

# 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
<b>MOTION PASSED 7-0</b>					

- **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
<b>MOTION PASSED 7-0</b>					

- **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
<b>MOTION FAILED 5-2</b>					

**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
<b>MOTION PASSED 7-0</b>					

**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. Magnier 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

[Marissa Howell](#)

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Marisa Howell, Community Services Assistant

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