

**SUMNER COUNTY PLANNING COMMISSION
MINUTES
NOVEMBER 21, 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
STEVE GRAVES
JIM WILLIAMS
BILL TAYLOR
JERRY KIRBY**

**MEMBERS ABSENT:
TOM TUCKER**

**STAFF PRESENT:
RODNEY JOYNER, PLANNING & STORMWATER DIRECTOR
LINDA MCCULLOUGH, ASSISTANT TO THE DIRECTOR OF PLANNING &
STORMWATER
LEAH MAY DENNEN, COUNTY ATTORNEY
BEN ALLEN, STAFF ATTORNEY**

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

Mr. Bratton announced to the audience that there will be three Public Hearings at this meeting. Mr. Bratton stated that all who signed up to speak will have their chance to speak and then the applicant will speak when called. Mr. Bratton asked that the audience give the same respect to the applicant that the applicant gave to them when speaking.

- 1. MOONEYHAN PROPERTY SUBDIVISION – PRELIMINARY/FINAL PLAT – REPRESENTED BY RICHARD GRAVES – 12TH COMMISSION DISTRICT – (Michael Guthrie and Bob Pospisil) – Applicant is requesting Preliminary/Final Plat approval for a 4-lot subdivision located on New Deal Potts Road. Subject property is located on Tax Map 037, Parcel 044, contains 4.37 acres, and is zoned Agricultural.**

Mr. Joyner stated that the applicant was asking for Preliminary/Final Plat approval of a 4-lot subdivision located along New Deal Potts Road. Property is not located within any Urban Growth Boundary and is zoned Agricultural. All other comments have been addressed.

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

2. **FREDDIE PERRY ESTATES SUBDIVISION – PRELIMINARY/FINAL PLAT – REPRESENTED BY RICHARD GRAVES –(3RD COMMISSION DISTRICT – (Alan Driver and Steve Graves)** – Applicant is requesting Preliminary/Final Plat approval for a 3- lot subdivision located on Northup Road at Dobbins Pike. Subject property is located on Tax Map 061, Parcel 057.00, contains **P/O** 42.49 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 Northup Road at Dobbins Pike. Property is not located within any Urban Growth Boundary and is zoned Agricultural. All other comments have been addressed.

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

3. **SHUMATE PROPERTY – PRELIMINARY/FINAL PLAT – REPRESENTED BY BRUCE RAINEY & ASSOCIATES – 6TH COMMISSION DISTRICT- (Kevin Pomeroy and Jim Vaughn)** – Applicant is requesting approval Final Plat approval for a 3-lot subdivision located on Douglas Bend Road. Subject property is located on Tax Map 147, Parcel 023.00, contains **P/O** 21.38 acres, and is zoned Residential.

Mr. Joyner stated that the applicant was asking for Preliminary/Final Plat approval of a 3-lot subdivision located on Douglas Bend Road. Property is located within any Urban Growth Boundary of the City of Gallatin, and is zoned Residential A. All other comments have been addressed.

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

4. **MID SUMNER INDUSTRIAL PARK – REZONING - REPRESENTED BY BRUCE RAINEY & ASSOCIATES – 3RD COMMISSION DISTRICT** –(Alan Driver and Steve Graves) – Applicant is requesting to have property located at Lindsey Hollow Road, Wallace Road, Dobbins Pike, Gibbs Lane, Cobbs Lane, and Old Hwy 109N rezoned from Residential 1A and Agricultural to SP Specific Plan Industrial District (SP). Lindsey Hollow Road is on Tax Map 092, Parcel 043.02, contains 36.19 acres and is currently zoned Agricultural, Wallace Road is on Tax Map 092, Parcel 046.00, contains 32.50 acres, and is currently zoned Agricultural; 380 Wallace Road is on Tax Map 092, Parcel 048.00, contains 66.90 acres, and is currently zoned Agricultural; 325 Wallace Road is on Tax Map 092, Parcel 063.00, contains 70.82 acres, and is currently zoned Residential 1A; Wallace Road is on Tax Map 104, Parcel 006.00, contains 82 acres, and is currently zoned Residential 1A; Wallace Road is on Tax Map 104, Parcel 007.00, contains 15.50 acres and is currently zoned Residential 1A; 201 Wallace Road is on Tax Map 104, Parcel 008.00, contains 67.40 acres, and is currently zoned Residential 1A; 543 Dobbins Pike is on Tax Map 104, Parcel 022.10, contains 5.05 acres and is currently zoned Residential 1A; Gibbs Lane is on Tax Map 104, Parcel 025.00, contains 124.50 acres, and is currently zoned Residential 1A; 245A Cobbs Lane is on a portion of Tax Map 104, Parcel 026.00, contains 155.72 acres and is currently zoned Residential 1A; Old Hwy 109N is on Tax Map 104, Parcel 027.00, contains 101.50 acres and is currently zoned Residential 1A.

This is a public hearing.

The adjoining property owners were notified by certified mail and was advertised in The Gallatin News on Thursday, November 9, 2017.

Mr. Bratton opened the floor for the Public Hearing.

Brad Wear, 750 Wallace Road, came forward to speak against the item. Mr. Wear discussed the SP Specific Plan Industrial District.

Linda Motley, Lindsey Hollow Road, came forward to speak against the item stating that the plan is not consistent with the 2035 Comprehensive Plan and that the county should not consider spot zoning.

Leanna Thomas, Wallace Road, came forward to speak against the item stating that the proposed plan stated that there was no public opposition. Ms. Thomas stated that there has been opposition from the community since the first mention of the Industrial Park.

Dawn Dillard, came forward to speak against the item stating that the proposed plan and studies concerning the Industrial Park show it would be in a flood plain area. Ms. Dillard also stated that there are open spaces in the existing Industrial Park on Airport Road that could be used instead of this property.

Gaylea McDougal, came forward to speak against the item and discussed the SP Specific Plan Industrial District and noticed that the application submitted since the SP District was adopted, is the same as what was presented by the county in the past. Ms. McDougal also stated that it would be important to know who the developers are that would come into this park, and to date, there are no developers interested.

Renee Vanderwhelen, Wallace Road, came forward to speak against the item stating her concern about the traffic. To date, no traffic study has been done, no site plan was submitted, and no information on landscaping, utilities, or buffer details for this proposal.

John Isbell, 108 N. Walton Trace, came forward to speak against the item to discuss funding for this project. Mr. Isbell stated that the presentation stated that no taxpayer money would be used for this project. Mr. Isbell stated that it would take 86 million dollars to complete a project like this. Of this 86 million dollars, 69 million dollars would be taxpayers dollars and 26.8 million dollars would come from Sumner County residents alone.

Audrey Troutt Hesson, Lindsey Hollow Road, came forward to speak against the item to discuss how the land is currently being used and the negative impact it would have on the community. Ms. Hesson also stated that the 2035 Comprehensive Plan does not have any industrial property for this location.

Joe Wallace, 445 Wallace Road, came forward in favor of this item stating that an industrial park of this nature would create many jobs for the residents of Sumner County and that the residents would not have to travel outside the county to get a high paying job.

Dave Dozier, 567 Dobbins Pike, came forward to speak against the item also stating that the proposed plan stated no opposition, and that such a statement was false. Mr. Dozier also stated that this was the 4th attempt to get the industrial park to pass and stated that the City of Gallatin would have to annex the property in order to pay for the infrastructure.

Ann Alvis, came forward stating that there was a lot of confusion with the submitted proposal.

Chuck Gregory came forward in favor of this item stating that farming was not as big as it was in the past and this would be a great way for the land to be used instead of all homes.

Jack Chappell came forward to speak against the item stating that the proposal was very incomplete, leaving out key parts such as a traffic study.

Phillip Graham came forward to speak against the item stating that this proposal would have a bad effect on Salem Missionary Baptist Church with the traffic it would generate.

De Lanie Petty, 118 Gibbs Lane, came forward to speak against the item. Ms. Petty is concerned with the impact it would cause for her drinking water and decrease property values.

Jeremy Salder, Gibbs Lane, came forward to speak against the item. Mr. Salder is concerned that the buffers will impact his water supply.

Royce Sadler, came forward to speak against the item stating that an industrial park is not needed in this area when the industrial park in the City of Gallatin is not full.

John Myers, 209 Lindsey Hollow Road, came forward to speak against the item stating that he is concerned that it will decrease the property values and how it will affect the taxpayers of Sumner County relatively.

Gail Stone, 651 Dobbins Pike, came forward to speak against the item stating that he is concerned that it will decrease the property values.

Cordis Russell, came forward to speak against the item stating that he is concerned that it will decrease the property values.

Jack Hagen, came forward to speak against the item stating that he is concerned how it will affect the taxpayers of Sumner County.

Karl Heinrich, Wallace Road, came forward to speak against the item stating that he is concerned with the traffic this industrial park would create. Mr. Heinrich also stated that he owns a business on Wallace Road and that tourist always comment on how beautiful the views are and that an industrial park could ruin those views.

Frosty Gregory, 201 Wallace Road, came forward in favor of the item. Mr. Gregory stated that Sumner County would not fund the proposed industrial park and that it would be hard to prove that this industrial park would decrease the property values in this area.

William Howard, Bush's Lane, came forward to speak against the item stating that his concern is the increased traffic on Dobbins Pike.

Mr. Bratton closed the Public Hearing.

Mr. Joyner stated that the applicant was asking for approval to rezone from Residential 1A and Agricultural to SP Specific Plan Industrial District (SP) and approval of a Preliminary Master Development Plan. Property is located at Lindsey Hollow Road, Wallace Road, Dobbins Pike, Gibbs Lane, Cobbs Lane, and Old Hwy 109N. Subject property is approximately 758.08 acres, is currently zoned Residential 1A and Agricultural and is not located within any Urban Growth Boundry. Mr. Joyner stated as part of the newly approved Special Provisions Governing Industrial Zoning Districts (Zoning Resolution No. 1710-01), please submit a Preliminary Master Development Plan as required in Section 5.3.B. Application. Until such plan is submitted, the application shall be deemed incomplete. Information such as a Detailed Traffic Study and Detailed Site Layout, just to name a few items, are also required as part of the application. Mr. Joyner stated that he told the applicant that a copy of Resolution No. 1710-01 was available upon request.

Bruce Rainey with Bruce Rainey & Associates came forward to explain and represent the request.

Mr. Geminden made a motion to defer this item until a Preliminary Master Development Plan is presented to the Planning Commission.

Ms. Dennen stated that Mr. Geminden cannot make that motion, stating in essence, the deferral needs to be for a reason. Requesting to defer until the applicant presents a Preliminary Master Development Plan is asking for too much.

Mr. Bratton commented that the County Planner stated that this proposal does not meet all the guidelines and by deferring it, the applicant would have time to submit a proposal that would meet the approval for the guidelines that the County Planner needs.

There was discussion.

Ms. Dennen stated that the applicant can defer the proposal for 30 days to get the requested information needed, or the Planning Commission can defer for a reason, or deny the request.

Mr. Rainey asked Mr. Bratton if he could defer the proposal for 30 days and request a work study with the Planning Commission.

Mr. Honeycutt asked Mr. Rainey to clarify his request.

Mr. Rainey stated that he would like to work with the Planning Commission to get clarification of the SP District because his interpretation and the staff's differ.

There was discussion.

Mr. Rainey withdrew his request.

Mr. Taylor stated that since Mr. Rainey gave his presentation, he should not be able to withdraw his request.

Ms. Dennen stated that the Planning Commission has the right to deny Mr. Rainey's request to withdraw.

Mr. Bratton stated to Mr. Taylor that he can make a motion to deny Mr. Rainey's request for withdrawal.

Mr. Taylor made the motion to deny Mr. Rainey's request to withdraw his application. Mr. Geminden seconded the motion.

There was discussion.

Mr. Geminden stated that the Planning Commission deserves to have a proposal that is complete and not given to them half done.

Mr. Steve Graves stated that it was not fair to the Planning Commission to not have the proper information to make a clear decision.

Mr. Taylor stated that there are too many unknowns with this proposal for the Planning Commission to make a decision. Mr. Taylor also stated that by approving this plan tonight, it ties up that land with the zoning and it could take a developer years to move onto the site.

Mr. Bratton asked Mr. Joyner to explain the motion that is on the table.

Mr. Joyner stated that the motion is to deny Mr. Rainey's application and was seconded.

There was decision.

Mr. Geminden withdrew his second motion to deny the withdrawal. Since there was no second, Mr. Taylor's motion was denied due to lack of action.

Motion to accept the item to be withdrawn until the proposal is complete by Mr. Geminden, seconded by Mr. Williams. Mr. Taylor voted against the motion. Motion passed.

There was discussion after the motion was made.

OTHER ITEMS:

Mr. Steve Graves asked Mr. Joyner what was the difference between a storage container and wood building.

Mr. Joyner stated that there's a movement to use storage containers by residents for storage and for living areas. Every case is different and is looked at by the Codes Department for structural condition. Mr. Joyner stated that he has not had a discussion with the Codes Director to see how he is going to handle this matter. Mr. Joyner stated that if a resident wants to make the container a livable structure, they will need to come before the Zoning Board of Appeals.

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

Meeting Adjourned @ 7:38 p.m.