

**MINUTES OF THE
WILLIAMSON COUNTY REGIONAL PLANNING COMMISSION
MEETING OF APRIL 9, 2009**

MEMBERS PRESENT

John Cain
Don Crohan
Holli Givens
John Lackey
Pete Mosley
Tom Murdic
Paul Pratt
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
Lincoln Sweet, Planner
Kristi Earwood, Attorney
Sheila Myers, Planning Assistant
Lori John, Secretary

The Williamson County Regional Planning Commission met in regular session Thursday, April 9, 2009, at 7:00 p.m., in the Auditorium of the Williamson County Administrative Complex. Commissioners Baldree, Fisher and Lane were unable to attend.

Chairman Lackey called the meeting to order.

Mr. Horne made the following announcements:

1. The second module of the Zoning Ordinance Update is currently under review by Staff;
2. Item 30 has been withdrawn by the applicant.

CONSIDERATION OF MINUTES:

Chairman Lackey asked for a motion to consider the minutes of the March 12, 2009 Planning Commission meeting.

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

CONSENT AGENDA:

BONDS:

1. **Abington Ridge, Section 3A** – Performance Bond for Landscaping - \$42,050.
Recommendation: Convert to Maintenance in the amount of \$12,600 and extend for a period of six (6) months.
2. **Addition to Legends Ridge, Section 1** – Maintenance Bond for Roads, Drainage and Erosion Control - \$40,000.
Recommendation: Extend in the current amount for a period of six (6) months.
3. **Addition to Legends Ridge, Section 2** – Maintenance Bond for Roads, Drainage and Erosion Control - \$38,000.
Recommendation: Extend in the current amount for a period of six (6) months.
4. **Addition to Legends Ridge, Section 2A, Lot 924** – Performance Bond for Roads, Drainage and Erosion Control - \$35,000.
Recommendation: Increase to an amount of \$45,000, due to the cost increase of drainage pipe installation and extend for a period of one (1) year.

5. **Addition to Legends Ridge, Section 3** – Maintenance Bond for Roads, Drainage and Erosion Control - \$8,000.
Recommendation: Extend in the current amount for a period of six (6) months.
6. **Arrington Vineyards** – Maintenance Bond for Landscaping - \$8,000
Recommendation: Release the Bond.
7. **Belle Vista, Section 1** – Maintenance Bond for Roads, Drainage and Erosion Control - \$135,000.
Recommendation: Extend in the current amount for a period of six (6) months.
8. **Berry's Chapel Church of Christ** – Maintenance Bond for Landscaping - \$4,500.
Recommendation: Release the Bond.
9. **Black Hawk, Section 1** – Maintenance Bond for Roads, Drainage and Erosion Control \$70,000.
Recommendation: Extend in the current amount for a period of six (6) months.
10. **Breiz Valley, Section 2** - Maintenance Bond for Roads, Drainage and Erosion Control - \$45,000.
Recommendation: Extend in the current amount for a period of six (6) months.
11. **Cascade Estates** – Performance Bond for Landscaping - \$117,950.
Recommendation: Convert to Maintenance in the amount of \$35,400 and extend for a period of six (6) months.
12. **Cascade Estates** – Performance Bond for Roads, Drainage and Erosion Control - \$215,000.
Recommendation: Extend in the current amount for a period of six (6) months.
13. **Cascade Estates** – Performance Bond for Water (HB & TS) - \$424,000.
Recommendation: Convert to Maintenance in the amount of \$63,600 until December 16, 2009.
14. **Cayce Springs Estates, Section 1** – Maintenance Bond for Roads, Drainage and Erosion Control - \$45,000.
Recommendation: Extend in the current amount for a period of six (6) months.
15. **Cherry Valley** – Maintenance Bond for Roads, Drainage and Erosion Control - \$12,000.
Recommendation: Extend in the current amount for a period of six (6) months.
16. **Deer Run Retreat** – Performance Bond for Wastewater Treatment & Disposal System - \$83,500.
Recommendation: Convert to Maintenance in the current amount of \$83,500 and extend for a period of one (1) year.
17. **Deer Run Retreat** – Performance Bond for Wastewater Collection System - \$141,000.
Recommendation: Convert to Maintenance in the amount of \$42,300 for a period of two (2) years, with a review to occur in one (1) year.

18. **Laurel Cove, Section 1** – Performance Bond for Roads, Drainage and Erosion Control - \$150,000.
Recommendation: Extend in the current amount for a period of one (1) year.
19. **Laurel Cove, Section 1** – Performance Bond for Wastewater Collection System - \$186,250.
Recommendation: Extend in the current amount for a period of one (1) year.
20. **Laurel Cove, Section 1** – Performance Bond for Wastewater Treatment & Disposal System - \$495,250.
Recommendation: Convert to Maintenance in the current amount of \$495,250 and extend for a period of one (1) year.
21. **Laurel Cove, Section 1** – Performance Bond for Landscaping - \$407,500.
Recommendation: Extend in the current amount for a period of one (1) year.
22. **Laurel Cove, Section 1** – Performance Bond for Golf Course Improvements - \$3,742,445.
Recommendation: Extend in the current amount for a period of one (1) year.
23. **Legends Ridge, Section 8** – Maintenance Bond for Roads, Drainage and Erosion Control - \$35,000.
Recommendation: The developer be allowed to place the asphalt surface mix and extend in the current amount for a period of six (6) months.
24. **Locust Ridge Primitive Baptist Church** – Performance Bond for Landscaping \$46,200.
Recommendation: Extend in the current amount for a period of one (1) year.
25. **Silver Stream Farm, Section 1-A** – Maintenance Bond for Landscaping \$9,700.
Recommendation: Release the Bond.
26. **Silver Stream Farm, Section 1-B** – Performance Bond for Landscaping \$67,000.
Recommendation: Credit be given for the landscaping installed and reduce to the amount of \$35,000 and extend for a period of six (6) months.
27. **Spring Meadows Church of Christ** – Performance Bond for Landscaping -\$155,350.
Recommendation: Convert to Maintenance in the amount of \$46,600 and extend for a period of six (6) months.
28. **St. Ignatius Orthodox Church** – Maintenance Bond for Landscaping - \$2,000.
Recommendation: Release the Bond.

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

PUBLIC HEARINGS:

ITEM 29

**SITE PLAN & CONDITIONAL USE REVIEW FOR BIERLY STABLES,
(COMMERCIAL), ON 42.31 ACRES LOCATED AT 7305 BAHNE ROAD IN
THE 1ST VOTING DISTRICT (5-2009-004).**

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

1. Completion of an Affidavit of Compliance to ensure continued adherence to Division 4400 (V) of the Williamson County Zoning Ordinance, the applicant's Letter of Intent (Attachment 29-3), and the approved Site Plan (Attachment 29-1).

Chairman Lackey opened the public hearing.

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

Chairman Lackey inquired as to what the regulations say about having a bathroom facility at a business such as this.

Mr. Horne stated the regulations do not address this issue.

Commissioner Crohan stated he believed the applicant should have a bathroom as well. He also wanted to know if sight distance had been considered due to the fact that large trailers would be entering and exiting this site.

Mr. Norford Bierly, the applicant, stated if people needed to use the restroom, they would be allowed to use his house or the horse stalls in the stables. He also stated he made the entrance to his driveway extra wide for trailers to be able to turn around.

Commissioner Pratt asked about the sight distance for existing vehicles.

Mr. Bierly stated the sight distance is approximately 60 yards to the right and 50 yards to the left.

Commissioner Crohan asked what type of drainage he would have for the bathing facilities for the animals.

Mr. Bierly stated the drainage would not be able to reach the creek.

Commissioner Mosley stated he also believed that a commercial stable should have a bathroom facility.

Commissioner Walton stated he also felt a bathroom was needed and that the sight distance needs to be reviewed.

Mr. Heflin stated Staff would ask the Highway Department to check the sight distance for the existing driveway.

Chairman Lackey asked the applicant if he would like to defer this item until next month's meeting.

Mr. Bierly stated he would.

There being no other comments, Commissioner Walton made a motion to defer this item to the May 14, 2009 meeting. Commissioner Crohan seconded the motion, which passed by unanimous vote.

ITEM 30

SITE PLAN & CONDITIONAL USE REVIEW FOR BUCKLEY U-HAUL RENTAL, (MIXED COMMERCIAL CENTER), ON 1.12 ACRES LOCATED AT 5121 MURFREESBORO ROAD IN THE 5TH VOTING DISTRICT (5-2009-005).

This item was withdrawn.

ITEM 31

SITE PLAN AND CONDITIONAL USE REVIEW FOR MID AMERICA DISTRIBUTORS FOR A TEMPORARY FIREWORKS STAND ON 2.60 ACRES LOCATED AT 7960 NOLENSVILLE ROAD IN THE 5TH VOTING DISTRICT. (5- 2007 - 007)

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

1. That the time periods for this approval be limited to twenty-three (23) days annually; specifically from June 20 to July 5 and December 26 to January 1;
2. All lighting shall meet the Williamson County Zoning Ordinance requirements;
3. This approval shall be 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. The applicant shall provide proof of insurance in the amount of \$1,000,000 for each occurrence for bodily injury liability and property damage liability prior to the first day of each period of operation, indicating Williamson County as an additional insured;
5. The applicant shall provide a copy of lease agreements covering the requested winter operation periods;
6. The applicant shall hire a law enforcement officer for traffic control purposes on July 4 and 5 in 2009 and on July 3 and 4 in 2010; and
7. The applicant shall obtain an approved Zoning Certificate prior to the approved operating dates. The Zoning Certificate shall not be issued until proof of insurance is provided and any signs are approved by the Codes Compliance Department.

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 Mosley asked about past traffic conditions when the fireworks stand and the Flea Market were open at the same time.

Mr. Loyd stated this location has been approved by the Planning Commission for the past nine (9) years and in that time he does not recall any problems when July 4th fell on a weekend and the Flea Market was operating.

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

ITEM 32

SITE PLAN & CONDITIONAL USE REVIEW FOR MID AMERICA DISTRIBUTORS, TEMPORARY FIREWORKS STAND, ON 16.10 ACRES LOCATED AT 2177 HILLSBORO ROAD IN THE 9TH VOTING DISTRICT (5-2009-008).

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

1. The time period for this conditional use shall be limited to twenty-three (23) days annually; specifically from June 20 to July 5 and December 20 to January 1;
2. All lighting shall meet the Williamson County Zoning Ordinance requirements;
3. This approval shall be 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 for each occurrence for bodily injury liability and property damage liability prior to the first day of period of operation, indicating Williamson County as an additional insured;
5. The applicant shall provide a copy of lease agreement(s), or letter(s) giving permission to use the property, covering the requested winter operation periods; and
6. The applicant shall obtain an approved Zoning Certificate prior to the approved operating dates. The Zoning Certificate shall not be issued until proof of insurance is provided and any signs are approved by the Codes Compliance Department.

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

NON-RESIDENTIAL SITE PLANS:

ITEM 33

SITE PLAN REVIEW FOR FERVALE COMMUNITY CHURCH, ON 5.02 ACRES LOCATED AT 7891 FERVALE ROAD IN THE 1ST VOTING DISTRICT (5-2009-009).

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

1. After completion of the building, execution of an Affidavit of Compliance by a licensed engineer certifying that construction has occurred per the approved plan;
2. Posting of a landscaping bond in the amount of \$39,600;

3. Execution of a Stormwater Maintenance Agreement and submission of an Operation and Maintenance Plan for stormwater improvements; and
4. No building permits will be issued until a recorded deed or other instrument demonstrating the consolidation of the three (3) tracts into one (1) has been presented.

Chairman Lackey asked for any comments.

Mr. Jamie Gillespie, James and Associates, representing the applicant, was in attendance for any questions.

Commissioner Walton asked if the septic system was being moved closer to the South Harpeth River.

Mr. Gillespie stated that it was.

Commissioner Crohan asked why the church was replacing the septic system.

Mr. Gillespie stated that this church is going to be larger than the one destroyed by the tornado, and therefore would require a new and larger system.

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 34

SITE PLAN REVIEW FOR EQUESTRIAN CLUB AT SADDLE SPRINGS, (REVISED), ON 46.69 ACRES LOCATED AT 100 SADDLE SPRINGS BLVD. IN THE 3RD VOTING DISTRICT (5-2009-010).

Mr. Matteson reviewed the background (see Staff report) recommending approval with the stipulation that a Performance Bond for landscaping improvements be posted in the amount of \$7,950.

Chairman Lackey asked for any comments.

Commissioner Givens stated for the record that the law firm she works for has worked on the Saddle Springs Development but there is no conflict of interest.

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.

RESIDENTIAL SITE PLANS:

ITEM 35

SITE PLAN REVIEW FOR MYSTIC RIDGE, PRCD, (REVISED), CONTAINING 482 LOTS ON 736.35 ACRES LOCATED OFF COX ROAD IN THE 3RD VOTING DISTRICT (1-2009-200).

Mr. Matteson stated the applicant's representatives have requested to defer consideration of this item until the May 14, 2009 meeting.

Chairman Lackey asked for any comments.

There being no comments, Commissioner Walton made a motion to defer this item to the May 14, 2009 meeting. Commissioner Mosley seconded the motion, which passed by unanimous vote.

FINAL PLATS:

ITEM 36

FINAL PLAT REVIEW FOR MEADOWWOOD FARMS, LARGE LOT EASEMENT SUBDIVISION, CONTAINING 5 LOTS ON 136.50 ACRES LOCATED OFF BARKER ROAD IN THE 2ND VOTING DISTRICT (2-2009-006)

Mr. Hayes stated the applicant's representatives have requested to defer consideration of this item until the May 14, 2009 meeting.

Chairman Lackey asked for any comments.

There being no comments, Commissioner Murdic made a motion to defer this item to the May 14, 2009 meeting. Commissioner Walton seconded the motion, which passed by unanimous vote.

OTHER BUSINESS:

Mr. Horne stated that on the Planning Commission Schedule of Meetings for 2009, an error was made on the submittal deadline for the May meeting. It should be April 22nd instead of April 15th and the meeting day should be May 14th instead of May 7th. The Planning Commission must vote to approve these corrections.

Chairman Lackey asked for any comments.

There being no comments, Commissioner Murdic made a motion to approve the corrected schedule as presented. Commissioner Walton seconded the motion, which passed by unanimous voice vote.

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There being no further business, the meeting was adjourned at approximately 7:45 p.m.

APPROVED BY A MAJORITY VOTE BY THE WILLIAMSON COUNTY REGIONAL PLANNING COMMISSION ON May 14, 2009

_____ CHAIRMAN JOHN LACKEY