

Agenda

Fairview Planning Commission

January 14, 2025 Regular Meeting @ 7 p.m.

David Magner, Chairman
Hayley Schulist
Mayor Lisa Anderson
Salvatore Cali
Will King

Chris McDonald
Jeff Pape
LaRhonda Williams
Shonda Schilling

- Call to Order
- Roll Call
- Opening Prayer and Pledge
- Approval of Agenda
- Citizen Comments (*limited to the first five citizens to sign in and three minutes each*)
- Approval of Minutes:

- **December 10, 2024, Regular Meeting**

OLD BUSINESS

1. PC Resolution **PC-44-24**, Master Development Plan, Kingwood Subdivision, 75.86 Acres, Map: 42, Parcel: 123.00. Current Zoning: R-20 POD. Requested Zoning: RS-15 POD. Property Owner: Landsouth, LLC.
2. PC Resolution **PC-45-24**, Annexation, 7740 Cumberland Dr., 351.27 Acres, Map: 47, Parcel: 094.00. Current Zoning: Williamson County Rural Preservation - 5. Property Owner: Fernvale Springs Farm, LLC.

NEW BUSINESS

1. PC Resolution **PC-01-25**, Commercial Site Plan, Fairview Self Storage, 2.72 Acres, Map: 047, Parcel: 006.00. Current Zoning: Commercial General. Property Owner: Deborah Thompson Living Trust.

BONDS AND LETTERS OF CREDIT

REPORTS FOR DISCUSSION AND INFORMATION

- City Planning Staff
- City Manager
- City Engineer
- City Attorney

PLANNING COMMISSION ROUNDTABLE

ADJOURNMENT

MUNICIPAL PLANNING COMMISSION MINUTES

December 10, 2024, Meeting at 7 PM

David Magner, Chairman
Hayley Schulist, Vice Chair
Lisa Anderson, Mayor

Chris McDonald
Salvatore Cali
Will King

Shonda Schilling
LaRhonda Williams
Jeff Pape

Staff present: Tom Daugherty, Marisa Howell, Patrick Carter, Josh Hogan, Ethan Greer, Curtis Broadbent, Kevin Chastine, Keith Paisley, Bre Bailey, Patti Carroll, Jamey Meadows, Seth Standridge

- **Call to order by:** Mr. Magner at 7:00 PM
- **Roll Call by:** Marisa Howell, Community Services Assistant

	PRESENT	ABSENT
Mr. Pape		X
Mr. McDonald	X	
Mr. Cali	X	
Ms. Schulist	X	
Mr. Magner	X	
Mayor Anderson	X	
Ms. Schilling		X
Ms. Williams	X	
Mr. King	X	

- **Prayer & Pledge led by:** Mr. Magner
- **Approval of Agenda**

Motion to approve: Mr. Cali
Second: Ms. Williams

	YES	NO	ABSTAIN	RECUSE	ABSENT
Mayor Anderson	X				
Mr. Cali	X				
Ms. Williams	X				
Mr. King	X				
Ms. Schulist	X				
Mr. McDonald	X				
Mr. Magner	X				
Mr. Pape					X
Ms. Schilling					X
MOTION PASSED 7-0					

- **Citizen Comments - None**
- **Approval of Minutes – November 12, 2024, Regular Meeting**

Motion to approve: Mr. Cali
Second: Ms. Williams

	YES	NO	ABSTAIN	RECUSE	ABSENT
Mayor Anderson	X				
Mr. Cali	X				
Ms. Williams	X				
Mr. King	X				
Ms. Schulist	X				
Mr. McDonald	X				
Mr. Magner	X				
Mr. Pape					X
Ms. Schilling					X
MOTION PASSED 7-0					

- Old Business - None

- New Business

1. PC Resolution PC-43-24, Rezoning, Kingwood Subdivision, 75.86 Acres, Portion of map: 042, Parcel: 123.00. Current Zoning: R-20 POD. Requested Zoning: RS-15. Property Owner: Landsouth, LLC.

Motion to approve: Mr. Cali

Second: Mr. King

	YES	NO	ABSTAIN	RECUSE	ABSENT
Mayor Anderson		X			
Mr. Cali		X			
Ms. Williams		X			
Mr. King		X			
Ms. Schulist	X				
Mr. McDonald		X			
Mr. Magner	X				
Mr. Pape					X
Ms. Schilling					X
MOTION FAILED 5-2					

Staff Report: Mr. Greer

Representative: Allison Corolla, T-Square

Discussion: Mr. Magner reminded that the planning board is an administrative body not a legislative body and the planning commission will give the BOC a recommendation for either an acceptance or modification to the resolution. Ms. Corolla stated this was to revamp an old development plan. Mr. Greer stated the applicant had 2 options when this was submitted. Mr. Greer stated the original POD approval from 1998 is no longer able to be constructed due to a portion of the land that was sold to an adjacent neighbor. Mr. Greer stated that a POD would need to have a new amendment to go forward. Mr. Greer stated another option would be to start with a new POD with current standards and regulations. Mr. Greer stated a new POD application was submitted to go forward. Mayor Anderson asked where the entrance and exits of this subdivision would be. Ms. Corolla stated there would be two, the first entrance would be the existing Kingwood entrance, and the second entrance will be in the Cedarcrest Subdivision that is being built next to the Kingwood Subdivision. Mr. Magner asked if this rezoning falls in the acceptable land uses that is on the 2040 Plan. Mr. Greer answered yes. Mr. McDonald stated he agreed this area follows the 2040 Plan but had concern with the back half of the lot staying R-20. Mr. McDonald wanted to know the reason why it can't stay R-20

making the lots stay larger to continue with the existing lots that are in the surrounding area. Ms. Corolla stated the terrain and topography of this site is a doozie. Ms. Corolla also stated the idea of having smaller lots is to be able to maintain as much natural space as possible. Mr. McDonald asked if the larger lots for that area was impossible. Ms. Corolla stated making the lots larger would be difficult. Ms. Corolla also stated the proposed site is close to 76 acres and will be proposing 119 homes. Ms. Corolla stated the density will be met. Mr. King stated he was opposed to the rezoning due to one of the objectives listed in the 2040 Plan is to preserve the existing neighborhoods, and it makes sense to continue with the same zoning from the Kingwood subdivision. Mr. King also stated that he knows the lots appear to be more challenging, but he doesn't think that should be a reason to decrease the density of the neighborhood. Mr. Magner asked Ms. Corolla to comment on the response of not being able to accommodate an R-40 POD. Ms. Corolla stated one of the 2040 Plans is less dense zoning in the R-15 POD and wanting to stick to that. Ms. Corolla stated this land use does not recommend the R-20 POD and by going to R-15, both land uses will be used. Mr. King stated part of the area is R-20 POD and is less than what is recommended. Ms. Corolla stated the proposed area for the R-15 would be a good transition since it would connect through the townhomes in the neighboring subdivision and the existing Kingwood Subdivision which is R-20. Ms. Corolla also stated the roads would be more cohesive and feels this is a good intention of the 2040 Plan.

2. PC Resolution PC-44-24, Master Development Plan, Kingwood Subdivision, 75.86 Acres, Map: 42, Parcel: 123.00. Current Zoning RS-40. Property Owner: Landsouth, LLC.

Motion to defer: Mr. Cali
Second: Mr. McDonald

	YES	NO	ABSTAIN	RECUSE	ABSENT
Mayor Anderson	X				
Mr. Cali	X				
Ms. Williams	X				
Mr. King	X				
Ms. Schulist	X				
Mr. McDonald	X				
Mr. Magner	X				
Mr. Pape					X
Ms. Schilling					X
MOTION PASSED 7-0					

Staff Report: Mr. Greer

Representative: Allison Corolla, T-Square

Discussion: Ms. Corolla stated this development request is for 119 single family lots and is requesting exceptions to this parcel due to flood plains and steep slopes. Mayor Anderson asked Ms. Corolla to explain why the topography is a doozie. Ms. Corolla stated there is flood plain, steep slopes and significant no disturb areas on this property, which is why she called it a doozie. Ms. Corolla stated that the amount of no disturb in this area would mean no roads to access any of the subdivision and no lots. Ms. Corolla stated the area at the end of the existing Kingwood Subdivision is a significant drop off in the flood plain and without substantial grading the steep slopes the property is undisturbed. Mayor Anderson asked if the exemption of the side walks were due to the terrain in this area. Ms. Corolla stated yes, the road on the plan follows the property line and will limit the grading. Ms. Corolla stated the intention is to shift the sidewalk inward, towards the back of the curb to provide more distance between a retaining wall and the

back of the sidewalk. Mayor Anderson asked Ms. Corolla to explain about the stormwater exemption. Ms. Corolla stated the exemption request from the stormwater ordinance is particularly from the steep slopes. Ms. Corolla stated without this exemption any grading, disturbance roadway, pumpstation or any public improvements are to be left undisturbed. Ms. Corolla stated this is just a request and will not create slopes. Mayor Anderson asked Ms. Corolla about the large retaining wall and how it will affect driving for fire and safety. Ms. Corolla stated all safety standards from the Fire Marshall will be confirmed and will have handrails for pedestrians, guard rails and any required safety improvements. Mayor Anderson asked if the hook area at the end of Kingwood Subdivision is currently a cul-de-sac. Ms. Corolla stated the hook area tapers out and will tie in some of the existing property to extend the existing pavement. Mr. Magner stated the exemption to the sidewalks doesn't specifically state at the entrance and could eliminate the buffer through out the development. Ms. Corolla stated on the master development plan page 2.2, there is a specific road way cross section that is particularly labeled for this area and that would limit the cross stations. Ms. Williams asked why any time and investing was considered on land that was marked undisturbed. Ms. Corolla stated standard engineering practice is grading at 33 percent or 25 percent and to have a 20 percent of undisturbed is very difficult with rolling topography. Ms. Corolla stated there are multiple stormwater detention ponds on this site and extensive stormwater infrastructure in the roadway that would direct the storm water into the ponds to prevent any flooding. Mr. Broadbent asked Ms. Williams if there was anything specific that was a concern or just the slopes that are 20 percent or greater. Ms. Williams stated there is so much concern for stormwater recently across the state and is concerned with changing exceptions in protocol. Mr. Broadbent asked Ms. Corolla the percentage of disturbance of the 20 percent or greater slopes. Ms. Corolla stated she did not know the percentage. Mr. Broadbent stated knowing this percentage would help the board when making a recommendation. Mr. Broadbent also stated if asking to disturb 1 percent of a site that is 20 percent or greater would be more favorable than asking to disturb half the site, having that number would be very helpful to help the planning commission in making a determination. Mr. Broadbent asked Ms. Corolla if the stormwater ordinance of 5 thousand square feet or less was ignored. Ms. Corolla stated several of the steep slope areas are within areas of flood plain as well as areas of stream buffer existing per TDEC and City of Fairview regulations those areas will remain undisturbed in this project. Mr. King stated his concern regarding the streams in this area and how will the streams be protected with the roadways that are in this site. Mr. King wanted to know will there be culverts with back fill or bridges. Ms. Corolla stated there is significant grading and will likely be engineered designed bridges. Mr. King also stated the erosion control plan looks to not account for anything crossing the streams and wants to know what temporary construction matters will take place to keep silt out of this area. Ms. Corolla stated there would be details regarding this in the ARAP permit and once the final design of a bridge is completed, typically some type of copper dam will get installed or wire back silt fencing as an aid to keep any sediment out of the stream. Ms. Corolla stated that when the bridge is completed the copper dam will then get rerouted. Mr. King asked when those details would be in the site plan. Mr. Greer stated those details could be requested to be with the subsequent residential development plan, those plans would come in at a later date. Mr. Greer also stated typically those details are viewed after TDEC has reviewed the plans and then is looked at with construction drawings by the city engineering staff to determine approval for ensure all is protected as much as can be. Mr. Broadbent stated Mr. King could be included in that process of review as well. Mr. King also stated some of the drop offs on the plans are 30 plus feet and sees there is a safety railing detailed, is that designated to be a vehicular safety railing or pedestrian safety railing. Ms. Corolla stated there are plans to have vehicular safety railing along the right of way corridor then transition into pedestrian railing. Mr. King stated his concern about tightening the area for cars and sidewalks in the same area as a 30 foot drop off and is concerned about the speed limit in this area. Mr. King stated the speed

limits in the surrounding roads are 25 mph and dropping the speed limit to 20 mph for this area to accommodate a tight curve in this development is still a concern to him. Mr. McDonald stated he has concern for the sidewalks as well. Mr. McDonald also stated with several variance change request; he thinks holding a workshop to discuss this would be beneficial. Ms. Corolla asked if the sidewalk plan was not affected would the commissioners be more supportive of the plan. Mr. McDonald stated he would like to have more information of why the sidewalk would be moved. Mr. McDonald also stated that he believed that the reason for moving the sidewalk out was for safety concerns being to close to the retention wall. Ms. Corolla stated the reason to move the sidewalk was for safety of pedestrians not dropping off 20 feet, and to give more space for curb appeal. Ms. Corolla stated that the sidewalk and the 5 and a half foot grass strip would be switched being the grass would be in between the retention wall and the sidewalk. Mr. McDonald asked would anything else be there besides the grass strip and the sidewalk to keep anyone from dropping off the 20 foot drop off. Ms. Corolla stated there will be significant railing near the drop off. Ms. Schulist stated that she did agree with Mr. McDonald regarding a workshop meeting to discuss the concerns of all the exceptions. Mr. Greer stated WADC will have water and sewer on this site and this development will not have to have their own wastewater treatment. Mr. King stated on the final grading plan there is a lot of deep slopes and asked what the maximum final grade percentage on the sites. Ms. Corolla stated the slopes on the plan have meet requirements of the Fairview stormwater regulations. Mr. Magner stated his concern was the curve on the plan and a buffer on one of the sites. Ms. Corolla stated the buffer would come from the neighboring subdivision. Mr. Broadbent spoke regarding the tight entrance in the curve. Mr. Broadbent stated he as seen a crash wall for vehicular safety but would be up to the applicant to decide. Mr. Corolla stated the development is open to all safety measures on the site and would be open to having a workshop. Mr. Carter stated there is a motion pending for this resolution and asked Ms. Corolla if this should be deferred from the planning commission and the planning commission could have a workshop, or take action then have a workshop for the BOC. Mr. Casey Keister with Meritage Homes asked if he could defer for one month and have a work session before a BOC meeting. Mr. Carter stated you can request a deferral and have staff help get the work session scheduled. Ms. Corolla stated at this time she is formally asking to defer and will be glad to answer any questions. Mayor Anderson asked how tall the largest retaining wall is. Ms. Corolla stated approximately 40 feet. Mr. Magner asked to withdraw the motion. Mr. Cali withdrew the first motion, and Mr. McDonald withdrew the second. Mr. Cali made a motion to defer with Mr. McDonald second.

3. **PC Resolution PC-45-24. Annexation, 7740 Cumberland Dr., 351.27 Acres, Map: 47, Parcel: 094.00. Current Zoning: Williamson County Rural Preservation – 5. Property Owner: Fernvale Spring Farm, LLC.**

Motion to defer: Mayor Anderson
Second: Mr. Cali

	YES	NO	ABSTAIN	RECUSE	ABSENT
Mayor Anderson	X				
Mr. Cali	X				
Ms. Williams	X				
Mr. King	X				
Ms. Schulist	X				
Mr. McDonald	X				
Mr. Magner	X				
Mr. Pape					X
Ms. Schilling					X

Staff Report: Mr. Greer

Discussion: Mr. Carter stated this annexation may not be considered tonight based on an email he received. Mr. Carter asked Mr. Greer if prior to the adoption of the growth plan was this area in the urban growth plan. Mr. Greer stated it was not. Mr. Carter stated he received an email earlier in the day that from the Williamson County attorney that was a signed resolution from LG Pack, which is the final step for the urban growth boundary to be approved, and it was factual inaccurate therefore Williamson County can not accept this. Mr. Carter stated the Williamson County attorney's have sent the corrected suggestions to the Economic Development attorney. Mr. Carter stated as soon as Williamson County gets an accurate signed resolution from LG Pack, Williamson County will be able to record this. Mr. Carter stated because this unexpected delay, this resolution will not be accepted by Williamson County. Mr. Carter stated at this point this property is technically not in Fairview's urban growth boundary. Mr. Carter stated his recommendation would be to defer this matter until this correction information is received and recorded. Mayor Anderson made a motion to defer until the final approval of the urban growth boundary from Williamson County. Mr. Cali second the motion. Mr. McDonald stated he was in agreeance with Mr. Carter but also wanted to clarify that the PC was just to make a recommendation on the annexation and the BOC was set to have a vote on January 19, 2025 on this item, and asked can we move forward as planned and if the PC defers this. Mr. Carter stated he recommends against it. Mr. Carter stated making a recommendation on land that is not currently in the urban growth boundary is not in the best practice. Mr. McDonald stated that was perfectly acceptable. Mr. Magner asked the representatives for the applicant of the property for suggestions. Mr. Joe Watson, legal counsel for the applicant, stated he was in agreeance with the suggestion from the city attorney and will defer. Mr. Watson clarified that property must be in the Fairview urban growth boundary before annexations can happen. Mr. Carter replied yes.

- **Bonds and Letters of Credit – None**
- **Reports for Discussion and Information**
 - **City Planning Staff** – Mr. Greer stated thank you for a good year and made the board aware of the IT training with Keystone.
 - **City Manager** – Thanked board and staff and elaborated about the Keystone IT training.
 - **City Engineer** – Thanked board and staff.
 - **City Attorney** – Thanked board and staff
- **Planning Commission Roundtable**
- **Adjournment by:** Mr. Cali at 8:33 PM

Marisa Howell, Community Services Assistant

<https://www.youtube.com/watch?v=AfHKMA9Cb2g>

**PLANNING COMMISSION OF THE CITY OF FAIRVIEW, TENNESSEE
RESOLUTION NO. 44-24**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FAIRVIEW, TENNESSEE, RECOMMENDING THE FAIRVIEW BOARD OF COMMISSIONERS APPROVE THE MASTER DEVELOPMENT PLAN FOR THE KINGWOOD SUBDIVISION, LOCATED AT THE SOUTHERN TERMINUS OF KINGWOOD BOULEVARD ON PROPERTY IDENTIFIED AS TAX MAP 042 PARCEL 123.00 OWNER: MERITAGE HOMES.

WHEREAS, T-Square Engineering (Allison Corolla) is requesting approval of a Rezoning and Master Development Plan for the creation of a Planned Overlay District (POD) for the Kingwood Residential Subdivision in order to create 119 single-family detached residential lots, extend two (2) existing public rights-of-way, create four (4) new public rights-of-way, create eight (8) opens space, create two (2) pump station lots, create 11 stormwater ponds, create walking trails, and install all necessary stormwater, water, and sewer infrastructure; and

WHEREAS, the staff report is attached as Exhibit PC-44-24-A,

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF FAIRVIEW, TENNESSEE, AS FOLLOWS:

The City of Fairview Planning Commission hereby provides a favorable recommendation to the Fairview Board of Commissioners to approve the Master Development Plan for the establishment of the Kingwood Subdivision Planned Overlay District, as resubmitted on November 21, 2024, with the following conditions:

1. This Master Development Plan will be placed on Thursday, January 2nd, 2025 Board of Commissioners meeting agenda for consideration with the potential for the Public Hearing and second reading being held at the Board of Commissioners meeting on Thursday, February 6th, 2025.
2. Exception from City of Fairview Zoning Ordinance 13-101.3 Variable Lot Size.
3. Exception from City of Fairview Subdivision Regulations Table 4-106B General Design Standards for Streets.
4. Exception from City of Fairview Subdivision Regulations 4-104.4 Design Criteria for sidewalks.
5. All T.D.O.T. recommendations provided by Stanley Sumner on Tuesday, December 3, 2024, (Included in staff report) to be provided by Developer.
6. Exception from City of Fairview Stormwater Ordinance Slope Grading Standards.

Adopted this _____ day of _____, 2024

Planning Commission Chairperson

Attest:

City Recorder

Approved As To Form:

City Attorney

EXHIBIT PC-44-24-A
STAFF REPORT
PC-44-24

Project: Kingwood Subdivision

Application Type: Planned Overlay District (P.O.D.) Master Development Plan

Applicant: T-Square Engineering (Allison Corolla)

Owner: Meritage Homes

Developer: Casey Keister (Meritage Homes)

Initial Submittal Date: 10/24/2024

Final Submittal Date: 11/21/2024

Tax Map: 42 Parcel: 123.00

Current Zoning: R-20 (One and Two-Family Residential)

Requested Zoning: RS-15 (Single-Family Residential) Planned Overlay District (POD)

Project Summary

Allison Corolla (T-Square Engineering) has submitted, on behalf of Meritage Homes, a Master Development Plan for the establishment of a Planned Overlay District (P.O.D.) for the Kingwood Subdivision residential development.

The property is currently zoned RS-20 (One and Two Family Residential), but this Master Development Plan is being submitted with a rezoning request to RS-15 (Single-Family Residential) Planned Overlay District (P.O.D.).

The Kingwood Subdivision development contains a total of 75.86 (+/-) acres, with a total of 119 single-family detached residential lots. At this time the development is not proposed to be developed in phases, so no phasing plan is provided within the Master Development Plan. The Kingwood Subdivision development is an extension to the existing Kingwood Subdivision located to the north of this property.

The property is located on FEMA FIRM Panel, 4187C0151F and a portion of the development is located within a flood hazard area, Zone AE. The flood hazard area bisects the property from east to west. As currently designed, no lots are located within the flood hazard area. The only portion of the development that impacts the flood hazard area is the extension of Kingwood Boulevard near Lot 96 and the Pump Station 1 lot.

The proposed Kingwood Residential Subdivision contains 119 single-family detached residential lots, extend two (2) existing public rights-of-way, create four (4) new public rights-of-way, create eight (8) opens space, create two (2) pump station lots, create 11 stormwater ponds, create walking trails, and install all necessary stormwater, water, and sewer infrastructure.

Regarding open space, the development is required to provide 10 percent open space, which for this development would be 7.59 (+/-) acres. As proposed, the development provides 50.96 (+/-) acres of total open space, which is 67 percent of the property. Additionally, at least five (5) percent of the required open space must be classified as improved open space. This development requires a minimum of 3.79 (+/-) acres of improved open space. The development, as proposed, is providing 4.29 (+/-) acres of improved open space. The 4.29 (+/-) acre of improved open space exceeds the requirement of five (5) percent improved open space.

Surrounding Zoning and Land Use

The primary property to the north, the existing Kingwood residential subdivision, is zoned RS-20 (One and Two-Family Residential). There is an additional lot located to the north that is zoned Commercial General (CG). The properties to the south, east and west are all zoned RS-40 (Single-Family Residential). All surrounding properties contain single-family residential land uses or are currently vacant.

Fairview Forward 2040 Plan

The Fairview Forward 2040 Comprehensive Plan designates the parcel that contains the Kingwood development as New Residential-Medium Neighborhood and Residential Transition. The New Residential – Medium Neighborhood classification notes the appropriate land uses are single-family detached residential, single family attached residential (limited to two-family houses), Mixed-use/Commercial/Office (TND only), Multifamily residential (TND, CS Only), and Civic/Institutional. The New Residential – Medium Neighborhood classification lists the RS-40 and the R-20, with PUD, zone districts as appropriate zoning for property within this classification. The Residential Transition classification notes the appropriate land uses are Multi-Family Residential, Single-Family Attached, Single-Family Detached, and Civic/Institutional. The Residential Transition classification lists the RS-15, RS-8, RS-5 and RM-8 zone districts with a PUD overlay as appropriate zoning.

The requested zoning of RS-15POD and proposed land use of single-family detached residential are in alignment with the Fairview Forward 2040 Comprehensive Plan.

Kingwood Master Development Plan Statement of Compliance:

Tennessee Department of Transportation Recommendations:

Staff Recommendation:

Staff recommends the Planning Commission provide a favorable recommendation to the Fairview Board of Commissioners to approve the Planned Overlay District (P.O.D.) Master Development Plan for the establishment of the Kingwood Subdivision Planned Overlay District (P.O.D.), as resubmitted on November 21, 2024, with the conditions of approval included in Resolution PC-44-24.

1. This Master Development Plan will be placed on Thursday, December 19th Board of Commissioners meeting agenda for consideration with the potential for the Public Hearing and second reading being held at the Board of Commissioners meeting on Thursday, January 2nd, 2024.
2. Exception from City of Fairview Zoning Ordinance 13-101.3 Variable Lot Size.
3. Exception from City of Fairview Subdivision Regulations Table 4-106B General Design Standards for Streets.
4. Exception from City of Fairview Subdivision Regulations 4-104.4 Design Criteria for sidewalks.
5. All T.D.O.T. recommendations provided by Stanley Sumner on Tuesday, December 3, 2024, (Included in staff report) to be provided by Developer.
6. Exception from City of Fairview Stormwater Ordinance Slope Grading Standards.

**PLANNING COMMISSION OF THE CITY OF FAIRVIEW, TENNESSEE
RESOLUTION NO. 45-24**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FAIRVIEW, TENNESSEE, RECOMMENDING THE APPROVAL OF AN ANNEXATION RESOLUTION AND PLAN OF SERVICES RESOLUTION FOR 7740 CUMBERLAND DRIVE, 351.27 (+/-) ACRES, MAP 047, PARCEL 094.00.

WHEREAS, Richard Spanton, Jr., owner of the property is requesting annexation of the property at 7740 Cumberland Drive that this located adjacent to and contiguous to the City of Fairview city limits and located within the City of Fairview Urban Growth Boundary; and

WHEREAS, **THE CITY OF FAIRVIEW MUNICIPAL PLANNING COMMISSION** considered the annexation request submitted by the owner, Richard Spanton, Jr., at its regular meeting on December 10, 2024; and

WHEREAS, **THE CITY OF FAIRVIEW MUNICIPAL PLANNING COMMISSION** acting as the Planning Agency for the municipality made study of and a report on a Plan of Service for the 351.27 (+/-) acre area proposed for annexation to the Fairview Board of Commissioners as authorized under § 6-51-107, Tenn. Code Annotated; and

WHEREAS, Tennessee Code Annotated § 6-51-102 requires a Plan of Service be adopted prior to annexation of territory into the City, and

WHEREAS, the property boundaries are shown on Exhibit PC-45-24-A, the staff report is attached as Exhibit PC-45-24-B; and the Plan of Services is attached as Exhibit PC-XX-24-C.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF FAIRVIEW, TENNESSEE, AS FOLLOWS:

Section 1. The Fairview Municipal Planning Commission in its deliberations makes the following findings pursuant to Tenn. Code Annotated, §6-51-102(b), § 6-51-104, and § 6-51-107 and Tenn. Code Annotated, § 13-4-103

1. The City of Fairview Municipal Planning Commission deems it necessary and reasonable to annex the territory described herein.
2. The Plan of Service is in agreement and consistent with the recommendations of Fairview Forward 2040 Plan for the area.
3. The City is not in default on any existing adopted plan of services. (Tenn. Code Annotated, § 6-51-102(b)(5))
4. The annexation and plan of service will not create an adverse effect upon adjoining property owners or any such adverse effect is justified by the public good or welfare.

5. No one property owner or small group of property owners will benefit materially from the annexation and plan of service to the detriment of the general public.

Section 2. Action – The Fairview Municipal Planning Commission as authorized by T.C.A. § 6-51-102(b) and § 6-51-107 hereby recommends approval of the Annexation Resolution (Exhibit 'A') and the Plan of Service Resolution (Exhibit 'B') to the Fairview Board of Commissioners.

Adopted this _____ day of _____, 2024

Planning Commission Chairperson

Attest:

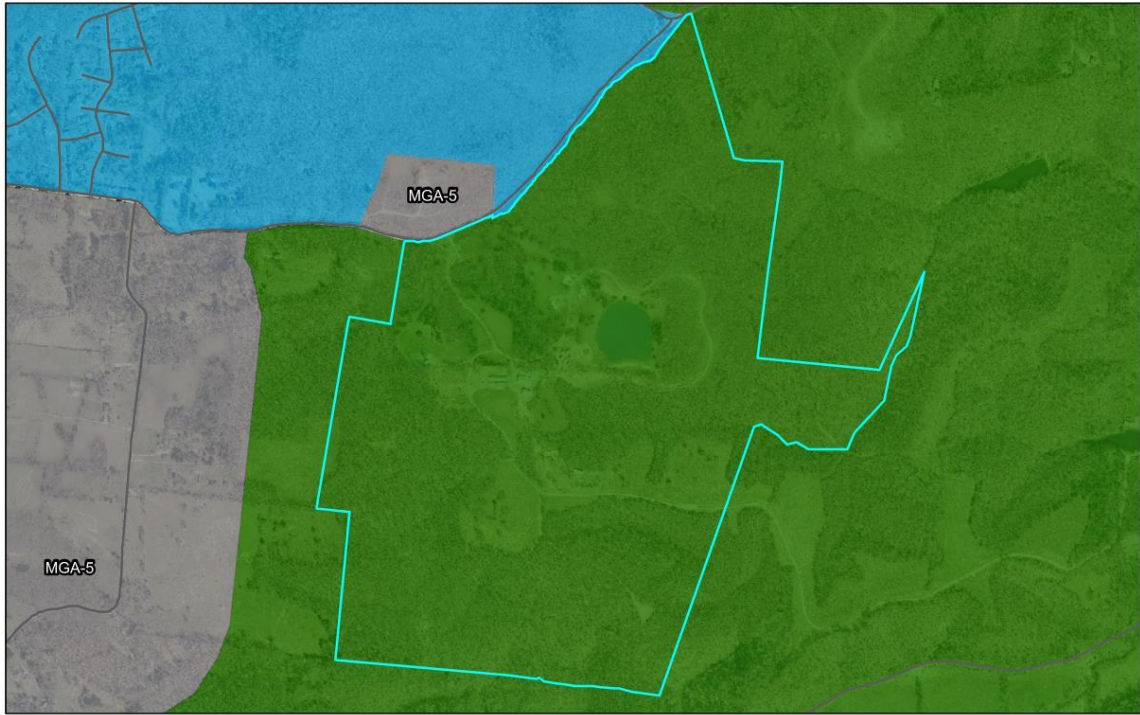
City Recorder

Approved As To Form:

City Attorney

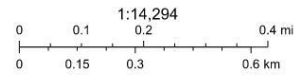
Exhibit PC-45-24-A PROPERTY BOUNDARIES

Williamson County



12/5/2024, 3:32:25 PM

- Incorporated Areas
- FAIRVIEW
- Zones
- RP- 5 - Rural Preservation - 5
 - MGA-5
- Streets
- County Boundary



Williamson County GIS

EXHIBIT PC-45-24-B
STAFF REPORT
PC-45-24

Project:7740 Cumberland Drive: Annexation Request

Application Type: Annexation

Applicant: Richard Spanton, Jr.

Owner: Richard Spanton, Jr.

Initial Submittal Date: 9/6/2024

Final Submittal Date: 10/30/2024

Tax Map: 047 Parcel: 094.00

Project Summary

Mr. Richard Spanton, Jr., has submitted, to the City of Fairview, an annexation request for the tract located at 774- Cumberland Drive. The tract is designated as Tax Map 047 Parcel 094.00. The property contains 351.27 (+/-) acres. The property is currently zoned RP-5 (Rural Preservation 5). All surrounding properties are also zoned RP-5. The attached map of the property illustrates the tract and the existing residence and outbuildings on the property.

The entirety of the property is located within the Urban Growth Boundary (UGB) of the City of Fairview. Additionally, the parcel is contiguous to the current Fairview municipal boundaries. There are three (3) parcels located on the north side of Cumberland Drive that are located within Fairview municipal boundaries. These properties are 7757 and 7765 Cumberland Drive (Tax Map 047 Parcel 95.01 and Tax Map 047 Parcel 96.00).

Also, Cumberland Drive is currently maintained by Williamson County.

Fairview Forward 2040 Plan

The tract of land at 7740 Cumberland Drive was not included on the Future Land Use and Character Map (Figure 3.e) on page 81 of the Fairview Forward 2040 Plan. The reason for this is that the property was not located within the Fairview UGB at the time the 2040 Plan was adopted. The properties north of Cumberland Drive are designated as Rural Settlement. The Rural Settlement classification is most likely what designation would have been placed on the property at 7740 Cumberland Drive if it had been within the UGB at the time the 2040 Plan was adopted.

The Rural Settlement future land use classification lists five (5) zone districts, and two (2) land uses as appropriate. The five (5) zone districts are AR-15A, AR-5A, RS-40, RSM-40

and R-20 with a Conservation Development Overlay. The two (2) appropriate land uses are Agriculture and Single-Family Detached Residential.

Section 5-105 of the Fairview Zoning Ordinance requires that properties annexed into the City be zoned RS-40 (Low Density Residential), therefore this property, if annexed, would be zoned RS-40 and that would be in alignment with the Rural Settlement future land use classification. The current land use on the property is single-family detached residential, which is also in alignment with the Rural Settlement future land use classification.

Utilities:

The application notes that water and sewer service is not available for the property from the Water Authority of Dickson County (WADC). Given the lack of water and sewer service the property is currently served by wells and septic systems and those will continue to be utilized for the property.

Annexation Description:

The applicant stated, on the annexation request application, that the tract of land does abut property located within the municipal boundaries of Fairview and that the current land use is single-family residential.

Staff Recommendation:

Staff recommend the Planning Commission provide a favorable recommendation to the Fairview Board of Commissioners to approve this request to annex the entirety of the property located at 7740 Cumberland Drive (Tax Map 047 Parcel 094.00), as indicated on the attached map and with the following conditions of approval included in Resolution PC-45-24:

1. This rezoning request will be placed on the Thursday, December 19th, 2024 Board of Commissioners meeting agenda for consideration with the potential for the Public Hearing and second reading being held at the Thursday, January 16th, 2025, Board of Commissioners meeting.

EXHIBIT PC-45-24-C PLAN OF SERVICES

A. Police

Patrolling, radio response to calls, and other routine police services, using present personnel and equipment, will be provided on the effective date of annexation.

B. Fire

Fire protection by the present personnel and equipment of the City of Fairview Fire Department, within the limitations of available water and distances from fire stations, will be provided on the effective date of annexation.

C. Water

Currently there are no water lines or sewer lines that serve or could potentially serve this property. The property is currently served by wells and septic systems. The availability of water and sewer service to this property comes under the provisions of the Water Authority of Dickson County.

1. Water for domestic, commercial, and industrial use **may** be provided by the Water Authority of Dickson County, Tennessee, in accordance with their established policy and procedures. The City of Fairview, Tennessee, does not provide this service.
2. Water for fire protection **may** be provided and water lines and fire hydrants will be installed by the Water Authority of Dickson County, Tennessee, in accordance with their established policy and procedures. The City of Fairview, Tennessee, does not provide this service.
3. Any private domestic, commercial, and industrial water sources shall be maintained by the land-owner and shall be constructed to meet the terms and standards for the Williamson County and the State of Tennessee.

D. Sanitary Sewers

Sanitary Sewer Service may be serviced by the Water Authority of Dickson County, Tennessee, in accordance with their established policy and procedures. The City of Fairview, Tennessee does not provide this service.

Where Sanitary Sewer Service is not provided, an individual sewage disposal system shall be required for residential and non-residential occupied structures. If public sewer facilities are not available and individual disposal systems are proposed, the individual disposal system, including the size of the septic tank and size of the tile fields or other secondary treatment device shall be approved by the County Health Department.

E. Refuse Collection

Private haulers or the county convenience center will handle refuse collection in the annexed area.

F. Streets

1. The State Highway Commission under the standards currently prevailing by the State of Tennessee will serve the State Controlled Streets in the annexed area. The City of Fairview, Tennessee under the standards currently prevailing in the City will serve the City Controlled Streets in the annexed area.
2. Traffic signals, traffic signs, street markings, and other traffic control devices will be installed as the need is established by appropriate study and traffic standards.

G. Schools

The annexed area will be served by the Williamson County School system that serves the entire City of Fairview, Tennessee.

H. Inspection Services

Any inspection services provided by the City will begin in the annexed area on the effective date of annexation.

I. Planning and Zoning

The planning and zoning jurisdiction of the City will extend to the annexed area on the effective date of annexation. City Planning will thereafter encompass the annexed area.

J. Public Works

Services provided by the Public Works department will be extended to the annexed area on the effective date of annexation to include seasonal chipper and leaf pick up. Reference the city's website for pickup times and specific information regarding what qualifies for this service.

K. Street Lighting

Any existing street lighting will continue to be maintained by the utility provider in the annexed area.

L. Recreation

Residents of the annexed area may use all City parks on and after the effective date of annexation.

M. Miscellaneous

Any other service(s) not classified under the foregoing headings will be in accordance with the standards prevailing in the City of Fairview, Tennessee.

**PLANNING COMMISSION OF THE CITY OF FAIRVIEW, TENNESSEE
RESOLUTION NO. 01-25**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FAIRVIEW, TENNESSEE, RECOMMENDING THE APPROVAL OF THE SITE DEVELOPMENT PLAN FOR THE CONSTRUCTION OF A 75,000 SQUARE FOOT SELF STORAGE BUILDING FOR BOX STORAGE AT 2378 FAIRVIEW BOULEVARD, NORTH OF ADELE ROAD. TAX MAP 047 PARCEL 006.00. OWNER: DEBORAH THOMPSON LIVING TRUST.

WHEREAS, Jonathan Evans, P.E. (Evans Engineering, Inc.) is requesting approval of a Site Development Plan to construct a two (2) story, 75,000 square foot climate controlled self-storage building; and

WHEREAS, the staff report is attached as Exhibit PC-xx-25-A.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF FAIRVIEW, TENNESSEE, AS FOLLOWS:

The City of Fairview Planning Commission hereby approves/does not approve the Site Development Plan for Box Storage, as submitted on November 29, 2024, with the following conditions:

1. All staff comments to be addressed prior to preconstruction meeting.
2. Tree Bank Exception request.
3. Sidewalk Requirement Exception request.

Adopted this _____ day of _____, 2025

Planning Commission Chairperson

Attest:

City Recorder

Approved As To Form:

City Attorney

EXHIBIT PC-01-25-A
STAFF REPORT
PC-01-25

Project: Box Self-Storage

Application Type: Site Development Plan

Applicant: Jonathan Evans, P.E. (Evans Engineering, Inc.)

Owner: Deborah Thompson Living Trust

Initial Submittal Date: 11/29/2024

Final Submittal Date:

Tax Map: 047 **Parcel:** 006.00

Project Summary

Jonathan Evans, P.E. (Evans Engineering, Inc.) has submitted a site plan to construct a 75,000 square foot climate controlled self-storage building on property located at 2380 Fairview Boulevard, north of Adele Road. The site plan also illustrates all required parking, stormwater infrastructure, landscaping, and all necessary water and wastewater infrastructure.

The parcel is zoned CG (Commercial General District) and the requested land use is self-service storage facilities, which is a permitted use within the CG zone district. No portion of the property is located within a flood hazard area (Zone X) as indicated on FEMA FIRM Panel 47187C0135F.

Surrounding Zoning and Land Use

All surrounding properties are zoned CG (Commercial General). The one (1) exception to this is a single property located on the east side of Fairview Boulevard that is zoned RM-12. This property is directly across from the proposed storage facility and is the location of the entrance for a townhouse development located behind five (5) properties that front onto Fairview Boulevard.

The parcel to the north is a residential structure that houses an office land use. The parcel to the west is vacant. The two (2) parcels to the south contain a liquor store and a self-storage development that contains 16 buildings. The buildings to the east, across Fairview Boulevard contain three (3) buildings that contain a medical office, automotive parts store, and automotive repair business.

Site Overview

The parcel contains 2.72 (+/-) acres. The parcel is oddly shaped in that the back one-third of the parcel is much wider than the front portion of the parcel. The proposed building and parking area is located on the front portion of the property and most of the rear of the property will not be developed as part of this project. The rear portion of the parcel, behind the proposed building, will be graded to create a stormwater pond. The portion south of the proposed stormwater pond will remain untouched as part of the project.

The project will utilize an existing 40-foot reciprocal driveway ingress-egress and public utility easement to provide access to the proposed building. This existing easement permits the usage of the existing access point for the property located to the south of the project site. The access easement is in place due to severe topography along the road frontage of the property.

Architecture

The proposed building will contain two (2) floors of storage, but not through the entire building. The front portion of the building, facing Fairview Boulevard, will be one (1) story in height. The maximum height along Fairview Boulevard is 36 feet and eight (8) inches, which is to the top of corner accent wall above the main entrance. The front elevation along Fairview Boulevard varies in height from 26 feet and eight (8) inches to 30 feet and eight (8) inches to 32 feet and to the highest point of 36 feet and eight (8) inches.

The north and south elevation illustrates the elevation change of the site as the building transitions to a two (2) story structure about a quarter of the way back. The side elevations have a maximum height of 26 feet and eight (8) inches, while the rear elevation has a maximum height of 28 feet, which is only on the corners of the elevation and not the entire width of the building.

The proposed materials for the building are painted split face CMU block on the lower portion of all elevations, then transitioning to brick look finished EIFS system for the remainder of the wall. Each elevation is topped with an EFIS cornice.

Staff Recommendation:

Staff recommends the Planning Commission approve the Box Self-Storage Site Development Plan in order to construct a 75,000 square foot two-story climate controlled self-storage building on property at 2378 Fairview Boulevard along with all required parking, stormwater infrastructure, landscaping, and all necessary water and wastewater infrastructure, as submitted on November 29, 2024, with the following conditions of approval included in Resolution PC-01-25:

1. All staff comments to be addressed prior to preconstruction meeting.
2. Tree Bank Exception request.

3. Sidewalk Requirement Exception request.