Walker County Planning Commission

Minutes
August 19, 2021
Walker County Civic Center
6:00 PM

ATTENDEES:

Planning Commission Members
Terry Newberry
Todd Holt
Susan Tankersley
Elliott Pierce
Michael Hicks
Daryl Brooks
Jack Mullinax
Cindy Askew
Stan Porter

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

I. CALL TO ORDER:

Vice Chairman Terry Newberry called the meeting to order at 6:00 P.M.

II. READING & APPROVAL OF THE JULY 15TH, 2021 MEETING MINUTES:

Vice Chairman Newberry asked if anyone had any changes that needed to be made to the minutes. Being none Stan Porter made a motion to approve the minutes. Susan Tankersley seconded the motion to approve. Vote was unanimous. Motion to approve carried. Vice Chairman Newberry then stated that he would like to amend the agenda and move request to hear the preliminary plat for Gateway at Rossville to be heard first. Jack Mullinax made a motion to amend the agenda. Stan Porter seconded the motion. Motion to approve carried.

III. NEW BUSINESS:

A. <u>Preliminary Plat Approval:</u>

1. David Brown stated that a letter had come in today by email from Coleman Talley who is the attorney for Gateway. Letter is attached that was read. After some discussion Vice Chairman Newberry asked if there was a motion. Jack Mullinax made a motion to approve the extended time until October 21, 2021. Susan Tankersley seconded the motion to approve. Vote was unanimous. Vote carried.

Coleman | Talley

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August 19, 2021

David Brown
Planning Director
Da.brown@walkerga.us

Kristy Parker
Planning@walkerga.us

RE: Gateway Development Corporation- Preliminary Plat Approval

Dear Mr. Brown and Ms. Parker,

My firm represents Gateway Development Corporation. It is my understanding that there is a preliminary plat on the agenda for tonight's Planning Commission meeting.

Although Gateway has a vested right to the approval of the preliminary plat, my client has no objection extending the time period for the approval of the preliminary plat and will agree to waive the 30-day time limit in Section 22-420 for the approval of preliminary plat (to the extent applicable) until October 21, 2021. We look forward to continuing discussions with the county regarding this project and look forward to being a long-term corporate citizen of Walker County.

We respectfully request that the vote on the approval of the preliminary plan be postponed to no later than October 21, 2021. We agree to toll the 30-day deadline from today until October 21, 2021, with the understanding that the Planning Commission will be required to take action by October 21, 2021.

Nothing in this letter should be considered a waiver of any other rights my client may have to the approval of the preliminary plat, including but not limited to my client's vested right to develop a multi-family development on this parcel and any constitutional or legal objections my client may raise before October 21, 2021.

Thank you again for your cooperation and assistance throughout this matter. My client firmly believes that all citizens deserve affordable housing. We look forward to continuing this conversation with you in the future.

Best regards,

Emily E. Macheski-Preston

Emily E. Macheski-Preston

B. Variance:

1. Jeff Myers: Jason Myers came forward and said that his dad had purchased this property and wants to divide it into six separate lots with two of those having only 30' of road frontage making them flag lots. There were Rick Lasater, Mr. Boshers and Ms. Tracey who are neighbors that spoke against the requests stating there are already traffic issues, and they feel like the lots would be too small for that area. Vice Chairman Newberry asked if there was a motion. Elliott Pierce made a motion to deny. Jack Mullinax seconded the motion to deny. Vote was unanimous. Motion to deny carried.

2. Patten Smith: Patten Smith came forward and stated that he has three duplexes on one property and the people that live in the back one would like to buy it. Todd Holt asked about the drive and Mr. Smith stated that the drive is a shared drive, and it does come through another property he owns up front. Vice Chairman Newberry asked if there was a motion. Jack Mullinax made a motion to approve. Elliott Pierce seconded the motion. Vote was unanimous. Vote to approve carried.

3. Michael & Stacey Wooten: Buddy Presley came forward and showed a plat where Mr. Wooten is wanting to divide off two acres for his neighbor to buy. All the neighbors that use this drive was present and was in favor of the variance. The neighbor that will be buying the two acres stated that he would be joining the part that he buys to his existing lot. Vice Chairman Newberry asked if there was a motion. Michael Hicks made a motion to approve with the stipulation that the lots would be joined together. Todd Holt seconded the motion. Vote was unanimous. Vote to approve carried.

C. Conditional Use Variance:

1. Meagan Stone: Meagan Stone came forward. Vice Chairman Newberry stated that this was just approved two months ago but because of the wording in the last meeting we felt better that she come back before the board and ask for a conditional use variance. Ms. Stone explained the type of therapy business that she would be doing out of the home. One neighbor Marie Thomas stated that she was just curious on what she would be doing but did not have any issue with it after hearing Ms. Stone. Another neighbor Karen Galling stated that she was in favor because she like the idea of having a neighbor at home during the day. Vice Chairman Newberry asked if there was a motion. Michael Hicks made a motion to approve. Susan Tankersley seconded the motion. Elliott Pierce, Todd Holt, Michael Hicks, Stan Porter, Cindy Askew and Susan Tankersley voted in favor. Jack Mullinax and Daryl Brooks voted against the request. Vote to approve carried.

2. Michael Odom: Michael Odom came forward and stated that he would like to open a garage to work on vehicles at this location. He stated that he currently works on his own trucks here and that in the past it was used as a garage. Terry Newberry asked how many cars would be on the property at any given time and Mr. Odom stated four to five. Vice Chairman Newberry asked if there was a motion. Elliott Pierce made a motion to approve. With no second the motion was dead. Vice Chairman then asked if there was a second motion. Jack Mullinax made a motion to deny. Daryl brooks seconded the motion to deny. Jack Mullinax, Daryl Brooks, Todd Holt, Susan Tankersley, Cindy Askew, Stan Porter and Michael Hicks voted in favor of the motion to deny. Elliott Piece voted against the motion to deny. Vote to deny carried.

D. Rezone:

1. Catherine Kasch: Mr. Hamilton Brock came forward to represent Ms. Kasch. He stated that they would like to rezone the property to R-3 to build 75 luxury cottages as rental property for people that were just starting out or empty nesters not wanting the upkeep of their own. He explained the amenities that would also be on the property. Ms. Catherine Kasch and Jenny Brockman were there in favor of the rezone and Mindy Couch and Ben Hageman was not in favor. Vice Chairman Newberry asked if there was a motion. Jack Mullinax made a motion to deny. Todd Holt seconded the motion to deny. After a show of only three hands in favor of the denial. Vice Chairman Newberry asked if there was a second motion. Michael Hick made a motion to approve with a traffic study being done and impact information from the Board of Education. Elliott Pierce seconded the motion to approve. Michael Hicks, Stan Porter, Cindy Askew & Elliott Pierce voted in favor of the rezone. Daryl Brooks, Jack Mullinax, Todd Holt and Susan Tankersley voted against the rezone. With there being a tie Vice Chairman Terry Newberry had to make the tie vote and he voted in favor of the rezone. Vote to approve the rezone carried.

IV. ADJOURNMENT:

Michael Hicks made a motion to adjourn. Susan Tankersley seconded the motion. Motion carried. Meeting adjourned.

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Date Submitted — Planning Commission Chairman

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Date Submitted — Kristy Parker, Planning Commission Secretary

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Date Submitted — David Brown, Director of Codes, Inspection & Planning

These minutes are also available in the Planning Office.