

**MINUTES OF THE  
WILLIAMSON COUNTY REGIONAL PLANNING COMMISSION  
MEETING OF AUGUST 14, 2008**

**MEMBERS PRESENT**

John Cain  
Don Crohan  
Holli Givens  
John Lackey  
Robert Medaugh  
Brian Sanders  
Jack Walton

**STAFF PRESENT**

Joe Horne, Community Development Director  
Mike Matteson, Planning Director  
Floyd Heflin, County Engineer  
William Andrews, Assistant to County Engineer  
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, August 14, 2008, at 7:00 p.m., in the Auditorium of the Williamson County Administrative Complex. Commissioners Fisher, Lane, Mosley, Murdic and Pratt were unable to attend.

Chairman Lackey called the meeting to order.

Mr. Horne made the following announcements:

1. Thursday, September 18, 2008 @ 7:00 p.m. a joint meeting will be held between the Planning Commission, County Commission and the Board of Zoning Appeals to discuss the Zoning Ordinance Update. Dinner will be served at 6:30 p.m.
2. The special area study for the College Grove Village is in the process of getting underway. Staff will keep the Planning Commission informed on the progress of this study.
3. The 2009 Calendar will be on September's agenda for consideration. One item for consideration is changing the date for the January, 2009 meeting to the 3<sup>rd</sup> Thursday, January 15, 2009, in the month due to the holidays.
4. Item 25 has been withdrawn.

**CONSIDERATION OF MINUTES:**

Chairman Lackey asked for a motion to consider the minutes of the July 10, 2008 meeting.

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

**CONSENT AGENDA:**

**BONDS:**

1. **2<sup>nd</sup> Addition at Legends Ridge** – Maintenance Bond for Sewer (Lynnwood) - \$10,000.  
**Recommendation:** Extend in the current amount for a period of one (1) year.
2. **Addition to Brienz Valley, Section 1** – Performance Bond for Roads, Drainage and Erosion Control - \$135,000.  
**Recommendation:** Convert to Maintenance in the amount of \$75,000 for a period of one (1) year.
3. **Belle Vista, Section 1** - Performance Bond for Wastewater Backup Treatment System - \$320,000.

**Recommendation:** Release the bond.

4. **Belle Vista, Section 1** - Performance Bond for Wastewater Treatment, Disposal & Collection System - \$751,500.  
**Recommendation:** Convert treatment & disposal to Maintenance in the amount of \$64,500 and reduce the Collection to the amount of \$286,000 for a period of one (1) year.
5. **Breckston Park, Section 1** – Maintenance Bond for Roads, Drainage & Erosion Control - \$105,000.  
**Recommendation:** Release the bond.
6. **Breizn Valley, Section 1** – Maintenance Bond for Roads, Drainage & Erosion Control - \$40,000  
**Recommendation:** Extend in the current amount for a period of six (6) months.
7. **Breizn Valley, Section 3** - Performance Bond for Roads, Drainage and Erosion Control - \$70,000.  
**Recommendation:** Convert to Maintenance in the amount of \$40,000 for a period of one (1) year.
8. **Durham Manor** – Maintenance Bond for Water (HB & TS) - \$44,550.  
**Recommendation:** Extend in the current amount for a period of thirty (30) days.
9. **Durham Manor** – Maintenance Bond for Roads, Drainage & Erosion Control - \$210,000.  
**Recommendation:** Extend in the current amount for a period of six (6) months.
10. **River Landing, Section 8** – Maintenance Bond for Roads, Drainage & Erosion Control - \$105,000  
**Recommendation:** Release the bond.
11. **Saddle Springs, Phase 2A, Section 5** – Performance Bond for Roads, Drainage & Erosion Control - \$140,000.  
**Recommendation:** Extend in the current amount for a period of six (6) months.
12. **Silver Stream Farms, Section 1A** – Performance Bond for Landscaping - \$20,000.  
**Recommendation:** Convert to Maintenance in the amount of \$9,700 for a period of eight (8) months.
13. **Silver Stream Farms, Section 1A & 1B** – Maintenance Bond for Sewer Improvements (Metro) - \$5,000.  
**Recommendation:** Release the bond.
14. **Spring Meadow Church of Christ** – Performance Bond for Landscaping - \$155,350  
**Recommendation:** Extend in the current amount for a period of eight (8) months.

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

**PUBLIC HEARINGS:**

**ITEM 15**

**AMENDMENT TO ARTICLE 12 OF THE ZONING ORDINANCE (WASTEWATER REGULATIONS), REGARDING PHASING OF TREATMENT AND DISPOSAL SYSTEM CONSTRUCTION (6-2008-003)**

Mr. Matteson reviewed the background (see Staff report) recommending these amendments be forwarded to the County Board of Commissioners for enactment.

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 Walton made a motion to accept Staff's recommendation. Commissioner Givens seconded the motion, which passed by unanimous vote.

**PRELIMINARY SKETCH PLAN**

**ITEM 16**

**PRELIMINARY SKETCH PLAN REVISION FOR TEMPLE HILLS COUNTRY CLUB, SECTION 16, (REVISED), CONTAINING 78 LOTS ON 65.706 ACRES LOCATED OFF TEMPLE ROAD IN THE 9<sup>TH</sup> VOTING DISTRICT (RESUBDIVISION OF LOT 1620) (1-2008-204)**

Mr. Horne reviewed the background (see Staff report) recommending approval of this revised preliminary sketch plan, subject to the stipulations:

1. Establishment of roads, drainage and erosion control performance bonds by the County Engineer;
2. Establishment of water and sewer performance bonds by HVUD;
3. Confirmation of access protocol for private road with the County School System, Emergency Management and Postal Services;
4. Establishment of LFE's and critical lot designations as appropriate on the final plat; and
5. Approval of HOA documents establishing maintenance responsibilities for all common elements (including open space and private road systems) by the County Attorney's office.

Chairman Lackey asked for any comments.

Walter Davidson, representing the applicant, stated that Lot 1620 was originally planned as a three acre lot and would accommodate a 10,000 square foot house. Due to the change in the market, it will be more economical to divide this lot into two separate lots and accommodate approximately two 5,000 square foot homes. He stated he does not foresee any additional changes to this section.

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

**SITE PLANS:**

**ITEM 17**

**SITE PLAN REVIEW FOR KING'S CHAPEL, (REVISED), CONTAINING 453 LOTS ON 678.74 ACRES LOCATED OFF MURFREESBORO ROAD IN THE 5<sup>TH</sup> VOTING DISTRICT (1-2008-202)**

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

Chairman Lackey asked for any comments.

Steve Clifton, with Clifton & King, representing the applicant, stated he agreed with Staff and would ask for a deferral of this item.

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

**FINAL PLATS:**

**ITEM 18**

**FINAL PLAT REVIEW FOR BRUCE PROPERTY, OFF-SITE SEPTIC EASEMENT, CONTAINING 2 LOTS ON 2.56 ACRES LOCATED OFF HARPETH-PEYTONSVILLE ROAD IN THE 3<sup>RD</sup> VOTING DISTRICT (2-2008-024)**

Mr. Holmes reviewed the background (see Staff report) recommending approval of this request.

Chairman Lackey asked for any comments.

Commissioner Walton asked if this easement would be recorded with the deed.

Mr. Holmes stated it would be noted on the plat as well as referenced in the deed.

Chairman Lackey asked for clarification of where the septic areas were located on the plat.

Mr. Holmes stated the primary septic areas for both lots one and two are located on lot one.

There being no other comments, Commissioner Walton made a motion to accept Staff's recommendation. Commissioner Cain seconded the motion, which passed six (6) to one (1) with Commissioner Crohan voting "No".

**ITEM 19**

**FINAL PLAT REVIEW FOR TREY & LINDA DUKE PROPERTY, 3<sup>RD</sup> LOT ON EASEMENT, CONTAINING 1 LOT ON 11.56 ACRES LOCATED OFF ARNO-ALLISONA ROAD IN THE 3<sup>RD</sup> VOTING DISTRICT (2-2008-030)**

Mr. Hayes reviewed the background (see Staff report) recommending approval of this request subject to the following stipulations:

1. Approval of individual septic systems by the Department of Sewage Disposal Management; and
2. Issuance of a Land Disturbance Permit.

Chairman Lackey asked for any comments.

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

**ITEM 20**

**FINAL PLAT REVIEW FOR CHARDONNAY, SECTION 1, CONTAINING 2 LOTS ON 27.68 ACRES LOCATED OFF CLOVERCROFT ROAD IN THE 4<sup>TH</sup> VOTING DISTRICT (1-2008-411)**

Mr. Matteson reviewed the background (see Staff report) recommending approval of the Final Plat subject to the following:

1. Prior to issuance of a Certificate of Occupancy for any structure and prior to submittal of a Final Plat that includes any additional residential lots, the required Wilson Pike improvements must be completed in accordance with the approved plans;
2. The posting of performance bonds in the amount of \$80,000 for on-site roads, drainage and erosion control and \$50,000 for off-site roads, drainage and erosion control;
3. The posting of a performance bond in the amount of \$43,500 for the wastewater treatment and disposal system;
4. The posting of a performance bond in the amount of \$5,500 for the wastewater collection system;
5. The posting of performance bonds in the amount of \$160,000 for off-site water improvements and \$140,000 for on-site water improvements as specified by Milcrofton Utility District;
6. Establishment of a performance bond for landscaping in the amount of \$80,900;
7. The approved Homeowner's Association documents must be recorded at the same time as the recording of the Final Plat;
8. Execution of a Stormwater Maintenance Agreement and submission of an Operation and Maintenance Plan for stormwater improvements; and
9. 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.

Chairman Lackey asked for any comments.

Commissioner Crohan asked when the applicant is going to get started on the roadway improvements.

Nicky Wells with Turnberry Homes, the owner / developer of this project, stated that he had received an email from their contractor stating the roadway improvements will start tomorrow, August 15, 2008.

There being no other comments, Commissioner Walton made a motion to accept Staff's recommendation. Commissioner Givens seconded the motion, which passed six (6) to one (1) with Commissioner Crohan voting "No".

**ITEM 21**

**FINAL PLAT REVIEW FOR CUNNINGHAM PROPERTY, OFF-SITE SEPTIC EASEMENT, CONTAINING 2 LOTS ON 2.06 ACRES LOCATED OFF N. BERRY'S CHAPEL ROAD IN THE 8<sup>TH</sup> VOTING DISTRICT (2-2008-029)**

Mr. Holmes reviewed the background (see Staff report) recommending approval of this request.

Chairman Lackey asked if this was an example of someone buying a property and after five or ten years, due to unforeseen circumstances, the lot becoming non-buildable.

Mr. Matteson stated that it was.

Chairman Lackey asked for any comments.

Commissioner Walton asked if there would be an issue, if in ten (10) years or so, the adjacent property owner sells his property and the new owner does not like having the neighbor's septic area located on his property.

Ms. Earwood stated there would be an easement agreement and also noted on the plat itself. This would be revealed if a proper title search is done.

Chairman Lackey stated the Planning Commission only approves off-site septic easement under unusual circumstances, and asked if there is any possibility that the septic can be located on this site.

Mr. Greg Clingerman, Alley & Associates, representing the applicant, stated he has a letter from an independent soils scientist stating that there are no more usable soils on this parcel.

Chairman Lackey asked if anything had happened on this site to cause this problem.

Dr. Burton, the applicant, stated that the Department of Sewage Disposal Management came to this site and stated that natural erosion had caused the problem. He also stated the off-site septic request is for the backup location not the primary.

Commissioner Crohan stated this parcel should be grandfathered in.

Chairman Lackey stated he agreed.

Mr. Holmes stated he had discussed this proposal with Brian Corwin of the Department of Sewage Disposal Management and the previously designated backup septic area on this parcel did erode and that is the reason for the request.

Commissioner Crohan asked if the erosion was caused by building on this parcel or if it was natural erosion.

Mr. Clingerman stated it was natural erosion and this site had not been disturbed.

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

**ITEM 22**

**FINAL PLAT REVIEW FOR LAURELBROOKE, SECTION 11F, (REVISED), CONTAINING 22 LOTS ON 77.90 ACRES LOCATED OFF SNEED ROAD IN THE 8<sup>TH</sup> VOTING DISTRICT (1-2008-409)**

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

1. Signatures of all owners within this Section must be affixed to the plat; and
2. Recording of the revised final plat of this Section approved at the June 2008 meeting.

Chairman Lackey asked for any comments.

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

### **ITEM 23**

#### **FINAL PLAT REVIEW FOR LAURELBROOKE, SECTION 12B, (REVISED), CONTAINING 2 LOTS ON 21.59 ACRES LOCATED OFF SNEED ROAD IN THE 8<sup>TH</sup> VOTING DISTRICT (1-2008-410)**

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

1. The signatures of the owners of Lots 1233, 1235, 1236, 1237 and 1238 as well as the signature of the representative of the Home Owner's Association be affixed to the plat; and
2. Recording of the revised final plat of Section 11-F approved at the June 2008 meeting.

Chairman Lackey asked for any comments.

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

### **ITEM 24**

#### **FINAL PLAT REVIEW FOR TRACE CREEK HEIGHTS, LARGE LOT EASEMENT SUBDIVISION, CONTAINING 5 LOTS ON 27.57 ACRES LOCATED OFF TRACE CREEK DRIVE IN THE 8<sup>TH</sup> VOTING DISTRICT (2-2008-022)**

Mr. Holmes reviewed the background (see Staff report) recommending approval of this request pending the following stipulations:

1. Posting of a performance bond for sewer in the amount of \$123,550 in favor of the Harpeth Valley Utility District; and
2. Posting of a performance bond for water in the amount of \$41,700 in favor of the Harpeth Valley Utility District.

Chairman Lackey asked for any comments.

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

### **ITEM 25**

#### **REVISIONS TO THE WILLIAMSON COUNTY SUBDIVISION REGULATIONS APPENDIX D.**

This item was withdrawn.

**OTHER BUSINESS:**

**ITEM 26**

**RESOLUTION REGARDING FINANCIAL MATCH FOR SOUTHWEST MOBILITY STUDY**

Mr. Horne reviewed the background (see Staff report) recommending endorsement of this financial match.

Chairman Lackey asked for any comments.

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

**ITEM 27**

**ELECTION OF OFFICERS.**

Chairman Lackey asked if there was a nomination for the Chairman of the Planning Commission.

Commissioner Walton nominated Chairman Lackey. Commissioner Sanders seconded the motion, which passed by unanimous voice vote.

Chairman Lackey asked if there was a nomination for the Vice Chairman for the Planning Commission.

Commissioner Medaugh stated he did not wish to serve another term and nominated Commissioner Crohan. Commissioner Walton seconded the motion, which passed by unanimous voice vote.

Chairman Lackey asked if there was a nomination for the Secretary of the Planning Commission.

Commissioner Sanders nominated Mr. Matteson. Commissioner Givens seconded the motion, which passed by unanimous voice vote.

Chairman Lackey asked if there was a nomination for the Secretary Pro-Tempore.

Commissioner Walton nominated Mr. Holmes. Commissioner Crohan seconded the motion, which passed by unanimous voice vote.

**ITEM 28**

**CLOSED SESSION REGARDING PENDING LITIGATION.**

Commission conducted a closed session with counsel to discuss pending litigation.

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The Commission reconvened in open session. 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 SEPTEMBER 11, 2008.**

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CHAIRMAN JOHN LACKEY