



**CHEATHAM COUNTY PLANNING COMMISSION
MINUTES FOR JUNE 2, 2016**

Meeting was called to order at 6:00 p.m. by Chairperson Mark Jarrell.

Chairperson Mark Jarrell called for the roll to be taken and called the roll.

Members Present: Roger Hamiter, Chester Hannah, Brian McCain, Mark Jarrell, John F. Werne, Paula Shaw.

Members Absent: Jordon Tupper, David Bibee, James Atkins

Chairperson Mark Jarrell declared a quorum present.

Others Present: Cheatham County Building Commissioner Franklin Wilkinson, Cheatham County Attorney Michael Bligh, Cheatham County Planner Rick Gregory, Kevin Hale, Eric Lockert, Dave Ferlisi, Michael Bejma, Donetta Hedges, Cory Gossett, Monte Turner, Wayne Corn, Angela Corn, Todd Corn, Jonathan King, Wayne King, David C. Risner

Approval of Minutes and Agenda:

Chairperson Mark Jarrell stated that everyone should have received their meeting packets and a copy of the minutes from the March 3, 2016 Planning Commission meeting. He asked if there were any comments or corrections. Hearing none, Chairperson Mark Jarrell asked for a motion to approve the minutes from the March 3, 2016 Planning Commission meeting. ****MOTION**** made by John Werne to approve the minutes as presented and circulated; second by Roger Hamiter. Chairperson Mark Jarrell called for a voice vote. The motion to approve the minutes passed by a unanimous "aye" voice vote.

Chairperson Mark Jarrell stated that the agenda for this meeting has been presented and circulated and asked if there were any corrections or changes. Chairperson Mark Jarrell stated that the attorney for ITEM #2 is running late and requests that ITEM #2 be heard later in the meeting. ****MOTION**** to approve the agenda with noted changes was made by Roger Hamiter; second by Chester Hannah. The motion to approve passed by a unanimous "aye" voice vote.

Chairperson Mark Jarrell opened the floor for Public Forum at 6:02 PM. There being no one to speak, Chairperson Mark Jarrell closed the floor for Public Forum at 6:02 PM.

ITEM #1

Chairperson Mark Jarrell read item #1 into the record. Ronald Cory Gossett, requesting a Zone Change from R-1 to R-2 for property to be in compliance. Properties are located on Hwy 41-A and Bracey Circle, Joelton, TN; Map 24C Group A Parcels 1, 4, and 6 also Map 39 Parcel 146. Properties are in the 2nd voting district and are not in a Special Flood Hazard area. Rick Gregory addressed the commission and referred to a handout on evaluating requests for zone changes. There are 8 basic questions that a planning commission should consider on each request: Was the land originally placed in the wrong district? Have growth patterns, traffic or other changes made the original zoning obsolete? Will the change add to service costs? Will the planned population

density be altered? Will it require changing the street plan due to new (or worse, unanticipated) traffic generation? Will the change constitute a grant of special privilege to an individual instead of promoting the public welfare? Will the change add value to the community as a whole? Is the change in agreement with the long-range plan? Rick Gregory reviewed his comments regarding the request. The request for rezoning of property at map 39, parcel 146 on Bracey Circle affects an existing property with existing buildings/residences in an area zoned R-1, which is surrounded by Agricultural zoning. The requested change of zoning to R-2 for those parcels (1, 4 and 6 on map 24C) situated on Highway 41A are likewise in an area zoned R-1 and, in this case, front properties zoned E-1. A change to R2 zoning for any of the properties would not be in keeping with the character of the area if approved and could be viewed as spot zoning, since no other R2 property exists in the area. Gory Gossett addressed the commission and stated that his primary reason for rezoning is to make the zoning compatible with the use. The homes were permitted as duplexes during the 1980s. The zoning district came into effect in 1991. After further discussion a ****MOTION**** to approve the rezone from R-1 to R-2 was made by John Werne; second by Roger Hamiter. The motion passed by roll call vote. Roger Hamiter - yes, Chester Hannah - yes, Brian McCain - yes, Mark Jarrell - yes, John F. Werne - yes, Paula Shaw - yes.

ITEM #2

Chairperson Mark Jarrell read item #2 into the record. Donetta Hedges, Creative Industries, requesting a Zone Change from C-5 to C-1. Properties are located on Jackson Felts Rd. Joelton, TN; Map 39 Parcel 159 and Map 23 Parcel 157. Properties are in the 2nd voting district and are not in a Special Flood Hazard area. Rick Gregory addressed the commission and presented his comments. This request for rezoning is somewhat different from others on this agenda in that the request is to go back to a previously existing commercial zone for which the original business was developed under. In this case as well, property in the immediate area is currently zoned C-5. However, and significantly, other similar requests have been made and approved in the recent past to also return some properties in the immediate area to the previously existing C-1 zoning. If it is the case that the planning commission and county commission desire this trend to continue, then this request fits with that process and could be seen as a continuation of that rezoning trend. Recommendation – Approval of the request to rezone the property C-1 if it is seen as a continuation of recent rezoning requests. David C. Risner, attorney representing Creative Industries, addressed the commission and stated that map 39, parcel 159 was previously zoned C1 and was used as limited manufacturing by Esquire Wire. It became legally nonconforming when it was zoned C-5. Map 23, parcel 157 is adjacent to this lot houses a strip mall center and came in under the C1 zoning. Esquire Wire has vacated the building and the C-5 zoning is extremely limiting when it comes to establishing a new tenant. Donetta Hedges addressed the commission and stated that history has shown that the highest and best use for properties in this area is trending toward limited manufacturing. After further discussion a ****MOTION**** to rezone Map 39, Parcel 159, and Map 23, Parcel 157 from C-5 to C1 was made by John Werne; second by Paula Shaw. The motion to rezone passed by roll call vote. Roger Hamiter - yes, Chester Hannah - yes, Brian McCain - yes, Mark Jarrell - yes, John F. Werne - yes, Paula Shaw - yes.

ITEM #3

Chairperson Mark Jarrell read item #3 into the record. Kevin Hale, requesting a Zone Change from Agriculture to R-1. Property is located on Ridge Circle, Joelton, TN; Map 23 Parcel 53.02. Property is in the 2nd voting district and is not in a Special Flood Hazard area. Rick Gregory addressed the commission and stated he is still present the eight items to consider when rezoning and presented his comments. The request for rezoning of property at map 23, parcel 53.02 on Ridge Circle is surrounded by Agricultural zoning. The requested change of zoning to R-1 would not be in keeping with the character of the area if approved and could be viewed as spot zoning, since no other R-1 property exists in the area. Recommendation – Staff cannot recommend approval of this request. Kevin Hale addressed the commission and stated his intention is to subdivide the property and sell it. After further discussion a ****MOTION**** to follow staff recommendations and deny the rezone from Agriculture to R-2 was made by John Werne; second by Roger Hamiter. For clarity, Chairperson Mark Jarrell stated that a “yes” vote is a vote to deny the rezone request. Roger Hamiter - yes, Chester Hannah - no, Brian McCain - no, Mark Jarrell - no, John F. Werne - yes, Paula Shaw - yes.

The rezone request failed to get a favorable recommendation from the Planning Commission.

ITEM #4

Chairperson Mark Jarrell read item #4 into the record. Kevin Hale, requesting a 3 lot Subdivision Review. Property is located on Ridge Circle, Joelton, TN; Map 23 Parcel 53.02 and consist of 4.55 acres. Property is in the 2nd voting district and is not in a Special Flood Hazard area. A ****MOTION**** to table the subdivision request until the rezoning process is completed was made by John Werne; second by Paula Shaw. Motion to table the item passed by roll call vote. Roger Hamiter - yes, Chester Hannah - yes, Brian McCain - yes, Mark Jarrell - yes, John F. Werne - yes, Paula Shaw - yes.

Rick Gregory addressed the commission and stated that Item #6 should be heard before Item #5 on the agenda because the plat approval will be contingent on the rezoning.

ITEM #5

Chairperson Mark Jarrell read item #5 into the record. Michael Bejma, representing the Wayne Morris Estate, requesting a Final Plat Review. Property is located at 1712 Mosley Ferry Rd., Pleasant View, TN; map 12 parcel 24 consisting of 53 acres and is zoned Agriculture. Property is in the 4th voting district and is not in a Special Flood Hazard area. ****MOTION**** to table the subdivision request until the rezoning process is completed was made by Brian McCain; second by Chester Hannah . Motion to table the item passed by roll call vote. Roger Hamiter - yes, Chester Hannah - yes, Brian McCain - yes, Mark Jarrell - yes, John F. Werne - yes, Paula Shaw - yes.

ITEM #6

Chairperson Mark Jarrell read item #6 into the record. Michael Bejma, representing the Wayne Morris Estate, requesting a Rezone from Agriculture to R-1 for 2 acres. Property is located at 1712 Mosley Ferry Rd., Pleasant View, TN; map 12 parcel 24. Property is in the 4th voting district and is not in a Special Flood Hazard area. Rick Gregory addressed the commission and

presented his comments. Analysis – The request for rezoning of property at map 12, parcel 24 at 1712 Mosley Ferry Rd. is zoned Agriculture and surrounded by Agriculture zoning. A change to R1 zoning would not be in keeping with the character of the area if approved and could be viewed as spot zoning, since no other R1 property exists in the immediate area. Recommendation – Staff cannot recommend approval of this request. Mike Bejma addressed the commission and stated that he is the executor of the estate. The request to rezone is for the purpose of dividing the house out from the larger tract with a two-acre lot. The heirs of the estate will inherit the remaining property. After further discussion a ****MOTION**** to rezone the property from Agriculture to R1 was made by Chester Hannah; second by Brian McCain. Motion to rezone passed by roll call vote. Roger Hamiter - yes, Chester Hannah - yes, Brian McCain - yes, Mark Jarrell - yes, John F. Werne - yes, Paula Shaw - yes.

ITEM #7

Chairperson Mark Jarrell read item #7 into the record. Attorney, Eric Lockert, requesting a Plat Amendment for Lockridge Acres. Property is located off Saddle Tree Rd, Ashland City, TN; map 35 part of parcel 20.01. Property is in the 4th voting district and is not in a Special Flood Hazard area. Rick Gregory addressed the commission and presented his comments. Analysis – This is a request for changes to several recorded lots in the Lockridge Subdivision, mainly to increase the size of building lots and in one instance, to add an ingress/egress easement. Staff has reviewed the submitted plat and the surveyor has made changes as requested. Recommendation – Approval. Eric Lockert addressed the commission and stated that lot eight is increasing from 6 to 8 acres and a 50-foot ingress / egress easement is added to lot 6. After further discussion a ****MOTION**** to approve the plat was made by Chester Hannah; second by Roger Hamiter. Motion to approve passed by roll call vote. Roger Hamiter - yes, Chester Hannah - yes, Brian McCain - yes, Mark Jarrell - yes, John F. Werne - yes, Paula Shaw - yes.

ITEM #8

Chairperson Mark Jarrell read item #8 into the record. Jonathan King and Wayne King, requesting a Rezone from E-1 to R-1. Property is located on Thomasville Rd., Chapmansboro, TN; map 3 Parcel 66.01 and consist of 5 acres. Property is in the 3rd voting district and is not in a Special Flood Hazard area. Analysis – The request for rezoning of property at map 3, parcel 66.01 on Thomasville Road in Chapmansboro is zoned E-1 Estates Residential district and surrounded by E-1 zoning. A change to R1 zoning would not be in keeping with the character of the area if approved and could be viewed as spot zoning, since no other R1 property exists in the immediate area. Recommendation – Staff cannot recommend approval of this request. Johnathan King addressed the commission and stated that his original intent was to keep the property as E1 and divide it into three lots but the 4:1 width to depth ratio is prohibiting me from meeting the minimum 3-acre lot size on this property. That is the reason for this request. I would like to be able to have three 3-acre tracts. After further discussion the commission determined that the

applicant should consider keeping the E-1 zoning and subdividing into three 3-acre lots and to seek a variance on the 4:1 width to depth ratio and resubmit the plat to the planning commission. In the meantime, continue on with the rezone request in the event the variance is denied. A ****MOTION**** to deny the rezone request from E1 to R1 was made by Chester Hannah; second by John Werne. Motion to deny the rezone passed by roll call vote. Roger Hamiter - yes, Chester Hannah - yes, Brian McCain - yes, Mark Jarrell - yes, John F. Werne - yes, Paula Shaw - abstain. The rezone request from E1 to R1 receives an unfavorable recommendation to the county commission.

ITEM #9

Chairperson Mark Jarrell read item #9 into the record. Turner & Associates Realty, Inc., requesting a Site plan Review. Property is located at 2442 River Rd., Ashland City, TN; map 66 parcel 14 and consist of 2 acres zoned C-1. Property is in the 5th voting district and is not in a Special Flood Hazard area. Rick Gregory addressed the commission and presented his comments. Analysis – This request is for a 9,100 square foot Dollar General Store to be located at the intersection of SR 249 (Sam’s Creek Rd.) and SR 251 (River Road). The site plan has been reviewed and comments have been forwarded to the applicant. Changes to the parking lot by extending it further south and shortening the proposed parking lot to the west would help with issues of buffering and encroachment on the western property line. Recommendation – Approval with consideration of changes to parking layout to address concerns with parking setback and buffering and assuming all other comments and corrections have been satisfactorily addressed. David Ferlisi address the commission and stated that one of the constraints for the site is the secondary fill line area. We are somewhat limited when it comes to adding parking in this area. Dollar General analysis determines that 30 parking space will work for a store this size. It would be difficult to increase the parking on this site given the limitations of the septic fill area. Due to the lay of the land the back left corner of the building encroaches into the rear buffer buy about 3 feet. On the west side the building is encroaching by approximately 5 feet. There is a utility pole in the back of the building that is restricting any canopy trees in that area. A ****MOTION**** was made by Roger Hamiter to approve the site plan as submitted, including the waiver on the landscape buffer requirements and the off street parking requirements; second by Chester Hannah. The motion to approve passed by roll call vote. Roger Hamiter - yes, Chester Hannah - yes, Brian McCain - yes, Mark Jarrell - yes, John F. Werne - yes, Paula Shaw - yes.

OTHER BUSINESS:

Chairperson Mark Jarrell stated that Mr. Atkins’ health would not allow him to continue as the Secretary and member of the Cheatham Co. Planning Commission. Chairperson Mark Jarrell opened the floor for nominations for secretary of the planning commission. Chairperson Mark Jarrell opened the floor for nominations. John Werne nominated Paula Shaw. With no further nominations Chairperson Mark Jarrell declared the nominations closed. Paula Shaw was elected Secretary of the Cheatham County Planning Commission by roll call vote. Roger Hamiter - yes,

Chester Hannah - yes, Brian McCain - yes, Mark Jarrell - yes, John F. Werne - yes, Paula Shaw - yes.

Having no further business, ****MOTION**** was made to adjourn the meeting by John Werne; second by Chester Hannah. Voice vote carried unanimously by all present. Meeting Adjourned at 7:53 PM.

**PAULA SHAW – SECRETARY
CHEATHAM COUNTY PLANNING COMMISSION**