

Planning Commission Meeting Minutes

The Shelbyville Planning Commission met in regular session on Thursday, November 17, 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, Mayor Wallace Cartwright, Commissioner Dawn Gonzalez, Councilmember Stephanie Isaacs, Chairman Landers, and Commissioner Joe Paul Moore. Commissioner Steve Taylor and Commissioner Jean Pruitt were absent. Also, present were City Attorney Ginger Shofner, Planning Director Waleed Albakry and City Recorder Lisa Smith.

Chairman Landers requested a motion to approve the Agenda. Chairman Landers requested the Agenda be amended by adding an item after Approval of the Minutes for Amy Miller, State NFIP Coordinator to speak and to defer Item B under New Business at the applicant's request. Councilmember Gill made a motion to amend the Agenda as requested and to then approve the Agenda as amended, Mayor Cartwright seconded, and the motion carried unanimously upon oral vote.

The next item up was approval of the minutes from the October 28, 2021, meeting, hearing no corrections or additions, Mayor Cartwright made a motion to approve the minutes as submitted, Commissioner McGee seconded, and the motion carried upon unanimous oral vote.

NEW BUSINESS

Amy Miller – State NFIP Coordinator – Ms. Miller gave a presentation on floodways and floodplains. The members present will receive .30 of training today.

Consideration of Preliminary Plat for Global Manor Subdivision, Phase 8: Planner Albakry stated this is a request to approve the Preliminary Plat for Global Manor Subdivision, Phase 8 which shows 20 lots. Staff recommends approval with two Procedural Notifications (1) Applicant will adhere to the City's standard practice for community mailbox locations and (2) If a Sidewalk dead ends, an ADA compliant access to the sidewalk from the street and/or crosswalk is required. Commissioner Gill made a motion to approve the plat, Commissioner Taylor seconded and the motion carried by unanimous roll call vote.

Consideration of a rezoning application for a property on the west side of Green Lane near Archery Lane: This item was deferred.

Consideration of an Annexation Application for a property located on the south side of Coney Island Road: Planner Waleed Albakry advised there are two separate items on the Agenda tonight for this property. The first one is an annexation request to be followed by a rezoning request. He then advised the property is located on Coney Island Road and is 17.13 (+/-) acres with 11.29 (+/-) being in the County and the remainder in the City. The request is to annex the remaining 11.29 (+/-) so the total parcel is in the City. He noted the request following annexation will be to rezone the property to R-3 (Medium Density). Albakry then showed the Commission the FEMA map concerning this property and advised most of the land is in the floodway and the applicant has indicated they will only build in the floodplain. If the Annexation and requested rezoning is approved the concept is to build 34 lots. He noted fill work has been done in the floodplain and FEMA is working with the applicant concerning that matter.

Albakry advised Staff does not recommend this annexation request at this time due to the unapproved work taking place in the floodplain. Chairman Landers allowed Jim Patterson with St. John's Engineering who represents the Applicant Hawkins and Price to speak on this item. He advised he is a member of the Tennessee Floodplain Management Association. He clarified the work is being done with a permit from the County and the Tennessee Department of Environment and Conservation to place fill in the floodplain. FEMA office was notified they were doing work in the floodway, and they advised if that was the case work needed to stop immediately. Patterson then stated a survey was done to verify the fill was in the floodplain so there are no violations taking place on the property. He further noted there are no wetlands on the property. Approximately a third of the property is in the City and already zoned R-3 and another one-third of the property is in the floodway and they do not plan to do anything in the floodway. The remaining one-third is the portion they plan to develop. Discussion continued with several Commissioner questioning the work being done, erosion and the future plans. City Attorney Ginger Shofner suggested deferring this item until some of the lingering issues are resolved and perhaps to have Brian Stevens available for questions concerning building in the floodplain. Chairman Landers allowed Kate McGrew Canady, who is an adjacent property owner to speak. She presented the Commission with pictures of this property and the surrounding area during the flooding on September 20, 2021, and February 24, 2019. She presented some research she had completed concerning the fill work and requested the Commission vote to protect property and people in the future. **Mayor Cartwright made a motion to defer this item until a future Agenda, Commissioner Gonzales seconded.** Chairman Landers request that the motion be Amended to include Item D which is the rezoning request on the same property. **Mayor Cartwright amended his Motion to also defer Item D, Commission Gonzales seconded the Amendment and upon a roll call vote the motion passed unanimously.**

Consideration for an Annexation Application for a property located the west side of Highway 231: Planner Albakry advised the applicant is requesting 22.52 acres (Tax Map 69, Parcel 4.00) be annexed into the City. If annexed there is also a request to rezone the property across the front, next to Highway 231, to C-2 and then zone the back portion of the parcel to R-4. Albakry also covered the information concerning the rezoning. As for the Annexation he noted the parcel is connected to the Urban Growth Boundary and Staff does recommend approval for Annexation. On the matter of rezoning Albakry review the current zoning which is Bedford County A-1 and Shelbyville Residential (R-2) and advised the proposed zoning is not in compliance with the Future Land Use Map, the area is set to be low density (R-1 or R-2). The applicant's current general concept is showing a development with around 90 units and Low Density would only allow 45 or so. **Commissioner Gonzales made a motion to send the request to annex to the City Council with a favorable recommendation, Commission Isaacs seconded, and the motion carried unanimously upon roll call vote.**

Consideration of a rezoning application for a property located on the west side of Highway 231: Albakry stated the Future Land Use Map does not allow for High Density (R-4) in this area nor does the proposed Future Land Use Map which has not been approved. Both show this area as Low Density (R-1 or R-2). Therefore, Staff recommends an unfavorable recommendation to the City Council. He did point out that in January of this year the Commission did approve a request of this type for a piece of property on the opposite side of the Highway. Chairman Landers allowed Scott St. John to speak on this request concerning the purposed sewer line extension to serve these developments. He also noted there is a similar development that has been approved on McDale Lane. Chairman Landers allowed Dana Bobo to speak. She is the adjacent property owner and spoke against rezoning this property to High Density.

Commissioner Gill made a motion to forward the rezoning request to the City Council with an unfavorable recommendation due to the Future Land Use Map designation, Commissioner Moore seconded and the motion upon roll call vote with Commissioner Gonzales abstaining and all other present members vote yes in favor of the motion.

Reports from Staff: Planner Albakry gave an update on the new Comprehensive Plan and Future Land Use Map noting there will be a meeting next week to determine the current status.

There being no further business, Chairman Landers declared the meeting would stand adjourned at 7:24 PM.

APPROVED:



Warren Landers, Chairman

ATTEST:



Lisa Smith, City Recorder