

CITY OF FAIRVIEW

PLANNING COMMISSION WORK SESSION MINUTES

April 13, 2021

Present: Anderson, Butler, Cali, Jenkins, McDonald, Qualls, Rainey, Schulist, Senyard
Staff Present: Collins, Potter, Johnson, Blackburn, Sullivan, Paisley

(1) **Call to order** by City Manager Collins at 6:04 p.m.

(2) **Items of Discussion**

- Item 6 on tonight's agenda has met Phase 2 requirements and staff recommends for approval, however, sections from Phase 1 (which has three sections), are currently under construction, without a permit, with work from Phase 1 section 3 bleeding over into Phase 2. Specifically, grading work for Phase 2 is currently underway. We recommend approval of the agenda item with the condition that no work take place on anything until the proper permits are obtained. Butler noted the developer was under the impression the work was ok after meeting with the city. Collins replied no, and we have videos to demonstrate. Cavender asked to be allowed to remove a small sample of dirt due to work needed on the detention pond. We agreed if he meet the requirements of all erosion control in place, etc, and followed up with an email. Butler argued the city could have issued a stop work order and posted signs. Collins noted Blackburn issued a stop work order today. Looking at our site videos (which we began March 12), the contractor thought we had live feed of the project because the quality is so good. The city agreed to use their preferred engineer and we have continued to have substantial issues with the site. The city is stuck in a quandary with stormwater complaints as we ask TDEC to assist us. If we continue to let them work outside the issues then the city will start to be looked. The city is not attempting to hinder the work. On Sunday morning after the storm, when I visited the site, there was not a silt fence in place but they agreed to do so at our meeting. We are trying to help them move the project forward but we need them to work within permits. Blackburn clarifies they were not able to get a permit for Phase 2 until after Planning Commission approval, pre-construction meeting, signed development agreements, grading permit and EPSC in place. Collins adds we are trying to move things through by working with TDEC all across the city. We don't want them to think the city is approving things out of our scope. We need a middle of the road response to move the development forward. Rainey asks if approval conditional on fixing section 3 of Phase 1 would work. Collins notes it would give staff the ability to enforce, because absent of this staff has no way to not issue documents for Phase 2. Collins explains that on their own, staff cannot refuse to issue permits for Phase 2 if it has been approved by the Planning Commission. Cali asked if we could retain a bond from Phase 1 and Collins stated we cannot comingle bond funds from different phases because the infrastructure is different. Sullivan notes the next step on this project for the Planning Commission is approval of a final plat that allows lots to be subdivided and houses built. We can hold that final plat but that's the red button that nobody wants to push. Approving Phase 2 will help mitigate Phase 1. Collins reiterates the goal is all positive and we aren't being unreasonable.
- We have three zoning resolutions on tonight's agenda and need a recommendation to approve at the BOC level.
 1. Residential Zoning – we need to identify definitions for open space, green space and improved space. What qualifies as density for calculations? The size of the lot or the number of lots on a parcel?

2. Other Zoning Classes – There are a few businesses that should be identified separately to include them on the zoning map. These include check cashing stores, tobacco shops, and group homes, similar to what has been discussed for fireworks sales regulations by distancing these from one another.
 3. Commercial Zoning – as we have reviewed previously, commercial zoning will be broken down into similar types of businesses to narrow the scope of what is allowed within each commercial zone.
- Schedule for proceeding with zoning: The plan is to have all to the Board of Commissioners prior to the May 20 meeting. We have planned a two-hour work session on May 20 to quantify each type of zoning. The first reading on zoning ordinances would be the second meeting in June with the public hearing and second reading at the second meeting in July.
 - Once adopted, the zonings would be applied to the land use maps. Tonight's resolutions are recommendations to the Board of Commissioners to adopt these categories as the BOC level. These will be formally reviewed by the Board May 20 at a two-hour work session prior to the meeting. The success of a comprehensive plan depends on having the budget to support and facilitate the work required to implement. On May 6, the BOC is having a two-hour work session with their first look at the proposed 2022 fiscal year budget. We are also looking at a bond issue of up to \$10 million this calendar year for road work and infrastructure to support the comprehensive plan.
 - City wide traffic study (estimated cost at \$25,000) to review corridors such as Cumberland Drive, Old Nashville Road, Cox Pike, Chester Road, Northwest Highway to identify weaknesses and, in the future, pair with the comprehensive plan. We will go from the land use map to the traffic study to bond issue. We would expect the traffic study back by Thanksgiving.
 - Bond issue: When bonds are issued, the funds must be fully expended within 36 months of issuance or the bonds lose their tax-exempt status (all of them, not just any unexpended). I believe we could have bond funds in the bank as early as February 2022. Once we have the traffic study results we can apply with the bond issue to get some work on roads completed. We know Chester road needs to be re-built but the traffic study should be viewed as a way to facilitate growth long-term. We can use the bond funds to re-invest in roads or to obtain rights-of-way on property that will be used to complete future road work. As we work with developers to require off-site improvements, if the city has already purchased right-of-way then that piece of the riddle is complete and can speed up the process.
 - Stimulus payment distributed by Congress to counties and cities has very specific restricted expenditure allowances. Our portion by population should be \$2,430,000 of which we anticipate receiving half of in August 2021 and the other half in August 2022. These funds are heavily restricted with one of the uses being water and sewer infrastructure. We don't have our own water and sewer but are hoping to be able to use this "found money" as an opportunity to partner with the Water Authority of Dickson County.

(3) Adjournment at 6:55 p.m.

*Work session handout attached to these minutes for reference and detail.

City Recorder
Brandy Johnson