

City of Fairview

7100 CITY CENTER WAY
FAIRVIEW, TN. 37062



Phone: 615-799-1585
Email: codes@fairview-tn.org

Municipal Planning Commission

Regular Meeting
February 16, 2016
7:00 p.m.

Lisa Anderson, Chairperson
Matt Beata, Vice Chairman
Brandon Butler 1st Secretary
Michael Mitchell, 2nd Secretary
Patti Carroll, Mayor
Toney Sutton, Commissioner
Wayne Lowman
Tim Mangrum
Mitch Dowdy

Present: Anderson, Butler, Mitchell, Carroll, Sutton, Lowman, Mangrum, Dowdy

Absent: Beata

Others Present: City Manager Wayne Hall, City Attorney Larry Cantrell, Engineer Will Owen, Codes Clerk Sharon Hall, Ron Rowe

1. CHAIRPERSON ANDERSON CALLED THE MEETING TO ORDER AT 7:08 P.M.

1.1 Carroll led the prayer and the pledge.

2. APPROVAL OF THE AGENDA-

2.1 Sutton made a motion for approval. Butler 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 05, 2016 – SPECIAL CALLED MEETING

Mangrum made a motion for approval. Mitchell Seconded. All were in favor.

4.2 JANUARY 12, 2016 - REGULAR MEETING

Mangrum made a motion for approval. Mitchell Seconded. All were in favor.

5 RECOMMENDATION

5.1 DISCUSS AND/OR TAKE ACTION ON REZONING APPLICATION FOR PROPERTY LOCATED AT DRAGSTRIP ROAD FROM CI (COMMERCIAL INTERCHANGE) TO RM-8 (MULTI FAMILY RESIDENTIAL). MAP 18, PARCEL 006.00, 21.5 ACRES. EMMA GENE CLEMENT PEERY OWNER.

Beata made a motion for approval. Butler Seconded. All were in favor.

Mr. Hall stated Board of Commissioners approved.

5.2 DISCUSS AND/OR TAKE ACTION ON REZONING OF PROPERTY LOCATED OFF COX PIKE (POLSTON PLACE II) FROM RS-20 TO RS-20 P.U.D. OVERLAY (RESIDENTIAL). MAP 21, PARCEL 61.06 (40.69 ACRES); MAP 43,

PARCEL 32.04 (2 ACRES) AND PARCEL 37.01 (0.5 ACRES). BILLY POMEROY OWNER.

Sutton made a motion for approval. Mitchell Seconded. All were in favor.

Mr. Hall stated this passed on the first reading with the Board of Commissioners

6 BONDS-

- 6.1 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. THE BOND WAS REDUCED TO \$80,240.00 AT THE FEBRUARY 12, 2013 MEETING. BOND EXPIRES MARCH 14, 2016.

Mr. Hall stated this bond has been renewed.

7 OLD BUSINESS- None

8. NEW BUSINESS-

- 8.1 DISCUSS AND/OR TAKE ACTION ON REZONING PROPERTY LOCATED AT 2652 FAIRVIEW BLVD. FROM RS-40 (RESIDENTIAL) TO CG (COMMERCIAL GENERAL). MAP 69, PARCEL 32.00. 1.1 ACRES. GARY & GLENDA JAWORSKI OWNERS.

Mr. & Mrs. Jaworski present to answer questions. Mangrum made a motion for approval. Mitchell Seconded. Butler read Engineers report which will become part of these minutes. Exhibit A. Carroll stated one of her concerns was how much residential surrounding this property, it's commercial and mixed us also. Carroll stated her fear when they rezone property like this, they can come in and put in anything. Carroll asked them did they have a contract on this or someone interested in purchasing the property? Mrs. Jaworski stated this is purely for the future and her neighbor beside her is also interested in rezoning her property to commercial also. Carroll stated she would rather property owners come together with a plan to rezone. Butler stated he agrees its right there next to the play area for the Elementary School, with the setbacks for residential it's going to really limit the availability in usage. Butler stated he would rather see it if they joined with that property or with their property and come forward and say here is their plan and this is what they want to build, then they can get a better picture as they see it, rather than here's commercial and see what happens. Vote was taken. All in favor, except Carroll and Butler. Motion passes.

- 8.2 DISCUSS AND/OR TAKE ACTION ON REVISED DEVELOPMENT PLANS FOR MEETING PLACE ASSEMBLY OF GOD. LOCATED ON HIGHWAY 96. MAP 41, PARCEL 46.17. 3.00 ACRES. ZONED RS-40. OWNER CHURCH MEETING PLACE ASSEMBLY OF GOD.

Butler read Engineers report which will become part of these minutes. Exhibit A. Jon Goff, Pastor Morgan present to answer questions. Anderson stated she had one major concern why was this pond moved in the 1st place, from the original plan. Mr. Goff stated they started grading this past summer, they were getting material to build the pad up, first place to do that was at the pond, where are they going to put the pond. Mr. Goff stated the pastor saw where it was located and asks if they could move it to some degree, wanted a play area there,

behind the church. Mr. Goff stated they scooted it out a little bit while they had the equipment going. Anderson stated they do understand that could become an issue if there is any overflow of the water. Mr. Goff stated they thought they were putting it where it would work and he does think it will work now that the Engineer had redrawn it in that spot. Butler asks do we have penalties for something like this during the process. Owen stated there are no penalties for a revision to a plan during the process. Anderson asked is his pastor an Engineer. Pastor Morgan stated no he is not. Owen stated the revised plan is an Engineers stamped plan, doesn't know about the field changes can't validate that. Anderson stated shouldn't this come have come before us before the shift was made. Owen stated potentially yes, the biggest leverage the City has is they can hold the Certificate of Occupancy when they do a final as built inspection. Owen stated when it doesn't match what the approved site plan shows that's where the indirect penalty of holding that occupancy of that building. Owen stated if the builder, developer chooses to deviate from that approved plan without seeking approval. Mangrum made a motion to approve the amended site plan but with a contingency that the drainage swell be installed. Sutton Seconded. Owen stated he wanted to make the owner aware that the plan that is being approved tonight as shown indicates the hole will be filled in and graded back to the predevelopment. Owen stated if they desire to do something different they need to speak now. John Goff stated that is their desire. Pastor Morgan stated that is not a problem. Anderson asked was there anymore discussion. Vote was taken. All were in favor.

9 REPORTS FOR DISCUSSION AND INFORMATION

9.1 DIRECTOR OF PLANNING AND CODES –

Hall stated he was going to yield to Ron Rowe; he has something to talk to them about. Mr. Rowe stated the Tennessee of the American Planning Association is having a Winter retreat at Montgomery State Park on February 25 & 26th; he has handouts he will give them. Rowe stated he encourages all of them to at least to go on the Friday, it's very beneficial. Rowe stated if they go on both days they would get over 12 hours of training. Rowe stated they would be networking with other Cities. Rowe stated on Thursday, they will be talking about Tennessee tiny home trends also about bike trails, sign ordinance's & adult oriented businesses. Rowe stated on Friday they will be talking about ethics for Planners. Rowe stated another is event venous in rural areas, inclusionary zoning. Rowe stated Metro Nashville's experience, temporary rentals (to regulate or not to regulate). Rowe stated they provide breakfast, diner, he encourages all of them to attend. Rowe stated he has the registration form if they are interested, thanks..

9.2 CITY ENGINEER- Nothing

9.3 CITY ATTORNEY- Nothing

9.4 CITY MANAGER- Hall stated just wanted to update on grants, the Roadscapes project, beautification of Fairview, the interchange, Highway 96 & 100, the preconstruction meeting is scheduled next week. Hall stated that is about to come to fruition after all these years, just wanted to inform them.

10 COMMUNICATION FROM THE PLANNING COMMISSION MEMBERS.

Carroll stated she just wanted to comment to the Board, that's some of the issues that will be coming up more and more, people wanting to rezone of Highway 100. Carroll stated she encourages them as this comes up to really look at what's around it because in her mindset, if she was the neighbor, once it is rezoned they can't say what goes in there if it meets the requirements. Carroll stated with that being said, a lot of people are here for questions and answer session, thank you Brandon Butler for coordinating that, will be taped and aired on channel 19. Carroll stated welcome any questions and encourages everyone to take the opportunity to come to the actual Town Hall meetings that they hold as a Board of Commissioners. Anderson stated on the month's that have five Thursdays they are held on those Thursdays.

Butler stated he appreciates everyone coming out tonight and looks forward and hoping they can have some positive discussion.

Anderson stated she feels the same, glad they have a good crowd tonight, looking forward to it. Anderson stated she encourages everyone to look at all the new businesses in our Community; we have had a few in the last month that have opened their doors, and to shop first in Fairview to support your community. Thank you..

11 ADJOURNMENT- Anderson stated Planning Commission is adjourned at 7:55p.m.

Chairperson

Secretary