

**Minutes for the Meeting of the  
City of Dyersburg Municipal-Regional Planning Commission  
December 12, 2013  
10:00 am  
Municipal Courtroom**

**Commission Members Present:** Mayor John Holden, Tony Dement, Shari Guthrie, Bart Williams, Chairman Eddie Burks, Brian Ramm, Paul Newbill.

**Staff and Others Present:** Will Radford, Planner/Consultant, Nelson/Thornton, P.C., Justin Avent, City Engineer, Thomas Mullins, Codes Enforcement Department, Cindy Jones, Xristos Sakarellos, Mike Gauldin, Eddie Barnett, and John Lannom.

Chairman Burks declared that a quorum was present and called the meeting to order. After calling the meeting to order, Chairman Burks asked for a motion to approve the minutes from the November 14, 2013 Commission meeting. Commissioner Shari Guthrie moved that the Commission approve the minutes, which was followed by a second by Commissioner Brian Ramm. The minutes were approved by all board members in attendance.

**I. Old Business:**

- A. Any old business that may be accepted for discussion by the Planning Commission.  
None presented.

**II. New Business.**

**A. Rezoning Requests for Properties along Calvin Moore Road  
Jones Farms and Properties and Xristos Sakarellos Rezoning Request.**

Chairman Burks called for presentation representing these requests. Community Planner Will Radford opened the discussion by providing a brief summary of the first item on the agenda that were presented at the November Planning Commission meeting. These property owners resubmitted a request to rezone two properties adjacent to Dyersburg's Industrial Park from industrial to residential. Since the November meeting an additional adjacent property owner to the Industrial Park properties, Mr. Eddie Barnett of B & B properties submitted a third request for the Commission to rezone his property to R-1 so that he could build a home on the property.

Chairman Burks asked if the property owners had any comments to add to their presentations extending from the November 2013 Commission meeting. No new information was presented by the property owners. Ms. Jones did express a need to find a compromise to the situation, and Mr. Barnett expressed his concern over the limitations to his property due to the current zoning status.

Staff Presentation of Rezoning Requests for Properties along Calvin Moore Road.

**Background:** At last month's Planning Commission, two separate rezoning requests were submitted for consideration by the Planning Commission. The applicants were Jones Farms and Properties and Xristos Sakarelos property.

Jones Farms and Properties submitted a request for 100 acres of property located on W. Calvin Moore Road. The property can be further identified as Parcel 4.00 on Dyer County Tax Map 073. The request was to be rezoned from M-1 (Light Industrial) District to R-1 (Low Density Residential) District. The property does not appear to be in a federally identified flood hazard area.

The second rezoning request was submitted by Xristos Sakarelos for 62 acres of property located at 214 W. Calvin Moore Road. The property can be further identified as Parcel 5.00 on Dyer County Tax Map 073. The request was to be rezoned from M-1 (Light Industrial) District to R-2 (Medium Density Residential) District. The property does not appear to be in a federally identified flood hazard area.

The Planning Commission did not take action and the applicants withdrew their request (at the November 2103 meeting), as the Planning Commission asked for more time to receive further input from the Industrial Development Board. Both applicants have resubmitted their requests for this month and a third request for rezoning has been submitted as well.

The third rezoning request for this area has been submitted by B & B Partners for 11 acres of property located on the south side of W. Calvin Moore Road. The property can be further identified as Parcel 31.00 on Dyer County Tax Map 073. The request was to be rezoned from M-1 (Light Industrial) District to R-1 (Low Density Residential) District. The property does not appear to be in a federally identified flood hazard area.

**Analysis:** The area on the north side of Calvin Moore road was annexed by the City of Dyersburg in 2007 and was zoned M-1 upon annexation.

The B&B Partners property appears to have been in the city and zoned industrial shortly after that annexation. At the August 9th, 2007 Planning Commission meeting, it appears that the property was asked to be rezoned from R-2 to M-1. The Local Planning Assistance Office recommended in favor of the change at that time writing the following:

The area has road frontage on Highway 51 and is adjacent to the Municipal Industrial Park. The area is currently zoned R-2 (Medium Density Residential) to M-1 (Light Density Industrial)

Staff recommends the approval of the M-1 zoning request, because it will (a) conform to the State Annexation Study, which the City endorsed, and (b) it will make the area contiguous with the other M-1 area.

According to the 2020 Development Plan, which staff believes was adopted in 2000, the plan was for this area to be Industrial. This shows a desire by the City in 2000 and consistent desire

in 2007 to have this property available for Industrial use. The property is near a proposed Interstate 69 interchange and therefore would be a good area for Industrial Development.

For the City to rezone the property to R-2 would require a significant change in the land use plans for the area. The City may feel that this area isn't as well suited for industrial development as it was once believed. If the property is rezoned to R-1, staff believes the area would then trend towards more residential development and possibly some commercial development near the I-69 interchange, but industrial development then becomes less likely.

**Recommendation:** Staff recommends denial of the rezoning requests based on current land use plans and policies.

The Commission discussed various aspects of the requests including a detailed presentation by Attorney John Lannom who described a brief history of the Dyersburg Industrial Park, how that particular site was chosen, and the significant financial expense dedicated to the utilities and other infrastructures developed by the Dyersburg Industrial Board and affiliated partners and businesses.

After much discussion and many questions by Commission members Chairman Burks opened the floor for any motion to approve or deny the requests. Commissioner Paul Newbill moved to accept the recommendation of staff to deny the rezoning requests. The motion was seconded by Commissioner Brian Ramm. The motion was approved by all members with the exception of Commissioner Bart Williams, who voted against the motion.

## **B. B & B Partners Rezoning Request**

**Background:** A rezoning request has been submitted by B & B Partners for 1 acre of property located at 1805 St. John Avenue at the intersection of St. John Avenue and Pioneer Street. The property can be further identified as Parcel 16.00 on Dyer County Tax Map 088E, Group C. The request is to be rezoned from B-1 (Limited Trades and Services) District to P-B (Planned Business) District. The property does not appear to be in a federally identified flood hazard area.

**Analysis:** The property has adjacent P-B zoning on the adjacent lot Parcel 16.00. This appears to be the only parcel in the immediate area northeast of the intersection of Pioneer Street and St. John Avenue that is zoned B-1.

There is an existing B-1 district on the other side of Pioneer Avenue. Pioneer Street would serve as a clear boundary of the district should this rezoning pass.

**Recommendation:** Staff recommends in favor of the rezoning.

With minor discussion regarding the requests Commissioner Bart Williams motioned to accept staff recommendation for approval of the rezoning request. A second to the motion was made by Mayor John Holden. The motion was approved by the full vote from the Commission and will be recommended to the Board of Mayor and Alderman.

### C. Dyer County Farm Bureau Rezoning Request

**Background:** A rezoning request has been submitted by Dyer County Farm Bureau for 1 acre of property located at 415 Highway 51 Bypass. The property can be further identified as Parcel 22.00 on Dyer County Tax Map 088B, Group F. The request is to be rezoned from R-2 (Medium Density Residential) District to B-1 (Limited Trade and Services) District. The property does not appear to be in a federally identified flood hazard area.

**Analysis:** The property is currently zoned R-2 and is adjacent to an existing R-1 (Low Density Residential) district. There are no commercial districts in the immediate area on the south side of Highway 51. Therefore “spot-zoning” concerns are noted.

The area along Highway 51 from Lake Road to Parr Avenue is designated as Residential according to the 2000 Land Use and Transportation Plan. However, much of this section has since been zoned P-B (Planned Business) closer to the intersection of Parr Avenue and Highway 51.

This property is unique for this area as it has access onto Highway 51 and existing access points on Highway 51. Being located on a major arterial street would lend itself towards commercial development.

The purpose of the B-1 district states: “To permit business uses designated as local neighborhood trades and service and certain residential uses; and to exclude certain other trades, services and industrial uses in the B-1 District”.

The following policies are found in the 2000 Land Use and Transportation Plan regarding the relationship between Commercial and Residential uses:

8. Commercial developments should be designed to minimize negative impacts on residential developments and to enhance the aesthetics of such developments.
9. To the extent feasible, landscaping or other screening shall be provided between commercial and residential land uses.
10. Neighborhood commercial areas should be provided to make convenience goods and services available to residential neighborhoods.
11. Chairmen Eddie Burks noted that he had spoken to Dyersburg School Superintendent Neil Durbin and Mr. Durbin has no objections to having the bordering High School property rezoned to B-1. Discussion followed regarding the adjoining City of Dyersburg Storm Shelter Property being rezoned to B-1 as well.

Will Radford notes the spot zoning concerns, but given this parcels unique position as being adjacent to residential districts but with existing access to Highway 51, this parcel is uniquely

suitable for a B-1 district. The policies noted above and the intent of the B-1 district would support rezoning this area to B-1.

If not for existing P-B south of Highway 51 near the area (opposite side of the High School), staff would be more likely to recommend denial of this request as this area would then appear to be set aside for residential development. However, staff would not be in favor of the Planned Business district spreading to this area, as that would have more harmful impact on the adjacent residential subdivision. Therefore rezoning this parcel to B-1, although currently by itself, would protect the residential areas should the Planned Business district ever move further west on Highway 51.

**Recommendation:** Staff recommends approval the rezoning request.

With minor discussion regarding the requests Mayor John Holden motioned to accept staff recommendation for approval of the rezoning request. A second to the motion was made by Commissioner Tony Dement. The motion was approved by the full Commission and will be recommended to the Board of Mayor and Alderman.

### **III. Other Business/Reports:**

A. Administrative Reports: No reports.

With no further business presented before the Planning Commission the meeting adjourned at 11:30 a.m.

---

John Pressler, Secretary

---

Robert C. Jones, Recorder

