

City of Fairview

7100 CITY CENTER WAY
FAIRVIEW, TN. 37062



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Municipal Planning Commission

Regular Meeting
October 08, 2013
7:00 p.m.

Mike Smith, Chairman
Robert Benson, Vice Chairman
Lisa Anderson, 1st Secretary
Matthew Beata, 2nd Secretary
Beverly Totty, Mayor,
Toney Sutton, Commissioner
Michael Mitchell
Wayne Hall
Todd Behan

Present: Smith, Benson, Anderson, Beata, Totty, Sutton, Mitchell, Hall, Behan

Absent:

Others Present: City Attorney Larry Cantrell, City Planning/Codes Director Donn Lovvorn, Engineer William Griggs, Codes Clerk Sharon Hall

- 1. CHAIRMAN MIKE SMITH CALLED THE MEETING TO ORDER AT 7:00P.M.**
 - 1.1 Lovvorn led the prayer and the pledge.
- 2. APPROVAL OF THE AGENDA-**
 - 2.1 Sutton made a motion for approval. Benson 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 September 10, 2013 REGULAR MEETING

Totty made a motion for approval. Hall Seconded. Smith stated he had one change that Robert Benson called the meeting to order and he believes he was present. All were in favor.

5. RECOMMENDATION – 2013- None

6. BONDS

- 6.1 WAL-MART – PERFORMANCE BOND TO COVER THE ROADS, SIDEWALKS, AND STORM DRAINAGE. \$325,000.00. PLANNING COMMISSION SET THE BOND AT THE JULY 10, 2012 MEETING. THE BOND EXPIRES NOVEMBER 30, 2013.

Lovvorn stated this bond is an irrevocable letter of Credit. In the bond form itself, it states that the bond automatically renews if the project is still in continue at the time of the expiration date. Lovvorn stated he had the City Attorney look at it and he said it automatically continues unless they give us a letter within thirty days of that expiration date stating that they're not going to renew it. Lovvorn stated so at this time it's set to automatically renew and if we don't get that letter from them then we will proceed with the calling of the bond. Lovvorn stated so what he needs from them to vote to call the bond if not in place by the expiration date. Hall made a motion to give him permission to call the bond if we don't get the letter of credit by the expiration date. Benson Seconded. All were in favor.

- 6.2 WAL-MART – SITE BOND TO COVER SITE GRADING, EROSION CONTROL, SEED AND STRAW MULCH, AND SITE RECLAMATION. BOND WAS SET AT THE JULY 10, 2012 MEETING. BOND EXPIRES NOVEMBER 30, 2013.

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7. OLD BUSINESS –None

8. NEW BUSINESS-

8.1 REZONING APPLICATION FOR PROPERTY LOCATED ON HORN TAVERN ROAD. MAP 22, PARCEL 133.00, 8.37 ACRES. FROM RS-40 TO R-20. WALT TOTTY OWNER.

Walt Totty present to answer questions. Totty stated Mr. Chairman she would like to make mention has personal interest in the property and she will be recusing herself from discussion and or vote. Benson made a motion for approval. Hall Seconded. All were in favor.

8.2 REZONING APPLICATION FOR PROPERTY LOCATED ON OLD NASHVILLE ROAD. MAP 42, PARCEL 65.12, 1.03 ACRES FROM RM-12 TO RS-10. TIMOTHY MANGRUM OWNER.

Timothy Mangrum present to answer questions. Sutton made a motion for approval. Benson Seconded. All were in favor.

8.3 PRELIMINARY SITE PLAN FOR TACO BELL TO BUILD A 2,084 SQUARE FOOT BUILDING LOCATED AT 2377 FAIRVIEW BOULEVARD. MAP 47, PARCEL 7.00, 0.88 ACRES. CVHC5 LLC OWNER

Mr. Thompson present to answer any questions. Anderson made a motion for approval. Sutton Seconded all were in favor.

8.4 FINAL SITE PLAN FOR TACO BELL TO BUILD A 2,084 SQUARE FOOT BUILDING LOCATED AT 2377 FAIRVIEW BOULEVARD. MAP 47, PARCEL 7.00, 0.88 ACRES. CVHC5 LLC OWNER.

Mr. Thompson present to answer any questions. Anderson made a motion for approval. Sutton Seconded. Benson read the Engineer report which will become part of these minutes. Exhibit A. Smith stated on the final site plan, on the retaining wall it's going to run a half foot up to five feet, depending on the lay of the land and what you have to take out, looks like the maximum height is four feet. Smith stated is there a color specification for that block. Mr. Thompson stated he doesn't believe there is a color specification at this time. Smith asked do we have any color specification for retaining wall color. Lovvorn stated the design review states any walls like that have to be in like materials and colors of the building itself. Smith stated so we will be looking at similar colors. Beata asked will that be split faced block. Thompson stated that is the intent to used split faced block and they will use one of the major colors of the building for its final color. Smith stated the other thing is the whole property is going to be leveled out and about three feet is going to be taken out, his calculations is about four thousand cubic yards of material to level that lot off, what are you going to be doing with all that dirt. Mr. Thompson stated at this point he's not sure probably contractors option. Lovvorn stated we will deal with this in the preconstruction meeting, discuss what they are doing with their spoils and if they need any assistance. Sutton stated when they were building Mapco they moved the dirt to the left of City Hall, that may be an option that you could look at. All were in favor.

8.5 DESIGN REVIEW FOR TACO BELL TO BUILD A 2,084 SQUARE FOOT BUILDING LOCATED AT 2377 FAIRVIEW BOULEVARD. MAP 47, PARCEL 7.00, 0.88 ACRES. CBHC5 LLC OWNER.

Anderson made a motion for approval. Sutton Seconded. Smith stated just for clarification look at 8.40 which is the blue print of the building itself, one of the first revisions on the far right hand side, calls out the color being number eleven, cinnamon brown, but the rendering is colored as number eleven, which is the sunset gold, just doesn't match the rendering. Mr. Thompson stated it's intended to match the rendering. Smith stated it's eleven and it should be twenty one. Mr. Thompson stated it should be twenty one. Smith stated could we make that change. Mr. Thompson stated yes. Smith stated the monument sign, does it meet all our regulations, size and building materials. Lovvorn stated yes sir, it meets our design standards. Smith stated just something to put out there, the new sign at Food Saver is wrapped in stone, he thinks it would look great wrapped in the stone that the building is, that is his personal opinion. Mr. Thompson stated they will certainly look at that, he personally doesn't have any objection for it being that color. Lovvorn stated the design standard just says it has to be a monument sign completely surrounded by brick or stone or combination thereof. All were in favor with the changes that had been made.

8.6 SET SITE BOND FOR TACO BELL TO BUILD A 2,084 SQUARE FOOT BUILDING LOCATED AT 2377 FAIRVIEW BOULEVARD. MAP 47, PARCEL 7.00, 0.88 ACRES. CVHC5 LLC OWNER.

Benson read Engineer report, which will become part of the minutes. Exhibit A. Sutton made a motion for approval. Anderson Seconded. All were in favor.

9. REPORTS FOR DISCUSSION AND INFORMATION

9.1 PLANNING/ZONING/CODES DEPARTMENT –Nothing

9.2 CITY ENGINEER – William Griggs stated he believes he had told most everyone that Will is on vacation, he has taken his family to Florida. Griggs stated he would like to point out one thing, he lives in Bell Buckle and Bell Buckles crafts fair is next weekend and you want to mingle with one hundred thousand people in a small town, population three hundred. Griggs stated it's a good way to spend all day. Thank you.

9.3 CITY ATTORNEY –Nothing

10. COMMUNICATION FROM THE PLANNING COMMISSION MEMBERS.

Sutton stated he just wanted to commend Donn and his people for all their hard work since the City Manager has resigned and Crystal for the job that you're doing also.

Smith stated everyone here and folks on television understand this town where we are and where we are going. Smith stated we had a front page article in our paper that Brownlyn Farms is back, shows paper. Smith stated we are fortunate we have people on this Commission that were actually around when Brownlyn Farms actually started. Smith stated there are a few inaccuracies that he wanted to address and also get with Mr. Lovvorn to explain where we are with this project and what is going on, what we have seen from the developer and what we haven't see from the developer and may be get some timelines of a little different than what we have here in the paper. Smith stated an inaccuracy is that Tim French was mentioned as a member of the Planning Commission. Smith stated Mr. French is a valuable member in our Community, he does a lot of things but he isn't on our Planning Commission. Anderson stated nor has he ever been. Smith stated from what he understands and for what he remembers that is a master development plan that basically has the covenant that we have agreed to as a City of two hundred and fifty five acres with seven hundred and fifty five homes and the listing of the type of homes and the listings of what they are going to do. Smith stated we don't have any plats issued we have no infrastructure drawings, we have no kind of planning involved within the boundaries of that subdivision, we have the subdivision itself with some planning. Smith stated Mr. Lovvorn could you give us some kind of time frame for a normal subdivision to come in and get that thing up and running to where they could actually be moving dirt. Lovvorn stated is what they have right now is zoning for the property, when you do a planned unit development, you have a master development plan that shows a general idea of the configuration of lots, you have a master development plan that shows, a general layout of the layout of the roads and things of that nature and it is attached to a rezoning application that goes before this Board to get a recommendation to go to the Board of Commissioners to get approval or disapproval. Lovvorn stated this subdivision has been approved for seven hundred and twenty five dwellings; some of those are town homes. Lovvorn stated before they could break ground they would have to come back to this Board with a preliminary plan on whichever phase they want to start construction in. Lovvorn stated they would present the preliminary plat to you all, and then after you approved the preliminary plat then they would submit construction drawings to staff for review for approval through the City Engineers office. Lovvorn stated once those are approved they can submit for a final subdivision plat that would come back to this Board for approval before they can actually have those lots registered with the registers office, which would become actual sellable pieces of property at that time. Lovvorn stated so right now they don't have any lots that have been approved to actually sell to build houses on. Lovvorn stated it could take three to six months for them to go through the process. Anderson stated she thinks if someone is going to write something they should talk to people that have been involved in the entire process to get proper information and not someone that may be against it or for it and that doesn't have the knowledge. Smith stated he just wants to talk about the development. Hall stated he remembers Mr. Hyatt talking about we need

roof tops to support commercial development and he believes this would be the right time for this development to come through.

11. ADJOURNMENT- Totty made a motion for adjournment. Hall Seconded. All were in favor. Adjournment at 7:35 p.m.

Chairperson

Secretary