

City of Fairview

7100 CITY CENTER WAY
FAIRVIEW, TN. 37062



Phone: 615-799-1585
Email: codes@fairview-tn.org

Municipal Planning Commission

Regular Meeting
June 13, 2017
7:00 p.m.

Brandon Butler, Chairperson
Matt Beata, Vice Chairman
Tim Mangrum, 1st Secretary
Michael Mitchell, 2nd Secretary
Patti Carroll, Mayor
Derek Burks, Commissioner
Christie Slaughter
Jim Powers
Mike Anderson

Present: Butler, Mangrum, Mitchell, Carroll, Burks, Slaughter, Powers, Anderson

Absent: Beata

Others Present: City Attorney Tim Potter, City Engineer Will Owen, Building Inspector Micah Sullivan, City Planner Kristin Costanzo

- 1. ANDERSON CALLED THE MEETING TO ORDER AT 7:00 p.m.**
 - 1.1 Butler led the prayer and pledge.
- 2. APPROVAL OF THE AGENDA-**
 - 2.1 Mangrum made a motion for approval. Mitchell Seconded. All were in favor
-Item 7.3 Differed
- 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 May 9, 2017 – REGULAR MEETING
Burks made a motion for approval. Mangrum Seconded. All were in favor.
- 5. BONDS -**
 - 5.1 Deer Valley Downs Subdivision - Letter of credit in the amount of \$464,000.00 to cover the roads, sidewalks, storm drainage, and other improvements specified by the approved plans. Planning Commission set the amount on November 10, 2014. Planning Commission reduced the amount on August 09, 2016, to \$225,000.00. Letter of credit expires May 21, 2017.
Mitchel made motion to call the bond if not in place by renewal, Carrol seconded, ALL were in favor
 - 5.2 Heartland Reserve Subdivision – Performance bond in the amount of \$365,000.00 to cover the roads, sidewalks, storm drainage, and other improvements specified by the

approved plans. Planning commission set the bond on February 12, 2008. Planning commission reduced the bond on June 14, 2011, to \$250,000.00. Planning commission reduced the bond on May 10, 2016, to \$137,500.00. Bond expires June 30, 2017.

Bond has been renewed, no action

- 5.3 Brandenburg Cove Subdivision – Performance bond in the amount of \$45,000.00 to cover the roads, sidewalks, storm drainage, and other improvements specified by the approved plans. Planning Commission set the bond on February 12, 2008. Bond expires July 1, 2017.

Owen needs AS BUILTS before release and is not aware of recent work

Burks made motion to call the bond if not in place by renewal, Carroll seconded, ALL were in favor with exception of Slaughter (abstain)

- 5.4 Kyles Creek Phase II, Section I – Performance bond in the amount of \$204,000.00 to cover the roads, sidewalks, storm drainage, and other improvements specified by the approved plans. Planning Commission set the bond on February 12, 2008. Planning Commission reduced the bond to \$119,000.00 on January 13, 2012. Bond expires on July 8, 2017.

Costanzo sent letter to bondholder

Carroll made motion to call the bond if not in place by renewal, Powers seconded, ALL were in favor

- 5.5 Kyles Creek Phase II, Section II – Performance bond in the amount of \$418,412.50 to cover the roads, sidewalks, storm drainage, and other improvements specified by the approved plans. Planning Commission set the bond on May 10, 2016. Bond expires on July 08, 2017.

Costanzo sent letter to bondholder

Burks made motion to call the bond if not in place by renewal, Mitchell seconded, ALL were in favor

- 5.6 Discuss and/or take action on setting the reclamation bond for the Fairview Medical Facility.

Owen described reclamations bonds, restore stabilization for storm water

Burks made motion to set the bond at \$42,000, Mitchell seconded, ALL were in favor

6. OLD BUSINESS-

- 6.1 Subway Retail: Mangrum read staff comments

Will Straus was applicant representative

Burks- We requested previously to have HVAC on construction drawing

Owen- This is site and construction approval

Butler- HVAC could be viewable from the backside which is seen from HWY 96

Asks about plants on drawings, Rep states they will be on resubmittal

Carroll- Can you accommodate HVAC requirements? Rep states HVAC may be on ground level

Butler & Burks- This is important and needs to be shown

Burks made motion to differ, Mitchell seconded, ALL were in favor

- 6.2 TennTex Industrial: Mangrum read staff comments

Brian Dashner was applicant representative

Owen: Drainage Calcs were received 6/13/17 and have not been reviewed as of meeting time

Not uncomfortable with contingency approval, plenty of room to work
Burks: Was landscaping approved by Tree Board, Rep states yes, with fence and landscaping as buffer
Carroll to Costanzo: Can you confirm City Arborist's (Burkley) approval, No
Dashner: We just want to move forward
Burks: Is this required to go before the Tree Board?
Owen: Historically- the interpretations have changed in the past
No requirement, practice established as courtesy
{Discussion} Tree Bank Fund, Protective Tree Ordinance
Burks: What about trees already removed?
Owen: Suggestion in future to credit retained tree vs charge for removed trees
Butler: Is screening at required limit, yes
Carroll: We want you to build here, we want your business
We need the records to be right
Mangrum made motion to approve with city arborist's approval and to set bond at \$25,000, Anderson seconded, ALL were in favor

7 NEW BUSINESS-

- 7.1** *Recommendation to the Board of Commissioners – Rezoning of Property, Requested by Duke and Duke, LLC. 1.08 acres. Property located at 7116 Horn Tavern Road (Tax Map 022, Parcel 15.02). Current Zoning: R-40; Proposed Zoning: R-15 PUD. Parcel owned by Ronnie Pruitt, Jr.*
Mangrum recusal
Mitchell read comments
Gary Martin was applicant representative
Martin provided a map showing current zoning
Burks- This rezoning has been brought to us after the BOC moratorium
Carroll-This is a modification of approval
PC can still send their recommendation to BOC, BOC decides
Will be a difficult decision for BOC
As PC, we are within the rights of approval
Butler- Are their current residents? Martin- yes
Martin- Detention pond fits better on new layout
Carroll- The two current properties are sandwiched in
Burks- New plan looks better and is more functional
Carroll made motion to approve with city staff comments, Mitchell seconded, ALL were in favor
- 7.2** *Recommendation to the Board of Commissioners – Rezoning of Property, Requested by Duke and Duke, LLC. 1.40 acres. Property located at 7112 Horn Tavern Road (Tax Map 022, Parcel 15.01). Current Zoning: R-40; Proposed Zoning: R-15 PUD. Parcel owned by Ronnie Pruitt, Jr.*
Mangrum recusal
Mitchell read comments
Gary Martin was applicant representative
Butler- This is same project as 7.1

Owen- suggests that in the future, the applicant submits the application as 1 single application

{discussion}

Burks made motion to approve with city staff comments, Mitchell seconded, ALL were in favor

- 7.3** *Liberty Hill Church of Christ - Site Plan. 18.00 acres. Parcel located at 2931 Fairview Boulevard (Tax Map 069, Parcel 79.00). Parcel owned by Liberty Hill Church of Christ.*

DEFERRED

- 7.4** *Old Nashville Road - Final Master Development Plan and Construction Plans. 39 Lots on 13.17 acres. Property located along Old Nashville Road (Tax Map 042, Parcel 74.00). Parcel owned by Jennifer Rose Bufford.*

Mangrum recusal

Mitchell read comments

Gary Martin was applicant representative

Martin address staff comments

Anderson- What is city's cull de sac rule in comparison to this project

Would like to see this phased w/ 2 entrances

The plans mention private roads, Martin- mistake

Carroll- Did last drawings show more trees?

Houses will all front Old Nashville w/ driveways from interior road

Butler- Who will take long term care of landscaping, Martin- HOA

Costanzo- We will require HOA documents w/ final submittal

Powers- Do these require open/green space?

Martin- Green space shown as "improved space" on drawings

Perimeter buffer

Carroll to Owen- Is there enough improved areas shown?

Owen- Current drawings do not differ much from earlier sets

Costanzo- Addresses the legal provisions on HOAs that dissolve

Fees would be charged to all residents

Owen- Unclear on Phase lines, they can't stop where shown

Pump station, retention area are both in Phase 2 but serve Phase 1

Revise accordingly or install all improvements in Phase 1

Martin- Will have revisions in a few days

Owen- Bond amount will be set in July 17 meeting

Mitchell made motion to approve with city staff comments, letter from arborist, removing the private road note and with the approval of the city's engineer. Burks seconded, ALL were in favor

8 REPORTS FOR DISCUSSION AND INFORMATION

8.1 CITY PLANNER

8.2 CITY ENGINEER

8.3 CITY ATTORNEY

9 COMMUNICATION FROM THE PLANNING COMMISSION MEMBERS.

ADJOURNMENT- Butler made a motion to adjourn. All were in favor. Adjourned at 8:50 p.m.

Chairperson

Secretary