COVINGTON MUNICIPAL - REGIONAL PLANNING COMMISSION MEETING

June 4, 2024 12:00 PM NOON LOWER-LEVEL CONFERENCE ROOM AT CITY HALL



Agenda for the Meeting of the Covington Municipal-Regional Planning Commission June 4, 2024 12:00 PM

- I. Call To Order Establishment of a Quorum
- II. Approval of Previous Minutes
- III. Public Comments (Maximum 15 minutes)
- IV. Unfinished Business
- V. New Business
 - A. Baskin Reality, LLC Rezoning Request
 - B. Oak Rowe Apartments Conceptual Site Plan Discussion
 - C. Annexation Request Gary Taylor & Ceres Land Management and Consulting, LLC. Non-Contiguous Annexation Request
 - D. Text Amendment Adoption of Planned Residential District Regulations
- VI. Other Business
- VII. Adjournment

Next Meeting: July 2, 2024

The Covington Municipal-Regional Planning Commission met on May 7, 2024, at 12:00 p.m. with the following members present: Chairman Joe Auger, Vice Chairman Sammy Beasley, Secretary Alice Fisher, Commissioners: Sue Rose, Sara Carter, C.H. Sullivan, Annette Johnson, and Louise McBride. Also present were Building Official Lessie Fisher, Code Technician Phyllis Mayfield, Fire Inspector Rusty Thigpen, Assistant Fire Chief Jeremy Channel, Veronica Layne, Danny Chapman, Mayor Jan Hensley, Benton Linsey, Jason Poyner.

Meeting was called to order by Joe Auger.

Motion was made by Alice Fisher and seconded by C.H. Sullivan that the minutes of the preceding meeting be approved. Motion passed.

New Business:

Site plan was submitted for Chapman RV Park. Lessie Fisher gave an overview: A2H 3rd party review confirms the site plan meets the Ordinance as written. TDOT has issued driveway permit. CFD has reviewed. TDEC is processing. The Board of Zoning Appeals agenda for June 6th will include the camping grounds as required by the Zoning Ordinance, Use Permitted on Appeal.

C.H. Sullivan made a motion to approve, Alice Fisher seconded the motion. Motion passed.

Other Business:

Introduction of: Rusty Thigpen, Fire Inspector Benton Lindsey, Planning Commission member beginning June 2024 filling the unexpired term of Laine Peeler Olesen. Jason Poyner, Planning Commission member beginning July 2024 filling the unexpired term of Alice Fisher.

C.H. Sullivan made a motion, seconded by Alice Fisher to adjourn the meeting. There being no further business, the meeting was adjourned at 12:20 p.m.

Next meeting to be June 4, 2024.



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MEMORANDUM

- TO: The Covington Municipal-Regional Planning Commission
- FROM: Will Radford, AICP

DATE: May 2, 2024

SUBJECT: Staff Recommendations for the May meeting of the Municipal-Regional Planning Commission.

A. Baskin Reality, LLC Rezoning Request

Background

A rezoning request has been submitted on behalf of Baskin Reality, LLC to rezone 32.67 (approximate) acres of property on Tennessee Avenue from R-2 (Medium Density Residential) District and M-1 (Industrial Park) District to B-2 (Highway Business) District. The property can be further identified as a portion of Parcels 5.02 and 5.28 on Tipton County Tax Map 025. The property appears to be located in a Zone AE flood hazard area according to 47167C0160F, effective on 12/19/2006.

Analysis

The property is located north of the intersection of Simonton Street and Tennessee Avenue. Simonton Street and Tennessee Avenue are "Collector Streets" according to the Covington Major Road Plan.

The property currently has nearby access to U.S. Highway 51 south, a Major Arterial Street. This property is located near a major retail center of the City of Covington and would be conducive to commercial development.

The area for rezoning is mostly developed and has the existing infrastructure (utilities) to support commercial development.

The following policies are found in the **<u>2030 Municipal-Regional Land Use and</u> <u>Transportation Plan</u> for Commercial Development:**

- 1. All commercial developments shall be designed in compliance with appropriate site development standards.
- 2. Commercial development shall be approved in only those areas where infrastructure is available to support such development.
- 3. All commercial and private service developments shall be required to provide an adequate number of paved off-street parking spaces.
- 4. To the extent feasible, landscaping or other screening shall be provided between commercial and residential land uses.
- 5. Sidewalks shall be installed by the developer as commercial uses develop along arterial and collector-status street.

The Covington Future Land Use and Transportation Plan Future Land Use Map has the area dedicated as "Light Industrial".

Consideration for the potential impact of commercial zoning to these properties should be considered.

Recommendation

Staff recommends in favor of the rezoning request.



The Honorable Jan Hensley, Mayor City of Covington, Tennessee 200 West Washington Street Covington, TN 38019

April 8, 2024

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RE: Annexation of Property (279.7 Acres) on the east side of Highway 179, at the end of Cotton Top Road in Tipton County, Tennessee.

Mayor Hensley,

Please accept this letter as our request for the 279.7 acres of land described on attached Exhibit "A" be annexed into the City of Covington.

The Property is comprised of two tracts of land being a part of Gary W. Taylor, Trustee property recorded in Record Book 1450, Page 916 (Tax Map 049, Parcel 005.00) containing 243.3 acres of land and a part of the Ceres Land Management and Consulting, LLC property recorded in Record Book 1497, Page 826 (Tax Map 049, Parcel 008.00) containing 36.4 acres of land.

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Sincerely, W. Taylor, Trust Garv lanagement & Consulting, UL

Ceres Land Management and Consulting, LLC



Cotton Top Road and Highway 179 Site Non-Contiguous Annexation By Owner Consent

The following procedural steps, including best practices, should be followed when proceeding with an annexation by owner consent:

STEP	Responsible	Date Due	
	Party	By/Issued/Received/Scheduled	
1) Receive a written letter seeking annexation signed by all legal owners of record or 2/3 of the legal owners of record in the territory proposed to be annexed, when the property owned by those who consent totals more than ½ of the territory proposed for annexation, and 9 or fewer parcels are being proposed for annexation.	Gary Taylor & Ceres Land Management and Consulting, LLC.	Letter dated 4/8/2024; received via email on 4/26/2024	
2) If the municipality is interested in pursuing annexation, prepare an annexation report and plan of services. While the statute does not require an annexation report be prepared, by doing a cost- benefit study the municipality will better understand the impact of the annexation on existing municipal services and funding. This will assist the governing body in determining if the annexation is warranted (BP).	City of Covington: Codes; Public Works; Police Department; Fire Department	Date Due By:	
3) Review the annexation report and plan of services with governing body and attain approval to proceed.	City of Covington: Mayor and Department Heads	Scheduled Review Date: Approval Received Date:	
4) If approval is received, submit plan of services to the planning commission, if there is one, for review and recommendation.	City of Covington: Codes	Date Submitted:	
5) Following return of a recommendation from the planning commission (which must be rendered within ninety days after submission unless by resolution a longer period is allowed), adopt a "proposed annexation by owner consent" resolution (Resolution D). This resolution sets forth the territory proposed to be annexed and includes the plan of services.	City of Covington: Board of Mayor and Aldermen	Scheduled Date:	
 6) Following adoption, post the "proposed annexation by owner consent" resolution in three (3) public places in the territory proposed to be annexed and in three (3) public places within the municipality. 	City of Covington:	Date Posted: Locations:	
7) Publish a public hearing notice on the plan of services in a newspaper of general circulation a minimum of fifteen (15) days prior to the hearing. The notice must indicate the time, place, and purpose of the hearing; as well as the location(s) where the proposed plan of services is available for public viewing.	City of Covington:	Date Published:	

8) Publish a public hearing notice on the proposed annexation in a newspaper of general circulation, if there is one, in such territory and municipality "at about the same time" that the resolution is posted (see step 6), but in no event less than seven (7) days in advance of the public hearing. The notice must include a map that includes a general delineation of the area to be annexed by use of official road names or numbers, or both, and other identifiable landmarks, as appropriate. The publication requirements in step 7 and step 8 can be combined into a single notice provided both are published a minimum of fifteen (15) days in advance of the public hearings.	City of Covington:	Date Published: NOTE: Publish in conjunction with notice published in step 7.
9) If the municipality does not maintain a separate municipal school system, provide written notice to the affected county school systems as soon as practicable, but in no event less than thirty (30) days before the public hearing. This is mandatory. If the municipality maintains a municipal school system, send notice as soon as practicable (BP).	City of Covington:	Date Issued/Sent:
10) Mail to property owners in the area being proposed for annexation a copy of the "proposed annexation by owner consent" resolution, including the plan of services, a minimum of fourteen (14) calendar days prior to the public hearing on the proposed annexation.	City of Covington:	Date Issued/Sent:
11) Conduct public hearings on the annexation and plan of services as advertised.	City of Covington: Mayor and Aldermen	Date Scheduled:
12) Following the public hearings, adopt an"annexation by owner consent" resolution(Resolution E) approving the annexation and plan of services.	City of Covington: Board of Mayor and Aldermen	Date Adopted:
13) The territory is immediately annexed upon adoption of the "annexation by owner consent" resolution.	City of Covington	Date Annexed:
14) Send the adopted "annexation by owner consent" resolution, as well as the plan of services, to the county mayor.	City of Covington:	Date Sent:
15) Commence the ordinance process to zone the territory newly annexed into the corporate limits.(BP)	City of Covington: Codes/Board of Mayor and Aldermen	1 st Reading: 2 nd reading: 3 rd Reading/Public Hearing:
16) Commence the process to place the territory in the appropriate "districts" as may be required by charter or code (i.e. council wards, school district wards, package liquor store areas, etc.).	City of Covington: Codes/Board of Mayor and Aldermen	1 st Reading: 2 nd reading: 3 rd Reading/Public Hearing:
17) Send a welcome letter to annexed property owners with other general information about municipal services. Although not statutorily required, this is a best practice in reaching out to your new municipal residents (BP).	City of Covington:	Date Sent:

18) Send the revised voting precinct maps to the	City of Covington:	Date Sent:
Office of Local Government.		
19) Send the election certification to the mayor of	???????	Not sure this applies
the county where the annexed territory lies. The		
certification should be sent irrespective of the		
outcome of the election.		
20) Send the "annexation by owner consent"		Not sure this applies
resolution to the utility district or municipal utility		
board serving the area, if the municipality is		
desirous of purchasing the utility system in the		
annexed area.		
21) Notify the Tennessee Department of Revenue	City of Covington:	Date of Notification:
for the purpose of tax administration.		
22) Send the "annexation by owner consent"	City of Covington:	Date Sent:
resolution, as well as the portion of the plan of		
services related to emergency services and a		
detailed map of the annexed territory, to any		
affected emergency communication district.		
23) Record the "annexation by owner consent"	City of Covington:	Date Recorded:
resolution with the register of deeds.		
24) Send the "annexation by owner consent"	City of Covington:	Date Sent:
resolution to the Tennessee Comptroller of the		
Treasury, as well as to the property assessor in		
each county affected.		
25) Commence the process of satisfying the plan	Cityof of	
of service requirements and commitments that will	Covington:	
take longer to complete (sewer extension, street		
lighting, etc.).		
26) As appropriate, complete census of annexed	??????	
area.		
27) The annexed property is placed on the	Tipton County:	Date Placed on Tax Roll:
municipality's tax roll on January 1 after the		
effective date of the annexation.		

MEMORANDUM FOR RECORD

TO: Covington Municipal-Regional Planning Commission.

RE: Performance Bonds and Letters of Credit

The following is a list of performance bonds and letters of credit held by the Covington Municipal-Regional Planning Commission. Sixty (60) days before the expiration date, the Department of Code Compliance staff, will request the developer to renew the financial instrument. If the performance bond or letter is not renewed within two weeks of notice then staff will recommend that the Covington Municipal-Regional Planning Commission "call the bond "or submit a draft on the letter of credit.

Developer	Renewal Date	Notice Date	Expiration Date
Deena, LLC 80 Deena Cove Covington, TN 38019	August 3, 2023 Irrevocable Letter of (July 23, 2024 Credit \$17,000.00	September 3, 2024
Barry J. & Melody K. Diggs 247 Holly Grove Road Covington, TN 38019	August 29, 2023 Irrevocable Letter of (August 19, 2024 Credit \$100,000.00	September 30, 2024