

SUMNER COUNTY REGIONAL PLANNING COMMISSION
MINUTES

WORK STUDY 4:00 PM
MAY 25, 2021 5:00 P.M.

MEMBERS PRESENT:

LUTHER BRATTON, CHAIRMAN
BILLY GEMINDEN, VICE-CHAIRMAN
MIKE HONEYCUTT
CHRIS TAYLOR
JIM WILLIAMS
GENE RHODES

MEMBER ABSENT:

JERRY KIRBY
TOM TUCKER

STAFF PRESENT:

JOSH SUDDATH, DIRECTOR OF DEVELOPMENT SERVICES
KATHY YOUNG, ASSISTANT TO THE DIRECTOR
LEAH MAY DENNEN, COUNTY ATTORNEY
BEN ALLEN, STAFF ATTORNEY
RICHARD JONES, COUNTY ENGINEER

Mr. Bratton opened the meeting by stating there is a quorum.

Mr. Taylor made a motion to approve the April, 2021 Minutes, seconded by Mr. Williams. Motion passed unanimously.

Mr. Bratton asked if there were any changes to the Agenda.

Mr. Suddath stated that there are no changes.

Mr. Taylor made a motion to approve the Agenda, seconded by Mr. Honeycutt. Motion passed unanimously.

Mr. Bratton opened the floor for Public Comment and called Mr. Richard Jones forward.

Mr. Richard Jones announced that he has accepted another position in the private sector. Mr. Jones stated that he has enjoyed working as the County Engineer. Mr. Jones added that he has enjoyed working with Josh and the whole staff, adding that Josh is a great leader. Mr. Jones went on to express appreciation for everyone that works in the county building.

The Board Members expressed appreciation to Mr. Jones for what he has done for the County and wished him luck.

Mr. Suddath stated that Mr. Jones took a new position with the County, built it from scratch and is leaving it ready for the next engineer to step into. Mr. Suddath expressed appreciation to Mr. Jones, adding that he has left the County in good shape.

Mr. Bratton turned the meeting over to Mr. Suddath for staff presentation.

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1. **CLEARVIEW ESTATES, PHASE 1 - PRELIMINARY (Major)** – Ascend Holdings - Represented by GreenLID Design – 12th Commission Voting District (Michael Guthrie and Justin Nipper) – Applicant is requesting Preliminary Plat approval for a 8-lot residential subdivision located at Weiss Road and Clearview Road, Cottontown, TN, 37048. Subject property is Tax Map 037, Parcel 030.00, contains 87.19 acres, and is zoned Rural Residential (RR).

Mr. Suddath provided an overview of the property, stating that this will be treated as part of a larger development, with these 8 lots being road frontage lots. Mr. Suddath displayed an aerial of the property and the Plat, and then explained the following regarding the Plat:

- Roads:
 - This phase would divide the frontage of Clearview Road into 8 residential building lots.
 - Preliminary Plat depicts a road stub connecting onto Clearview Road that is not proposed for construction with this phase.
 - These lots will need to have a sidewalk constructed that will tie into the sidewalk that will front this new road.
- Proposed lot widths meet all requirements.
- Required open space appears to be depicted upon the plat, 10% of the overall area shown upon the plat.
 - An HOA will be required for this development in order to maintain all Stormwater infrastructure
 - HOA Covenants, Conditions & Restrictions (CCR's) submitted with this application
 - These CCR's appear to be for a development in Mount Juliet, and do not meet County Requirements; they will need to be revised and meet with Staff approval prior to the Final Plat being approved
- Drainage: Erosion Prevention and Sediment Control Plans and Drainage Calculations submitted and under review at this time.
 - A Notice of Coverage from TDEC will be required
 - Onsite Detention will not be required for this phase, but will be needed for future phases.
- Utilities and Fire Protection:
 - 4 inch water line depicted along Clearview Road.
 - A fire hydrant will be necessary for this phase of the development.
 - Applicant has requested to waive installing a hydrant until a future phase of the development
 - A water and fire pressure availability letter has been submitted for the overall development; White House Utilities states that another analysis is required for this development
 - Lots to be served by Septic Tanks; TDEC approval required.

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Mr. Suddath then explained the next steps, stating that if approved, they will need to obtain approval of Construction Plans from the County Engineer. Next, Mr. Suddath added, they will need to receive Final Plat approval from the Planning Commission.

Mr. Suddath stated that when the plat is recorded, lots may be sold and building permits obtained.

Mr. Suddath explained that sidewalks will need to be installed with each lot, prior to issuance of a Certificate of Occupancy.

Mr. Suddath completed his presentation with example motions and turned the meeting over to Mr. Bratton.

Mr. Bratton asked Mr. Andy Leath if he had any comments.

Andy Leath provided an update, stating that the soil work has been done and the Hydraulic determination for the streams and wetlands has been completed. Mr. Leath stated that the lot layout is not planned to change. Next, Mr. Leath stated that they have provided the Water Availability Letter to White House Utilities, as the previous one had expired. Mr. Leath added that he is expecting the water lines will have to be upgraded, adding that he believes there will be fire protection after those upgrades are made.

Mr. Leath then made a request to make a payment in-lieu-of installing sidewalks.

Mr. Honeycutt asked for clarification that barn will be torn down and the existing house will remain.

Mr. Leath confirmed.

Mr. Taylor stated that although Mr. Leath made a compelling argument for the sidewalks, he would like to make a motion to approve a Preliminary Plat for Clearview Estates, Phase 1 with the following conditions:

- a) Applicant shall obtain signed approval from County Engineer for required Construction Plans prior to issuance of a Land Disturbance Permit;**
- b) Applicant shall install a fire hydrant to service these lots;**
- c) Sidewalks shall be installed along the road frontage of the existing and proposed right of way;**
- d) Applicant shall pay applicable Construction Inspection fees in the amount of \$100 per lot to the County upon submittal of a Final Plat;**
- e) Applicant shall revise submitted Covenants, Conditions and Restrictions in accordance with Chapter 8 of the County Zoning Resolution,**

Seconded by Mr. Geminden. Motion passed unanimously, with Mr. Honeycutt abstaining.

Mr. Bratton turned the meeting over to Mr. Suddath for staff presentation.

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2. **THE GRAVEL COMPANY PUD – SITE PLAN** – Jason Canon, represented by GreenLID Design - 4th Commission Voting District (Jerry Foster and Leslie Schell) – Applicant is requesting Site Plan approval related to constructing and operating a landscaping material sales business located at 1415 Old Highway 109N, Gallatin, TN, 37066. Subject property is Tax Map 104, Parcel 083.00, contains 11.5 acres and is zoned Planned Unit Development (PUD).

Mr. Suddath provided an overview of the property, stating that this property was rezoned in April 2021. Mr. Suddath added that the existing mobile home is proposed to be removed. Mr. Suddath provided an aerial photo of the property, with the flood zone overlay, depicting the back half of the property, shown in Flood Zone A. Mr. Suddath then displayed the subject property in context to the surrounding properties.

Next, Mr. Suddath displayed the Site Plan and explained the following details of the Plan:

- Roads
 - No access to SR-109 is proposed
 - Project would access Old Highway 109
 - Old Highway 109 currently has adequate Right of Way dedicated from the center line at this location
 - Additional road improvements are not requested
 - Traffic study not requested; may be required by Planning Commission deemed necessary
 - Sidewalks are required for all Planned Unit Developments in Sumner County (except projects accessing New Highway 109)
 - Internally, all surfaces are proposed to be dust free concrete (in the parking area) or millings (in the storage areas)
- Drainage
 - On site detention area is depicted on Concept Plan
 - This item will need to meet all County and State Water Quantity and Quality measures
 - Detailed drainage plans have been submitted to County Engineer with submittal of Site Plan prior to any construction
 - Special review and approvals will be required from staff for any construction that is to occur within a flood zone
 - Must mitigate the amount of water leaving the site, and must treat it to remove any pollutants
 - Stormwater Maintenance and Inspection Agreement must be entered into with County, and an agreement has been provided for County review.

Mr. Suddath displayed the submitted image of the detention basin, with plantings depicted.

Mr. Suddath went on to display and explain the submitted Landscape Plan, incorporating existing tree cover and a proposed, required berm with two rows of evergreens. Mr. Suddath explained that the new County Zoning Resolution contains extensive requirements for

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landscaping and buffering for Commercial PUDs. Mr. Suddath then stated that a “Type 2” Landscape Buffer, that is to be preserved around the perimeter of the site, is shown on the plans. Mr. Suddath displayed the parking depicted on the Site Plan and stated that parking appears to meet requirements.

Next, Mr. Suddath addressed signage for the property, stating that all Signage must meet County requirements, and must obtain a sign permit. Mr. Suddath explained that offsite signage (Billboards) not allowed per Zoning Resolution or as part of this development, and added that this is indicated on the plan documents. Any changes to any depicted signage must be approved via a major PUD amendment, Mr. Suddath stated. Mr. Suddath then displayed the depicted sign, stating that it is proposed to be 4’ x 8’.

Mr. Suddath explained the next general steps, which include:

- Once construction plans are approved by the County Engineer, a preconstruction meeting will need to be scheduled.
- Letter of Credit must be provided for 110% of cost of landscaping/detention/sidewalks
 - Building improvements are not substantial enough to hold in lieu of surety
- A Land Disturbance Permit may then be issued
- Detention/sediment basin then must be installed
- Building Permit may be obtained
 - Applicant should clarify phasing of hardscape/road improvements and building construction
- All landscaping/detention/sidewalks must be installed prior to release of letter of credit.

Mr. Suddath completed his presentation with example motions and turned the meeting over to Mr. Bratton.

Mr. Bratton asked Mr. Leath if he had any comments.

Andy Leath stated that they are in agreement with all comments, adding that he feels the County will be better served with the payment-in-lieu of sidewalks for this property.

Mr. Suddath stated that he told Mr. Leath that he would look into the Codes regarding this.

Mr. Honeycutt asked how sidewalks could be incorporated with the required berm.

Mr. Suddath stated that it might not be possible.

There was discussion as to the practicality of sidewalks for this location.

Mr. Suddath asked if it would be acceptable to the Planning Commission to have the applicant provide more information as to whether sidewalks are feasible. Mr. Suddath stated concern that PUDs are required to have sidewalks per the Zoning Resolution, adding, that this was designed more specifically for residential communities.

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Mr. Rhodes asked to see the Site Plan again.

Mr. Taylor added that the berm and trees were required, so the business would not be seen.

There was discussion regarding the location of the sidewalks.

Mr. Suddath stated that the sidewalks would have to be located in the public ROW, and added that the required landscaping is on private property.

Mr. Rhodes asked what is to the north and south of the property.

Mr. Leath stated that the properties are residential, and a church is located nearby.

Mr. Suddath displayed the context map.

Mr. Rhodes stated concern of the precedent that may be set if an in-lieu-of payment is allowed, and then another development comes in next door.

Mr. Bratton stated that a rather large development may be going in that would connect Old 109 to the bypass.

There was discussion regarding the growth and development in this area.

A motion was made to approve a Site Plan for The Gravel Company PUD with the following conditions:

- a) A Letter of Credit in an amount not less than 110% of the cost of all depicted landscaping shall be provided by the applicant prior to the issuance of a Land Disturbance Permit;**
- b) A Letter of Credit in an amount not less than 110% of the cost of all depicted Stormwater improvements shall be provided by the applicant prior to the issuance of
of
a Land Disturbance Permit;**
- c) A Letter of Credit in an amount not less than 110% of the cost of sidewalk improvements along the Old Highway 109 frontage shall be provided by the applicant prior to the issuance of a Land Disturbance Permit**
- d) Any request for signage, to include building mounted signage must obtain a Sign Permit meeting the requirements of Chapter 12 of the Sumner County Zoning Resolution;**
- e) A Stormwater Maintenance and Inspection Agreement shall be entered into by the applicant with the County as required by the County Stormwater Management**

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Resolution

f) Sidewalks shall be installed along the Old Highway 109 Road Frontage, by Mr. Geminden, seconded by Mr. Honeycutt. Motion passed unanimously.

Mr. Geminden stated that about three months ago, this came before the Planning Commission for a Rezoning, on to Legislative and then the County Commission for final approval. Mr. Geminden went on to state that last Monday night, another development made it to the County Commission, for approval. Mr. Geminden stated that there were many questions asked at that meeting which had already been addressed by the Planning Commission.

Mr. Suddath stated that in this instance, there is no proposal to further subdivide this property, adding that once this Site Plan is approved, they can get the construction plans approved and may begin construction, and so no additional Planning Commission approvals would be required.

Mr. Geminden stated that the Planning office makes sure that all conditions and requirements are met. Mr. Geminden suggested that if the County Commission were sent a copy of, and they reviewed the Planning Commission notes, lots of time could be saved in the meetings.

Mr. Suddath stated that he finds it surprising that staff is not expected to present to the County Commission, regarding rezoning requests. Mr. Suddath stated that he is always willing to make a presentation, prior to the Public Hearing, at the County Commission meetings, if the Commission required he do so.

Mr. Bratton stated that much of the discussion and questions during the County Commission meetings are the elected officials raising concerns of their constituents, in a public forum.

Mr. Bratton turned the meeting over to Mr. Suddath for staff presentation.

3. **HENRY HARRIS ACRES – PRELIMINARY (Major) – James Rippy - Represented by Richard Graves – 1st Commission Voting District (Terry Wright and Moe Taylor)** – Applicant is requesting Preliminary Plat approval for a 3-lot residential subdivision located at Henry Harris Road, Westmoreland, TN, 37186. Subject property is Tax Map 028, Parcel 023.00, contains 7.22 acres, and is zoned Rural Residential (RR).

Mr. Suddath provided an overview of the property. Mr. Suddath stated that the subdivision will create two new building lots and one lot containing an existing house. Mr. Suddath provided an aerial photo and the Preliminary Plat and then highlighted the following regarding the Plat:

- Roads: Subdivision would access Henry Harris Road
- Proposed lot widths meet requirements.
- Open Space/HOA not required for this development.

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- Drainage: Development will not disturb more than one acre. Erosion Prevention and Sediment Control Plans are not required.
- Utilities and Fire Protection:
 - 2 inch water line appears to be depicted along the road frontage of the property.
 - One Fire Hydrant will be necessary for this subdivision
 - A water availability letter has been submitted with the Preliminary Plat
 - Fire pressure not noted in the letter, but it is assumed that the 2 inch line will not accommodate a fire hydrant
 - One fire hydrant will need to be installed with this subdivision; if installation not possible, dedication to volunteer fire department with receipt provided to County
 - Fire protection to be provided by relevant Volunteer Fire Department
 - Lots to be served by Septic Tanks.

Mr. Suddath explained that the Next Steps, if approved, which includes that they will need to receive Final Plat approval from the Planning Commission; following Final Plat approval, the lots may be sold and building permits may be obtained.

Mr. Suddath completed his presentation with example motions and turned the meeting over to Mr. Bratton.

Mr. Bratton asked Mr. Graves if he had any comments.

There being no comments, Mr. Bratton entertained a motion.

Mr. Rhodes made a motion to approve a Preliminary Plat for Henry Harris Acres, with the following conditions:

- a) Applicant shall install a fire hydrant along the road frontage; if one cannot be obtained, a dedication shall be made to the serving Volunteer Fire Department;**
- b) Applicant shall have proposed culverts sized by a professional engineer, and shall furnish the calculations for the County Engineer for review; culverts larger than 15 inch RCP shall be noted in a table upon the plat**
- c) Applicant shall pay applicable Construction Inspection fees in the amount of \$100 per lot (\$300) to the County upon submittal of a Final Plat,**

Seconded by Mr. Honeycutt. Motion passed unanimously.

There being no further business, Mr. Williams made a motion to adjourn, seconded by Mr. Honeycutt. The meeting adjourned unanimously at 5:34 pm.