

**Minutes for the Meeting of the
City of Dyersburg Municipal-Regional Planning Commission
June 12, 2014
10:00 am
Municipal Courtroom**

Commission Members Present: Eddie Burks, Chairman, Alderman Bart Williams, Sherry Guthrie, Paul Newbill, Brian Ramm, John Pressler.

Staff and Others Present: Will Radford, Planner/Consultant, Nelson CDP, Cecilia Theilacker, State Gazette Reporter, Thomas Mullins, Codes Enforcement Office, Justin Avent, City Engineer, Scott Ball, City storm water Manager.

I. Establishment of a Quorum and Call To Order.

Chairman Burks opened the meeting and declared that a quorum was present and called the meeting to order.

II. Approval of Minutes.

Chairman Burks called for a motion to approve the minutes of the April 10, 2014 Commission meeting. The motion was made by Commissioner Paul Newbill, with a second by Commissioner Brian Ramm. The motion passed and the minutes were approved.

Chairman Burks called for any old business. No old business was presented.

III. New Business.

A. AMI Inc. / David Alexander Annexation Request. (Fairway Drive Property. Parcels 34.00 & 35.02 on Tax Map 87 and Parcel 76 on Tax Map 88).

Mr. Radford presented the AMI Inc. / David Alexander Annexation Request by stating the following:

Background: A request for annexation of approximately 10.5 acres of land has been submitted by David Alexander/AMI Inc. The property is located on Fairway Drive adjacent to the current Dyersburg City Limits. The properties can be further identified as Parcels 34.00 & 35.02 on Dyer County Tax Map 87 and Parcel 76 on Dyer County Tax Map 88. The property does not appear to be in a federally identified flood hazard area.

Analysis: According to newly adopted Public Chapter 707, a City may annex residential property by ordinance only upon request from the property owner.

Mr. Radford prepared a Resolution to adopt a Plan of Services, an Ordinance to Annex, and an Ordinance to Establish Zoning. He presented all of the above mentioned documents for review by the Planning Commission.

The request for zoning upon Annexation is for R-2 (Medium Density Residential). He stated it is compliant with the Dyersburg Future Land Map and 2020 Development Plan which has the area designated Low Density Residential/Public-Semi Public. The area within the City Limits to the west of the requested Annexation area is zoned R-2 which would make for a natural transition to the district should the remainder of Parcel 76.00 ever be annexed into the City.

The Plan of Services will show that all City Services will be able to be provided immediately upon annexation with little or no cost to the City.

Recommendation

Staff recommends in favor of zoning the property R-2 should the City decide the annexation is beneficial to the City.

The following resolution was proposed for approval by Mr. Radford:

RESOLUTION _____

A RESOLUTION ADOPTING A PLAN OF SERVICE FOR AREA TO BE ANNEXED INTO THE CITY OF DYERSBURG, TENNESSEE: PROPERTY LOCATED ON FAIRWAY DRIVE (OWNED BY DAVID ALEXANDER – AMI, INC)

WHEREAS, *Tennessee Code Annotated* 6-51-102 requires that a plan of service be adopted by the governing body of a city prior to annexing an area; and,

WHEREAS, the Dyersburg Municipal-Regional Planning Commission has recommended that the following Plan of Service for the annexation of an area located on Fairway Drive (David Alexander – AMI Inc.).

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF DYERSBURG, TENNESSEE:

SECTION 1. Pursuant to Tennessee Code Annotated Section 6-51-102, there is hereby adopted for the proposed annexation area the following Plan of Service:

A. Police

- (1) Patrolling, radio responses to calls, and other routine police service, using present personnel and

equipment, will be provided on the effective date of annexation.

- (2) No additional personnel or equipment will be added during the first year after the effective date of annexation, but as the area develops, additional personnel and equipment will be expanded as needed.
- (3) Traffic signals, traffic signs, street markings, and other traffic control devices will be installed as the need therefore is established by appropriate study and traffic standards.

B. Fire

- (1) Fire protection by the present personnel and the equipment of the fire fighting force, within the limitations of available water and distances from fire stations, will be provided on the effective date of annexation.
- (2) No additional personnel or equipment will be added during the first year after effective date of annexation, but with the growth and development of the area additional personnel and equipment will be expanded as needed.

C. Water

- (1) Water for domestic, commercial, and industrial use will be provided at the rates presently charged by the City of Dyersburg, on the effective date of annexation, and thereafter from new lines as extended by developers as development occurs in accordance with current city policy.
- (2) Water for fire protection will be available immediately following annexation and from new lines as extended in accordance with current city policy.

D. Sewer

Sewer is currently available to existing property owners. Future lines will be extended by developers as development occurs in accordance with current city policy.

E. Natural Gas

The necessary natural gas lines will be installed on undeveloped property by developers as development occurs according to current city policies. Gas is currently available to existing property owners.

F. Refuse Collection

The same regular refuse collection services now provided within the city will be extended to the annexed areas after 30 days of the effective date of annexation.

G. Streets

No additional street right of way will be required by this annexation. The City will continue to provide the following services to adjacent City streets of the annexed area:

- (1) Emergency maintenance of streets. (repair of hazardous chuck holes, measures necessary for traffic flow, etc.)
- (2) Routine maintenance, on the same basis as in the present city.
- (3) Reconstruction and resurfacing of streets, installation of storm drainage facilities, construction of curbs and gutters, and other such major improvements, as need therefore is determined by the governing body, will be accomplished under current policies of the city.

H. Inspection Services

Inspection services are currently provided by the city. Code Enforcement will begin in the annexed areas on the effective date of annexation.

I. Planning and Zoning

The planning and zoning jurisdiction of the city will extend to the annexed areas on the effective date of annexation. City planning will thereafter encompass the annexed areas. The area will be zoned R-2 (Medium Density Residential)

J. Street Lighting

Street lights will be installed by developers as development occurs in accordance with standards currently prevailing in the existing city policies.

K. Recreation

Residents of the annexed areas may use all existing recreational facilities, parks, etc. on the effective date of annexation. The same standards and policies now used in the present city will be followed in expanding the recreational program and facilities in the enlarged city.

L. Miscellaneous

- (1) Street name signs where needed will be installed as new streets are opened in the annexed area.

SECTION 2. This Resolution shall be effective from and after its adoption.

ADOPTED this ____ day of _____, 2014.

Mayor

City Recorder

The resolution was motioned for approval by Commissioner Bart Williams. With a second by Commissioner Brian Ramm. After general discussion the Commission voted unanimously to approve the resolution to be presented before the Board of Mayor and Alderman at the next scheduled meeting.

An Ordinance to Annex

ORDINANCE _____

AN ORDINANCE TO ANNEX TERRITORIES WEST OF THE DYERSBURG CORPORATE LIMITS: PROPERTY LOCATED ON FAIRWAY DRIVE (OWNED BY DAVID ALEXANDER – AMI, INC)

WHEREAS, a public hearing before this body was held on _____ the ___ day of _____, 2014, pursuant to a notice thereof published in the State Gazette on _____, 2014; and,

WHEREAS, it now appears that the prosperity of this City and of the territory herein described will be materially retarded and the safety and welfare of the inhabitants and property thereof is endangered if such territory is not annexed; and,

WHEREAS, the annexation of such territory is deemed necessary for the welfare of the residents the property owners thereof and this City as a whole; and,

WHEREAS, a Plan of Service for this area was adopted by resolution on _____, 2014 as required by Section 6-51-102, Tennessee Code Annotated and notice thereof published in the State Gazette on the ___ day of _____, 2014.

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Alderman of the City of Dyersburg, Tennessee:

Section 1. Pursuant to authority conferred by Sections 6-51-101 to 6-51-113, Tennessee Code Annotated, there is hereby annexed to the City of Dyersburg, Tennessee and incorporated within the corporate boundaries thereof, the following described territory adjoining the present corporate boundaries:

Parcels 34.00 & 35.02 on Dyer County Tax Map 87 and a portion of Parcel 76.00 on Dyer County Tax Map 88.

Lying and being in the 4th Civil District of Dyer County, Tennessee and being more particularly described as follows : BEGINNING at a ½ inch dia. iron rod (found) in the West right-of-way of Fairway Drive and being where the South boundary line of Ridgecrest subdivision, a plat recorded in plat cabinet A, sleeve 128 in the Register's Office for Dyer County, Tennessee, would intersect the West right-of-way of said Fairway Drive if extended Eastward, said iron rod also being in the Northeast corner of Hubert Alexander lot as shown by deed in Record book 494, page 62 recorded in the Register's office for Dyer County, Tennessee ; runs thence South 02 degrees 11 minutes 47 seconds West, 200.00 feet along the West right-of-way of said Fairway Drive to a ½ inch dia. iron rod (found) in the Southeast corner of said Hubert Alexander property ; runs thence South 02 degrees 11 minutes 47 seconds West, 273.16 feet along the West right-

of-way of said Fairway Drive to a ½ inch dia. iron rod (found) in the P.C. (point of curving right-of-way of said Fairway Drive) ; runs thence along the curving West right-of-way having a radius of 660.00 feet and a delta angle of 13 degrees 09 minutes 22 seconds for an arc distance of 151.55 feet to a ½ inch dia. iron rod (found) in an inner corner of the existing Golf Course ; runs thence Southeasterly along the curving Southwest right-of-way of said Fairway Drive having a radius of 660.00 feet and a delta angle of 42 degrees 14 minutes 02 seconds for a arc distance of 486.50 feet to a ½ inch dia iron rod (found) in the Southwest right-of-way of said Fairway Drive, another inner corner of said existing Golf Course, the POINT OF BEGINNING (Northmost Northeast corner) of this herein described parcel ; runs thence Southwesterly and continuing along the curving Southwest right-of-way of said Fairway Drive having a radius of 660.00 feet for a arc distance of 110.67 feet to a ½ inch dia iron rod (found) in the Eastmost Northeast corner of AMI INC. property and in the Northwest corner of NAYM property as shown by deed in Record book 714, page 375, recorded in said Register’s Office, the Eastmost Northeast corner of this herein described parcel ; runs thence along the East boundary of said AMI INC. property and the West boundary of said NAYM property the following calls : South 24 degrees 08 minutes 07 seconds West, 166.76 feet to a ½ inch dia iron rod (set) ; runs thence along the curving boundary having a radius of 175.00 feet for a arc distance of 113.12 feet to a ½ inch dia iron rod (found) ; runs thence South 28 degrees 49 minutes 34 seconds East, 44.22 feet to a ½ inch dia. iron rod (found) and finally South 24 degrees 08 minutes 11 seconds West, 250.00 feet to a ½ inch dia. iron rod (found) in the Southeast corner of this herein described parcel ; runs thence South 82 degrees 03 minutes 16 seconds West, 203.18 feet to a ½ inch dia. iron rod (found) in the Northeast corner of Hillside Development as shown in plat book A, page 150, recorded in said Register’s Office ; runs thence North 86 degrees 13 minutes 13 seconds West, 659.30 feet along the North boundary of said Hillside Development and the South boundary of said AMI INC. property to a ½ inch dia. iron rod (set) in the Southwest corner of this herein described parcel ; runs thence North 01 degrees 42 minutes 11 seconds East, 480.82 feet to a ½ inch dia. iron rod (set) in the South boundary of said Golf Course, the Northwest corner of this herein described parcel ; runs thence along the South boundary of said Golf Course the following calls : South 88 degrees 17 minutes 49 seconds East, 260.91 feet to a ½ inch dia. iron rod (found) ; South 87 degrees 46 minutes 00 seconds East, 252.17 feet to a ½ inch dia. iron rod (found) ; South 88 degrees 35 minutes 11 seconds East, 274.34 feet to a ½ inch dia. iron rod (found) and finally North 65 degrees 03 minutes 20 seconds East, 207.76 feet to the point of beginning and containing 11.02 acres, more or less.

Section 2. This Ordinance shall become effective thirty days from and after its passage, the public welfare requiring it.

1st Reading _____

2nd Reading _____

Date published in local newspaper

Date of Public Hearing

Mayor

Date

Attest: City Recorder

Date

The ordinance to annex was motioned for approval by Commissioner Bart Williams, with a second by Commissioner Brian Ramm. After general discussion the Commission voted unanimously to approve the annexation ordinance to be presented before the Board of Mayor and Alderman at the next scheduled meeting.

An Ordinance to Zone City Territory

ORDINANCE _____

An ORDINANCE TO ZONE TERRITORIES WEST OF THE DYERSBURG CORPORATE LIMITS: PROPERTY LOCATED ON FAIRWAY DRIVE (OWNED BY DAVID ALEXANDER – AMI, INC) R-2 (MEDIUM DENSITY RESIDENTIAL)

WHEREAS, Sections 13-7-201 through 13-7-210 of the Tennessee Code Annotated empowered the City of Dyersburg to enact the Dyersburg Zoning Ordinance and zone all properties in the City or annexed into the City; and,

WHEREAS, the annexation of such territory is deemed necessary for the welfare of the residents and property owners thereof and of this City as a whole; and,

WHEREAS, the Dyersburg Municipal / Regional Planning Commission has reviewed said proposed zoning amendment pursuant to Sections 13-7-203 and 13-7-204 of the Tennessee Code Annotated and recommends such amendment to the Dyersburg Board of Mayor and Alderman; and,

WHEREAS, the Dyersburg Board of Mayor and Alderman has given due public notice of hearings on said amendment and has held a public hearing; and,

WHEREAS, all the requirements of Section 13-7-201 through 13-7-210 of the Tennessee Code Annotated, with regard to the amendment of the Dyersburg Zoning Map by the Planning Commission and subsequent action of the Board of Mayor and Alderman of the City of Dyersburg have been met.

Section 1. NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Alderman of the City of Dyersburg, Tennessee, that the following property be zoned R-2 (Medium Density Residential):

Parcels 34.00 & 35.02 on Dyer County Tax Map 87 and a portion of Parcel 76.00 on Dyer County Tax Map 88.

Lying and being in the 4th Civil District of Dyer County, Tennessee and being more particularly described as follows : BEGINNING at a ½ inch dia. iron rod (found) in the West right-of-way of Fairway Drive and being where the South boundary line of Ridgecrest subdivision, a plat recorded in plat cabinet A, sleeve 128 in the Register's Office for Dyer County, Tennessee, would intersect the West right-of-way of said Fairway Drive if extended Eastward, said iron rod also being in the Northeast corner of Hubert Alexander lot as shown by deed in Record book 494, page 62 recorded in the Register's office for Dyer County, Tennessee ; runs thence South 02 degrees 11 minutes 47 seconds West, 200.00 feet along the West right-of-way of said Fairway Drive to a ½ inch dia. iron rod (found) in the Southeast corner of said Hubert Alexander property ; runs thence South 02 degrees 11 minutes 47 seconds West, 273.16 feet along the West right-of-way of said Fairway Drive to a ½ inch dia. iron rod (found) in the P.C. (point of curving right-of-way of said Fairway Drive) ; runs thence along the curving West right-of-way having a radius of 660.00 feet and a delta angle of 13 degrees 09 minutes 22 seconds for an arc distance of 151.55 feet to a ½ inch dia. iron rod (found) in an inner corner of the existing Golf Course ; runs thence Southeasterly along the curving Southwest right-of-way of said Fairway Drive having a radius of 660.00 feet and a delta angle of 42 degrees 14 minutes 02 seconds for an arc distance of 486.50 feet to a ½ inch dia iron rod (found) in the Southwest right-of-way of said Fairway Drive, another inner corner of said existing Golf Course, the POINT OF BEGINNING (Northmost Northeast corner) of this herein described parcel ; runs thence Southwesterly and continuing along the curving Southwest right-of-way of said Fairway Drive having a radius of 660.00 feet for a arc distance of 110.67 feet to a ½ inch dia iron rod (found) in the Eastmost Northeast corner of AMI INC. property and in the Northwest corner of NAYM property as shown by deed in Record book 714, page 375, recorded in said Register's Office, the Eastmost Northeast corner of this herein described parcel ; runs thence along the East boundary of said AMI INC. property and the West boundary of said NAYM property the following calls : South 24 degrees 08 minutes 07 seconds West, 166.76 feet to a ½ inch dia iron rod (set) ; runs thence along the curving boundary having a radius of 175.00 feet for a arc distance of 113.12 feet to a ½ inch dia iron rod (found) ; runs thence South 28 degrees 49 minutes 34 seconds East, 44.22 feet to a ½ inch dia. iron rod (found) and finally South 24 degrees 08 minutes 11 seconds West, 250.00 feet to a ½ inch dia. iron rod (found) in the Southeast corner of this herein described parcel ; runs thence South 82 degrees 03 minutes 16 seconds West, 203.18 feet to a ½ inch dia. iron rod (found) in the Northeast corner of Hillside Development as shown in plat book A, page 150, recorded in said Register's Office ; runs thence North 86 degrees 13 minutes 13 seconds West, 659.30 feet along the North boundary of said Hillside Development and the South

boundary of said AMI INC. property to a ½ inch dia. iron rod (set) in the Southwest corner of this herein described parcel ; runs thence North 01 degrees 42 minutes 11 seconds East, 480.82 feet to a ½ inch dia. iron rod (set) in the South boundary of said Golf Course, the Northwest corner of this herein described parcel ; runs thence along the South boundary of said Golf Course the following calls : South 88 degrees 17 minutes 49 seconds East, 260.91 feet to a ½ inch dia. iron rod (found) ; South 87 degrees 46 minutes 00 seconds East, 252.17 feet to a ½ inch dia. iron rod (found) ; South 88 degrees 35 minutes 11 seconds East, 274.34 feet to a ½ inch dia. iron rod (found) and finally North 65 degrees 03 minutes 20 seconds East, 207.76 feet to the point of beginning and containing 11.02 acres, more or less.

Section 2. This Ordinance shall become effective thirty days from and after its passage, the public welfare requiring it.

1st Reading _____

2nd Reading _____

Date published in local newspaper

Date of Public Hearing

Mayor Date

Attest: City Recorder Date

The ordinance to zone was motioned for approval by Commissioner Paul Newbill. With a second by Commissioner Sherry Guthrie. After general discussion the Commission voted unanimously to approve the annexation resolution to be presented before the Board of Mayor and Alderman at the next scheduled meeting.

NOTICE OF PUBLIC HEARINGS

Pursuant to Tennessee Code Annotated Section 13-7-203 notice is hereby given of a public hearing to be held by the Dyersburg Mayor and Board of Aldermen on _____, the _____ day of _____, 2014 at ____ am/pm in the City of Dyersburg Municipal Courtroom. The hearing is to receive public input on the following:

1. A RESOLUTION ADOPTING A PLAN OF SERVICE FOR AREA TO BE ANNEXED INTO THE CITY OF DYERSBURG, TENNESSEE: PROPERTY LOCATED ON FAIRWAY DRIVE (OWNED BY DAVID ALEXANDER – AMI, INC)

2. AN ORDINANCE TO ANNEX TERRITORIES WEST OF THE DYERSBURG CORPORATE LIMITS: PROPERTY LOCATED ON FAIRWAY DRIVE (OWNED BY DAVID ALEXANDER – AMI, INC)

3. A ORDINANCE TO ZONE TERRITORIES WEST OF THE DYERSBURG CORPORATE LIMITS: PROPERTY LOCATED ON FAIRWAY DRIVE (OWNED BY DAVID ALEXANDER – AMI, INC) R-2 (MEDIUM DENSITY RESIDENTIAL)

Copies of the resolution to adopt the Plan of Service as well as the above ordinances may be viewed in the Office of the City Recorder at City Hall, The Dyersburg Codes Enforcement Office, and the Dyersburg Public Works Office during normal business hours. All interested persons are invited to attend and comment.

IV. Old Business:

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

V. Other Business/Reports:

- A. Administrative Reports. None reported.
- B. Any other business that may be accepted for discussion by the Planning Commission.
None Reported.

VI. The meeting adjourned at 10:30 a.m.

John Pressler, Secretary

Robert C. Jones, Recorder