

Minutes of the Meeting
of the Municipal Planning Commission
of the Town of Thompson's Station, Tennessee
February 23, 2016

Call to Order:

The meeting of the Municipal Planning Commission of the Town of Thompson's Station was called to order at 7:00 p.m. on the 23rd day of February, 2016 at the Thompson's Station Community Center with the required quorum. Members and staff in attendance were: Chairman Jack Elder; Secretary Don Blair; Commissioner Ben Dilks; Commissioner Sarah Benson; Commissioner Debra Bender; Commissioner Darren Burress; Town Administrator Joe Cosentini; Town Planner Wendy Deats; Town Attorney Todd Moore and Town Clerk Jennifer Jones. Vice Chair Mike Roberts was unable to attend.

Pledge of Allegiance.

Minutes:

The minutes of the January 26th meeting were previously submitted with revisions.

Commissioner Bender moved for approval of the January 26th, 2016 meeting minutes. The motion was seconded and carried unanimously.

Public Comment:

None

Chairman Elder closed public comment.

Town Planner Report:

None

Unfinished Business:

Commissioner Dilks suggested that Items 1 and 2 be heard together.

1. Letter of Credit Reduction for Fields of Canterbury, Section 7B (File: 1-D-14-003)

AND

2. Letter of Credit Reduction for Fields of Canterbury, Section 4C (File: 1-D-14-002).

Mrs. Deats reviewed her staff report for Item 1 and recommended that the Planning Commission reduce the letter of credit from \$188,000 to \$54,000 for roads, drainage and erosion control and maintain the letter of credit in its current amount of \$44,000 for sewer for a year with the option for automatic renewal.

Mrs. Deats reviewed her staff report for Item 2 and recommended that the Planning Commission reduce the letter of credit to \$58,000 for roads, drainage and erosion control and \$22,000 for sewer for a year with the option for automatic renewal.

Mr. Steve Clifton, Town engineer with Clifton and King came forward to review his report and recommended a reduction of bonds on both sections. Commissioner Dilks voiced concerns over road

replacement and the calculation of risk. Mr. Clifton stated that he is basing his recommendation on the standard level of practice.

Mr. Bucky Ingram with Hood Development then came forward to speak on behalf of the applicant discussing how the maintenance and cleaning of the sewer drains have been and will be maintained.

After discussion, Commissioner Bender made a motion that the Planning Commission reduce the letter of Credit for Fields of Canterbury, Section 7B from \$188,000 to \$54,000 for roads, drainage and erosion control and maintain the letter of credit in its current amount of \$44,000 for sewer for a year with the option for automatic renewal and also reduce the letter of Credit for Fields of Canterbury, Section 4C to \$58,000 for roads, drainage and erosion control and \$22,000 for sewer for a year with the option for automatic renewal.

The motion was seconded and carried unanimously.

3. Revised preliminary plat for Tollgate Village, Phase 15 (PP 2015-009).

Mrs. Deats reviewed her staff report and recommended that the Planning Commission approve the revised portion of the plat subject to the following contingencies:

1. Prior to the approval of construction plans, the applicant shall enter into a development agreement for Tollgate Village Phase 15.
2. Prior to the approval of construction plans, all applicable codes and regulations shall be addressed to the satisfaction of the Town Engineer.
3. Prior to the approval of construction plans, a drainage study shall be submitted to verify that drainage is managed adequately on site.
4. Prior to the approval of construction plans, a geotechnical report shall be submitted identifying the location of any sinkholes.
5. Prior to the submittal of the final plat for Phase 15, an updated traffic study with a schedule of improvements for traffic mitigation including the secondary access shall be reviewed and approved and a traffic signal shall be installed at the intersection of Highway 31/Tollgate Boulevard.
6. Prior to the submittal of a final plat for Phase 15, a detailed slope analysis shall be prepared showing slopes 15% - 25% and slopes exceeding 25%. Any lots located within areas exceeding 25% slopes shall be located within an open space lot.

Commissioner Burress questioned what would happen to establishing a new road "D."

Mr. Brett Smith and Mr. Bob Nichols, both with Ragan Smith came forward to speak on behalf of the applicant. Mr. Smith explained that the section road "D" would now be modified to the new LDO Standards. Mr. Nichols came with a proposal that eliminated waiting for the traffic study in Contingency number 5. Commissioners Bender and Blair expressed concerns over secondary access roads and time frames for installation.

Brandon Baxter, a traffic engineer with Ragan Smith then came forward to explain the process for traffic light approval.

Brian Rowe, representing the developer Henry & Wallace, came forward to give assurance that they were doing everything possible.

After discussion, Commissioner Burress made a motion to approve the revised preliminary plat for Tollgate Village, Phase 15 (PP 2015-009) with the following contingencies:

1. **Prior to the submittal of the final plat, the applicant shall enter into a development agreement for Tollgate Village Phase 15.**
2. **Prior to the approval of construction plans, all applicable codes and regulations shall be addressed to the satisfaction of the Town Engineer.**
3. **Prior to the approval of construction plans, a drainage study shall be submitted to verify that drainage is managed adequately on site.**
4. **Prior to the approval of construction plans, a geotechnical report shall be submitted identifying the location of any sinkholes.**
5. **Prior to the submittal of the final plat for Phase 15, an updated traffic study with a specific scope being a schedule of improvements for traffic mitigation including secondary access shall be reviewed and approved by the Town.**
6. **A traffic signal shall be installed at the intersection of State Route 6 (Columbia Pike) and Tollgate Boulevard at the expense of the Developer.**
7. **Prior to approval of the final plat for Phase 15, the Developer shall report and update the schedule for the traffic signal installation and a bond will be required to ensure completion of the signal.**
8. **A construction route adjacent to Tollgate Boulevard, north of Phase 14 into Phase 15 shall be utilized by construction traffic.**
9. **Prior to the submittal of a final plat for Phase 15, a detailed slope analysis shall be prepared showing slopes 15% - 25% and slopes exceeding 25%. Any lots located within areas exceeding 25% slopes shall be located within an open space lot.**

The motion was seconded and carried unanimously.

4. Tree replacement plan for Bridgemore Village Phase 5 (PP 2015-004)

Mrs. Deats reviewed her staff report and recommended approval to the Planning Commission on the removal and replacement plan with the following contingencies:

1. Prior to the recordation of any final plats within Phase 5, all trees located within common area shall be planted in accordance with the approved replacement plan.
2. Prior to certificate of occupancy, all lot trees shall be planted in accordance with the approved replacement plan.
3. Prior to Planning Commission approval, a construction access route to Phase 5 be routed through Phase 6.

Commissioner Dilks voiced concern over the pending litigation while Commissioner Burress expressed concern regarding the amount and type of trees being replaced.

Brett Smith with Ragan Smith came forward on behalf of the applicant to review the tree removal plan presented and responded to all questions regarding tree removal and replacement the way it is currently worded within the LDO.

Eugene Bulso, attorney with Leader, Bulso & Nolan PLC, came forward representing the applicant, Mr. Shaw stating that contingency number 3 should be removed because it had nothing to do with the tree removal and replacement plan.

After discussion, Commissioner Bender moved to approve the tree removal and replacement plan for Phase 5 within Bridgemore Village striking out contingency number three.

No one seconded the motion, and the motion failed.

Chairman Jack Elder asked Town Attorney Moore if it would be appropriate to have an attorney-client meeting at this time. Mr. Moore advised Chairman Elder and the Planning Commission that it would, in light of the pending lawsuit.

Chairman Jack Elder called a recess at 8:48 for a brief meeting with counsel. The regular Planning Commission meeting resumed at 8:53.

After further discussion, Commissioner Bender made a new motion to approve the tree removal and replacement plan for Phase 5 within Bridgemore Village removing contingency number three.

The motion was seconded.

The motion carried by a vote of 4 to 2 with Commissioners Burress and Dilks casting the opposing votes.

5. Land Development Ordinance Amendments (File: Zone Amend 2016-001)

Mrs. Deats had previously reviewed the land development ordinance agreements with the Planning Commission in a work session on February 17, 2016, and recommends that the Planning Commission recommend to the Board of Mayor and Aldermen these Staff initiated amendments to the Land Development Ordinance. Staff also included an addendum to Item 5, additional revisions to Section 5.1.1 Penalties and Section 5.1.2 Remedies for recommendation to the Board of Mayor and Aldermen.

After discussion, Commissioner Bender made a motion to recommend to the Board of Mayor and Aldermen the Staff initiated amendments to the Land Development Ordinance without the additional revisions to Section 5.1.1 and Section 5.1.2.

The motion was seconded and carried unanimously.

New Business:

6. Zoning Amendment to rezone 4658 Columbia Pike from Specific Plan to D3 (High Intensity Residential) (file: Amend 2015-008)

Mrs. Deats reviewed her report and recommended approval based on the findings for General Plan consistency and the elimination of a Specific Plan zone and is supportive of a Planning Commission recommendation to the Board of Mayor and Aldermen for the rezoning of the subject property from the Specific Plan zone to the D3 zone.

Commissioner Dilks expressed concern over lack of commercial acreage within the Town and loss of sales tax revenue.

Brian Rowe, representing the developer Henry & Wallace, came forward to respond to the concerns.

After discussion, Commissioner Burress made a motion to approve a recommendation to the Board of Mayor and Aldermen, the Zoning Amendment to rezone 4658 Columbia Pike from Specific Plan to D3 (High Intensity Residential) with the following contingencies:

1. Approval of rezone to D-3, in no way, implies approval of proposed ingress/egress points that were mentioned or shown on a property map, during review by the planning commission.
2. Regardless of land use, a 100 foot buffer to Highway 31 will be added to this property.

The motion was seconded, and passed by a vote of 5 to 1 with Commissioner Dilks casting the opposing vote.

8. Letter of Credit Reduction for Bridgemore Village, Section 2C (1-D-14-011).


Item was withdrawn by applicant

9. Request for Construction Access, Phase 5 Bridgemore Village (PP 2015-004).

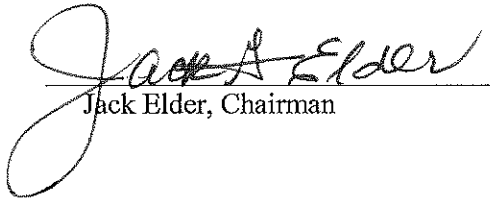
Item was withdrawn by applicant

There being no further business, Chairman Elder made a motion to adjourn. The motion was seconded and the meeting was adjourned at 9:32 p.m.

Attest:



Don Blair, Secretary



Jack Elder, Chairman