

**Minutes for the Meeting of the
City of Dyersburg Municipal-Regional Planning Commission
November 14, 2013
10:00 am
Municipal Courtroom**

Commission Members Present: Mayor John Holden, Tony Dement, Shari Guthrie, Bart Williams, Chairman Eddie Burks, Brian Ramm, Paul Newbill.

Staff and Others Present: Will Radford, Planner/Consultant, Nelson/Thornton, P.C., Justin Avent, City Engineer, Scott Ball, City Storm Water Manager, Thomas Mullins, Codes Enforcement Department.

Chairman Burks declared that a quorum was present and called the meeting to order. After calling the meeting to order, Chairman Burks asked for a motion to approve the minutes from the October 10, 2013 Commission meeting. Commissioner Paul Newbill moved that the Commission approve the minutes, which was followed by a second by Commissioner Shari Guthrie. The minutes were approved by all board members in attendance.

I. Old Business:

- A. Any old business that may be accepted for discussion by the Planning Commission.
None presented.

II. New Business.

A. Jones Farms and Properties Rezoning Request

Chairman Burks called for any presentation representing the Jones Farms and Properties Rezoning Request. Ms. Cindy Jones presented a position discussion request and several article handouts for the reasons for the Jones Farms request for rezoning from M-1 to R-1. The request included the following:

- Plan is nearly 14 years old and may not be consistent with today's development trends in the area. The Spec building was built in 2009 and has not been occupied to date. It would be appropriate for the Commission and the County to reevaluate the land use plan for her property to more accommodate the current trends being observed in 2014 and beyond.
- There are new affordable housing developments established in recent months along nearby Fort Hudson Road and with the inception of the new 750,000 gallon water reservoir to be constructed on the City property at the confluence of Calvin Moore Road and Fort Hudson road, new water opportunities will not only be available for industrial but for increased residential development.
- The topography of the farm is quite varied with elevations ranging as high as 350+ feet to 150 feet. The landscape is rolling hills with issues of water retention (not affecting roadways or

adjacent properties), and a comparison of properties within the industrial area shows that existing industry properties are more level and conducive to grading and construction cost.

- Ms. Jones expressed the farm had been in her family for over 60 years and she intends for the farm to become a legacy farm to her children and grandchildren, ultimately becoming a Century farm in Dyer County. She further noted she or her heirs may wish to build a home on the property at some future point in time.

- There appears to be a perception that of most of the land on the north side of Calvin Moore Road is Industrial, but the majority of properties are non-industrial, and mostly farm and residential

- As the 2000 use plan for industry promotion has placed much emphasis upon the completion of I-69 and interchanged concepts, Ms. Jones noted a decision by TDOT Commissioner John Schroer to halt all work on the I-69 project until Congress directs more money to the project.

Ms. Jones emphasized the rezoning request is not a significant change in the land use plans for the area. It merely invites the City to consider that this area may not be as well suited for industrial development as it was once believed. She further stated that it appears there may be no further desire for Industrial Development expansion for the I-69 concept in this location at the state and Federal levels. However, if her property is rezoned as requested, then there still remains an ample area for development that was originally established in what property is now maintained by the city surrounding NSK.

B. Xristos Sakarelos Rezoning Request.

After, The Jones Farms presentation, staff recommended the Commission hear from the Xristos Sakarelos rezoning request before staff presents any comments and recommendations. This was recommended due to the similarity of the two requests and the adjacent locations of the properties. The Commission agreed and Mr. Mike Gauldin, representing Mr. Sakarelos expressed the following:

- Mr. Sakarelos purchased the property with the intention of building his own personal home, but is not allowed to build because of the current M-1 zoning restriction.
- Mr. Sakarelos is requesting the zoning change From M-1 to R-2.
- Mr. Sakarelos believes the property is not conforming to more appropriate contour of land topography that is traditionally more suitable for industrial development, and
- The property has a large lake in the middle of the parcel.

Staff Comments on the Jones Farms and Properties Request: Background:

A rezoning request has been submitted by Jones Farms and Properties for 100 acres of property located on W. Calvin Moore Road. The property can be further identified as Parcel 4.00 on Dyer County Tax Map 073. The request is to be rezoned from M-1 (Light Industrial) District to R-1 (Low Density Residential) District. The property does not appear to be in a federally identified flood hazard area.

Analysis: This property is adjacent to the next agenda item, Xristos Sakarelos rezoning request from M-1 (Light Industrial) to R-2 (Medium Density Residential)

This area was annexed by the City of Dyersburg in 2007 and was zoned M-1 upon annexation.

According to the 2020 Development Plan, which staff believes was adopted in 2000; the plan was for this area to be Industrial. This shows a desire by the City in 2000 and consistent desire in 2007 to have this property available for Industrial use. The property is near a proposed Interstate 69 interchange and therefore would be a good area for Industrial Development.

For the City to rezone the property to R-2 would require a significant change in the land use plans for the area. The City may feel that this area isn't as well suited for industrial development as it was once believed. If the property is rezoned to R-1, staff believes the area would then trend towards more residential development and possibly some commercial development near the I-69 interchange, but industrial development then becomes less likely.

Currently, Calvin Moore Road represents a clear buffer between residential and industrial development. That dividing line between districts becomes less clear if this property is rezoned. The City should protect the potential for Industrial Development if still desired for this area.

Staff Recommendation: Staff recommends denial of the rezoning request based on current land use plans and policies.

Staff Comments on the Xristos Sakarelos Request: Background:

A rezoning request has been submitted by Xristos Sakarelos for 62 acres of property located at 214 W. Calvin Moore Road. The property can be further identified as Parcel 5.00 on Dyer County Tax Map 073. The request is to be rezoned from M-1 (Light Industrial) District to R-2 (Medium Density Residential) District. The property does not appear to be in a federally identified flood hazard area.

Analysis: This area was annexed by the City of Dyersburg in 2007 and was zoned M-1 upon annexation.

According to the 2020 Development Plan, which staff believes was adopted in 2000; the plan was for this area to be Industrial. This shows a desire by the City in 2000 and consistent desire in 2007 to have this property available for Industrial use. The property is near a proposed Interstate 69 interchange and therefore would be a good area for Industrial Development.

The property has adjacent R-2 zoning to the south of Calvin Moore Road. Most of the land on the north side of Calvin Moore Road is Industrial, but the adjacent 100 acres has put in a subsequent request for R-1 zoning.

For the City to rezone the property to R-2 would require a significant change in the land use plans for the area. The City may feel that this area isn't as well suited for industrial development

as it was once believed. If the property is rezoned to R-2, staff believes the area would then trend towards more residential development and possibly some commercial development near the I-69 interchange, but industrial development then becomes less likely.

Currently, Calvin Moore Road represents a clear buffer between residential and industrial development. That dividing line between districts becomes less clear if this property is rezoned. The City should protect the potential for Industrial Development if still desired for this area.

Staff Recommendation:

Staff recommends denial of the rezoning request based on current land use plans and policies.

Having heard staff presentations the Commissioner Bart Williams made a motion to accept the recommendations of staff on both properties as a point parliamentary procedure to open the floor for further discussion. The motion was seconded by Commissioner Tony Dement.

With the floor open for discussion each Commissioner expressed significant points of interest and concerns for the individual rights of the property owners, as well as, the responsibility and accountability of the Commission to the citizens and all of the various entities involved with the Industrial planning for the area. The Commission emphasized that their goal was to provide the best possible service on behalf of the land owners in these requests. Additionally, the Commission expressed the need to have more time for study and information gathering to allow them to make the best decisions possible for the land owners and the City of Dyersburg. With this understanding, and at the recommendation of the Commission, the property owners agreed to withdraw their request and re-submit their same requests for the next Commission meeting in December, 2013. At this point in the meeting, Commissioners Bart Williams and Tony Dement agreed to withdraw their motion.

III. Other Business/Reports:

A. Administrative Reports: No reports.

With no further business presented before the Planning Commission the meeting adjourned at 11:10 a.m.

John Pressler, Secretary

Robert C. Jones, Recorder