

**SUMNER COUNTY PLANNING COMMISSION
MINUTES
APRIL 9, 2019
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
GENE RHODES
CHRIS TAYLOR
JIM WILLIAMS**

MEMBERS ABSENT:

**JERRY KIRBY
TOM TUCKER**

STAFF PRESENT:

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

APPROVAL OF FEBRUARY 2019 REGULAR MEETING MINUTES BY MR. TAYLOR, SECONDED BY MR. RHODES. MOTION PASSED UNANIMOUSLY.

APPROVAL OF APRIL 9, 2019 SPECIAL CALLED MEETING MINUTES BY MR. TAYLOR, SECONDED BY MR. WILLIAMS. MOTION PASSED UNANIMOUSLY.

APPROVAL OF APRIL AGENDA BY MR. HONEYCUTT, SECONDED BY MR. TAYLOR. MOTION PASSED UNANIMOUSLY.

PUBLIC COMMENT - Mr. Bratton asked if there was anyone that would like to speak on an agenda item other than the items that will have a public hearing.

After confirming that no one wished to speak on other agenda items, Mr. Bratton proceeded to agenda item 1.

- 1. RETREAT AT NORMAN FARM – REZONING AND PRELIMINARY MASTER DEVELOPMENT PLAN REQUEST – REPRESENTED CIVIL SITE DESIGN GROUP – 7TH COMMISSION VOTING DISTRICT (Loren Echols and Gene Rhodes)** – Applicant is requesting to have property along Anderson Road and Jones Lane rezoned from Residential A (RA) to Low Density Residential Planned Unit Development (LDRPUD). Applicant is also requesting approval of a Preliminary Master Development Plan for the subject property containing a proposed 234 lots. Subject property is on Tax Map 138 Parcels 028.00, 028.02, and 030.00, contains 149.10 acres, and is currently zoned Residential A (RA).
Adjoining property owners were notified by certified mail and the agenda item was advertised in The Gallatin News on Thursday, April 4, 2019.
THIS IS A PUBLIC HEARING.

Mr. Bratton turned the meeting over to Mr. Suddath.

Mr. Suddath gave an overview of the request for the rezoning. Mr. Suddath stated that a neighborhood meeting was held at the Country Hills Golf Club on 4/16/19 to allow the neighbors a chance to speak with the developer and see the proposed development.

Mr. Suddath presented an overview of the proposed development which showed proposed lot sizes and where the proposed development is in comparison to other developments in that area. Mr. Suddath presented a definition of the purpose of Low Density Residential PUD (LDRPUD) District stating that this proposed development meets the criteria of that definition. Mr. Suddath stated that the requirements from the County Zoning Code relating to the density for a Low Density Residential Planned Unit Development (LDRPUD) is 2.2 dwelling units/acre maximum versus the 1.1 dwelling units/acre with existing RA Zoning. Mr. Suddath stated that the developer is proposing 1.5 dwelling units/acre. Mr. Suddath stated that the County Zoning Code requires a 5% minimum of the development to be set aside as open space and that the developer has proposed well over that percentage with 57% of the site as proposed open space. Mr. Suddath stated that a 25 foot buffer is required around the periphery of the development and that it appears that the entire development will have this buffer.

Mr. Suddath presented an overview of the 2035 Comprehensive Plan with the general framework map showing where the proposed development will be and stating that this map identifies the subject property as being a suburban area. Mr. Suddath stated that a suburban area is defined as areas with primarily land uses at low densities and more automobile-oriented, with this proposed development meeting the criteria.

Mr. Suddath stated that all the roads for this project will be public and that the internal streets will exceed the standards of the County Subdivision Regulations, which are 22 minimum foot pavement requirements and 7 inch compacted stone base minimum. Mr.

Suddath stated that the developer has proposed a 24 foot pavement width and an 8 inch compacted stone base. Mr. Suddath stated that the development will access directly off of Jones Lane and Anderson Road.

Mr. Suddath stated that the findings of a traffic study from Fishbach Transportation Group showed the following:

- **Jones Lane/Anderson Lane Intersection should be converted to a 3 way stop**
- **Consider reconfiguring Jones Lane/Anderson Road intersection as a 3 way stop**
- **Add 4 foot shoulder East side of Anderson Road and North Side of Jones Lane along frontage of the project**
- **Reserve right of way along frontage of project site to facilitate future widening**
- **Notes existing traffic issues at Drake's Creek Road and Anderson Rd.**

Mr. Suddath presented an overview provided by the applicant of the proposed road improvements. Mr. Suddath stated that the developer has voluntarily offered to dedicate \$1,150.00 per lot to the County for the intention that those funds be used at the discretion of the County for transportation related improvements in the vicinity of the development. This would be above and beyond the required road improvements for this development. Mr. Suddath stated that this is a voluntary contribution, not a fee imposed by the County and any acceptance of these fees would have to be approved by the County Commission.

Mr. Suddath presented an overview of the grading and drainage by the developer's Engineer. Mr. Suddath stated that numerous water quality/detention basins have been depicted throughout the proposed development, in addition to the Norman Lake. Mr. Suddath stated that the stream buffers required by TDEC have been depicted on the plan and that the area north of Norman Lake is proposed to be improved and utilized as an "enhanced wetland" greenspace area with native plantings and a boardwalk. Mr. Suddath stated that engineered construction plans must be submitted at Preliminary Plat stage for overall drainage stating that care must be taken to ensure that offsite drainage impacts are not imposed on adjacent residential areas.

Mr. Suddath stated that the proposed Retreat at Norman Farm will be governed by a Homeowner's Association and will be responsible for maintenance of all common elements, including all recreation areas, drainage network, and entryway signage. Mr. Suddath stated that a draft of the restrictions and by-laws have been submitted.

Mr. Suddath presented an overview of the proposed amenities that the developer will provide with this subdivision. Mr. Suddath stated that the pattern book presented depicts hiking/biking trails, programmable open space, smaller "pocket parks" as well as water activities on the existing Norman Lake. Mr. Suddath stated that all the proposed amenities meets the requirements related to required "Recreation Plan" in the County Zoning Resolution. Mr. Suddath stated that there are potential plans to connect the trail network to adjacent developments that have recently been approved.

Mr. Suddath stated that the next steps for the Retreat at Norman Farm include the following:

- **Rezoning and Preliminary Master Development Plan approval request will go to the Legislative Committee for 2 readings**
- **Note: May be sent back to Planning Commission for study at any time**
- **Request will then go to Full County Commission for a vote**
- **Note: May be sent back to Planning Commission for study at any time**
- **If approved, rezoning will become effective at that time**
- **Final Master Development Plan goes back to Planning Commission**
- **Final Master Development Plan may be accompanied by a Preliminary Plat, which must include:**
- **Full set of construction drawings depicting all drainage and road improvements**
- **Applicant Constructs Infrastructure**
- **After Substantial Completion, Final Plat may be recorded, lots may be sold**

Mr. Suddath concluded his presentation of Retreat at Norman Farm, presenting the Commission with some example motions and then turned the meeting back over to Mr. Bratton.

Mr. Bratton opened the floor for the public hearing.

Ms. Judy Evans, 464 Jones Lane, came forward concerned with the zoning of the properties, if the rezoning of this property will affect the zoning of their properties. Ms. Evans was also concerned with how much green space will be provided who will provide fire protection.

Mr. Tim Farris, 1049 Hillview Drive, came forward in opposition of the development stating concerns with the traffic with Jones Road. Mr. Farris stated that the City of Hendersonville has stated over and over that they want to preserve the rural feel of the Jones Road area and this type of development would change that rural feel.

Ms. Shelley Bennett, 1063 Hillview Drive, came forward in opposition of the development stating concerns with the population and traffic of all the people these homes will create.

Mr. Foy Hester, 1008 Smokerise Lane, came forward and stated that he was pleasantly surprised of how pleasing the development looked. Mr. Foy touched on the fact that the funds the developer has proposed to give to the County is an old number stating the amount today is \$3,500.00 per lot. Mr. Foy was also concerned about the roads and the traffic and asked if these funds would help the City of Hendersonville.

Mr. Howell Clark with Civil Site Design Group came forward to explain and represent this request giving an overview of the proposed development. Mr. Clark explained that the proposed development was comparable to other developments in the area. Mr. Clark stated that a lot of research was done to make sure this development provided all the infrastructure improvements, roadways, and the history of the site and its characteristics. Mr. Clark stated that by using the characteristics of this property such as natural areas, special features, and the uniqueness of this property, this development would be a good neighbor to the area. Mr. Clark stated that their client was also appreciative of all the things they found to be important in this property. Mr. Clark stated that they had fond memories of the family events that took place at Norman Lake and they wanted this development to allow those memories to stay and that was taken into consideration when this development was designed. Mr. Clark stated that the developer put heavy emphasis on preserving the green space and use the rest for the development so that the homeowners can engage in the natural areas and that the homes are orientated to the green space as much as they can. Mr. Clark concluded his presentation showing how the density would be less than what is allowed by the rezoning, connecting their green space with the adjoining developments, the amenities, and having the entrances open instead of immediate housing.

Mr. Bratton stated that there were some issues raised by the public concerning zoning that will be addressed by Mr. Suddath.

Mr. Suddath stated that there was a concern about zoning and this not being comparable to the County Comprehensive Plan. Mr. Suddath stated that the rezoning of this property will not affect any other property owners zoning and stated that the proposed development does meet the requirements of the County Comprehensive Plan.

After confirming that no one else in the audience wished to speak, Mr. Bratton closed the public hearing.

Mr. Geminden asked how much cost of the improvements to external roads would amount to.

Mr. Suddath stated that he really didn't know that answer but when the time comes that the developer submits the construction plans that is when they will know how much material will be needed and will be able to have an itemized statement for materials at that time.

Motion to provide a positive recommendation to the Sumner County Commission related to a Request for Rezoning and Preliminary Master Development Plan Approval for the Retreat at Norman Farm Planned Unit Development contingent upon the following conditions:

- A. Applicant shall submit a detailed phasing plan meeting the requirements of the County Zoning Code with the submittal of a Final Master Development Plan for the development. Such phasing plan shall also provide a schedule for installation of the private amenities depicted upon the Preliminary Master Development Plan.**
- B. Applicant shall revise submitted Homeowner's Association By-Laws to the satisfaction of the County Attorney as to form, and shall meet requirements contained in the Sumner County Subdivision Regulations related to maintenance and inspection of Stormwater Infrastructure and payment of Volunteer Fire Department Dues.**
- C. All submitted plats and construction plans for this development must comply with all Zoning, Subdivision Regulations, and Stormwater Resolution requirements in effect as of the date of the County Commission's approval of the rezoning request, with the exception of any variances specifically granted by the relevant Board or Commission.**

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

- 2. HUDSON FARMS – REZONING AND PRELIMINARY MASTER DEVELOPMENT PLAN REQUEST – REPRESENTED BY STEVE KNOX – 3RD COMMISSION VOTING DISTRICT (Alan Driver and Steve Graves) – Applicant is requesting to have property on Barry Lane rezoned from Residential 1A (R1A) to Low Density Residential Planned Unit Development (LDRPUD). Applicant is also requesting approval of a Preliminary Master Development Plan for the subject property containing a proposed 163 lots. Subject property is on Tax Map 127 Parcels 027.00 and 028.00, contains 74.1 acres, and is currently zones Residential 1A.**
- Adjoining property owners were notified by certified mail and the agenda item was advertised in The Gallatin News on Thursday, April 11, 2019.**
- THIS IS A PUBLIC HEARING.**

Mr. Bratton turned the meeting over to Mr. Suddath.

Mr. Suddath gave an overview of the request for the rezoning. Mr. Suddath stated that a neighborhood meeting was held at the Castalian Springs Community Center on 4/2/19 to allow the neighbors a chance to speak with the developer and see the proposed development.

Mr. Suddath presented an overview of the proposed development which showed proposed lot sizes and where the proposed development is in comparison to other developments in that area. Mr. Suddath presented a definition of the purpose of Low Density Residential PUD (LDRPUD) stated that this proposed development meets the

criteria of that definition. Mr. Suddath stated that the requirements from the County Zoning Code relating to the density for a Low Density Residential Planned Unit Development (LDRPUD) is 2.2 dwelling units/acre maximum versus the 1.1 dwelling units/acre with existing RA Zoning. Mr. Suddath stated that the developer is proposing 2.2 dwelling units/acre. Mr. Suddath stated that the County Zoning Code requires a 5% minimum of the development to be set aside as open space and that the developer has proposed 7.5 % of the site as proposed open space. Mr. Suddath stated that a 25 foot buffer is required around the periphery of the development and that it appears that the entire development will have this buffer.

Mr. Suddath presented an overview of the 2035 Comprehensive Plan with the general framework map showing where the proposed development will be and stating that this map identifies this as being a suburban use. Mr. Suddath stated that a suburban use is defined as areas with primarily land uses at low densities and more automobile-oriented which this proposed development meets the requirements of the County Comprehensive Plan.

Mr. Suddath stated that all the roads for this project will be public and that the internal streets meet the standards of the County Subdivision Regulations, which are 22 minimum foot pavement requirements and 7 inch compacted stone base minimum. Mr. Suddath stated that the developer has proposed a 22 foot pavement width which will access directly off of Barry Lane. Mr. Suddath stated that curb, gutter and sidewalks have been proposed by the developer and that the developer has shown interconnectivity with existing road stubs located to the east and the west. Mr. Suddath stated that according to Article III, Section D of the County Subdivision Regulations, The Planning Commission shall require that the proposed street system and connect to the existing streets and “road-stubs” whenever feasible. Mr. Suddath stated that the road layout for all subdivisions should be designed to ensure connectivity enhance general circulation and to provide secondary points for emergency access. They shall also provide safe, efficient, and convenient access within and between developments. Certain roads should be extended to property boundaries to provide for the future logical extension of the road through adjacent properties. For road(s) located within or adjacent to a development, the proposed development shall continue the road to a termination point acceptable to the Planning Commission. The termination point of roads abutting adjacent properties and having the potential to connect with other roads in the future shall, at the expense of the developer and consistent, within County requirements, place a permanent sign at that point to notify the public of such potential extensions so existing and future residents and property owners are made aware far in advance.

Mr. Suddath stated that the findings of a traffic study from TTL, Inc. showed the following:

- **Received 4/16/2019**

- **States Barry Lane should be widened**
- **Developer responsibility is not addressed.**
- **No road improvements plan provided by the applicant**
- **Applicant has indicated willingness to widen in front of the development and to provide additional funds to County to assist in completing widening of Barry Lane to the intersection of Cairo Road. No specifics have been proposed. Widening project will likely involve utility relocation**
- **Study recommends that intersection of Carolyn Lane/S.R. 25 be “reevaluated after the construction of Hudson Farm”.**

Mr. Suddath stated that the final recommendations by the traffic study recommends that Barry Lane be widened to 11-foot lanes as shown in the 2035 Comprehensive Plan: Sumner County’s Blueprint to the Future, and per the requirements of the County Subdivision Regulations.

Mr. Suddath presented an overview of the grading and drainage by the developers Engineer. Mr. Suddath stated that numerous water quality/detention basins have been depicted throughout the proposed development with no obvious streams or wetlands noted. Mr. Suddath stated that engineered construction plans must be submitted at Preliminary Plat stage for overall drainage stating that care must be taken to ensure that offsite drainage impacts are not imposed on adjacent residential areas. Mr. Suddath stated that all drainage should be completed with Phase 1.

Mr. Suddath stated that the proposed septic system for this item will be a Septic Tank Effluent Pumping System. Mr. Suddath stated that these type systems are commonly used in Wilson and Rutherford Counties due to poor soil conditions. Mr. Suddath stated that there is one active STEP System in Sumner County. Mr. Suddath stated that the applicant proposes to have sewer utilities managed by Tennessee Wastewater, which is a privately owned public utility out of Smyrna, Tennessee and is regulated by TDEC.

Mr. Suddath stated that the proposed Hudson Farm will be governed by a Homeowner’s Association and will be responsible for maintenance of all common elements, including all recreation areas, drainage network, and entryway signage. Mr. Suddath stated that a draft of the restrictions and by-laws have been submitted.

Mr. Suddath stated that the provided pattern book depicts the proposed amenities, including a playground, a pavilion and a walking trail. Mr. Suddath stated that all lots will be fronted by sidewalks to be installed by the homebuilders and that virtually all amenities shown will be constructed with Phase 3 (Final Phase). Mr. Suddath stated that the developer has agreed to place entryway signage at the development which is consistent to the adjacent developments.

Mr. Suddath stated that the next steps for Hudson Farm include the following:

- **Rezoning and Preliminary Master Development Plan approval request will go to the Legislative Committee for 2 readings**
- **Note: May be sent back to Planning Commission for study at any time**
- **Request will then go to Full County Commission for a vote**
- **Note: May be sent back to Planning Commission for study at any time**
- **If approved, rezoning will become effective at that time**
- **Final Master Development Plan goes back to Planning Commission**
- **Final Master Development Plan may be accompanied by a Preliminary Plat, which must include:**
 - **Full set of construction drawings depicting all drainage and road improvements**
 - **Applicant Constructs Infrastructure**
 - **After Substantial Completion, Final Plat may be recorded, lots may be sold**

Mr. Suddath concluded his presentation of Hudson Farm, presenting the Commission with some example motions and then turned the meeting back over to Mr. Bratton.

Mr. Bratton opened the floor for the public hearing.

Ms. Charlene Thompson, 1319 Barry Lane, came forward with concerns with the density, the narrowness of Barry Lane, and the flooding of Barry Lane due to the pond on the farm.

Mr. Woodrow Pridgin, 116 Spencer Springs Road, came forward to ask if the road was going to be widened to Carolyn Lane or up to Cairo Road.

Mr. Suddath stated that the plan is to widen Barry Lane up to Carolyn Lane. Mr. Suddath stated that at this time there is no reason to widen up to Cairo Road, since that part of the road is only one lane.

Mr. Ray Curl, 721 Harden Street, came forward with concerns with the density and the houses not be comparable to the surrounding properties.

Ms. Gail Daughtry, 1010 Lewis Jones Blvd., came forward with concerns with the homes not being comparable to the surrounding properties, flooding issues, and concerned with traffic and using the existing subdivisions as a cut through.

Mr. Terry Daughtry, 1010 Lewis Jones Blvd., came forward with concerns of the septic system that will be used.

Ms. Even Appleton, 850 Harden Street, came forward with concerns of the square footage of the proposed homes, with the traffic, and the noise.

Mr. Chuck Gavron, 1340 Barry Lane, came forward with concerns of the drainage of Barry Lane and Cairo Road and would like to see the acreage the same as the adjacent properties.

Ms. Denise Brown, 821 Harden Street, came forward with concerns the traffic and the drainage. Ms. Brown also wanted to know if there would be a bond or letter of credit submitted.

Mr. Phillip Trisdale, 1107 Lewis Jones Blvd., came forward with concerns about the traffic and with police and fire protection.

Ms. Linda Huskey, 711 Harden Street, came forward with concern of the septic system and what happens if the system fails.

Mr. James Maxwell, 1309 Barry Lane, came forward with concerns with the density of the lots, traffic, the overcrowding of the schools that this proposed development would bring, drainage of the septic system, and the homes not being comparable to the adjacent properties.

Ms. Patricia Jeffrey, 1125 Lewis Jones Blvd., came forward with concerns with drainage of the septic system, and the homes not being comparable to the adjacent properties.

Mr. Randall Haack, 110 Spencer Springs Road, came forward with concerns with Barry Lane and the homes not being comparable to the adjacent properties.

Ms. Connie Brown, 1314 Barry Lane, came forward with concerns of property owners losing their yards if Barry Lane is widened.

Ms. Mary Butler, 1245 Barry Lane, came forward with concerns with the deterioration of Barry Lane and extra people with no patrolling of police.

Ms. Christy Allen, 104 Vineyards Court, came forward with concerns with traffic, shortage of school buses, flooding, and with using the existing subdivisions as a cut through. Ms. Allen was also concerned about the septic system and what happens if the system fails and the disadvantages of the STEP system.

Ms. Sharon Hale, 1025 Robertson Road, came forward with concerns with the density, traffic, drainage, and school growth. Ms. Hale was also concerned with the proposed septic system and the failure of the system.

Mr. Terry Wardley, 1003 Lewis Jones Blvd., came forward with concerns the widening of Barry Lane and how much of the property owner's yard would the widening take from them.

Mr. Jason Fitch, 1105 Lewis Jones Blvd., came forward with concerns with the danger of the connector roads not being safe since children live in the neighborhoods. Mr. Fitch was also concerned with how the low density lots would look with the one acre lots surrounding them and wondered if there were any burial grounds on the property.

Mr. Ed Lancaster, 164 Spencer Springs Road, came forward with concerns of how hard it will be to widen Barry Lane and the impact this proposed subdivision will have on the other properties.

Mr. Tommy Greer, 790 Harden Street, came forward with concerns with the proposed septic system due to the property having sink holes. Mr. Greer was also concerned with the traffic and that the density of this proposed subdivision not being comparable to the adjacent subdivisions.

Mr. Wes Buchanan, 1007 Lewis Jones Blvd., came forward with concerns with the traffic, density, and the overcrowding of schools. Mr. Buchanan was also concerned of the precedent this will set and how property is looked at in the area, losing the rural feeling of the area.

Mr. Joe Satterfield, 1105 Barry Lane, came forward with concerns with the density and the square footage of the proposed homes.

Mr. Davis Cron, 771 Harden Street, came forward with concerns with safety of the connector streets, the setbacks, the density, and the septic system. Mr. Cron was also concerned with the proposed homes exterior and the location of the garages on the homes.

Mr. Steve Graves, 3rd District County Commissioner, came forward with concerns of how the infrastructure of the proposed subdivision would be with the number of proposed houses and the overcrowding of the school system. Mr. Graves stated that he was not opposed to the proposed septic system or the subdivision.

Mr. Randy Laine, TTL, Inc., came forward to explain and represent this item. Mr. Laine stated that he knows there is a lot of concerns about this development and some have been addressed since the community meeting. Mr. Laine stated that Barry Lane would be widened for the development but the developer cannot widen all of Barry Lane. Mr. Laine stated that per the traffic study, Barry Lane needs to be widened whether the development is approved or not. Mr. Laine stated that they have and will continue to

work with everyone to make this development as good as it can be, however the density needs to be what it is proposed to be.

Mr. Bratton asked Mr. Suddath to answer some of the questions the public had concerning zoning issues.

Mr. Suddath stated that a portion of Barry Lane will get widened if the development is approved and if it's not approved, the road will not get any improvements. Mr. Suddath stated that there are some limitations called commensurate impact so when a development comes in you ask them to do improvements, they have to be commensurate to the impact the development is going to cause. Mr. Suddath stated that the traffic study indicated that most of the people coming out of the development going toward Cairo Road not Hartsville Pike so there should not be a lot of traffic going the opposite way. Mr. Suddath stated that widening Barry Lane in its entirety would not be feasible for any developer to do.

Mr. Suddath stated that he cannot answer the questions concerning the septic system as he is not qualified to get into all the technicalities of septic but that all septic systems are regulated by TDEC and that TDEC is the boss and they decide how systems are installed, maintained, and if you are in compliance. Mr. Suddath stated that there is a representative in attendance that can explain the system if needed.

Mr. Bratton asked the Commission if they had any questions concerning the septic system or if they were comfortable with the system.

The Commission stated that they were comfortable with the system.

Mr. Suddath stated that the County Government cannot go to a developer and tell them to build the houses a certain square footage. Mr. Suddath stated that by doing that it makes it discriminatory to people of different races and economic backgrounds, but Mr. Suddath stated that the developer has indicated in their pattern book and in the by-laws of the HOA established that the homes would be 1,400 sq. ft. minimum home size and stated that there would be no manufactured homes or double-wide mobile homes allowed. Mr. Suddath stated that no single-wide mobile homes are allowed in subdivisions per the Subdivision Regulations. Mr. Suddath stated that the square footage of the lots are the minimum allowed for this density per the Subdivision Regulations.

Mr. Suddath stated that there were concerns about public notices being sent out. Mr. Suddath stated that his office follows state statute and county regulations concerning public notices and notification to neighbors. Mr. Suddath stated that state statute requires that a notice be published in a newspaper of general circulation which is The Gallatin Newspaper and stated that a public hearing must be held. Mr. Suddath stated that the County Commission decided that they want the notification process to be strengthened so

the Planning office goes above the state statute and send out certified letters to the adjoining property owners.

Mr. Suddath stated that some concerns were expressed about Carolyn Lane and the traffic. Mr. Suddath stated that according to the traffic study that was conducted, Carolyn Lane is a Level Service E which means you sit there because there is a lot of traffic westbound in the morning and eastbound in the evening. Mr. Suddath stated that the levels didn't show that the traffic is stacking but not enough for TDOT to put in a traffic light. Mr. Suddath stated that it is a good idea to keep an eye on the situation and since this development is being done in phases, if there is an issue, it can be addressed.

Mr. Suddath stated that a comment was made about connecting the subdivision to State Route 25/Hartsville Pike, the applicant does not own the property to the north so the developer cannot put a road through someone else's yard and the County cannot require them to do that.

Mr. Suddath stated that the concern of losing property to the road widening will not be an issue because the applicant is widening the road on the north side of Barry Lane within the existing right-of-way. Mr. Suddath stated that if there is a place that needs a little more right-of-way for the widening, the applicant will have to acquire that themselves but no one will lose any property on the south side of Barry Lane.

Mr. Suddath stated that there was comment about the Planning Commission should have already fixed Barry Lane, Mr. Suddath stated that the Planning Commission is not responsible for fixing roads or pot holes. That is done by the Highway Department and stated that the Superintendent does an excellent job with the limited resources she has available.

Mr. Suddath stated that there was a concern of how the connector streets are being allowed. Mr. Suddath stated that those stub streets were made in 1978 and 1995. Mr. Suddath stated that it is looked at as from a public safety stand point to have other multiple points of access into and out of subdivisions.

Mr. Suddath stated that there were questions concerning Indian burial grounds. Mr. Suddath stated that if TDOT is building a road and they are using federal funding, that is when they have to do surveys for burial grounds but those are not done for subdivisions. Mr. Suddath stated that if you find this type of burial ground, it usually does not shut down a subdivision unless the tribe sues the developer.

Mr. Suddath stated that was all the responses her had to the comments and turned the meeting back over to Mr. Bratton.

After confirming that no one else in the audience wished to speak, Mr. Bratton closed the public hearing.

Mr. Geminden stated that the Commission is only being asked to vote on a positive or negative recommendation to the County Commission and stated that this could still be taken to the County Commission even without a recommendation. Mr. Geminden asked if a positive recommendation is voted, part of the motion would be to submit a Final Master Development Plan, could there be changes made. Mr. Geminden stated that he just wanted everyone to know that they are just making a recommendation.

Mr. Taylor asked Mr. Suddath if the roadway would be expanded before construction and wanted to know if there was a timeline for this.

Mr. Suddath stated that it would need to be negotiated when the developer comes in at the pre-application meeting. Mr. Suddath stated that if this gets approval from the County Commission, the Final Master Development Plan would then come back to the Planning Commission for approval with a Preliminary Plat with the lots. Mr. Suddath stated that a condition to the approval of the Final Master Development Plan can be that Barry Lane is widened with Phase 1 being part of the construction process. Mr. Suddath stated that the way the regulations are worded, the infrastructure is in with Phase 1 and then the Final Plat can be submitted with the infrastructure completed. Mr. Suddath stated that when that Final Plat is approved, the developer can record it and start selling lots for construction. Mr. Suddath stated that if that is how the Planning Commission wants it, he believes it can be done that way which avoids the infrastructure and improvements being pushed back to the final phase, which happens.

Mr. Rhodes asked Mr. Suddath if he has discussed the lot sizes with the developer and why not try to make the lots comparable to the adjacent subdivisions. Mr. Rhodes stated that he knows they want to get more lots for the money but that he is not a fan of the 2.2 dwelling per acre. Mr. Rhodes also stated that he had concerns with the roads like Commissioner Graves.

Mr. Suddath stated to Mr. Rhodes that he cannot speak to the developers thought process of the density, but that most of the time it comes down to the financial concerns. Mr. Suddath stated that from the applicants prospective, if the regulations state that you can have 2.2 dwellings per acre, it is allowed in the zoning codes. Mr. Suddath stated that the Commission can ask the developer to tweak the design.

Mr. Bratton asked if there were any other questions.

Mr. Rhodes stated that he would like to defer the item and get the developer to look at some options to fit the area.

Mr. Taylor stated that he agrees there are some issues with the development, but Mr. Taylor stated that even Williamson County does not build on acre lots anymore stating that very few places do unless they are individually done. Mr. Taylor stated that if the developer does everything they proposed, which includes improving Barry Lane, and there is still an opportunity at the Legislative Meeting and the County Commission meeting where the size of the lots can still be addressed before final approval. Mr. Taylor stated that giving them approval still doesn't give them approval to start building.

Mr. Suddath stated that this development is a long way from moving any dirt.

Mr. Rhodes asked Mr. Suddath if moved forward, the committees still have a chance to talk to the developer about the lot sizes and any other improvements as Mr. Taylor stated.

Mr. Suddath stated that he was correct. Mr. Suddath stated that this item can be discussed at the Legislative level, at the County Commission level, and can be discussed again when it comes back to the Planning Commission for final approval. Mr. Suddath stated that when it gets to the Planning Commission for final approval, it's been looked at several times and all issues will have been addressed by that time.

Motion to provide a positive recommendation to the Sumner County Commission related to a Request for Rezoning and Preliminary Master Development Plan Approval for the Hudson Farm Planned Unit Development contingent upon the following conditions:

- A. Applicant shall widen Barry Lane to County specifications from the eastern edge of the subject property to the intersection with Carolyn Lane and shall add a "Roadway Improvements" plan sheet to the Preliminary Master Development Plan.**
- B. Applicant shall remove lot #86 shall dedicate it as open space, and shall install entryway signage at the location. Applicant shall also provide a plan sheet depicting dimensions and landscaping for entryway signage.**
- C. Applicant shall add a "typical lot" illustration to the Preliminary Master Development Plan.**
- D. Applicant shall add a detail showing the fencing and natural screening to be installed around periphery of STEP system.**
- E. Applicant shall revise submitted Homeowner's Association By-Laws to the satisfaction of the County Attorney as to form, and shall meet requirements contained in the Sumner County Subdivision Regulations related to maintenance and inspection of Stormwater Infrastructure and payment of Volunteer Fire Department Dues.**
- F. All submitted plats and construction plans for this development must comply with all Zoning, Subdivision Regulations, and Stormwater Resolution requirements in effect as of the date of the County Commission's approval of the rezoning request, with the exception of any variances specifically granted by the relevant Board or Commission.**

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

Motion to take a 10 minute recess by Mr. Honeycutt, seconded by Mr. Taylor. Motion passed unanimously. Mr. Bratton stated that the meeting will reconvene at 7:53 p.m.

- 3. GIBSON AND GORE PROPERTY – SKETCH FLAG LOT APPEAL – REPRESENTED BY RICHARD GRAVES - 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 sketch plat is located on Roark Road. Subject property is located on Tax Map 056, Parcel 046.01, contains 7.05 acres, and is zoned Agricultural.

Mr. Bratton turned the meeting over to Mr. Suddath.

Mr. Suddath gave an overview of this item stating that Staff cannot approve flag lots and must be looked at by the Planning Commission. Mr. Suddath stated that upon approval of the Planning Commission, the subdivision shall follow the procedure described within these regulations for approval of a Major or Minor Subdivision. Mr. Suddath stated that additional buffering requirements may be required by the Planning Commission of flag lots or lots adjacent to flag lots to minimize the visual impact of adjacent rear yards to front yards.

Mr. Suddath concluded his presentation of the Gibson and Gore Property presenting the Board with some example motions and then turned the meeting back over to Mr. Bratton.

Motion to approve a Sketch Plat for the Gibson and Gore Property containing one flag lot by Mr. Geminden, seconded by Mr. Taylor. Motion passed unanimously.

- 4. PAUL PROPERTY – PRELIMINARY/FINAL PLAT – REPRESENTED BY STEVE BRIDGES – 4TH COMMISSION VOTING DISTRICT (Jerry Foster and Leslie Schell)** – Applicant is requesting Preliminary/Final Plat approval for a 3-lot located on Vantrease Road. Subject property is located on Tax Map 102, Parcel 040.05, contains 2.81 acres, and is zoned Agricultural.

Mr. Bratton turned the meeting over to Mr. Suddath.

Mr. Suddath gave an overview of this item stating that this item came before the Planning Commission in January and received preliminary plat approval subject to meeting the County's MS4 requirements. Mr. Suddath stated that no additional road improvements will be required, the septic has been approved, waiting the signature of the County Environmentalist, and a variance has been submitted since White House Utility District will not accept escrow funds for fire hydrants. Mr. Suddath stated that the Erosion prevention and Sediment Control Plans have been submitted however, no drainage calculations have been submitted. Mr. Suddath stated that according to the County's

Stormwater Resolution, an exemption can be made from drainage calculations if the subdivision is only two lots and will not disturb more than one acre within the total development. Mr. Suddath stated that the applicant has asked the County to consider this exemption since a house is already existing on the site, and only two “new” lots will be created. Mr. Suddath stated that the applicant’s surveyor has also amended the EPSC plan to state that at no point will an acre be disturbed (approximately ½ acre in total). Mr. Suddath showed an overview of the amended EPSC plan showing the disturbance area. Mr. Suddath stated that he has talked to Richard Jones, County Engineer Consultant, and Mr. Jones feels comfortable allowing this item to be approved.

Mr. Suddath concluded his presentation of the Paul Property presenting the Commission with some example motions and then turned the meeting back over to Mr. Bratton.

Mr. Bratton stated that the intent of stormwater is not disturb more than an acre of property.

Mr. Taylor asked Mr. Suddath if they are subdividing to build or to sell.

Mr. Caleb Paul came forward and stated that he currently lives in the existing house and is planning on build a house on one of the lots and his in-laws will build on the other lot in a few years. Mr. Paul stated that he will sell his current house once the new one is built.

Motion to approve a Final Plat for the Paul Property by Mr. Honeycutt, seconded by Mr. Taylor. Motion passed unanimously.

Mr. Suddath stated to clarify, Mr. Richard Graves asked what kind of precedent is the Planning Commission setting. Mr. Suddath stated to make it very clear that 3-lot subdivisions are subject to the Stormwater Regulations and it doesn’t matter if you are disturbing an acre. Mr. Suddath stated that what is being granted is that two vacant lots and one lot that is already built on, which is not generating new stormwater runoff. Mr. Suddath stated that if there is any precedent being set is that a 2-lot subdivision does not require drainage plans.

Mr. Honeycutt stated that this is a unique situation and feels that it would be a shame not to approve this.

Mr. Suddath stated that he is not telling the Commission not to approve this item, he’s just stating what there things different about it were.

There was discussion as to why this item was not setting a precedent by the Commission.

Mr. Suddath stated that the defining characteristics of this item are that there are two new buildable lots are being created with no structures on them, without existing impervious surface.

Mr. Suddath stated that he does not want to get back to the situation where you do three lots and you don't have to do anything.

Mr. Richard Graves stated that he wanted to know if he had the same situation, was this something that Staff would look at as they are brought in.

Mr. Bratton stated that he feels like situations like this should be brought to the Commission and looked at and a decision will be made upon them looking at it, but also stated that this is not a green light to go back to the way it was before.

Mr. Honeycutt asked Mr. Barrow if he had any comments on the item.

Mr. Barrow stated that since there is an existing house on one of the lots, basically there will only be two lots being disturbed.

Mr. Honeycutt asked if the existing house had been on the left hand side and the two vacant lots were on the right hand side, would this have been different.

Mr. Suddath stated that it would have been the same situation.

Mr. Suddath stated that he feels that this item is good to go since they did require the applicant to get the EPSC Plan. Mr. Suddath stated that it is important for TDEC and Stormwater Staff to have that plan out in the field.

- 5. BOILING SPRINGS ESTATES – FINAL PLAT – REPRESENTED BY DEWAYNE CALDWELL – 1ST COMMISSION VOTING DISTRICT (Moe Taylor and Terry Wright)** – Applicant is requesting Final Plat approval for a nonconforming 2-lot subdivision as defined per Article IV, Section 4 of the Sumner County Zoning Resolution. This plat is located on State Route 259 and Boiling Springs Road. Subject property is located on Tax Map 013, Parcel 039.01, contains 4.87 acres, and is zoned Agricultural.

Mr. Bratton turned the meeting over to Mr. Suddath.

Mr. Suddath gave an overview of this item stating that it came before him and has been working with the property owner to try and figure out a solution. Mr. Suddath stated that approval of this plat would combine two existing lots, eliminating one non-conforming lot. Mr. Suddath stated that the non-conforming lot west of Boiling Springs Road could possibly have an illegal septic system in place therefore no structure can replace the

existing structure if removed. Mr. Suddath showed the Commission a copy of the plat with all the restrictions that would apply to it and what the applicant is proposing to do.

Mr. Suddath concluded his presentation of the Boiling Springs Estates presenting the Commission with some example motions and then turned the meeting back over to Mr. Bratton.

Mr. John McCloud came forward to explain and represent the request.

Mr. Bratton asked Mr. Suddath if he was ok with this plat.

Mr. Suddath stated that he was ok with it as it was similar to the plat that was previous approved. Mr. Suddath stated that if it's ok with the property owner, he will contact the surveyor and ask him to change the language from "Lot 2" to "Area 2" and to clarify that the existing structure cannot be replaced.

Motion to approve a Final Plat for Boiling Springs Estates by Mr. Geminden, seconded by Mr. Williams. Motion passed unanimously.

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

Meeting Adjourned @ 8:15 p.m.

