

**MINUTES OF THE  
WILLIAMSON COUNTY REGIONAL PLANNING COMMISSION  
MEETING OF JANUARY 10, 2008**

**MEMBERS PRESENT**

John Cain  
Don Crohan  
Susan Fisher  
Holli Givens  
John Lackey  
Steve Lane  
Robert Medaugh  
Pete Mosley  
Tom Murdic  
Brian Sanders  
Jack Walton

**STAFF PRESENT**

Joe Horne, Community Development Director  
Mike Matteson, Planning Director  
Floyd Heflin, County Engineer  
Ann Haines, Planner  
Jama Olsen, Planner  
Kristi Earwood, Attorney  
Sheila Myers, Planning Assistant  
Lori John, Secretary

The Williamson County Regional Planning Commission met in regular session Thursday, January 10, 2008, at 7:00 p.m., in the Auditorium of the Williamson County Administrative Complex. Commissioner Pratt was unable to attend.

Chairman Lackey called the meeting to order.

Mr. Horne made the following announcements:

1. Item 23 and Item 24 have been withdrawn.
2. There will be a joint meeting with The Franklin Municipal Planning Commission on February 14, 2008 at 5:30 p.m. to discuss Williamson County's Comprehensive Land Use Plan and Franklin's new Zoning Ordinance.
3. A contract has been executed for the Zoning Ordinance update. The Steering Committee will be notified of the first meeting date when it is scheduled.

**CONSIDERATION OF MINUTES:**

Chairman Lackey asked for a motion to consider the minutes of the November 8, 2007 meeting.

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

**CONSENT AGENDA:**

**BONDS:**

2. **2<sup>nd</sup> Addition at Legends Ridge** – Maintenance Bond for Fire and Water Improvements - \$10,100.  
**Recommendation:** Release the bond.
3. **Abington Ridge, Section 1** – Performance Bond for Landscaping - \$27,700  
**Recommendation:** Convert to Maintenance in the amount of \$8,300 for a period of six (6) months.
4. **Abington Ridge, Section 2** – Maintenance Bond for Roads, Drainage and Erosion Control - \$150,000.  
**Recommendation:** Extend the current amount for a period of six (6) months.
5. **Abington Ridge, Section 2** – Performance Bond for Sewer Collection System - \$144,500.

- Recommendation:** Extend the current amount for a period of one (1) year.
6. **Abington Ridge, Section 3A** – Performance Bond for Sewer Collection System - \$60,500.  
**Recommendation:** Extend the current amount for a period of one (1) year.
  7. **Abington Ridge, Section 3A** – Performance Bond for Landscaping - \$42,050.  
**Recommendation:** Extend the current amount for a period of six (6) months.
  8. **Abington Ridge, Section 3A** – Performance Bond for Roads, Drainage and Erosion Control - \$100,000.  
**Recommendation:** Convert to Maintenance in the amount of \$80,000 for a period of one (1) year.
  9. **Addition to Legends Ridge, Section 1** – Maintenance Bond for Water (City of Franklin) - \$5,100.  
**Recommendation:** Release the bond.
  10. **Beechwood Plantation, Lots 1-11** – Maintenance Bond for Off-Site Water (HB & TS) - \$3,450.  
**Recommendation:** Release the bond.
  11. **Beechwood Plantation, Lots 12-22** – Maintenance Bond for Water (HB & TS) - \$22,000.  
**Recommendation:** Release the bond.
  12. **Breckston Park, Section 2** – Performance Bond for Landscaping - \$22,000.  
**Recommendation:** Convert to Maintenance in the amount of \$7,000 for a period of six (6) months.
  13. **Grove Park** – Performance Bond for Roads, Drainage and Erosion Control - \$75,000.  
**Recommendation:** Extend the current amount for a period of three (3) months.
  14. **Hopewell Ridge, Section 1** – Maintenance Bond for Roads, Drainage and Erosion Control - \$60,000  
**Recommendation:** Extend the current amount for a period of six (6) months.
  15. **King’s Chapel, Section 2A** – Performance Bond for Roads, Drainage and Erosion Control – \$200,000.  
**Recommendation:** Extend the current amount for a period of six (6) months.
  16. **Laurelbrooke, Section 4** – Maintenance Bond for Roads, Drainage and Erosion Control - \$92,000.  
**Recommendation:** Release the bond.
  17. **Laurelbrooke, Section 11-E** – Maintenance Bond for Roads, Drainage and Erosion Control - \$75,000.  
**Recommendation:** Extend the current amount for a period of three (3) months.
  18. **Laurelbrooke, Section 13** – Performance Bond for Roads, Drainage and Erosion Control - \$75,000.

**Recommendation:** Convert to Maintenance in the amount of \$55,000 for a period of one (1) year.

**FINAL PLATS:**

**28. Final Plat Review for Black Hawk, Section 3, containing 9 lots on 19.05 acres located off Murfreesboro Road in the 5<sup>th</sup> Voting District (1-2007-432).**

This plat is in order. Approval is recommended pending:

1. Posting of a performance bond in the amount of \$90,000 for roads, drainage and erosion control;
2. Final approval of water plans and posting of a performance bond in the amount of \$30,000 as specified by Milcrofton Utility District;
3. Execution and recording of a Storm Water Maintenance Agreement and submission of an Operation and Maintenance Plan for storm water improvements;
4. Payment of funds in lieu of detention in the amount of \$8,858; and
5. 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.

**29. Final Plat Review for Black Hawk, Section 4, containing 2 lots on 4.10 acres located off Murfreesboro Road in the 5<sup>th</sup> Voting District (1-2007-433).**

This plat is in order. Approval is recommended pending:

1. Posting of a performance bond in the amount of \$25,000 for roads, drainage and erosion control;
2. Final approval of water plans and posting of a performance bond in the amount of \$5,000 as specified by Milcrofton Utility District;
3. Execution and recording of a Storm Water Maintenance Agreement and submission of an Operation and Maintenance Plan for storm water improvements; and
4. 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.

**30. Final Plat Review for McMillan Farms, Large Lot Easement Subdivision, containing 6 lots on 49.81 acres located off McMillan Road in the 2<sup>nd</sup> Voting District (1-2007-430).**

This plat is in order. Approval is recommended pending approval of individual septic systems for each lot.

Chairman Lackey asked for any comments.

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

**OLD BUSINESS**

**ITEM 1**

**DEER RUN RETREAT, CONTAINING 75.96 ACRES LOCATED OFF PERKINS ROAD IN THE 2<sup>ND</sup> VOTING DISTRICT**

Mr. Matteson reviewed the background (see Staff report).

Mr. David Gibson, the applicant, was in attendance for any questions. He submitted a copy of the operating permit from the state and a letter of approval from TDEC for the wastewater system. He stated the installer has the survey work completed and has begun the layout work to enable construction as soon as weather permits.

Chairman Lackey asked for any comments.

There were no comments.

No action was required on this item.

**PUBLIC HEARINGS:**

**ITEM 19**

**SITE PLAN AND CONDITIONAL USE REVIEW FOR FOLIAGE MANAGEMENT GROUP, (RESIDENTIAL BUSINESS), ON 7.27 ACRES LOCATED AT 6625 FANNIE DANIELS ROAD IN THE 3<sup>RD</sup> VOTING DISTRICT (5-2007-055)**

Ms. Olsen reviewed the background (see Staff report) recommending approval with the following stipulations:

1. All signage be approved per Ordinance requirements; and
2. Completion of an Affidavit of Compliance to ensure continued adherence to Section 4520 (M) of the Williamson County Zoning Ordinance and the approved site plan.

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 Fisher stated she lives in this area and this business has no negative effect on the area.

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

**ITEM 20**

**SITE PLAN AND CONDITIONAL USE REVIEW FOR STILLWATER, CONTAINING 491 LOTS ON 741.16 ACRES LOCATED OFF PATTON ROAD IN THE 5<sup>TH</sup> VOTING DISTRICT (1-2007-202)**

Mr. Matteson reviewed the background (see Staff report) recommending that action on this item be deferred until the February meeting due to a number of outstanding issues as put in the Staff report request. Mr. Matteson also noted

that at its meeting held on January 9<sup>th</sup>, the Water & Wastewater Authority concurred with the applicants finding that the site is a suitable location for a centralized system.

Chairman Lackey opened the Public Hearing.

Matt Bryant, with Atwell Hicks, representing the applicant, was in attendance for any questions.

Ms. Lindsay Gardner, Director of Science and Restoration for the Harpeth River Watershed Association (HRWA), located at 1127 Columbia Avenue urged the Planning Commission to deny the current site plan as submitted due to environmental concerns associated with the proposed stream locations.

Mr. Richard Shank, 8189 Horton Highway, asked exactly where the entrance to this development would be located on Horton Highway. He stated there are numerous accidents that occur at the location where he believes the proposed entrance is to be located.

Mr. Matteson stated the entrance was just south of Crockett Lane.

Mr. Kyle Duvall, 1009 Countess Lane, representing the Tennessee Environmental Council, stated he concurs with Ms. Gardner and the comments from HRWA. He noted not to remove the vegetation and natural buffer area around rivers and streams affecting the water quality. He would recommend that this site plan be denied and that the applicant work with the agencies who can suggest better ways to design around these natural resources without destroying them.

Mr. Elliott Webb, 6438 Cox Road, representing Judge Webb, 6442 Cox Road, stated there may be an encroachment of the boundary lines of this property and Mr. Judge Webb's property.

Chairman Lackey stated that Mr. Webb should contact Staff and they would give him the contact information for the applicant's surveyor to determine if there is an encroachment.

Ms. Ginger Shirling, 2227 Osburn Road, read a letter from Mark Stewart, 6238 Patton Road, (see file for letter), an adjacent property owner, outlining his concerns about this development. Ms. Shirling also stated she has faith that the Planning Commission was listening to the concerns that were listed by Staff, and from different conservation organizations and the HRWA.

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

Chairman Lackey asked for any comments.

Commissioner Medaugh asked if this public hearing should be deferred until the February meeting due to the conflict with the TDEC meeting.

Chairman Lackey stated the Planning Commission sets its meetings up to a year in advance and that members of the public have appeared for the hearing. Further he stated that this item, in his opinion, should not be deferred, but should be denied as the project needs more work.

Commissioner Lane asked why a public hearing was required on this item.

Mr. Matteson stated it was because the natural resources on the site, according to the applicant's evaluation, are not extensive enough to mandate a reduction in allowable density.

Commissioner Mosley stated that between SR840 and this property there is going to be an enormous amount of development that takes place and Patton Road floods fairly regularly. He stated he does not know how much money the developers plan to spend on these roadway improvements but there needs to be some type of group effort in how to get an entrance into this property from Nolensville Road without going through the floodplain on Patton Road.

Mr. Matt Bryant requested that this item be deferred until the February meeting and asked what it would mean if it were to be denied.

Chairman Lackey stated that Mr. Bryant should speak with Staff to find out exactly what needs to be done.

There being no other comments, Commissioner Walton made a motion to deny this request due to concerns noted by Staff and the environmental and other concerns outlined in the public hearing. Commissioner Givens seconded the motion, which passed by unanimous vote.

### **ITEM 21**

#### **CONSIDERATION OF RESOLUTION ENACTING A TEMPORARY CESSATION OF THE USE OF NON-TRADITIONAL SEWAGE DISPOSAL SYSTEMS (6-2007-011)**

Mr. Matteson reviewed the background (see Staff report). Mr. Matteson noted the Water & Wastewater Authority voted unanimously at their meeting January 9<sup>th</sup> to approve a resolution that included the recommended effective date and exemptions outlined in Attachment 21-3. He also noted a copy that copies of a revised resolution with the specific details from attachment 21-3 incorporated into it have been placed before the Planning Commission for consideration.

Chairman Lackey opened the Public Hearing.

Mary Brockman, 1407 Old Hillsboro Road, Commissioner 9<sup>th</sup> District, stated it is crucial to look at the alternative systems and the way they are impacting Williamson County in terms of their placement and making sure they are located in areas that are appropriate for a whole community to utilize. She also stated she supports the temporary cessation and believes it is important for Williamson County.

Mr. Lewis Green, 1016 Waller Road, Commissioner 5<sup>th</sup> District, stated he supports this resolution because alternative systems managed by multiple providers could potentially become a management problem. If there was a central Utility District that would handle these alternative systems it might alleviate this potential problem. He also stated until the Williamson County Growth Plan and the Wastewater Management Plan is established this temporary cessation is needed to help plan for growth.

Mr. Charles Pickney, 4914 Timberdale Drive, President of Tennessee Wastewater Systems, Inc., stated his public utility is operating several of the decentralized wastewater systems in Williamson County and he is not in favor of the temporary cessation. He stated he has reviewed the Comprehensive Land Use Plan and he has met with Staff to discuss creating a regional wastewater system at appropriate locations, such as SR840 and Arno Road. He believes that a decentralized wastewater service provided by a public utility company will play an important role in helping implement the Comprehensive Land Use Plan.

Mr. Henry Walker, with the law firm of Boulton Cummings Connors and Berry, representing Mr. Pickney and Tennessee Wastewater Systems, stated the motion that the Wastewater Authority passed has two parts, part one is a year long cessation of approving new stand alone wastewater systems and part two is for Staff to talk to the Tennessee Regulatory Authority (TRA) about the cessation

and the need for regional planning and to send a letter to the TRA asking for a one year moratorium on issuing new licenses for stand alone sewer systems. He suggested that before passing this resolution, Staff needs to talk to the TRA about implementing the one year moratorium and if the TRA does not agree then the Planning Commission can come back and pass this year-long cessation. He believes this resolution will place the County in conflict with the TRA and that the County can accomplish this temporary cessation simply by asking the TRA to not issue any more certificates of need for a year.

Ms. Ginger Shirling, 2227 Osburn Road, representing five different families on Osburn Road who have a non-traditional sewer system under construction in their area, stated they have encountered a number of issues with the system. It is her belief in that we are now experiencing some issues with Arrington Creek due to an alternative sewer system. She is in favor of the temporary cessation and believes we need to move carefully into this new technology.

Ms. Betsy Hester, 112 Valley Ridge Road, Commissioner 2<sup>nd</sup> District, stated she has had constituents express their concerns about the fees from these alternative systems. She is in agreement with Commissioner Brockman and Commissioner Green that a temporary cessation is needed.

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

Chairman Lackey asked for any comments.

Commissioner Walton asked whether this resolution has to go to the County Commission for final approval.

Ms. Earwood stated the passage by the Wastewater Authority and by the Planning Commission are essentially the only required votes. The County Commissioners will consider a resolution to endorse the temporary cessation.

Commissioner Givens inquired if Williamson County was at the forefront as far as the implementation of wastewater regulations.

Chairman Lackey stated Williamson County is the only county in the state with its own wastewater regulations. He also stated the purpose of this resolution is to get the regulations in line with the Comprehensive Plan. Passing this resolution before contacting the TRA, illustrates to the TRA Williamson County's intent on this issue.

Commissioner Crohan asked for clarification about expansion of an existing treatment system,

Chairman Lackey stated if it was approved as a regional concept then the expansion beyond the initial development within this timeframe would be acceptable.

There being no other comments, Commissioner Murdic made a motion to approve this resolution. Commissioner Crohan seconded the motion, which passed by unanimous vote.

Ms. Earwood stated that the Planning Commission should take action on paragraph three of attachment 21-3 regarding contacting the Tennessee Regulatory Authority.

Commissioner Murdic made a motion for Staff to contact TRA concerning the temporary cessation and accepting the other recommendations of Staff in Attachment 21-3. Commissioner Cain seconded the motion, which passed by unanimous voice vote.

**ITEM 22**

**AMENDMENT TO THE SUBDIVISION REGULATIONS REGARDING WASTEWATER REGULATIONS (6-2007-008)**

Mr. Matteson reviewed the background (see Staff report) recommending approval of this amendment. Mr. Matteson noted the Water & Wastewater Authority voted unanimously to recommend approval of this proposal at their meeting on the Wastewater Authority Regulations on January 9<sup>th</sup>. The intent of this amendment was to remove as an appendix to the Subdivision Regulations.

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 comments, Commissioner Murdic made a motion to accept Staff's recommendation. Commissioner Crohan seconded the motion, which passed by unanimous vote.

**ITEM 23**

**AMENDMENT TO DIVISION 6300 OF THE ZONING ORDINANCE REGARDING NON-RESIDENTIAL BULK STANDARDS (6-2007-010)**

This item was withdrawn.

**SKETCH PLANS:**

**ITEM 24**

**SKETCH PLAN REVIEW FOR ESTATES OF GALLANT RIDGE (A.K.A. IMPERIAL ESTATES), CONTAINING 33 LOTS ON 56.55 ACRES LOCATED OFF S. CAROTHERS ROAD IN THE 4<sup>TH</sup> VOTING DISTRICT (1-2007-112)**

This item was withdrawn.

**ITEM 25**

**PRELIMINARY SKETCH PLAN REVIEW FOR TEMPLE HILLS, SECTION 17, CONTAINING 32 TOWNHOME UNITS ON 12.54 ACRES LOCATED OFF TEMPLE ROAD IN THE 9<sup>TH</sup> VOTING DISTRICT (1-2007-113)**

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

1. Approval of construction plans and establishment of a performance bond for roads, drainage and erosion control;
2. Establishment of a performance bond for water and sewer improvements in favor of Harpeth Valley Utility District; and
3. Approval of HOA documents by the County Attorney for Planning and Environment's office.

Chairman Lackey asked for any comments.

Mary Brockman, 1407 Old Hillsboro Road, Commissioner 9<sup>th</sup> District, stated the 12 acres on which the Townhomes are proposed is a heavily wooded area with mature trees and needs conservation protection and should be



buffered as much as possible. She also stated the design needs to conform to the existing area.

Commissioner Fisher wanted to clarify what the Commission could require of the applicant.

Mr. Horne stated that via court order the Temple Hills project would continue until completed and we are now close to the completion of this project. The original plan under the terms of the agreed order was scheduled for a total of 34 cluster units and as of now it is showing 32. The developer agreed to improve the road infrastructure and the County agreed to the density reflected on the original plan.

Commissioner Walton asked what the repercussions could be if the Commission votes to deny this proposal.

Ms. Earwood stated the applicant could take court action and would have the benefit of precedence on its side.

There being no other comments, Commissioner Murdic made a motion to accept Staff's recommendation. Commissioner Walton seconded the motion, which passed with Commissioner Mosley abstaining and Commissioner Crohan and Commissioner Medaugh voting "no".

#### **ITEM 26**

Refer to Item 20.

#### **PRELIMINARY PLATS:**

#### **ITEM 27**

#### **PRELIMINARY PLAT REVIEW FOR GROVE PARK, ADDITION ONE, (REVISED), CONTAINING 18 LOTS ON 149.62 ACRES LOCATED OFF TRAILS END ROAD IN THE 3<sup>RD</sup> VOTING DISTRICT (1-2007-320)**

Mr. Olsen reviewed the background (see Staff report) recommending approval of this request. The following items must be addressed in conjunction with Final Plat consideration:

1. Prior to consideration of final plat approval, the applicant shall submit HOA documents for review and approval by the County Attorney for Planning and Environment's office. The approved HOA documents must be recorded at the same time as the recording of the final plat;
2. Establishment of performance bonds for roads, drainage, and erosion control;
3. Establishment of a performance bond for water improvements in favor of Nolensville/College Grove Utility District;
4. Execution of a Stormwater Maintenance Agreement and submission of an Operation and Maintenance Plan for stormwater improvements;
5. Final approval of all septic systems for each lot from the Williamson County Department of Sewage Disposal Management; and
6. Submission of two (2) copies of the approved Final Plat in .dwg format on recordable media based on the Tennessee State Plane Coordinates 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 Mosley seconded the motion, which passed by unanimous vote.

**FINAL PLATS:**

**ITEM 28**

**FINAL PLAT REVIEW FOR BLACK HAWK, SECTION 3, CONTAINING 9 LOTS ON 19.05 ACRES LOCATED OFF MURFREESBORO ROAD IN THE 5<sup>TH</sup> VOTING DISTRICT (1-2007-432)**

This item was on consent.

**ITEM 29**

**FINAL PLAT REVIEW FOR BLACK HAWK, SECTION 4, CONTAINING 2 LOTS ON 4.10 ACRES LOCATED OFF MURFREESBORO ROAD IN THE 5<sup>TH</sup> VOTING DISTRICT (1-2007-433)**

This item was on consent.

**ITEM 30**

**FINAL PLAT REVIEW FOR MCMILLAN FARMS, LARGE LOT EASEMENT SUBDIVISION, CONTAINING 6 LOTS ON 49.81 ACRES LOCATED OFF MCMILLAN ROAD IN THE 2<sup>ND</sup> VOTING DISTRICT (1-2007-430)**

This item was on consent.

**ITEM 31**

**FINAL PLAT REVIEW FOR ROCKY FORK ESTATES LARGE LOT EASEMENT SUBDIVISION, CONTAINING 5 LOTS ON 73.74 ACRES LOCATED OFF ROCKY FORK ROAD IN THE 5<sup>TH</sup> VOTING DISTRICT (1-2007-431)**

Ms. Haines reviewed the background (see Staff report) recommending withdrawal of this request and that the applicant work with Staff and the Rutherford County Planning Department to coordinate a dual approval process. In addition it is recommended that the applicant contact the Assessor's Office in both counties to determine which county will have taxing authority, the authority to issue building permits, as well as school system and election commission jurisdiction.

Chairman Lackey asked for any comments.

Ms. Earwood stated the surveyor and the applicant have provided her with additional information which she would like to review. Therefore, she would request a deferral.

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

**ITEM 32**

**AMENDMENT TO THE PLANNING COMMISSION BYLAWS (6-2007-007)**

Mr. Matteson reviewed the background (see Staff report) recommending approval of this amendment.

Chairman Lackey asked for any comments.

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

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There being no further business, the meeting was adjourned at approximately 8:50 p.m.

**APPROVED BY A MAJORITY VOTE BY THE WILLIAMSON COUNTY  
REGIONAL PLANNING COMMISSION ON FEBRUARY 14, 2008.**

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