

**MINUTES OF THE
WILLIAMSON COUNTY REGIONAL PLANNING COMMISSION
MEETING OF AUGUST 11, 2011**

MEMBERS PRESENT

Robin Baldree
John Cain
Don Crohan
Holli Givens
John Lackey
Pete Mosley
Tom Murdic
Paul Pratt, Jr.
Brian Sanders
Jack Walton

STAFF PRESENT

Joe Horne, Community Development Director
Mike Matteson, Planning Director
Aaron Holmes, Planning Coordinator
Lincoln Sweet, Planner
Floyd Heflin, County Engineer
William Andrews, Assistant to County Engineer
Kristi Ransom, Attorney
Sheila Myers, Administrative Assistant
Lania Escobar, Secretary

The Williamson County Regional Planning Commission met in regular session Thursday, August 11, 2011 at 7:00 p.m. in the Auditorium of the Williamson County Administrative Complex. Commissioners Fisher and Lane were unable to attend.

Chairman Lackey called the meeting to order.

Mr. Horne made the following announcements:

1. A meeting will be held Wednesday, August 24, 2011 at 6:00 p.m. to present the preliminary findings of the update to the Williamson County Major Thoroughfare Plan in the Williamson County Auditorium.
2. There will be three (3) Public Meetings held to present to the public Module 3 of the update to the Williamson County Zoning Ordinance. The meetings will be held at 6:30 p.m. on Thursday, August 25th in the Cafeteria of Grassland Middle School; Monday, August 29th in the Cafeteria of Page Middle School; and Tuesday, August 30th at the Burwood Community Center.
3. The final Leiper's Fork Special Area Plan public meeting will be held on Thursday, August 18, 2011 at 6:30 p.m. in the Hillsboro Elementary Middle School cafeteria.
4. There is a correction to the April, 2011 Planning Commission Minutes.

CONSIDERATION OF MINUTES:

Chairman Lackey asked for a motion to consider the corrected minutes of the April 14, 2011 Planning Commission meeting.

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

Chairman Lackey asked for a motion to consider the minutes of the July 14, 2011 Planning Commission meeting.

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

CONSENT AGENDA:

BONDS:

1. **Belle Chase, Section 1 – Not on Consent.**

2. **Belle Chase, Section 2** – Maintenance Bond for Roads, Drainage and Erosion Control - \$66,000.
Recommendation: Extend in the current amount for a period of six (6) months.
3. **Brienz Valley Addition, Section 1 – Not on Consent.**
4. **Durham Manor** - Maintenance Bond for Roads, Drainage and Erosion Control - \$210,000.
Recommendation: Extend in the current amount for a period of six (6) months with a review in three (3) months.
5. **King's Chapel, Section 2A** – Maintenance Bond for Sewer Collection System - \$11,500.
Recommendation: Extend in the current amount for a period of one (1) year.
6. **Silver Stream Farm, Section 3** - Maintenance Bond for Roads, Drainage and Erosion Control - \$150,000.
Recommendation: Extend in the current amount for a period of six (6) months with a review in three (3) months.
7. **Silver Stream Farm, Section 8** - Performance Bond for Roads, Drainage and Erosion Control - \$150,000.
Recommendation: Extend in the current amount for a period of six (6) months.

FINAL PLAT

13. **Final Plat Review for Chardonnay, Section 3, containing 19 lots on 18.39 acres located off Clovercroft Road in the 4th Voting District (1-2011-404).**

This Final Plat is consistent in layout with the approved Preliminary Plat. It should be noted that one (1) additional lot has been added to this Section and one (1) will be subtracted from the future Section 4. The plat is in order, and Staff recommends approval with the following stipulations:

1. The posting of a Performance Bond in the amount of \$331,000 for roads, drainage, and erosion control;
2. The posting of a Maintenance Bond in the amount of \$8,500 for water improvements, as specified by Milcrofton Utility District;
3. The posting of a Performance Bond in the amount of \$51,600 for the wastewater collection system;
4. Execution of a Stormwater Maintenance Agreement and submission of an Operation and Maintenance Plan for stormwater improvements; and
5. That the applicant provides two 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.

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

ITEM 1

**BELLE CHASE, SECTION 1, MAINTENANCE BOND FOR ROADS,
DRAINAGE AND EROSION CONTROL.**

Mr. Andrews reviewed the background (see Staff report) recommending that the developer be allowed to place the asphalt surface mix, and that the bond be extended in the current amount of \$100,000 for a period of six (6) months.

Chairman Lackey asked for any comments.

Commissioner Walton stated he is becoming uncomfortable with allowing developers to place the asphalt surface mix before the 80% build-out.

Chairman Lackey about about the logic behind doing this.

Mr. Andrews stated this is a well-established neighborhood and the binder has been in place for approximately six (6) years.

Mr. Horne stated that once the binder has been down this long, it tends to deteriorate and then you must decide if you want to place the asphalt surface mix or allow this deterioration to continue.

Mr. Heflin stated the wording in the Subdivision Regulations reads 80% or the end of the bonding period. Some of the Subdivision that have been bonded longer than four (4) years have met the Performance and Maintenance bonding requirements, and, if the binder is starting to deteriorate, then the surface mix needs to be placed to get the roads in good shape.

Commissioner Walton asked when the roads would be turned over to the County.

Mr. Heflin stated after the road is paved and the six (6) month period has passed, Staff would look at the road and if it is in good condition they would request the Highway Superintendent look at it. Then Staff would look at releasing the bond.

Commissioner Walton stated he was concerned with paving the roads and them being destroyed by construction traffic and then the County has to pay to have them fixed.

Mr. Heflin stated if the Highway Superintendent is not comfortable taking the road over, then the bond would not be released.

Commissioner Crohan asked if the bond could be maintained until the development reaches 80% build-out.

Mr. Heflin stated that if the Highway Department is not comfortable taking over the road, then the bond could be held until it reaches the 80% build-out.

Commissioner Murdic asked how many lots would constitute build-out.

Mr. Andrews stated there are approximately six (6) lots left on which to build.

Commissioner Pratt asked if the bond amount would remain the same even if the developer places the topcoat.

Mr. Andrews stated that it would be the same because the regulations state the bond amount must remain at or about 30% of the original cost for construction of the infrastructure of the development.

Commissioner Pratt then asked what incentive the developer has to place the topcoat if his bond remains the same.

Mr. Heflin stated it is usually the developer requesting to place the topcoat, and the incentive is that he is that much closer to getting the bond released. It will not be reduced but it could be released if the Highway Department takes the road over.

Chairman Lackey asked if the developer is required to fix the binder before the surface mix is placed.

Mr. Andrews stated they are required to have a Geotechnical Engineer inspect the surface of the street and give recommendations for repairs and these would have to be completed.

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

ITEM 3

ADDITION TO BRIENZ VALLEY, SECTION 1, PERFORMANCE BOND FOR WATER

Mr. Horne stated the applicant is requesting a deferral to the September meeting.

Chairman Lackey asked for any comments.

There being no comments, Commissioner Mosley made a motion to accept Staff's recommendation to defer this Item to the September 8, 2011 meeting. Commissioner Cain seconded the motion, which passed by unanimous vote.

PUBLIC HEARINGS:

ITEM 8

SITE PLAN AND CONDITIONAL USE REVIEW FOR ALEA PROPERTIES, LLC (MIXED COMMERCIAL) ON 24.27 ACRES LOCATED AT 8430 HORTON HIGHWAY IN THE 5TH VOTING DISTRICT (5-2011-019)

Mr. Matteson reviewed the background (see Staff Report) recommending approval of this request.

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 from Commission members.

Commissioner Mosley asked if this was the Metalico Plant and should this be checked for lead.

Mr. Heflin stated that the contaminated material had been placed in an on-site capped landfill and is monitored through the State Remediation Program.

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

ITEM 9

SITE PLAN AND CONDITIONAL USE REVIEW FOR BONNIE'S BARNYARD (HEAVY RETAIL), ON 8.62 ACRES LOCATED AT 8415 HORTON HIGHWAY IN THE 3RD VOTING DISTRICT (5-2011-023)

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

1. A driveway permit must be issued by the Tennessee Department of Transportation (TDOT) prior to issuance of a building permit;
2. The issuance of a Land Disturbance Permit;
3. All signage must be approved per Ordinance requirements;
4. Execution of a Storm Water Maintenance Agreement and submission of an Operation and Maintenance Plan for storm water improvements; and
5. Posting of a Landscaping Bond in the amount of \$47,144.

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 from Commission members.

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

ITEM 10

SITE PLAN AND CONDITIONAL USE REVIEW FOR TRADERS POST (HEAVY RETAIL), ON 4.85 ACRES LOCATED AT 8327 HORTON HIGHWAY IN THE 3RD VOTING DISTRICT (5-2011-024)

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

1. Completion of an Affidavit of Compliance to ensure continued adherence to Division 4520(W) of the Williamson County Zoning Ordinance, the applicant's Letter of Intent, and the approved Site Plan;
2. The Tennessee Department of Transportation (TDOT) must approve all changes to the ingress and egress to the site as well as any improvements within the State right-of-way;
3. Prior to the issuance of an approved Zoning Certificate and the operation of the flea market use, all ingress and egress improvements shall be constructed in accordance with the approved Site Plan;
4. All signage be approved per Ordinance requirements; and
5. Posting of a Landscaping Bond in the amount of \$3,750.

Chairman Lackey opened the public hearing.

Mr. David Harwell, 6602 Hyde Road, the applicant, stated he would appreciate the Planning Commission approving this request and he was available for any questions.

There being no one else wishing to speak, Chairman Lackey closed the public hearing.

Chairman Lackey asked for any comments from Commission members.

Commissioner Mosley stated he has spoken to someone concerned with the parking for this use and asked if there is adequate parking and landscaping for this use.

Mr. Holmes stated the parking requirements have been met as well as the landscape buffering requirement. The parking is established based upon the square footage of the proposed use, which the Zoning Ordinance specifies for this type of use.

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

PRELIMINARY SKETCH PLANS:

ITEM 11

PRELIMINARY SKETCH PLAN REVIEW FOR TEMPLE HILLS LOCATED ON TEMPLE ROAD IN THE 8TH VOTING DISTRICT (1-2011-100)

Mr. Horne reviewed the background (see Staff Report) recommending approval of this request 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 Commission members.

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

PRELIMINARY PLATS:

ITEM 12

PRELIMINARY PLAT REVIEW FOR LAUREL COVE, PHASE 2, CONTAINING 95 LOTS ON 77.216 ACRES LOCATED OFF EUDAILEY-COVINGTON ROAD IN THE 3RD VOTING DISTRICT (1-2011-304)

Mr. Matteson stated the applicant is requesting a deferral to the October, 2011 meeting.

Chairman Lackey asked for any comments.

There being no comments, Commissioner Crohan made a motion to defer this Item to the October 13, 2011 meeting. Commissioner Murdic seconded the motion, which passed by unanimous vote.

FINAL PLATS:

ITEM 13

FINAL PLAT REVIEW FOR CHARDONNAY, SECTION 3, CONTAINING 19 LOTS ON 18.37 ACRES LOCATED OFF CLOVERCROFT ROAD IN THE 4TH VOTING DISTRICT (1-2011-404)

This item was on the Consent Agenda.

OTHER:

ITEM 14

ELECTION OF OFFICERS

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

Commissioner Walton made a motion to nominate Commissioner Lackey. Commissioner Crohan seconded the motion, which passed by unanimous voice vote.

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

Commissioner Murdic made a motion to nominate Commissioner Crohan. Commissioner Givens 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 Crohan made a motion to nominate Mr. Matteson. Commissioner Murdic seconded the motion, which passed by unanimous voice vote.

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

Commissioner Crohan made a motion to nominate Mr. Holmes. Commissioner Givens seconded the motion, which passed by unanimous voice vote.

CLOSED SESSION:

ITEM 15

SPRING HOLLOW DEVELOPMENT, LLC AND TOM MOON v. WILLIAMSON COUNTY ACTING BY AND THROUGH THE WILLIAMSON COUNTY REGIONAL PLANNING COMMISSION, WILLIAMSON COUNTY CHANCERY COURT NO. 39234

The session was closed for approximately ten (10) minutes.

The session was re-opened. No action was required by the Commission.

Chairman Lackey asked for a motion to adjourn.

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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 SEPTEMBER 8, 2011**

_____ CHAIRMAN JOHN LACKEY