

**MINUTES OF THE
WILLIAMSON COUNTY REGIONAL PLANNING COMMISSION
MEETING OF SEPTEMBER 12, 2013**

MEMBERS PRESENT

Brian Richter
Don Crohan
Susan Fisher
John Lackey
Robin Baldree
Pete Mosley
Tom Murdic
Brian Sanders
Jack Walton

STAFF PRESENT

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

The Williamson County Regional Planning Commission met in regular session Thursday, September 12, 2013 at 7:00 p.m. in the Auditorium of the Williamson County Administrative Complex. Commissioners Givens, Lane and Pratt were unable to attend.

Chairman Lackey called the meeting to order.

Mr. Horne made the following announcement:

1. The next Community Outreach meeting for the Grassland Small Area Plan will be held sometime in October. An exact date has not been established.
2. Williamson County was nominated and received the 2013 Outstanding Planning Award from the Tennessee Chapter of the American Planning Association for the new Zoning Ordinance.

CONSIDERATION OF MINUTES:

Chairman Lackey asked for a motion to consider the minutes of the August 8, 2013 Planning Commission meeting.

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

CONSENT AGENDA:

Chairman Lackey asked if any of the Commissioners would like to pull an item for separate discussion from the Consent Agenda. There were none.

BONDS:

3. **Addition to Legends Ridge, Section 2A, Lot 924** – Performance Bond for Roads, Drainage and Erosion Control - \$65,000.
Recommendation: Extend in the current amount for six (6) months.
4. **Belle Vista, Section 3** – Performance Bond for Roads, Drainage and Erosion Control - \$350,000.
Recommendation: Reduce performance amount to \$243,000 and extend for a period of one (1) year.
5. **Chardonnay, Section 3** – Maintenance Bond for Water - \$8,500
Recommendation: Release the bond.

6. **Delta Springs** – Maintenance Bond for Roads, Drainage and Erosion Control - \$125,000.
Recommendation: Extend in the current amount for six (6) months.
7. **Gateway Church** – Performance Bond for Landscaping - \$37,350.
Recommendation: Extend in the current amount for six (6) months.
8. **Inns of the Cove, Section 1** – Maintenance Bond for Wastewater Treatment & Disposal System - \$74,639.
Recommendation: Extend in the current amount for one (1) year.
9. **Inns of the Cove, Section 1** – Maintenance Bond for Wastewater Collection System - \$80,861.
Recommendation: Extend in the current amount for one (1) year.
10. **Silver Stream Farm, Section 4B** – Performance Bond for Sewer - \$100,000.
Recommendation: Convert to Maintenance in the amount of \$20,000 for a period of one (1) year.
11. **Silver Stream Farm, Section 8** – Maintenance Bond for Landscaping – \$11,175.
Recommendation: Release the bond.
12. **The Grove, Section 2** – Maintenance Bond for Water - \$75,000.
Recommendation: Release the bond.

Commissioner Crohan made a motion to accept Staff's recommendation on the Consent Agenda items. Commissioner Murdic seconded the motion, which passed by unanimous voice vote.

PUBLIC HEARING

ITEM 13

AMENDMENT TO THE OFFICIAL ZONING MAP REGARDING THE FOLLOWING TAX MAPS, PARCELS, AND ZONING DISTRICTS:

TO REZONE FROM SUBURBAN INFILL AND CONSERVATION (SIC) TO RURAL PRESERVATION-5 (RP-5): TAX MAP 038, PARCELS 12.00, 11.00, 5.01, 5.02, 5.00, 4.00, 4.01, 4.02, 16.00, 3.01, 16.01, 17.00, AND 18.00;

TO REZONE FROM RURAL PRESERVATION-1 (RP-1) TO RURAL PRESERVATION-5 (RP-5): TAX MAP 038, PARCELS 19.00, 20.03, 20.00, 24.10, 24.11, 24.00, AND 24.08; AND

TO REZONE FROM RURAL PRESERVATION-1 (RP-1) TO RURAL PRESERVATION-5 (RP-5): TAX MAP 051 PARCELS 12.01, 11.02, 11.03, 11.04, 11.05, 11.10, 11.07, 11.08, 10.03, 10.02 AND 10.08.

Mr. Matteson reviewed the background (see Staff report) recommending that the requested Map Amendment, excluding the parcel referenced by Map 51, Parcel 10.08, be approved and the Resolution be forwarded to the County Commission for adoption.

Mr. Matteson stated that the individual who owns the parcel referenced by Map 51, Parcel 10.08 has requested his property be removed from this request. Mr. Matteson also stated there are several pieces of correspondence from individuals concerning this Item that have been placed before the Commission.

Mr. Matteson offered a brief explanation concerning the zoning change using color coded maps (see file).

Chairman Lackey opened the public hearing.

Commissioner Ernie Williams, 106 Kiln Hill Court, representing the 9th District, stated he would ask that this item be forwarded to the County Commission for adoption.

Commissioner Mary Brockman, 1407 Old Hillsboro Road, representing the 9th District, stated she was approached by her constituents wanting to preserve the rural character of this area and are asking to be rezoned to the RP-5 Zoning District. She stated this is a historical area and the current zoning of RP-1 doesn't fit with the area. She urged the Commission to support this effort.

Ms. Dorie Bolze, Executive Director of the Harpeth River Watershed Association, stated this area is basically a storage basin for the Harpeth River. She stated by rezoning this area it will help to protect the Harpeth River, the wildlife and the flood area that surrounds it. She stated she would urge the Commission to support this change.

Mr. Todd Kaestner, 3210 Del Rio Pike, stated he signed the petition in support of the rezoning. He noted the Zoning Ordinance states that in the event of a conflict between the Zoning Ordinance and the Land Use Plan, it is the Ordinance which should be changed to match the Land Use Plan. He also urged the Commission to support this change.

Mr. Richard Warden, 3240 Del Rio Pike, stated he wants to preserve this area and he agrees with everything Mr. Kaestner said.

Mr. James Cox, 1112 Settlers Court, urged the Commission to approve this request.

Mr. Steve King, 1695 Old Hillsboro Road, stated he and his wife have signed the petition in favor of rezoning because they believe it is best to rezone both sides of the road for continuity. He also stated the rural landscape is an asset to Williamson County and by rezoning these properties it will help protect that asset.

Mr. John Kinnie, 410 Kinnie Road, stated he received a letter ten (10) days ago and has not had time to meet with his family on this issue. He believes this rezoning is not right and believes this item should be deferred.

Mr. Michael Myers, 109 Harpeth Hills Drive, stated the Zoning Ordinance is supposed to be fair to all property owners, not just those in attendance today. He stated his concern was this would set a dangerous precedent for listening to only one voice. He stated the Zoning Ordinance has only been approved for one (1) year and you should not change the rules this soon.

Mr. Stewart Campbell, 1715 Old Hillsboro Road, stated he has approximately two hundred (200) acres and the subdivisions that are around him do not cause him a problem. He stated he and several of his neighbors do not want their property rezoned.

Ms. Mary Wade, 1645 Old Hillsboro Road, stated she believes changing the zoning to RP-5 is smart development and will preserve the rural character of the area.

Gabriella Hanson, 315 Byron Way, stated by changing the zoning to RP-5 it will be an asset to the County because nature will be preserved. She stated this will be for future generations to enjoy. This is what makes this community so great.

Mr. Tom Powers, 868 High Point Ridge Road, stated he is an arborist and everyday he gets to drive home and see the beautiful rural area and he would ask the Commission to help preserve this area.

Ms. Susan Houghton, 1205 Perkins Lane, stated people come from all over the Country to see our beautiful area and she would urge the Commission to preserve this area.

Mr. Joe Cashia, 3200 Del Rio Pike, stated there are five (5) historic homes in this area and he doesn't want this lost for future generations. He urged the Commission to approve this request.

Ms. Laura Turner, 1108 Dickenson Lane, spokesperson for Citizens for Old Natchez Trace, stated that the Natchez Trace has been recognized as a national treasure and there are eight (8) historic sites on it. The view shed is very important and Scenic America has named this area a "Last Chance Landscape", one of the most endangered scenic areas in America. She stated this area should be protected.

Mr. Dave Rowland, 519 Price Road, urged the Commission to approve this amendment to rezone this area.

Mr. Jim Calloway, 4080 New Highway 96 W, stated he approves of this request.

Mr. Mike Coyne, 1577 Old Hillsboro Road, stated he is not for spot zoning and if you are going to rezone some, rezone all.

Mr. Jim Slater, 1113 Settlers Court, stated the majority wants this area rezoned to five (5) acres and he would urge the Commission to approve this request.

Chairman Lackey closed the public hearing

Chairman Lackey asked for any comments.

Chairman Lackey stated that he has no problem with property owners wanting their property rezone, but that there can be rural preservation on one acre lots. He also stated that in the RP-5 zoning district you could still have one acre lots via Conservation Subdivisions.

Commissioner Mosley stated this area has been zoned one unit per acre as long as he has been on the Planning Commission and that he is fine with anyone who wants to rezone their own property, but that he is not in favor with trying to force someone else to rezone theirs.

There being no further comments, Commissioner Murdic made a motion to accept Staff's recommendation excluding Map 51, Parcel 010.08 and the Resolution be forwarded to the County Commission for adoption. Commissioner Fisher seconded the motion, which passed by unanimous voice vote.

PRELIMINARY SKETCH PLAN:

ITEM 14

PRELIMINARY SKETCH PLAN REVIEW FOR TEMPLE HILLS, SECTION 17, LOCATED OFF TEMPLE RD IN THE 9TH VOTING DISTRICT (1-2013-100)

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

1. Approval of final non-residential site plan (Section "J");
2. Approval of the road, drainage and erosion control plans by the County Engineer, and establishment of requisite bond amounts in conjunction with final plat review(s);

3. Approval of water and sewer plans by HVUD, and the establishment of the requisite bond amounts in conjunction with final plat review(s).
4. Confirmation of access protocol for the private road systems (Sections 16 and 17);
5. Establishment of minimum LFE's and critical lot designations where appropriate on the final plats; and
6. Approval of HOA documents establishing maintenance responsibilities for all common elements (including open space and private road systems) by the County Attorney for Planning and Environment in conjunction with final plat consideration(s).

Chairman Lackey asked for any comments from the Commission.

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

PRELIMINARY PLATS:

ITEM 15

PRELIMINARY PLAT REVIEW FOR HILLSBORO COVE, CONTAINING 20 LOTS ON 34.09 ACRES LOCATED OFF OLD HILLSBORO ROAD IN THE 9TH VOTING DISTRICT (1-2013-308)

Mr. Matteson reviewed the background (see Staff report) recommending approval of this Preliminary Plat. In conjunction with Final Plat consideration, the following items must be addressed:

1. Prior to Final Plat submission, 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 Final Plat submission, the deceleration lane at the site entrance must be completed in accordance with the approved plans;
3. Establishment of a performance bond for roads, drainage and erosion control;
4. Establishment of a performance bond for water improvements as specified by H.B.&T.S. Utility District;
5. Submission of landscaping plans and establishment of a performance bond for landscaping improvements;
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.

Mr. Matteson stated there are several pieces of correspondence from individuals concerning this Item that have been placed before the Commission.

Chairman Lackey asked for any comments from the Commission.

Commissioner Walton asked if the deceleration lane was a turning lane.

Mr. Matteson stated this was a right turn lane into the development as you approach from the South.

Commissioner Walton stated he thought a left turn lane approaching from the North would be required.

Mr. Matteson stated that the Zoning Ordinance specifies that unless a development contains fifty (50) or more lots a left turn lane analysis does not have to be provided.

Commissioner Crohan asked if the deceleration lane would be required before the Final Plat is recorded.

Mr. Matteson stated the deceleration lane must be constructed before Final Plat submittal.

Commissioner Crohan stated he believed it would be a mistake to add more lots onto Hillsboro Road without any roadway improvements.

There being no further comments, Commissioner Murdic made a motion to accept Staff's recommendation. Commissioner Sanders seconded the motion, which passed eight (8) to one (1) by voice vote, with Commissioner Crohan voting "No".

ITEM 16

PRELIMINARY PLAT REVIEW FOR ARRINGTON RETREAT, PHASE 2 (REVISED) CONTAINING 30 LOTS ON 17.08 ACRES LOCATED OFF NOLENSVILLE ROAD IN THE 5TH VOTING DISTRICT (1-2013-310)

Mr. Holmes reviewed the background (see Staff report) recommending approval of this Preliminary Plat. In conjunction with Final Plat consideration, the following items must be addressed:

1. Prior to Final Plat consideration, the applicant shall submit 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;
2. Establishment of a Performance Bond for roads, drainage and erosion control;
3. Establishment of a Performance Bond for water improvements in favor of Nolensville/College Grove Utility District;
4. Establishment of a performance bond for the wastewater collection system;
5. Execution of a Stormwater Maintenance Agreement and submission of an Operation and Maintenance Plan for stormwater improvements; and
6. Providing 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 Final Plat.

Chairman Lackey asked for any comments from the Commission.

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

OTHER BUSINESS:

ITEM 17

**ESTABLISHMENT OF LANDSCAPING BOND FOR GLEN'S GROCERY
LOCATED OFF PEYTONSVILLE ROAD IN THE 12TH VOTING DISTRICT (5-
2013-020)**

Ms. Rucker reviewed the background (see Staff report) recommending establishment of a Performance Bond for landscaping in the amount of \$5,115.

Chairman Lackey asked for any comments from the Commission.

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

ITEM 18

**APPROVAL OF THE PLANNING COMMISSION MEETING SCHEDULE FOR
2014**

Mr. Horne recommended approval of the 2014 Planning Commission Schedule.

Chairman Lackey asked for any comments from the Commission.

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

ITEM 19

**REQUEST TO CONSIDER INITIATION OF AN AMENDMENT TO THE 2013
OFFICIAL ZONING MAPS REGARDING THE FOLLOWING TAX MAPS,
PARCELS AND ZONING DISTRICTS:**

**TO INITIATE A REZONING FROM SUBURBAN INFILL AND CONSERVATION
(SIC) TO RURAL PRESERVATION-5 (RP-5): TAX MAP 38, PARCELS 3.00,
3.02, 3.03, 6.00, 7.00, 8.00, 9.00, 10.00, 12.01;**

**TO INITIATE A REZONING FROM RURAL PRESERVATION-1(RP-1) TO
RURAL PRESERVATION-5 (RP-5): TAX MAP 38, PARCELS 20.01, 20.05,
21.00, 22.00, 22.01, 24.05 AND 24.12;**

**TO INITIATE A REZONING FROM RURAL PRESERVATION-1(RP-1) TO
RURAL PRESERVATION-5(RP-5): TAX MAP 51, PARCELS 11.00 AND 11.09**

Mr. Matteson reviewed the background (see Staff report) stating that should the Planning Commission choose to initiate the Map Amendment, the application will be placed on the October Agenda as a Public Hearing Item.

Mr. Matteson also stated there are several pieces of correspondence from individuals concerning this Item that have been placed before the Commission.

Chairman Lackey asked for any comments from the Commission.

Commissioner Crohan asked for verification on whether or not all property owners had been approached about this rezoning.

Mr. Matteson stated he was not certain whether all had been approached or not due to the fact that Staff did not initiate this request. He stated we have

received petitions for some of the property owners but not all of them, and he doesn't know what efforts were made to notify the owners.

Commissioner Crohan asked if the owners would ever be notified.

Mr. Matteson stated that any rezoning would require public notice, posting of signs, advertising and a public hearing before the Planning Commission and ultimately the County Commission.

Commissioner Mosley stated if this area were to be rezoned to one unit per five acres, what would stop it from being rezoned to ten (10) or more acres.

Commissioner Richter asked if the properties that the owners have asked to be rezoned would be on the October agenda regardless of the vote on this item.

Mr. Matteson stated that any property owner who has requested a rezoning will be on the October agenda as a public hearing.

Commissioner Murdic asked if this could be initiated by either the Planning Commission or the County Commission.

Chairman Lackey stated that was correct.

Commissioner Murdic stated he believes this is something that should be initiated at the County Commission first.

Commissioner Fisher stated she was all for property owners who wished to downzone their property but that she could not support anyone being forced to downzone their property without their consent.

Chairman Lackey stated he agreed with Commissioner Fisher.

Commissioner Baldree stated she also agreed with Commissioner Fisher.

There being no further comments, Commissioner Sanders made a motion to deny this request. Commissioner Murdic seconded the motion, which passed by unanimous voice vote.

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There being no further business, the meeting was adjourned at approximately 8:30 p.m.

**APPROVED BY A MAJORITY VOTE BY THE WILLIAMSON COUNTY
REGIONAL PLANNING COMMISSION ON OCTOBER 10, 2013**

_____ CHAIRMAN JOHN LACKEY