

**MINUTES OF THE
WILLIAMSON COUNTY REGIONAL PLANNING COMMISSION
MEETING OF NOVEMBER 13, 2008**

MEMBERS PRESENT

Robin Baldree
John Cain
Don Crohan
Susan Fisher
Holli Givens
John Lackey
Steve Lane
Tom Murdic
Brian Sanders
Jack Walton

STAFF PRESENT

Joe Horne, Community Development Director
Mike Matteson, Planning Director
Floyd Heflin, County Engineer
William Andrews, Assistant to County Engineer
Robbie Hayes, Planner
Aaron Holmes, Planner
Kristi Earwood, Attorney
Sheila Myers, Planning Assistant
Lori John, Secretary

The Williamson County Regional Planning Commission met in regular session Thursday, November 13, 2008, at 7:00 p.m., in the Auditorium of the Williamson County Administrative Complex. Commissioners Mosley and Pratt were unable to attend.

Chairman Lackey called the meeting to order.

Mr. Horne made the following announcements:

1. Tuesday, November 18, 2008 @ 6:30 p.m. a public meeting of the "Small Area Plan" for the College Grove Community will be held at the Artsitorium (old College Grove Gymnasium).
2. The submittal deadline for the December 11, 2008 meeting will be Monday, November 17, 2008.
3. The updated Zoning Ordinance administrative module is expected to be complete approximately November 24, 2008 and a meeting held sometime in December, 2008 to discuss the module.
4. Welcome new Planning Commissioner Robin Baldree who replaced Commissioner Robert "Doc" Medaugh.

CONSIDERATION OF MINUTES:

Chairman Lackey asked for a motion to consider the minutes of the September 18, 2008 joint meeting between the Planning Commission, County Commission, and Board of Zoning Appeals.

A motion was made by Commissioner Walton to approve and was seconded by Commissioner Murdic. The motion passed by unanimous vote.

Chairman Lackey then asked for a motion to consider the minutes of the October 9, 2008 Planning Commission meeting.

A motion was made by Commissioner Sanders to approve and was seconded by Commissioner Walton. The motion passed by unanimous voice vote.

CONSENT AGENDA:

Chairman Lackey asked if anyone wished to pull an item from the Consent Agenda.

Commissioner Crohan stated he would like to pull Item 20, Stag's Leap, Performance Bond for Landscaping, for separate consideration.

Commissioner Baldree stated she wished to recuse herself due to a potential conflict of interest.

BONDS:

1. **Beechwood Plantation, Lots 23-31** – Maintenance Bond for Water (HB & TS) - \$6,150.
Recommendation: Release the bond.
2. **Bell Pond** – Maintenance Bond for Roads, Drainage & Erosion Control - \$50,000.
Recommendation: Extend in the current amount for a period of one (1) year.
3. **Belle Chase, Section 1** – Maintenance Bond for Landscaping - \$1,950.
Recommendation: Release the bond.
4. **Belle Vista, Section 2** – Maintenance Bond for Landscaping - \$2,600.
Recommendation: Extend in the current amount for a period of six (6) months.
5. **Belle Vista, Section 2** – Performance Bond for Water (HB & TS) - \$64,000.
Recommendation: Convert to Maintenance in the amount of \$9,600 for a period of one (1) year.
6. **Belle Vista, Section 2** – Maintenance Bond for Roads, Drainage & Erosion Control - \$130,000.
Recommendation: Extend in the current amount for a period of six (6) months.
7. **Holy Trinity Evangelical Church** – Performance Bond for Landscaping - \$34,300.
Recommendation: Extend in the current amount for a period of seven (7) months.
8. **Inns of the Cove, Section 1** – Performance Bond for Landscaping - \$133,450.
Recommendation: Extend in the current amount for a period of one (1) year.
9. **Inns of the Cove, Section 1** – Performance Bond for Roads, Drainage & Erosion Control - \$575,000.
Recommendation: Extend in the current amount for a period of six (6) months.
10. **Inns of the Cove, Section 1** – Performance Bond for Off-Site Water (Milcrofton) - \$430,000.
Recommendation: Convert to Maintenance in the amount of \$67,500 for a period of one (1) year.
11. **Inns of the Cove, Section 1** – Performance Bond for On-Site Water (Milcrofton) - \$250,000.
Recommendation: Convert to Maintenance in the amount of \$37,500 for a period of one (1) year.
12. **Kings Chapel, Section 2B** – Performance Bond for Roads, Drainage & Erosion Control - \$75,000.
Recommendation: Extend in the current amount for a period of six (6) months.
13. **Kings Chapel, Section 2C** – Performance Bond for Wastewater Collection System - \$27,375.
Recommendation: Convert to Maintenance in the amount of \$8,213 for a period of two (2) years.

14. **Laurelbrooke, Section 11F** – Performance Bond for Roads, Drainage & Erosion Control - \$246,000.
Recommendation: Convert to Maintenance in the amount of \$130,000 for a period of one (1) year.
15. **Legends Ridge, Section 6** – Maintenance Bond for Roads, Drainage & Erosion Control - \$40,000.
Recommendation: Release the bond.
16. **Legends Ridge, Section 7A** – Maintenance Bond for Roads, Drainage & Erosion Control - \$25,000.
Recommendation: Increase to an amount of \$50,000, due to increase in oil prices and extend for a period of six (6) months.
17. **Owendale** – Maintenance Bond for Roads, Drainage & Erosion Control - \$110,000.
Recommendation: Extend in the current amount for a period of six (6) months.
18. **Silver Stream Farms, Section 1A** – Maintenance Bond for Roads, Drainage & Erosion Control - \$35,000.
Recommendation: Extend in the current amount for a period of six (6) months with a review in three (3) months.
19. **Stag's Leap** – Performance Bond for Off-Site Road, Drainage & Erosion Control - \$35,000.
Recommendation: Extend in the current amount for a period of six (6) months.
20. **Stag's Leap** – Performance Bond for Landscaping - \$71,000.
Recommendation: Pulled from Consent Agenda at request of Commissioner Crohan for separate consideration.
21. **Stag's Leap** – Performance Bond for Road, Drainage & Erosion Control - \$216,000.
Recommendation: Extend in the current amount for a period of six (6) months.
22. **Stockett Creek, Section 1** – Performance Bond for Landscaping - \$82,000.
Recommendation: Convert to Maintenance in the amount of \$24,600 for a period of seven (7) months.
23. **Stockett Creek, Section 1** – Maintenance Bond for Roads, Drainage & Erosion Control - \$180,000.
Recommendation: Extend in the current amount for a period of six (6) months.
24. **Stockett Creek, Section 2** – Maintenance Bond for Roads, Drainage & Erosion Control - \$150,000.
Recommendation: Extend in the current amount for a period of six (6) months.
25. **Summer Hill, Section 3** – Maintenance Bond for Roads, Drainage & Erosion Control - \$35,000.
Recommendation: Release the bond.
26. **Vale Creek** - Maintenance Bond for Landscaping - \$23,550.
Recommendation: Release the bond.
27. **Vale Creek** - Maintenance Bond for Water (HB & TS) - \$26,700.
Recommendation: Release the bond.

28. Watkins Creek, Section 2 – Maintenance Bond for Roads, Drainage & Erosion Control - \$150,000.

Recommendation: Extend in the current amount for a period of six (6) months.

There being no comments, Commissioner Murdic made a motion to accept Staff's recommendation. Commissioner Crohan seconded the motion, which passed by unanimous vote with Commissioner Baldree abstaining.

ITEM 20

STAG'S LEAP, PERFORMANCE BOND FOR LANDSCAPING

Mr. Horne reviewed the background (see Staff report) recommending the bond be extended in the current amount of \$71,000 for a period of seven (7) months and completion before the next review period.

Commissioner Crohan asked if the applicant has made any of the improvements.

Mr. Horne stated the landscaping in and around the sewage treatment plant has not been completed.

Commissioner Crohan asked if Staff thought this bond would be extended or called if the landscaping isn't completed before the next review period.

Mr. Horne stated Staff can inform the applicant that the bond being called is a possibility if landscaping is not completed.

There being no other comments, Commissioner Crohan made a motion to accept Staff's recommendation. Commissioner Murdic seconded the motion, which passed by unanimous voice vote.

PUBLIC HEARINGS:

ITEM 29

SITE PLAN & CONDITIONAL USE REVIEW FOR CALIFORNIA CONCEPTS, INC., (RESIDENTIAL BUSINESS), ON 7 ACRES LOCATED AT 5670 CARTERS CREEK PIKE IN THE 2ND VOTING DISTRICT (5-2008-052).

Mr. Hayes reviewed the background (see Staff report) recommending approval with the following stipulations:

1. All materials used in the business shall be stored inside the accessory structure;
2. Completion of an Affidavit of Compliance to ensure continued adherence to Division 4520 (M) of the Williamson County Zoning Ordinance; and
3. The applicant's Letter of Intent (Attachment 29-4).

Chairman Lackey opened the Public Hearing.

There being no one wishing to speak, Chairman Lackey closed the Public Hearing.

Chairman Lackey asked for any comments.

Commissioner Murdic asked where on Carters Creek Pike this property is located.

Mr. Holmes stated the property is located at the corner of Carters Creek Pike and Barker Road.

Commissioner Crohan asked how many employees the applicant will have.

Mr. Hayes stated the applicant is the only employee at this site and the work is sub-contracted.

There being no other comments, Commissioner Lane made a motion to accept Staff's recommendation. Commissioner Givens seconded the motion, which passed by unanimous vote.

ITEM 30

SITE PLAN & CONDITIONAL USE REVIEW FOR THE FOOTER COMPANY, (RESIDENTIAL BUSINESS), ON 8.25 ACRES LOCATED AT 4035 WILSON PIKE IN THE 4TH VOTING DISTRICT (5-2008-057).

Mr. Hayes reviewed the background (see Staff report) recommending approval with the following stipulations:

1. Completion of an Affidavit of Compliance to ensure continued adherence to Division 4520 (M) of the Williamson County Zoning Ordinance, the approved site plan, the applicant's Letter of Intent (Attachment 30-4), and the use of only 1,596 square feet of the detached garage as illustrated on Attachment 30-5; and
2. Obtaining a building permit for the proposed addition.

Chairman Lackey opened the Public Hearing.

There being no one wishing to speak, Chairman Lackey closed the Public Hearing.

Chairman Lackey asked for any comments.

There being no other comments, Commissioner Murdic made a motion to accept Staff's recommendation. Commissioner Fisher seconded the motion, which passed by unanimous vote.

ITEM 31

AMENDMENT TO SECTION 4620 (G) OF THE ZONING ORDINANCE REGARDING EVENTS OF PUBLIC INTEREST, EXTENSIVE IMPACT (6-2008-006).

Mr. Matteson reviewed the background (see Staff report) stating that Staff feels this amendment would provide greater flexibility in meeting buffer requirements, while continuing to ensure that impacts from these events are sufficiently buffered from adjoining residential uses.

Chairman Lackey opened the Public Hearing.

There being no one wishing to speak, Chairman Lackey closed the Public Hearing.

Chairman Lackey asked for any comments.

Commissioner Crohan asked if Staff considered the possibility that taking out the buffer would impact livestock on adjacent properties and if this would have any effect on them.

Mr. Matteson stated when Staff drafted this Amendment the impact on residential uses were taken into consideration but not necessarily livestock.

Chairman Lackey asked what the minimum buffer will be.

Mr. Matteson stated this amendment would allow the activities to take place up to the property line in cases where there is at least 400 feet between the activity and an existing residence on the adjoining property.

Chairman Lackey stated he would rather there be a minimum buffer requirement stated in the amendment.

Commissioner Murdic stated he would be concerned with events allowed to take place all the way to the property line and asked if there was a problem with the 200 foot minimum buffer currently in place.

Mr. Matteson stated that the amendment was intended to allow some flexibility while still not compromising other events and their impact on adjoining properties when the adjoining parcel is a large vacant parcel.

Commissioner Murdic stated there needs to be a minimum protection buffer for adjacent property owners.

Commissioner Crohan stated the current 200 foot is a good minimum buffer.

Commissioner Sanders stated adjacent property with livestock should have a 200 foot minimum buffer also.

Commissioner Walton asked if this type of event would still require Board of Zoning Appeals approval and if so the applicant could then ask for a variance from the buffer requirement.

Mr. Matteson stated that was correct.

Commissioner Givens asked if there was a particular event that requested this amendment and why does it need to go all the way to the property line.

Mr. Matteson stated that there was a specific event that was having issues with the buffer requirement and asked Staff to address the concerns with this amendment. They have a large parcel of land and it is adjoined by a large vacant parcel. This particular event has not had problems as of yet, but they are concerned about the future.

There being no other comments, Commissioner Crohan made a motion staff reconsider the amendment and look at a minimum buffer such as 200 feet. Commissioner Murdic seconded the motion, which passed by unanimous vote.

PRELIMINARY PLATS:

ITEM 32

PRELIMINARY PLAT REVIEW FOR SEDONA WOODS, PHASE 1 (A.K.A. WATERBRIDGE), CONTAINING 90 LOTS ON 155.34 ACRES LOCATED OFF NOLENSVILLE ROAD IN THE 5TH VOTING DISTRICT (1-2008-307)

Mr. Matteson reviewed the background (see Staff report) recommending approval for the continuation of the Preliminary Plat.

The following items must be addressed with future submittals:

1. Prior to consideration of final plat approval, the applicant shall submit HOA documents for review and approval by the County

Attorney's office. The approved HOA documents must be recorded prior to the recording of the final plat;

2. Prior to consideration of final plat approval, construction of the wastewater treatment and disposal system shall be completed and approved by TDEC, an operating permit must be issued by TDEC, and certification of construction in accordance with approved plans must be submitted;
3. Prior to final plat submittal approval of Highway Entrance Permit and submission of turn lane plans approved by TDOT;
4. Establishment of performance bonds for roads, drainage, and erosion control. Such would include any off-site roadway improvements required by TDOT;
5. Establishment of a performance bond for water improvements in favor of Milcrofton Utility District;
6. Establishment of a performance bond for the sewer treatment and collection system as well as the back-up system;
7. Submission of landscaping plans and establishment of appropriate performance bonds for landscaping;
8. Execution of a Stormwater Maintenance Agreement and submission of an Operation and Maintenance Plan for stormwater improvements; and
9. Dedication of right-of-way 42 feet off centerline of Nolensville Road.

Chairman Lackey asked for any comments.

There being no comments, Commissioner Murdic made a motion to accept Staff's recommendation. Commissioner Walton seconded the motion, which passed by unanimous vote.

ITEM 33

PRELIMINARY PLAT REVIEW FOR TRACE CREEK HEIGHTS, LARGE LOT EASEMENT SUBDIVISION, CONTAINING 5 LOTS ON 27.57 ACRES LOCATED OFF TRACE CREEK DRIVE IN THE 8TH VOTING DISTRICT (1-2008-308)

Mr. Holmes reviewed the background (see Staff report) recommending approval of this plat.

The following items must be addressed with future submittals:

1. Posting of a performance bond for sewer in the amount specified by Harpeth Valley Utility District; and
2. Posting of a performance bond for water in the amount specified by Harpeth Valley Utility District.

Chairman Lackey asked for any comments.

Commissioner Crohan asked why the bonds have not been posted.

Dan Strabel, Atwell-Hicks, representing the applicant, stated the developer has had coordination issues with Harpeth Valley Utility District (HVUD) and Nashville Electric Service (NES) in getting final plans approved. The developer was hesitant to post bond without the approval of HVUD and NES. This issue

has been resolved and is moving forward. The applicant wants to get a land disturbance permit and needs Preliminary Plat approval to do this.

There being no other comments, Commissioner Walton made a motion to accept Staff's recommendation. Commissioner Sanders seconded the motion, which passed with Commissioner Crohan voting "No".

FINAL PLATS:

ITEM 34

FINAL PLAT REVIEW FOR CHARDONNAY, SECTION 1 (REVISED), CONTAINING 2 LOTS ON 27.68 ACRES LOCATED OFF CLOVERCROFT ROAD IN THE 4TH VOTING DISTRICT (1-2008-415)

Mr. Matteson reviewed the background (see Staff report) recommending approval of this of the revised Final Plat subject to the following.

1. Prior to issuance of a Certificate of Occupancy for any structure and prior to submittal of a Final Plat that includes any additional residential lots, the required Wilson Pike improvements must be completed in accordance with the approved plans;
2. The posting of performance bonds in the amount of \$80,000 for on-site roads, drainage and erosion control and \$50,000 for off-site roads, drainage and erosion control;
3. The posting of a performance bond in the amount of \$43,500 for the wastewater treatment and disposal system;
4. The posting of a performance bond in the amount of \$5,500 for the wastewater collection system;
5. The posting of performance bonds in the amount of \$160,000 for off-site water improvements and \$140,000 of on-site water improvements as specified by Milcrofton Utility District;
6. Establishment of a performance bond for landscaping in the amount of \$80,900;
7. The approved Homeowner's Association documents must be recorded at the same time as the recording of the Final Plat;
8. Execution of a Stormwater Maintenance Agreement and submission of an Operation and Maintenance Plan for stormwater improvements; and
9. Submission of two (2) copies 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.

Chairman Lackey asked for any comments.

There being no comments, Commissioner Murdic made a motion to accept Staff's recommendation. Commissioner Givens seconded the motion, which passed by unanimous vote.

ITEM 35

FINAL PLAT REVIEW FOR CHARDONNAY, SECTION 2, CONTAINING 44 LOTS ON 29.51 ACRES LOCATED OFF CLOVERCROFT ROAD IN THE 4TH VOTING DISTRICT (1-2008-416)

Mr. Matteson reviewed the background (see Staff report) recommending deferral of the Final Plat. In the event the Commission approved this request Staff recommended the following stipulations of approval:

1. The posting of a performance bond in the amount of \$590,000 for roads, drainage and erosion control;
2. The posting of a performance bond in the amount of \$119,500 for the wastewater collection system;
3. Execution of a Stormwater Maintenance Agreement and submission of an Operation and Maintenance Plan for stormwater improvements; and
4. Submission of two (2) copies 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.

Chairman Lackey asked for any comments.

Commissioner Walton asked if this was a state highway and if TDOT will advise Staff when plans are approved. Also if this item is deferred and then TDOT approves it where will the project stand?

Mr. Matteson stated it is a state highway and TDOT will release the bond when they feel the project is complete. Staff is recommending deferral hoping the issue will be resolved by the December meeting.

Chairman Lackey asked for a summary of the latest inspection.

Mr. Andrews stated he was on site today and the asphalt has been placed and the striping has been completed. The drainage has not been completed. Ditches are not completed or stabilized. There needs to be top soil placed along the edges where the asphalt drops off the edge of the road to hold it in place. A thirty (30) foot width was required on the construction plans but the striping appears to be such that in some places the shoulders, which are required to be four (4) feet, taper down to two (2) feet..

Commissioner Fisher asked for clarification as to whether the striping needed to be redone or if the road was not wide enough.

Mr. Andrews stated the road has the required thirty (30) foot width, but the striping appears to be placed incorrectly in certain areas.

Mr. Heflin indicated that re-striping may help, but slope may still be deficient if additional roadside grading is not performed.

Mr. Rick Bell, Turnberry Homes, stated part of the approval for the project was road way improvements along Wilson Pike. This has been an approximately one million dollar project that Turnberry has undertaken for the residents of Williamson County. It has taken approximately six (6) to eight (8) months to obtain approvals from the different agencies involved. He also stated he knows there is work still to be completed and the striping has been scheduled to be redone within a few weeks. Turnberry does have a bond with the state and the roadway improvements will be completed per state requirements or the bond will not be released. TDOT will not give them a letter stating the work has been done and informed them when the bonds are released then you will know the improvements are complete. Mr. Bell stated he did not know when TDOT would release the bond. He asked the commission to approve this request due to the fact they are bonded with the state; improvements have been made and will be completed and they would like to be able to record this plat and start building homes.

Commissioner Givens asked if the road was in worse shape now than when the work was started.

Mr. Andrews stated "no", the road is in much better condition other than the shoulder work that needs to be completed.

There being no other comments, Commissioner Murdic made a motion to accept Staff's recommendation to defer until the December, 2008 meeting. Commissioner Crohan seconded the motion, which passed with Commissioner Givens voting "No".

ITEM 36

FINAL PLAT REVIEW FOR POTTER'S CLAY ESTATES, LARGE LOT EASEMENT SUBDIVISION, CONTAINING 4 LOTS ON 38.29 ACRES LOCATED OFF KINGSTON ROAD IN THE 1ST VOTING DISTRICT (2-2008-046)

This item was withdrawn.

ITEM 37

FINAL PLAT REVIEW FOR WEATHERINGTON PROPERTY, LARGE LOT EASEMENT SUBDIVISION, CONTAINING 3 LOTS ON 71.40 ACRES LOCATED OFF NATCHEZ TRACE ROAD IN THE 2ND VOTING DISTRICT (2-2008-037)

This item was withdrawn.

OTHER BUSINESS:

ITEM 38

PRESENTATION BY STEPHEN MURRAY (COMMUNITY HOUSING PARTNERSHIP) REGARDING THEIR WORKFORCE AND AFFORDABLE HOUSING STRATEGIC PLAN

Mr. Stephen Murray, Executive Director of Community Housing Partnership of Williamson County, gave a brief presentation regarding affordable housing.

Chairman Lackey thanked Mr. Murray and asked if anyone had any comments or questions. There were none.

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There being no further business, the meeting was adjourned at approximately 8:00 p.m.

APPROVED BY A MAJORITY VOTE BY THE WILLIAMSON COUNTY REGIONAL PLANNING COMMISSION ON DECEMBER 11, 2008.

CHAIRMAN JOHN LACKEY