



## Legislation Text

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**File #:** MIN-92:1635, **Version:** 1

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### METROPOLITAN AREA PLANNING COMMISSION

JULY 14, 1992

The minutes of the June 9 and June 23<sup>rd</sup>, 1992 meetings were approved as prepared.

#1 RZ92-17 Richard Trammel, Billy Pickering, Waymon Perkins, William Latourette and Ed Watson requested approval of rezoning from R-1 to C-3 for 40.94 acres located on the south side of Parker Road, east of Browns Lane and west of Shelby Drive.

It was noted that the legal descriptions contained in this plat are for the purpose of establishing zoning and is not a legal survey. There are currently on the site several commercial uses all of which are zoned R-1. The property has commercial zoning on either side of the property.

Ms. Finley made a motion to approve with the comment that the bearings and distances on this plat is taken from various plats and descriptions of property and is for zoning purposes only and with the stipulation that the owners sign the plat. The motion was second by Mr. Baker. Voting was 5 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#2 RZ92-18 George and Sean Stem requested approval of rezoning from C-3 to I-1 for Lot 1 of George Stems First Commercial Addition. The property is located on the east side of Stadium Blvd. north of Harrisburg Road.

Dennis Zolper, representing the Stems, stated that it was their desire to build mini-warehouses on this tract of land currently zoned C-3. This issue has been wrestled with for years over whether or not mini-warehouses are an allowed use in C-3 zoning.

There were several deficiencies in the site plan that accompanied this rezoning that need to be addressed. It was felt that until the site plan was not acceptable as drawn and that the zoning should be tabled not knowing if the developer would agree to any stipulations that might accompany his plan or risk being turned down based on what has been presented.

A motion to table this request was made by Mr. McCracken and seconded by Ms. Finley. Voting was 5 in favor, 0 opposed. REQUEST TABLED.

#3 SP92-9 George and Sean Stem requested approval of site plans for mini-warehouses to be built on Lot 1 of George Stems First Commercial Addition. The property is located on the east side of Stadium Blvd. north of Harrisburg Road.

A motion was made by Ms. Finley to table this item and item #4 on the basis that Lot 1 was being grossly over built and the proposal on the layout of the building and parking for Lot 2 is inadequate. The motion was seconded by Mr. Damron. Voting was 5 in favor, 0 opposed. REQUEST TABLED.

#4 SP92-10 George and Sean Stem requested approval of site plans for a building to be built on Lot 2 of

George Stems First Commercial Addition. The property is located on the east side of Stadium Blvd. north of Harrisburg Road.

A motion was made by Ms. Finley to table this item on the basis that the proposal on the layout of the building and parking is inadequate. The motion was seconded by Mr. Damron. Voting was 5 in favor, 0 opposed. REQUEST TABLED.

A further motion was made by Mr. McCracken and seconded by Ms. Finley to recommend to the City Council that unless there are extenuating circumstances, that three (3) readings in (1) one night not be granted concerning a rezoning request. It is recognized that from time to time there are going to be emergencies that would need three reading in one night. Voting was 5 in favor, 0 opposed MOTION APPROVED.

#5 RP92-30 Gerald Marlar requested approval of a replat of Lot 1A of the Home Federal Replat of Lot 1 of Ranchette Acres. The property is located on the north side of Ranchette Drive, west of Cresendo Drive.

Some questions were raised from the floor concerning the intent of this property and the remainder of the property that was not owned by Home Federal. It was noted that there are currently two duplexes underway on this property, one building on each lot, and the remainder of Ranchette Acres is presently zoned R-1.

A motion was made by Mr. McCracken subject to the plat being corrected to show the correct zoning just for clarity and subject to the stipulation that curb, gutter and paving be installed now on the half of the Ranchette Drive that adjoins this property. Plans for this improvement are to be submitted to the City Engineer for his approval. The motion was seconded by Ms Finley. Voting was 5 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#6 MP92-31 Terry Davis requested approval of a one (1) lot minor containing 7.2 acres. The property is located on the north side of Peachtree Avenue, East of Pleasant Grove Road.

A motion to approve the request was made by Mr. McCracken subject to the plat being revised to show the right-of-way line at the property line and subject to the corners being set by the surveyor and so noted on the plat. The motion was seconded by Mr. Patteson. Voting was 5 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#7 MP92-32 J.D. Yates requested approval of a four (4) lot minor plat containing 5.56 acres. The property is located on the east side of Paragould Drive, north of Mockernut Lane.

It was explained that though a minor plat has been requested, this does not qualify as a minor plat and is actually a subdivision as defined by Code and current ordinances require street improvements including curb, gutter and underground drainage. It was further noted that these improvements were required of the adjoining subdivision on the south side of this property. The owner of the property stated he had not anticipated installing street improvements with this development and further noted that the curb on Paragould Drive had not been completed installed by the Kelso's. A request was made of the City engineer to inspect the property to see if those improvements were lacking in the Murray Creek Subdivision.

Prior to making a motion Mr. McCracken made the statement that according to City Ordinances there is no way to address this other than as a subdivision and therefore would have to be treated as such. It was further stated that subdivision plans require preliminary and approval and therefore the motion is to grant preliminary approval, of the subdivision plans subject to the 15' utility easement on the south side being modified to be a

drainage and utility easement, and subject to the final approval request coming back to the Commission. The final plans should incorporate street improvement plans for Paragould Drive including curb, gutter, paving and underground drainage. The motion was seconded by Mr. Baker. Voting was 5 in favor, 0 opposed. REQUEST APPROVAL WITH STIPULATIONS.

#8 PP92-7 Roy Cooper requested approval of subdivision plans for Roy Cooper Subdivision containing 2 lots on 20.15 acres. The property is located on the east side of Stadium Blvd. north of Fire Academy Drive.

A motion to grant preliminary approval was made by Mr. McCracken with the stipulation that the City Engineer further investigates the alignment of the street in this subdivision with Ingels Road and proposes any configuration that would work out better than what is shown. The motion was seconded by Mr. Damron. Voting was 5 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#9 FP92-6 Mitchell Caldwell and Shelby Phillips requests final approval of Colony Park Second Addition. The subdivision contains 20 lots on 7.36 acres and is located on the southwest corner of Colony Drive and Richardson Road.

Mr. McCracken made a motion to approve subject to the following stipulations:

1. The legal description being revised to show this as being a replat of part of Lot 5 of Caldwell/Phillips 2<sup>nd</sup> Addition.
2. Clarification of the right-of-way on Richardson Road in relation to the centerline and the section line. Right-of-way should be shown as 63' from existing centerline, which would be 41' from centerline.
3. Granting of a 15' drainage easement along the east property line and in additional 5' of utility easement parallel to Richardson Road.

It was further stated that the reason improvements are not being required on Richardson Road is the fact the lots front on two streets and there is also a large, existing ditch adjacent to Richardson Road. The developers have already entered into a street improvement agreement for Richardson Road and the inability to determine what the development plan for this road is going to be. The motion was seconded by Ms. Finley. Voting was 5 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#10 PP92-6 Ed & Wanda Vaughn requested preliminary approval of Autumn Hills Subdivision containing 15 lots on 14 acres. The property is located on the west side of Mt. Carmel Road, southeast of Highway 49 (Southwest Drive).

It was noted that there is need for a possible street extension in the future either to the south or the west. This should be addressed in some fashion on the final plans. The street leading into this subdivision is not a dedicated street and will have to be dedicated by deed or by plat.

A motion grant preliminary approval was made by Mr. McCracken subject to the street name being changed and subject to the right-of-way shown on Lot 4 of the Stinnett Subdivision being made a dedication to the City. The developer is requested to also review the possibility of providing for a street extension to the west or the south before final approval. The motion was seconded by Mr. Patteson. Voting was 5 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#11 PP92-5 Bob Gibson requested preliminary approval of plans for Barrett Place, a subdivision containing 105 lots on 36.57 acres. The property is located on the west side of Caraway Road, north of Fox Meadow Lane.

The majority of the discussion on this item concerned the street improvements of Fox Meadow Lane and Caraway Road and the drainage improvements.

Mr. McCracken made a motion to grant preliminary approval subject to the revisions of the drawings to show full improvements on Fox Meadow Lane, with those improvements being curb, gutter, underground drainage and paving, and subject to the utility easements being worked out and addressed on final plat, and subject to the plan being revised to include street improvements on Caraway Road subject to the City Engineer making a recommendation as to the placement of the curb and/or if he wants to make a recommendation to not require those improvements now. The motion was seconded by Ms. Finley. Voting was 5 in favor, 0 opposed. Voting was 5 in favor, 0 opposed. REQUEST APPROVED WITH STIPULATIONS.

#12 SP92-11 NEA Rehab Hospital requested approval of site plans for an expansion of 17,598 sq. ft. to the existing building and a parking lot west of the hospital. The property is located on Fleming Avenue at the south end of Osler Drive and east of Patrick Street.

This plan was presented to the Commission for comments about what should be a part of the site plan. Current plans are to build an addition to the existing building and the construction of a parking lot on the west side of the present site. It was pointed out that there is a large drainage ditch along the south and east sides of the proposed parking area. A vehicular bridge and a pedestrian bridge to the parking lot is planned providing access to the parking lot which does not extend to Patrick Street at this time. It was noted that the MATA street plan includes plans for an extension of Oak Avenue to Fleming Avenue and an extension of Terrace Court to Patrick Street. It was stated that for Fleming Avenue to be extended to the west that a bridge would have to be built to accommodate the extension. The City Engineer asked the developer to consider moving the proposed bridge to the Fleming Avenue crossing and in so doing eliminate the construction of two bridges. The project representative stated that he had not been able to reach the owner of the hospital concerning this but further stated that they would be ease to work with on placement of the bridge and would welcome the opportunity to address it further. The representative also requested that if Terrace Court is extended that it follow the south and west lines of this property instead of crossing in the center which would destroy some of their parking. There is no parking planned for the property connecting to the existing Fleming Avenue that would prevent its future extension.

There was no action taken on this item.

#13 RP92-25 Johnny Pankey requested approval of a replat of Lots 1, 13 & 14 of Heatheridge 2<sup>nd</sup> Addition into 1 lot. The property is located on the southeast corner of Oak Avenue and Ferrell Avenue.

A motion to approve was made by Mr. Damron and seconded by Ms. Finley. Voting was 5 in favor, 0 opposed. REQUEST APPROVED.