

**SUMNER COUNTY PLANNING COMMISSION
MINUTES
JULY 25, 2017
5:00 P.M.**

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

MEMBERS PRESENT:

**LUTHER BRATTON, CHAIRMAN
BILLY GEMINDEN, VICE-CHAIRMAN
MIKE HONEYCUTT
JIM WILLIAMS
STEVE GRAVES
BILL TAYLOR
TOM TUCKER**

MEMBERS ABSENT:

JERRY KIRBY

STAFF PRESENT:

**RODNEY JOYNER, PLANNING & STORMWATER DIRECTOR
LINDA MCCULLOUGH, ASSISTANT TO THE DIRECTOR OF PLANNING &
STORMWATER
LEAH MAY DENNEN, COUNTY ATTORNEY
LAUREN WALKER, STAFF ATTORNEY**

MOTION FOR APPROVAL OF THE JUNE 2017 MINUTES BY MR. STEVE GRAVES, SECONDED BY MR. GEMINDEN. MOTION PASSED UNANIMOUSLY.

- 1. CREEKMORE & HALLTOWN PROPERTY – FINAL PLAT – REPRESENTED BY RICHARD GRAVES – (12TH COMMISSION DISTRICT-Michael Guthrie and Bob Pospisil) – Applicant is requesting Final Plat approval for 10 lots located on Creekmore Road and Halltown Road. Subject property is located on Tax Map 073, Parcel 003.01 P/O. Property contains 11.02 acres and is zoned Agricultural.**

Mr. Joyner stated that the applicant was asking for Final Plat approval of a 10-lot subdivision located on Creekmore Road and Halltown Road. Request for Preliminary Plat approval was approved at the June 27, 2017, Planning Commission Meeting. Property is zoned Agricultural and is not located within any Urban Growth Boundary. All comments have been addressed by the applicant.

Motion to approve by Mr. Geminden, seconded by Mr. Honeycutt. Motion passed unanimously.

2. **HILLSIDE HAVEN SUBDIVISION – PRELIMINARY/FINAL PLAT – REPRESENTED BY RICHARD GRAVES – (3RD COMMISSION DISTRICT – Alan Driver and Steve Graves)** – Applicant is requesting Preliminary/Final Plat approval for 4 lots located on South Tunnel Road. Subject property is located on Tax Map 071, Parcel 082.00 P/O. Property contains 5.14 acres and is zoned Agricultural.

Mr. Joyner stated that the applicant was asking for Preliminary/Final Plat approval of a 4-lot subdivision located on South Tunnel Road, west of Dobbins Pike. Property is zoned Agricultural and is not located within the City of Gallatin Urban Growth Boundary. All comments have been addressed by the applicant.

Mr. Bratton asked Mr. Richard Graves if he would be back for the rest of this property.

Mr. Richard Graves stated that to his knowledge, this would be the only part of this land to be subdivided. Mr. Graves stated that the rest of the property would be sold in 5 acre tracts.

Motion to approve by Mr. Honeycutt, seconded by Mr. Williams. Motion passed unanimously.

3. **MCARTHUR ESTATES SECTION II – PRELIMINARY/FINAL – REPRESENTED BY JIM CARMAN – (3RD COMMISSION DISTRICT – Alan Driver and Steve Graves)** - Applicant is requesting Preliminary/Final Plat approval for 3 lots located on Brights Lane. Subject property is located on Tax Map 106, Parcel 018.28. Property contains 2.97 acres and is zoned Agricultural.

Mr. Joyner stated that the applicant was asking for Preliminary/Final Plat approval of a 3-lot subdivision located on Brights Lane, east of HWY 31E. Property is zoned Agricultural and is located within any Urban Growth Boundary. All comments have been addressed by the applicant.

Mr. Joyner stated that the Growth Boundary for the city of Gallatin would be changing in the near future.

Mr. Taylor asked if there was a reason that Lot #18 looked like a boot.

Mr. Carman stated that Lot #18 is the residual left over from the original subdivision.

Mr. Geminden stated that after looking at the GIS, the driveways for these properties are in the floodway. Mr. Geminden stated that he thought that driveways could not be in the floodway.

Mr. Carman stated that he has been working with FEMA to get this approved. We have to show that the driveway will not raise the flood elevation.

Mr. Geminden was concerned about the Planning Commission passing the plat without anything from FEMA stating that it was ok.

Mr. Joyner stated that the Commission has the right to defer the plat but if they meet the minimum requirements for lots, and they can access the lots by not using this frontage, legally the Commission can not hold this plat submission. Mr. Joyner stated that these lots may sit until they bridge over or prove they are not in a floodway. The lots will have challenges.

Mr. Geminden asked how could one driveway could serve for all three lots.

Mr. Carman stated that the floodway does not cover all three lots. If they had to, they would make one common drive on lot 18 and 19 to serve lot 20.

Mr. Bratton stated that a potential buyer would not know the challenges of these lots. Is there a way for the potential buyer to know these challenges.

Mr. Carman asked Mr. Joyner if he knew the status of the driveway permits.

Mr. Joyner stated that since Marshall Wright is the Codes Director, he would need to answer Mr. Carman's question. Mr. Joyner stated that although his department is Stormwater, the Codes Department is in charge of the FEMA maps and the flood plains. Mr. Joyner stated that, for staff purposes, as long as the lots meet the minimum requirements of the sub regs and zoning resolutions, it's a legal lot. Mr. Joyner stated that if the Commission feels that these lots would affect the potential buyers down the road, they have the right to reject this submittal based on certain criteria.

Mr. Bratton stated that he did not want to prohibit anyone from buying these lots or building a house, but is just concerned how the lots would be permitted for drives if the drive is in a floodway.

Mr. Joyner stated that if these lots are approved, and the plat is recorded, once that property owner comes in for their land disturbance, we would ask them for any information from FEMA, or something from FEMA that shows the lots are in compliance.

Mr. Bratton asked Mr. Carman if he could list the flood issues on the final plat.

Mr. Carman stated that decision would be made by staff.

Mr. Bratton stated that his concern is that someone would buy this property and not know the challenges that they may face.

Mr. Joyner stated that information is shown on the plat with the flood plain number. Mr. Joyner stated that the information is not bolded in red, but it is on the plat.

Mr. Geminden stated that he would not feel comfortable approving the final plat at this time until these issues have been addressed.

Mr. Bratton asked Mr. Carman if he had a timeline as to when these issues would be resolved.

Mr. Carman stated that he could not answer that question since he is working on FEMA's timeline.

Mr. Bratton noted that this was a Preliminary/Final plat and asked if the Board had the right to approve the Preliminary only.

Mr. Joyner stated that the Board did have the right to approve the Preliminary only.

Mr. Steve Graves asked Mr. Carman how far did the floodway come up on the property.

Mr. Carman stated that the flood zone is on the pavement and the floodway is around 10 to 15 feet into the property.

There was some discussion from Mr. Steve Graves, who is the County Commissioner for that district, that the property owners would have challenges.

Mr. Bratton ask Mr. Carman would he be willing to defer the Final Plat approval to get the discussed details cleared up.

Mr. Carman stated that he would be willing to defer the Final Plat.

There was discussion.

**Motion to approve Preliminary Plat by Mr. Honeycutt, seconded by Mr. Geminden.
Motion passed unanimously.**

4. **JAMES MICHAEL AND VICKI LYNN GOFF SUBDIVISION – PRELIMINARY/FINAL – REPRESENTED BY JIM CARMAN – (3RD COMMISSION DISTRICT – Alan Driver and Steve Graves)** - Applicant is requesting Preliminary/Final Plat approval for 3 lots located on Chipman Road and Malone Trail. Subject property is located on Tax Map 084, Parcel 079.027. Property contains 7.17 acres and is zoned Agricultural.

Mr. Joyner stated that the applicant was asking for Preliminary/Final Plat approval of an 3-lot subdivision located on Chipman Road, at Malone. Property is zoned Agricultural and is not located within any Urban Growth Boundary. All comments have been addressed by the applicant.

There was discussion.

Motion to approve by Mr. Honeycutt, seconded by Mr. Tucker. Motion passed unanimously.

5. **SHUTE COMMONS – REZONING & PRELIMINARY MASTER DEVELOPMENT PLAN – REPRESENTED BY GRESHAM SMITH AND PARTNERS – (6TH COMMISSION DISTRICT Kevin Pomeroy and Jim Vaughn)** – Applicant is requesting to have property located on Shute Lane rezoned from Residential A to Residential Planned Unit Development – High Density. Subject property is on Tax Map 146, Parcel 0069.01, contains 28.65 acres and is zoned Residential A.
APPLICANT DEFERRED ITEM TO AUGUST MEETING

6. **SPECIAL PROVISIONS GOVERNING INDUSTRIAL ZONING DISTRICTS – PUBLIC HEARING** – To discuss and possibly vote to forward on to the County Commission for their review and final vote a proposed Special Provisions (SP) District amendment to the following article of the Sumner County Zoning Resolution as it relates to the Industrial District: Article VIII – Provisions Governing Industrial Districts.

Mr. Bratton opened the public hearing.

Jack Chappell, 1758 Long Hollow Pike, came forward to speak about the item at hand. Mr. Chappell asked if there was a particular property that this item was associated with and what are some of the industrial uses that would be involved. Mr. Chappell stated that he understood that if this passes, it would give the Planning Commission members and the community better ability to control what types of business that would go into this Special District. Mr. Chappell asked if there was any kind of timeline for property owners to submit a proposed plan and actual completion of that plan.

Mr. Joyner stated that he received an email from a citizen with questions about the proposed S P District. Mr. Joyner stated that he modified, not corrected, the draft and that the Commission members have the newest draft. Mr. Joyner went on to answer the questions that he received in the email, along with Mr. Chappell's questions.

Mr. Joyner was asked about General Development and Transportation Plan, the 2035 Comprehensive Plan, revisions of a site, and what does SP District mean. Mr. Joyner stated that the General Development and Transportation Plan refers to a combination of the Major Thoroughfare Plan for Sumner County (cited in the 2035 Comprehensive Plan) and the standards set forth in the Subdivision Regulations for Roads, Chapter IV; Section 4-103. Please note, the 2035 Comprehensive Plan is on the Sumner County website and is not referenced in any other area of the Zoning Resolution or the Subdivision Regulations. Mr. Joyner state that revisions refer to minor changes/revisions as determined jointly by the Planning Commission and staff. All revisions considered major will be voted on by the Planning Commission and forwarded on to the County Commission for legislative approval. These refer to such revisions as found in 5.3 G of this document. Mr. Joyner explained the reference SP District as being a Specific Plan and "District" refers to the Industrial District only, in this case. Remember, this is strictly an amendment to the current Industrial Zoning District.

In answering Mr. Chappell's questions, Mr. Joyner stated that there was not any particular property associated with this plan, and that this plan would control what types of industries that would go into a proposed industrial area. Mr. Joyner also stated that with the current Industrial Zoning, there is no time limit as to a start and finish. A Planned Unit Development has a time limit of five (5) years to be completed after the Master Development Plan has been submitted.

Mr. Tucker asked if this proposed SP District was associated with any particular property.

Mr. Joyner stated that everyone thinks this SP District is associated with the Industrial Park that was proposed earlier this year, but it is not. By having this SP District, it allows the Planning Committee more control of what industry can be placed on a piece of property.

Mr. Tucker stated that when Bruce Rainey had spoken to the Planning Committee in previous works studies, he had a list of types of industries that would not be allowed in the SP District.

Mr. Joyner stated that since this SP District has been proposed within months of the proposed Industrial Park, he has received many calls, visits, emails, and seeing chatter on

social media concerning this area being developed as an industrial area. Mr. Joyner stated that other districts have been able to develop an industrial area in a smart way.

They have certain regulations in place to approve everything from stormwater to landscaping to access to transportation. None of these regulations are in place now for a standard Industrial Zoning in Sumner County.

Mr. Geminden stated that if the list that Mr. Rainey submitted for the SP District was included, then the requestor would know what could and could not go into the industrial area that was being proposed.

Mr. Joyner stated that the list could be added to the SP District if that is the Commissions will.

Mr. Taylor asked Mr. Joyner if the Planning Commission would approve the buffers, landscaping and such, or would that be contracted out to another company.

Mr. Joyner stated that the developer would have an engineering firm to look at those items.

There was discussion.

Motion to approve to move to County Commission with list attached by Mr. Honeycutt, seconded by Mr. Williams. Motion passed unanimously.

Motion to adjourn by Mr. Geminden, seconded by Mr. Steve Graves. Motion passed unanimously.

MEETING ADJOURNED AT 6:12 P.M.