

**MINUTES OF THE
WILLIAMSON COUNTY REGIONAL PLANNING COMMISSION
MEETING OF JULY 9, 2009**

MEMBERS PRESENT

Robin Baldree
John Cain
Don Crohan
Susan Fisher
Holli Givens
John Lackey
Steve Lane
Pete Mosley
Tom Murdic
Paul Pratt, Jr.
Brian Sanders
Jack Walton

STAFF PRESENT

Joe Horne, Community Development Director
Mike Matteson, Planning Director
Aaron Holmes, Planning Coordinator
Robbie Hayes, Planner
Lincoln Sweet, Planner
Floyd Heflin, County Engineer
William Andrews, Assistant to County Engineer
Kristi Earwood, Attorney
Sheila Myers, Administrative Assistant
Debbie Smith, Administrative Assistant

The Williamson County Regional Planning Commission met in regular session Thursday, July 9, 2009, at 7:00 p.m., in the Auditorium of the Williamson County Administrative Complex.

Chairman Lackey called the meeting to order.

Mr. Horne made the following announcements:

1. Staff expects to start review Module 3 of the Zoning Ordinance Update's next week. A meeting with the Steering Committee, Planning Commission, Board of Zoning Appeals, and the County Commission to discuss the second module may be held within thirty (30) days, but the date has yet to be determined.
2. The last public meeting regarding the College Grove Special Area Plan will be held Tuesday, July 14, 2009 at 7:00 p.m. It will be held in the cafeteria of the College Grove Parks and Recreation Center.

CONSIDERATION OF MINUTES:

Chairman Lackey asked for a motion to consider the minutes of the June 11, 2009 Planning Commission meeting.

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

CONSENT AGENDA:

BONDS:

1. **2nd Addition at Legends Ridge** – Maintenance Bond for Roads, Drainage and Erosion Control - \$100,000.
Recommendation: Extend in the current amount for a period of six (6) months.
2. **Abington Ridge, Section 2** – Maintenance Bond for Roads, Drainage and Erosion Control - \$150,000.
Recommendation: Extend in the current amount for a period of six (6) months.
3. **Abington Ridge, Section 3A** - Maintenance Bond for Roads, Drainage and Erosion Control - \$80,000.
Recommendation: Extend in the current amount for a period of six (6) months.

4. **Addition to Brienz Valley, Section 1** – Performance Bond for Water (HB & TS) - \$100,000.
Recommendation: Extend in the current amount for a period of three (3) months from the current expiration date of August 15, 2009.
5. **Addition to McLemore Farms, Section 1** - Maintenance Bond for Roads, Drainage and Erosion Control - \$90,000.
Recommendation: Release the bond.
6. **Addition to McLemore Farms, Section 2** - Maintenance Bond for Roads, Drainage and Erosion Control - \$46,000.
Recommendation: Release the bond.
7. **Belle Vista, Section 1** – Maintenance Bond for Wastewater Treatment and Disposal System - \$64,500.
Recommendation: Extend in the current amount for a period of one (1) year.
8. **Belle Vista, Section 1** - Performance Bond for Wastewater Collection System - \$286,000.
Recommendation: Pulled from Consent.
9. **Black Hawk, Section 2** – Maintenance Bond for Roads, Drainage and Erosion Control - \$60,000.
Recommendation: Extend in the current amount for a period of six (6) months.
10. **Brienz Valley, Section 3** – Maintenance Bond for Water (HB & TS) - \$10,000.
Recommendation: Release the bond on the expiration date of August 20, 2009.
11. **Hopewell Ridge, Section 1** - Maintenance Bond for Roads, Drainage and Erosion Control - \$60,000.
Recommendation: Extend in the current amount for a period of six (6) months.
12. **King's Chapel, Section 2A** - Maintenance Bond for Roads, Drainage and Erosion Control - \$130,000.
Recommendation: Extend in the current amount for a period of six (6) months.
13. **Laurelbrooke, Section 11-A** - Maintenance Bond for Roads, Drainage and Erosion Control - \$65,000.
Recommendation: Extend in the current amount for a period of six (6) months.
14. **Laurelbrooke, Section 11-E** - Maintenance Bond for Roads, Drainage and Erosion Control - \$75,000.
Recommendation: Release the bond.
15. **Laurelbrooke, Section 13** - Maintenance Bond for Roads, Drainage and Erosion Control - \$55,000.
Recommendation: Release the bond.
16. **Silver Stream Farm Amenity Center** – Performance Bond for Landscaping - \$9,150.
Recommendation: Convert to Maintenance in the amount of \$2,800 for a period of ten (10) months.
17. **Stockett Creek, Section 3** - Maintenance Bond for Roads, Drainage and Erosion Control - \$150,000.

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

18. **Two Rivers** - Maintenance Bond for Roads, Drainage and Erosion Control - \$150,000.

Recommendation: Extend in the current amount for a period of six (6) months and that the developer be allowed to place the asphalt mix prior to the 80% build-out.

19. **Watkins Creek, Section 1** - Maintenance Bond for Wastewater Treatment and Disposal System - \$105,000.

Recommendation: Extend in the current amount for a period of one (1) year.

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

ITEM 8

BELLE VISTA SECTION 1, PERFORMANCE BOND FOR WASTEWATER COLLECTION SYSTEM.

Mr. Horne reviewed the background (see Staff report) recommending deferral of this item to the August 13, 2009 meeting.

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

PUBLIC HEARINGS:

ITEM 20

SITE PLAN AND CONDITIONAL USE REVIEW FOR ARNO STORAGE (LIGHT INDUSTRIAL), ON 3.41 ACRES LOCATED AT 6410 ARNO ROAD IN THE 3RD VOTING DISTRICT (5-2009-024).

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

1. Execution of an Affidavit of Compliance to ensure continued adherence to, Division 4520 (Z) of the Williamson County Zoning Ordinance, the applicant's Letter of Intent (Attachment 20-2), and the approved Site Plan (Attachment 20-1);
2. The applicant shall post signage indicating that the washing of stored vehicles or other machinery and equipment is prohibited;
3. Building foundations must be specified and inspected by a geotechnical engineer, with documentation provided to the Building Codes Department;
4. Posting of a Landscaping Bond in the amount of \$35,454; and
5. Execution of a Stormwater Maintenance Agreement and submission of an Operation and Maintenance Plan for stormwater improvements.

Mr. Matteson added one additional note that the Staff report says that the proposed port-a-john facility is sufficient to satisfy the ordinance requirements, that a toilet facility be provided, however, he wanted to point out that the

definition in the ordinance specifically refer to the word toilet when describing this requirement and when looking into definitions of toilet those seem to suggest a more permanent facility and so as the Commission considers this, they will want to determine whether the portable facility proposed by the applicant meets the intent and spirit of the Zoning Ordinance or alternatively whether it would be appropriate to add as a condition of approval that a permanent toilet facility be provided.

Chairman Lackey opened the public hearing.

Mr. Carl Scott, 6213 McDaniel Road, stated his concern regarding water exiting the detention pond and flowing onto his property. He stated that the community had asked him to speak on its behalf, and that changing the driveway to McDaniel Road is not any better than having it located on Arno Road. He stated that turning left off of McDaniel Road onto Arno Road is nearly impossible and extremely dangerous. He also stated that a portable toilet is not acceptable.

Mr. Tom Moon, 6251 Meeks Road, stated he believes that a portable toilet for a permanent facility is not acceptable. He also believes this site is already being utilized as a storage facility for large equipment and this has not been approved by the Planning Commission or Staff. He stated he agrees with Mr. Scott that the driveway location off of McDaniel Road is not better than the Arno Road location previously proposed.

Mr. David Parker, 6418 Arno Road, stated he would not dispute the sight distance for the driveway location off of McDaniel Road, but when you get to the intersection of McDaniel Road and Arno Road there is not adequate sight distance. He stated that for a speed limit of forty (40) miles per hour the sight distance should be approximately four-hundred (400) feet and at this location there may be one hundred fifty (150) feet turning left onto Arno Road. He also stated he has environmental concerns if vehicles are going to be stored outside at this location and the possibility of oil, grease, and other pollutants washing downstream.

Ms. Kim Emrich, 6235 McDaniel Road, stated the intersection of McDaniel Road and Arno Road is extremely dangerous. She has watched traffic making right hand turns onto McDaniel Road and if the vehicles are pulling anything, they have to come to a complete stop on the curve in order to make the turn. She also believes a portable toilet is not acceptable and this would be an eyesore.

Mr. Doug Clark, 6326 Arno Road, stated he agreed that the intersection of McDaniel Road and Arno Road is very dangerous and that a portable toilet is not acceptable.

Ms. Cathy Parker, 6418 Arno Road, stated she is concerned about the proximity of Page Middle School and Page High School and the dangers this could cause with the additional traffic.

Mr. Blake Fohl, 6422 Arno-College Grove Road, stated he is concerned about the traffic and that this intersection is extremely dangerous.

There being no one else wishing to speak, Chairman Lackey closed the public hearing.

Chairman Lackey asked for any comments.

Commissioner Mosley asked if a pump and haul system would be more adequate than a portable toilet.

Mr. Matteson stated a pump and haul system is not allowed for a permanent use such as this.

Commissioner Mosley stated he has had several of the area residents contact him about this proposal and their concerns about traffic. The traffic and the portable toilet are still his main concerns about this proposal.

Commissioner Baldree asked if this area is going to be considered a "Hamlet" according to the Comprehensive Plan and stated that if so, this type of use does not seem to fit in with the Plan. She also stated she has concerns about the traffic.

Commissioner Pratt asked if Staff has looked at the possibility that there may be a problem with runoff from this location.

Mr. Heflin explained the runoff pattern from this site and how it works in its current form. The pond will help and also addresses suspended solids, but would not address oil and grease.

Commissioner Pratt then asked if the County requires a bathroom facility for buildings that do not have running water and if restroom facilities are required.

Mr. Horne stated replied that restroom facilities are required but it is a matter of semantics whether toilet equals port-a-potty.

Commissioner Fisher stated she is concerned about traffic at the intersection of McDaniel Road and Arno Road.

Commissioner Crohan stated he was concerned about drainage.

Commissioner Givens asked whether the Highway Department took into consideration trucks with trailers, boats, etc. when they evaluated the sight distance.

Mr. Heflin stated the Highway Department simply addressed the location for the driveway.

Commissioner Givens then asked if heavy equipment would be stored at this location or would it just be boats, campers, etc., and how many at a time would be stored there.

Mr. Gerald Bucy, representing the applicant, stated no heavy equipment, such as bulldozers, would be stored at this site and there would be approximately twenty-five (25) stored at a time.

Commissioner Murdic asked how much traffic this site will generate.

Mr. Bucy stated there would be approximately 4.48 trips generated per day.

Mr. Bucy stated the Department of Sewage Disposal Management has stated that as long as there is no running water in the building, a portable toilet will be sufficient. The driveway was staked out by the Highway Department and does have adequate sight distance. He stated the traffic generated from this proposal will be minimal. The drainage will be routed through a detention pond and the maximum outflow rate will be less than it currently is. Measures have been taken to control the water quality and quantity, and he does not believe drainage will be a problem.

Commissioner Walton moved for deferral to give the County Attorney time to research a legal definition of "toilet". He also asked if the Highway Department considered that boats and trailers would be utilizing this location.

Commissioner Murdic seconded the motion.

Mr. Bucy stated he would agree to defer this item until the August 13, 2009 meeting.

Commissioner Baldree stated this does not seem to meet the criteria of Section 9310 C. She also asked if the Highway Department could check to see if the sight distance at McDaniel Road and Arno Road is adequate.

Commissioner Crohan asked if the Planning Commission had the authority to go the step further and check intersection rather than just the site access.

Chairman Lackey stated that if the Planning Commission is approving a facility that has an impact on a contiguous road then the Commission is obligated to look at it.

There being no other comments, the motion to defer was passed by a vote of eleven (11) to one (1) with Commissioner Pratt voting "No".

ITEM 21

SITE PLAN & CONDITIONAL USE REVIEW FOR BURCHAM STABLES (COMMERCIAL), ON 20.62 ACRES LOCATED AT 1440 MENTELLE DRIVE IN THE 8TH VOTING DISTRICT (5-2009-025).

Mr. Holmes 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 4400 (V) of the Williamson County Zoning Ordinance, the applicant's Letter of Intent (Attachment 21-4), the approved Site Plan (Attachment 21-1), and the approved floor plan (Attachment 21-5);
2. Recording of the revision to the Maher subdivision plat;
3. Other than those owned by the owner, there shall be no horses boarded on-site; and
4. Submission of Elevation Certificates for all structures indicating the lowest floor elevations are a minimum of one (1) foot above the base flood elevation.

Chairman Lackey opened the public hearing.

Mr. Bill Bryant, 229 Gillette Drive, asked if this proposed therapeutic riding facility does not work out and the applicant wants to become a fully operating commercial stable, would it have to be approved by the Planning Commission again.

Chairman Lackey stated it would have to be approved by the Planning Commission.

There being no one else wishing to speak, Chairman Lackey closed the public hearing.

Chairman Lackey asked for any comments.

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

ITEM 22

REVISED CONCEPT PLAN AND CONDITIONAL USE REVIEW FOR SADDLE SPRINGS ESTATES (MIXED USE), CONTAINING 44 LOTS AND AN EQUESTRIAN CENTER ON 327.86 ACRES LOCATED OFF BETHESDA ARNO ROAD IN THE 3RD VOTING DISTRICT (1-2009-100).

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

1. A second interior dwelling unit may only be allowed if a Special Use Permit for an accessory dwelling is granted by the Williamson County Board of Zoning Appeals; and
2. A building permit to construct the caretaker's residents will not be issued until one (1) of the three (3) existing interior dwellings is converted to non-residential space and one (1) of the other two (2) existing interior dwellings is either approved by the BZA as an accessory dwelling or it too is converted to non-residential space.

Chairman Lackey opened the public hearing.

Mr. Jerry Owens, 1155 Saddle Springs Drive, stated even though they are happy to have the Equestrian Center opening again, they are against the building of a two-thousand (2,000) square foot caretaker's house, which does not meet the covenants and restrictions of the subdivision.

Mr. William McCauley, 1610 Fair House Road, President of the Homeowner's Association, stated they are opposed to the revised Concept Plan due to the fact the caretaker's home will be at the entrance to the subdivision, is noticeable from all areas, was not a part of the original plan, and is not subject to the same covenants and restrictions. He also stated this home will devalue the homes in the subdivision due to its size of two-thousand (2,000) square feet or less.

Mr. Stephen Moore, 4840 Byrd Lane, stated he is opposed to the building of the caretaker's house due to the fact it will devalue the lot he owns in the subdivision which he is currently trying to sell.

Ms. Cathy Holmes, 1179 Saddle Springs Drive, stated she previously signed a petition in favor of the revised Concept Plan, but now wishes to withdraw her name from this petition because the cottage does not meet the covenants and restrictions and will devalue her home and she is not in favor of the revised plan.

Mr. Ralph Bacue, 1185 Saddle Springs Drive, stated the proposed caretaker's cottage will encroach on the lake that was supposed to be for the entire subdivision to use. He also stated he agrees with everyone else that the home does not meet the covenants and restrictions.

Mr. Hugh Hicks, 1163 Saddle Springs Drive, stated this home will back up to Saddle Springs Drive and they are concerned this property could become rental property if the current owners ever sell, since this proposal does not fall under the covenants and restrictions. He asked that the Commission deny this request.

Commissioner Judy Hayes, 3rd District, 1775 Popes Chapel Road, stated she has visited this site with the current owners and it is a beautiful site. She also stated after hearing the concerns of the neighbors she believes the applicant needs to meet with the area residents to go over their concerns.

There being no one else wishing to speak, Chairman Lackey closed the public hearing.

Chairman Lackey asked for any comments.

Commissioner Murdic asked if this site falls under the covenants and restrictions of the subdivision.

Ms. Earwood stated this site is the non-residential portion and would not fall under those restrictions, unless the owners choose to add it to the covenants.

Commissioner Pratt asked why the home has to be built in front of the subdivision. Could it not be built behind the barn?

Mr. Steve Clifton, Clifton & King, representing the applicant, stated this location was selected because it was the best site to see people entering and exiting the site.

Chairman Lackey stated he did not like the fact the proposed home would back up to the main road.

Commissioner Fisher stated she is concerned because the lake was supposed to be for the residents of the subdivision to enjoy and there were also going to be riding trails and the location of this home would destroy the trails.

Mr. Clifton gave a brief presentation describing the revised Concept Plan for Saddle Springs Estates. He also stated the applicant met with the area residents and at the time of the meeting everyone supported the idea.

Commissioner Pratt asked if the location of the house could be moved.

Mr. Clifton stated that several sites were considered and the owners believed this was the best site.

Commissioner Baldree asked if the residents were aware at the time of the meeting with the applicant that the cottage would back up to the road.

Mr. Clifton stated he was not sure.

Chairman Lackey stated he believed this item should be deferred so the applicant can meet with the area residents to discuss concerns and so the applicant can be present at the August, 13, 2009 meeting.

Mr. Clifton stated he would agree to a deferral.

There being no other comments, Commissioner Murdic made a motion to defer this item until the August, 13, 2009 meeting. Commissioner Lane seconded the motion, which passed by unanimous vote.

SKETCH PLANS:

ITEM 23

**SKETCH PLAN REVIEW FOR BRANDON PARK DOWNS (REVISED),
CONTAINING 43 LOTS ON 178.7 ACRES, LOCATED OFF PEYTONSVILLE
ROAD IN THE 4TH VOTING DISTRICT (1-2009-101).**

Mr. Hayes reviewed the background (see Staff report) stating no vote is required at this time. A revised Final Plat will be necessary in order to create this additional building lot. A number of items must be addressed with the submittal of the Final Plat:

1. Approval from the Department of Sewage Disposal Management;
2. Signatures from the owners of every lot within the subdivision;

3. Submittal of an Operation and Maintenance Plan for Stormwater improvements, and execute and record a Stormwater Maintenance Agreement; and
4. Revised Homeowner's Association (HOA) documents reflecting the changes to the subdivision.

Chairman Lackey asked for any comments.

Mr. Kevin Gangaware, representing the applicant was in attendance for any questions.

There were no comments.

No action was required for this item.

NON-RESIDENTIAL SITE PLANS:

ITEM 24

SITE PLAN REVIEW FOR GRACE CHAPEL AND ACADEMY, ON 42.27 ACRES LOCATED AT 3279 SOUTHALL ROAD IN THE 2ND VOTING DISTRICT (5-2009-026).

Mr. Matteson reviewed the background (see Staff report) recommending approval of the request with the stipulation that the applicant complete an Affidavit of Compliance indicating that enrollment will be limited to 80 students in year one and that the traffic study recommendations outlined in Attachment 24-2 will be implemented by December 31, 2009.

Chairman Lackey asked for any comments.

Mr. Masoud Fathi, representing the applicant, was in attendance for any questions.

Commissioner Lane asked if the septic area is adequate for three-hundred fifty (350) students.

Mr. Matteson stated next month a site plan will be submitted with a proposed wastewater treatment and disposal system which will accommodate the school and church.

Commissioner Walton asked would the school be allowed to open without the wastewater treatment and disposal system in operation.

Mr. Matteson stated it would be allowed to open but would be limited to eighty (80) students and only for eight (8) months.

Commissioner Walton stated he was concerned about the school opening in August 2009 while the traffic study results will not be implemented until December 2009.

Mr. Matteson stated December 2009 was the deadline the Highway Commission established.

Mr. Fathi stated the traffic study recommendations would be completed and implemented sooner than December, 2009.

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

ITEM 25

SITE PLAN REVIEW FOR EQUESTRIAN CLUB AT SADDLE SPRINGS (REVISED), ON 46.69 ACRES LOCATED AT 100 SADDLE SPRINGS BOULEVARD IN THE 3RD VOTING DISTRICT (5-2009-020).

Mr. Matteson stated due to the deferral of Item 22, this item will also need to be deferred with applicant's agreement.

Mr. Steve Clifton, representing the applicant, agreed to a deferral.

There being no comments, Commissioner Pratt made a motion to defer this item until the August 13, 2009 meeting. Commissioner Lane seconded the motion, which passed by unanimous vote.

ITEM 26

SITE PLAN REVIEW FOR HOLY TRINITY EVANGELICAL LUTHERAN CHURCH MONTESSORI PRESCHOOL, ON 7 ACRES LOCATED AT 525 SNEED ROAD IN THE 9TH VOTING DISTRICT (5-2009-027).

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

1. Execution of an Affidavit of Compliance limiting the school to twenty (20) students between the ages of three (3) and six (6) years; and
2. Prior to the issuance of an approved Zoning Certificate to allow the opening of the school, the execution of a Stormwater Maintenance Agreement and the execution and recording of an Operation and Maintenance Plan for stormwater improvements as required by the approval granted in July of 2007.

Chairman Lackey asked for any comments.

Mr. Carl Jentas, representing the applicant, was in attendance for any questions.

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

FINAL PLATS:

ITEM 27

FINAL PLAT REVIEW FOR STETSON PLACE, LARGE LOT EASEMENT SUBDIVISION, CONTAINING 5 LOTS ON 71.79 ACRES LOCATED OFF OLD NATCHEZ TRACE IN THE 9TH VOTING DISTRICT (1-2009-402).

Mr. Hayes reviewed the background (see Staff report) recommending approval subject to the issuance of a Land Disturbance Permit.

Chairman Lackey asked for any comments.

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

OTHER:

ITEM 28

PRESENTATION BY BOB IANNAcone (COMMUNITY HOUSING PARTNERSHIP) REGARDING ITS WORKFORCE AND AFFORDABLE HOUSING STRATEGIC PLAN

Mr. David Pair, Williamson County Association of Realtors, gave a brief presentation regarding workforce and affordable housing.

Mr. Bob Iannacone, Community Housing Partnership, spoke briefly about the need for workforce and affordable housing in Williamson County and asked for the Planning Commission to endorse the Community Housing Partnership's strategic plan.

Chairman Lackey stated he supports workforce housing but he is reluctant to endorse this Plan at this time because Staff is in the process of revising the Zoning Ordinance, and he does not want any conflicts between the two.

Commissioner Murdic stated he felt the County Commission should be the board to endorse this Plan.

Chairman Lackey stated he believes this Plan should go before the Update Committee first, then be forwarded to the Planning Commission, and then forwarded to the County Commission for endorsement.

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There being no further business, the meeting was adjourned at approximately 9:20 p.m.

APPROVED BY A MAJORITY VOTE BY THE WILLIAMSON COUNTY REGIONAL PLANNING COMMISSION ON AUGUST 13, 2009

_____ CHAIRMAN JOHN LACKEY