

**RESOLUTION 24-19**

**A RESOLUTION TO APPROVE THE ACCEPTANCE OF A FEE IN LIEU FROM LGI HOMES (CRYSTAL CREEK TOWNHOMES) FOR THE CONSTRUCTION OF THE FRONTAGE SIDEWALK ON JIM WARREN ROAD**

**WHEREAS**, the City of Spring Hill reviewed and approved FPL 1023-2021 on August 9, 2021, for the site layout and construction of a Crystal Creek Townhomes located off of Rice Road.

**WHEREAS**, LGI Homes (developer) is the entity responsible for the construction of Crystal Creek Townhomes and will do so in accordance with the Spring Hill Unified Development Code and as approved by the Planning Commission; and

**WHEREAS**, the developer has asked to pay a fee in lieu of the cost to construct frontage sidewalk on Jim Warren Road due to the Jim Warren Road widening project; and

**WHEREAS**, the developer has prepared a cost estimate of the cost of frontage sidewalk to be \$44,180; and

**WHEREAS**, the acceptance of the fee in lieu will resolve one of the outstanding conditions of approval of PPL 1023-2021; and

**WHEREAS**, the following documents have been attached to this resolution:

1. Letter of Request from LGI Homes
2. Estimate
3. Planning Commission Approval Letter for FPL 1023-2021

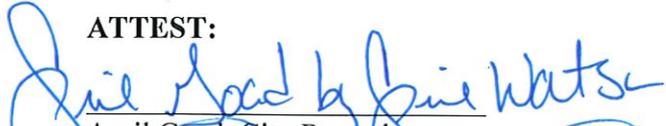
**NOW, THEREFORE BE IT RESOLVED**, the City of Spring Hill Board of Mayor and Aldermen:

1. Approve the Development Agreement between the City of Spring Hill and LGI Homes for a fee in lieu of the construction cost of the frontage sidewalk along Jim Warren Road.
2. The fee in lieu will be \$48,598.

Passed and adopted this 20<sup>th</sup> day of February, 2024

  
Jim Hagaman, Mayor

**ATTEST:**

  
April Goad, City Recorder

**LEGAL FORM APPROVED:**

  
Patrick Carter, City Attorney



**REQUEST:**            **Approval of Resolution 24-19**

**SUBMITTED BY:**   **Stacy Mitovich and Gracie Aldridge**

**DATE:**                **February 2, 2024**

**RE:**                    **To accept fee in lieu for frontage sidewalk on Jim Warren Road associated with FPL1023-2021 Crystal Creek Townhomes.**

**ATTACHMENTS:**   **Resolution, Letter of request, Estimate, and PC approval letter.**

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**PURPOSE:**

The purpose of this resolution is authorizing the Mayor to execute a development agreement with LGI Homes (Crystal Creek Townhomes) to accept a fee in lieu of a frontage sidewalk on Jim Warren Road.

**BACKGROUND:**

The Planning Commission Approved FPL 1023-2021 Crystal Creek Townhomes with conditions on August 9, 2021. The developer has prepared a cost estimate of 44,180 for the cost of the frontage sidewalk. Staff has added 10% (consistent with the City's bond standard) to make the final payment in lieu \$48,598.

**STAFF RECOMMENDATION:**

Staff recommends the approval and acceptance of the fee in lieu of for frontage sidewalk.

1/25/2024

Crystal Creek Townhomes – Fee in Lieu: Jim Warren Rd Sidewalk

Hello,

LGI Homes would like to request to pay a Cash Fee in Lieu Of to cover the estimated cost to build a sidewalk at the frontage of our Crystal Creek Townhomes project along Jim Warren Rd. Attached to this letter is a bid from a licensed contractor for the estimated cost to construct the sidewalk. This amount is agreeable to us for evidence of the cash payment owed to the City of Spring Hill to satisfy this condition from our Crystal Creek Townhome approved preliminary plat. Please feel free to reach out if there is anything else needed for us to satisfy this condition.

Sincerely,

A handwritten signature in blue ink that reads "Dan Brown".

**Dan Brown**

LGI Homes - Tennessee, LLC

Dan.brown@lgihomes.com

VP of Land Acquisition & Development

www.LGIHomes.com

# ESTIMATE

Safvis Corporation  
201 Mammoth St  
Thayer, Mo 65791

rogerfoley@icloud.com  
+1 (417) 908-7318

## LGI Development

**Bill to**  
Danny Hieronimus  
LGI Development

**Estimate details**  
Estimate no.: 1166  
Estimate date: 08/28/2023

| Product or service   | Amount             |
|--|--------------------|
| 1. <b>Concrete sidewalks</b><br>Chrystal Creek<br>Spring Hill TN<br>by: Wes E&S job #15569-10<br>4081 sqft<br>Spoils left on site.<br>Excludes rock hammering. | \$44,180.00        |
| <b>Total</b>   | <b>\$44,180.00</b> |

### Note to customer

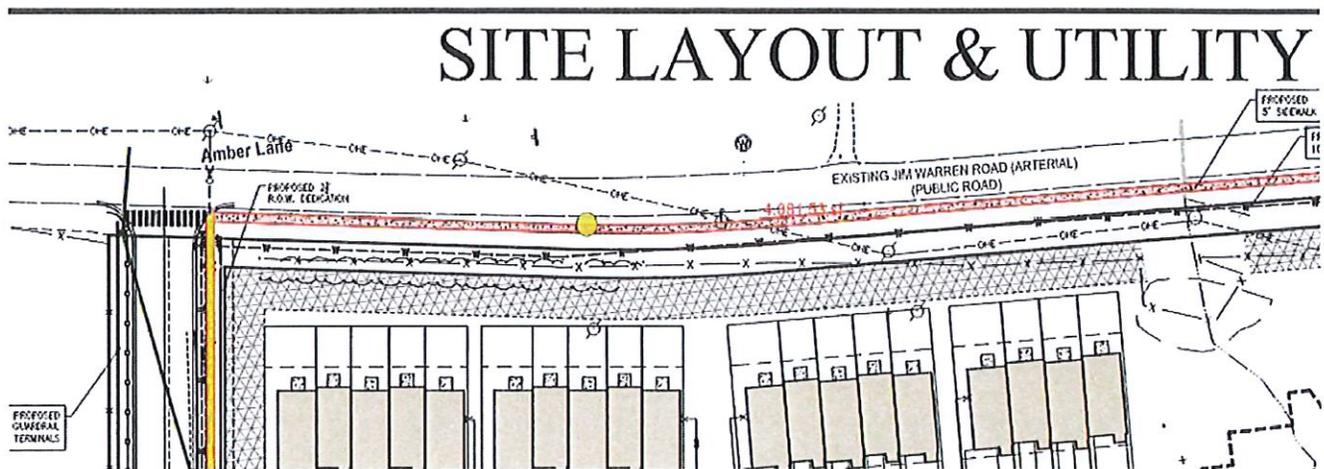
Thank you for your business.

**Dan Brown**

**From:** Dan Brown  
**Sent:** Friday, January 19, 2024 11:54 AM  
**To:** Lance Holdorf; Peter Hughes  
**Cc:** Danny Hieronimus; Gerald Vick  
**Subject:** Crystal Creek Townhomes - Jim Warren Rd. Frontage Sidewalk Cash In Lieu of Proposal  
**Attachments:** Estimate\_1166\_from\_Safvis\_Corporation (002).pdf

Lance, Pete,

The last few times we met on Crystal Creek, we had discussed the need to not build the frontage sidewalk on Jim Warren Road at this time. LGI Homes would be able to provide payment in lieu of for the sidewalk. The area measures 4081 sf:



Attached is our contractors quote for the value of the sidewalk installation, \$44,180.00. Upon your review and approval of this amount, we would like to provide the cash in lieu of deposit to the City as we are nearing the completion of the project in the next few months. Please review and let us know the next steps to proceed.

Please let me know if you have any questions or need more information.

Thank you,

**Dan Brown**

VP of Land Acquisitions and Development

M: 209-481-9287

[dan.brown@lgihomes.com](mailto:dan.brown@lgihomes.com) | [www.lgihomes.com](http://www.lgihomes.com)



CELEBRATING 20 YEARS OF CHANGING LIVES  
OVER 50,000 FAMILIES MOVED-IN



August 24, 2021

WES Engineers & Surveyors Attn:  
Allen O'Leary  
2486 Nashville Highway  
Columbia, TN 38401

RE: PPL 1023-2021 (Crystal Creek)

Mr. O'Leary:

I am pleased to inform you that your application **FPL 1023-2021** was approved by the Spring Hill Planning Commission on August 9, 2021 with the following condition(s):

1. The developer must acquire the necessary right-of-way for Rice Road and must dedicate same, at no cost, to the City of Spring Hill prior to residential Construction. Developer must also construct Rice Road from its current northern terminus to Jim Warren Road. Design Plans subject to the City of Spring Hill's Planning Commission approval. The entirety of Rice Road must be constructed to city standards prior to any building permits being issued.
2. Developer must dedicate, at no cost, right-of-way for Jim Warren Road to achieve a minimum of 47.5' from centerline, prior to residential construction.
3. Preliminary building design and elevations provided in Exhibits as amended by the Planning Commission must apply unless modified by action of the Planning Commission.
4. Prior to the 80<sup>th</sup> building permit being issued the playground area, playground amenities and equipment will be constructed and dedicated to the City of Spring Hill. Should the Board of Mayor and Alderman choose not to accept this dedication, the HOA must maintain this amenity.
5. The development must comply with Article 8.3K of the UDC as applicable, including a formal recreation area as required by the Planning Commission.
6. Developer must construct a 5'-wide sidewalk along its Rice Road frontage.
7. All buffers identified on Exhibit A must be protected and preserved.
8. Developer must construct a 5'-wide sidewalk along its Jim Warren Road frontage.
9. Building elevations and materials must comply with the requirements of townhomes in the UDC.
10. Building facades must provide greater variety in color, architecture, and materials and are subject to Planning Commission approval.
11. Existing trail of City property to the south of the site should be disturbed to the minimal amount possible. Any routing of the sanitary sewer on the City's property in this area must be approved by the Planning Commission in writing prior to any disturbance.
12. The Traffic Impact Study and Construction Plan are subject to further site plan review by all City of Spring Hill Departments.

13. The 10'-wide walking trails must be in accordance to all City of Spring Hill's standards.
14. The developer must construct Rice Road to the City of Spring Hill's collector street standard.

Please contact the Planning Department if you have any questions or require further assistance at 931-486-2252 ext. 255.

Sincerely,

City of Spring Hill Planning Commission