

City of Fairview

7100 CITY CENTER WAY
FAIRVIEW, TN. 37062



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

Municipal Planning Commission

Regular Meeting
July 11, 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, Carroll, Slaughter, Powers, Anderson

Absent: Beata, Mitchell, Burks,

Others Present: City Attorney Tim Potter, City Engineer Will Owen, Building Inspector Micah Sullivan, City Planner Kristin Costanzo, Fire Chief Scott Hughes, Codes Clerk Sharon Hall

1. BUTLER 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 Carroll made a motion for approval. Magnum Seconded. Butler stated need to add Under 5.2 Brandenburg Cove – Recommendation to Board of Commissioners to Accept Public Improvements in Brandenburg Cove Subdivision. 5.3 Old Nashville Road Development – Request to Set Bond for Public Improvements for Phase One. New Business 7.4– Appoint PC Member to Tree Commission. Powers amended the motion to include added agenda items. Slaughter Seconded. Vote was taken. Mangrum abstained. All others 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 June 13, 2017 – REGULAR MEETING

Mangrum made a motion for approval. Powers Seconded. Carroll stated her name was misspelled. All were in favor.

5. BONDS -

5.1 Cumberland Estates – Performance bond in the amount of 1,051,940.00 to cover the roads, sidewalks, storm drainage and other improvements

specified by the approved plans. Planning commission set the bond at the May 10, 2016, meeting. Bond expires August 04, 2017.

Costanzo stated she has been in contact with Mr. Beavers with Ole South and he has been working with the bank and the bond should be in this week. Mangrum made a motion to call the bond if not renewed by August 04, 2017. Carroll Seconded. All were in favor.

5.2 Brandenburg Cove – Recommendation to Board of Commissioners to Accept Public Improvements in Brandenburg Cove Subdivision.

Owen stated an as built survey has been submitted in accordance with our subregs qualify for beginning the process of The Planning Commission recommending to the Board of Commissioners accepting those improvements in the right of way as public improvements. Owen stated so the recommendation tonight would be to recommend to the BOC a positive recommendation to accept those improvements as public improvements. Carroll made a motion to send to the BOC based on the Engineers recommendation. Anderson Seconded. All were in Favor.

5.3 Old Nashville Road Development–Request to Set Bond for Public Improvements for Phase One.

Owen stated his recommendation for bond amounts for Phase I construction; performance bond \$599,000.00 & reclamation bond \$145,000.00, both of these amounts would need their approval. Butler stated there was some concerns about the pump station being outside of the phase. Owen stated the revised construction plans have been submitted and he has reviewed those and there is clear delineation on those plans all the components in phase I that would have to be installed to serve phase I. Mangrum recused himself from this item. Powers made a motion to set the bond based on the recommendations of the Engineer. Carroll Seconded. All were in Favor.

6. OLD BUSINESS –

6.1 Rezoning Request and Preliminary Master Development Plan for Rochdale Estates off Cumberland Drive from RS-40 to R-20 RPUD. 68 Proposed Lots on 33.81 acres. Tax Map 047, Parcel 66.00. Parcel owned by Land Development.Com, Inc.

Jamie Reed with SEC, Engineer surveyor working on the project. Reed stated this was brought to them back in April contingent upon getting a traffic study, they got the traffic study and have addressed the changes that were at the last meeting by adding temporary paved cull de sac, they have alluded to the requirements of the traffic study said, they show along the frontage of Cumberland drive, we extended the curb & gutter, the widening of the pavement the length of their project. Reed stated he thinks this was the two main changes that were asked of them. Mangrum read Staff Report, which will become part of these minutes. Exhibit A. Reed stated at the last meeting he had brought up where the sidewalk leaves their site, they had proposed exactly what they are doing next door at Cumberland drive, extending the sidewalk all the way to the terminus of their property, adding the curb & gutter. Reed stated but as far as going down to unknown terminus, they have no idea, there's right of way issues, legal issues as far as deeds

acquiring property to even place sidewalks through there. Reed stated they can try to help but they can't guarantee sidewalks, only in the front of their property. Butler stated he thinks that's fair, he thinks the discussion at the last meeting was to try and go and gain some of that information to see if it was something obtainable. Reed stated they would work with us, they are not opposed to that, just didn't want to make that a guarantee and they can't. Reed stated all the other items that were mentioned he thinks were done, not for sure about the site distance, Gillian didn't have in her report doesn't know if it just wasn't turned in. Reed stated he will get that before the next meeting, if that's the only other outstanding issue that he knows of. Carroll asked has he received a copy of the Engineers recommendations. Reed stated yes, he has turned in the traffic study to Will Owen. Butler asked has he received these staff comments. Reed stated no he hasn't. Butler stated there is a staff review meeting each month and the applicant will bring in the plans that are reviewed at the staff meeting, then notes are sent to the applicant & the applicant has the opportunity to make some adjustments and resubmit. Butler stated they weren't present at the staff review meeting so they didn't get that initial review. Reed stated he apologizes it was his fault, he thought this got approved the last meeting, he thought they went forward didn't know this would go back to the workshop. Owen stated Mr. Reed unless he has missed it he doesn't believe there is a assessment of sight distance within that study that was provided or conducted by fishback. Reed stated that sent her the traffic sight distance and he don't know if it's standard practice for her to put in here or not, that's how she came up with her conclusions and recommendations. Butler said you sent it to the traffic Engineer correct. Reed stated yes. Reed said he could get the report and get it to Will Owen if that's what they want. Owen stated yes that would get great. Carroll stated rereading the motion, basically void and null, because the way the motion reads, the safe routes to school was included in the motion, with that and the other things that aren't provided, their back to either they can approve tonight but the original motion was based all these things being met and there not. Reed ask was the offsite sidewalks part of the motion because he made it clear last time they couldn't guarantee the offsite sidewalks. Butler stated the way the motion reads does say to complete the sidewalks to the safe route, they were hoping he would come back with some more data or feedback on it. Carroll stated reading the minutes and recalling the meeting was some of the biggest concerns was all that traffic and what it was going to do, we already have a subdivision on Cumberland that will have a lot of homes, then this is an additional lot of homes, the safety issues. Carroll concerned if the sidewalks aren't put in, there will be a big gap in sidewalks where kids will be walking to school. Reed said they are not opposed to helping get the sidewalks and putting in they will need help from the City acquiring any necessary right of ways, you all are the only ones that can get the right of ways, if they won't give it up they can't put them in. Mangrum asked how they could come up with the additional improved

open space to get them from 1.06 to 1.25. Reed stated he has on here that they have 28% open space, he doesn't know who came up with that, the tot lots are bigger than 1 acre, plus the gazebo and the useable open space, who calculated the open space or how it was calculated. Carroll asked Owen was that some of the things that could have been answered in staff review meeting. Owen stated he don't recall that coming up in the discussion. Owen stated for PUD developments at least 5% of the development required to be approved open space, so while he doesn't agree there's a large amount of general open space. Owen stated the approved open space that they have calculated to be a little over an acre, the tot lot is a 100' x 200' = 20,000', gazebo was estimated to be 100' x 100' = 10,000', the walking trail is approximately 800' long, staff generously multiplied that by 20' width, the trail itself isn't that wide. Owen stated he wanted to include some the aesthetics of the surroundings of the trail which is another 16,000', so that is where the 46,000' comes from, which is approximal 1.06 acres. Owen stated maybe a multi type fields for maybe hitting baseballs. Reed stated that is exactly what he is referring to. Carroll stated so you could meet the open space. Reed stated yes, they add that a lot of times for the multipurpose space for that purpose, they just have a designated area to clear, maybe behind the gazebo area and not taking down the trees creating any open field that they could have activities in, the flatter the land. Carroll stated just for suggestions, they are always in the need of football & soccer. Owen stated to be clear not only with this development but with all PUD developments, unless it's ultimately dedicated to the City as City property these improved open space areas would be designated specifically for the residents & their guest, it's not considered a public open space for anyone and everyone to use. Butler stated Mr. Reed he thinks lots 151, 152 & 169 may be may need to meet the corner setback, where it shows the larger setback on the sides towards the Cumberland side. Butler stated looks like 151 has it, 152 & 169 would need it. Reed stated yes sir. Carroll stated she still has concerns, there was an issue at the BOC meeting, something similar where a piece of property of surrounded and the property owners decided they didn't want to be surrounded by the homes, that being such a large home even with the acreage, she has a concern about making an island. Reed stated the developers brother is buying that house. Owen stated this appears not to be part of the PUD but when everything is constructed out it is part of this development, when it's plated it will be part of this development, it's an actual lot within this development. Butler asked have they made any progress with the Dickson Water Authority. Reed stated yes sir, he has already got the area delineated for the step system coordinated with them, waiting on this meeting before he proceeds with the state operating permit. Reed stated they're working in conjunction with tying it to Cumberland Estates step system, making that second sand system a little bit larger, that's on Cumberland, going to use that same state operating permit, just going to modify it to tie this subdivision to it, so will all be on the same sewer system.

Carroll asks about Pleasant Grove Court, where is McCormick Grove. Reed stated they just got 2 lots abutting that entire thing, tried to buffer it with the ponds and open space the best they could all the way down through there. Carroll stated they spent a lot of time with Cumberland Estates discussing the front lots being an acre. Reed stated they did that lots 101 & 102, they did that, & lot 155 is a 5-acre lot, but the other lots that are adjacent to it across the street if commercial property not residential like it was on Cumberland. Powers stated the Staff Comments about the maximum 24 lots, they've got 47. Reed stated what they discussed last time, they have a through street that is planned to go all the way through to the adjacent tract of land that is next door, instead of a temporary cull de sac, they made it a paved cull de sac to extend in the future, the intent is for the emergency vehicles to be able to come down to turn around. Reed said it is ready to extend when someone comes in with the adjacent tract to tie into and extend that road, once it's extended that 21 lots is gone. Butler stated kind of at a disadvantage with two submissions tonight, where they both have the same tot lots, gazebos, similar elevations, it's kind of disheartening were trying to get some diversity in these PUD's, seems like it's the same repetitive product, in his opinion. Reed asked what type of amenities would they suggest they would like to see. Butler stated he wished they would see more diversity in the product. Carroll stated she is still hung up on the sidewalks, and not having some of these answers about the traffic study. Reed ask what about the traffic study do they not have answers on. Carroll stated his recommendation didn't have all the information they needed. Reed stated the recommendation was provided, curb & gutter, they went above the recommendation, they added curb & gutter & sidewalks & two ten-foot lanes. Owen stated Carroll is referencing the sight distance, correct. Carroll stated yes. Reed said they did submit that. Carroll stated ask Owen did he get that. Owen stated he hasn't seen anything on sight distance certifications, doesn't dough that Mr. Reed submitted those to the transportation Engineer, but there is nothing in the traffic report that says yes, the sight distance criteria has been met or nothing that says it hasn't been met, it just hasn't been addressed. Butler ask is there any additional comments, or would anyone like to make a motion. Potter stated preferably if they wish to deny the motion, state the reasons why for the record. Reed stated he is confused because they got approved last month and they come back and getting denied on the same things they addressed from last month. Butler stated the motion from the April meeting was pending traffic study, which they are still missing the sight analysis, recommendations from the Engineer, which is still some of the comments are on our Engineer comments & staff comments, complete temporary cull de sac, thinks he added there, sidewalks for the safe routes to school, only one item has been completed off that motion. Reed stated he thought the motion was to approve contingent upon and moving to the Board of Commissioners, he's confused never got anything saying going to a workshop other than it got approved in April at the

Planning Commission that they ask for several things. Reed stated at that meeting he stated he couldn't guarantee the sidewalks off site but he could do everything on his site & they recommend approval contingent on him getting the traffic report for the Board of Commissioners meeting. Owen stated the motion in April was to recommend approval contingent upon those items being addressed & revised. Owen stated what is before them tonight is the revisions that the applicant has submitted based on that contingent approval. Owen stated his recommendation would be the applicant has made the revisions based on what they felt the spirit on complying what they felt those contingencies were, if they feel like those contingencies have not been met, he would suggest to the that the applicant has the option to request to move forward to the BOC with a negative recommendation from the Planning Commission. Owen stated he doesn't think they should just let it die, he thinks the applicant should be afforded on what their next steps are. Potter stated he agrees that they shouldn't just let it die, something stated for the record, approval with resubmittal, positive or negative recommendation, some kind of action taken so the BOC will have that. Carroll stated right or wrong, says in the minutes, it was contingent on the side walk being completed to the safe routes to school, she made that motion & remembers saying it & reflects in the minutes. Carroll stated if there was clarification that needed to be made then it should have been made before then. Reed stated they want to work with the City, he's not opposed to doing the offsite sidewalks but they will have to have help acquiring the right of ways. Carroll stated it's a safety issue and what are they doing to the road that is already congested. Mangrum stated this was approved in April contingent upon these items did this go to the BOC. Reed stated no, he thought that was his next step to go to the BOC then he's coming back to this Board, that's where he got confused. Mangrum asked is it back to this Board because several of these items haven't been addressed. Reed stated he has no idea, that is why he apologized. Owen stated there has been a desire by the Planning Commission to do their due diligence and recommending those contingent approvals for rezoning's, particularly PUD's that involved contingent things they wanted to see, confirm & verify those changes, revisions, contingencies had been addressed adequately in their opinions before it moved on to the BOC. Potter stated he has read the minutes, he thinks action was taken to approve contingent upon a number of compliance with staff comments. Potter stated he thinks what the Planning Commission has been trying to do in the past is to try to get a more complete product to recommend to the BOC. Mangrum stated he is looking at the Engineers comments from the April meeting and it appears to him there is two outstanding items, both are back on his comments for this meeting, item 4) remove lot 129 from the lot table, item 3) this time was item 1) in April's comments, subdivision regulations section 4-106.7(b) permits a maximum of 24 lots on a single cul-de-sac. As proposed, there are 47 lots on Barnsley Drive. Reed stated they discussed this at the last meeting, if they do the paved cul-de-sac at the very

end, if that would satisfy the intent to turn around, while that drive gets extended in the future. Reed apologized said he heard the comments at the last meeting but never got a copy of them. Mangrum stated he see that's paved but that still doesn't address the issue with our subdivision regulations in regards to the 24 lots. Reed stated he agrees that's why at the last meeting they talked about paving that but that property is a long narrow piece of property and they can't extend to the west because of the existing subdivision, can't go up north because the step system, he was confined with a long narrow piece and he provided sub street as quick as he could over to Peters Bourgh Lane and a temporary paved cul-de-sac at the very end. Potter stated looking at the language to the motion that was voted on and approved per the minutes, Carroll made the motion to accept pending traffic study, recommendations from Engineers Staff Comments, complete temporary cul-de-sac with sidewalks & curb, complete sidewalks to safe route. Potter stated looking at the plan language that doesn't appear to be the final acceptance recommendation to the BOC for approval, that's just I'm making a motion to accept this if these things are done. Potter stated he's interpreting that it's coming back before them. Potter stated in the future they need to be careful how they word the motions. Butler stated if we can get a motion either a positive or a negative recommendation to push this on to the BOC. Anderson stated how long does it take to acquire the property to extend the sidewalks. Potter stated he doesn't have an answer on how long it would take to condemn property to connect the sidewalks, would have to talk a look at it. Potter stated he thinks they have 3 appropriate options, 1) Someone make a motion to recommend this be approved, 2) or not be approved by the BOC, 3) make a motion to defer it and bring back to the PC for even additional things to be done. Powers stated he would like to know if the BOC is on board, knows Mayor Carroll is but takes 3 votes, on getting this sidewalk, acquiring the property for the sidewalks, holding this man up. Powers made a motion to defer with the recommendations of the Staff Comments to be completed and the previous motion comments. No Second, motion dies. Butler ask does anyone else have a motion for a positive or negative to get it to the BOC, so this applicant can go through the next process and procedure. Anderson made a motion to send to the BOC with a positive recommendation as long as the applicant makes the adjustments of confirmation of the status of the sidewalk continue route to school and Staff & Engineer comments. Mangrum Seconded. Reed stated he just wants to make sure he is at the right meeting next time. Butler stated he doesn't know what the cut off day is to get on the BOC agenda, will need to get with City Recorder. Carroll stated he would actually have it by the 13th a week prior to the meeting. Carroll stated probably more realistic for him to try for August meeting, that would give him enough time to go to the staff review meeting on the 18th. Mangrum asked Owen does he go to the BOC meeting when they have a PUD rezoning. Owen stated he has been requested to attend those meetings in the past. Mangrum stated opposed them going to a

PC review, is there a time frame they can get you the amended documents prior to the BOC meeting the 1st Thursday of August, or would you prefer them to go to the PC meeting next Tuesday for review. Owen stated he has a to concerns, make your motion and define your contingencies and what goes before the BOC is what is before you tonight without any changes and those contingencies are clearly defined and that way the document that is before them tonight and the 1st document that is before the BOC is the exact same, there has been no changes so there is no questioning to the applicant or to staff by the BOC to say how is this different from what the PC saw. Owen stated the other concern is, staff is bound by their strict interpretation of your documents. Owen stated a strict interpretation of your documents from your staff is this doesn't meet the 24-lot maximum on a cul-de-sac criterion. Owen stated staff does not have the ability or the authority to say what your proposing meets the intent therefore we can move forward. Owen stated his concern is if there isn't a connector street between Trafford Point & Barnsley Drive, doesn't believe that is going to be proposed, then he thinks that comment pertaining to the maximum number of lots on a cul-de-sac will still remain from a staff standpoint. Owen stated there needs to be some clarity from the PC, if they deem what's being presented to meet the intent of that maximum 24-lot, ultimately, it's the BOC decision if they agree with that clients measure or not. Owen stated it's 3 things for the subdivision, 1) connection to the safe routes to school project 2) site distance requirements at the two proposed new intersections 3) 24 lot maximum. Owen stated he thinks the remainder is somewhat cosmetic in nature, Mr. Reed said he had no problem adding approximately ½ acre maybe a multi-use field to meet the open space requirements. Owen stated he doesn't anticipate there being a site distance issue but he thinks it's incoming on the applicant to verify that the site distance requirements have been met. Owen stated as far as the connection to the safe routes to school project, it is three parcels, he estimated based on the design in front of them, that's probably somewhere around a maximum of 600 linear feet to where they got to connect. Owen stated Ms. Costanzo is correct the only additional easements and right of way that's required for that project were on the front in close to the school, on the opposite end of Cumberland Drive, doesn't believe there were any additional right of way that was required on this end of the project. Owen stated not to say some deed research won't indicate as Mr. Reed said, sometimes these old rule deeds will have extension into the center line into the old roadbed, so there needs to be some research done on that. Owen stated that can be done by City, Staff to a certain degree, ultimately a licensed surveyor would have to determine where those boundaries actually lie. Owen stated that can be placed on the applicant or they can desire to commission you staff to seek those services of a licensed surveyor. Reed stated he is a surveyor so he could help Mr. Owen with that. Reed stated Mr. Owen with that 24 lot, remember as an option, they were going to extend that cul-de-sac through that tot lot to that other street, which

served the purpose of the 24lot deal but didn't do anything for the intent of the turnaround, creates a road that we have to maintain, that has nothing on it. Reed stated that's how they felt, that's where they dwelled last time, they felt like putting temporary paved cul-de-sac at the very end was the better of the two. Owen stated he's not opposed to that, staff felt like that was a decision that needed to be made by the Planning Commission if that met the intent, because again the motion was to approve contingent upon addressing the staff review comments, which that was one of them. Carroll stated Chief Hughes wasn't here for that meeting, but she guessed at some point, it was acceptable for the Fire Department as far as the turnaround is now. Chief Hughes stated yes. Anderson removed his motion. Mangrum removed his second. Mangrum made a motion to send to the Board of Commissioners with a recommendation for approval contingent upon Engineers comments minus item # 3, which addresses the subdivision regulations 24 maximum residence. Anderson Second. Butler ask Mr. Reed is he clear. Reed stated yes he would just like a copy of those items, when he comes Tuesday he will bring the deeds to those 3 tracts, may sure he gets everything they want. Vote was taken. All approved. Mangrum stated he thinks they should send this to the BOC exactly how it is right now. Owen stated that's what he suggests the matter of practice is going to be send this exactly as it exist tonight along with a copy of the City Staff Report then himself or Ms. Costanzo will report to the BOC when that agenda item comes up, what the action is by the Planning Commission, they'll have a copy of the staff report & they will report that the recommendation was for a positive approval contingent upon all staff items being addressed minus item number 3. Butler stated he thinks that is perfect.

6.2 Rezoning Request and Preliminary Master Development Plan for Otter Creek Subdivision off Old Nashville Road from RS-40 to R-20 RPUD. 280 Proposed Lots on 132.35 acres. Tax Map 042, Parcels 78.00, 78.01, 79.00, 79.01, and a Portion of 79.08. Parcels owned by Jennifer Bufford and Reda Kidder; Developer is Global Investments.

Jamie Reed present to answer questions. Reed stated back in April they were asked to provide several items, one of the major items was the traffic impact study. Reed stated they have provided and turn that in, the main recommendation on there was they provide a left turn lane on Fairview boulevard, 100-foot stacking length, they at SEC have already went out there and topo-ed that whole area, he has a preliminary design with him tonight that shows the stacking and turning lane to submit with construction plans. Reed stated within the traffic study it basically says, under recommendations on page 22 of 68, that the project accesses should be constructed including one entering lane and one exiting lane, stripe both the shared left & right turn lane. 2nd project should include connectivity to future developments on the west & south sides as the project site shows 3rd is a westbound left turn lane be provided on Fairview boulevard at Taylor Road, which they have provided the topo and survey on that. Reed stated the 24-lots they went on their

recommendation the two cul-de-sacs was to connect them together the 24-lots on this site. On the temporary cul-de-sacs, for fire trucks and others turnaround, they changed those to temporary gravel to be all paved per their recommendation, they also showed connectivity throughout the site, walking trails, showed approximate locations. Potter stated the action taken by the Planning Commission is clear, it was deferred. Mangrum read Staff Report which will become part of these minutes, Exhibit A. Butler asked has the Annexation went to the BOC. Reed stated no sir, they didn't want to do that until they get assurance on the zoning. Reed stated sounds like what we're missing is the open space requirements and they have plenty of space. Slaughter stated it would be nice to have another tot lot back at phase five. Reed stated he agrees, where would you all think. Slaughter stated she would put it right under where it says walking trail typical. Reed stated in the dead center. Slaughter stated yes by the walking trail. Carroll stated they did have a lot of citizens from Old Nashville Road come to several meetings, they're really concerned about that ability for that road to withstand this development. Reed asked what suggestions does staff have differing from the traffic engineers report. Owen stated primarily the width, paved driveway widths. Butler stated that's one thing that our Fire Department spoke heavily on in our staff review meeting, that's one of the most dangerous roads to go down, it's hard to get the trucks down now, so when we add this increased traffic and increased neighborhood. Reed ask is there a certain area that they need to add 2 feet on a thousand feet. Butler stated the staff comments said, between Fernvale Road & Taylor Road then on Taylor Road between Old Nashville Road and Fairview Boulevard. Reed asked Owen was it just maintain two 10-foot lanes. Owens stated yes as a minimum. Owen stated he thinks it's just nailing down what those improvements are going to look like, his opinion it's going to be a challenge. Owen stated he doesn't see how anyone could disagree that the addition of 280 lots won't change the character of the rule road, with all due respect to the traffic engineer & their report. Owen stated you're literally tripling (not the total volume) but the peak hour, traffic flows, generally from 6 to 9 a.m. & 4 to 6 p.m. Reed stated if they add curb & gutter and take out the trees people seem to drive faster down them if they leave the trees and don't add curb & gutter people seem to slow down. Carroll stated she actually agrees with him, they like their rule road but somehow, it's hard for her to say if we're going to do addition and not bring it up City standards. Slaughter stated for road B that comes off Taylor Road does he have that right of way access. Reed stated yes, they finished up the deeds for the attorneys for the closing, that 60 foot right of way to that. Carroll stated just for clarification they will make the improvements to Taylor Road then the turning onto Highway 100. Reed stated yes, he's actually brought the turn lane improvements with him tonight, provided all the topo, even got the turning lane drawn on there, will give to Owen to review it with the construction plans. Carroll stated there is a blind spot will that be addressed. Reed said yes that will be addressed, it's

a 45-mile speed limit through there. Carroll & Butler asked about the construction the homes. Reed stated there is going to be a mix, all home fronts will be constructed with brick, stone and cement board siding, frontage corner lots that face the road all three sides will have some type of stone material. Butler asked about the temporary cul-de-sacs will be paved. Reed yes, on sheet number 3. Butler asked one of the items for the deferment was show improvement for open area, you've added walking trails. Reed stated yes & a tot lot & add another tot lot maybe a multipurpose field upfront where phase 2 is, needs to look at some of the slopes before he commits to an area. Reed stated a lot of hills & trees especially in the very back not a lot of people back up to those houses, woods, hills & open space, which is their step system. Butler stated you all are going to try to maintain as many trees as they can. Reed stated yes, the people buying those houses love to have those trees separating from the lots and/or the neighbors. Carroll stated you said Benchmark is going to be the builders does he know of a subdivision in Franklin that is similar that they could look at. Reed stated he's not sure in Franklin, he's working on several in Smyrna, Murfreesboro & Rutherford County doing similar projects like this. Carroll stated she still worries about quality, and doesn't want the same kind of houses. Carroll asked so you will be taking this to get the rezoning & annexation at the same time. Reed stated yes. Mangrum asked with the topography of this property of this development does he feel comfortable that he can gain 3 acres of improved recreation space. Reed stated yes, they got plenty of space, may have to cut some trees and move some dirt. Mangrum said where they typical walking trail is, it's fairly steep. Reed stated this site does have some challenges as far as grading but they have a lot of land to move around, they got so much open space. Carroll stated they Engineer comments he is willing to widen all the way to Fernvale to Taylor and of course the area's he's laid out you will do the road improvements, curb & gutter. Reed stated they want do curb & gutter on Taylor Road just state road, doing widening out there. Carroll asked what is he doing in front of the subdivision. Reed stated it's not a huge amount but whatever they want, if they want curb & gutter, just out front like they normally do. Owen stated his suggestion would be not to have that curb & gutter installed as Mr. Reed had alluded to the fact, doesn't know the exact number but not much more than 200 feet or so, no lots are fronting on that street. Butler asked could they explore a flush curb or something like that. Owen stated considering those current City resources he would shy away from ribbon curb or curb & gutter, especially what is established rule street. Owen stated he thinks that may prove to be burdensome 10,15, 20 years down the road. Butler stated the deferment had a few points, the traffic study with the connector road, show improvement for open areas, more temporary cul-de-sacs & more diverse exterior finishes shown, thinks they have discussed everything just try to nail down exactly what they want. Discussed the widening of the road from Old Nashville Road to Fairview Boulevard from Fernvale Road to Taylor Road.

Owen stated he doesn't know at this stage it's probably premature to specifically define as far as which side of the road is going to be widened and really the exact width, they don't really have any survey data on that current width is through those sections. Owen stated he thinks at this stage if the applicant can make a commitment and that commitment can be shown on the preliminary master development plan to make those improvements that would be necessary to provide 2 10-foot driving lanes for those segments, in his opinion that suitable to move to the next stage. Owen stated assuming this goes through the entire process you would have the opportunity to review construction plans that would have the specific details where we would get those 2 feet from which side of the road for these segments, what's going to be required. Owen stated the comment is for those two specific segments, that just at a minim, if you are aware of additional segments that need to be improved or citizens have expressed concerns, probably the next one that needs to be considered is from Old Nashville Road back to this new proposed entrance on Taylor Road, the 4th one that may be considered is Jones Lane from Old Nashville Road to Fairview Blvd. Owen stated that section of Taylor Road, not sure if it is in the City, will have to be researched, or if that is County right-of-way. Mangrum stated according to what they are looking at part of it is in the County. Owen stated that's not something that needs to be resolved tonight but if the Planning Commission desires to see that road widen to that 25-foot total width and the BOC agrees with that, in their motions, if that's a discussion in the 1st reading of BOC then they probably need to get with the applicant and amend the annexation request to include that right of way at that stage. Carroll made a motion for a positive recommendation to be sent to the Board of Commissioners contingent on the City Staff Comments, the road will be widening from Fernvale to Taylor Road, the second entrance on Taylor Road all the way to Fairview Boulevard, the recommendations from the traffic study as far as improvements required turning from Taylor Road on to Fairview Boulevard & the addition of the tot lot section 5. Slaughter Seconded. All were in favor.

6.3 Subway Retail Center – Site Plan. 2.16 acres. Parcel located at 1411 Highway 96 North (Map 018, Parcel 18.00 and 19.00). Parcel owned by Prakash Partel.

Barry Adcock present to answer questions. Butler stated this is coming back to them based on the discussion on the HVAC units. Butler stated they looked at this at the staff review meeting, the applicant has added parapet walls on the side and rear. Butler stated the HVAC units will be on the roof, correct hiding behind the parapet walls. Adcock stated they will be roof top units no units on the ground. Butler read the staff report, which will become part of these minutes. Exhibit A. Mangrum made a motion to approve based off the Engineer comment to set the bond at \$18,000.00. Slaughter Seconded. All were in favor.

6.4 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.

Jeff Duke representing as a member and as their Engineering Company. Duke stated they came before this Commission in February or March & was deferred to get a Conditional Use Permit through the BOZA, they went before the BOZA and got approved for the Conditional Use Permit then came back and went through the Staff Review Meeting and made a few changes. Duke stated the plan is to remodel an old house that is on site, add some parking, outdoor class room, picnic building and add on to metal building for a recreational type room, which is for fellowship and youth events. Duke stated the future use of the property would be to build a church there in may be 5, 10 to 20 years in the future, they would come back to the Board when and if that happens. Butler stated all the comments from their Staff Review meeting has been meet, BOZA approved, any additional comments from Board. Carroll stated she was sorry they had to wait so long. Mangrum made a motion for approval. Carroll Seconded. All were in favor.

7. NEW BUSINESS –

7.1 Final Plat, Spring Station Subdivision, Phase One. 29 Proposed Lots on 10.19 acres. Parcel located off Tiger Trail (Tax Map 042, Parcel 28.04). Parcel owned by Benny Sullivan.

Huntley Gordon representing the project. Butler read the Staff Comments, which will become part of these minutes. Exhibit A. Gordon stated they submitted the ccr's with the original proposal believes in 2015 and he can record those in reference on the final plat. Costanzo stated she has since received a copy via email. Butler asked Chief Hughes he believed this was the subdivision they were questioning the exact hydrogen locations; did they get a chance to confirm. Chief Hughes said is suffice to the requirements. Slaughter asked about one, it was a grinder tank. Mangrum made a motion for approval. Anderson Seconded. All were in favor. Gordon asked about setting the bond. Owen stated his preference would be between tonight and the next meeting to go access.

7.2 Conceptual Plan for Whispering Winds Subdivision, Phase Two. 17 Proposed Lots on 10.47 acres. Parcel located off of Cumberland Drive (Tax Map 047, Parcel 67.01). Parcel owned by Walter Totty.

Walt Totty owner of the property present to answer questions. Totty stated there is 17 lots with one existing house on the property that is using a easement driveway until the subdivision road is put in then they would connect to that and as well as their utilities, this house is one of the 17 houses. Mangrum read the Staff report, which will become part of these minutes. Exhibit A. Butler asked has he received these comments & had a chance to review them. Totty stated no. Costanzo gave him a copy. Owen stated this is just a standard subdivision, there is no PUD with this particular development, this is a straight R-20 zone meaning every lot has to be a

minimum 20,000'. Owen stated you will see lot 6 appears to be a little bit under that threshold, so at the time the development plan comes through, which is the next stage in a conventional development, we would need to see that lot 6 has been increased to that minimum 20,000'. Butler asked Owen to go over what exactly is the site context map and the existing resources site analysis be & what are we missing tonight. Owen stated the conceptual plan as outlined in sub regs has 4 components, one is a site context map as referenced. Referenced 5-102.201 Site Context Map & 5-102.202 Existing Resources and Site Analysis. Owen went over these, which will become part of these minutes. Exhibit B. Butler stated the entrance to this subdivision will be at that sharp turn on Cumberland also trying to obtain the distance from Cumberland Estates 2nd Entrance that will be right around the corner there to this one, would it be practical in that curb or would it be adjusted. Owen stated his general fill, not actually seeing the data, being in the bend probably would be the best place in this development, someone that is turning right or left onto Cumberland Drive, they will be able to see, topography excluded, that's why the sight distance requirement needs to be confirmed. Carroll asked Mr. Totty, the house that is currently there, you said it was a shared drive, is it going to face Whispering Wind Lane. Totty stated it's going to be lining up real close to the rest of the houses around it. Owen stated he doesn't know all the history on how this lot was created but he does believe it was created in a manner that had some thought to something like this being done on the remainder of the property, is that correct Mr. Totty. Totty stated it was originally part of the 10.47 acres, the guy that owned built this house with all this land around it then decided later he was going to subdivide it but never did then he sold it in that pretense. Totty stated he really hasn't changed anything from his original idea as far as the original road and location and the way things would face. Carroll stated so that will be a long drive for access. Totty stated that's correct, two drives. Carroll stated she knows he just got the Engineer comments tonight, looking at those are they all things that he could accommodate. Totty stated they will definitely look at it and work on it and do their best to get to the closes that we require as he can. Mangrum stated Owen lot 6 is below the 20,000' for the R-20 and it's not one of his comments but that would need to conform. Owen stated yes Mr. Mangrum he failed to include that, it appears to him that the additional 38 hundred plus square feet can easily be obtained from lot 7 and both lots still be in compliance to the 20,000', just a matter of tweaking the plan. Mangrum made a motion they accept the conceptual plan with the City Engineers comments and adding lot 6 to meet the required square footage. Mangrum Seconded. Owen stated for clarification, the last comment about the open space, do they want that to be applicable here and also he may suggest if they desire to acquire the site context map and existing resources and site analysis sheet that be potentially presented to them at the next step which will be the development plan, if that is the desire they see, that way

that can afford the applicant the opportunity to move forward without sitting back another month. Anderson was concerned about the 10% open space not having a homeowner's association, who will take care of this. Owen stated and that is a good point, that was part of the discussion that took place several months ago. Owen stated to force a conventional development that has larger lots sizes into open space requirements and associations in essence they are kind of counter acting the communities desire to have larger lot developments in essence they are requiring the very same things they are requiring for small lot developments. Butler stated he thinks the easiest way would be to remove the motion & the second. Mangrum removed his second, Carroll removed her motion and in their motion stick number 9 from the staff comments. Mangrum made a motion for a positive recommendation including the Staff Comments, striking number 9 and also adding a note to ensure that lot 6 be 20,000 square feet. Carroll seconded. All were in favor.

7.3 Site Plan for Lumber Exchange Yard on Highway 96 North, Proposed by Mid-TN Lumber. 14.56 acres. Parcel located at 1540 Highway 96 North (Tax Map 018, Parcel 1.00). Parcel owned by L. Hooper Inman.

No one present to represent project. Mangrum made a motion to defer. Carroll Seconded. All were in favor.

7.4 Appoint PC Member to Tree Commission.

Butler stated the Board recently adjusted the Tree Commission to 5 members, one member will be from the Planning Commission, initially it was The Chairman, now it can be anyone from the Planning Commission. Butler stated if anyone is interested the term would be the duration of your Planning Commission seat. Butler stated they meet one a month, the 1st Monday of every month. Slaughter stated she could be part of the Tree Commission. Butler stated he appreciates her volunteering. Mangrum made a motion to appoint Ms. Slaughter to the Tree Board. Powers Seconded. All were in favor.

8. REPORTS FOR DISCUSSION AND INFORMATION

8.1 City Planner – Costanzo stated she is going to be looking at some potential training dates and subjects in the next couple of weeks to hopefully get some of the required state training hours in.

8.2 City Engineer – Owen stated several attempts to one particular applicant to encourage variety and your improved open space, one of the things in the says a golf course, don't think that will be issue, lot of Frisbee golf courses that are out there, dog park. Owen stated some of this topography may even lend itself to like an entry level mountain bike trails. Owen stated there are a lot of things, like the gazebo that has been presented is very basic, could have basketball courts, covered pavilion type, with restroom facilities, grill, there's a lot of different options that an applicant could potentially pursue if they desire to. Owen stated the other thing is, they are beginning to wrap of the review of our documents, subdivision regulation, zoning ordinance and design review manual, he talked to Commissioner Burks at the last meeting, you guys needing to think about how they want to try to tackle how they want

them to go over that review with this Board. Butler asked could this be training hours. Owen stated it could absolutely be training hours but he doesn't want it to take the place of what Kristin has in mind because he thinks what she wants to do is very valuable. Owen stated they just need to be thinking how they want to piece this together, an hour before the PC meetings have a work session, that may go on for several months because there is a lot of material to go over, may be between meeting have a two-hour work session. Owen stated be thinking about that, nothing they have to decide tonight. Owen stated they have kind of committed to the City to try to have recommendations in place and adoptions occurring for the new documents hopefully by the turn of the year. Owen stated Commissioner Burks had said that maybe they could have joint workshops with the BOC.

8.3 City Attorney – Nothing

8.4 City Manager –Not present

9. COMMUNICATION FROM THE PLANNING COMMISSION MEMBERS –

Mangrum stated he wanted to thank our Planner for adding their regular meeting from April to be able to go back to and see some of the discussion and the motions for projects of that size, when you go a couple months without seeing them you tend to forget. Mangrum stated this made it really handy, thanks for providing that.

Carroll stated she will she just wanted to restate for the Old Nashville Residents, it's the Planning Commission's job to approve the City codes, the rest is up to the Board of Commissioners. Carroll stated as we have these developments come in, especially to this magnitude, she thinks what they done tonight and what they have done at the last meetings, trying to get the details worked out, trying to get the developer, so many times to improve our community. Carroll stated so many times when they come to the Planning Commission it's what they can do and the most money they can make and it's going to leave a forever impact in our community so she thinks it's important where we are moving these things forward that they are getting the road widen, the sidewalks connected. Carroll stated it's going to ultimately going to be up to the BOC if it's approved but it's their job to try to get it in the best condition, meeting our codes. Carroll stated she thinks that what they done tonight, very proud of that fact and she thinks if they continue this we are only going to have a quality product for Fairview.

Butler stated he wanted to thank everyone for coming out tonight.

- 10. ADJOURNMENT–Butler** stated he will entertain a motion for adjournment. Carroll made a motion for adjournment. Mangrum Seconded. All in favor. Adjourned at 10:00p.m.

Chairperson

Secretary