

**SUMNER COUNTY PLANNING COMMISSION
MINUTES
JANUARY 27, 2009
5:00 P.M.**

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

MEMBERS PRESENT:

LUTHER BRATTON, CHAIRMAN
BILL THOMPSON, VICE-CHAIRMAN
CHARLES HAYNES
CORDELL BORDERS
CECIL RAY
JIM WILLIAMS
SHAWN FENNELL
BOB HENDRICKS
SAUNDRA BOYD
CHARLES LEA
DAN DOWNS
NORMAN TRIPP
MIKE HONEYCUTT

MEMBERS ABSENT:

CYNTHIA HALL TEMPLETON

OTHERS PRESENT:

MIKE MOULTON, PLANNING DIRECTOR
MICHAEL BRIGGS, PLANNER
ROB GARRISON, STATE PLANNER
LEAH MAY DENNEN, COUNTY ATTORNEY
LISA WILLIAMS, ADMINISTRATIVE ASSISTANT

CHAIRMAN BRATTON TURNED THE MEETING OVER TO VICE-CHAIRMAN THOMPSON TO CONDUCT THE ELECTION OF THE CHAIRMAN AND VICE-CHAIRMAN.

A) ELECTION OF CHAIRMAN AND VICE-CHAIRMAN:

BILL THOMPSON, VICE-CHAIRMAN BEGAN TO ACCEPT NOMINATIONS FOR CHAIRMAN.
SAUNDRA BOYD NOMINATED CHARLES HAYNES FOR CHAIRMAN, SECONDED BY DAN DOWNS.

BOB HENDRICKS NOMINATED LUTHER BRATTON FOR CHAIRMAN, SECONDED BY CECIL RAY.

AT THIS POINT A ROLL CALL VOTE WAS TAKEN:

VOTING FOR HAYNES FOR CHAIRMAN WAS AS FOLLOWS: BORDERS, FENNELL, BOYD, DOWNS,
TRIPP (5 VOTES)

VOTING FOR BRATTON FOR CHAIRMAN WAS AS FOLLOWS: THOMPSON, RAY, WILLIAMS,
HENDRICKS, HONEYCUTT (5 VOTES)

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SINCE THIS WAS A TIE VOTE, MOTION WAS MADE BY DOWNS TO DEFER THE ELECTION OF CHAIRMAN AND VICE-CHAIRMAN UNTIL NEXT MONTH, SECONDED BY MR. HENDRICKS. MOTION PASSED UNANIMOUSLY.

MOTION FOR APPROVAL OF DECEMBER MINUTES BY MR. LEA, SECONDED BY MR. WILLIAMS MOTION PASSED UNANIMOUSLY.

1. SITE PLAN FOR COMMUNICATIONS TOWER-REPRESENTED BY SCOTT B. SMITH WITH EXCELL COMMUNICATIONS INC.-(12TH COUNTY COMMISSION DISTRICT) -VERNON E. BRILEY HEIRS, OWNERS, AND AMERICAN TOWER CORPORATION/JARED MORLEY, LESSEE WERE REQUESTING SITE PLAN APPROVAL FOR A 280' GUYED TELECOMMUNICATIONS TOWER DESIGNED TO HOLD ANTENNAS FOR AT LEAST THREE (3) TELECOMMUNICATIONS CARRIERS. SUBJECT PROPERTY IS LOCATED AT 3221 HIGHWAY 76, COTTONTOWN, TN., IS ON TAX MAP 58, PARCEL 71, AND IS ZONED AGRICULTURAL. (OAKMONT ES, WHITE HOUSE MS AND HS)

SCOTT SMITH CAME FORWARD TO REPRESENT AND EXPLAIN THIS REQUEST.

MR. MOULTON STATED THAT THEY HAVE MET ALL STAFF COMMENTS AND HAVE PROVIDED ALL THE REQUIREMENTS.

MOTION FOR APPROVAL BY MR. HAYNES, SECONDED BY MR. DOWNS. MOTION PASSED UNANIMOUSLY.

2.DEFERRED- REZONING-(6TH COUNTY COMMISSION DISTRICT)- HIGHERS, KOONCE AND ASSOCIATES WERE REQUESTING A REZONING AND A PRELIMINARY MASTER DEVELOPMENT PLAN APPROVAL FOR DOUGLAS BEND OAKS. SUBJECT PROPERTY IS LOCATED AT 502 DOUGLAS BEND ROAD AND 504 DOUGLAS BEND ROAD, GALLATIN, TN. IS ON TAX MAP 147, PARCELS 13 AND 14, AND IS ZONED RESIDENTIAL A AND CONTAINS 51.4 ACRES. THEY ARE REQUESTING TO HAVE THESE PROPERTIES REZONED FROM RESIDENTIAL A TO A LOW DENSITY RESIDENTIAL PLANNED UNIT DEVELOPMENT AND FOR PRELIMINARY MASTER PLAN APPROVAL. (SCHOOL DISTRICT-JACK ANDERSON ES, OLD KNOX DOSS MS & STATION CAMP HS)

LEONARD W. AND GENEVA BALLOU ARE REQUESTING TO HAVE THEIR PROPERTY LOCATED AT 504 DOUGLAS BEND ROAD, GALLATIN, TN, REZONED FROM RA TO A LOW DENSITY RESIDENTIAL PLANNED UNIT DEVELOPMENT. THIS PROPERTY CONTAINS 71 PROPOSED LOTS AND IS ON TAX MAP 147, PARCEL 14.00.

CAROLYN M. C. CARMACK, TRUSTEE, IS ALSO REQUESTING TO HAVE HER PROPERTY LOCATED AT 502 DOUGLAS BEND ROAD, GALLATIN, TN. REZONED FROM RA TO A LOW DENSITY RESIDENTIAL PLANNED UNIT DEVELOPMENT. THIS PROPERTY CONTAINS 51 LOTS AND IS ON TAX MAP 147, PARCEL 13.00. THIS IS A PUBLIC HEARING AND WAS ADVERTISED IN THE GALLATIN NEWS EXAMINER ON **SEPTEMBER 12, 2008**. THE ADJOINING PROPERTY OWNERS WERE NOTIFIED BY CERTIFIED MAIL.

THIS WAS DEFERRED BY THE HIGHERS, KOONCE AND ASSOCIATES IN SEPTEMBER, OCTOBER, NOVEMBER AND DECEMBER 2008 AND JANUARY 2009.

DEFERRED THEREFORE NO ACTION WAS TAKEN

MR. MOULTON STATED THAT WE RECEIVED A DEFERRAL REQUEST FROM HIGHERS, KOONCE AND ASSOCIATES TO DEFER DOUGLAS BEND OAKS ONE MORE TIME. WE HAVE ASKED THEM TO PROVIDE A CERTIFIED AUDIT AND A TRAFFIC STUDY. THESE TWO BIG ELEMENTS HAVE NOT BEEN COMPLETED; THEREFORE THEY HAVE ASKED TO DEFER THIS PROJECT. WE ARE NOT GOING TO DISCUSS THIS PROJECT DUE TO THE FACT THAT NO ONE IS PRESENT TO REPRESENT THIS FROM HIGHERS, KOONCE AND ASSOCIATES.

MR. DOWNS ASKED IF THEY COULD MAKE THE LETTERS IN THE PRODUCT BOOK LARGER SO THIS WOULD BE MORE LEGIBLE. HE MADE REFERENCE TO SOME OF THE RENDERINGS IN THE BOOK WERE VERY LARGE PRINT AND OTHERS WERE VERY SMALL PRINT. MR. DOWNS ALSO WOULD LIKE TO SEE A RESTRICTION OF A MINIMUM OF 2,400 SQUARE FEET BEING PLACED ON THE PROPOSED HOMES.

OTHER BUSINESS:

A) MR. MOULTON PRESENTED AND DISCUSSED THE TOTAL NUMBER OF ACTIVITIES PERTAINING TO THE ZONING DEPARTMENT, ZONING BOARD OF APPEALS AND THE PLANNING COMMISSION.

B) MR. MOULTON ASKED THIS BODY TO GIVE HIM SOME DIRECTION OF WHETHER THIS BODY WOULD LIKE TO DISCUSS AND REVIEW THE SUBDIVISION REGULATIONS.

MR. THOMPSON REPLIED TO MR. MOULTON THAT WE SHOULD ADDRESS THE REVISION OF THE SUBDIVISION REGULATIONS DURING THE SLOW DOWN WE ARE EXPERIENCING OF THE PLANNING COMMISSION ACTIVITY.

MR. HAYNES SUGGESTED THAT WE COULD HAVE SOME WORK STUDIES WITH MR. MOULTON AND MR. NICK STRONG AND LET THEM TELL US WHERE WE ARE HAVING OUR SHORT FALLS. MR. HAYNES STATED "IF IT AIN'T BROKE WHY FIX IT".

MR. MOULTON STATED HE FELT THIS WAS A GOOD TIME TO LOOK AT THE REVISED SUBDIVISION REGULATIONS. MR. MOULTON STATED THAT WE CAN TAKE OUR TIME AND THERE ARE NOT THAT MANY REVISIONS TO THE SUBDIVISION REGULATIONS. WE WILL BE REQUIRED TO HAVE A PUBLIC HEARING WHEN WE ARE READY TO MOVE FORWARD WITH THE REVISED SUBDIVISION REGULATIONS.

MR. LEA CONCURRED WITH MR. THOMPSON THAT IT WOULD BE A GOOD TIME FOR US TO TAKE A LOOK AT THE REVISED SUBDIVISION REGULATIONS. MR. LEA ALSO SUGGESTED THAT WE HAVE OUR WORK STUDIES BEFORE OR AFTER OUR PLANNING COMMISSION VERSES CONDUCTING THE WORK STUDIES TWICE A MONTH.

MR. MOULTON RESPONDED TO MR. LEA BY SAYING THAT WE CAN HAVE OUR WORK STUDY BEFORE THE PLANNING COMMISSION MEETING, THIS WAS OUR STANDARD PRACTICE FOR A LONG TIME. WE COULD START THESE WORK STUDIES AT 3:00 P.M. HE EXPLAINED THAT YOU DO NOT HAVE TO ATTEND EVERY SECOND OF EVERY WORK STUDY.

THERE WAS EXTENSIVE DISCUSSION.

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CHAIRMAN BRATTON STATED HE FELT THAT THE CONSENSUS OF THIS BODY IS TO MOVE FORWARD ON REVIEWING THE REVISED SUBDIVISION REGULATIONS.

C) MR. MOULTON STATED THAT LAST NIGHT AT THE FULL COUNTY COMMISSION MEETING THERE WAS A RESOLUTION REGARDING THE BUILDING PERMIT BONDS. THE MOTION WAS TO REFER THIS TO THE PLANNING COMMISSION TO STUDY. THIS PROPOSED BOND PERTAINS TO THE CONTRACTORS BEING REQUIRED TO SUBMIT A PERFORMANCE BOND, RELATING TO BUILDING PERMITS. THIS WILL BE PART OF OUR WORK STUDY DISCUSSION NEXT MONTH.

MR. HAYNES STATED THAT HE WOULD LIKE MR. HAMMOCK TO ATTEND THE NEXT WORK STUDY SESSION TO BE PART OF THE PERFORMANCE BOND DISCUSSION.

CHAIRMAN BRATTON STATED THAT IT WOULD BE A GOOD IDEA IF LEAH MAY DENNEN WOULD PROVIDE THIS BODY WITH A COPY OF THE RESOLUTION.

MS. DENNEN EXPLAINED THAT THIS PERFORMANCE BOND ONLY COVERS IF THE CONTRACTOR DOES NOT FINISH THE PROJECT TO CODES.

THERE WAS EXTENSIVE DISCUSSION.

C) THERE WAS DISCUSSION THAT MR. LEA WAS NOT ABLE TO SERVE ON THE ROAD FEE COMMITTEE AND WOULD LIKE A VOLUNTEER FROM THIS BODY TO SERVE ON THIS COMMITTEE. MR. TRIPP VOLUNTEERED TO SERVE ON THIS COMMITTEE.

MOTION BY MR. FENNEL TO ELECT MR. TRIPP TO SERVE ON THE ROAD FEE COMMITTEE, SECONDED BY MR. HAYNES. MOTION PASSED UNANIMOUSLY.

D) MR. HAYNES STATED THAT THIS BODY RECOMMENDED SEVERAL MONTHS AGO TO THE PUBLIC WORKS AND LEGISLATIVE COMMITTEE TO TAKE THE CUT AND FILL BACK TO THE FEMA STANDARDS AND THIS NEEDS TO BE RESOLVED. WE ARE APPROVING LOTS IN THE FLOODPLAIN AREA AND THESE PEOPLE CAN NOT MOVE FORWARD UNTIL THIS IS RESOLVED. WE NEED TO GO TO THE BODY THAT DEFERRED THIS AND GET SOME KIND OF MEMORANDUM.

CHAIRMAN BRATTON STATED THAT HE AND MR. MOULTON ARE DOING SOME RESEARCH IN THIS AREA AND WOULD LIKE TO COME BACK TO THIS BODY WITH OUR FINDINGS AT THE NEXT MEETING. CHAIRMAN BRATTON STATED HE TOO THINKS THE CONTRACTORS SHOULD HAVE SOME RELIEF.

MOTION BY MR. DOWNS THAT CHAIRMAN BRATTON AND MR. MOULTON RESEARCH THE CUT AND FILL AND REPORT BACK TO THIS BODY NEXT MONTH, SECONDED BY MR. BORDERS. MOTION PASSED UNANIMOUSLY.

MEETING ADJOURNED AT 6:00 P.M.

