

**MINUTES OF THE
WILLIAMSON COUNTY REGIONAL PLANNING COMMISSION
MEETING OF DECEMBER 8, 2011**

MEMBERS PRESENT

John Cain
Don Crohan
Susan Fisher
Holli Givens
John Lackey
Pete Mosley
Tom Murdic
Brian Sanders
Jack Walton

STAFF PRESENT

Joe Horne, Community Development Director
Michael Matteson, Planning Director
Aaron Holmes, Planning Coordinator
Anna Shell, Planner
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, December 8, 2011 at 7:00 p.m. in the Auditorium of the Williamson County Administrative Complex. Commissioners Baldree, Lane and Pratt were unable to attend.

Chairman Lackey called the meeting to order.

Mr. Horne made the following announcements:

1. Item 10 has been withdrawn.
2. The Williamson County Regional Planning Commission will meet in a special session on Thursday, December 15, 2011. This meeting will include a Public Hearing for the consideration and adoption of an update to the Williamson County Major Thoroughfare Plan.
3. The Zoning Ordinance Update Steering Committee met last week to discuss the comments concerning Module III of the update to the Williamson County Zoning Ordinance. They also discussed the adoption of the Zoning Ordinance, as well as zoning map changes.
4. Three (3) public meetings will be held in January to present the public with the Proposed Zoning Maps to the public. The meetings will begin at 6:30 p.m. on the following days:
 - Monday, January 23, 2012, Grassland Middle School's
 - Tuesday, January 24, 2012, Burwood Community Center
 - Wednesday, January 25, 2012, Page Middle School

CONSIDERATION OF MINUTES:

Chairman Lackey asked for a motion to consider the minutes of the November 10, 2011 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:

BONDS:

1. **Breizn Valley, 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.
2. **Breizn 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.
3. **Silver Stream Farm, Section 3** – Performance Bond for Landscaping - \$58,400.
Recommendation: Reduce to the amount of \$29,200 for a period of six (6) months to allow for completion.
 4. **Silver Stream Farm, Section 8** – Performance Bond for Landscaping - \$37,250.
Recommendation: Extend in the current amount for a period of six (6) months.
 5. **Temple Hills, Section 16 Phase B** – Performance Bond for Water - \$32,780
Recommendation: Release the bond.
 6. **Temple Hills, Section 16 Phase B** – Performance Bond for Sewer - \$33,178.
Recommendation: Release the bond.
 7. **Vale Creek** – Performance Bond for Roads, Drainage and Erosion Control - \$200,000.
Recommendation: Convert to Maintenance in the amount of \$200,000 and extend for a period of one (1) year.
 8. **Vulcan Materials** – Performance Bond for Landscaping/Revegetation - \$48,500.
Recommendation: Increase to the amount of \$53,350 and extend for a period of one (1) year.
 9. **Watkins Creek, Section 3** – Maintenance Bond for Roads, Drainage and Erosion Control - \$125,000.
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.

NON-RESIDENTIAL SITE PLANS:

ITEM 10

NON-RESIDENTIAL SITE PLAN REVIEW FOR DEER RUN RETREAT, (REVISED), ON 62.82 ACRES LOCATED AT 3845 PERKINS ROAD IN THE 2ND VOTING DISTRICT (5-2011-036).

This item was withdrawn.

ITEM 11

NON-RESIDENTIAL SITE PLAN REVIEW FOR THE JOURNEY RECOVERY CENTER, (RURAL RETREAT, EXTENSIVE), ON 27.20 ACRES LOCATED AT 5813 BENDING CHESTNUT ROAD IN THE 2ND VOTING DISTRICT (5-2011-015).

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

1. That the applicant complete an Affidavit of Compliance to ensure continued adherence to Division 4400 (BB) of the Williamson County Zoning Ordinance and the approved Site Plan (Attachment 11-1); and

2. Prior to operation of the use or issuance of a Septic Permit, the applicant shall demonstrate that any required State permitting and/or licensure has been obtained.

Mr. Holmes stated that approval has been received from the Department of Sewage Disposal Management; a letter from the State has been received and the Commission has a copy of it before them. He also stated there are several pieces of correspondence that have been placed in front of the Commission concerning this request.

Chairman Lackey asked for any comments from Commission members.

Mr. Brian Perkins, the applicant, and Mark Cantrell, Arrowhead Surveying, representing the applicant, were in attendance for any questions.

Commissioner Mosley asked why this request was not a Public Hearing.

Mr. Holmes stated the Rural Retreat use is a permitted use in the Rural Zoning District, per Div 4400 (BB), and therefore a Public Hearing is not required.

Commissioner Mosley stated this use seems to be different from a Rural Retreat and should be a Public Hearing. He asked if the facility will have fire sprinklers.

Mr. Holmes stated the building would have to meet the building code requirements and he would have to check to see if sprinklers would be required or not.

Commissioner Mosley asked if the patients would be rated according to whether or not they have been arrested or if they have a criminal record.

Mr. Perkins stated they would not accept any type of violent offenders. There will be a background check conducted on each applicant. He also stated no person that is under the use of any type of opiates would be accepted. He stated this is not a facility for people to come to detoxify off of drugs, but a spiritual approach to healing. The people would have to pass a drug test before they would be accepted into the facility. He also stated they do not accept sex offenders or anyone with a violent past.

Commissioner Givens asked if this was a maintenance step for the people at this facility.

Mr. Perkins stated if someone came to them with some kind of drug abuse problem, they would have to go through a detoxification process before coming to them and have clearance from their doctor. He stated they are not a medical facility but a spiritual healing facility.

Commissioner Givens asked about the license from the state.

Ms. Ransom stated the State of Tennessee declared it did not rise to the level of requiring a license from the state based on how the program has been described.

Commissioner Givens asked about the website that stated the facility had a gold seal.

Mr. Perkins stated they are called "The Journey Recovery Center", and when people found out about their proposal, the web took them to "Journey Recovery Center" a website from a facility based in Utah and Arizona that is JCAHO Accredited (Joint Commission for Accreditation of Healthcare Organizations), which is the highest level of health care you can receive. It also took them to several other websites, none of which are affiliated this "The Journey Recovery Center". This is where confusion began about their proposal.

Commissioner Givens asked if they were a Corporation or an LLC and if they have a business license from the state or Williamson County.

Mr. Perkins stated they were a Corporation and they have filed for non-profit status.

Commissioner Walton asked for clarification regarding the portion of the facility's mission statement related to sexual dependency and love addiction.

Mr. Perkins stated an example would be people who have become addicted to pornography and he sees this as a spiritual problem that can be treated through God. This facility treats all of these things as a soul imbalance.

Commissioner Walton asked what kind of security would be in place to make sure no one leaves the facility.

Mr. Perkins stated no one would be allowed to leave the premises. He stated the facility will be monitored twenty-four hours a day. He also stated based on their screening process, high risk people will not be allowed at this facility.

Commissioner Walton asked what brought the applicant from Greenville, Kentucky to Franklin.

Mr. Perkins stated his corporate job brought him to Franklin. This request that he is making is a dream he has had for a long time to help people. His father is a Pastoral Counselor and operates a Christian counseling center in Kentucky that has helped people through spiritual healing, not medication.

Commissioner Cain asked if the applicant has worked at one of these facilities before.

Mr. Perkins stated he has just done this one on one through Christian Counseling Centers. He stated there are not a lot of options for people with these types of problems. Some need to be in a medical facility, but some do not, and this is the option for them through spiritual healing and not being medicated.

Commissioner Cain asked if anyone has left the program and what is their record.

Mr. Perkins stated that out of approximately nine (9) people that they have helped all but one (1) has continued on a path of success.

Commissioner Givens asked if the employees are certified, especially the overnight person.

Mr. Perkins stated the overnight person is not a counselor, he is there for security. He stated his father is a licensed Pastoral Counselor.

Commissioner Givens asked what would be done to ensure the neighborhood that the people at this facility will not be able to leave this facility.

Mr. Perkins stated there would be an ADT Alarm System in place and camera monitoring is in place. He stated the last thing he would do is endanger the community around him.

Commissioner Givens asked if there was a gate at the end of the driveway.

Mr. Perkins stated currently there is not. He stated there is fencing around the property.

Commissioner Givens asked if he was currently having patients at this facility, because according to some neighbors, there have been patients there already.

Commissioner Murdic asked if he had met with the neighbors to clarify what he intends to do at this facility.

Mr. Perkins stated he had talked to a few of the neighbors but he was told this would not be a Public Hearing and was not aware that he needed to go around to the neighbors as a part of this process.

Commissioner Murdic asked if the applicant was willing to defer this item until the January, 2012 meeting and meet with the people in the neighborhood to try to alleviate some of their concerns.

Mr. Jeff King, attorney with Stites and Harbison, representing the applicant, stated he respects the Planning Commission's concerns for the neighborhood, but while he understands the concerns, most of them are based on confusion and misinformation. He stated this is a Site Plan approval and his client has met all of the regulations and has done everything the Planning Staff has asked him to do. He also stated this proposed use is an allowable use in this zoning district and urged the Commission to vote on this matter now.

Commissioner Murdic asked if deferring this item for a month would cause a problem.

Mr. Perkins stated he has been working with the Department of Sewage Disposal Management for several months to get this project approved. He would like to have this resolved tonight and would not want to defer it for a month.

Commissioner Cain noted that Betty Smith outlined several complaints in a letter that she sent to the Commission and asked if these complaints had been addressed with her.

Mr. Perkins stated his property was next to Ms. Smith's and that he had spoken to her last night and explained everything that was going on and as far as he knows, those questions and concerns have been answered.

Commissioner Mosley expressed a concern about whether the facility would house sex offenders.

Mr. Perkins stated they would not accept any convicted sex offender or anyone convicted of molesting anyone into their program.

Commissioner Crohan asked for clarification regarding the reference to molestation in the applicant's Letter of Intent.

Mr. Perkins stated that meant someone who had been molested as a child, not someone who was a molester.

Commissioner Crohan asked if there was any way of policing to make sure of the type of people that are at this facility.

Ms. Ransom stated that would be outside our zoning authority. If there is proof that the applicant is operating outside their use described in the Letter of Intent and Affidavit of Compliance, this would be a violation and would be turned over to Codes Compliance for enforcement.

Commissioner Murdic stated he would like to defer this item for a month to allow the applicant to meet with the neighbors.

Chairman Lackey stated the applicant would have to approve the deferment. He asked if it could be deferred to the December 15, 2011 special meeting.

Ms. Ransom stated the Item could be deferred to the December 15, 2011 meeting without the consent of the applicant as an Item of old business.

Chairman Lackey stated if this was made a motion, he would suggest the applicant meet with the neighborhood to help alleviate their concerns.

There being no other comments, Commissioner Murdic made a motion to defer this item to the December 15, 2011 meeting. Commissioner Mosley seconded the motion, which passed by unanimous vote.

PRELIMINARY PLATS:

ITEM 12

PRELIMINARY PLAT REVIEW FOR SILVER STREAM FARM, PHASE 4, CONTAINING 97 LOTS ON 46.54 ACRES LOCATED OFF ROCKY FORK ROAD IN THE 5TH VOTING DISTRICT (1-2011-306).

Mr. Matteson reviewed the background (see Staff report) recommending approval of the Preliminary Plat, as well as the two (2) requested roadway variances.

In conjunction with Final Plat consideration, the following items shall be addressed:

1. Establishment of a Performance Bond for roads, drainage, and erosion control;
2. Establishment of a Performance Bond for water improvements as specified by the Nolensville/College Grove Utility District;
3. Establishment of a Performance Bond for sewer services as specified by Metro Nashville Water and Sewer Services;
4. Establishment of a Performance Bond for landscaping improvements;
5. Execution of a Stormwater Maintenance Agreement and submission of an Operation and Maintenance Plan for stormwater improvements; and
6. Submission of 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.

Chairman Lackey asked for any comments from Commission members.

Steve Clifton, Clifton & King, representing the applicant, was in attendance for any questions.

Ms. Ransom stated if the Preliminary Plat meets the Revised Site Plan, which is now considered the effective Site Plan, the Commission should consider approving it; if the Preliminary Plat does not meet the Site Plan, there would be grounds for denial.

There being no comments, Commissioner Murdic made a motion to accept Staff's recommendation. Commissioner Cain seconded the motion, which passed seven (7) to one (1) with Commissioner Mosley abstaining.

FINAL PLATS:

ITEM 13

FINAL PLAT REVIEW FOR TIM AND KARLA LOCKWOOD. LARGE LOT EASEMENT SUBDIVISION, CONTAINING 3 LOTS ON 15.63 ACRES LOCATED OFF OLD HILLSBORO ROAD IN THE 2ND VOTING DISTRICT 1-2011-408).

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

1. Approval of the driveway location by TDOT must be granted prior to issuance of a Land Disturbance Permit; and
2. Obtain a Notice of Coverage (NOC) under the "GENERAL NPDES PERMIT FOR DISCHARGES OF STORMWATER ASSOCIATED WITH CONSTRUCTION ACTIVITIES" from TDEC and provide to the Williamson County Engineering Department prior to the signing of the plat by the County Engineer and be in compliance with the Williamson County Stormwater Regulations

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 seven (7) to one (1) with Commissioner Mosley voting "No".

OTHER:

ITEM 14

ESTABLISHMENT OF BOND AMOUNT FOR LANDSCAPING FOR PARISH PRESBYTERIAN CHURCH LOCATED AT 4150 CLOVERCROFT ROAD (5-2011-038)

Mr. Holmes reviewed the background (see Staff report) recommending the establishment of a Performance Bond for landscaping in the amount of \$8,466.

Chairman Lackey asked for any comments from Commission members.

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

ITEM 15

PRESENTATION FROM LAUREL COVE REPRESENTATIVES

Mr. Mark Enderle, representing The Terra Verde Group, gave a brief presentation concerning Laurel Cove. He gave a presentation regarding the goals and objectives of this project and an expected timeline of the project.

Chairman Lackey asked for any comments from Commission members.

There were no comments.

No vote was required.

ITEM 16

PROPOSED ROAD ACCEPTANCE PROCEDURES

Mr. Horne stated over the past several months Staff has been working with the Highway Department and Highway Commission concerning issues of road acceptance policy. The purpose of the policy is to address issues of releasing road Performance Bonds prior to the Williamson County Board of Commissioners adopting a subdivision road into the County road system and implementation of a protection bond should it meet certain requirements. The policy will provide the Highway Commission authority to recommend implementation of a road protection bond to be submitted as a condition of the Williamson County Board of Commissioners' acceptance of a subdivision road should the road meet certain requirements.

Commissioner Crohan asked who controls the damage that might be done when construction traffic damages the road.

Mr. Horne stated that is where the road protection bond, which would be administered by the Highway Department, would come into play were any damages to occur.

Commissioner Crohan asked how long could that type of bond be in place.

Mr. Horne stated that would be the Highway Department's decision.

No vote was required.

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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 JANUARY 12, 2012**

_____ CHAIRMAN JOHN LACKEY