

**MINUTES OF THE
WILLIAMSON COUNTY REGIONAL PLANNING COMMISSION
MEETING OF MARCH 10, 2011**

MEMBERS PRESENT

John Cain
Don Crohan
Susan Fisher
Holli Givens
John Lackey
Steve Lane
Pete Mosley
Tom Murdic
Jack Walton

STAFF PRESENT

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

The Williamson County Regional Planning Commission met in regular session Thursday, March 10, 2011, at 7:00 p.m. in the Auditorium of the Williamson County Administrative Complex. Commissioners Baldree, Pratt and Sanders were unable to attend.

Chairman Lackey called the meeting to order.

Mr. Horne made the following announcements:

1. A Zoning Ordinance Update Steering Committee meeting has been scheduled for March 31, 2011 to discuss comments from the public meetings that were held concerning Modules I and II of the Williamson County Zoning Ordinance update. Also, the draft of Module III will be handed out to the Committee for review.
2. The third public meeting regarding the Leiper's Fork Small Area Plan will be held Tuesday, March 15, 2011 at Hillsboro Elementary Middle School at 6:30 p.m.
3. Item 15 has been withdrawn.
4. The Community Development 2010 Annual Report has been given to the Planning Commission.

CONSIDERATION OF MINUTES:

Chairman Lackey asked for a motion to consider the minutes of the February 10, 2011 Planning Commission meeting.

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

CONSENT AGENDA:

BONDS:

1. **Addition to Legends Ridge, Section 2A, Lot 924** – Performance Bond for Roads, Drainage and Erosion Control - \$45,000.
Recommendation: Extend in the current amount for a period of one (1) year.
2. **Addition to Legends Ridge, Section 1** – Maintenance Bond for Roads, Drainage and Erosion Control - \$40,000.
Recommendation: Extend in the current amount for a period of six (6) months.

3. **Animal Haven** – Performance Bond for Landscaping - \$4,200.
Recommendation: Reduce to Maintenance in the amount of \$2,000 and extend for a period of six (6) months.
4. **Belle Vista, Section 1** – Not on Consent
5. **Cartwright Close** – Performance Bond for Water (Mallory Valley) - \$333,050.
Recommendation: Review July 2011 to coincide with the expiration date on the bond.
6. **Cartwright Close** – Performance Bond for Roads, Drainage and Erosion Control – \$654,000.
Recommendation: Extend in the current amount for a period of six (6) months.
7. **Cascade Estates** – Not on Consent.
8. **Delta Springs** – Maintenance Bond for Landscaping - \$3,100.
Recommendation: Release the bond.
9. **Delta Springs** – Maintenance Bond for Roads, Drainage and Erosion Control - \$125,000.
Recommendation: Extend in the current amount for a period of six (6) months.
10. **King’s Chapel Amenity Center** – Performance Bond for Landscaping - \$7,850.
Recommendation: Reduce to Maintenance in the amount of \$2,355 and extend for a period of six (6) months.
11. **King’s Chapel, Section 2C** – Performance Bond for Roads, Drainage and Erosion Control - \$145,000.
Recommendation: Extend in the current amount for a period of six (6) months.
12. **Locust Ridge Primitive Baptist Church** – Maintenance Bond for Landscaping - \$16,000.
Recommendation: Release the bond.
13. **Silver Stream Farm, Section 3** – Maintenance Bond for Sewer Service & Improvements - \$19,000.
Recommendation: Extend in the current amount for a period of one (1) year.
14. **Silver Stream Farm, Section 5** – Performance Bond for Landscaping - \$21,200.
Recommendation: Reduce to the amount of \$13,000 and extend for a period of six (6) months.

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

ITEM 4

BELLE VISTA, SECTION 1, 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 Lane seconded the motion, which passed by unanimous voice vote.

ITEM 7

CASCADE ESTATES, PERFORMANCE BOND FOR ROADS, DRAINAGE & EROSION CONTROL

Mr. Andrews reviewed the background (see Staff report) recommending that this bond be reviewed again at the May, 2011 meeting. The current amount would remain the same (\$215,000) until that review.

Mr. Buster Stacy, Premier Land Development, representing the developer stated he would like this Item to be reviewed at the April, 2011 meeting.

Chairman Lackey asked for any comments from Commission members.

There being no comments, Commissioner Mosley made a motion to review this Item at the April 14, 2011 meeting. Commissioner Cain seconded the motion, which passed by unanimous vote.

NON-RESIDENTIAL SITE PLANS:

ITEM 15

SITE PLAN REVIEW FOR GATEWAY CHURCH, ON 10.68 ACRES LOCATED AT 1288 LEWISBURG PIKE IN THE 2ND VOTING DISTRICT (5-2011-005)

This item was withdrawn.

ITEM 16

SITE PLAN REVIEW FOR GRACE CHAPEL AND ACADEMY, ON 41.26 ACRES LOCATED AT 3279 SOUTHALL ROAD IN THE 2ND VOTING DISTRICT (5-2011-004)

Mr. Holmes reviewed the background (see Staff report) Staff recommending approval of the request subject to the following:

1. Posting of Landscaping Bond in the amount of \$33,900 for landscaping improvements; and
2. Compliance with the Williamson County Stormwater Management Regulations. (Note: The existing Stormwater Maintenance Agreement will be modified to reflect changes to the current system.)

Chairman Lackey asked for any comments from Commission members.

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

PRELIMINARY PLATS:

ITEM 17

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 3RD 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 a letter to that effect from Erica Garrison, Waller Lansden Dortch and Davis, LLP, attorney representing the applicant.

Mr. Matteson stated it is important to note that if the continuation is denied, the overall Site Plan for the development would remain in place and once the default is remedied the applicant can submit another Preliminary Plat for this phase of the development that is pursuant to the overall Site Plan that is currently in place for the development.

Mr. Kevin Estes, Dale and Associates, representing the applicant stated that Mr. Matteson is correct and that he is aware the overall Site Plan is still in place. He stated the client who is purchasing this property would like to have the item deferred. He asked the Commission for thirty (30) more days in order for his client to finalize a deal with a new development partner.

Ms. Erica Garrison, stated her client is simply asking for a sixty (60) day reprieve. Her client expects to finalize their deal within the next fifteen (15) to thirty (30) days. She stated if this request is denied it could potentially endanger the whole deal.

Chairman Lackey noted that Mr. Estes asked for thirty (30) days and Ms. Garrison asked for sixty (60) days. He asked which is correct.

Ms. Garrison stated either thirty (30) or sixty (60) days would be fine.

Chairman Lackey asked for any comments from Commission members.

Commissioner Mosley asked what the ramifications would be for the County if this does not move forward and whether the bond amounts would stay the same.

Mr. Matteson stated that Staff's key position is that while the development remains in default, no approvals or re-approvals can be granted. The applicant has requested a deferral and this will be for the Planning Commission to decide. Whether this request is deferred or denied, an action will have to be made by the Planning Commission once the default is remedied. He also stated the bond amounts are not impacted by this particular request.

Commissioner Fisher asked why the applicant has not been in attendance for these meetings, and also if the applicant can simply resubmit the Preliminary Plat after the default is remedied. She also questioned as to why Arcturus are so insistent on the continuation of this particular Preliminary Plat.

Mr. Estes stated that Mr. Fred Mosesman with Arcturus, was in attendance for the December 2010 meeting. He stated that in the past six (6) months this development seems to be coming to fruition. He also stated the reason the applicant wants the Preliminary Plat to be continued is the cost associated with having to start the process over, which can be significant.

Commissioner Givens asked what would happen if the Commission does not approve this deferral.

Mr. Matteson stated that Mr. Estes is referring to the cost associated with the submittal fees for the Preliminary Plat and whatever cost Dale and Associates may charge to prepare the plat again.

Commissioner Givens asked if this means they would be starting all over again.

Chairman Lackey stated the Preliminary Plat is already prepared and they would simply have to re-submit the plat and pay the submittal fee for the plat.

Mr. Crohan stated he feels the County has been more than patient with this development and there have been costs and time spent trying to work with the applicant and still no resolution has been met. Therefore, he agrees with Staff that this request should be denied.

Chairman Lackey asked if that was a motion.

Commissioner Crohan stated it was.

There being no other comments, Commissioner Crohan made a motion to deny this request. Commissioner Murdic seconded the motion, which passed eight (8) to zero (0) with Commissioner Cain not voting.

FINAL PLATS:

ITEM 18

FINAL PLAT REVIEW FOR BURWOOD PLACE, LARGE LOT EASEMENT SUBDIVISION, CONTAINING 5 LOTS ON 105.46 ACRES LOCATED OFF SPARKMAN ROAD IN THE 2ND VOTING DISTRICT (1-2011-400)

Mr. Holmes reviewed the background (see Staff report) recommending approval of the request subject to compliance with the Williamson County Stormwater Management Regulations.

Chairman Lackey asked for any comments from Commission members.

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

CLOSED SESSION:

ITEM 19

SPRING HOLLOW DEVELOPMENT, LLC AND TOM MOON v. WILLIAMSON COUNTY ACTING BY AND THROUGH THE WILLIAMSON COUNTY REGIONAL PLANNING COMMISSION, WILLIAMSON COUNTY CHANCERY COURT NO. 39234

The session was closed for approximately ten (10) minutes.

The session was re-opened. No action was required by the Commission.

Chairman Lackey asked for a motion to adjourn.

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There being no further business, the meeting was adjourned at approximately 7:40 p.m.

APPROVED BY A MAJORITY VOTE BY THE WILLIAMSON COUNTY REGIONAL PLANNING COMMISSION ON APRIL 14, 2011

CHAIRMAN JOHN LACKEY