

SUMNER COUNTY PLANNING COMMISSION

MINUTES

MAY 26, 2020 5:00 P.M.

WORK STUDY 4:00 P.M

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

MEMBERS:

**LUTHER BRATTON, CHAIRMAN
BILLY GEMINDEN, VICE-CHAIRMAN
MIKE HONEYCUTT
JERRY KIRBY
GENE RHODES
CHRIS TAYLOR
TOM TUCKER (Left at 6:00)
JIM WILLIAMS**

STAFF PRESENT:

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

Mr. Bratton opened the meeting by declaring that there is a quorum present.

MR. GEMINDEN MADE A MOTION TO APPROVE THE APRIL 2020 MEETING MINUTES, SECONDED BY MR. HONEYCUTT. MOTION PASSED UNANIMOUSLY.

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

Mr. Suddath stated that there are two items that have requested to be added to the agenda:

- 1) Bledsoe Crossing Final Plat (Major)
- 2) Sideview Estates Sketch Plat (Major)

Mr. Suddath added that he sent these plats to the Planning Commission members last week, for review.

Mr. Bratton asked for guidance how to handle the request to add these items to the agenda.

Ms. Dennen responded by stating that submittal deadlines were posted at the beginning of the year and must be adhered to, unless staff has been directed otherwise. Therefore, Ms. Dennen stated that no items may be added to the agenda.

Mr. Honeycutt asked if the late submittals were due to staff.

Mr. Suddath stated no, adding that the submittal and meeting calendar has been set since the end of last year. Mr. Suddath also added that the two items were submitted one and two days, respectively, after the submittal cutoff.

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Ms. Dennen stated that the motion would be to approve the agenda, as is.

MR. HONEYCUTT MADE A MOTION TO APPROVE THE MAY 2020 AGENDA, AS IS, SECONDED BY MR. WILLIAMS. MOTION PASSED UNANIMOUSLY.

1. **SELF STORAGE SOLUTIONS – REZONING** – Eddie Smith, represented by Klober Engineering – 12th Commission Voting District (Michael Guthrie and Justin Nipper). Applicant is requesting a Rezoning from Agricultural (A) to Commercial 1 Planned Unit Development (C-1PUD) for the purpose of operating a self-storage business. Subject property is located at **Tyree Springs Road, Hendersonville, TN, 37075**, is Tax Map 117, Parcel 028.01, contains 1.1 acres and is zoned Agricultural (A).

WITHDRAWN AT APPLICANT'S REQUEST

Mr. Suddath stated that a letter was submitted by the applicant's representative to formally withdraw the above request. Mr. Suddath also explained that if the applicant wishes to pursue this in the future, they must begin the process of applying for a rezoning from the beginning, again.

Mr. Honeycutt made a motion to accept the Rezoning Withdrawal Request from the applicant, seconded by Mr. Geminden. Motion passed unanimously.

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

2. **CREASY AUTO REPAIR – REZONING**, Lewis Head, represented by GreenLid Design - 4th Commission Voting District (Jerry Foster and Leslie Schell). Applicant is requesting a Rezoning from Agricultural (A) to Commercial 2 Planned Unit Development (C2PUD) for the purpose of operating an auto repair shop. Subject property is located at **0 West Roberts Road** is Tax Map 072, Parcel 035.07, contains 5.05 acres and is zoned A (Agricultural).

Mr. Suddath began his presentation by stating that this item previously came before the Planning Commission in September 2019 and was withdrawn by the applicant.

Mr. Suddath displayed the Public Notice that was published in The Gallatin News, and an aerial photo of the property. Next, Mr. Suddath displayed the Preliminary Master Development Plan, showing access from Roberts Road, landscape buffering and the building depiction showing a metal building with stone accents.

Mr. Suddath then explained the rezoning area in context, stating that the intent of the C2PUD zone, according to the Sumner County Zoning Code, is "to provide for major retail and service areas at location of superior accessibility on thoroughfares of width and design capable of safely handling the large volumes and turning movements or traffic associated with these commercial facilities." Mr. Suddath further explained that automotive services and repair is a Use Allowed within the C2PUD Zone. Mr. Suddath stated that the Creasy Auto Repair submittal meets the

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following Requirements from the County Zoning Code related to bulk and lot requirements in the Commercial 2 Planned Unit Development (C2PUD) Zone:

- 50 foot setbacks for structures
- 20,000 square foot minimum lot size
- 40% lot coverage maximum

Next, Mr. Suddath displayed the submitted landscape plan sheet and explained that the County requirements state that the area must be attractively landscaped and screened from adjoining properties. Mr. Suddath added that Standard Screen is stated as: “evergreen trees 40 feet on center with two rows of evergreen shrubs 5 feet”, and explained that the applicant is proposing perimeter screening consisting of evergreen trees and shrubs that would appear to meet the requirements of the County Zoning Code. Mr. Suddath added that along the west side of property, the trees are integrated with shrubs, rather than in front of them.

Mr. Suddath then displayed several street view photos of the property.

Next, Mr. Suddath addressed other requirements for the rezoning, including parking and signage.

Regarding Parking, Mr. Suddath stated:

- Applicant proposes a paved asphalt parking lot that will contain 22 parking spaces. Minimum 12 parking spaces are required by County Zoning Code
- Site plan also depicts Overflow Parking area labeled “Grassed Storage Area”.
 - The Planning Commission may require that this area be paved, or graveled.
 - No junk vehicle storage is to be allowed behind the proposed structure; unclear what the purpose of the storage area will be.

Regarding Signage, Mr. Suddath stated:

- Staff requested, but did not receive an overall signage plan sheet depicting signage dimensions, materials, lighting
- One sign is depicted on the PMDP, along West Roberts Road
- Signage proliferation along key corridors is a concern of most jurisdictions in Sumner County
- Condition of approval that a signage plan sheet be provided, with clarification that no additional signage may be installed without an amendment to the Preliminary Master Development Plan

Mr. Suddath added that the depicted sign is in the public right-of-way and would have to be moved out of that area.

Next, Mr. Suddath stated that the subject property is located within the “Rural” place-type between Gallatin and Portland. Mr. Suddath explained that The Sumner County Comprehensive Plan does not appear to make provisions for this type of development in this location, as the proposed location is not classified as a major activity or service area.

However, Mr. Suddath added, the property’s close proximity to State Route 109, which is one of the County’s Major Thoroughfares, would seem to make uses such as the one proposed, desirable, from a market perspective. Therefore, Mr. Suddath stated, the intersection’s evolution as any kind of commercial or service center would necessitate an amendment to the Land Use Plan, adding that an example of a potential place-type for this use would be “Highway Services”.

Mr. Suddath then explained the general next steps, if approved:

- Rezoning and Preliminary Master Development Plan approval request will go to the Legislative Committee for 2 readings

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- 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 for approval
- A complete engineered site plan submittal will be required that must be approved by the Planning Commission as well.
 - May be submitted concurrently with FMDP or following FMDP approval
 - Must contain drainage plans, erosion prevention and sediment control sheets, landscaping plan sheets, driveway access details, signage and others as applicable.
 - All water quality requirements must be met
 - Bond will need to be provided for landscaping.

Mr. Suddath then concluded his presentation with example motions.

Mr. Bratton called the representative forward.

Mr. Andy Leath, GreenLID Design, stated that Mr. Suddath's presentation was well done. Mr. Leath explained that upon looking at this project, he explained to the client, the vital necessity of submitting a Landscape Screening and Architectural standards. Mr. Leath also stated that although this is in the Rural Corridor, he feels that with the Hwy. 109 corridor, this commercial application at the intersection is appropriate.

Mr. Bratton stated that he had previously been asked a question regarding concerns of future owners purchasing the business and the car storage area potentially becoming a future junk yard. Mr. Bratton asked if there was anything in the PUD that would prevent the storage area from becoming a junk yard.

Mr. Suddath stated that verbiage could be added on the Plan Sheet that would require the proposed vehicle storage area to be graveled or paved, and screened.

Mr. Kirby stated that sometimes cars must be stored on the property while awaiting parts, adding that stored cars don't always equate junk cars,

Mr. Leath stated that there is a planned storage area for cars awaiting parts, adding that the applicant is not opposed to screening.

At this point, Mr. Suddath displayed the Site Plan, showing the proposed overflow parking area, stating that there could be requirements of screening and/or fencing, if desired.

Mr. Taylor stated that there may be a need to require all car storage areas to be paved and screened on the street sides and the neighbor side, adding that he wants to hear public comments.

Mr. Leath added that landscape buffers look better than wood, and that within three to five years, the landscaping will have grown into a "fence" that won't be seen through.

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Mr. Bratton stated that there is a tract adjacent to this lot that will eventually be developed.

In full disclosure, Mr. Leath stated that the lot to the west has also been purchased by Mr. Head.

Mr. Geminden expressed the opinion the landscape buffer looks better than a fence with parked cars. Mr. Geminden also stated that the overflow parking area should be graveled or paved.

Mr. Bratton asked Mr. Leath if he had the authority from the land owner to agree to any concessions being made.

Mr. Leath stated that these are small increases in the site budget, and he agrees to the requirement of paving and landscape-screening the overflow parking area.

At this point, the Public Hearing was opened.

There being no one to speak, the Public Hearing was closed.

Mr. Taylor made a motion to provide a positive recommendation to the Sumner County Commission related to a Request for Rezoning [to Commercial 2 PUD] and Preliminary Master Development Plan Approval for the Creasy Auto Repair Commercial PUD, contingent upon the following changes, which must be made prior to forwarding of this item to the County Commission:

- a) Applicant shall clarify the PMDP project description to list all allowable uses for this Planned Unit Development**
- b) Proposed signage shall be removed from the Public Right of Way, and shall be shown upon all plan sheets; an overall Master Signage Plan shall be submitted by the applicant depicting all signage dimensions, materials and lighting**
- c) Applicant shall add a note to the Preliminary Master Development Plan and all subsequent submittals stating that no additional signage shall be allowed upon the subject property unless specifically added to the Master Development Plan as a Major Plan Amendment.**
- d) Following approval of the rezoning, the applicant shall submit a Final Master Development Plan accompanied by a fully engineered commercial site plan package containing driveway access details, drainage calculations and plans, erosion prevention and sediment control plan sheets, landscaping plan sheets, signage plans and other documents as deemed applicable by County Staff, as well as a landscaping bond in an amount to be determined by Staff upon review of detailed landscaping plans.**
- e) Overflow parking area shall be paved and surrounded by an evergreen buffer, seconded by Mr. Honeycutt. Motion passed unanimously.**

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There was discussion regarding the possible requirement of developing property owner restrictions, including uniform signage, landscaping, building materials for the adjoining property.

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

3. KAREN SMITH - SKETCH PLAT AND FLAG LOT HEARING (MINOR) – Represented by Bruce Rainey – 7th Commission Voting District (Gene Rhodes and Loren Echols) -

Applicant is requesting Sketch Plat approval for a 2-lot subdivision containing flag lots located at 1283 Jenkins Lane, Hendersonville, TN, 37075. Subject property is P/O Tax Map 138, Parcel 020.00, contains 8.31 acres, and is zoned Residential 1A (R1A).

Mr. Suddath provided an overview of the property, stating that if this item is approved, the plat could then be approved administratively. Mr. Suddath displayed an aerial of the general area, the Sketch Plat, and wording from the Subdivision Regulations regarding Flag Lots.

Mr. Suddath concluded his presentation with example motions and stated that the applicant's representative, Mr. Rainey is in attendance.

Mr. Bruce Rainey stated that originally, he was hired to cut out a 7.5 acre tract, adding that the owner of that tract has decided to sell the property to use the funds to help take care of an elderly relative. Then, Mr. Rainey stated that two ladies wished to buy the property, desiring to build two houses, necessitating the need to subdivide. Due to road frontage requirements, Mr. Rainey stated, an additional .7 acre was purchased and added to the acreage in order to obtain the required 50' of road frontage for each proposed lot. Explaining that the buyer used to be a Codes Administrator in Millersville, Mr. Rainey stated that he explained to the applicant, what they would be getting into with this request and stated that they were fully aware of it. Mr. Rainey added that the applicants feel that this is the only property they could find in close proximity to the grandson. Mr. Rainey closed by stating that he respectfully asks for approval.

At this point, Mr. Bratton asked that the image of the Sketch Plat be shown, again.

Mr. Taylor made a motion to deny a Sketch Plat for a plat entitled Karen Smith containing two flag lots, based on the length of the stem of the flag lot.

Mr. Suddath added that some proposed changes to the subdivision regulations, related to requirements for flag lots, are not in effect yet.

Mr. Taylor stated that to be consistent with recent rulings involving flag lots that have long flag stems with turns, this request should be denied.

Mr. Bratton asked if the submittal meets the current guidelines.

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Mr. Suddath answered that current regulations require that a Sketch Plat be brought to the Planning Commission, but they don't give good criteria to say no. Mr. Suddath stated that staff is working on a way to bring a good set of criteria to the Subdivision Regulations, adding that if a lot has characteristics that they do not wish to see created, they have the option of turning it down.

Mr. Kirby stated that sometimes policy adjustments are necessary.

Mr. Rainey pointed out that the Sketch Plat meets all the regulations, is being created to make money and is being designed for proximity to family. Mr. Rainey added that adequate soil area for two houses is available.

Mr. Bratton asked for a second to the motion.

Mr. Tucker seconded the motion to deny, stating that the Planning Commission has spent a year and a half trying to "clean up" the regulations for flag lots. Mr. Tucker added that he has nothing against the applicants or Mr. Rainey, but feels that if this is allowed, it is in contrast to what the Commission has been trying to achieve.

Mr. Geminden, referenced Lot #1, stating that there is a 12" gas line and a gas easement that takes up the whole 50' of the "flag pole". Mr. Geminden asked if a driveway can be placed over that easement or are the applicants planning to share a driveway. Mr. Geminden stated concern of shared drive issues for any future land owners of this property.

Mr. Rainey stated that the easement has been set up so that the driveway is positioned off of the gas easement completely. Mr. Rainey added that the utilities would be completely off the gas line easement, crossing the gas line twice: at the entrance to the property and as it turns the curve, with the gas line following the property boundary. Mr. Rainey stated that the two lots will share the drive as well as the expense of it.

Mr. Bratton restated the motion to deny and asked for a vote.

The motion to deny a Sketch Plat for a plat entitled Karen Smith, containing two flag lots. passed unanimously.

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

4. **JAMES REECE SUBDIVISION – FINAL PLAT (Major) – Represented by Bruce Rainey - 7th Commission Voting District (Loren S. Echols and Gene Rhodes) - Applicant is requesting Final Plat approval for a 3-lot subdivision located at **2898 Long Hollow Pike, Hendersonville, TN 37075**. Subject property is P/O Tax Map 123, Parcel 036.00, contains 5.97 acres, and is zoned Residential 1A (R1A).**

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Mr. Suddath provided an overview of the property, stating that while there are no wetlands depicted, this area of the county experiences a significant amount of drainage issues, therefore, there has been of good bit of scrutiny over this request.

Mr. Suddath displayed the aerial photo of the property and the Final Plat.

Mr. Suddath then explained the Drainage, regarding this subdivision, stating that The Hollows Court has extensive drainage issues upstream. Likewise, Mr. Suddath pointed out that downstream, Long Hollow Pointe Development experiences drainage issues, as well. As this project evolved, Mr. Suddath stated, the applicant was able to demonstrate that less than one acre will encounter disturbance due to a reduction in the number of building lots, and that offsite impacts could be managed via the existing infrastructure. Mr. Suddath added that County Water Quality requirements will be met on submitted plans.

Regarding the roads, Mr. Suddath stated that no improvements are required as the lots will access existing roads.

Regarding the utilities and fire protection, Mr. Suddath stated that an 8 inch water line is in place, as well as a hydrant on the Hollows Court which will serve these lots.

Mr. Suddath completed his presentation with example motions, adding that signatures need to be obtained on the Plat.

At this time, Mr. Rainey explained the difficulty he has had with obtaining signatures on the plat, stating that WhiteHouse Utility District has added a sewer line requirement over Long Hollow Pike, which required a signature for the Environmentalist who was not available the past several days. Mr. Rainey asked for leeway in obtaining the signature from Environmental.

Mr. Taylor made a motion to approve a Final Plat for James Reece Subdivision with the following condition:

**a) All required signatures be obtained on the Plat,
Seconded by Mr. Geminden. Motion passed unanimously.**

At this point, Mr. Suddath asked for clarification if it is the will of the Planning Commission to have all signatures obtained on a Final Plat prior to being approved.

Mr. Taylor stated that the Board will always wish to continue the requirement of signatures on a Plat prior to Final Plat approval, however, due to the unusual circumstances surrounding Covid-19, this may be treated a little differently.

Mr. Honeycutt reiterated that he is in agreement that the condition of approval, requiring signatures prior to the Final Plat approval, be adhered to under normal circumstances, however due to Covid-19, there may need to be some leeway.

Mr. Suddath restated his understanding that these are unusual times and therefore, procedures regarding signatures, may be modified until Covid-19 is over.

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

- 5. BAKER PERDUE ESTATES PHASE 4– FINAL PLAT (Major) – Represented by Richard Graves – 1ST COMMISSION VOTING DISTRICT – (Moe Taylor and Terry Wright) –**
Applicant is requesting Final Plat approval for a 23-lot subdivision located on Breanna Blvd and Ashley Dawn, Portland, TN, 37148. Subject property is located on Tax Map 030, P/O Parcel 029.01, contains 30.81 acres, and is zoned Agricultural.

Mr. Suddath provided an overview of the property, stating that the Preliminary Plat was approved in April, 2019 with an amendment approved in January, 2020 which relocated a detention pond. Mr. Suddath confirmed that the applicant has constructed the infrastructure to a point of substantial completion.

Mr. Suddath then displayed an aerial photo of the property, the Sketch Plat, the Phase 1 Final Plat, the Phase 2 Final Plat, the Phase 3 Final Plat, the Phase 4 Preliminary Plat, the Phase 4 Final Plat, and the Phase 4 Original and Revised Construction Plans.

At this time, Mr. Suddath explained the Phase 4, Final Plat, pointing out the following:

- Applicant has constructed all roads, drainage, water and other infrastructure to a point of “substantial completion”.
- Maintenance surety will need to be provided for all stormwater infrastructure (50% of overall cost, two year expiration)
- A surety in an amount of at least 110% of all remaining road improvements needs to be provided to Highway Department.
- A punch list to be provided for minor remaining items to be addressed prior to plat signature
- Stormwater Inspection and Maintenance Agreement must be provided and must be recorded with the final plat, as must neighborhood/HOA restrictions.

Mr. Suddath then displayed several street-view photos of the roads and the property, showing significant drainage infrastructure that has been installed.

Next, Mr. Suddath addressed the following:

- Streets:
 - Two new future County Roads constructed: Ashley Dawn Court and Breanna Boulevard. TDOT permit obtained for access to SR-259
 - Applicant has installed all infrastructure to a point of substantial completion
- Fire Protection:
 - Fire pressure is not adequate for installation of fire hydrants. Utility typically will not accept escrow funds any longer. Recently, Planning Commission has allowed an equivalent dedication to be made for fire protection with receipt or other documentation submitted prior to signature of Final Plat
- Septic
 - All lots to be served by septic systems. County Environmentalist’s signature has been obtained.
- Drainage
 - Drainage infrastructure is depicted within a drainage easement on the Final Plat.

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- The applicant has now provided information regarding how drainage infrastructure will be maintained.
- Applicant has submitted restrictions for the development.
- Staff has reviewed these restrictions, and there may be some clarifications that need to be made related to establishment of an entity with responsibility for responsibility for long term maintenance of drainage areas
- These clarifications may be made prior to Planning Commission Secretary's signature if ok with Planning Commission.

Mr. Suddath completed his presentation with example motions.

Mr. Suddath added that the developer has installed all the infrastructure prior to Final Plat approval, and thanked them for their efforts and completion of that, on the front end.

Mr. Graves stated that he did not have any comments.

Regarding signatures on the Plat, Mr. Suddath added that the County Environmentalist, Bo Fox has signed the plat and a letter has been received from Brian Price, the Public Utilities Director for the City of Portland, committing to signing the Plat. Mr. Suddath also stated that Ms. Hardin, from the Highway Department, has sent an email, stating that she has a bond amount, which she requires before signing.

Mr. Geminden made a motion to approve a Final Plat for Baker Purdue Estates, Phase 4 with the following conditions:

- a) **All remaining punch list items shall be completed to the County's satisfaction prior to the Planning Commission Secretary's signature upon the Final Plat.**
- b) **A surety in an amount of not less than 50% of the cost of drainage improvements shall be provided prior to Planning Commission Secretary's signature upon the Final Plat**
- c) **A surety in an amount of not less than 110% of the cost of all remaining road improvements shall be provided prior to the Planning Commission Secretary's signature upon the Final Plat**
- d) **As-Built drawings depicting all road and drainage improvements shall be provided and approved by the County Engineer prior to the Planning Commission Secretary's signature upon the Final Plat**
- e) **HOA restrictions shall be revised per staff requirements and recorded simultaneously with the Final Plat**
- f) **An approved Stormwater Maintenance and Inspection Agreement shall be recorded simultaneously with the Final Plat,**

Seconded by Mr. Taylor. Motion passed unanimously.

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

6. **HUFF ESTATES - FINAL PLAT (Major) – Represented by Richard Graves – 1st Commission Voting District (Moe Taylor and Terry Wright)** - Applicant is requesting Final Plat approval for a 10-lot subdivision located at Mount Vernon Road and James Whitefield

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Road, Bethpage, TN, 37022. Subject property is P/O Tax Map 049, Parcel 043.00, contains 16.33 acres, and is zoned Agricultural (A).

Mr. Suddath stated that Mr. Graves had recently expressed a desire to defer this request, and then asked for confirmation of a deferral request from Mr. Graves.

Mr. Richard Graves stated that the owners are here and would like to speak, prior to a deferral. Mr. Graves added that there is a detention pond that needs to be installed on the property, however due to rain, it has been delayed. Mr. Graves stated that the SWPPP Permit has been obtained and they are ready to go.

Mr. Bratton asked Mr. Graves to address the pond depicted on the Plat.

Mr. Graves stated that it is a wetland. Mr. Graves added that they have put a buffer around that wetland and confirmed that there is still room for the driveway.

Mr. Michael Perry, 440 James Whitefield Road, Bethpage, TN, stated that this property is part of his family farm, adding that he will be living right beside this, and wants it to be a nice development.

Mr. Honeycutt made a motion to defer.

Ms. Dennen stated that a motion to defer doesn't warrant discussion.

There was conversation in an attempt to clarify the desire for a deferral or to move forward with a motion.

Mr. Graves stated that the applicant wishes for this request to proceed, adding that the Kirkham Estates request will be voluntarily deferred.

Mr. Suddath stated that he could give the full presentation, if desired.

Mr. Honeycutt withdrew his motion to defer. Mr. Taylor withdrew his second.

Mr. Bratton asked for clarification so that the applicant is informed of their options.

At this point, Mr. Suddath provided an overview of the property, displaying an aerial photo of the property and the Final Plat.

Mr. Suddath stated that regarding drainage, one detention pond is depicted on the Final Plat and is in the approved construction plans, but has not been installed by the applicant and inspected by County Staff. Mr. Suddath explained that the Planning Commission may delay approval of the Final Plat, until such time as the pond is installed and inspected. Mr. Suddath stressed that it is very important that lots such as this, which will be auctioned off, have the infrastructure installed prior to receiving signatures on the Final Plat. Mr. Suddath added that a punch list will then be provided for minor remaining items to be addressed prior to plat signature.

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Mr. Suddath added that because the drainage system has not yet been installed, that would be justification for a deferral until next month, if it is the will of the Board.

Mr. Suddath stated that a maintenance surety in an amount of 50% of the overall cost of the facilities must also be provided to the County (two year expiration).

Mr. Suddath stated that an HOA is to be established by the developer, to ensure maintenance for these ponds, adding that a Stormwater Inspection and Maintenance Agreement must be provided and must be recorded with the final plat, as must HOA restrictions, when recording the Final Plat. Mr. Suddath stated that by-laws for the HOA have been received and are being reviewed and that the Land Disturbance Permit was applied for last week.

Mr. Suddath stated that one of the conditions of approval for the Preliminary Plat, which was approved in October, 2019, was that the detention pond had to be installed prior to the Final Plat approval by the Planning Commission.

Mr. Suddath confirmed that the equipment is on site to install the detention pond, and he displayed the Drainage Plans that had been submitted.

Next, Mr. Suddath addressed the following Plat requirements:

- Roads: Adequate ROW shown dedicated on Plat.
- Lot Size and Orientation: Lots meet all width requirements. Mt. Vernon Road is a Minor Collector, requiring 150 foot lot widths. This requirement has been met.
- Utilities and Fire Protection: Applicant indicates that fire hydrants are to be installed with this development, and that a receipt is to be provided.
 - Planning Commission may delay approval of Final Plat until such time as the hydrants are installed, or may require Planning Commission Secretary to hold signature until it is complete.

Mr. Suddath completed his presentation with example motions.

Mr. Graves came forward and stated that these lots, while originally were to be auctioned off, are now being sold to one buyer.

Mr. Graves addressed Mr. Suddath, stating that they will need to bond the fire hydrants with the fire department until the closing and then they will be installed.

Mr. Honeycutt made a motion to defer a decision on Huff Estates for one month, seconded by Mr. Taylor. Motion passed unanimously.

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

7. **KIRKHAM ESTATES – FINAL PLAT (Major) – Represented by Richard Graves – 1st Commission Voting District (Moe Taylor and Terry Wright)** - Applicant is requesting Final Plat approval for an 8-lot subdivision located at Fowler Ford Road and Dobbins Pike, Portland, TN 37148. Subject property is Map 050, Parcel 036.01, contains 20.97 acres, and is zoned Agricultural.

Mr. Richard Graves stepped forward to request a 30-day deferral in order to complete the drainage infrastructure and HOA development.

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Mr. Honeycutt made a motion to defer a decision on the Final Plat for Kirkham Estates for one month, seconded by Mr. Taylor. Motion passed unanimously.

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

8. **AWESOME ACRES – PRELIMINARY Plat (Major)** – Represented by Richard Graves – 4th Commission Voting District (Jerry W. Foster and Leslie Schell) - Applicant is requesting Sketch Plat approval for a 5-lot subdivision located at **State Highway 25W, Cottontown, TN 37048**. Subject property is P/O Tax Map 079, Parcel 029.00, contains 8.28 acres, and is zoned Agricultural (A).

Mr. Suddath provided an overview of the property, stating that the Sketch Plat was approved in February, 2020. Mr. Suddath displayed the Preliminary Plat and an aerial photo of the property.

Mr. Suddath explained the progress of the following requirements on this submittal:

- Utilities and Fire Protection: No hydrants depicted upon the Sketch Plat.
 - Utility states that a 4 inch line is present along Awesome Avenue and an 8 inch line is present along Hwy 25.
 - A fire hydrant will be necessary for this development. If one cannot be installed, then the applicant will need to make equivalent dedication to further the goal of fire protection in the County.
- Drainage:
 - Construction plans and drainage calculations have been submitted.
 - Plans do not depict onsite detention; calculations submitted indicate that offsite stormwater impacts to be minimal, and not sufficient to require onsite detention.
 - This development will require a Notice of Coverage from TDEC. Construction plans will need to be approved by the County Engineer prior to issuance of a land disturbance permit by the County.
 - County Water Quality requirements must be met
- Roads: Adequate ROW is shown along Awesome Ave. Inadequate ROW shown dedicated along State Route 25. State Route 25 at this location is a Rural Minor Arterial.
 - The County’s Comprehensive Plan requires that between 80 and 100 of right of way is required along Rural Minor Arterials
 - 40 feet from the center line is required; 30 feet is shown
 - Comprehensive Plan does allow for some flexibility however, since this roadway is proposed to remain a two lane road
- Proposed lot widths meet all requirements for Awesome Acres, which is a Rural Minor Arterial.

Mr. Suddath concluded his presentation with example motions.

Mr. Bratton called the representative forward.

Mr. Andy Leath stated he was available for questions.

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There being no discussion, **Mr. Taylor made a motion to approve a Preliminary Plat for Awesome Acres, 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 either install a fire hydrant to service these lots, provide proof of payment of hydrant escrow funds to the County, or make a comparable dedication per Article III, Section N of the County Subdivision Regulations upon submittal of any Final Plat for this phase.**
 - c) Applicant shall pay applicable Construction Inspection fees in the amount of \$100 per lot to the County upon submittal of a Final Plat,**
- Seconded by Mr. Geminden. Motion passed unanimously.**

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

- 9. COOK 76 ACRES – PRELIMINARY PLAT (Major) – Represented by Richard Graves - 12th Commission Voting District (Michael Guthrie and Justin Nipper) -** Applicant is requesting Preliminary Plat approval for a 5-lot subdivision located on TN Hwy. 76, Portland, TN, 37148. Subject property is P/O Tax Map 053, Parcel 073.00, contains 5.09 acres, and is zoned Agricultural (A).

Mr. Suddath provided an overview of the property, displaying the Preliminary Plat, aerial photo, and the GIS map showing a portion of the property in the flood zone, necessitating the labeling of the lots as Critical Lots

Mr. Suddath then highlighted the following information regarding the Plat:

- Utilities and Fire Protection: No hydrants depicted upon the Plat.
 - WHUD is utility provider. They state that a 6 inch line is present along the north side of State Route 76.
 - A fire hydrant will be necessary for this development. If one cannot be installed, then the applicant will need to make equivalent dedication to further the goal of fire protection in the County.
- Roads: Adequate ROW is shown along State Route 76.
- Proposed lot widths meet all requirements for Highway 76, which is a Rural Major Collector.
- Critical Lots: Due to their proximity to approximate flood zones, where actual flood elevations are not known, staff has requested that all lots be shown as “Critical Lots” on the upcoming Preliminary Plat
 - This will require submittal of an individual building plan with application for a building permit
 - Due to possible floodability, finished floor elevation needs to be 3 feet above highest adjacent grade, and no basements will be allowed.
 - A surveyor or engineer must prepare a specific plan for each lot

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- Critical Lot designation was added to the County Subdivision Regulations in February 2019 in order to ensure that lots with site specific challenges are properly designed in order to protect future homeowners.

Mr. Suddath concluded his presentation with example motions.

There being no comments, **Mr. Honeycutt made a motion to approve a Preliminary Plat for Cook 76 Acres, with the following conditions:**

- a) Applicant shall obtain signed approval from County Engineer for required Construction of Plans prior to issuance of a Land Disturbance Permit.**
 - b) Applicant shall either install a fire hydrant to service these lots, provide proof payment of hydrant escrow funds to the County, or make a comparable dedication per Article III, Section N of the County Subdivision Regulations upon submittal of any Final Plat for this phase.**
 - c) Applicant shall pay applicable Construction Inspection fees in the amount of \$100 per lot to the County upon submittal of a Final Plat.**
- Seconded by Mr. Kirby. Motion passed unanimously.**

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

10. BAKER PERDUE ESTATES PHASE 5– PRELIMINARY PLAT (Major) – Represented by Richard Graves – 1ST COMMISSION VOTING DISTRICT – (Moe Taylor and Terry Wright) – Applicant is requesting Preliminary Plat approval for a 4-lot subdivision located on Highway 174, Bethpage, TN, 37022. Subject property is located on Tax Map 030, P/O Parcel 029.00 and 031.00 contains 6.28 acres, and is zoned Agricultural.

Providing a brief history of this subdivision, from the Sketch Plat approval in April, 2018, Mr. Suddath provided an overview of the property, displaying the Preliminary Plat, and an aerial photo of the property.

Mr. Suddath explained the following aspects of the Plat:

- Drainage
 - Applicant has submitted a comprehensive set of construction drawings with Phase 4, and additional construction plans have been submitted for Phase 5. These have been approved by the County Engineer at this time.
- Streets:
 - Lots will access SR-174 and Breanna Blvd (Phase 4)
 - Lot widths are less than the 150 feet currently required along SR-174; however, this development is vested in previous subdivision regulations, per state law, and these rules do not apply.
- Fire Protection:
 - Fire pressure is not adequate for installation of fire hydrants. Portland Utilities typically will not accept escrow funds any longer. An equivalent dedication should be made for fire protection to the volunteer fire department with receipt or other documentation submitted prior to signature of Final Plat.

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Mr. Suddath concluded his presentation with example motions, and emphasized that the small, residual lot of record (Map 030, Parcel 031.00) be either absorbed into the larger lot or taken into the two lots being platted.

Mr. Richard Graves addressed the residual lot, stating that it will be absorbed into other 5 acre tracts and absorbed into other two lots. Mr. Graves added that these lots will be added into the HOA.

Mr. Rhodes asked how the house that is already there can be incorporated into the HOA.

Mr. Suddath stated that the existing house is not part of this subdivision, but was subdivided separately, some weeks ago.

Mr. Geminden made a motion to approve a Preliminary Plat for Baker Purdue Estates, Phase 5, with the following conditions:

- a) HOA restrictions shall be revised per staff requirements and recorded simultaneously with the Final Plat.**
- b) Applicant shall either install a fire hydrant to service these lots, provide proof of payment of hydrant escrow funds to the County, or make a comparable dedication per Article III, Section N of the County Subdivision Regulations upon submittal of any Final Plat for this phase.**
- c) Applicant shall pay applicable Construction Inspection fees in the amount of \$100 per lot to the County upon submittal of a Final Plat.**
- d) All homeowners for this phase shall be members of the Baker Perdue Estates HOA, and shall also be subject to the relevant stormwater maintenance and inspection agreement, and a note to this effect shall be added upon any Final Plat for this phase,**
- e) This subdivision shall not be recorded until the existing lot of record (Map 030, Parcel 031.00) along Fairfield Road is properly disposed of in its totality.**

Seconded by Mr. Kirby. Motion passed unanimously.

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

11. APLIN BRANCH ACRES – SKETCH PLAT (Major) – Represented by Richard Graves – 12th Commission Voting District (Michael Guthrie and Justin Nipper). Applicant is requesting Sketch Plat approval for a 16-lot subdivision located at 156 Aplin Branch Road, Cottontown, TN, 37048, is P/O Tax Map 037, Parcel 025.00, contains 25.84 acres, and is zoned Agricultural (A).

Mr. Suddath provided an overview of the property, displaying an aerial photo. Mr. Suddath displayed the Sketch Plat, stating that this will abut Winward Estates Subdivision, though it is not proposing to connect via roadway.

Mr. Suddath explained the following regarding the Plat:

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- Utilities and Fire Protection: No hydrants depicted upon the Sketch Plat.
 - No water lines depicted on Sketch Plat.
 - Multiple fire hydrants will be necessary for this development. If these cannot be installed, then the applicant will need to make equivalent dedication to further the goal of fire protection in the County.
- Roads and Sidewalks
 - Adequate ROW shown dedicated on Plat.
 - US 31W is classified as a Rural Major Arterial along this segment per the County Major Thoroughfare Plan.
 - Lot widths meet 200 foot minimum requirements.
 - Per the County Subdivision Regulations, Planning Commission is empowered to require that lots may not access an Arterial Roadway directly and may require construction of internal streets
 - In addition, the development to the south, known as Windward Hills provided a road stub (Deann Court) to this subject property when it was recorded back in 2003
 - The applicant proposes to utilize existing road frontage to provide access to these lots, rather than connecting to this road stub with an internal street network.

Mr. Suddath stated that the property is within the “Suburban” Place-Type within the County’s Comprehensive Plan, and explained that sidewalks, or a Payment In-Lieu-Of sidewalks along Shun Pike is required per the County’s Comprehensive Plan and per the County’s Subdivision Regulations at an amount of \$10 per linear foot along US-31W and Aplin Branch Road.

Mr. Suddath stated that the next steps include that the applicant will need to receive Preliminary and then Final Plat approval from the Planning Commission and will need to submit Drainage Calculations and Erosion Prevention & Sediment Control Plan and meet other requirements related to Stormwater Management.

Mr. Suddath concluded his presentation with example motions.

Mr. Honeycutt asked Mr. Graves about the landlocked property that is left.

Mr. Graves stated that the owner decided that the gain of lots, by creating an access road, would not offset the cost, and therefore the 5 acre tract will be accessed via Deann Court or he will remove a 50’ strip off of a lot to access Aplin Branch. Mr. Graves added that even though using Deann Court closes it, that is the preferred way. Mr. Graves stated that the corner lot will be required to be accessed off Aplin Branch Road. The first three lots have access from Highway 31E.

Mr. Taylor made a motion to defer for 30 days until the entrance is decided, seconded by Mr. Rhodes.

Mr. Bratton asked if there was an alternate plan.

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Mr. Graves stated they will access off Deann Court unless the Planning Commission says they cannot.

Mr. Suddath interjected that they don't like to see individual driveways utilize existing road stubs, as road stubs are typically required for the purpose of extending public roads and not for private driveway access.

Mr. Rhodes asked if the owner of this land also owns the 5-acre tract behind it.

Mr. Graves stated that he owns the rest of the property over to the lake.

Discussion of road stub options, setbacks and restrictions ensued, with Mr. Graves asking the Planning Commission how they would like the lots to be configured.

Mr. Bratton stated that the purpose of the Pre-app meeting with staff is to design the subdivision and not have the Planning Commission design the subdivision.

Discussion continued.

Mr. Geminden stated concern over 14 driveways, 100 feet apart on Aplin Branch Road.

Mr. Taylor then made a motion to deny a Sketch Plat for Aplin Branch Acres, seconded by Mr. Rhodes. Motion passed unanimously.

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

12. SMILEY TROUTT ACRES – SKETCH PLAT (Major) – Represented by Richard Graves – 1st Commission Voting District (Moe Taylor and Terry Wright) - Applicant is requesting Sketch Plat approval for a 3-lot subdivision located at 1267 Smiley Troutt Road, Bethpage, TN, 37022, on Tax Map 043, Parcel 029.00, contains 4.97 acres and is zoned Agricultural (A).

Mr. Suddath provided an overview of the property, displaying an aerial photo and Sketch Plat.

Mr. Suddath explained the following, regarding the Plat:

- Utilities and Fire Protection: No hydrants depicted upon the Sketch Plat.
 - A 6 inch water line is present along the north side of Smiley Troutt Road.
 - A fire hydrant will be necessary for this development. If one cannot be installed, then the applicant will need to make equivalent dedication to further the goal of fire protection in the County.
- Drainage: If it is to disturb more than one acre, this development will need to submit an Erosion Prevention and Sediment Control Plan along with Drainage Calculations with submittal of a Preliminary Plat

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- Roads: Adequate ROW is shown along Smiley Troutt Road.
- Proposed lot widths meet all requirements
- Next Steps:
 - Will need to receive Preliminary and then Final Plat approval from the Planning Commission
 - Will need to submit Drainage Calculations and Erosion Prevention & Sediment Control Plan and meet other requirements related to Stormwater Management.

Mr. Suddath concluded his presentation with example motions.

Mr. Honeycutt made a motion to approve a Sketch Plat for Smiley Troutt Acres, with the following condition:

- a) Applicant shall submit Construction Plans depicting all drainage improvements, as well as drainage calculations and Erosion Prevention and Sediment Control plans concurrent with submittal of a Preliminary Plat for this development, in accordance with the County's Subdivision Regulations,**

Seconded by Mr. Kirby. Motion passed unanimously.

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

- 13. PERDUE FARMS – SKETCH PLAT (Major) – Represented by Richard Graves – 2nd Commission Voting District (Billy Geminden and Larry Hinton)** – Applicant is requesting Sketch Plat approval for a 4-lot subdivision located at 199 Perdue Cemetery Road, Portland, TN, 37148, on Tax Map 003, Parcel 014.00, contains 4.95 acres and is zoned Agricultural (A).

Mr. Suddath provided an overview of the property, providing an aerial photo of the property and the Sketch Plat. Mr. Suddath then explained the following information regarding the Sketch Plat:

- Utilities and Fire Protection: No hydrants depicted upon the Sketch Plat.
 - A 6 inch water line is present along the north side of Smiley Troutt Road.
 - A fire hydrant will be necessary for this development. If one cannot be installed, then the applicant will need to make equivalent dedication to further the goal of fire protection in the County.
- Roads: Adequate ROW is shown along White Road and Perdue Cemetery Road
 - Applicant is also offering to deed entire right of way along Perdue Cemetery Road to the County along length of subject property
- Proposed lot widths meet all requirements.
- Drainage: This development will need to submit an Erosion Prevention and Sediment Control Plan along with Drainage Calculations with submittal of a Preliminary Plat. A Notice of Coverage from TDEC is likely to be required.

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Mr. Suddath stated that this Property is within the “Suburban” Place-Type within the County’s Comprehensive Plan, adding that sidewalks, or a Payment In-Lieu-Of sidewalks along Shun Pike is required per the County’s Comprehensive Plan and per the County’s Subdivision Regulations, factored at \$10 per linear foot.

Mr. Suddath stated that the next steps include that they will need to receive Preliminary and then Final Plat approval from the Planning Commission and they will need to submit Drainage Calculations and Erosion Prevention & Sediment Control Plan and meet other requirements related to Stormwater Management.

Mr. Suddath added that, the owner has agreed to deed the entire right of way, along Perdue Cemetery Road, to the county.

Mr. Suddath completed his presentation with example motions.

Mr. Graves stated that upon talking with the Highway Department, they found that the subject property actually contains the whole road, adding that the landowner would like to give the full 50 feet of right of way, all the way to the cemetery, to the County, in exchange for a variance from the Sidewalk-In-Lieu-Of payment.

Mr. Honeycutt made a motion to approve a Sketch Plat for Perdue Farms, with the following condition:

- a) Applicant shall submit Construction Plans depicting all drainage improvements, as well as drainage calculations and Erosion Prevention and Sediment Control plans concurrent with submittal of a Preliminary Plat for this development, in accordance with the County’s Subdivision Regulations,**

Seconded by Mr. Rhodes. Motion passed unanimously.

There being no further business, Mr. Williams made a motion to adjourn, seconded by Mr. Geminden. Meeting adjourned at 6:47 pm.