

**MINUTES OF THE
WILLIAMSON COUNTY REGIONAL PLANNING COMMISSION
MEETING OF DECEMBER 10, 2009**

MEMBERS PRESENT

John Cain
Don Crohan
Susan Fisher
Holli Givens
John Lackey
Steve Lane
Pete Mosley
Tom Murdic
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
Lori John, Secretary

The Williamson County Regional Planning Commission met in regular session Thursday, December 10, 2009, at 7:00 p.m., in the Auditorium of the Williamson County Administrative Complex. Commissioners Baldree and Pratt were unable to attend.

Chairman Lackey called the meeting to order.

Mr. Horne made the following announcements:

1. Module 2 of the revised Zoning Ordinance has been posted on the Williamson County Website for public review. This Module includes Zoning Districts as well as Use Regulations.
2. Staff should be receiving Module 3 of the Williamson County Zoning Ordinance Update next week for Staff review.
3. The applicant has asked for a deferral for Item 12, Wildwood Construction, LLC.

CONSIDERATION OF MINUTES:

Chairman Lackey asked for a motion to consider the minutes of the November 12, 2009 Planning Commission meeting.

A motion was made by Commissioner Murdic to approve the minutes as submitted and was seconded by Commissioner Givens. The motion passed by unanimous vote.

CONSENT AGENDA:

1. **Abington Ridge, Section 3A** – Maintenance Bond for Wastewater Collection System - \$12,100.
Recommendation: Release the bond.
2. **Black Hawk, Section 3 & 4** – Maintenance Bond for Water (Milcrofton) - \$3,500.
Recommendation: Release the bond.
3. **Cascade Estates** – Maintenance Bond for Water (HB & TS) - \$63,600.
Recommendation: Release the bond.
4. **Inns of the Cove, Section 1** – Maintenance Bond for Wastewater Collection System - \$80,861.
Recommendation: Extend in the current amount for a period of one (1) year.
5. **Saddle Springs, Phase 2A, Section 4** – Maintenance Bond for Roads, Drainage and Erosion Control - \$102,000.

- Recommendation:** Extend in the current amount for a period of six (6) months.
6. **Saddle Springs, Phase 2A, Section 7** – Maintenance Bond for Roads, Drainage and Erosion Control - \$150,000.
Recommendation: Extend in the current amount for a period of six (6) months.
 7. **Silver Stream Farm, Section 2** – Performance Bond for Roads, Drainage and Erosion Control - \$150,000.
Recommendation: Convert to Maintenance in the amount of \$90,000 for a period of one (1) year.
 8. **Silver Stream Farm, Section 5** – Performance Bond for Roads, Drainage and Erosion Control - \$150,000.
Recommendation: Convert to Maintenance in the amount of \$80,000 for a period of one (1) year.
 9. **Vulcan Materials** – Performance Bond for Landscaping/Revegetation - \$48,500.
Recommendation: Extend in the current amount for a period of one (1) year.
 10. **Watkins Creek, Section 3** – Maintenance Bond for Roads, Drainage and Erosion Control - \$125,000.
Recommendation: Extend in the current amount for a period of six (6) months and require the applicant to provide a paving schedule within sixty (60) days.
 11. **Watkins Creek, Section 4** – Maintenance Bond for Roads, Drainage and Erosion Control - \$125,000.
Recommendation: Extend in the current amount for a period of six (6) months and require the applicant to provide a paving schedule within sixty (60) days.

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

PUBLIC HEARINGS:

ITEM 12

SITE PLAN AND CONDITIONAL USE REVIEW FOR WILDWOOD CONSTRUCTION, LLC (RESIDENTIAL BUSINESS), ON 5.73 ACRES LOCATED AT 5001 ASH HILL LANE IN THE 3RD VOTING DISTRICT (5-2009-048)

The applicant filed a written request seeking deferral of this item.

Chairman Lackey asked for any comments by Commissioners.

There being no comments, Commissioner Murdic made a motion to defer this item until the January 14, 2010 meeting. Commissioner Lane seconded the motion, which passed by unanimous vote.

ITEM 13

SITE PLAN AND CONDITIONAL USE REVIEW FOR THE WOODSHOP (RESIDENTIAL BUSINESS), ON 5.09 ACRES LOCATED AT 4899 BETHESDA-DUPLEX ROAD IN THE 3RD VOTING DISTRICT (5-2009-045)

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

1. Completion of an Affidavit of Compliance to ensure continued adherence to Section 4520 (M) of the Williamson County Zoning Ordinance, the approved Site Plan (Attachment 13-1), the applicant's Letter of Intent (Attachment 13-5), the use of only 2,450 square feet of the proposed building as illustrated on Attachment 13-7, and that the property is subject to periodic inspections to ensure compliance with the terms of approval;
2. The BZA must grant a Special Use Permit for the accessory dwelling prior to issuance of the Building Permit for the proposed structure;
3. If the BZA does not grant a Special Use Permit for the accessory dwelling, the area designated for the accessory dwelling cannot be utilized for the approved business, and a revised Site Plan reflecting the accessory dwelling's elimination shall be submitted for Staff approval prior to the issuance of a Building Permit for the proposed structure; and
4. That a revised Site Plan reflecting the elimination of the second driveway be submitted prior to the issuance of any Building Permits for the proposed building.

Chairman Lackey opened the public hearing.

Ms. Judy Hayes, 3rd District County Commissioner, 1775 Popes Chapel Road, stated she and Commissioner Fisher visited this site and they believe this will be a positive addition to the neighborhood. She stated she understands why second driveways are discouraged, but if you see this location you can understand why a second access is needed. Ms. Hayes also submitted letters from adjacent property owners who are in favor of this request.

There being no other comments Chairman Lackey closed the public hearing.

Mr. Tom Wilson, the applicant, stated he believes that a separate driveway for the barn is needed due to safety concerns related to both his business and personal vehicles. It will be dangerous, in his opinion, using the existing driveway for the business when he can use a new driveway that will be a straight shot to the building.

Mr. Matteson clarified that Staff's main concern is the number of driveways due to the fact that the Zoning Ordinance discourages more than one access point. Once the applicant gains access to the property Staff has no opinion about and where how the driveway is constructed.

Chairman Lackey asked for any comments by Commissioners.

Commissioner Murdic asked if the applicant would be willing to surrender his current driveway in order to get the new driveway.

Mr. Wilson stated he did not want to alter the appearance of his home but if he had to choose, he would choose the new proposed driveway.

Chairman Lackey asked why he did not want a turn out.

Mr. Wilson stated it would exceed the County's Regulations.

Mr. Holmes stated that including both driveways and a turn out would exceed the minimum landscape surface ratio.

Mr. Matteson stated if the applicant relinquishes one of the driveways, this would be eliminating some pavement that could then be used for a turn out and would not exceed the landscape surface ratio.

Commissioner Givens stated she agrees with the applicant that a new driveway for the barn seems to be a better idea.

Commissioner Mosley stated that it was his opinion that if both driveways have adequate sight distance he sees no problem with the applicant having both driveways. He asked if this would be a Board of Zoning Appeals issue to have a second driveway.

Mr. Matteson stated the Zoning Ordinance does not prohibit a second driveway, it simply discourages it. Staff's recommendation is simply based on that discouragement and the fact that a residential business is intended to be subordinate and an accessory to a residence.

Commissioner Fisher arrived at approximately 7:20.

Commissioner Fisher stated she has visited this site and she understands why the second driveway is needed. She stated this would be safer and would also look better.

Chairman Lackey stated he has no problem with the second access but he feels the driveway should be aligned at a ninety (90°) degree angle with Bethesda-Duplex Road.

Commissioner Murdic stated he agreed with Chairman Lackey.

Commissioner Crohan asked if the applicant could pull into his current driveway with the twenty-foot trailer used for the business without any problems.

Mr. Wilson stated that he could not.

There being no other comments, Commissioner Mosley made a motion to approve the request with the exception that a second driveway be permitted so long as the second driveway is constructed at a ninety (90°) degree angle. Commissioner Givens seconded the motion, which passed by a vote of nine (9) to one (1) with Commissioner Crohan voting "No".

ITEM 14

AMENDMENT TO ARTICLE 12 OF THE ZONING ORDINANCE (WASTEWATER REGULATIONS), REGARDING SUBMITTAL REQUIREMENTS (6-2009-005)

Mr. Matteson reviewed the background (see Staff report) recommending this amendment be forwarded to the County Commission for adoption.

Chairman Lackey opened the public hearing.

There being no comments Chairman Lackey closed the public hearing.

Chairman Lackey asked for any comments by Commissioners.

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

NON-RESIDENTIAL SITE PLANS:

ITEM 15

SITE PLAN REVIEW FOR CAMP HOLLOWDAY (RURAL RETREAT, EXTENSIVE), ON 184.02 ACRES LOCATED AT 5375 BIG EAST FORK ROAD IN THE 1ST VOTING DISTRICT (5-2009-049)

Mr. Matteson reviewed the background (see Staff report) recommending denial of this request.

Chairman Lackey asked for any comments by Commissioners.

Mr. Joe Scaife, the applicant, stated the first concern brought to their attention was the potable water. He stated they have a pump house that supplies their home with drinking water from the seven (7) acre lake on the property. He does not see a problem with this water.

Chairman Lackey stated that for the owner to drink this water was fine, but when the public drinks from this water it will fall under different regulations and will have to be approved by the State of Tennessee as a public drinking water supply.

Commissioner Mosley stated the water would have to be chlorinated to some degree to meet State standards.

Mr. Scaife stated the water has a treatment system.

Chairman Lackey asked if the water treatment system was approved by the State.

Mr. Scaife stated that he had not gotten this approved by the State but the campers would be bringing their own water and food to the site.

Chairman Lackey stated this water supply must be approved by the State before the Planning Commission can approve this request.

Mr. Matteson stated that he informed the applicant several months ago that he should contact the State about the water supply issue.

Mr. Scaife stated the next issue was the portable toilets. Staff is requesting that permanent facilities be built and that they could only use portable toilets for twelve (12) days. He was unclear on what this means.

Mr. Matteson stated when he met with the applicant he suggested that reliance only on portable toilets was not a good idea. For temporary uses, portable toilets are acceptable, but for permanent uses the recommendation is for a permanent facility to be built. The twelve (12) days the applicant referred to relates to temporary uses that allow portable toilets to be used.

Mr. Scaife stated the permanent restroom facility is not feasible or reasonable for this particular use. He stated he has met with the Williamson County Department of Sewage Disposal Management and according to the figures he has it will cost approximately forty thousand dollars (\$40,000) or more to put in a septic system. The portable toilets that they are proposing are trailers with sinks, running water, air conditioning and are very nice facilities.

Commissioner Givens asked if the previous camp had bunk houses and restroom facilities.

Mr. Scaife stated that it did not and their proposal is for day campers. There will be no overnight stays.

Commissioner Murdic asked if this was a fee based operation.

Mr. Scaife stated that it was.

Commissioner Murdic stated he would recommend the applicant request a deferral in order to address the concerns that have been raised.

Mr. Richard House, Attorney, representing the applicant asked if there were any issues other than the potable water and sanitation issues the applicant should be aware of if he decides to request a deferral.

Chairman Lackey stated the potable water and the restroom facilities are the issues that need to be addressed. He stated Staff has recommended permanent facilities and he concurs with that.

Mr. House stated they would welcome the opportunity to present quantifiable data as to why a portable facility versus a permanent on-site facility would be worth consideration. Therefore, the applicant would like to defer this item in order to address these issues.

Ms. Reba Greer, 7806 Crow Cut Road, 1st District County Commissioner, stated she is in favor of this proposal. She believes it will be a great addition to the District. She also stated she has looked at the proposed portable facilities on the internet and that they look just like regular bathroom facilities. She also asked if it would be possible to recommend approval with the added condition the applicant must have approval from the State before any permits can be issued.

Commissioner Fisher asked if the State has regulations that must be met before the Planning Commission votes on this item.

Chairman Lackey stated this is the reason he would suggest a deferral.

Commissioner Mosley asked if there are guidelines as to how many children can attend per day, for example, if they start out at eighty (80) a day and increase to two-hundred (200) a day, do the regulations change.

Mr. Matteson stated the proposal would still be considered a Rural Retreat, Extensive Use.

Ms. Earwood stated if this item is deferred she would be glad to look into the State Day Camp regulations.

Chairman Lackey asked the applicant if he wanted to defer this item.

Mr. Scaife stated he would like to defer this item.

There being no further comments, Commissioner Murdic made a motion to defer this item until the January 14, 2010 meeting. Commissioner Fisher seconded the motion, which passed by unanimous vote.

FINAL PLATS:

ITEM 16

FINAL PLAT REVIEW FOR ARRINGTON RETREAT, SECTION 1 (A.K.A. SEDONA WOODS, A.K.A. WATERBRIDGE), CONTAINING 48 LOTS ON 135.89 ACRES LOCATED OFF NOLENSVILLE ROAD IN THE 5TH VOTING DISTRICT (1-2009-407)

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

1. The posting of a performance bond in the amount of \$360,000 for road, drainage, and erosion control improvements;

2. The posting of a performance bond in the amount of \$137,800 for the wastewater treatment and disposal system;
3. The posting of a performance bond in the amount of \$171,900 for the wastewater collection system;
4. The posting of a maintenance bond in the amount of \$40,500 for water improvements as specified by the Nolensville/College Grove Utility District;
5. The posting of a performance bond in the amount of \$115,750 for landscaping;
6. The approved Homeowner's Association documents must be recorded at the same time as the Final Plat
7. The land on which the wastewater treatment and disposal system was constructed must be transferred to the wastewater utility provider within 30 days of the recording of the Final Plat;
8. The payment of any outstanding fines related to prior stormwater violations on the property;
9. Execution of a Stormwater Maintenance Agreement and submission of an Operation and Maintenance Plan for stormwater improvements; and
10. 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.

Mr. Sweet noted that the fines related to prior stormwater violations on the property have been paid

Chairman Lackey asked for any comments by Commissioners.

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

OTHER:

Mr. Horne stated that Mr. Aaron Holmes recently passed an examination to become an accredited member of the American Institute of Certified Planners (AICP).

- - - - -

There being no further business, the meeting was adjourned at approximately 8:20 p.m.

**APPROVED BY A MAJORITY VOTE BY THE WILLIAMSON COUNTY
REGIONAL PLANNING COMMISSION ON JANUARY 14, 2010**

_____ CHAIRMAN JOHN LACKEY