

**Minutes for the Meeting of the
City of Dyersburg Municipal-Regional Planning Commission
January 12, 2017
10:00 am
Municipal Courtroom**

Commission Members Present: Eddie Burks, Tony Dement, Mayor John Holden, Brian Ramm, Paul Newbill, John Pressler, Robert Taylor, Jr., and Sherry Guthrie.

Staff and Others Present: Will Radford, Planner/Consultant, Nelson Community Development Group, Thomas Mullins, Codes Department, Tiffany Heard, Engineer, SSR., Scott Ball, Storm Water and Construction Inspection, Craig Barron, Barron Surveying.

Chairman Burks declared that a quorum was present and called the meeting to order. Chairman Burks called for a motion to approve the minutes of the November 10, 2016 Commission meeting. The motion was made by Commissioner Paul Newbill with second by Commissioner Brian Ramm. The motion passed and the minutes were approved.

Chairman Burks called for any old business. No old business was presented.

Chairman Burks noted that this meeting was the first meeting for 2017, and the Commission must reelect officers to the Commission. Chairman Burks recused himself from chairmanship while differing to Mayor Holden to proceed with Commission officer's reelection. The positions included Chairman, Vice-Chairman, and Secretary. Mayor Holden noted the recent appointment of Alderman Robert Taylor, Jr. to the Commission as per the requirements of the city charter. Additionally, he announced the three-year re-appointment of John Pressler to the Commission.

Commissioner Brian Ramm motioned to reelect the Commissioners who served as officers for the 2016 term. The motioned was seconded by Alderman Robert Taylor, Jr. The motion passed. Mayor Holden called for a motion to reelect the 2016 officers by acclamation to the 2017 term. Commission Brian Ramm motioned to reelect all officers by acclamation. Alderman Robert Taylor, Jr. seconded the motion, which passed unanimously, reelecting all 2016 officers.

New Business:

A. John David Fisher Rezoning Request

Background

A rezoning request was submitted on behalf of John David Fisher to rezone property located near the intersection of Court Street and South Tennyson Avenue from B-2 (General Trade and Service) District to M-2 (Medium Industrial) District. The property can be further identified as Parcel 15.00 on Dyer County Tax Map 99E, Group H. The property appears to be located in a Zone X "Other Flood Areas" flood hazard area according to FIRM #47045C0213E, effective on 10/16/2008.

Analysis

The property has adjacent M-2 zoning to the east and the west of this property.

The property is designated “Infill/Comprehensive Redevelopment” according to the 2020 Development Plan Future Land Use Map.

The property is near an abandoned railroad right of way.

While there is some concern as to the impact, this industrial rezoning would have on nearby residential developments, (Custer Ave) the area appears to have been used mostly by industrial uses in the past and much of this area is already zoned M-2.

The Land Use Plan states, “Industrial uses should locate near transportation facilities that offer the access required by the industry. Such uses should not be allowed to create demands that exceed the capacity of the existing and the future transportation network”. Tennyson Avenue/Bean Mill Road is a collector street on the Dyersburg Major Road Plan. The planning staff was given assurances from the street department that the road can sustain potential heavy truck traffic that may be required of an industrial district.

Recommendation

Staff recommended approval of the rezoning request.

Chairman Burks called for any questions or further discussion. With none presented he called for a motion to approve or deny the rezoning request.

Commissioner Paul Newbill motioned to approve the request. The motion was seconded by Commissioner Tony Dement, and was approved by the Commission. Alderman Robert Taylor, Jr. voted no to the motion.

C. John Derek Guivehchi Rezoning Request

Background

A rezoning request was submitted on behalf of John Derek Guivehchi to rezone property located near the intersection of St. John Avenue and Morgan Road from R-1 (Low Density Residential) to B-2 (General Trade and Service) District. The property can be further identified as Parcel 41.00 on Dyer County Tax Map 730, Group A. The property does not appear to be located in a federally identified flood hazard area.

Analysis

This property has adjacent B-2 zoning to the north.

The B-2 property to the north of this lot has access to St. John Avenue which is an Arterial Street. This lot does not have the same access, though Morgan Road is designated as “Major Collector”.

This rezoning would be extended the commercial district away from the arterial street and extend it closer to the nearby residential uses to the south creating a commercial lot instead of what is currently a vacant residential lot.

Staff understands that this lot is under the same ownership as the B-2 lot to the north. Had this lot been previously combined, there would be a stronger case for rezoning this parcel.

The property is designated “Mixed Use” according to the 2020 Development Plan Future Land Use Map.

Recommendation

Staff recommended in favor of the rezoning due to the adjacent B-2 district and the location near the intersection of a collector and arterial street.

Chairman Burks called for any questions or further discussion. Adjacent property neighbor, Mr. Nathan Burns, presented his concerns of the property being considered for the rezoning request. He stated his primary concern dealt with the water control of the lot in question. He noted that he has had regular occurrences of minor flooding to his property and home due to water drainage from the lot. This concern was acknowledged by Scott Ball, storm water inspector. Mr. Ball noted that the city has worked with this drainage issue for some time in an attempt to properly remedy and abate the drainage issue from Mr. Burns property. Staff noted that if the Commission approves the rezoning request, the landowner may have a better opportunity to commercially develop the combined lots. This could lead to a better method of water retention and control, as the city would have greater authority to intervene in the drainage control issue.

Chairman Burks further noted the Commission’s desire to have proper screening between the lot and Mr. Burns’ property. This transition should have a minimal visual impact, and would be subject to a site plan design approval.

With none presented he called for a motion to approve or deny the rezoning request.

Mayor Holden motioned to approve the request. The motion was seconded by Commissioner Tony Dement, and was approved by the Commission.

E. Any other new business that may be accepted by the Planning Commission.

None presented.

Other Business/Reports: No report.

Administrative Reports: No report.

The meeting adjourned at 10: 36 a.m.

Tony Dement, Secretary

Robert C. Jones, City Recorder