

MUNICIPAL PLANNING COMMISSION MINUTES

March 19, 2024, Meeting at 7 PM

Emilee Senyard, Chairman
David Magner, Vice Chair
Lisa Anderson, Mayor

Chris McDonald
Salvatore Cali
Jeff Pape

Hayley Schulist
Shonda Schilling
LaRhonda Williams

Staff present: Ethan Greer, Patrick Carter, Curtis Broadbent, Kevin Chastine, Maria Bruce, Keith Paisley

- Ms. Senyard called the meeting to order at 7:02 PM
- Roll Call by Maria Bruce

	PRESENT	ABSENT
Ms. Schilling	X	
Ms. Williams	X	
Mayor Anderson	X	
Mr. Magner	X	
Ms. Schulist	X	
Mr. McDonald	X	
Mr. Cali	X	
Mr. Pape	X	
Ms. Senyard	X	

- Prayer & Pledge led by Mr. Magner
- Approval of Agenda
Motion to approve: Mayor Anderson
Second: Mr. McDonald

	YES	NO	ABSTAIN	RECUSE	ABSENT
Ms. Schilling	X				
Ms. Williams	X				
Mayor Anderson	X				
Mr. Magner	X				
Ms. Schulist	X				
Mr. McDonald	X				
Mr. Cali	X				
Mr. Pape	X				
Ms. Senyard	X				
MOTION PASSED 9-0					

- Citizen Comments - None

- Approval of Minutes - February 13, 2024, Regular Meeting

Motion to approve: Mr. Magner
Second: Mr. Cali

	YES	NO	ABSTAIN	RECUSE	ABSENT
Ms. Schilling	X				
Ms. Williams	X				
Mayor Anderson	X				
Mr. Magner	X				
Ms. Schulist	X				
Mr. McDonald	X				
Mr. Cali	X				
Mr. Pape	X				
Ms. Senyard	X				
MOTION PASSED 9-0					

- Approval of Minutes - February 29, 2024, Special Meeting

Motion to approve: Mayor Anderson
Second: Mr. Pape

	YES	NO	ABSTAIN	RECUSE	ABSENT
Ms. Schilling	X				
Ms. Williams	X				
Mayor Anderson	X				
Mr. Magner	X				
Ms. Schulist	X				
Mr. McDonald	X				
Mr. Cali	X				
Mr. Pape	X				
Ms. Senyard			X		
MOTION PASSED 8-0					

- Old Business

1. PC Resolution PC-05-24, Amendment to the City of Fairview Zoning Ordinance Article 6 Residential Districts, section 6-104 Purposes, and Intent of AR – Agricultural/ Residential.

Staff Report: City Planner, Ethan Greer

Representative: none

Discussion:

- **Ms. Senyard:** Any discussion? Does staff have a new comment to add at this time?
- **Mr. Greer:** No new comment. This was deferred from the February meeting to tonight. Just a reminder that this is an amendment to the zoning ordinance, that would allow for veterinary services for livestock and animal care and veterinary services for small animals to both occur within agricultural zoning districts as a conditional use. Which means they would have to be approved through BOZA, to have this use within agriculture.
- **Ms. Senyard:** Any discussion or questions among the board? I feel like last time we asked, if you could get back in touch with whoever had raised the question and ask a few more clarifying questions or anything, was that able to happen, did they decline, what transpired there?
- **Mr. Greer:** The person who brought it to my attention is actually out of town this week. I had spoke with them asking if they were available to come in and speak. In theory, a veterinary clinic such as, White Oak animal Clinic, that currently services livestock or at least horses and small animals, no other facility of that nature could operate within the City of Fairview, how the current zoning ordinance reads. We do not offer any zoning district that allows those uses together. And so as the staff, myself, Kevin and Curtis, along with Will, have all put together our heads and we thought that within agricultural zoning, to maintain that livestock remain on agricultural lands. That's probably the most likely scenario versus having agricultural animals on commercial properties.
- **Mr. Carter:** To be clear, staff is asking this board for a positive recommendation to the BOC.
- **Mr. Greer:** That's correct.
- **Mr. Magner:** This question might be for Mr. Greer. Do you think that this resolution, if passed, will have a negative connotation for an existing business that might already be servicing livestock animals within City limits?
- **Mr. Greer:** No. The existing businesses all fall, currently, they are non-conforming use, that was inherited once the zoning ordinance was updated in 2019. So if they wanted to open a second location and do the exact same thing, they could not do that unless-- currently could not do that how the zoning ordinance reads—unless they got it rezoned. And again this goes into the AR-15 zoning. So you have to have a minimum of 15 acres to be able to be a veterinary service for livestock, which gives ample room and separates it kind of from the City a little bit, by having 15 acres to maintain. Whether that is off of Crowcut, where there are a few agricultural properties, off of Hwy 96 there are a few agricultural properties, off of Hwy 100, there are a few agricultural properties and so, with the 15 acres you're able to sufficiently separate yourself from the surrounding. land uses.
- **Mr. Magner:** Okay, thank you for clarifying. So just to make sure, I think that helps our vote that we are not having a negative impact on an existing business.
- **Mr. Chastaine:** I would just add in, in regard to non-conforming use--there are state regulations that protect non-conforming uses. So that would be outside of the zoning ordinance here. So there are state level protections for non-conforming uses that they can maintain their business in perpetuity.

- **Mr. Magner:** Perfect, thank you for that.
- **Ms. Senyard:** The additional comments, questions, concerns?
- **Ms. Schilling:** I just think it's a good idea. I have animals, that it takes an hour for somebody to come. But it also would be great to have it here so that, the farmland that outs in Bon Aqua, they wouldn't have to wait an hour. Maybe not going towards Nashville, but there's certainly a lot of farms out here this way.
- **Mr. Greer:** And just to speak to your, I think your intent, location wise, again this is a condition use, so it would have to be approved by BOZA on these pieces of property. There is another level of approval that they would have to get to be able to do this.
- **Ms. Schilling:** I'd like to see it come.
- **Ms. Senyard:** Alright, take a vote.

Motion to approve: Mayor Anderson

Second: Mr. McDonald

	YES	NO	ABSTAIN	RECUSE	ABSENT
Ms. Schilling	X				
Ms. Williams	X				
Mayor Anderson	X				
Mr. Magner	X				
Ms. Schulist	X				
Mr. McDonald	X				
Mr. Cali	X				
Mr. Pape	X				
Ms. Senyard	X				
MOTION PASSED 9-0					

• **New Business**

1. **PC Resolution PC-07-24, Rezoning, 0 Fairview Blvd., 14.76 Acres, Map: 023, Parcel: 053.00. Current Zoning: Commercial General. Proposed Zoning Industrial Restrictive. Property Owner: RBP, LLC.**

Staff Report: City Planner, Ethan Greer

Representative: Louis Sloyan, Michael Hartman, Annalisa Roberts

Discussion:

- **Ms. Senyard:** City Staff, would you like to read in your notes?
- **Mr. Greer:** This parcel is located off of Hwy 100, there's a parcel that sits in front of it, it's a little over 2 acres that sits on Hwy 100. It has a 50-foot access easement through that, back to this parcel. The proposed zoning of this is for industrial restrictive zoning and the engineer on record is here tonight. I believe we have a couple other speakers who'd like to speak. But from our perspective, from our office, we recommend this— due to the owner who is coming and who is looking to purchase this property, in your staff report, there was included a letter from Williamson Inc., which is the Chamber of Commerce, I believe that they have a representative here to speak tonight, that will speak to that. If you have any questions as far as the 2040 plan is concerned, I believe that they can also speak to the 2040 plan. This property is not in the 2040 plan as having an industrial restrictive zoning as an appropriate zone, but through our conversations with the ownership, the engineer and their conversations with our office and Williamson Inc., we believe that it would be in the best interests of Fairview to

have this business relocate to Fairview Tennessee, and I encourage the representatives here tonight to come up and speak.

- **Ms. Senyard:** As long as no Commission members have something in advance, I'll invite the representatives up to start off and be able to answer questions. I you would before you speak, introduce yourself.
- **Louis Sloyan:** My name is Louis Sloyan and I'm with T Square Engineering. I helped the applicants submit this. It's a very light industrial use. When I was talking to the perspective business, everything is indoor; it's basically an office building. There's no outdoor storage of anything. It's a very light manufacturing use. It's sitting back off the roadway and really lends itself to this property. There was already a site plan approved—that it would be a modification to that site plan to be able to get this business to fit on that same kind of site plan. I think it's a great use for this site. Do you have any other questions? If I can't answer them, I'll invite the owners up and they can help answer anything that you guys might have.
- **Ms. Schulist:** It's not shown, but are you able to give us a roundabout location of where the building is going to sit in those boundaries and how large this building is going to be?
- **Mr. Sloyan:** Right where he's pointing up there. There's kind of two knoll's on this site and the first one is about where he was showing. And then in the very back of the site there's another knoll. It's kind of prohibitive to get back there all the way in the back, you have to cross a stream to get there and cross through a bunch of steep slopes and get rid of a whole bunch of trees, so it's very prohibitive to kind of get back there. The front part is kind of the best part there, but there is a lot of tree vegetation that would remain between these two parcels. And it's significantly downhill from the road, so the building wouldn't even be seen even though it is going to be more of an office type building rather than a traditional manufacturing metal building.
- **Ms. Schulist:** How easy is it for people from Camp Marymount to get there?
- **Mr. Sloyan:** They would have to go out onto Fairview and come around. There's a substantial stream and a lake that they would have to cross to try to go through dense woods and that to get there if they tried to go through without using the road.
- **Ms. Schulist:** Gotcha.
- **Mayor Anderson:** I had a lengthy discussion with the owner about this project. You might remember, this came to us, we've already seen a business that wanted to be on this property with a site plan and it was approved at that time. That's kind of already been looked at. This is a restrictive industrial office space that is very minor industrial use. I have checked and there's no property available in the industrial park, so that's something to take into consideration. What's so awesome about this, and I know Annalisa will come up and speak to this as well from Williamson Inc., this is a great opportunity for our mechatronics program. What they manufacture is just right in line with our students at the high school, who go through the mechatronics program. When I spoke with the owner, two things, were something I really wanted to see, and this is aligned perfectly with this—my son was in the first graduating class of mechatronics program and as part of that, they have a work study program of 200 hours that they have to complete to be able to graduate in this program. Our students had to go to Smyrna, out to Nissan and they had to go to Saturn, to get these work hours in. We have the opportunity to have a business here, that provides those work study hours for our students. Not only that but it also provides, will provide, approximately \$1,000,000 dollars' worth of jobs for our community. Our mechatronics students will fit perfectly in with this. Those students that may not want to go to college right away, or maybe not at all, this is the perfect opportunity because they will hire, partially, from the students in this program who may want to go directly into a technical field with no experience, and require a big salary I may add, not anything I've experienced right out of school. So, it's just a great opportunity for jobs, our mechatronics students, their work study. Like I

said, it's very light industrial, you would never even, if you looked at this project, know that there industrial going on. I just see this as a positive for our community and I'm excited for Annalis to come forward and speak to it more, through the Williamson Inc. side of this.

- **Mr. Magner:** I do have a couple of questions and this might be directed towards the property owner or business representative if they're available.
- **Ms. Senyard:** Would you mind introducing yourself, just before you answer questions.
- **Mr. Michael Hartman:** I am Michael Hartman and I'm the owner of Lazestar.
- **Mr. Magner:** Thank you Sir. How many people do you think this would employ?
- **Mr. Hartman:** Early on, probably 25.
- **Mr. Magner:** I have to ask this, because of the residential neighbors, and it has a industrial label. Industrial carries a nuance of definitions. So just to make sure that I feel comfortable with voting one way or another, bear with me, there's one paragraph in zoning, and I'm just curious if any of these things apply, and if it does, you'll have a chance to tell us to what extent, okay? And really what I'm looking for here are anything that would create, more or less, a life safety or hazardous concern. I'm going to read the list and then if you will just respond afterwards if you wouldn't mind. Does this particular industrial development create any danger of fire, explosions, toxic or noxious matter, radiation—it does say smoke, dust or particulate matter, but I think that could, personally, I think that could be of a dispute there, or other hazards, offensive noise, vibration, odorous matter, heat, humidity, clear or objection influences? Now I know that's a very broad...that could probably come from a residential neighborhood as well, but I just have to ask the question because we don't know exactly what you're doing.
- **Mr. Hartman:** No, I can comfortably answer that question, with no it doesn't. As far as the cleanliness, the stuff like that we are our primary our primary portion of our company is actually a laboratory. And it's actually way cleaner than residential or anything else you're going to do. Even the even for that matter, even the air coming and going out is all you know, filtered and it's HEPA filtered, you know, crazy purity. Very clean is kind of the nature of our we're dealing wit-- a lot of microelectronic parts; the cleanliness is absolute key, so everything is spotless.
- **Mr. Magner:** So no hazardous waste.
- **Mr. Hartman:** No, no, no. The harshest things we use are some machine coolants. Which are water soluble. Not hazardous at all. Nothing flammable, nothing. Nothing concerning at all. Nothing I can think of on there on that list, that's even in question.
- **Mr. Greer:** To to speak to what's allowed within the industrial restrictive zoning for manufacturing. You have apparel accessories such as hats, jewelry and umbrellas. Art objects, bakery goods, beverages, dairy products, instruments for scientific, medical, dental, engineering and other professional purposes. Printed matter, signs. Bookbinding, candle making, data processing service. Photocopying. Photo engraving. The use that would be needed in this case would be precision machining, dyes, jigs, and fixtures. Printing. Publishing. Record pressing and upholstery. With the note, that no activity included within this group shall involve the outside storage, of any amount of raw materials or finished goods.
- **Ms. Schulist:** Ethan, how is that different than light industrial?
- **Mr. Hartman:** I think mainly indoor outdoor use. Is what I've read. Light industrial, I think you can have some outside storage and stuff if I read it right.
- **Mr. Greer:** In our zoning ordinance, I don't have anything for light industrial as a term. This would be industrial restrictive zoning, particularly the manufacturing limited activity type, is what I just read off to you.
- **Mr. Broadbent:** Just to add to that real quick, you have restrictive industrial districts, general industrial districts and special industrial districts.
- **Ms. Senyard:** I ask our favorite question. What happens if they no longer exist? What else can go there without us voting on it. What happens if we rezone this and y'all don't

ever build, don't take it, decide to go elsewhere and need a bigger lot in Fairview even. What does the zoning allow, what are the checkpoints.

- **Mr. Greer:** The zoning allows the permitted uses are: administrative services, essential public transport and communication and utility services, which are essentially allowed in every zoning that we have in our zoning ordinance. The commercial activities are automotive parking, medical professional services, full service restaurant, fast food restaurant, self-service storage, wholesale goods. And those are the permitted uses within this along with the manufacturing activities of limited and general manufacturing. General manufacturing, much to our dismay, does not have a fantastic definition. It leaves it very broad for you to decide if it falls within that. Limited manufacturing has a very specific definition that is being utilized in this case. And it lists out exactly the activity types that is allowed. So industrial restrictive definitely restricts the land to those specific permitted uses, whereas industrial general opens it up a little bit more and then the special industrial has some cases where you can have hazardous materials and things along that nature. So, the restrictive is by far the closest to a commercial zone that we have because it allows essentially most of the commercial activities within our commercial zoning and then it allows the limited manufacturing which is what they are seeking.
- **Ms. Senyard:** And as long as they were making no adjustments to the site, plan building, etc, anyone could take it over and operate out of there as long as they fit the restrictions. There's no, it's not a special permitted use like we're talking about the veterinary.
- **Mr. Greer:** This is as long as they had fit within a permitted use, the use is run with the zoning and zoning runs with the land.
- **Mayor Anderson:** Madam Chair. I'd also like to point out that there's commercial all around this.
- **Mr. Carter:** I think that's the key question, is what else can this be used for without coming back and I think oftentimes when we have zoning discussions, we focus on the immediate user and very frequently the immediate user may use the property for a period of time, but then it's sold and used for something else. So when you rezone property the zoning doesn't change, it's zoned that way forever, unless it's rezoned. So I think that's the the key question. My other comment is, for this item and the second item and third item, these are all rezonings and the zoning change is legislative in nature. And so you have a lot of discretion. This is not the arbitrary and capricious standard that we talk about a lot with site plans or minor modifications or other items like this. This is a change in the zoning ordinance, so you have lots of discretion on these next three items.
- **Mr. Pape:** Madam Chair, I have one quick question. You mentioned starting at 25 jobs. Is your hope to grow to a larger amount?
- **Mr. Hartman:** Yeah, ideally, like if I had it my way right now, I would have 25. I could use that easily right now. I don't want to get too far ahead of myself. But I totally see 30 or 35 in the fairly immediate future if you know if I can find the help. Right now we're about 18, but that's only because helps so hard to find. I would have more if I could.
- **Mr. Pape:** I hear you on that one.
- **Ms. Senyard:** Annalisa, would you mind joining us, just because I feel like some of the questions are gonna be for you, and then we can get them all out of the way.
- **Ms. Annalisa Roberts:** My name is Annalisa Roberts. I work at Williamson Inc, which is both the Chamber of Commerce and Office of Economic Development for Williamson County. My specific role is new business development, so I help companies like Lazestar come to our community of Williamson County as a whole and then for existing industry, I help with expansion work. So our team became aware of Lazestar a few weeks ago. We met with the owners. Really excited about this project specifically for Fairview. As he's mentioned, it's great CapEx, it's great job creation. I think we're

looking at 60 jobs over a five-year period. Is kind of what the state metrics are looking at. \$7.3 million investment in Fairview, but the thing that I'm most excited about this project is like what Mayor Anderson referenced. This is highly specialized manufacturing of small components for communication and technology devices. I was told by the owners and some of our state partners as a part of this, that a heavy mail day for them is a shoebox size of materials. And so when we're talking about manufacturing, we're talking about industrial space. I think sometimes that's a trigger word, but from what I understand about this project. is it's small components and small devices that are used in DoD contracts and space and aerospace primarily. The exterior of the building is going to look like a medical office building. Again, what I've been told

- **Mr. Hartman:** Yeah. So I was hoping to have the plans. I got an architect working on them and they're not done yet.
- **Ms. Roberts:** But when we look at job creation in Williamson County. We look long term at our students and what jobs are being provided. Like Mayor Anderson referenced, this is an incredible opportunity and the willingness of the owner to partner with the schools to provide that specialized training for students here in Fairview. It's just a win all around. I'd also like to add that this group will create long-term 60 jobs and those are people who are staying in Fairview during the day, right? So then you're supporting the restaurants, the businesses that are here; Fairview's a bedroom community. I'm so excited about the opportunity to keep some people locally here in this community to utilize those businesses and purchase their services. Other than that, I just am excited to welcome the business here. I'll look for your support and if I can answer any questions specifically from a Williamson County perspective, let me know.
- **Mr. Cali:** I think this is a good idea and I think it's, hopefully, it's the tip of the iceberg because in years past I was on the Industrial Board here and Mr. Hall, Commissioner Hall, knows that when the last City Manager was here, we had Williamson County people here, the state here, TVA here. We had maps out. And Mr. Hall had gotten the signatures from people and different pieces of property. And if you have any more questions you can talk to Mr. Hall or Commissioner Hall. But we were gung ho, because we needed for the students that are coming out of our school, why should they go somewhere else? They should work here.
- **Ms. Roberts:** That's right. And so to your point, we are working, our team is actively working with TVA and the State to see what the company is eligible for in terms of workforce grants, in terms of relocation grants; I will also add that the owner is relocating his family here. So in terms of--I've heard some questions about what happens if this project--or if this company decides not--they have invested in this community personally as well. So I'm really excited about that and what it means long term for Fairview.
- **Mr. Hartman:** Single location business.
- **Ms. Senyard:** Maybe you'll need the bigger lot one day.
- **Mr. Greer:** I'd also like to point out a couple of points. Within our 2040 plan, once you get down to the bottom, it's on page 129 of our plan, we have economic development goals and one of those goals is to recruit testing laboratories as well as other light manufacturing businesses. And I believe that this fits within that perfectly. They also have, to Ms. Senyard's point, they have 14 acres there. If they needed to expand, there is some room to expand.
- **Ms. Schulist:** Question for civil. Am I correct in understanding because of the topography of the site that for whatever reason, if the owner doesn't fulfill and they sell the lot without building. With the other land uses under restrictive industrial, like a fast food place, there really isn't an opportunity or room for that.
- **Mr. Sloyan:** There, there might be room for that. There's enough room--I'm trying to remember on the original site plan. Does it say the limit of disturbance there? It's under

3 acres of disturbance to, kind of build that site and it, it really is limited by the steep slopes in that area. I believe Ethan is showing you the currently approved plan, so, you could in theory fit something else there. It would have to be a site plan that comes through to you guys to be able to get approved.

- **Mr. Magner:** Ms. Schulist, I also think it's limited with industrial for max coverage up to 50%. So I think based on this particular site, I don't know that you can develop a whole lot.
- **Ms. Schulist:** I guess what I'm getting at, is all the economic parts of it is great. Our job is to make sure everything fits within the 2040 plan, subdivision regulations, all of those things. So that's really what we care about. I do love that it partners with schools because this is where my kids go to school and they would love that too. So we just want to be good stewards and make sure that, if the plan goes away, that there's not something that's going to go there that is detrimental or effects surrounding lots, surrounding businesses, things like that, and it sounds like that's probably not possible, right, the restrictions of the land use.
- **Mr. Sloyan:** The restrictions based on the current stormwater ordinance and the grading requirements for that, it really restricts the buildable areas and really, to even expand further than that, you would have to get variances or go well above and beyond and it would be very cost prohibitive for anybody to go beyond that 3 acres.
- **Ms. Schulist:** Sure. Thank you.
- **Mr. Pape:** I don't have any other questions, just some discussion for when we get to that. You know, a couple of things on this. Number one, I think we can learn from this in the future and take some notes and you know we're getting ready to do a modification to our zoning ordinance and you know we might not be having a lot of these discussions if we consider allowing some light industrial uses in our commercial zoning as a special use permit. So it's still have to come forward to us. So maybe we make that note for when we're going through zoning changes and we wouldn't even be here talking about the change and they would be completely bound by the commercial zoning. Also, I think it's a great use, I think relative to the 2040 plan, if you just look purely at the land use part of the 2040 plan, no it doesn't fit, but when you start looking at the economic goals and things of that nature it does. So it's one of those things that fits in between. So we have to look at whether it's the best thing for Fairview. I think the last thing that I thought about is I looked at the design standards and obviously this is the first step. This is the rezoning they'll have to come through site plan approval and we'll get to see their site plans and all that. And I only found, I'm new with these regulations, but I only found two areas in the design regulations where industrial is treated differently than commercial and it's pretty minor stuff. It's like interior landscape islands and building materials, and with the topography of this site, I don't think you would see any of that. So they're still going to be bound by all the same buffers and perimeter landscaping requirements that you would in commercial. I think there are a lot of boundaries in place already with our design standards that will keep this from turning into any use that we wouldn't be happy with in the future. Those are just some things that I noted on.
- **Mr. Broadbent:** Just to add to what Mr. Pape said-the current site plan that they submitted before, and I don't see much of a change from what they'll submit in the future if this is rezoned--it's 20 feet below highway 100 and 150 feet off of Hwy 100, so 200 feet, sorry. There is that factor as well. I agree with everything that's been said. Not that you care. I'm here just for engineering. Still have that restriction. Even if this is not what's going to be there in the future. You still have that to consider when you rezone this.
- **Mr. McDonald:** I just have a quick question, has really, I don't think anything to do with the decision tonight but I'm sure there's probably some people watching at home or even sitting in the audience that have similar curiosities, it sounds like this is an

- established business that's been around?
- **Mr. Hartman:** Yeah. We've been in business for 23 years.
- **Mr. McDonald:** Great. Where are you coming from?
- **Mr. Hartman:** Northern California, Livermore, CA. Bay Area.
- **Mr. McDonald:** No income tax, right?
- **Mr. Hartman:** That's a plus. That's a plus.
- **Mr. McDonald:** Very good. I was just curious from my own knowledge. Thank you.
- **Mr. Hartman:** Yeah. We've been in business a long time and our customer base is really spread out throughout the country. Actually we have more customers on the East Coast than we do on the West Coast. Everything we do comes and goes in UPS and FedEx boxes daily. We don't deal with freight and trucking and any of that kind of stuff. So, where we're located, we don't really deal with face to face customers very often at all. You know, once a year for a visit type of deal.
- **Mr. Pape:** There's a local business that can help you with your shipping needs, right?
- **Mayor Anderson:** They ship their own, just as a point. No, they ship their own. It has nothing to do with me.
- **Ms. Senyard:** Any remaining questions, comments before we take a vote? Okay vote it is.

Motion to approve: Mayor Anderson

Second: Ms. Williams

	YES	NO	ABSTAIN	RECUSE	ABSENT
Ms. Schilling	X				
Ms. Williams	X				
Mayor Anderson	X				
Mr. Magner	X				
Ms. Schulist	X				
Mr. McDonald	X				
Mr. Cali	X				
Mr. Pape	X				
Ms. Senyard	X				
MOTION PASSED 9-0					

2. **PC Resolution PC-08-24, Rezoning, 7431 Crow Cut Rd., 20.2 Acres, Map: 046, Parcel: 016.01. Current Zoning: Agricultural/ Residential AR-15A. Proposed Zoning R-20 One- and Two-Family Residential District. Property Owner: Edana Cannon.**

Staff Report: City Planner, Ethan Greer

Representative: Allison Corolla

Discussion:

- **Ms. Senyard:** Do I have a motion on the floor?
- **Ms. Schulist:** Motion to approve.
- **Mr. Carter:** On this item and the next one; on these rezonings, we're really not approving them. We're making a motion to positively recommend it to the BOC. I think we all know that's what we're doing. But, so the minutes are clear, and so the people at home that are watching this, are clear. We don't have final authority here, so if we could just, make sure to be careful with our motions on these types of rezoning items. I think we'd be better off.
- **Ms. Schulist:** Should I revise that to...

- **Mr. Carter:** Motion to approve a positive recommendation to the Board of Commissioners.
- **Ms. Schulist:** Motion to approve a positive recommendation to the Board of Commissioners.
- **Ms. Senyard:** Is there a second?
- **Ms. Williams:** Second
- **Ms. Senyard:** Schulist, Williams. City staff would you like to read in your comments.
- **Mr. Greer:** The 7431 Crowcut Road Rezoning, would take this parcel from AR-15A to R-20. This parcel sits just north of Aden Woods Phase Three. It fronts Crowcut Road. Adjacent to the backside of Bowie Park. The Fairview Forward 2040 comprehensive plan designates this property as new residential medium neighborhood. The new residential medium neighborhood classification notes the appropriate land uses are single family detached residential. Single family attached residential limited to two family homes. Mixed-use commercial office space, multifamily, residential and civic institutional. The new residential media neighborhood classification lists the RS-40 and R-20 with a PUD zone districts as appropriate zoning for the property. The requested R-20 zone comes out of the adjacent property being Aden Woods. Those are all R-20 zoned properties. I believe the intent of the applicant, Brandon Robertson with A1 Home Builders who developed Aden Woods, would be to create another phase of Aden Woods on the northern parcel. Staff recommends providing a positive recommendation to the Board of Commissioners for this parcel as it would match the adjacent property that has already been rezoned and is currently under construction for Aden Woods Phase three.
- **Ms. Senyard:** Do we have a representative that would like to join us? Why don't you go ahead and introduce yourself, so when they start pestering you with questions, we've got that on record.
- **Ms. Allison Corolla:** Yes, ma'am. Good evening. I'm Allison Corolla with T square engineering. I'm the applicant tonight. I'm just here to request that this property is zoned, again to Ethan's point, in kind with the adjacent parcels. We also have some R-8 zoning just right down the street and we're right across from Bowie, so we feel like it would be a great asset to these homeowners to be in this location.
- **Ms. Senyard:** Discussion, questions? McDonald looks like you have something.
- **Mr. McDonald:** I'll start with staff first. I can't remember or can't recall off the top of my head. At what size of development has to be before it triggers traffic studies and additional research and things like that that we require. Around 100, one 120 or something like that, roughly. That part is not the most important thing, what I'm trying to do is, and it's no fault of any applicant that comes in here-you buy land, you build a development, and then the property next door comes available and you buy that and you grow some more and then the next property and so on and so on. So, I guess at what point I'm asking, at what point, do we reevaluate a subdivision or development that's being built in phases such as this one, to where it's passed that threshold to where the impact is probably worthy of a traffic study, but no one phase broke that threshold for us to require that. And is that something that we, you know, I guess just any information you can provide around that situation?
- **Mr. Broadbent:** In our Fairview Subdivision Regulations, residential developments with more than 100 dwelling units would be the requirement of a traffic impact study. Now, does that mean 100 units for the entire subdivision? Does it mean per phase? That's something we can look into. I think after this meeting we'll look into Aden Woods as a whole, and look at your request—it's a great question. But, obviously it's not just rezoning, but we'll definitely take note of it and get back with you.
- **Mr. McDonald:** Thank you.
- **Ms. Corolla:** And so something I'd like to note here too, the property is 20 acres, but due to topographical constraints you can see on there, that we have both a pond, as well as a few wetlands on the site that we are preserving. So we're preserving about half of the site and so we're only proposing 18 lots and it's only 17 additional lots-there is an existing home on the property.
- **Mr. Magner:** Madam Chair, so just for clarification, because I didn't do the math, you said 17 additional lots as what you're currently planning with that zoning.

- **Ms. Corolla:** Realistically, that's all that's feasible, with the topography and with the existing wetlands.
- **Mr. Broadbent:** Do you know what the total number of dwelling units would take this to for Aden Wood subdivision by chance?
- **Ms. Corolla:** I do not, but I can certainly get back to you.
- **Mr. Carter:** I'll bite on that. I think it's an aggregate. So I think that's the only way that makes sense in our zoning ordinance. And I think our job is to protect the City. So if these 18 lots push them over 100, I think they need to do a traffic study. I'll go on record to say that.
- **Ms. Corolla:** And I think our intention is to abide by, you know, any regulations that the City brings forth.
- **Mr. McDonald:** I think it's more of just a-you happen to be here right now and it triggered the conversation. It has nothing necessarily to do...
- **Ms. Corolla:** Lucky me.
- **Mr. McDonald:** Yeah, well it happens, right? I don't think you've set out, years ago, when they began this development, that it would be the size of it is. So just something for us to consider. Thank you.
- **Ms. Senyard:** And while I'll say that the 2040 plan, when I see PUD versus R-20, I kind of take it with a grain of salt, because PUDS then for the City were different to start with. They made it a 10,000 square foot lot. So people were coming with PUDS all the time. There were not a mixed thing. There's a lot of things when they wrote it different than it is today. But I did kind of have the similar question where a lot comes available and then we're supposed to zone it matching and then the next lot comes available is supposed to zone it matching, but it's starting to stretch out. And so, while not completely against the R-20 or that it doesn't match the area, I start going how far do you take that to match the existing zoning? And how far do you stretch that? Because some neighborhoods do go from denser to less dense in the back and so an argument could be made for this to be less dense than the surrounding and be the bigger estate lots in the back of the neighborhood.
- **Mr. Magner:** Madam Chair, I have another question as well. Remind me too, because I don't have reference to the current phases that are under construction. But with this phase and the higher density this would utilize Crowcut for your traffic volume, is that correct?
- **Ms. Corolla:** Correct. So there are quite a few, there are several, I say quite a few, just a few lots that are will be fronting Crowcut, and the rest of the lots will either be fronting the existing Aden Woods Rd and we're also proposing a new road, so it'll be only accessible by Aden Woods.
- **Mr. Magner:** How does that compare to the traffic flow from your current projects under construction. In other words, will we inflow additional volumes with this rezoning?
- **Ms. Corolla:** Yes, Sir. So there will be a little bit of additional and unfortunately we were not the engineer on the original product project. So I can't speak to the existing traffic volumes. But I do know we'll be increasing it by 18 homes, so not significantly by any means, but like I said, if we do cross that threshold of the traffic impact study, we're more than happy to abide by those regulations.
- **Mr. Magner:** Does this have a direct access point to the current phases?
- **Ms. Corolla:** It will. Yes sir. The existing road of Aden Woods, I believe it's phase three, runs right along right parallel with that property line, and so we'll be effectively tapping into that roadway.
- **Mr. Magner:** Thank you.
- **Mr. Pape:** Madam chairman. I have just a couple questions or thoughts. One thing I want to make sure of is we keep saying that the adjacent properties all R-20 but, that's the adjacent property in the City. There's two sides of this that are 5 acre minimum lots in the county. Is that correct?
- **Mr. Greer:** That's correct.
- **Mr. Pape:** So you have that and then you've got Bowie Park on the other side, and that's my

one concern with this, is, I get it that you can expand over and and do more. What I worry about is that the person who owns this property is kind of forced into selling because R-20 was put right next to them with very little buffers. Now if we do R-20 straight zoning here, now you're gonna have very little buffers up against five acre lots and then, you start this domino effect and I personally would like to see more transitional zoning. It's good planning. It's good land use to have more transitional zoning and I'd love to see this at least R-40 because this is the transition into five acre minimum lots and I don't want to just ignore the property that's in the county because I think it's important that we make sure we have that and that's where you know, a PUD-POD, might come in handy where you could at least set bigger buffers or do something different to create a better transition from R-20 to five acre lots. Obviously, someday those properties might come into the City and they become R-40, but you can't count on that. Those people may want to live there for 20 years. To me that's my one concern with this is that we don't have the right transition and now you're going to put R-20 right against more bigger pieces of property where they're going to be tempted to go, okay, I give up, I'll sell it to you. So that's my one concern relative to good planning and kind of looking at from the big picture.

- **Ms. Corolla:** Ethan, are you guys able to show the concept plan that we have. Just a little bit to your point, most of the existing natural features actually border those properties to the north, so it will be buffered, you know by state and by City regulations existing, but I hear your concern.
- **Mr. Pape:** But I mean, you can get permits to fill in wetlands, you can do things like that and the problem is, this came up earlier, we can look at concept plans all day long, but it's a straight zoning--it's a straight zoning and somebody could come-I know it's not an easy process-it's a long process with the core of engineers, but if you wanted to, you could fill in the pond in the back, you could do other things and put lots right up against those property lines if you really wanted to, it's probably not an economically feasible, but it's possible. And that's my concern with the straight zoning. You know, I'd love to, I think Mr. Carter would say this is not a good idea, but say fine-if we're going straight zone it, let's put a condition on the buffers against the county property need to be 50 feet or something like that. You know that's my only concern.
- **Mr. Carter:** My response to that would be that they've asked for the rezone, so, in the motion is for a positive recommendation, so if you do not believe it should be a positive recommendation, you should vote no and then once it fails, I would urge one of you to make a recommendation--make a motion for a negative recommendation. I would presume that would then pass and then the recommendation to the BOC, which is the determining body would be negative from the Planning Commission. I don't think this is a type item, with all due respect, they've made the request and so we either need to pass it on, as is or say it's negative and they can do with it what they want based on the comments that they've heard.
- **Ms. Senyard:** I tried to look back and tried to find where Aden Woods was rezoned and it might have been right before me, I know there's been some things that came in front of me, but it's been a while. I was just trying to remember, I feel like it was--hey Castleberry's this, so we're trying to adjust to it and I feel like it's already starting to stretch. This one felt like another and another, where I think I would be more in Commissioner Papes zone of like, hey could these be a estate lots, could these be at least close, like even if it's a zoning for R-20, they're really close right at on the lot table. I get the buffers there, but again, once it's zoning, it's zoning.
- **Mayor Anderson:** I'm sorry, I didn't know if you asked the question on record.
- **Ms. Senyard:** I was asking this staff if they were if they had a reference on what Aden Woods was before it was zoned for Aden Woods. With her.
- **Mr. Greer:** We can find that reference. I don't have it right on hand. Castleberry has traditionally and remains R-20 and as these have been subsequently rezoned for phase one, phase two and phase three of Aden Woods, they have matched the Castleberry model of having minimum 20,000 square foot lots. To speak to Commissioner McDonald's point, we did

a rough calculation and going through phase one of Aden Woods, phase two of Aden Woods and phase three of Aden Woods, they are at 157 lots. Those were all previously approved prior to myself and our staff coming on board. This additional 17 lots would have, of course, pushed them well above the threshold of 100. And that would be a point if this were to move forward, we would require them to have a traffic impact study done, as this development is considered an increase in size over the time frame that we've had.

- **Mr. Broadbent:** To answer the question. Luckily, we've combined all the Planning Commission meeting minutes, so it's a little bit easier to find now. Looks like this was annexed into the City. I could be wrong, but it says map 22 parcels 64 and 65. But again, could be mistaken here. Don't think that's correct, I'll keep looking, but it would be my assumption that it might have been an annex. So the default zoning would have been RS-40 and so then it would be rezoned from that.
- **Ms. Senyard:** That's what I thought I had. And so just, again, I get that it needs to be next to it and maybe I was part more of like the PUDS, being the half and now we're on drip fields and all the back and forth. It seems like there could be a case made of hey, we're just stretching it out too far.
- **Mr. Magner:** Madam Chair. If I could. I guess my particular heartburn with this one is that it's agricultural residential now and we abut the park, and to me we have a lot of growth and higher density areas and, this would be a much nicer buffer transition that would continue to take advantage of the Fairview countryside, which we all fell in love with here, but it seems like it's being shipped away. So, for me personally, I appreciate maintaining some agricultural next to the park. That's just by personal comment.
- **Mayor Anderson:** Madam Chair. Although I feel like everyone makes a good point. I feel like a nice straight zone with half acre lots is much better than some of the others I've seen with postage stamp lots. And I feel like half acre lots are what that area has a feel for. So it keeps continuity. Plus, I don't know about y'all, but I know my family can't afford a million plus dollar properties and when you start asking for acre lots, just be ready for people who, these million dollar lots to come in where I think the half acre lot is a nice size and more affordable.
- **Mr. Pape:** One additional question, made me think of it when sewer was brought up. The current phases are on public sewer, correct? Is there capacity, have you guys talked to Dickson County, there is capacity for these lots of public sewer?
- **Ms. Corolla:** Yes, yes, Sir.
- **Mayor Anderson:** Madam Chair, one other thing. I think it's always just a good idea to make sure we have a good buffer. With a good buffer, if a neighbor wants to sell their property, then that's their decision, but, with a buffer in place, that's what it's there for. If they want to keep their property kind of secluded than they can do it with that.
- **Mr. McDonald:** There's an existing house on the property, how much acreage is staying with that particular lot?
- **Ms. Corolla:** So that lot I believe will keep about two acres or so give or take.
- **Mr. McDonald:** And that's on the backside farthest from the road.
- **Ms. Corolla:** Correct and it's actually shown on this plat as lot 1 and you can see it at the very rear far left, plan left side you can see that existing home.
- **Ms. Senyard:** Lot table says 52,000.
- **Ms. Corolla:** So 1.5 acres.
- **Ms. Senyard:** Any more remaining comments before vote? Okay, take a vote.

Motion to approve: Ms. Schulist

Second: Ms. Williams

	YES	NO	ABSTAIN	RECUSE	ABSENT
Ms. Schilling	X				
Ms. Williams	X				

Mayor Anderson	X				
Mr. Magner		X			
Ms. Schulist	X				
Mr. McDonald	X				
Mr. Cali	X				
Mr. Pape		X			
Ms. Senyard		X			
MOTION PASSED 6-3					

3. PC Resolution PC-09-24, Rezoning, 7312 Lake Rd. .865 Acres, Map: 042, Parcel: 001.01. Current Zoning: RM-40. Proposed Zoning RS-15 Single Family Residential. Property Owner: Regent Homes, LLC.

Staff Report: City Planner, Ethan Greer
Representative: Mr. Eric Olsen, Mr. Dave McGowan
Discussion:

- **Mr. Greer:** This project is located at 7312 Lake Rd. It's a rezoning. The owners, Regent Homes, they've submitted for a rezoning to RS-15, which would match the adjacent neighborhood that they are currently building behind this. This corner parcel is the location where Lake Rd. and Blue Finch Drive, which is the access point to Richvale neighborhood off of Lake Rd. intersect. Regent Homes has worked to clean up that parcel and they're looking to have its zoned to RS-15 to build two homes. Within the 2040 plan, it has designated this property as legacy neighborhood new residential medium. Legacy neighborhood classification notes the only appropriate land use is single family detached residential and it notes 2 zone districts as appropriate zoning, and those zone districts are RS-40 and R-20. With this property, it's approximately .86 acres, for them to match what they're currently building, literally next door in Richvale, as this is the entrance to Richvale, off of Lake Rd-RS-15 would match that. Richvale is a R-20 planned unit development PUD. And so within that they have 75-foot-wide lots and RS-15 allows for 75 feet lot widths. Staff recommends an approval—a positive recommendation for this applicant and this submission to go forward to the Board of Commissioners.
- **Ms. Senyard:** Would the applicant and like to join us.
- **Mr. Eric Olsen:** Eric Olsen, with Anderson, Delk, Epps. The plan up there is kind of what we had in mind as far as two lots fronting on Lake Rd. Any questions, I'd be happy to answer.
- **Ms. Schulist:** What size home are you able to fit on those slots? I know the setbacks make it a little difficult.
- **Mr. Olsen:** It's going to be tight but a similar product, you know they built a couple across the street, so it'll be something similar to that.
- **Mr. David McGowan:** My name is David McGowan, President Regent homes. We have proposed to build our model home there. The home that we're going to be building on the first slot as you enter the community is called a Danford plan. We built it before, in two of the neighborhoods already. That house is right at 2600 square feet. It'll be a 2 car garage with a rear entry. It comes off the road that goes into the neighborhood, and it will serve as our model home for that community. The lot next door to it will be also a 2500 square foot house and it has a hook-in driveway. I've got photos of those particular plans if you'd like to see it, I didn't print them out to bring them to you, but I can show you what we've proposed, it's called a Danford farmhouse design. And it's again it's sold in the neighborhood that we built in before, in the \$700,000 price range.

- **Mr. McDonald:** Are both of these lots technically off of Lake, whereas one of them coming off of Blue Finch.
- **Mr. McGowan:** Yes, Sir. One will come off the entrance to the side road and the other one come off of Lake Rd. itself.
- **Ms. Senyard:** Y'all don't own the lot that's on the other side of Blue Finch...that's just part of...that's a private...
- **Mr. McGowan:** We're buying and developing lots inside the neighborhood, behind it. We also have been approached by a couple other neighbors on that street, so, we'll probably be back before you again and we continue to develop, like Rogan has done very well for us.
- **Ms. Senyard:** So this was an additional parcel you were able to purchase after Richvale.
- **Mr. McGowan:** Yes, what happened, different homeowners that own this particular lot, she ended up buying a home further down the road. We paid her a premium price for those two lots; they are easy to develop and build on.
- **Ms. Senyard:** I guess that was my question, what was the original plan for it, but you didn't originally have it, so there's the answer.
- **Mr. McGowan:** That's exactly right, and so we purchased it and the parcel right adjacent to this, we're in discussion with that neighbor right now, what they want to do. Again, I have a photo of the house, so if you want to see what we proposed to put on the corner there.
- **Mr. Magner:** Madam Chair, so essentially, most of Lake Rd. is legacy from what I'm looking at on the comprehensive plan. So we're kind of chipping away at that piece by piece. I mean I do appreciate the fact that these were ended East to West, so at least the impact to the neighbors don't perceive a subdivided lot, but at the same time, it does change the aesthetic of Lake Rd. with the higher density, which, at what point do we preserve it or continue to chip away at it.
- **Mayor Anderson:** Madam Chair. Or possibly clean it up.
- **Ms. Senyard:** Any other comments, questions, discussion. Okay, let's take a vote. This is for positive recommendation, by the way.

Motion to approve: Mayor Anderson

Second: Mr. McDonald

	YES	NO	ABSTAIN	RECUSE	ABSENT
Ms. Schilling	X				
Ms. Williams	X				
Mayor Anderson	X				
Mr. Magner		X			
Ms. Schulist	X				
Mr. McDonald	X				
Mr. Cali	X				
Mr. Pape	X				
Ms. Senyard		X			
MOTION PASSED 7-2					

4. **PC Resolution PC-10-24, Final Plat, Ashlyn (Formerly Bourdon Place), 27 Single Family lots, 24.55 Acres. Map: 046, Parcels: 018.00. Property Owners: A-1 Homebuilders, Inc.**

Staff Report: City Planner, Ethan Greer

Representative: none

Discussion:

- **Mr. Greer:** This project is well underway, as they have already broken ground and started grading and I'm sure, some of you at least maybe have heard some concerns from citizens along Crow Cut, as they've seen the construction of this project continue. They are getting ready to go vertical on this. The final plat is in substantial compliance with the construction plans. The property is zoned R-20, with 27 single family lots, minimum square footage of a lot is 20,000 square feet. Just to put that into the public sphere, as they listen. The staff has a positive recommendation for approval for this, so that we can move forward and get these homes built.
- **Ms. Senyard:** Do we have an applicant with us at all? Okay. Any questions, concerns, discussions? Okay, let's take a vote.

Motion to approve: Mr. Magner
Second: Ms. Schulist

	YES	NO	ABSTAIN	RECUSE	ABSENT
Ms. Schilling	X				
Ms. Williams	X				
Mayor Anderson	X				
Mr. Magner	X				
Ms. Schulist	X				
Mr. McDonald	X				
Mr. Cali	X				
Mr. Pape	X				
Ms. Senyard	X				
MOTION PASSED 9-0					

5. PC Resolution PC-11-24, Amended Final Plat, Belvoir Subdivision Phase 1A, Amending proposed Right-Of-Way and lot design. Map: 021, Parcels: 062.00, 063.00. Property Owners: NORTHWEST COVE LLC.

Staff Report: City Planner, Ethan Greer
Representative: Ms. Allison Corolla
Discussion:

- **Mr. Greer:** As you're aware, we've evaluated this at a special called meeting a few weeks ago. There were some noted deficiencies within this, based on further research and digging into this. This plat and this property is currently zoned RS-40. The applicant has updated the final plat to reflect that, now noting that all lots are over 40,000 or minimally 40,000 square feet. They've also adjusted the proposed right of way as the City staff has asked and was included in the special called meetings resolution as a condition to show the original proposed right of way along with additional right of way to give the City variability and opportunity to further plan this intersection prior to it coming into completion. Our staff has a positive recommendation for this final plat to be approved. And if you have any questions, the applicant is here tonight-Miss Allison Corolla with T Squared Engineering and staff, is happy to answer anything that you have.
- **Mayor Anderson:** Madam Chair. Give a little history on this. I was under the impression that this was recorded, Ethan, as R-20.
- **Mr. Greer:** Mayor, I apologize. What was your question?
- **Mayor Anderson:** The owner of this property, what he was trying to do is move the right of

way over to his side of the road. I've been working with neighbors on the other side of the road for about a year now, trying to help figure out a plan for this development so that their landscaping, stonework, mailboxes would not have to be destroyed because of this right away being on the other side of the road where the neighbors are. So the applicant, the developer here, he decided he was going to give up a very large lot, on the South side of this property, to accommodate the right of way being on his side of the road so that he would not affect the neighbors on the other side of the road. When this was brought at a special meeting, there, there's a little confusion about the zoning, and I was under the impression that it was an R-20 zone, when actually it was an R-40. When he gave up that portion of his property on the South side of this development, he took a piece that was- most of these lots are over an acre- at an acre or over an acre, he took a piece that was at the top and divided it in two. When that happened, it was 110th of an acre, less than what it was supposed to be, each one of these. So a simple shifting of lot lines would have handled that. But anyway, that didn't happen and this was discovered, so that's why it's coming back. So I think there was a little confusion in the beginning of, and it has nothing to do with Ethan, this was prior codes department that on some plans, that had said RS-40. So that's the reason there was a little confusion about was it RS-40 or was it R-20. That's a little history behind why this is coming before us.

- **Ms. Senyard:** Ms. Corolla would you like to join us? I'm sure they'll be some questions.
- **Ms. Allison Corolla:** Yeah, absolutely. Allison Corolla again with TSquare Engineering. So effectively there is a recorded plat that came through. We were given direction by staff that it was in fact R-20. As such, changes, revisions were made to that plat to reflect R-20. After further discovery and further research, again based on previous staff and previous documents and recordation, it was determined that this is in fact R-40. And so we were coming before this board, again, on typical Planning Commission schedule to bring forth this R-40 plot that is in complete conformance with the zoning code. No, it's been a little confusing. So I appreciate you guys working with us.
- **Ms. Senyard:** Any questions, discussion. McDonald, you're just preparing for a vote over there.
- **Mr. McDonald:** Just to be clear, this process is not an approval of...it's just the right away, right? This has nothing to do with road design or anything like that. So that will all come down the proverbial road, is that accurate?
- **Mr. Broadbent:** The right of way designated is dimensioned and this is the right of way the City would have. However, in the notes to the right, and may have it pulled up...actually I've got it right here: any changes to propose right away on future phase plans will void, vacate and supersede that shown on this plat. So, if by chance they want to realign Northwest Highway or get rid of the extra widening of the right of way at the intersection of Crow Cut Rd. in a future final plat, it will void this and then our right away will be that. So, to go back to your question, you are not approving road design at this stage. You're only approving where right away is designated. And it can change in future final plats, to say yes or no, but that's essentially what's happening here. No road design has been approved. I believe Allison has sent design plans for feedback. We've been in discussion with them trying to figure out the best route. But this is our current version.
- **Mr. McDonald:** The reason I ask is, I'm thinking in my head that the timeline for when pavement is actually being laid and that road is being created, physically, it's probably a while down...
- **Ms. Corolla:** It will probably come with later phases. Yes, Sir. Although I will say, later phases are sooner rather than later.
- **Mr. McDonald:** It does leave open the opportunity to, things change in the future that the original design of that intersection could come back around prior to, not saying it will or just hypothetically, it's a possibility.
- **Ms. Corolla:** Hypothetically, yes and I and I will note too, that note was provided at the request of staff. So that meets staffs request.
- **Mr. McDonald:** Thank you.

- **Ms. Corolla:** Yes, Sir.
- **Mr. Magner:** Madam Chair. Just a quick technical question. So the right of way, Southeast corner of the plan, looks like it terminates at a property line and then there's property on the other side of that. That triangular piece in the curve, that might be on an adjacent neighbors property. What happens to that space? Is it going to be a road to nowhere there? Does that terminate? Is that part of the other right away?
- **Ms. Corolla:** So are you saying if it becomes a three-way intersection?
- **Mr. Magner:** Yes, exactly.
- **Ms. Corolla:** What happens with that triangle? So that triangle will actually, hypothetically, again we can talk this out with staff, but that will still be right of way, so the City will still own that portion of property, it will just be extra land, if you will.
- **Mr. Magner:** I'm sorry, maybe I didn't ask my question correctly. Outside of your property, so this might even be for staff, there appears to be that to the right-or plan east of the property line there, exactly there. What happens to that space?
- **Mr. Greer:** If that space is not utilized in the future, it would have to be acquired by the City to utilize that space. If that space is not utilized, it remains with the property owner of that parcel.
- **Mr. Magner:** In your technical opinion does that create a negative impact to how that intersection or right away could be traversed?
- **Mr. Broadbent:** You're asking Ethan that question or...
- **Mr. Magner:** Sorry, you Curtis.
- **Mr. Broadbent:** Sorry, just want to clarify. Mind repeating your question.
- **Mr. Magner:** Absolutely. Sorry, I apologize. I know it's 8:25 here, but we are approving a right of way that terminates at a property line. On the other side of that property line, looks like it's an adjacent property by another owner, so to me, potentially it's a right of way that could go nowhere. What impact does that have on us as a City to approve this right of way, if we can't use the other side of the property line.
- **Mr. Greer:** You may remember within the special called meeting there was an adjustment to the proposed right of way. Where the applicant added the curve here at the end. We're looking at a 62 foot right of way. If you continue this straight line through the adjacent property, that is a 62 foot right of way with their addition. It allows us to shift that 62 foot right of way to avoid the adjacent property, depending on the best needs for the City at the time that this roadway begins its actual design phase for construction.
- **Mr. Magner:** Thank you. So I can also interpret that, that really gives the City a little bit more flexibility. However, that roadway ends up becoming in the future. Is that correct?
- **Mr. Greer:** Yes.
- **Mr. Magner:** Alright, thank you.
- **Mr. Pape:** I'll just jump in here too, because I think I'm the one that asked them to put that on the plan to give that future flexibility. Because the way I look at it, you know if Mr. McDaniel were ever to change his mind or sell or something, that gives us a lot of flexibility on changing that design in the future and go in either direction.
- **Ms. Senyard:** What else. Mayor?
- **Mayor Anderson:** Ready to vote.
- **Ms. Senyard:** Anyone else before I call a vote.
- **Mr. Broadbent:** Staff has one more thing. Just a question for Alison real quick. Is that pump station and pump station access road currently constructed?
- **Ms. Corolla:** Yes sir. The building was constructed and so that road had to go in to get equipment and whatnot back to that building. That building is completed and working on the last final stages with WADC on getting that into public record.
- **Mr. Broadbent:** Cluster box unit as well?
- **Ms. Corolla:** It is not in yet. It will be shortly.
- **Mr. Broadbent:** We need to add a condition of approval that that be installed prior to any CO's being issued. That's an important part here. Oh, I'm sorry. That's for the Board to make that

condition approval not staff correct? I recommend you to make that condition of approval.

- **Ms. Senyard:** That both the pump station and the mail...
- **Mr. Broadbent:** Cluster box unit.
- **Ms. Senyard:** The cluster box unit is installed and operational prior to CO. Do I have a motion for amendment?
- **Mayor Anderson:** So move.
- **Mr. Pape:** Second.
- **Mr. Broadbent:** Cluster Box Unit, and let's just add "and turn around" just to be completely matching the final plat. Cluster Box Unit is installed prior to any CO in this phase being. Issued.
- **Mayor Anderson:** I make a motion that the Cluster Box Unit and turn around is installed before the CEO is approved.
- **Ms. Senyard:** Mayor Anderson and I heard a second down here.
- **Mr. Pape:** Second.
- **Ms. Senyard:** Mr. Pape. So we'll take a vote on the Amendment first.

Motion for amendment: Mayor Anderson

Second: Mr. Pape

	YES	NO	ABSTAIN	RECUSE	ABSENT
Ms. Schilling	X				
Ms. Williams	X				
Mayor Anderson	X				
Mr. Magner	X				
Ms. Schulist	X				
Mr. McDonald	X				
Mr. Cali	X				
Mr. Pape	X				
Ms. Senyard	X				
MOTION PASSED 9-0					

- Ms. Senyard: And now, unless there are any other comments, we'll proceed with the vote on the actual motion.

Motion to approve: Mayor Anderson

Second: Mr. Pape

	YES	NO	ABSTAIN	RECUSE	ABSENT
Ms. Schilling	X				
Ms. Williams	X				
Mayor Anderson	X				
Mr. Magner	X				
Ms. Schulist	X				
Mr. McDonald	X				
Mr. Cali	X				
Mr. Pape	X				
Ms. Senyard	X				
MOTION PASSED 9-0					

- **Bonds and Letters of Credit - None**

- **Reports for Discussion and Information**

- City Planning Staff:

- Mr. Greer: Thank you for all your due diligence and going through everything. We've had a very lengthy meeting tonight; I think its been the longest one we've had since I've been here. If you could just reach out and let us know in our department, if you have any issues with accessing IDT, I know a few of you have reached out over the last couple of weeks. They've done some updating and some different stuff—if you could just double check, make sure you have access to IDT, make sure you have access to all the documents that come into our office, so you can view and make the most informed decisions possible for the City. I know currently were working on a couple of accounts to make sure that they get the correct access that they're supposed to have. It is definitely beneficial so that you're not only reading our staff report and only looking at what we have here tonight but being able to come in prepared. And that is all that I have. Mr. Pape, welcome to your first official Planning Commission meeting.

- City Engineer – none

- City Attorney – none

- **Planning Commission Roundtable**

- **Mr. Pape:** none

- **Mr. McDonald:** none, welcomes Jeff.

- **Mr. Cali:** none

- **Ms. Schulist:** none

- **Ms. Schilling:** Thanks Lazestar for considering Fairview.

- **Mayor Anderson:** Apologizes for missing the workshop due to a tractor trailer truck accident on I40. Had a teams meeting with Kevin O'Brien and Josh Rowland. Has thoughts on their plans and will share those when the project comes before the Planning Commission. Spoke with Mr. Hartman with Lazestar, very excited about the effects this will have on the Mechatronic program for the students. Thanks to the staff.

- **Ms. Williams:** none

- **Mr. Magner:** none

- **Ms. Senyard:** none

- **Adjournment** – Motion to adjourn by Ms. Senyard at 8:34 PM



Maria Bruce, Community Services Assistant