

City of Fairview

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FAIRVIEW, TN. 37062



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Municipal Planning Commission

Regular Meeting
February 12, 2013
7:00 p.m.

Mike Smith, Chairman
Robert Benson, Vice Chairman
Lisa Anderson, 1st Secretary
Matthew Beata, 2nd Secretary
Beverly Totty, Mayor,
Toney Sutton, Commissioner
Michael Mitchell
Marsha Hock-Elliott
Todd Behan

Present: Smith, Benson, Anderson, Beata, Totty, Sutton, Mitchell, Hock-Elliott, Behan

Absent:

Others Present: City Manager Andrew Hyatt, City Attorney Larry Cantrell, City Planning/Codes Director Donn Lowvorn, Codes Clerk Sharon Hall

1. CHAIRMAN MIKE SMITH CALLED THE MEETING TO ORDER AT 7:03 P.M.

1.1 Lowvorn led the prayer and the pledge.

2. APPROVAL OF THE AGENDA-

2.1 Totty made a motion for approval. Benson Seconded. All were in favor.

3. CITIZENS COMMENTS - (Limited to the first five to sign in and a limit of three minutes each.) None

4. APPROVAL OF THE MINUTES-

4.1 JANUARY 08, 2012 REGULAR MEETING

Elliott stated on her comments she said deluge not delouse. Smith stated on 1. Needs to say deluge not delouse. Sutton made a motion for approval. Benson Seconded. All were in favor.

5. RECOMMENDATION -NONE

6. BONDS

6.1 STABLE ACRES SUBDIVISION – PERFORMANCE BOND TO COVER THE ROADS, SIDEWALKS, AND STORM DRAINAGE. \$65,000.00. PLANNING COMMISSION SET THE BOND ON DECEMBER 12, 2008. BOND EXPIRES JANUARY 24, 2013.

Lovvorn stated THIS Bond was extended.

6.2 WESTERN WOODS VILLAGE – PERFORMANCE BOND TO COVER THE ROADS, SIDEWALKS, AND STORM DRAINAGE - \$155,300.00. PLANNING COMMISSION SET THE BOND ON FEBRUARY 12, 2008. THE BOND WAS REDUCED TO \$106,000.00 AT THE FEBRUARY 10, 2009 MEETING. BOND EXPIRES MARCH 14, 2013.

Lovvorn stated you have the Engineers report in front of you regarding Western Woods. Lovvorn stated they had the City Engineer go out and inspect this subdivision. Lovvorn stated the developer is requesting that the bond be reduced to \$80,240.00, so it's up to this Board to make that decision. Cantrell stated let the record reflect that the developer is present. Smith stated yes Mr. Cunningham is present. Sutton made a motion for the recommendation of the Engineer. Beata Seconded. All were in favor

7. OLD BUSINESS –

7.1 DISCUSS AND OR ACTION ON RECOMMENDATION FROM THE WORKSHOP MEETING TO AMEND THE FAIRVIEW MUNICIPAL ZONING ORDINANCE RELATIVE TO HOME BASED BUSINESSES.

Smith stated they had a good meeting earlier this evening and they had specific things that they wanted to look at in terms that will be presented in draft form that will be voted on next meeting. Smith stated they wanted to lay those out to anyone that wasn't at the meeting tonight and answer any questions and have discussion. Smith stated Ms. Elliott can you help us out on the areas that were changed. Elliott stated the following are prohibited as minor home occupations but not limited to but may be permitted as it is written adding the phrase, any other business that the zoning authority deems to be a major home occupation. Smith stated that would be under the minor home businesses in sub section J number ten. Smith stated under table five 5.102a continued under major home occupations the following chart will be changed where theses now have conditional use under C, will now be eliminated under major home occupation will be, RM20, RM12, RM8, RMHP, RS8, RS5, RS10, and everything else on the

chart will stay the same. Benson made a motion to except the changes for the major home occupations, under the residential districts RM20, RM12, RM8, RMHP, RS8, RS5, RS10, that the c, conditional be omitted. Behan Seconded. All were in favor.

8. NEW BUSINESS-None

9. REPORTS FOR DISCUSSION AND INFORMATION

- 9.1 PLANNING/ZONING/CODES DEPARTMENT** – Lovvorn stated they had a preconstruction meeting with Wal-Mart today; they have paid for their building permit. Lovvorn stated they will be getting started putting in their erosion control in the next few days. Lovvorn stated they are still saying, their contract with Wal-Mart, the general contractors has to turn over the building to Wal-Mart September 14, grand opening October 30, 2013, if there is no delays in the project from now to then. Sutton stated tell them to please put up a sign. Lovvorn stated they discussed signs today and he is pretty sure; they will put one up soon. Beata stated he knew there was talk at one time about giving them a twenty-four hour work variance, did that ever happen. Lovvorn stated they said they will work from sunup to sundown. Smith asked has Mapco been completed in terms of CO, got their issues that they talked about last month. Lovvorn stated their still under a temporary and will be until the weather gets right to paint the metal doors on the back of the building, gave them sixty days on the second temporary.

9.2 CITY ENGINEER –Not Present

- 9.3 CITY ATTORNEY** –Cantrell stated Commissioner Bissell isn't here tonight he always kids him if he can get close to an hour he'll talk past the hour so he can bill the City that's his and I running joke. Cantrell stated the other night I didn't talk much and he talked for a long time and he made a point of that. Cantrell stated he won't ever say one Board or one Committee is more important than another because that isn't true. Cantrell stated they all have a place, a time in which they enter the phrase so to say. Cantrell stated the Board of Zoning Appeals, because until someone has an appeal the Board of Zoning Appeals is just out there waiting to be called but at the time they come into the picture their very important. Cantrell stated for the benefits of the three new members that are here tonight, the Planning Commission serves a very vital and very important process in the City Government. Cantrell stated some Committees and Boards are at the end of something this Board is at the beginning of almost everything that happens of course it will be a recommendation to the Board of Commissioners but you have done the leg work, you have set and listen to the citizen comments on it. Cantrell stated and you come up with the decisions, and he always compliments the Boards on the job they do because we are very fortunate in this City a diversity of thought, people of those Boards that want to do a good job. Thank you Mr. Chairman.

10. COMMUNICATION FROM THE PLANNING COMMISSION MEMBERS.

Behan stated he would like to in the near future to discuss the plan for the town center and where that is going and for what he understands the plan that has been done was done sometimes ago, there are parts of it that are no longer viable. Behan stated particularly the center street that goes through there because of property that has been sold off and he thinks that is something they need to get a handle on before our growth overtakes what they had envisioned they wanted it to be. Behan stated from what he understands there is no digital drawings on this there's no more copies of what is there so that is something that he feels is very important as the town moves forward. Also is there something in place if a member isn't there is very a proxy vote in place, personally he knows the next two meetings he will not be able to attend because of prior business arrangements that he has to be at so he will not be able to be here. Behan stated is there a vehicle in place for things that are going to be voted on. Cantrell stated there is not and there may be some problems with that.

Anderson stated the boys basketball team is doing really well, they are record 15-5, game on Thursday everyone come out and support them. Anderson stated shop local keep you money in Fairview.

Elliott state everyone please keep coming to the meetings and show your support for our community. Elliott stated she would like to know more about the long range plans.

Smith stated would be a good idea to have a workshop meeting on the Town Center.

Sutton stated shop local to help our City. Sutton stated the public can also help police with these in home occupations. Sutton stated if two or more members are not going to be at a workshop meeting; it would be a good idea to cancel the meeting and reschedule.

Smith stated next month at 5:30 p.m. workshop meeting on land use plan.

11. ADJOURNMENT- Benson made a motion for adjournment. Sutton Seconded. All were in favor. Adjourned at 8:10p.m.

Chairperson

Secretary