

## **MUNICIPAL PLANNING COMMISSION**

June 12, 2018, Regular Meeting at 7 p.m.

Brandon Butler, Chairman  
Daniel Jenkins, V Chairman  
Christie Slaughter, 1<sup>st</sup> Secretary  
Mike Anderson, 2<sup>nd</sup> Secretary  
Patti Carroll, Mayor

Derek Burks, Commissioner  
Salvatore Cali  
Jim Power  
Sheree Qualls

**Present:** Butler, Jenkins, Slaughter, Anderson, Burks, Cali, Power, Qualls

**Absent:** Carroll

**Others Present:** Andrew Mills City Attorney, Will Owen, City Engineer, City Planner  
Kristin Costanzo, Codes Clerk Sharon Hall, Codes Inspector Micah Sullivan

- Butler Called Meeting to Order at **7:05 PM**
- Opening Prayer and Pledge – **Butler led Prayer and Pledge**
- Approval of Agenda -  
**Jenkins stated item 2 has been asked to be removed per the request of the developer. Power made a motion for approval. Burks Seconded. All were in favor.**
- Citizen Comments (limited to the first five citizens to sign in and three minutes each)  
**None**
- Approval of Minutes – May 8, 2018 Regular Meeting  
**Burks made a motion for approval. Anderson Seconded. All were in favor.**

### **NEW BUSINESS**

1. Conceptual Plan, Redbud Springs Subdivision. 12 Proposed Lots on 8.34 acres. Property located at 500 Highway 96 (Tax Map 022, Parcel 134.07). R-20 Zoning District. Property owned by Habitat for Humanity of Williamson County.

**Staff Comments: Jenkins read these staff comments**

- 1) TDOT approval will be required for the proposed new road connection to Hwy 96.
- 2) The proposed road alignment is not preferred. It is preferred that the proposed road be more linear in nature.
- 3) All City street design and drainage design requirements will need to be met at the time more detailed plans are generated.

**In discussion with the owner/developer, these items will be addressed at the development plan phase per staff comments.**

Christie Slaughter recused herself because she is the Finance Director for Habitat for Humanity. Daniel Reynolds present to represent. Butler asked Reynolds were they aware of these 3 comments. Reynolds stated yes sir. Anderson asked are these presold if so will they load from the back to the front or are they still for sale. Reynolds stated they are not pre-sold and essentially not for sale until probably in the year they

are actually building the house. Jenkins stated when he was looking at this he noticed there is a landscape buffer on the South end of lot 3 and lot 2. Why is there a landscape buffer there and no where else, what's the purpose? Reynolds stated initially when they were going to rezone this property he met with the neighbors on Fairfield Court & Ruby's Grove, the neighbor on Highway 96 to the right of lots 1 & 2. One of the neighbor's concerns was seeing house's behind her property so they added landscape buffers so she would see trees from her back deck instead of houses. Jenkins stated so they weren't required to do this they just did this out of the kindest of their hearts. Reynolds stated yes essentially yes, there was a good deal of feedback from the neighbors when they went to rezone and he wanted to accommodate them. Jenkins asked what the common space on the westside will be used for, it's very steep. Reynolds stated it is really steep, maybe along side of the road may be somewhat useable but as you get closer and closer to that property line it gets steeper and steeper, there won't be a playground there. Burks made a motion for approval. Power Seconded. All were all in favor.

2. Development Plan/Site Construction Plans, Fernvale Springs, Phase Four. 36 Proposed Units on 5.46 acres. Property located off Fernvale Springs Way (Tax Map 042, Part of Parcel 63.00). RM-12 Zoning District. Property owned by McGehee Family Trust.

**Staff Comments: This item has been removed at the request of the developer.**

#### **BONDS/LETTERS OF CREDIT**

3. Heartland Reserve Subdivision, Phase 1-3 – request to reduce the bond. Currently there is a performance bond in the amount of \$137,500 to cover roads, sidewalks, storm drainage, and other improvements specified by the approved plans. Bond expires June 30, 2018.

Jenkins read below Staff Comments.

**Staff Comments: All improvements have been completed at this time. As-built drawings have been submitted and reviewed but require additional information pertaining to storm structure elevations and drainage ditch topography before full subdivision acceptance is recommended by staff.**

**Engineer will provide a reduced new estimate based on his site inspection.** Owen stated your Subdivision Regulations set cap a minimum bond amount regardless of status of improvements and that minimum amount is 15% of the original bond amount. Owen stated so his recommendation would be to allow the bond to be renewed at 15% of the original bond amount and he doesn't have that number on him but we do have that number available to staff we just have to look that up, will certainly be sufficient because all that is remaining is getting the as builds. Burks asked that is 15% of the original bond set not the last bond set. Owen stated that's correct 15% or the total original bond that was set. Burks made a motion to renew at 15% of the original bonds for the aggregate of all three or the current amount whichever is less. Jenkins Seconded. All were in favor.

4. Heartland Reserve Subdivision, Phase 4 – request to reduce the letter of credit amount. Currently there is a letter of credit in the amount of \$134,000 to cover roads, sidewalks, storm drainage, and other improvements specified by the approved plans. Letter of credit expires November 27, 2018.

Jenkins read below Staff Comments.

**Staff Comments: All improvements have been completed at this time. As-built drawings have been submitted and reviewed but require additional information pertaining to storm structure elevations and drainage ditch topography before full subdivision acceptance is recommended by staff. Engineer will provide a reduced new estimate based on his site inspection.**

Owen stated same situation here he would recommend 15% of the original amount, he does know the original amount of this phase was around \$610,000.00 so that 15% is going to be around \$91,000.00 range, will get that calculated. Burks made a motion to reduce to 15% of the original bond amount. Power Seconded. All were in favor

5. Hickory Springs Subdivision – request for subdivision acceptance and release of letter of credit. Currently there is a letter of credit in the amount of \$43,750 to cover sidewalks and drainage ditch improvements specified by the approved plans. Letter of credit expires September 18, 2018.

Butler read below Staff Comments.

**Staff Comments: All improvements have been completed at this time. As-built drawings have been submitted and reviewed and a site inspection has been performed. Staff recommends subdivision acceptance and release of the bond at this time.**

Anderson made a motion they accept and release of the bond. Burks Seconded. All were in favor.

6. Fernvale Springs Apartments – request to set the bond.

Butler read the below Staff Comments.

**Staff Comments: Engineer will provide an amount based on the approved plans.**

Owen stated they saw and approved these plans last month, he will remind them that Multifamily developments that have a single common ownership, in this case Apartments, where there is a common owner of the entire land and he renting the individual units, is treated no differently than a commercial site from a bonding standpoint. Owen stated the bond that would be put in place for this particular development is a stabilization bond, so if the development was to begin construction and defaulted in any manors, left the site or abandoned the site then the bond amount would be utilized to stabilize the site from a storm water standpoint, no more no less than the site would be left stabilized and that would be the end of it. Owen stated for educational purposes that is different than a performance bond that they would see in a subdivision development, in a subdivision development. The City wants a performance bond to cover the entire cost of all the improvements that are to be installed in the public right of

way, so if there was a default by the developer, the City would have a bond in place that would guarantee the installation of all those improvements, even if the developer left. Owen stated if no question on that he would suggest a bond amount for \$40,000.00 for this site. Burks made a motion \$40,000.00 for a stabilization bond. Jenkins Seconded. All were in favor.

7. Fernvale Springs Condos, Phase 4 – request to set the bond.

**Staff Comments: Engineer will provide an amount based on the approved plans.**

Owen stated unlike the prior one where ownership was remained in a single entity of the entire property this is a development where each individual unit will be owned by deed by different people. So, there is interest that the City has making sure that the purposed improvements that serve these individual Condo Units, access roads, utilities, Storm water & all that, that they are actually installed according to the approved plans if the developer would default. Owen stated his recommendation would be to set a performance bond in the amount of \$ 751,000.00 and/or a reclamation bond of \$ 239,000.00. Anderson stated who makes that decision. Owen stated the developer and the way he chooses if he desires to go ahead and have the final plat recorded then they will require the performance bond of the full amount prior to installation of those improvements, we want a guarantee that those improvements will be fully installed. If he desires to construct some of those improvements prior to final plat recording, which means he's installing and constructing before the plats recorded, which means he can't sell any units, nobody can move in, there's no risk of a citizen moving into a unit not having a completes street, water service, etc. Burks made a motion that a performance bond be set at \$751,000.00 or a reclamation bond at \$ 259,000.00. Slaughter Seconded. There was a question on what the reclamation amount was. Burks made a motion to resend. Jenkins Seconded. Vote was taken on the resend. All were in favor. Burks made a motion to set the performance bond at \$ 751,000.00 or a reclamation bond at \$ 239,000.00. Slaughter Seconded. All were in favor.

**REPORTS FOR DISCUSSION AND INFORMATION**

- City Planner – **Nothing**
- City Engineer – Owen stated since they didn't get to open space in the workshop session, he did want to bring this up, what he was going to suggest is the elimination of open space requirements for all traditional subdivision developments, that's A typical requirement and it generally results in what they saw before them tonight. This desire to just meet a requirement on paper that doesn't really supply any benefit to a development as it pertains to useable open space, so you end up with a proposed road network and when they get to the preliminary plat his comments will probably be a little stronger on the road alignment that's being proposed. He just wanted to use this for an example for why he would suggest of removal of all open space requirements for traditional subdivisions. So, if someone wants to go a straight R-20 subdivision like what they saw before them then there wouldn't be any open space requirements, got minimum lot sizes of approximately ½ acre which in most jurisdictions that would

be viewed as a decent size lot, that they could have a back yard to play in, put a dog in, basket ball goal. Along with that he thinks with the open space requirements and planned developments are absolutely necessary or would be suggested to keep and he thinks they would need to strengthen the language on the type of improvements within that open space that they would deem suitable for the scale of project that is before them. Just wanted to throw that out there know they didn't get to it tonight, he will do his best to draft, open space language for the PUD section, that will be available for their next meeting if it's not anywhere near what they want don't hesitate to table it. What he doesn't want from them to get the feeling of being rushed for these zoning ordinance changes, if they feel that they can discuss it more but he also doesn't want them to say we're ready to move forward and he's just sitting there. He's trying to balance those two options.

- City Attorney – **Nothing**
- City Manager – **Not Present**

**COMMUNICATION FROM THE PLANNING COMMISSION MEMBERS**

Slaughter – Nothing

Qualls – Nothing

Anderson – Nothing

Powers – Nothing

Cali – Nothing

Burks – Burks stated thanks for catching that error on that last bond.

Carroll – Not Present

Jenkins – Nothing

Butler – Butler stated he will be out of town for next month's meeting, he apologizes for his absence, Mr. -Jenkins will hold you guys down

**ADJOURNMENT –**

Butler stated he would entertain a motion to adjourn. Burks made a motion for adjournment. Adjourned at p.m. 7:30p.m.

---

Chairperson

---

Secretary