

MUNICIPAL PLANNING COMMISSION MINUTES

June 9, 2020 Regular Meeting at 7 p.m.

Brandon Butler, Chairman
Mike Anderson, Vice Chair
Daniel Jenkins, 1st Secretary
Salvatore Cali, 2nd Secretary

John Blade, Mayor
Derek Burks, Commissioner
Sheree Qualls
Hayley Schulist

Present: Butler, Jenkins, Anderson, Cali, Blade, Burks, Power, Qualls, Schulist

Absent: none (1 unfilled seat)

Staff Present: City Manager Scott Collins, City Attorney Tim Potter, City Engineer Kevin Blackburn, Public Works Director Micah Sullivan, City Recorder Brandy Johnson

- Butler called meeting to order at 7:01 p.m.
- Roll call by Johnson

	Present	Absent
Anderson	x	_____
Blade	x	_____
Burks	x	_____
Butler	x	_____
Cali	x	_____
Jenkins	x	_____
Qualls	x	_____
Schulist	x	_____

- Opening Prayer and Pledge led by Butler
- Approval of Agenda

Motion: Burks
Second: Butler

	YES	NO	ABSTAIN	RECUSE
Anderson	x	_____	_____	_____
Blade	x	_____	_____	_____
Burks	x	_____	_____	_____
Butler	x	_____	_____	_____
Cali	x	_____	_____	_____
Jenkins	x	_____	_____	_____
Qualls	x	_____	_____	_____
Schulist	x	_____	_____	_____

- Citizen Comments
 - Randall Nash, 1130 Highway 96, shares a history of the property up for rezoning consideration tonight located on Northwest Highway. This property has deed restrictions applicable until December 31, 2020, including no

commercial use and square footage restrictions for any new buildings. Nash stated that Everett is a friend and good neighbor and this is not a personal matter. He is opposed to seeing this property, surrounded by a residential area, be zoned commercial. He understands the adjacent property recently appeared before the Planning Commission for commercial zoning and was rejected.

- Approval of Minutes: May 12, 2020
- Approval of Agenda

Motion: Burks

Second: Anderson

	YES	NO	ABSTAIN	RECUSE
Anderson	x	___	___	___
Blade	x	___	___	___
Burks	x	___	___	___
Butler	x	___	___	___
Cali	x	___	___	___
Jenkins	x	___	___	___
Qualls	x	___	___	___
Schulist	x	___	___	___

NEW BUSINESS -

1. Site Plan, Nashville Lumber Company, property located at 7401 Cumberland Drive, Fairview TN. Property owned by Vulcan Holdings, LLC.

Motion: Burks for approval subject to staff comments

Second: Cali

	YES	NO	ABSTAIN	RECUSE
Anderson	x	___	___	___
Blade	x	___	___	___
Burks	x	___	___	___
Butler	x	___	___	___
Cali	x	___	___	___
Jenkins	x	___	___	___
Qualls	x	___	___	___
Schulist	x	___	___	___

Jenkins read the staff comments:

City Engineer recommends to Planning Commission that comments associated with irrigation plans be allowed to be approved by staff prior to issuing a grading permit.

Upon approval of Water Authority of Dickson County requirements, all WADC plan modifications will be completed prior to preconstruction meeting.

Micah Sullivan has spoken to the owner several times and he is very interested to move into the Fairview community and is excited about the growth in our area.

2. Request for Annexation, property located 7322 Valley Road, Fairview, TN (Map 69, Parcel 82.00) 50.83 acres. Property owned by Richard L & Larawn S. Rhea.

Motion: Burks for a positive recommendation to the BOC

Second: Qualls

	YES	NO	ABSTAIN	RECUSE
Anderson	x	___	___	___
Blade	x	___	___	___
Burks	x	___	___	___
Butler	x	___	___	___
Cali	x	___	___	___
Jenkins	x	___	___	___
Qualls	x	___	___	___
Schulist	x	___	___	___

Sullivan pointed out adjacent city properties and Butler confirmed this would be annexed as RS-40 zoning.

3. Request for Rezoning, 7361 Northwest Highway, 5.09 acres, (Map 21, Parcel 23.04). Current zoning is RS-40 (Residential, Single Family) Request for CG (Commercial General). Property owner Bryan Everett.

Motion: Qualls to approve

Second: Anderson

	YES	NO	ABSTAIN	RECUSE
Anderson	x	___	___	___
Blade	___	x	___	___
Burks	x	___	___	___
Butler	x	___	___	___
Cali	x	___	___	___
Jenkins	x	___	___	___
Qualls	x	___	___	___
Schulist	x	___	___	___

Owner, Everett notes there's a small triangle piece of property across Northwest that is part of this property. He fell in love with the house and purchased the property from Nash. His plans are to share the history and turn it into a restaurant for all to enjoy and become a place to gather and socialize. Butler states restrictive covenants are not enforceable by the city (in response to citizen comment from Randall Nash.) Burks offers concern over lack of adjacent commercial properties and wide-open possibilities for Commercial General zoning. Jenkins questions current land use zoning and Sullivan advises an update from 2012 indicates as a commercial area.

4. Request for Rezoning, Requested Zoning: RS-15 (Residential, Single Family), Total combined acreage 61.706. Property owner BBJ Properties, LLC.
7425 Crow Cut Road, Map 46 Parcel, 16.00 – 22.15 acres, Current Zoning: RS-40
Map 46 Parcel 11.04 – 13.656 acres, Current Zoning: R-20

Map 46 Parcel 16.04 – 22.15 acres, Current Zoning: RS-40.

Motion: Anderson to approve RS-15

Second: Cali

	YES	NO	ABSTAIN	RECUSE
Anderson	x	___	___	___
Blade	x	___	___	___
Burks	___	x	___	___
Butler	___	x	___	___
Cali	x	___	___	___
Jenkins	___	x	___	___
Qualls	___	x	___	___
Schulist	x	___	___	___

These lots are adjacent to the Castleberry subdivision and have been in expansion plans for the subdivision for some time. Castleberry is zoned R-20 and has sewer but these parcels would require a step system which causes a lower lot yield. The overall density would not be any more as the step system would need 5-6 acres and the maximum number of lots would be 75 to 85. Butler noted the last few approvals with on-site sewer have been zoned R-20 as a comparison.

5. Request for Rezoning, Requested Zoning: RS-15 (Residential, Single Family), Total combined acreage 31.399. Property owner BBJ Properties, LLC.

0 Aden Road, Map 46 Parcel 11.03 - 31.399 acres, Current Zoning: R-20 (Residential, Single Family)

Map 46 B A Parcels 1.00, 2.00, 3.00, 4.00, 5.00, 6.00, 7.00, 8.00, 9.00, 10.00, 11.00, 12.00, 13.00, 14.00, 15.00, 16.00, 17.00, 18.00, 19.00, 20.00

Motion: Jenkins for a negative recommendation to the BOC, wants to keep R-20 zoning

Second: Anderson

	YES	NO	ABSTAIN	RECUSE
Anderson	x	___	___	___
Blade	x	___	___	___
Burks	x	___	___	___
Butler	x	___	___	___
Cali	x	___	___	___
Jenkins	x	___	___	___
Qualls	x	___	___	___
Schulist	x	___	___	___

Butler notes this property is adjacent to the previous one discussed. Approximately 20 lots were platted but never constructed so if this passes they will re-design the current plat and new stormwater regulations will apply to the re-design. Jenkins noted the current R-20 zoning matches our current and future zoning for that area and matches the adjacent lots.

OLD BUSINESS - none

BONDS AND LETTERS OF CREDIT

1. Stable Acres Irrevocable Standby Letter of Credit # 1140005582 in the amount

of \$65,000.00 will expire July 08, 2020.

Motion: Burks to extend the \$65,000 irrevocable letter of credit on Stable Acres for 6 months

Second: Qualls

	YES	NO	ABSTAIN	RECUSE
Anderson	x	___	___	___
Blade	x	___	___	___
Burks	x	___	___	___
Butler	x	___	___	___
Cali	x	___	___	___
Jenkins	x	___	___	___
Qualls	x	___	___	___
Schulist	x	___	___	___

City Manager Collins noted receipt of a six-month extension on the bond and an agreement that the final layer of asphalt will be completed. The issue of whether it is public or private (recorded plat shows as public but was sold as private) is to be addressed at the HOA meeting later this month where they will either ratify or vacate ownership.

2. Stable Acres Phase 2 Irrevocable Standby Letter of Credit #1140005582A in the amount of \$12,500.00 will expire July 08, 2020.

Motion: Burks to extend the irrevocable letter of credit on Stable Acres Phase 2 in the amount of \$12,500 for six months.

Second: Qualls

	YES	NO	ABSTAIN	RECUSE
Anderson	___	___	___	___
Blade	___	___	___	___
Burks	___	___	___	___
Butler	___	___	___	___
Cali	___	___	___	___
Jenkins	___	___	___	___
Qualls	___	___	___	___
Schulist	___	___	___	___

City Manager Collins noted receipt of a six-month extension on the letter of credit.

3. Kyles Creek Subdivision Phase 2, Section 2, Irrevocable Standby Letter of Credit # 9071005 in the amount of \$70,000.00 will expire July 17, 2020.

Motion: Burks to call the letter of credit in the amount of \$70,000 on Kyles Creek Subdivision Phase 2, Section 2, if not renewed by July 17, 2020.

Second: Jenkins

YES	NO	ABSTAIN	RECUSE
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Anderson	x	___	___	___
Blade	x	___	___	___
Burks	x	___	___	___
Butler	x	___	___	___
Cali	x	___	___	___
Jenkins	x	___	___	___
Qualls	x	___	___	___
Schulist	x	___	___	___

4. Wynwood Park Subdivision, Phase 1, Irrevocable Standby Letter of Credit # 90022960 in the amount of \$388,237.50 will expire June 29, 2020.

Motion: Burks to call the irrevocable standby letter of credit in the amount of \$388,237.50 for Wynwood Park Subdivision if not renewed by June 29, 2020.

Second: Jenkins

	YES	NO	ABSTAIN	RECUSE
Anderson	x	___	___	___
Blade	x	___	___	___
Burks	x	___	___	___
Butler	x	___	___	___
Cali	x	___	___	___
Jenkins	x	___	___	___
Qualls	x	___	___	___
Schulist	x	___	___	___

Reports for Discussion and Information

- City Planning Staff - Micah Sullivan states he has enjoyed the last three-plus years with the Planning Commission. Last year he was promoted to Public Works director and beginning next week, will be focusing on that and out of the Planning department. We've all grown a lot the last three years with lots of changes and great progress made. Thank you all for working with me and I'll still be around and part of the city so feel free to contact me. I believe this will be my last Planning Commission meeting.
- City Manager – Scott Collins notes we are in the middle of a transition period for several departments trying to relieve some pressure. Micah was in an exhausting role with Planning, Public Works and inspections. A few weeks ago we met with the USPS rep to review their requirement for current and recent subdivisions. They are requiring for all subdivisions under construction to switch to cluster mailbox systems rather than door-to-door delivery. At the Planning Commission level we need to re-address the cluster mailbox requirement since we have learned more. Vendors are specifically approved through the USPS. For the subdivisions where Phase 1 has been completed (but infrastructure not accepted by the city yet) and additional Phases are under construction, a temporary location may be established and then moved to a permanent location. This will specifically impact Otter Creek and Cumberland Estates. Part of what we have to determine is whether we will allow use of the city's right of way. Collins adds that we will bring something to reformulate how we review bonds and letters of credit. If we have it on file, and the work has not been done by the date, no vote is required to call the bond, as the city has the authority to do so. We would need to vote to extend the bond.
- City Engineer – none
- City Attorney – none

COMMUNICATION FROM THE PLANNING COMMISSION MEMBERS

- Anderson thanked Micah Sullivan for bringing the Planning Commission into the digital age. Anderson attended the WADC meeting last night and they presented their budget and insurance for the coming year. The sewer plant was not on the agenda but they have submitted it to the state for review, however, the person that reviews is not working in the office right now due to COVID-19. WADC continues to look for fresh water leaks in Fairview working late at night when they must shut water off. Water leaks cost them a lot of money and they can also undermine roads. WADC is prepared to move water lines on Highway 100 in preparation for sidewalks and likely looking at a fall start on that project. The Fairview sewer treatment plant revisions are 98% complete and they hope to open the end of next month.
- Blade thanked Micah Sullivan for the work he has done.
- Burks understands that areas will go commercial but wants to pay attention to how we get there and not just that we can.
- Butler thanked Micah for putting the workshop together and for all he has done with the Planning Commission.
- Cali thanked Micah Sullivan for the work he's done and wished him continued success with Public Works.
- Jenkins – none
- Qualls thanked Micah Sullivan for his work with the Planning Commission.
- Schulist - none

ADJOURNMENT – Motion to adjourn by Jenkins at 8:15 p.m.

City Recorder