

# Meeting Minutes Metropolitan Area Planning Commission

Tuesday, November 8, 2022			5:30 PM	Municipal Center, 300 S. Church	
<u>1.</u>	Call to order				
<u>2.</u>	Roll Call				
	F		onnie Roberts Jr.;Jimmy Cooper;Jim Little ailey;Monroe Pointer;Stephanie Nelson;Je	-	
<u>3.</u>	Approval of minu	tes			
	<u>MIN-22:100</u>	MINUTES: MA	APC Meeting Minutes October 25, 2022		
		<u>Attachments:</u>	October 25, 2022 MAPC Minutes		
		A motion was made by Dennis Zolper, seconded by Paul Ford, that this matter be Approved . The motion PASSED with the following vote.			
			m Little;Dennis Zolper;Kevin Bailey;Monr teiling and Paul Ford	oe Pointer;Stephanie Nelson;Jeff	
	F	Absent: 1 - Ji	mmy Cooper		
<u>4.</u>	Miscellaneous Ite	ms			
<u>5.</u>	Preliminary Subd	<u>ivisions</u>			
	<u>PP-22-15</u>	PRELIMINAR	Y SUBDIVISION APPROVAL: Jackson C	ove Residential Subdivision	
		Cove for 23 lo	Rickey Jackson is requesting MAPC Preliminary Subdivision Approval for Jackson Cove for 23 lots on 8.84 acres of land that is west of Greensboro Road that is located in an R-1 Single Family Residential District.		

Attachments: Staff Report Location Updated Plat Letter of Concern

Applicant - Ricky Jackson: Stated he had nothing to add. Staff - City Planner, Derrel Smith: Stated it meets all requirements and recommend approval. Staff - Engineer, Michael Morris: Stated all the retention and everything else is the same. Post-run-off has to equal the pre. Runoff shouldn't be a factor since there is a retention pond.

A motion was made by Dennis Zolper, seconded by Paul Ford, that this matter be Approved . The motion PASSED with the following vote.

Aye: 8 - Jimmy Cooper; Jim Little; Dennis Zolper; Kevin Bailey; Monroe Pointer; Stephanie Nelson; Jeff Steiling and Paul Ford

PP-22-16 PRELIMINARY SUBDIVISION APPROVAL: Greensborough Village Residential -Phase I

> John Easley of Associated Engineering is requesting MAPC Preliminary Subdivision Approval for Greensborough Village Residential Phase 1 for one lot and roadway infrastructure for townhomes that is located in the TCO Town Center Overlay District.

Staff Report Greensbrough Village Phase 1 Attachments: 22120 - JTown - Canera Drive East System 22120 - JTown - Canera Drive West System 22120-004 - Phase Sketch 22120-SDP-RP1 - COMPLETE 1 22120-SDP-RP1 - COMPLETE 2 22120-SDP-RP1 - COMPLETE 3 22120-SDP-RP1 - COMPLETE 4 22120-SDP-RP1 - COMPLETE 5 22120-SDP-RP1 - COMPLETE 6 22120-SDP-RP1 - COMPLETE 7 22120-SDP-RP1 - COMPLETE 8 22120-SDP-RP1 - COMPLETE 9 22120-SDP-RP1 - COMPLETE 10 22120-SDP-RP1 - COMPLETE 11 22120-SDP-RP1 - COMPLETE 12 22120-SDP-RP1 - COMPLETE 13 22120-SDP-RP1 - COMPLETE 14 22120-SDP-RP1 - COMPLETE 15

Applicant - John Easley: Stated this is the first phase of infrastructure out to Greensborough Road.

Staff - City Planner, Derrel Smith: Stated it meets requirements and recommend approval.

A motion was made by Dennis Zolper, seconded by Jim Little, that this matter be Approved . The motion PASSED with the following vote.

Aye: 8 - Jimmy Cooper; Jim Little; Dennis Zolper; Kevin Bailey; Monroe Pointer; Stephanie Nelson; Jeff Steiling and Paul Ford

### 6. Final Subdivisions

PP-22-14 FINAL SUBDIVISION: Barrington Park Subdivision, Phase X

Jeremy Bevill of Fisher Arnold is requesting MAPC Final Subdivision Approval for Barrington Park Subdivision, Phase X for 16 lots on 7.2 +/- acres for property zoned R-1, Single-Family Medium Density District, located off of Annadale Drive.

<u>Attachments:</u> <u>Final Plat</u> <u>Staff Report</u> <u>Drainage Report</u>

Applicant - John Sawyer: Stated he had nothing to add. Staff - City Planner, Derrel Smith: Stated it meets the requirements.

A motion was made by Jimmy Cooper, seconded by Dennis Zolper, that this matter be Approved . The motion PASSED with the following vote.

Aye: 8 - Jimmy Cooper; Jim Little; Dennis Zolper; Kevin Bailey; Monroe Pointer; Stephanie Nelson; Jeff Steiling and Paul Ford

# 7. Conditional Use

CU-22-02 CONDITIONAL USE: 3411 & 3413 E. Johnson Ave.

Sharada Madhuri on behalf of Quinn Family Limited is requesting Conditional Use approval to develop property located at 3411 & 3413 E. Johnson Ave. into a fast food restaurant (with drive-through) and a retail space. The property is currently zoned C-4, Neighborhood Commercial District, and requires Conditional Use approval.

Attachments: Application Cert. Mail Site Plan Letter of Concern Staff Summary

A motion was made by Kevin Bailey, seconded by Dennis Zolper, that this matter be Untabled . The motion PASSED with a unanimous vote.

Applicant - John Easley: Stated they spoke to Centennial Bank to create a cross-access, however they are not in a position to create a cross-access agreement. It's a small family-owned family business. Want to reduce the overall size of the retail building by half to reduce traffic. Staff - City Planner, Derrel Smith: Stated if the MAPC decides to approve this conditional use, we would ask that it be with the following stipulations: that all permits and licenses for state and local permits be acquired and will need to follow overlay district guidelines.

**Public Comments:** 

Dave McKinney: Stated he wants to make sure that the MAPC would consider the impact on the neighborhood. The streets are narrow, there are a lot of sharp turns and no sidewalks with lots of foot traffic. The streets are just not designed to handle commercial traffic. Megan McIntosh: Stated there are lot of kids and autistic children in the

Megan McIntosh: Stated there are lot of kids and autistic children in the neighborhood. There are no

businesses that share the only entrance and exit to this neighborhood. Shane McIntosh: Asked the Commission to again think about the traffic the development would cause to go through the neighborhood.

Staff - Derrel Smith: Stated according to the traffic study, it would take on average about five minutes to make a left. There would be no access to Johnson, only Jewel. The conditional use would not be transferable, therefore if someone else opened up a restaurant with a drive through they would have to apply for a new conditional use.

A motion was made by Paul Ford, seconded by Dennis Zolper, that this matter be Approved . The motion FAILED with the following vote.

- Aye: 3 Jim Little; Jeff Steiling and Paul Ford
- Nay: 5 Jimmy Cooper;Dennis Zolper;Kevin Bailey;Monroe Pointer and Stephanie Nelson

#### 8. Rezonings

REZONING: East Highland

James Gramling on behalf of Sai Real Estate, LLC, is requesting a rezoning from I-1 LUO, Limited Industrial District Limited Use Overlay, to C-3, General Commercial District. This rezoning is for 3.27+/- acres located at 5307 East Highland Drive.

Attachments: Updated Application Certified Mail Receipts Rezoning Plat Staff Summary

Applicant - Jim Gramling: Stated he is from Gramling Law Firm representing Sai Real Estate, and requesting I-1 to C-3 at 5307 Highland Dr. Said this property is in the industrial growth sector, but directly across the street is high intensity commercial. Said the zoning map shows the property is surrounded by industrial, agricultural, and lots of commercial at MLK and on the other side. Said the staff report found that this met the gualifications, the criteria, that it would achieve consistency with purpose of the zoning code, and that it's compatible with the zoning uses and character with the surrounding area considering there is commercial in the area, no detrimental effects of nearby property, and the impact to the of the development would be minimal due to existing commercial and industrial currently exist in the area. Said he has 2 considerations he wants to bring up. One is that this is a 3 acre tract. He said there was a similar rezoning in January from another applicant who was seeking to rezone 10 acres from I-1 to C-3 and there were a lot of discussions between the applicant and staff because you can't build much industry on 10 acres. Said that is true on a 3 acre tract. Said many of the permitted uses in industrial wouldn't be feasible on 3 acres. Said the second point is this is in the overlay district so whatever goes there will have stringent requirements from the city. It'll have brick or stone and landscaping requirements. Said there will be extra controls because of the overlay district. Said for those reasons and given where this is and the high intensity commercial there directly to the north, he thinks this is the best use for the property or else it will remain vacant.

Staff - City Planner, Derrel Smith: Stated it does not comply with the land use

plan, but he does meet all the other requirements. He said if it's approved, the following requirements will be needed:

1. That the proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations regarding any new construction.

2. A final site plan subject to all ordinance requirements shall be submitted to the Planning Department prior to any redevelopment of this property.

3. Any change of use shall be subject to Planning Department approval in the future.

4. The site must comply with all requirements of the overlay.

A motion was made by Jimmy Cooper, seconded by Dennis Zolper, that this matter be Approved . The motion PASSED with the following vote.

- Aye: 7 Jimmy Cooper; Jim Little; Dennis Zolper; Kevin Bailey; Stephanie Nelson; Jeff Steiling and Paul Ford
- Nay: 1 Monroe Pointer

## 9. Staff Comments

# 10. Adjournment