

**TOWN OF NOLENSVILLE
PLANNING COMMISSION
APRIL 15, 2004
7:00p.m.**

Members in attendance were as follows: Willis Wells, Frank Wilson, Rick Fisher, Larry Gardner, Bob Haines, James Clark, Joe Curtsinger, Charles Knapper and Rob Pease. Staff present: Richard Woodroof, Dana Ausbrooks, Dave Ausbrooks and Bill Terry.

The Town of Nolensville Planning Commission met in regular session on April 15, 2004, at the Nolensville Elementary School. The meeting was called to order by Chairman Willis Wells.

Agenda Item II - The Pledge of Allegiance

Agenda Item III - Approval of minutes

The following are changes to the minutes: Frank Wilson stated that on page one, it should read Bob Batts, not Bob Bats. Frank Wilson stated that number three on page two, should read, "Traditional duplexes will not be constructed in this development." The last sentence of number six on page two should read: "Fifteen (15) acres of commercial space has been agreed to for inclusion in the Bent Creek PUD." Number eleven on page three should read: "The use of business work-live units is encouraged in the Old Town area." The entire section b of number twelve on page three should be deleted. Further, the motion for approval of the Bent Creek PUD contingent on the developer meeting the listed conditions and subject to the approval of a traffic plan at a later date was approved by Charles Knapper, Frank Wilson, Rick Fisher, Larry Gardner, Bob Haines, James Clark, and Joe Curtsinger. Rob Pease voted in opposition of the motion.

Frank Wilson made a motion to approve the minutes with the changes. Rick Fisher seconded the motion. The motion to approve the minutes with the changes was approved unanimously.

Agenda Item IV – Citizen Comments

There were no citizen comments.

Agenda Item V – New Business

- a. Hailey Industrial
Bill Terry stated that staff had reviewed the preliminary plat for seventeen (17) lots zoned industrial. There were nine issues that needed to be addressed. The issues are as follows:
 1. They are showing sanitary sewer line in the required buffer yard along the north boundary of the property. That is not

allowed by the zoning ordinance. They will need to move it out of the buffer yard.

2. Public utility along all side and rear of property line.
3. There should be a sidewalk plan.
4. There is a landscape plan included for the overall subdivision; however, it is not stamped by a landscape architect.
5. There is a waterline shown on the plan, but the size of waterline not shown on the plan.
6. There is a drain pipe shown along lot seventeen. There needs to be a public utility drainage easement.
7. There is a requirement that the survey be tied to State system.
8. Plat does not show how the entire subdivision will be connected to the sewer system.
9. A corner of the property is in the 100 year floodplain. We need to see the elevation of that floodplain.

Kevin Estes stated that the issues raised by staff were mostly drafting issues and that he would have the issues addressed. He further stated that he could address all of the issues that staff had pointed out.

Bill Terry recommended that the preliminary plat be approved with the above conditions being met. Rich Woodruff also recommended approval of the preliminary plat if the issues were completed by Mr. Estes.

Frank Wilson recommended that the preliminary plat for Hailey Industrial be approved with the above conditions. Rick Fisher seconded the motion.

Kevin Estes stated that it wasn't requested by the Planning Commission; however, he would prefer that sidewalks would be located on one side of the street.

Larry Gardner stated that he recommends that there be sidewalks on one side of the street.

Larry Gardner amended the motion. His amendment was to recommend that the preliminary plat be approved with the above conditions and with the condition that sidewalks be on one side of the street. James Clark seconded the motion. The amendment and the original motion were approved unanimously.

b. Fire Code Board of Adjustments

Charles Knapper stated that the 1999 version of the Standard Fire Prevention Code which the Town has adopted in Ordinance 02-02 and the NFPA 101, Life Safety Code adopted in ordinance 02-05 call for a five member Fire Code Board of Adjustments and Appeals. Charles Knapper

recommended that the members of the Board of Zoning Appeals also serve as members of the Board of Adjustments.

Rob Pease made a motion that the Planning Commission recommends to the Board of Mayor and Aldermen the creation of the Board of Adjustments. Rick Fisher seconded the motion. The motion was approved unanimously.

c. Sheldon Park PUD

Rob Pease rescued himself from any discussion or voting because he is employed by CPS Land, LLC, the company developing this PUD.

Frank Horton from CPS Land, LLC made a presentation to the Planning Commission. He stated that the Sheldon Park PUD consisted of 104 units on 39 acres. The present zoning for the land consists of UR and SR zones. 12 acres is zoned UR and 27 acres is zoned SR. He stated the advantages to the PUD would be fewer lots, less density, more open space and flexible community. He further stated that all but two of the lots back up to open space. There are pocket parts through the development. He also stated that a traffic report is on order.

Bill Terry stated that currently the land is a heavily wooded site; therefore, most of the trees would have to come down. He further stated that part of the development borders the OI zone; therefore, there needs to be a 40 ft. bufferyard. He also needs letter of availability for water and sewer. He also thinks that corner lots need a larger setback. Further, he has not seen a traffic study.

Larry Gardner stated that there should be a requirement for a walking trail. He also did not think there should be parking on the street.

Joe Curtsinger stated that he thinks it gets tight to turn with cars parked on the streets.

Rick Fisher stated that he would like to see the traffic study. He also stated that in Ballenger Farms the Planning Commission increased the corner lots to 15ft. instead of 10ft.

Charles Knapper stated that he thought there needed to be a 40 ft. buffer because the development borders the OI zone. He also thinks the street parking should be eliminated.

Rick Fisher made a motion that in the pocket parts, the sidewalk will be on house side. There will be 20ft. streets with parking access next to the park side. The motion was approved unanimously. Rob Pease rescued.

Larry Gardner stated that there could be an 8 ft. wood chip trail.

Charles Knapper stated that the side yard on corner lots on the street side should be 15 ft. He also stated that there should be a 40 ft. bufferyard next to the portion of the development that borders the OI zone.

Rick Fisher stated that there should be a split ingress/egress at the entrance to the development.

Charles Knapper stated that approval of the development should be subject to a satisfactory traffic report that the Planning Commission would

approve. He also stated that they should require an emergency access lane.

Frank Wilson made a motion to approve the Sheldon Park PUD with the following conditions:

1. 8 ft. wood chip trail.
2. the side yard on corner lots on the street side should be 15 ft.
3. a 40 ft. bufferyard next to the portion of the development that borders the OI zone.
4. there should be a split ingress/egress at the entrance to the development.
5. approval of the development should be subject to a satisfactory traffic report that the Planning Commission would approve
6. Requirement of an emergency access lane

Bob Haines seconded the motion. The motion was approved by Willis Wells, Frank Wilson, Rick Fisher, Larry Gardner, Bob Haines, James Clark, Joe Curtsinger, and Charles Knapper. Rob Pease rescued himself.

d. Surface Coarse Paving to Stonebrook Section XIII-C and McFarlin Woods

Rich Woodruff stated that the majority of the area is built. There is about 80% that needs surface paving. The paving is ready to be done. It just needs to be approved.

Charles Knapper made a motion to leave it at the performance bond and approve the surface coarse paving. Rick Fisher seconded the motion. The motion was approved unanimously.

Agenda Item VI. Old Business

a. Monthly Bond Report

The bond for section three and four of McFarlin Woods is due in two months.

Rick Fisher made a motion to send a letter asking for the bond to be renewed. Frank Wilson seconded the motion. The motion was approved unanimously.

b. Proposed Amendments to the Zoning Ordinance

1. Charles Knapper made a motion to have the following language added to the buffer yard required paragraph on page 62 of the ordinance. Add the following sentence to the end of the paragraph:

"This requirement is waived on property immediately south of the Nolensville Cemetery due to the fact that the Nolensville Cemetery suffices as a natural buffer."

2. Charles Knapper stated that proposed amendments to the Village/Village Fringe/Buffer Zone, OSD/PUD land use policy and design

guidelines would be discussed in a workshop on April 27, 2004 at 7:00 p.m. He also stated that there would be a workshop with TDOT on April 20, 2004 at 7:00 p.m.

3. Larry Gardner made a motion to approve the following submittal time for the Board of Zoning Appeals:
(changes in italics)

9.2.3 Public Hearing Required. Not more than sixty (60) days after filing of a complete application for a variance, the Board of Zoning Appeals shall hold a public hearing on the application. *Notice of the hearing shall be given to all adjacent property owners of the subject property by US Mail at least ten (10) days before the date of the hearing. Notice shall be given in one (1) publication in a newspaper of general circulation in the Town at least ten (10) days before the date of the hearing. In addition, a sign providing notice of the time, place and location on the subject property at least ten (10) days before the date of the hearing.*

James Clark seconded the motion. The motion was approved unanimously.

4. Charles Knapper made a motion to approve the following changes to Article 5 of the Zoning Ordinance:

Add to the definition section:

"Floodway fringe - that area of the floodplain lying outside the floodway but still lying within the one hundred (100) year floodplain." (add to p. 95)

Delete the definition "functionally dependent use." (p. 95)

In section 5.5.1.N - the item number 5.1.3 in the first paragraph needs to be changed to 5.5.1.K.8. (p. 106)

Larry Gardner seconded the motion. The motion was approved unanimously.

c. Proposed Storm Water changes to Zoning Ordinance

Charles Knapper made a motion to approve the following:

6.2.3 Remove the following A & B

A. Limitation on Stormwater Runoff No development shall cause downstream property owners, water courses, channels or conduits to receive stormwater runoff from proposed developments at a higher peak flow rate or at higher velocities than would have resulted from the same storm event occurring over the site of the proposed development with the land in its natural, undeveloped condition. Flood events to be used in this determination will include the 2, 10, 25, 50 and 100-year flood.

B. Storage Capacity All stormwater storage facilities shall be designed with sufficient capacity to accommodate all runoff caused by the development in excess of the runoff which would have resulted from the site if left in its natural, undeveloped condition for the range of floods from the one (1) through 100 year events.

Replace with the following A & B

A. Stormwater Detention To minimize adverse affects of development, detention of stormwater is required for development subject to review by the Town Engineer. However, because detention in downstream areas of a large watershed can cause increased peak flows in downstream channels, the Town reserves the right to alter the detention criteria and to prohibit or not require it where it is not in the best interest of the Town. This decision shall be based upon sound engineering judgment and/or studies. The release rates from any detention facility should approximate that of pre-developed site conditions. Multi-stage detention is required for the 1-year, 2-year, 5-year and 10-year design storm events with emergency overflow capable of handling the 100-year storm event except where waived or altered by the Town Engineer. Detention facilities will not be permitted on lots within residential subdivisions unless approved by the Town Engineer. Detention facilities must be located within drainage easements.

B. Water Quality Developments shall address stormwater quality. The first flush volume (first 1-inch of runoff) shall be captured and then slowly released. The release rate should be over a 24 to 48 hour period. Detention facilities or other techniques may be used if acceptable to the Town Engineer.

C. Design Procedures Stormwater management facilities shall be designed using a rainfall-runoff model, "HEC-1, Flood Hydrograph Package," and "HEC-2 RAS, Water Surface Profiles," by the U.S. Army Corps of Engineers or other methodologies approved by the Town. In accordance with paragraph A above, the developer must define downstream property owners that would be affected by increased runoff. In addition, the developer must define the runoff effects of his development combined with future development scenarios supplied by the Town. In the event that the proposed development individually, or in combination with approved future development scenarios, increases the frequency and/or duration of existing flooding problems or creates new flooding problems, the developer will define solutions to such problems. If, in the determination of the Mayor or his designee or other applicable regulatory agency using appropriate calculations, detention of stormwater

on-site is unnecessary or could cause adverse effects to the overall hydraulic system, an alternative proposal may be considered.

E. Maintenance of Facilities It is the responsibility of the developer to maintain all improvements until such time as maintenance is assumed by the Homeowners Association Covenants, through a maintenance agreement, or other document acceptable to the Town. *Detention facilities should be designed to require minimal maintenance. Maintenance responsibilities shall be defined and shall be acceptable to the Town. A maintenance agreement must be executed, with wording acceptable to the Town, and recorded before the Town will approve the development plan or release the Grading Permit.*

Larry Gardner seconded the motion. The motion was approved unanimously.

d. McFarlin Woods Section 4 and 5

Rich Woodruff stated that he has spoken with TDEC regarding the detention pond. According to TDEC, public notice must be given. It is up to the developer to post signs and place an ad in the paper. There must be 30 days notice. If there are no comments, then they can go forward. If there are comments, then in 30 more days, there will be a public hearing.

Charles Knapper stated that Bob Notestine is drafting a letter to the developer stating there should be no more delays. The letter will also update the timeline and state the consequences for not following the timeline.

Agenda Item VII. Other Business

a. Fee Structure

An updated fee schedule was introduced to cover the costs of staff. Rob Pease made a motion for approval to recommend to the Board of Mayor and Aldermen the fee schedule as acceptable fees and to include a \$50 fee for the Board of Adjustments. Bob Haines seconded the motion. The motion was approved unanimously.

There being no further business to come before the Planning Commission, the meeting was adjourned at 9:42 p.m.

Larry Gardner
Secretary for the Planning Commission

Date