

**MAURY COUNTY REGIONAL PLANNING COMMISSION**

**Monday February 27, 2023 at 5:30 p.m.**

**MINUTES – REGULAR MEETING**

**I. Call to Order**

With a quorum present, Vice-Chairman Randall Webster, called the meeting to order. The following members were in attendance: Mark Cook, Randall Webster, Gwynne Evans, Peder Jensen, David Horwath, Mike Diaz and Meredith Hyjek. Harold Delk arrived at 5:50 p.m.  
Absent: Matt Poag

Staff Present: Robert Caldiraro, Director of Building & Zoning  
Deborah J. Boehms, Zoning Coordinator  
Mike Delviziis, Consulting Engineer  
Kristi Ransom, Attorney for Building & Zoning  
Nathan Couch, Consulting Engineer

**II. Approval of the Agenda**

A motion was made by Peder Jensen to approve the agenda. The motion was seconded by Mark Cook. The motion carried unanimously.

**III. Approval of Minutes**

A motion was made by Mike Diaz to approve the Minutes. The motion was seconded by Meredith Hyjek. The motion carried unanimously.

**IV. Rezoning Request A-2 to C-1: Survival Flight - Bear Creek Pike (Hwy 99)**

Applicant Alfred Benesch & Company and property owner Chris Millard are requesting approval. The portion of the property requested for rezoning is approximately 17.04 acres; the zoning district for the remaining approximately 26.87 acres will remain unchanged. The property is located at Bear Creek Pike (Hwy 99) Columbia, TN (surrounding and adjacent to 2165 Bear Creek Pike) and is further identified as being on County Tax Map 071 and Parcel 018.00. A roll call vote was taken, 3 ayes and 5 nays, the motion failed. The request did not receive a favorable recommendation.

James Nyquist, P.E. was present to answer questions.

Harold Newton spoke on behalf of the owner.

Gabe Howard, District 8 County Commissioner spoke in opposition of the rezoning.

**V. Concept Plan: Summertown Farms Subdivision - Summer Oaks Circle (5-lots)**

Applicant Common Ground Urban Design & Planning & property owner Brian Flowers are requesting approval. The property is located near 2505 Summer Oaks Circle Summertown, TN and is further identified as being on County Tax Map 173 Parcel 006.01.

A motion was made by Gwynne Evans to approve with conditions. The approval conditions are listed as follows:

1. Prior to approval or conditional approval of the Preliminary Plat, a recorded document is to be provided that confirms that the property owners within Summer Oaks Subdivision Lots 1-38 have signed an amendment that removes the Restrictive Covenant that states "*1. All lots shall be known and described as residential lots and are to be used as individual family dwellings only.*" as defined in Deed Book 841 Page 653 and provides concurrence for a public road to be constructed on Lot 12 of Summer Oaks Subdivision.
2. Covenants and Restrictions are to be provided for Summertown Farms Subdivision. Per subdivision Regulations (SR) Article 2-103.8 Preliminary Plat Requirements the Covenants and Restrictions were to be submitted with the Preliminary Plat submittal. Provide the draft Covenants and Restrictions.
3. The draft Covenants and Restrictions for Summertown Farms Subdivision are required by the MCRPC to include the following:
  - (a) A Homeowners Association is required
  - (b) All lots within shall be restricted from further subdivision of property.
  - (c) The Homeowners Association shall be responsible for all maintenance of stormwater ditches, culverts and appurtenances.
  - (d) The Homeowners Association shall be responsible for all maintenance of stormwater detention ponds, structures, ditches, culverts and appurtenances.
  - (e) Any changes, modifications or amendments to the Covenants and Restrictions shall require the unanimous acceptance and written approval of all lots owners within Summertown Farms Subdivision.
  - (f) The Covenants and Restrictions shall be not be changed, modified or amended for a minimum of 20-years.
  - (g) The Homeowners Association shall be responsible for all maintenance of the landscaped cul-de-sac island which shall be specified as HOA maintained open space. The Maury County Highway Dept. will not assume any maintenance responsibilities for a landscaped island.
4. The project shall use the Typical Roadway Section detail shown on the Concept Plan submittal shall be modified to include the requirements and modifications listed in the Maury County Highway Dept. (MCHD) comment letter signed by Van Boshers, MCHD Supt. dated 2/2/23.

The motion was seconded by Peder Jensen. The motion carried unanimously. Keith Covington with Common Ground Urban Design & Planning was present to answer questions. Morgan Flowers, property owner was present to answer questions.

**VI. Concept Plan: Labella Springs Subdivision (38-lots)**  
Applicant Labella Builders Inc. & property owner Labella Builders, LLC is requesting approval. The property is located off U.S. Highway 431 north of Joe Peay Rd. Spring Hill, TN and is further identified as being on County Tax Map 045 and Parcel 010.09.  
A motion was made by Peder Jensen to postpone until the March 27, 2023 Planning Commission meeting because the applicant failed to address multiple staff comments and requirements within the Subdivision Regulations. The motion was seconded by Harold Delk. The motion carried unanimously. Joe Ahler, P.E. was present to answer any questions.

**VII. Optima Towers, IV Tower: Final Site Plan Robert Truelove Rd.**  
Applicant Optima Towers, IV & property owner Jonathan Cornett are requesting approval. The property is located at the intersection of Sowell Mill Pike Road and Robert Truelove Road Columbia, TN and is further identified as being on County Tax Map 116 Parcel 036.00. A motion was made by Harold Delk to approve. The motion was seconded by Mike Diaz. The motion carried unanimously. Mr. Jonathan Yates, Attorney for the applicant was present to answer any questions.

**VIII. Proposed Amendments to Maury County Zoning Resolution for M-2 and M-3 Zoning Districts**

Proposed Amendments to Maury County Zoning Resolution article 5.062, M-2 (Heavy Industrial) District and article 5.063, M-3 (Special Industrial) District Uses and Standards regarding Landfill Development Standards

Proposed setback modifications to waterways, water bodies & features

A motion was made by David Horwath to approve and send a favorable recommendation to the County Commission. The motion was seconded by Gwynne Evans. The motion carried unanimously.

**IX. Maury County's Unified Development Plan Project**

Status, discussion and actions regarding Maury County's project to comprehensively update its Zoning Resolution and Subdivision Regulations to create modern and user-friendly documents.

**Miscellaneous Business**

**X. Letters of Credit:**

**The Retreat Subdivision, Section 2-** Developer requested as reduction in the Letter of Credit. A motion was made by Harold Delk to approve a reduced amount for the Letter of Credit for the Maintenance Period in the amount of \$345,000.00. The motion was seconded by Gwynne Evans. The motion carried unanimously.

**Frye Road Subdivision:** A motion was made by Peder Jensen to establish the Original Letter of Credit amount of \$285,000.00. The motion was seconded by Gwynne Evans. The motion carried unanimously.

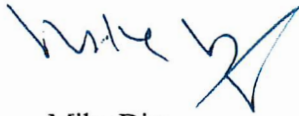
**XI. Reports of officers, committees and staff:**

**XII. Public Comment:**

**XIII. Other Business:**

**XIV. Adjournment** - A motion was made by Harold Delk to adjourn the meeting at 6:55 p.m. The motion was seconded by Gwynne Evans. The motion carried unanimously.

Respectfully,

A handwritten signature in blue ink, appearing to read "Mike Diaz", with a stylized flourish at the end.

Mike Diaz  
Secretary