

**MINUTES OF THE
WILLIAMSON COUNTY REGIONAL PLANNING COMMISSION
MEETING OF OCTOBER 14, 2010**

MEMBERS PRESENT

Robin Baldree
Don Crohan
Susan Fisher
Holli Givens
John Lackey
Brian Sanders
Jack Walton

STAFF PRESENT

Joe Horne, Community Development Director
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
Lania Escobar, Secretary

The Williamson County Regional Planning Commission met in regular session Thursday, October 14, 2010, at 7:00 p.m. in the Auditorium of the Williamson County Administrative Complex. Commissioners Cain, Lane, Mosley, Murdic, and Pratt were unable to attend.

Chairman Lackey called the meeting to order.

Mr. Horne made the following announcements:

1. The date for the November Planning Commission meeting has been changed to Wednesday, November 10th due to the Veteran's Day holiday. Also, the submittal deadline for the November meeting has been changed to Tuesday, October 19, 2010.
2. Work on the Leiper's Fork Small Area Study has begun.
3. Staff is working on dates for additional Public Input meetings for Modules I and II of the Zoning Ordinance, possibly in late November.
4. Items 16, 22 and 23 have been withdrawn.

CONSIDERATION OF MINUTES:

Chairman Lackey asked for a motion to consider the minutes of the September 9, 2010 Planning Commission meeting.

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

CONSENT AGENDA:

BONDS:

1. **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.
2. **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.
3. **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 with a review in two (2) months, requiring that deficiencies at the detention area be corrected or the bond could be called.

4. **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 with a review in three (3) months, requiring that all deficiencies be corrected or the bond could be called.
5. **Cayce Springs Estates** – Maintenance Bond for Roads, Drainage and Erosion Control - \$45,000.
Recommendation: Extend in the current amount for a period of six (6) months.
6. **Chardonnay, Section 2** – Maintenance Bond for Wastewater Collection System - \$35,850.
Recommendation: Extend in the current amount for a period of one (1) year.
7. **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.
8. **Fernvale Community Church** – Maintenance Bond for Landscaping - \$4,500.
Recommendation: Release the Bond.
9. **King's Chapel Amenity Center** – Performance Bond for Landscaping - \$7,850.
Recommendation: Extend in the current amount for a period of six (6) months and require completion of this project or the bond could be called.
10. **King's Chapel, Section 2B** – Performance Bond for Roads, Drainage and Erosion Control - \$75,000.
Recommendation: Extend in the current amount for a period of six (6) months.
11. **King's Chapel, Section 2C** – Maintenance Bond for Wastewater Collection System - \$8,213.
Recommendation: Extend in the current amount for a period of one (1) year.
12. **Saddle Springs Equestrian Center** – Performance Bond for Landscaping - \$7,950.
Recommendation: Convert to Maintenance in the amount of \$2,300 for a period of six (6) months.
13. **Saddle Springs Estates, Phase 2A, Section 5** – Affidavit of Compliance for Landscaping - \$1,650.
Recommendation: Signing and returning of a new Affidavit of Compliance stating the applicant agrees to have this project completed before the next review period of June 2011.
14. **Saddle Springs Estates, Phase 2A, Section 7** – Maintenance Bond for Landscaping - \$21,700.
Recommendation: Release the bond.
15. **Stag's Leap, Section 1** – Maintenance Bond for Roads, Drainage and Erosion Control - \$185,000.
Recommendation: Extend in the current amount for a period of six (6) months.

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

PUBLIC HEARINGS:

ITEM 16

AMENDMENT TO THE SUBDIVISION REGULATIONS REGARDING SIGNATURE BLOCK FOR ELECTRIC PROVIDERS (6-2010-004)

This item was withdrawn.

ITEM 17

SITE PLAN AND CONDITIONAL USE REVIEW FOR BONNIE'S BARNYARD (HEAVY RETAIL), ON 8.62 ACRES LOCATED AT 8411 HORTON HWY IN THE 3RD VOTING DISTRICT (5-2010-029)

Mr. Hayes reviewed the background (see Staff report) recommending approval 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. A deed creating the 8.62 acre parcel as shown on the Site Plan (Attachment 17-1) must be recorded prior to issuance of a building permit;
3. The revision to the Site Plan reflecting the location of the required detention pond shall be submitted prior to the issuance of a Land Disturbance Permit;
4. The issuance of a Land Disturbance Permit;
5. All signage must be approved per Ordinance requirements;
6. Execution of a Storm Water Maintenance Agreement and submission of an Operation and Maintenance Plan for storm water improvements; and
7. Posting of a Landscaping Bond in the amount of \$47,144.

Chairman Lackey opened the public hearing.

There being no comments Chairman Lackey closed the public hearing.

Ms. Bonnie Ozburn, the applicant, was in attendance for any questions.

Chairman Lackey asked for any comments from Commission members.

Chairman Lackey asked the applicant if the proposed trailers were like the ones pulled behind tractor trailers and if so would they just be parked there for storage.

Ms. Ozburn stated that they were and confirmed that they would just be parked there for storage.

Commissioner Givens asked if the Planning Commission had ever approved an item without a deed already recorded and if this could be an issue.

Mr. Hayes stated that this property is currently subject to bankruptcy proceedings and the applicant is currently working through the process to finalize the purchase of the property.

Mr. Matteson added that one of the conditions of approval is that a deed creating the 8.62 acre parcel as shown on the Site Plan must be recorded prior to issuance of a building permit.

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

ITEM 18

SITE PLAN AND CONDITIONAL USE REVIEW FOR JANI'S TREASURES AND ANTIQUES (HEAVY RETAIL), ON .13 ACRES LOCATED AT 8729 HORTON HWY IN THE 3RD VOTING DISTRICT (5-2010-031)

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

1. Completion of an Affidavit of Compliance to ensure continued adherence to the Williamson County Zoning Ordinance, the applicant's Letter of Intent (Attachment 18-2), the approved Site Plan (Attachment 18-1), and the approved floor plan (Attachment 18-3);
2. Any new signage or alteration of the existing signage must be approved per Ordinance requirements; and
3. In the event the Parking Lease Agreement is terminated by either party, the Williamson County Planning Department shall be notified, and the approval of this Conditional Use Permit will be nullified.

Chairman Lackey opened the public hearing.

There being no comments Chairman Lackey closed the public hearing.

Chairman Lackey asked for any comments from Commission members.

Commissioner Walton asked if twelve (12) parking spaces would be adequate for this use.

Mr. Holmes stated the twelve (12) parking spaces are mandated by the Zoning Ordinance for this type of use. He also stated there is additional parking along the street.

Commissioner Crohan stated he was concerned about the parking along a public street.

Mr. Matteson stated that Williamson County owns property with additional parking adjacent to this location and that historically, parking has been utilized along the street.

Commissioner Fisher asked for confirmation that this building had a similar use prior to this request.

Mr. Hayes stated that it did.

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

ITEM 19

SITE PLAN AND CONDITIONAL USE REVIEW FOR LEIPER'S FORK INN (HOTEL), ON 2.79 ACRES LOCATED AT 4254 OLD HILLSBORO ROAD IN THE 2ND VOTING DISTRICT (5-2010-032)

Mr. Sweet reviewed the background (see Staff report) recommending approval with the condition that the applicant complete an Affidavit of Compliance to ensure continued adherence to the Williamson County Zoning Ordinance, the applicant's Letter of Intent (Attachment 19-2), and the approved Site Plan (Attachment 19-1).

Mr. Sweet also noted that the Department of Sewage Disposal Management has approved this request subject to the condition that the septic repair be completed within ten (10) days of their approval letter, dated October 13, 2010. Therefore Staff recommends the additional condition that the septic repair be completed prior to operation of this use.

Chairman Lackey opened the public hearing.

There being no comments Chairman Lackey closed the public hearing.

Chairman Lackey asked for any comments from Commission members.

There being no comments, Commissioner Givens made a motion to accept Staff's recommendation with the additional condition that the septic repair be completed prior to operation of the use. Commissioner Sanders seconded the motion, which passed by unanimous vote.

ITEM 20

SITE PLAN AND CONDITIONAL USE REVIEW FOR MATT MAHAFFEY HOME STUDIO (RECORDING STUDIO), ON 1.80 ACRES LOCATED AT 916 CHERRY GROVE ROAD IN THE 8TH VOTING DISTRICT (5-2010-030)

Mr. Hayes reviewed the background (see Staff report) recommending approval with the condition that the applicant complete an Affidavit of Compliance to ensure continued adherence to Section 4520 (X) of the Williamson County Zoning Ordinance, the approved Site Plan, the applicant's Letter of Intent (Attachment 20-3), and the use of only 1,100 square feet of the principal dwelling as illustrated on the Site Plan (Attachment 20-1) and Floor Plan (Attachment 20-2).

Chairman Lackey opened the public hearing.

There being no comments Chairman Lackey closed the public hearing.

Chairman Lackey asked for any comments from Commission members.

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 21

SITE PLAN AND CONDITIONAL USE REVIEW FOR SECURITY CENTRAL STORAGE (LIGHT INDUSTRIAL), ON 9.52 ACRES LOCATED ON CANNON DRIVE IN THE 8TH VOTING DISTRICT (5-2010-033)

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

1. Execution of an Affidavit of Compliance to ensure continued adherence to Section 4520 (Z) of the Williamson County Zoning Ordinance, and the approved Site Plan (Attachment 21-1);
2. All signage be approved per Ordinance requirements;

3. An ARAP permit must be obtained from the State of Tennessee for the stream crossing;
4. Execution of a Stormwater Maintenance Agreement and submission of an Operation and Maintenance Plan for stormwater improvements; and
5. The posting of a Landscaping Bond in the amount of \$10,350 for landscaping improvements.

Mr. Holmes recommended an additional condition that the entire facility shall be fenced and a revised site plan reflecting the fence shall be submitted for review.

Chairman Lackey opened the public hearing.

Mr. John Swauger, 222 Gen. N. B. Forrest Drive, stated he does not believe the building of a storage facility in Battlewood Estates is a good idea and will have an adverse effect on property values.

Mr. Pat Finch, 211 Gen. N. B. Forrest Drive, stated his property is adjacent to this proposed facility. He gave the Commission a petition signed by people in the community in opposition to this request. He also stated the definition of Suburban zoning in the Zoning Ordinance allows for moderate development and this use does not, in his opinion, fit this definition. He also believes this will have a negative effect on property values and the blasting will have a detrimental effect on the properties septic systems.

Ms. Kathy Hallock, 332 Jeb Stuart Drive, stated this proposed storage facility will be approximately one-hundred fifty (150) feet from her home, she does not want this in her backyard, and this proposal has no benefit for their community. She is also concerned about the wildlife in the area.

Mr. Lance Yelvington, 122 Featherstone Drive, stated he has concerns about the impact the blasting will have on his home. He is also concerned about flooding that could occur due to the concrete and asphalt that will have to be placed. He also stated he has concerns about the lighting.

Mr. Tom Mullins, 326 Jeb Stuart Drive, stated his property is also adjacent to this proposed facility. He does not want the blasting or the construction that will be going on in his backyard. He stated he is also concerned about what will be stored in the storage units. He stated if he was trying to sell his house, the person buying it would not be able to purchase homeowner's insurance because of the proximity to a commercial storage facility, and therefore, he would not be able to sell his home.

Ms. Clata Miller, 212 Gen. N. B. Forrest Drive, stated she is concerned about extensive blasting that could occur. She stated she has already experienced blasting damage from previous blasting that has gone on in this area and does not want any more damage to her home from blasting.

Mr. Adam Seigler, with Dale and Associates Civil Engineering, representing the applicant, stated they have provided a Site Plan and Landscaping Plans that are in accordance with all of Williamson County's standards and requirements. He stated they are providing more buffer area than is currently required in the Ordinance. He also stated they have had an independent professional Landscape Architect review the property and inventory the trees and he has stated it is a visually impenetrable barrier from thirty-five (35) to fifty (50) feet, and all of the vegetation in this buffer will be left as is, including additional planting to help reinforce it. He stated the stormwater runoff will be captured and routed through a water quality and quantity detention pond. Lighting will be low wattage and a Photometric Plan has been submitted. A traffic study was done on the property comparing a storage facility and other

commercial uses such as a church or office building, and they found a storage facility will have much less impact on traffic than other uses.

Mr. James Denton, 217 Gen. N. B. Forrest Drive, stated that the blasting from the shopping center that was built in the 1990's caused damage to his home and he is concerned about what impact the blasting for this proposal will have on his home. He asked what will happen to the dirt and rock that will be excavated from this location.

Ms. Dorris Allen, the applicant, stated she would like to address some of the concerns raised by the community. A study has been submitted stating the lighting will not affect the neighbors, a drainage plan has been submitted and they will control all water on site. She stated they currently own three (3) storage facilities in different areas of the state and they have never had a problem with any of them. This is a high-class gated, facility with a manager who will live on site and the site can only be accessed with a code and it records in the computer when the customer enters and leaves. There will only be ten (10) feet that will be excavated, which is approximately the same as a home being constructed, she does not believe there will be a problem with any blasting.

Mr. Abe Hallock, 332 Jeb Stuart Drive, stated he and his neighbors do not want this in their backyards whether it is an upscale facility or not.

Mr. Colin Parker, 325 Jeb Stuart Drive, stated he does not believe a one-hundred fifty (150) foot buffer is adequate, and he is not in favor of this proposal.

Mr. Paul Cardel, 309 Jeb Stuart Drive, stated the only thing worse than putting a storage facility on this site, would be putting a truck stop on it.

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

Chairman Lackey asked for any comments from Commission members.

Commissioner Walton asked what the hours of operation would be.

Ms. Allen stated the hours of operation are 8:00 a.m. until 10:00 p.m., at which time the gate would be locked.

Commissioner Walton then asked if the lighting would be in the interior areas.

Ms. Allen stated that it would.

Commissioner Walton asked if the buildings would have sprinklers.

Ms. Allen stated they would not.

Commissioner Walton asked if there would be any outdoor storage for items such as campers.

Ms. Allen stated there would be no outdoor storage.

Commissioner Walton asked where the fence would be located.

Mr. Craig Allen, the applicant stated the fence would be between the storage facilities and the landscaping buffer area.

Commissioner Walton stated he would like to request that the Highway Department take a look at placing a stop sign coming out of the Battlewood Shopping Center and Cannon Drive. He also asked if the Planning Commission could prohibit blasting, as this is a concern.

Ms. Earwood stated she would have to research this.

Mr. Allen stated the amount of dirt that will be moved is minimal, but he does not know if they would have to blast.

Commissioner Crohan asked if there are plans to expand this business at a later date.

Mr. Allen stated the maximum amount was submitted. There will be approximately five (5) acres that will not be disturbed.

Commissioner Crohan asked if flammable items would be allowed in these units.

Mr. Allen stated if someone had a camper stored in one of the units it is possible but their contracts state no hazardous materials are to be stored in the units.

Chairman Lackey asked what type of fencing was being proposed.

Mr. Allen stated it was security fencing and that he the property currently has an existing eight (8) foot stockade fence.

Commissioner Baldree asked if a survey was done for this facility and why are the applicants asking for such a large facility.

Mr. Allen stated the units are larger. A survey was done and a need has been shown due to the fact that a lot of the newer subdivisions are not allowed outside storage buildings nor the parking of boats or motor homes. Some of these units will be large enough to store those items.

Commissioner Walton stated he had an issue with the hours of operation. He believes 10:00 p.m. is too late to close.

Mr. Allen stated the office will close at 6:00 p.m., but the gate can still be accessed due to the fact that some people do not get off until later and may need to access their unit. The number of people would be minimal after 6:00 p.m. This is just a convenience for their customers.

Commissioner Walton stated he is considering a motion to approve with a condition that no blasting could occur.

Ms. Earwood stated that she would need to research the blasting issue.

Commissioner Givens stated she agreed with Commissioner Walton in that she has a concern with the blasting.

Commissioner Baldree also agreed with the concerns about blasting and the hours of operation.

Commissioner Fisher asked for clarification of Suburban zoning and whether this use is allowable in this district.

Mr. Horne stated Suburban zoning allows both non-residential and residential uses. He also stated this proposal is an allowable Conditional Use in the Suburban Zoning District.

Commissioner Walton stated he could not approve this proposal until the blasting questions are answered and the hours of operation are addressed.

There being no other comments, Commissioner Walton made a motion to defer this item to the November 10, 2010 meeting. Commissioner Crohan seconded the motion, which passed by unanimous vote.

ITEM 22

SITE PLAN REVIEW FOR SILVER STREAM FARM (REVISED), CONTAINING 327 LOTS ON 171.28 ACRES LOCATED OFF ROCKY FORK ROAD IN THE 5TH VOTING DISTRICT (1-2010-200)

This item was withdrawn.

SKETCH PLANS:

ITEM 23

SKETCH PLAN REVIEW FOR HART'S LANDMARK (REVISED), CONTAINING 25 LOTS ON 125.61 ACRES LOCATED OFF HARTLAND ROAD IN THE 8TH VOTING DISTRICT (1-2010-101)

This item was withdrawn.

FINAL PLATS:

ITEM 24

FINAL PLAT REVIEW FOR CHARDONNAY, SECTION 2 (REVISED), CONTAINING 43 LOTS ON 29.51 ACRES LOCATED OFF CLOVERCROFT ROAD IN THE 4TH VOTING DISTRICT (1-2010-407)

Mr. Sweet reviewed the background (see Staff report) recommending approval subject to obtaining the signatures of all property owners within this Section.

Chairman Lackey asked for any comments.

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

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There being no further business, the meeting was adjourned at approximately 9:00 p.m.

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

CHAIRMAN JOHN LACKEY