

**SUMNER COUNTY PLANNING COMMISSION
MINUTES
JULY 24, 2018
5:00 P.M.**

**SUMNER COUNTY ADMINISTRATION BUILDING
ROOM 112
355 N. BELVEDERE DRIVE
GALLATIN, TN. 37066**

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

**MEMBERS ABSENT:
JERRY KIRBY**

**STAFF PRESENT:
JOSH SUDDATH, PLANNING DIRECTOR
LINDA MCCULLOUGH, ASSISTANT TO THE DIRECTOR OF PLANNING &
STORMWATER
BEN ALLEN, STAFF ATTORNEY**

**MOTION FOR APPROVAL OF THE JUNE MINUTES BY MR. WILLIAMS,
SECONDED HONEYCUTT. MOTION PASSED UNANIMOUSLY.**

**MOTION FOR APPROVAL OF THE JULY AGENDA BY MR. STEVE GRAVES,
SECONDED BY MR. TAYLOR. MOTION PASSED UNANIMOUSLY.**

Mr. Suddath started the meeting off by thanking the surveyors and developers for getting back to him with the comments he requested. Mr. Suddath stated that tonight's agenda is one of the largest agendas thus far and the feedback from the developers, surveyors, and community has been very helpful.

- 1. CREEKVIEW ESTATES SECTION 4 – SKETCH PLAT – REPRESENTED BY GREENLID DESIGNS, LLC – 3rd COMMISSION VOTING DISTRICT – (Alan Driver and Steve Graves) – Applicant is requesting a Sketch Plat approval for a 56-lot subdivision located on Robert Lee Drive. Subject property is located on Tax Map 105, Parcel 007.00, contains 46.11 acres, and is zoned Residential (RA) and Residential 1A (R1A).**

Mr. Suddath stated that this development has a history dating back to 1996 and a previous sketch plat was approved in 2017 but is now under new ownership. Since the previous sketch plat was for 57 lots and this sketch is for 56 lots and the layout of the subdivision has changed, Mr. Suddath requested that the applicant submit a new sketch plat. Mr. Suddath stated that this development utilizes cluster zoning provisions contained in the Sumner County Zoning Resolution. Mr. Suddath stated that some outstanding issues on this sketch plat include:

- **Drainage:**
 - **All drainage infrastructure is depicted on the sketch plat, and is to be maintained by HOA, which is currently in place. Noted on Sketch Plat.**
- **Streets:**
 - **Roadway cross-sections provided. Sidewalks shown and to be installed with construction of individual homes. Sidewalks that run across Open Space on Plat will be installed by Developer. Same point of ingress and egress that has been previously approved in 2004 and 2017.**
- **Water, Sewer, Fire Protection:**
 - **6 inch water line on site. Hydrants will be located with Plat submission. All lots served by Sanitary Sewer, which is located within a “Step-System” on site (in Section 3). Privately operated by Tennessee Wastewater Systems Inc. Sufficient capacity to accommodate the remaining lots in this section.**
- **Phasing:**
 - **Developer has indicated that they intend to phase Section 4. Needs to be shown on Sketch.**

Mr. Andy Leath with GreenLid Designs came forward to explain and represent this request.

Mr. Taylor asked Mr. Suddath how did he come up with the calculations for the cluster provisions and the open space.

Mr. Suddath explained that his calculations were based on Phase 3 and 4. Mr. Suddath also stated that the new home owners would be in the existing HOA.

Motion to approve a Sketch Plat for Creekview Estates, Section 4 subject to the following conditions:

- **Applicant revise the proposed sketch plat to depict any proposed phasing schedule by Mr. Steve Graves, seconded by Mr. Tucker. Motion passed unanimously.**

2. **BIRCHWOOD SUBDIVISION – FINAL PLAT – REPRESENTED BY WILLIAM CRENSHAW – 4TH COMMISSION VOTING DISTRICT – (Jerry Foster and Leslie Schell) – Applicant is requesting Preliminary/Final Plat approval for a 4-lot subdivision located at Highway 25 and Douglas Lane. Subject property is located on Tax Map 114, Parcel P/O 021.01, contains 6.54 acres, and is zoned Residential 1A (R1A).**

Plat was approved on January 23, 2018 as a 5-lot subdivision, but due to soil issues, the subdivision was reconfigured to a 4-lot subdivision and needed to be approved by the Planning Commission. Mr. Suddath stated that there are no outstanding issues with this plat, and all signatures have been obtained.

Motion to approve Final Plat by Mr. Honeycutt, seconded by Mr. Taylor. Motion passed unanimously.

3. **CORINTH PLACE – PRELIMINARY PLAT – REPRESENTED BY WILLIAM CRENSHAW – 1ST COMMISSION VOTING DISTRICT – (Mike Akins and Moe Taylor)** – Applicant is requesting Preliminary Plat approval for a 6-lot subdivision located at East Carter Road and North Corinth Road. Subject property is located on Tax Map 022, Parcel 024.00, contains 6.52 acres, and is zoned Agricultural.

The property is not located in any Planning Area and the proposed subdivision would utilize all property contained in this parcel. Mr. Suddath stated that some outstanding issues with this plat include:

- **Drainage:**
 - **No grading or drainage plans submitted; property appears to drain toward northeast onto adjacent properties.**
- **Soils:**
 - **Properties bisected by waterline easement, which may have impact on septic soils. Septic soils not finalized with submittal of preliminary plat— should be finalized before public hearing on final plat.**
- **Fire Protection:**
 - **Need to escrow fire hydrant per 4-106.3**
- **Contains 2 Flag Lots**

Mr. Bratton asked Mr. Suddath what it would require to amend the Subdivision Regulations if the body should decide to do so.

Mr. Suddath stated that if the body should decide to amend the Subdivision Regulations, the Planning department would need thirty days in order to advertise a public notice in accordance with State Law.

Mr. Steve Graves asked if the outstanding issues with the flag lots were because the lots were under 5 acres.

Mr. Suddath stated that it was. Mr. Suddath went on to say that if lots were over 5 acres, the Planning department nor the Planning Commission would see those lots. State regulations are different for 5-acre lots.

Mr. Bratton asked Mr. Crenshaw if the water lines showing on the plat were private line.

Mr. Crenshaw stated that they were private water lines but he does not know which house it serves, these are old lines. Mr. Crenshaw stated that there are new lines on East Carter Road.

Mr. Bratton asked Mr. Crenshaw if there were easements in place to protect the water lines.

Mr. Crenshaw stated that there was a 10 foot easement.

Mr. Suddath stated that he had not seen any easement documents for these water lines.

Mr. Bratton stated that he would be concerned about approving this with no easement or structure in place to protect these lines.

Mr. Crenshaw stated that they would show a 10 foot easement for the water lines in order to protect the lines or put an additional note on the plat referring to the easement. Mr. Crenshaw stated that they took these water lines into consideration when mapping the soils to make sure these areas are 10 feet from the easement instead of 10 feet from the lines.

Motion to deny a Preliminary Plat for Corinth Place by Mr. Honeycutt, seconded by Mr. Taylor.

Mr. Honeycutt stated that this plat did not meet the regulations for Sumner County.

Mr. Suddath stated that the body could deny the plat but another option would be for Mr. Crenshaw to withdraw the plat from this agenda and bring back with the modifications that met the Subdivision Regulations.

Motion to withdraw previous motion to deny by Mr. Honeycutt, seconded by Mr. Taylor.

Mr. Geminden asked if the applicant had a time limit for the re-submittal.

Mr. Suddath stated that there is some confusion about the time limit. State requirements are 60 days from the public hearing and the applicant can voluntarily pull the application, without starting the clock.

Mr. Crenshaw withdrew his application.

4. **LESTER RAY BULLARD ESTATES PHASE 2 – PRELIMINARY PLAT – REPRESENTED BY RICHARD GRAVES – 3RD COMMISSION VOTING DISTRICT – (Alan Driver and Steve Graves)** – Applicant is requesting Preliminary Plat approval for a 10-lot subdivision located on Greenfield Lane. Subject property is located on Tax Map 107, Parcel 001.02, contains 12.31 acres, and is zoned Agricultural.

Mr. Suddath stated that a full set of construction plans were submitted, that this is the second phase of this subdivision and approval of this plat would complete the subdivision. Mr. Suddath stated that some outstanding issues include:

- **Drainage:**
 - **Full set of construction plans submitted. They indicate retention area contained entirely on Lot #10. Drainage ditch to be constructed along north property line that will convey water east to the pond. Detailed drawings of retention pond, drainage ditch, and all structures are included, as are erosion control and grading plans. Applicant has estimated a bond amount of \$75,000 as surety for all drainage. Questions remain regarding the ownership and maintenance of stormwater infrastructure which crosses property lines.**
- **Streets:**
 - **Cross sections are provided with Construction Drawings Proposed streets meet all requirements contained in the Subdivision Regulations. The proposed street is 1,027.5 feet from Greenfield Lane to cul-de-sac. A bond in the amount of \$125,000, per Judy Hardin, is proposed as surety for all road infrastructure.**
- **Utilities/Fire Protection:**
 - **Construction drawings depict 6” water line to be installed, as well as three hydrants to serve subdivision**

Mr. David Bandy came forward to verify that he will agree to the \$125,000.00 bond requested by Ms. Judy Hardin, Sumner County Road Superintendent, for the road infrastructure.

Motion to approve Preliminary Plat for Lester Ray Bullard Estates, Phase 2 subject to the following conditions:

- **Applicant provide surety bonds of \$125,000.00 for road infrastructure and \$75,000 for drainage infrastructure.**
- **Applicant add a note addressing ownership and maintenance responsibility for drainage infrastructure depicted upon the plat.**
- **Applicant add a note to the plat clarifying that retention pond is reserved for drainage, and may not have any structures or driveways constructed upon it.**
- **Revise Construction Plan Title Sheet and subsequent pages to reflect the proposed plat name for the subdivision**
- **The applicant obtain all required signatures prior to the public hearing for the final plat.**

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

5. **EIDSON ESTATES SECTION 2 – PRELIMINARY PLAT – REPRESENTED BY RICHARD GRAVES – 2nd COMMISSION VOTING DISTRICT – (Billy Geminden and Larry Hinton)** – Applicant is requesting Preliminary Plat approval for a 5-lot subdivision located at 569-605 New Deal Potts Road. Subject property is located on Tax Map 054, P/O Parcel 053.00, contains 5.83 acres, and is zoned Agricultural.

Mr. Suddath stated that no sketch plat was submitted and that there is no plan to further subdivide the remaining property at this time. Mr. Suddath stated that some outstanding issues include:

- **Resubdivision:**
 - **Second section to be submitted for this property, no sketch plat submitted for remainder tract. Subdivision Regulations, at 1.109 allow the Planning Commission to require that future infrastructure be depicted and or dedicated upon the plat if the Commission has reason to believe that future subdivision of the property is likely.**
- **Drainage:**
 - **No drainage calculations were submitted with this preliminary plat. In reviewing the property, it appears that it will drain to the south and then in a roughly east to west pattern along an existing ditch and should not impact residential properties across the street.**
- **Streets:**
 - **Meet Requirements**
- **Fire Protection:**
 - **Meets Requirements, escrowed fire hydrant shown in front of Lot #6. Request that the hydrant be depicted in front of Lot #4 in order to be within 500 feet of previous section**

There was discussion concerning the future subdivision of the existing property.

Motion to approve a Preliminary Plat for Eidson Estates Section 2 subject to the following conditions:

- **The applicant shift the escrowed fire hydrant to the frontage of lot #4.**
- **The applicant submit a sketch plat for the remainder of the tract prior to the submission of any future phases or sections, to include minor subdivisions.**
- **The applicant obtain all required signatures prior to the public hearing for the final plat.**

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

6. **BAKER PERDUE ESTATES PHASE 2 – FINAL MINOR PLAT – REPRESENTED BY RICHARD GRAVES – 1ST COMMISSION VOTING DISTRICT – (Mike Akins and Moe Taylor)** – Applicant is requesting Final Plat approval for a 2-lot subdivision located on Highway 259. Subject property is on Tax Map 030, P/O Parcel 029.00, contains 3.22 acres, and is zoned Agricultural. (Presented for informational purposes)

Mr. Suddath stated that Phase 1 was approved at the June Planning Commission meeting, Phase 3 is on the agenda for this meeting, and Phase 2 is a minor plat submitted in order to sell an existing house. Mr. Suddath stated that staff comments noted minor administrative issues and that this plat was presented for informational purposes only since Phase 1 has been approved and Phase 3 was on this agenda. Mr. Suddath stated that the Planning Commission could formally vote on this plat if that was their wish.

Motion to approve Final Minor Plat by Mr. Honeycutt, seconded by Mr. Steve Graves. Motion passed unanimously.

7. **BAKER PERDUE ESTATES PHASE 3– PRELIMINARY PLAT – REPRESENTED BY RICHARD GRAVES – 1ST COMMISSION VOTING DISTRICT – (Mike Akins and Moe Taylor)** – Applicant is requesting Preliminary Plat approval for a 5-lot subdivision located on Highway 259. Subject property is on Tax Map 030, P/O Parcel 029.00, contains 8.66 acres, and is zoned Agricultural.

Mr. Suddath stated that a sketch plat was approved at the April meeting, Phase 1 received Final Plat approval at the June meeting and Phase 2 is on the July agenda as a 2-lot subdivision. Mr. Suddath stated that since this subdivision is along a State Route, coordination with TDOT will be required. Mr. Suddath stated that the outstanding issues for this subdivision include:

- **Drainage:**
 - **No drainage or grading plans were submitted with this preliminary plat (or any of its previous phases). Unclear how drainage flows for this phase will relate to future phases of the development. An existing pond is depicted for this phase that straddles the lot line between Lot #7 and #8. Unknown if this pond will be used for stormwater detention, if outlet will be necessary etc. It is unclear who will have maintenance responsibility for this pond. No Homeowner’s Association is being established for the Baker Purdue Estates Subdivision. Pond crosses property lines; ensuring responsibility for its future maintenance will be difficult. A 30 foot pond buffer is shown around the pond. Not clear how a driveway will be built for Lot 7. No Required MS4 notes are shown on the plat**
- **Streets:**
 - **State Route. No construction of County Roads with this phase**

- **Fire Protection:**
 - **Meet regulations, all lots served by Escrowed Fire Hydrants**

Mr. Richard Graves came forward to explain and represent this request.

Mr. Bratton stated that this was a Preliminary Plat and asked Mr. Suddath if all of these issues would need to be addressed before that Final Plat could be submitted.

Mr. Suddath stated that Mr. Bratton was correct and also stated that he would need to see some engineering work to be completed on the drainage as the phases go on in this subdivision especially since the property is located on State Routes, and since future county roads are proposed.

Mr. Taylor asked Mr. Suddath if Lot 7 would be considered a flag lot.

Mr. Suddath stated that the lot may look like a flag lot but because of the pond on this lot, it is not considered a flag lot.

Motion to approve a Preliminary Plat for Baker Purdue Estates, Phase 3 subject to the following conditions:

- **Applicant add a note to the plat addressing ownership and maintenance responsibility for drainage infrastructure depicted upon the plat.**
- **Applicant add a note to the plat clarifying that retention pond is reserved for drainage, and may not have any structures or driveways constructed upon it.**
- **Applicant add required MS4 notes to plat.**
- **The applicant obtaining all required signatures prior to the public hearing for the final plat.**

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

8. **WISEMAN ACRES PHASE 1 – PRELIMINARY PLAT – REPRESENTED BY RICHARD GRAVES – 12th COMMISSION VOTING DISTRICT – (Michael Guthrie and Bob Pospisil)** – Applicant is requesting Preliminary Plat Phase 1 approval for a 5-lot subdivision located on Cook Road. Subject property is located on Tax Map 003, P/O Parcel 041.01, contains 6.40 acres, and is zoned Agricultural.

Mr. Suddath stated that a sketch plat for 14 lots was approved in April, and due to soil issues, Phase 1 & 2 will complete this subdivision with the rest proposed to be divided into 5+ acre tracts. Phase 2 is on the July agenda. Mr. Suddath stated that the outstanding issues for this subdivision include:

- **Drainage:**
 - **No grading or drainage plans submitted. Existing pond shown on site, but ownership/maintenance responsibility unclear since pond straddles the line between Lot #5 and the remainder tract. If pond is to remain, may**

need note on plat stating that pond is reserved for detention and may not be disturbed. Due to siltation, pond may not function as a drainage structure.

- **Streets:**
 - **Meets requirements. Driveway shown across Lot 1 serving Wiseman property to the south. Note indicating removal recommended.**
- **Fire Protection:**
 - **Meets requirements. Escrowed fire hydrant shown between lots 3 and 4**

Mr. Richard Graves came forward to explain and represent this request.

Motion to approve a Preliminary Plat for Wiseman Acres, Phase 1 subject to the following conditions:

- **If pond to remain, applicant add a note to the plat addressing ownership and maintenance responsibility for drainage infrastructure depicted upon the plat.**
- **If pond to remain, applicant add a note to the plat clarifying that retention pond is reserved for drainage, and may not have any structures or driveways constructed upon it.**
- **Add note to plat terminating use of existing driveway for Lot 1.**
- **The applicant obtaining all required signatures prior to the public hearing for the final plat.**

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

9. **WISEMAN ACRES PHASE 2 – PRELIMINARY PLAT – REPRESENTED BY RICHARD GRAVES – 12th COMMISSION VOTING DISTRICT – (Michael Guthrie and Bob Pospisil)** – Applicant is requesting Preliminary Plat Phase 2 approval for a 4-lot subdivision located on White Road. Subject property is located on Tax Map 003, P/O Parcel 041.01, contains 4.33 acres, and is zoned Agricultural.

Mr. Suddath stated that a sketch plat for 14 lots was approved in April, and due to soil issues, Phase 1 & 2 will complete this subdivision with the rest proposed to be divided into 5+ acre tracts. Phase 1 is on the July agenda. Mr. Suddath stated that the outstanding issues for this subdivision include:

- **Drainage:**
 - **No drainage or grading plans submitted with Preliminary Plat. Some concern about drainage on Lot #9**
- **Roads:**
 - **Sufficient width is not shown as being dedicated to meet the requirements of the County Subdivision Regulations. 50 foot total ROW required. 40 foot depicted on plat. 5 additional feet necessary on this side of the road.**
- **Fire Protection:**
 - **Meets requirements. Escrowed fire hydrant shown between lots 7 and 8**

Mr. Richard Graves came forward to explain and represent this request.

Motion to approve a Preliminary Plat for Wiseman Acres, Phase 2 subject to the following conditions:

- **Applicant determine the existing right of way along White Road, and dedicate sufficient width along frontage to meet the standards contained in the County Subdivision Regulations**
- **The applicant obtain all required signatures prior to the public hearing for the final plat.**

by Mr. Steve Graves, seconded by Mr. Honeycutt. Motion passed unanimously.

10. TRIPLET ACRES – PRELIMINARY PLAT – REPRESENTED BY RICHARD GRAVES – 12th COMMISSION VOTING DISTRICT – (Michael Guthrie and Bob Pospisil) – Applicant is requesting a Preliminary Plat approval for a 5-lot subdivision located on Highway 25W. Subject property is located on Tax Map 074, Parcel 137.00, contains 9.92 acres, and is zoned Agricultural.

Mr. Suddath stated that this is a 9.92 acre lot and that the 5 lots would utilize all the acreage for this property. Mr. Suddath stated that the outstanding issues for this subdivision include:

- **Drainage:**
 - **No grading or drainage plans were submitted to the Planning and Stormwater Department with this preliminary plat. In reviewing the property, it appears that it will drain to the southeast toward an existing pond located upon an adjacent property.**
- **Streets:**
 - **State Route, ROW dedicated, presumed that no improvements will be required by TDOT**
- **Fire Protection:**
 - **Meets requirements, existing fire hydrant already on site along frontage of proposed subdivision**

Mr. Richard Graves came forward to explain and represent this request.

Motion to approve a Preliminary Plat for Triplet Acres subject to the following condition:

- **The applicant obtaining all required signatures prior to the public hearing for the final plat.**

by Mr. Williams, seconded by Mr. Tucker. Motion passed unanimously. Mr. Honeycutt abstained from voting.

- 11. McARTHUR ESTATES – FINAL PLAT – REPRESENTED BY JIM CARMAN - 3RD COMMISSION DISTRICT – (Alan Driver and Steve Graves) –** Applicant is requesting a Final Plat approval for a re-subdivision of 3 lots located on Branham Mill Road. Subject property is located on Tax Map 106, Parcels P/O 018.07, 018.08, 018.09, and 018.10, contains 3.49 acres, and is zoned Agricultural.

This plat would supersede Plat Book 29, Page 309 and would shift lots 8, 9, and 10 to the west of the property. The remainder lot to the South would be accessed on the east side of the property. Mr. Suddath stated that the Preliminary Plat was approved at the June Planning Commission meeting, and that no improvements will be required on this plat. Mr. Suddath stated that there are no outstanding issues on this plat, and all signatures have been obtained.

Mr. Jim Carman came forward to explain and represent this request.

Motion to approve a Final Plat for the Resubdivision of Lots #8, #9, and #10 of McArthur Estates by Mr. Tucker, seconded by Mr. Geminden. Motion passed unanimously.

- 12. MATTHEW CARMAN & WIFE BETSY CARMAN PHASE 2 – PRELIMINARY PLAT – REPRESENTED BY JIM CARMAN – 1ST COMMISSION DISTRICT – (Mike Akins and Moe Taylor) –** Applicant is requesting Preliminary/Final Plat approval for a 5-lot subdivision located on Rock Bridge Road. Subject property is located on Tax Map 050, P/O Parcel 009.00, contains 4.86 acres, and is zoned Agricultural.

Mr. Suddath stated that the Final plat for Phase 1 was approved by the Planning Commission in February with two existing residential structures on site. Mr. Suddath stated that the outstanding issues for this subdivision include:

- **Resubdivision:**
 - **This is the second section to be submitted for this property. Subdivision Regulations, at 1.109 allow the Planning Commission to require that future infrastructure be depicted and or dedicated upon the plat if the Commission has reason to believe that future subdivision of the property is likely.**
- **Drainage:**
 - **No drainage calculations were submitted with this preliminary plat. In reviewing the property, it appears that it will drain to the west toward the western prong of Caney Fork Creek. A portion of proposed lots 1, 2, 3 & 4 contain a portion of this stream's required buffer area. None of the property is within a flood zone; stream buffer shown on plat**
- **Streets:**
 - **Meet Requirements, 25 feet of ROW from centerline dedicated**

- **Fire Protection:**
 - **Meets Requirements, a fire hydrant is proposed in front of Lot #4. This will also cover 2 lots approved with first phase.**

Mr. Jim Carman came forward to explain and represent this request.

Mr. Taylor asked Mr. Suddath about the access between lots 1 & 2.

Mr. Suddath stated that could be used at a later time to access the larger piece of property behind the subject property.

There was discussion about this access.

Motion to approve a Preliminary Plat for Matthew Carman and Wife Betsy Carman Subdivision, Phase 2 subject to staff recommended conditions of approval:

- **The applicant shall submit a sketch plat for the remainder of the tract prior to the submission of any future phases or sections, to include minor subdivisions.**
- **The applicant obtain all required signatures prior to the public hearing for the final plat.**

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

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

Meeting Adjourned @ 6:16 p.m.