Walker County Planning Commission

Minutes
July 15, 2021
Walker County Civic Center
6:00 PM

ATTENDEES:

Planning Commission Members
Michael Haney
Todd Holt
Susan Tankersley
Kristen Bubrig
Michael Hicks
Daryl Brooks
Jack Mullinax
Cindy Askew
Stan Porter
Terry Newberry

Walker County Planning Staff
David Brown, Director of Codes, Inspections & Planning
Kristy Parker, Planning Commission Secretary

I. CALL TO ORDER:

Chairman Michael Haney called the meeting to order at 6:00 P.M.

II. READING & APPROVAL OF THE JUNE 17TH, 2021 MEETING MINUTES:

Chairman Haney asked if anyone had any changes that needed to be made to the minutes. The Planning Department said they needed to change some wording in the section of the Meagan Stone minutes. Daryl Brooks made a motion to amend the minutes. Terry Newberry seconded the motion to approve. Vote was unanimous. Motion to approve carried. Chairman Haney said that he needed to amend the order of the new business and wanted to move the Lashon Kelley rezone and variance to the top of the list due to the amount of people here for this. Susan Tankersley made a motion to amend the order. Todd Hold seconded the motion. Vote was unanimous. Motion to amend the order carried.

III. NEW BUSINESS:

A. <u>Rezone:</u>

1. Lashon A. Kelley: Bobby Howard came forward to represent Ms. Kelley in the rezone. He stated that Dollar General would like to buy 20 acres and divide off 3.7 to rezone to commercial to build a Dollar General. He talked about the water issue and that they would be willing to donate some of the property to the county to help with drainage issues on N. Longhollow Road and add footage on each side of the road in front of the proposed store. Daryl Brooks asked what the reason was for asking to have less parking spaced than what is required. Bobby Howard stated that they just feel like the requirements for spaces are outdated. Susan Tankersley asked if the store would be the market type and Mr. Howard said no it would be the next size down. Kristen Bubrig asked how far away was the Family Dollar and Mr. Howard said about a third of a mile. Terry Newberry asked if there would be any fill dirt brought in and Mr. Howard said yes about seven to eight feet. Cindy Askew asked if the county had looked at the property that was offered to them. Mr. Howard said that he had talked to Carlen Bowers about the drainage situation in the area. Stan Porter asked what in the plan will make sure there would be no water issues. Mr. Howard stated that the soil and erosion plans would make sure that no more water would leave the site than what does now. Chairman Haney asked if anyone in the audience was against this rezone and around ten people stood up. He asked if they had a spokesperson and they said yes. Scott Glass came forward and presented a petition of people against this development. Mr. Glass discussed the water issue along with the concern over the possible increase of traffic. George Gilley said he was concerned about the hill on Mission Ridge Road and the stop sign that is hard to see. Chairman Haney asked if there was a motion. Daryl Brooks made a motion to deny. Kristen Bubrig seconded the motion. Eight members voted in favor to deny the rezone and one vote was in favor of the rezone. Motion to deny carried.

B. Variance:

1. Lashon A. Kelley: Chairman Haney asked if there was a motion on the variance request. Stan Porter made a motion to deny since the rezone was denied. Terry Newberry seconded the motion. Eight members voted in favor of denying the variance and one vote in favor of. Motion to deny carried.

C. Rezone:

1. Kenneth Kibler: Bobby Teems came forward to represent Mr. Kibler. Mr. Teems stated that the property was currently zoned commercial but surrounded by residential. He said that because of the current housing something like apartments is needed. He said that these would not be based on income or age. He said that the partments would resemble the ones that have been built at the corner of Round Pond Road at the bypass. Kristen Bubrig asked how many units they would be looking at building and Mr. Teems said between 40-50. Michael Hicks asked if they have looked at the amount per acreage can be allowed and where would the entrance be. Mr. Teems said that the entrance would be off Hwy 27. Susan Tankersley asked if it would be age or income related and Mr. Teems said no. Chairman Haney asked if anyone in the audience had any comments. Mr. Peter Thomas came forward and said he lives across Hwy 27 from this property and that he was not in favor and would be worried about the increase of traffic and the types of buildings built. Chairman Haney asked if there was a motion. Kristen Bubrig made a motion to approve. Cindy Askew seconded the motion. Vote was unanimous. Daryl Brooks recused himself from the vote. Motion to approve carried.

D. Rezone:

1. Larry Bang: Mr. Bang came forward and stated that he would like to rezone his property from CBOD to C-1. Chairman Haney stated that the CBOD could not be rezoned that it was a blanket district over that area. Chairman Haney asked him was he just wanting to rezone to C-1 because it is already a commercial use and Mr. Bang said yes. He said that the building was built by Joe Garner and he ran his business out of the 3000 square foot building. He said that they had bulldozers and other equipment outside. He said that he has tried to sell the property, but most buyers want to be allowed to have outside storage for vehicles and such but cannot because of the zoning. Chairman Haney explained that even if the property is zoned commercial it would have to still meet the CBOD guidelines. Michael Hicks explained that if the property had been vacant for a year it lost the grandfathered use. Chairman Haney asked if anyone in the audience had any questions. Karen Mickles came forward and stated that she was not in favor of the rezone. She passed out pictures of the property and said that the reason that she knows so much about the property is that she use to be married to this man and Ms. Mickles and Mr. Bang started to talk over each other. At this point Chairman Haney said that he felt like they needed a new spokesperson and Ms. Mickles said no and was over talking Chairman Haney. Chairman Haney asked that someone else come up to speak and Ms. Mickles said she wanted to record that she wanted to speak but could not. Laura Beth Newsom came up and stated that she has lived all her life in this area and that the building was never used as a commercial business that they only parked their equipment on the property. She then talked about the surrounding area. Chairman Haney then asked if there was a motion. Michael Hicks made a motion to deny. Stan Porter seconded the motion. Vote was unanimous. Jack Mullinax recused himself. Motion to deny carried.

E. <u>Conditional Use Variance:</u>

1. Andrea White: Alice Kaisor came forward and explained that she had been approved last year for a conditional use variance to reopen an existing store that has been vacant for over a year and that does not comply with the current zoning of R-3. She said because of her mothers declining health and her own health issues she would not be able to open the store but Mr. Vijay Patel would like to buy it and do the same thing she was approved for. Chairman Haney asked if there was a motion. Jack Mullinax made a motion to approve with the same guidelines as last time. Todd Holt seconded the motion. Vote was unanimous. Motion to approve carried.

IV. ADJOURNMENT:

Susan Tankersley made a motion to adjourn. Jack Mullinax seconded the motion. Motion carried. Meeting adjourned.

Date Submitted — Jerry Newbry — Planning Commission Chairman

8-19-2021 — Kristy Parker — Kristy Parker, Planning Commission Secretary
Date Submitted

08/19/2021 — David Brown — David Brown, Director of Codes, Inspection & Planning
Date Submitted

These minutes are also available in the Planning Office.