



Legislation Text

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Minutes for the MAPC meeting on April 9, 2002.

Minutes for Metropolitan Area Planning Commission, April 9, 2002

MEMBERS PRESENT: Beadles, Damron, Gott, Street, Farmer, Krennerich, Johnson

MEMBERS ABSENT: Little, Shaw

OTHERS PRESENT: Glenn Batten City Planner; Claude Martin, City Engineer; Teddy Hotten, City Engineer, Brian Wadley, Planning Coordinator

The minutes of the March 12, 2002 meeting were approved as prepared.

#1 CU02-5 Randy Simpkins requested approval of a conditional use to construct a communications tower in the R-2 Multi-family Low Density District. The address of the property is 508 Creath Avenue and the general location of the property is on the north side of Creath Avenue, west of Bridge Street.

Glenn Batten, City Planner, stated that the size and shape of the proposed property was sufficient for a tower placement and basically would generate no traffic or place other demands on existing public facilities. Setbacks for the equipment sheds will be looked at at the time of construction.

Questions were raised by Commissioners regarding frequency interference with other uses in the area and also the structural stability of the tower.

Mr. Simpkins stated that the FCC would have to approve all frequencies that might locate on the tower and that structural engineers would design a structure designed to meet 70 mph wind loads or greater if desired.

No one in attendance expressed opposition.

Mr. Krennerich made a motion to approve the request with the following stipulations:

1. Providing two paved parking spaces on site, together with the necessary drive
2. Having the tower designed to withstand 110 mph wind loads
3. Receiving approval from FCC for all emissions
4. Design the tower in accordance with seismic specifications
5. Issue no building permits until stipulations are complied with

The motion was seconded by Mr. Farmer. Voting was 6 in favor, 0 opposed. Those voting aye were Damron, Farmer, Johnson, Gott, Street, and Krennerich. **MOTION CARRIED, REQUEST APPROVED WITH STIPULATIONS.**

#2 RZ02-10 Max Dacus, Jr. requested approval of rezoning from the Residential R-1 Single-Family Medium

Density District to the Commercial C-3 Limited Use Overlay District for 1.14 acres located on a part of the SE 1/4, NW 1/4 of Section 29, T14N, R4E. The general location of the property is on the north side of Windover Road, west of Browns Lane.

Glenn Batten, City Planner, stated that the proposal was consistent with the comprehensive plan and with the zoning ordinance. The limited uses proposed are compatible with the surrounding uses to the south and east. Those uses are as follows: automated teller machine; bank or financial Institution; medical service/office; office general; utility minor; and conditional uses of retail/service.

There was discussion regarding the number of driveway cuts that would be allowed when the site development plans were prepared.

No opposition was expressed by any in attendance.

Mr. Street made a motion to approve the rezoning of C-3 LU-O with the following limited uses:

1. Automated teller machine
2. Bank or financial Institution
3. Medical service/office
4. Office general
5. Utility, minor
6. Retail/service uses may be approved as conditional uses

The motion was seconded by Mr. Krennerich. Voting was 6 in favor, 0 opposed. Those voting aye were Street, Krennerich, Johnson, Farmer, Damron, Gott. **MOTION CARRIED, REQUEST APPROVED WITH STIPULATIONS.**

#3 MP02-06 Max Dacus, Jr. requested approval of a two lot minor plat containing 1.14 acres and located on a part of the SE 1/4, NW 1/4 of Section 29, T14N, R4E. The general location of the property is on the north side of Windover Road, west of Browns Lane.

Glenn Batten, City Planner, stated that it would be good if this tract and the adjacent tracts were developed using an overall concept. This would help to determine where curb cuts should be located and improve the planning process.

No opposition was expressed by any in attendance.

Mr. Krennerich made a motion to approve the minor plat contingent upon the rezoning being approved by the city council and limiting access to one curb cut. This could be a shared driveway with the adjacent property. The motion was seconded by Mr. Damron. Voting was 6 in favor, 0 opposed. Those voting aye were Farmer, Johnson, Krennerich, Street, Gott, Damron. **MOTION CARRIED, REQUEST APPROVED WITH STIPULATIONS.**

#4 RZ02-11 Max Dacus, Sr. requested approval of rezoning from the Residential R-1 Single-Family Medium Density District to the Commercial C-3 Limited Use Overlay for 2.30 acres located on a part of the SE 1/4, NW 1/4 of Section 29, T14N, R4E. The general location of the property is on the north side of Windover Road, west of Browns Lane.

Glenn Batten, City Planner, stated that the proposal was consistent with the comprehensive plan and with the

zoning ordinance. The limited uses proposed are compatible with the surrounding uses to the south and east. Those uses are as follows: automated teller machine; bank or financial Institution; medical service/office; office general; utility minor; and conditional uses of retail/service.

There was discussion regarding the number of driveway cuts that would be allowed when the site development plans were prepared.

No opposition was expressed by any in attendance.

Mr. Street made a motion to approve the rezoning of C-3 LU-O with the following limited uses:

1. Automated teller machine
2. Bank or financial Institution
3. Medical service/office
4. Office general
5. Utility, minor
6. Retail/service uses may be approved as conditional uses

The motion was seconded by Mr. Krennerich. Voting was 6 in favor, 0 opposed. Those voting aye were Street, Krennerich, Johnson, Farmer, Damron, Gott. MOTION CARRIED, REQUEST APPROVED WITH STIPULATIONS.

#5 MP02-7 Max Dacus, Sr. requested approval of a one lot minor plat containing 2.30 acres located on a part of the SE 1/4, NW 1/4 of Section 29, T14N, R4E. The general location of the property is on the north side of Windover Road, west of Browns Lane.

Glenn Batten, City Planner, stated that it would be good if this tract and the adjacent tracts were developed using an overall concept. This would help to determine where curb cuts should be located and improve the planning process.

No opposition was expressed by any in attendance.

Mr. Damron made a motion to approve the minor plat contingent upon the rezoning being approved by the city council and limiting access to the site to two curb cuts. Driveway sharing is encouraged with the adjacent property. The motion was seconded by Mr. Damron. Voting was 6 in favor, 0 opposed. Those voting aye were Farmer, Johnson, Krennerich, Street, Gott, Damron. MOTION CARRIED, REQUEST APPROVED WITH STIPULATIONS.

#6 RZ02-12 Millard J. Cooper requested approval of rezoning from the Residential R-1 Single-Family Medium Density District to the C-3 General Commercial District for 1.01 acres located on a part of the SE 1/4, SW 1/4 of Section 1, T14N, R4E. The general location of the property is on the northwest corner on Johnson Avenue and Clinton School Road.

Glenn Batten, City Planner, stated that the proposal is not consistent with the comprehensive plan and further that he was unsure of the consistency with the purpose of the zoning ordinance because of the core commercial request. Glenn explained that when a rezoning is requested to a general core district you have to consider all uses permitted in that district. Uses are not restricted to those that a petitioner may have in mind at the time. Some uses would be compatible with uses in the area and some would not, and some could be considered detrimental to other uses especially to the north and west. Glenn stated that the rezoning request was a little

premature until other changes occur and other properties are joined to set the tone for future development. Residential development could occur as zoned with good access off the side street. The major impact on public facilities here would heavy traffic on Johnson Avenue, which is four to five lanes and posted at 50 mph.

No opposition was expressed by any in attendance.

Mr. Krennerich made a motion to disapprove the request because of inconsistencies with the land use plan and the zoning ordinance and that strip commercial for this property located in the curve of Hwy. 49 is not appropriate. The motion was seconded by Mr. Street. Voting was three in favor, 3 opposed. Those voting aye were Gott, Street, Krennerich. Those voting no were Damron, Johnson, Farmer. MOTION FAILED.

#7 RZ02-13 Mary Craft requested approval of rezoning from the Residential R-1 Single-Family Medium Density District to the Commercial C-3 Limited Use Overlay for 3.18 acres located on a part of the South Half of the SE 1/4 of Section 14, T14N, R3E. The general location of the property is on the south side of Washington Avenue, approximately 1,000' west of Stratford Drive.

Skip Mooney, representing Ms. Craft, stated that the property is heavily wooded and will be the new site of the Elks Lodge. Ms. Craft owns the adjacent property as well.

Glenn Batten, City Planner, explained that the proposal is consistent with the comprehensive plan and with the purpose of the zoning ordinance. The limited use of an Elks Lodge with indoor/outdoor recreation areas, a conference center and dining facilities is compatible with the uses in the surrounding area and is a good transitional use considering the rolling terrain. This use should not be a detriment to the adjacent uses and the church property is 800' east of the site.

No opposition was expressed by any in attendance

Mr. Damron made a motion to recommend approval of the request to the City Council as submitted for a C-3 Limited Use. The motion was seconded by Mr. Gott. Voting was 6 in favor, 0 opposed. Those voting were Gott, Damron, Street, Krennerich, Farmer, Johnson. MOTION CARRIED, REQUEST APPROVED.

#8 FP02-7 Carroll Caldwell requested final approval of subdivision plans for Deerfield Subdivision Phase II and Phase III containing a total of 76 lots on 21.22 acres. The general location of the property is on the east side of Wimpy Lane, south of Southwest Drive.

It was noted that all preliminary stipulations had been met with the exception of the access to lands to the east. One of the stipulations from March was to provide an overall drainage plan of this property and the previous Deerfield Phase and the Bob Wood property along Southwest Drive. With regard to the revised drainage plans there were additional comments by the City Engineer, Claude Martin.

Item #8 cont... Those comments were that there appears to be no drainage easement for the flared end section of pipe, W-5, on Lot 37. Rip-rap needs to be placed at the end of the flared end section. The drainage needs to be shown on the profile and the ditch section from the flared end section, W-5, to the flared end section, T-1, on page 7 of 15. Rip-rap is also needed at the end of the flared end section, U-2 and W-5.

George Hamman and Craig McDaniel, representing Mr. Caldwell, stated they had no problem with the engineering comments and would comply.

No one in attendance spoke in opposition.

A motion was made by Mr. Damron to disapprove the request due to no access being provided to the east from this property. The motion died for lack of a second.

A second motion was made by Mr. Farmer to grant final approval of the request noting that the developer is providing two outlets to Wimpy Road requiring bridges and no access to the east is being required. Mr. Farmer further stipulated compliance with the following engineering comments:

1. Granting a drainage easement for the flared end section of pipe, W-5, on Lot 37
2. The drainage needs to be shown on the profile and the ditch section from the flared end section, W-5, to the flared end section, T-1, on page 7 of 15.
3. Placing rip-rap at the end of the flared end sections, U-2 and W-5.

The motion was seconded by Mr. Krennerich. Voting was 5 in favor, 1 opposed. Those voting aye were Gott, Street, Krennerich, Johnson, Farmer. Those voting no were Damron. MOTION CARRIED, REQUEST APPROVED WITH STIPULATIONS.

#9 PP02-6 Carroll Caldwell requested preliminary approval of subdivision plans for Friendly Hope Estates Phase III and Phase IV containing a total of 36 lots on 15.04 acres. The general location of the property is on the north side of Bowden Drive, and a continuation of Friendship Circle.

WITHDRAWN.

#10 PP02-5 Kent Arnold requested preliminary approval of subdivision plans for Pooh Corner Subdivision containing 55 lots on 16.601 acres. The general location of the subdivision is on the north side of Flemon Road, east of Shasta Drive.

WITHDRAWN.#11 PP02-7 Jim Abel requested preliminary approval of subdivision plans for Belle Meade Phase I containing 19 lots on 10.344 acres. The general location of the property is on the south side of Woodsprings Road, approximately ½ mile east of Friendly Hope Road.

Mr. Street made a motion to grant preliminary approval of Phases I & II of Belle Meade with the following stipulations:

1. Changing the name of the subdivision, proposed name is duplicate
2. Changing the conflicting street names and checking the spelling on others, some are spelled differently on different pages of the plans
3. Providing elevation contours on plans
4. May need to install scupper inlets on the east side of Oakmont at the two coves
5. Placing rip-rap at the end of Annandale Street
6. Distinguishing on plans between smooth metal or corrugated metal pipe
7. 25' radius needed at Hwy. 226
8. Reduce slope on Pembroke Circle from 7.38% to about 5% and slope cove to the south about 2% and extending the throat on the low side

The motion was seconded by Mr. Farmer. Voting was 6 in favor, 0 opposed. Those voting aye were Street, Farmer, Johnson, Gott, Krennerich, Damron. MOTION CARRIED, REQUEST APPROVED WITH STIPULATIONS.

#12 PP02-8 Jim Abel requested preliminary approval of subdivision plans for Belle Meade Phase II containing 41 lots on 21.802 acres. The general location of the property is on the south side of Woodsprings Road, approximately ½ mile east of Friendly Hope Road.

Mr. Street made a motion to grant preliminary approval of Phases I & II of Belle Meade with the following stipulations:

1. Changing the name of the subdivision, proposed name is duplicate
2. Changing the conflicting street names and checking the spelling on others, some are spelled differently on different pages of the plans
3. Providing elevation contours on plans
4. May need to install scupper inlets on the east side of Oakmont at the two coves
5. Placing rip-rap at the end of Annandale Street
6. Distinguishing on plans between smooth metal or corrugated metal pipe
7. 25' radius needed at Hwy. 226
8. Reduce slope on Pembroke Circle from 7.38% to about 5% and slope cove to the south about 2% and extending the throat on the low side

The motion was seconded by Mr. Farmer. Voting was 6 in favor, 0 opposed. Those voting aye were Street, Farmer, Johnson, Gott, Krennerich, Damron. MOTION CARRIED, REQUEST APPROVED WITH STIPULATIONS.