

City of Fairview

7100 CITY CENTER WAY
FAIRVIEW, TN. 37062



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

Municipal Planning Commission

Regular Meeting
October 11, 2016
7:00 p.m.

Lisa Anderson, Chairperson
Matt Beata, Vice Chairman
Brandon Butler 1st Secretary
Michael Mitchell, 2nd Secretary
Donn Lovvorn, Mayors appointee
Toney Sutton, Commissioner
Wayne Lowman
Tim Mangrum
Mitch Dowdy
Ron Rowe, Alternative
Jake Bliek, Alternative

Present: Anderson, Butler, Mitchell, Sutton, Lowman, Mangrum, Bliek

Absent: Beata, Lovvorn, Dowdy

Others Present: City Attorney Larry Cantrell, City Engineer Will Owen, City Manager Scott Collins, Codes Director Wayne Hall, Codes Clerk Sharon Hall

1. CALLED THE MEETING TO ORDER AT 7:00p.m.

1.1 Anderson called the meeting to order. Anderson led the prayer and pledge.

2. APPROVAL OF THE AGENDA-

2.1 Mangrum 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 SEPTEMBER 13, 2016 – WORK SHOP

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

4.2 SEPTEMBER 13, 2016 – REGULAR MEETING

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

5 RECOMMENDATION – None

6 BONDS-

6.1 HEARTLAND RESERVE, INC. SECTION 4 – LETTER OF CREDIT TO COVER THE ROAD, SIDEWALKS, AND STORM DRAINAGE. PLANNING COMMISSION SET THE AMOUNT FOR \$609,000.00 ON OCTOBER 13, 2015. LETTER OF CREDIT EXPIRES OCTOBER 30, 2016

Mike Blackmer present and had ask for a reduction in the bond. Owen stated based on the progress that is made to date his recommendation was to lower 40% which would reduce the bond to \$365,400.00. Mangrum made a motion to reduce the bond to \$365,400.00. Mitchell seconded. Cantrell stated needs to add to the motion if not received by the expiration date of October 30, 2016 we have the authority to call the bond. Mangrum amended his motion to add, if the bond isn't received October 30, 2016 that the bond would be called. Butler Seconded. All were in favor.

6.2 LEVERETTE MEADOWS SUBDIVISION PHASE II – PERFORMANCE BOND TO COVER THE ROADS, SIDEWALKS, AND STORM DRAINAGE. \$78,700.00. PLANNING COMMISSION REDUCED THE BOND ON THE SIDEWALK PORTION ONLY TO \$75,500.00 ON JANUARY 13, 2015. PLANNING COMMISSION VOTED TO REDUCE THE BOND ON AUGUST 11, 2015 TO \$25,000.00. BOND EXPIRES OCTOBER 31, 2016. THE DEVELOPER HAS ASKED FOR A REDUCTION IN THE BOND.

Hall stated Mr. Cantrell needs to address this bond. Cantrell stated he had been advised by Mr. Hall and Will that this has been done, remembers when this was reduced to \$25,000.00. The bond was to cover several things, grading, holding pond and a few things. Cantrell stated they recommend that this bond be released and he has no reason to disagree with them. Hall stated they don't have a representative here and they were notified. Cantrell stated not taking any action that is adverse to them. Cantrell stated the safe thing would be to get a certified copy of the minutes and send certified mail to the representative. Cantrell stated this bond was actually posted by the bank that had taken over the operation at that time. Butler asked could they move to let it expire. Cantrell stated yes they can move to let it expire. Butler made a motion to take no action to allow the bond to expire. Lowman Seconded. All were in favor

6.3 DISCUSS AND/OR TAKE ACTION ON SETTING THE BOND FOR WESTVIEW UNITED METHODIST CHURCH PARKING LOT

Mr. Bill Simpson was present to represent. Hall stated Mr. Owen has already set this bond for \$3,000.00; ask Mr. Owen does he have anything to add. Mr. Owen didn't have anything to add. Mitchell made a motion to set the bond for \$3,000.00. Mangrum Seconded. All were in favor.

6.4 DISCUSS AND/OR TAKE ACTION ON SETTING THE BOND FOR SPRING STATION – PHASE I.

Mr. Gordon present to represent. Owen stated the Engineers report needs to be changed the \$942,300.00 should be \$764,000.00 which is 125% needs to

be changed from \$753,840.00 to \$611,200.00. Owen stated he would recommend that they approve a reclamation bond amount of \$300,000.00 in conjunction with the performance bond amount of \$764,000.00. Lowman made a motion to set the performance bond for Spring Station Phase I at \$764,000.00 with a reclamation bond in the amount of \$300,000.00. Mitchell Seconded. All were in Favor

7. OLD BUSINESS- None

8. NEW BUSINESS-

8.1 DISCUSS AND/OR TAKE ACTION ON DEVELOPMENT PLAN FOR HORN TAVERN ROAD DEVELOPMENT. MAP 22, PARCEL 15.00, 22.98 ACRES. DUKE & DUKE, LLC OWNERS.

Gary Martin present to represent. Mangrum recused himself from voting. Butler read Engineers report, which will become part of these minutes. Exhibit A. Butler made a motion for approval. Anderson Seconded. Butler amended the motion to included Engineers report 1-4 comments. Anderson Seconded. All were in favor.

8.2 DISCUSS AND/OR TAKE ACTION ON CONCEPTUAL PLANS FOR WILLOW CREST SUBDIVISION. MAP 22, PARCEL 66.00, 21.40 ACRES. HABITAT OF WILLIAMSON COUNTY OWNER.

Dan Reynolds the Director of Habitat for Humanity is the present to represent with his Engineer Tony Reasons. Reynolds stated they had made two changes since the last time they were here; they have designated 10% of the entire parcel as open space to remain undisturbed and undeveloped. Reynolds stated they structured the entire parcel to fit in with the like communities on either side of the proposed subdivision, both Horn Tavern Estates and Brandenburg Subdivision. Anderson asked were they planning on keeping the driveway on lot 1 & 22 entering and exiting onto Horn Tavern Road or is there a possibility of them having their driveways coming off Willow Crest Drive. Anderson stated she thinks the way Horn Tavern is situated, she thinks it would be a much better plan to have those drive on Willow Crest instead of having the drives coming off Horn Tavern Road. Reynolds stated it would be their intention to have the driveways on lot 1 & 22 on Willow Crest Drive. Anderson said so future plan would show that, also there is a note to demolish the house on lot 22, also a note to say that lots 1 & 22 won't enter or exit on Horn Tavern Road and the driveways would show coming off Willow Crest Drive. Reynolds asks was that a recommendation. Anderson stated no just a suggestion for future plans to show that. Reynolds stated he agrees. Blied stated that last submission was one of the comments that were made that they review the water run off at lot 6 & 17 and determine whether or not the water encroachment to those lots would make them unusable, have they looked at it from engineering standpoint. Tony Reason's stated he has actually had adjusted the grades between lots 6 & 7, got them more to the boundary line, moved the grading over to have a footprint to have a house on

the corner of lot 6. Also the same thing across the street lot 17 moved that over. They feel like they have a nice size building spot, would be the southwest corner of lot 17. Owen stated they have met the bulk of the requirements for the 10% open space on the development plan. Butler stated do they have any plans in improving the greenspace, park area or anything like that or just having that back wooded area. Reynolds stated they were trying to leave that as a buffer to protect the homes between them and Horn Tavern Estates. Butler asked what would be the plan in maintaining that open space. Reynolds stated the open space is over growth and mature trees and woodland, they looked at that as a natural screen and buffer between the two subdivisions. Reynolds asks could he define for what his interpretation of improved greenspace. Butler stated improved would be parks, recreation things like that but who would maintain it. Butler stated if no one is maintaining it is it considered useable open space or is it a greener buffer area. Reynolds stated he looks at the ½ acre lots providing a tremendous amount of space to the residents of the subdivision to live work and play. Mitchell asked were they planning on leaving the trees along Brandenburg, that boundary line as well. Reynolds stated as a builder developing this he went into this project with the intention as trying to save as many of old grown trees as possible. Owen stated Mr. Butler one thing he will point out just for clarity, the mandatory improved open space is found in the PUD regulations, with this being a straight RS-20 zone; there isn't necessarily a requirement for improved open space other than the reservation of that area. Owen stated if you read in the subdivision regulations the intention of non PUD open space, one of the intentions is to try to retain as much forestry and natural vegetation, both mature and undergrowth as possible to try to retain some of that rural character of the City. Butler asked do they have any future plans for phases of just this section. Reynolds stated with lot 11 they have reserved that as a larger lot, there is a limited number of sewer taps at this time in the City of Fairview, they made lot 11 larger if availability of sewer taps becomes available, to subdivide this lot 11 to accommodate a few more building lots. Butler stated so not necessarily extending into the next property in the future just more lots on lot 11 in the future. Reynolds stated correct the only thing they would work with would be with what they see in this parcel lot 11. Butler made a motion for approval. Blik Seconded. Butler amended his motion to include the Engineers comments. Blik Seconded. All were in favor.

9 REPORTS FOR DISCUSSION AND INFORMATION

- 9.1 DIRECTOR OF PLANNING AND CODES – Hall stated company that has leased the former Food Lion building, it's called Dirt Cheap, grand opening is next Wednesday at 9:00 a.m., 1st 200 people will get a free tee-shirt They were give a certificate of Occupancy after passing all the inspections. Hall stated he learned a lot by going with our fire inspector, Sean Sullivan and the County inspector George King. Sean Sullivan does a great job also George King does a great job. Hall

stated the contractors are probably going to be turning the store over to Hardees to stock in about 30 days. Hall stated there has been two road cut down there, one dip in one, he contacted them today and they are going to put in more asphalt Butler asked would they recoat those areas. Hall stated yes later they will repave those areas. Hall stated one other thing he was requested by a coworker of our Chairperson, this is her birthday. So Happy Birthday Lisa Anderson.

9.2 CITY ENGINEER – Owen stated one thing they would need to get with Ms. Sharon and Mr. Wayne in the next few weeks is, we need to get a good accounting of all their training hours because the end of the year will be here before we know it. Owen stated just as a reminder, the State requires them to have at least 4 hours of training each year. You get to choose what you except as training, it's pretty lax, needs to be accounting of that in the December meeting and they will need to vote to accept whatever that accounting is, accept those hours as training for yourselves. Owen stated they will probably be getting an email from Sharon asking which of these sessions did you attend with the City that was held here, also any additional things that you went to, again throw anything out there that you have went to and you feel may be anywhere associated with development, City Government, City Operations, Public infrastructure, floodplains anything along those lines.

9.3 CITY ATTORNEY – Cantrell stated it's not too early to start thinking about, coming up to the end of the year, don't forget to report to the State Ethics Committee, the form is on line. Cantrell stated also didn't mention on the bond because wasn't on this agenda but for their information, wanted to inform them. Last month's meeting there was an item on the agenda on Hardees bond, showing expired on the 15th of October. Ms. Sharon was kind enough to forward him a copy of this bond, when you look at it; it had 3 or 4 dates on the bond. One was the 15th of October, one was sometimes in June, and one was the initiation date one was the date they actually mailed it. Cantrell stated this bond was a little bit unusual, he refers to them as blanket bonds, it has an expiration date but the expiration date wasn't the 15th of October. Cantrell stated the bond was written so that it stays in full force, into effect until the project is complete. When that project is complete the bond will have to be released and reduced to a maintenance bond.

9.4 CITY MANAGER – Nothing

10 COMMUNICATION FROM THE PLANNING COMMISSION MEMBERS.

Sutton stated sorry he was late.

Anderson stated she would like to thank Mr. Bliet, one of our alternates, Mr. Jake Bliet for sitting in tonight and helping then with the meeting, he had nothing.

Mitchell stated he wanted to thank staff, Mr. Hall, Mr. Collins, and Mr. Jones for the workshop tonight. Happy Birthday to Chairperson Lisa Anderson.

Butler stated Happy Birthday to Chairperson Anderson.

Anderson stated she thinks they had a great workshop. Any education that they can have brought to them to help them to make better decisions and do the right way is very important; she appreciates that staff for putting that together, Mr. Hall and Mr. Collins. We have a new store opening up, everyone needs to go check it out and make sure to keep your money in Fairview, helps our Community grow.

11 ADJOURNMENT- Anderson adjourned at 8:00 p.m.

Chairperson

Secretary