

**MINUTES OF THE  
WILLIAMSON COUNTY REGIONAL PLANNING COMMISSION  
MEETING OF FEBRUARY 20, 2013**

**MEMBERS PRESENT**

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

**STAFF PRESENT**

Joe Horne, Community Development Director  
Michael Matteson, Planning Director  
Floyd Heflin, County Engineer  
William Andrews, Assistant to County Engineer  
Aaron Holmes, Planning Coordinator  
Katy Rucker, Planner  
Lincoln Sweet, Planner  
Kristi Ransom, Attorney  
Sheila Myers, Administrative Assistant  
Lania Escobar, Secretary

The Williamson County Regional Planning Commission met in regular session Thursday, February 20, 2013 at 7:00 p.m. in the Auditorium of the Williamson County Administrative Complex. Commissioner Sanders was unable to attend.

Chairman Lackey called the meeting to order.

Mr. Horne made the following announcements:

1. He thanked everyone for their cooperation in attending the meeting tonight, due to the fact that we were unable to get a quorum for the February 14, 2013, regularly scheduled meeting.
2. The first public input meeting for the Grassland Village Special Area Plan was held on January 31, 2013 at Grassland Middle School at 6:30 p.m. There were approximately sixty-four (64) people in attendance. The second Public Input Meeting has been tentatively scheduled for March 18, 2013.
3. Items 36 and 37 have been withdrawn.

**CONSIDERATION OF MINUTES:**

Chairman Lackey asked for a motion to consider the minutes of the January 17, 2013 Planning Commission meeting.

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

**CONSENT AGENDA:**

**BONDS:**

3. **Arrington Retreat, Section 1** – Maintenance Bond for Wastewater Collection System - \$51,570.  
**Recommendation:** Release the bond.
4. **Belle Chase, Section 1** – Maintenance Bond for Roads, Drainage and Erosion Control - \$100,000.  
**Recommendation:** Extend in the current amount for a period of six (6) months.
5. **Belle Chase, Section 2** – Maintenance Bond for Roads, Drainage and Erosion Control - \$66,000.  
**Recommendation:** Extend in the current amount for a period of six (6) months.

6. **Belle Vista, Section 1** – Maintenance Bond for Wastewater Treatment and Disposal System - \$64,500.  
**Recommendation:** Release the bond.
7. **Brienz Valley, Section 3** – Maintenance Bond for Roads, Drainage and Erosion Control - \$20,000.  
**Recommendation:** Extend in the current amount for a period of six (6) months.
8. **Cartcon 1 Airsoft Fields** – Performance Bond for Landscaping - \$21,492.  
**Recommendation:** Extend in the current amount for a period of six (6) months and require replacement be done within this time frame.
9. **Chardonnay, Section 1** – Maintenance Bond for Wastewater Treatment & Disposal System - \$43,500.  
**Recommendation:** Release the bond.
10. **King's Chapel, Section 1** – Maintenance Bond for Wastewater Treatment & Disposal System - \$151,642.  
**Recommendation:** Release the bond.
11. **King's Chapel, Section 2A** – Maintenance Bond for Wastewater Collection System - \$11,500.  
**Recommendation:** Release the bond.
12. **King's Chapel, Section 3A** – Maintenance Bond for Water (Milcrofton) - \$8,500.  
**Recommendation:** Extend in the current amount for a period of one (1) year.
13. **King's Chapel, Section 3A** – Performance Bond for Wastewater Collection System - \$65,000.  
**Recommendation:** Extend in the current amount for a period of one (1) year.
14. **King's Chapel, Section 3A** – Performance Bond for Roads, Drainage and Erosion Control – \$126,000.  
**Recommendation:** Extend in the current amount for a period of six (6) months.
15. **Parish Presbyterian Church** – Maintenance Bond for Landscaping - \$2,500  
**Recommendation:** Extend in the current amount for a period of six (6) months.
16. **Saddle Springs, Section 1** – Maintenance Bond for Primary Treatment & Disposal System - \$66,657.  
**Recommendation:** Release the bond.
17. **Saddle Springs, Section 1** – Maintenance Bond for Wastewater Collection System \$34,500.  
**Recommendation:** Release the bond.
18. **Saddle Springs, Phase 2A, Section 4** – Maintenance Bond for Wastewater Collection System \$4,928.  
**Recommendation:** Release the bond.
19. **Saddle Springs, Phase 2A, Section 5** – Maintenance Bond for Wastewater Collection System - \$14,800.  
**Recommendation:** Release the bond.

20. **Saddle Springs, Phase 2A, Section 6** – Maintenance Bond for Wastewater Collection System - \$6,600.  
**Recommendation:** Release the bond.
21. **Saddle Springs, Phase 2A, Section 7** – Maintenance Bond for Wastewater Collection System - \$14,800.  
**Recommendation:** Release the bond.
22. **Silver Stream Farm, Section 4A** – Performance Bond for Roads, Drainage and Erosion Control - \$10,000.  
**Recommendation:** Extend in the current amount for a period of six (6) months.
23. **Silver Stream Farm, Section 6A** – Performance Bond for Landscaping - \$8,241.  
**Recommendation:** Extend in the current amount for a period of six (6) months.
24. **Silver Stream Farm, Section 6A** – Performance Bond for Water - \$32,000.  
**Recommendation:** Extend in the current amount for a period of six (6) months.
25. **Silver Stream Farm, Section 6A** – Performance Bond for Sewer Services (Metro) - \$51,000.  
**Recommendation:** Convert to Maintenance in the amount of \$15,000 and extend for a period of one (1) year or until confirmation of final paving/casting adjustments and formal acceptance of the sanitary sewer.
26. **Silver Stream Farm, Section 6A** – Performance Bond for Roads, Drainage and Erosion Control - \$100,000.  
**Recommendation:** Extend in the current amount for a period of six (6) months.
27. **Stag's Leap, Section 1** - Maintenance Bond for Wastewater Treatment System - \$64,740.  
**Recommendation:** Release the bond.
28. **Watkins Creek, Section 1** - Maintenance Bond for Wastewater Treatment System - \$105,000.  
**Recommendation:** Release the bond.
29. **Watkins Creek, Section 3** - Maintenance Bond for Wastewater Collection System - \$33,301.  
**Recommendation:** Release the bond.

**FINAL PLATS:**

**REVISED ITEM 34**

**FINAL PLAT REVIEW FOR ARRINGTON RETREAT, SECTION 2, CONTAINING 43 LOTS ON 18.18 ACRES, LOCATED OFF NOLENSVILLE ROAD IN THE 5<sup>TH</sup> VOTING DISTRICT**

The Plat is in order, and Staff recommends approval with the following stipulations:

1. The posting of a Performance Bond in the amount of \$375,000 for roads, drainage and erosion control;
2. The posting of a Performance Bond in the amount of \$2,500 for water improvements as specified by Nolensville/College Grove Utility District;

3. The posting of a Performance Bond in the amount of \$150,000 for the wastewater collection system;
4. Submission of the HOA documents for review and approval by the County Attorney for Planning and Environment. The approved HOA documents must be recorded at the same time as the recording of the Final Plat;
5. Execution of a Stormwater Maintenance Agreement and submission of an Operation and Maintenance Plan for Stormwater improvements; and
6. The applicant provide 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.

### **REVISED ITEM 38**

#### **FINAL PLAT REVIEW FOR STAG'S LEAP, SECTION 3B, CONTAINING 26 LOTS ON 27.76 ACRES, LOCATED OFF ARNO ROAD IN THE 4<sup>TH</sup> VOTING DISTRICT**

This Plat is in order and Staff recommends approval of the Final Plat, as well as the variance request, with the following stipulations:

1. The posting of a Performance Bond in the amount of \$379,000 for roads, drainage, and erosion control;
2. The posting of a Maintenance Bond in the amount of \$135,000 for water improvements, as specified by Milcrofton Utility District;
3. The posting of a Performance Bond in the amount of \$66,300 for the wastewater collection system;
4. Execution of a Stormwater Maintenance Agreement and submission of an Operation and Maintenance Plan for stormwater improvements; and
5. That the applicant provides 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.

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

#### **PUBLIC HEARINGS:**

### **ITEM 30**

#### **SITE PLAN AND CONDITIONAL USE REVIEW FOR ADVENTURE DAWGS BOARDING DAYCARE AND GROOMING (ANIMAL BOARDING FACILITY), ON 4.78 ACRES LOCATED AT 7157 BAHNE ROAD IN THE 1<sup>ST</sup> VOTING DISTRICT (5-2012-046)**

Mr. Holmes reviewed the background (see Staff report) recommending this item be deferred to the March 14, 2013 meeting.

Chairman Lackey opened the Public Hearing.

Ms. Brenda Clinard, 7190 Bahne Road, stated she was speaking for several of the residents in this area. She stated their concerns are sight distance for the driveway which they feel is inadequate for a commercial business; concerns about ground water pollution from run-off due to the fact this area is

served by individual wells; concerns about noise pollution from the dogs barking; concerns about the odor; and concerns about their property values decreasing. She stated she also fears the dogs getting loose from the facility, as the applicant's personal dogs run loose now. She asked that the Planning Commission deny this request.

Mr. Jerry Mangrum, 7153 Bahne Road, stated he lives next door to the applicant. He is concerned about odor, dogs barking, well contamination, water run-off, and the value of his property. He asked that the Planning Commission deny this request.

Ms. Michelle Weststeyn, the applicant, 7157 Bahne Road, stated she would try to relieve any fears her neighbors may have. She stated that all dogs will be kept inside at night, with the exception of going out to go to the bathroom. She stated her building will be insulated so that it will be sound-proof. She stated she will be putting a fence around the entire property so no dogs can escape. She stated the dog waste will be picked up and removed from the property, not washed away. She also stated she will use eco-friendly cleaner to clean the kennels and runs. She stated the average number of dogs she will have will be approximately fifteen (15). She also believes the request will not hurt anyone's property values.

Mr. William Coward, 7145 Bahne Road, stated he bought in this area because it is residential, not commercial. He believes the applicant needs to find a better place for her business, which is not in a residential community. He stated he bought in this area for the peace and quiet, not to hear dogs barking. He asked the Planning Commission to deny this request.

Ms. Annie Biggers, 7165 Bahne Road, stated she lives next door to the applicant. She stated she left Nashville to get away from all the noise, and she wants this area to remain quiet and with this proposed business it will be noisy. She asked the Planning Commission to deny this request.

Ms. Paulette Coward, 7145 Bahne Road, asked if this business was approved and the applicant sold, would the business be grandfathered and could the business be expanded.

Ms. Ransom stated the business would be grandfathered as far as this use, but not a different type of business. She also stated there is a possibility that someone could expand the business if it were sold.

Ms. Coward then stated her concern was for the noise and also ground pollution. She asked the Planning Commission to deny this request.

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

Chairman Lackey asked for any comments from the Commission.

Commissioner Crohan stated in a rural area, a commercial business requires five (5) acres or two-hundred thousand (200,000) square feet. He asked if a residential and a commercial business are being combined would that require ten (10) acres or five (5) acres.

Mr. Holmes stated it would require five (5) acres. He stated there is one residence on the property and the business will be the secondary use and under the 1988 Zoning Ordinance and, in the Rural Zoning District, this is a permitted use.

Commissioner Crohan asked how far from the property line the kennel will be.

Mr. Holmes stated he would have the applicant place the distance on the site plan and that he believes it is thirty-five (35) feet.

Commissioner Crohan stated that at a distance of thirty-five (35) feet, a maximum of twenty-eight (28) dogs and a run where they can be out in the daytime, he believes there is no way to soundproof this business.

Mr. Holmes stated it would be up to the applicant to demonstrate how she plans on soundproofing the business at the property line as required by the Ordinance.

Commissioner Crohan asked if the applicant would have to demonstrate how she plans on soundproofing the business twenty-four (24) hours a day.

Mr. Holmes stated that was correct.

Commissioner Crohan stated the Staff report indicates the area is served by city water and this is incorrect. The area is served by individual wells.

Commissioner Mosley stated if the applicant moved the building next to her own home and away from the property line, he would not be as opposed to the request.

Chairman Lackey stated the location of the building is a concern. He then asked the applicant if she was operating with outdoor kennel runs or an indoor facility.

Ms. Weststeyn stated that outdoor kennel runs will be attached to the building with doors which the dogs can go in and out of. There will also be a play area for the dogs outside.

Chairman Lackey then stated he didn't see how the applicant would be able to control the noise.

Ms. Weststeyn stated she wouldn't be able to for twenty-four (24) hours, but everyone on the road has dogs that bark. She also stated she does not believe she will ever have twenty-eight (28) dogs at one time. She stated the location of the building is twenty-five (25) feet from the property line. She stated she can move the location, but that there are power lines that she has to take into consideration because it can not be built under the power lines.

Commissioner Baldree stated she concurred with what Commissioner Crohan and Commissioner Mosley stated earlier.

Commissioner Murdic stated Division 4520 (S) concerning Animal Boarding Facilities states that Animal Boarding Facilities must be situated so that no noise can be heard or odors detected at the property line. He believes this will be extremely hard to achieve. He asked if this would have to be for twenty-four (24) hours.

Mr. Holmes stated that was correct, it would have to be for twenty-four (24) hours a day.

Chairman Lackey asked about the use not being allowed within 1,000 feet of any platted subdivision.

Mr. Holmes stated the applicant was not within 1,000 feet of any platted subdivision as defined by the Ordinance.

Commissioner Cain asked if the kennel could be moved closer to the center of the property and move the office behind the kennels and extend the driveway.

Ms. Weststeyn stated if she moved it closer to her residence it would be underneath the power lines.

Commissioner Cain stated it would be perpendicular to the power lines.

Ms. Weststeyn stated she would look at moving the building if that was required.

Commissioner Pratt asked if this was being reviewed under the 2013 Zoning Ordinance would this be an allowed use.

Mr. Holmes stated it would not.

Commissioner Fisher paraphrased a portion of Subsection C of Section 9310 of the 1988 Zoning Ordinance, and stated that in her opinion this request can not meet these standards.

Commissioner Murdic stated the applicant needs to come back to the Planning Commission on March 14, 2013 and demonstrate how she is going to sound proof the business. He stated this will give the applicant and Staff time to due their do diligence to try and address these issues.

Commissioner Cain stated the owner will likely need to get expert advice in showing how this proposal will be sound proofed.

There being no other comments, Commissioner Murdic made a motion to defer this item to the March 14, 2013 meeting. Commissioner Pratt seconded the motion, which passed eight (8) to three (3), with Commissioners Lackey, Cain and Crohan voting "No".

### **ITEM 31**

#### **AMENDMENT TO THE 2013 WILLIAMSON COUNTY ZONING ORDINANCE AS IT RELATES TO SETBACKS FOR NON-CONFORMING LOTS (NEW SECTION 10.06) (6-2013-001)**

Mr. Holmes reviewed the background (see Staff report) recommending that the Resolution be forwarded to the County Commission for adoption.

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 from the Commission.

There being no comments, Commissioner Walton made a motion to forward this Amendment to the County Commission and to recommend its adoption. Commissioner Baldree seconded the motion, which passed by unanimous vote.

### **ITEM 32**

#### **AMENDMENT TO THE 2013 WILLIAMSON COUNTY ZONING ORDINANCE REGARDING THE INSPECTION OF NON-TRADITIONAL WASTEWATER COLLECTION SYSTEMS (SECTION 22.08 (B) (2)) (6-2013-002)**

Mr. Horne reviewed the background (see Staff report) recommending that the Resolution be forwarded to the County Commission for adoption.

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 from the Commission.

There being no comments, Commissioner Walton made a motion to forward this Amendment to the County Commission and to recommend its adoption. Commissioner Murdic seconded the motion, which passed by unanimous vote.

**FINAL PLATS:**

**ITEM 33**

**FINAL PLAT REVIEW FOR ARRINGTON RETREAT, SECTION 1 (REVISED), CONTAINING 47 LOTS ON 135.56 ACRES LOCATED OFF NOLENSVILLE ROAD IN THE 5<sup>TH</sup> VOTING DISTRICT (1-2013-401)**

Ms. Rucker reviewed the background (see Staff report) recommending approval with the same stipulations that were established in conjunction with the original approval on December 10, 2009, and the additional stipulation that signatures of all lot owners within Section 1 must be affixed to the revised Final Plat prior to recording

Chairman Lackey asked for any comments from the Commission.

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

**ITEM 34**

**FINAL PLAT REVIEW FOR ARRINGTON RETREAT, SECTION 2, CONTAINING 43 LOTS ON 18.18 ACRES LOCATED OFF NOLENSVILLE ROAD IN THE 5<sup>TH</sup> VOTING DISTRICT (1-2013-400)**

This item was on the Consent Agenda.

**ITEM 35**

**FINAL PLAT REVIEW FOR SADDLE SPRINGS, PHASE 1, SECTION 1 (REVISED), CONTAINING 3 LOTS ON 4.20 ACRES LOCATED OFF BETHESDA ROAD IN THE 3<sup>RD</sup> VOTING DISTRICT (1-2013-403)**

Mr. Sweet reviewed the background (see Staff report) recommending approval of this Final Plat.

Chairman Lackey asked for any comments from the Commission.

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

**ITEM 36**

**FINAL PLAT REVIEW FOR SADDLE SPRINGS, PHASE 2A, SECTION 7 (REVISED), CONTAINING 9 LOTS ON 5.90 ACRES LOCATED OFF BETHESDA ROAD IN THE 3<sup>RD</sup> VOTING DISTRICT (1-2013-404)**

This item was withdrawn.

**ITEM 37**

**FINAL PLAT REVIEW FOR SPARKMAN SUBDIVISION, LARGE LOT EASEMENT SUBDIVISION, CONTAINING 5 LOTS ON 43.25 ACRES, LOCATED OFF S. CAROTHERS ROAD IN THE 4<sup>TH</sup> VOTING DISTRICT (1-2012-424)**

This item was withdrawn.

**ITEM 38**

**FINAL PLAT REVIEW FOR STAG'S LEAP, SECTION 3B, CONTAINING 26 LOTS ON 27.76 ACRES LOCATED OFF ARNO ROAD IN THE 4<sup>TH</sup> VOTING DISTRICT (1-2013-402)**

This item was on the Consent Agenda.

**ITEM 39**

**ESTABLISHMENT OF BOND AMOUNT FOR LANDSCAPING FOR DOLAN'S COMMERCIAL VENUE, LOCATED ON MALACHI LANE IN THE 5<sup>TH</sup> VOTING DISTRICT (5-2013-003)**

Mr. Holmes reviewed the background (see Staff report) recommending the establishment of a Performance Bond for landscaping in the amount of \$8,800.

Chairman Lackey asked for any comments from the Commission.

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

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There being no further business, the meeting was adjourned at approximately 7:45 p.m.

**APPROVED BY A MAJORITY VOTE BY THE WILLIAMSON COUNTY REGIONAL PLANNING COMMISSION ON MARCH 14, 2013**

\_\_\_\_\_ CHAIRMAN JOHN LACKEY