

City of Fairview

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FAIRVIEW, TN. 37062



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Municipal Planning Commission

Regular Meeting
July 14, 2015
7:00 p.m.

Lisa Anderson, Chairperson
Matt Beata, Vice Chairman
Brandon Butler 1st Secretary
Michael Mitchell, 2nd Secretary
Pattie Carroll, Mayor
Toney Sutton, Commissioner
Wayne Lowman
Tim Mangrum
Mitch Dowdy

Present: Anderson, Beata, Butler, Mitchell, Carroll, Sutton, Lowman, Mangrum, Dowdy
Absent:

Others Present: City Manager Wayne Hall, City Attorney Larry Cantrell, Engineer Will Owen, Codes Clerk Sharon Hall, Ron Rowe

1. CHAIRPERSON ANDERSON CALLED THE MEETING TO ORDER AT 7:09 P.M.

1.1 Ron Rowe led the prayer and the pledge.

2. APPROVAL OF THE AGENDA-

2.1 Anderson stated that item 7.1 Mr. Smythe requested to be deferred. There will be a power point narrated by Mr. John Pegram. Hall stated 8.1 asked to be removed from the agenda. Hall stated 8.2 he is asking to defer until him and Mr. Cantrell meet with the school board regarding the Tiger Trail, who is responsible for Tiger Trail being the City or the County. Hall stated need to add 8.10 the approval of landscape plan approval for the Assembly of God. Sutton made a motion for approval. Butler 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 June 2015 – REGULAR MEETING

Butler made a motion for approval. Mangrum Seconded. All were in favor

5. RECOMMENDATION – None

6. BONDS- None

7. OLD BUSINESS-

- 7.1 DISCUSS AND/OR TAKE ACTION ON A REZONING APPLICATION WITH PRELIMINARY MASTER DEVELOPMENT PLAN FOR PROPERTY LOCATED ON COX PIKE MAP 43, PARCELS 30.01 AND 31.00, 32.19 ACRES. FROM RS-40 (RESIDENTIAL) TO RPUD (RESIDENTIAL PLANNED UNIT DEVELOPMENT) WITH A BASE DENSITY OF RS-15. DENNY, PROCTOR & WELCH OWNERS.

Per request of developer Mr. Tom Smythe, wanted to defer and to have Mr. John Pegram to show a power point on subdivision. Mr. John Pegram did the power point on the smaller lot subdivision in Franklin. Discussion was held. No action taken.

8. NEW BUSINESS-

- 8.1 DISCUSS AND/OR TAKE ACTION ON AN APPLICATION FOR ANNEXATION. PROPERTY LOCATED AT 7308 WALKER ROAD. MAP 69, PARCEL 13.00. RACHELLE A. BUJORIAN OWNER.

Wayne Hall stated Mr. Bujorian asked to be removed from the agenda.

- 8.2 DISCUSS AND/OR TAKE ACTION ON AN APPLICATION FOR REZONING PROPERTY OF TIGER TRAIL FROM RS-40 TO R-20 P.U.D. OVERLAY (RESIDENTIAL). MAP 42, PARCEL 28.00, 15 ACRES. BENNY SULLIVAN OWNER.

Deferred.

- 8.3 DISCUSS AND/ OR TAKE ACTION ON FAIRVIEW WEST SCV, LLC SITE CONSTRUCTION PLANS LOCATED ON 2401 FAIRVIEW BLVD. MAP 47 H, A, PARCEL 18.00. OWNERS SCV, LLC

Gary Martin present to answer questions. Sutton made a motion for approval. Mangrum Seconded. Beata read Engineers report, which will become part of these minutes. Exhibit A. Mangrum asked Mr. Martin does he have any problems with these Engineer comments. Mr. Martin stated no sir; he has already discussed these with Mr. Owen. Sutton amended the motion to include Engineers comments. Beata Seconded. All were in favor.

- 8.4 DISCUSS AND/OR TAKE ACTION ON RESOLUTION NO. 17-15. A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE ANNEXATION OF PROPERTY BELONGING TO PRICILLA LAMPLEY AND TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF FAIRVIEW, TENNESSEE. THE PROPERTY IS LOCATED ON HORN TAVERN ROAD, FAIRVIEW, TENNESSEE AND IS SHOWN ON CITY OF FAIRVIEW, TENNESSEE GEOLOGICAL LISTING OF ASSESSMENT ROLL MAP 022, PARCELS 064.00 AND 065.00

Sutton made a motion for discussion. Beata Seconded. Sutton stated there was some more information that is in here that wasn't in original BOC approval that they did, so this will come back to the BOC again. Sutton made a motion to recommend that this be sent to the BOC without a recommendation so they can hear both cases sided by side. Carroll asked please explain why this is. Sutton stated one reason is the six locations that they now have as far as substiside police department's review on some of the stuff that is there, they just need to

know about before they approve the final annexation. Carroll stated so there is information that the Planning Commission has not heard. Sutton stated correct. Anderson asked for vote, vote was taken. All were in favor except Mayor Carroll. Motion passes

- 8.5 DISCUSS AND/OR TAKE ACTION ON ORDINANCE NO. 880. AN ORDINANCE TO AMEND CITY OF FAIRVIEW, TENNESSEE, MUNICIPAL CODES TITLE 11,, "MUNICIPAL OFFENSES," CHAPTER 4, "OFFENSES AGAINST THE PEACE AND QUIET," SECTION 11-402(1)(h),"ANTI-NOISE REGULATIONS."

Cantrell stated the Codes Review Committee recommended that since so many people work on Saturdays they change the current ordinance which reads 6am till 10:00p.m. Monday thru Friday 6a.m. till 10:00p.m to Monday thru Saturday. Mangrum made a motion for approval. Butler Seconded. All were in favor.

- 8.6 DISCUSS AND/OR TAKE ACTON ON ORDINANCE NO. 881. AN ORDINANCE TO AMEND CITY OF FAIRVIEW, TENNESSEE, MUNICIPAL ZONING CODE, ARTICLE II,, "CONSTRUCTION OF LANGUAGE AND DEFINITIONS", SECTION 2-101, "RULES FOR CONSTRUCTION OF LANGUAGE, "PARAGRAPH L.

Sutton made a motion for approval. Beata Seconded. Cantrell stated this ordinance is to correct a typo error in paragraph L, which says the City of Mount Juliet changed to the City of Fairview with all the other wording the same. Vote was taken. All were in favor.

- 8.7 DISCUSS AND/OR TAKE ACTION ON ORDINANCE NO. 882. AN ORDINANCE TO AMEND CITY OF FAIRVIEW, TENNESSEE, MUNICIPAL CODE TITLE 16, "STREETS AND SIDEWALKS, ETC., "CHAPTER 2, "EXCAVATIONS AND CUTS, "SECTION 16-203,"ADMINISTRATION," PARAGRAPH (13), "WORKING HOURS."

Sutton made a motion for approval. Beata Seconded. Cantrell stated this ordinance changes paragraph 13 says work on weekend or legal holidays prohibited unless approved by the director, was changed because a lot of times people work in areas that don't affect anyone. Cantrell stated the Codes Review recommended this be changed to work on Sundays unless authorized by the director. Vote was taken. All were in favor.

- 8.8 DISCUSS AND/OR TAKE ACTION ON ORDINANCE NO. 889. AN ORDINANCE TO AMEND CITY OF FAIRVIEW, TENNESSEE, MUNICIPAL ZONING CODES, ARTICLE V, "RESIDENTIAL DISTRICT REGULATIONS," SECTION 5-104, "SUPPLEMENTAL DESIGN PROVISIONS," 5-104.1, "DEVELOPMENT STANDARDS FOR MULTI-FAMILY DWELLINGS," PARAGRAPH 4iii.

Beata made a motion for approval. Sutton Seconded. Cantrell stated this was recommended by the Codes Review Committee to change the requirements for these developments having clubhouses. Cantrell stated not to discourage or prohibit anyone from having a clubhouse, if they want to build it according to the standards, but would only require a clubhouse if there was 50 units or more. Cantrell stated if you have 50 units the square footage would have to be a minim of floor space to be 2,000 square feet, if goes over 200 units will have to add 10

square feet to the 2,000 square feet for every unit in the excess of 200. Vote was taken. All were in favor.

- 8.9 DISCUSS AND/OR TAKE ACTION ON ORDINANCE NO. 890. AN ORDINANCE TO AMEND CITY OF FAIRVIEW, TENNESSEE, MUNICIPAL ZONING CODE, ARTICLE VII, "OVERLAY DISTRICTS," SECTION 8-203, "ADMINISTRATIVE PROCEDURE GOVERNING PLANNED UNIT DEVELOPMENTS," 8-203.3, "PRELIMINARY APPROVAL OF THE PROPOSED PLANNED UNIT DEVELOPMENT," 8-203.3(4), "PRELIMINARY APPROVAL OF THE PROPOSED PLANNED UNIT DEVELOPMENT," 8-203.3(6), "PRELIMINARY APPROVAL OF THE PROPOSED PLANNED UNIT DEVELOPMENT," 8-203.3(8). "PRELIMINARY APPROVAL OF THE PROPOSED PLANNED UNIT DEVELOPMENT,"

Cantrell stated 8-203.3 is changed from the director's decision to the decision of the City Manager. Cantrell stated 8-203.3(4) deletes paragraph 6 because of the state laws. Cantrell stated 8-203.3(6) eliminated two paragraphs at the request of the Codes Review Committee findings to be submitted by the Planning Commission and the Board of Commissioners that could get you into trouble, deleted those two and renumbered, everything else stayed the same. Cantrell stated 8-203.3(8) present if the plans are not complete that the Zoning Administrator could make a recommendation to stop the work until they are submitted and this was changed to be the Director of Planning and Codes. Anderson states anymore discussion, all in favor. All were in favor. No motion was taken.

- 8.10 DISCUSS AND/OR TAKE ACTION ON LANDSCAPE PLAN FOR MEETING PLACE ASSEMBLY OF GOD. LOCATED ON HIGHWAY 96. MAP 21, PARCEL 46.12, 3.00 ACRES, ZONED RS-40. OWNER CHURCH MEETING PLACE ASSEMBLY OF GOD.

Mitchell made a motion for approval. Sutton Seconded. All were in favor.

9 REPORTS FOR DISCUSSION AND INFORMATION

9.1 DIRECTOR OF PLANNING AND CODES –

Mr. Hall stated Mr. Ron Rowe is going to be helping him, free of charge. Hall stated he has a couple of things he wants to stream line. Hall stated 1st is Ron and he are going to meet with the developers, Engineer, as they come to us, so they can get all the zoning, see if it needs annexed and etc., before it goes to staff. Hall stated once goes to staff; Mr. Owen will handle from that point, trying to get everything together before it comes to them, he will be able to say staff approves this particular development. Hall stated this is how it was in the past and we are going to try, may not always but will do our level best. Hall stated next thing is, when something is deferred will automatically go on the next month's agenda. Hall stated he and Sharon have talked about if they will keep their documents, will help her not to have to make as many copies and saves the City money for printing. Hall stated when he adds something to the agenda; he will only be doing this when it is absolutely necessary. Hall stated if necessary, they will get the documents as soon as he gets them. Hall asked Cantrell when you add something to agenda does Planning Commission have to have 100% majority vote. Cantrell stated that has been

changed all you have to have is simple majority vote and a corium. Hall stated he needs an update on their hours so he can make sure everyone gets credit. Hall stated did get a call from owners of Brownlyn Farms want to come before them in August.

9.2 CITY ENGINEER-

Owen stated the training Mr. Hall is talking about; the legislation says before the end of the calendar year, the Planning Commission has to vote to approve your own training. Owen stated there needs to be a vote to approve their trainings. Owen stated he may suggest that they each email Sharon the dates, the title or at least a subject, so she can compile all of that. Owen stated so in December that would be an agenda item for them to vote to except that as training so that would be documented on record. Owen passed out a form to the board which will become part of these minutes. Exhibit B. Owen stated he would like them to consider potential tweaks to their submittal and review schedule, he gave September as an example. Discussion was held. Mangrum made a motion to have this added to next month's meeting. Cantrell stated no motion required, just ask for it to be put on agenda. Owen stated he understands that the Tree Board reviews landscape plans for the types of plantings that are proposed. Owen stated the purview of their review doesn't necessary always include, do they have the appropriate locations that are outlined in the Zoning Ordinance, landscaped as they should be. Owen stated just wanted to make them aware that the Planning Staff will be making sure that portion of the landscaping plan will be reviewed. Owen stated you may start seeing more comments regarding landscaping. Owen went over the annexation process, said he would suggest to put on next month's agenda to Discuss and/or take action on amending section 16-107.9 of the Zoning Ordinance pertaining to the zoning of annexed territory. Sutton stated wanted to add to next month's agenda to allow church usage by right in all commercial zones.

9.3 CITY ATTORNEY-

Cantrell stated he wanted to publically acknowledge Mr. Rowe to thank him for volunteering to help Mr. Hall. Cantrell stated he has worked a lot with Mr. Hall and knows what a load he is pulling and Mr. Rowe will be able to take some of this off him. Cantrell just wanted to thank him for helping Mr. Hall and the staff, without pay. Cantrell stated the second thing was, he and Mr. Hall met with Mr. Peterson with the Williamson County School Board and he wanted to publically thank him. Cantrell stated his opinion coming away from that meeting was, Mr. Peterson was very interested with the two items they discussed. Cantrell stated he recognized immediately, the beneficiaries would be the students of Fairview. Cantrell stated he can't control the School Board but he thinks he will be a very good advocate on the position they have taken on this. Cantrell stated he appreciates him coming down in the middle of the day to sit down and talk with them. Anderson asked Mr. Rowe does he have anything to say. Mr. Rowe stated not being in the seat very long; he doesn't have anything except he appreciates the opportunity to serve the City. Rowe stated sitting on the Planning Commission for eleven month's he got a real good feel for what they want, things he saw that needed to be adjusted. Rowe stated he is an advocate for getting all the information, facts and documentation to the Planning Commission so

they can make very good decisions and everyone is working together. Rowe stated he is excited about this and he appreciates the opportunity.

9.4 **CITY MANAGER-**

Hall stated he does want to thank Mr. Rowe for volunteering for the City; he's been a friend for a long time. Hall stated he wanted to thank Mr. Humber; he did a good job, there were a lot of things he did for him that they probably weren't aware of. Hall stated they probably wouldn't have the resurfacing completed on Cox Pike and Cumberland. Hall stated he challenged Frank to put the effort into that and he did get that done for us. Hall stated also the Safe Routes to School, about got that to the point where it will be going to bid. Hall stated the Road Scapes project, been looking forward to since 2006, Frank got that to a level to where will be putting to bid this fall. Hall stated also Frank helped him with the grant for the Farmers market, which you know we had to resend until next year because of the lacking of matching funds. Hall stated he also wanted to thank Mr. Peterson because he was very cordial, very nice to help them out, was here early for the meeting and stayed till they got all their questions answered. Hall stated Mr. Peterson is doing his best to get us on the agenda for next month's County School Board meeting. Hall stated him and Larry both will go to that meeting. Hall stated he wanted to thank them as a Commission; you all are doing a great job. Hall thanked them for their support, is a little different sitting down here.

10 COMMUNICATION FROM THE PLANNING COMMISSION MEMBERS.

Mangrum stated he wanted to thank our staff for keeping them informed and keeping them going.

Sutton stated he wanted to thank Mr. Rowe, Mr. Humber, all the parties involved helping them move forward, being able to expedite things with the Review Committee. Sutton Stated he knows with the Tree Board they have really been able to expedite stuff and getting it moving a lot quicker. Sutton stated he also wanted to thank staff for the 4th of July was great, he really appreciates everything everyone did, he knows it wasn't easy. Sutton stated came out great tell everyone he appreciates all they did.

Butler stated thank everyone for their hard work, thinks we are making great strides and it is exciting to see.

Beata stated wanted to thank Mr. Humber, enjoyed his time as the Planning Director. Beata stated also thank Mr. Hall for calling out the additional items. Beata stated he wanted to thank Ron Rowe for his time and excited to have some new blood, new ideas. Beata stated he typically is a fan for change, always a building block for new things. Beata stated thank you Mr. Owen for all your work on this.

Mitchell stated he wanted to thank the staff; Will Owen for the changes he implemented, Ron Rowe thank you very much for stepping up, doing a great job thank you all very much.

Lowman stated he would like to echo that, getting to set with Mr. Rowe for a little while got to know a little about him. Lowman stated thank to all the staff for all their hard work, also an acknowledgement to Mr. Humber, thank for pointing those things out. Lowman stated thank Mr. Owen for putting on the workshop a

couple months ago, had some discussion on getting their hands on the power point, has there been any progress on this. Hall stated are you talking about the onsite sand filter systems? Lowman stated yes. Hall stated he is actually going to have another form on that and invite a few citizens that are showing some concern. Hall stated he will arrange that and see about getting them copies too.

Carroll stated that is another workshop that they can count for their hours. Carroll stated she would also like to thank Mr. Rowe for volunteering. Carroll stated Sharon applaud you; know this week has been rough, lot of vacations that time of year, getting everything together. Carroll stated she knows John wasn't here this week, they are taking on a lot of extra work and they appreciate it. Carroll stated thank Mr. Hall for all he's doing and Will Owen thanks for getting them in line that is what they need, love that, love the comments and hopefully they are in the right direction. Carroll stated as we grow and start looking toward the future, she would like to reflect on a couple of things that they have done in the last couple of months. Carroll stated nothing against these businesses; just the slightest change can change what a business looks like. Carroll stated compare the Mapco verses the Shell station out on Highway 96, looks great but they did approve some slight changes. Carroll stated she would encourage them to drive by and look at the difference in the two buildings, great example of slight differences to what they can look like. Carroll stated one of her visions is to clean up the area and what they want their City to look like. Carroll stated with the Stuff it Inn being so steep and being so close to the road, they may want to take some of those things in to consideration, in the future. Carroll stated love the businesses that have come in just want them to think about these things when making decisions, thinks they have a good group and glad to be serving with them.

Anderson stated ditto to Mr. Rowe, Mr. Hall taking on so much more and doing a great job, Sharon, Mr. Cantrell. Mr. Owen getting them in right direction, Planning Commission member's great job. Anderson stated just make sure when you shop keep your money here in Fairview, see our town grow and be successful.

11 ADJOURNMENT- Anderson adjourned at 8:30 p.m.

Chairperson

Secretary