

SUMNER COUNTY REGIONAL PLANNING COMMISSION
MINUTES
FEBRUARY 1, 2022
SPECIAL CALLED MEETING 5:00 PM

MEMBERS PRESENT:

LUTHER BRATTON, CHAIRMAN
BILLY GEMINDEN, VICE-CHAIRMAN
CHRIS TAYLOR
JERRY KIRBY
MIKE HONEYCUTT
JIM WILLIAMS
TOM TUCKER
GENE RHODES (ARRIVED LATE)

MEMBERS ABSENT:

CHRIS TAYLOR

STAFF PRESENT:

JOSH SUDDATH, DIRECTOR OF DEVELOPMENT SERVICES
KATHY YOUNG, ASSISTANT TO THE DIRECTOR
MARSHALL BOYD, COUNTY ENGINEER

Mr. Bratton called the meeting to order and stated that with six members present, there is a quorum. Mr. Bratton called for approval of the December 2021 meeting minutes.

Mr. Honeycutt made a motion to approve the December 2021 Minutes.
Mr. Williams seconded the motion. The motion passed unanimously.

There being no changes to the Agenda, Mr. Geminden made a motion to approve the February 1, 2022 Special Called Meeting Agenda.
Mr. Honeycutt seconded the motion. The motion passed unanimously.

PUBLIC COMMENT

There being no one wishing to speak, Mr. Bratton turned the meeting over to Mr. Suddath for staff presentation.

- 1. HALLTOWN SPRINGS - PRELIMINARY PLAT (Major) –Represented by GreenLID Design – 12th Commission Voting District (Michael Guthrie and Justin Nipper)** – Applicant is requesting Preliminary Plat approval for 5 subdivision lots, 7 tracts and 1 lot of common open space located on Dink Rut Road, Cottontown, TN. Subject property is Tax Map 058, Parcel 120.00 and contains 49.9 acres, and is zoned Rural Residential (RR).

Mr. Suddath provided an overview of the property. Mr. Suddath displayed an aerial photo of the property, the Preliminary Plat and the Pattern Book renderings of the houses.

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Mr. Suddath stated that the proposed lot widths appear to meet requirements and the required open space appears to be depicted upon the plat. Mr. Suddath explained that an HOA will be required for this development in order to maintain proposed common open space and any Stormwater infrastructure that may be required.

Next, Mr. Suddath stated that this property is located within the Suburban Placetype of the County, thus requiring sidewalks or payment-in-lieu-of sidewalks. Mr. Suddath reviewed the following, regarding the Preliminary Plat:

- Roads: Development would derive access along Dink Rut Road.
 - Per Comprehensive Plan, Located in Rural Placetype, Sidewalks not required
 - Applicant is proposing to add additional width along a portion of Dink Rut Road
 - Improvements will need to be substantially completed prior to Final Plat approval by the Planning Commission
- Drainage: Construction plans have been submitted and are under review.
 - A Notice of Coverage from TDEC will be required
 - Stream/wetland determination may be required by TDEC
- Utilities and Fire Protection:
 - 6 inch water line depicted along the property.
 - A hydrant will be needed to serve the lots depicted upon the Sketch Plat.
 - A water and fire pressure availability letter has been provided
 - Water is available to serve lots. However WHUD states that 4,500 feet of 8 inch line will need to be run to accommodate a Fire Hydrant
 - Lots to be served by Septic Tanks; TDEC approval required.

Mr. Suddath stated that the developer has elected to submit an in-lieu-of payment to the Volunteer Fire Department, due to the length of line that would need to be run, to accommodate the hydrant.

Mr. Suddath explained the next steps including they will need to receive Final Plat approval from the Planning Commission. After construction plans are approved, they may commence work on road improvements. After road improvements are complete, they may obtain Final Plat approval. Then, upon Final Plat approval, the plat may be recorded, lots sold, and permits obtained. Mr. Suddath completed his presentation with example motions and turned the meeting over to Mr. Bratton.

Mr. Geminden asked who checks on the road improvements.

Mr. Suddath stated that the County Engineer does.

Mr. Geminden stated concern of the widening of a section of Swamp Road that was poorly done.

Mr. Suddath stated that was done under the City of Portland's jurisdiction, adding that that portion of the Planning Region came over to the County, after that road was widened.

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Andy Leath asked if that was the northern section of the road, right before the railroad tracks.

Mr. Geminden confirmed.

Mr. Leath stated that was before the county had an engineer.

Mr. Geminden asked if the depicted fence for this property will be a requirement.

Mr. Suddath stated that if this were a Planned Unit Development, it could be a requirement. However, in a straight-zone subdivision, we cannot require a design review and can only rely on what they say they will do.

Mr. Leath stated that the current plan is to construct nice homes on these lots.

Mr. Bratton stated that the County would have to sign off on any Planning Region roads.

Mr. Suddath stated that there is a diligent process, to insure that the roads are installed correctly.

Mr. Bratton stated that there is quite a lot promised for this 5-lot subdivision.

Mr. Leath stated that this is not just five lots, but also contains 7 tracts, for a total of 12 buildable lots.

Mr. Bratton stated that this makes this project more feasible.

Mr. Honeycutt made a motion to approve a Preliminary Plat for Halltown Springs, with the following conditions:

- a) Applicant shall obtain approval of construction plans from County Engineer**
- b) A Notice of Coverage (NOC) shall be obtained from TDEC for this development prior to the issuance of a Land Disturbance Permit;**
- c) Fire dedication to volunteer fire department should be made if hydrant installation is not feasible;**
- d) Road improvements must be substantially completed prior to Final Plat approval; bond for road improvements must be posted with the Road Department**
- e) Applicant shall pay applicable Construction Inspection fees in the amount of \$100 per lot to the County upon submittal of a Final Plat;**
- f) Applicant shall revise submitted Covenants, Conditions and Restrictions in accordance with Chapter 8 of the County Zoning Resolution;**
- g) An HOA shall be established to own and maintain common open space.**

Mr. Kirby seconded the motion. The motion passed unanimously.

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

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2. CALICO JACK PUD- SITE PLAN– Shea Helms, represented by GreenLID Design – 3rd Commission Voting District (Alan Driver and Steve Graves) –Staff is requesting Planning Commission confirmation of Staff approval related to a previously submitted Major Site Plan application. Subject property is located at **2488 Highway 31E, Gallatin, TN, 37066**, is on Tax Map 090, Parcel 003.13, contains 2.86 acres and is zoned Planned Unit Development (PUD).

Mr. Suddath explained that although he has the ability to approve this item at the Staff level, he has chosen to bring this to the Planning Commission for confirmation of staff approval, as there has been a revised submittal.

Mr. Suddath provided a brief history of the property, explaining that this is a boat sales and leasing business, which has received appropriate zoning. Mr. Suddath stated that at the October 26, 2021 Planning Commission meeting, the Planning Commission approved this item, contingent upon the applicant providing a revised site plan, better addressing the County’s landscaping requirements for parking areas. The applicant complied with this requirement, and submitted a revised plan on January 10, 2022.

Mr. Suddath stated that, in addition to adding additional landscaping, the applicant has added components to the plan that were not approved by the Planning Commission (labelled “Showcase Area”) that were not included with the original site plan. This would involve parking boats on the grassed area. Therefore, explained Mr. Suddath, staff is providing the revised plan to the Planning Commission in order to confirm that the Planning Commission is satisfied with the applicant’s submittal.

At this time, Mr. Suddath displayed the Original Landscape Plan and the Revised Plan. Mr. Suddath stated that the Revised Plan depicts different landscaping and three grassy-surface, “temporary product storage” areas. Mr. Suddath asked Andy Leath to explain the change.

Mr. Andy Leath stated that the back area contains the septic field lines. Mr. Leath stated that due to the width of the paved area, they are asking to place the landscaping around the paved area, instead of in an island on the paved area.

Regarding the “showcase areas”, Mr. Leath stated that these are strategic areas, where they will place the newest and best boats. Mr. Leath expressed the desire to leave those areas in grass, to help with Stormwater concerns. Mr. Leath added that the landowners have kept the grass areas neat and maintained.

Mr. Suddath stated that the previous conditions of approval would remain, if the Planning Commission were ok with the changes submitted on the Plan. Mr. Suddath stated that staff is fine with the submitted changes regarding the asphalt.

Mr. Bratton asked for clarification that the three grassy areas are the changes that the Planning Commission is being asked to weigh in on, with approval of the Revised Site Plan.

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Mr. Suddath confirmed.

Mr. Geminden made a motion approve a Revised Site Plan for Calico Jacks with the following conditions:

- a) Applicant shall obtain approval of Construction plans from the County Engineer**
- b) A Letter of Credit in an amount not less than 110% of the cost of all depicted landscaping shall be provided by the applicant prior to the issuance of a Land Disturbance Permit;**
- c) A Letter of Credit in an amount not less than 110% of the cost of all depicted Stormwater improvements shall be provided by the applicant prior to the issuance of a Land Disturbance Permit;**
- d) A payment in lieu of sidewalks shall be received in an amount required by County Regulations prior to issuance of a Land Disturbance Permit;**
- e) Any request for additional signage, to include building mounted signage must obtain a Sign Permit meeting the requirements of Chapter 12 of the Sumner County Zoning Resolution;**
- f) A Stormwater Maintenance and Inspection Agreement shall be entered into by the applicant with the County as required by the County Stormwater Management Resolution.**
- g) As-builts shall be required prior to release of surety issuance of a Zoning Compliance Certificate for this property.**

Mr. Williams seconded the motion. The motion passed unanimously.

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

- 3. CRUTCHER STATION PUD - AMENDMENT #1 (Minor PUD Amendment, Non-Voting Item): – NVR - Represented by Dewey Engineering – 7th Commission Voting District (Gene Rhodes & Brian Stewart) – Staff is requesting to provide the Planning Commission with information related to Staff approval of a Minor PUD Amendment for property located on **Latimer Lane, Hendersonville, TN, 37075**. Subject property is Tax Map 124, Parcels 043.03, 043.07, 043.08, and 043.11, and is zoned Planned Unit Development (PUD).**

Mr. Suddath explained that while this item can be approved administratively, he felt the Commission might be interested in this. Mr. Suddath displayed the Original Crutcher Station PUD approval, which contained 272 lots.

Mr. Suddath then provided a brief history of the property, stating

- The Crutcher Station Planned Unit Development’s Preliminary Master Development Plan, and Rezoning Request was approved by the Sumner County Commission on November 19, 2007.

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- A Final Master Development Plan and Phase 1 Preliminary Plat was initially approved by the Sumner County Regional Planning Commission on February 26, 2008.
- No further progress was made on the implementation of the plan for the next several years, and the approved Final Master Development Plan and Preliminary Plat were allowed to expire.
- The Final Master Development Plan was then renewed by the developer before the Sumner County Regional Planning Commission on April 16, 2013.
- A Preliminary Plat for Phase 1 was approved by the County Planning Commission on April 23, 2013.
- A Final Plat for Phase 1, Section 1 was approved by the County Planning Commission on February 24, 2015.
- The Final Plat for Crutcher Station, Phase 1, Section 1 was recorded on January 12, 2016.
- Phase 1, Section 1, was subsequently constructed, and the proposed homes are in place at this time.
- No other plats for later phases of the development have been approved by the Planning Commission.

Mr. Suddath stated that this item is the 1st Amendment to the Crutcher Station PUD. Mr. Suddath explained the grounds for a “Major” Plat amendment and how this Amendment does not contain any of those changes:

- Deviating from a condition imposed by the County Commission
 - *No deviation requested*
- Adding lots (or square footage for Commercial PUDs)
 - *No lots added*
- Relocating or changing the number of primary access points
 - *No change in any access point*
- Reducing Common Open Space
 - *Open Space increased slightly*
- Modification of bulk and height restrictions and any other development regulations contained in the Regulating Pattern Book
 - *Development regulations are not changed*

Mr. Suddath stated that this is deemed a Minor Plat Amendment. Mr. Suddath stated that the applicant has turned in a revised plan that makes changes to the internal road layout, and adds clarity, as far as phasing, location of pool house etc. Mr. Suddath explained that a plan amendment is always required for any change to an approved Planned Unit Development.

Mr. Suddath stated that the applicant submitted a Zoning Determination request to the Development Services Office in October 2021, and provided a sketch layout of the proposed plan amendment. Mr. Suddath stated that staff reviewed it, and determined that it appeared to be a “Minor” Plan amendment. A Zoning Determination Letter was then sent to Dewey Engineering on October 18, 2021. In the Zoning Determination letter, staff noted several terms and conditions that needed to be met by the applicant with the next submittal.

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Mr. Suddath stated that the applicant then submitted a fully revised Master Plan and Regulating Pattern Book, along with updated Traffic Impact Analysis, received by County Staff December 3, 2021. Mr. Suddath explained that County Planning/Engineering/Stormwater/Highway Department Staff reviewed the plan documents and provided a combined set of comments to applicant on December 10, 2021.

Mr. Suddath stated that the applicant provided a response to Staff comments along with fully revised Master Plan/Regulating Pattern Book/Traffic Study on January 5, 2022.

Mr. Suddath confirmed that all staff comments, as well as all applicable terms and conditions have been incorporated into the Plan Set.

At this time, Mr. Suddath displayed and compared the Original PUD Approval with the PUD Amendment #1:

- Total Lots:
 - Original Approval: 272 Lots
 - Amendment #1: 237 lots overall (35 lot reduction)
 - Note: 20 lots already built at this time (217 remaining per Amendment #1)
- Two different lot types (same as original approval):
 - 159 Station Lots: 80' minimum width (all side loaded garages)
 - 78 Village Lots: 56.5 minimum width (Maximum of 20 houses front loaded)
- Overall Density:
 - Original Plan: 2.49 units per acre
 - Amendment #1: 2.27 units per acre
- Open space
 - Original Plan: 24.7 acres
 - Amendment #1 27.88 acres (26.7% of overall development)
- Minimum Home Size:
 - Station: 2700 sq ft
 - Village: 2100 sq ft
 - Amendment #1 clarifies that sq/ft calcs are for heated area only; garages etc excluded
- Setback requirements: 22/8/8 (same as original approval).

Mr. Rhodes joined the meeting.

Mr. Suddath stated that the road connection to the north, shown in original approval is still shown (to be constructed with Phase 3). Mr. Suddath stated that for consistency, with existing Phase 1, roadway cross-sections are the same as original approval (24 foot pavement width, curb, gutter, sidewalks). Community mailboxes required by Post Office are now shown on the plans. Suddath added that the Phasing Plan is shown on the Amendment, stating that it was not depicted on the original plan.

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Mr. Suddath stated that the bridge that was installed years ago, to cross the creek, has not been accepted or approved by the County Road Department. Therefore, Mr. Suddath explained, a report for the bridge will have to be submitted for approval by the County Engineer and for acceptance by the County Road Department. Mr. Suddath stressed that approval of this Amendment does not grant approval of the bridge.

Mr. Suddath then highlighted a few of the project notes, including the requirements that:

- the clubhouse, pool and associated parking shall be fully constructed prior to recording a Final Plat for Phase 4
- all owners of future lots shall be members of the Crutcher Station HOA and
- all areas designated as Open Space are also a Public Utility and Drainage Easement and a Public Access Easement.

Mr. Bratton asked if that HOA is still in existence.

Mr. Suddath stated that the HOA is owned by the developer, currently, and will transfer to the new developer.

Mr. Honeycutt stated that is has to remain under the ownership of the developer until a certain percentage of the lots are sold.

Mr. Suddath stated that the developer will maintain ownership until the development is completed. Mr. Suddath elaborated that it includes maintenance of sidewalks during construction, the construction of a landscape island and the requirement of bonding for roads.

Mr. Rhodes asked if there would be any Jenkins Lane improvements, required.

Mr. Suddath stated that the traffic study did not call for any.

Mr. Suddath then reviewed the Development Commitments and Transportation Commitments from the Regulating Pattern Book. Mr. Suddath explained that the developer has agreed to pay \$500 per lot for roadway improvements, adding that the calculation of the Phase 2 fee shall include the existing lots within Phase 1 of the development.

Mr. Suddath stated that the developer has also agreed to pay the county \$355 per lot, to be used for Greenway maintenance and improvements. Mr. Suddath also reviewed the Amenities from the Regulating Pattern Book.

Mr. Suddath stated that a Traffic Review Study was submitted, requiring that a traffic signal be placed at Upper Station Camp Road and Long Hollow Pike. In addition, there is a need to extend Jenkins Lane to Upper Station Camp. Mr. Suddath stated that the Traffic Study does not state a need to widen Jenkins Lane or to provide turn lanes.

Mr. Rhodes stated there will be a lot of traffic in that area, with Creekside and Crutcher Station.

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Mr. Honeycutt stated that there have been a lot of changes, since this PUD started gaining approval.

Mr. Suddath highlighted the following recommendations per the Traffic Study:

- Traffic signal at Long Hollow Pike and Upper Station Camp Creek Road
- Project access to include one entering and one exiting lane
- Site distance requirements

Mr. Geminden asked if this is a voting issue.

Mr. Suddath stated no.

Mr. Suddath stated that he would send a copy of the text from the Traffic Study to the Planning Commissioners, showing that widening of Jenkins Lane is not being required.

Mr. Geminden asked if they took into consideration that this will connect to Creekside.

Mr. Suddath stated it was his impression that the traffic study took this into account.

Mr. Suddath then displayed photos of Architectural Commitments, including a 3-car garage option that has a single-load located at the front of the house.

There was discussion of the desire for 3-car garages, adding that these houses could accommodate such.

There being no further discussion, Mr. Bratton introduce the next item, and turned the meeting over to Mr. Suddath for staff presentation.

4. SUMMARY OF ADMINISTRATIVE APPROVALS, JANUARY:

Mr. Suddath stated that there has been a request to provide a monthly summary of the administrative approvals to the Planning Commission.

Mr. Suddath stated that the County reviews and approves a large number of Minor Plats. Mr. Suddath provided a brief explanation of the following submittal that were approved and signed during the month of January:

- A. Senor Fajitas – Minor Site Plan
- B. Freeland Acres, Final Minor Plat
- C. Harriett Heights, Final Minor Plat
- D. Lots 10 & 15 of the Doyle Farm, Final Minor Plat
- E. Matthew and Wife Betsy Carman, Final Minor Plat
- F. Vicky Estates, Final Minor Plat

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- G. Murrell Property, Final Minor Plat
- H. Harriett Heights, Final Minor Plat
- I. Timothy A. Royer, et ux Property, Plat Amendment
- J. Lot 7 of Resubdivision of Hayden Estates, Plat Amendment
- K. Lot 2 of Sara Templeton, Plat Amendment
- L. Lot 3, Baker Bones Farm, Plat Amendment

5. DIRECTOR UPDATES

At this time, Mr. Suddath addressed the Commission's request from the previous meeting, that we compare Sumner County flood elevation requirements to surrounding areas. Mr. Suddath stated that, currently, Sumner County requires that buildings be constructed 1-foot above flood elevation. Mr. Suddath stated that Mr. Boyd and Mr. Edwards (County Engineering Department) conducted peer jurisdiction research, regarding the 100-year floodplain Base Flood elevation requirements.

Mr. Suddath distributed and explained the peer review results.

There was discussion regarding the need to increase the flood elevation requirements for the County by one foot, as well as how to implement those changes.

Next, Mr. Suddath provided a Fee Summary of applications and fees taken in for the Calendar Year 2021.

Next, Mr. Suddath stated that TDEC completed an audit of our Stormwater Department recently, stating that it went well. Mr. Suddath stated that Joe Phillips, the Stormwater Manager, has done a good job.

Mr. Bratton provided positive comments regarding the screening of the Old Hwy 109 Landscaping business and the Dollar General Store on West Roberts Road.

Mr. Geminden expressed appreciation of the procedures being followed.

Mr. Bratton expressed appreciation of the quick responses provided to the public, by the Development Services Department.

There being no further business, Mr. Honeycutt made a motion to adjourn, seconded by Mr. Rhodes. Meeting adjourned at 6:07 PM.