



## PLANNING COMMISSION MEETING MINUTES FEBRUARY 22, 2021

*Due to the Governor's orders on limited size of meetings Clayton's Planning Commission conducted its scheduled meeting on Monday February 22, 2021 via the Zoom meeting format*

### **I. OPENING OF MEETING**

President Bills opened the Clayton Planning Commission meeting, convening at 7:00 pm on Monday, February 22, 2021 virtually on the Zoom platform.

Call to Order: Present were Mr. Bills, Mr. Garner and Ms. Pritchett. Mr. Robinson and Mr. Powless were both excused this evening as they were ill.

### **II. MEETING PROCEDURE AND OATH**

Mr. Bills explained the meeting procedures and administered the Oath to members of the public who wished to speak this evening.

### **III. MINUTES OF THE PREVIOUS MEETINGS**

Mr. Bills asked for a motion to approve the minutes of January 25, 2021. Motion by Mr. Garner to approve the minutes of January 25, 2021, motion was second by Ms. Pritchett. Voting - Mr. Bills-yes, Mr. Garner-yes, and Ms. Pritchett-yes. Approved 3-0.

### **IV. OLD BUSINESS**

None

### **V. NEW BUSINESS**

Mr. Bills introduced Case# PC21-01: 6892 Salem Avenue, William and Mary Lauer Request is for a Zoning District Change for the property at 6892 Salem Avenue, Parcel M60 03207 0015, from R-3, Suburban Residential District, to I, General Industrial District. The applicant intends to market and sell their property as part of the industrial acreage to the west. The request was made by William and Mary Lauer (property owner).

Mr. Dorman, City Planner/Zoning Administrator, stated that since we have two members ill this evening a motion to approve or reject would require 2 affirmative votes this evening instead of our normal 3. The city received an application from the Lauer's requesting a Zoning District Change from R-3 to I. The property is comprised of one parcel with an area of 6.12 acres. The properties surrounding this parcel are zoned to the west I, this is the 51 plus acres that was approved for a rezoning in early 2020; to the east is R-3; to the north across Salem Avenue is zoned R-3; and, to the south is the Bayberry Trail subdivision which is zoned R-3. The applicant intends to market and sell the property as part of the 51 plus acres that were rezoned to I in January of 2020. In looking at documents to guide us in our decision we looked at Clayton's planning and zoning code. Chapter 1126, District Changes and Code Amendments which outlines process and application requirements; Chapter 1137, R-3

Suburban Residential District Sections 2-4 outlining permitted, accessory and conditional uses; and Chapter 1157, I General Industrial District Sections 2-4 outline permitted, accessory and conditional uses. We also referred to the PLAN Clayton Comprehensive Land Use Plan. The current zoning is R-3 and primarily permits single-family residences and those uses that are customarily accessory or conditional to residential. The proposed zoning is I which primarily permits industrial, warehouse, manufacturing, office, healthcare, and institutional uses. PLAN Clayton envisions the subject property and those to the east along SR49 as Commercial; however, PLAN Clayton in the Implementation Guide outlines improvements to SR49 to accommodate the growth of industry on this corridor. The PLAN Clayton Implementation Plan as part of the Great Streets and Infrastructure goal has a section called Transportation Element which includes the following statements concerning SR49, Salem Avenue. Objective 4 is to update SR49 to accommodate industrial expansion. At the time the PLAN was completed 10% of the traffic on SR49 was heavy truck traffic and the road speed limit is 50 mph. It goes on to say, pavement on SR49 should accommodate overweight vehicles and intersection turning radii for those vehicles should be increased. Increases in total traffic, and in particular heavy truck traffic can be expected to occur along this roadway as infill occurs to promote more industrial development. This will complicate safety and access for the individual residential properties along the corridor unless future development results in the conversion of the properties to non-residential use. Historically the subject property and those to the east along SR49 have been envisioned for commerce or industrial. The 1999 Land Use Plan showed this area as Commerce Park, envisioning a mix of light manufacturing, research and development facilities, office uses and corporate training facilities. The draft PLAN Clayton from June 2017 showed this area for industrial, that was changed by the direction of City Council prior to the final approval, where they scaled back some of the industrial area. Staff, after review of the application and guiding documents, recommends that the Planning Commission make a motion to recommend approval of the Zoning District Change from R-3 to I.

Mr. Bills asked the applicants, William and Mary Lauer, if they have anything to add.

William Lauer stated they have owned and resided at the property since 1977, and Mr. Dorman has given an excellent presentation and layout of where the already zoned industrial land is. The property line of the already zoned Industrial acreage would only shift over 223 feet to the east, which is the width of our land, and the size of the acreage would increase from 51.8 acres to approximately 58 acres. In order to have a strong and vibrant city you must have commerce and industry; businesses and industry generate revenue to the city and they bring jobs into the city.

Mr. Bills asked if any of the Commissioners have any questions for either staff or the applicant. None were heard.

Mr. Bills asked for a motion to open the floor to public comments. Motion by Mr. Garner to open the floor for public comments, motion was seconded by Ms. Pritchett. Voting: Mr. Bills-yes, Mr. Garner-yes, and Ms. Pritchett-yes. Motion was approved 3-0. Mr. Bills reminded residents they have a 3-minute limit and asked that they not repeat comments already presented by another resident.

Wilma Schroeder stated she lives three-doors down from the Lauer's and she has concerns living that close to property that is zoned industrial and how that will impact her property and her day-to-day living. Ms. Schroeder said she has not quite three acres that are beautiful, and

she enjoys her property with family and friends. Ms. Schroeder is concerned how this could impact her well water, rain runoff, truck traffic increase, and her property value. Ms. Schroeder said she is very unhappy about this change.

Darlene Ingram attempted to join via Zoom but experienced technical problems. Mr. Bills stated we had received an e-mail from Ms. Ingram that he then read into the record: I am writing this letter as I am a neighbor at 6812 Salem Ave next door to Wilma Schroeder who received a letter about the above property requesting to be rezoned to Light Industrial from Residential. I disagree with this change for the following reasons. This home is located between other homes which means an industry would be in between homes. Affect our home values? The Lauer's have not maintained their property and cannot sell it in its condition; therefore, they want to sell it for industrial land. The traffic would increase with Caterpillar and CTC not far away. My home shakes with the increase of semis already and would be much worse. A lot of these homes are still on well water and septic systems and I am concerned with contamination from an industry or disruption of land flow. I have lived here since 1991 and have always considered this as a rural area and a nice place to live. I would not feel that way if industries start to move in. I would not mind Commercial as much as Industrial. Please consider this to not be rezoned.

Mr. Dorman advised that he received a follow-up email from Carolyn Gerson, resident in Bayberry Trail subdivision, who earlier in the day had sent an email of opposition that was forwarded to the Planning Commissioners. Mr. Dorman had responded to Ms. Gerson's email and explained that there was already 51 acres rezoned to Industrial next to the Lauers' property. Mr. Dorman read Ms. Gerson's follow-up email, "Thank you for the information I guess it really doesn't matter whether you rezone the 6 acres or not due to the 51 acres already zoned."

Mr. Bills hearing no further residents who wished to speak on this case, asked for a motion and a second to close the floor to public comment. Motion by Mr. Garner to close the public comment portion of this meeting, motion was seconded by Ms. Pritchett. Voting: Mr. Bills-yes, Mr. Garner-yes, and Ms. Pritchett-yes. Motion was approved 3-0.

Mr. Bills asked the Lauer's if they would like to respond to any of the comments we received from the public. None were heard.

Mr. Bills asked if any of the Commissioners have any more questions of staff or the applicant before we proceed to make a motion on this application. None were heard.

Mr. Bills asked for a motion and a second to make a recommendation of approval, approval with conditions or to disapprove the Zoning District Change. Motion by Mr. Garner to recommend approval of the request as presented. Motion was second by Ms. Pritchett. Voting: Mr. Bills-yes, Mr. Garner-yes, and Ms. Pritchett-yes. Motion was approved 3-0.

## **VI. NEXT MEETING**

Mr. Bills advised the next scheduled Planning Commission meeting will be March 22<sup>nd</sup>.

**VII. END OF MEETING**

Having no further business Mr. Bills asked for a motion to adjourn the meeting. Motion by Mr. Garner to adjourn the meeting; motion was seconded by Ms. Pritchett. Voting: Mr. Bills-yes, Mr. Garner-yes, and Ms. Pritchett-yes. Motion passed 3-0. The meeting adjourned at 7:38 PM.

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Mr. Dave Bills, *President*

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Ms. Barbara Seim, *Secretary*

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Date

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