it is. And that's the same for the majority of the downtown redevelopment area in Portland. But we can handle water quality, and we can handle detention for smaller scale rain events. And that's what, I guess Portland's stormwater requirements are very minimal, and let's have a couple like my things, and so they don't really address a scenario like this. I feel like we can come to an agreement with the consultant engineer on the best way to move forward, but I did hear a tendency in his voice that, well, to meet this 100-year storm, the detention requirement, him feeling like, I guess what we want to make sure that that regulation is known, we are not going to meet that regulation. It's impossible. None of this site, none of half of Portland is going to be able to meet that, you know, legit like we can't make up some numbers, but technically it's not going to do. So that there's some wiggle room there for, hey, let's do everything we can on water quality and detain as much as we can, but once that flood elevation gets to a certain elevation, the bathtub that's detaining is underwater. It's not doing anything. It's not kind of the best visual I can think of to put it. So. Like I said, we're working with the consultant engineer on that. I guess, and we will, I don't know that we have a strong group of where he is at exactly, but guidance from the planning commission on, hey, let's work to make this work functionally the best, you know, in a way that we get the best water quality and handle it the best we can as this site lays, but understanding that, hey, there's just certain things we can't do. Like it's

impossible. So that's where we're at on the stormwater side of it. And if there's any questions on that, I'll be glad. It gets into some pretty complex.

Luther Bratton: It's clear as mud.

Zach Wilkinson: Yeah, exactly, yeah. But basically, if you're requiring detention, your bathtub's going to be in a detention pond as your bathtub, the water slowly draining out of it. It's going to be underwater, so it's not really doing anything at that point, right? At a certain point. And that, that's kind of the challenge with really a lot of Portland right now that is in that floodplain. Most jurisdictions allow that and have more specific language that addresses that. Usually it's, hey, provide more water quality rather than detention. Because the traditional mindset is that we want to get that water into the floodplain as quickly as possible. We just want it to be clean so that you're not causing, they call it double peak, where you're peaking at an opportune time downstream and causing an issue downstream. Because the detention pond upstream. And a floodplain can cause issues downstream, even though it's directly. When you move your scale of the floodplain out in a bigger view, oftentimes it will cause more issues. And we're working on making engineer comfortable with that approach, but I just wanted to fill this body in on kind of the challenges that we have on that.

Robert Tooker: Do the elevations of the addition's kind of play into that as well?

Zach Wilkinson: That's something that was one of the first things we looked at. So, with it being in a floodplain, FEMA has established base flood elevations. And in that floodplain, it's required that the finished floor of the building has to be raised a minimum of a foot above that base flood elevation, which we've done. Just so happens that the existing building is right there at that elevation, a little bit above already. So, it makes me think that whoever did the original additions potentially looked at that.

Robert Tooker: Right, took that into account.

Zack Wilkerson: I know it has really on this one. I don't know if they just got lucky on that part of it or if the floor got raised or what.

Chairwoman Ann Blackburn: I'd like to hear from our city staff about their opinion of this.

Nate Heisler: Yeah. So, like Zach said, we had conversations this morning with our stormwater engineer, Jason Reynolds, and Zach and me. And at this point, staff perspective and the planning department perspective is that in its current state, it does not meet the city's stormwater regulations. Our engineer felt like we'd get there potentially if more detail was provided, and Zach said that he'd be happy to do that to help us along with the detail portion of this, but that's kind of where we're at. You know, I've got our engineer and our engineering department that works with us, a consultant engineer telling me that it doesn't meet city stormwater regulations, and they don't, at this point, feel comfortable with the plans that we have. So that's kind of where we're at as far as the city staff, and you know, I feel like we can get there, but just not quite yet on the stormwater side of things. And Zach did a good job of explaining all of that, but that, that's kind of where we're at.

Chairwoman Ann Blackburn: And my question is, I get that a lot of downtown Portland is in the floodplain, and we've built in it, but we also have really bad flooding problems. I think you either got to get it right or you don't put it there. If it's gonna make it worse, you gotta get it right.

Zach Wilkinson: And I guess that's where we're, if we actually meet the city's ordinance by the book, it would make it worse. So, we're trying very high, there's a high probability it would make it worse. So rather than doing it, even though we can meet the ordinance, well, let's say that we get through it, we put something together that met the ordinance. We can throw a pump, raise it, and put it up there, and it's gonna dry out, but it's gonna make downstream issues worse. Because all the regs, the city's regs are just saying, hey, you gotta have your pre-development flow. Post-development flow has to be less than your pre-development. And in most sites that are away from the floodplain, that's a good thing. That's what we do. But this site's already in the floodplain, so when you do that, it causes issues downstream in the bigger picture of the floodplain, if that makes sense. And more than likely, it would have no effect. It wouldn't have any effect. It's already in the established floodplain, right? And so this is such a minuscule site compared to the overall floodplain itself that it's not going to register. There's some 10% rule that hydraulics engineers use. If your drainage area is less than 10% of the overall drainage area, then it's kind

of a rule of thumb. You don't really need to detain anything because it's probably not going to do anything. Like we could do a big FEMA flood study and show that nothing's going to happen here with this because it's such a minute thing on the overall scale. So rather than trying to meet the city's ordinance by the book and, frankly, spend a lot of resources to accomplish nothing and potentially cause a detrimental effect, I think I guess we're looking for the ability for the engineer that's reviewing it to have some flexibility of, hey, yes, it does not meet that 100-year requirement as the ordinance is written, but it does meet this, this, and then it'll detain up to a 50-year. And it's also providing water quality benefits. And so, allowing us to work with him. To make sure that from an engineering standpoint, he is comfortable is what we're asking, giving him that flexibility. Because I got the feeling he feels hamstrung by the ordinance, which, and the ordinance is pretty vaguely written and actually conflicts itself in the two places where it's at. And so he's kind of like, well, if we looked at it, he's in a tough spot too, but if somebody is an engineer, professional engineer, if he's comfortable with what we're proposing and we can provide the detail, we would ask that he have the flexibility to make that decision.

Chairwoman Ann Blackburn: I think he's got, the city's engineers got to be comfortable with that also, though.

Jessica Hunter: That's what he's talking about, the city engineer.

Chairwoman Ann Blackburn: Oh, I thought you meant you had your own engineer.

Zach Wilkinson: No, no, this is the city's consultant engineer.

Ted Jernigan: So, is he making you do pre flow based on the entire site, current site, or just the addition?

Zach Wilkinson: He hasn't made us do anything. He's given us feedback on what we've done. So, what we originally, and what we have proposed in this plan, is called a modified trench drain. We use these in Nashville all the time. Because our impervious area increase was very minimal. It was like 1,400 square foot. Because a lot of the area that we're adding the building is already paved. It's already concrete. So, it doesn't actually increase much from an impervious area standpoint, which then generates additional stormwater. So, what we do in Metro and a lot of other jurisdictions is they've got a specific manual that you use for infill development like this to where you try to infiltrate that first flush of water. Because from a water quality standpoint, that has the worst amount of pollutants and everything. So, you want to stick that underground, so it infiltrates in the ground and treats it rather than sending it directly into the, in this case, the stream right beside it. So, we've got that modified french drain design. He's wanted some more details to show and quantify the effects of it, which we can provide for him. So that's what's shown now.

Ted Jernigan: The current site does not have detention on it right now.

Zach Wilkinson: No, the current site has drains.

Ted Jernigan: So, they're going to require you to do detention for the entire site now. No, he isn't requiring anything. The feedback we've gotten is he wants detentioning, well, it doesn't meet the city's standard. The city's standard is we provide detention for that increase in 1,400 square foot. So, it would be like a little hole in the ground, but then I can't show that it functions because in a hundred-year storm, it's not going to function. It's going to be underwater.

Carlton Cobb: So, just to summarize this back up, to make it in layman's terms, we're gonna go off the process that Metro has in their manuals. If it allows for detention not to be helped, we'll go that standard. If it has an exemption limit, we'll go that standard. In our ordinance, we have that we go off those standards as well. So, we'll base it off of that.

Jessica Hunter: So, we'll do this in the future for anyone that comes.

Carlton Cobb: It's in our ordinance. Oh, okay.

Ted Jernigan: It's in our ordinance to use Metro. Only in floodplain areas.

Carlton Cobb: No, our whole, that's our standard manual that we use. We use the latest updated Metro standards.

Ted Jernigan: Okay. That's not going to open Pandora's box for somebody to look at another section of Metro at another site later on down the road?

Carlton Cobb: No. Because the list says, that's our standard 2017 with this manual.

Zach Wilkinson: That goes into a more conservative approach to it, uh, in this case, it's just more, it's probably more specific to handling this kind of problem, where Portland is a very general.

Carlton Cobb: It has specific area for Portland flood plain management for uh, commercial.

Ted Jernigan: Okay.

Zach Wilkinson: Thank you, that gives us kind of a end goal. We know what we need to meet now. We can, I'm sure, look through Metro stuff. We can handle that. It's just solving engineers in a tough spot because he didn't really have a clear, like, yeah, it doesn't really make sense, but this is what the ordinance requires but being able to reference Metro's that provides some place to look at.

Jessica Hunter: Thank you.

Chairwoman Ann Blackburn: I got a question, or a couple, actually. On the staff notes, there's quite a few of them. We went over a lot of them, but I don't think you went over the one. It talks, it says there's more parking needed. I don't see parking on this.

Zach Wilkinson: So, you, the resubmittal, has it?

Chairwoman Ann Blackburn: Oh, OK.

Zach Wilkinson: So, the existing site, as it stands, has, well, the property to the east of it. The current owner is in the process of acquiring it or has acquired it, or there is a parking agreement in place. It's where everybody parks at 5 Chefs.

Chairwoman Ann Blackburn: Right.

Zach Wilkinson: And we've provided an exhibit that has the parking spots shown. Yes, so right now there's 59 spots with two ADA in the existing five-space parking lot. And then also there's a separate agreement in place or to be in place that can be a condition of approval with the church across the road where there's oodles. I think there's been kind of a, it might be unwritten understanding of hey, you can use it, but we're in a, the city's going to require that to be in writing and it's finally.

Chairwoman Ann Blackburn: Are they going to add a third ADA spot?

The notes say that it requires three to be ADA.

Zach Wilkinson: Oh, does it? Then if that is the requirement, I guess I missed that note or.

Chairwoman Ann Blackburn: It's 30, call out B.

Zach Wilkinson: I don't have those in front of me, but. So, three ADA spots are required in that, is that?

Nate Heisler: Yes, based off the number of parking spots there is, and I think you need over 50, but that's when it kicks in.

Zach Wilkinson: Okay, I'm sure that's something that we can, I mean, that's, yeah, it shouldn't be a problem to provide.

Chairwoman Ann Blackburn: Can you go back to the drawing that has the unloading area, that lane? So, how is it going to work? Do they pull up through that and unload and then back out? They back into it.

Zach Wilkinson: They back into it.

Chairwoman Ann Blackburn: They back into it.

Zach Wilkinson: So, I understand that's what they're doing now, because there's an existing drive lane to the east.

Chairwoman Ann Blackburn: Okay, so it's not, they're not pulling into that building where it's shipping and receiving.

Zach Wilkinson: They're backing up to that building.

Chairwoman Ann Blackburn: They're backing up into that building. Okay. So, what's the drive right there beside it for? To the left, that one.

Nate Heisler: This right here?

Chairwoman Ann Blackburn: Uh-huh.

Zach Wilkinson: That's the stormwater device.

Chairwoman Ann Blackburn: Oh, okay.

Zach Wilkinson: That'll be underground, you won't see it.

Chairwoman Ann Blackburn: Okay. All right.

Zach Wilkinson: Just to rehash, stormwater, I think, will get good direction on that now. And I appreciate Carlton for clarifying that for us. Comment 14 about the turnaround, if this is being approved, but that is a condition that a turnaround, like a turnaround be added, we request that that condition be removed. And then also, of course, the condition of the... City Council will appeal for the masonry product on the one side.

Nate Heisler: Can I, can I jump in here? I think, you know, from our, from our conversations with, with our engineer and the current spot that, that the stormwater is in, and just the, just the general discomfort right now that our engineer is feeling from the stormwater side of it, I think staff would, would recommend to defer this until we get more information on the stormwater side of it. I think that that's the staff's stance on it. Just so we can be sure, you know, with the stormwater portion of this.

Jessica Hunter: So, when would they be able to come back in front of us?

Nate Heisler: Next month, if they wanted to.

Zach Wilkinson: I mean, I guess we would request that ultimately, if we can't make staff happy, then we will be coming before you. I mean, that's, but I don't know when it gets into the nitty-gritty of the, the stormwater stuff, that there's anything that's going to change that this body's going to be concerned with or care about. I mean, I assume y'all's standpoint as long as the consultant engineers, and when I say consultant engineer, that the city's hired an engineer for their review. As long as they're comfortable, this body's comfortable, unless there's something specific that y'all, regarding the stormwater that you'd like to see. It's just a timing thing. It takes time to get on these agendas. Just like every project, we don't want to be bringing the same thing before you over and over. If there's any other questions regarding this project, then let me know. I'll try my best to answer it.

Luther Bratton: You know, I don't think kicking this can down the road is gonna solve it. You know what the problems is. And one of the problems we have is that we are in a consulting engineer phase in Portland now. It makes it really difficult. I respect him and whoever that individual is, but so there's not a per se city engineer that can stand there and give us, you know, this is what I think is best for the city, you know. And Portland's in a 100-year floodplain. We kind of reached way high over with the 100-year, 50 years, you can manage that in a community that half the community's in a floodplain or flood zone. So, you know, and I think me personally, you know, I would like to just push it on to the City Council, because they ultimately would be the ones who would make some decisions like that, and they may have Zach and the consulting engineer there to debate it or something. So, you know, because, I mean, kicking it down the road just because, you know, I don't see an answer. Who's gonna get a definitive answer from waiting a month or two months or whatever? I'd say let's do that, but I don't think we're gonna get any more clear about the issues than we are tonight.

Nate Heisler: Yeah, so this, if there were action tonight and the body approved this site plan, this would be an approval for the site plan. The only thing city council is looking at is building material appeals or design review, just so everybody's clear. The site plan would be approved through the planning commission tonight, just to keep that in mind.

Jessica Hunter: But ultimately, the engineer is going to make the decision as far as the stormwater, not us.

Nate Heisler: That's where I think we need to have more conversations, and we need to see more details. But that's the reason for the recommendation of the deferral.

Luther Bratton: Yeah, and I guess I know too much sometimes, but when you get to debating with the consulting engineer, and he's in the middle of doing some other things, you don't have, it's not like an engineer walking into your office and y'all sitting down in a conference room and you're having a discussion about trying to resolve a problem. And sometimes engineers, consulting engineers especially, can get in. Because they don't really have a dog in the fight, and they, you know, so I just, what do you propose? If you say let's defer, what do you propose happening in the interim? Do you propose him coming in, meeting with staff, meeting with, I mean, just what's your proposal, I guess.

Nate Heisler: The reason for the recommendation for the deferral is to, based off of our conversations just this morning when we had this meeting, for our engineer to see more information as it pertains to

stormwater detail. How is the drain going to be built? The depth of the drain, all of these things that we talked about this morning, showing that detail on the plan so we can have an idea of how it's going to be built. Right now, we don't have that.

Luther Bratton: So, you're saying then it's because we don't have enough information.

Nate Heisler: Right.

Luther Bratton: The recommendation is to defer because we don't have, you don't have enough information to make a positive recommendation to us. OK, and it's not just deferring for the sake of kicking the can down the road.

Nate Heisler: Oh, no,

Jessica Hunter: And we couldn't approve it. So, I guess the thing I'm trying to wrap around, whatever the engineer says, it's got to be what he approves, not what we approve as stormwater. It's what the engineer approves. So, we couldn't move to approve with the condition. It's not approved finally until our city engineer and the developer work out that issue. I mean, you see what I'm saying? We... I don't even understand that part of it.

Zach Wilkinson: Unless y'all are going to overrule the consulting city engineer, I don't see a point of it coming back to this body.

Luther Bratton: Well, I personally think we need, because going forward, we need to make something clear, I think, is that our stormwater director is sitting in the back of the room. So, we don't look to a consultant for stormwater on making decisions. The way this thing should work is whoever the stormwater director is, they make a recommendation to whoever the consulting engineer, make a recommendation to the stormwater person, and that person reviews it and make a decision of recommendation to the city, not that a consulting engineer is in reverse. So, when we come back, I think that needs to be addressed because I've seen that happen that ultimately, it's the responsibility of the stormwater director. His job is the one on the line.

Jessica Hunter: Has the engineer consulted with you?

Carlton Cobb: We haven't discussed this one.

Ted Jernigan: So, what I heard was all he's done is give him a directive on what guidance to use within that guidance. I'm gonna guess there's more than one method to do that and they haven't determined what method to do that yet.

Zack Wilkinson: The method that's shown on there is one of Metro's methods. The consultant engineer was not on board with that method because Portland's ordinance does not allow for that. So, but if there's flexibility to use Metro's methods, then that, along with a long list of other options are out there for us to deal with them.

Jessica Hunter: Carlton, didn't you tell us, it's in our ordinance that we use?

Carlton Cobb: Referenced standards that we have.

Zack Wilkinson: I guess it's referenced. It's not in the... The standards are referenced.

Jessica Hunter: So, our engineer doesn't know that. Is that what I'm understanding?

Carlton Cobb: Yeah, I will have a conversation with him.

Jessica Hunter: But if he talked to you, he would have known it before we got to this meeting tonight instead of, again, I just have a problem always... I have a problem with deferring when someone's been working for a long time to get something done. And because our engineer didn't speak with the man in charge of our stormwater in the City of Portland where this property is, now y'all are wanting us to defer a job. Do you need to speak?

Mack Hodges: I'm Mack Hodges, I represent the Hodges Group. We're the general contractor on this project. For us, the main thing is just the timing and phasing of this project. We understand we've got stormwater challenges that we're, of course, working closely with the engineers on. And this project is going to be contingent on coming to a solution with those engineers. What I would like to respectfully request is because of the timing and criticalness on that for our side and for our client, is that we would look for this project to be passed contingent on the engineer approval and the design working with our engineers as well. Basically, if this body is in favor of everything else that we're looking at on this and

we're just down to a couple of comments or getting through with the engineer and coming up with a solution on that, that's where we would like to request approval on this contingent on that. For us to have to come back, wait a month, and depending on that timing, especially on getting that plan in place with that engineer, if that happens to land one day after when we have to apply to be back in front of this board, that kills another month for us. So, I just wanted to speak on the timing portion of it for us and what we would like to see done. I understand the concerns with it, but I feel like we're working towards that solution. We're making progress with the engineer that's hired by the city. I would just like to try and push forward to where we're not having to schedule to come back in front of planning moving forward on this, just specifically for timing purposes on our end.

Carlton Cobb: I support that.

Jessica Hunter: I was just gonna ask, Carlton, you're our man here in the city. Do you feel comfortable? Yeah. I mean, the project can't go forward unless stormwater is approved. We don't approve stormwater. I mean, like I said, I couldn't tell you what he's talking about with a, I understood bathtub, but that's it. But again, as our man in charge here, is that something that you don't feel comfortable if we approve it and let the people that know what they're doing with the stormwater, I mean, the project cannot go forward unless the stormwater is approved. What does planning have to do with the approval of stormwater if everything else is in place? I guess that's just.

Luther Bratton: You know, and. Given our planner respect, and I think we should always give him respect.

Jessica Hunter: No disrespect.

Luther Bratton: And I didn't mean we'd disrespect him, but I think he's made a pretty solid recommendation that he indicated he's not kicking the can down the road. There's some legitimate concerns that he has. I'm really, really, uh, how can I say this? I'm really disturbed that the stormwater director wasn't in the middle of all these conversations, because ultimately it falls on him. So out of respect for the planner's recommendation, I'm going to make a motion that we defer it to the next regular meeting, and that everyone involved, including the, stormwater director, be involved and that we do everything possible to have this on the agenda for next month because I don't think it's a good practice for us to start actually not taking recommendations from our planner unless we have a legitimate reason to. And sometimes I've seen planners just say, well, this is, they debated it long enough, and, you know, maybe we'll just defer it, but that's not what he's telling us. He's saying to me that he feels uncomfortable because there's some things that, and this thing may not, it may not work out. So my recommendation is to defer it.

Chairwoman Ann Blackburn: We make a motion to defer. Is there a second? There's a second. And then we're going to open up for discussion. And I would like for Nate to answer Jessica's question. She had asked about what if, if we were to defer it, or not to pass it contingent upon the stormwater didn't work out, how does that look as far as planning?

Jessica Hunter: And I did not mean any disrespect to you. I said, the boss, you, you, you guide us.

Nate Heisler: So, I make recommendations based off of what our city departments tell me. You know, when I get these presentations and I make recommendations, you know, I don't make them on a whim. You know, I meet with every single department before every single recommendation, and we talk about it. And this one just fell in a way to where the stormwater engineer that we've hired feels uncomfortable. And I feel like that that means a look, and that's the reason for the recommendation. If it were approved contingent, you know, it would almost be like it's being approved with stormwater that our engineers aren't comfortable with. And that makes me uncomfortable. So, I think that that's the reason, you know, that's why I'm recommending deferral. You know, it's not a deny, it's a deferral. So we can get more information, we can get more detail. We talked about it this morning, but that's the reason behind it.

Luther Bratton: And I'm gonna say this probably for the third time, because I think it's important. It's irrelevant how you feel about stormwater. What's relevant is how the stormwater director feels about stormwater. So, at the end of the day, the recommendation is the stormwater guy, his recommendations to you, and their recommendations to us. It's not from a very qualified person. That's just the way the system

works. And so, when you change that, you've changed really the way that we function as a city. And we start bypassing people and all of that. So bottom line is, if this passes, I think they all need to get together in a room. And it's irrelevant to me, I eat a few meals over there, but I don't have any kind of feelings either way. But I do like to respect a planner, and I respect a city employee. And I think I have a motion on the floor.

Chairwoman Ann Blackburn: You have a motion and a second. Is there any other discussion for it?

Jessica Hunter: The sad thing is, it's like Mr. Hodges said, what if this gets resolved tomorrow? That's 30 days. They're pushing a job off. This isn't the only job.

Mack Hodges: We, of course, would, and again, Nate has been nothing but helpful throughout this entire process, so again, me stepping up and speaking on this, I want to make sure that, you know, there's no disrespect and understand where you're coming from. For us, it's strictly timing. We're going to do everything we can to work with the engineer and come to a solution. I feel like coming back to this body, if we were back in front of you a month from now and we've met with the engineer and have a plan in place that this would pass with flying colors. But for us, it's a timing issue. It's if we can just work, approve today contingent on working with the engineers for a plan that makes that engineer comfortable, that helps us on our timing aspect of it. And I feel like it's, again, now that we know that Carlton hasn't been involved in these conversations up to this point, it's one I really don't want us and our client specifically to kind of have to deal with the burden of that not having happened. It's, for us, it's we really want to move forward with this project. We, of course, know we have to work with the engineer to find a solution. Without that happening, this project isn't moving forward.

Luther Bratton: I think we're going to set a precedent tonight when we pass this project because we're bringing metros, guidelines, and how that's going to interface with how Portland's going to operate going forward. It's not going to be just one off. Someone mentioned it earlier. There's going to be other projects that actually are going to have to meet these criteria's. So if we can get this one right, then the next one actually would be a lot easier, I think, because then we can, so we can look back to this project and say this is how we handled this, and it went through the proper channels, and I would just feel more comfortable with that one.

Carlton Cobb: And I'll be clear about it, so we've referenced metro standards since I've been here, for ten years. So, this is simply something like a grass ditch, adding as a buffer period versus having to put it in the system. So, but looking at this one closer, I don't have an issue dealing with this outside of the Planning Commission meeting and passing it on to contingency, because we're gonna, I guess we'll jump on this one as far as seeing what the different options are in this area, because like we discussed, if it meets the standards, it's gonna meet the standards. If it's not, it's not. I mean, I'm comfortable with it personally, but depending on how y'all feel, I'm good.

Luther Bratton: I'm just saying for your protection and everyone's protection, I think this is the first one that's gonna come through. We've debated; all the professional people debated, make a recommendation and then bring it back here. I really think that's probably the best way, because it's just, it's not a good, it's not a good start to start ignoring your planner because we have to depend on him, you know, for his recommendations and stuff. I mean, I do this for a living, but 30 days is not gonna, it passes fairly quickly. And I personally would like to see it pass tonight; I really would.

Mack Hodges: And I understand, but even like you had spoken on earlier, it's that using a third-party consultant engineer, he also has other things that he's taking care of as well. My concern is, If we don't meet the next deadline to get on this and say it misses by a day, we didn't just miss 30 days, now we're looking at 60 days.

Luther Bratton: So, could you make a somewhat commitment to this body if we, I don't know how to go talk, but if we deferred it, you would make an effort to get with all the parties involved to make sure that this is actually on next month's agenda?

Nate Heisler: Sure.

Luther Bratton: I mean, it may, I don't know, we may approve it tonight, but Nate pointed out when it's approved, well, you say it's approved contingencies, and I guess they could come back if the contingencies didn't work out but anyway.

Chairwoman Ann Blackburn: Okay, let's go ahead and vote. All those in deferring, say aye. Aye. Any opposed? Aye. Motion passes to defer.

Luther Bratton: We need to get clarification. Do you get the numbers?

Tracey Griffin: I did not.

Luther Bratton: See, we need a roll call, probably.

Chairwoman Ann Blackburn: Okay, roll call, please.

Tracey Griffin did roll call:

Ann Blackburn: Aye.

Robert Tooker: Aye.

Jessica Hunter? Nay.

Chirag Patel: Nay.

Gail Gentry: Aye.

Megann Thompson: Abstained

Jim DiPiazza: Aye.

Luther Bratton: Aye

Ted Jernigan: Aye.

Tracey Griffin: 6 Aye, 1 Abstain, and 2 Nays.

Chairwoman Ann Blackburn: Motion to defer passes.

Motion to defer: Luther Bratton

Second Motion: Gail Gentry - All were in favor, motion carried. 6-2.

NO: Jessica Hunter, Chirag Patel

Yes: Ted Jernigan, Gail Gentry, Jim DiPiazza, Chairwoman Ann Blackburn, Luther Bratton, Robert Tooker

Absent: No One

Abstained: Megann Thompson

Motion Passed: (Roll Call)

- I. Zach Wilkinson (applicant) request Site Plan approval for Phillip Brown:
Location 115 East Knight Street, Portland TN (Tax Map 0331 Parcels 017.00 & 017.01) Sumner County, 3.32 +/- acres, Zoned GCS (General Commercial Services)

Nate Heilser: So, I'm going to zoom in on the map here. This is located off of East Knight Street. You see Circle K right here, and there is the building to the south. The location of this site plan is right next to Freedom Fitness. So, Freedom Fitness is right here on the existing building, and this is the new building. It's being split up into five units. The zoning for the property is GCS general commercial services, and staff has gone through reviews on this. And we've got some comments that are still open. I gave you your packet over there that need to be addressed. And as Zach was saying earlier, you know, we're kind of running into the same issues with detention in this location also. There was a, this is actually inside of the floodway. We have done a FEMA no-rise study with this project. Neil Schaefer was hired to do the study and CEC reviewed it. So, we do have a signed and engineered stamp no-rise study for FEMA requirements for the no-rise in this area. But again, we're still kind of running into the same issues with detention in this area with it being in the floodway. Zach, I don't know if you want to give a presentation on stormwater on this side of it.

Zach Wilkinson: Yeah, if you don't mind, I guess if you don't mind if I give a brief project history that

covered the recent no-rise, but this plan was actually approved, a very similar plan approved back in 2008 with the Freedom Fitness building and another building because their net site plan subsequently expired before it started construction on that new one. So during that time also, the FEMA flood insurance rate maps changed, put it into the floodway, did the no-rise study, determined that the proposed building would not cause a rise in floodplains or in the floodway, and then also it's not actually technically in the effective floodway, even basically saying the FEMA maps have some issues with it, just like a lot of Portland. But we've worked through all that. Nate's been helpful. We've worked with work with other consultants to get through that piece of it. So, we've addressed all FEMA concerns. The stormwater detentioning side of it, same exact situation as previous project, but I'll move to that one last. While we're here, I think I have a pretty good idea of what the board's looking to do based on the last project, but there was a few other things that we'd like to address with the board just to, and so that when we come back, we know, we know a few things. One of them was the originally comment 41, and Nate, you might want to elaborate on the architectural metal definition and if what we have meets the requirements. Ultimately, the architect is looking to try to match the existing building, and I think there is maybe a question on the definition of architectural metal. You want to delve into that?

Nate Heisler: Yeah, so this is the elevation of the building that we're looking at here. So, one of the original comments that I had had was based around what kind of metal is being used for the property. Our design regulations call out where you can use architectural metal for properties zoned in commercial. And looking at what they're proposing, also looking at the difference between what is architectural metal and what is just regular metal siding, along with what was used next door at Freedom Fitness, and I think what they're trying to get at here is they're wanting it to look similar to Freedom Fitness. So, after some research, looking at the architectural metal portion of it, when we're looking at elevations like this, and we're trying to decide the difference between regular metal siding or architectural metal, just through research, it seems like the difference is, if it's architectural, you don't see rivets going up the side of it. You don't see seams. You don't see those types of characteristics, and that's what the difference between architectural and just regular metal siding is. And if we're looking at these elevations, you know, you can see how the metal is clean and characteristic. You don't see any rivets being shown or anything like that. So, my interpretation of that at this point is that it would fall in line with architectural metal. It's very similar to what they're using on Freedom Fitness, which was approved. So that's my interpretation of it.

Ted Jernigan: Coming from someone who works in this industry, I'm going to tell you that's probably not what's going to happen. They will just put a panel on there and screw it from the outside. That's what is there now and you can see the screws from the outside. Now they can do the architectural, but that better be specified accordingly. Otherwise, they are going to buy the standard R panel and attach it from the outside in the flat of the panel.

Nate Heisler: Do you think it would be appropriate to add a note in there on our elevations?

Ted Jernigan: If that's what your definition of an architectural panel would be, it needs to be a concealed panel, concealed fastener panel

Nate Heisler: Okay.

Zach Wilkinson: The other, I guess, comments, stuff, comments that we had, just wanted clarification on, and, well, one of them is, we know how the ordinance reads. It involves landscaping. The Freedom Fitness building has, from the sidewalk, a five-foot sidewalk, parking lot. That's what we're proposing here. The city's landscape regulations for this zoning require a five-foot planter strip in front of the building, then sidewalk, and so in an effort to match what's existing, what we're proposing is rather than doing the landscaping directly in front of the building, moving that out to where it's in front of the parking, that you kind of see the little green dots on there. It doesn't show up extremely well. I apologize. But the buffer requirements for the front inside, well, we can buffer along the sides, but the buffer requirements along the front of the building, rather than putting them there in front of the building, we'd like to place all that in front of the parking, between the parking and the road, and match those density requirements plus some. And so, we'd like to make that request for that, I guess, to be an exception. Not, it doesn't, I mean, we can add the five-foot strip. patching the buildings doesn't work quite as effectively

there, but, uh, so we would like to request, make that request. Uh, and another was probably just more getting a clarification. We may not didn't have time to talk about this specifically about the site, the comment 49 about the pedestrian. Is that alluding to sidewalks along Knight Street? And if so, is paying, I know uh projects that paying lieu for sidewalks is an option. Is that option in this case, or is it something you have, you wanna see sidewalks no matter what?

Um, and I guess that's kind of a question for you in the body.

Nate Heisler: No, the reason for that comment was, is we, we have that on our site plan checklist, and I just kind of ran through the checklist, and typically what we see on a circulation plan is just pedestrian movement on how that works, vehicular and if there's any, you know, walking movement, just to, you know, we wouldn't ask for any separate sidewalks to be installed, but just the movement plan on a pedestrian. So, it's typically pretty simple what we see, and include that in on the site plan, so show directions on the flow of traffic, the flow of if anybody would be walking in that area, what would that look like.

Luther Bratton: Would you not think though that since that we're actually adding another building and I hope that it's successful, that we might have more pedestrian traffic from Broadway back to that kind of this little commercial complex. Is that, is that I didn't look at the site plan. Is that some type of connectivity there or how is that going to be? Because currently there's nothing if a person were to want to walk from Broadway down to this commercial development.

Chairwoman Ann Blackburn: Why wouldn't you do a sidewalk?

Luther Bratton: Well, I'm just saying, I don't, I, I've not reviewed it that closely exactly.

Zach Wilkinson: The current plan does not show a sidewalk.

Luther Bratton: Does that make, by my own statement, make sense? You can't say it makes sense, but does that make sense. But if you would think that if you was going to add, at the time that that building was approved, it was a standalone and it's been utilized, but we're actually adding five more units, and you would think that... Someone wouldn't have to walk in the street down to the development if they live at Broadway or they left Oriley's or, you know, I mean, maybe I'm just thinking outside the box, or...

Zach Wilkinson: Yeah, I mean, I think our client's standpoint on it, as far as that those sidewalks are built at the terminus of the cul-de-sac, and the rest of the, everything in the back is already built out. There are probably never going to be sidewalks there unless it's some city initiative. And so, putting a stretch of them in front of this specific building, we have a couple issues looking at this now, but I forgot. The cul-de-sac that was built was built outside of the city's right-of-way. So, if you, I don't know if you can tell the plan. The roadway is actually on our client's property a pretty significant amount, which infringes on where the pond, the stormwater pond goes. You can actually see the cul-de-sac works well outside. So, it makes it to where the area that we would normally put our stormwater pond is a little bit smaller than usual, and by adding those sidewalks, it actually infringes on it even more. All that to be said, I mean, it's not our desire to put sidewalks in, just because there's nothing else connecting to it. I don't know, obviously we, if it's a requirement, we would prefer to do the pay-in-lieu fee, but I mean, ultimately, that's one of the reasons I brought it up when we were talking about the pedestrian circulation plan, that I didn't know if that's what that was alluding to.

Luther Bratton: I'm just thinking that, I mean, I'm not that close, but it just appears that... If we're going to have a lot more traffic, foot traffic there, you possibly off of 109, and then if there was something tied, because I know right behind O'Reilly's, there's a driveway that they utilize to go back to those businesses, and my thought would be some type of sidewalk along there, not necessarily with the, I mean, I'm not designing it, but to tie something so if someone wanted to walk back there, they wouldn't have to be in the street or actually be, you know, actually on the grass.

Jessica Hunter: Isn't that what you just said that the drive-in, the city is encroaching already, so sidewalks would also work he's talking about?

Zach Wilkinson: Yeah, I mean, any new sidewalks would be outside of the right-of-way. And I know there's been comments that I've heard about trying to discourage pedestrian traffic at 109 because they cut across the railroad, and it's not necessarily the pedestrian traffic you want coming through there. This

proposed use is office, or I'm sorry, construction general services site. There's going to be a lot of, it's not going to be like a strip mall with a Subway and that kind of thing. It doesn't have that kind of approval, so pedestrian traffic isn't what they're wanting. Now, that might not be the city's prerogative, but I don't think they expect any of their clientele or tenants to be necessarily wanting pedestrian traffic

Luther Bratton: So, what your request was is basically to do a lieu of the sidewalk?

Zach Wilkinson: Pay in lieu of sidewalks.

Luther Bratton: So, it's not a cost issue because you're going to spend the money anyway, you just don't think it's feasible.

Chairwoman Ann Blackburn: Here's the thing, though, is they may not be wanting pedestrian, but they may not always be in that.

Zach Wilkinson: Sure. Yeah, and I can't argue it. I can't argue against it.

Ted Jernigan: So, if you pay in lieu of, are you still going to leave the land there to be able to build the sidewalks out?

Zach Wilkinson: The land, well, part of the land is an existing road, but it would be utilized for the, probably the stormwater area.

Ted Jernigan: Okay, you'd have to redo the stormwater area to leave enough area for the sidewalk.

Zach Wilkinson: Yeah. Which, I guess this might be a good transition to the next, um, the stormwater stuff. Same issue where the flood elevation rises, the detention pond becomes less effective. We had some good conversations this morning again. I think we got clarity on what the consultant engineer is looking for, but now we've got additional clarity on how we can actually utilize metro standards, which what we have proposed is a bio-retention pond, which metro uses those all the time. And I feel like now that we have some clear guidance that the review engineers can look at, then we shouldn't have any problem meeting those standards. It's just when he's holding a hard meet the 100-year detention requirement, that's impossible in a 100-year floodplain. So, but I think we've figured that out on the previous job on how we can address that, so.

Ted Jernigan: Maybe I keep going to make the same recommendation for this one as you did the last one.

Nate Heisler: Carlton, you want to help me out with this one?

Carlton Cobb: I'm gone let Corbin go on this one.

Zach Wilkinson: Which, I mean, I will say, based on the previous one, if you're going to defer the previous one, we need to defer this.

Chairwoman Ann Blackburn: It's the same thing.

Luther Bratton: Yeah. Personally, I would feel uncomfortable approving the other one, not approving this one, but then approving two potential.

Chairwoman Ann Blackburn: It's the same problem.

Nate Heisler: Corbin, you were part of those conversations this morning. Kind of wanted to hear your take on this detention in particular and how it relates to stormwater.

Corbin Keen: The same issues before. Detention in a floodway is never a good idea. But I think Zach can do a little more, show us a few more things, like we talked about some downstream, how the water is going to flow through there, and getting some more information would be helpful for this and make Jason feel more comfortable and recommend approving this moving forward. But just more information is very helpful for this. And the difference to the previous one, the downstream flow from that is all wide-open channel. The downstream flow from this area goes under Food Lion's parking lot. So that's another reason why we'd like to see a little more information too.

Zach Wilkinson: While we're here tonight, I would like to kind of get a good, clear route on the sidewalk comment. I think the architectural metal stuff we did. And the landscape, the landscape and sidewalk, just to, I guess, any feedback on, hey, would you like the idea of the landscaping out in front of the parking, or is that a heck no thing? And same for the sidewalk, pay in lieu if on the sidewalks, or do you want to see those sidewalks built today, kind of thing?

Jessica Hunter: I don't have a problem with the pay in lieu of because the city, if the city requires later,

they've already got the money to put their own sidewalks in.

Ted Jernigan: I would personally prefer to see you redo the detention area to allow a road for the sidewalks. Maybe even if they're not built out now.

Jessica Hunter: Now, what do we do about the cities and their property for the roadway?

Zach Wilkinson: I mean, honestly, I know from a legal standpoint, it's probably already acquired a prescriptive easement at this point anyways, I don't think there's anything we can do to fight it, but it just.

Jessica Hunter: But you didn't find an easement record.

Zach Wilkinson: No, but the right-of-way was clearly plated and there was no easement there. **Luther**

Bratton: But there's a timeframe, if the city can actually, there's a timeframe, so if the city's been utilizing within that, well, you're aware of that timeframe.

Zach Wilkinson: Oh, yeah. Okay. I'm pretty sure that it's past.

Luther Bratton: Yeah, so they'll pass that timeframe, so okay. City does have that ability to... **Zach**

Wilkinson: Client lost his ability to reclaim that.

Luther Bratton: Yeah, he has.

Jessica Hunter: Yep. But unless he did something like this, most people wouldn't even know it. **Zach**

Wilkinson: Yep, yep.

Jessica Hunter: And we run into that with everything.

Zach Wilkinsson: I've been, I have told them that it's infringing, but I don't know that he knows, but it's very clear in the plan.

Chairwoman Ann Blackburn: I'm okay with in lieu of, I 'm like Ted, I would like that, the, it fixed where they could put a sidewalk in there. I prefer to see landscaping by the building like our regulations. That's just my opinion. I'd rather just stay with our regulations.

Luther Bratton: Well, they're not required on the perimeter, though. So, should that not a trade-off? I mean, what if you had a plan to move, is that, is that a requirement?

Zach Wilkinson: I don't believe so. I don't, you know, on top of your head, I'm pretty sure the reason I moved out there because, like, well, I don't think it was required out there. It was just required in front of the foundation. Because there's no buffers required because of the surround, no buffers that would require landscaping because of the surrounding zoning.

Nate Heisler: I would like to comment for foundational planning. That's the reason why Zach's requesting this of you, because foundational planning will go along the building down here, and he's wanting to redirect that up here.

Chairwoman Ann Blackburn: Anybody have feedback? Okay, who wants to make a motion?

Motion to defer: Ted Jernigan

Second Motion: Jim DiPiazza- 9 were in favor, motion carried. 9-0.

NO: No One

Yes: Vice Mayor Megann Thompson, Ted Jernigan, Jessica Hunter, Gail Gentry, Jim DiPiazza, Chairwoman Ann Blackburn, Luther Bratton, Chirag Patel, Robert Tooker

Absent: No One

Abstained: No One

Motion Passed: (Voice Vote)

- J. Bruce Rainey (Applicant) request for the abandonment approval of an Alley (4th Street) approximately 6,005.02 square feet - 0.14 +/- acres: Location: 327 Portland Blvd, (Tax Map 033B Parcel 017.00) Sumner County.

Nate Heilser: All right, so I'm going to zoom into this and kind of give you an idea of what we're talking about, and I'll have Bruce come up and do his presentation. So, this is located right off of the park exit on America's Way. I'm going to show you down here. This is America's Way. If you go up the street, you see 4th Street right here. There's an alley located right here. Bruce is requesting to abandon that alley. And when we first had our conversation, a couple of initial concerns that we have had during that meeting was, first, is there utilities located on the alley? And then second, is there anything in the master parks plan that calls for any connectivity from the park to Portland Boulevard? So, I was able to get with the utility department. They got back with me and said there's no utilities in the alleyway. So, they're okay. And then I got with the park's director, Jamie White, and he looked through the parks plan and met with his staff, and he got back with me and said that they're okay with abandoning. I'm going to pull up the plan that Bruce had given us here. So, 4th Street is located right here. The alley is patched. So once the alley is abandoned, it will go to the property owner. And the property owner is the same person between 18 and 19. And what they're wanting to do once this alley is abandoned, they're wanting to subdivide and cut. The alley, what was left was in the alley right now with 19 and subdivided into two lots. That's what they're wanting to do at the end of the day on this thing. So that's kind of where we're at. The process for this is a planning commission recommendation to city council, and the city council ultimately makes the decision on the abandonment. But they need a recommendation from the planning commission first.

Bruce Rainey: Good evening. It's a pretty simple plan. Cline owns all three of the properties. They have a building smack dab over this in the alley. Back when the parcel thing was done, somebody came back, and I haven't found out who somebody is yet. But somebody from the city told them, man, we're not going to use this. We're going to deed it to you. Well, that of course never happened. But they did build a shed on it many years ago. So, all really, what I'm trying to do is for their sake is just clean up all of that, get the alley officially closed, get the title and everything squared away for the end. So, let's see, I'll be glad to answer any questions.

Robert Tooker: So, the shed actually belongs to the lot 18 there.

Jessica Hunter: Which is the same owner that owns both lots.

Robert Tooker: Right, right.

Jessica Hunter: He just built the shed.

Robert Tooker: But now they're planning to use that space for a driveway to divide 19 into two pieces. Is that right? Did I get that right?

Nate Heiser: Yes, so we'll say the alleyway is abandoned. This will open up more room for 19 and they can subdivide. Based on the zoning that's already there and create two lots.

Bruce Rainey: I'm trying to give a little bit more room to 18 on the other side. But just like I say, just clean the whole mess up there.

Luther Bratton: All 3 lots will face the public street though?

Bruce Rainey: Yes, all three lots will face it.

Luther Bratton: And the positive would be that we would take properties not on the taxh road and put it on the tax road that can be utilized for something. Because we've done that in the past.

Chairwoman Ann Blackburn: Right now, we're just doing that, the abandonment of the alley.

Bruce Rainey: Yeah, if that's approved, it will, might kind of come back. That's no issue. It'll come back with new lots.

Chairwoman Ann Blackburn: How would you like to move forward?

Motion to approve: Jessica Hunter

Second Motion: Robert Tooker – All were in favor, motion carried. 9-0.

NO: No One

Yes: Vice Mayor Megann Thompson, Ted Jernigan, Jessica Hunter, Gail Gentry, Jim DiPiazza, Chairwoman Ann Blackburn, Luther Bratton, Chirag Patel, Robert Tooker

Absent: No One
Abstained: No One
Motion Passed: (Voice Vote)

Old Business-No old Business

City Planner's Comments: Nate Heilser: None

Planning Commission Members' Comments:

Luther Bratton: Made a motion to Suspend the rules and Jaska Russell, Owner of 5 Chefs, come up and speak.

Motion to approve: Luther Bratton

Second Motion: Jessica Hunter – All were in favor, motion carried. 9-0.

NO: No One

Yes: Ted Jernigan, Jessica Hunter, Gail Gentry, Jim DiPiazza, Chairwoman Ann Blackburn, Luther Bratton, Chirag Patel, Robert Tooker

Absent: No One

Abstained: Vice Mayor Megann Thompson

Motion Passed: (Voice Vote)

Ted Jernigan: Can I just say this real quick? What do we need to do about the size of the drawings from the 12 by 18 inches? What can we address that to?

Nate Heilser: Yeah, it would be in the subdivision regulations and also maybe in the zoning ordinance. And I can look at that and if we need to make any changes. Does the group agree, 11 by 17? Yes. Okay, I can take a look at that and bring that back.

Jaska Russell: I promise you, my daughter is saying no in her head. I just got off a plane in Nashville, and I watched the meeting and first of all, foremost, I appreciate every one of you. It is a, I've been on the other side of where you're sitting, and it's a hard job. And I understand, but I'm on the other side this time. And time is of the essence, and I so appreciate Luther, I thought, had it going right, and it flip-flopped on me. And I understand, but how do I say this? When you're building, especially the gift shops and all of this stuff that we're building, and my love for Portland runs deep. I don't have to do this. There is nothing, it makes me cry.

Jessica Hunter: I don't have a tissue.

Jaska Russell: I'm just gonna say,

Jessica Hunter: I don't have a tissue.

Jaska Russell: It's a love here. And I got it from my family, and we love Portland. Don't have to do it, I wanna do it. So, I know that we have to go through the certain loops and all that. I'm good with that.

Anything I've ever done, Luther, you can say, anything I've ever done, I've done it 100%. There's nobody in here that can't say, I'll do whatever you ask me to do. Only thing I'm asking y'all to do is if there was a problem with whatever Carlton was doing, that should have been discussed earlier. Not, Carlton's ready, we're ready, 30 days is hard. We just had 30 days. We're ready. And then, here we are. That's all I wanna say. I just wanna say, when you set us back, that's big. And it's real easy to say yes up there. Yes, yes, yes,

yes, yes, set them back. That's all I wanna say. I'm excited about this project. I will do, you know. The Hodges group and Mack, I know you're listening. James, I know you're listening. I love you both. We're gonna do what we need to do. But 30 days is a lot. So, I don't know if you can have special meetings. I don't know what you do. I'm not asking for special privileges. I'm just saying that hurt. Y'all have any questions for me?

Luther Bratton: I just had a quick comment, and I do apologize to you. Everything that you've done since you've been an adult in our community, you've done it for the better of our community. And there's no doubt about that in my mind. My concern was the project right up to that one that we would have to automatically approve it, and there were some questions. And we owe you an apology for not getting that information together before tonight. I'm not pointing blame, but with the consultant engineers, and Carlton, and he brought out something that even your engineer wasn't even aware of. That's available. So, it was just a little confusion, and we would have to address both of them in the same manner. So that was my flip-flop, and with the planner being confused, not being able to actually give us a solid recommendation, I did. I mean, I was all on board with it because I knew it was gonna be done right. But then when I heard the confusion from him.

Jaska Russell: I guess the deferment, is that how you say that? Is that what you're saying? Y'all do that all the time. So, is that right? You defer all the time. And that would have been acceptable. And that's what Mack asked for.

Jessica Hunter: No, no, we did, the deferment is what happened and put you out 30 days.

Jaska Russell: What did Mack ask for because the word...

Jessica Hunter: He asked for approval with a contingency.

Jaska Russell: Okay, contingency. Do you do contingencies?

Jessica Hunter: We do.

Jaska Russell: You do. So, I think that's what Mack was asking for. It was. And that would have worked.

Jessica Hunter: And that's what I was trying to ask for clarity without disrespect. Why are we doing it?

Chairwoman Ann Blackburn: And I know you love this town. You do great. The city planner, though, very rarely requests for a deferral. Like, I've been on I don't know how many years, a few years now. Less than a handful of times.

Jaska Russell: Well, the thing that bothered me, I guess, is in the wording of, I felt like I'm going to be the guinea pig of what y'all are going to do. You know what I'm saying? Because you're saying Metro is going to do it and we've got to do it right now. We've got to do, we've got to. You will never find anybody else any stronger of, wanting it's done right in Portland. I am one of those people, too. I want it done right. I want it to look right. I want it to be right. But I think it was really easy to say yes on 30 days. I think that was easy for y'all. And it's not easy for me. So that's all.

Luther Bratton: Thank you. And I've been over there. I know how you feel. With 30-day referrals and I do, I totally understand.

Jaska Russell: So, there's, and I guess what I'm asking is if there's any way that that 30 days can be a special meeting or can you get to it any quicker or is there anything that you can do? That would be great.

Nate Heisler: Yeah, that would be the call of the planning commission if that's something that they want to do. Absolutely.

Jessica Hunter: The hard thing is, is like Mack said, he doesn't know when he's going to get to even talk to, I'm gonna say a rather consulting engineer because we don't have one yet.

Jaska Russell: And that's what Luther said. It's not easy. And what else could Carlton say any different? That's what Carlton said, what else can Carlton bring? He can't bring anything else. So, I think all your answers were there, and then I think yes was very easy to say.

Luther Bratton: Well, just briefly, what I will say is that we have two, not just your project, we have two commercial projects that we would like to see put on the tax roll and the Mayor and everybody else would

be as quick as possible. So, I wouldn't be opposed if, and there's advertising deadlines, that if there could be some, if he could meet the advertising deadlines and that we could actually meet on these two projects, I wouldn't be opposed to that personally. I don't know that we can meet those deadlines and meet any quicker than 30 days. That's a Planner question, because there's some state guidelines about advertising. So, who, and I guess I'm confused too, who else is going to bring me information that Carlton couldn't bring me? The engineer.

Chairwoman Ann Blackburn: The engineer.

Jessica Hunter: And it's not, he's a consultant to the city. The city pays him. So that's where you're saying somebody dropped the ball there on.

Luther Bratton: I think that that it somewhat got resolved, but he's not resolved because he wasn't here.

Jaska Russell: So, could it have been done on a contingency?

Luther Bratton: It could have, but since it was two projects and it was a floodplain, I mean floodway and floodplain, it's pretty, you know, when you, when you make a mistake, you know, that, you know, down the road, flooding, you know, buildings and things, we wouldn't want to be responsible for that. So, I think Nates's idea was to get it right, and so when these other buildings arrive with similar things, we have to set a precedent on how we're gonna handle it. And in the future, I know it's not gonna help your situation, but in the future, it won't be an issue. And I apologize because I think that the city, and I'm part of it, has let both projects down because we didn't get those people in the room to resolve the issue. Because I guess Carlton was aware, I don't know, was you aware of the utilizing the metro guidelines that was brought up tonight?

Corbin Keen: Yeah, so that's been a thing since stormwater, you're talking about two different things, and this is probably an offline conversation. You're talking about water quality, water quantity. Two different things. Regulations for both. Okay. Metro doesn't address water quantity; it does water quality. We require detention up to the 100- year because we have flooding issues, that's why we're in a floodplain, right? The Food Lion and all that was developed before we had these regulations. So, it's two different things. It's just how it is. And like I said, it's probably...

Luther Bratton: Because you were in those meetings, do you feel like this can be resolved by the next meeting?

Corbin Keen: By the next meeting, yes. We need drainage calculations for the 5 Chefs site to see what the drainage is going to do downstream. That's what we need. And Zach's aware of that.

Jessica Hunter: But was he aware of that prior to tonight.

Corbin Keen: That's a requirement for a site plan, drainage calculations.

Jessica Hunter: Okay. Thank you. It just wasn't said.

Corbin Keen: Because he did the water quality part of it, which he's probably going to meet it with that. We just need to see the calculations for the...

Chairwoman Ann Blackburn: I think it's just the problems that we have in Portland with the flooding. It's better to get it right.

Luther Bratton: And with the advertising requirements, I don't think we can... I don't think probably get it all there. You might meet you a week or two.

Jaska Russell: Well, no, we can't change that. I just wanted to say how I felt. I want to say I respect you all. I appreciate you all. And I'm sure we'll be back again. And I know you know what you do is hard. I felt like I just wanted to...

Luther Bratton: Get it off your chest.

Jessica Hunter: You had to vent, and it's okay.

Jaska Russell: Yeah, not really vent. You haven't seen me vent.

Jessica Hunter: I know. Well, when you walked in, I said, uh-oh.

Jaska Russell: No. Yeah. And that's all. And I know y'all are tired and y'all have a good night. **Luther Bratton:** Thanks for your comments. Thank you for your comments.

Chairwoman Ann Blackburn: Who wants to make the last motion?

Motion to Adjourn: Gail Gentry

Second Motion: Robert Tooker- All in Favor, Motion carried 9-0

All in Favor: Vice Mayor Megann Thompson, Robert Tooker, Jessica Hunter, Gail Gentry, Ted Jernigan, Chairwoman Ann Blackburn, Jim DiPiazza, Luther Bratton, Chirag Patel

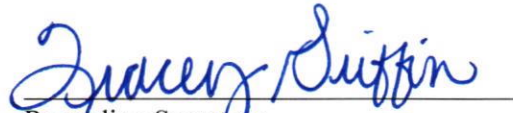
Absent: No One

Motion Passed: (Voice Vote)

Adjournment 7:36 PM


Chairwoman Ann Blackburn

5/12/2026
Date


Recording Secretary

5/12/2026
Date

City of Portland Public Comment Sign-In Sheet

- In accordance with Resolution #25-41, public comments are allowed when those comments are germane to agenda items (*this includes public hearings*), except where otherwise prohibited.
- Comments are limited to a maximum of 5 minutes per individual, and the number of speakers and/or allotted time may be limited by the presiding officer to ensure opposing views are heard.

Sign up before the start of the meeting to speak on public hearings and other agenda items.

Speaker Information		List which public hearing and/or agenda item you would like to speak on.
Print Name	ZACH WILKINSON	ALL
Address	1065 RAPIDS RD	
Print Name		
Address		
Print Name		
Address		
Print Name		
Address		
Print Name		
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The Following Is To Be Filled Out By The Presiding Meeting Clerk

Board/Committee Planning Commission Meeting Date: 4/14/26 Page Number: 1