

Planning Commission Meeting Minutes

The Shelbyville Planning Commission met in regular session on Thursday, October 28, 2021, at Shelbyville Recreation Center, 220 Tulip Tree Road. Chairman Warren Landers called the meeting to Order at 6:00 PM and called the roll. The following were present: Commissioner David McGee, Commissioner Bo Gill, Commissioner Dawn Gonzalez, Councilmember Stephanie Isaacs, Mayor Wallace Cartwright, and Commissioner Steve Taylor. Commissioner Joe Paul Moore and Commissioner Jean Pruitt were absent. Also, present were Planning Director Waleed Albakry and City Recorder Lisa Smith.

Chairman Landers requested a motion to approve the Agenda. City Recorder requested the Agenda be amended by removing Item E as it is being deferred and add an additional item concerning the November and December Planning Commission meeting. Councilmember Gill made a motion to amend the Agenda as requested and to then approve the Agenda as amended, Commissioner Gonzalez seconded, and the motion carried unanimously upon oral vote.

The next item up was approval of the minutes from the September 23, 2021, meeting, hearing no corrections or additions, Commissioner Gill made a motion to approve the minutes as submitted, Mayor Cartwright seconded, and the motion carried upon unanimous oral vote.

NEW BUSINESS

Consideration of Site Plan for Pitru devo Convenience Store – E. Depot Street: Planner Waleed Albakry introduced this item advising the request is to approve a Site Plan for 700 E. Depot Street, which are two corner lots that have been recently combined. The lot size is .62 acres, and the plan is for a convenience store and attached laundromat. Planner Albakry stated the zoning is C-2 which will allow this, and Staff recommends approval as resubmitted on October 25, 2021, with two (2) procedural notifications – (1) electrical easements are shown on the drawings and (2) TDOT permit is applied for and approved to allow for abandoning the taps for the existing house. Commissioners questioned the parking situation and after a brief discussion Commissioner Gill made a motion to approve with the procedural notifications, Councilmember Taylor seconded, and the motion carried unanimously upon roll call vote.

Consideration of Preliminary Plat for Global Manor Subdivision, Phase 6: Planner Albakry advised this is the Phase to the east side of the subdivision. It is for 53 residential lots on 25.02 and there are no outstanding conditions. Staff recommends approval with no conditions, Mayor Cartwright made a motion to approve, Councilmember Isaacs seconded, and the motion carried unanimously upon roll call vote.

Consideration of a Final Plat for Landing at Townsend Subdivision, Phase 1: Albakry stated this Final Plat is for Phase 1 which includes 16 townhouses with two common areas and parking spaces. The property is zoned R-4 which will allow for the townhouses. All comments have been addressed and Staff recommends approval. Commissioner Gill made a motion to approve, Commissioner Taylor seconded, and the motion passed unanimously upon roll call vote.

Consideration of Final Plat for East Fork Bomar Creek (On the East Side of Reese Street): Planner Albakry gave a review of this request noting there will be 15 residential lots. Staff recommends approve

with the following six (6) Procedural notifications – (1) Electrical lines and easements be shown on the Final Plat: (2) Two services be lowered: (3) the road cut be paved: (4) water meters are adjusted to grade: (5) grading behind the curb is completed and (6) the manhole castings be an anchored and the manhole that the project started from is completed. **Mayor Cartwright made a motion to approve with the six (6) procedural notifications, Commissioner Gill seconded, and the motion passed unanimously upon roll call vote.**

Consideration of Final Plat for Fairfield Pike Subdivision – This item was deferred.

Consideration of Final Plat for Dover Way Subdivision: Albakry advised this was two lots that have been combined and the request is for approval of a Final Plat for 25 lots, including storm water, paving, striping public roads, signage grading and drainage. Planner Albakry stated that typical a Final Plat is not approved until all construction is finished, however in this case the construction is not done and the applicant is asking for the Final Plat to be approved based on them filling a Letter of Credit with the City for the total cost of construction. He explained the reason for this is due to applicants funding. Albakry noted that Staff does not recommend this as it is not standard procedure. If the Commission does approve the request, there are five (5) Procedural Notifications. Chairman Landers allowed Scott Williams the engineer for the development to speak. Williams advised for their funding they are not allowed to close until they have all permits. If the Commission cannot approve the request, he would like to have a letter from the City stating all things that can be approved at this time have been. After further discussion which included the City Attorney advising she would not recommend approving this outside of our standard procedures. **Commissioner Gill made a motion to defer the approval of the Final Plat until construction is approved, Councilmember Isaacs seconded.** City Engineer Will Owen advised there is a timeline on defers within 30 days of the deferral. **Commissioner Gill withdrew his motion on the floor and Councilmember Isaacs agreed.** The applicant stated they could provide costs estimates for the completed project. City Attorney advised there appeared to be three (3) options, approve, or not approve or defer the matter until the applicant can provide the cost estimates. Applicant stated if the Commission is leaning towards not approving, he will withdraw his request. After further discussion Applicant withdrew his request.

Planning Commission Meeting Dates for 2022: Planner Albakry proposed to change the submittal cycle to six (6) weeks instead of the current thirty (30) days. He noted the thirty (30) days schedule creates conflict in having things in process for two cycles and does not give the applicant and staff proper time to address comments. City Recorder advised any change to the meeting dates would require a change in the Bylaws. Chairman Landers stated he is concerned about having longer meetings due to have more items added. Planner Albakry stated he felt it would allow for more complete applications and that would make the Agenda items easier to address. Commissioner Gonzales suggested to continue with the monthly meetings but to alternate the submittal deadline dates. Chairman Landers also noted he felt this would be a problem for developers having to wait longer for answers and attendance for the Commissioners may become an issue. Planner Albakry stated Staff does not want to have two cycles overlapping so that is the basis for the request, and he would like to have more time to meet with the applicant to help streamline the process. City Attorney Shofner advised she has concerns due to a State Law that requires official submissions to be addressed within thirty (30) days or they are automatically approved. Albakry stated he was not aware of this. Attorney Shofner noted there are ways around that if the applicant is willing and there might be a way Council could change that, but she would have to research that. Albakry advised he will look at the process with the City Attorney and bring it back to the

Commission next month. Public Works Director Buck Vallad advised the time restrains is a struggle to allow them to look over everything completely.

Reports from Staff:

- A. **Changing PC November meeting to November 17, 2021:** Staff advised due to the Thanksgiving Holiday and scheduling conflict the request is to move the November Planning Commission Meeting to November 17th at 6:00 PM. **Commissioner Gill made a motion to approve, Commissioner McGee seconded, and the motion passed unanimously by oral vote.**
- B. **Changing PC December meeting to December 22, 2021:** Staff advised the December meeting will need to be moved from December 23rd to December 22nd due to the Christmas holiday. **Commissioner McGee made a motion to approve, Commissioner Gill seconded, and the motion passed unanimously by oral vote.**

There being no further business, Chairman Landers declared the meeting would stand adjourned at 6:51 PM.

APPROVED:



Warren Landers, Chairman

ATTEST:



Lisa Smith, City Recorder