

**CITY OF MOODY
PLANNING COMMISSION MEETING**

The Planning Commission of the City of Moody held a meeting on July 11, 2023.

ROLL CALL:

Present: Chairman Zac Spanick, Vice-Chairman Lynn Taylor, Members Mayor Joe Lee, David Crowe, Carol Hornsby, Cletus Beard, Chad Williams and Attorney James Hill.

Absent: Members Paula Kraft and Larry Golden.

Chairman Zac Spanick called the meeting to order at 6:00 P.M.

APPROVE COMMISSION MEETING MINUTES OF JUNE 13, 2023:

Chairman Zac Spanick made a motion to approve the meeting minutes from June 13, 2023. Member Carol Hornsby second the motion. Member David Crowe abstained from voting, all remaining present voted AYE: the vote to approve the minutes was unanimous with one abstaining.

PUBLIC HEARING- NINA MCMINN REQUEST APPROVAL FOR A RESURVEY OF ONE PROPERTY INTO 3 SEPARATE PROPERTIES LOCATED OFF MCRORY ROAD AND FURTHER IDENTIFIED AS ST. CLAIR TAX ID# 24-09-32-0-000-040.000.

Chairman Zac Spanick opened the floor to the public for comment. Mr. Lance Ellison, Mrs. Nina McMinn, and Mr. Chris Ellison addressed the board on behalf of their request of approval for a resurvey of their property into three, equal-separate, properties. Resident Linda Boozer asked if there was any plan to sell any of the property for commercial use for which Mr. Lance Ellison replied there was no plan for any commercial development, only splitting the land for family use.

Chairman Zac Spanick asked if there were any further comments from the public and/or commission. Attorney James Hill advised the resurvey would need the appropriate signatures added to the resurvey prior to being recorded by the county. Mrs. Nina McMinn stated she would get an updated resurvey with appropriate signatures.

After all present had an opportunity to address the board, Chairman Zac Spanick closed the public hearing for discussion/action by the board.

Member Lynn Taylor made a motion to approve the request. Member Chad Williams second the motion. All present voted AYE: the motion to approve the request was unanimous.

PUBLIC HEARING- ROBINS PARSON REQUEST FOR APPROVAL OF A BARNDOMINIUM DESIGN TO BE BUILT ON PROPERTY LOCATED OFF BETHEL ROAD AND FURTHER IDENTIFIED AS ST. CLAIR TAX ID# 24-04-20-0-001-051.000.

Chairman Zac Spanick opened the floor to the public for comment. Mr. Robin Parsons addressed the board on behalf of the request for approval of a barndominium design to be built.

Chairman Zac Spanick asked if there were any further comments from the public and/or commission. After all present had an opportunity to address the board, Chairman Zac Spanick closed the public hearing for discussion/action by the board.

Chairman Zac Spanick made a motion to approve the request. Member Cletus Beard second the motion. All present voted AYE: the motion to approve the request was unanimous.

PUBLIC HEARING- MICHAEL SPENCE REQUEST APPROVAL FOR RESURVEY OF TWO PROPERTIES(LOTS) INTO ONE-SINGLE PROPERTY(LOT) LOCATED OFF WISTERIA CIRCLE AND FURTHER IDENTIFIED AS ST. CLAIR TAX ID# 24-09-31-0-001-014.008 & ST. CLAIR TAX ID# 24-09-31-0-001-014.009. AND TO VACATE THE UTILITY EASEMENT THAT CURRENTLY EXIST BETWEEN THE 2 PROPERTIES(LOTS).

Chairman Zac Spanick opened the floor to the public for comment. Mr. Michael Spence addressed the board on behalf of the request for approval for resurvey of two properties (lots 8 & 9) into one-single property, as well as to vacate the utility easement that currently exists between the two lots. Mr. Michael Spence stated the reason for the first request was due to the slope of the land. Meaning, if the two properties were adjoined, it would allow for less complications financially and during construction. Mr. Michael Spence stated the reason for the second request concerning vacating the utility easement was so they could build their house with no concern for any utility company to come back and need access to the easement.

Attorney James Hill stated the city would need utility easement releases from each utility company that currently has access to the easement prior to approval.

Chairman Zac Spanick asked if there were any further comments from the public and/or commission. After all present had an opportunity to address the board, Chairman Zac Spanick closed the public hearing for discussion/action by the board.

Member Cletus Beard made a motion to approve the request subject to the conditions articulated by the City Attorney. No plat will be signed prior to the City's receipt of the same. Member David Crowe second the motion. All present voted AYE: the motion to approve the request was unanimous.

PUBLIC HEARING- MOODY COMMERCIAL DEVELOPMENT AUTHORITY REQUEST FOR A RESURVEY OF PROPERTY LOCATED OFF CARL JONES ROAD AND FURTHER IDENTIFIED AS ST. CLAIR TAX ID# 26-01-11-0-001-016.000.

Chairman Zac Spanick opened the floor to the public for comment. Attorney James Hill addressed the board on behalf of the Moody Commercial Development Authority for the request for approval for a resurvey of property. Attorney James Hill stated, "This subdivision is with purpose of having a parcel to parcel out to transfer to the Developer of the Family Entertainment Center. The property that you are seeing and that has been surveyed out by our Engineer is actually the property that is necessary for the development and was additional property included. So, we have tried to do it with different parcels, the property size has been engineered such that we have added some additional drainage infrastructure and things of that nature to increase the size of the detention ponds. This is actually about the third iteration of the size of the property that we've committed to parcel out to make sure we have everything that we need from a parking standpoint, a building standpoint, and a drainage standpoint. This is what that will be used for, we just need to get through this final step before we can transfer the property to the Developer, who will then be ready to commence construction on the Family Entertainment Center."

Chairman Zac Spanick asked if there were any further comments from the public and/or commission. Resident Bill Morris voiced concern with who engineered the water and if it was the same one that did StoreEase? Adding that he was flooded due to a prior halfway engineered project. Mr. Bill Morris requested someone else to review the water engineering to prevent a repeat flooding event. Attorney James Hill responded from a drainage standpoint, that they have had meetings with the Developer already where it was made very clear that there needed to be a detention pond to make sure there was no issue with regard to downstream property owners. And they will require when the Developer signs his letter of no adverse effect to the City, that the Developer will also be required to sign the same letter to the downstream property owners to provide extra assurance and opportunity to ensure the downstream property owners don't have any drainage issues with this property moving forward. They want to ensure everything is done in this development in a way it benefits the city, the developer and certainly downstream property owners as well. Resident Bill Morris asked if the Engineer for the Developer will have access to the downstream property owners, in which, Attorney James Hill confirmed they would and restated they will have to sign their own letter to them as well as to the City. Resident Bill Morris agreed with moving forward on the approval for the resurvey.

Chairman Zac Spanick asked if there were any further comments from the public and/or commission. Chairman Zac Spanick expressed that getting the downstream property owner involved would be good. After all present had an opportunity to address the board, Chairman Zac Spanick closed the public hearing for discussion/action by the board.

Member David Crowe made a motion to approve the request. Member Chad Williams second the motion. All present voted AYE: the motion to approve the request was unanimous.

There being no further business to come before the Board, Chairman Zac Spanick adjourned the meeting at 6:16 PM.

X

Candace Cherry
Building Inspections, Administrative Clerk

X

Zac Spanick
Chairman