

**Minutes for the Meeting of the
City of Dyersburg Municipal-Regional Planning Commission
February 8, 2018
10:00 am
Municipal Courtroom**

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

Other Staff Present: Thomas Mullins, Codes Enforcement, Carmen Cupples IT. Russell Norville, Civil Engineering Solutions, Scott Ball, Storm Water and Construction Inspection, and Tiffany Heard, City Engineer, Craig Barron, Barron Surveying and Mapping.

In the absence of Chairman Burks, Mayor Holden chaired the meeting. Mayor Holden declared that a quorum was present and called the meeting to order.

Mayor Holden called for any old business. None was presented.

New Business:

The first order of new business was the election of officers for the Commission for 2018.

Mayor Holden re-announced the December 2017 appointment of one new Commissioner, Mr. Mark Oaks for the replacement of retired Commissioner John Presslor. Mr. Oaks will serve to complete the unexpired term of former Commissioner John Presslor.

Mayor Holden also reappointed two Commissioners Paul Newbill and Tony Dement. All three Commissioners have agreed to the appointment and re-appointments.

Mayor Holden opened the floor for nominations for Chairman, Vice Chairman, Secretary, and Assistant Secretary. On a motion made by Commissioner Brian Ramm, Mr. Burks, Mr. Newbill, Mr. Dement, and Ms. Guthrie were nominated to serving as 2018 officers in the following positions:

Mr. Burks re-elected Chairman, Mr. Newbill re-elected Vice-Chairman, and Mr. Dement re-elected Secretary, and Ms. Guthrie re-elected Assistant Secretary. The motion was seconded by Commissioner Mark Oaks. The motion was approved electing new officers for the 2018 term.

Mayor Holden called for a motion to approve the minutes of the November 9, 2017 Commission meeting. Commissioner Brian Ramm motioned to approve the minutes, followed by a second from Alderman Robert Taylor, Jr. The November 9, 2017 minutes were approved.

Mayor Holden called for presentation of the first agenda item. Commissioner Paul Newbill recused himself from the sitting Commission, due to personal conflict with the agenda item rezoning request.

A. Duckland Ventures Rezoning Request.

Information from Staff:

Background

A rezoning request has been submitted by Duckland Ventures to rezone property located on Millsfield Highway from B-2 (General Trade and Service) District and R-1 (Low Density Residential District) to B-2 (General Trade and Service) District, R-2 (Medium Density Residential) District, and R-1A (Medium Density Single Family Residential) District. The total area for the rezoning request is approximately 84.74 Acres. The property can be further identified as Parcel 20.02 on Dyer County Tax Map 074. A portion of the property appears to be located in a Zone AE and a Zone X Flood Fringe Area according to FIRM #47045C0184E, effective on 10/16/2008. The following legal description (prepared by Barron Surveying and Mapping) was presented for the record:

319 TROY AVE.
DYERSBURG, TN 38024
Phone (731) 285-LAND
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CRAIG J. BARRON
TN R.L.S. 2639
KY P.L.S. 3954
LA P.L.S. 5085
MO P.L.S. 2016019002
cbarron@tnsurveyor.com

February 5, 2018

B-2 DESCRIPTION

Beginning at a set 1/2-inch iron rod with I.D. cap stamped "BARRON, RLS 2639" (typical of all iron rods referred to herein as set) in the East right of way line (30-feet from center) of Millsfield Highway, said point being at the southwest corner of Minton (RB 777, Pg. 643); runs thence with the south line of Minton, South 85 degrees 36 minutes 03 seconds East, a distance of 252.91 feet; thence leaves the south line of Minton and runs through the Duckland Ventures property (RB 865, Pg. 749) the following calls: South 04 degrees 18 minutes 27 seconds East, a distance of 1,279.30 feet; South 85 degrees 18 minutes 04 seconds East, a distance of 2,351.64 feet to a point in the center of Hurricane Hill Road; runs thence with the center of Hurricane Hill Road the following calls: South 15 degrees 19 minutes 24 seconds West, a distance of 149.38 feet; South 15 degrees 27 minutes 04 seconds West, a distance of 166.10 feet to a PK nail at the intersection of a Easterly extension of the North line of Natelson & Chaney (RB 467, Pg. 733 & RB 681, Pg. 369); thence leaves said Hurricane Hill Road and runs with the North line of Natelson & Chaney, Crisp (RB 621, Pg. 850), and Anderson (RB 313, Pg. 677), North 85 degrees 18 minutes 04 seconds West, a distance of 2,497.10 feet to an iron rod in the East right of way line of Millsfield Highway; runs thence with the said East right of way line, North 04 degrees 18 minutes 27 seconds West, a distance of 1,591.83 feet to the point of beginning, and containing 25.49 acres, more or less, as surveyed by Craig J. Barron, R.L.S.# 2639 on February 5, 2018.

R-2 DESCRIPTION

Commencing from a set 1/2-inch iron rod with I.D. cap stamped "BARRON, RLS 2639" (typical of all iron rods referred to herein as set) in the East right of way line (30-feet from center) of Millsfield Highway, said point being at the southwest corner of Minton (RB 777, Pg. 643); runs thence with the south line of Minton, South 85 degrees 36 minutes 03 seconds East, a distance of 252.91 feet to the Point of Beginning of the herein described tract; thence continues with the south line of Minton, South 85 degrees 36 minutes 03 seconds East, a distance of 682.21 feet; thence leaves the south line of Minton and runs through the Duckland Ventures property (RB 865, Pg. 749) the following calls: South 04 degrees 34 minutes 27 seconds West, a distance of 300.00 feet; North 85 degrees 36 minutes 03 seconds West, a distance of 16.37 feet; South 21 degrees 53 minutes 09 seconds East, a distance of 236.20 feet; thence with a curve to the left with an arc length of 115.71 feet, and a radius of 700.00 feet, and having a chord bearing and length of South 57 degrees 38 minutes 02 seconds West, 115.58 feet; thence with a reverse curve to the right with an arc length of 286.18 feet, and a radius of 500.00 feet, and having a chord bearing and distance of South 69 degrees 17 minutes 43 seconds West, 282.29 feet; South 85 degrees 41 minutes 33 seconds West, a distance of 10.37 feet; South 04 degrees 18 minutes 27 seconds East, a distance of 393.24 feet; South 85 degrees 18 minutes 04 seconds East, a distance of 19.15 feet; South 04 degrees 41 minutes 56 seconds West, a distance of 175.00 feet; North 85 degrees 18 minutes 04 seconds West, a distance of 295.16 feet; North 04 degrees 18 minutes 27 seconds West, a distance of 1279.30 feet to the point of beginning, and containing 14.02 acres, more or less, as surveyed by Craig J. Barron, R.L.S.# 2639 on February 5, 2018.

R-1A DESCRIPTION

Commencing from a set 1/2-inch iron rod with I.D. cap stamped "BARRON, RLS 2639" (typical of all iron rods referred to herein as set) in the East right of way line (30-feet from center) of Millsfield Highway, said point being at the southwest corner of Minton (RB 777, Pg. 643); runs thence with the south line of Minton, South 85 degrees 36 minutes 03 seconds East, a distance of 935.12 feet to the Point of Beginning of the herein described tract; thence continues with the south line of Minton, South 85 degrees 36 minutes 03 seconds East, a distance of 701.38 feet to a point in the center of a drainage ditch (passing a set iron rod at 687.11 feet); runs thence with the center of ditch and the west line of the remainder of the JGK property (RB 814, Pg. 383) the following calls: South 18 degrees 36 minutes 58 seconds East, a distance of 37.76 feet; South 27 degrees 17 minutes 03 seconds East, a distance of 89.84 feet; South 38 degrees 31 minutes 27 seconds East, a distance of 34.63 feet; South 30 degrees 06 minutes 40 seconds East, a distance of 84.74 feet; South 39 degrees 01 minutes 55 seconds East, a distance of 94.65 feet; South 58 degrees 57 minutes 24 seconds East, a distance of 92.55 feet; South 42 degrees 13 minutes 41 seconds East, a distance of 53.24 feet; South 43 degrees 42 minutes 21 seconds East, a distance of 96.79 feet; South 58 degrees 41 minutes 25 seconds East, a distance of 35.47 feet; South 72 degrees 27 minutes 58 seconds East, a distance of 29.44 feet; South 56 degrees 31 minutes 48 seconds East, a distance of 28.99 feet; South 54 degrees 58 minutes 25 seconds East, a distance of 78.49 feet; South 59 degrees 01 minutes 45 seconds East, a distance of 72.75 feet; South 61 degrees 26 minutes 01 seconds East, a distance of 101.70 feet; South 62 degrees 11 minutes 02 seconds East, a distance of 89.21 feet; South 60 degrees 20 minutes 04 seconds East, a distance of 73.70 feet; South 60 degrees 36 minutes 17 seconds East, a distance of 80.11 feet; South 64 degrees 22 minutes 03 seconds East, a distance of 87.58 feet; South 66 degrees 35 minutes 17 seconds East, a distance of 102.73 feet; South 83 degrees 56 minutes 37 seconds East, a distance of 30.59 feet; South 64 degrees 49 minutes 27 seconds East, a

distance of 89.04 feet; South 69 degrees 06 minutes 44 seconds East, a distance of 41.61 feet to a PK nail in the center of Hurricane Hill Road; runs thence with the center of Hurricane Hill Road the following calls: South 15 degrees 20 minutes 43 seconds West, a distance of 91.19 feet; South 14 degrees 59 minutes 31 seconds West, a distance of 182.02 feet; South 15 degrees 19 minutes 24 seconds West, a distance of 233.59; thence leaves said road and runs through the Duckland Ventures property (RB 865, Pg. 749) the following calls: North 85 degrees 18 minutes 04 seconds West, a distance of 2,056.49 feet; North 04 degrees 41 minutes 56 seconds East, a distance of 175.00 feet; North 85 degrees 18 minutes 04 seconds West, a distance of 19.15 feet; North 04 degrees 18 minutes 27 seconds West, a distance of 393.24 feet; North 85 degrees 41 minutes 33 seconds East, a distance of 10.37 feet; thence with a curve to the left with an arc length of 286.18 feet, and a radius of 500.00 feet, and having a chord bearing and distance of North 69 degrees 17 minutes 43 seconds East, 282.29 feet; thence with a reverse curve to the right with an arc length of 115.71 feet, and a radius of 700.00 feet, having a chord bearing and distance of North 57 degrees 38 minutes 02 seconds East, 115.58 feet; North 21 degrees 53 minutes 09 seconds West, a distance of 236.20 feet; South 85 degrees 36 minutes 03 seconds East, a distance of 16.37 feet; North 04 degrees 34 minutes 27 seconds East, a distance of 300.00 feet to the point of beginning, and containing 45.23 acres, more or less, as surveyed by Craig J. Barron, R.L.S.# 2639 on February 5, 2018.

Analysis

The property is currently split in its zoning designation with B-2 in existence approximately 700 feet from the edge of Millsfield Highway and the “back portion” of the property R-1 (Low Density Residential) District.

This request is the “shift” the B-2 district to the front and southern areas of the Parcel 20.02 (25.49 Acres) and establishing R-2 (14.02 Acres) and R-1A (45.23 Acres).

The property has adjacent P-B (Planned Business) zoning to the south of this property and R-1 (Low Density Residential) to the north.

The property is designated “High Density Residential/Retail Commercial” according to the 2020 Development Plan Future Land Use Map.

The property has access to Millsfield Highway which is designated as an arterial street.

A majority of this area and surrounding areas appear undeveloped due to the lack of structures on the Dyersburg GIS Mapping System. Staff presented excerpts from the following document.

The Dyersburg Land Use and Transportation state the following policies:

- 1. The City should promote the new residential developments in environmentally safe and pleasing areas.*
- 2. The City should allow housing types ranging from single-family structures to multi-family developments, including mobile homes properly located in mobile home parks.*

4. *Land use controls should be used to foster a variety of housing types compatible with the natural landscape.*
5. *The City should encourage and concentrate high density housing development in the CBD fringe area and along major traffic corridors with access to retail business, to pedestrian amenities, to cultural activities, to schools and to parks.*
7. *Higher density residential uses should locate in planned unit developments or in close proximity to existing higher density developments.*
13. *New residential development shall not be allowed in those areas where infrastructure is unavailable or is inadequate to support such development.*
14. *New residential development should be designed to encourage the neighborhood concept and should be situated to be easily accessible to collector or to arterial status streets.*
15. *Transitional land uses or areas (linear greenbelts) or other design elements should be provided between residential neighborhoods and commercial areas in order to enhance the compatibility of land uses.*

Staff has been advised by the City Engineer that the infrastructure in place is adequate to support High Density Residential Development.

Recommendation

Staff recommended in favor of the rezoning request. The development plan's designation as "High Density Residential/Retail Commercial" suggests an intention for a "Mixed Use" type area. Staff also considers the property's location on an arterial street, which would be conducive to commercial development and the significant amount of land in the rezoning request. Staff finds the request is consistent with the policies of the Land Use and Transportation Plan.

On behalf of the development group, Mr. Russell Norville came before the Commission to provide answers to several questions regarding the rezoning request.

After some discussion, Mayor Holden entertained a motion for the request. Alderman Robert Taylor, Jr. motioned to approve the request. Commissioner Sherry Guthrie seconded the motion. The motion was approved.

B. Dyersburg Media Group Billboard Site Plan. (Commissioner Paul Newbill returned to the sitting Commission)

Information from Staff:

Background

A site plan has been submitted on behalf of Dyersburg Media Group to erect a Billboard on property located on the south side of W. Calvin Moore Road. The property can be further identified as Parcel 31.00 on Dyer County Tax Map 073. The property is zoned M-2 (Medium Industrial) District. The property does not appear to be in a federally identified flood hazard area.

Analysis

The following language is found for Billboards in the Dyersburg Municipal Zoning Ordinance Sign Regulations:

C. Advertising Signs-Off Premise (Billboards)

- 1 Allowed one per location in M-2 and M-3 districts*
- 2 Shall be no closer than 1,000 feet apart on same side of the street. If the off-premise sign is either entirely or partially an electronic message sign, the signs shall be spaced at minimum of 2,000 feet on the same side of the street. (TCA 54-21-122)*
- 3 This sign shall not exceed 380 sq. ft., and double signs or stacking on one pole is not permitted. The lowest portion of the sign shall be a minimum of 10 feet from grade.*
- 4 Advertising Billboards Signs are subject to a standard construction plans review fee and shall be approved by the Dyersburg Planning Commission prior to permitting. Engineered sealed drawings are required for billboard structures.*

The proposed sign is a permitted use and the location shown on the site plan appears to meet the distance requirements from the right-of-way.

In addition to the above regulations, billboards are required to be located a minimum of five (5) feet from the right-of-way of any highway, street, or road, and a minimum of three (3) ft. from the edge of any sidewalk. In no case shall a sign be located on the public right-of-way or project out over the public right-of-way. The location must not interfere with or obstruct the view of traffic, traffic signals, pedestrian vision, motorist vision or create any other safety hazard.

Recommendation

Staff recommended approval of the site plan. Additional information should be submitted to the City prior to construction to ensure the signs compliance with the city's Sign Ordinance.

There was no further discussion and Mayor Holden entertained a motion for the request. Commissioner Paul Newbill motioned to approve the request. Commissioner Tony Dement seconded the motion. Mayor Holden voted "no" on the motion. The motion was approved.

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

None presented.

F. Other Business/Reports: No report.

G. Administrative Reports: Thomas Mullins noted the following:

1. When staff review future site plans, staff will recognize and sign off on the final plan to present before the Commission for approval.
2. When properties are placed upon a potential rezoning action, then staff will place signage upon such property to properly notify adjacent property owners, and the citizens at large of the potential rezoning. This practice best serves the public for informational purposes.
3. Staff will prepare an updated zoning map for the City of Dyersburg.
4. During 2018 staff will review and revamp the zoning ordinances to meet current standards.

With no further business, the meeting adjourned at 10:21 a. m.

Tony Dement, Secretary

Robert C. Jones, City Recorder