

City of Fairview

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FAIRVIEW, TN. 37062



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Municipal Planning Commission

Regular Meeting
July 08, 2014
7:00 p.m.

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

Present: Anderson, Beata, Lowman, Rowe, Sutton, Butler, Mangrum, Dowdy

Absent: Mitchell

Others Present: City Manager Wayne Hall, City Attorney Larry Cantrell, Planning/Codes Director Frank Humber, City Recorder Brandy Johnson

1. ANDERSON CALLED THE MEETING TO ORDER AT 7:02P.M.

1.1 City Manager Wayne Hall led the prayer and the pledge.

2. APPROVAL OF THE AGENDA-

2.1 Beata made a motion for approval. Sutton 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 June 10, 2014 – Regular Meeting

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

5. RECOMMENDATION -None

6. BONDS

6.1 KYLES CREEK PHASE II SECTION I – PERFORMANCE BOND TO COVER THE ROADS, SIDEWALKS, AND STORM DRAINAGE. \$204,000.00. PLANNING COMMISSION SET THE BOND ON FEBRUARY 12, 2008. PLANNING COMMISSION REDUCED THE BOND TO \$119,000.00 AT THE JANUARY 13, 2012 MEETING. BOND EXPIRES JULY 8, 2014.

Humber stated we received last week that their letter of credit had been extended for another year. Humber stated this was on the agenda for the record.

7. OLD BUSINESS- None

8. NEW BUSINESS-

8.1 PUBLIC HEARING- THE PURPOSE IS TO HEAR PUBLIC OPINION ON TO DISCUSS AND OR TAKE ACTION ON REQUIRING TWO SIGNATURES ON SUBDIVISION PLAT APPROVALS BY THE PLANNING COMMISSION MEMBERS.

Anderson stated we will recess the regular meeting and call the Public Hearing to order. Anderson stated is there anyone that would like to speak on this issue. No one spoke for or against. Anderson stated at this time we will close the Public Hearing and will reopen the regular Planning Commission meeting.

8.2 DISCUSS AND OR TAKE ACTON ON REQUIRING TWO SIGNATURES ON SUBDIVISION PLAT APPROVALS BY THE PLANNING COMMISSION.

Sutton made a motion for approval. Beata Seconded. All were in favor. Cantrell stated Will Owen informed him that in your Subdivision regulations, there are three places about recording plats. Cantrell stated what needs to happen is this Board to look at those three sections and decide how you want to institute the two signatures that you just approved. Cantrell stated the Planning Commission needs to come up with what they want to say in those three sections. Cantrell stated if they wanted to get rid of two of them or just have one but in the interim while you do this, the Board needs to direct tonight that you have in place a requirement of two signatures before the plat can be recorded. Cantrell stated what he would suggest this Board pass under discuss and or take action, you have already passed that you have two signatures, that you come up with who those two signatures will be in the interim, while your revising your subdivision regulations. Anderson stated it has been discussed in the past that it be the Chairman and the 1st Secretary. Cantrell stated that would be fine. Sutton made a motion for a directive until further action is done by this Board that the Chairman and the first secretary are required to sign off on all Final plats with revisions to the subdivision regulations. Mangrum Seconded. Mangrum ask could the City Planner get the verbiage changed and get it back to us. Cantrell stated yes, anyone on the Board can do this if they want. Anderson stated what about Commercial. Rowe asked Owens, that is done differently correct? Owens stated what you have already voted on and what you're potentially going to vote on, two

signatures would be required for any plat, whether it is residential or commercial, and any division on land. Anderson stated she wanted to make sure that everyone understands that it is not just subdivisions, it is commercial. Owens stated it is every subdivision which would include a commercial subdivision or residential, any division of land that would require a plat to be submitted. All were in favor. Humber stated this also includes the partition plat to have the two signatures, Larry correct me if I am wrong. Cantrell stated that is correct also in your verbiage it should say any plat, commercial, residential or anything that has to be platted will have two signatures. All were in favor.

8.3 PHASE I FINAL PLAT FOR DEERVALLEY DOWNS SUBDIVISION LOCATED ON CROW CUT ROAD MAP 46, PARCEL 17.00. OWNER TONY CAVENDER.

Beata read the Engineer report, which will become part of these minutes. Beata made a motion for approval. Butler Seconded. Tony Cavender and Chet Rhodes with Rhodes Engineering were present to answer questions. Rowe stated he is not familiar with this subdivision, if he could ask a few questions. Rowe asks what the plans were for this Subdivision. Rhodes stated there are forty in Phase I & II and additional lots later in Phase III. Sutton asked if a bond has been placed on this yet. Humber stated he doesn't think it is necessary. Humber stated the Subdivision Regulations require sidewalks on existing streets, which are not on this plat. Humber stated when they come back with the rest of the road frontage have the sidewalks showing on the plat. Rhodes stated the sidewalk issue was one of the first issues they went to the Planning Department on the five lots across Crow Cut. Rhodes stated he wanted to remind them that they dedicated a fifteen foot easement for widening of Crow Cut Road in lieu of sidewalks along the front and they agreed on the sidewalks throughout the subdivision. Sutton asked Cantrell does he have a comment on this. Cantrell stated if that is the agreement and it is on the plat, he does not have a problem with that. Mangrum ask is the extra fifteen foot is that over and above the typical right of way? Rhodes stated at the time they started this project that was over and beyond the standard right of way. Humber stated it is not noted on this plat. Humber asks Owens did he notice that on the plat. Rhodes stated it is on the Preliminary approved plat for September 2013 for the forty lots, which included these five. Owens stated no. Anderson stated there is an easement on the Preliminary, who supposedly will be building the sidewalks. Rhodes stated the City had said they did not have sidewalks on the rest of Crow Cut and they were not planning on having sidewalks along the front at this time. Rhodes stated they have to build the sidewalks for lots two, three and on down through and they will be putting down sidewalks throughout this development. Humber went got the file and he and Owens and Cantrell looked up the preliminary. Owens stated the preliminary plat was voted on and approved, he understands that the Board at that time may not have been the exact same Board, August 13, 2013, there is no sidewalks shown along Crow Cut Road. Owens stated there are sidewalks shown all along the interior roads, that have been discussed, there is no special note of any kind, talking about additional easements. Owens stated there does not appear to be any dedication of additional easements or additional right of way

along Crow Cut Road. Owens stated Mr. Mangrum is correct a thorough review would also include a review of the minutes to see if anything in the motion for approval reflected anything along the lines of sidewalks. Cavender stated before when they brought it up to the Planning Commission they were told that sidewalks were not required unless they were in the interior of the subdivision. Sutton stated he believes that has been changed since then but that should not affect them if it was approved before. Sutton made a motion to approve the plat with an addition of the fifteen foot easement on Crow Cut Road with an explanation that it was approved prior to the new Codes as far as sidewalks go. Cantrell stated the City and all parties are trying to be fair, only thing he would add would be noted on the drawing that is being submitted tonight and no building permits be issued that drawing showing the easement on there. Sutton stated an addition to the motion that no building permits be issued until the easement has been added to the plans and filed with the City. Beata Seconded. Anderson stated needs to vote on the original motion. All were in favor. Anderson stated the amended motion. All were in favor.

8.4 DISCUSS AND OR TAKE ACTION ON ELECTING A FIRST SECRETARY FOR THE PLANNING COMMISSION

Anderson asked is there any nominations? Rowe stated he nominates Brandon Butler for First Secretary. Sutton Seconded. All were in favor. Sutton ask Butler does he except. Butler stated yes. Anderson stated which means she and Butler will be signing the plats.

9. REPORTS FOR DISCUSSION AND INFORMATION

9.1 DIRECTOR OF PLANNING AND CODES- Humber stated he just has a brief report on status of Subdivisions and residential development in the City. Humber stated at this time they have a number of subdivisions that are active and some that are in the process of getting underway some that are just being talked about. Humber stated all in all proximally, that he counted, 1,000 lots, either being discussed, in process of plans underway- and phases that have already started. Humber stated there is a tremendous potential with the subdivisions that are out there and being worked on, thank you. Anderson stated thank you that is very exciting.

9.2 CITY ENGINEER- Nothing further.

9.3 CITY ATTORNEY- Anderson stated they are glad that he is doing well and back with us. Cantrell stated he would like to thank everyone for the kind thoughts and kind words. Cantrell stated especially he would like to thank the Codes Department, City Manager, Mr. Humber, Mrs. Brandy. Cantrell stated he was very concerned about the bond issues that were closing in on them, regardless if you sick, well or in between, the bonds if they are not renewed timely or not called, the City loses its money. Cantrell stated while he was sick he was not out of his mind and he wanted to be sure that got taken care of and he appreciates

they were willing to listen. Cantrell stated he appreciates that they were willing to work with him. Cantrell stated they knew how to do their job but he just wanted to make sure that something did not slip up on them, because that has happened before and it is not pretty. Cantrell stated wanted to thanks to Mr. Humber, Mr. Hall, especially Mrs. Brandy, does not mean to leave anyone out sure he did. Feels much better now, thank you.

- 9.4 **CITY MANAGER-** Hall stated he just wanted to thank Mrs. Brandy for sitting in for Mrs. Sharon Hall. Hall stated Sharon's mother in law passed and he just wanted to send our condolences to Sharon's husband's family. Hall stated he was glad to see Larry back. Hall stated he and Mr. Humber discussed these subdivisions before the meeting and one subdivision they forgot about was Mr. Beata's development. Hall asks Beata isn't that about 350 units? Beata stated yes sir. Hall stated that is coming before the Board of Commissioners for the final rezoning. Hall stated that is another subdivision that is in progress, there is a lot going on and you all's work is going to be cut out for you in the future. Thank you.

10. COMMUNICATION FROM THE PLANNING COMMISSION MEMBERS.

Dowdy stated he would like to say that his family came out to the fourth of July celebration here at City Hall. Dowdy stated he thinks everyone involved did an awesome job, had a great time, thinks it was a good showing for the City of Fairview. Dowdy stated all the local businesses were packed and busing at the seams, glad to see this in Fairview, great job.

Anderson stated Mr. Wayne Lowman is new to the Planning Commission and they would like to welcome him. Lowman stated thank you. Lowman stated just a little about himself, twelve year resident of Fairview. Lowman stated he was excited to be part of this Planning Commission and look forward to working with you guys in the future for the next couple of years.

Rowe stated he too wanted to thank the City for the third of July festival, it was really great and he thinks everyone had a great time. Rowe stated he appreciates everything that everyone put in to it. Rowe stated just wanted to encourage the members of the Planning Commission members to file your statement of interest with the ethics. Rowe stated if you need the information on this he's got some information to help them out. Thank you.

Mangrum state he just wanted to thank our staff again, he knows he sounds like a broken record but you all typically provide them all the information that they need to make the right decisions.

Sutton stated he wanted to thank everyone for all the hard work they have been doing. Sutton stated he does have one question; he and Mr. Hall did a radio show for the fourth on the third the other day. Sutton stated he noticed in front of the Shell station and in front of Bobby Stephens's garage, there are two terrible

drain holes, they were bad before and worse now since they have paved over the top of them. Sutton stated he would like to find out whose responsibility that is and get it fixed. Sutton stated if it is ours we need to fix it because it is a danger, anyone know what he is talking about. Hall stated he will talk to Todd about this and check into it. Sutton stated he was glad to have Mr. Cantrell back. Thank you.

Butler stated he would like to welcome Mr. Lowman and also thank the City for a terrific Fourth of July celebration it was great turn out and great to see.

Beata stated hearing Mr. Humber bring up the amount of potential lots coming up, he wanted to add to next month's agenda, discuss HOA's either requirements or a way to entice these subdivisions to self-govern. Beata stated also welcome Mr. Lowman.

Anderson stated she would like to welcome Mr. Lowman. Anderson stated she has witnessed Mr. Hall and Mr. Humber pounding the pavement talking to all these potential developers of the new subdivisions. Anderson stated she thinks it's awesome, they tend to want to look at the commercial that's coming out here and be excited about that but you have to understand without the rooftops the commercials not supported. Anderson stated so it's very important for them to look at the new subdivisions, encouraged the developers and entice people to move to this wonderful City that she has called home for over twenty years and she loves it here. Anderson stated she feels so privileged to be part of this Planning Commission for eight years and work with all these members and the staff because she thinks they have something so wonderful going on in Fairview right now. Anderson stated she thinks they have such a great team put together to see that Fairview is great and has a wonderful future. Anderson said it's excited to hear the news of all the development coming. Anderson stated the fourth of July celebration was amazing. All the businesses supported the Fourth of July celebration, the people coming out. Anderson stated just seeing our City come together and enjoying something that the City put on for them. Anderson stated what a spectacular fireworks show. Anderson stated she appreciates all the hard work of everyone in the City who came together and put this on. Anderson stated that she watches Brandy on a day to day bases and she goes above and beyond. Anderson stated she wanted her to know she appreciates it and she sees it every day and she knows how hard she works and the effort she puts in. Anderson stated the celebration was fabulous and she knows she worked tirelessly to make a lot of that happen so she just wanted give her a shout out for that and appreciation.

Hall stated he forgot one thing that he thinks is very critical for our future. Hall stated Frank, Mayor and himself will be at the Nashville Convention Center tomorrow in a TVA retail development convention. Hall stated tomorrow from eleven to four and Thursday all day long. Hall stated there will be a lot of retail developers there and they want to know about our info structure. Hall stated

Brandy has put together a brochure that will be added in the future. Hall stated he and Frank are on board with that, first was brought to us about 840 and possibly I-40. Hall stated they will be reporting in the future on what they find out and hopefully what they can entice to come to Fairview.

Anderson stated she always says in every meeting please keep your money in here in Fairview. Anderson stated we have a lot of great businesses here just shop here first. Thank you.

- 11. ADJOURNMENT-** Anderson asked for motion for adjournment. Rowe made a motion for adjournment. Lowman Seconded. All were in favor. Adjourned at 8:00p.m.

Chairperson

Secretary