



**CHEATHAM COUNTY PLANNING COMMISSION  
MINUTES FOR MAY 1, 2025**

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

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

Members Present: Matt Von Lunen, Chester Hannah, Brian McCain, Chris Atkins, Jill Niccolich, Brenda Montgomery, Mark Jarrell

Members Absent: Gary Chance, Allen Nicholson

Mark Jarrell declared a quorum present

Others Present: Franklin Wilkinson, Michael Bligh, Jessica Hill, Christian Dalton, Lee Dalton, Bobby Hackett, Harry Leible, Lee Carroll, James Bean, James Thigpen, Mao Sokhoh, Ashley Fulghum, Jake Fulghum, Mary Lee Rutherford, Sam Rutherford, Scott Hiatt stated, this is not in the city limits of Pegram and he is opposed to the rezoning.

**Approval of Minutes and Agenda:**

Mark Jarrell stated, everyone should have received their meeting packets and a copy of the minutes from the April 3, 2025 Planning Commission meeting. He asked if there were any comments or corrections. Hearing none, a **\*\*MOTION\*\*** to approve the minutes was made by Brenda Montgomery; second by Chester Hannah. The motion passed by unanimous “aye” voice vote.

Mark Jarrell stated, the agenda for tonight’s meeting has been distributed. He asked if there were any comments or corrections. Hearing none, a **\*\*MOTION\*\*** to approve the agenda was made by Matt Von Lunen; second by Chester Hannah. The motion passed by unanimous “aye” voice vote.

**PUBLIC FORUM:**

Mark Jarrell opened the floor for Public Forum at 6:02 PM. There being on one to speak Mark Jarrell declared public forum closed at 6:03 PM.

**ITEM #1**

Mark Jarrell read Item #1 into the record. American Engineers, Inc., requesting a zone change from C1 to I1 for Map 65, Parcel 98 and Map 65, Parcel 98.02. Property is located at 346 Angler Ln., in the 6<sup>th</sup> Voting District and is in a Special Flood Hazard Area. Jessica Hill presented the planning staff review: This is a request to rezone Map 65, Parcel 098.00 and 098.02, located at 346 Angler Lane. Parcel 98.00 is ~+16.93 acres and Parcel 98.02 is ~+10.8 acres and both are currently zoned C-1, General Commercial. The adjacent properties are zoned Agriculture, General Commercial, Low Density Residential, and across the Cumberland River in Ashland City as Industrial. Public water is available along River Road but sewer is not available. The parcels are in a Special Flood Hazard Area and include both Regulatory Floodway and Zone AE. The parcels are located in a county planned growth area. River

Road is a State Route and identified as an Arterial Road in the Major Road Plan. The proposed use of the site is for transporting aggregate material via barge, offloading onto the property, and then transporting aggregate from the site by dump truck. The material would not be for sale to other parties.

The General Industrial District, I-1, is intended to provide space for the types of industrial activities which by reason of volume of raw materials or freight, scale of operation, type of structures required, or other similar characteristics, require location relatively well segregated from nonindustrial uses. New residential activities are excluded, and commercial establishments and community facilities which provide needed services for industry and are complimentary thereto are permitted. The nearest County I-1 zoning district is approximately 1.75 miles from this property. And the nearest Ashland City Industrial zoning district is approximately 0.15 mile from the property. Staff reviewed the rezoning request and proposed use with the zoning resolution. The zoning resolution activities do not have a clear connection to the proposed use and staff cannot determine if this is an allowed activity in the C-1, I-1, or I-2 districts. Staff could classify the proposed use as: Intermediate Impact Facility, Extensive Impact Facility, or Transport & Warehousing. Depending on how the proposed use is classified into an activity will determine the zoning district best suited. The existing zoning district, C-1, allows for Intermediate Impact Facilities as a Conditional Use. The proposed use may have a significant effect on surrounding land uses due to the traffic generation characteristics and operations, but the proposed use is not listed as an example. *3.060 Community Facility Activities – (8) Intermediate Impact Facilities: Includes the activities that have a significant effect upon surrounding land uses due to their traffic generation characteristics, parking requirements, land requirements, or potential nuisances and typically performed by, or the maintenance and operation of, the following institutions or installations: Cemeteries, Columbariums, and Mausoleums Golf Courses.* The C-1 district does not allow for Extensive Impact or Transport & Warehousing as a permitted or conditional activity.

The requested rezoning district, General Industrial, I-1, allows for Intermediate Impact Facilities and Transport and Warehousing as a permitted activity. The proposed use similar to above is not listed as an Intermediate Impact Facility but could have similar effects. In Transport and Warehousing the proposed use could be considered as a “General Warehousing” activity. *Section 3.070 Commercial Activities - (24) Transport and Warehousing: Includes the provision of warehousing, storage, freight handling, shipping, and trucking services. Bus and Truck Maintenance and Repair; Food Lockers; General Warehousing; Household Goods Storage; Packing and Crating Services; Refrigerated Warehousing; Truck Stops with Facilities for Fueling; Parking and Washing; Truck Terminals and Freight Handling Services; Wrecker Services.* Another option is the Heavy Industrial district, I-2, which allows for Extensive Impact Facilities as a Permitted Use. The proposed use may have a high degree of impact on surrounding land uses due to their hazards or nuisance characteristic, but the proposed use is not listed as an example *3.060 Community Facility Activities – (4) Extensive Impact Facilities: Includes the activities that have a high degree of impact upon surrounding land use due to their hazards or nuisance characteristics, as well as traffic generation, parking, and land requirements and typically performed by, or the maintenance and operation of, the following institutions and installations: Airports, Air Cargo Terminals, Heliports, or Other Aeronautical Devices; Correction and Detention Institutions; Electricity Generating Facilities and Transmission Lines; Garbage Incineration Plants including Co-generation Facilities; Major Fuel Transmission Lines and Facilities; Major Mail Processing Centers; Marshalling and Storage Yards; Military Installations; Public and Private Utility Corporations and Truck Yards, including Storage Yards; Radio and Television Transmission Facilities; Railroad Yards and Other*

*Transportation Equipment; Railroad, Bus, and Transit Terminals; Sanitary Landfill; Sewage Treatment Plants; Stadiums, Sports Arenas, Auditoriums, and Bandstands; Water Treatment Plants.*

Before recommending this change in zoning, the planning commission should determine whether this request is appropriate for, and in keeping with, the character of the area. Sam Rutherford stated, he is opposed the industrial uses and rezoning to I-1. Diana Pike Lovell, 5<sup>th</sup> District Commissioner, stated, she is opposed to the rezone to I-1. River Road on the south side of the reiver is residential and agricultural. Industrial uses at this location would be out to character with the area. Jake Fulghum stated, he lives at Lost Hollow Subdivision directly across the road form this property. He has talked to his neighbors and they are all opposed to the Industrial Zoning. Harry Liable stated, he agrees with Commissioner Lovell and Mr. Fulghum and is opposed to the Industrial Zoning at this location. Based on staff recommendations and discussion had at this meeting a **\*\*MOTION\*\*** to deny the rezone request was made by Brenda Montgomery; second by Chris Atkins. The motion passed by roll call vote. Matt Von Lunen - yes, Chester Hannah - yes, Brian McCain - yes, Chris Atkins - yes, Jill Niccolich - yes, Brenda Montgomery - yes, Mark Jarrell – yes.

## **ITEM #2**

Mark Jarrell read Item #2 into the record. Christian Dalton requesting a zone change from E1 to R1 for Map 93, Parcel 10. Property is located at 4531 Sears Rd., in the 5<sup>th</sup> Voting District and is not in a Special Flood Hazard Area. Jessica Hill presented the planning staff review: This is a request to rezone Map 93 Parcel 010.00, located at 4531 Sears Road. The property is a 4.2-acre parcel that is currently zoned E-1, Estates Residential. The adjacent properties are zoned Agriculture. Public water is available but sewer is not available to the parcel. This property is located in the Town of Pegram's UGB. The proposed use of the property is residential construction. The R-1, Low Density Residential District, is designed to provide suitable areas for low density residential development characterized by an open appearance. Most generally, the residential development will consist of single-family detached dwellings and accessory structures, but the district may also include community facilities, public utilities and open uses which serve specifically the residents of this district or which are benefited by an open residential environment without creating objectionable or undesirable influences upon such development. The nearest County R-1 zoning district is approximately a ½ mile from this property. And the Town of Pegram R-1 zoning district is approximately a ½ mile from the property. Before recommending this change in zoning, the planning commission should determine whether this request is appropriate for, and in keeping with, the character of the area. James Thigpen stated, he lives in the area. A few months ago, the property was for sale. He was told the minimum lot size in the current zoning is three acres with public water and only one house could be placed on the lot. If he had known it could be divided, he may have purchased the property. He is opposed to higher density and the rezone request. Lee Carol stated, she lives in the area and is opposed to higher density and the rezone request because it will change the character of this area of Sears Rd. James Bean stated, he is opposed to the zone change. Scott Hiatt stated, this is not in the city limits of Pegram and he is opposed to the rezoning. Diana Pike Lovell, 5<sup>th</sup> District Commissioner stated, she supports the rezone request and would like to meet with the applicant and those opposed to the rezone. Christian Dalton stated, the lot next door is 1.82-acres. There are other 2- acre lots in the area and the request would not be out of character with the area. This lot has more road frontage than most of the lots in the area. She just wants to divide the lot in two for her children to be able to build a home. Based on staff recommendations and discussion had at this meeting a

**\*\*MOTION\*\*** to deny the rezone request was made by Brenda Montgomery; second by Matt Von Lunen. The motion passed by roll call vote. Matt Von Lunen - yes, Chester Hannah - yes, Brian McCain - abstain, Chris Atkins - yes, Jill Niccolich - yes, Brenda Montgomery - yes, Mark Jarrell – yes.

### **ITEM #3**

Mark Jarrell read Item #3 into the record. Bobby Hackett requesting a zone change from C3 to Agriculture for Map 48, Parcel 13.05. Property is located on Chapmansboro Rd., in the 4<sup>th</sup> Voting District and is in a Special Flood Hazard Area. Jessica Hill presented the planning staff review: This is a request to rezone Map 48 Parcel 053.00, located at unaddressed Chapmansboro Road with the closet intersection as Highway 12N. The property is a 5.01-acre parcel currently zoned C-3, Rural Convenience Commercial District. The adjacent properties are zoned Agriculture. This property is not located in a County Planned Growth Area. The property is located in the Regulatory Floodway of the Cumberland River. The proposed use of the property is agriculture. The Agriculture District, A, was designed to provide suitable areas for the growing of crops, animal husbandry, dairying, forestry, and other similar activities which usually occur in and characterize rural rather than urban areas. This district is designed, furthermore, to provide for low density residential development generally on large tracts of land whereon public sanitary sewer service and, in many cases, public water supply are least practical. This district may also include community facilities, public utilities, and open uses which serve specifically the residents of this district or which are benefitted by an open residential environment without creating objectionable or undesirable influences upon residential developments or influences incompatible with a rural environment. The nearest A zoning district is adjacent to this property. Before recommending this change in zoning, the planning commission should determine whether this request is appropriate for, and in keeping with, the character of the area. Based on staff recommendations and discussion had at this meeting a **\*\*MOTION\*\*** to approve the rezone request was made by Brian McCain; second by Chris Atkins. The motion passed by roll call vote. Matt Von Lunen - yes, Chester Hannah - yes, Brian McCain - yes, Chris Atkins - yes, Jill Niccolich - yes, Brenda Montgomery - yes, Mark Jarrell – yes.

### **OTHER BUSINESS:**

Based on staff recommendations and discussion had at this meeting a **\*\*MOTION\*\*** to elect Chris Atkins as Vice-Chair to replace John Werne as Vice-Chair was made by Brian McCain; second by Matt Von Lunen. The motion passed by roll call vote. Matt Von Lunen - yes, Chester Hannah - yes, Brian McCain - yes, Chris Atkins - abstain, Jill Niccolich - yes, Brenda Montgomery - yes, Mark Jarrell – yes.

**ADJOURN:** Having no further business, a **\*\*MOTION\*\*** to adjourn was made by Brenda Montgomery; second by Brian McCain. Voice vote carried unanimously by all present. Meeting Adjourned at 6:42 PM.

**BRENDA MONTGOMERY – SECRETARY  
CHEATHAM COUNTY PLANNING COMMISSION**