

**SUMNER COUNTY PLANNING COMMISSION
MINUTES
JUNE 28, 2005
5:00 P.M.**

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

MEMBERS PRESENT:

CHARLES HAYNES, CHAIRMAN
ANTHONY HOLT, VICE CHAIRMAN
TOM GROVE
BOBBY LEON THOMPSON
RALPH COLLIER
CORDELL BORDERS
CECIL RAY
ROY HIXSON
CYNTHIA HALL TEMPLETON
LUTHER BRATTON
JIM WILLIAMS
RAGAN HALL

MEMBERS ABSENT:

DAVID SATTERFIELD
LEON STRONG
NANCY CORLEY

- **MOTION FOR APPROVAL OF THE MAY MINUTES BY MR. HOLT, SECONDED BY MR. WILLIAMS. MOTION PASSED UNANIMOUSLY.**

- **PUBLIC HEARING** -THIS PUBLIC HEARING WAS TO DISCUSS AND VOTE ON AMENDING THE SUMNER COUNTY SUBDIVISION REGULATIONS UNDER CHAPTER 1-GENERAL PROVISIONS-1-113.109. THIS WAS ADVERTISED IN THE GALLATIN NEWS EXAMINER ON MAY 2, 2005.

CHAIRMAN HAYNES OPENED THE FLOOR FOR THE PUBLIC HEARING.

MR. RAINEY CAME FORWARD TO SPEAK. MR. RAINEY ASKED THAT THIS BODY RE-VISIT THE SECOND SENTENCE IN PARAGRAPH B- "TO INSURE THAT PRIVATE ROADS ARE BUILT TO THE APPROPRIATE STANDARDS THE PLANNING COMMISSION SHALL REQUIRE A BOND OR OTHER FORM OF SURETY." HIS CONCERN WAS THAT IF WE HAVE A PRIVATE ROAD, HE SAW THE POSSIBILITY OF SUMNER COUNTY ACCEPTING RESPONSIBILITY FOR THIS ROAD IF IT IS BONDED.

MR. MOULTON STATED THAT, BEFORE THE WORK STUDY, HE HAD BEEN ADVISED BY THE COUNTY ATTORNEY THAT WE DO NOT INCLUDE ANY LANGUAGE ABOUT BONDING OF THE ROADS IN THIS AMENDMENT WE HAVE BEFORE YOU TONIGHT.

THERE WAS DISCUSSION.

MOTION TO AMEND AMENDMENT AS PRESENTED BY DELETING THE LANGUAGE "TO INSURE PRIVATE ROADS ARE BUILT TO THE APPROPRIATE STANDARDS THE PLANNING COMMISSION SHALL REQUIRE A BOND OR OTHER FORM OF SURETY", BY MR. BRATTON, SECONDED BY MR. HALL. MOTION PASSED UNANIMOUSLY.

CHAIRMAN HAYNES STATED HE WOULD ENTERTAIN A MOTION ON THE RESOLUTION.

MOTION TO APPROVE THE RESOLUTION BY MR. HOLT, SECONDED BY MR. WILLIAMS. MOTION PASSED UNANIMOUSLY.

PUBLIC HEARING- THIS PUBLIC HEARING WAS TO DISCUSS AND RECOMMEND AN AMENDMENT TO THE SUMNER COUNTY ZONING RESOLUTION CONCERNING RESIDENTIAL PLANNED UNIT DEVELOPMENTS. THIS PROPOSED AMENDMENT WOULD REVISE PROVISIONS FOR OPEN SPACE, PERIMETER REQUIREMENTS, CONDOMINIUM OWNERSHIP, AND OTHER REGULATIONS CONCERNING RESIDENTIAL PLANNED UNIT DEVELOPMENTS.

THIS PUBLIC HEARING WAS ADVERTISED IN THE GALLATIN NEWS EXAMINER ON JUNE 17, 2005.

MR. MOULTON ASKED MR. GARRISON TO EXPLAIN THE AMENDMENT.

MR. GARRISON EXPLAINED THE AMENDMENT IN DEPTH.

CHAIRMAN HAYNES OPENED THE FLOOR FOR THE PUBLIC HEARING.

MR. RAINEY CAME FORWARD TO SPEAK AND ASKED THAT THEY CONSIDER CHANGING THE YARD REQUIREMENTS FROM A SPECIFIC YARD REQUIREMENT TO THE DISCRETION OF THE PLANNING COMMISSION, SPECIFICALLY THE SIDE YARD REQUIREMENTS INTERIOR TO A DEVELOPMENT.

MR. GARRISON EXPLAINED THAT HIS UNDERSTANDING IS UNLESS YOU HAVE A FIRE MARSHALL REVIEWING ALL THE PLANS THEY USUALLY WANT 15 FEET OR NOTHING, THEY EITHER WANT A FIRE WALL, ADJOINING WALL, WITH NO PENETRATIONS, NO WINDOWS OR THEY WANT 15 FEET. TO MOVE THE SIDE YARD REQUIREMENT DOWN TO 5 FEET MAKES IT AN UNSAFE POSITION WHICH MAKES IT WHERE THEY DON'T WANT TO PUT A FIREMAN OR CAN'T PUT AN FIRE ENGINE OR RUN HOSES.

THERE WAS DISCUSSION.

MOTION TO APPROVE AMENDMENT AS PRESENTED BY MR. HIXSON, SECONDED BY MR. GROVE. MOTION PASSED UNANIMOUSLY.

- **1. REZONING-PUBLIC HEARING- CARELLTON- (4TH COUNTY COMMISSION DISTRICT)-** JIM CARELL WAS REQUESTING TO HAVE HIS PROPERTY REZONED FROM ESTATE A TO A LOW DENSITY RESIDENTIAL PLANNED UNIT DEVELOPMENT, A MEDIUM DENSITY RESIDENTIAL PLANNED UNIT DEVELOPMENT AND A HIGH DENSITY RESIDENTIAL PLANNED UNIT DEVELOPMENT.

SUBJECT PROPERTY FRONTS ON LONG HOLLOW PIKE AND UPPER STATION CAMP CREEK ROAD, IS ON TAX MAP 124, PARCELS 6.08, 6.09, 6.10, 7.00, AND 7.01, AND IS ON TAX MAP 115, PARCEL 39, CONTAINS 418.54 ACRES, AND IS CURRENTLY ZONED ESTATE A.

THE PROPOSED LOW DENSITY RESIDENTIAL PLANNED UNIT DEVELOPMENT WILL CONTAIN 261 ACRES, THE PROPOSED USE WILL BE SINGLE FAMILY RESIDENTIAL AND A FIRE STATION, AND THERE ARE 295 PROPOSED DWELLING UNITS.

THE PROPOSED MEDIUM DENSITY RESIDENTIAL PLANNED UNIT DEVELOPMENT WILL CONTAIN 1.71 ACRES, AND THE PROPOSED USE WILL BE FOR A DAY CARE.

THE PROPOSED HIGH DENSITY RESIDENTIAL PLANNED UNIT DEVELOPMENT WILL CONTAIN 155.83 ACRES, THE PROPOSED USE WILL BE FOR SINGLE FAMILY RESIDENTIAL, MULTI-FAMILY RESIDENTIAL, PERSONAL AND GROUP CARE FACILITIES, AND EQUESTRIAN FACILITIES, THERE ARE 574 PROPOSED DWELLING UNITS AND 62 ASSISTED LIVING UNITS.

(TOTAL NUMBER OF PROPOSED DWELLING UNITS FOR THIS DEVELOPMENT IS 869.)

**THIS WAS A PUBLIC HEARING AND WAS ADVERTISED IN THE NEWS EXAMINER ON MAY 13, 2005.
THE ADJOINING PROPERTY OWNERS WERE NOTIFIED BY CERTIFIED MAIL.**

CHAIRMAN HAYNES OPENED THE FLOOR FOR THE PUBLIC HEARING. SINCE THERE WAS NO ONE THAT WANTED TO SPEAK HE CLOSED THE PUBLIC HEARING.

MR. MOULTON STATED THAT THEY PASSED OUT NEW HANDOUTS ON CARELLTON AT THE WORK STUDY. MR. MOULTON STATED THAT THIS WAS DEFERRED LAST MONTH CONCERNING SEVERAL ISSUES.

MR. ALLEN THOMPSON MADE HIS PRESENTATION WHICH OUTLINED THE PROPOSED CHANGES. MR. THOMPSON STATED THAT THERE WERE LETTERS IN THE PACKET FROM FIRE CHIEF JOE WOMACK AND FIRE CHIEF MARTIN BOWERS. WE HAVE MEET WITH BOTH FIRE DEPARTMENTS. MR. THOMPSON STATED THAT BOTH GALLATIN AND SHACKLE ISLAND FIRE DEPARTMENTS COULD PROVIDE ADEQUATE FIRE PROTECTION.

MR. THOMPSON STATED THAT WE WILL BE MAKING A SUBSTANTIAL WATER LINE IMPROVEMENT OF A 3 MILLION GALLON TANK WHICH WILL BE PLACED ON THE SITE. THE FIRE HYDRANTS WILL BE DESIGNED TO GALLATIN'S STANDARDS.

MR. THOMPSON STATED THAT THEY WOULD BE WILLING TO DEDICATE THE APPROPRIATE AMOUNT OF LAND TO SUPPORT A FIRE STATION AND THEY WOULD BE WILLING TO MOVE THIS PROPERTY WHICH WAS DESIGNATED FOR THE FIRE STATION MORE TOWARD LONG HOLLOW PIKE FOR BETTER ACCESS.

MR. THOMPSON STATED THAT THEY HAVE PUT AN OPTION ON 194.5 ACRES, IN SEARCH OF THIS SCHOOL SITE FOR SUMNER COUNTY, FOR EITHER AN ELEMENTARY OR A MIDDLE SCHOOL IN THE FUTURE. YOU WILL SEE A LETTER FROM MR. BENNY BILLS IN THE PACKET WITH CONCURRENCE THAT THIS IS A GOOD LOCATION FOR A FUTURE SCHOOL. MR. THOMPSON STATED THAT THEY WERE ORIGINALLY SHOWING A 20 ACRE SITE, BUT AFTER DISCUSSING THIS WITH THE SUMNER COUNTY SCHOOL BOARD THEY WANTED THE FLEXIBILITY OF IT GOING TO A MIDDLE SCHOOL WHICH WOULD REQUIRE A 25 ACRE TRACT. WE THEN CONCURRED WITH DONATING 25 ACRES OF LAND.

WE HAVE INCLUDED AN OPTION WE HAVE ON THE PROPERTY IN THE PACKET AND A SCHOOL PROPERTY EXHIBIT GIVING YOU AS CLOSE AS WE CAN THE LOCATION OF THE SCHOOL SITE.

CHAIRMAN HAYNES ASKED MR. THOMPSON TO EXPLAIN ABOUT THE OPTION THAT WE DISCUSSED IN THE WORK STUDY, THAT THIS IS A TENTATIVE SITE.

MR. THOMPSON STATED THAT THIS IS A 24 MONTH OPTION THAT WE HAVE ON THE PROPERTY. THE OPTION ON THE PROPERTY WILL BE EXERCISED WITH THE ZONING OF THAT PROPERTY, ALSO WE HAVE NOT DONE AN OFFICIAL PRELIMINARY LAYOUT ON THAT PROPERTY. WE HAVE LOOKED AT CONCEPTUAL IDEAS, I CAN TELL YOU WHAT WE ARE LOOKING AT IS RESIDENTIAL DEVELOPMENT THAT WOULD SOMEWHAT COINCIDE WITH WHAT WE ARE DOING ON THE FRONT END BUT WITH A LOWER DENSITY.

CHAIRMAN HAYNES ASKED MR. THOMPSON WHETHER THEY WOULD CONSIDER PULLING THE SCHOOL SITE INTO THE SITE THAT YOU ARE CLOSING AND DEVELOPING ALL THAT OTHER 169 ACRES.

MR. THOMPSON STATED THAT THEY ORIGINALLY LOOKED AT TRYING TO INCORPORATE A SCHOOL SITE ITSELF. WE DID NOT FEEL LIKE IT WOULD WORK IN THE OVERALL CONCEPT OF THE PLAN, BUT WE ALSO THOUGHT THE FACT THAT IT WOULD BE LESS THAN 1 ½ MILES FROM AN ELEMENTARY SCHOOL THAT IS GETTING READY TO BE BUILT, WE FELT THAT IT WOULD BE MORE APPROPRIATE TO LOCATE IT TO SERVE MORE OF THE NORTHERN REGION OF THE COUNTY. MR. THOMPSON STATED IN ANSWER TO CHAIRMAN HAYNES QUESTION AS FAR AS PLACING THE SCHOOL ON THIS SITE WE DO NOT FEEL THAT THIS WOULD BE AN APPROPRIATE USE IN THIS LOCATION DUE TO THE FACT OF THE SCHOOL AND THE PROXIMITY OF THE ONE GETTING READY TO COME ON BOARD.

MR. HOLT STATED TO WRAP THIS THING UP IF ZONING IS RECEIVED HOW DO WE INSURE THAT WE ARE GOING TO GET OUR CONVEYANCE ON THAT 25 ACRES.

MR. THOMPSON STATED THAT THE WAY TO INSURE THAT IS THAT THIS IS A CONDITION OF THIS P.U.D. APPROVAL, SHOULD THAT CONDITION NOT BE MET AT THE TIME OF RECORDING THE FINAL PLAT, THE LOTS DON'T GET RECORDED.

MR. GARRISON STATED THAT THE 25 ACRE SCHOOL SITE IS A PART OF THIS DEVELOPMENT AND IS A CONDITION AND SHOULD BE MADE PART OF THE RECORD.

CHAIRMAN HAYNES STATED THAT HE DID NOT SEE THE 25 ACRE SCHOOL SITE ON THE PLAN AND I WANT THESE MEMBERS AWARE THAT IF HE COMES BACK AND THAT OPTION GOES AWAY BUT HE HAS A LEGITIMATE PLAN, YOU WILL NOT SEE A SCHOOL ON THE PLAN. CHAIRMAN HAYNES STATED THAT MR. LOWE SAID IN THE WORK STUDY THAT HE WOULD NOT ACCEPT THE SCHOOL AS BEING A CONTINGENCY. CHAIRMAN HAYNES STATED THAT WE ARE ON A SLIPPERY SLOPE BECAUSE THE SCHOOL IS NOT A PART OF THIS PLAN.

MR. HOLT ASKED IF THEY WOULD BE ADVERSE TO HAVING YOUR ORIGINAL SITE PLAN INCLUDE THIS PIECE OF PROPERTY.

MR. THOMPSON STATED THAT WE WOULD NOT BE OPPOSED TO THAT AND THIS IS ONE REASON THAT WE SUBMITTED THIS EXHIBIT TONIGHT TO MAKE THAT A SCHOOL SITE AS PART OF THIS APPROVAL.

CHARLIE LOWE OF RAGAN, SMITH AND ASSOCIATES, CAME FORWARD TO STATE THAT WE ARE MAKING AN OFFER TO THE COUNTY FOR 10 YEARS TO THE SCHOOL SYSTEM, IF THE SCHOOL SYSTEM ELECTS NOT TO TAKE THIS OFFER ANYTIME IN THE NEXT 10 YEARS THEY CAN CHOOSE NOT TO GO WITH THIS SITE. THE SCHOOL BOARD CAN PULL THE TRIGGER AT ANYTIME AND SAY THAT THEY ARE INTERESTED IN THAT SITE. MR. LOWE STATED THAT IN CONJUNCTION WITH THAT AND ASSURANCE TO THE COUNTY A CONDITION OF THIS SITE CARRIES WITH IT THE OBLIGATION THAT MR. CARELL WILL DEDICATE AND GIVE THAT 25 ACRES TO THE COUNTY WHEN THE SCHOOL SYSTEM ELECTS FOR HIM TO DO SO.

MR. LOWE STATED THAT THIS CONDITION RUNS WITH THE ZONING OF THIS PROPERTY. MR. CARELL HAS TO MAINTAIN CONTROL OF THE PROPERTY FOR THE FULL TEN YEARS AS AN OBLIGATION TO THE ZONING OF THIS. HE HAS AN OPTION FOR TWO YEARS, YOU JUST GET IT UNDER CONTRACT UNTIL YOU GET THE ZONING, YOU DON'T BUY IT YET. MR. LOWE EXPLAINED THAT THE CONDITION SAYS THAT AT ANYTIME WE DO NOT MEET THAT OBLIGATION WE ARE IN VIOLATION OF WHAT THAT ZONING IS ON THIS PROPERTY AND THE COUNTY CAN SHUT DOWN THE WHOLE DEVELOPMENT. THIS IS PRETTY STRONG MEDICINE AND THIS IS A CONDITION OF THIS APPROVAL.

MR. HOLT STATED HE UNDERSTOOD BUT HE ASKED A SPECIFIC QUESTION, WOULD YOU BE AGREEABLE TO HAVING THAT ACTUAL SITE INCLUDED IN THE SITE PLAN FOR THIS WHOLE PIECE OF PROPERTY. MR. HOLT STATED THAT YOU COULD GIVE A FIFTY FOOT STRIP OVER TO THE PROPERTY TO INCLUDE THAT AND MAKE IT AN ADJOINING PIECE OF PROPERTY.

MR. LOWE STATED THAT THIS IS THE BEST 25 ACRES THAT WE WANT FOR THE SCHOOL SITE, WHICH HAS AN ACCESS OFF LIBERTY LANE. CERTAINLY WE WOULD GIVE AN ACCESS ACROSS THE PERIMETER OF THIS PROPERTY TO GET TO THE SCHOOL SITE IF THEY ELECT TO GO WITH THE 25 ACRES.

CHAIRMAN HAYNES ASKED MR. LOWE IF HE DID SAY IN WORK STUDY THAT THIS WOULD NOT BE A PART OF THE CONTINGENCY AS PART OF THE APPROVAL OF CARELLTON PROPERTY.

MR. LOWE STATED NO I DID NOT SAY THAT, I SAID THAT WE UNDERSTAND THAT THIS IS A CONDITION OF THE REZONING OF CARELLTON. WHAT I DID SAY IS THAT WE ARE NOT BEFORE YOU TONIGHT TO DISCUSS ANYTHING ABOUT ZONING OR CHANGING THE REAR 200 ACRES.

MR. CARELL CAME FORWARD TO SAY HE COULD NOT MAKE THE SCHOOL SITE A PART OF THE SITE PLAN BECAUSE IF I COME BACK BEFORE YOU FOR ZONING AND YOU FELLOWS DON'T REZONE IT THEN I HAVE SPENT 3 MILLION DOLLARS ON FARM LAND. I AM WILLING TO WAIT 10 YEARS TO SEE WHETHER THEY NEED THE SCHOOL.

CHAIRMAN HAYNES STATED THAT WE ARE NOT ACCUSTOMED AT THIS LEVEL OF HAVING A PROJECT WITH A SCHOOL OFFERED THAT IS NOT INSIDE A 418 ACRE DEVELOPMENT, THAT IS WHERE OUR LEVEL OF COMFORT IS.

MR. COLLIER STATED THAT THIS SCHOOL IS A CONDITION OF THE APPROVAL. HE DID NOT UNDERSTAND WHY THIS IS SO COMPLICATED.

MR. THOMPSON STATED THAT WE BASICALLY COULD NOT ACCEPT THAT AS A CONDITION OF APPROVAL. THE SCHOOL SITE WOULD COME WITH THE ZONING OF THE OPTION OF ANOTHER PROPERTY.

MR. CARELL STATED THAT HE WOULD SIGN A PAPER IF THE 194 ACRES GET REZONED FOR RESIDENTIAL.

MR. MOULTON STATED AS MR. LOWE SAID WE ACTUALLY CAN NOT DISCUSS THE REZONING OF THE 194 ACRES TONIGHT.

MOTION FOR APPROVAL BY MR. THOMPSON, SECONDED BY MR. BORDERS, NO VOTE WAS TAKEN AT THIS TIME, THERE WAS MORE DISCUSSION. VOTE TAKEN LATER IN THE MEETING.

MR. HALL STATED THAT HE WOULD HAVE TO ABSTAIN BECAUSE OF A CONFLICT OF INTEREST

MR. HOLT STATED HE WOULD LIKE TO HEAR ABOUT THE IMPROVEMENTS ABOUT THE TURN LANES ETC. FROM MR. THOMPSON.

MR. THOMPSON STATED THAT THE MAIN IMPROVEMENTS ARE GOING TO BE ON LONG HOLLOW PIKE BETWEEN OUR TWO ACCESS POINTS. THERE WILL BE A LEFT HAND TURN LANE INTO OUR SITE AND A LEFT HAND TURN LANE SOUTH ONTO BIG STATION CAMP AND A DE-CELL LANE ENTERING OUR SITE AT THIS LOCATION. THIS INTERSECTION WOULD BE SIGNALIZED AND WE WOULD BE RESPONSIBLE FOR THE SIGNAL. LOOKING AT OUR SECOND ACCESS POINT WE WILL PROVIDE A LEFT HAND TURN LANE INTO THAT, YOU WOULD BE LOOKING AT THREE LANES ALL ACROSS HERE AND WE ALSO WOULD HAVE A DE-CELL LANE. THIS WOULD NOT BE SIGNALIZED. MR. THOMPSON STATED THAT WE ARE LOOKING AT APPROXIMATELY A HALF MILLION DOLLARS AND UP FOR OFF SITE ROAD IMPROVEMENTS.

CHAIRMAN HAYNES ASKED IF THEY WOULD CONSIDER ON THE SECONDARY ENTRANCE, A RIGHT IN AND A RIGHT OUT ON THAT ENTRANCE. MR. THOMPSON STATED THAT WE WOULD NOT CONSIDER THAT. WE FEEL THAT THIS IS AN APPROPRIATE ENTRANCE LAYOUT AND DESIGN.

MR. MOULTON STATED THAT THE TRAFFIC STUDY WAS DONE BY A CIVIL P.E. JOSEPH F. GRIFFITH, WHO IS EMPLOYED BY RAGAN, SMITH AND ASSOCIATES. MR. MOULTON READ FROM THE TRAFFIC STUDY CONCERNING THE INTERSECTION AT UPPER STATION CAMP CREEK. BASICALLY THEIR OWN TRAFFIC STUDY DOES CALL FOR TURN LANES AT THE INTERSECTION.

MR. MOULTON REMINDED EVERYONE WHAT OUR STAFF COMMENTS WERE LAST MONTH: MULTI-FAMILY DWELLINGS WILL BE SPRINKLED, THEY WILL HAVE AN ARCHITECTURAL REVIEW BOARD, ALLEY AND SERVICE ROADS WILL BECOME PART OF THE HOME OWNERS ASSOCIATION, THEY ARE NOT SEEKING THAT THESE ROADS WILL BE COUNTY ROADS OR COUNTY ALLEYS, WE HAVE HAD A LOT OF DISCUSSION ABOUT ROAD IMPROVEMENTS AND THEIR REVISED PRODUCT BOOK WILL BE PART OF THE PRESENTATION THAT WOULD BE RECORDED.

MR. HOLT ASKED MR. MOULTON IF THIS PLAN DOES FIT IN TO OUR EXISTING LONG TERM LAND USE PLAN?
MR. MOULTON REPLIED YES IT DOES, WITH THE EXCEPTION OF THE DAY CARE. THIS MEETS THE INTENT OF THE LAND USE PLAN AND MEETS THE ZONING OF THE LAND USE PLAN. THEY WILL BE PAYING INTO THE PEDESTRIAN/BIKEWAY ON THE SOUTH SIDE, ANY HOMES FACING LONG HOLLOW PIKE MUST BE ON A FRONTAGE ROAD.

MR. HOLT ASKED MR. GARRISON HOW CAN WE INSURE THAT THE 25 ACRES WILL BE INCLUDED IN THE SITE PLAN.

MR. GARRISON STATED THAT THE ONLY WAY WE CAN DO IT IS TO APPROVE IT WITH THE CONDITION THAT WHEN IT COMES BACK AS A SCHOOL SITE ON THE ADJACENT PROPERTY AS PART OF THE APPROVAL AND IS APPROVED BY THE SCHOOL BOARD.

MR. HOLT STATED THAT BEFORE WE TAKE IT TO THE COUNTY COMMISSION AND VOTE ON THE REZONING, WE NEED TO HAVE A SURVEYED PLAT THAT IS TANGIBLE AS PART OF THIS APPROVAL.

MR. GARRISON STATED THAT THIS IS NEEDED BEFORE THE FINAL PLAT APPROVAL, NOT NECESSARILY BEFORE THE REZONING.

MR. LOWE STATED IT IS AN HONEST INTENT TO TRY TO GET THE SCHOOL SITE FOR THE COUNTY, AND TO MAKE IT WORK FOR THE DEVELOPER. WHAT WE ARE LOOKING AT IS THE SCHOOL SYSTEM DOES NOT KNOW IF INDEED THEY WANT THIS SITE. MR. LOWE STATED THAT WHAT MR. CARELL IS TRYING TO DO IS MAKE THAT OFFER CONDITIONAL UPON REZONING OF CARELLTON PROPERTY. THAT OFFER WILL BE OPEN FOR THE COUNTY FOR THE NEXT 10 YEARS FOR A SCHOOL SITE. MR. CARELL WILL GIVE THEM THE 25 ACRES FOR THE SCHOOL SITE. MR. CARELL WILL CONDITION A DELIVERY OF THIS SITE WITHIN THREE MONTHS OF DEMAND OF THE COUNTY THAT THEY WANT THAT SCHOOL SITE. IF THERE IS A VIOLATION OF THE CONDITION THE COUNTY CAN SHUT DOWN THE DEVELOPMENT, BECAUSE WE ARE SAYING THAT IS PART OF THE REZONING. THE CONDITION IS OPEN FOR 10 YEARS.

MR. THOMPSON STATED HE HAS A GREAT DEAL OF CONFIDENCE IN WISDOM OF THE SCHOOL BOARD AND IS HAPPY WITH THE TEN YEAR CLAUSE IN THE DOCUMENT.

MOTION FOR APPROVAL BY MR. THOMPSON CONTINGENT UPON STAFF COMMENTS BEING SATISFIED, WHICH INCLUDES EVERYTHING IN THE PRODUCT BOOK AND ON THE PRELIMINARY MASTER DEVELOPMENT PLAN, SECONDED BY MR. BORDERS. MOTION PASSES.

10 AYES: HOLT, GROVE, THOMPSON, COLLIER, BORDERS, RAY, HIXSON, TEMPLETON, BRATTON, AND WILLIAMS.

1 ABSTENTION: HALL

MOTION BY MR. HOLT TO AMEND THE MOTION FOR REZONING THAT IT IS PART OF THE CONDITION OF THIS SUBDIVISION FOR 10 YEARS FOR 25 ACRES THAT IS APPROPRIATE TO THE SCHOOL BOARD, AND BASICALLY IF THE SCHOOL BOARD ACTS AND IF THIS IS NOT AVAILABLE THAT THIS DEVELOPMENT WOULD BE SHUT DOWN, SECONDED BY MR. BRATTON. MOTION PASSED UNANIMOUSLY.

B. PRELIMINARY MASTER DEVELOPMENT PLAN-CARELLTON- (4TH COUNTY COMMISSION DISTRICT)- THEY WERE REQUESTING PRELIMINARY MASTER DEVELOPMENT PLAN FOR 418.54 ACRES THAT FRONTS LONG HOLLOW PIKE AND UPPER STATION CAMP CREEK ROAD. SUBJECT PROPERTY IS ZONED ESTATE A, AND IS ON TAX MAP 124, PARCELS 6.08, 6.09, 6.10, 7.00, AND 7.01, AND IS ON TAX MAP 115, PARCEL 39.

FYI: THIS WAS DEFERRED AT THE MAY 2005 MEETING.

FOR THE RECORD, MR. GARRISON STATED THAT THIS IS BASICALLY ONE IN THE SAME AND DOES NOT TAKE ANOTHER MOTION.

2. LAMBERTH & WISEMAN LOTS-FINAL PLAT-(12TH COUNTY COMMISSION DISTRICT)-REPRESENTED BY TOMMY WALKER-THEY WERE REQUESTING PRELIMINARY & FINAL PLAT APPROVAL OF 5 LOTS ON HWY 76 & BRANDY HOLLOW ROAD. SUBJECT PROPERTY CONTAINS 5.071 ACRES, IS ZONED AGRICULTURAL, AND IS ON TAX MAP 53, PARCEL 34.

MR. WALKER CAME FORWARD TO REPRESENT THIS REQUEST.

MR. MOULTON STATED THAT ON THE INITIAL PRESENTATION WE MADE HIM GO BACK BECAUSE OF THE RIGHT-OF-WAY INVOLVED WITH THE STATE HIGHWAY AND IN RECONFIGURING THE LOTS THERE WAS SOME QUESTION ABOUT THE FIRE HYDRANT COVERAGE ON WHAT IS SHOWN AS LOT 2. HE DID SHOW A NEW FIRE HYDRANT BUT HE HAS SINCE VERIFIED THAT THERE IS AN EXISTING FIRE HYDRANT SOME 400 FEET FROM LOT 2 SO HE IS ASKING THAT THE PROPOSED FIRE HYDRANT COULD BE REMOVED BECAUSE ALL OF THE LOTS WILL BE COVERED WITHIN 500 FEET BY ROAD OF AN EXISTING FIRE HYDRANT.

MR. WALKER STATED THAT HE HAD AMENDED THE PLAT TO SHOW THE EXISTING FIRE HYDRANT AND HAS OBTAINED ALL THE SIGNATURES..

THERE WAS DISCUSSION.

MOTION FOR APPROVAL BY MR. HALL, SECONDED BY MR. GROVE. MOTION PASSED UNANIMOUSLY.

FYI: LUTHER BRATTON ANNOUNCED TO THE CHAIRMAN HE HAD TO LEAVE THE MEETING.

3. **GLORIA GRANTHAM-FINAL PLAT-(1ST COUNTY COMMISSION DISTRICT)-REPRESENTED BY CARROLL CARMAN-THEY WERE REQUESTING FINAL PLAT APPROVAL OF 2 LOTS ON MT. VERNON ROAD FOR THE PLACEMENT OF A SINGLEWIDE MOBILE HOME ON LOT # 1.** SUBJECT PROPERTY CONTAINS 3.673 ACRES, IS ON TAX MAP 68, PARCEL 128 AND IS ZONED AGRICULTURAL.

MR. CARMAN CAME FORWARD TO REPRESENT THIS REQUEST.

MR. CARMAN STATED THAT MR. GRANTHAM WOULD LIKE TO PLACE A SINGLEWIDE MOBILE HOME ON LOT 1.

MR. MOULTON STATED THAT THIS CAN BE DECLARED A SINGLE WIDE MOBILE HOME PLAT BY THE PLANNING COMMISSION.

THERE WAS DISCUSSION.

MOTION FOR APPROVAL BY MR. GROVE, SECONDED BY MR. HIXSON. MOTION PASSED.

9 AYES: GROVE, THOMPSON, COLLIER, BORDERS, RAY, HIXSON, TEMPLETON, WILLIAMS, AND HALL.

1 NAY: HOLT

(FYI: BRATTON HAD LEFT THE MEETING.)

4. **CLEARVIEW FARM-FINAL PLAT-PHASE 2-(12TH COUNTY COMMISSION DISTRICT)-REPRESENTED BY BRUCE RAINEY-THEY WERE REQUESTING FINAL PLAT APPROVAL OF 15 LOTS OFF CLEARVIEW ROAD. SUBJECT PROPERTY CONTAINS 18.32 ACRES, IS ON TAX MAP 37, PARCEL 61 AND IS ZONED AGRICULTURAL.**

MR. RAINEY CAME FORWARD TO REPRESENT THIS REQUEST.

MR. MOULTON STATED THAT THE MOTION SHOULD BE CONTINGENT UPON FINAL VERIFICATION OF DRAINAGE CALCULATIONS AND OBTAINING THE 911 ADDRESSES.

THERE WAS DISCUSSION.

MOTION TO APPROVE CONTINGENT THAT THERE IS FINAL VERIFICATION OF THE DRAINAGE CALCULATIONS AND OBTAINING THE 911 ADDRESSES, BY MR. COLLIER, SECONDED BY MR. WILLIAMS. MOTION PASSED UNANIMOUSLY.

5. **ISLAND BROOK-PHASE 4-PRELIMINARY PLAT-(7TH COUNTY COMMISSION DISTRICT)-REPRESENTED BY BRUCE RAINEY-THEY WERE REQUESTING PRELIMINARY PLAT APPROVAL OF 21 LOTS OFF ISLAND BROOK DRIVE/NEW SHACKLE ISLAND ROAD. SUBJECT PROPERTY CONTAINS 11.65 ACRES, 21 LOTS, IS ON TAX MAP 138, PARCEL 51, AND IS ZONED LOW DENSITY RESIDENTIAL PLANNED UNIT DEVELOPMENT.**

MR. RAINEY CAME FORWARD TO REPRESENT THIS REQUEST.

MR. MOULTON READ TO THE BODY A LETTER HE RECEIVED BY E-MAIL FROM MR. FRED ROGERS, HENDERSONVILLE'S PLANNING DIRECTOR, REQUESTING THAT THEY WILL CONFORM TO THE CITY OF HENDERSONVILLE'S STANDARDS REGARDING FIRE HYDRANTS AND WATER LINES AS WELL AS OTHER PUBLIC IMPROVEMENTS.

MR. COLLIER ASKED WHAT IS THE DIFFERENCE IN THE WATER LINES AND FIRE HYDRANTS IN WHAT WE REQUIRE AND HENDERSONVILLE REQUIRES?

MR. GARRISON STATED THAT THE GALLON PER MINUTE IS 1,000 VERSES 500. IT WOULD BE HARD TO CHANGE THE GALLONS PER MINUTE ON PHASE 4.

CHAIRMAN HAYNES STATED THAT IF WE CHANGED IT WE WOULD BE OUT OF THE DEVELOPMENT BUSINESS IN THE COUNTY ON ALL THESE UTILITY DISTRICTS.

THERE WAS DISCUSSION.

MR. RAINEY STATED THAT THERE WERE NO STAFF COMMENTS.
MR. MOULTON CONFIRMED.

**MOTION FOR APPROVAL BY MR. HOLT, SECONDED BY MR. HIXSON.
MOTION PASSED UNANIMOUSLY.**

6. **CHARLES DAVID RYAN-FINAL PLAT-(3RD COUNTY COMMISSION DISTRICT)-
REPRESENTED BY RICHARD GRAVES-THEY WERE REQUESTING FINAL
PLAT APPROVAL OF 1 LOT ON CAMPBELL HOLLOW ROAD FOR THE
PLACEMENT OF A SINGLEWIDE MOBILE HOME. SUBJECT PROPERTY
CONTAINS 1 ACRE, IS ON TAX MAP 70, PARCEL 15.01 AND IS ZONED
AGRICULTURAL.**

MR. GRAVES CAME FORWARD TO REPRESENT THIS REQUEST.

MR. MOULTON STATED THAT THEY HAVE MEET ALL OF THE STAFF COMMENTS.

**MOTION FOR APPROVAL BY MR. THOMPSON, SECONDED BY MR. WILLIAMS. MOTION
PASSED UNANIMOUSLY.**

7. **DRAKES POINT-PRELIMINARY PLAT/FINAL MASTER DEVELOPMENT PLAN-(7TH
COUNTY COMMISSION DISTRICT-REPRESENTED BY RAGAN-SMITH-THEY WERE
REQUESTING PRELIMINARY PLAT/FINAL MASTER DEVELOPMENT PLAN APPROVAL
OF 83 LOTS ON DRAKES CREEK ROAD. SUBJECT PROPERTY CONTAINS 54.10 ACRES,
TAX MAP 138, PARCEL 11 AND IS ZONED LOW DENSITY RESIDENTIAL PLANNED UNIT
DEVELOPMENT.**

MR. CHARLIE LOWE CAME FORWARD TO REPRESENT THIS REQUEST.

MR. MOULTON STATED THAT WE DO NOT HAVE TO APPROVE THE PRELIMINARY PLAT
AND THE FINAL MASTER DEVELOPMENT PLAN, BUT IT IS ALLOWABLE IF YOU DO
CHOSE TO DO SO.

MR. GARRISON STATED THAT UNDER THE ZONING THE FINAL MASTER PLAT IS
CONSIDERED TO BE YOUR SKETCH PLAT. THESE WOULD BE ACTUALLY TWO
SEPARATE APPROVALS.

THERE WAS DISCUSSION.

MR. MOULTON STATED THAT THIS APPROVAL WOULD BE SUBJECT TO DRAINAGE CALCULATIONS BEING VERIFIED BY CIVIL P.E., PROVIDE OPEN SPACE AMENITIES DETAIL i.e., TRAILS, BENCHES, PLAYGROUND FACILITIES, ETC., AND KNOWLEDGE THAT THE MASTER DEVELOPMENT PLAN AND BOUNDARY MUST BE RECORDED.

MOTION FOR FINAL MASTER DEVELOPMENT PLAN APPROVAL AND THAT HE WILL HAVE TO COME BACK FOR THE PRELIMINARY PLAT APPROVAL, SECONDED BY MR. HALL. MOTION PASSED UNANIMOUSLY.

- 8. CALVERT TRACTS-PRELIMINARY AND FINAL PLAT-(1ST COUNTY COMMISSION DISTRICT)-REPRESENTED BY CARROLL CARMAN-THEY WERE REQUESTING PRELIMINARY AND FINAL PLAT APPROVAL OF 4 LOTS ON PARKER ROAD. SUBJECT PROPERTY CONTAINS 4.034 ACRES, IN ON TAX MAP 22, PARCEL 48 AND IS ZONED AGRICULTURAL.**

MR. CARMAN CAME FORWARD TO REPRESENT THIS REQUEST.
THIS WILL BE FOR A DOUBLEWIDE MOBILE HOME PARK.

MOTION FOR APPROVAL SUBJECT TO OBTAINING ALL SIGNATURES AND OBTAINING THE 911 ADDRESSES BY MR. THOMPSON, SECONDED BY MR. HOLT. MOTION PASSED UNANIMOUSLY.

- 9. DESHEA ESTATES-SKETCH PLAT-(3RD COUNTY COMMISSION DISTRICT)-REPRESENTED BY CARROLL CARMAN-THEY WERE REQUESTING SKETCH PLAT APPROVAL OF 39 LOTS ON/OFF PRUITT LANE. SUBJECT PROPERTY CONTAINS 56.84 ACRES, IS ON TAX MAP 105, PARCEL 8.00, AND IS ZONED AGRICULTURAL.**

MR. CARMAN CAME FORWARD TO REPRESENT THIS REQUEST.

CHAIRMAN HAYNES RECUSED HIMSELF DUE TO A CONFLICT OF INTEREST AND LEFT THE ROOM.
VICE-CHAIRMAN HOLT CAME FORWARD TO CHAIR THE MEETING IN CHAIRMAN HAYNES ABSENCE.

MR. CARMAN STATED THAT THEY WILL BE BUILDING A NEW ROAD INTO THE PROPERTY, A SHORT ROAD WITH A DOUBLE CUL-DE-SAC, HAS FIRE PROTECTION AND WILL BE A NICE STANDARD OF HOMES.

MR. CARMAN STATED HE DID NOT KNOW THE RESTRICTIONS BUT THEY WOULD BE IN KEEPING WITH THE NICE COMMUNITY THAT IS IN THE AREA. MR. CARMAN STATED THAT THEY COULD ATTACH THE RESTRICTIONS TO THE PRELIMINARY PLAT.

THERE WAS DISCUSSION.

MR. MOULTON STATED THAT NORMALLY WE WANT TO LINE UP THE NEW CUT ROAD WITH ROGER REESE ROAD BUT THERE IS A REAL SERIOUS LINE OF SITE ISSUE WITH THAT CURVE A FEW FEET ABOVE THAT, THEREFORE WE DO AGREE ON WHERE MR. CARMAN HAS LINED UP THIS ROAD.

MR. MOULTON STATED THEY HAVE MEET ALL OF THE STAFF COMMENTS.

MOTION FOR APPROVAL BY MR. HALL, SECONDED BY MR. WILLIAMS. MOTION PASSED UNANIMOUSLY.

- 10. DESHEA ESTATES-PRELIMINARY PLAT-(3RD COUNTY COMMISSION DISTRICT)-REPRESENTED BY CARROLL CARMAN-THEY WERE REQUESTING PRELIMINARY PLAT APPROVAL OF 39 LOTS ON/OFF PRUITT LANE. SUBJECT PROPERTY CONTAINS 56.84 ACRES, IS ON TAX MAP 105, PARCEL 8.00, AND IS ZONED AGRICULTURAL.**

THIS WAS DEFERRED BY THE SURVEYOR, THEREFORE NO ACTION WAS TAKEN.

FOR THE RECORD, CHAIRMAN HAYNES RETURNED TO THE MEETING.

OTHER BUSINESS:

A. DISCUSS JACKIE RAY GAMBRELL PROPERTY-

MOTION BY MR. THOMPSON TO DEFER THIS DISCUSSION FOR ONE MORE MONTH, PER COMMISSIONER JOHN SMART, SO THEY CAN LOOK INTO THIS MATTER IN MORE DETAIL AND COMMISSIONER STEVE WHITE IS OUT OF TOWN AND WOULD LIKE TO BE HERE FOR THE DISCUSSION, SECONDED BY MR. HOLT. MOTION PASSED UNANIMOUSLY.

COMMISSIONER SMART STATED HE WOULD LIKE TO MEET WITH MR. MOULTON TO SEE EXACTLY WHAT THE COUNTY WANTS.

B. DISCUSS LEVEL 1 EROSION AND SEDIMENT CONTROL TRAINING FOR PLANNING COMMISSION MEMBERS

MR. MOULTON STATED THAT WE DID INVESTIGATE AND WE CAN BRING THE TRAINING TO THE COUNTY, WE WOULD INVITE OTHER PLANNING COMMISSIONERS THAT WOULD BE INVOLVED IN THIS. ONE POINT WAS THAT WAS DISCUSSED IN THE WORK STUDY IS THAT WE WOULD CROSS TRAIN OUR CODES INSPECTORS AND OUR MS-4 INSPECTOR SO THAT THEY COULD DO BOTH KINDS OF INSPECTIONS. OUT OF THAT DISCUSSION, WE ALSO INCLUDED THAT IF WE INCLUDED THIS ADDITIONAL RESPONSIBILITY TO THESE CODES INSPECTORS THAT WE WOULD COMPENSATE THEM TO SOME REGARD FOR THIS. MR. MOULTON STATED THAT HE PRESENTED THIS COMPENSATION IN HIS BUDGET AND WAS DENIED SO AT THIS POINT OF TIME WE WILL NOT CROSS TRAIN THE EXISTING CODE INSPECTORS.

MR. HALL STATED THAT YOU COULD PRESENT THIS REQUEST TO THE FULL COMMISSION EVEN THOUGH IT DID NOT PASS THROUGH THE BUDGET COMMITTEE.

MR. HOLT ASKED HOW MUCH MONEY HE WAS TALKING ABOUT.

MR. MOULTON STATED THAT IT WAS ABOUT \$2,500.00 TO \$3,000.00 ADDITIONAL MONIES.

CHAIRMAN HAYNES STATED WE SHOULD GET THESE GUYS CROSS TRAINED AND THEN BRING IT BEFORE THE COUNTY COMMISSION AND THEN SHAME THEM INTO APPROVING THESE GUYS AN INCREASE.

THERE WAS DISCUSSION.

MR. HALL STATED THAT WOULD BE SOME OF THE BEST MONEY THAT THE COUNTY COULD SPEND.

MOTION BY MR. HALL TO GET THESE GUYS CROSS TRAINED AND THEN THE COUNTY COMMISSIONERS ON THIS BODY WOULD ENCOURAGE THE OTHER COUNTY COMMISSIONERS TO SUPPORT THE APPROPRIATE FUNDING, SECONDED BY MR. HOLT. MOTION PASSED UNANIMOUSLY.

C. JEFF AND LINDA MUNDAY LOTS SUBDIVISION-THEY ARE SEEKING A VARIANCE FROM THE REQUIRED FIRE HYDRANT ON THE CORNER OF OLD GALLATIN ROAD AND FOUNTAIN HEAD ROAD DUE TO EXTENUATING CIRCUMSTANCE. SUBJECT PROPERTY IS LOCATED ON TAX MAP 39, PARCEL 86 AND IS ZONED AGRICULTURAL.

MR. MOULTON STATED BACK ABOUT THREE MEETINGS AGO WE APPROVED A THREE LOT SUBDIVISION FOR THE MUNDAY'S. MR. MOULTON EXPLAINED THAT WITH A THREE LOT SUBDIVISION ALWAYS IF YOU DO NOT HAVE A FIRE HYDRANT WITHIN 500 FEET YOU HAVE TO MAKE THIS ONE OF THE CONDITIONS, ALSO WE INCLUDED EXTENDING A SIX INCH WATER LINE OFF FOUNTAIN HEAD TO SERVICE THE MIDDLE LOT. SOME YEARS BACK THEY GAVE THEIR DAUGHTER A PARCEL OFF THE BACK THAT FRONTS OLD GALLATIN ROAD. ONE OF THE LOCAL MOBILE HOME DEALERS WENT OUT AND SURVEYED AND INSTALLED A MODULAR HOME AT THIS TIME, THIS WAS UNDER THE PERVUE OF THE CITY OF PORTLAND AND THEY ISSUED THE BUILDING PERMIT. THE CITY OF PORTLAND WAS RESPONSIBLE FOR RECORDING THE PLAT. WHAT WE FIND OUT IS THAT THE LOT THAT THE DAUGHTER HAS BEEN ON FOR SOME TIME WAS NEVER RECORDED SO WHEN THE SURVEYOR ON THIS ROUND DID HIS HOMEWORK AND PRESENTED THIS AS A THREE LOT SUBDIVISION BECAUSE HE THOUGHT IT WAS ALL ONE PLOT OF LAND AND HAD NOT BEEN DIVIDED INTO TWO PARCELS PREVIOUS. MR. MOULTON STATED THAT IF THE TWO LOT SUBDIVISION HAD BEEN RECORDED PROPERLY WE WOULD BEEN LOOKING AT A 2 LOT SUBDIVISION AND A FIRE HYDRANT WOULD NOT HAVE BEEN REQUIRED. MR. MOULTON STATED HE RECOMMENDED TO THE MUNDAY'S TO COME TO THIS BODY FOR A VARIANCE. MR. MOULTON STATED THAT HE IS RECOMMENDING THAT THIS BODY GRANT THE VARIANCE.

MR. HALL WANTED TO MAKE SURE THAT THERE WAS NO LIABILITY OR RESPONSIBILITY IN CASE OF FIRE.

CHAIRMAN HAYNES SUGGESTED THAT WE RE-RECORD THE PLAT SHOWING NO FIRE HYDRANT.

MR. MOULTON STATED THAT THE SURVEYOR SHOULD SUBMIT A REVISED PLAT BASED ON THE ACTION TAKEN TONIGHT.

MOTION FOR APPROVAL BY MR. HOLT, WITH A NEW PLAT SUBMITTED TAKING THE FIRE HYDRANT AWAY, SECONDED BY MR. GROVE. MOTION PASSED UNANIMOUSLY.

CHAIRMAN HAYNES STATED THAT HE RECEIVED A LETTER FROM THE COUNTY EXECUTIVE ABOUT A PERSON WHO WAS SAVED \$350.00 BY THE ZBA. CHAIRMAN HAYNES TOLD MR. MOULTON THAT WAS A JOB WELL DONE.

MR. HOLT ASKED HOW ARE COMING ON OUR BUDGET PROCESS FOR THE COUNTY ENGINEER?

MR. MOULTON STATED THAT HE RECEIVED NOTICE OF TRYING TO SET A DATE FOR ANOTHER AD-HOC COMMITTEE.
THE COUNTY ATTORNEY DID A SURVEY OF ALL 95 COUNTIES IN THE STATE AS TO WHETHER THEY HAD A COUNTY ENGINEER AND IF SO THE COMPOSITION OF THE OFFICE, WHO HIRES THE COUNTY ENGINEER , SALARIES, ETC.

MR. MOULTON STATED HE STILL STRONGLY RECOMMENDS MOVING FORWARD WITH THE COUNTY ENGINEER.

CHAIRMAN HAYNES COMMENTED THAT MOST PLANNING COMMISSIONS HAVE A LEGAL PERSON PRESENT. HE FELT THAT IT WOULD HAVE BEEN GOOD TO HAVE HAD LEGAL REPRESENTATION AT THIS MEETING TONIGHT.

MEETING ADJOURNED AT 6: 50 P.M.