

**SUMNER COUNTY PLANNING COMMISSION
MINUTES
NOVEMBER 27, 2018
5:00 P.M.**

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

MEMBERS PRESENT:

**LUTHER BRATTON, CHAIRMAN
BILLY GEMINDEN, VICE-CHAIRMAN
MIKE HONEYCUTT
JERRY KIRBY
GENE RHODES
TOM TUCKER
JIM WILLIAMS**

MEMBERS ABSENT:

CHRIS TAYLOR

STAFF PRESENT:

**JOSH SUDDATH, DIRECTOR OF PLANNING & STORMWATER
LINDA MCCULLOUGH, ASSISTANT TO THE DIRECTOR OF PLANNING &
STORMWATER
LEAH MAY DENNEN, COUNTY ATTORNEY
BEN ALLEN, STAFF ATTORNEY**

**MOTION FOR APPROVAL OF THE OCTOBER MINUTES BY MR. WILLIAMS,
SECONDED BY MR. TUCKER. MOTION PASSED UNANIMOUSLY.**

**MOTION FOR APPROVAL OF THE NOVEMBER AGENDA BY MR. HONEYCUTT,
SECONDED BY MR. GEMINDEN WITH ITEMS 5, 6, & 7 REMOVED FROM THE
AGENDA AT THE APPLICANT'S REQUEST. MOTION PASSED UNANIMOUSLY.**

**PUBLIC COMMENT: Mr. Bratton opened the meeting for Public Comment. There being
none, he introduced the first agenda item.**

- 1. BLED SOE CROSSING – PRELIMINARY PLAT – REPRESENTED BY MIKE HOLLAND – 3RD COMMISSION VOTING DISTRICT – (Alan Driver and Steve Graves) - Applicant is requesting a Preliminary Plat approval for a 48-lot subdivision located on Highway 25. Subject property is located on Tax Map 110, Parcel 012.00, contains 59.22 acres, and is zoned Residential (RA) and Residential 1A (R1A).**

Mr. Suddath stated that this item was deferred at the October Planning Commission meeting in order to give the applicant time to provide a written plan related to responsibility for maintenance of common elements in the subdivision and to provide an updated traffic study.

Mr. Suddath stated that the outstanding issues for Bledsoe Crossing from the previous meeting include:

- **Significant Concerns Regarding Ownership/Maintenance of Subdivision Common Elements:**
 - 1) Landscaped buffer along East side of property
 - 2) Entryway feature
 - 3) Retention area located on West side of property
- **Previous Conditions of approval required an updated traffic study.**
- **Ownership/Maintenance of Subdivision Common Elements:**
 - 1) HOA By-Laws have been submitted. Good faith effort has been made to address these concerns.
 - 2) Revisions will need to be made to the satisfaction of County Attorney prior to recordation after Final Plat is approved by the Planning Commission.
- **Updated traffic study:**
 - 1) Addressed. Confirms previous study recommendation for no improvements to SR-25
- **Utilities and Fire Protection:**
 - 1) 8' water line to be installed, hydrant spacing meets County specifications.
 - 2) Lots will utilize individual septic systems
 - Some questions as to whether soils have been finalized.
- **Buildability of Lots 4 and 5 is not certain:**
 - 1) Can be addressed when the Final Plat comes to Commission for approval.
 - 2) Applicant should understand that Planning Commission may require one or both lots to be dedicated as PUDE/Open Space at the Final Plat stage.
- **Language on Plat related to HOA responsibilities needs to be clarified**

Mr. Suddath stated that the next proposed steps for Bledsoe Crossing include:

- **Applicant has stated that their plan is to develop entire subdivision without phasing**
- **Applicant has submitted a comprehensive set of construction drawings showing all drainage and road improvements**

- Applicant's stated plan is to construct all infrastructure for entire subdivision following preliminary approval and bring back to Commission for final plat when it is substantially complete
- At that time they will need to provide a bond adequate to cover all remaining improvements for one year warranty period
- When the applicant submits a preliminary plat, areas to be dedicated as common open space need to be shown.

Motion to approve a Preliminary Plat for Bledsoe Crossing with the following conditions:

- Prior to obtaining a Land Disturbance Permit, the applicant shall obtain stamped approval of all construction plans from the County's Consultant Engineer.
- Prior to obtaining a Land Disturbance Permit, applicant shall submit a revised preliminary plat clarifying to staff's satisfaction that entryway features, detention pond, and eastern landscape buffer are the permanent responsibility of the HOA.
- Applicant shall revise submitted HOA Covenants and Restrictions to the satisfaction of the County Attorney prior to the Planning Commission's consideration of any Final Plat for the Bledsoe Crossing Subdivision.
- Applicant shall construct all infrastructure as shown upon approved construction plans to a point of substantial completion as determined by the County Road Superintendent and the Planning and Stormwater Department prior to submission of any Final Plat for the development. Improvements remaining at that time must be bonded with the final plat.
- Applicant shall submit "as built" drawings as per 3-102.201 of the Sumner County Subdivision Regulations concurrent with submission of each final plat for the development.
- Applicant shall submit signed Stormwater Inspection and Maintenance Agreement and maintenance plan to the Planning and Stormwater Department concurrent with the submission of first Final Plat for the development.

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

Due to a conflict, Chairman Bratton turned this item over to Vice-Chairman Geminden.

2. **OAK DRIVE ESTATES, SECTION 3 – PRELIMINARY PLAT – REPRESENTED BY RICHARD GRAVES – 2ND COMMISSION VOTING DISTRICT (Billy Geminden and Larry Hinton)** – Applicant is requesting Preliminary Plat approval for a 13-lot subdivision located on Rapids Road and Oak Drive. Subject property is located on Tax Map 002, P/O Parcel 013.00, contains 15.61 acres, and is zoned Agricultural.

Mr. Suddath stated that the Sketch Plat and Section 1 was approved at the April Planning Commission meeting and Section 2 was approved at the June Planning Commission meeting.

Mr. Suddath stated that the outstanding issues for this section include:

- **Roads:**
 - 1) Improvements to Oak Drive will be necessary, including widening of road and construction of a cul-de-sac as requested by County Road Superintendent.
 - 2) Some question related to a utility pole shown on the preliminary plat that is located in the middle of the cul-de-sac. Surveyor/Engineer needs to clarify that it is being relocated.
- **Also some question as to pavement width that is proposed.**
 - 1) Construction Plans indicate an 18 foot width, and the Plat indicates a 20 foot proposed pavement width.
 - 2) Applicant states that 20 foot is proposed, so revised construction plans should be submitted.
- **Bond has been provided in the amount of \$141,000 for road improvements.**
- **Utilities and Fire Protection: Inadequate water pressure and line size (4 inch).**
 - 1) Applicant states that hydrant has been escrowed with Portland Utilities. A copy of the receipt has been provided.
- **Drainage:**
 - 1) Drainage Calculations have been submitted. A reduction in surface runoff is projected. No on-site retention recommended by project engineer.
 - 2) Erosion Prevention and Sedimentation Control Plans submitted

Mr. Suddath stated that the Stormwater Resolution requires that plans must be presented showing how offsite impacts will be mitigated if a development causes an increase in the runoff rate. Mr. Suddath stated that the Project Engineer stated that due to the change in use, from row-crops farmland to sodded yard area, a deduction in surface runoff is anticipated.

Motion to approve a Preliminary Plat for Oak Drive Estates, Section 3, subject to the following conditions :

- **Prior to obtaining a Land Disturbance Permit for any lots in this section, the applicant shall submit revised construction plans to the Planning & Road Superintendent offices and obtain approval of same from the County's Consultant Engineer.**
- **The applicant shall obtain all required signatures prior to the public hearing for the final plat.**
- **The applicant shall improve Oak Drive to a 20 foot pavement width.**

by Mr. Honeycutt, seconded by Mr. Rhodes. Motion passed unanimously. Mr. Bratton abstained from voting.

Vice-Chairman Geminden turned the meeting back over to Chairman Bratton.

3. **HARRIS LANE SUBDIVISION - FLAG LOT APPEAL – REPRESENTED BY BRANDON JAGGERS, JAGGERS CONSTRUCTION – 12TH COMMISSION VOTING DISTRICT – (Michael Guthrie and Justin Nipper)** – Applicant is requesting a hearing related to Flag Lots in minor subdivisions per Chapter IV, Section 4-102.9 of the Sumner County Subdivision Regulations. This is a 2-lot Minor subdivision located on Harris Lane. Subject property is located on Tax Map 114, Parcel 054.00, contains 5.62 acres, and is zoned Estate A.

Per Chapter IV, Section 4-102.9 of the County Subdivision Regulations, Mr. Suddath stated that since this Minor Plat contained a flag lot, Staff could not approve.

Mr. George Murphy came forward to represent and explain this item.

Mr. Honeycutt asked Mr. Murphy what was the purpose of subdividing this property creating a flag lot.

Mr. Murphy stated that he had friends that wanted to build in this area so he decided to subdivide the property for the purpose of selling the interested parties.

Mr. Geminden asked if there would be more lots sold from this property.

Mr. Suddath stated that these two lots would utilize the entire acreage.

Motion to approve a Final Plat for the Harris Lane Subdivision containing one flag lot by Mr. Tucker, seconded by Mr. Kirby. Motion passed unanimously.

4. **STAFF UPDATE ON DRAINAGE SOLUTIONS FOR TRIPLET ACRES SUBDIVISION, APPROVED AT OCTOBER 2018 PLANNING COMMISSION MEETING.**

Mr. Suddath stated that the final plat on Triplet Acres was approved at the October Planning Commission meeting with a certificate of No Drainage Impact from the private Project Engineer. Since that approval that a new drainage solution was proposed. The new proposed drainage solution includes:

- Instead opted to conduct drainage improvements to mitigate the offsite drainage impacts and reduce runoff to pre-development levels.
- Construction solution they have arrived at is for rain gardens to be constructed with each lot.
- Rain gardens will take the form of depressions in the yards that contain a sand/clay filter material that will allow runoff to percolate into the soil.

- Applicant states that the slope of these gardens will be such that they will be easy for homeowners to maintain.
- This solution is considered a best practice for stormwater management, and would meet the State's stringent water quality requirements for permanent stormwater management.

Mr. Suddath stated that the applicant is seeking to go beyond the Planning Commission's conditions of approval and will actually construct drainage improvements for this development. Mr. Suddath stated that what is being proposed is a best practice that should be copied across the county when the conditions are appropriate.

Mr. Suddath stated that if the Commission agrees with this plan, staff can sign the plat when it is submitted, and it can be recorded.

Mr. Suddath stated that staff would request that the applicant provide construction details of the rain gardens so they can be shared by the Planning and Stormwater Office.

Mr. Richard Graves came forward to explain this issue and explain how the rain garden will work.

There was discussion concerning the rain garden, maintenance, and procedure of possibly requiring this language on the final plat. Mr. Graves told the Planning Commission that he would be submitting a signed maintenance and inspection agreement to the County and that this agreement would transfer to the individual property owners from the developer.

There was discussion and agreement to have a December meeting.

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

Meeting Adjourned @ 5:39 p.m.

