

MUNICIPAL PLANNING COMMISSION MINUTES

January 14, 2025, 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, Josh Hogan, Ethan Greer, Curtis Broadbent, Kevin Chastine, Bre Bailey, Jade Antolec, John Gunn

- **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: Mr. Pape

	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 (1 Abstain)					

- **Citizen Comments - None**
- **Approval of Minutes – December 10, 2024, Regular Meeting**

Motion to approve: 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 6-0 (2 Abstain)					

- **Old Business**

1. **PC RESOLUTION PC-44-24, MASTER DEVELOPMENT PLAN, KINGWOOD SUBDIVISION, 75.86 ACRES, MAP: 42, PARCEL: 123.00. CURRENT ZONING: RS-15 POD. PROPERTY OWNER: LANDSOUTH, LLC.**

Motion to defer indefinitely: Mr. Magner

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				
MOTION PASSED 8-0					

Discussion: Mr. Magner stated the applicant wishes to defer. Mr. Magner made a motion to defer indefinitely, and stated the applicant can bring this back when ready. Mr. McDonald stated based on the discussions regarding this development, a RS-15 POD is most likely going to change. Mr. McDonald asked if it is necessary to keep deferring and have it submitted under a new submittal. Mr. Greer stated the applicant requested a deferral on this development. Mr. Greer stated the RS-15 POD can vary in lot sizes with a minimum of 7500 square feet with a maximum as large as the developer wants to go to accommodate the request of the planning commission. Mayor Anderson asked if the deferral was made indefinitely to give the developer enough time to make changes. Mr. Magner stated yes, they can bring it back in thirty days or when they are ready, and this allows for more freedom for the applicant. Mr. Greer stated the applicant is here if there are any questions regarding the deferral. Mayor Anderson stated she was just curious about the defer being indefinite instead of having a time frame. Mr. Hogan stated this can be indefinite and is appropriate under the circumstances and since the applicant has not requested a date for the deferral. Mr. Hogan stated the I get this back on the agenda when they feel confident with the plans to move forward. Mayor Anderson stated she did not have a problem with this, she just wanted clarity.

2. **PC RESOLUTION PC-45-24, 7740 CUMBERLAND DR., 351.27 ACRES, MAP:47, PARCEL: 094.00. CURRENT ZONING: WILLIAMSON COUNTY RURAL PRESERVATION -5. PROPERTY OWNER: FERVALE SPRINGS FARM, LLC.**

Motion to approve: Mayor Anderson

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 8-0					

Staff Report: City Planner, Ethan Greer

Representative: Joe Watson, applicants legal counsel

Discussion: Mr. Magner asked Mr. Hogan if the legal resolutions were resolved. Mr. Hogan stated he spoke with Mr. Carter and with no fault of the applicant or the city, the urban growth boundary has been certified by Williamson County, and this is resolved. Mayor Anderson stated after her research on this annexation, she wants to point out that the homeowner has a single-family home on this property and this property is contiguous with other city property in that area and it is in the urban growth boundary. Mayor Anderson stated the owner has no plans for a subdivision on this property, the property would come in RS-40, which is typical for an annexation that comes into the city of Fairview. Mayor Anderson stated with no plan for development and the use of single-family home she sees it favorable for annexation. Mr. Watson stated this area meets all the requirements to be annexed. Mr. McDonald stated he would like to echo the mayor and the applicant's legal counsel's comments regarding this annexation and since this property is in the urban growth boundary and meets the requirements, he feels this should be annexed. Mr. Pape stated the applicant submitted for annexation but not for rezoning. Mr. Pape asked the staff if the area is designated RS-40 because of how the code is read since the applicant did not ask for a rezone. Mr. Greer replied that it is correct.

- **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.**

Motion to approve: Ms. Williams

Second: Mayor Anderson

	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 8-0					

Staff Report: Kevin Chastine, City Planning Consultant

Representative: Daniel Kiley, DLK Management / Jonathan Evans, Evans Engineering

Discussion: Mayor Anderson asked Mr. Chastine to read the exceptions again. Mayor Anderson asked if the building material exception is just for the front of the building facing Fairview Blvd. Mr. Kiley stated it was for the entire building. Mr. Greer displayed a picture of the elevations and stated the bottom picture of the elevation is the one that is observed from Fairview Blvd. Mayor Anderson asked about the exception of the steep slope. Mr. Greer stated the steep slopes on this site are due to drainage easements. Mr. Greer explained that there is a culvert that runs under Highway 100 that comes from the Park Village side, and it cuts through this property. Mr. Greer stated this is mainly where the steep slopes are, and the developers would reroute that water bypassing through the site with a piping system. Mr. Greer also stated the developers are seeking this exception to build over the steep slopes that exist for the drainage easement. Mayor Anderson asked what would be directly behind this building. Mr. Greer stated there is an undeveloped commercial site. Mayor Anderson asked how many trees would be removed from this site. Mr. Kiley stated there are several trees on the back side of the property. Mr. Greer stated the back third of the property is the wooded piece of the property and it is heavenly wooded. Mayor Anderson asked if there was already a pond where the proposed detention pond would go or would a pond be created. Mr. Kiley stated the pond would be created. Mayor Anderson asked if the detention pond would be in the wooded area. Mr. Greer showed the site plan to explain where the detention pond would go. Mayor Anderson then asked where loading and unloading for the storage building would be. Mr. Kiley stated there would be six access points. Mr. Kiley stated there would be a road that circles the entire building. Mr. Kiley stated the road would be used for customers and for fire safety. Mr. Kiley stated that typically there is low volume and would only need a dozen to a half a dozen parking spaces. Mayor Anderson asked how many storage units are projected to be in this building. Mr. Kiley stated about six hundred. Ms. Schulist stated she was under the impression that EFIS was allowable. Mr. Chastine stated it is but just as an accent material. Mr. Chastine also stated the lower portion of the elevations are ICMU blocks, or split brick blocks and the rest of the areas will be EFIS. Mr. McDonald asked what the percentage required. Mr. Greer stated the design review manual states there should be seventy percent brick coverage of each wall area and should be accented by stone. Mr. Greer stated that it is required for commercial or industrial buildings whether visible from a public street or not. Mr. Greer stated the manual recommends split face concrete block and should be used in combination with brick or stone and split face concrete block should not exceed twenty percent of the area of each wall. Mr. Greer stated the manual states EFIS, or synthetic stucco should be five feet above grade and above brick or stone and that the brick or stone would be used as accents. Mr. Magner asked if there was a method that would be used to create a stone look in the EFIS. Mr. Kiley stated there would be real split face block at the bottom with ten percent of every facade and all other facades would be seventy to eighty percent of the brick look EFIS. Mr. Kiley stated they would use a technique where the EFIS is gritted like real brick, but it would be EFIS. Mr. Magner asked if they would use a stamp to make the brick pattern. Mr. Kiley stated he was not sure yet because he has not made a contract with anyone. Mayor Anderson asked if the sidewalks are typically on the other side of the street. Mr. Greer stated this location is part of the sidewalk project that is being proposed by TDOT. Mr. Greer also stated staff felt it would be better use of the applicants' resources for the city to utilize the sidewalk funding somewhere else in the city and to allow TDOT to continue to finish the sidewalk project. Mr. Kiley stated the deep ditch in front of the property will be filled in. Mayor Anderson wanted to point the sidewalk out to get it on record so the public would understand the exceptions that have been asked for. Mr. Pape asked if a hydrology report has been completed and if the report has not been done, when is the report be completed during this process. Mr. Broadbent stated to his knowledge commercial site plans would submit a stormwater report in the initial application, and there has not been

one submitted with this application. Mr. Pape stated his concern about the use of a forty-eight-inch pipe being used to pipe the stream that runs through the property. Mr. Pape states if the pipe is not strong enough to hold the stream, it will back up in the neighboring liquor store property. Mr. Pape feels the hydrology report needs to be completed before the approval of the application is approved. Mr. Pape then stated the cite plan showed a fire truck circulation that circles around the building. Mr. Pape asked if a fire truck was needed at the facility and whether a vehicle was there loading or unloading for the storage unit, whether the fire truck would have enough room. Mr. Magner stated a point of clarification that he read that there is a required width of approximately twenty-four feet for the fire apparatus. Mr. Greer stated for the record, it is twenty feet from unobstructed path. Mr. Pape asked if the unobstructed path would be from the building. Mr. Greer stated there would not be any permanent obstructions within the path of travel. Mr. Greer also stated that if life safety services were needed there and a vehicle was parked within the path, the life safety services could force the vehicle out of their path of travel. Mr. Pape stated his concern about EFIS brick pattern on the building. Mr. Pape stated one of the main reasons masonry is required on buildings is not only for the look but for the durability. Mr. Pape stated most patrons will be in big trucks and may not be familiar with operating a big truck and could easily hit the EFIS wall and the EFIS would get destroyed easily even with a two-foot ledge at the bottom. Mr. Kiley stated there will be bollards at the entrances. Mr. Pape just feels that the EFIS has more risk of getting damaged. Mr. Pape stated based on the submittal, there are seventy-six trees greater than ten inches that are projected to be removed, and if the variance is accepted, we would need to grant the developers the ability to buy in to the tree bank. Mr. Pape asked if there was a permit from the Corp of Engineers to pipe the stream. Jonathan Evans with Evans Engineering stated they have not contacted the Corp of Engineers. Mr. Pape asked if they would go through that procedure and Mr. Evans stated they would look at this. Mr. Pape asked Mr. Evan how many lineal feet of the stream would need piping. Mr. Evans stated about one hundred fifty. Mr. McDonald stated his concern with the above ground detention pond and feels it is problematic for the future planning for the city of Fairview, and he feels the material of the building should be built out with the materials that are required for a commercial building. Mr. Magner asked how the mechanical equipment units will not be visible from the streets. Mr. Magner stated whether the units are on the ground or on top of the building the units should be behind a visible protective enclosure. Mr. Kiley stated the units can be on the roof or placed behind or on the side of the building. Mr. Magner stated there is a loading zone in the middle of the building and all loading zones should be screened and he does not see that it will be screened. Mr. Kiley stated they are calling the entrances loading zones but they will look like store front entrances with sliding glass doors so these are not actually loading docks where a truck would be backed into a dock. Mr. Kiley stated the doors would open with a swipe of a badge to enter for loading. Mr. Magner stated the plans are noted with loading zones and the ordinance states for the zones to have screening requirements. Mr. Kiley stated he would change that to customer entrance due to it not being an actual dock. Mr. Manger stated this would be loading and the intent of the zone is to not have clutter. Mr. Kiley stated the staff would clean any clutter, there would not be clutter. Mr. Magner stated his concern about the trees and landscape. Mr. Kiley stated he would be happy to modify the landscape plan, this is just the first look at this area. Mr. Greer stated the lack of landscape on the plan is due to the topography with the steep frontage and the area with the steep slope. Mr. Greer stated the landscape that is on the plan is an area that believes trees and shrubs would flourish. Mr. Magner stated trees could be planted on a sloped terrane. Mr. Pape asked if street trees should be listed as another variance. Mr. Magner stated in his opinion, yes. Mr. Greer stated the board is more than welcome to add that to the exception request. Mr. Greer stated TDOT is still working on the sidewalk plans in this area and this will change some of the final changes that can be made. Mr. Magner stated he did not see a business sign on the plan. Mr. Magner stated the sign is supposed to be centered on the

property, twenty-five feet from the center line of the roadway and must follow article twelve requirements. Mr. Kiley asked if the sign needed to be a monument sign. Mr. Kiley stated there was a sign on the building and they would do what is allowed in the zoning. Mr. Magner asked if a monument sign was required, and Mr. Greer stated no monument sign was required at this time. Mr. Magner asked if there would be a dumpster on site and if so, it requires it to be screened. Mr. Kiley stated they typically do not have a dumpster on site because dumpsters bring clutter. Mr. Manger stated the parking spaces provided are more than is required. Mr. Kiley stated he wished there would be a full parking lot but there is not enough space for a large parking lot. Mr. Magner stated the maximum coverage of the site is fifty percent. Mr. Evans stated the plans say the building is seventy-five thousand square feet, the building is two stories, so the building is only thirty-seven thousand square feet, and the site is on 2.72 acres. Mr. Magner stated his concern with sidewalks due to safety for the pedestrians but understands TDOT has plans for that. Mr. Magner stated he did agree with Mr. Pape regarding the EFIS material. Mr. Manger stated he would like to see a variance for the trees and would like to see a variance for addressing a building parapet to conceal any rooftop units. Mr. Kiley stated there could be a variance regarding the unit if that is what is wanted, but they can place the units at the back so no one could see them. Mr. Magner stated at least a stipulation if not a variance. Mr. McDonald stated his comments regarding the underground detention pond and asked if the reason for that request was financial. Mr. Kiley stated underground detention is very expensive and does not want it under the building. Mr. McDonald stated he understands the variance regarding the detention pond from the applicant's perspective but feels that granting that variance would potentially be opening an eye sore in the future and doesn't think the city should grant the variance just to save the applicant money. Mayor Anderson stated her concerns about the above ground detention pond that was granted near her business, and everyone can see the open detention and takes up a lot of space. Mayor Anderson also asked if a future business were to develop behind this property, would the above ground detention pond be seen by the public. Mr. Greer showed the parcel of land on the screen and pointed out the proposed area and explained the area for the proposed detention pond is highly wooded and would be cleared out and if the property behind this parcel was developed, the detention pond would be visible to the public. Mayor Anderson asked how close the detention pond will be to Hobgood Road. Mr. Magner stated the land north of Hobgood Road would see the detention pond. Mayor Anderson asked if any trees would be left in the area to screen the detention pond. Mr. Greer stated trees are proposed to be removed for the above ground detention pond and would need to be removed for an underground detention pond as well. Mr. Evan stated there will be some trees that will remain on the property line. Mayor Anderson has concern with the landscaping and trees and wants to make sure the detention pond is screened. Mr. Kiley stated they could screen the detention pond with landscape or evergreens. Mayor Anderson asked how big the detention pond will be. Mr. Kiley stated approximately one hundred fifty feet long and seventy-five feet wide and shaped like a boomerang. Mr. Broadbent asked the depth of the pond. Mr. Evans answered seven feet at the deepest. Mayor Anderson commented that if the detention pond remained to be above ground, she would like it to be screened and she always felt above ground detention ponds were never a good plan. Mr. Kiley stated they would be happy to screen the detention pond. Mr. Broadbent stated before any conditions were added to the front landscape, when the pre-application meeting took place, the engineer did state the steep slopes would be filled in and would be able to do additional landscaping. Mr. McDonald asked for clarification if this was a site plan. Mr. Greer stated yes. Mr. Greer also stated as a point of order the exceptional requests that have been made are in the resolution as written. Mr. Greer stated if there is a motion to amend, it would be to remove an exception or have a motion to amend to add a condition of approval. Mr. McDonald stated he would like to make a motion to amend the current motion to remove the exception of an above ground detention pond. Mr. Magner stated for clarification this

motion may be isolated from other motions to make it clean. Mr. Cali second the motion. Mr. McDonald stated he agreed with Mayor Anderson stating if the pond will be there, having a visual deterrent is ideal. However, at this location, having the pond there may limit the surrounding properties that may be built out and having the open pond seems like poor planning on the city's behalf. Mr. McDonald also stated he feels allowing variances on a prime piece of property doesn't seem necessary and the developers need to meet the requirements the city has in place. Mr. Magner stated all conditions can be compiled together, and to make it easier, to address any preliminary staff report exceptions and then address any other exceptions separately to make this cleaner. Mr. Magner stated the original exceptions are the tree bank, the underground detention, the sidewalk which will be replaced by TDOT, the EFIS with the brick look, and the steep slopes. Mayor Anderson asked if the parapet wall to hide the HVAC units should be added to the motion. Mr. Magner stated he was going to make that as a recommendation. Mayor Anderson stated her hot points are the building materials, screening the detention pond, and a parapet wall to hide HAVC. Mr. Hogan stated the building material exception was number six on the resolution and considering the board members had a lot of discussion regarding this, the motion should be made separately. Mayor Anderson made a motion to remove the EFIS with the brick look material from the exceptions. Mr. Hogan stated he understands a motion to amend the resolution to remove exception number six for the building material request. Mr. McDonald second. Mr. Magner states the motion passed so the EFIS will not be permitted to that percentage. Mr. Magner stated a motion to have the building envelope and the parapet height to conceal rooftop equipment per section 2-104 should be suggested. Mr. Magner made a motion to require the building elevations address rooftop equipment per section 2-104, proper screening for rooftop equipment. Mr. Cali second. Mr. Hogan stated he discussed it with the planning staff and the plan that was submitted didn't meet several requirements and suggested a motion to amend the resolution to clarify for no confusion that any future submittals will not be in compliance with the zoning ordinance. Mr. Hogan recommends a motion to amend to add specific requirements for any future submittals follow the zoning ordinance unless expressly accepted to resolution. Mr. McDonald made a point of order asking if this board passes this with all the amendments attached to it would there be future submittals. Mr. Greer stated with the amendments that have been made, the applicant would have to resubmit to the planning and engineering departments a building that meets the brick requirement with a site plan that meets underground detention, and the site would still have to be within zoning ordinance requirements. Mr. Greer stated he believed the question would be would you like this to come back to the planning commission with the changes or would be permitted to be approved by staff with a construction plan approval that would adhere to the requirements set forth in this resolution. Mr. Broadbent stated we would make sure it would meet all conditions during this application and would not move toward construction plan submittal all conditions are met. Mr. Hogan stated yes, they would have to come back because the plan that we have now if for EFIS material so they will need to come back with a plan of what has been requested. Mr. McDonald asked if it would be easier on both parties to deny this submittal due to all the amendments that have been added and then have them resubmit the submittal. Mr. Broadbent stated that it is based on the comfort level of the planning commission, and if you are comfortable with us to continue to make sure they meet the requirements of these two exceptions we can move forward and go on or if the planning commission would like to see it again to verify the conditions have been met. Mr. McDonald asked if a deferral would be ideal to give the applicant time to make changes. Mr. McDonald states his concern is that most of the conditions that were changed most likely changed the building they were considering. Mr. Broadbent stated denying is much different than deferring due to a time restraint on a denial. Mr. Kiley stated they have rather not have a denial and it would better if it was a deferral or an approval with removals and meets, but rather not have a denial. Mayor Anderson agrees and thinks a deferral would be best and makes a motion

to defer. Mr. Greer asked if the motion for deferral would be changed to indefinitely so there is not a time restrained attached. Mayor Anderson made a motion to defer indefinitely to give enough time to make changes to the plan. Mr. Cali second. Point of order made by Mr. Greer asking Mr. Hogan if the original motion needs to be taken back. Mayor Anderson stated she made the motion, Mr. Hogans stated the motion as been amended three times so the motion is as amended, and that amendment motion has now been amended to defer and defer has priority over the motion.

Motion to amend to remove the above ground detention pond exception: Mr. McDonald

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				
MOTION PASSED 7-1					

Motion to amend the Resolution to remove exception #6 for building materials:

Mr. Magner

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 8-0					

Motion to amend to require proper screening for rooftop equipment per section 2-

104: Mr. Magner

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				

MOTION PASSED 8-0

Motion to defer indefinitely: 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				
MOTION PASSED 8-0					

- **Bonds and Letters of Credit – None**
- **Reports for Discussion and Information**
 - **City Planning Staff** – Mr. Greer stated he would be absent for the February 11, 2025, meeting due to the birth of fourth child. Mr. Broadbent and Mr. Chastine will be present. Thanked the board for the continued review of all projects.
 - **City Manager** – Mr. Daughety thanked everyone.
 - **City Engineer** – None
 - **City Attorney** – None
- **Planning Commission Roundtable**
- **Adjournment by:** Mr. Pape at 8:22 PM

[Marisa Howell](#)

Marisa Howell, Community Services Assistant

<https://www.youtube.com/watch?v=kp88aluHhlw&t=4585s>