

**SUMNER COUNTY PLANNING COMMISSION
MINUTES
MAY 27, 2014
5:00 P.M.**

**SUMNER COUNTY ADMINISTRATION BUILDING
355 N. BELVEDERE DRIVE
COMMISSION CHAMBERS
GALLATIN, TN. 37066**

MEMBERS PRESENT:

**LUTHER BRATTON, CHAIRMAN
BILLY GEMINDEN, VICE-CHAIRMAN
MIKE HONEYCUTT
JIM WILLIAMS
CHRIS HUGHES
JERRY KIRBY
TOM TUCKER
JOE MATTHEWS**

MEMBERS ABSENT:

**JOE MATTHEWS
CHRIS HUGHES**

STAFF PRESENT:

**RODNEY JOYNER, COUNTY PLANNER
LISA DUNAGAN-DIORIO, ADMINISTRATIVE ASSISTANT
RACHAEL IVIE, REGIONAL PLANNER-GNRC
LEAH MAY DENNEN, COUNTY ATTORNEY
ERIKA PORTER, STAFF ATTORNEY**

**MOTION FOR APPROVAL OF THE APRIL MINUTES BY MR. WILLIAMS,
SECONDED BY MR. GEMINDEN. MOTION PASSED UNANIMOUSLY.**

Chairman Bratton explained that they we are going to do something different tonight. We are going to have a consent agenda. If there is anyone that has any objections, we will not put these particular items on the consent agenda.

Mr. Joyner stated that we would put the Grey Place Subdivision and Poole Subdivision on the consent agenda.

Chairman Bratton asked if there was any opposition from the audience regarding the consent agenda. Since there was no opposition, Chairman Bratton asked for a motion. **Motion to place above mentioned Subdivisions on the consent agenda by Mr. Geminden, seconded by Mr. Honeycutt. Motion passed unanimously.**

Chairman Bratton stated that Mrs. Judy Hardin, Road Superintendent, would like to address this body.

Motion by Mr. Geminden to add Mrs. Hardin to the agenda to speak, seconded by Mr. Tucker. Motion passed unanimously.

Mrs. Hardin stated that there have been several instances of businesses and home owners seeking permits and we are not aware of them until after the fact. What is happening is the permit applicants are not aware of the driveway connections. Then what happens is the driveway connections cause numerous water issues, then this falls back on the Highway Department. What I am asking is to be kept abreast when someone gets a permit. Just send them out a post card of what we expect of them as far as the driveway connection. There is also issues with developments when they put up a bond. When they put up a road bond there is much confusion pertaining to Road Development Bond verses the Planning and Zoning Bond. If we could just get some type of committee together or some type of group where we could say this bond is by the Road Committee or by the Planning Department. We just need to set some kind of guidelines to let everyone know up front what is expected.

Chairman Bratton asked if it would be appropriate for this body to have a work study prior to next month's Planning Commission meeting and Rodney would get together all of the issues and maybe come up with a plan. He could present this to the committee before the next meeting and try to solve these concerns.

Mr. Joyner stated he'd be more than happy to have a work study to discuss procedures for discussion of these issues.

1. PUBLIC HEARING AND REZONING--REPRESENTED BY CARROLL CARMAN (3RD COUNTY COMMISSION DISTRICT) Melvin Lee and Martha Ann Cowan were requesting to have their property rezoned from R1A to Commercial 1, and approval of Preliminary Master Development Plan. Subject property is located at **3152 Hartsville Pike, Castalian Springs, Tn.**, is on Tax Map 110, Parcel 24.01, and contains 4.9 acres. **This was a public hearing and was advertised in the Gallatin News Examiner on May 16, 2014. The adjoining property owners were notified by certified mail.**

Mr. Joyner gave a presentation of this request. He stated that the proposed use is a restaurant. This property is in the Castalian Springs Historic Overlay District and also falls within the Historical Village Center as defined in the Sumner County 2035 Comprehensive Plan. There are no comments from staff. He explained that the property owner was present to answer any questions.

Chairman Bratton opened the floor for the public hearing.

Elaine Carr came forward to speak in opposition to this request. Her main concern was the increased traffic could be very dangerous.

Mr. Cowan, applicant, came forward to speak. He explained that he planned to re-zone this property to commercial and then sell the property at a later date. He felt that it would make it easier to sell.

Chairman Bratton asked if we could ask for a traffic study at the site plan stage.

Mr. Joyner stated that he has five years to modify this request after this is rezoned. It is up to this body if you want to require a traffic study. This application will have to go to the Design Review Committee before it comes back to this body.

There was discussion.

Motion to approve to send it to the County Commission for review and vote by Mr. Honeycutt, seconded by Mr. Geminden. Motion passed unanimously.

2. GREY PLACE SUBDIVISION-PRELIMINARY AND FINAL PLAT- REPRESENTED BY TOMMY WALKER-(12th COUNTY COMMISSION DISTRICT) Applicant was requesting Preliminary and Final Plat approval of 4 lots on **Ben Albert Road**. Subject property contains 4.71 acres, is on Tax Map 100, Parcel 8.10 p/o, and is zoned RA.

This plat was placed on the consent agenda.

Motion for approval by Mr. Geminden, seconded by Mr. Honeycutt. Motion passed unanimously.

3. POOLE SUBDIVISION-PRELIMINARY AND FINAL PLAT-REPRESENTED BY RICHARD GRAVES-(12TH COUNTY COMMISSION DISTRICT)-Applicant was requesting Preliminary and Final Plat approval of 3 lots on **Highway 76**. Subject property is located on Tax Map 58, Parcel 4.01, contains 3.68 acres and is zoned Agricultural.

This plat was placed on the consent agenda.

Motion for approval by Mr. Geminden, seconded by Mr. Honeycutt. Motion passed unanimously.

4. THIS REQUEST WAS SENT BACK TO THE PLANNING COMMISSION BY THE LEGISLATIVE COMMITTEE AT THEIR REGULARLY SCHEDULED MEETING ON MAY 12, 2014.- JOHN BAITES-PROPERTY-REPRESENTED BY BLUE RIDGE SURVEYING- (7TH COUNTY COMMISSION DISTRICT)

The John Baites property was approved and sent forward to the County Commission for review and possible vote for a rezoning by the Sumner County Planning Commission on April 22, 2014. The request was to have the property rezoned from RA to a Low Density Residential Planned Unit Development and for approval of the Preliminary Master Development Plan, both approved by the Planning Commission. Subject property is located at 794 New Shackle Island Road, Hendersonville, TN., containing a total of 27 lots which are located on Tax Map 138, Parcel 53, property containing 14.03 acres, and is currently zoned RA. The property is to be developed in phases.

The adjoining property owners were notified by certified mail. This public notice was advertised in the Gallatin News Examiner on March 14, 2014.

Chairman Bratton stated that there is a representative to speak regarding this subdivision and if it is the will of the body we will suspend the rules.

Motion by Mr. Geminden to suspend the rules, seconded by Mr. Kirby. Motion passed.

4 Ayes: Geminden, Kirby, Williams, Tucker

1 Abstention: Honeycutt

David Amonette, a local attorney, came forward to speak in opposition to this request for the homeowners association for Island Brook Subdivision. For some reason this was sent back to this body by the Legislative Committee for review. We do not believe it is appropriate, for legal and practical issues, to approve this subdivision. He handed out a copy of a couple state statutes. He read sections from the Tenn. Code Ann. § 68-120-101 (2014) pertaining to egress. He stressed that safety has to be considered, as well as, traffic problems. He explained the need for another access to the proposed subdivision. If you approve this tonight you are creating a problem for the people that are currently living there and for the people that would be living on the proposed five (5) lots of Phase I. He appealed to the body to not compound the problem we already have here with one egress.

Beth Vaughn stated that the neighbors in Island Brook are not ok with the proposed five (5) lots.

Jason Kingsolver, the applicant's son-in-law, came up to speak in favor of the proposed subdivision. There should not be any additional traffic for just five (5) lots. He explained that the construction traffic will come through Mr. Baites's front yard. We will adopt the same restrictions that Island Brook has and will keep the same tree line. A traffic study was conducted by Rodgers Group and no traffic concerns were found. He stated he wanted it written down in the minutes that his father-in-law has met every guideline established by the county in order for him to rezone this property. He has also gone above and beyond to reach out to the residents of Island Brook. He asked for the county to please approve this plan.

Mr. Joyner stated that this body made a motion for approval with certain conditions and those conditions are listed on the plat you have before you tonight. The plat that the Legislative Committee had did not reflect the conditions per the motion made on April 22, 2014.

There was discussion.

Mr. Baites want this to be as much like Island Brook as possible.

Motion for approval to send to the County Commission for a vote by Mr. Honeycutt, seconded by Mr. Williams. Motion passed unanimously.

MEETING ADJOURNED AT 6:05 P.M.