

MUNICIPAL PLANNING COMMISSION MINUTES

March 9, 2021, Regular Meeting at 7 p.m.

Brandon Butler, Chairman
Mike Anderson, Vice Chair
Sheree Qualls
Salvatore Cali
Chris McDonald

Debby Rainey, Mayor
Daniel Jenkins
Hayley Schulist, 1st Secretary
Emilee Senyard, 2nd Secretary

Staff Present: City Manager Scott Collins, City Attorney Tim Potter, City Engineer Kevin Blackburn, City Recorder Brandy Johnson, Keith Paisley

- Roll Call vote by City Recorder, Brandy Johnson

	Present	Absent
Mr. Anderson	x	_____
Ms. Rainey	x	_____
Mr. Butler	x	_____
Mr. Cali	x	_____
Mr. Jenkins	x	_____
Mr. McDonald	x	_____
Mrs. Qualls	_____	x
Mrs. Schulist	x	_____
Ms. Senyard	x	_____

- Butler called meeting to order at 7:02 p.m.
- Opening Prayer and Pledge led by Butler
- Approval of Agenda

Motion: Rainey

Second: Anderson

	YES	NO	ABSTAIN	RECUSE
Mr. Anderson	x	_____	_____	_____
Mr. Butler	x	_____	_____	_____
Mr. Cali	x	_____	_____	_____
Mr. Jenkins	x	_____	_____	_____
Mr. McDonald	x	_____	_____	_____
Mrs. Qualls		ABSENT		
Ms. Rainey	x	_____	_____	_____
Mrs. Schulist	x	_____	_____	_____
Ms. Senyard	x	_____	_____	_____

- Citizen Comments – none
- Approval of Minutes: February 9, 2021 regular meeting

Motion: Cali

Second: Rainey

	YES	NO	ABSTAIN	RECUSE
Mr. Anderson	x	___	___	___
Mr. Butler	x	___	___	___
Mr. Cali	x	___	___	___
Mr. Jenkins	x	___	___	___
Mr. McDonald	x	___	___	___
Mrs. Qualls		ABSENT		
Ms. Rainey	x	___	___	___
Mrs. Schulist	x	___	___	___
Ms. Senyard	x	___	___	___

NEW BUSINESS -

1. PC Resolution **PC-13-21**, Site Plan, Flats at Fernvale Springs, 14 Multifamily Units on 1.17 Acres, Map: 042, Parcel 063, Applicant: SM Commercial, LLC – Schulist read the staff comments to include; 1) two variances have been requested for the project including: a) variance #1 – request to be exempt from the requirement to itemize and protect/replace trees in accordance with Section 103 of the Design Review Manual, b) variance #2 – request to install a 4-ft tall perimeter fence in lieu of the requirement in Section 2-106 of the Design Review Manual to install a 6-ft perimeter fence for transitional screening, 2) the applicant shall provide legal documentation between the development parcel (Lot 2 of Map 042, Parcel 063.00) and adjacent parcel (Lot 1 of Map 042, Parcel 063.00) to accept the future increase in post-project stormwater and shared maintenance responsibility of the stormwater system and detention. This agreement shall be recorded with the County and active prior to issuing a grading permit, 3) incorporate updated sheets C6.0 site details and C2.0 site & utility plan into construction drawing set within IDT system prior to pre-construction meeting, 4) address text conflicts and remove unnecessary callouts where indicated in plans prior to pre-construction meeting, 5) provide updated EPSC drawings to TDEC for updates to the Construction General Permit and obtain approval from TDEC prior to issuing grading permit, 6) plan set to be approved by all utility providers prior to pre-construction meeting. Tim Mangrum with SM Commercial was present with Trent Smith, engineer with Southern Consulting. Mangrum noted this project has been previously approved and expired. The variances were not requested at the original approval but are due to regulation changes. Collins notes after reviewing the ordinance and code regarding trees, he doesn't believe either the PC or BOC are able to grant a variance and this would be managed by the planning department. Mangrum requests removal the 1a variance request noting it is not needed once they reviewed the calculations. They do request a variance for a 4' high fence rather than 6' noting this was previously approved with a 4' fence and he believes over time this will hold up better than a 6' and has more of a residential look over the 6'. Other staff comments may be cleaned up through IDT submittals.

Motion: Anderson for approval omitting staff comment 1a, approve 1b variance request and all other staff comments

Second: Rainey

	YES	NO	ABSTAIN	RECUSE
Mr. Anderson	x	___	___	___
Mr. Butler	x	___	___	___
Mr. Cali	x	___	___	___
Mr. Jenkins	___	x	___	___
Mr. McDonald	x	___	___	___
Mrs. Qualls		ABSENT		
Ms. Rainey	x	___	___	___

Mrs. Schulist	x	___	___	___
Ms. Senyard	___	x	___	___

- PC Resolution **PC-14-21**, Site Plan, 2135 Fairview Boulevard, 1.86 Acres, Map: 042, Parcel: 126, Property Owner: Harold Crye – Schulist read the staff comments which include; 1) provide written notification from TDOT authorizing the construction entrance being allowed onto Highway 100 prior to pre-construction meeting, 2) maintenance bond shall be provided on all landscaping until such time as irrigation installed, and 3) plan set to be approved by all utility providers prior to pre-construction meeting. Project representative states they met with TDOT on February 23rd and they verbally OK'd the construction entrance but they are waiting to obtain an official letter of approval. They want to prep this site for development by grading, raising lowered areas, seed and straw. The TDEC permit will have to be in place before work can begin.

Motion: Jenkins for approval
Second: Cali

	YES	NO	ABSTAIN	RECUSE
Mr. Anderson	x	___	___	___
Mr. Butler	x	___	___	___
Mr. Cali	x	___	___	___
Mr. Jenkins	x	___	___	___
Mr. McDonald	x	___	___	___
Mrs. Qualls	ABSENT			
Ms. Rainey	x	___	___	___
Mrs. Schulist	x	___	___	___
Ms. Senyard	x	___	___	___

- PC Resolution **PC-15-21**, Site Plan, Aden Woods Subdivision, Phase 2, 35 Building Lots on 31.4 Acres, Map: 046 B, Parcels: 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 11.03, Property Owner: Brad Fishel – Schulist read staff comments to include; 1) the maximum allowable spread for a curb and gutter system is 6 (six) feet as stated in Section 4-113.207 Design Storms of the Fairview Subdivision Regulations. The applicant is requesting a variance to allow spreads that exceed 6 (six) feet for noted stormwater inlets, 2) plan set to be approved by all utility providers prior to Pre-Construction meeting. Jeremy Moody with Site Engineering Consultants is present and notes they have amended the problem area by adding 4 additional inlets to minimize spread but due to off-site stormwater the lowest calculation they can get on the spread is 6.22. No additional outlets can be added unless they are in the existing subdivision. Two inlets are already at the property line and these only accept stormwater from the adjacent property (Aden Woods). Moody feels this is a bit of a gray area at this location that merges the older area with the new development noting some of the issues are out of their control. City engineer Kevin Blackburn explains gutter spread (gutter is the vertical part of the curb) as the distance water would extend into the road with a 25-year storm event. The six-foot limit is so that no more than half a lane would have water to still allow a 12' lane in the middle of the road to navigate. This subdivision was originally submitted and approved with previous standards but now will be held to current standards. Collins offers concern over ponding and freezing with heavy rains noting it could become an issue and at some point the city will own this infrastructure. Jenkins offers a motion for a negative recommendation seconded by Cali. Collins offers that he doesn't want to speak for the city but believes it would entertain the installation of additional inlets upstream noting he doesn't believe staff has a desire not to proceed with this project. It could be passed without

the variance and work together in an effort to seek a remedy to the problem as an off-site improvement. Jenkins withdrew his motion.

Motion: Anderson to approve without the variance request
Second: Cali

	YES	NO	ABSTAIN	RECUSE
Mr. Anderson	x	___	___	___
Mr. Butler	x	___	___	___
Mr. Cali	x	___	___	___
Mr. Jenkins	x	___	___	___
Mr. McDonald	x	___	___	___
Mrs. Qualls	ABSENT			
Ms. Rainey	x	___	___	___
Mrs. Schulist	x	___	___	___
Ms. Senyard	x	___	___	___

4. PC Resolution **PC-16-21**, Rezoning, Fairview Terrace, Map: 046, Parcel: 016 and 016.04, Current Zoning: RS-40, Proposed Zoning: R-20, 48.05 Acres, Property Owner: Brandon Robertson – Rob Molchan with SEC notes a previous request was denied and they are coming back asking to rezone to R-20 which is compatible with the existing parcel (a master plan was approved in 2006 to include this parcel and an adjacent one for a development as an extension of Castleberry Farms). Jenkins noted this aligns with our current land use plan and the adjacent existing community. The development would be essentially an extension of Castleberry Farms but a different name. Recently WADC confirmed sewer capacity for this development. Butler outlined future steps if approved tonight and Jenkins noted citizens had contacted him, however, as this aligns with our land use and adjacent development, those concerns are not relevant to the Planning Commission and should be directed toward the Board of Commissioners instead.

Motion: Jenkins, for a positive recommendation for R-20 zoning
Second: Senyard

	YES	NO	ABSTAIN	RECUSE
Mr. Anderson	x	___	___	___
Mr. Butler	x	___	___	___
Mr. Cali	x	___	___	___
Mr. Jenkins	x	___	___	___
Mr. McDonald	x	___	___	___
Mrs. Qualls	ABSENT			
Ms. Rainey	x	___	___	___
Mrs. Schulist	x	___	___	___
Ms. Senyard	x	___	___	___

OLD BUSINESS - none

BONDS AND LETTERS OF CREDIT

Reports for Discussion and Information

- City Planning Staff, Micah Sullivan, not present
- City Manager, Scott Collins, thanked the members for their attendance at tonight's work

session and for the work they will put in over the next 90 days.

- City Engineer, Kevin Blackburn – no comments
- City Attorney, Tim Potter – no comments

COMMUNICATION FROM THE PLANNING COMMISSION MEMBERS

- Mr. Anderson – no comments
- Mr. Cali – no comments
- Mr. Butler thanked everyone for the work session with tremendous discussion, making great progress. There was amazing discussion during the meeting as well.
- Mr. Jenkins questioned the process for amending the Design Review Manual to reflect a new possible fence height of four feet with plantings. Collins advises the process would be for the Planning Commission to recommend an amendment to the Board of Commissioners which would be processed with two readings and a public hearing. Collins cautions against wholesale changes based on one allowance because fencing requirements can be problematic. Which is more important, safety or type and is the material more important than the height? Is it being used to conceal hidden hazards or visibly surround them? Odds are the need falls somewhere in the middle and should be considered along with type and design. All vacation of the use of fencing would need to be discussed as it is a delicate area, much like sidewalks. If we are continually issuing the same variance then we should review but not for a one-off. To discuss is ok and ensures proper consideration. Often the community doesn't see the work put in but this group has a sincere desire to improve Fairview for the future and the results will far outlast any criticism.
- Mr. McDonald – no comments
- Ms. Qualls – not present
- Ms. Rainey - no comments
- Mrs. Schulist thanked Collins for leading the work session and asked for a reminder of the next steps in the process. Collins notes he hopes to be ready for preliminary approvals at the April Planning Commission meeting with zoning on the April PC agenda. If approved it will move forward to the BOC where it will go through 2 readings. After approved it will be applied to the land use map and the goal is to adopt the land use map no later than the second BOC meeting in July. All this has to be done prior to adoption of the comprehensive plan by the BOC for adoption by the first meeting in January.
- Ms. Senyard – no comments

ADJOURNMENT – Motion to adjourn by Jenkins at 8:01 p.m.

City Recorder

**Fairview Planning Commission Work Session
5:00 p.m. on March 9, 2021**

Residential and Commercial Zoning Classification Considerations:

- A. Single family residential density classification - High, Medium, Low. What determines this (lot size or number of lots)? Consideration given to circumstances outside of developer control?**
- B. Describe single family residential by lots per acre or lot size? Example, is RS-20 "2.2 units per acre" or "minimum 20,000 square foot lots"?**
- C. Transition away from single family residential single-zone PODS (or PUDS) in favor of minimum lot size straight zoning?**
- D. Continue "improved recreation area" as is currently required in certain classifications or combine "improved recreation area" and "unimproved open space"? Example: Could 30% open space and 20% improved recreation area be combined into 25% of unimproved open space? Is open space truly necessary? Are we comfortable with our regulations requiring amenities that will require a homeowner's association?**
- E. Remove (or identify separately) on-site sewer as open space in any form or re-classify?**
- F. Consider recreational fee to the city (already specified in the subdivision regulations) similar to the current sidewalk fund contribution. This fee must be approved at the B.O.C. level.**

RS-40	
Lot Standards	Minimum
Lot Size	40,000
Zoned Development Area	-
Required Development Open Space Per Lot	0%
Required Improved Recreation Area Per Lot	0%
Type of Structures	
Single Family Dwelling	
Parking Requirements	Minimum
Driveway Length	50'
Driveway Parking Spaces	2
Garage Parking Spaces (If Provided)	
Landscape and Lot Plantings	Minimum
Allowable Street Designs	
Lighting	
Mail Delivery Requirements	Zoned Lots
Single Curbside Mailbox	6 or fewer
Cluster Box Units	> 6

LIR - Low Impact Residential	
Lot Standards	Minimum
Lot Size	20,000
Zoned Development Area	10
Required Development Open Space Per Lot	50%
Required Improved Recreation Area Per Lot	20% ✓
Type of Structures	
Single Family Dwelling	
Parking Requirements	Minimum
Driveway Length	35'
Driveway Parking Spaces	2
Garage Parking Spaces (If Provided)	2
Landscape and Lot Plantings	Minimum
Allowable Street Designs	
Mail Delivery Requirements	Zoned Lots
Single Curbside Mailbox	6 or fewer
Cluster Box Units	> 6

RS-20	
Lot Standards	Minimum
Lot Size	20,000
Zoned Development Area	-
Required Development Open Space	0%
Required Improved Recreation Area	0%
Type of Structures	
Single Family Dwelling	
Parking Requirements	Minimum
Driveway Length	35'
Driveway Parking Spaces	2
Garage Parking Spaces (If Provided)	2
Landscape and Lot Plantings	Minimum
Allowable Street Designs	
Minor Collector, Minor Collector w/ Bike, Minor Collector w/MUP	
Two- and Three- Lane Local	
Mail Delivery Requirements	Zoned Lots
Single Curbside Mailbox	6 or fewer
Cluster Box Units	> 6

RD - Residential Duplex	
Lot Standards	Minimum
Lot Size	20,000'
Zoned Development Area	
Required Development Open Space Per Lot	10%
Required Improved Recreation Area Per Lot	10%
Type of Structures	
Two- Family Dwelling	
Parking Requirements	Minimum
Driveway Length	35'
Driveway Parking Spaces (per dwelling unit)	2
Garage Parking Spaces (If Provided) (per dwelling unit)	1
Landscape and Lot Plantings	Minimum
Allowable Street Designs	
Mail Delivery Requirements	Zoned Lots
Single Curbside Mailbox	6 or fewer
Cluster Box Units	> 6

RS-15	
Lot Standards	Minimum
Lot Size	15,000
Zoned Development Area	5 acre
Required Development Open Space Per Lot	20%
Required Improved Recreation Area Per Lot	10%
Type of Structures	
Single Family Dwelling	
Parking Requirements	Minimum
Driveway Length	30'
Driveway Parking Spaces	2
Garage Parking Spaces (If Provided)	2
Landscape and Lot Plantings	Minimum
Allowable Street Designs	
Mail Delivery Requirements	
Cluster Box Units	

RS-10	
Lot Standards	Minimum
Lot Size	10,000
Zoned Development Area	5 acre
Required Development Open Space Per Lot	20%
Required Improved Recreation Area Per Lot	10%
Type of Structures	
Single Family Dwelling	
Parking Requirements	Minimum
Driveway Length	30'
Driveway Parking Spaces	2
Garage Parking Spaces (If Provided)	2
Landscape and Lot Plantings	Minimum
Allowable Street Designs	
Mail Delivery Requirements	
Cluster Box Units	

RS-8	
Lot Standards	Minimum
Lot Size	8,000
Zoned Development Area	5 acre
Required Development Open Space Per Lot	30%
Required Improved Recreation Area Per Lot	15%
Type of Structures	
Single Family Dwelling	
Parking Requirements	Minimum
Driveway Length	30'
Driveway Parking Spaces	2
Garage Parking Spaces (If Provided)	2
Landscape and Lot Plantings	Minimum
Allowable Street Designs	
Mail Delivery Requirements	
Cluster Box Units	

RS-5 TCOD	
Lot Standards	Minimum
Lot Size	5,000
Zoned Development Area	5 acres
Required Development Open Space Per Lot	30%
Required Improved Recreation Area Per Lot	15%
Type of Structures	
Single Family Dwelling	
Parking Requirements	Minimum
Driveway Length (If Provided*)	30'
Driveway Parking Spaces (If Provided*)	2
Garage Parking Spaces (If Provided)	2
*With Approved Master Development Plan	
Landscape and Lot Plantings	Minimum
Allowable Street Designs	
Mail Delivery Requirements	
Cluster Box Units	

AR-5/15**Lot Standards****Minimum**

Lot Size	5 acre
Zoned Development Area	5 acres
Required Development Open Space Per Lot	0%
Required Improved Recreation Area Per Lot	0%

Type of Structures

Single Family Dwelling

Agricultural Structure

Parking Requirements**Minimum**

Driveway Parking Spaces	2
Garage Parking Spaces (If Provided)	1

Landscape and Lot Plantings**Minimum****Allowable Street Designs****Mail Delivery Requirements****Zoned Lots**

Single Curbside Mailbox	6 or fewer
Cluster Box Units	> 6

RM-8

Development Standards	Minimum
Units per Acre	8
Zoned Development Area	1 acre
Required Development Open Space Per Area	50%
Required Improved Recreation Per Area	15%

Type of Structures

Apartment
Community Facilities
Condo
Live/Work
Multifamily Accessory Structures
Residential Mixed Use
Town House
Two- Family Dwelling

Parking Requirements	Minimum
Parking Spaces per Dwelling Unit	2
Garage Parking Spaces (If Provided)	1

Landscape and Lot Plantings**Allowable Street Designs**

Two- and Three- Lane Local
Alley
Non-Residential Parking Lot

Mail Delivery Requirements

Cluster Box Units

RM-12	
Lot Standards	Minimum
Units per Acre	12
Zoned Development Area	1.5 acres
Required Development Open Space Per Area	50%
Required Improved Recreation Per Area	15%
Type of Structures	
Apartment	
Community Facilities	
Condo	
Live/Work	
Multifamily Accessory Structures	
Residential Mixed Use	
Town House	
Two- Family Dwelling	
Parking Requirements	Minimum
Parking Spaces per Dwelling Unit	2
Garage Parking Spaces (If Provided)	1
Landscape and Lot Plantings	Minimum
Allowable Street Designs	
Two- and Three- Lane Local	
Alley	
Non-Residential Parking Lot	
Mail Delivery Requirements	
Cluster Box Units	

RM-20	
Lot Standards	Minimum
Units per Acre	20
Zoned Development Area	1.5 acres
Required Development Open Space Per Area	30%
Required Improved Recreation Per Area	15%
Type of Structures	
Apartment	
Community Facilities	
Condo	
Live/Work	
Multifamily Accessory Structures	
Residential Mixed Use	
Town House	
Two- Family Dwelling	
Parking Requirements	Minimum
Parking Spaces per Dwelling Unit	2
Garage Parking Spaces (If Provided)	1
Landscape and Lot Plantings	Minimum
Allowable Street Designs	
Two- and Three- Lane Local	
Alley	
Non-Residential Parking Lot	
Mail Delivery Requirements	
Cluster Box Units	

Revised Commercial Zoning Examples:

- C1: Restaurant
Transient Habitation (Hotels, commercial extended stay, etc.)
Retail Sales *
General Business and Communications
Banking, Financial, Insurance, and Real Estate Services
Health, Fitness and Same Day Medical Care Facilities
Professional Services
Indoor Entertainment and Amusement Services
- C2: Community Assembly
Religious Facilities
Health Care Facilities
Child Care Facilities
Administrative Services
Cultural and Recreational Facilities
Educational Facilities
- C3: Essential Public Transport, Communication and Utility Services
Outdoor Material and Equipment Sales and Repair
Warehousing, Goods, Transport and Storage
Wholesale Sales
Animal Care and Veterinary Services
Automotive and Marine Craft Sales, Service and Repair
- C4: Outdoor Entertainment and Amusement Services
Group Assembly and Commercial Outdoor Recreation
- C5: Extensive Impact Facilities
Intermediate Impact Facilities
Special Institutional Care Facilities
Special Personal and Group Care Facilities *

Notes: * Check cashing, cash advance, tobacco shops, group homes, and others enterprises may need specific zoning requirements.