

MUNICIPAL PLANNING COMMISSION

September 10, 2019 Regular Meeting at 7 p.m.

Brandon Butler, Chairman
Daniel Jenkins, V Chairman
Mike Anderson, 1st Secretary
Salvatore Cali, 2nd Secretary
John Blade, Mayor

Derek Burks, Commissioner
Jim Power
Sheree Qualls
Hayley Schulist

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

Absent: -

Staff Present: City Manager Scott Collins, Public Works Director/Codes Inspector
Micah Sullivan, City Engineer Kevin Blackburn, City Attorney Tim
Potter, Codes Clerk Sharon Hall

- Butler Called Meeting to Order at **7:00PM**
- Opening Prayer and Pledge –**Butler led Prayer and Pledge**
- Approval of Agenda –**Blade made a motion for approval. Burks Seconded. Vote taken; all were in favor.**
- Citizen Comments (limited to the first five citizens to sign in and three minutes each)
 1. **David Whitworth 7223 Breley Drive, Nashville, Tennessee 37205 and he owns property on County Line Road here in Fairview, many years ago Fairview annexed much of their nearby property of many promises of better services, better utilities and improved infrastructure. Frankly somewhat disappointed many of those plans haven't come to pass, at least not in their corner of the City. Just 5 minutes up highway 96 on the way into town is an entirely different story as such he has some important prudent questions to ask as a current tax payer regarding #2 the annexation request on County Line Road. How will this affect the other neighbors on County Line Road both positive and negative. What affect will this have with traffic on their small side road, it's already difficult to get in and out in heavy traffic. If this property is annexed does the City plan to improve or widen the mouth the road or add a stop way or other diversionary measure. Also, what are the reasons our newest neighbors want to be added to the City, are they planning a development. Will the City bury the unattractive above ground powerlines running off of Highway 96 and along the backside of this piece of property to match the rest of County Line Road? Will they provide street lights or other safety benefits, will they improve or adequately protect and maintain the water supply after recently having a broken sewage line dumped untreated sewage onto his property courtesy of the Cities contracted Water Authority into waterways that connect with the rest of Tennessee's water systems seems they could handle more than that's on their plate. Will the City elect to help extend or improve cable access, less than 5 minutes away you can get broad band internet? Does the City currently have plans to annex the rest of County Line Road? Is the City considering to annex the other side of County Line Road the other side of Highway 96, how will this benefit the City to annex this? Thanks, them for their time.**
 2. **Karen Irving lives in Bon Aqua; her business address is 1518 Highway 96, North comes tonight seeking guidance from the counsel because mainly because she can't get responsible County agents regard to a very serious pothole condition in the entrance way to their store which is also adjacent to**

a Shell and Exxon station. The pothole is tremendous at least 8 to 10 inches deep, they've had customers blow out tires, they try to keep a cone in it. Karen stated she had a meeting with Mr. Collins at one of the meetings about 6 months ago, he did some investigation and found it was a state right of way not Fairview, she hasn't been able to get any return communication from the state by phone call or emails, her question is how does she pursue or does the county with the state. How do they come to some conclusion with this? Does she need to pursue this personally or will Fairview pursue this with the State.

- Approval of Minutes: July 9, 2019

August 13, 2019

Vote was taken for both minutes- Power made a motion for approval. Anderson Seconded. Butler clarified this was for both July and August minutes. Vote was taken. All were in favor.

NEW BUSINESS

1. Rezoning Request, Randall Inman Subdivision. Property located at 2655 Fairview Blvd (Map 69, Parcel 31). RS-40/CG Zoning District. Property owned by Randall C Inman

Action required: A vote to give positive or negative recommendation to the Board of Commissioners for rezoning of the property mentioned above.

Sullivan stated this came before them last month, brought to them as a subdivision, he didn't have the rezoning last month, so it's coming back to them for a rezoning recommendation to go to The Board of Commissioners for the rezoning of these 3 lots. Lot 1 will be residential the other 2 will be commercial general, if they remember last month, one lot had kind of a mixed zoning, this just cleans that up. Burks made a positive recommendation. Blade Seconded. Vote taken. All were in favor.

2. Annexation Request, Property located at 7109 County Line Road, Fairview, TN (Map 19, Parcel 1.01). Property owned by Ray Flake.

Action required: A vote to approve the plan of services for the annexation of the property mentioned above.

Action required: A vote to give positive or negative recommendation to the Board of Commissioners for annexation of the property mentioned above.

Sullivan stated just as a note on this, it has gone before the Board of Commissioners and the Public Hearing has been approved to set for this. Burks asked how many acres is this. Blackburn stated 5.056 acres. Butler stated if you go down Highway 96 and take a right on County Line Road it's the 3rd or 4th parcel. Jenkins asked do they know the intention for the annexation. Butler stated he thinks Mr. Flake is present and he was at the Board of Commissioners meeting this past Thursday that he attended and he did show intention of trying to pursue some kind of multi family for his family, of course

they will get to that if he intends on rezoning it will come with the plan of action and a lot of those questions that Mr. Whitworth ask earlier will kind of coincide with that as well because he would have to come and get a rezoning acceptance for whatever use he's after, it would come in as a R-40, one home per acre. Burks stated as he recalls Mr. Flake was kind enough to explain what his ideas were but there is no requirement that he tells them or provide any plan with an annexation because it can't be a conditional annexation. Qualls asked were they going to annex several pieces of property down County Line Road. Butler stated the only way to annex is the owners have to request it being annexed, they would have to go through the same process. Burks stated Tennessee changed the law several years ago that did away with forced annexations. Power asked is the property next to it the end of the City limits. Sullivan stated yes, the adjoining property is in the City limits of Fairview. Cali made a motion for a positive recommendation to annex into the City. Anderson Seconded. Jenkins stated he thinks it's worth referencing the Fairview 2040 plan, where would this fit in to the 2040 plan, what are they currently planning for this area and how would this affect that. Butler stated he doesn't think it would necessarily been in their comprehensive plan because it wasn't part of the City, the main corridor of that intersection, he thinks mainly came out as a commercial driven area since it's around the interstate that was kind of the vision of that comp plan that came through, he would say the growth boundary projected kind of this area to as capturing annexation. Jenkins asked for commercial. Butler stated it would have to come in as R-40. Burks stated they would have to request a rezoning to the Board of Commissioners if he wants it zoned Commercial or multi family. Vote was taken. All were in favor.

3. Concept Plan, Redbud Springs Subdivision. Property located at 500 Hwy 96N (Map 22, Parcels 134.07 and 134.08). Property owned by Habitat for Humanity of Williamson and Maury County

No voting action to be required. Jenkins read below comments.

The Planning Commission shall review the Conceptual Plan in accordance with the criteria contained in these regulations and with other applicable laws of the City. The Planning Commission shall formally advise him/her of the extent to which the proposed subdivision or land development conforms to the relevant standards of these regulations, and may suggest possible plan modifications that would increase its degree of conformance.

Engineer's Comments:

1. Project will require a TDOT highway entrance permit
2. Project will likely require a SWPPP and TDEC permit
3. Check for any overlays or requirement for a P.O.D.
4. Per 5-102.203 of the subdivision regulations: provide location and label on plans all features included in sections c, d, e, f, h, i, and j.
5. A cluster mailbox system will be required

6. **Provide turn lane warrants for left-turn in and right turn in - will likely be required by TDOT**
7. **Parcel appears to be located in the 100-year floodplain**
8. **Check turn around area at pavilion and playground, as well as road- end turnaround for maneuverability of emergency vehicles.**
9. **Would HOA maintain common areas?**
10. **Need to label all setbacks at lot lines**
11. **Label all utility lines for clarity.**

Anderson stated the last time they requested came under the guidelines for Habitat for Humanity house and he heard they done a full-blown retail sale of one of their homes as a normal builder would. So, if that is true then coming under the guidelines of Habitat for Humanity then building is kind of a misleader to the City, with those things in mind he knows they can't do much about that but it does make him look hard at what their doing and saying. Joe Chapdelaine stated Tosha Towry is the representative for Habitat of Humanity, didn't learn till late this afternoon that she couldn't be here, Habitat has developed several pieces of property in a format that they are very familiar with as far as the process that they accomplish this with volunteer help and funding. There have been several attempts to change their motive operations in a way that is more similar to a standard developer may approach a project. Briefly he will try to explain and he may not fully understand where they are coming from, in dealing with them they are trying to have an opportunity to have the lower income and assistance as Mr. Anderson spoke of, as well as having the opportunity to create some areas of homes that are capable to be sold in the retail market as a mixture of things. They are trying to lift up the developments into a higher standard from what he understands, where they are right now in this particular project, two things, 1st of all this is a very difficult piece of property to develop because of the cost facture with the terrain. Initially they had looked at a concept of single family dwellings, there was a lot of comments concerning that as some issue they had about the Engineering component which was rather expense and the cost, caused them to look at the expense on sidewalks on both sides, when it clearly calls for in the Subdivision regulations. Through all the meetings and comments that came from this body and others and some of the things that Habitat has been doing of recent and they have been providing from direction of their Board to consider moving into a development stage as a standard developer would be with the addition of Home Owner Association, have a combination of dwellings, whether its single family homes or multi-unit family, they're just trying to provide whatever standard is necessary to change their strips as it were. Because honestly there has been a lot of comments from various Boards that have put a bad taste in their mouths for what Habitat is doing. He thinks what they are doing is to attempt to move up to the next level and their looking for that assistance to do that. Chapdelaine stated they're looking at this development to be townhouses because they have heard that townhouses are needed here. Thinks there was a misunderstanding between them and staff thinking these would be duplex's, this isn't duplex's its two unit,

could be a three to four-unit townhouse consideration. Butler stated then it would need to be rezoned, Chapdelaine stated yes whatever is required. Butler stated just for clarification, they would need to rezone before they submit next step of the plan. Chapdelaine stated because they have invested around \$50,000 in Engineering to get to this point, he took a initiative to approach to a two unit townhouse and they were agreeable to this, would abide by the general rules that's in there now and they wouldn't necessarily have to go through that rezoning, however that is still open to them in the concept stage of this. Chapdelaine stated he had as Ms. Towry to give him some concept plans on what the elevations for the intent for townhouses, but she couldn't get them to him. They want to move forward to the next level and be held back because of past experiences or past understanding of who they were before. Chapdelaine stated he presented this because he's trying to put that together and make that happen. Hayley how will the shared driveways be maintained and are they pairing a Habitat home to a typical for sale home. Chapdelaine stated unfortunately that is above his paygrade but he is sure their Board has considered those issues; he doesn't think they would pair a lower income verses the other. Hayley stated who would be maintain those shared driveways if they have fixed income living there. Chapdelaine stated this is all HOA divine, so everyone will be paying dues regardless of their income levels, would be no different than any other development that requires the HOA. Burks asked was he saying the HOA would own the driveways. Chapdelaine stated if it's a common area, again he thinks their stepping beyond where he needs to be right now. Hayley stated these are the kind of questions they would ask. Butler stated he thinks they will get more clarification on those when the construction plans comes through but not making any recommendations to the staff but may be ask if they are going to be townhomes is it going to be a private drive. If it's a public drive does it need to be curb and gutter, need to be paved, is it a part of the public street. Also if staff would check on before it comes back to them, the parking area at the club house is literally on the property line, is there a required buffer, is there a required setback, required separation, the road runs down the property line is there a required separation, just things to consider when you go through the construction drawings Kevin, he may have already checked these things. Burks couple questions along those lines, how far are the setbacks for a required driveway, how far can it be to the property line. Sullivan stated there no requirement for the driveway, commercial driveways we do have separation from sidelines. Burks asked for multi family at what point do we require the be sprinkled. Sullivan stated any building over 5,000 square feet does have to be sprinkled, when there is multifamily does have to have fire separation. Qualls asked are these going to have any storage space. Chapdelaine stated this is very early they are trying to work out the details to make a viable townhouse community, they have a Board working on all these issues. Butler asked will they have some elevations when the construction plans come. Chapdelaine stated he had truly hoped to have some for this meeting because he knew this was a 180 degree from where they were headed before and he really wanted what the understanding of where they are now coming because it is different from what they

are familiar with them, yes they will have more information when the construction plans come back to the Board. Jenkins asked Board or staff, with the new subdivision regulations do they have a requirement for improved open space per the acreage of the property or is that for PUD's. Sullivan stated he believes it's just PUD's and there is still a question if this would have to be or not. Jenkins asked Chapdelaine had he received the Engineers comments. Chapdelaine stated he hasn't, most of those comments were addressed early on, they have dealt with TDOT among other things, they are just at the concept stage, they didn't represent them they will come back in the next stage and they will address those items then. Burks stated for them to keep in mind they will have to have the cluster mailboxes, don't forget to keep in mind the requirements the City has for x number of spaces they have to have for that and lighting, whatever those requirements are, this is new to them, just a reminder.

Reports for Discussion and Information

- City Planning Staff – Sullivan stated thanks them for being there earlier, about the IDT system, we're going live with that on October 1st as a soft then November 1st will be our submissions for developments as well as commercial and residential building permits, everyone can check our website for soon for more information.
- City Manager – Not present
- City Engineer – Nothing
- City Attorney – Nothing

COMMUNICATION FROM THE PLANNING COMMISSION MEMBERS

Burks – Stated they had a couple citizens speak tonight, that pothole is pretty ridiculous, part of the problem is it isn't on our property, right of way, or allowed to fix, knows it took a while to find out that information, apparently does belong to the state right of way, as frustrating as they are that's who they will have to deal with on this matter. As far as the annexation, he hopes they were able to answer a few questions, we don't annex people they come to them and ask to be annexed, don't know at this time what that property will be used for, has some ideas what it may be used for. At lot of those questions will be answered in a rezoning request before the Board of Commissioners, that's when those things start coming our and they start looking at that as to whether they will rezone it or not.

Schulist – Stated for those interested, Waffle House is closing on their loan this week from what she understands, should begin construction real soon.

Anderson – Nothing

Power- Nothing

Cali – Nothing

Qualls – Wanted to congratulate Micah Sullivan on his promotion, also thanks Mr. Anderson for spending his time at the Water Department bringing good news from them.

Blade- Nothing

Jenkins – Thanks Chapdelaine for coming out and letting his thoughts and concerns be known.

Butler – Thanks for all the great things said

ADJOURNMENT – Butler stated he will entertain a motion to adjourn. Burks made a motion for adjournment at 7:43p.m. Butler so moved.

Chairperson

Secretary