

**SUMNER COUNTY PLANNING COMMISSION
MINUTES
AUGUST 28, 2007
5:00 P.M.**

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

MEMBERS PRESENT:

**ANTHONY HOLT, CHAIRMAN
RAGAN HALL, VICE CHAIRMAN
CHARLES HAYNES
TOM GROVE
CORDELL BORDERS
CECIL RAY
ROY HIXSON
LUTHER BRATTON
JIM WILLIAMS
SHAWN FENNELL
BOB HENDRICKS
SAUNDRA BOYD
BILL THOMPSON**

MEMBERS ABSENT:

**LEON STRONG
CYNTHIA HALL TEMPLETON**

OTHERS PRESENT:

**MIKE MOULTON, PLANNING DIRECTOR
RON COOPER, STATE PLANNER
LEAH MAE DENNEN, COUNTY ATTORNEY
LISA WILLIAMS, ADMINISTRATIVE ASSISTANT**

CHAIRMAN HOLT STATED THAT THERE HAVE BEEN TWO (2) ITEMS ADDED TO TONIGHT'S AGENDA: ZONING MAPS AND PLAT APPROVAL PROCEDURES. CHAIRMAN HOLT ASKED FOR A MOTION TO ACCEPT THE AMENDED AGENDA.

MOTION BY MR. HAYNES, SECONDED BY MR. WILLIAMS TO ACCEPT THE AGENDA. MOTION PASSED UNANIMOUSLY.

CHAIRMAN HOLT STATED THAT THE PUBLIC HAS REQUESTED TO SPEAK CONCERNING THE REZONING "THE FALLS" AND SINCE THIS IS NOT A PUBLIC HEARING TONIGHT CHAIRMAN HOLT ASKED THE BODY FOR A MOTION TO SUSPEND THE RULES.

MOTION BY MR. HAYNES, SECONDED BY MR. FENNELL TO SUSPEND THE RULES TO ALLOW THE PUBLIC TO SPEAK REGARDING THE FALLS FOR FIVE (5) MINUTES. MOTION PASSED UNANIMOUSLY.

CHAIRMAN HOLT STATED THAT A MR. SMITH WAS IN THE AUDIENCE THAT WAS PRESENT TO SPEAK ON THE CRUTCHER STATION REZONING DUE TO THE FACT THAT HE WAS UNABLE TO STAY FOR THE ENTIRE MEETING.

DAN SMITH CAME FORWARD TO ADDRESS THREE (3) POINTS OF CONCERN: DENSITY, SIZE OF THE PROPOSED HOMES, AND INCREASED TRAFFIC AS A RESULT OF THE PROPOSED CRUTCHER STATION.

MOTION FOR APPROVAL OF JULY MINUTES BY MR. HAYNES, SECONDED BY MR. FENNELL. MOTION PASSED UNANIMOUSLY.

1. **THE PADDOCK-PHASE 1C-PRELIMINARY PLAT-REPRESENTED BY BRUCE RAINEY-(4TH COUNTY COMMISSION DISTRICT)-THEY WERE REQUESTING PRELIMINARY PLAT APPROVAL OF 139 LOTS ON LONG HOLLOW PIKE. SUBJECT PROPERTY CONTAINS 85.49 ACRES, IS ON TAX MAP 124, PARCELS 6.08, 6.09, 7.00, AND 7.01, AND IS ZONED LDR PUD, MDR PUD, AND HDR PUD.
(DEFERRED BY THE SURVEYOR) NO ACTION WAS TAKEN**
2. **LONG HOLLOW BAPTIST CHURCH-SITE PLAN-(7TH COUNTY COMMISSION DISTRICT)-REPRESENTED BY ALLISON SIGNS-THEY WERE REQUESTING SITE PLAN APPROVAL FOR A DOUBLE SIDED SIGN LIKE EXISTING. SUBJECT PROPERTY IS LOCATED AT 3031 LONG HOLLOW PIKE, HENDERSONVILLE, TN., IS ON TAX MAP 123, PARCEL 47 AND IS ZONED RESIDENTIAL A.**

CHAIRMAN HOLT STATED THAT A GENTLEMAN HAD EXPRESSED THAT HE WOULD LIKE TO SPEAK ON THE SIGN PROPOSED BY THE LONG HOLLOW BAPTIST CHURCH, AND SINCE THIS IS NOT A PUBLIC HEARING THE RULES TO ALLOW HIM TO SPEAK MUST BE SUSPENDED.

MOTION BY MR. HAYNES, SECONDED BY MR. FENNEL TO SUSPEND RULES TO ALLOW THE PUBLIC TO SPEAK REGARDING THE PROPOSED SIGN ON LONG HOLLOW PIKE. MOTION PASSED UNANIMOUSLY.

FREDDY GRAYBILL CAME FORWARD TO STATE THE REASONS HE WAS IN OPPOSITION TO THIS REQUEST.

TODD COX, A REPRESENTATIVE FROM THE LONG HOLLOW BAPTIST CHURCH, CAME FORWARD TO EXPLAIN AND PASSED OUT PICTURES OF HOW THE SIGN WOULD LOOK AND THE LOCATION. THIS SIGN WILL BE IDENTICAL TO THE EXISTING SIGN.

MR. MOULTON STATED THAT THEY DID SUBMIT A SITE PLAN REVISION SOME MONTHS AGO AND DID RECEIVE APPROVAL FOR THEIR ADDITIONS TO THE CHURCH, BUT THEY FAILED TO PUT ON THEIR APPROVED SITE PLAN THE LOCATION OF THIS PROPOSED SIGN. MR. MOULTON EXPLAINED THAT THEY WOULD HAVE TO COME BACK TO THE PLANNING COMMISSION WITH A REVISED SITE PLAN FOR THIS PROPOSED SIGN. THIS SIGN WILL BE LOCATED FIFTEEN (15) FEET BACK OFF OF THE STATE RIGHT-OF-WAY TO THE NORTH OF THE ENTRANCE WHERE THE BRIDGE IS LOCATED. MR. MOULTON ENCOURAGED THEM TO CONTACT TDOT ABOUT THIS SIGN SINCE THIS IS NEXT TO THE STATE RIGHT-OF-WAY. MR. MOULTON STATED THAT THEY HAVE ADDRESSED ALL OF THE STAFF COMMENTS.

THERE WAS DISCUSSION.

**MOTION FOR APPROVAL BY MR. HAYNES, SECONDED BY MR. FENNEL.
MOTION PASSED.
10 AYES: HAYNES, FENNEL, GROVE, BORDERS, HIXSON, BRATTON, WILLIAMS.
HENDRICKS, BOYD AND THOMPSON
2 ABSTAINED: HALL AND RAY**

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3. **ABSHER HILL SUBDIVISION-RESUBDIVISION OF LOT 7-SKETCH PLAT-(COUNTY COMMISSION DISTRICT)-REPRESENTED BY BRIAN REIFSCNEIDER**-THEY WERE REQUESTING SKETCH PLAT APPROVAL OF 3 LOTS ON ABSHER BRANCH ROAD. SUBJECT PROPERTY CONTAINS 5.84 ACRES, IS ON TAX MAP 4, PARCEL 13 AND IS ZONED AGRICULTURAL.

BRIAN REIFSCNEIDER CAME FORWARD TO EXPLAIN THIS REQUEST AND TO ANSWER ANY QUESTIONS.

MR. MOULTON STATED THAT THIS MEETS ALL OF THE STAFF COMMENTS.

THERE WAS DISCUSSION.

MR. HAYNES QUESTIONED WHY THIS COULD NOT BE APPROVED TONIGHT AS A PRELIMINARY AND FINAL PLAT.

MR. MOULTON STATED HE DID NOT CATCH THAT THE SKETCH PLAT PHASE WAS NOT NECESSARY AND STATED THAT THIS COULD BE APPROVED TONIGHT AS A PRELIMINARY AND A FINAL PLAT,

MOTION FOR PRELIMINARY AND FINAL PLAT APPROVAL SUBJECT TO OBTAINING SIGNATURES AND 911 ADDRESSES BY MR. BORDERS, SECONDED BY MR. HIXSON. MOTION PASSED UNANIMOUSLY.

4. **CREEKSIDE AT STATION CAMP- REVISED FINAL MASTER DEVELOPMENT PLAN-REPRESENTED BY RAGAN-SMITH (7TH COUNTY COMMISSION DISTRICT)**-THEY WERE REQUESTING FINAL MASTER DEVELOPMENT PLAN APPROVAL OF 419 LOTS ON LONG HOLLOW PIKE SUBJECT PROPERTY CONTAINS 193.99 ACRES, IS ON TAX MAP 124, PARCEL 42, AND IS ZONED LDRPUD.

ALLEN THOMPSON CAME FORWARD TO REPRESENT THIS REQUEST AND TO EXPLAIN THE CHANGES. THERE WILL BE THE SAME NUMBER OF LOTS AND SAME LOT SIZES, JUST SOME RELOCATION OF LOTS.

MR. MOULTON EXPLAINED THAT IT WAS UP TO THIS BODY TO DETERMINE WHETHER THIS WAS A MINOR OR MAJOR CHANGE.

THERE WAS DISCUSSION.

MOTION THAT THIS IS A MINOR CHANGE AND FOR PLAT APPROVAL BY MR. HAYNES, SECONDED BY MR. HIXSON.. MOTION PASSED UNANIMOUSLY.

5. **CREEKSIDE AT STATION CAMP PHASE 5-PRELIMINARY PLAT- REPRESENTED BY RAGAN-SMITH (7TH COUNTY COMMISSION DISTRICT)**-THEY WERE REQUESTING PRELIMINARY PLAT APPROVAL OF 141 LOTS ON LONG HOLLOW PIKE SUBJECT PROPERTY CONTAINS 58.42 ACRES, IS ON TAX MAP 124, PARCEL 42, AND IS ZONED LDRPUD.

MR. THOMPSON EXPLAINED THIS REQUEST.

MR. MOULTON STATED THAT ALL OF THE STAFF COMMENTS HAVE BEEN ADDRESSED.

THERE WAS DISCUSSION.

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

6. **SHILOH – PRELIMINARY PLAT – REPRESENTED BY CARROLL CARMAN- (3RD COUNTY COMMISSION DISTRICT)** THEY WERE REQUESTING PRELIMINARY PLAT APPROVAL OF 94 LOTS ON SHILOH ROAD AND SIDEVIEW ROAD. SUBJECT PROPERTY CONTAINS 110.51 ACRES, IS ON TAX MAP 90, PARCEL 43 AND IS ZONED AGRICULTURAL.

MR. CARMAN CAME FORWARD TO REPRESENT THIS REQUEST. THESE HOMES WILL BE STICK BUILT, APPROXIMATELY 1,800 TO 2,000 SQUARE FEET, AND THE RESTRICTIONS WOULD BE SUBMITTED AT THE FINAL SUBMITTAL.

MR. MOULTON STATED THAT THEY NEED TO ALLOW ACCESS TO THE CELL TOWER SITE ON LOT 15 VIA THE DOUBLE TREE LANE, WHICH MR. CARMAN HAS NOW SHOWN. MR. MOULTON EXPLAINED THAT WHEN THIS CELL TOWER WAS APPROVED IT WAS A 50 % FALL RADIUS REQUIREMENT, AS OPPOSED TO TODAY'S STANDARDS WHICH REQUIRE A 100 % FALL RADIUS. MR. MOULTON STATED THAT THE DWELLING LOCATED ON THE LOT WITH THE CELL TOWER WILL HAVE TO BE OUTSIDE OF THE FALL RADIUS.

CHAIRMAN HOLT ASKED MR. CARMAN TO PLACE A PLAT NOTE STATING THAT THE DWELLING ON LOT 15 WILL HAVE TO BE OUTSIDE OF THE FALL RADIUS. MR. CARMAN CONCURRED.

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

THERE WAS DISCUSSION.

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

7. **LYNN BALLOU – COMMERCIAL SITE PLAN – REPRESENTED BY CARROLL CARMAN- (3RD COUNTY COMMISSION DISTRICT)** THEY WERE REQUESTING A SITE PLAN APPROVAL FOR A COMMERCIAL ZONED PARCEL. SUBJECT PROPERTY IS LOCATED ON ROCK BRIDGE AND STATE HIGHWAY 31 EAST, CONTAINS 2.027 ACRES, IS ON TAX MAP 90-G, GROUP A, PARCEL 1, AND IS ZONED COMMERCIAL B. **(THIS WAS REZONED 9-2-99)**

MR. CARMAN WAS PRESENT TO REPRESENT THIS REQUEST AND SHOWED PICTURES OF THE PROPOSED MARKET. MR. CARMAN STATED THAT AT THIS POINT THEY DO NOT HAVE FINAL DRAINAGE CALCULATIONS FOR THE ENGINEER, BUT THESE CALCULATIONS SHOULD BE IN THEIR HANDS IN THE NEXT FEW DAYS.

MR. MOULTON STATED THAT THIS MEETS ALL OF THE STAFF COMMENTS. THIS IS NOT A REZONING REQUEST, BUT FOR A SITE PLAN APPROVAL.

MR. FENNEL ASKED IF THERE WAS ANY ONE IN THE AUDIENCE THAT WANTED TO SPEAK IN OPPOSITION.

MR. MOULTON STATED THAT THIS WAS NOT PUBLICALLY NOTICED, BECAUSE IT IS STRICTLY FOR SITE PLAN APPROVAL.

CHAIRMAN HOLT STATED THAT THERE WERE A LOT OF NICE HOMES IN THIS AREA, AND WAS WONDERING WHETHER WE COULD HAVE SOME DIALOG ON THIS PROPOSED BUILDING.

MR. FENNEL STATED HE DID NOT WANT LOT TRAFFIC AND HEADLIGHTS SHINING INTO THE SURROUNDING HOUSES AND WOULD LIKE TO SEE SOME TYPE OF BUFFERS.

MR. MOULTON STATED THAT BECAUSE OF THE EXISTING PINE TREES, THIS IS HEAVILY SCREENED PRESENTLY.

MR. HALL ASKED IF THIS WAS A 24 HOUR A DAY MARKET?

MR. CARMAN RESPONDED HIS CLIENT WOULD OPERATE THE MARKET ON DAY LIGHT HOURS.

THERE WAS DISCUSSION.

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

- 8. KEYSTONE ESTATES – SKETCH PLAT – REPRESENTED BY RICHARD GRAVES- (1ST COUNTY COMMISSION DISTRICT) THEY WERE REQUESTING SKETCH PLAT APPROVAL OF 7 LOTS ON EAST A.B. WADE ROAD. SUBJECT PROPERTY CONTAINS 9.64 ACRES, IS ON TAX MAP 51, PARCEL 35.01 AND IS ZONED AGRICULTURAL.**

MR. GRAVES CAME FORWARD TO REPRESENT THIS REQUEST.

MR. HAYNES STATED HE DID NOT LIKE THE TWO LONG DRIVEWAYS SIDE BY SIDE.

MR. MOULTON SUGGESTED THAT HE WOULD LIKE TO SEE THEM MOVE LOT 4'S DRIVEWAY TO THE EXTREME WEST SIDE OF LOT 1.

MR. MOULTON STATED THAT THERE IS NO COMMENTS AT SKETCH PLAT LEVEL.

THERE WAS DISCUSSION.

MOTION FOR APPROVAL BY MR. BRATTON, SECONDED BY MR. HENDRICKS.
MOTION PASSED.
10 AYES: BRATTON, GROVE, BORDERS HENDRICKS, BOYD, HALL, RAY, HIXSON,
WILLIAMS, AND THOMPSON
3 ABSTENTIONS: FENNELL. HAYNES, AND HOLT

9. **REZONING-& PRELIMINARY MASTER DEVELOPMENT PLAN-REPRESENTED BY BRUCE RAINEY-(11TH COUNTY COMMISSION DISTRICT)-MRS. OSWALD HACKETT WAS REQUESTING TO HAVE THE PROPERTY "THE FALLS" LOCATED ON 795 NEW SHACKLE ISLAND ROAD, HENDERSONVILLE, TN., REZONED FROM RESIDENTIAL A TO A LOW DENSITY RESIDENTIAL PLANNED UNIT DEVELOPMENT AND FOR PRELIMINARY MASTER DEVELOPMENT PLAN APPROVAL. SUBJECT PROPERTY CONTAINS 72.79 ACRES, CONTAINS 160 LOTS, IS ON TAX MAP 138, PARCEL 47, AND IS ZONED RA. THIS WAS DEFERRED AT THE JULY 07 PLANNING COMMISSION MEETING.**

MR. RAINEY CAME FORWARD TO REPRESENT AND EXPLAIN THIS REQUEST. MR. RAINEY STATED THAT THERE WAS SOME CONTRACT QUESTIONS RAISED AND HE HAD ASKED FOR A DEFERRAL LAST MONTH TO BE ABLE TO ADDRESS THESE QUESTIONS. MR. RAINEY STATED THAT THE BUYER AND SELLER HAVE WORKED OUT AN AGREEMENT. THE SELLER WAS CONCERNED ABOUT LOT 1 BEING PART OF THE SUBDIVISION AND DID NOT WANT TO BE SUBJECT TO THE FEES AND SO FORTH IN THAT SUBDIVISION. WE HAVE AGREED THAT LOT 1 WILL BE RESERVED BY THE OWNER AND WILL BE EXEMPTED BY THE RESTRICTIONS AND REQUIREMENTS OF THE HOMEOWNERS ASSOCIATION, AND THIS WILL BE NOTED ON THE PLAT. THERE WERE CONCERNS ABOUT ACCESS TO THE SOUTH WHICH HAS BEEN CORRECTED. MR. RAINEY STATED THAT NO LOT WILL BE LESS THAN 9,000 SQUARE FEET. MR. RAINEY STATED THAT HE STILL STOOD BY ALL OF HIS PREVIOUS COMMITMENTS.

CHAIRMAN HOLT OPENED THE FLOOR FOR THE PUBLIC RESPONSE, SINCE THE RULES WERE SUSPENDED.

MR. RANDALL DAVIS, ATTORNEY FOR THE OWNER OF THE PROPERTY, STATED THAT WE HAVE WORKED OUT THE ISSUES AND ARE NOT OPPOSED TO THIS DEVELOPMENT. WE ARE CONCERNED WITH THE LOT WHERE MRS. HACKETT CURRENTLY RESIDES. WE WOULD LIKE HER TO BE ABLE TO SELL THIS LOT DOWN THE ROAD AND WOULD LIKE THIS LOT TO BE EXCLUDED FROM THE REST OF THE SUBDIVISION.

MR. BILL TAYLOR CAME FORWARD TO EXPRESS HIS CONCERNS REGARDING THIS REZONING AND THE PROPOSED DENSITY. MR. TAYLOR MADE REFERENCE TO THE E-MAIL RECEIVED AUGUST 28, 2007, FROM THE CITY OF HENDERSONVILLE ASKING THAT THIS REZONING REQUEST BE REFERRED TO THE CITY OF HENDERSONVILLE, BECAUSE THEY HAVE VOTED TO PROCEED WITH THE ANNEXATION OF THE FALLS DEVELOPMENT. MR. TAYLOR ASKED THIS BODY TO HONOR THE REQUEST OF HENDERSONVILLE WITH REGARD TO ANNEXATION.

MR. TAYLOR READ A LETTER FROM LORI ATCHLEY, SECRETARY-TREASURER OF THE ISLAND BROOK HOMEOWNERS ASSOCIATION STATING THIS DEVELOPMENT SHOULD BE COMPARABLE TO THE ISLAND BROOK DEVELOPMENT'S RESTRICTIONS.

SARA EZELL CAME FORWARD TO SPEAK ABOUT HER CONCERNS OF THIS DEVELOPMENT. SHE AND HER FAMILY WANT TO GO ON RECORD THAT THEY ARE OPPOSED TO THIS DEVELOPMENT DUE TO THE STORM WATER RUN OFF, TRAFFIC, AND LOT SIZES. SHE ALSO WANTED TO STATE FOR THE RECORD THAT THEY THANKED MR. RAINEY AND THE DEVELOPER FOR AMENDING THE ORIGINAL PLAN. MRS. EZELL ASKED THAT THEIR WATER SOURCES AND STREAMS BE PROTECTED SO THEIR FARM CAN FUNCTION. MS. EZELL ASKED THAT THEIR BE SOME TYPE OF PROPERTY BONDING SO IF ANY OF HER OR HER FAMILIES PROPERTIES WHICH SURROUND THIS DEVELOPMENT SUFFER ANY DAMAGES FROM THEY BLASTING, THAT THEY HAVE THE RIGHT TO COLLECT SUCH DAMAGES FROM THIS DEVELOPER.

RICKY SKAGGS CAME FORWARD TO STATE FOR THE RECORD THAT HE LOVED MRS. HACKETT, SHE IS A GREAT NEIGHBOR AND GREAT FRIEND. MR. SKAGGS STATED THAT HE AND HIS WIFE ARE OPPOSED TO THIS PARTICULAR PROJECT. ONE OF HIS CONCERNS WAS INCREASED TRAFFIC, AND DECREASED PROPERTY VALUES, AND THE AMOUNT OF HOMES THAT ARE BEING PROPOSED. MR. SKAGGS STATED HE WOULD LIKE TO SEE THESE HOMES ON THREE, FOUR OR FIVE ACRE LOTS.

CHAIRMAN HOLT CLOSED THE PUBLIC HEARING.

MR. RAINEY STATED THAT HE WAS APPROACHED BY THE CITY OF HENDERSONVILLE ABOUT ANNEXATION OF THIS DEVELOPMENT. AT THE TIME I WAS APPROACHED, I WAS TOLD THAT I COULD SUBMIT THE SAME PLAN TO THE CITY OF HENDERSONVILLE THAT HE SUBMITTED TO THE COUNTY. THIS DEVELOPMENT IS MATERIALLY NOT DIFFERENT; BASICALLY THIS IS AN R-20 PLAN WITH A PUD OVERLAY WHICH IS HOW IT WOULD FALL IN HENDERSONVILLE. THIS DEVELOPMENT WILL BE IN KEEPING WITH THE ISLAND BROOK DEVELOPMENT. MR. RAINEY STATED WE HAVE TRIED TO MEET ALL THE CONCERNS OF THE NEIGHBORS, AND WE FEEL THAT WE CAN CONTROL THE WATER RUN OFF. MR. RAINEY STATED THAT HIS CLIENT IS GOING TO FIGHT THE CITY OF HENDERSONVILLE'S PLAN FOR ANNEXATION. MR. RAINEY STATED THAT HE FELT THAT THIS DEVELOPMENT WAS IN KEEPING WITH THE SPIRIT OF THIS AREA.

MR. HAYNES SUGGESTED THAT THEY CREATE A ONE LOT PLAT FOR LOT 1 SINCE THEY DO NOT WANT IT TO BE INCLUDED IN THIS DEVELOPMENT.

MR. COOPER STATED THAT THIS LOT IN QUESTION (LOT 1) SHOULD EITHER BE IN OR OUT OF THIS DEVELOPMENT. IF THE OWNER WANTS OUT OF THE SUBDIVISION, SO BE IT. MR. COOPER STATED THAT HIS POSITION ON THE ANNEXATION BY HENDERSONVILLE WAS THAT THIS ISSUE IS LEGALLY BEFORE THIS BODY, IT IS OUR RESPONSIBILITY TO TREAT IT WITH REGARD TO DUE PROCESS, WHICH IS NOT TO SAY THIS BODY CAN NOT DEFER THIS ITEM SHOULD IT ELECT TO DO SO.

CHAIRMAN HOLT STATED FOR THE RECORD THAT RON COOPER IS THE STATE PLANNER AND WHAT HE WAS TELLING THIS BODY IS THAT IT IS OUR OBLIGATION UNTIL THE CITY OF HENDERSONVILLE ANNEXES THE PROPERTY PROPER TO CONSIDER THE REQUEST.

MR. COOPER REPLIED TO CHAIRMAN HOLT THAT WHAT HE WAS SAYING WAS THAT THIS ITEM WAS PRESENTED TO YOU AND PLACED ON THE AGENDA WITH THE UNDERSTANDING OF THE CURRENT LEGAL POSITION, REMAINS IN THAT CURRENT LEGAL POSITION. THEREFORE HIS OPINION IS THAT THIS IS A MATTER OF DUE PROCESS FOR THIS PLAT TO BE BEFORE THIS BODY.

THERE WAS DISCUSSION.

MOTION TO DEFER FOR THIRTY DAYS TO SEE IF HENDERSONVILLE IS GOING TO ACT ON ANNEXATION, BY MR. HAYNES, SECONDED BY MR. BRATTON.

MOTION FAILED.

3 AYES: HAYNES, FENNELL AND BRATTON.

8 NAYS: GROVE, BORDERS, RAY, HIXSON, WILLIAMS, HENDRICKS, BOYD, AND THOMPSON.

1 ABSTENTION: HALL

CHARLES HAYNES LEFT THE MEETING, THEREFORE HE WILL NOT BE SHOWN AS VOTING ON ANY OF THE REMAINING ITEMS.)

MR. MOULTON EXPLAINED THE CORPORATE BOUNDARIES, PLANNING REGIONS, AND THE URBAN GROWTH BOUNDARIES. MR. MOULTON EXPLAINED THAT THE CITY OF HENDERSONVILLE ADOPTED THE URBAN GROWTH PLAN, BUT SUMNER COUNTY DID NOT. WHAT THIS MEANS IS THAT IN A 20 YEAR PERIOD THE PROPERTY IN THE CITIES URBAN GROWTH BOUNDARY COULD BE ANNEXED BY THEM.

MR. MOULTON EXPLAINED THE STAFF COMMENTS. MR. MOULTON STATED IF THE LOT WHERE MRS. HACKETT LIVES IS NOT GOING TO BE INCLUDED IN THE SUBDIVISION, THEN IT SHOULD NOT BE CALCULATED IN THE DENSITY. MR. MOULTON READ THE STAFF COMMENTS DATED JULY 20, 2007. THIS DEVELOPMENT IS PROPOSED TO BE BUILT IN TWO PHASES AND THE APPROXIMATE BUILD OUT TIME IS SIX YEARS. THERE WILL BE A PROFESSIONALLY PREPARED TRAFFIC ANALYSIS THAT WILL PROJECT THE NUMBER OF TRIPS PER DAY THIS DEVELOPMENT WOULD GENERATE. THE DEVELOPER WOULD BE RESPONSIBLE FOR ANY TURNS LANE THAT WOULD BE REQUIRED. MR. MOULTON STATED THAT NONE OF THESE PROPOSED LOTS GO DOWN TO 9,000 SQUARE FEET. MR. MOULTON STATED THAT THIS DEVELOPMENT MEETS STAFF COMMENTS AND DOES MEET THE ZONING RESOLUTION AND SUBDIVISION REGULATIONS OF SUMNER COUNTY.

THERE WAS DISCUSSION.

CHAIRMAN HOLT ASKED MR. RAINEY IF THE HOMES THAT WERE PROPOSED TO BUILT WOULD BE COMPARABLE TO THE HOMES IN ISLAND BROOK?

MR. RAINEY STATED THAT THE LOT SIZES AND HOME SIZES WOULD BE COMPARABLE TO ISLAND BROOK.

MOTION FOR APPROVAL WITH STAFF COMMENTS BEING ADDRESSED BY MR. GROVE, SECONDED BY MR. THOMPSON. MOTION PASSED.

9 AYES: GROVE, THOMPSON, BRATTON, HIXSON, WILLIAMS, FENNELL, HENDRICKS, BORDERS, AND BOYD

1 NAY: RAY

1-ABSTAINED: HALL

(FYI; HAYNES WAS NOT PRESENT AT THE TIME THIS VOTE WAS TAKEN)

- 10. REZONING-PUBLIC HEARING-REZONING & PRELIMINARY MASTER DEVELOPMENT PLAN-REPRESENTED BY BRUCE RAINEY- (7TH COUNTY COMMISSION DISTRICT) MR. BRUCE RAINEY WAS REQUESTING TO HAVE THE PROPERTY "CRUTCHER STATION" LOCATED ON JENKINS LANE, HENDERSONVILLE, TN. REZONED FROM RESIDENTIAL A TO A LOW & A MEDIUM DENSITY RESIDENTIAL PLANNED UNIT DEVELOPMENT AND FOR PRELIMINARY MASTER DEVELOPMENT PLAN APPROVAL. SUBJECT PROPERTY CONTAINS 100 ACRES, CONTAINS 285 LOTS, IS ON TAX MAP 124, PART OF PARCEL 43.00 AND IS ZONED RESIDENTIAL A. **(PUBLIC COMMENT WAS HELD TO FIVE (5) MINUTES ONLY)** THIS WAS A PUBLIC HEARING AND WAS ADVERTISED IN THE NEWS EXAMINER ON AUGUST 17, 2007. THE ADJOINING PROPERTY OWNERS WERE NOTIFIED BY CERTIFIED MAIL.**

MR. RAINEY CAME FORWARD TO REPRESENT AND EXPLAIN HIS REQUEST. MR. RAINEY EXPLAINED THAT THERE HAD BEEN SOME CHANGES TO THIS PROPERTY IN THE LAST 48 HOURS. MR. RAINEY EXPLAINED THAT HE HAD BEEN CONTACTED BY MR. HOLLINS TO PURCHASE SIX (6) ACRES WEST OF THIS DEVELOPMENT. MR. RAINEY STATED THAT NONE OF THE NUMBERS ON THIS PLAT REFLECT THE SIX (6) ACRES THAT WILL BE ADDED. THE SIX (6) ACRES WILL REMAIN GREEN SPACE, BECAUSE IT IS IN THE FLOOD PLAIN. THIS PROPERTY WILL HAVE OVER 26 ACRES OF OPEN SPACE, WILL BE DEVELOPED IN FOUR (4) PHASES, THE RESTRICTIONS WILL EXCEED THOSE FOR STEEPLECHASE, AND THERE WILL BE NO LOTS THAT FRONT ON JENKINS LANE.

THERE WILL BE TWO (2) SIZES OF HOMES, THOSE THAT START IN THE \$300,000.00'S , THAT WILL BE BUILT IN PHASE 1 AND PHASE 3. THE HOUSES THAT WILL BE IN THE MID \$200,000.00 WILL BE BUILT IN PHASE 2 AND PHASE 4. THESE PROPOSED HOMES WILL BE SINGLE FAMILY HOMES, ALL BRICK, STONE, AND STUCCO, HARDY BOARD OR POSSIBLE DRIVET, 2 CAR GARAGES, 2 ENTRANCES INTO THIS DEVELOPMENT, AND UNDERGROUND UTILITIES. I MIGHT POSSIBLY PUT IN A POOL AND A CLUB HOUSE.

MR. RAINEY EXPLAINED THAT THE BIG CHANGE BY ADDING THE SIX (6) ACRES TO THE DEVELOPMENT IS THAT THIS WILL INCREASE THE DENSITY SO IN EXCHANGE FOR THIS I WILL BE ADDING LOTS IN PHASE 2.

CHAIRMAN HOLT OPENED THE FLOOR FOR THE PUBLIC HEARING.

MR. JEFF HOLLINS CAME FORWARD TO STATE THAT MR. RAINEY HAS ACCEPTED HIS PROPOSAL TO PURCHASE A SMALL AMOUNT OF HIS PROPERTY ON STATION CAMP CREEK ROAD, AND BASED ON THIS I WILL NOT REQUEST ACCESS TO HIS PROPERTY FROM MY PROPERTY.

BILL REIDY ASKED THIS BODY TO DENY THIS REQUEST. HE WAS CONCERNED ABOUT THE WIDTHS OF THE ROADS AND THE INCREASED TRAFFIC.

STEPHEN DUNCAN CAME FORWARD TO STATE HE WAS NOT OPPOSED OR IN FAVOR OF THIS DEVELOPMENT. HE EXPRESSED CONCERNS ABOUT TRAFFIC AND SAFETY ISSUES, BLASTING, AND THE EXISTING FENCE LINE.

MARK SNEED STATED HE FELT BLINDSIDED BY THIS DEVELOPMENT, AND WOULD LIKE TO SEE THIS REQUEST DENIED. HE WAS CONCERNED ABOUT TRAFFIC, BLASTING, AND THE GREEN WAY.

GABE FAIRCHILD STATED HE WOULD LIKE TO SEE THIS REQUEST DENIED DUE TO THE DENSITY, INCREASED TRAFFIC, ETC.

TERRY FAIRCHILD CAME FORWARD TO SPEAK AGAINST THIS REZONING DUE TO THE FACT OF INCREASED TRAFFIC, NOT HAVING PROPER STREET LIGHTS, PROPER STOP SIGNS. SHE WOULD LIKE TO KEEP THE ENVIRONMENT JUST LIKE IT IS.

RODGER CROCKER CAME FORWARD TO EXPRESS HIS CONCERNS ABOUT THE PROPOSED DENSITY, CONCERN OF THE STREAMS, ENVIRONMENTAL ISSUES, AND THE IMPACT ON THE SCHOOLS, DEER, AND WILD TURKEY, ETC. MR. CROCKER STATED THAT HE WAS AGAINST THIS DEVELOPMENT AND WANTED IT TO BE DENIED.

DAN WRIGHT STATED THAT HIS CONCERNS ABOUT TRAFFIC AND THE FACT THAT THE EXISTING ROADS COULD NOT HANDLE ANY MORE TRAFFIC.

JERRY KING EXPRESSED HIS CONCERNS ABOUT THE TRAFFIC.

CHAIRMAN HOLT CLOSED THE PUBLIC HEARING.

MR. MOULTON READ THE NAMES OF SOME PEOPLE WHO LIVE IN THE IMMEDIATE AREA AND WERE NOT ABLE TO ATTEND THIS MEETING TONIGHT AND HAD CALLED THE PLANNING OFFICE TO EXPRESS THEIR OBJECTIONS. "MR. BILL FREEMAN WAS AGAINST CRUTCHER STATION. DAVID BLANKENSHIP WAS AGAINST CRUTCHER STATION AND WOULD LIKE TO SEE THIS DENIED CONCERNS ABOUT TRAFFIC, ROAD AND WE DID NOT NEED ANOTHER SUBDIVISION. JAMES BUCHANAN CALLED TO OBJECT TO THIS SUBDIVISION."

MR. RAINEY RESPONDED TO THE PUBLIC COMMENTS. MR. RAINEY STATED THAT HE HOPED TO HAVE THIS DEVELOPMENT COMPLETED IN SIX YEARS. MR. RAINEY STATED THAT HE WOULD HAVE A TRAFFIC STUDY DONE ON JENKINS LANE.

IF THIS TRAFFIC STUDY REFLECTS THAT THERE NEED TO BE SOME IMPROVEMENTS ON JENKINS LANE WE WILL REMAIN OPEN TO CONTRIBUTING TO THESE IMPROVEMENTS. MR. RAINEY EXPLAINED THAT IF THERE IS ANY BLASTING DONE, THEY WILL BE FULLY INSURED.

MR. MOULTON STATED IF MR. RAINEY OR ANY DEVELOPER DOES ANY BLASTING THEY ARE REQUIRED TO PULL A PERMIT FROM THE STATE. MR. MOULTON STATED THAT THERE MAY BE AN OPPORTUNITY FOR THE NORTHERN STREET IN THIS DEVELOPMENT TO CONNECT TO THE ADJOINING CREEKSIDE SUBDIVISION. MR. MOULTON MADE REFERENCE TO THE CONCERN OF THE IMPACT OF THE SCHOOLS, FOR EXAMPLE IF MR. RAINEY BUILDS THE MINIMUM HOMES ON THE VILLAGE SIZE LOTS THAT WILL BE OVER A \$200,000.00 ADEQUATE FACILITIES TAX FOR THE SCHOOLS IN THAT IMMEDIATE AREA. MR. MOULTON STATED THAT THERE WILL BE A HOMEOWNERS DOCUMENT FORTH COMING THAT WOULD BE SIMILAR TO FIVE COVES HOMEOWNERS DOCUMENT. MR. MOULTON STATED HE WOULD LIKE TO SEE THE BUFFER INCREASED ON LOT 9 LOCATED ON JENKINS LANE WITH THAT FIRST BUILDING LOT SEEING HOW THE SIDE SETBACKS ARE ONLY EIGHT (8) FEET.

MR. RAINEY STATED THAT THIS BUFFER ON LOT 9 SHOULD BE AROUND TWENTY-FIVE (25) FEET.

MR. MOULTON ASKED MR. RAINEY TO TAKE THOSE HOUSES ON THE SOUTH WEST SIDE THAT ARE VISIBLE FROM JENKINS LANE AND POSITION THEM TO FACE JENKINS LANE TO BLEND IN WITH THE EXISTING RESIDENCES ON JENKINS LANE. MR. MOULTON THEN ASKED MR. RAINEY TO TAKE THE AVERAGE OF THE SETBACKS ON THE LOTS AND APPLY THAT TO YOUR OPEN SPACE. MR. MOULTON RECOMMENDED SIDEWALKS ON BOTH SIDES OF THE STREETS. THE POOL AND CLUB HOUSE THAT ARE BEING PROPOSED IN THE GREEN SPACE SHOULD BE REFLECTED.

CHAIRMAN HOLT THANKED EVERYONE FOR BEING PATIENT DUE TO THE LONG MEETING TONIGHT, AND THANKED MR. RAINEY FOR WORKING WITH MR. HOLLINS FOR THE LOWER STATION CAMP GREENWAY.

CHAIRMAN HOLT STATED THAT SINCE MR. RAINEY HAS PURCHASED ADDITIONAL PROPERTY FOR THIS DEVELOPMENT FROM MR. HOLLINS AND THAT WE NEED TO SERIOUSLY LOOK AT CONNECTIVITY OF THE ROAD TO CREEKSIDE, I WOULD LIKE TO MAKE A RECOMMENDATION THAT WE DEFER THIS FOR THIRTY DAYS. THIS WOULD ALLOW MR. RAINEY TO RECONFIGURE HIS PLAN AND IT WOULD GIVE US TIME TO SERIOUSLY CONSIDER THIS, BECAUSE OF THIS LATE HOUR.

MR. RAINEY STATED THAT MATERIALLY THE CHANGES THAT ARE REQUESTED WILL NOT HAVE AN AFFECT ON THINGS THAT HAVE BEEN DISCUSSED TONIGHT, AND THE ROAD HAS ALREADY BEEN LINED UP WITH CREEKSIDE DEVELOPMENT, BECAUSE OF THE IMPORTANCE OF IT.

CHAIRMAN HOLT EXPLAINED THAT HE WOULD BE INCREASING THE NUMBER OF LOTS.

MR. RAINEY STATED THAT THERE WOULD BE ABOUT TWENTY (20) MORE ADDITIONAL LOTS THAN ARE SHOWN ON THIS PLAT.

MOTION FOR APPROVAL WITH ALL OF THE STAFF COMMENTS BEING SATISFIED BY MR. GROVE, SECONDED BY MR. HENDRICKS. MOTION FAILED.

4AYES: GROVE, HENDRICKS, BORDERS, AND HIXSON

6 NAYS: RAY, BRATTON, WILLIAMS, FENNELL, BOYD, AND THOMPSON

1ABSTENTION: HALL

(FYI: HAYNES WAS NOT PRESENT WHEN THE VOTE WAS TAKEN)

CHAIRMAN HOLT STATED HE WOULD LIKE TO DEBATE THIS MOTION. CHAIRMAN HOLT STATED THAT WE NEED TO ADDRESS SOME ISSUES, SUCH AS A TRAFFIC STUDY WITH WHICH MR. RAINEY HAS MADE NO CONCRETE PROPOSALS OF HOW THESE ISSUES WOULD BE ADDRESSED. LOWER STATION CAMP CAN NOT HANDLE THE INCREASED TRAFFIC. CHAIRMAN HOLT STATED THAT IF WE APPROVE THIS TONIGHT, WE WILL HAVE MAJOR PROBLEMS.

MOTION TO DEFER FOR THIRTY DAYS BY MR. FENNELL, SECONDED BY MR. THOMPSON. MOTION PASSED.

8 AYES: FENNELL, THOMPSON, GROVE, RAY, BRATTON, WILLIAMS, HENDRICKS, AND BOYD

2 NAYS: HIXSON AND BORDERS

1 ABSTENTION: HALL

(HAYNES NOT PRESENT WHEN VOTE WAS TAKEN)

OTHER BUSINESS:

THE NEAL DIAS PROPERTY-FINAL PLAT-REPRESENTED BY BRUCE RAINEY-DISCUSSION OF FINAL PLAT-1 LOT LOCATED ON LOWER STATION CAMP CREEK ROAD, IS ON TAX MAP 137, PARCEL 10 AND CONTAINS 1.74 ACRES THIS WAS PULLED FROM THE AGENDA BY THE SURVEYOR, THEREFORE NO ACTION WAS TAKEN.

- 1) **ZONING MAPS- MR. MOULTON STATED THAT PREVIOUSLY IN THE WORK STUDY WE DISCUSSED RECOMMENDING FROM THIS BODY TO GO TO A PUBLIC NOTICE FOR REVIEW PURPOSES FOR THE REVISED ZONING MAPS. AFTER ANY PUBLIC COMMENTS AND THE REVIEW OF THESE MAPS, WE WILL MAKE ANY REVISIONS THAT NEED TO BE MADE, THEN WE WILL TAKE THESE MAPS TO THE LEGISLATIVE COMMITTEE FOR RECOMMENDATION TO BE PLACED ON THE COUNTY COMMISSION AGENDA FOR ADOPTION OF REVISED, UPDATED ZONING MAPS.**

MOTION FOR APPROVAL TO MOVE FORWARD WITH THESE MAPS, AND GET THESE MAPS COPIED FOR THE OTHER COMMUNITIES TO REVIEW, BY MR. HENDRICKS, SECONDED BY MR. FENNELL. MOTION PASSED UNANIMOUSLY.

3)PLAT APPROVAL PROCEDURES-THIS IS A MOVE TO GO AHEAD AND PROPOSE A SIXTY DAY NOTICE PERIOD TO EVERYONE THAT SUBMITS PLATS TO MY OFFICE, IT WILL SUBMITTED BOTH IN PAPER FORM AND ELECTRONIC FORM (DISC). THIS ELECTRONIC FORM SUBMITTAL WILL BE ON ORDER TO ASSIST THE MAPPERS IN THE TAX ASSESSOR OFFICE.

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

- *FOR THE RECORD, MR. ROY HIXSON RESIGNED FROM THE PLANNING COMMISSION BY LETTER TO THE PLANNING DEPARTMENT ON AUGUST 29, 2007.*

MEETING ADJOURNED 8:15 P.M.