

**MINUTES OF A REGULAR MEETING OF
THE PLANNING COMMISSION
CITY OF OAK HILL, TENNESSEE**

January 15, 2009

The Planning Commission of the City of Oak Hill, Tennessee met in the City Office. Planning Commission members in attendance were Mac Rucker, Ray Throckmorton, Art McWilliams, Patricia Carlson, Vice-Mayor Austin McMullen, Mayor Tommy Alsup, Julia Wesley, Trevor Howell, and Mike Allison. Staff present were City Attorney Bob Notestine, Chief Building Official Bill Burdette, Interim City Manager M. C. Sparks, and Administrative Assistant Patrick Steiner. Mr. McMullen acted as chair, and Mr. Steiner served as secretary.

The meeting was called to order at 5:08 pm. The following matters came before the Commission and were acted upon as indicated:

1.) Election of Chairperson of the Planning Commission – Mr. McMullen chaired the meeting for selection of a new Chairperson. Mr. Notestine discussed the procedure, and said that a Vice-Chair is also needed. An appointed member of the Planning Commission must be chair; a Commissioner may not be chair.

Ms. Wesley Nominated Art McWilliams to be chair, and Patricia Carlson to be Vice-Chair. Mr. McWilliams declined the nomination, therefore no Second was offered to the motion.

Mr. Throckmorton Moved that Austin McMullen be the Acting Chair for the current meeting, and that Tommy Alsup be the Acting Vice-Chair. Mr. Allison Seconded the Motion, which Passed Unanimously.

2.) Minutes of A Regular Meeting of December 18, 2008 - On a Motion duly made by Mr. Allison and Seconded by Mr. Throckmorton, the December minutes were Passed as corrected.

3.) P-08-06: The Korean Methodist Church (908 Old Hickory Boulevard) – A request was made to update the site plan for the church facility, reducing the number of parking spaces by 99 spots; they will still have parking spaces within the number required by International Building Code and Oak Hill ordinances. The plans currently allow 205 parking spaces; they want to reduce this number to 160 – they would be required to have 158. The reduction is due to the condition of soil. This item was deferred from the November and December 2008 meetings, as the Planning Commission asked for further information, including on lighting and screening. Craig Hausman, HBG Architects, said that lighting and landscaping plans have been submitted, and they have met with neighbors to go over various items.

Mr. Jeff Fabian, representing the church, made introductions, and said all plans were updated and turned in.

Ms. Marie Williams, 900 Old Hickory Boulevard, requested additional time for review of the drainage plan. Mr. Collier stated that this was the same plan submitted for three months, and he is comfortable with plans. Ms. Williams said she did not receive documentation, and wants Mr. Fabian's group to explain to the neighbors what is to be done.

Ms. Carlson does not want to defer this, and drainage can be discussed with neighbors after approval.

The geotech engineer for the church advised against waiting any longer, as excavation has been done for some time, which could cause destabilization of the hillside.

Ms. Shelley Lowe, architect for the church, indicated that the system in place was approved three years ago. Mr. Fabian discussed the meeting held with neighbors before last month's Planning Commission, as well as excavations done, and the fact that this proposed change will reduce the four levels of parking to three levels.

Mr. McMullen asked if there would be a change to lighting or drainage. Mr. Collier indicated there will be no change in lighting or drainage measures, and in fact over-retaining as removing last level of parking

Ms. Williams said that silt is coming onto her property, not just water. She said they finally put up a partial silt fence. She indicated she has concerns regarding drainage, and had pictures of water, mud, and silt coming off the hill from behind the church. Ms. Lowe showed the topographical map, indicating that the berm is on Ms. Williams' side - water would have to flow up the berm to reach Ms. Williams property.

Mr. Fabian said if there is a problem, the contractor will fix it, and requested the City Engineer or the Building Inspector to investigate and to help correct the problems.

Mr. Throckmorton pointed out that drainage cannot increase the volume and velocity of water onto others, and work needs to be done soon as they are at the point of no return.

Ms. Carlson asked if the retaining wall above the parking area has been installed yet. Ms. Lowe said no, but once the wall is installed, the dirt will be stabilized, grass grown, and water will be slowed down.

Mr. Burdette said that during recent rains water was falling everywhere.

Ms. Williams again indicated she wanted more time to review the drainage plans, not the church or the wall. Mr. Fabian said the drainage plans and designs have been reviewed, and they would like to move forward to help correct the situation.

Mr. Allison commented on why this was deferred from last month, so that updated plans could be received. Ms. Carlson talked to Ms. Lowe, and they are ready to move forward once approved. Ms. Carlson had an additional question for the geotech engineer: is the dirt from the excavation on the hill? Could that be used as berm material? Mr. Collier said that is correct.

Ms. Williams, the contractor, and the church's engineer are to meet tomorrow morning. She is fine with the lighting, and had questions as to where the landscaping would be. Ms. Lowe discussed areas where landscaping would be placed and showed where the wall will be placed.

Ms. Williams said she would like to see the existing fence moved and trees planted to screen the fence from her property.

After the discussion, on a Motion duly made by Mr. Throckmorton, the following was Moved:

"Moved that the Korean Methodist Church be instructed to go forward immediately with construction of the retaining wall in accordance with the improved geotechnical research and design submitted, with oversight by Mr. Collier and Mr. Burdette, and immediately address the drainage issues, with all other issues, such as lighting, fences, landscaping and parking, be left for a later date."

Mr. Allison commented that the parking must be addressed; Mr. Notestine said that parking must be addressed as it is the agenda item.

Mr. Throckmorton amended his motion to include allowing the Church to remove the fourth bay of parking. The Motion was Seconded by Mr. Allison, and Passed Unanimously.

3.) Signage – Mr. Notestine commented that he has contacted a person, who could review the current ordinances and redo them all. Mr. Notestine gave the Commission a copy of the sign ordinance for Nolensville, which he helped write; most of that ordinance cannot apply to Oak Hill as Nolensville has businesses and Oak Hill does not. Mr. Notestine also indicated that they cannot pass an ordinance to remove the existing electronic signs. He recommended that

someone redesign the city ordinances; however there could be a draft of a new sign ordinance, before redoing all of the ordinances. There was discussion about possible changes and updates. Non-conforming use laws do cover signs.

Mr. Throckmorton said there should be a review on whether to allow electronic signs, and ask those that have these signs to voluntarily remove or reduce them, and what would be the policy if the existing electronic signs were destroyed by an act of God or someone driving through them.

Mr. Howell asked how long it would take to have a new sign ordinance. Mr. Notestine said it would take about ninety days: 60 for the consultant to write the new ordinances up, and another 30 days for Planning Commission to review; then, there would be approval of the new ordinance by the Board of Commissioners, which would then have first reading, a public hearing, and a second reading before it could go into effect.

Mr. Throckmorton asked if the sign is part of a Conditional Use Permit, does that mean we have more or less control for signage, for schools and churches?

Mr. Alsup inquired about the proposed new signs at Father Ryan High School. Mr. Notestine stated that the new signs are stadium related, naming the new football stadium and they would be facing I-65.

Mr. Throckmorton wondered if the churches that currently have electronic signs could be asked to remove signs in the future if they come in for an update to the Conditional Use Permit for a different issue.

Ms. Wesley asked if we do the update as an appendix, would a consultant need to review it? Mr. Notestine responded yes.

Ms. Carlson also inquired if there could be an addendum to existing ordinances for removal of electronic sign? Mr. Notestine noted that if the Planning Commission could give him some more feedback, he could write the ordinance and run it by a consultant before the review of the Planning Commission and the Board of Commissioners. Mr. Howell thought there were two issues: those electronic signs that are currently being used, and any requested in the future.

After the discussion, on a Motion duly made by Mr. Throckmorton, the following was Moved:

“The City Attorney is to draft an immediate sign ordinance for prevention and prohibition of electronic signs within the City of Oak Hill for the next meeting’s agenda.”

Ms. Wesley asked if there could be a workshop for this to decide what would be in the ordinance. Mr. Throckmorton amended his Motion:

“The City Attorney is to draft an immediate sign ordinance for prevention and prohibition of electronic signs within the City of Oak Hill for the next meeting’s agenda; the Planning Commission shall receive from the City Attorney the proposed new ordinance within 21 days and set up a workshop to review before the February Planning Commission.”

The Motion was Seconded by Mr. Howell, and Passed Unanimously.

4.) Adjournment - There being no further business, the meeting was adjourned on a motion duly made and seconded at 6:11 pm.

City Recorder

Chair