

**Minutes of the
Eagleville Planning Commission
Eagleville City Hall, Eagleville, TN
Monday, August 5, 2024 – 6:30pm**

1. CALL TO ORDER

Acting Chairman Derrick Lynch called the meeting to order at 6:30 p.m.

2. ROLL CALL / DETERMINATION OF QUORUM

City Recorder Christina Rivas called the roll.

PLANNING COMMISSION

PRESENT:

Acting Chairman Derrick Lynch
Commissioner Justin Bryant
Councilman Chris Hendrix
Commissioner Erik Hurter

ABSENT:

Commissioner Darren Shanks

STAFF:

Hellyn Riggins, City Manager

Christina Rivas, City Recorder

GUESTS:

Charles Waite

Rob Molchan

Corey Craig

Roger Jenkins

3. CITIZEN COMMENTS

There were no speakers.

4. MINUTES/OTHER BUSINESS

a. Approve or Deny Minutes of Planning Commission Meeting of July 8, 2024

Commissioner Bryant moved to approve the minutes.

Councilman Hendrix seconded the motion.

The **MOTION** passed 4-0.

b. Motion and Vote on Chairman to serve until January 2025

Councilman Hendrix moved to approve that Acting Chairman Derrick Lynch serve as Chairman until January 2025.

Commissioner Bryant seconded the motion.

The **MOTION** passed 4-0.

c. Motion and Vote on Secretary to serve until January 2025

Chairman Lynch moved to approve that Commissioner Justin Bryant serve as Secretary until January 2025.

Commissioner Hurter seconded the motion.

The **MOTION** passed 4-0.

5. DESIGN REVIEW RECOMMENDATIONS

There were no recommendations.

6. OLD BUSINESS

City Manager Hellyn Riggins acknowledged a scrivener's error regarding item 7a. This item is considered Old Business.

7. NEW BUSINESS

a. Preliminary Plat – Review and Approval of a Request by Salem Creek Partnership for a 204 Lot Subdivision to be Located at 742 West Webb Road – Zoning R-2/ PRD (Continued from July 8, 2024 Meeting)

City Manager Hellyn Riggins stated that the plat before the Commission had been revised and submitted to the City on July 31, 2024. She noted that it was accompanied by a re-submittal letter indicating the revisions addressed on the plat.

Chairman Lynch addressed items from the applicant's letter (the re-submittal letter and Staff Notes are attached to the minutes):

Item 1: The size had not been addressed and the frontage of each lot needs to be noted. It was requested that the applicant add the road frontage to an existing chart which currently indicates the area of each lot.

Item 2: As written, Staff is unable to determine whether the mail kiosk locations are to remain temporary or become permanent. A minimum of 2 kiosks had been requested for the subdivision with a third kiosk to serve properties north of the Harpeth River. It was reiterated that the Commission had determined at the meeting on July 7, that to have only one kiosk for the subdivision was inadequate.

Chairman Lynch questioned whether the Commission's concerns regarding the kiosk for the homes across the river and its accessibility were addressed.

Mr. Rob Molchan of Site Engineering Consultants (SEC) requested to respond to the concerns discussed. He stated lot markings were shown at the fronts of the lots; however, a layer could be added to the chart on page C0.1, to improve referencing of lot frontage.

Mr. Molchan stated that lot 108 had been widened to the minimum ninety feet required for Planned Residential Development (PRD). He noted that additional lots were similarly adjusted to attain the square footage and frontage.

Discussion continued and addressed mail kiosk placement. Mr. Molchan stated that it had been requested to remove the kiosk placed on lot 30 due to its proximity to the entrance on Stephenson Drive. He explained that the kiosk has been moved to the rear of lot 20 and is listed as "Temporary," due to that the number of mail kiosks is at the United States Postal Service's (USPS) discretion.

Mr. Molchan noted that between lots 160 and 159 is an open space where another kiosk has been listed. It was confirmed that the applicant is agreeable to the installation of two kiosks per USPS approval.

Discussion ensued noting the following:

- The other side of the Harpeth River, next to lot 200, along the property line of the adjacent subdivision – temporary access is provided to the step system.
- Stephenson Farms would have 24 homes along the Harpeth River and the adjacent property would have approximately 99 homes on the other side of the river.
- The kiosk noted north of the river is too close to the entrance.
 - Placement needs to be in an area where residents will be safe from traffic.
- The step system has been placed at the end of a cul-de-sac.
- Dedicated parking for the kiosks is needed.
 - At a minimum, a pullout would help enable residents to safely access their mail.

Discussion of the line items resumed.

Item 3: There is a significant amount of walkable area with the sidewalks and walking trails. The trails are 6 feet wide. 3 pavilions would be provided along the trails for shade and shelter.

Improvements will be made to the cemetery lot.

A playground will be installed as well as a pavilion that serves as a gathering space for the community. This pavilion will have more detailed ornamentation and a more prominent structure.

Parking spaces were increased at the tot lot and a lawn will be located behind the tot lot for recreation.

It was noted that plan revisions were submitted late last week and City Engineer Will Owen was not afforded sufficient time to review them.

Chairman Lynch stated that a permanent road for access to the step system had been requested previously, though the plans reflect compacted gravel. Ms. Riggins stated that the access road to the step system must be permanent.

Ms. Riggins emphasized that the step system that will be built for this subdivision will be turned over to the City. She explained that it would be for the City to decide who may tie into the system beyond the initial 200 hundred home subdivision. Ms. Riggins noted that per City ordinance, the City only allows residences and entities within the City limits to utilize a City step system.

Mr. Charles Waite of Salem Creek Partnership, stated that Stephenson Farms was annexed into the City for that purpose. He further explained that filters had been requested of Salem Creek Partnership, by Tennessee Department of Transportation (TDOT), as TDOT did not prefer to review additional filters to accommodate the future subdivision (the future subdivision being Winterbrook Manor).

Mr. Molchan stated that the plans submitted to Mr. Owen and to the State reflected the capacity to handle both subdivisions: Stephenson Farms and Winterbrook Manor.

Ms. Riggins emphasized that the step system will not be used for anything outside of Eagleville's City limits. Mr. Molchan and Mr. Waite concurred.

Ms. Riggins clarified that the City will take ownership at the time of completion and the only lots to be approved, at this time, are the 200 lots in Stephenson Farms. She noted that other properties, such as the Scales property were not included for the step system. Mr. Waite agreed.

Ms. Riggins continued, citing discussions to combine College Grove and Stephenson Farms for residential development only. It was noted that this has been reviewed for residential zoning of 200 lots and the potential to allow for the Winterbrook Manor subdivision to utilize the step system should Eagleville annex College Grove Road.

Item 6: Mr. Molchan stated that lots 173 to 169 and lots 3 through 9 that lots that abut Webb Road shall not have access to Webb Road.

Item 7: Chair Lynch noted that this has been discussed and added that it included access to the drip system.

Ms. Riggins noted that if their connection through College Grove is not approved, the access shown is via the gravel road. She stated that the City would not find that acceptable.

Mr. Molchan responded that it would be converted to a public right of way, at that time.

Ms. Riggins asked where would the access be if College Grove is inaccessible. She explained that the access would also impact Consolidated Utility District (CUD).

It was noted that items 8-12 need to be reviewed by Mr. Owen.

Item 13: Ms. Riggins stated that lot 19 has been corrected.

Item 14: Chair Lynch stated that this item has been resolved.

Item 15: It was noted that this item referenced the larger pavilion.

Ms. Riggins stated that all amenities should be reviewed by the Planning Commission to include: the walking trails, the smaller pavilions and where they are located along the walking trails, as well as the larger pavilion.

She noted that it would be helpful to have the size of the larger pavilion printed on the plans.

Discussion addressed parking for the larger pavilion. Mr. Molchan cited that 8 parking spaces and 1 parking space for disabilities were included in the plan. It was determined to be a sufficient number of parking spaces.

It was requested that a commitment to specified materials for the pavilions and the dimensions of said structures be addressed.

Chair Lynch reiterated that Mr. Owen needed time to review the revisions prior to action taken by the Commission.

Ms. Riggins drew attention to additional Staff Notes to be addressed:

1. The cemetery needs to be shown in the easement to insure its protection.

2. As-builts are required on small lots for approval by City Manager prior to approval of vertical construction.
3. The concern that the lots noted to be in the floodplain may not be the only lots in a floodplain in the plat.

Mr. Molchan stated that he could provide a complete list of lots positioned in a floodplain. He explained however, that the pavilions in the floodplain were not required to be built up, as they were not habitable structures. He stated that they will study the issue from a grading perspective to see if the structures can be raised and will proceed to do so, if it is possible.

4. The open space between lots 140 and 141 needs to be of a sufficient width for machinery to gain access to the area in order to address any drainage issues. Discussion ensued.

Mr. Molchan stated that the area was a common open space lot entrance to the walking trail. He explained that the drainage for the subdivision streets runs to the end of the subdivision.

Ms. Riggins stated that there must be adequate access for machinery to the detention area. Mr. Molchan cited that 20 feet is more than adequate to accommodate equipment.

Chair Lynch noted that the sidewalk could easily be damaged by heavy equipment. Mr. Molchan responded noting that a portion of the sidewalk could be made to be more substantial to address that concern. He noted that it would create more of an access drive and that the walking trail could begin from there. It was noted that the walking path would be 12 feet wide.

Discussion determined that the access drive and the walking trails would be asphalt and that the drainage would be surface drainage.

Mr. Molchan explained that the cul-de-sac is self-contained and has an inlet which goes through a pipe between lots 141 and 142. He noted that all pavement drainage comes to the inlet.

Chair Lynch stated if it is maintained properly, 20 feet wide should be sufficient.

Mr. Molchan stated that from the back end of lot 140 to the cul-de-sac is a 12 feet wide asphalt section that will function as a sidewalk and access to the trail as well as access for maintenance. He further stated that there would be a transitional driveway apron.

5. It was noted that light poles were not on the plan. Mr. Molchan stated that the lighting would be determined by Middle Tennessee Electric (MTE). Ms. Riggins explained that the City establishes the placement of lighting. Councilman Hendrix stated that a lighting plan was required. Chair Lynch stated that sufficient lighting was needed and that Mr. Owen would need to review it. Ms. Riggins requested to review the plan before it is submitted to MTE.
6. Chair Lynch confirmed that all fire hydrants need to be approved by the City Fire Chief.

7. Mr. Molchan stated that the "STOP" signs would be adjusted for better alignment with the sidewalks.
8. Mr. Molchan stated that he would review, if necessary, locations appropriate for rip rap and landscaping.
9. Mr. Molchan stated that within the subdivision, overhead lines would be placed underground.

Ms. Riggins brought to the Commission's attention the statutory timeline that must be met for the annexation. She reviewed the timeline as follow:

- The last Planning Commission meeting was conducted July 8, 2024, which reviewed the application for the first time.
- July 9 began the 60-day period to approve or deny the request.
- The applicant submitted plans with revisions on the afternoon of July 31, 2024.
 - 23 days after the meeting, leaving Staff 1.5 days for review.
 - This amount of time is inadequate.
- The 60-day period expires on September 8, prior to the next Planning Commission meeting.

Chair Lynch stated that in light of the statutory requirements and without proper review, the Commission would have to deny the request, unless there was a willingness to continue the item.

Mr. Molchan interjected that the Commission could make a motion to defer the item.

Ms. Riggins stated that a signed agreement for an extension would be necessary. She proceeded to compose the agreement as follows:

"I, Charles Waite, agree to extend the Subdivision State Code timelines to the next meeting of the Planning Commission which is Sept. 9. Should a meeting not occur, we will extend to the regular Oct. meeting. We will not evoke our right to ask for an automatic approval."

Mr. Waite asked if it would be possible to approve the item this evening subject to Mr. Owen's review. He expressed that it was his understanding that the points have been worked out and that he regretted that Staff was not provided with sufficient time to examine the revisions. He stated that there have been multiple delays and that time is of the essence. He asked if it was possible to approve the item this evening; subject to Mr. Owen's review and approval of revisions addressing all of the items discussed this evening. He emphasized that the revisions would be submitted by the end of the week. He continued stating that if Mr. Owen did not approve, then the document Mr. Waite is being requested to sign will be in place; allowing Salem Partnership to progress with the development and added that it could be subject to multiple approvals by City officials.

Ms. Riggins cited that they had 23 days to respond with the revisions; leaving her less than two days to review. She noted that the applicant has the right to refuse the agreement, however she would then have to recommend that the Commission deny the request due to the statutory time constraints. She stated that burden should not fall to the City.

Mr. Waite stated that he did not want to lose potentially, another 90 days waiting for approval to beginning the project.

Chair Lynch stated that he understood both sides of the issue, however there were items that had not been addressed. He conveyed his preference for deferment with Mr. Waite's consent.

Mr. Waite stated his willingness to adhere to what the Commission deemed necessary. He noted his concern that the project will be pushed to October and that he was asking for potential accommodation.

Chair Lynch stated that the next meeting is scheduled for September 9, 2024 and that Mr. Owen should have sufficient time to review the plans to be prepared for the meeting. He noted that the late submission did contribute to setting the process back.

Ms. Riggins stated that with timely submittal of the revisions, followed by Staff review, it was likely that a decision would be made at the September meeting. She noted that October was mentioned in the event that the Commission did not have a quorum.

Chair Lynch stated his hope for commitments from all parties to respond timely.

Mr. Waite requested that the agreement he has been asked to sign, be revised to extend to September 9, 2024 as opposed to October. Ms. Riggins replied that she was amenable to the revision.

Mr. Waite was pleased with the accommodation. Ms. Riggins noted that if the meeting does not take place, then the situation would be back where we started. She further stated that the situation could be addressed a month at a time.

Ms. Riggins read the revision as follows:

"I, Charles Waite, agree to extend the Subdivision State Code timelines to the next meeting of the Planning Commission which is Sept. 9."

Ms. Riggins initialed the change. She then addressed the Commission with the concern that if the meeting to be held on September 9, 2024 does not have a quorum, then the item will be automatically approved.

Councilman Hendrix stated that the Commission would be in attendance.

Chair Lynch thanked all parties for their cooperation to arrive at this agreement.

Commissioner Bryant moved to accept the applicant's request to extend the item to the September 9, 2024 Planning Commission meeting.

Councilman Hendrix seconded the motion.

The **MOTION** passed 4-0.

- b. Review of and Referral to Eagleville Planning Commission of Annexation Request and Plan of Service to Annex Parcels: 120 023.12 (13 approximate acres), 120 023.03 (35 approximate acres), and 120.023.10 (20.21 approximate acres), located on College Grove Road and Within the Eagleville Urban Growth Boundary**

City Manager Hellyn Riggins addressed both items 7b and 7c, concurrently.

She stated that Item 7b is to annex real property into the City limits for a potential future subdivision. She stated that Item 7c is a request to petition Rutherford County to annex a section of College Grove Road to Highway 41.

Chair Lynch clarified that the three parcel comprise the proposed Winterbrook Manor subdivision.

Ms. Riggins explained that it was brought to her attention that the County is considering rezoning the area for Light Industrial purposes. She stated that a truss factory was being reviewed for the area and that she was uncertain of the impact that would have. She requested that the applicant extend their request for a month, in anticipation of the County's decision.

Roger Jenkins, owner of Winterbrook Manor, addressed the Commission, stating that he appreciated the City's support thus far. He noted that he understood the City's concern regarding the road. He emphasized that he was wary of waiting for the County to make a decision as he did not want the project to be delayed. He expressed his appreciation for the City Manager's cooperation and is open to ideas and alternatives to move the project forward.

Ms. Riggins responded that she would attend the County's Public Hearing in order to defend the City. She noted that she did not anticipate the County's decision to take longer than a month.

Commissioner Hurter questioned whether the County's actions would affect land portion of the annexation. Ms. Riggins stated that the Council would be reluctant to annex College Grove Road until County's position on the property is clarified.

c. Review of and Referral to Eagleville Planning Commission of Annexation Request and Plan of Service to Annex a Portion of College Grove Road, varying right of way widths from 45 to 60 feet in width and a length of approximately .63 miles from the Intersection of College Grove Road to the Western Boundary of Parcel 120 023.12, within the Eagleville Urban Growth Boundary

Councilman Hendrix moved to defer Items 7b and 7c to the Planning Commission's September 9 meeting.

Commissioner Hurter seconded the motion.

The **MOTION** passed 4-0.

8. CITY MANAGER/CITY PLANNER REPORT

There was no report.

9. ADJOURNMENT

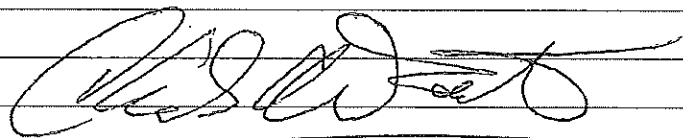
Chairman Lynch adjourned the meeting at 7:41 p.m.

I, Charles Waite, agree to
extend the submission state
code final lines to the next
meeting of the Planning Commission

which is Sept 9. ~~Should~~

~~a meeting not occur, we will
extend to the regular Oct meeting.~~

~~We will not evoke our right to
ask for an automatic approval.~~



Aug 5, 2024

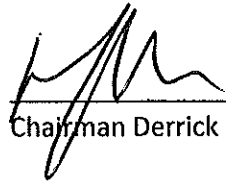
This part not
struck - list
to minutes.



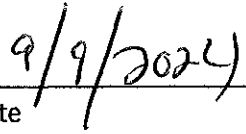
Submitted by:



City Recorder Christina Rivas



Chairman Derrick Lynch



Date