

**MINUTES OF THE  
WILLIAMSON COUNTY REGIONAL PLANNING COMMISSION  
MEETING OF DECEMBER 9, 2010**

**MEMBERS PRESENT**

John Cain  
Don Crohan  
Susan Fisher  
Holli Givens  
John Lackey  
Tom Murdic  
Paul Pratt, Jr.  
Jack Walton

**STAFF PRESENT**

Joe Horne, Community Development Director  
Mike Matteson, Planning Director  
Aaron Holmes, Planning Coordinator  
Lincoln Sweet, Planner  
Floyd Heflin, County Engineer  
William Andrews, Assistant to County Engineer  
Kristi Earwood, Attorney  
Sheila Myers, Administrative Assistant  
Lania Escobar, Secretary

The Williamson County Regional Planning Commission met in regular session Thursday, December 9, 2010, at 7:00 p.m. in the Auditorium of the Williamson County Administrative Complex. Commissioners Baldree, Lane, Mosley, and Sanders were unable to attend.

Chairman Lackey called the meeting to order.

Mr. Horne made the following announcements:

1. A series of three (3) public workshops were held to present the public with Module 1 and Module 2 of the update to the Williamson County Zoning Ordinance. These three (3) meetings were held at Page Middle School, on Monday, November 29, 2010; Burwood Community Center, on Tuesday, November 30, 2010; and Grassland Middle School, on Thursday, December 2, 2010. Approximately one hundred people were in attendance at these meetings. Staff will be meeting with the Steering Committee sometime in the beginning of 2011 to discuss the comments received at these meetings.
2. A community meeting regarding the Leiper's Fork Small Area Plan was held Tuesday, December 7, 2010. The next scheduled meeting is tentatively planned for January 18, 2011, and will be held at Hillsboro Elementary Middle School at 6:30 p.m.

**CONSIDERATION OF MINUTES:**

Chairman Lackey asked for a motion to consider the minutes of the November 10, 2010 Planning Commission meeting.

A motion was made by Commissioner Pratt to approve the minutes as submitted and was seconded by Commissioner Crohan. The motion passed by unanimous vote.

**CONSENT AGENDA:**

**BONDS:**

1. **Belle Vista, Section 2** – Maintenance Bond for Water (HB & TS) - \$9,600.  
**Recommendation:** Reduce to the amount of \$200 and extend for a period of six (6) months.
2. **Breiz Valley, Section 2** – Not on Consent
3. **Chardonnay, Section 2** – Performance Bond for Roads, Drainage and Erosion Control - \$590,000.  
**Recommendation:** Reduce to the amount of \$350,000 and extend for a period of six (6) months.

4. **Laurelbrooke Section 12-B** – Maintenance Bond for Roads, Drainage and Erosion Control - \$250,000.  
**Recommendation:** Release the Bond.
5. **Saddle Springs, Phase 2A, Section 7** – Maintenance Bond for Roads, Drainage and Erosion Control - \$150,000.  
**Recommendation:** Extend in the current amount for a period of six (6) months.
6. **Silver Stream Farm, Section 2** – Maintenance Bond for Sewer (Metro) - \$7,000.  
**Recommendation:** Release the Bond.
7. **Vale Creek** – Performance Bond for Roads, Drainage and Erosion Control - \$200,000  
**Recommendation:** Extend in the current amount for a period of six (6) months, and request that the developer provide the required documentation to the County Engineering Department in order to possibly convert this bond to maintenance before the next review period.
8. **Vulcan Materials** – Performance Bond for Landscaping/Revegetation - \$48,500.  
**Recommendation:** Extend in the current amount for a period of one (1) year.
9. **Watkins Creek, Section 3** – Maintenance Bond for Roads, Drainage and Erosion Control - \$125,000.  
**Recommendation:** Extend in the current amount for a period of six (6) months.

There being no comments, Commissioner Murdic made a motion to accept Staff's recommendation. Commissioner Cain seconded the motion, which passed by unanimous vote.

## ITEM 2

### BREINZ VALLEY, SECTION 2, MAINTENANCE BOND FOR ROADS, DRAINAGE & EROSION CONTROL

Mr. Andrews reviewed the background (see Staff report) recommending that this bond be called.

Chairman Lackey asked for any comments from Commission members.

There being no comments, Commissioner Crohan made a motion to accept Staff's recommendation. Commissioner Pratt seconded the motion, which passed by unanimous vote.

### PUBLIC HEARINGS:

## ITEM 10

### SITE PLAN AND CONDITIONAL USE REVIEW FOR MID AMERICA DISTRIBUTORS FOR A TEMPORARY FIREWORKS STAND ON 1.32 ACRES LOCATED AT 1270 LEWISBURG PIKE IN THE 2<sup>ND</sup> VOTING DISTRICT (5-2010-037)

Mr. Sweet reviewed the background (see Staff report) recommending approval with the following conditions:

1. That the time period for this approval be limited to seven (7) days annually; specifically from December 26 through January 1;

2. This approval shall be valid for two (2) years unless the Site Plan is amended per the criteria set forth in Section 4200 (D) (2) of the Williamson County Zoning Ordinance;
3. That the applicant be required to provide proof of insurance in the amount of \$1,000,000 each occurrence for bodily injury liability and property damage liability prior to December 12, 2011, indicating Williamson County as an additional insured;
4. All signs be approved per Ordinance requirements; and
5. That the applicant obtains an approved Zoning Certificate by December 10, 2010 and December 12, 2011. The Zoning Certificate will not be issued until proof of insurance is provided and any proposed signs are approved by the Williamson County Codes Compliance office.

Chairman Lackey opened the public hearing.

There being no comments, Chairman Lackey closed the public hearing.

Chairman Lackey asked for any comments from Commission members.

There being no comments, Commissioner Murdic made a motion to accept Staff's recommendation. Commissioner Fisher seconded the motion, which passed by unanimous vote.

#### **PRELIMINARY PLATS:**

#### **ITEM 11**

#### **REQUEST FOR CONTINUATION OF THE PRELIMINARY PLAT FOR LAUREL COVE, PHASE 2, CONTAINING 96 LOTS ON 77.216 ACRES LOCATED OFF ARNO ROAD IN THE 3<sup>RD</sup> VOTING DISTRICT (1-2010-303)**

Mr. Matteson reviewed the background (see Staff report) recommending that the Preliminary Plat approval not be continued. Mr. Matteson added that the applicant has again requested this item be deferred, and referred to two (2) letters before the Body.

Chairman Lackey asked for any comments from Commission members.

Commissioner Crohan asked why the applicant was requesting deferral.

Chairman Lackey referred to the two (2) letters stating their reasons.

Commissioner Crohan then asked if the applicant is still in default.

Ms. Earwood stated that was correct.

Ms. Erica Garrison, Waller Lansden Dortch and Davis, LLP, representing the applicant, stated the primary legal counsel who was handling this matter has left their firm and the new counsel needs time to review the files. They are requesting a deferral while they are in this transition period. She stated the applicant is working diligently to move forward with this project and remains committed to finishing the project.

Commissioner Pratt stated he did not see how any more delays could be granted. He stated he has received phone calls from the community, and they are upset with the way this project is going.

Mr. Kevin Estes, Dale and Associates, representing the applicant, stated he understands the Commission's concerns. He stated the applicant is spending

approximately \$100,000 a month to maintain the property by keeping the site secure, the grass cut, the erosion control contained, etc. He also stated the applicant is in the process of procuring the funding to bring this project out of default.

Mr. Fred Mosesman, Arcturus, a principal with the real-estate consulting firm representing the owner, stated he has been involved with this project since 2008. He stated he has a staff of five (5) people who are at this site on a daily basis, keeping the property maintained. He asked the Commission to defer action on this item while the applicant works on the strategic plan to move this project forward. He stated that he has spoken with Greg Norman, who remains committed to this project, as well as the owners.

Commissioner Crohan stated he believed a ninety (90) day deferral would be too long.

Commissioner Murdic asked what the options are on this request.

Chairman Lackey stated it would be either to defer or not defer the project.

Ms. Earwood added that if the item is not deferred the Commission has to decide if they want to accept Staff's recommendation, which is to not approve the continuation of the Preliminary Plat or the Commission can vote for the continuation of the Preliminary Plat or the Commission can defer this item, which is what the applicant is requesting. She stated if the Preliminary Plat is not extended then it will expire and the applicant will have to resubmit the Preliminary Plat if they wish to proceed with it.

There being no other comments, Commissioner Murdic made a motion to defer this to the March 2011 meeting. Commissioner Cain seconded the motion, which passed five (5) to (3) with Commissioner Crohan, Lackey and Pratt voting "no".

## **ITEM 12**

### **REQUEST FOR CONTINUATION OF THE PRELIMINARY PLAT FOR MYSTIC RIDGE (A.K.A. STILLWATER), CONTAINING 203 LOTS ON 570.49 ACRES LOCATED OFF COX ROAD IN THE 5<sup>TH</sup> VOTING DISTRICT (1-2010-304)**

Mr. Matteson reviewed the background (see Staff report) recommending approval of this request subject to the stipulations established in conjunction with the September 2008 approval (See Attachment 12-3).

Chairman Lackey asked for any comments from Commission members.

Mr. D.J. Keehan, Eagle Ridge Investments, was in attendance for questions.

Commissioner Fisher asked why the applicant had not moved forward with this project and why they needed a continuation of the Preliminary Plat.

Mr. Keehan stated one of their financial institutions had a cease and desist order placed on the project. He stated they are currently in the process of moving this project to a new financial institution.

Commissioner Murdic asked when the applicant thought the Final Plat would be brought before the Commission.

Mr. Keehan stated approximately June 2011.

Commissioner Murdic made a motion to continue the Preliminary Plat approval until the July 2011 meeting.

Commissioner Pratt asked if this was possible.

Mr. Dan Scherbel of Atwell stated the wastewater treatment facility would be finished in June 2011 but then it has to be accepted by the State.

Ms. Earwood stated that based on the language of the Subdivision Regulations, extending the approval would be for a period of two (2) years and this is what she would recommend.

Commissioner Murdic withdrew his motion.

There being no other comments, Commissioner Murdic made a motion to accept Staff's recommendation with the added stipulation that the applicant give an update on the project at the July 2011 Planning Commission meeting. .  
Commissioner Pratt seconded the motion, which passed by unanimous vote.

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There being no further business, the meeting was adjourned at approximately 7:35 p.m.

**APPROVED BY A MAJORITY VOTE BY THE WILLIAMSON COUNTY  
REGIONAL PLANNING COMMISSION ON JANUARY 13, 2011**

\_\_\_\_\_ CHAIRMAN JOHN LACKEY