

City of Fairview

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Special Called Meeting Municipal Planning Commission

Regular Meeting
February 19, 2014
6:00 p.m.

Lisa Anderson, Chairperson
Matthew Beata, V Chairman
Todd Behan, 1st Secretary
Michael Mitchell, 2nd Secretary
Toney Sutton, Commissioner
Ron Rowe
Tim Mangrum
Brandon Butler

Present: Anderson, Beata, Mitchell, Mangrum, Butler, Benson, Rowe

Absent: Sutton, Behan

Others Present: Interim City Manager Wayne Hall, City Attorney Larry Cantrell, City Engineer Will Owens, Codes Clerk Sharon Hall,

CHAIRMAN LISA ANDERSON CALLED THE MEETING TO ORDER AT 6:04 P.M.

Anderson led the prayer and the pledge. Anderson stated first thing we need to do is delete number three from the agenda. Anderson stated that would be; moving the regularly scheduled Planning Commission meeting from 2nd Tuesday in March to the 3rd Tuesday in March due to Williamson County School's spring break. Anderson stated there was a miscommunication when Spring break was; it is the third week. Anderson stated we are good to have it the second week. Anderson stated on item one, need to add discussion and/or take action on Site Plan Revisions for Taco Bell. Anderson stated number two need to add, Discussion/and or take action on McRedmond Family Partnership property on Highway 96. Rowe made a motion to approve as presented. Mitchell seconded. All were in favor.

1. DISCUSSION AND/OR TAKE ACTION ON SITE PLAN REVISIONS FOR TACO BELL

1.1 Beata read the Engineer comments, which will become part of these minutes. Exhibit A. Harold Thompson was present to represent Taco Bell. Beata made a motion. Mangrum seconded. Thompson stated they are asking for a variance to use an above ground pond in lieu of underground. Thompson stated several reasons for this, the natural lay of the land slopes from the rear of the property towards the street. Thompson stated it is kind of difficult for them to comply with the above ground pond in the rear when that elevation is higher than the front. Thompson stated secondly what they are proposing if you notice the elevations of the pond at the top of the berm on the street side is proximally 7 feet higher than the street. Thompson stated a person walking on the street or driving down the street would not be able to see the pond because of the elevation above the street. Thompson stated they are showing landscaping that would also be shielding the pond. Thompson stated they are prepared to add additional landscaping in order to help it look more aesthetically pleasing. Thompson stated in asking for the variance they feel technically they have solved the storm water management and they will move the outlet as recommended by our Engineer. Anderson asked what about the fence that is required to surround the pond? Thompson stated they are willing to install the fence that is required. Anderson asked will that be visible from the street. Thompson stated the landscaping will be on the external side of the fence. Thompson stated they will use evergreen type of plantings; it is such a density it would be barely visible, their aim would try to make it not visible. Thompson stated with the seasons sometimes it may be more visible than other times. Beata asked Mr. Hall does he have any information on what our current codes are in regards to underground detention. Hall stated, storm water detention facilities shall be underground in commercial and industrial developments, but may be fenced, open ponds in residential developments. Mangrum stated the only thing he would add is their last few commercial developments they have stuck with that regulation. Hall stated as far as our regulations, he believes. Beata stated the one he can recall was granting a variance for Wal-Mart, which theirs it was located in the rear and they were also making use of an existing pond that was on the site. Beata stated O'Reillys and AutoZone since this rule was in place stuck to the underground detention. Rowe stated previously your plan had been approved by the Board of Commissioners and now you are asking for a variance, what would be the savings in doing this verse the underground. Thompson stated would proximally add \$30,000.00 to the

project. Mitchell stated he has a problem with this, even though you said you would build a fence you're on the low end of the road and everyone going east will see the pond, no way to hid the pond. Vote was taken everyone voted nay. Motion denied.

2. DISCUSSION AND/OR TAKE ACTION ON MCREDMOND FAMILY PROPERTY ON HIGHWAY 96

2.1 Beata made a motion for approval. Mitchell seconded. Rowe stated the Planning Commission got this back from the Board of Commissioners to relook at it to get more information then respond back to the Board of Commissioners. Rowe stated he visited site and took pictures, which he shared with everyone. Rowe stated when he took the pictures he came to a fact is to make the whole parcel of property commercial at this juncture, there is no buffer between the single family homes. Rowe stated the fact he found was may be this property should be multi zoning, where there would be a buffer to protect the single family to blend in with the commercial. Rowe stated these are just facts that he's presenting, he obtained on a trip to the property, just wanted this to be entered into the record. Beata asked Mr. Hall with our commercial guidelines there is protective buffers whenever there is a change from commercial to residential. Hall stated there is supposed to be a good size buffer protecting commercial from residential. Hall stated also Mrs. Beata is present representing McRedmond family. Beata stated in our last meeting Mr. Stark had brought up potential for junk yard or scrap metal businesses in this area, is that allowed. Hall stated no it is not allowed and neither are the adult businesses, they are zoned for some other area. Kathy stated what the map does not show is I-40 is right there, it is less than a quarter of a mile away. Rowe asked is there any plan for this property as of now. Kathy stated they are just trying to sell it and the proper way to sell it is to get the proper zoning. Rowe stated are you trying to get it rezoned to increase the value of the property. Kathy stated no it's been on the market for about three years; no one looking at it for a farm. Rowe ask Owens, at the entrance to this property, the road is really narrow, is it wide enough. Kathy stated it is 50 feet wide. Owens stated most all of your City streets have a 50 feet right-of-way width that would be sufficient to construct and entrance into a potential commercial business. Rowe stated he had a request for to poll the commission for their feelings on this. Mangrum stated personally he has no problem with this, it fits in our urban growth plan, it is very convenient to I-40, and it connects with commercial. Butler stated as we mentioned in our last meeting it fits in our future urban growth plan for commercial, he has no problems with this. Beata stated he would first like to mention that Kathy is the realtor, so there is a relationship there. Beata stated she does not own the property that being said he would still like to vote on this. Beata stated personally he has been involved in real estate for a while, his

family involved in real estate for a long time. Beata stated every time if he is up there or if he is purchasing property he tries to look at it and tries to think what the best proposed use of that property is. Beata stated this being highway 96, access quarter mile from I-40. Beata stated in his opinion it is a no brainer it should be zoned commercial and it fits in our zoning map for commercial. Rowe stated putting it into prospective the information and the facts that they have gotten tonight full fills the request from the Board of Commissioners. Mitchell stated he has the same feeling, he has no objections. Mitchell stated it is a quarter mile from I-40; it is in our Urban Growth Map. Anderson stated she would just like to say, she appreciates Mr. Rowe putting together his power point, so they could get a better understanding and fill for the area, with that said any other discussion. Owens stated he just wanted to clarify, anytime a commercial site abuts or adjoins a residential use site, at the time a site plans comes in for that commercial site, the staff and the Planning Commission would certainly have that responsibility and authority to make sure the buffers are put on the plans, to shield those residential areas. Anderson ask Cantrell is there something they need to vote on. Cantrell stated you need to have a motion for a recommendation to recommend for approval or disapproval or to follow your previous your previous recommendation. Cantrell stated he thought it was for approval. Anderson stated it was for approval. Anderson made a motion that after reconsideration of applicable issues that the original recommendation be resubmitted to the Board of Commissioners. Mangrum seconded. All were in favor. Anderson stated motion stands for approval.

- 11. ADJOURNMENT-** Mangrum made a motion for adjournment. Mitchell Seconded. Adjourned at 6:39p.m.

Chairperson

Secretary