



**Kingston Springs Regional Planning Commission
Meeting Minutes
December 8, 2022**

Submittal Deadline Date: November 14, 2022

The meeting was called to order by Chair Patenaude at 7:00pm.

1. Roll Call of Voting Members:

Keith Allgood	Present
Tony Campbell	Present
Tony Gross	Present
Mike Hargis	Present
Lauren Hill	Absent
Brian McCain	Present
Mike Patenaude	Present
Chuck Sleighter	Present
Todd Verhoven	Present

2. Non-Voting Staff:

Sharon Armstrong	Present
John Lawless	Present
Martha Brooke Perry	Present (via phone)

3. Declaration of Quorum by Chairperson.

Quorum declared by Chair Patenaude.

4. Motion to approve October 13, 2022, Planning Commission meeting minutes

Motion to approve October 13, 2022, Planning Commission meeting minutes made by Chuck Sleighter, second by Tony Campbell, and passed unanimously.

5. Motion to approve December 8, 2022, Planning Commission meeting agenda.

Motion to approve December 8, 2022, Planning Commission meeting agenda made by Tony Gross, second by Mike Hargis, and passed unanimously.

6. Community Input

- Bill Rodgers – 1660 South Harpeth Road. Issues with Golf Club of DBI development
- Scott Sommers – 795 South Harpeth Road. Issues with Golf Club of DBI development.
- Carolyn Clark – 1048 Ridgecrest Drive. Question on why 279 East Kingston Springs Road BZA application was brought before the Planning Commission.
- Bob Sanders – 225 Woodlands Drive. Question on why 279 East Kingston Springs Road BZA application was brought before the Planning Commission

7. Old Business

A. Ellersly PUD

1. Performance Bond

2. Ellersly Final PUD Agreement

City Planner Armstrong and City Attorney Perry have reviewed and approve the performance bond being presented. Planner Armstrong indicated the form was lacking information on footage of roads and gutters to be provided by the engineer, but the totals are represented on the plan set approved by this Planning Commission. Staff is requesting permission for this document to be executed once that information is inserted. Attorney Perry stated the form in the appendix of the town's Subdivision Regulations does not contain all the information the regulations require and did not have spaces to incorporate some of the terms agreed to in the PUD agreement. This form has been modified to bring it into compliance. Motion to approve the form of the performance bond made by Mike Hargis, second by Tony Campbell and approved unanimously.

Performance Bond will become part of the final PUD agreements on this project which will then be brought back to this Board for approval to be recommended and forwarded to the KS Board of Commissioners for their approval.

B. Golf Club of DBI

1. Off Season Improvements

- Pump House
- Creek House Project
- Temporary Permit issued

Planner Armstrong provided the following updates:

- Staff has received plans for the Pump House and Fire Chief and Building Inspector have reviewed and approved fire suppression.
- Creek House project has been submitted and staff is waiting on a Notice of Coverage for this project. This project will eventually be added to the club's master plan and development plan.
- A Temporary Permit was issued earlier for a temporary restroom trailer and recently came up for renewal and it has been renewed.
- City Planner Armstrong then shared an update on the Golf Club of DBI LLC and recent stormwater issues with their current project. There was an incident several weeks ago regarding soil and erosion and when staff was notified a stop work order

was placed on the project. The debris deposited occurred in the county, outside the jurisdiction of this Planning Commission, but the Town became involved because some of the debris came from a project inside the town limits that is the subject of a grading permit that has been issued to the Golf Club of DBI LLC. Planner Armstrong stated the two things needed to clear the stop work order were an indication from Cheatham County that the roadway had been cleared, and documents from the Golf Club of DBI LLC indicating that they were in compliance with their state notice of coverage and SWPP. These items have been received. In addition, TDEC has assigned an ESPC monitor for the site. TDEC decided not to file a Notice of Violation on the project for this particular incident. Significant improvements have been made to the project soil and erosion control that are within the Town's control and updates made to the project grading plan. With these improvements they have addressed the issues from the Town's perspective. Planner Armstrong stated the stop work order would need to be lifted by the Planning Commission. Planner also stated that moving forward additional soil and erosion controls on the site, including the movement of stored materials, need to be enacted, existing culverts on roadways in the area need to be cleaned, and bigger culverts should be installed where needed. Armstrong requests that with lifting the stop work order the Planning Commission also request Cheatham County to work to clear the ditches and culverts in the area, establish a county grading permit for the project and require a town staff member to make regular site inspections. Motion to lift stop work order, require staff to make regular inspection visits to project site, and recommend to Cheatham County to clear the ditches and culverts in the area made by Brian McCain, seconded by Chuck Sleighter. Mike Hargis declared he was a paying member of the Golf Club of Tennessee. Motion passed with all in favor.

8. New Business

A. Petro Properties LLC 126 Petro Road

- 1. Consideration of Change in Use from vacant to Commercial Office**
- 2. Consideration of Site Plan Approval**
- 3. Signage**
- 4. Construction Plans**

Planner Armstrong discusses proposed project and indicates lot will tolerate requested use and is zoned correctly for the project. Site plan has been reviewed by staff and meets town requirements. Motion to approve change of use made by Mike Hargis, second by Tony Campbell, and passed unanimously. Motion to approve site plan made by Tony Campbell, second by Chuck Sleighter and passed unanimously. No action currently needed on signage or construction plans.

Of note, there is a drainage area along the back of several properties along the south side of Petro Road and with the current and proposed development in that area it will need to be addressed by these property owners. Staff will coordinate a meeting in the future to discuss.

B. 279 E. Kingston Springs Rd.

1. Permit Review

2. BZA Application - Planning Commission Recommendation and Report

Planner Armstrong stated that in the past when there have been challenges to requests by staff for permits or other information those have come to the Planning Commission because the Board of Zoning Appeals regulations and the requirement for a permit are contained in the Zoning Ordinance and the Zoning Ordinance is a document of the Planning Commission. This particular request has a challenge in it on staff requirement for a building permit. In addition, there has been an allegation that it was inappropriately handled by staff. Armstrong stated that staff is requesting to adopt an advisory report by this Board to the KS Board of Zoning Appeals related to the applicant request, that this Board advises the KS Board of Zoning Appeals that the granting of the variance waivers or exceptions requested are a violation of the Kingston Springs Municipal Code, and to advise the KS Board of Commissioners indicating activities and interference by Commissioner Clark in KS Regional Planning Commission duties and authority are inappropriate. Planning Commission members asked questions specific to the property and appeal at issue as well as current permitting roles and responsibilities. In addition, the potential for the town to hire a Building Inspector was discussed.

Motion for the KS Planning Commission to forward an advisory report to the KS Board of Zoning Appeals related to the applicant request made by Tony Campbell, seconded by Keith Allgood. All members voting yes with the exception of Chuck Sleighter voting no. Motion passed. Motion to advise the KS Board of Zoning Appeals that the granting of the variance waivers or exceptions requested are a violation of the Kingston Springs Municipal Code made by Tony Campbell, seconded by Tony Gross. All members voting yes with the exception of Chuck Sleighter voting no. Motion passed. Motion to recommend to the KS Board of Commissioners that they clarify the communication process between town staff and Commissioners made by Tony Campbell, seconded by Chuck Sleighter and approved unanimously. Motion to make a recommendation to the KS Board of Commissioners for the Town to hire a Building Inspector made by Brian McCain, seconded by Keith Allgood and passed unanimously.

C. Training - Discussion of Planning Commission Authority, Responsibilities, Requirements

1. Staff Role, Responsibilities, Requirements

Training item took place through discussion of other agenda topics and Planner Armstrong will be providing questions on the topic to the Commission at next month's meeting.

9. Other (For Discussion Only).

None

10. Motion to Adjourn.

Motion to adjourn the meeting made by Keith Allgood, seconded by Chuck Sleighter.
Meeting Adjourned at 9:20pm

Mike Patenaude
Planning Commission Chair

Jamie Dupré
City Recorder