

City of Fairview

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FAIRVIEW, TN. 37062



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Municipal Planning Commission

Regular Meeting
May 13, 2014
7:00 p.m.

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

Present: Anderson, Behan, Rowe, Sutton, Butler, Mangrum
Absent: Beata, Mitchell, Dowdy

Others Present: City Manager Wayne Hall, City Attorney Larry Cantrell, City Engineer Will Owens, Planning/Codes Director Frank Humber, Codes Clerk Sharon Hall

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

1.1 Hall led the prayer and the pledge.

2. APPROVAL OF THE AGENDA-

2.1 Humber stated under new business 8.2 add to the wording; including but not limited to. Rowe made a motion for approval. Mangrum Seconded. All were in favor.

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

4. APPROVAL OF THE MINUTES-

4.1 APRIL 3, 2014 – SPECIAL CALLED MEETING
Rowe made a motion to approve. Butler Seconded. All were in favor.

APRIL 8, 2014 – REGULAR MEETING

Rowe made a motion to approve. Butler Seconded. All were in favor.

5. RECOMMENDATION -None

6. BONDS

- 6.1 SCARBOROUGH VILLAGE PERFORMANCE BOND TO COVER THE ROADS, SIDEWALKS, AND STORM DRAINAGE. \$52,000.00. THE PLANNING COMMISSION SET THE BOND ON FEBRUARY 12, 2008. THE BOND EXPIRES MAY 19, 2014.

Humber stated we received the letter of credit from Pinnacle Bank stating that this will automatically renew on May 19, 2014. Cantrell stated no vote required, for information purposes only.

7. OLD BUSINESS- none

8. NEW BUSINESS-

- 8.1 FINAL SUBDIVISION PLAT FOR HICKORY SPRINGS SUBDIVISION. MAP 22, PARCEL 133.00. 8.37 ACRES. R-20 ZONING. WALT AND BEVERLY TOTTY, OWNERS.

Behan read Engineer report and staff report, which will become part of these minutes. Exhibit A and Exhibit B. Walt Totty present to answer questions. Mangrum stated what is the fee schedule for the recreational? Owens stated to his knowledge there has not been a fee schedule established by the governing body that this references. Cantrell stated he isn't aware of any schedule of fees that have been approved by the governing body. Cantrell stated he would suggest until one is prepared and presented that they can't access fee. Cantrell stated he would also suggest that during this time of revision that this is being revisited that one of two things happen, either a fee schedule be prepared, would be a simple thing to do. Cantrell stated it be prepared and presented to the governing body, which that would have to be the Board of Commissioners for passage and adoption and sent back to be enforced, on some type of very objective formula, or that provision needs to be stricken because you can't have a fee schedule because you can't enforce it. Anderson stated there is land behind these lots correct, so could the 10% be part of that land. Totty stated yes, it could be for now but eventually someone else will probably own it. Owen stated if you deem it necessary to have 10% set aside then it has to be platted as such with that note on the plat. Anderson stated the other requirement from the Engineer is the five foot sidewalks. Rowe stated in this area the five foot sidewalks would be to nowhere, he would be for a variance on the sidewalks. Rowe ask how long would it be for the City to come up with a fee schedule. Cantrell stated at a minimum about two to three months. Anderson stated she has two comments

one, they need to wait on the fee schedule or require the 10%. Anderson stated if there is land that could be developed next to this land and we are not requiring sidewalks here and someone else comes in next to them and we require sidewalks, so they would almost be forced to not require sidewalks there. Mangrum stated his concern is this is so close to Caldwell Lane that could potentially develop later, so he was with her as far as down the road. Butler so the City would be responsible for the maintenance of the sidewalks. Cantrell stated yes City would be responsible for maintenance on the sidewalks because they are on City easements they also would be responsible of someone falling or getting hurt. Mangrum made a motion that they approve this as presented with the sidewalks to be added, contingent upon storm water calculations, if a detention pond is required then it needs to come back to them for final approval also allow a variance on the 10%. Butler Seconded.

For

Mangrum
Butler
Behan
Rowe

Against

Anderson
Sutton

Motion Passes.

8.2 SET A PUBLIC HEARING DATE FOR THE PURPOSE OF HEARING PUBLIC COMMENT, INCLUDING BUT NOT LIMITED TO, ON AMENDING THE CITY OF FAIRVIEW SUBDIVISION REGULATIONS TO REQUIRE TWO SIGNATURES TO SIGN FINAL PLATS.

Sutton asked Cantrell do we need to make a motion before they move forward. Cantrell stated yes and it will have to be a minim of thirty days from the time it is put in the paper which would be about forty days. Cantrell stated Mr. Humber has a suggested date for the Board. Humber stated the date would be July 08, 2014. Sutton made a motion for the July 08, 2014 meeting to Discuss/or take action on the requirement on having two signatures on each and every plat. Rowe Seconded. Mangrum asked could they add the 10%. Cantrell stated the way it is written you can add to it. All were in favor.

Anderson stated she would like to ask a question, since they approved sidewalks does that plat have to be redone and brought back to them? Owens stated you can handle it one or two ways, you can require it to come back, or reviewed by Mr. Humber, also have the Secretary to sign plat. Anderson stated she would like to see the plat revised and brought back to this Board.

9. REPORTS FOR DISCUSSION AND INFORMATION

9.1 PLANNING/ZONING/CODES DEPARTMENT- Humber stated he has couple of things, one there was a one lot subdivision that was submitted to him on Hall Road. Humber stated the next item is the Codes Committee; he would like to convene this committee as soon as possible and talk about specific things. Humber stated one of the things he

wanted to talk about was the Sign Regulations, since signs pertain to business owners and owners of commercial property he would like the Committee to convene a Public meeting for at least one maybe more to talk to the people that are affected, so they can get their input also. Humber stated they also need to revisit the definitions in the Subdivision Regulations of a Major and Minor Subdivision; they need to have clarity there. Humber stated also take up the issue of public open space requirements in Subdivisions. Butler stated what about June 17, 2014. Humber stated what time; board agreed June 17, 2014 at 6:00 p.m.

9.2 CITY ENGINEER-Nothing

9.3 CITY ATTORNEY- Nothing

9.4 CITY MANAGER- Hall stated could the 10% recreational area be part of the lots themselves. Owens stated he would have to go back and look at the subdivision regulations as he is not certain if that was the intent was, but he is not certain if it excludes that option. Anderson stated wouldn't that allow neighbor A to play on neighbor B's yard? Owens stated at a minim there would have to be an easement that encumbers each of the lots that would allow use by the other individuals he would think to meet that threshold. Owens stated he thinks there is a lot that is left for interpretation by the Planning Commission, what's required there. Cantrell stated he thinks the only way they could allow him to go onto someone else's property for the purpose of recreation it will have to be either preserved as one platted public access area for that subdivision or there is going to be access easements granted for every lot. Owens read 4-111 Open Space Requirements. 4-111.1 Reservation of Land for Recreational Purposes, from subdivision regulations, which will become part of these minutes. Exhibit C.

10. COMMUNICATION FROM THE PLANNING COMMISSION MEMBERS.

Sutton apologized for being late because the Boys and Girls club had their annual banquet, which is a major fund raiser, they raised almost \$40,000.00. Sutton stated Fairview participated more than they have ever before, support them when you can.

Mangrum stated he would like to thank our staff for their effort each and every meeting they have.

Butler he knows Mr. Humber has been here for a few weeks but he would like to welcome him they are excited to have him.

Rowe stated he would like to welcome Mr. Humber he looks forward to working with him.

Anderson stated she would also like to welcome Mr. Humber; she had a chance to sit down and talk with him. Anderson stated she thinks he see some areas that need to be

improved on, things he can take on and improve. Anderson stated we all work together and make the best for this community. Anderson stated she does want to say they have Subdivision Regulations for a reason, they may not agree with everything but it can be changed. Anderson stated she thinks they don't need to look at subdivisions as individual pieces; they need to look at the whole, and try to envision what could join them in the future, when they make decisions. Anderson stated if they just haphazardly give variances and don't take in consideration what's going to happen down the road, then they decide to enforce those subdivision regulations on those people; they're going to be gaps. Anderson stated like in the zoning having holes in it, she doesn't want to see a sidewalk here and a section where they have given a variance and it's not there. Anderson stated there's got to be the opportunity for it to connect and for them to look into the future not just the little piece that's going on. Anderson stated green space is important to her; play area is for children, she thinks that is why that was added. Anderson stated if there is something that is developed behind it or beside it and it wasn't required to do that then they can either make changes or they can follow what they have in their regulations. Anderson stated she thinks they really need to be careful about giving a variance on just one piece of property and they don't consider what can happen around it. Anderson stated also there are a lot of new businesses out here in Fairview and it's really exciting what's going on. Anderson stated she just hope everyone changes their mindset, instead of going to neighboring cities and giving them their money, she hopes they can look around at all the new businesses here that can provide them the same service and merchandise. Anderson stated just keep your money in Fairview so our City prospers.

- 11. ADJOURNMENT-**Sutton made a motion for adjournment. Butler Seconded. All were in favor. Adjourned at 8:20p.m.

Chairperson

Secretary