

MUNICIPAL PLANNING COMMISSION

April 10, 2018, Regular Meeting at 7 p.m.

Brandon Butler, Chairman
Daniel Jenkins, V Chairman
Christie Slaughter, 1st Secretary
Mike Anderson, 2nd Secretary
Patti Carroll, Mayor

Derek Burks, Commissioner
Salvatore Cali
Jim Power
Sheree Qualls

Present: Butler, Jenkins, Slaughter, Anderson, Carroll, Burks, Cali, Powers, Qualls

Absent:

Others Present: Andrew Mills City Attorney, Will Owen, City Engineer, City Planner
Kristin Costanzo, Kevin Chastine

- Butler Called Meeting to Order at **7:06 PM**
- Opening Prayer and Pledge – **Butler led Prayer and Pledge**
- Approval of Agenda -
Carroll made a motion for approval. Power Seconded. All were in favor.
- Citizen Comments (limited to the first five citizens to sign in and three minutes each)
None
- Approval of Minutes: **March 13, 2018 – Regular Meeting**
Burks made a motion for approval. Cali Seconded. All were in favor.

NEW BUSINESS

1. **Final Plat, Kenny Taylor Subdivision. Six Proposed Lots on 8.25 acres. Property located at 7312 Taylor Road (Tax Map 042, Parcels 76.00 and 77.08). 8.25 acres. RS-40 Zoning District. Property owned by Kenny Taylor.**

Tim Mangrum Present

Jenkins read Staff Comments (Attached – Exhibit A)

Burks made a motion to approve, Anderson seconded the motion. Owen stated staff report is correct they did add the easements. One thing he would request to be done, on those easement lines there's no measurement or calls, metes & bounds, on those easement lines. He would ask the surveyor, before he submits the mylar for recording that those measurements be added, so those can be field located in the future, if need be. Butler asked Anderson if he wanted to remove his second and Burks can amend the motion. Anderson removed his second. Burks amended the motion to include all the Staff Comments as well as the requirement that he provide all the measurements metes, and bounds for the drainage easements before it's recorded, per the Engineers request. Anderson Seconded. Vote was taken. All were in favor.

BONDS/LETTERS OF CREDIT

1. **Sweetbriar Springs – letter of credit in the amount of \$45,000 to cover roads, sidewalks, storm drainage, and other improvements specified by the approved plans. The Planning Commission reduced the bond on June 12, 2005. Bond expires April 16, 2018**

Jenkins read Staff Comments (Attached – Exhibit A)

Butler asked any update on this or is this still the status? Costanzo stated still the status developer said will have renewed by April 16, 2018.

Burks made motion to call the bond if not in place by April 16, 2018. Carroll Seconded. Anderson asked Powers seconded. Anderson asked how many bonds do we have out there with this much age on them? Costanzo stated it is visited every year and is renewed each year. Vote was taken. All were in favor.

2. Pepper Tree Cove, Phase One – request to reduce bond amount.

Owen stated based on his site observations earlier this evening he would recommend a bond reduction to the amount of \$357,500.00

Burks made a motion to reduce the bond to the City Engineers suggested amount of \$357,500.00. Cali Seconded. All were in favor.

REPORTS FOR DISCUSSION AND INFORMATION

- City Planner – Costanzo thanked everyone for coming to the Workshop.
- City Engineer – Owen stated he would take the time to go over sheets (attached - Exhibit B). Owen stated some of the feedback that they got back on some of the amendments and updates on the Zoning Ordinance. They had a desire to tackle some of the PUD development, regulations, what he tried to do was target in on three primary design elements of Planned Developments. 1st being the density 2nd lot sizes & associated setbacks 3rd open space and amenities (attached)= Owen goes over the density sheet. One thing they had discussed is considering a reduction in the area that the density rate is applied to and primarily that pertains to public right of way because the theory behind it would be if there was a conventional RS-15 development-meaning each lot within that development had to be a minimum of 15,000 square feet-you would still have roads that would take away from the potential lot areas. Instead of utilizing the entire boundary of the Planned Unit Development, you would remove the acreage that would be dedicated to road ways from the total acreage then multiply by the density factor. Example 23 acres, generally speaking roadways will account for anywhere from 10 to 15% your total acreage, that can swing depending on the specific development. The example there would be an approximately 3 acres of proposed new roads, that would be the full 50 feet right of way width, not just the actual paved width, so 20 acres x's 9 units, the maximum allowed number of dwelled units would drop down to 58 on this particular development instead of 67. Other potential reductions that they could consider, reducing any area of flood plains, that would be in the development, any steep slope areas, any waste water drip fields, could potentially. Lastly there is some opportunities to allow for percentage of increase in density based on things they desire to see in their City, for instance if they put a great desire on improved open space, for instance, a club house, swimming pool, ball fields. If a developer chose to install a number of those things then they could receive a certain amount of increase in their allowed lot density based on that incentive for whatever they desire to incentivize. These are some things to consider as far as density goes. In a lot of ways, they can keep these three items separate the density, the lot size and the open space but in a lot of ways they can be comingled as well. So, if they desire to see larger lot developments, then they could potentially increase the number of lots, the density of the lots in return for larger average lot sizes. There is a sliding scale depending on what they desire to incentivize, talking about Planned Developments not traditional zoning.

(Attached – Exhibit C) Lot Size and Set back sheet. Under their current regulations there is really only one regulation that pertains to the lot sizes within a planned development that pertains to lots around the perimeter of planned developments, if they are adjacent to residentially zoned parcel or parcels that have minimum lot sizes larger than what is shown in the planned development, then those parcels that are adjacent to those outside properties have to be a minimum of 15,000 square feet. This most recently has been addressed by planned developments by providing a buffer area between the boundary of the planned development and where their actual lots within the development, the back of their property lines. They may also consider not just giving some parameters on minimum lot sizes or lot areas but also minimum lot widths. There may be an opportunity to discuss with the Water Authority of Dickson County, he knows that lots that are smaller than about 80 feet wide pose some challenges when it come to the location of step tanks and those service lines associated with the step tanks. Particularly if they are very strict on making sure that those tanks are in the front yards of houses, which they have been told that is their policy. Potential alternatives that they could consider 1) if they wanted to set a minimum lot size as a percentage of the underlying base zone 2) another option would be more flexible for developers, to set a percentage of the underlying minimum lot zone size and to say that the average lot size of all lots within a planned development would need to be X percentage of that underlying minimum lot size.

Anderson asked how you handle minimum lot widths. Owen stated you can handle those a number of different ways; typically, their handled independently of your conventional square lots or rectangular lots, some will set a minimum at the right of way line and they will also set a minimum at the building set back line for those pie shaped lots.

Burks asked when he was saying they could deduct drip fields, open areas from the calculation, he said not many people do that of the people that do it, is it 100% or is based on percentage like you can only count 50% of that. Owen stated it's generally based on a percentage, the thought process of why you wouldn't want to deduct the drip field area is because in essence kind of double penalizing a developer for having to put in the step system. Not only are they having to take the area that would be dedicated to the drip fields, but now their also being told that area can't be counted towards a density calculations. That may be the direction they want to go but it would be very strict. Burks asked can they put a list of required amenities, when you have X number of lots, is it feasible. Owen stated he thinks that can be done in Planned Developments, can't do that in conventional zones, but he thinks Planned Developments there can be some established thresholds, get to a certain threshold then this specific amenity would be required. Carroll stated there was like a clubhouse, she knows they have done variances for different things, doesn't know if that changed. Owen stated he thinks there is for apartment complex that has more than 200 units is required to have a clubhouse. Anderson asked when they set down and drew up the guidelines. Owen stated this is the first step in how to address density and lot size, open space as well, his intention would be to tackle it at that next work session to really try to regulate density and lot size within Planned Developments and incorporate that into these amendments that would hopefully be passed to the Board with a recommendation

from this Body to adopt. Carroll stated right now there is a moratorium on the PUD's so this RS-14, is that just in case the Board decides if they want to lift it, do they have a standard. Burks stated the moratorium in effect until January. Owen state yes, he thinks the moratorium could stay in place, don't think they are depending on each other. If the Board felt comfortable with the regulations that were put in place, he believes they could vote to lift it before that January 1st deadline. That's kind of what they are trying to tackle with this in conjunction with the moratorium. Anderson asked did he not say that some of the communities have evacuated the term PUD (Planned Unit Development) and their using different terms for that. Owen stated yes there are some that are utilizing, ask Kevin what the City of Gallatin used. Qualls asked is it Horizontal property regime. Owen stated that specific to traditional condominiums where the ownership of the unit and the interior walls of that unit is with the individual that has the unit but the land that the unit sits on and the exterior walls is part of the master deed. Chastine stated PUD's and PRD's and semantics and what they name them. He was with the City of Gallatin for 9 years and the term PUD had been taken out years before but if you look at the Zoning ordinance they were still there just under a different name. They had specific zoned districts that were called Master Planned Zones, so it wasn't a case like they were talking about having a PUD overlay, if he wanted to do a Residential development he could go to multiple residential in office, take that MRO zone district, he would select the Residential uses and within that there was the ability to ask for exceptions to reduce your yard lines, set backs or lot sizes so it gave the developer flexibility on how they wanted to design. There were some open space requirements then the process was similar to a PUD, it would go to the Planning Commission for a recommendation, the Rezoning would go to the Mayor, Councilman, then the Preliminary and the Final would go to Planning Commission, then the platting process after the Final Master Plan was approved. Other Communities have things called SP special district which is really a PUD just by a different name, so they are in most communities just not always under the same name but under the same type of regulations. Anderson stated that was his thought as long as Fairview has a moratorium on PUD they may want to switch the verbiage that the general public would see that things have changed. Carroll stated she thinks what happened is they gave a PUD a bad name, but it's not really a bad name, what happened was when the community had to go over 50 rooftops then all the sudden they were having to put in a sand filtration system, the all of a sudden, the developer wanted to come in, where it may be a R-20, their using the smallest possible lot size that is closer to RS-15. She thinks doing something like the example with the percentage would help and even if the Board desires this is the absolute that they don't want it to go below this then she thinks that would change some of the perception. It's the way everything is going now it's just not Fairview. Owen stated Mr. Anderson you talk about implementation a little bit, one thing that he generally likes to do, once they get at least some what of a consensus on the density, the lot size, the open space, he generally likes to take 2 or 3 existing developments and show what they are and what they would be as far as lot sizes, open space and that sort of thing, if the agreed upon consensus was adopted. That way they would get a better feel, they can visually see what's out there and this is what would've been there from a density, lot size stand point and

open space stand point, if these new regulations are adopted. They may say wait a minute that's drastically more or less than what they had anticipated now that they have a specific two or three examples in front of them, he has always found that to be very helpful for not only him but most everyone involved. Butler stated is it fair to say they want to digest this and, in our workshop, next meeting this will be one of the things they will try to tackle so come back with ideas or things they want to discuss.

- City Attorney – Nothing
- City Manager – Not Present

COMMUNICATION FROM THE PLANNING COMMISSION MEMBERS

Slaughter – Nothing

Qualls – Nothing

Anderson – Just wanted to say a very positive meeting.

Powers – Nothing

Cali – Nothing

Burks – Burks thanks Will Owen and Kevin for coming out and doing the presentation and the workshop lot of information.

Carroll – Carroll stated as they do this she would recommend driving through some of our subdivisions, go through and see what they like and don't like. Years past they have made some mistakes and they can get a better idea when they are discussing changes, what they want it to look like. Thanks, them and apologizes for coming in at the tail end of the workshop but it looks like they done a great job and she looks forward to reading.

Jenkins – When it comes to meetings; on the Fairview website there is none for the Board of Zoning Appeals, The Planning Commission hasn't been updated since September of last year, The Board of Commissioners hasn't been updated since October last year, so we need to make sure that we make that information available not only to ourselves but to also to the public so people can follow up on what's going on in their City.

Butler – Butler stated he would send over a note to check up on that, the Board of Zoning Appeals meets so far out and they have to approve them, but ours should be on there. Butler thanks Owen and Casteen for the presentation and thanks the Commission for coming to the Workshop and bearing with them as they continue to dive into the booklet.

ADJOURNMENT –

Butler stated he would entertain a motion to adjourn. Jenkins made a motion for adjournment. Adjourned at p.m. 7:33p.m.

Chairperson

Secretary