

**MINUTES OF THE
WILLIAMSON COUNTY REGIONAL PLANNING COMMISSION
MEETING OF JUNE 12, 2008**

MEMBERS PRESENT

John Cain
Susan Fisher
Holli Givens
John Lackey
Robert Medaugh
Pete Mosley
Tom Murdic
Jack Walton

STAFF PRESENT

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

The Williamson County Regional Planning Commission met in regular session Thursday, June 12, 2008, at 7:00 p.m., in the Auditorium of the Williamson County Administrative Complex. Commissioners Crohan, Lane, Pratt and Sanders were unable to attend.

Chairman Lackey called the meeting to order.

Mr. Horne made the following announcements:

1. Item 38, 42, 44 and 45 have been withdrawn.
2. Welcome new Planner, Robbie Hayes.
3. The Steering Committee met today to start the process of updating the Zoning Ordinance.
4. Wendy Moeller, with McBride, Dale, Clarion, was presented and gave a brief description of the process that will be utilized in updating the Zoning Ordinance. She stated Public Meetings would begin in July or August to solicit public input.

CONSIDERATION OF MINUTES:

Chairman Lackey asked for a motion to consider the minutes of the May 13, 2008 meeting.

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

CONSENT AGENDA:

BONDS:

1. **Abington Ridge, Section 1** – Performance Bond for Wastewater Collection System - \$180,700.
Recommendation: Release the bond.
2. **Abington Ridge, Section 1** – Performance Bond for Wastewater Backup Treatment System - \$410,300.
Recommendation: Release the bond.
3. **Abington Ridge, Section 1** – Performance Bond for Wastewater Treatment & Disposal System - \$422,650.
Recommendation: Release the bond.
4. **Abington Ridge, Section 2** – Performance Bond for Wastewater Collection System - \$144,500.
Recommendation: Convert to Maintenance in the amount of \$28,900 for a period of eight (8) months.

5. **Abington Ridge, Section 3A** – Performance Bond for Wastewater Collection System - \$60,500.
Recommendation: Convert to Maintenance in the amount of \$12,100 for a period of nineteen (19) months.
6. **Abington Ridge, Section 3B** – Performance Bond for Wastewater Collection System - \$24,200.
Recommendation: Convert to Maintenance in the amount of \$4,840 for a period of one (1) year.
7. **Addition to Brienz Valley, Section 1** – Performance Bond for Water (HB & TS) - \$152,000.
Recommendation: Reduce amount to \$100,000 for a period of one (1) year.
8. **Addition to McLemore Farms, Section 1** – Performance Bond for Wastewater Treatment System - \$252,000.
Recommendation: Release the bond.
9. **Addition to McLemore Farms, Section 1** – Performance Bond for Wastewater Collection System - \$144,774.
Recommendation: Release the bond.
10. **Addition to McLemore Farms, Section 2** – Performance Bond for Wastewater Treatment & Disposal System - \$180,000.
Recommendation: Release the bond.
11. **Addition to McLemore Farms, Section 2** – Performance Bond for Wastewater Backup System - \$256,800.
Recommendation: Release the bond.
12. **Arrington Vineyards** – Performance Bond for Landscaping - \$25,700.
Recommendation: Convert to Maintenance in the amount of \$8,000 for a period of nine (9) months.
13. **Beechwood Plantation, Lots 1-11** – Maintenance Bond for Off-Site Water - \$41,550.
Recommendation: Release the bond.
14. **Beechwood Plantation, Lots 23-31** – Maintenance Bond for Water (HB & TS) - \$6,150.
Recommendation: Extend in the current amount for a period of five (5) months.
15. **Brienz Valley, Section 3** – Performance Bond for Water (HB & TS) - \$56,500.
Recommendation: Convert to Maintenance in the amount of \$10,000 for a period of one (1) year.
16. **Currey Ingram Academy** – Performance Bond for Wastewater Treatment Facility - \$300,000.
Recommendation: Defer until the July, 2008 meeting. Due to the pending expiration of the Letter of Credit, it is recommended this surety be extended for a period of three (3) months.
17. **Durham Manor** – Performance Bond for Landscaping - \$6,200.
Recommendation: Convert to Maintenance in the amount of \$2,000 for a period of nine (9) months.
18. **Guffee Farms** – Performance Bond for Wastewater Treatment, Disposal & Collection System - \$1,647,450.
Recommendation: Reduce amount to \$248,795 for Treatment System and \$269,535 for Collection System for a period of four (4) months.

19. **Guffee Farms** – Performance Bond for Wastewater Backup Treatment and Disposal System - \$1,050,750.
Recommendation: Release the bond.
20. **Legends Ridge, Section 6** – Maintenance Bond for Roads, Drainage & Erosion Control - \$40,000.
Recommendation: Extend in the current amount for a period of six (6) months.
21. **Legends Ridge, Section 7A** - Maintenance Bond for Roads, Drainage & Erosion Control - \$25,000.
Recommendation: Extend in the current amount for a period of six (6) months.
22. **River Landing, Section 10** – Maintenance Bond for Roads, Drainage & Erosion Control - \$80,000.
Recommendation: Release the bond.
23. **Saddle Springs, Section 1** – Performance Bond for Wastewater Collection System – \$172,500.
Recommendation: Convert to Maintenance in the amount of \$34,500 for a period of one (1) year.
24. **Saddle Springs, Section 1** – Performance Bond for Wastewater Backup Treatment & Disposal System - \$333,284.
Recommendation: Convert to Maintenance for “Primary” Treatment & Disposal system in the amount of \$66,657 for a period of one (1) year.
25. **Saddle Springs, Phase 2A, Section 4** – Performance Bond for Wastewater Collection System - \$24,638.
Recommendation: Convert to Maintenance in the amount of \$4,928 for a period of one (1) year.
26. **Saddle Springs, Phase 2A, Section 5** – Affidavit of Compliance for Landscaping - \$1,650.
Recommendation: Extend in the current amount for a period of nine (9) months.
27. **Saddle Springs, Phase 2A, Section 5** – Performance Bond for Wastewater Collection System - \$74,000.
Recommendation: Convert to Maintenance in the amount of \$14,800 for a period of one (1) year.
28. **Saddle Springs, Phase 2A, Section 6** – Performance Bond for Wastewater Collection System - \$33,000.
Recommendation: Convert to Maintenance in the amount of \$6,600 for a period of one (1) year.
29. **Saddle Springs, Phase 2A, Section 7** – Performance Bond for Wastewater Collection System - \$74,000.
Recommendation: Convert to Maintenance in the amount of \$14,800 for a period of one (1) year.
30. **St. Ignatius Orthodox Church** – Performance Bond for Landscaping - \$6,800.
Recommendation: Defer until the July, 2008 meeting.
31. **Stag’s Leap** – Performance Bond for Wastewater Treatment Facility - \$323,700.
Recommendation: Defer until the July, 2008 meeting.

32. **Vale Creek** – Performance Bond for Landscaping - \$78,500.
Recommendation: Convert to Maintenance in the amount of \$23,550 for a period of six (6) months.
33. **Watkins Creek, Section 3** – Performance Bond for Wastewater Collection System - \$166,503.
Recommendation: Convert to Maintenance in the amount of \$33,301 for a period of one (1) year.
34. **Watkins Creek, Section 3** – Performance Bond for Wastewater Backup Treatment System - \$525,000.
Recommendation: Release the bond.
35. **Watkins Creek, Section 3** – Maintenance Bond for Water (Milcrofton) - \$14,000.
Recommendation: Extend in the current amount for a period of one (1) year.
36. **Watkins Creek, Section 4** – Performance Bond for Wastewater Collection System - \$76,536.
Recommendation: Release the bond.
37. **Watkins Creek, Section 4** – Maintenance Bond for Water (Milcrofton) - \$3,500.
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 Walton seconded the motion, which passed by unanimous vote.

PUBLIC HEARINGS:

ITEM 38

SITE PLAN AND CONDITIONAL USE REVIEW FOR CABE FIREWORKS, (TEMPORARY FIREWORK STAND), ON 2.71 ACRES LOCATED OFF HORTON HWY IN THE 5TH VOTING DISTRICT (5-2008-031).

This item was withdrawn.

ITEM 39

SITE PLAN AND CONDITIONAL USE REVIEW FOR MID AMERICA DISTRIBUTORS, (TEMPORARY FIREWORK STAND), ON 77.16 ACRES LOCATED OFF LIBERTY PIKE IN THE 4TH VOTING DISTRICT (5-2008-024).

Ms. Haines reviewed the background (see Staff report) recommending approval of this Site Plan with the following stipulation:

1. That the time period for this conditional use be limited to 28 days annually; specifically from June 20 to July 5 and December 20 to January 2;
2. That lighting has not been proposed or approved for this site;
3. That this approval is valid for two (2) years unless the site plan is amended, per the criteria set forth in Division 4200 (D) 2 of the Zoning Ordinance;
4. Provide proof of insurance in the amount of \$1,000,000 each occurrence for bodily injury liability and property damage liability prior to June 20, 2008 and 2009 indicating Williamson County as an additional insured;

5. That the applicant be required to pay a police officer to direct traffic on July 3 and 4, 2008 and 2009 from 4 p.m. to 8 p.m.;
6. That the applicant obtains an approved zoning certificate prior to the approved operating dates. Said zoning certificate will not be issued until proof of insurance is provided and any proposed signs are approved by the Codes Compliance office; and
7. No parking will be permitted along Liberty Pike.

Ms. Haines stated a letter was received from County Commissioner Jason Para and also a letter from the City of Franklin. A copy has been given to all Planning Commissioners.

Chairman Lackey opened the Public Hearing.

Mr. John Campbell, 1809 Turning Wheel Ln., stated he is concerned about the traffic that this proposal would generate and also the noise and hazards. He stated he had contacted the state to see if any complaints had been filed against Mid America and that one had been filed for excessive traffic in Maury County. He contacted Mid America and they indicated to him they would have a generator and lighting and he is concerned about lighting.

Ms. Tammy Hopkins, 1227 Limerick Ln., representing the homeowners in McKay's Mill, distributed a handout depicting the location of traffic concerns. She believes the entrance gate is not big enough for two-way traffic. This is a walking and bicycling community and the homeowners are concerned with the traffic and safety issues.

Mr. John Presley, 1807 Turning Wheel Ln., stated he is also concerned with the amount of traffic and noise this proposal will generate. He also has concerns about someone accidentally starting a fire.

Mr. Wayne Mobley, Franklin Fire Dept., asked the Planning Commission not to approve this proposal due to the fact that it is illegal to sell or use fireworks in the city. This location is on the city's boundary line, and he is concerned for the safety of the citizens of the City of Franklin.

Mr. Roger Loyd, the applicant, stated he has owned and operated the business for thirty-five (35) years. He gave the Planning Commission a copy of a letter from Drayton Insurance Brokers, Inc., stating the company has been insured by them since 1984 and they have not received any claims in that time frame. The tent will be located over 300 feet from the nearest residence and there is a substantial mature tree line located between the houses and the tent. Mr. Loyd also stated the property owner is allowing them to install a double gate in order to make the entrance larger. They will have a generator for regular lighting in order to see inside the tent but will have no commercial lighting. He also made a concession to his original submittal by withdrawing his request to operate in December, changing the time frame from 28 days annually to 9 days annually (June 26th to July 5th). Someone will be there 24 hours a day for security.

Mr. John Williams, 1050 John Williams Road, stated he met with some of his neighbors and they had no objection to this request. He stated he could make more money by renting this location to Mid America than he will make farming this year. He believes this use will have no adverse effects on the neighborhood and asked that this application be approved.

Mr. John Williams, Jr., 1050 John Williams Road, stated that during the hours that the tent will be open, traffic should not be a problem. The high traffic days will be July 3rd and 4th.

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

Chairman Lackey asked for any comments.

Commissioner Cain asked if the distance required is measured from the tent to the property line or from structure to structure.

Ms. Earwood stated it is from structure to structure.

Commissioner Cain pointed out that if that is the case, the applicant exceeds the required 300 feet for approval.

Commissioner Givens asked if it would be possible for the tent to be moved another 300 feet from the proposed location, whether the proposed access is the only access to this site and whether staff would staff have approved this request if the applicant had requested lighting.

Mr. Loyd stated this was the best location for the tent and that this entrance is the only access point.

Chairman Lackey stated that minimal lighting to allow people to see is not a problem. The problem would arise if the applicant was requesting commercial or strobe lighting. He requested the applicant to post "No Parking" signs on Liberty Pike. Chairman Lackey then asked if there be a problem with parking in the event of rain.

Mr. Loyd stated the property is on a slope and water does not accumulate. There is a ditch beside the gate to direct rainwater behind the tent so parking should not be a problem.

Commissioner Mosley stated he has no objections to this proposed use but he believes there should be stipulations placed on the lighting prohibiting commercial or strobe lighting and specifying that the double gate should be installed at the entrance.

Commissioner Walton stated he agreed with Commissioner Mosley's comments.

There being no other comments, Commissioner Medaugh made a motion to accept Staff's recommendation with the additional stipulations that "No Parking" signs must be posted on Liberty Pike; no commercial lighting shall be allowed, enlarge to a double gate access; the hours of operation will be limited to 8:30 a.m. to 10:00 p.m. with the exception of July 3rd & 4th with a closing time of 12:00 midnight; and that the time period for this conditional use be limited to 9 days annually (June 26th to July 5th) instead of 28 days annually. Commissioner Murdic seconded the motion, which passed by unanimous vote.

ITEM 40

SITE PLAN AND CONDITIONAL USE REVIEW FOR YOUNG WATER, LLC, (RESIDENTIAL BUSINESS), ON 8 ACRES, LOCATED AT 7314 OVERBEY ROAD IN THE 1ST VOTING DISTRICT

Mr. Holmes reviewed the background (see Staff report) recommending approval of this Site Plan with the following stipulation:

Completion of an Affidavit of Compliance to ensure continued adherence to Division 4520 (M) of the Williamson County Zoning Ordinance and the approved site plan, the use of only 500 square feet of the barn as illustrated on Attachment 40-1, obtaining a building permit constructing the proposed partition, and the applicant's Letter of Intent.

Mr. Holmes also stated a letter from an adjacent property owner has been placed before the Planning Commission.

Chairman Lackey opened the Public Hearing.

Linda Young, the applicant, 7314 Overbey Road, stated in 1999 they were granted a Home Occupation for this business. They have since outgrown the use of their home and constructed a 40 x 60 building to store the bottled water and coolers for the business. They use less than 500 square feet of the building for the business. The majority is used for personal storage. She requested the stipulation that a partition be built be amended due to the fact that this would not allow them to pull their van into the building to load the product. Otherwise, they will have to do this outside and it would be more visible and possibly would then be more of a nuisance to the neighbors. Mrs. Young submitted several letters from neighbors stating they have no problem with this request.

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

Chairman Lackey asked for any comments.

Commissioner Murdic asked if building a partition being built was absolutely necessary to ensure the business only uses 500 square feet or could there be some other means of determining this line, such as a rope.

Mr. Holmes stated typically the policy is to have the applicant construct some type of permanent divider to ensure no more than 75% of the square footage of the home is used for the business. Staff used the word "partition" because this was the term the applicant used on their site plan.

Mrs. Young stated on the site plan she drew, she used the term "partition" in regards to something such as a cubicle wall or something that could be moved in order to pull their van in to load the product.

Commissioner Mosley stated he agreed with Commissioner Murdic that the partition could be a movable object.

Chairman Lackey stated a drop down tarp or movable partition was fine with him.

Commissioner Walton asked if Codes Compliance periodically checks on businesses to be sure they are in compliance.

Mr. Horne stated Staff has to be able to establish a definite line to ensure businesses are in compliance. This particular business is now in violation due to the fact that they began operating their business from an accessory structure. Staff has to be able to determine if the business is truly in violation.

Commissioner Murdic stated that whether the boundary is established by stripes on the floor or by constructing a wall, it should still be considered a boundary.

Mr. Horne stated Staff opted for the partition because this is a definite boundary line.

Commissioner Givens asked if the person who filed the complaint was in attendance and they were not.

Chairman Lackey asked if a partition, whether it is a wall or some movable object, would bring this business into compliance.

Mr. Horne stated it would.

There being no other comments, Commissioner Cain made a motion to accept Staff's recommendation with the exception of instead of a permanent wall, the applicant could use a flexible suspended partition. Commissioner Murdic seconded the motion, which passed by unanimous vote.

SKETCH PLAN

ITEM 41

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

Mr. Holmes reviewed the background (see Staff report). A number of items must be addressed with future submittals.

The Preliminary Plat must address the following:

1. Identification of critical lots demonstrating protection of the requisite percentage of natural resources;
2. Submission of roads, drainage and erosion control plans for review and approval by the County Engineer. Such would include any required turn lanes within the South Carothers Road right-of-way and demonstration of acceptable sight distance. These improvements must be approved by the Highway Commission prior to Preliminary Plat consideration; and
3. Submission of water plans for review and approval by Milcrofton Utility District.

The Final Plat must address the following:

1. Prior to consideration, the applicant shall submit Home Owner's Association documents for review and approval by the County Attorney for Planning and Environment's office. The approved H.O.A. 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 (both on and off-site) in favor of Milcrofton Utility District;
4. Execution of a Stormwater Maintenance Agreement and submission of an Operation and Maintenance Plan for stormwater improvements;
5. Submission of landscaping plans, including barrier fencing, if applicable, and establishment of appropriate performance bonds for landscaping;
6. Final approval of all septic systems for each lot from the Williamson County Department of Sewage Disposal Management;
7. Dedication of right-of-way thirty (30) feet off the centerline of South Carothers Road; and
8. 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 plat.

Mr. Holmes stated a letter from the Department of Sewage Disposal Management has been received stating until the remaining soil issues are resolved, a preliminary plat can not be submitted. A copy of this letter has been given to the Planning Commission. Staff concurs with this.

Ron Merville, Merville & Howe, representing the applicant, was in attendance for any questions.

Chairman Lackey asked for any comments.

Commissioner Fisher asked about the developer's obligations to take into account the City's recommendations and whether Staff will impose the recommendations.

Chairman Lackey stated the developer is only obligated to the extent that the Williamson County Planning Commission would impose the recommendations. Staff will go over the City's comments and incorporate those they feel are significant.

Commissioner Mosley stated an adjacent property owner had contacted him asked that the tree line buffering remain between his property and the development.

Mr. Merville stated they would leave the tree line buffer.

There were no other comments.

No action was required.

SITE PLANS:

ITEM 42

SITE PLAN REVIEW FOR KING'S CHAPEL, (REVISED), CONTAINING 453 LOTS ON 678.74 ACRES LOCATED OFF MURFREESBORO ROAD IN THE 5TH VOTING DISTRICT

This item was withdrawn.

FINAL PLATS:

ITEM 43

FINAL PLAT REVIEW FOR LAURELBROOKE, SECTION 11F, CONTAINING 22 LOTS ON 77.90 ACRES LOCATED OFF SNEED ROAD IN THE 8TH VOTING DISTRICT (1-2008-406).

Mr. Holmes reviewed the background (see Staff report) recommending approval subject to the following:

Signature of all owners within Section 11F. (The Planning Commission, at its discretion, may require signatures from other property owners that may be impacted by the proposed revision.)

Chairman Lackey asked for any comments.

Mr. Doug Sharp, Southern Land Company, representing the applicant, stated the applicant was in attendance for any questions.

Commissioner Walton asked if Staff had proof all signatures had been obtained.

Mr. Matteson stated the plat would not be signed by Staff until all required signatures are on the final plat.

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

ITEM 44

FINAL PLAT REVIEW FOR RIEDLING ACRES, LARGE LOT EASEMENT SUBDIVISION, CONTAINING 3 LOTS ON 50 ACRES LOCATED OFF SWEENEY HOLLOW ROAD IN THE 2ND VOTING DISTRICT (2-2008-016).

This item was withdrawn.

OTHER BUSINESS:

ITEM 45

RESOLUTION TO CONSIDER ABANDONING A PORTION OF CROCKETT LANE

This item was withdrawn.

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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 JULY 10, 2008.

_____ CHAIRMAN JOHN LACKEY