

**SUMNER COUNTY PLANNING COMMISSION
MINUTES
SEPTEMBER 28, 2010
5:00 P.M.**

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

**MEMBERS:
LUTHER BRATTON, CHAIRMAN
CECIL RAY
JIM WILLIAMS
MIKE HONEYCUTT**

**MEMBERS ABSENT:

CYNTHIA HALL TEMPLETON
PAUL GOODE**

**OTHERS PRESENT:
GARY L. HAMMOCK, DIRECTOR CONSTRUCTION AND DEVELOPMENT DEPARTMENT
RACHAEL IVIE, STATE PLANNER
LEAH MAY DENNEN, COUNTY ATTORNEY
LISA DUNAGAN-DIORIO, ADMINISTRATIVE ASSISTANT**

**A. MOTION FOR APPROVAL OF THE AUGUST MINUTES BY MR. RAY, SECONDED BY MR. WILLIAMS.
MOTION PASSED UNANIMOUSLY.**

**B. DISCUSS THE ELECTION OF A VICE-CHAIRMAN: MOTION BY MR. WILLIAMS, SECONDED BY MR. RAY
TO ELECT MIKE HONEYCUTT AS THE VICE-CHAIRMAN. MOTION PASSED UNANIMOUSLY.**

**1. PUBLIC HEARING-REZONING AND PRELIMINARY MASTER DEVELOPMENT-(3rd COUNTY
COMMISSION DISTRICT) REPRESENTED BY BRUCE RAINEY: Owner Charles Randall Carter-** He was requesting to have a portion of his property rezoned from R1A to a Commercial 2 Planned Unit Development and for Preliminary Master Development Plan approval. Subject property is located at 2812 Hartsville Pike, Castalian Springs, Tn., is on tax map 110, parcel 45.10 p/o, contains 6.15 acres and is zoned R1A. **THIS WAS DEFERRED AT THE AUGUST 2010 MEETING.**

Mr. Rainey explained that the mini-warehouses will take several years to develop, Mr. Carter will put up the first two buildings and as the demand dictates he will continue adding buildings. In time, we will convert the first building for a resident manager in which we do have ample area for septic and so forth for this. This project will impact the area as little as possible. The door openings will not face the main road. We have turned the buildings where they will all be internal to the site. The buildings that will be seen will be in stone. A mini-warehouse does not generate very much traffic. The plan has been changed to add the screening on the property to the south and the east as well. All the parking has been moved internal to the site. Mr. Rainey stated that they felt that this was the best low impact use for the property.

There were no questions from the body for Mr. Rainey.

Chairman Bratton opened the floor for the public hearing.

Martha Akins with the Tennessee Historical Commission came forward to explain in depth the historical significance of the particular property. She explained that they are interested in bringing in more tourist areas in Castalian Springs, i.e. restaurants, tourist centers, etc. She explained that mini-warehouses were not what the commission had in mind when they developed a comprehensive plan.

Thomas Ashton, President of the Castalian Springs Community Club, stated that the 40 members of the club were against the rezoning of the property to allow mini-warehouses. They would rather see homes built on this site, since the mini-warehouse would not be compatible of what is in the area currently.

Pam Ilott came forward to explain why she was against this rezoning. She is an active member of the Community Club and the Bledsoe Lick Association and a concerned citizen. This spot has a very historical value and should be preserved. This property would be a prime tourist site.

Chairman Bratton closed the public hearing.

Rachael Ivie gave an overview of the project. The requested zoning is consistent with the land uses permitted in the 2035 Comprehensive Plan Historic Village Center character area. Ms. Ivie discussed the outstanding staff comments: 1) The parking requirements may need to be altered. Residential uses require 2 parking spaces per dwelling unit. The site plan only shows 3 total parking spaces, including 1 handicapped space, for both the office and residential uses. 2) The proposed fence on the east side does not meet the screening requirement. There should be an evergreen screen or other suitable alternative between commercial and residential zoning districts (even if on the same property) per Article IV, Section 11.1. The planning commission may want to require screening on the east side. 3) Sidewalks are recommended in PUDs. The Planning Commission should waive any sidewalk requirements not met. Sidewalks must be 6 feet wide and conform to ADA requirements. The sidewalk shall be located at least 2 feet from the adjacent curb/edge of pavement. It would be a best practice to construct a sidewalk following the driveway to the building to ensure connectivity. There are no explicit guidelines in the development regulations regarding "payment in lieu of" of providing sidewalks. 4) Before the Final Development Plan can be approved: a) indicate the type of signage and dimensions b) plan will need to meet requirements of the Sumner County Stormwater and Illicit Discharge resolutions. c) construction plans, erosion control plans, and drainage calculations must be submitted and approved by a licensed engineer.

Mr. Rainey stated that we are not disputing that there is a lot of engineering work to be done, but now is not the time to be doing it. I hate to see us put in a sidewalk that will not be used in our lifetime. Mr. Rainey stated that he would rather pay money "in lieu of" so they can use the money to install sidewalks somewhere else in the county. This would be a decision that would be made at this body and the county commission. We can comply with the staff comments. This rezoning request is not in conflict with the newly adopted 2035 comprehensive plan and we would ask for approval.

There was discussion.

Motion for approval to send this on to the County Commission and require the screening on the east side, by Mr. Honeycutt, seconded by Mr. Williams. Motion passed.

2 ayes-Honeycutt and Williams

1 nay-Ray

2. M & J MARKET ADDITION-(1st COUNTY COMMISSION DISTRICT) REPRESENTED BY RICHARD GRAVES: Owner Billy Wayne Perdue-They were asking for site plan approval for a 40' x 80' storage addition for the M & J Market. Subject property is located at 123 Fairfield Road, Bethpage, Tn., is on tax map 30, parcel 45.00, and is zoned Commercial A.

Ms. Ivie gave an overview of the property. This storage building would be one of the uses allowed in the Commercial A zoning. There were no outstanding staff comments.

Mr. Graves came forward to represent this request.

There was discussion.

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

3. J. BRUCE RAINEY-PRELIMINARY AND FINAL PLAT- (1st COUNTY COMMISSION DISTRICT)- REPRESENTED BY BRUCE RAINEY: Owner: J. Bruce Rainey-He was requesting Preliminary and Final Plat approval of 4 lots on East A. B. Wade Road. Subject property is on tax map 51, parcel 54.01, contains 3.73 acres and is zoned agricultural.

Mr. Rainey came forward to represent this request and stated that he agreed with the staff comments.

Ms. Ivie gave an overview of the property. She stated that they still need to depict location of soil areas and state the number of bedrooms permitted.

Mr. Rainey stated that they are in the process of having the soil work done.

There was discussion.

Motion for approval by Mr. Honeycutt, contingent that they depict the location of soil areas and state the number of bedrooms permitted, seconded by Mr. Williams. Motion passed unanimously.

A. Richard Graves came forward to address this body regarding the Sumner County 2035 Comprehensive Plan. He would like to request a change in the Land Use Plan, Section 4, page 21 of the Development Plan section of rural density of 1 dwelling per 5 acres. He explained that with the 1 dwelling per 5 acres would be a step back. Mr. Graves presented his proposals with a 1 dwelling per 2 acres straight zone, and 1 dwelling 1/2 acre utilizing a cluster with 30% open space.

Chairman Bratton asked Mr. Graves why he wanted it to be more restricted today than it is currently.

Mr. Graves as of today there is no change, the zoning resolution today states that there must be 1 dwelling per 40,000 square feet. If you read the 2035 comprehensive plan, the zoning ordinance and the subdivision regulations are to come into compliance with the 2035 comprehensive plan.

Ms. Ivie stated that this is just a plan for the future, even if the zoning is changed it is not necessarily going to be changed to 1 dwelling per 5 acres. Perhaps we should think of increasing it slightly or making a differentiation between more suburban smaller lots and larger estate lots.

There was discussion.

Chairman Bratton stated that they would not vote on this tonight, but have this on the next work study agenda.

B. Gary Hammock to discuss Planning Regions pertaining to Gallatin, Portland and Hendersonville.

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Mr. Hammock discussed the overlap of inspections in the planning regions which are located up to one (1) mile outside the corporate limits. It gets into the situation that the municipalities issue the building permits and then the county does the zoning enforcement. This gets confusing to the general population. The county either needs to do all the enforcement or relinquish the police power to the municipalities. I have spoken to Melinda Keen with the City of Portland and she has no problem with this and Steve Mills with City of Hendersonville said just give us some direction.

Tony Allers, Director of Codes and Planning, came forward to speak. He gave some statics pertaining to the issuance of building permit in the planning region for the last three (3) years. It is very frustrating for the citizens in the Planning Regions that call us and say you issued me a building permit, why can you not take care of the high grass next door to my house. He said he would love for you to give us the power to enforce the zoning.

Jerry Stone, County Commissioner, came forward to speak. This has been kicked around for a long time. The problem I have is people are paying the city for building permits, these people do not get to vote in the city elections. I believe if this issue goes to the county commission, we should just pull the planning regions back in the county and make them (the county) responsible for issuing permit and doing zoning enforcement.

Billy Geminden, County Commissioner, came forward to speak. I do agree with both sides. He said he felt like when you live in the planning region of Portland and you have to go to the City of Portland to get a building permit, and call the County for any zoning enforcement, this is like taxation without representation. I wish something could be worked out. If this came up at the County Commission level, I would call every property owner in the Portland planning Region and see how they felt.

Chairman Bratton stated that he felt it appropriate to have a work study prior to us making a decision to send this onto the County Commission.

No action was taken, referred to a planning commission work study.

MEETING ADJOURNED AT 6:20 P.M.