

**MINUTES OF THE
WILLIAMSON COUNTY REGIONAL PLANNING COMMISSION
MEETING OF MAY 13, 2021**

MEMBERS PRESENT

John Lackey
Robin Baldree
Don Crohan
Sharon Hatcher
Steve Lane
Beth Lothers
Jessica Lucyshyn
Keith McCord
Sammie McCoy
Bryan Richter
Rhonda Rose

STAFF PRESENT

Joe Horne, Community Development Director
Michael Matteson, Planning Director
Floyd Heflin, County Engineer
William Andrews, County Engineer Assistant
Kristi Ransom, Attorney
Aaron Holmes, Planning Coordinator
Lincoln Sweet, Planner
Dr. Geovanna Torres, Planner
Christina Collins, Planning Assistant
Lania Escobar, Planning Assistant

The Williamson County Regional Planning Commission met in regular session Thursday, May 13, 2021 at 5:30 p.m. in the Auditorium of the Williamson County Administrative Complex. Commissioner Sanders was unable to attend.

Chairman Lackey called the meeting to order.

Chairman Lackey asked if Staff had announcements.

Mr. Matteson announced the following:

1. Item 32 had been withdrawn.

CONSIDERATION OF APRIL 2021 MINUTES:

Chairman Lackey asked for a motion to consider the minutes of the April 8, 2021 Planning Commission meeting.

A motion to approve the April 8, 2021 minutes was made by Commissioner McCord. The motion was seconded by Commissioner Richter, and passed by unanimous vote.

CONSENT AGENDA:

Commissioner McCord advised that he was recusing himself from participating in the deliberations of the Consent Agenda.

Chairman Lackey asked if any of the Commissioners would like to consider an Item for separate discussion from the Consent Agenda. Hearing none, Mr. Horne read the following Consent Agenda Items into the record:

3. **Arrington Retreat, Section 4** – Maintenance Bond for Roads, Drainage and Erosion Control - \$250,000
Recommendation: Release the bond.
4. **Arrington Retreat, Section 5** – Maintenance Bond for Roads, Drainage and Erosion Control - \$290,000
Recommendation: Extend in the current amount for one (1) year.
5. **Arrington Retreat, Section 5** – Performance Bond for Wastewater Collection System – \$125,300
Recommendation: Convert to maintenance in the amount of \$37,590 for two (2) years.

6. **Arrington Ridge, Section 1** – Maintenance Bond for Water (Milcrofton) - \$28,500
Recommendation: Release the bond.
7. **Cedarmont Farms Rural Retreat** – Maintenance Bond for Landscaping - \$1,485
Recommendation: Release the bond.
8. **Enclave at Dove Lake Wastewater Area** – Performance Bond for Wastewater Treatment and Disposal System - \$271,500
Recommendation: Convert to maintenance in the current amount for two (2) years.
9. **Falls Grove, Section 6** – Performance Bond for Water (Milcrofton) – \$57,600
Recommendation: Release the bond.
10. **Foxen Canyon, Section 1** – Performance Bond for Landscaping - \$36,300
Recommendation: Extend in the current amount for six (6) months.
11. **Hardeman Springs, Section 1** – Maintenance Bond for Water (N/CG) - \$37,500
Recommendation: Release the bond.
12. **Hardeman Springs, Section 1** – Performance Bond for Wastewater Collection System - \$104,000
Recommendation: Extend in the current amount for one (1) year.
13. **Hardeman Springs, Section 1** – Performance Bond for Roads, Drainage and Erosion Control - \$550,000
Recommendation: Extend in the current amount for one (1) year.
14. **Hart’s Landmark** – Maintenance Bond for Sewer (Harpeth Wastewater Cooperative) - \$40,000
Recommendation: Reduce in the amount of \$20,000 for one (1) year.
15. **Stephens Valley, Section 1** – Maintenance Bond for Roads, Drainage and Erosion Control - \$665,000
Recommendation: Extend in the current amount for one (1) year.
16. **The Grove, Section 5** - Maintenance Bond for Roads, Drainage and Erosion Control - \$300,000
Recommendation: Release the bond.
17. **The Grove, Section 7** - Maintenance Bond for Roads, Drainage and Erosion Control - \$275,000
Recommendation: Extend in the current amount for one (1) year.
18. **Troubadour, Section 6** – Performance Bond for Wastewater Collection System - \$40,500
Recommendation: Extend in the current amount for one (1) year.
19. **Troubadour, Section 6** – Performance Bond for Water (Milcrofton) - \$230,000
Recommendation: Reduce to maintenance in the amount of \$34,300 for one (1) year.
20. **Troubadour, Section 6** – Performance Bond for Performance Bond for Roads, Drainage and Erosion Control - \$626,000
Recommendation: Extend in the current amount for one (1) year.

21. **Troubadour, Section 7** – Performance Bond for Wastewater Collection System - \$47,250
Recommendation: Extend in the current amount for one (1) year.
22. **Troubadour, Section 7** – Performance Bond for Water (Milcrofton) - \$350,000
Recommendation: Reduce to maintenance in the amount of \$52,300 for one (1) year.
23. **Troubadour, Section 7** – Performance Bond for Roads, Drainage and Erosion Control - \$625,000
Recommendation: Extend in the current amount for one (1) year.
24. **Vale Creek** - Maintenance Bond for Roads, Drainage and Erosion Control - \$200,000
Recommendation: Release the bond.
25. **Vineyard Valley, Section 3** – Maintenance Bond for Landscaping - \$13,000
Recommendation: Release the bond.

FINAL PLATS:

ITEM 28

FINAL PLAT REVIEW FOR HARDEMAN SPRINGS, SECTION 3, CONTAINING 19 LOTS ON 20.99 ACRES LOCATED OFF MURFREESBORO ROAD IN THE 5TH VOTING DISTRICT (1-2021-406)

The Plat is in order, and Staff recommends approval of the Final Plat with the following conditions:

1. Establishment of a performance bond for roads, drainage and erosion control in the amount of \$398,000;
2. Establishment of a performance bond for the wastewater collection system in the amount of \$38,800;
3. Establishment of a performance bond for water improvements in favor of Nolensville/College Grove Utility District in the amount of \$150,000;
4. The approved HOA documents must be recorded concurrently with the recording of the Final Plat;
5. Execution of performance agreements for the above referenced sureties;
6. Execution of a Stormwater Maintenance Agreement and submission of an Operation and Maintenance Plan for stormwater improvements; and
7. Submission of the approved Final Plat in .dwg format on recordable media based on the Tennessee State Plane Coordinate System prior to signature and recording of the plat.

There being no comments, Commissioner Crohan made a motion to accept Staff's recommendation on the Consent Agenda. Commissioner Richter seconded the motion, and the motion passed by unanimous vote (10-0) with Commissioner McCord recused.

2nd CONSIDERATION OF APRIL 2021 MINUTES:

Due to technical issues and confusion over whether a vote was made on the meeting minutes, a second vote was requested by County Attorney Ransom.

Chairman Lackey asked for a motion to consider the minutes of the April 8, 2021 Planning Commission meeting.

A motion to approve the April 8, 2021 minutes was made by Commissioner McCoy. The motion was seconded by Commissioner Richter, and passed by unanimous voice vote.

PUBLIC HEARING:

ITEM 26

AMENDMENT TO THE WILLIAMSON COUNTY SUBDIVISION REGULATIONS (6-2021-601)

Mr. Matteson reviewed the background (see Staff Report), and Staff recommended adoption of the updated Subdivision Regulations, with an effective date of May 13, 2021.

Mr. Matteson announced that no speakers were signed up for the Public Hearing.

Chairman Lackey asked if there were questions of Staff.

Commissioner Lothers requested an explanation of how dark sky lighting was incorporated.

Mr. Matteson stated that dark sky provisions are designed to reduce the glare that comes from commercial, street, and residential lighting by requiring downward directed lighting.

Commissioner Lothers voiced her appreciation to Staff for listening and being responsive to the concerns of the community.

There being no further comments, Commissioner Crohan made a motion to accept Staff's recommendation on Item 26. Commissioner McCoy seconded the motion, and the motion passed by unanimous vote.

OLD BUSINESS:

ITEM 27

CONCEPT PLAN REVIEW FOR AMBROSIA ESTATES, CONTAINING 11 LOTS ON 22.8 ACRES LOCATED OFF NOLENSVILLE ROAD IN THE 5TH VOTING DISTRICT (1-2021-201)

Dr. Torres reviewed the background (see Staff Report). She explained that five months transpired without receiving a response to Staff's comments to meet applicable regulations. The applicant requested and was previously granted two (2) deferrals. At this time, Staff is reluctant to recommend another deferral.

Chairman Lackey requested the applicant address the Commission for questions.

A representative of the applicant was in attendance, (later identified as Jeff Magge), though when questioned by Chairman Lackey, the representative advised that he held no authority for decision making on behalf of the applicant.

Commissioner Lothers noted that the Planning Commission and Staff had extended a number of opportunities to forward this project. However, Commissioner Lothers noted that a number of deficiencies have not been addressed since the first review had occurred, including the site's topography, landscaping, and other plan deficiencies as noted in the Staff report.

Commissioner Hatcher expressed her agreement with Commissioner Lothers' remarks. Commissioner Hatcher noted that the applicant had ample opportunities to address Staff's concerns to date, yet had failed to do so. As a result, Commissioner Hatcher expressed her reluctance toward considering an additional deferral.

Commissioner Baldree noted she was in agreement with the views of both Commissioners Lothers and Hatcher, as well as the fact that the applicant had failed to have a representative present that could address the issues before this body.

Commissioner McCoy asked about the process for the applicant should the application be denied.

Mr. Matteson explained the initial submittal occurred under the previous Zoning regulations. On November 9, 2020, the zoning of this property was changed from one (1) unit per acre to one (1) unit per five (5) acres in accordance with Triune Character Area One. If the Planning Commission elects to deny the application, the future submittal shall comply with the current Zoning requirements.

Commissioner Crohan reiterated that this application was submitted under the previous Zoning regulations; however, the applicant did not respond to Staff's comments. He asked Staff if any regulations exist to limit the number of occurrences an applicant can defer.

Mr. Matteson answered that there are no regulations that limit the number of times an applicant can defer. The By-Laws allow applicants to request a deferral. However, the Planning Commission is not required to grant the deferral. In this case, Staff provided the applicant comments in December. However, the applicant did not submit a Concept Plan that fulfilled the application requirements.

Commissioner Crohan requested Staff consider drafting a regulation assigning a limit on deferrals.

There being no further comments, Commissioner Crohan made a motion to deny Item 27 based on the application not meeting the requirements as noted in the Staff report. Commissioner Richter seconded the motion, and the motion was approved by unanimous vote to deny the concept plan. Commissioner Hatcher explained she inadvertently selected 'no' in her voting and directly informed Attorney Ransom, Christina Collins, and Lania Escobar that she intended to select 'yes' to approve the motion denying the approval of the concept plan when voting, thus a unanimous vote to approve the motion.

FINAL PLATS:

ITEM 28

FINAL PLAT REVIEW FOR HARDEMAN SPRINGS, SECTION 3, CONTAINING 19 LOTS ON 20.99 ACRES LOCATED OFF MURFREESBORO ROAD IN THE 5TH VOTING DISTRICT (1-2021-406)

This Item was on the Consent Agenda.

ITEM 29

FINAL PLAT REVIEW FOR PINE CREEK, SECTION 1, CONTAINING 49 LOTS ON 70.87 ACRES LOCATED OFF COX ROAD IN THE 5TH VOTING DISTRICT (1-2021-407)

Mr. Holmes reviewed the background (see Staff Report), and Staff recommended approval of the Final Plat with the following conditions:

1. The approved HOA documents must be recorded concurrently with the recording of the Final Plat;
2. Establishment of a Performance Bond for roads, drainage and erosion control in the amount of \$600,000. This is a reduced performance amount based on work completed;
3. Establishment of a Maintenance Bond for water improvements in favor of Milcrofton Utility District in the amount of \$60,324;
4. Establishment of a Performance Bond for water improvements in favor of Milcrofton Utility District in the amount of \$402,106;
5. Establishment of a Performance Bond for the wastewater collection system in the amount of \$146,000;
6. Establishment of a Performance Bond for Landscaping in the amount of \$49,000;
7. Execution of Performance Agreements for the above referenced sureties;
8. Execution of a Stormwater Maintenance Agreement and submission of an Operation and Maintenance Plan for stormwater improvements; and
9. Submission of the approved Final Plat in .dwg format on recordable media based on the Tennessee State Plane Coordinate System prior to signature and recording of the plat.

Commissioner Lucyshyn requested further explanation as to why the two water improvement bonds (conditions three (3) and four (4)) were listed separately and not combined.

Mr. Holmes answered that Milcrofton Utility District presented it to Staff as two separate bonds.

There being no further comments, Commissioner McCoy made a motion to accept Staff's recommendation on Item 29. Commissioner McCord seconded the motion, and the motion passed by unanimous vote.

ITEM 30

FINAL PLAT REVIEW FOR THE CONSTRUCTION CONSULTING OF TN, LLC PROPERTY, LARGE LOT EASEMENT SUBDIVISION, 3RD LOT OFF THE EASEMENT, CONTAINING 1 LOT ON 63.71 ACRES LOCATED OFF BUCHANAN LANE IN THE 2ND VOTING DISTRICT (1-2021-408)

Mr. Sweet reviewed the background (see Staff Report), and Staff recommended approval of the Final Plat.

Commissioner Rose asked whether the intended use of the lot was residential or commercial.

Mr. Sweet confirmed that the lot was intended for residential purpose(s).

There being no further comments, Commissioner Crohan made a motion to accept Staff's recommendation on Item 30. Commissioner Richter seconded the motion, and the motion passed by unanimous vote.

OTHER BUSINESS:

ITEM 31

ESTABLISHMENT OF A LANDSCAPING BOND FOR LANDSCAPING IMPROVEMENTS FOR ARRINGTON VINEYARDS ON 39.95 ACRES LOCATED OFF PATTON ROAD IN THE 5TH VOTING DISTRICT (5-2021-003)

Mr. Holmes reviewed the background (see Staff Report), and Staff recommended establishment of a Performance Bond for landscaping improvements in the amount of \$23,600.

Commissioner Rose questioned the basis of the bond amount.

Mr. Holmes answered it is a landscaping bond for the planting of shrubs and trees in accordance of Ordinance requirements.

There being no further comments, Commissioner Crohan made a motion to accept Staff's recommendation on Item 31. Commissioner Richter seconded the motion, and the motion passed by unanimous vote.

ITEM 32

ESTABLISHMENT OF A LANDSCAPING BOND FOR LANDSCAPING IMPROVEMENTS FOR LIBERTY HILLS CHURCH OF CHRIST ON .52 ACRES LOCATED OFF OLD COX PIKE IN THE 1ST VOTING DISTRICT (5-2021-004)

This Item was withdrawn.

There being no further business, the meeting was adjourned at approximately 6:07 p.m.

APPROVED BY A MAJORITY VOTE BY THE WILLIAMSON COUNTY REGIONAL PLANNING COMMISSION ON JUNE 10, 2021.

_____ CHAIRMAN JOHN LACKEY