



**CHEATHAM COUNTY PLANNING COMMISSION
MINUTES FOR JUNE 4, 2026**

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: Chester Hannah, Brian McCain, Chris Atkins, Jill Niccolich, Brenda Montgomery, Gary Chance, Mark Jarrell

Members Absent: Matt Von Lunen, Allen Nicholson

Mark Jarrell declared a quorum present

Others Present: Franklin Wilkinson, Michael Bligh, Brian Halma, Brad Schoeneck, Alan Semans, Jane McCammon, Sam McCammon, Linda Ryder, Reed Williams, Kristen Williams, Myra Williams, Hope Patterson, John Rankin, Adam Proffitt, Hadassah Frase

Approval of Minutes and Agenda:

Mark Jarrell stated, everyone should have received their meeting packets and a copy of the minutes from the May 7, 2026 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 Jill Niccolich. The motion passed by unanimous “aye” voice vote.

Mark Jarrell stated, the agenda for tonight’s meeting has been distributed and stated, the applicant for Item #1 has withdrawn and will not be heard. Mark Jarell asked for a motion to approve the agenda as amended. A ****MOTION**** to approve the agenda as amended was made by Brenda Montgomery; second by Gary Chance. The motion passed by unanimous “aye” voice vote.

PUBLIC FORUM:

Mark Jarrell opened public forum at 6:01pm. **Linda Ryder** stated, she would like to speak about data centers. She would like to stress the importance of putting additional regulations on data centers. You have already established a definition and place them in the intensive impact category but that doesn’t go very far. She requests the planning commission recommend to the county commission to place a moratorium on data centers until codes and restrictions can be worked out to protect the public. At a minimum they should be in industrial areas and not in rural or residential areas. Extra funding may be necessary so county personnel has the capability of enforcing the code. Data centers us an extreme amount of water and electricity and generate a lot of noise. The county needs to regulate the power consumption and strain on the electrical grid. Pollutants, fossil fuels, carbon monoxide are all of concern. The county needs to expedite these regulations. Mark Jarrell declared the public forum closed at 6:04pm.

ITEM #1

Mark Jarrell read Item #1 into the record. Gaines Sheron requesting site plan approval for existing buildings on Map 3, Parcel 20. Property is located at 1022 Dorris Winters Rd., in the 3rd Voting District and is not in a Special Flood Hazard Area. **Brian Halma** presented the planning staff comments:

Planning Context: • The property currently has 6 existing structures on it, including a house, barn, shop and threes additional buildings. • Properties to the north across Highway 41A are zoned a mix of R-1, Low Density Residential District and C-1 (General Commercial District). • Properties to the east are zoned a mix of C-1 (General Commercial District), C-2 (Neighborhood Commercial District) and A (Agriculture District). • Properties to the West and South are largely zoned A (Agriculture District) with one parcel zoned C-3. • Per Tennessee Property Viewer, the subject property is on public water and septic. • The subject property has approximately 1900' of road frontage on Highway 41A, which is classified as arterial on the Major Road Plan for Cheatham County, Tennessee, and approximately 2,000' of road frontage on Dorris Winters Drive, which is classified as minor on the Major Road Plan for Cheatham County • The subject property is not in a Special Flood Hazard Area. **Purpose:** The applicant is changing the use of the site from agriculture to commercial and will be using the site for a grading contractor business. **Zoning Issues:** • If the one story house on the site is in use as a residence, it is a non-conforming use. **Site Plan Comments:** 1. Tennessee Property Viewer lists the property owners as Robert Gaines Shearon and Dawn Michelle Shearon, but Gaines Shearon is the only property owner listed on the application. Please clarify. 2. Please provide a list of all existing and intended uses (e.g., residential in the house, agricultural, Construction Sales and Services). 3. Highway 41A is maintained by TDOT. Given the change in use, potential increased usage on Hwy 41A, and that the site has an entrance on Doris Winters Road, it would be advisable to discuss any additional requirements for the Hwy 41A entrance/exit with TDOT. 4. Please show the MBSL lines on the site plan. 5. Please provide a landscape plan. 6. Section 4.120 (2) (D) outlines the landscaping requirements for each acre of area not currently forested. The Planning Commission may wish to discuss and identify the area to be measured to determine the required amount of landscaping. D. Each acre of area not presently forested shall be landscaped as follows: (1) Minimum number of **Trees/Shrubs Minimum Size / 3 Canopy Trees 5 Inch Caliper / 8 Canopy Trees 3 Inch Caliper / 10 Canopy Trees 2 Inch Caliper/ 5 Understory Trees 1.5 Inch Caliper / 25 Shrubs 16 Inches High** *per approval of Planning Commission, two 2 ½" caliper trees may be substituted for each 5" caliper required. 7. Buffer screening is required along boundary lines with A and R-1 zoned property, using Buffer 2, noting that rights-of-way shall not constitute a separation of uses. Section 4.120 (C) (3) of the Cheatham Zoning Resolution (attached to this report) provides possible waivers for easements, traffic visibility, and existing vegetation. (2) Buffer Screen Two Shall consist of an unbroken strip of open space a minimum of thirty (30) feet wide and planted with: One (1) large evergreen tree for every twenty (20) linear feet, plus One (1) medium evergreen for every ten (10) linear feet, plus One (1) deciduous tree for each thirty (30) linear feet, plus One (1) medium evergreen shrub for every ten (10) linear feet, plus One (1) small deciduous tree for every twelve (12) linear feet 8. The Construction Sales and Services does not have a listed parking requirement, so per Section 5.010 (14) of the Zoning Resolution, Other Structures or Uses Customarily Requiring Automobile Storage Areas: For buildings and uses not listed, the off-street parking requirements shall be determined by the Planning Commission. The Planning Commission may wish to look at Manufacturing, Industrial or Wholesaling Use for potential guidance: Not less than one (1) space for each two (2) employees anticipated during maximum production, with a minimum of five (5) spaces provided for any establishment. For establishments maintaining space for the sale of products at retail,

there shall be provided one (1) parking space for each five hundred (500) square feet of floor area devoted to retail sales. 9. Please provide the dimensions of proposed parking spaces, noting that 180 square feet is the minimum area for each parking space. 10. Per Section 5.013 (5), parking for commercial uses “shall be suitably paved with an all-weather wearing surface or dustless material. All paving must be completed within six (6) months after completion or issuance of a temporary occupancy permit.” 11. The Planning Commission may wish to discuss limiting access from the existing gravel areas onto Doris Winters Road into distinct ingress/egress points. 12. Are any signs proposed? 13. Is any area proposed for land disturbance? 14. Please provide ground coverage, floor area, and building heights. (9.030 (3) (B) (9)) 15. Please provide the position of screen planting (type of planting specified). (9.030 (3) (B) (11)) 16. Please provide proposed means of surface drainage, including all drainage ways and facilities. (9.030 (3) (B) (12)) 17. Please provide the location and size of all utilities including all fire hydrants. (9.030 (3) (B) (15)) 18. Please provide a lighting plan that shows compliance with Section 4.140 of the Zoning Resolution, Performance Standards Regulating Glare and Electromagnetic Interference. (9.030 (3) (B) (19)). **Gains Sharon** stated, when he purchased the property, it was dilapidated. He did construct one tool shed and cleaned up the property. He is seeking site plan approval about two acres of the parcel for his construction business. The remainder of the property is still producing soybeans. He does not think a separate lot for the tow acres is necessary. He already pays a lot of property tax. He has added landscaping to the site. He has considered paved or concrete parking for the office but the storage of heavy equipment would destroy any paving. Based on staff recommendations and discussion had at this meeting a ****MOTION**** to defer until all outstanding staff review comments including ADA requirements for parking was made by Brian McCain; second by Gary Chance. The motion passed by roll call vote. Chester Hannah, - yes, Brian McCain - yes, Chris Atkins - yes, Jill Niccolich - yes, Brenda Montgomery - yes, Gary Chance - yes, Mark Jarrell – yes.

ITEM #2

Mark Jarrell read Item #2 into the record. Adam Proffitt requesting a zone change from Ag to R-1 for a 2.81-acre portion of Map 67, Parcel 17. Property is located at 3026 Petway Rd., in the 5th Voting District and is not in a Special Flood Hazard Area. Brian Halma presented the planning staff comments:

Planning Context: • Properties to the north are zoned a mix of A (Agriculture District) and E-1 (Estates Residential). • Properties to the east are zoned a mix of E-1 (Estates Residential) and R-1, Low Density Residential District, with the R-1 properties fronting Petway Road. • Properties to the West and South are zoned A (Agriculture District). • There is an existing Mobile Home on the subject property. • Per Tennessee Property Viewer, the subject property is on well and septic. • The portion of the property to be rezone has approximately 274’ of road frontage on Petway Road, which is classified as a Collector on the Major Road Plan for Cheatham County, Tennessee. • The subject property is not in a Special Flood Hazard Area. • The proposed rezoning would create a split zoned lot. • The applicant previously applied to rezone the entire property from A to E1. The Planning Commission recommended the rezoning at its March 5, 2026 meeting. **Analysis:** The applicant is requesting the rezoning of a 2.8 acre portion of the property identified on Tax Map 067 as Parcel 017.00, located at 3026 Petway Road. The overall property is approximately 7.8 acres and is currently zoned A, Agriculture District. The applicant is requesting to rezone the portion of the property from A to R1, and noted the reason for rezoning as, “wants to create two buildable lots.” 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. It is the express purpose of this resolution to exclude from this district all buildings or other structures and uses having commercial characteristics whether operated for profit or otherwise, except that special exceptions and home occupations shall be considered as not having such characteristics if they otherwise conform to the provisions of this resolution. 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. Adam Proffitt stated, the parcel has city water. He only wants two other buildable lots from the parcel. 5.01 acres will stay Ag. The manufactured home will stay on one lot. He is back with this request to insure to his neighbors that there will only be three lots total. **Hadassah Frase** stated, she has a farm adjacent to the proposed R-1 and opposes the rezoning. She is concerned with R-1 being out of character with the rural agricultural uses. Based on staff recommendations and discussion had at this meeting a ****MOTION**** to deny the rezone request was made by Chester Hannah; second by Brian McCain. The motion passed by roll call vote. Chester Hannah, - yes, Brian McCain - yes, Chris Atkins - yes, Jill Niccolich - no, Brenda Montgomery - yes, Gary Chance - no, Mark Jarrell – yes.

ITEM #3

Mark Jarrell read Item #3 into the record. Brad Schoeneck requesting a zone change from C-1 to R-1 for a 0.85-acre portion of Map 8, Parcel 12.02. Property is located on Highway 41-A, in the 3rd Voting District and is not in a Special Flood Hazard Area. Brian Halma presented the planning staff comments: The applicant is requesting the rezoning of a 0.85-acre portion of the property identified on Tax Map 008 as Parcel 012.02, located on Highway 41-A. The overall property is approximately 6.86 acres and is currently zoned C-1, General Commercial District. The applicant is requesting to rezone a portion of the property from C-1 to R-1, and noted the reason for rezoning as, “Property of 0.85 acres currently owned by Beverly Fort is currently zoned C-1. Family Hope Church is purchasing property which adjoins the current property owned by FHC [Family Hope Church]. In order to comply with state septic permit requirements, church property has to be zoned as R-1.” One item for possible further clarification is the application states that the rezoning is a requirement of the state septic permit, but the TDEC website appears to allow commercial permits, including for churches. 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. Brad Schoeneck stated, he is the pastor for Family Hope Church. The church would like to acquire this property and add it to their adjacent parcel. The combination of property will be presented in a final plat. The church needs this additional area for the new church septic system. Based on staff recommendations and discussion had at this meeting a ****MOTION**** to approve the rezone request was made by Brian McCain; second by Gary Chance. The motion passed by roll call vote. Chester Hannah, - yes, Brian McCain - yes, Chris Atkins - yes, Jill Niccolich - yes, Brenda Montgomery - yes, Gary Chance - yes, Mark Jarrell – yes.

ITEM #4 Mark Jarrell read Item # 4 into the record. Eric Brasher requesting a zone change from C-2 to C-1 for Map 91, Parcel 45. Property is located at 1203 Hwy 70, in the 6th Voting District and is not in a Special Flood Hazard Area. Brian Halma presented the planning staff comments: The applicant is

requesting the rezoning of the subject property identified on Tax Map 091 as Parcel 045.00, located at 1203 Highway 70. The property is approximately 1.17 acres and is currently zoned C-2, Neighborhood Commercial District. The applicant is requesting to rezone the subject property from C-2 to C-1, and noted the reason for rezoning as: To secure a zoning that permits a drive-through coffee and smoothie shop, bakery, and small-scale retail space, intended to serve both the surrounding community and the steady traffic along the Highway 70 corridor. The C-1, General Commercial District, is established to provide areas in which the principal uses of land are devoted to general and highway commercial activities along the principal thoroughfares in Cheatham County. Regulations are designed to preserve the traffic carrying capacity of the streets and roads in Cheatham County and to provide for necessary off-street parking and loading. All lots shall be considered fronting on either arterial or collector roads as indicated on the latest official major thoroughfare plan. 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. Eric Brasher stated, he would like to open a coffee shop. He will provide a drive through services as well a on site service with a sitting 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 Chester Hannah. The motion passed by roll call vote. Chester Hannah, - yes, Brian McCain - yes, Chris Atkins - yes, Jill Niccolich - yes, Brenda Montgomery - yes, Gary Chance - yes, Mark Jarrell – yes.

ITEM #5

Mark Jarrell read Item #5 into the record. Charles Williams requesting a zone change from Ag to R-1 for Map 68, Parcel 22. Property is located at 1140 Charles Williams Rd., in the 6th Voting District and is not in a Special Flood Hazard Area. Brian Halma presented the planning staff comments: **Planning Context:** • The properties surrounding the subject property are zoned A (Agriculture District). • There are two properties approximately 0.25 miles southwest of the subject property zoned R-1 (Low Density Residential District). • The subject property has a house and detached garage currently on the property. • Per Tennessee Property Viewer, the subject property is on well and septic. • The subject property has approximately 178' of road frontage on Turnipseed Road, which is classified as minor on the Major Road Plan for Cheatham County, Tennessee, and road frontage on Charles Williams Road which is not public right of way. • The subject property is not in a Special Flood Hazard Area. The applicant is requesting the rezoning of the property identified on Tax Map 068 as Parcel 022.00, located on Turnipseed Road. The property is approximately 2 acres and is currently zoned A, Agriculture District. The applicant is requesting to rezone a portion of the property from A to R-1, and noted the reason for rezoning as, "Renter wants to buy 1 acre." The minimum lot size for R-1 is 1 acre if the property is on public water, and 5 acres if it on well. The minimum lot size for A is 5 acres. 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. It is the express purpose of this resolution to exclude from this district all buildings or other structures and uses having commercial characteristics whether operated for profit or otherwise, except that special exceptions and home occupations shall be considered as not having such

characteristics if they otherwise conform to the provisions of this resolution. 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. Mark Jarrell state, the lot is nonconforming as there are two homes on one lot. It appears this request to rezone is to make the lot conforming by allowing the lot to be divided with a home on each lot. Based on staff recommendations and discussion had at this meeting a ****MOTION**** to approve the rezone request was made by Chester Hannah; second by Chris Atkins. The motion passed by roll call vote. Chester Hannah, - yes, Brian McCain - yes, Chris Atkins - yes, Jill Niccolich - yes, Brenda Montgomery – no, Gary Chance - yes, Mark Jarrell – yes.

ITEM #6

Mark Jarrell read Item #6 into the record. Morgan Place Section 1 Request for Waiver of Subdivision Regulation Requirements for Road Standards. John Rankin stated, he represents Morgan Place Phase II, a subdivision behind Morgan Place Phase I. The developer for Phase I, Century Communities has let the road go too long without a final top coat and the base and binder have deteriorated and contains multiple pot holes. The county wants a solution to the roads in Phase I before issuing permits for Phase II. A solution would be to complete the roads for Phase I with a TDOT approved Full Depth Reclamation. It will allow the roads to be completed to the satisfaction of the county with minimal disturbance of the residence already living in Phase I. This method will allow one lane at a time to be completed and allow ingress/egress traffic of the residents in Phase I. This method of road construction is not currently in the design standards for road construction in the Cheatham County Subdivision Regulations so a waiver is requested from the planning commission for this method of construction. The Cheatham County Highway Commissioner has already reviewed and accepted this method for the Morgan Place Phase I roads. Based on staff recommendations and discussion had at this meeting a ****MOTION**** to grant a waiver from the Cheatham County Subdivision Regulations for the completion of the roads for Morgan Place Phase I using the Full Depth Reclamation method of construction was made by Brian McCain; second by Gary Chance. The motion passed by roll call vote. Chester Hannah, - yes, Brian McCain - yes, Chris Atkins - yes, Jill Niccolich - yes, Brenda Montgomery – yes, Gary Chance - yes, Mark Jarrell – yes.

➤ ***Brian McCain & Gary Chance had to leave the meeting***

ITEM #7

Mark Jarrell read Item # into the record. Discussion of the C-5 Neighborhood Commercial Mixed Use Zoning District (*Continued from May 7, 2026*). Based on staff recommendations and discussion had at this meeting a ****MOTION**** to defer Item #7 until more planning commission members are present for the discussion was made by Chester Hannah; second Brenda Montgomery. The motion passed by roll call vote. Chester Hannah, - yes, Chris Atkins - yes, Jill Niccolich - yes, Brenda Montgomery – yes, Mark Jarrell – yes.

OTHER BUSINESS: None

ADJOURN:

Having no further business, a ****MOTION**** to adjourn was made by Chester Hannah; second by Jill Niccolich. Voice vote carried unanimously by all present. Meeting Adjourned at 6:43 PM.

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