Bartlett
Municipal Planning Commission Minutes
Tuesday – September 6th, 2011 -- City Hall -- 7:00 P.M.

The Bartlett Municipal Planning Commission met in the Assembly Chamber at Bartlett City Hall on Tuesday, September 6th, 2011 at 7:00 p.m. for their regular scheduled meeting. Mr. Paul Kaiser, Chairman presided over the meeting.

Members Present

Paul Kaiser
John Roberts
Dale Stover
Jay Caughman
Rev. Walter Peggs
Ron Sandlin
Alderman Jack Young
Russ Abernathy

Members Absent:

Jim Lamb

The following advisors were present: Terry Emerick, Director of Planning and Economic Development; Kim Taylor, Planner; Rick McClanahan, Director of Engineering; Wade Towles, Assistant Director of Engineering; Mark Saunders, Land Development Engineer; Jim Brown, Director of Code Enforcement; Howard McNatt, Asst Fire Marshal and Ed McKenney, Attorney.

Reverend Walter Peggs, Fullview Baptist Church, opened the meeting with prayer.

The Planning Commission and the audience recited the pledge of allegiance to the flag of the United States of America.

Alderman Young made a motion to approve the minutes of the August 1st, 2011 regular meeting. Mr. Sandlin seconded the motion. Roll Call Vote: All members present voted yes. The motion was carried.

NEW BUSINESS

CONTINUED

Hearing

1. Road Closing - Second Avenue-Intersection of Second Ave and Oak Rd North of Centralia (Paul Bray, Bray-Davis Firm LLC)

Mr. Paul Bray with the Bray Davis Firm is requesting Planning Commission approval for the road closure of Second Avenue at Oak Road. The subject property is located between 4164 Oak Road and 4144 Centralia Avenue (Ellendale Subdivision) within the “RS-12”
residential zoning district.

**Background:** On July 11, 2011, the Planning Commission reviewed the proposal to close Second Avenue at Oak Road. Due to issues relating to ownership and the status of the property, the Planning Commission deferred taking action until additional information could be obtained from Shelby County.

On August 8, 2011, City staff informed the Planning Commission that Shelby County determined that Second Avenue is a tax parcel and not a street. However, the western portion of the parcel was dedicated on the recorded plat of the Louella Subdivision for Periwinkle Cove.

According to Shelby County, the property was obtained by them in the late 1960’s due to delinquent taxes. In response to this information, the applicant submitted a notice to the Planning Commission requesting a continuance until the September 6, 2011 meeting.

**Update:** Shelby County has begun the process for an intergovernmental transfer of the subject property to the City of Bartlett. The transfer is still in progress and must be approved by the Shelby County Commission. There is no cost to the City for the transfer of the property.

**Recommendation:** Request for continuance by the applicant (see letter).

**Engineering Conditions:**
1. Based on the information received from Shelby County, this is a parcel of property owned by Shelby County because of non-payment of taxes. This section is not a roadway and therefore no action is required at this time.

**Planning Comments:**
1. The City will need to decide how to dispose and/or disperse the property once it is obtained.
2. The City will need to retain the portion of the property that was dedicated for Periwinkle Cove shown on the recorded plat of the Louella Subdivision.

**Applicant has presented a letter requesting a 30 day deferral of the Road Closing - Second Avenue-Intersection of Second Ave and Oak Rd North of Centralia.**

Mr. Emerick explained that the applicant has requested further continuation while the property is being transferred from Shelby County ownership to the Bartlett ownership. The process is underway.

**Alderman Young made a motion to approve the deferral request of applicant. Mr. Sandlin seconded the motion. Roll Call Vote: All members voted yes. Motion was carried.**
NEW BUSINESS

Hearing - Special Use Permit

2. The Disc Connection, Inc., 2840 Bartlett Road (Christopher Queen, Owner)

Mr. Emerick explained that Mr. Christopher Queen with The Disc Connection, Inc. is requesting Planning Commission approval for a Special Use Permit (SUP) to operate The Disc Connection retail store. The business will be relocating from 2841 Bartlett Road to 2840 Bartlett Road a somewhat larger space. The subject property is located in the Bartlett Station area, within the “CG-MS” General Commercial Main Street Overlay zoning district.

On September 5, 2006, the Planning Commission voted to approve the Special Use Permit for the previous location at 2841 Bartlett Road and forward a recommendation of approval to the Board of Mayor and Aldermen. Even though they had the previous Special Use Permit approved it is by location. So, with the change of address they had to reapply.

The proposed business will sell new and used DVDs, CDs and video games. Ordinarily, retail uses in the “CG-MS” zoning district are permitted without an SUP. However, Article V, Chart I of the Zoning Ordinance states in part that, “retail secondhand stores” requires an SUP. Other uses within and adjacent to the subject use includes: beauty and barber shops, a nail shop, an insurance office, a law office, a vacuum cleaner repair shop, and a carwash.

Recommendation: Approval with conditions.

Planning Conditions:

1. The applicant shall obtain Design Review Commission approval prior to installing any signage and making any changes to the exterior storefront.

Hearing was opened at 7:07 p.m.

Chairman requested anyone wanting to speak for or against this application please come forward. Seeing none, do we have a motion.

Alderman Young made a motion to approve the Special Use Permit for The Disc Connection at 2840 Bartlett Road with staff conditions and forward a recommendation of approval to the Board of Mayor and Aldermen. Mr. Sandlin seconded the motion. Roll Call Vote: All members voted yes. Motion was carried.

Site Plan


Mr. Emerick explained that Mr. Steve Tuttle with Brother International is requesting approval to revise a previously approved site plan for the Brother Industries property. The subject property is located at 7777 N. Brother Boulevard within the “I-P” Planned
Industrial Development zoning district.

More specifically, the applicant is proposing to install two solar panel arrays at different locations on the property as well as add a new toner recovery building. The details of the solar panel arrays and toner building are as follows:

**Site #1/ Solar Panel Arrays:**
Location - the panels will be installed within a 140’x140’ section of property adjacent to the northeast driveway entrance onto the property and Brother Boulevard. Landscaping is proposed inside of the existing fence line (shrubs) and outside of the fence line (trees).

**Site #2/Solar Panel Arrays:**
Location: the panel arrays will be installed within a 140’x152’ section of property (next to a drainage ditch) at the corner of Appling and Orgill Roads. Landscaping is proposed outside of an existing fence line (shrubs).

**Toner Recovery Building (not shown):**
A small building addition will be installed on the west side of the property behind a wing walled area near the loading docks. The structure will not be seen from the road. The building addition will be reviewed by the Design Review Commission.

**Engineering Conditions:**

Site #1 – Solar Panel
1. Applicant has confirmed the array configuration is flexible to fit the general area as long as the arrays remain in groups of 13. It is assumed it will also be offset from the parked cars, but that will only reduce the useable width even further.
2. There are several 12” diameter oak trees in this area. Those removed should be replaced, and at least some of them should be placed outside the existing fence. Tree removal should be minimized.
3. The proposed evergreen hedge as described on the revised plan is acceptable and has been extended to carry around to the edge of the parking lot and also to the other side of the ground sign, as the area is very visible through the driveway opening.
4. Applicant shall show the path for the underground wiring from the solar panels to the power center.

Site #2 – Solar Panel
1. The proposed evergreen hedge, as described in the application is acceptable, and is shown to be placed outside the existing fence.
2. Applicant shall show the path for the underground wiring from the solar panels to the power center.

General:
1. Applicant shall submit a detailed site plan for each solar panel location that shows all existing trees inside the proposed fenced-in area and within 25’ of the proposed fenced-in area and note what trees are to be removed and the trees to be retained. Show proposed replacement of any existing trees that have to be removed.
2. A TDEC permit may be required if the two sites combined disturb more than 1 acre.

Toner Recovery Building:
3. As long as the toner recovery building is screened from the public roads, it is acceptable.
**Planning Conditions:**

1. The applicant shall obtain Design Review Commission approval prior to obtaining building permits.
2. The applicant shall revise the site plan to show the setbacks of the solar panels from the property lines, prior to obtaining building permits.

Floyd Harris, Facility Manager, Brother International Corporation was present to represent this application. Chairman asked if he had read the conditions of staff and do you agree with same. He was shown a copy of the staff conditions to review. After he reviewed them he stated they are fine with the conditions.

Mr. Caughman stated he thinks he misunderstood what was said about the new toner building which is suppose to be installed. I think you said the west side. Mr. Harris stated that should be the east side.

Alderman Young made a motion to approve this application with staff conditions. Mr. Sandlin seconded the motion. Roll Call Vote: All members voted yes. Motion was carried.

**Discussion**

This will conclude tonight’s meeting. We will have a public discussion after this. Hopefully everyone will stay for that.

There being no further business, meeting adjourned at 7:13 p.m.

Respectfully submitted by Kit Markham, Administrative Secretary

**Public Meeting**

1. Public Meeting to receive comment concerning the City of Bartlett’s National Pollution Discharge Elimination System General Permit for Discharges from Small Municipal Separate Storm Sewer Systems Annual Report and the Storm Water Management Plan. (Engineering)

2. Public Meeting to consider request of the US Postal Service to relocate their mail drop off entry drive currently located on Elmore Park to Shade Tree to aid in the safety of motorists using the USPS facility. (Engineering)