

**Minutes for the Meeting of the
City of Dyersburg Municipal-Regional Planning Commission
Thursday, May 14, 2020
10:00 am**

Dyersburg City Hall (via electronic meeting pursuant to executive order 16)

- I. **Establishment of a Quorum and Call to Order:** The City of Dyersburg Municipal-Regional Planning Commission convened for their regularly scheduled meeting on Thursday, May 14, 2020 via phone conference at 10:00 a.m. The meeting was held pursuant to Governor Bill Lee's Executive Order 16, which permits local governing bodies to conduct meetings electronically. Chairman Burks called the meeting to order and declared that a quorum was present.

Commission Member Present: Mayor John Holden

Other Staff Present: Thomas Mullins, Code Enforcement Officer, Tim Ware, Storm Water and Construction Inspector, Will Radford, City Planner, and Tiffany Heard, City Engineer.

Commission Members Present Via Call-In: Eddie Burks, Tony Dement, Alderman James Baltimore, Brian Ramm, Paul Newbill, and Mark Oakes were present. Sherry Guthrie was absent.

Community Members Present Via Call-In: Neal Chatham, Craig Barron, Rusty Norville, Brandon Hutcheson, Steve Little, Danny Garner

- II. **Approval of Previous Minutes:** Chairman Burks called for a motion to approve the minutes from the April 9, 2020 meeting. The minutes were approved by the Commission on a motion and second by Brian Ramm and Tony Dement. The motion passed unanimously.

- III. **Old Business:** None presented.

- IV. **New Business:**

A. **Jack's Restaurant Site Plan -**

Prior to hearing the site plan for Jack's Restaurant, Chairman Eddie Burks declared a conflict, yielded the chair to Paul Newbill, and recused himself from discussion and voting.

According to Radford, the site plan was submitted for Jack's Restaurant to construct a restaurant along U.S. Highway 51 at The Commons area. The property is zoned PB

(Planned Business) District with a PCD (Planned Commercial District) Overlay. He added the site plan showed 29 parking spaces and has met all requirements for the PB District and had been approved by the Dyersburg Fire Department. Radford noted staff recommended approval of the site plan.

Tony Dement motioned to approve the site plan with a second from Alderman James Baltimore. In a roll call vote, all commissioners voted in favor.

B. Executive Palisades Preliminary Subdivision Plat -

The preliminary subdivision plat was submitted on behalf of CM Partners. Discussion of the property began during the previous planning commission meeting held on April 9. CM Partners submitted a request to rezone a portion of the property on Community Park Road from PB (Planned Business) District to R-2 (Medium Density Residential) District, which was approved.

When brought before the full board of the Dyersburg Board of Mayor and Aldermen on May 4, numerous residents from Ward Drive, which is adjacent to the CM Partners property, asked if the homes built would be sold or rented and if it would further impact their drainage issues.

During the May 4 teleconference meeting, it was announced that the proposed subdivision would have 30 lots, and Thomas Mullins from the City's Codes Department stated, "I don't do the drainage, but I will assure you that when the owners, which one is on the conference call, when they submit their plans to the City of Dyersburg, it will come with engineering drawing designs. Our City Engineer will review those design drawings and make sure whatever they create doesn't impact the neighborhood in a negative way as far as drainage."

Craig Barron, one of the owners of the development, was also on the May 4 conference call and added, "Any development that we do, all storm water would have to be self-contained. We're not increasing runoff on additional properties. It would have to all go before the planning commission and have to be approved by the planning commission and City Engineer. The zoning we're asking for is the same zoning that Ward and Clifton Drive are currently zoned. We're just trying to extend that zoning over. Same style housing, and the lot requirements are the same that you have over there already."

The City Board also approved the rezoning request.

Referring to the preliminary plat, Radford noted staff had been advised by the Dyersburg Fire Department that Fire Code limits the number of residences on a single road with one access to 30 lots. He also mentioned the lots meet the lot area requirements of the R-2 District for single-family homes (7,500 sq. ft.).

Radford also said the proposed street exceeded the 600-foot restriction in the Dyersburg Subdivision Regulations for dead-end streets. The plans showed a planned right-of-way extension to the west of the lot and future development would be required to access the proposed development. “The approval of the preliminary plat by the planning commission will not constitute acceptance of the final plat and will not be indicated on the preliminary plat,” Radford added. He also noted staff recommended approval of the preliminary plat.

Neal Chatham, a resident of Ward Drive, said he and other surrounding residents were told the proposed subdivision would mirror their neighborhood, “But when we got the drawings the other day, you can see there are a lot of houses crammed into a small area – 16 on one side of the street, where we have 10 in our area.”

He also stated the concern of Ward Drive residents were if the homes did not sell at the proposed subdivision, then they would be rented out.

“Unless you put regulations in like at The Farms and other neighborhoods where people can only do certain things, even if they rent it, we ask you that you pause and consider this. This doesn’t look very becoming for what is going in. It certainly doesn’t mirror our neighborhood,” said Chatham.

Mullins noted the subdivision created by CM Partners meets the R-2 zone, which is what Ward and Clifton are also zoned, and the minimum requirements are also being met. “It is a mirror image as far as the rules and regulations,” Mullins stated. “But this is a preliminary plat. This basically allows the planning commission an opportunity to say yes to proceed with the project or no – please go back and regroup and redraw. It will not be approved today, but this is the first step in the process.”

Ward Drive resident Danny Garner mentioned he has had water-drainage issues and said he was concerned about the effect the proposed subdivision would have with drainage on his street.

“Everything is going to meet zoning requirements. The City isn’t going to approve anything if it doesn’t meet all of the requirements,” responded Barron. “Anything we do will be self-contained inside our boundaries as far as stormwater collection.”

Steve Little, a resident of Ward Drive, asked what the square footage of each of the lots in the proposed subdivision would be.

“They range anywhere from about 8,400 sq. ft. to about 10,000 sq. ft. Some may be 12,000 sq. ft. or 8,300 sq. ft.,” replied Rusty Norville of Civil Engineering Solutions.

“I agree with you, Mr. Little, the lots are smaller – more narrow than a lot of the lots on Ward Drive. When we use the term mirroring, we’re only referencing zoning and zoning requirements,” explained Mullins.

Radford added, “Mr. Little asked if the planning commission could increase those requirements, you’d be talking about an increase of the R-2 District as a whole all over the City, which you could entertain as a text amendment. The planning commission has the legal ability to increase requirements than what the minimum requirements are as they are in place at the time of the submission of the plat. So, the 7,500 sq. ft. is really the minimum the planning commission can enforce legally at this time.”

Chatham asked Barron who were the other partners involved in this project.

“If my partner is on the line, he is more than free to say, but that’s up to him. The property is under CM Partners, LLC,” replied Barron.

After further questioning from residents on Barron’s partners, Barron stated, “I’m a 50 percent partner on this. Derek Guivehchi is a 50 percent partner on this. We are building these houses for retail sales. We plan to sell them to homeowners locally. That’s the truth.”

When asked if the houses would be single story or multi-story, Barron said he was not sure of the house plans at the moment.

With no further discussion, Paul Newbill motioned to approve the preliminary plat with a second from Tony Dement. In a roll call vote, Mayor Holden, Tony Dement, Paul Newbill, Brian Ramm, Eddie Burks, and James Baltimore voted in favor, while Mark Oakes voted in opposition. The motion passed.

V. **Other Business: None presented.**

VI. **Adjournment: With no further business, the meeting was adjourned at 10:50 a.m.**

Scott Ball, City Recorder

Tony Dement, Secretary