

Town of Thompson's Station
Municipal Planning Commission
Minutes of the Meeting
Held On April 24, 2012

Commission Members Present

George Ross, Chairman
Sarah Benson
Tom Evans, Secretary
Willis Gilliam
Carl Hubert

Staff Members Present

Greg Langeliers, Town Administrator
Wendy Deats, Town Planner
Todd Moore, Town Attorney
Doug Goetsch, Town Recorder
Richard King, Building Codes Official

The regular meeting of the Municipal Planning Commission was called to order by Chairman Ross on April 24th, 2012, at 7:00 p.m., at the Thompson's Station Community Center, with the required quorum. Commissioner Brad Wilson was unable to attend. Mr. Langeliers stated that Mr. Moore was running a little late but would be arriving shortly.

Minutes:

The minutes of the March 27, 2012 meeting were previously submitted and were approved unanimously upon a motion by Commissioner Evans, seconded by Commissioner Benson.

Announcements:

Chairman Ross asked Staff if the Commission could allow public input during the meeting. Mr. Langeliers stated that it may require modifying the Commission's bylaws. Chairman Ross stated that it would require setting some parameters for allowing input. Commissioner Gilliam stated that he had spoken to members of planning commissions in other jurisdictions and they allow public input with strict time limits. Commissioner Evans expressed concern about opening meetings up to public comment. Mr. Langeliers stated that he would ask Mr. Moore to look into this for further discussion at the next meeting.

Ms. Deats said that the wooden playground train had been installed in the Town Park and mulch for the playground area was scheduled to be delivered on May 10th.

Commissioner Benson stated that trees have been donated to the park and she was planning for their installation. She also stated that Farmer's Market had a good start and would be open from 2 p.m. until 6 p.m. every Wednesday.

LETTER OF CREDIT:

Item 1 – Serv-N-Go #8 – \$10,000 Landscaping Bond - expires 5/20/2012

Ms. Deats visited the site and noted that the trees appeared to be in good condition; however some shrubs were dead or dying and needed to be replaced. The store manager stated that the owner was aware of the situation and is working with a landscaper on the replacement of the shrubs. Mr. Langeliers stated that originally Staff was recommending reduction of the letter of

credit to \$5,000 for one year, but based upon the discussion with the manager and their past record of compliance, Staff now recommends releasing this bond.

After further discussion, Commissioner Gilliam made a motion to release the bond. Commissioner Hubert seconded the motion and it passed unanimously.

OLD BUSINESS:

Ms. Deats received a letter and petition from some Callie Subdivision residents regarding the gate from the Graceland Church to Jameson Drive and Watkins Road in the Callie Subdivision. The driveway into the church site was not currently intended for use as a roadway connection to Lewisburg Pike, although it was a condition of approval that the right-of-way be dedicated to the Town at some future date. The church installed a gate across the driveway in an effort to appease certain residents of Callie that were concerned that a second road access into the subdivision would allow non-residents to more easily enter the subdivision and possibly lead to an increase in criminal activity in the area. The gate was requested by the Planning Commission as a condition of approval, but it has not proven to be effective as both residents and non-residents bypass or open the gate and utilize the church driveway to enter the subdivision. The church's legal counsel believes that the gate should not have been required. The road connection to Jameson Drive was not required as it is a Williamson County road and the county has jurisdiction over who may connect to their roadways.

Chairman Ross asked Staff whether the county has given permission to allow connection to Jameson Drive. Mr. Langeliers says that the permission has not been verified by Staff, but he would not be surprised if the county had granted a private drive access to the church. Mr. Moore stated that to him the larger issue is whether or not the right-of-way is going to be required to be dedicated to the Town. He stated that the gate was an agreement to try to avoid problems going forward. He also agreed that the church has the right to seek a county approval for a private drive access to a county road and Town probably does not have the discretion to require a gate. Mr. Moore said it should be clarified whether the condition that it be dedicated as a right of way is still being required by the town or is that condition going to be waived. He suggested a revised site plan be submitted and at that time the Planning Commission could decide that issue.

Pastor Ralph Duncan of 2640 Sporting Hill Bridge Road, representing the church, stated that this was first he had heard of any requirement that the church dedicate their private driveway to the town. He did understand that when they built their church on property east of this site they would have to have a public access that would have to be dedicated to the town. Also he stated that the original Callie Subdivision concept plan shows the same road connection. Pastor Duncan stated that the church has received both state and county approval to connect their private driveway to Lewisburg Pike and Jameson Drive. Commissioner Gilliam asked Staff to verify the road connection approvals. Mr. Langeliers stated that the town could receive dedication of right-of-way without the road actually having been built. Mr. Conrad Mathews stated that as the original developer of Callie, the connection to Jameson Drive had already been approved by the county.

Mr. Richard Johnson of 1779 Jameson Drive stated that the site plan he had indicates that the site plan for the church did not show the driveway connecting to Jameson Drive. The concern was for unwanted traffic coming into the subdivision. Commissioner Evans stated that it was a condition made originally by the county that a road connection from Lewisburg Pike to Watkins Road be made and that the town was bound to that condition once the property was annexed into the town and that the gate was a temporary measure until the road connection was made.

Commissioner Gilliam suggested that this be put on hold until Staff can verify whether the county has granted the church permission to connect to Jameson Drive. Commissioner Hubert suggested the church build a berm so that drivers could not go around the gate. Mr. Moore reminded the commissioners that this item was on the agenda for discussion and to determine what the next step should be. He felt it was appropriate for Staff to determine whether county approval had been given and revisit the original site plan that was approved and see what was made a condition of the rezoning, and make a determination whether it needs to come back before the Planning Commission for clarification or revision of that site plan. Commissioner Benson asked what should be done in regards to the gate and Mr. Moore replied that if it is determined that the church has the county's permission to connect a private driveway to Jameson Drive, he would recommend that the town not take any enforcement action in regards to requiring the gate.

Mr. Randall McPherson of 1799 Jameson Drive stated it was his understanding that what was approved for connection was a road, not a driveway and asked that be clarified. He also stated that the original site plan that the church submitted did not show the driveway going all the way through the property.

FINAL PLAT/ RESIDENTIAL SITE PLAN:

Item 2 – Tollgate Village Section 12B

Ms. Deats stated that this final plat was for 15 residential lots in Tollgate and this plan was consistent the previously approved preliminary plat and Staff recommended approval of this final plat.

After further discussion, Commissioner Gilliam made a motion to approve this final plat. Commissioner Evans seconded the motion and it passed unanimously.

REVISED FINAL PLAT/RESIDENTIAL SITE PLAN:

Item 3 – Third Revision to Final Plat for Tollgate Village Section 5

Ms. Deats stated the applicant is proposing to revise three lots on the final plat for Section 5 to eliminate Lot 512 which would enlarge the existing easement from 10 to 12 feet, increase the common space area and increase the lot size for Lot 513. Staff recommends approval of this revised final plat.

After further discussion, Commissioner Hubert made a motion to approve this revised final plat. Commissioner Evans seconded the motion and it passed unanimously.

Item 4 – Third Revision to Final Plat for Tollgate Village Section 7

Ms. Deats provided the background and history on this final plat. This request to revise the final plat would subdivide one residential lot into 19 single family residences, one multi-family lot, create two open space lots and revise the property boundaries for Lot 2. Although this revision would eliminate 1.74 acres of open space, the recorded open space in Tollgate is 21.37 acres and all future sections will have the open space recorded as they are approved. Ms. Deats stated that staff would monitor the open space to make sure the applicant is compliance with the Town's zoning ordinance requirements. Staff recommends approval of this revised final plat.

After further discussion, Commissioner Gilliam made a motion to approve this revised final plat. Commissioner Benson seconded the motion and it passed unanimously.

OTHER:

Non-Agenda Item – Final Plat for Tollgate Village Section 32 and Approve a One Lot Subdivision for Shelter Insurance

Mr. Langeliers stated that a lot previously planned for Shelter Insurance was found to have some geotechnical problems so the project was moved to another lot. Ms. Deats stated that staff had reviewed the final plat and subdivision and had no concerns. She stated that this plat would be forwarded to the Town's engineering consultant for review. Mr. Brett Smith representing the applicant explained the need to move this project due to a sinkhole found on the original site.

After further discussion, Commissioner Benson made a motion to accept staff's recommendation to approve a one-lot subdivision in Tollgate Village Section 32 and approve the final plat as submitted. Commissioner Gilliam seconded the motion and it passed unanimously.

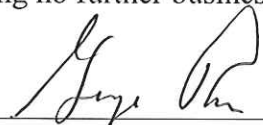
Item 5 –Zoning Ordinance Amendments Adding Section 2307 in Article II

Ms. Deats stated that revised copies of this amendment have been provided to the commissioners and asked for their comments. She stated that two options were being presented for the location and separation of automotive uses. Chairman Ross asked Mr. Moore if the prohibition of automotive uses at the intersection of two or more public streets could be considered a restraint of trade. Mr. Moore replied that it possibly could, but that it could be justified as necessary for traffic and safety reasons and other municipalities have similar restrictions. Commissioners Ross, Evans and Gilliam expressed concern that the location and separation section was too restrictive. Mr. Langeliers suggested that staff continue to work on this section and come back to the Planning Commission with alternatives.

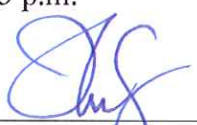
New Business:

No new business was presented.

There being no further business, the meeting was adjourned at 8:25 p.m.

Signed: 

George Ross, Chairman

Attest: 

Tom Evans, Secretary