

CITY OF PORTLAND

PORTLAND MUNICIPAL PLANNING COMMISSION

MEETING MINUTES

April 11, 2023

5:00 PM

LIVE VIDEO ON THE CITY OF PORTLAND WEBSITE

City of Portland
City Hall
100 South Russell Street
Portland TN 37148

MEMBERS PRESENT:

Chairman Curtis Grove
Ann Blackburn
Gail Gentry
Denise Hicks
Ted Jernigan
Jessica Hunter
Ty Crowder

MEMBERS ABSENT:

Luther Bratton
Ald. Megann Thompson

STAFF PRESENT:

Nate Heisler-City Planner
Jackie West-Planning Asst.
John Bradley-City Attorney
Megan Heisler -Utilities Engineer
Carlton Cobb-Public Works Director

Other Interested Parties:

Roll Call

Chairman Grove asks for a roll call at 5:00 pm.

Ann Blackburn- present

Ty Crowder- present

Jessica Hunter- present

Gail Gentry – present

Ald. Megann Thompson –absent

Chairman Curtis Grove-present

Denise Hicks – present

Luther Bratton- absent

Ted Jernigan - present

A quorum was established.

Approval of Agenda

Chairman Grove ask if there are any changes to this agenda.

Jessica Hunter made a motion to approve, Denise Hicks gave a second.
All were in favor, motion passed 7-0.

Gail Gentry made a motion to amend the agenda and move item #5 Flag Lots to above item #1 under new business, Jessica Hunter gave a second.
All were in favor. Motion passed 6-0.

Approval of Minutes: March 14, 2023

Ann Blackburn made a motion to approve the March 14, 2023, meeting minutes,
Gail Gentry gave a second.
All were in favor, motion passed 7-0.

Public Hearings

1. [A request by Zach Wilkinson \(applicant\) for Ruby Springs Preliminary Master Development Plan \(PUD\) approval for a parcel of about 30.85 acres +/- at 780,782,784 College Street \(Tax Map 034, Parcel 072.07,072.09\) with a base zoning R-15 \(Residential\).](#)
[A request by Zach Wilkinson \(applicant\) for rezoning approval for a parcel of about 7.34 +/- acres at 784 College Street \(Tax Map 034, Parcel 072.10\) Zoned from RS-40 to R-15 \(Residential PUD\). With a base zoning of R-15.](#)

No one came forward to speak about this item.

2. [Ordinance No. 09-18 Location of Mobile Homes Zoning District](#)
No one came forward to speak about this item.

3. [Subdivision Amendment to Article 7: Lot Requirements \(Flag Lots\)](#)
Zach Wilkinson came forward recommending changes to the flag lot definition.

Chairman Groves closed the Public Hearing.

OLD BUSINESS

1. [Sumer Point Access Development Plan approval location HWY 109-N and Magnolia Springs BLVD, Map 016 Parcel 031.00 on about 6.36 acres Zoned RM-1.](#)

Nate Heisler (City Planner) states the applicant is requesting a new entrance on Magnolia Springs BLVD. because TDOT is restricting access on the new HWY 109-N that was approved by this board.

Ann Blackburn made a motion to approve, Jessica Hunter gave a second. All were in favor. Motion passed 7-0.

NEW BUSINESS

5. Subdivision Amendment to Article 7: Lot Requirements (Flag Lots)

Nate Heisler states the new definition for a flag lot:

5.3.2 Flag Lots A lot so shaped and designed that the minimum lot width is not met at the front setback from the street on which it fronts and includes an access strip at least fifty (50) feet in width connecting the main building site with the frontage street. Flag lots shall not be permitted in any zoning district that permits residential uses.

Mr. Bradley recommends the Flag Lot Definition be amended to read:
The front setback distant is from the Public Street that abuts the access strip.

Jessica Hunter makes a motion to amend the flag lot definition to say distance from the public street which abuts the access strip, Ted Jernigan gave a second. motion passed 6-0.

1. A request by Zach Wilkinson (owner) for Re-subdivision of Lot 7 of Scruggs Subdivision Final Plat at 827 HWY 52-E with (2) Lots on about 2.40 acres +/-, (Tax Map 033E, B, 007.00. zoned RS-40 (Residential)).

Nate Heisler (City Planner) states Planning Staff had been contacted via email about the provision 'No building shall be erected on a lot which does not continuously abut at least one public street for at least fifty (50) feet' associated with the Flag Lot Sections 5.3.2 and 7.3.6. The initial determination was to approve the subdivision based off the 50FT road frontage language, in which the applicant was contacted via email on 12.28.22. After more research and conversations with other staff members and legal counsel, it became apparent that the best solution was for the Planning Commission see the subdivision and take action.

Lot, Flag A lot so shaped and designed that the minimum lot width is not met at the front setback from the street on which it fronts and includes an access strip at least fifty (50) feet in width connecting the main building site with the frontage street. I have John Bradley (City Attorney) here to answer questions.

Ann Blackburn asked if he could do this, this is a flag lot.

Nate Heisler (Planner) states the applicant is here, but I think so.

Zach Wilkinson (applicant) states staff and I disagree on the definition of a flag lot, I am asking to subdivide this lot into two lots. This is a \$20,000.00 dollar loss. The definition is confusing if we go by it this is not a flag lot.

John Bradley (City Attorney) states I disagree, this is a flag lot. It is not worded very well. It may be best for two lot subdivisions be put on the Planning Commission agenda so there is no question. If you want to grant approval on this subdivision you can and amend the definition of a flag lot. To make it clear, I recommend taking action for these at the same time.

**Chairman Groves leaves the meeting because of sickness, Vice-Chairman Ann Blackburn takes over the meeting.*

Gail Gentry made a motion to approve the Scruggs Subdivision Final Plat, Ty Crowder gave a second. All were in favor. Motion passed 6-0.

2. A request by Zach Wilkinson (applicant) for Ruby Springs Preliminary Master Development Plan (PUD) approval for a parcel of about 30.85 acres +/- at 780,782,784 College Street (Tax Map 034, Parcel 072.07,072.09,072.10) with a base zoning R-15 (Residential). A request by Zach Wilkinson (applicant) for rezoning approval for a parcel of about 7.34 +/- acres at 784 College Street (Tax Map 034, Parcel 072.10) Zoned from RS-40 to R-15 (Residential PUD). With a base zoning of R-15.

Nate Heisler (Planner) states the applicant is proposing a residential PUD with a mix of R-15& R-10 zoning for a total of 47 lots.

Conditions for approval:

Applicant must address all staff comments, all FEMA requirements, Construction cannot start until an engineering analysis is completed by the developer, and a letter of credit is provided.

Ty Crowder made a motion to approve with staff comments, Gail Gentry gave a second. All were in favor. All were in favor. Motion passed 6-0.

3. A request by Andy Leath (GreenLID) applicant for a Preliminary Plat approval for Harbin Sandye Avenue with (9) lots on about 1.65 acres +/- at Sandye Ave and West Market Street (Tax Map 034, Group E, Parcels 014.02,014.03,014.04,014.05) Zoned RM-1 (Residential).

Nate Heisler (Planner) states the applicant is proposing a 9 Lot Preliminary Plat. The Preliminary Plat is a detailed planning and engineering document developed by appropriately licensed professionals. Such plat will reflect results of design decisions that have been made in the process of adapting the general concepts contained within the Conceptual Plan to the engineering of the site.

Gail Gentry made a motion to approve, Ted Jernigan gave a second.
All were in favor. Motion passed 6-0.

4. Ordinance No. 09-18 Location of Mobile Homes Zoning District
Nate Heisler (City Planner) states I want to add a astrict under the residential use table to state (*Doublewides don't fall under singlewides).
No action was taken.
5. Subdivision Amendment to Article 7: Lot Requirements (Flag Lots)
This was moved to the front under new business.

Presentation only

Rockland Estates Final Master Development Plan

CITY PLANNER'S COMMENTS

PLANNING COMMISSION MEMBERS COMMENTS

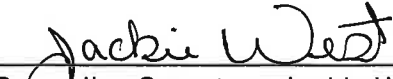
ADJOURNMENT

Ty Crowder made a motion to adjourn at 6:30 pm, Gail Gentry gave a second.



Chairman Curtis Grove

5/9/2023
Date



Recording Secretary, Jackie West

5-11-2023
Date