

SUMNER COUNTY REGIONAL PLANNING COMMISSION

MINUTES

WORK STUDY 4:00 PM

JUNE 22, 2021 5:00 P.M.

MEMBERS PRESENT:

BILLY GEMINDEN, VICE-CHAIRMAN
MIKE HONEYCUTT
TOM TUCKER
JERRY KIRBY
CHRIS TAYLOR
JIM WILLIAMS
GENE RHODES

MEMBER ABSENT:

LUTHER BRATTON, CHAIRMAN

STAFF PRESENT:

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

Mr. Geminden called the meeting to order and asked for approval of the May Planning Commission Minutes.

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

Mr. Geminden then asked for approval of the Agenda.

Mr. Rhodes made a motion to approve the Agenda, seconded by Mr. Tucker. Motion passed unanimously.

At this time, Mr. Geminden opened the floor for Public Comment. There being no one wishing to speak, Mr. Geminden closed the Public Comment.

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

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

Mr. Suddath provided an overview of the property and displayed an aerial of the property and the Final Plat. Mr. Suddath then explained the following, regarding the plat:

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

SUMNER COUNTY REGIONAL PLANNING COMMISSION

MINUTES

WORK STUDY 4:00 PM

JUNE 22, 2021 5:00 P.M.

- Drainage: Development will not disturb more than one acre. Erosion Prevention and Sediment Control Plans are not required.
- Utilities and Fire Protection:
 - 2 inch water line appears depicted along the road frontage of the property.
 - One Fire Hydrant necessary for this subdivision
 - A water availability letter submitted with the Preliminary Plat
 - 2 inch line will not accommodate a fire hydrant
 - Applicant has made a voluntary dedication to the Westmoreland Volunteer Fire Department in the amount of \$3,000.
 - Fire protection to be provided by relevant Westmoreland Volunteer Fire Department
 - Lots to be served by Septic Tanks

Mr. Suddath completed his presentation with example motions and turned the floor over to Mr. Geminden.

A motion was made to approve a Final Plat for Henry Harris Acres, with the following condition:

a) Applicant shall obtain all signatures upon the final plat prior to recording, by Mr. Taylor, seconded by Mr. Kirby.

Motion passed unanimously.

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

- 2. ROBERT C. HELSON – SKETCH PLAT (Major) – Robert C. Helson - Represented by Carman Surveying – 3rd Commission Voting District (Alan Driver and Steve Graves)** – Applicant is requesting Sketch Plat approval for a 9-lot residential subdivision located at Governor Hall Road, Castalian Springs, TN, 37031. Subject property is Tax Map 110, Parcels 015.00 and 015.01, contains 61.39 acres, and is zoned Rural Residential (RR).

Mr. Suddath provided an overview of the property, stating that the Sketch depicts 9 residential building lots, 9 residential tracts over 5 acres and one lot of common open space.

Mr. Suddath then displayed the Sketch Plat, showing the nine lots located along Governor Hall Road.

Next, Mr. Suddath stated that GreenLID Design will be providing engineering services for this subdivision.

Mr. Suddath displayed the aerial photo of the property, and noted that a small portion of the remaining 5-acre tracts will be effected by the 100-year flood plain.

At this time, Mr. Suddath highlighted the following details of the Sketch Plat:

SUMNER COUNTY REGIONAL PLANNING COMMISSION

MINUTES

WORK STUDY 4:00 PM

JUNE 22, 2021 5:00 P.M.

- Roads: Development would derive access along Governor Hall Road. No connection to Hartsville Pike is proposed by any lots under Planning Commission Jurisdiction (less than 5 acres)
- Located in Castalian Springs Historic Overlay.
 - Overlay does not apply to single family homes
- Per Comprehensive Plan, not located within Castalian Springs Historical Village Center
 - Located in Rural Placetype, Sidewalks not required.

Mr. Suddath also displayed the Castalian Springs Historic Overlay Boundaries and the Castalian Springs Historical Village Center location in the County Comprehensive Plan.

Mr. Suddath went on to point out the following, regarding the Plat:

- Proposed lot widths meet all requirements.
- Required open space appears to be depicted upon the plat.
 - Preliminary Plat will need to provide percentage calculations, with 10% of the overall area being the minimum
 - An HOA will be required for this development in order to maintain common open space and any Stormwater infrastructure that may be required
- 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 will be required
 - Onsite Detention may be required
 - Stream/wetland determination may be required by TDEC
- Utilities and Fire Protection:
 - 6 inch water line depicted along the property.
 - Two fire hydrants are depicted upon the Sketch Plat.
 - A water and fire pressure availability letter must be provided with Preliminary Plat
 - Lots to be served by Septic Tanks; TDEC approval required.

Mr. Suddath explained that if the Sketch Plat is approved, they will need to receive Preliminary and then Final Plat approval from the Planning Commission. Additionally, Mr. Suddath stated that they will need to submit Drainage Calculations and Erosion Prevention & Sediment Control Plan and meet all other requirements related to Stormwater Management with the Preliminary Plat.

Mr. Suddath expressed appreciation that the plans for the entire parent tract were submitted.

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

Mr. Geminden asked for questions or a motion.

A motion to approve a Sketch Plat for the Robert C. Helson Property, with the following conditions:

SUMNER COUNTY REGIONAL PLANNING COMMISSION

MINUTES

WORK STUDY 4:00 PM

JUNE 22, 2021 5:00 P.M.

a) Applicant shall submit Construction Plans for the overall development, 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, was made by Mr. Taylor and seconded by Mr. Honeycutt. Motion passed unanimously.

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

- 3. EMERALD VALLEY LAKE ESTATES – SKETCH PLAT (Major) – Jordan Fleming/Fleming Homes - Represented by Beau Agee– 3rd Commission Voting District (Alan Driver and Steve Graves) – Applicant is requesting Sketch Plat approval for 9-lot residential subdivision located at Emerald Valley Drive, Castalian Springs, TN, 37031. Subject property is Tax Map 133, Parcel 018.01, contains 14.5 acres, and is zoned Rural Residential (RR).**

Mr. Suddath began his presentation by distributing the “Emerald Valley Lake Estates Declaration of Covenants, Conditions and Restrictions” and images of sample homes, provided by the developer, Fleming Homes.

Mr. Suddath displayed an aerial photo of the property, showing a small area of the flood plain encroaching in the back section of the lots. Next, Mr. Suddath displayed the Sketch Plat and highlighted the following information, regarding the Plat:

- Roads: Development would derive access along Emerald Valley Drive.
- Per Comprehensive Plan, Located in Rural Placetype, Sidewalks/Payment In Lieu Of Sidewalks not required
- Lots 1, 2, 8 and 9 do not appear to meet minimum width requirements for standard lots in the Rural Residential Zone (100 Feet). Variance application provided.
- Required open space does not appear to be depicted upon the plat.
 - Preliminary Plat will need to provide percentage calculations, with 10% of the overall area being the minimum
 - An HOA will be required for this development in order to maintain common open space and any Stormwater infrastructure that may be required
- 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 will be required
 - Onsite Detention may be required
 - Stream/wetland determination may be required by TDEC.
- Lots 1, 2, 8 and 9 do not appear to meet minimum width requirements for standard lots in the Rural Residential Zone (100 Feet). Variance application provided.
- Required open space does not appear to be depicted upon the plat.
 - Preliminary Plat will need to provide percentage calculations, with 10% of the overall area being the minimum

SUMNER COUNTY REGIONAL PLANNING COMMISSION

MINUTES

WORK STUDY 4:00 PM

JUNE 22, 2021 5:00 P.M.

- An HOA will be required for this development in order to maintain common open space and any Stormwater infrastructure that may be required
- 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 will be required
 - Onsite Detention may be required
 - Stream/wetland determination may be required by TDEC

At this point, Mr. Suddath provided a definition of “flag lots” as “lots that are so shaped and designed so that the main building site area is set back from the street on which it fronts and includes an access strip at least 50 feet in width connecting the main building site to the frontage street”. Mr. Suddath displayed the Sketch Plat and stated that four of the proposed lots are pie-shaped, and emphasized that those lots numbered 1, 2, 8 and 9 do not appear to meet minimum width requirements for standard lots in the RR Zone (100 feet minimum requirement). Mr. Suddath stated that the applicant has submitted a lot-width variance application.

At this time, a copy of the variance application was distributed to the Board members.

Mr. Suddath explained that Subdivision Regulations state that no more than 20 percent of the lots in a major subdivision may be flag lots. Mr. Suddath stated that as four of the nine proposed lots are flag lots, a variance request must go before the Planning Commission for approval. Mr. Suddath stated that the applicant has provided justification for the variance request, which includes: each lot has septic soil areas and a building envelope that would provide curb appeal and stated that the intent was not to create flag lots.

Mr. Suddath stated that the Planning Commission is empowered to grant waivers as long as it does not create a negative impact on another property.

Next, Mr. Suddath highlighted the Utilities and Fire Protection for the Plat:

- 6 inch water line depicted along the property.
- Lots to be served by two existing fire hydrants, which are depicted upon the Sketch Plat.
- A water and fire pressure availability letter must be provided with Preliminary Plat
- Lots to be served by Septic Tanks; TDEC approval required.

Mr. Suddath explained the next steps, if approved, stating that they will need to receive Preliminary and the Final Plat approval from the Planning Commission. They will also need to submit Drainage Calculations and Erosion Prevention and Sediment Control Plan and meet all other requirements related to Stormwater manangement with the Preliminary Plat, added Mr. Suddath.

Completing his presentation with example motions, Mr. Suddath stated that the applicant is in attendance, and has asked to speak to the Commission.

Mr. Geminden called the applicant forward.

SUMNER COUNTY REGIONAL PLANNING COMMISSION

MINUTES

WORK STUDY 4:00 PM

JUNE 22, 2021 5:00 P.M.

Mr. Jordan Fleming introduced himself and Austin Fleming, stating that he was there to answer any questions. Mr. Fleming stated that they plan to build all brick/masonry stone homes with brick mailboxes. Mr. Fleming added that the lots all have road frontage, septic system and utility availability. Mr. Fleming asked that they consider the request.

Mr. Geminden asked if the houses would be on a slab.

Mr. Fleming stated that they would be traditional crawl spaces.

Mr. Honeycutt stated that his interpretation is that these lots are not flag lots, but instead that these lots do not meet the minimum road frontage requirements.

Mr. Suddath stated that on a local county road, you must have a minimum of 50 feet of road frontage to get a building permit, adding that the lot must be at least 100 feet wide at the building site. Therefore, Mr. Suddath stated, anytime there is less than 100 feet at the road, the lot is considered a flag lot.

Mr. Tucker asked if a pre-application meeting was held for this subdivision.

Mr. Suddath stated yes.

Mr. Tucker expressed concerns with precedent that would be set with the approval of this variance request.

Mr. Taylor asked if flag lots could be eliminated if one or two of the lots were removed from the Plat.

Mr. Suddath stated that if the number of flag lots were reduced to less than two, the Plat would meet the allowable percentage of lots that could be flag lots, which is 20%.

There was discussion of flag lots.

Mr. Fleming stated that the intent of this design is not flag lots.

Mr. Taylor raised concern of the numerous curb cuts.

Mr. Honeycutt suggested that the applicant reconfigure the Plat and return with lots containing 100' road frontage.

Mr. Fleming requested to Withdraw the item from the Agenda.

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

SUMNER COUNTY REGIONAL PLANNING COMMISSION

MINUTES

WORK STUDY 4:00 PM

JUNE 22, 2021 5:00 P.M.

4. **LEWIS AND MARY HEAD PROPERTY – FINAL PLAT (Major)** – Montgomery G. Turner, Sr. - Represented by BlueRidge Surveying – 4th Commission Voting District (Jerry Foster and Leslie Schell) – Applicant is requesting Final Plat approval for a 2-lot commercial subdivision located at W. Roberts Road/New Highway 109. Subject property is Tax Map 072, Parcel 035.07, contains 5.05 acres, and is zoned Planned Unit Development (PUD).

Mr. Suddath began his presentation of the property, by stating that this request is related to a Dollar General on West Roberts Road and Highway 109. Mr. Suddath stated that this 2-lot subdivision plat has come to the Planning Commission because it contains infrastructure improvements. Mr. Suddath reminded the Commission that this property was Rezoned and the Concept Plan was approved by the County Commission on March 15, 2021, and added that the Site Plan was approved by the Planning Commission on April 27.

Mr. Suddath displayed the Plat and the approved PUD Concept Plan, pointing out the locations of the Dollar General, the private access road on the PUD, the drainage easement and the detention pond. Mr. Suddath stated that the Stormwater staff will be paying a lot of attention to the detention and water quality for this property.

Mr. Suddath stressed that there is no direct access to the new Highway, stating that the Dollar General accesses West Roberts Road. Further detailing the Roads and Drainage, Mr. Suddath explained the following:

- No direct access to Highway 109
- West Roberts Road is currently a substandard, 18 foot county road
- Applicant has agreed to widen West Roberts Road to a 24 foot pavement width as part of Site Plan approval.
- To be installed during construction
- Improvements in accordance with previously submitted traffic study
- A frontage road is proposed along Highway 109, that will provide access to future development (approved as part of the PUD)
- An easement is dedicated across both lots; to be constructed with Dollar General Store.
- On site detention and water quality measures depicted on Plat and dedicated as a drainage easement, with a Detention Basin indicated
- As proposed will meet all County and State Water Quantity and Quality measures
- Construction Plans/Drainage Calculations have been approved by County Engineer

Next, Mr. Suddath displayed the Roadway Improvements submitted by the applicant and explained the next general steps upon approval of the Final Plat:

- Once Final Plat is approved, applicant may continue the process of going to construction.
- Construction Plans have been signed and approved by the County Engineer
- Pre-Construction meeting has already been held
- A Land Disturbance Permit may be issued after plat is recorded (Stormwater Maintenance Agreement must be recorded and noted on the plat
- Detention/sediment basins must be installed

SUMNER COUNTY REGIONAL PLANNING COMMISSION

MINUTES

WORK STUDY 4:00 PM

JUNE 22, 2021 5:00 P.M.

- Building Permit may be obtained and construction of building and hardscape and road improvements may begin
- All road improvements must be complete and landscaping should be installed prior to issuance of certificate of occupancy.

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

Mr. Geminden asked for clarification that this request complies with the original approval.

Mr. Suddath stated that it does, and added that the conditions of approval are enforceable.

A motion was made to approve a Final Plat for the Lewis & Mary Head Property, with the following conditions:

- a) All applicable conditions of approval for the Lewis Head Commercial Plaza PUD and Dollar General Store #22633 Site Plan shall be met.**
- b) Applicant shall, at their sole expense, widen West Roberts Road to County Specifications along the entire frontage of this development to the 24 feet of pavement width recommended in the submitted traffic impact study prior to issuance of a Certificate of Occupancy upon Lot 1.**
- c) A Stormwater Maintenance & Inspection Agreement shall be recorded simultaneously with, and noted upon, the Final Plat.**
- d) A Property Owners' Association shall be established that is to provide future maintenance for shared driveway, buffer yards and other common elements, by Mr. Taylor, and seconded by Mr. Rhodes.**

Motion passed unanimously.

There being no further business before the Planning Commission, Mr. Honeycutt made a motion to adjourn, seconded by Mr. Rhodes.

The meeting adjourned at 5:40 pm.