



Legislation Text

File #: MIN-88:1370, **Version:** 1

MAPC MINUTES

MARCH 10, 1988

The Metropolitan Area Planning Commission met Thursday, March 11, 1988 at 7:00 p.m. in the Council Chambers, 314 W. Washington. The requests considered are as follows:

The minutes of the February 11, 1988 meeting were approved as prepared.

MEMBERS PRESENT: Mr. Smock, Mr. McCracken, Mr. Sloan, Mr. Blalock, Mr. Lusby, Mr. Lamberth, Mr. Harris

MEMBERS ABSENT: Mr. McDonald, Mr. Vance

Since Items # 1, 2, and #3 were contiguous pieces of property which were annexed into the City this year, these items were viewed at the same time, and then voted on separately. There were several questions raised by adjacent property owners.

#1 Mr. Smock made a motion to approve a rezoning request by Dr. Gary Self from R-1 to C-3. General location of this property is east of the Hwy. 63 Bypass and south of Denver Drive. Motion was amended to approve the request for C-3 zoning with the stipulation that in the event this parcel of property is developed, that the site development plan be presented to MAPC for review prior to issuance of a building permit. Mr. Blalock seconded the motion. Those voting aye were Mr. Smock, Mr. Lamberth, Mr. Blalock, Mr. Lusby and Mr. Harris. Those abstaining were Mr. Sloan. **MOTION APPROVED**

#2 Mr. Carroll Martin requests rezoning of property from R-1 to C-3. General location of the property is northeast of the Hwy. 63 Bypass. Mr. Smock made a motion to approve the request subject to site development plan being presented to the MAPC prior to any future developments. The motion was seconded by Mr. Harris. Those voting aye were Mr. Smock, Mr. Lamberth, Mr. Blalock, Mr. Lusby and Mr. Harris. Those abstaining were Mr. Sloan. **MOTION APPROVED**

#3 David & Louanne Francois request rezoning of property from R-1 to C-3. General location of the property is the northeast corner of Woodsprings Road and the Hwy. 63 Bypass. It was noted by Mr. McCracken that a matter of concern was ingress/egress, and that in any future development of this property that matter would be given close scrutiny. A motion was made by Mr. Smock to approve the request subject to the site development plan appearing before the MAPC. The motion was seconded by Mr. Harris. Those voting aye were Mr. Smock, Mr. Lamberth, Mr. Blalock, Mr. Lusby and Mr. Harris. Those abstaining were Mr. Sloan. **MOTION APPROVED**

#4 Mr. Floyd Carter requests rezoning from R-1 to C-2 property with a general location of east of Stadium Blvd. and south of Race Street. (NOTE: This property was defined as the home site). Mr. Lamberth suggested rezoning request be changed from C-2 to C-3 because it was a more preferable zoning. After review of the ordinances, and with the property owner's approval, Mr. Lamberth made a motion that the rezoning be

amended from C-2 to C-3, recognizing the future probability of the adjacent property also being rezoned C-3, with the stipulation that Mr. Carter furnish a plat showing the subdivision of the property and lot designation. Motion seconded by Mr. Smock. All members present voting aye. MOTION APPROVED

#5 Floyd Carter requests a rezoning from R-1 to C-2 property with a general location of east of Stadium Blvd. and south of Race Street (Note: This property is adjacent to the property in Item #4, and was decided that C-3 was a more preferable zoning, and with the property owner's approval the rezoning request was changed from C-2 to C-3. Pat Parsons informed the Commission that the publication notice was erroneously published as C-3. Mr. Lamberth made a motion that the rezoning be approved subject to the property owner coming back before the MAPC and asking for rezoning for the front portion of the lot. Mr. Lamberth made a motion to amend the legal description to include the whole lot, with the drawing amended to reflect the change. Motion seconded by Mr. Smock. All members present voting aye. MOTION APPROVED

#6 Terry Baker requests rezoning from R-1 to R-2 property with general location of east of South Culberhouse and north of Ridgecrest Baptist Church.

Mr. Baker stated that he was requesting rezoning because of square footage requirements in R-1, and that he would replat the existing three lots to provide four lots. Upon hearing from residents in the area, it was stated that similar requests have been denied. A motion was made by Mr. Sloan to deny the rezoning request, citing spot zoning, and stating that the lots don't meet lot requirements. The motion was seconded by Mr. Lusby, citing a concern of setting a precedent. All members present voting aye. MOTION APPROVED REQUEST DENIED.

#7 Frank & Mary Walden request a replat of Lot 4 Marshall Addition. The general location of this property is south of Marjorie Drive.

Mr. McCracken pointed out that this item was tabled at the February 11, 1988 MAPC meeting. It was also noted that the last transaction before the MAPC regarding Marjorie Drive was in March 1985, by Mr. John Gross, which involved a separate piece of property. There was at that time a motion to approve a replat subject to the following stipulations:

1. relocation of a cross drain, and
2. an escrow account be established with the City in an amount equal to the cost of curb and gutter in linear feet with the amount requested to Mr. Lee on a previous meeting. Escrow was to be put in an account for a five-year period and would be returned to the property owner if the street improvements have not been completed by the City within that time period.

Mr. McCracken directed Pat Parsons to refer to the City Attorney the question of legal recourse against Mr. Gross.

A motion was made by Mr. Lusby to approve the replat, with the stipulation that property owners be required to establish an escrow account for street improvements in an amount to be set by the City Engineer not to exceed \$15 per linear foot. Motion was seconded by Mr. Sloan. All members present voting aye. MOTION APPROVED

#8 Mr. Floyd Vancannon requests a replat of the east 56.25 feet of Lot 3, all of Lot 4 and west half of Lot 5 of Charles A. Stuck's Turtle Creek Ranch Addition. General location of this property is south of Nettleton Ave. (U.S. Hwy. 63) and east of Stadium Drive. A motion was made by Mr. Sloan to approve this request with the stipulations as follows:

1. that the existence or non-existence of the street on Lot 4 shown on the city lot map be clarified. If there is a dedicated city street running north and south in Lot 4, we cannot replat it; if there is not a dedicated city street we will replat it.
2. the amount of right-of-way is to be established as 50 ft. from the center line of Nettleton Avenue, and that the property line be shown at the right-of-way line.

The motion was seconded by Mr. Smock. All members present voting aye. MOTION APPROVED

Other business:

Mr. McCracken reminded the Commission that the City did adopt the new I-2 regulations on March 7, 1988.

Mr. McCracken also stated that there is nothing new from the Annexation Committee.

Additionally, Mr. McCracken also informed commissioners that the City Attorney has been instructed to draft an ordinance specifying the function of a City Planner within the City.

The meeting was adjourned at 10:30 p.m.