

**MINUTES OF THE  
WILLIAMSON COUNTY REGIONAL PLANNING COMMISSION  
MEETING OF MAY 13, 2010**

**MEMBERS PRESENT**

Robin Baldree  
John Cain  
Don Crohan  
Susan Fisher  
Holli Givens  
John Lackey  
Steve Lane  
Pete Mosley  
Tom Murdic  
Jack Walton

**STAFF PRESENT**

Mike Matteson, Planning Director  
Aaron Holmes, Planning Coordinator  
Robbie Hayes, Planner  
Lincoln Sweet, Planner  
Floyd Heflin, County Engineer  
William Andrews, Assistant to County Engineer  
Kristi Earwood, Attorney  
Sheila Myers, Administrative Assistant  
Lori John, Secretary

The Williamson County Regional Planning Commission met in regular session Thursday, May 13, 2010, at 7:00 p.m., in the Auditorium of the Williamson County Administrative Complex. Commissioners Pratt and Sanders were unable to attend.

Chairman Lackey called the meeting to order.

Mr. Matteson announced that Staff is still reviewing Module 3 of the Williamson County Zoning Ordinance Update, and should schedule a meeting with the Steering Committee sometime during the summer to review.

Mr. Matteson stated Williamson County was severely impacted by the recent flooding and according to Emergency Management approximately 1,100 structures have been damaged in Williamson County alone. He also stated that Williamson County is requiring those affected to get a building permit to repair any flood damage the County is waiving all fees for the permits. Staff is working very hard to expedite these permits.

**CONSIDERATION OF MINUTES:**

Chairman Lackey asked for a motion to consider the minutes of the April 8, 2010 Planning Commission meeting.

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

**CONSENT AGENDA:**

Chairman Lackey asked if anyone wished to remove an item from the Consent Agenda for individual review.

Commissioner Fisher stated she would like to remove Item 5, Currey Ingram Academy, for separate consideration.

**BONDS:**

1. **Abington Ridge, Section 2** – Maintenance Bond for Roads, Drainage and Erosion Control - \$70,000.  
**Recommendation:** Release the bond.
2. **Belle Vista, Section 2** – Maintenance Bond for Roads, Drainage and Erosion Control - \$130,000.  
**Recommendation:** Extend in the current amount for a period of six (6) months.

3. **Black Hawk, Section 1** – Maintenance Bond for Roads, Drainage and Erosion Control - \$70,000.  
**Recommendation:** Release the bond.
4. **Chardonnay, Section 1** – Performance Bond for Landscaping - \$80,900.  
**Recommendation:** This bond be reviewed again at the July 2010 meeting.
5. **Currey Ingram Academy** – Performance Bond for Wastewater Treatment System - \$90,000.  
**Recommendation:** Pulled from Consent Agenda at request of Commissioner Fisher for separate consideration.
6. **Delta Springs** – Maintenance Bond for Landscaping - \$3,100.  
**Recommendation:** Extend in the current amount for a period of four (4) months to allow for completion.
7. **Inns of the Cove, Section 1** – Performance Bond for Roads, Drainage and Erosion Control - \$575,000.  
**Recommendation:** Extend in the current amount for a period of six (6) months.
8. **Ivan Creek** – Maintenance Bond for Water (Milcrofton) - \$26,000.  
**Recommendation:** Extend in the current amount for a period of one (1) year.
9. **Ivan Creek** – Performance Bond for Landscaping - \$53,550.  
**Recommendation:** Extend in the current amount for a period of one (1) year.
10. **Ivan Creek** – Performance Bond for Roads, Drainage and Erosion Control - \$375,000.  
**Recommendation:** Extend in the current amount for a period of six (6) months.
11. **Ivan Creek** – Performance Bond for Off-Site Road Improvements - \$83,000.  
**Recommendation:** Extend in the current amount for a period of six (6) months.
12. **King's Chapel, Section 1** – Maintenance Bond for Wastewater Treatment System - \$151,642.  
**Recommendation:** Extend in the current amount for a period of one (1) year.
13. **Laurelbrooke, Section 11-F** – Maintenance Bond for Roads, Drainage and Erosion Control - \$130,000.  
**Recommendation:** Release the bond.
14. **Owendale** – Maintenance Bond for Roads, Drainage and Erosion Control - \$110,000.  
**Recommendation:** Extend in the current amount for a period of six (6) months.
15. **Saddle Springs Estates, Phase 2A, Section 7** – Maintenance Bond for Landscaping - \$21,700.  
**Recommendation:** Extend in the current amount for a period of six (6) months.
16. **Silver Stream Farm Amenity Center** – Maintenance Bond for Landscaping - \$2,800.  
**Recommendation:** Extend in the current amount for a period of six (6) months with a review in four (4) months.

17. **Silver Stream Farm, Section 2** – Performance Bond for Landscaping - \$25,400  
**Recommendation:** Extend in the current amount for a period of six (6) months with a review in four (4) months.
18. **Stag's Leap, Section 2A** – Performance Bond for Water (Milcrofton) - \$45,000.  
**Recommendation:** Convert to Maintenance in the amount of \$4,500 for a period of one (1) year.
19. **Stag's Leap, Section 2A** – Performance Bond for Wastewater Collection System - \$48,400.  
**Recommendation:** Convert to Maintenance in the amount of \$14,520 for a period of one (1) year, or 80% build-out whichever occurs last.
20. **Stag's Leap, Section 2A** – Performance Bond for Roads, Drainage and Erosion Control - \$206,000.  
**Recommendation:** Extend in the current amount for a period of six (6) months.

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

#### ITEM 5

#### CURREY INGRAM ACADEMY, PERFORMANCE BOND FOR WASTEWATER TREATMENT SYSTEM

Mr. Matteson reviewed the background (see Staff report) recommending the bond be extended in the current amount of \$90,000 for a period of one (1) year, with a review to occur in six (6) months.

Commissioner Fisher stated she was concerned about the length of time of this bond and wanted to know how the applicant was handling its wastewater for the past nine (9) years.

Ms. Earwood stated the system is installed and has been utilized from the beginning. The applicant planned this system for a certain size anticipating school expansion and the original bond amount was based on that size. It is her understanding that this will give the school the opportunity to decide if they are going to expand in the future or if not, then they can submit a revised Design Development Report (DDR) to reduce the size of the system. Therefore they may be able to reduce this bond to Maintenance.

Chairman Lackey asked if there was a target date for this bond to be complete.

Ms. Earwood stated she was unsure. She stated that rather than these systems be built out at the beginning the original regulations were based on a percentage. Once the system reaches eighty (80) percent of the total capacity that was originally planned the bond could be converted to Maintenance, but because the applicant has not reached the 80% capacity threshold, they have been given credit for what they have installed.

Commissioner Walton stated he would be abstaining due to a conflict of interest.

Commissioner Lane made a motion to accept Staff's recommendation. Commissioner Cain seconded the motion, which passed by unanimous voice vote with Commissioner Walton abstaining.

**PUBLIC HEARINGS:**

**ITEM 21**

**SITE PLAN AND CONDITIONAL USE REVIEW FOR ANIMAL HAVEN HEALTH CENTER (REVISED), ON 6.67 ACRES LOCATED AT 3105 BOYD MILL PIKE IN THE 2<sup>ND</sup> VOTING DISTRICT (5-2010-019)**

Mr. Holmes reviewed the background (see Staff report) recommending approval with the following conditions:

1. That all signage be approved per Ordinance requirements; and
2. The posting of a Landscaping Bond in the amount of \$4,200.

Chairman Lackey opened the public hearing.

There being no comments Chairman Lackey closed the public hearing.

Chairman Lackey asked for any comments by Commissioners.

Commissioner Walton stated he would be abstaining due to a conflict of interest.

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

**ITEM 22**

**RESOLUTION TO ADOPT BY REFERENCE THE 2006 INTERNATIONAL BUILDING CODE, THE 2006 INTERNATIONAL MECHANICAL CODE, THE 2006 INTERNATIONAL PLUMBING CODE, THE 2006 INTERNATIONAL ENERGY CONSERVATION CODE, THE 2007 ASHRAE STANDARD 90.1 AND CHAPTER 11 OF THE 2009 INTERNATIONAL RESIDENTIAL CODE AND THEIR AMENDMENTS (6-2010-003)**

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

Mr. Mark McMillan, Building Codes Director, gave a brief review of this Resolution. He stated the 2006 International Building Code, the 2006 International Mechanical Code, and the 2006 International Plumbing Code address Non-Residential Building Codes. The State has been under this code since September 2008. The Tennessee Code Annotated now requires that within seven (7) years of adoption of a new code by the State of Tennessee and the County must also adopt the same code. The County has been using the 1997 Code for Non-Residential buildings.

Mr. McMillan stated the 2006 International Energy Conservation Code, the 2007 ASHRAE Standard 90.1, and Chapter 11 of the 2009 International Residential Code and their Amendments address residential structures. The Tennessee Clean Energy Act of 2009 was passed and will become law as of July 2010. This is something new that will have to be enforced.

Chairman Lackey asked when these codes will go into effect.

Mr. McMillan stated July 2010.

Commissioner Mosley asked what the exempt counties are.

Mr. McMillan stated the City of Franklin, Metropolitan Nashville, Knoxville, Chattanooga, the larger cities, have an Engineer on Staff that can review the plans and they do not have to be reviewed by the State Fire Marshall's office.

Commissioner Crohan asked how this will affect the residents of the County.

Mr. McMillan stated the biggest difference is that the inspectors will have to be more actively involved to be sure the homes meet the new energy standards, such as inspecting the insulation.

Chairman Lackey stated ninety (90) percent of the homes are currently complying with this new law.

Mr. McMillan stated he agreed with that assessment.

Chairman Lackey opened the public hearing.

There being no comments, Chairman Lackey closed the public hearing.

Chairman Lackey asked for any comments by Commissioners.

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

#### **NON-RESIDENTIAL SITE PLANS:**

#### **ITEM 23**

#### **SITE PLAN REVIEW FOR CAMP HOLLOWDAY (RURAL RETREAT, EXTENSIVE), ON 184.02 ACRES LOCATED AT 5375 BIG EAST FORK ROAD IN THE 1<sup>ST</sup> VOTING DISTRICT (5-2009-049)**

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

1. Camp attendance shall be limited to 80 people, including camp staff, as specified by the Department of Sewage Disposal Management (Attachment 23-6);
2. The issuance of a camp permit by the Tennessee Department of Health; and
3. Completion of an Affidavit of Compliance to ensure continued adherence to Section 4400 (BB) of the Williamson County Zoning Ordinance, the approved Site Plan (Attachment 23-1), the applicant's Letter of Intent (Attachment 23-2), and that the property is subject to periodic inspection to ensure compliance with the terms of approval.

Chairman Lackey asked for any comments.

Mr. Richard House, representing the applicant, was in attendance for any questions.

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

**FINAL PLATS:**

**ITEM 24**

**FINAL PLAT REVIEW FOR CHARDONNAY, SECTION 2 (REVISED),  
CONTAINING 44 LOTS ON 29.51 ACRES LOCATED OFF CLOVERCROFT  
ROAD IN THE 4<sup>TH</sup> VOTING DISTRICT (1-2010-402)**

Mr. Sweet reviewed the background (see Staff report) recommending approval subject to obtaining the signatures of all property owners within this section. Mr. Sweet stated according to the Subdivision Regulations, because no bonding is required the applicant has thirty (30) days to obtain all signatures of owners in this Section and have the plat recorded, or the following approval will expire.

Mr. Matteson stated the Commission has a letter from adjacent property owners John and Laurian Scott, stating their concerns. He noted that this request simply involves the shifting of lot lines in an area of open space and it still meets the requirements of the Zoning Ordinance with respect to the retention of existing tree canopy.

Chairman Lackey asked for any comments.

Commissioner Baldree asked for clarification that all owners in this Section will have to sign the plat and that the applicant has thirty (30) days to get this recorded.

Mr. Matteson stated that was correct.

Commissioner Baldree stated the letter reads as if the applicant is cutting more trees than was first anticipated.

Mr. Matteson stated that is the concern expressed by the adjacent property owners, but this request does not affect the required fifty (50) foot landscape strip and the bufferyard will have to meet the requirements set forth in the Zoning Ordinance. Additionally, a certain percentage of existing tree canopy will have to be retained within the overall development. While there may be a subtle difference with the amount of trees removed, these requirements are still being met.

Chairman Lackey stated the shifting of the open space does not change the total amount of open space.

Commissioner Givens asked how much notice the neighbors were given that this shift was taking place.

Mr. Matteson stated that if the owners in this Section do not sign the plat, it cannot be recorded. He also stated trees may be removed from a platted lot, but trees in open space cannot be removed. The requirement is that a certain percentage of trees on an overall development site be set aside as open space and be preserved. This proposal meets this requirement.

Mr. Nicky Wells, with Turnberry Homes, the owner and sole builder of this development, stated when the infrastructure was installed, they discovered they missed the areas that had the most trees. He stated they also have open space in flatter areas where the lot adjacent to the open space contains steep slopes. With heavily sloped lots, there will be more land disturbed. If the lot is flatter, there is less land disturbed. By making these shifts, the number of trees that will have to be cut is decreased. A letter was sent out a couple of weeks ago to the owners in this Section informing them of what was proposed and when the plat would be available to sign. Eleven (11) owners have signed the plat, one (1) owner has their lot for sale and the applicant has been unable to speak to them, one (1) owner has verbally committed to signing the plat, and another owner,

who has not signed the plat, met with him earlier in the day and has asked to walk the property with the applicant on Monday, May 17, 2010.

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

#### **ITEM 25**

#### **FINAL PLAT REVIEW FOR LAURELBROOKE, SECTION 11-A (REVISED), CONTAINING 13 LOTS ON 22.62 ACRES LOCATED OFF SNEED ROAD IN THE 8<sup>TH</sup> VOTING DISTRICT (1-2010-401)**

Mr. Hayes reviewed the background (see Staff report) recommending approval subject to obtaining the signatures of all property owners within this section. Mr. Hayes stated according to the Subdivision Regulations the applicant has thirty (30) days from approval to obtain all signatures of owners in this section and have the plat recorded or the approval will expire.

Chairman Lackey asked for any comments.

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

#### **ITEM 26**

#### **FINAL PLAT REVIEW FOR SOUTHALL HEIGHTS, LARGE LOT EASEMENT SUBDIVISION (REVISED), CONTAINING 4 LOTS ON 31.92 ACRES LOCATED OFF SOUTHALL ROAD IN THE 2<sup>ND</sup> VOTING DISTRICT (1-2010-403)**

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

1. The approval of individual septic systems for each lot by the Department of Sewage Disposal Management; and
2. The issuance of a Land Disturbance Permit.

Mr. Hayes noted there was a minor change to one of the septic areas, but the minor change has been reviewed and approved by the Department of Sewage Disposal Management, and this request has been approved the Department of Sewage Disposal Management.

Chairman Lackey asked for any comments.

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

#### **OTHER:**

#### **ITEM 27**

#### **ESTABLISHMENT OF LANDSCAPING BOND AMOUNT FOR CHRIST PRESBYTERIAN ACADEMY**

Mr. Holmes reviewed the background (see Staff report) recommending the establishment of a Performance Bond for landscaping in the amount of \$21,050.

Chairman Lackey asked for any comments.

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

**UPDATE ON LAUREL COVE DEVELOPMENT**

Ms. Earwood stated that the Laurel Cove development has been in foreclosure and has been purchased by new owners. The Letters of Credit that support the bond agreements for the public improvements, as well as the golf course and the wastewater facility and collection system, five (5) different bonds, are set to expire on Tuesday, May 18, 2010. The Subdivision Regulations require that if the Letters of Credit are not extended before the expiration date or replaced, then they will have to be called. The original Letters of Credit were posted by the former owners. The new owners have chosen not to file replacement Letters of Credit and the old owners have not authorized the bank to extend the expiration date. As a result, the County has had to file Draw Letters in accordance with the Subdivision Regulations. The new owners have also filed a lawsuit against the old owners related to the funds, or what may or may not be left of the funds, after the County acquires its Letters of Credit portion for those public improvements. Ms. Earwood asked that Commissioner please direct any inquires about the Laurel Cove development they may receive to Mike Matteson. She also stated it is likely the County will be brought into the pending lawsuit that was filed because the bank that held the funds was a part of this litigation. Once the funds are transferred to the County through our Performance Bond Agreement, the County will likely be brought into the lawsuit. If this is the case, she will keep the Commission informed, and it is likely that next month, there will be a closed session in order to give more detail about the status. The five (5) bonds that are being called total approximately \$4.9 million dollars.

- - - - -

There being no further business, the meeting was adjourned at approximately 7:55 p.m.

**APPROVED BY A MAJORITY VOTE BY THE WILLIAMSON COUNTY  
REGIONAL PLANNING COMMISSION ON JUNE 10, 2010**

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