

MUNICIPAL PLANNING COMMISSION MINUTES

November 12, 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, Rachel Jones, Marisa Howell, Josh Hogan, Ethan Greer, Curtis Broadbent, Kevin Chastine, Keith Paisley, 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. Schulist

	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 – October 15, 2024, Regular Meeting**

Motion to approve: 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 6-1					

- Old Business - None

- New Business

1. **PC Resolution PC-36-24, Rezoning, 7103 Wiley Circle, 1.27 Acres, Portion of Map: 042H, Group: C Parcel: 008.00. Current Zoning: C1. Property Owner: Wiley Circle Investment**

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 7-0					

Staff Report: Mr. Greer

Representative: Tim Mangrum

Discussion: Mr. Mangrum stated this piece of land is very topography challenged with most of the road frontage being highway 100. Mr. Mangrum stated the original church building that was already on the property will stay and will probably get renovated for commercial use. Mr. Mangrum stated that rezoning this property will disconnect the commercial from residential on the Wiley Circle side. Mr. Greer showed a conceptual plan for the property for clarification. Mr. Magner reminded this was strictly about the rezoning. Mr. McDonald stated that most people in that area would be pleased with this, and it would be real merit for removing the commercial access so that Wiley Circle would be a family residential road. Ms. Schulist asked about the rezoning plans for commercial and residential. Mr. Greer answered the piece that Mr. Mangrum is wanting to rezone is the piece on Wiley Circle, and the rest would remain commercial.

2. **PC Resolution PC-37-24, Variance Request from Subdivision Regulations, Liberty Rd., 18.91 Acres, Map: 69, Parcel: 79.02. Current Zoning: RS-40. Property Owner: Garron and Kim Wright.**

Motion to approve: 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 7-0					

Staff Report: Mr. Greer

Representative: Garron Wright

Discussion: Mr. Magner asked if the current easement was only 30 feet and if the easement does encroach on the neighboring adjacencies. Mr. Greer answered it was 30 feet, and the easement does currently cross the neighbor's property. Mr. Magner asked what the intention for the property will be to determine the traffic, Mr. Wright said it was for a minor subdivision. Mr. Logan noted that approving the variance is only for the subdivision so any future development will still be subject to the requirements of the development plan. Mr. McDonald asked for clarification regarding the lots that are being subdivided and by looking at the easement, it seems like a guy just trying to access his land.

3. **PC Resolution PC-38-24, Final Plat, Cedarcrest Phase 1, Map: 042, Parcel: 125.00. Current Zoning: Commercial General. Property Owner: Meritage Homes.**

Motion to approve: Mr. Cali

Second: Ms. Schilling

	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: Louis Sloyan, T-Square Engineering

4. **PC Resolution PC-39-24, Development Plan, Chester Road Townhomes, 17.23 Acres, Map:42, Parcel: 142.00. Current Zoning: RM-8. Property Owner: Phillips Builders.**

Motion to approve: Mr. McDonald

Second: Ms. Schulist

	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: John Richard Patterson, Kimley-Horn

Discussion: Mr. Patterson explained this is same plan as the master development plan with the exception that was added a sidewalk from the edge of the property to Fairview Blvd. Mr. Greer stated one of the items discussed in the master development is that the planning commission is to review the bridge design for crossing the floodway. Mr. Greer also stated the bridge design is laid out in the drawing set with details for review for the planning commission. Mr. Magner asked if there was a 6-foot privacy fence. Mr. Patterson stated there was not a fence, and he was not aware that there needed to be one. Mr. Magner also asked about article 6, that a buffer yard was needed. Mr. Patterson stated when the master development plan was reviewed, the requirements for multi family didn't necessarily apply to this development, and that it was understood by both parties that attached townhome codes would be in place. Mr. Manger asked Mr. Greer if there was any documentation that states this property has a variance that allows single detach verses multifamily dwellings. Mr. Greer replied there were several exceptions that were asked for during the master development plan, but that was not an exception or variance that was asked at that point. Mr. Chastine gave some clarification regarding townhome verses multifamily. Mr. Chastine also stated the plan was being reviewed under multifamily then after reading about attached dwellings, realized this is specifically where townhomes were listed and started reviewing under 7103 and not 7101. Mr. King wanted to confirm the 24-foot roadway with a 5-foot sidewalk on either side is compliance with the subdivision standard. Mr. Greer stated at the time of the review process the roadways are one whole parcel due to falling into joint access. Mr. Greer stated the roadways are access ways not roadways, with that there would be isle and parking spaces and will be built from a design aspect of the subdivision regulations. Mr. Magner asked if the pedestrian bridge would be over the creek or over the whole wetland. Mr. Patterson stated that the bridge will only be over the creek. Mr. McDonald asked for more clarity from staff regarding the access going in and out on a private road even though it will be used under a multifamily area. Mr. McDonald stated What will need to be done regarding getting away from these issues, this may be a question for the future, but it seems wrong to be able to classify it not being subdivided and avoid standard practice of what a street might look like in our town. Mr. Greer stated staff has recognized concerns regarding parking, roadway, and construction, and has expressed this issue with zoning contractor TPUDC for development standards. Mr. Magner asked Mr. Greer if the additional access point has been resolved and deemed not necessary. Mr. Greer replied the applicant spoke to the adjacent property owners and there was no opportunity to have a secondary access point anywhere other that the property that was purchased for the access point on the southern side of the project. Mr. Magner asked about Fire Marshall approval, and Mr. Greer stated yes, they are all sprinkled units.

5. PC Resolution PC-40-24, Residential Development Plan, Belvoir Subdivision Phase 2, 51.91 Acres, Map: 21, Parcel: 062.00 and Map:21, Parcel: 063.00. Current Zoning: R-20. Property Owner: Northwest Cove LLC.

Motion to approve: Mr. McDonald

Second: Ms. Schilling

	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 6-1					

Staff Report: Mr. Greer, Mr. Broadbent

Representative: Allison Corolla, T-Square Engineering

Discussion: Ms. Corolla stated she needed to clarify that the staff report stated 54 lots but are only proposing 53 additional lots. Ms. Corolla also stated another point was the developer is requesting to eliminate the second condition, the developer and the city engineer determined additional grading can be done on each individual lot and not require NOC for each individual spot. Mr. Broadbent stated this condition is not to make that in this development plan and if this is the path the developer wants to take, the note will be on the final plat and will not be enforced in the development plan. Mr. Mager asked if the final grading and draining was required on multiple sights and contingent, what happens if the drainage development fails. Ms. Corolla answered they already have a NOC from the state, updates will include lot grading and can not close out permitting. Ms. Corolla stated the intent is for one large NOC for roadways and lots of interest instead of 53 individual NOC's.

6. PC Resolution PC-41-24, Zoning Ordinance Amendment, Exceptions to Height Regulations.

Motion to approve: Mr. Cali

Second: Ms. Schilling

	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 6-1					

Staff Report: Mr. Chastine

Discussion: Mr. Magner asked if there was a specific condition that brought this on. Mr. Hogan stated specific verbiage, and exceptions are standard across most zoning codes such as flag poles, church steeples and government uses. The code as it is written doesn't apply, hopefully the new code will. Mr. McDonald stated there was a recent item that was in front of the BOZA committee regarding this condition. Mr. McDonald also stated the new rezoning rewrite that is happening now should be done near July 2025, if nothing is pressing for this change, why make an adjustment and include this in the future rewrite. Mr. Greer stated we could include this in the future rewrite, this would include all government structures besides flag poles, church steeples. Mr. Greer also stated this was brought as an opportunity for the planning commission's recommendation before it went to the BOC. Mr. McDonald stated the relevance is odd considering nothing would be built that will need this ordinance before the new zoning ordinance was adopted. Mr. Manger stated as just a reminder this is just a recommendation, and the BOC will have the final voting power. Mr. King asked if there are any limitations to the 35 foot outside of FAA. Mr. Greer stated no, how it is currently written, there is no limit to the height for types of facilities and is limited to government use facilities. Mr. Magner asked if the Fire Marshall will need to add any additional input regarding fall clearance and distance of buildings. Mr. Greer stated we could ask the Fire Department their opinion and have it available for the BOC.

7. **PC Resolution PC-42-24, Master Development Plan, Lake Road Highway 96 Townhomes, 13.49 Acres, Map: 22, Parcel: 007.00, Map:22, Parcel: 0167.00, Map:22, Parcel: 178.02. Current Zoning: RM-8. Property Owner: Middle Tennessee Developer**

Motion to approve as amended: Mr. McDonald

Second: Ms. Schilling

	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 Engineering

Discussion: Ms. Corolla stated one of the items for discussion is a 30-foot landscape buffer with an intense tree replacement. Ms. Corolla also stated since the 50% tree replacement requirement can't be fulfilled, an exception to donate to the tree bank has been requested. All open spaces that are available are being used for planting. Ms. Corolla stated another 42 additional parking spaces is being provided in addition to all the driveway and garage spaces. Ms. Corolla stated all roads are private roadways and will not need to be maintained by the City of Fairview and the roads do meet all the requirements of the city subdivision regulations. Mr. King asked if every 40-foot landscape plan was being used even though the 50% tree replant requirement could not be met. Ms. Corolla stated yes. Mr. King asked the staff to speak more on the 70% brick requirement. Mr. Greer stated the 70% brick requirement falls within multifamily. Mr.

Greer stated this developer is seeking an exception of not meeting the 70% brick requirement. Ms. Corolla also added this exception is not to provide a blanket exception but to allow flat board or stone addition to replace the 70% brick requirement. Mr. King stated the way the exception is read, it seems blanket, in the rewrite in the new ordinance will the 70% remain. Mr. Greer stated the 70% brick requirement for commercial and multifamily has been one of the most asked about exceptions since it was put in the regulations. Mr. Greer also stated most of the surrounding municipalities had the 70% brick requirement put into place around the same time as Fairview, and most have already reduced the percentage or have changed the language from brick to masonry product and included hardie board to include in a masonry product list. Mr. Magner stated the current exception doesn't tell us what the substitution's would be. Mr. Greer stated the only requirement is 70% brick, the developer is asking not to use 70% brick. Mr. Magner stated the substitution could be vinyl. Ms. Corolla stated the exception letter said to be hardie board. Ms. Schulist added the elevations say smooth board not hardie board, which could be any board. Ms. Corolla stated smooth board is the same as hardie board and is not vinyl. Mr. Greer read the letter from Ms. Corolla requesting the proposed materials used for the townhomes, hardie board is an excepted material, the exception request is simply for reduction of 70% brick to accommodate hardie board facade. Ms. Corolla stated the developer is open to adding that as a condition, that was the intent. Ms. Schulist asked if reducing from 70% to 0%, Ms. Corolla stated potentially, and can discuss brick or stone skirting at the bottom of all the buildings. Ms. Schulist stated the elevations state 0% masonry. Ms. Corolla stated the developer can provide in the site development plan. Mr. King stated there needs to be more clarity of what materials need to be used. Mr. Hogan suggested the board consider amending the resolution as leaving it the way it is written and add in language provided that a substitute material be a masonry product approved by the planning staff. Mr. Hogan stated the motion needs to be mended, and Ms. Corolla stated she agreed. Mr. McDonald stated he would like to mend the motion to change the third exception to strike brick requirement and add masonry product to be approved by planning staff. Mr. Magner asked the board to add any additional comments to the exception about the skirting of the building. Mayor Anderson stated she doesn't want to see all hardie board. Mayor Anderson stated since the stone or brick skirting was mentioned, the board should get very detailed in determining what will be listed. Ms. Corolla stated the developer is open to changes the commission is suggesting. Mr. Magner stated a height requirement on the skirting, otherwise skirting could be 8 inches. Mayor Anderson asked staff for suggestions for height restrictions, Mr. Greer suggested to go to the bottom of the windows on the lower elevation in the rear of the building. Mr. Magner stated perhaps windowsill or nearest masonry dimension. Mr. Magner asked if the motion was worded correct and Mr. Hogan stated there had not been a second motion. Mr. McDonald removed his motion. Mr. Magner stated back to the discussion of the master development plan, do we need to revisit the 6-foot privacy fence at the boundary. Mr. Chastine stated this was reviewed under attached dwelling and the fence is not necessary.

Mr. King made a motion to amend comment number three to read exception from the City of Fairview design review manual architectural design and building, strike 70% brick requirement and add masonry up to bottom windowsill. Mayor Anderson seconded.

	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					

- **Bonds and Letters of Credit – None**
- **Reports for Discussion and Information**
 - **City Planning Staff** – Mr. Greer reminded everyone of the training before the next meeting.
 - **City Manager** – Mr. Daugherty wished everyone a Happy Thanksgiving
 - **City Engineer** – Mr. Broadbent let everyone know to reach out if anyone has any questions or concerns. Mr. Broadbent also stated Thank you for everyone doing a great job.
 - **City Attorney** – Mr. Hogan spoke on the training of Robert’s Rules.
- **Planning Commission Roundtable**
- **Adjournment by:** Mr. Cali at 8:43pm

Marisa Howell, Community Services Assistant

<https://www.youtube.com/watch?v=GEka1bc3Sb4>

**PLANNING COMMISSION OF THE CITY OF FAIRVIEW, TENNESSEE
RESOLUTION NO. 43-24**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FAIRVIEW, TENNESSEE, RECOMMENDING THE APPROVAL OF A REZONING REQUEST FROM R-20 (ONE AND TWO-FAMILY RESIDENTIAL) TO RS-15POD FOR A 75.86 (+/-) PARCEL LOCATED AT THE SOUTH END OF THE EXISTING KINGWOOD BOULEVARD. TAX MAP 042 PARCEL 123.00. OWNER: MERITAGE HOMES.

WHEREAS, Allison Corolla (T-Square Engineering) is requesting approval of a rezoning from R-20 (One and Two-Family Residential) to RS-15POD in order to establish a planned overlay development (P.O.D.) named Kingwood Subdivision; and

WHEREAS, Tax Map 042 Parcel 123.00 contains 75.86 (+/-) acres and is currently zoned R-20 (One and Two-Family Residential); and

WHEREAS, the rezoning request is for the entire 75.86 (+/-) acres of the parcel, with the requested zoning being RS-15POD; and

WHEREAS, the 2040 Fairview Forward Plan classifies the property as both New Residential-Medium Neighborhood and Residential Transition. The requested zone district of R-15POD and the proposed land use of single-family detached residential are both listed as appropriate within the future land use classifications; and

WHEREAS, the staff report is attached as Exhibit PC-43-24-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 **recommends** the Board of Commissioners approve this rezoning request with the following conditions:

1. This rezoning request 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 Thursday, February 6th, 2025 Board of Commissioners meeting.

Adopted this _____ day of _____, 2024

Planning Commission Chairperson

Attest:

City Recorder

Approved As To Form:

City Attorney

EXHIBIT PC-43-24-A
STAFF REPORT
PC-43-24

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 POD (One and Two-Family Residential)

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

Project Summary

Allison Corolla (T-Square Engineering) is requesting approval of a rezoning from R-20 POD (One and Two-Family Residential) to RS-15POD to establish a planned overlay development (P.O.D.) named Kingwood Subdivision.

The property is currently zoned RS-20 POD (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 Master Development Plan associated with this rezoning request indicates the Kingwood Subdivision development contains a total of 75.86 (+/-) acres, with a total of 119 single-family detached residential lots. Additionally, the development will 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.

The Kingwood Master Development Plan is the next item on this Planning Commission agenda.

Adjacent Zoning and Land Uses

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.

Staff Recommendation:

Staff recommends the Planning Commission provide a favorable recommendation to the Fairview Board of Commissioners to approve this request to rezone 75.86 (+/-) acres from R-20 to RS-15POD, for the Kingwood Subdivision development, as resubmitted on November 21, 2024, with the following conditions of approval included in Resolution PC-43-24:

1. This rezoning request 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 Thursday, February 6th, 2025 Board of Commissioners meeting.

**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:

WASTEWATER

TRAFFIC

SITE DEVELOPMENT

SURVEYING



T-SQUARE ENGINEERING

CIVIL-SITE | TRAFFIC | WASTEWATER

111 SOUTHEAST PARKWAY COURT
FRANKLIN, TN 37064
615.678.8212

WWW.T2-ENG.COM

City of Fairview Planning & Codes Department
Fairview City Hall
7100 City Center Way
Fairview, TN 37062

November 21, 2024

RE: Kingwood Subdivision

To whom it may concern:

Please accept this letter as certification of compliance that the Kingwood Subdivision, located off of Kingwood Avenue, Master Development Plan is in accordance with the City of Fairview Zoning Ordinance and the City of Fairview Subdivision Regulations per R-15 POD standards.

We are requesting an exception from the City of Fairview Zoning Regulations, Chapter 13, Section 101.3 Variable Lot Size Option that mentions "...portions of the development site that contain slopes of twenty (20) percent or greater... shall be retained as open space." This site consists of a large amount of steep slopes (>20%), so lots in these steep slope areas are now shown with an "*", identifying them as critical lots, per City of Fairview Subdivision Regulations, Chapter 4, Section 102.2 Critical Lots. In kind, we request an exception to the City of Fairview Stormwater Ordinance, Chapter 14, Section 405.20 Slope Grading Standards. All lots located within existing slopes steeper than 20% are now shown with an "*", identifying them as critical lots.

We are requesting an exception from the City of Fairview Subdivision Regulations, Chapter 4, Section 4-106.7.2.b Desing of Turn-A-Rounds that mentions cul-de-sacs must not normally serve greater than thirty (30) residences. The southern portion of the site proposes a cul-de-sac that serves 39 lots. Given the steep topography to the south and the presence of existing homes, there is no opportunity to stub the roadway to the southern property line. These lots will be sprinkled to satisfy Fire Marshal requirements.

We are requesting an exception from City of Fairview Subdivision Regulations Table 4-106B General Design Standards for Streets that stipulates a local access residential street's design speed of 30 MPH, which yields an AASHTO minimum centerline radius of 333'. According to City of Fairview Municipal regulations, however, a 25 MPH speed is posted on local roads. The existing ROW stub from Kingwood Subdivision ends at our property with exactly 50' of public ROW. The geometry of our parcel allows only for a horizontal curve of approximately 160' radius. We respectfully request a 20 MPH speed, which reduces the minimum AASHTO centerline radius requirement to 107'. The remainder of all roads maintain a minimum centerline radius of 200'.

We are requesting an exception from City of Fairview Subdivision Regulations, Chapter 4, Section 4-104.4 Design Criteria that mentions "sidewalks shall be included within the dedicated non-traffic way portion of the right-of-way or public access easement. A grassed tree lawn of at least five (5) feet wide shall separate all sidewalks from adjacent streets." At the entrance of the subdivision, a large wall is proposed along the edge of public ROW. To reduce safety risks, the sidewalk in these locations has been relocated to the back of the curbing to provide more distance between the pedestrian path and the large wall.



All offsite traffic improvements are to be constructed in accordance with the Traffic Impact Study, submitted to the City on 10/25/2024. Tennessee Department of Transportation will have final determination of required improvements.

Please contact me with any questions or concerns.
Thank you,

Allison Corolla, PE Professional Engineer
T-Square Engineering, Inc.
OFFICE: 615.678.8212, ext.148
EMAIL: Allison.Corolla@T2-Eng.com

Tennessee Department of Transportation Recommendations:

Ethan Greer

From: Stanley Sumner <Stanley.Sumner@tn.gov>
Sent: Tuesday, December 3, 2024 1:41 PM
To: James Ensley; City Engineer; Ethan Greer
Cc: Allison Corolla
Subject: RE: VM COORDINATION RE: Kingwood Subdivision TIS
Attachments: 24-0835 Kingwood Subdivision - TIS_10-24-24.pdf

Thanks for meeting today to discuss the attached Kingwood Subdivision TIS

--Based on the TIS, TDOT would recommend that a separate left/right egress lanes(12 feet lane width minimum) for NB Old Nashville Rd approaching SR100.
--Also, based on the TIS, TDOT would recommend that a SR100 EB Right Turn lane be constructed into Old Nashville Rd with 160 feet bay taper and 145 feet storage.
--Fire truck Turning templates should be looked at for all movements at the intersection of SR100 and Old Nashville Rd as part of the design of the new intersection geometry.

We would need documentation showing the development has gone through the formal city approval process (before we can finalize our review and issue the permit). If the city elects to require the developer to construct additional improvements that improve operations/safety, TDOT would support these improvements.

The developer's design engineer will need to fill out the below checklist, include all applicable items on the plans and upload the completed checklist on the portal and show all aspects of the driveway design comply with the TDOT Driveway manual requirements.

[TDOT Permit Checklist Fillable Form 1-2023.pdf \(tn.gov\)](#)

The portal is for turn lanes/grading/storm water work as well as entrances.

If you have utility work on the TDOT ROW, any utility related work would need a separate permit from the TDOT Utility office

Thanks



Stanley Sumner, P.E.

TDOT Region 3 Traffic Office
6603 Centennial Blvd
Nashville, TN, 37243-0360
p. 615-350-4333 cell. 615-934-3330
Stanley.Sumner@tn.gov
tn.gov/tdot

From: Stanley Sumner <Stanley.Sumner@tn.gov>
Sent: Monday, November 4, 2024 4:04 PM
To: James Ensley <james.ensley@t2-eng.com>; City Engineer <cityengineer@fairview-tn.org>; Ethan Greer <egreer@fairview-tn.org>
Cc: Allison Corolla <allison.corolla@t2-eng.com>
Subject: VM COORDINATION RE: Kingwood Subdivision TIS

Hi James

Eric Atkinson in our office will reach out to your team and the city to coordinate a virtual meeting to discuss

Thanks



Stanley Sumner, P.E.

TDOT Region 3 Traffic Office
6603 Centennial Blvd
Nashville, TN, 37243-0360
p. 615-350-4333 cell. 615-934-3330
Stanley.Sumner@tn.gov
tn.gov/tdot

From: James Ensley <james.ensley@t2-eng.com>
Sent: Thursday, October 24, 2024 4:01 PM
To: City Engineer <cityengineer@fairview-tn.org>; Ethan Greer <egreer@fairview-tn.org>
Cc: Stanley Sumner <Stanley.Sumner@tn.gov>; Allison Corolla <allison.corolla@t2-eng.com>
Subject: [EXTERNAL] Kingwood Subdivision TIS

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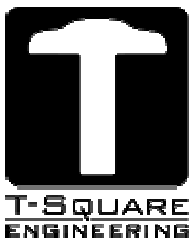
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Curtis/Ethan,

Please see attached for the proposed Kingwood Subdivision TIS in Fairview, TN.

Stanley, can you please review this study and let us know if you have any comments.

Thanks,



James Ensley III, PE, PTOE Project Manager/Traffic Engineer
T-Square Engineering, Inc.

www.T2-ENG.com | james.ensley@t2-eng.com | 615.678.8212, ext.1106



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, 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.

**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

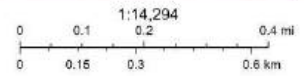
Exhibit PC-45-24-A PROPERTY BOUNDARIES

Williamson County



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

- | | | |
|--------------------|---------|--------------------------------|
| Incorporated Areas | Streets | RP- 5 - Rural Preservation - 5 |
| FAIRVIEW | Zones | MGA-5 |
| 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.