

City of Fairview

7100 CITY CENTER WAY
FAIRVIEW, TN. 37062



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

Municipal Planning Commission

Regular Meeting
November 14, 2017
7:00 p.m.

Brandon Butler, Chairperson
Daniel Jenkins, V. Chairman
Tim Mangrum, 1st Secretary
Mike Anderson, 2nd Secretary
Patti Carroll, Mayor
Derek Burks, Commissioner
Christie Slaughter
Jim Powers
Salvatore Cali

Present: Butler, Jenkins, Anderson, Carroll, Burks, Slaughter, Powers

Absent: Mangrum, Cali

Others Present: City Attorney Tim Potter, City Planner Kristin Costanzo, Micah Sullivan
Building Inspector, 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 Powers made a motion for approval. Burks 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 October 10, 2017 – REGULAR MEETING

Butler stated they did not get the October minutes their having some printer difficulties. Burks made a motion to defer to December meeting. Powers Seconded. All were in favor.

5. BONDS –

5.1 Heartland Reserve, Section Four-letter of credit in the amount of \$262,000.00 to cover roads, sidewalks, storm drainage, and other improvements specified by the approved plans. Planning Commission set the amount for \$609,000.00 at the October 13, 2015, meeting. Planning Commission voted to reduce the amount to \$365,400.00 at the October 11, 2016, meeting. Planning Commission voted to reduce the amount to \$262,000.00 at the November 7, 2016, meeting. Letter of credit will expire December 1, 2017.

Mike Blackmer present to represent. Jenkins read the City Staff Report which will become part of these minutes. Exhibit A. Owen stated both items 5.1 & 5.2

that date corresponds to the staff review meeting they have each month, at that time it was unsure if he was going to conduct those observations prior to tonight's meeting, so those numbers are reflective to that date. Owen stated he has since visited both the sites, he would recommend for 5.1 that the reduction amount be \$134,000.00 revised from that \$185,000.00. Carol stated there has been some water run off issues from citizens, has that been addressed and would that effect his amount. Owen stated he is vaguely familiar with some storm water concerns, those concerns would not be reflected in this bond amount. Not sure if those concerns are in Section 3 or Section 4. Collins stated no the drainage issue in question, he will be presenting something to the Board of Commissioners Thursday night, is separate from this and outside the City's right of way or property, specifically the area of concern. It's roughly a half of dozen homes in the lowest part of the subdivision, there's an actual creek or streamway that runs through there that is adjacent to that property that actually runs from near interstate 40 through, he believes on some of the parcels within that subdivision is actually listed as a 50-foot streamway in the front of the properties or parcels between the property where the homes sit and the roadway where its clearly defined on the deed. So, in addition to the drainage way it's actually on the deed, noted on the deed, any changes to that stream would require a process by the developer through the Core of Engineers, outside of the purvey of the City to make any remedy recommendations. Burks made a motion to set the bond \$134,000.00 as recommended by our City Engineer. Jenkins Seconded. All were in favor.

5.2 Fairview Station, Phase One – irrevocable letter of credit in the amount of \$300,000.00 to cover roads, sidewalks, storm drainage, and other improvements specified by the approved plans. Planning Commission set the amount on October 11, 2016. Letter of credit will expire November 3, 2018. Developer is requesting a reduction in amount.

Jenkins read the City Staff Report, which will become part of these minutes. Exhibit A. Owen stated the same time line issue is involved in this development as well so based on today's observation he would recommend a bond + reduction to \$255,000.00. Owen stated the City is currently in possession of a Letter of Credit for \$300,000.00 that was a renewal of the one that is set to expire at the end of this month, the issue date is November 03, 2016 expiration date is October 13, 2018. Burks made a motion to reduce to \$255,000.00 per City Engineers recommendation. Powers Seconded. All were in favor.

6. OLD BUSINESS-

6.1 Ordinance 01-17, An Ordinance to Amend the Municipal Zoning Ordinance as it Pertains to the RS-15 District.

Potter stated he was asked to look at other Municipalities to see what they were doing, had some discussion with Ms. Costanzo. City of Dickson does the 8,000', smallest zoning they have, 15,000 residents, Cooper town does not have RS-15, 20,000' smallest they have. Laverne RS-15 is the largest they have. Potter stated he thinks often times it depends on how urban the area is verses how rural it is. Potter stated he really can't tell them what they should do, ask

Costanzo if she wanted to go over some of the thoughts they had talked about. Costanzo stated the City has approximately five subdivisions that are traditional RS-15 already in place from a previous time when the PUD requirement wasn't on the books, Leverette Meadows, Horn Tavern Estates, Fernvale Heights, Blakemont Estates & Evergreen Acres. Removing the mandatory PUD requirement just means they will have a traditional RS-15 where all the lots are 15,000' square feet or larger so they don't have to worry about the lots being crammed together. The difference between a 1/3 of acre verses 1/2 acre only talking 5,000'. There has been some discussion maybe allowing the RS-15 traditional only when there is conventional sewer which would then limit a RS-15 to 20 houses, since the going rate of sewer taps is roughly 20 at a time. The City of Dickson is fairly comparable in population, they have districts that range from 8,000' all the way up to an 1acre. We currently have 13 residential districts, have about 9,000 people. We only have RS-40 & RS-20 that allows for a traditional subdivision that doesn't require the PUD, we have the 15,10,8 & 5 that require the PUD overlay. Costanzo stated she thinks she has talked about before there are a lot of existing single-family lots that are zoned RS-40 or may be RS-20 that don't have that square footage because when they were annexed into the City. She doesn't know if allowing this requirement to go away is going to create any major problem for the City, thinks it will help some people here and there that has 35,000' that just wants to have two lots. It may allow for a couple smaller traditional subdivisions that have 15,000' lots as opposed to some 16,000' lots or 6,000' lots, if the commission is concerned about the smaller cramped lots. Potter stated regardless of what they do they did amend their zoning ordinance to allow RS-15 for residential single family remember setbacks, road frontage requirements would still apply. Butler ask Mr. Owen does he have the road frontage, widths, setbacks with him tonight because would still have certain requirements in order to rezone to a RS-15. Owen stated RS-15 minimum lot width at front building line is 75', minimum set back front yard is 30', side yard is 10', rear yard is 20', comparison to R-20, minimum lot width at the building setback is 100', R-15 is 75', minimum front setback for R-20 is 35', RS-15 is 30', side setback for R-20 is 15' for RS-15 is 10', both have the same rear set back of 20'. Butler stated this was presented to them last month from Vice Mayor Crutcher trying to get some feedback from them to send to the Board of Commissioners. Anderson stated his concern was all the houses that are popping up on Highway 100 and Highway 96 that are set way to close to the main arteries to the City there fore doesn't give an esthetic look as you come into the City, doesn't mind the R-15 is kind of in favor of it. The second issue to him, the main arteries not necessarily Highway 96 & Highway 100, the setbacks need to be addressed so in the future the houses are further back off the road so the City looks a little better. Powers stated would have to have a wider lot to subdivide doesn't want a house in the back of a house. Owen stated flag lots are allowed with certain caveat's. The question on hand will be based on the genesis of this request, what's the next request going to be so that the City can allow 38,750' lot to be divided into two. He would anticipate

if there was a lot that didn't have the 150' wide lot, there will be some request to reduce lot width and/or flag lot proposals they may see come before them. Owen stated not to dampen or those are obstacles that can't be overcome, those may be some of the realities that they see down the road. There are plenty of communities that allow RS-15 as a standalone zone, what will the ramifications be specifically for Fairview. Carroll stated she's kind of at the point where she wants the total design to look good for the community but she thinks they're at the point where they take an individual property owners rights away especially if it's family lands and we have don't have a provision for that, if someone wants to give their child part of their property. It's a fine line what they do with this, what they want their community to look like, regardless of what people think the smaller lot sizes are what this younger generation is looking for, if they are going to be able to afford houses in our community it's going to have to be considered, no junk let's make it quality housing. Power stated if property is divided, he would want to make sure that the minimum be no smaller than 15,000'. Carroll stated she agrees as long as their clear on the reading. Powers stated all their doing tonight is sending a recommendation to the Board of Commissioners. Burks stated he gets what Mayor Carroll is saying but he doesn't think that's a good enough reason. Burks ask Owen does he think more RS-15 zones are in rural areas or urban areas. Owen stated his general feel for urban & rural is maybe different from other peoples but personally he thinks they would find that more rural type communities have an RS-15 zone more than they would think. Owen stated he just looked up White House when they were referencing some other communities. White House in years past has been discussed as kind of a sister City, they have RS-10, 15, 20 & 40. Owen stated in conjunction with setbacks and lot widths, a 15,000' lot development in conjunction with those other types of restrictions or guidelines that can be done in a manner that has a rural feel to it. Carroll stated she gets what Commissioner Burks is saying, she's not saying just for a family, a lot of communities have RS-15, anyone that wants a RS-15 will have to come before the Board because we have no RS-15 zones. When we look at our community, hopefully one day they will do a comprehensive plan. Slaughter stated one of the lots they had mentioned was Horn Tavern Estates was a RS-15 not a RS-20, driving down Horn Tavern Road and see those different neighborhoods, she would have never known they had a smaller lot size than the one next to them. They all still look very uniform to her, doesn't think people drive by and think those are very cramped lots. Carroll stated she is more about the quality of the homes than the lot size, are the completing, having trouble with drainage and run off, are citizen calling and complaining. Carroll stated she doesn't know why they are so against the RS-15 zone. Powers stated he thinks about when they go to high density, he saw on Facebook where someone had commented on the run off from the rain the other night, he drove out there to look, every time he drives down Horn Tavern Road it's scary how narrow that road is. The subdivision up and they get a traffic report for their subdivision then the next one comes in and they don't take into account, they just get their subdivision. He

likes the RS-15, knows it's good for the builders, people are wanting to buy the smaller lots. Butler stated the 1st question would be do they agree or disagree with the RS-15, 2nd the cap or size, do they limit the sewer taps of 20, do they limit to one parcel that goes into two, do they allow neighborhoods. Butler stated if they want to discuss to give some feedback to the Board. Carroll stated she thinks the RS-15 usually come to the Board with a PUD which they can have variations of lot sizes that why she thinks they're not very appealing, thinks if they get the lot size correct it may be more appealing. Jenkins stated to be clear if they go ahead and approve this and someone comes before the Board and they want to build a new development they still have control and have the ability to say yay or nay. Butler stated if we allow a RS-15 standalone district and someone brought in and met the requirements it would be difficult to say that would be more of a Mr. Potter question but they would see any rezoning's. Slaughter stated but it would have to meet the requirements. Butler stated yes, the widths, setbacks. Powers stated he thinks the one thing they have talked about tonight if the Board was going to pass this is to put the restrictions on it, it to be where they would have to hook up to sewer not be on the step system, not go under the 15,000' lots. Collins stated may he add a couple points to the discussion to move forward. As he understands the only question is the adoption or consideration is RS-15 as a standalone zoning, the item they have before them. In consideration of that there are several factors to be looked at he will highlight some of those from a City Management standpoint and not necessarily the Planning Commission standpoint. First of all, the RS-15 zoning in and of itself is not a difficult thing, the conversation tonight several things, one is the traffic, specifically the use of a traffic plan as it relates to specific subdivisions, looking to move away from that, so they will know. Traffic plans for individual spot or location is really ineffective for the growth area, let's take Horn Tavern or Old Nashville Road, he has proposed this to The Board of Commissioners, they have been back and forth on it. As they get into the Comprehensive Plan some of the other things they are going to have to look at, some of our minor and major arterials, Cumberland, Chester Road, Horn Tavern and Old Nashville will have to have their own traffic plans for the length of that roadway. It's more than just the vehicles you put on the road it's the intersections you create when you put those on the road. So, there is work to be done there to make sure that's affective, that would be absent of this zoning. Second issue that has been discussed is the sewer, whether or not have access to conventional sewer or a step system. The RS-15, if it passes, would simply be a zoning, the term PUD, has been used in the City, has somewhat been misapplied, typically a PUD is brought to the City if that property needs on site sewer, really it just means a lower lot size than the 15,000'. Collins stated we have talked internally about this, an option to fix that is if you have RS-15 straight zoning, RS-15 that needed to be a PUD for onsite sewer would be simply be designated something other than an R-15 PUD. Because a PUD in its general use and manor would be a parcel that would have multiple size lots and homes. As we move forward as a City were looking at designation rather than a

PUD designation for onsite sewer requirement on a piece of property, know we are going to have to address that. Third part of this process is, regardless if the RS-15 goes or not it's going to have to go before this Body and the Board of Commissioners for rezoning application. If a subdivision comes before them as a RS-15 it's going to be a standalone 15,000' lot and the lots are going to have to be 15,000'. In concert with the traffic study for the roadway that applies, in this case they're going to have to look at their comprehensive plan as a creation of a functional land use map. So, as they move forward their land use map, if they do that appropriately, will have R-15 zones, R-20 zones, R-10 zone, whatever the R is. So, as they look at this going forward 18 months from now and it's a proposed R-15 it either meets the land use map or it doesn't and if it doesn't it simply wouldn't apply a recommendation to move forward. The question if R-15 itself isn't a bad thing the question about them coming up individually, they are going to come up individually. You're going to have to apply that to the surrounding land use. Looking at two lots today given this R-15 zone, he's for the R-15 zone for what it's worth, if it were to go forward there are at least two property owners in Castleberry Farms could come tomorrow and ask for their property to be rezoned, he would hazardly guess that no one in Castleberry Farms would rezone a lot R-15, R-20. Collins stated for the City's standpoint we're going to make a concerted effort to make sure that our land use map and our traffic plans meets the proposed use of the property so when that comes to this body they don't have to make that decision. Butler stated the land use map would reference 15,000' lots as medium density. Anderson made a motion for a positive recommendation to The Board of Commissioners. Slaughter Seconded. All were in favor.

7 NEW BUSINESS-

7.1 Rezoning of Property, Requested by Jeff Wynn. Property located at 1179 and 1183 Highway 96 North (Tax Map 021, Parcels 23.10 and 23.11). 5.26 acres. Current zoning district: RS-40; Requested zoning district: CG, Commercial General. Property owned by Jeff Wynn.

Jenkins read the City Staff Report, which will become part of these minutes. Exhibit A. Mr. Jeff Wynn present to represent. Burks asked Mr. Potter when reviewing this it included a copy of the executors deed that specifically states this property shall not have no commercial or multi family structures, as part of the restrictions. Also on number 8 is also no commercial or business activity, should that have any bearing on this request to rezone. Potter stated he doesn't think it will keep them from rezoning the property. Burks asked currently is there commercial on either side of this property. Costanzo stated across the street there is Jingo Road there is a large church, there's another storage facility a little less than a mile away. Butler stated it would be completely surrounded by residential on all four sides. Kristin stated just up the road to New Hope Pass is the Industrial Park. Butler stated the land use map called these two parcels and another one next to it as commercial which he thought was really odd. Costanzo stated probably because what is there, the church and couple existing commercial lots here and there and everything west past the Industrial Park is

commercial. Carroll asked is the owner going to build the storage units or is he selling the property. Costanzo stated he indicated in your rezoning application that he owns the property been a resident for 21 years wants to build it himself. Costanzo stated she had expressed to him that we have the design review requirements, requires brick, said he was planning on doing at least those requirements and hoping to pass down the business to one of his family members. Slaughter ask about the deed restrictions, how do they get around that. Potter stated he doesn't know enough about this except these are restrictive covenants but doesn't think this would prevent a municipality from rezoning the property. Costanzo stated it would be a civil matter, subdivisions with a HOA frequently have covenant restrictions. Burks stated restrictive covenants are something you would normally see in a subdivision not necessarily a rural tract. Potter stated the restrictive covenants are common in subdivisions not sure. He would have to do a title search to see if the restrictive covenants are recorded, who's subject to the covenants. Powers stated for them tonight that deed restriction isn't relevant to them. Potter stated no they're not a part to the deed restrictions. Burks stated his other concern was we're taking a nice rural spot that's all residential and putting commercial right in the middle, but if the neighbors have a problem with this they can come to the public hearing to voice their concerns. Jenkins stated he would rather protect the residents so they don't have to do something like that it can stop here, plus there's a storage lot less than a mile down the road providing the exact same service to the City. Potter stated he will look into the deed restrictions. Butler stated may be that's an option to try and get better clarification as far as the restrictions on the deed. Costanzo stated in addition to that she is happy to do a comprehensive list of what's in that area, she believes right down the road it's already zoned commercial. Powers made a motion to defer to the December meeting. Carroll Seconded. All were in favor.

7.2 Site Plan, First Bank. Proposed 1,250 SF Addition to Existing Bank. Property located at 2198 Fairview Boulevard (Tax Map 042, Parcel 171.00). 0.92 acres. Property zoned CG. Property owned by First Bank.

Jenkins read the City Staff Report, which will become part of the minutes. Exhibit A. Carroll asked Slaughter did this come before the Tree Board. Slaughter stated no, also they didn't have a quorum. Costanzo stated Mr. Berkley did review at the Plan Review Workshop on the 24th & went to the site and measured the trees, only 3 trees that will be removed, he made a recommendation. Carroll asked why is he asking them to replace the tree with red bud trees. Costanzo stated that was his suggestion because he likes to replace with the City Tree but they can certainly replace with just 3 trees of the same caliber from the approved tree list. Owen stated to bring to their attention, the 1st comment, the retaining wall as it exists now, as it is written staff would interpret that mean that the retaining wall details would be approved at the staff level. However, he wants them to be aware, the height of that wall at it's tallest point is around 5' tall, so as you are coming up City Center Way at the back of the bank will be able to see that retaining wall. If they have any desire to review

that from an architectural review standpoint make that know in their motion. Butler asked had they had a chance to see the five comments from the Staff Comments and do they have any comments or objections. Jev Vaughn Architect for the project said he heard about them today and the bank has no issues with them. Mr. Vaughn stated they do agree with the guard rail requirement behind the retaining wall that wasn't included with the original issue with the drawings but that's something that's been worked on and will be provided. Will be a decorative, inch ½ round rail, 42" tall, horizontal rail at the bottom of the guard rail 1" round pickets, 5-inch centers no further than 4" gap between pickets, as stipulated by the Handicap accessibility code. This detail will be provided to staff for approval. Carroll made a motion for approval with City Staff Report recommendations and they are presented once the wall is determined that it comes back to the Planning Commission for review. Mr. Vaughn asked is it going to be the intention that the retaining wall be of the same material as the building, meaning brick as opposed to split face concrete block, currently the approach is going to be split face concrete block, probably a gray color. So, they will need to know which way to continue with that resolution. Butler asked is there any documents that states the retaining wall has to be 70% brick. Owen stated he doesn't believe that is the Cities requirement. Jenkins stated the staff comments already include a condition of a review by the City. Carroll stated she doesn't necessarily think it has to come back to them it could be approved on staff level. Anderson Seconded. Burks stated First Bank has been a great neighbor to the City of Fairview and he would be shocked if they did a product that didn't look good. The Bank has always been very nice, well kept, great item in town, he assumes that will continue forward, thinks the staff can make that decision just fine. Butler asked did they want to withdraw their motion. Motions were withdrawing. Jenkins made a motion to approve the site plan for First Bank under the condition of the staff comments. Carroll Seconded. All were in favor.

7.3 Construction Plans, Whispering Winds Subdivision. Proposed 17 lots on 10.47 acres. Property located along Cumberland Drive (Tax Map 047, Parcel 67.01). Property zoned R-20. Property owned by Walt Totty.

Jenkins read City Staff Report, which will become part of these minutes. Exhibit A. Walt Totty present to answer questions. Carroll asked was he okay with the recommendations from the City Engineer. Totty stated yes and he thinks everything was corrected already. Butler stated these may be new notes different from the staff review. Owen stated every comment that is on the staff report has either been seen by the applicant and are carry over comments from the initial review or they are additional comments that were generated as a result of the proper amount of detail being shown on the revised submittals. Owen stated the two comments that are remaining, were comments that were on the initial review comments that were provided to the applicant and still remain in effect, they have addressed a number of other items. The second item is something that needs to be a housekeeping measure, needs to be kept in the loop and the forefront for when they have a preconstruction meeting to make sure the understanding of that

property owner has been reached, in writing. Carroll made a motion for approval with the City Engineers recommendations. Powers Seconded. All were in favor.

- 7.4 Construction Plans, Sweetbriar Springs, Phase Two. 22 Proposed lots on 14.45 acres. Property located along Sweetbriar Lane and Sweetbriar Circle (Tax Map 042, Parcel 36.00 and Tax Map 022, Parcels 128.00 and 128.01). Property zoned R-20. Property owned by James Phillip Caldwell, Jr. and James Phillip Caldwell, Sr.**

Tony Salonga was present to answer questions. Jenkins read City Staff Comments, which will become part of these minutes. Exhibit A. Powers made a motion for approval. Anderson Seconded. All were in favor.

- 7.5 Development Plan, Sweetbriar Springs, Phase Two. 22 Proposed lots on 14.45 acres. Property located along Sweetbriar Lane and Sweetbriar Circle (Tax Map 042, Parcel 36.00 and Tax Map 022, Parcels 128.00 and 128.01). Property zoned R-20. Property owned by James Phillip Caldwell, Jr. and James Phillip Caldwell, Sr.**

Tony Salonga was present to answer questions. Jenkins read City Staff Comments, which will become part of these minutes. Exhibit A. Burks made a motion for approval. Carroll Seconded. All were in favor.

- 7.6 Construction Plans, Fairview Station, Phase Two. 7 Proposed lots on 3.17 acres. Property located along Tiger Trail and Marisa Drive (Tax Map 042, Parcel 28.03). Property zoned R-20 PUD. Property owned by Brandon Robertson.**

Mr. Moody from SEC present to answer questions. Jenkins read City Staff Comments, which will become part of these minutes. Exhibit A. Butler stated to be clear, Phase I did have the street trees, one comment was street trees need to be added layout sheet to the roadway profile. Moody stated as far as Phase I, honestly, he doesn't believe they had street trees on the construction plans or the final plat, which has been recorded. Moody stated on Phase II, he has talked to the developer and he is willing to do the street trees, looking at the site plan, the right of way is actually at the back of the sidewalk on the cull-de-sac, he doesn't see where the street trees can go within the City property that's in the right of way because it would be on private property. He's willing to do that but they will have to work with staff to see exactly where the placement needs to be. Slaughter stated she thought they had a similar thing happen before where they had the developer to actually put the street trees in the lots before they were sold. Butler asked would they just add a tree to the landscape plan for that individual lot, then wouldn't be in the public right of way, like the others. Costanzo stated she went back and looked at the construction plans that were previously approved, before her time, they weren't shown on the constructions plans for phase I, that she could see. Mr. Moody is correct they were not shown on Phase I construction plans, that she could see and not notes on the final plat. Moody stated they have some issues with phase III, the connectivity to Cox Road, they're in the process with staff, in order to get the connectivity, they are going to have to replat some of the lots in section I. Mainly lots 6 & 7 which accentually will do a replat of lot 1, after speaking with the developer he thinks he okay with the street trees. Butler asked where the connectivity would be. Moody stated it's on Phase III the bottom

left, where the cull de sac is, that cull de sac is constructed but they are in the process of removing that and doing a temporary cull de sac to the back of the property then it can be a future connectivity to Cox Road. Carroll asked will it still be going from Tiger Trail all the way to Cox Run, what are they doing with the cull de sac. Moody stated it will be removed. Butler not on that Phase yet. Owen stated there was a Section I landscape plan sheet L.10 that was a part of the Phase I construction plans that does indeed show street trees. He thinks the issue at hand is, as indicated by Mr. Moody, the design of the cull de sac for this particular development is such that as you enter the bulb part of the cull de sac, the sidewalk itself is directly behind the concrete curb. So, there is no grass stripe between the back of the curb and the sidewalk edge, so street trees are not possible between the sidewalk and the curb and just the bulb of the cull de sac. What he hears tonight is the developer is willing to entertain placing a tree possibly on the private side of the right of way line, but he doesn't think that was part of the preliminary master plan, if they want to ask for that they can. Owen stated ultimately, they would have no jurisdiction if the future property owner took it out or not, only talking about four lots at the very end of that cull de sac. Butler stated to be clear, they wouldn't have to take action on Section 1 the staff would follow up on that to make sure the trees are planted before the bond was release. Owen stated correct. Moody stated to be clear his conversation with the developer was only about the street trees, not really about the placement either on the inside or outside of the right of way, don't know if he's willing to put them outside of the right of way or not. Anderson stated the way those lots taper into that cull de sac, to put the driveway in, depending on which way the lot is going to be set, the tree is going to be almost in the way, he thinks it will be a waste of time and money because those trees would be in the way, he thinks it should be none. Carroll stated a lot of trees were taken out to build this subdivision, she thinks that it's a good idea to put trees back. Anderson made a motion for approval with the City Staff Comments. Jenkins Seconded. All were in favor. All were in favor.

7.7 Final Plat, Fairview Station, Phase Two. 7 Proposed lots on 3.17 acres. Property located along Tiger Trail and Marisa Drive (Tax Map 042, 042, Parcel 28.03). Property zoned R-20 PUD. Property owned by Brandon Robertson.

Mr. Moody present to answer questions. Jenkins read City Staff Comments, which will become part of these minutes. Exhibit A. Burks made a motion for approval. Powers Seconded. All were in favor.

7.8 Construction Plans, Audubon Cove Mixed-Use PUD. 47 Proposed lots on 21.42 acres. Property located along Highway 100 (Tax Map 042, Parcel 46.01). Property zoned RS-8/CG PUD. Property owned by Crye-Leike.

Tony Salonga present to answer questions. Jenkins read City Staff report, which will become part of these minutes. Exhibit A. Owen stated there was only one outstanding comment, any approval they wish to render to be subject to TDOT approval of the required improvements along their state right of way, there is a proposed turn lane on the highway. Burks made a motion for approval with the Engineers comments as stated. Anderson Seconded. All were in favor.

8 REPORTS FOR DISCUSSION AND INFORMATION

8.1 CITY PLANNER- Nothing

8.2 **CITY ENGINEER**-Nothing

8.3 **CITY ATTORNEY**-Nothing

8.4 **CITY MANAGER**- Collins stated on the training, they will be getting an email this week with some proposed dates for 1st & 2nd week of December, they talked about doing an all-day training, we would like to do that, if we can get everyone settled on a date. The agenda will be a couple things, 1st a standard review of terms & definitions as it pertains to the Planning Commission, 2nd will be a standard operating procedure for the Board as it moves forward, what comes before the Board what doesn't come before the Board, those will be the 1st half of the day, break for lunch. Second half of the day will be sewer step systems and how they function. Often times as those come through, we here the same questions from citizens, which isn't a bad thing but if there is an understanding by all the members of the Board as how those work then that process will get easier to work through. We anticipate this taking the full 8 hours, once we complete that training we will follow up with a work session either at the beginning of a Planning Commission or a Board of Commissioners meeting to kind of hear what everyone heard in that process and plan for the comprehensive plan that we will start in January. The comprehensive training RFP is prepared and will be out this week, we expect it to be out 3 weeks & have those proposals to come back to the Board of Commissioners will likely have a brief interview process, would like to have them identified by the end of this calendar year. So, we can move forward beginning in January with that process, we do expect it will take the full 12 months. Collins stated we will likely have 5 community meetings as it relates to the comprehensive plan, the last of those will likely be September, so they will move through and make sure we have everyone's training hours for the calendar year 2018, well in advance, likely through June. Collins stated we are also getting out, we have a list of builders and developers that commonly do business within the City, we are doing a meet & greet/lunch with them. The purpose will be to hear what the builders, developers and everyone related to that believe what we do wrong. We want to give everyone the opportunity to let them let us know what they see our faults are. We want to use this as a tool as we move forward.

9 **COMMUNICATION FROM THE PLANNING COMMISSION MEMBERS.**

Anderson stated wanted to thank Ms. Costanzo for getting him into a training class.

Burks asked City Planner, there has been discussion, do landscape plans have to go to the Tree Board to approve. Costanzo stated they have done a lot of research on that, not that we have been able to identify. If they look at the tree protection ordinance, it discusses the Tree Commissions roll in a community wide plan, looking at street trees and City property, she thinks that is something they are hopefully going to shore up in the coming months as we get our books worked on and redefined. That way everyone will be clearer, moving forward as the rolls of all the Commissions. Butler asked Mr. Collins did he have any additions to add to that. Collins stated no except the answer is no. Burks stated it appears it's been done in the past as a courtesy, but knows there has been a request for an answer.

Butler stated he thinks the answer has been given in the past he just doesn't know if the answer wants to be excepted. They talked about this in depth about two years ago, Mr. Owen provided him with every ordinance back to 1994 with the Tree Board to

try to get that answer, kind of dies and slowly comes back. Carroll asked even on Commercial. Butler stated yes same with commercial. Owen stated he and Costanzo did extensive research, the ultimate answer if no. Owen stated he thinks what has happened in the past is a desire by the Tree Commission and City Arborist to review those plans. He thinks what had happened some of your prior planning staff kind of forsake or abandoned the review of landscaping requirements because the Tree Board had reviewed it and approved it. What was happening the Tree Board would review the type of plant and where it was going but there may have been some sites that fell in the cracks as far as how much landscaping is required, where it's required and the intensity of that landscaping. It's been his recommendation for a while now that the comprehensive review of specific landscape plans for commercial sites and any other individual site should fall at the footsteps of the Planning Commission and the staff that reviews the Planning Commission submittals. That's where the comprehensive approach to review should and does take place, the City Arborist is involved in that process and has now been brought on Board to offer his expertise during that process. So, he thinks moving forward the City will be provided with a much better comprehensive review of the landscaping requirements not just is that tree on our approved tree list. He was to make sure its not a situation where if the Tree Boards not looking at it no one is looking at it, that's not what's happening. Owen stated what Costanzo has referenced, part of what they are looking at in the revision to the documents is to clearly outline those responsibilities, that way the Tree Board feels comfortable with okay this isn't just falling in the crack, someone is over seeing this, then they can revert back to what their initial intent was, that was to offer recommendations to The Planning Commission & The Board of Commissioners on what they want to see actual Landscaping Requirements be holistically and not for a specific individual site.

Carroll stated she and Mr. Butler received a resignation letter, she just wanted to thank Mr. Mangrum for his service, he's been an asset to our Community, his skill set and knowledge he brought to the Board is going to be missed. Also, Sweetbrier came back in front of them several years ago and the builder at the time and wanted the Board to approve all kinds of variances, as they were going over this tonight she was thinking thank goodness, we stuck to our guns. Because they didn't give we may have lost that developer, they sold the property and someone else came along and built to our codes. She may be out one meeting because she is having surgery, if she is out more than one meeting she may temporarily appoint her seat will let the City Manager and the Chairman know if she decides to do that with a date of her return.

Jenkins stated who is responsible for the beautification of our City, we just talked about trees in a cull de sac for about twenty minutes, who's responsible for our policies where they wouldn't have to question it. Butler stated that would be our Subdivision Regulations, our Design Review Manual, that's what our staff would be referencing when they say street trees weren't on the plat, we require street trees every forty foot on center, things like that. Jenkins inquired about his neighbor's house flooding in Western Woods, could the City do anything about this. Potter stated he wouldn't think Fairview would have any responsibility to him, he would be happy to talk to him about it outside of the meeting. Carroll stated they can contact the City and we can have

someone come out and take a look to see if possibly a new development is causing this but most of the time the City can't do anything about this.

Butler stated Mr. Mangrum did send a resignation letter prior to the meeting tonight, he does want to acknowledge him and thank him very much for his time served. He offered a lot of technical expertise and a lot of old subdivisions because he had been around, the age of our Planning Commission is shrinking. On the spirit of trees he knows other municipalities do a lot of things where the final plat will have a number of calipers, a number of trees that had to be replanted, may be that is something they could revisit down the road, trying to replenish some of the trees that are being removed from some of our subdivision to put them back into individual lots. Butler stated he had spoke to Ms. Costanzo about Cumberland Estates, 1st house going up looks like their going to install siding, his recollection from serving on this Board, thought all the houses that were fronting Cumberland were going to be brick, he has asked her to see if she can find information on that. Collins stated he did drive by the home tonight, he did have a conversation with someone involved in that development several weeks back, he couldn't tell tonight how that house looked. The first thing that struck him was that's close to Cumberland Drive, he thinks if you on a road that's not a major arterial that fine, if you're on a major collector that right up on the road so something to be addressed long term. Second the discussion he had with the developers specific to that lot, the question came up about brick or a masonry stone. What was asked did it have to be brick specifically or could it be a masonry stone that was a nicer product than a brick that wouldn't be vinyl siding or some other thing. Collins stated we will keep an eye on this, he placed a call tonight to see if we can get some follow up. On the flooding, one of the things they have talked about that they will need to consider these lots is a term called ISR or impervious surface ratio. What happens over time as the individual lots are developed whether their grass, wood or some other thing, there is an ability to retain water. Impervious surface ratio is a calculation that takes the percentage of that lot and allows for a certain percentage of that lot to be impervious, roofing, sidewalk, driveway, things that are not impervious that don't collect water. Once you define that calculation then that percentage is all that there can be impervious material on that lot.

10 ADJOURNMENT- Adjourned 9:08p.m.

Chairperson

Secretary