

City of Fairview

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FAIRVIEW, TN. 37062



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Municipal Planning Commission

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

Regular Meeting
August 09, 2016
7:00 p.m.

Present: Anderson, Butler, Lovvorn, Sutton, Lowman, Mangrum, Dowdy

Absent: Beata, Mitchell

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

1. CHAIRPERSON ANDERSON CALLED THE MEETING TO ORDER AT 7:06 p.m.

1.1 Lowvorn led the prayer and the pledge

2. APPROVAL OF THE AGENDA-

2.1 Mangrum made a motion for approval. Butler Seconded. Lovvorn stated do they want to defer 8.2 for next month's meeting. Anderson stated yes going to defer 8.2 until next month because Matt Beata had ask for this to be on the agenda and he isn't here tonight so this will be deferred until next month's meeting. All were in favor.

3. CITIZENS COMMENTS - (Limited to the first five to sign in and a limit of three minutes each.)- None

APPROVAL OF THE MINUTES-

4.1 JULY 12, 2016 – WORKSHOP MEETING

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

4.2 JULY 12, 2016 – REGULAR MEETING.

Sutton made a motion for approval. Lowman Seconded. Will Owen stated he wasn't at this meeting. Anderson stated let the record show Mr. Owen not present at the meeting. All were in favor.

5 RECOMMENDATION –

5.1 DISCUSS AND/OR TAKE ACTION ON REZONING PROPERTY ON 409 HIGHWAYS 96, NORTH FROM RS-40 (RESIDENTIAL) TO CG (COMMERCIAL

GENERAL) MAP 42, PARCEL 28.00, .96 ACRE. ROBERT B. HAMILTON OWNER.

Mr. Hamilton present to answer questions. Lovvorn made a motion to send a recommendation to the Board of Commissioners to disallow the rezoning based on not meeting the Land Use Plan. Butler Seconded. All were in favor.

Hall stated Board of Commissioners took their recommendation on not allowing this rezoning.

6 BONDS-

- 6.1 THE MEETING PLACE CHURCH – SITE PERFORMANCE BOND TO COVER THE SITE IN THE AMOUNT OF \$22,000.00. PLANNING COMMISSION SET THE BOND AT THE JUNE 09, 2015 MEETING. BOND EXPIRES SEPTEMBER 15, 2016

Sutton made a motion to call bond if not in place by September 15, 2016. Butler Seconded. Hall stated there is no representative tonight, going to leave this up to legal, they have expressed to Sharon that they would be renewing the bond Cantrell stated asked Mrs. Hall were they notified by certified mail. Mrs. Hall stated yes sir. Cantrell asked did we get the return receipt back. Mrs. Hall stated yes sir. Cantrell stated he would recommend to go ahead and make a motion to call the bond if not renewed by September 15, 2016, send them another certified letter stating they were not here and the vote was taken to call the bond if not renewed by September 15, 2016.. Sutton restated his motion to call bond if not in place by September 15, 2016. Butler Seconded. All were in favor.

- 6.2 BISON HOME BUILDERS (FIRST DISTRICT COFFEE COMPANY) 1880 FAIRVIEW BLVD. SITE PERFORMANCE BOND TO COVER THE SITE IN THE AMOUNT OF \$14,000.00. PLANNING COMMISSION SET THE BOND AT THE SEPTEMBER 08, 2015 MEETING. BOND EXPIRES SEPTEMBER 17, 2016.

Noel Jones present to represent. Hall stated he recommends they call the bond if not in place by September 17, 2016. Sutton made a motion to call the bond if not renewed by September 17, 2016. Butler Seconded. All were in favor.

- 6.3 HICKORY SPRINGS SUBDIVISION – IRREVOCABLE LETTER OF CREDIT TO COVER THE PROPOSED SIDEWALK AND DRAINAGE DITCH IMPROVEMENTS. \$43,750.00. PLANNING COMMISSION SET BOND ON SEPTEMBER 09, 2014. BOND EXPIRES SEPTEMBER 18, 2016.

Hall stated bond has been renewed.

- 6.4 DEER VALLEY DOWNS SUBDIVISION PHASE 1B & PHASE 2. LETTER OF CREDIT IN THE AMOUNT OF \$464,000.00 FOR IMPROVEMENTS, INCLUDING ROADS, SIDEWALKS, DRAINAGE AND OTHER IMPROVEMENTS SPECIFIED BY THE APPROVED PLANS. PLANNING COMMISSION SET THE BOND ON NOVEMBER 10, 2014. BOND EXPIRES MAY 21, 2017. TONY CAVENDER REQUESTING REDUCTION IN THE BOND. Tony Cavender present to represent. Hall stated he would refer to Mr. Owen he has the amount. Owen stated he went by the site prior to the meeting and took

some inventory of the progress. Based on that inventory and the amounts assigned with initial setting on the bond he would recommend reducing the bond to \$225,000.00. Mangrum made a motion to reduce the bond to \$225,000.00. Sutton Seconded. All were in favor.

7. OLD BUSINESS-

7.1 DISCUSS AND/OR TAKE ACTION ON REVISED SITE CONSTRUCTION PLANS & LANDSCAPE PLANS FOR THE PROPOSED PARKING ADDITION FOR THE FIRST BAPTIST CHURCH OF FAIRVIEW. 8.3 ACRES. MAP 69, PARCEL 23.00. ZONED RS-40. FIRST BAPTIST CHURCH OF FAIRVIEW, OWNER.

Sutton made a motion for approval. Mangrum Seconded. Lovvorn stated has this went to the Tree Board. Mr. Hall stated no sir but Mike Berkley has approved. Lovvorn stated there is a note on the plat for irrigation. Normally they don't have a final approval for the landscaping, going to ask Mr. Cantrell if they could approve it contingent upon Will Owen approving the irrigation plan. Cantrell stated does he want to make it contingent upon Will Owen approving the irrigation plan. Lovvorn stated yes sir. Larry stated he could state it that way. Lovvorn amended the motion approve contingent upon Mr. Owen approving the irrigation plan. Sutton Seconded the amendment. Bill Sherman stated he is the pastor at the First Baptist Church; they did not plan on having an irrigation plan they don't have exhaustible funds. This is across the street, pretty well hidden from the main drag. If they go by their church grounds they will notice they maintain them and keep them well. Bill Sherman stated they would appreciate a little bit of allowance, if the plants needs taken care of they will take care of them, if they need replacing they will replace them, it would help them to use their money for missions & ministry rather than for irrigation. Bill Sherman stated they are about a mile off the highway, primarily their members see them, that's on Sunday and Wednesday. Cantrell stated it would be up to them if they ask for a variance. Lovvorn stated that being part of the zoning ordinance, wouldn't that be the purview of the Board of Zoning Appeals. Cantrell stated yes that is what he was just discussing with Mr. Owen about. Owen stated in the Design Review Manual, Lovvorn states yes the Design Review is part of the zoning ordinance. Owen stated in the Design Review Manual language states in all Commercial based zoned districts; this is an RS-40 zone. Lovvorn stated yes sir but what he was referring to, it's on the plan, if they're not going to put irrigation system in they need to remove it from the plan. Anderson stated based on this being an RS-40 zone, on the plan where it says you're going to have an irrigation system, remove that from the plan. Cantrell stated they will need to revise the motion. Lovvorn amended the motion to approve contingent upon on the note being removed from the plan. Butler Seconded the amendment. Vote was taken on the amended motion. All were in favor. Vote was taken on the original motion. All were in favor.

8. NEW BUSINESS-

8.1 DISCUSS AND/OR TAKE ACTION ON FINAL PLAT FOR KYLES CREEK, PHASE 2, SECTION 2 (20 LOTS). MAP 47, PARCEL 32.00. 14.07 ACRES. ZONED R-20. OWNER KELLY SHIVER.

Kelly Shiver present. Mangrum recused himself. Sutton made a motion for discussion. Butler read Engineers report, which will become part of these minutes.

Exhibit A. Lowman Seconded. Lovvorn stated Mr. Shiver just a little clean up, under the setbacks, says A-1 zoning, needs to be changed to R-20 zoning. Mr. Shiver says okay. Lovvorn said question on lots 222 & 217, are those driveways going to come off Hunter York Court or Kyles Creek Drive? Kelly Shiver stated he has been wondering about that himself as he was walking around looking, what would look best. Kelly Shiver stated he thought it would look really nice if he came off Hunter York Court, especially on the far side of Hunter York Court when you approach because of that cluster of trees in the front, they were going to try to keep them in front of the house, make the driveways come off Hunter York Court, is that okay. Lovvorn stated yes that would be okay but if he is going to put the driveways coming off Hunter York Court then those addresses need to change. Kelly Shiver said he would change them. Lovvorn made a motion to approve contingent on note under setbacks to be R-20 instead of the A-1, and the two addresses for lots 222 & 217 to be changed to an address for Hunter York Court. Sutton Seconded. Lowman asked do we also need to include the Engineer report. Owen stated this was more for informational purposes; it doesn't have any bearing on the approval. Vote was taken. All in favor.

8.2 DISCUSSION ON THE REVIEW AND ENFORCEMENT OF ARCHITECTURAL PLANS REGARDING COMMERCIAL STRUCTURES THAT ARE BEING BUILT. BEATA.

Anderson stated this is being deferred until next month so they can have all Board present.

9 REPORTS FOR DISCUSSION AND INFORMATION

9.1 **DIRECTOR OF PLANNING AND CODES** – Hall stated since they deferred 8.2 would they like that in a workshop because he also would like a workshop on requiring turning lanes. Anderson asked did they want to incorporate both of these and have a workshop next month. Anderson asks could everyone meet at 6:00p.m. next month. Everyone agrees, so workshop next month 6:00p.m. Mr. Hall stated that was all he had.

9.2 **CITY ENGINEER** – Nothing

9.3 **CITY ATTORNEY** – Nothing

9.4 **CITY MANAGER** – Not present

10 COMMUNICATION FROM THE PLANNING COMMISSION MEMBERS.

Anderson stated she wanted to thank Mr. Hall for all of his hard work as our City Manager, she knows he will be helping the new City Manager get comfortable with what's been going on in the City. Anderson stated she appreciates all the hard work he has put in and looks forward to him running the Codes Department. Anderson stated same thing as she always says be sure to keep your money here in Fairview to help Fairview grow and prosper. Thank you.

11 ADJOURNMENT- Anderson asks for a motion to adjourn. Mangrum made a motion to adjourn. Sutton Seconded. All were in favor. Adjourned at 7:27 p.m.

Chairperson

Secretary