



## Legislation Text

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### MAPC MINUTES

DECEMBER 10, 1987

The Metropolitan Area Planning Commission met Thursday, December 10, 1987 with eight members present. The meeting was called to order at 7:00 p.m. in the Council Chambers, 314 W. Washington. The requests considered are as follows:

**MEMBERS PRESENT:** Mr. Lusby, Mr. Blalock, Mr. Sloan, Mr. Harris, Mr. McDonald, Mr. Lamberth, Mr. McCracken, Mr. Vance

**MEMBERS ABSENT:** Mr. Smock

#### #1 WITHDRAWN

#2 A motion was made by Mr. Vance to approve a rezoning request by David Conrad from I-1 to R-3 and C-3 for part of Block A, White Plaza, located north of Conrad and west of Caraway. The motion was seconded by Mr. Lamberth. All members present voting aye. MOTION APPROVED.

#3 Mr. Lamberth made a motion to approve a replat request by David Conrad of Lots 1C and Lot 1R of a replat of Lot 1 of Conrad's Replat of Merryman's Replat of Lots 2, 3 & 4, Block A of White Plaza, located north of Conrad and west of Caraway. Mr. Vance seconded the motion. All members present voting aye. MOTION APPROVED.

#4 Central Baptist Church requests approval of site development plans for temporary location of two structures on Lot 7 of Beloate's Addition. The general location is south of Oak Street.

It was explained that the property could not be replatted because it is landlocked and the temporary placing of two structures on one lot is a temporary arrangement until the new building is completed, approximately two years.

Mr. Lamberth made a motion to approve this request with the stipulation that the temporary dwelling would only be in place for a period not exceeding thirty (30) months. Mr. Vance seconded the motion. All members present voting aye. MOTION APPROVED.

#5 Ray Pierson, Jr. and Robert Darr requests a replat of Lot 1 and Lot 1A, Lot 23 and 23-A, Marshall Estates. The general location of this property is north of Fairway Drive and west of East Lakeshore Drive.

There was a considerable amount of discussion about this being four lots, two with no street access and that having an "A" on these lots identified them as being separate lots. A review of an earlier replat revealed that many of the lots bordering the lake were replatted in this same manner using the "A" lots. It was unclear as to why these lots were designated in this manner on the previous replat and on this one but at the same time there was an order of consistency concerning the property surrounding the lake.

Mr. Vance made a motion to approve this request. Mr. Lamberth seconded the motion. Those voting aye were Mr. Blalock, Mr. Sloan, and Mr. Lusby, Mr. Vance. Those voting no were Mr. Lamberth, Mr. McDonald, and Mr. Harris. MOTION APPROVED.

#6 Mr. Vance made a motion to approve a request by Marvin Hinton, Jr. for final approval of Rhonda Drive Subdivision, located west of Rhonda Drive, containing two lots on .546 acres, more or less. Mr. Lamberth seconded the motion. All members present voting aye. MOTION APPROVED.

#7 Guy Pardew, Jr. requests of site development plans and a replat for Christopher Homes to be located east of Crescendo Drive.

Mr. Sloan made a motion to approve the replat with the stipulation that 10' additional right-of-way be granted on Hwy. 141 for a total of 50' from the centerline and this replat is contingent upon the rezoning being approved in January as already submitted. Mr. Lamberth seconded the motion. All members present voting aye. MOTION APPROVED.

Many residents of this general area were present to voice opposition to the proposed site plan which is an elderly housing project associated with the Catholic Diocese. Signed petitions objecting to the multi-family housing units were presented to the Commission as well.

A spokesman for the group cited possible property devaluation, potential crime targets, unsightly appearance, etc., as reasons for opposing this project. The Commissioners explained to the residents that however sympathetic they might be, aesthetics could not play any role in deciding whether or not to approve the proposed development. It was further noted that much of the property surrounding this site is still in the County and that there are no restrictive zoning or regulations governing development within the County other than possible approval by the Board of Health for the placement of septic tanks..

Further statements were made regarding duties and responsibilities of the MAPC. In looking at a site plan duties include seeing that site conforms to requirements contained in City Ordinances, such as compliance with zoning restrictions, setback requirements, storm drainage, etc.

As a matter of information to answer some questions, it was stated that the annexation in which this property was included, as well as others east of Hwy. 141, was handled in the proper legal manner. Noting that public notification appeared several times, presentation to the MAPC for zoning classifications, recommendations to the City Council on improvements, presentation to the City Council for approval or rejection was the manner in which the annexation was handled.

Further comments were made that R-3 zoning is generally the transition from Commercial to Residential, proceeding to R-2 and eventually R-1. This allows for a gradual rather than abrupt change from Commercial to Residential.

Commissioners also commented that the MAPC is not an enforcing agent for restrictive covenants if same exists.

Concluding the discussion was a motion by Mr. Vance to table this request citing deficiencies in addressing drainage, parking, utilities, setbacks, street improvements, lack of adequate drawings showing placement of buildings and no one present to address many of unanswered questions as being reasons for motioning to table

the request. The motion was seconded by Mr. Lusby. All members present voting aye. MOTION APPROVED - ITEM TABLED.

#8 Robert Bishop requests a rezoning from R-1 to R-2 and a replat of the following property, Lots A, B & C of Bishop Addition, located north of Matthews and east of Freeman.

Mr. Lamberth made a motion to approve both the rezoning and replat subject to 11' additional right-of-way being granted on Matthews for a total of 41' from centerline. Contained in Mr. Lamberth's motion was a recommendation that the owner not be required to comply with 25' setbacks if the building should be destroyed and he wished to replace it on the existing foundation. It was further stated that the zoning was being granted because present use of the property is R-2 and that the property was in existence before the zoning. Mr. Harris seconded the motion. All members present voting aye. MOTION APPROVED.

As a matter of record, Mr. Vance made a motion during the meeting to consider item #8 before item # 7. With no opposition, item #8 was considered before item #7.

Mr. McCracken informed the commissioners of the public hearing on island annexation to be held December 14, 1987 at 7:00 p.m. in the Council Chambers, and of an annexation committee meeting to be held 12-17-87 at which time public input will be sought.

Mr. McCracken told commissioners of a resolution by the annexation committee to investigate the possibilities of hiring a City Planner and establishing a City Planning Department.

Meeting adjourned at 9:30 p.m.