

CLARKSVILLE-MONTGOMERY COUNTY
REGIONAL PLANNING COMMISSION

- MINUTES -

DRAFT

January 25, 2012

2:00 P.M.

PLANNING COMMISSION MEETING ROOM
329 MAIN STREET

I. CALL TO ORDER/QUORUM CHECK:

Mr. Harrison called the meeting to order at 2:00 p.m.

MEMBERS PRESENT:

- Mike Harrison, Chairman
- Mabel Larson, Vice Chairman
- Russell Adkins
- Geno Grubbs
- Mark Kelly
- John Laida
- Robert Nichols
- Bryce Powers

OTHERS PRESENT:

- David A. Riggins, RPC Director of Planning
- J. Stan Williams, RPC Transportation Planning Coordinator
- Audrea M. Smithson, RPC Planning Manager
- Ruth C. Russell, RPC Planner/Address Manager
- Brad Parker, Subdivision Coordinator/Planner
- Brent Clemmons, RPC GIS Manager
- John Spainhoward, RPC Planner/Zoning Coordinator
- Jill Hall, RPC Transportation Planner
- Judy Burkhart, RPC Office Manager
- Mark Riggins, City Engineer's Office
- David Shepherd, City Street Department
- Jack Frazier/Chris Cowan/Jeff Bryant, City Street Department
- Les Crocker/Mike Baker/Justin Crosby, City Building & Codes Department
- Mike Frost, County Highway Department
- Rod Streeter/John Doss/Elizabeth Warner, County Zoning Enforcement Office
- Mike Roberts/Ray Williams/Ricky Cumberland, Clarksville Fire Department
- Chris Brown, Ft. Campbell

II. APPROVAL OF MINUTES OF MEETING OF:12/28/11

Mr. Harrison asked for a motion for approval of the minutes. Mr. Nichols moved to approve the minutes. The motion was seconded by Mr. Grubbs and carried unanimously.

III. CITY & COUNTY ZONING CASES:

CASE NUMBER Z - 28 - 2011 APPLICANT(S): R, Gordon & Sandra A. Seay
Agent: Wade Hadley

REQUEST: AG Agricultural District
to R-2A Single-Family Residential District

LOCATION: fronting 2,500+/- feet on the north side of Tylertown Rd. north of the Cindy Jo Dr. N & Tylertown Rd. intersection.

TAX MAP(S): 008 PARCEL(S): 004.00 ACREAGE: 176.63 CIVIL DISTRICT(S): 2nd

REASON FOR REQUEST:

The applicants have requested a deferral.

Mr. Spainhoward read the case and stated that the applicant has requested a 30 day deferral.

There being no more discussion, Mr. Powers moved to defer this case for one month. The motion was seconded by Mr. Grubbs and carried unanimously.

CASE NUMBER Z - 32 - 2011 APPLICANT(S): William & Trena Fendley
Agent: Barry Goad / Select Home

REQUEST: R-1 Single-Family Residential District
to R-2A Single-Family Residential District

LOCATION: located at the terminus of Windham Rd. Also fronting 400 +/- feet on the north side of Ashland City Rd. 1240 +/- west of the Elk Dr. & Ashland City Rd. intersection.

TAX MAP(S): 088 PARCEL(S): 004.03 ACREAGE: 10.74 CIVIL DISTRICT(S): 11th

REASON FOR REQUEST: Subdivide for residential use.

Mr. Spainhoward read the case and gave the staff recommendation for disapproval. Proposed R-2A minimum lot areas are 6,000 square feet compared the minimum lot sizes of R-1, 15,000 square feet and R-1A, 12,000 square feet of the surrounding properties. While the Regional Planning Commission encourages in fill development it should not be out of character with the surrounding developed lots.

Mr. Barry Goad, agent, stated that this rezoning would be the best use of the property. Mr. Mart Fendley, applicant, stated that sewer across the road would cost \$100,000 and would be cost prohibitive without this rezoning. The rezoning would be consistent with the surrounding area.

The commission asked the applicants if they would consider amending this request by removing the portion of the property fronting on Highway 12, since that area was one of the staff's major concerns. Mr. Goad and Mr. Fendley stated that they were both in agreement with removing that portion of property from the request.

There was a recess called for a staff meeting, the staff agreed to approve the portion along the fence line and encourage in fill development.

There being no more discussion, Mr. Grubbs moved to recommend approval. The motion was seconded by Mr. Kelly and carried with Mr. Powers abstaining.

III. CITY & COUNTY ZONING CASES (CONT.):

CASE NUMBER Z - 34 - 2011 APPLICANT(S): D & M Construction; Bill Mace

REQUEST: AG Agricultural District
to C-2 General Commercial District

LOCATION: fronting on the south side of Tiny Town Rd. 370+/- feet, across from the Clearwater Dr. & Tiny Town Rd. intersection.

TAX MAP(S): 018 PARCEL(S): 005.00 ACREAGE: 1.70 CIVIL DISTRICT(S): 2nd

REASON FOR REQUEST: Property to be utilized for commercial development.

Mr. Spainhoward read the case and gave the staff recommendation for disapproval. It is not advisable to place high intensity uses such as commercial, in mid block locations, as they create artificial and unexpected breaks in traffic flows that could contribute to accidents and congestion. Undeveloped commercial property is currently available at signalized intersections, which is considered favorable for commercial development along Tiny Town Road. Mid block commercial development encourages strip commercial development which is considered detrimental to long range planning.

There being no more discussion, Mr. Nichols moved to recommend disapproval. The motion was seconded by Mr. Grubbs and carried unanimously.

CASE NUMBER Z - 1 - 2012 APPLICANT(S): John E. Cain I I I

REQUEST: R-4 Multiple-Family Residential District
to C-5 Highway & Arterial Commercial District

LOCATION: Property located 320+/- feet southeast of the Lady Marion Dr. & Tobacco Rd. Intersection also located 216 +/- feet northwest of the terminus of Creekside Dr.

TAX MAP(S): 019 P-F PARCEL(S): 036.01 ACREAGE: 1.21 CIVIL DISTRICT(S): 3rd

REASON FOR REQUEST: To match adjacent zoning classification.

Mr. Spainhoward read the case and gave the staff recommendation for approval. The request is an extension of C-5 zoning to the southwest. Property has visibility from Fort Campbell Boulevard. Property is located at a highly traveled lighted intersection. A "C" Landscape Buffer shall be required along the R-4 zoning upon development.

There being no more discussion Mr. Kelly moved to recommend approval. The motion was seconded by Mr. Nichols and carried unanimously.

CASE NUMBER Z - 2 - 2012 APPLICANT(S): Austin Peay V I

REQUEST: R-1 Single-Family Residential District
to R-1A Single-Family Residential District

LOCATION: Located north & south of the terminuses of N. Henderson Way and at the terminus of O'Malley Dr.

TAX MAP(S): 007 PARCEL(S): 002.00 ACREAGE: 34.81 CIVIL DISTRICT(S): 2nd

REASON FOR REQUEST: Rezoning property to make a smooth transition from property zoned R-2 on the west to the property zoned R-1 on the east.

Mr. Spainhoward read the case and gave the staff recommendation for approval. Adequate infrastructure is in place to support the development. When developed the connection will be completed for both portions of North Henderson Way. Higher density R-2 and R-1A are both located in the general area.

Mr. Jeff Burkhart, agent, stated he was present to answer any questions.

Mr. Mark Riggins, Gas and Water Department, stated that there was a 2500' gravity sewer relaid.

There being no more discussion, Mr. Grubbs moved to recommend approval. The motion was seconded by Mr. Nichols and carried unanimously.

III. CITY & COUNTY ZONING CASES (CONT.):

CASE NUMBER Z - 3 - 2012 APPLICANT(S): J & N Enterprises, Inc. C/o

REQUEST: R-1 Single-Family Residential District
to R-2 Single-Family Residential District

LOCATION: Property fronts on the north side of US Hwy 79 1,800 +/- west of the Cynthia Dr. and US Hwy 79 intersection & 200+/- feet south of the terminus of Shelby Circle

TAX MAP(S): 053 PARCEL(S): 010.04 (portion) ACREAGE: 57.59 CIVIL DISTRICT(S): 8th

REASON FOR REQUEST: Property to be rezoned to match existing adjacent subdivisions.

Mr. Spainhoward read the case and gave the staff recommendation for approval. The R-2 request is an extension of existing R-2 zoning to the north. The request is in character with the surrounding properties. At development stage a connection to Highway 79 will be required.

Mr. Vernon Weakley, agent, stated that he was present to answer any questions.

There being no more discussion, Mr. Nichols moved to recommend approval. The motion was seconded by Mr. Grubbs and carried unanimously.

III. CITY & COUNTY ZONING CASES (CONT.):

CASE NUMBER CZ - 1 - 2012 APPLICANT(S): Reba Walker

REQUEST: AG Agricultural District
to C-2 General Commercial District

LOCATION: 1300 feet +/- Northeast of the intersection of River Road and Zinc Plant Road

TAX MAP(S): 078 PARCEL(S): 077.00 ACREAGE: 4.65 CIVIL DISTRICT(S): 13th

REASON FOR REQUEST: Change from rental as event center to commercial use as restaurant.

Mr. Spainhoward read the case and gave the staff recommendation for disapproval.

- a. Portions of the request are within the flood plan. The bulk of commercial uses allowed within C-2 are not compatible with flood plain development.
- b. Article IV Section 17 "Flood Plain Requirements" Purpose is to minimize public and private losses due to flood conditions. Restrict or prohibit uses which are vulnerable to water and erosion hazards. It goes further to identify objectives that include, protecting human life, health and property and minimizing prolonged business interruptions.
- c. Traffic assessment shows that if property were developed at most intense use that a LOS of "E" would result. However, the anticipated LOS for the proposed development is a "C".
- d. Property access point/driveway has sight distance concerns. Reference to sight distance is made in the Traffic Assessment.
- e. C-2 General Commercial allows for more intense uses that may be out of character with surrounding rural area.

Mr. Spainhoward added that the finished floor elevation of the existing building is, 390.2, flood plain 392, and 393 is the minimum floor elevation required.

Mr. Scott Denny, agent, stated that they have an existing events center and a local restaurant wants to rent the facility and pave drive and parking lot. They are building a house 200' from this building and other family members are building nearby. This will compliment the area and not in flash flood zone. Ms. Reba Walker, applicant, stated that she thinks this will be good for the community and the Catfish House restaurant will have limited hours.

Mr. Stuart Bonnington, 1451 Zinc Plant Road stated that he was in opposition to this case and cited increased traffic, driveway is located at his property line and no required buffer that could have negative impact on his property as his concerns.

Mr. Mike Harrison stated that the main issue is that the building is currently below the flood plain. He added that a buffer will be required adjacent to the R-1 property.

Mr. Nichols asked what liability could come with approval of zone change and requested that Mr. Nichols asked what liability could come with approval of zone change and requested that research be completed.

There being no more discussion, Mr. Nichols moved to recommend deferral. The motion was seconded by Mr. Kelly and carried unanimously.

IV. SUBDIVISIONS:

CASE NUMBER: S - 56 - 2011 APPLICANT: Bill MAce
REQUEST: Final Plat Approval of AUTUMN CREEK VILLAGE SECTION 1
LOCATION: North of Boy Scout Road, West of Needmore Road and south of Jackie Lorraine Drive
MAP: 018 PARCEL(S): 022.00 (p) ACREAGE: 12.88
OF LOTS: 32 CIVIL DISTRICT(S): 2nd
STAFF RECOMMENDATION: Defer for 30 days at the request of the Project Engineer

CASE NUMBER: S - 73 - 2011 APPLICANT: Durrett Investments
REQUEST: Final Plat Approval of ELDO'S CHASE (PREVIOUSLY FARM AT WEST CREEK)
LOCATION: West of Peachers mill Road and north of West Creek Coyote Trail
MAP: 018 PARCEL(S): 035.03 ACREAGE: 2.15
OF LOTS: 14 CIVIL DISTRICT(S): 3
STAFF RECOMMENDATION: Defer for 30 days at the request of the project engineer

CASE NUMBER: S - 76 - 2011 APPLICANT: Allen Moser
REQUEST: Final Plat Approval of SWAN LAKE VILLAGES SECTION 2
LOCATION: Northeast of the intersection of Dunbar Cave Road and Warfield Road
MAP: 056L PARCEL(S): D 002.00 ACREAGE: 1.84
OF LOTS: 4 CIVIL DISTRICT(S): 6
STAFF RECOMMENDATION: Defer for 30 days at the request of the project engineer

CASE NUMBER: S - 80 - 2011 APPLICANT: Meadow Wood Park Partnership
REQUEST: Final Plat Approval of MEADOW WOOD PARK, SECTION 1E (ORDINANCE 69-2004-05)
LOCATION: West of I-24, east of Warfield Blvd, north of Kim Drive, and east of and adjacent to Killington Drive
MAP: 040 PARCEL(S): 019.02 ACREAGE: 11.04
OF LOTS: 32 CIVIL DISTRICT(S): 6
STAFF RECOMMENDATION: Final Plat Approval.

IV. SUBDIVISIONS (CONT.):

CASE NUMBER: S - 81 - 2011 APPLICANT: Donald H. Eads/Arther Reynolds
REQUEST: Preliminary Plat Approval of ROLLOW ESTATES
LOCATION: East of Rollow Lane and North of Melbourne Drive
MAP: 039 PARCEL(S): 016.02 ACREAGE: 15.03
OF LOTS: 41 CIVIL DISTRICT(S): 1

STAFF RECOMMENDATION: Preliminary Plat Approval, subject to the following condition(s):

- 1. Approval by the County Highway Department of road and drainage plans, for drainage structures within the proposed rights-of-way, before construction begins on site.
- 2. Approval by the County Building and Codes Department of all drainage, grading, water quality and erosion control plans. No grading, excavating, stripping, filling or other disturbance of the natural ground cover shall take place prior to the issuance of a grading and/or water quality permit
- 3. Approval by the City Engineer's Office or the Utility District and the State Department of Environment and Conservation of all utility plans before construction of utilities begins.

VARIANCES REQUESTED: The applicant is requesting a variance from the maximum 500' length allowed for a cul-de-sac on Reynolds Road. The reason the applicant has given is that their is unfavorable topography and drainage conditions.

VAR. STAFF RECOMMENDATION: Approval

CASE NUMBER: S - 1 - 2012 APPLICANT: Holly Point, LLC
REQUEST: Preliminary Plat Approval of EASTHAVEN
LOCATION: North of 41A, south of Sango Road, and west of Bagwell Road
MAP: 087 PARCEL(S): 033.00 ACREAGE: 105.12
OF LOTS: 244 CIVIL DISTRICT(S): 10

STAFF RECOMMENDATION: Defer for 30 days at the request of the project engineer

VARIANCES REQUESTED: The applicant is requesting a variance from the maximum 500' length allowed for a cul-de-sac on Jennings Court. The reason the applicant has given is to avoid connection with Smith Lane. The connection would be a close distance to 41A and

VAR. STAFF RECOMMENDATION:

CASE NUMBER: S - 2 - 2012 APPLICANT: Cumberland Land Development, LLC
REQUEST: Replat Approval of REPLAT OF INDUSTRIAL COMMONS SECTION
1A LOTS 24 & 25
LOCATION: North of Rossvie Road, east of and adjacent to Rollow Lane
MAP: 039 PARCEL(S): 025.09 & 025.10 ACREAGE: 2.98
OF LOTS: 4 CIVIL DISTRICT(S): 1

STAFF RECOMMENDATION: Final Replat Approval.

IV. SUBDIVISIONS (CONT.):

CASE NUMBER: S - 3 - 2012 APPLICANT: Village Terrace Group
REQUEST: Replat Approval of REPLAT OF VILLAGE TERRACE LOTS 6 & 7
AND A REPLAT OF THE VILLAGES SECTION 1A
LOCATION: South of Madison Street, east of Village Way and west of Dorchester Circle
MAP: 081 K PARCEL(S): C 002.00 ACREAGE: 1.28
OF LOTS: 3 CIVIL DISTRICT(S): 11
STAFF RECOMMENDATION: Final Replat Approval.

CASE NUMBER: S - 4 - 2012 APPLICANT: Rick Reda
REQUEST: Final Plat Approval of BASHAM PLACE
LOCATION: Northeast of the intersection of Dunbar Cave Road and Basham Lane
MAP: 057 PARCEL(S): 073.00 (portion) ACREAGE: 3.78
OF LOTS: 7 CIVIL DISTRICT(S): 6
STAFF RECOMMENDATION: Defer for 30 days.

CASE NUMBER: MP - 56 - 2010 APPLICANT: Jess Gibbs
REQUEST: Minor Approval of JESS GIBBS PROPERTY, PORT ROYAL ROAD,
LOTS 1 & 2
LOCATION: Currently 475 Port Royal Road
MAP: 011 PARCEL(S): 001.02 ACREAGE: 4.6
OF LOTS: 2 CIVIL DISTRICT(S): 1
STAFF RECOMMENDATION: Approval.

CASE NUMBER: MP - 74 - 2011 APPLICANT: Cliff & Annette Myers
REQUEST: Replat Approval of REPLAT OF MEADOW LANE LOTS 17 & 18
LOCATION: Southwest of the intersection of Trenton Road and Hayes Street
MAP: 0410 PARCEL(S): D 035.00 ACREAGE: .92
OF LOTS: 1 CIVIL DISTRICT(S): 6
STAFF RECOMMENDATION: Approval.

CASE NUMBER: MP - 84 - 2011 APPLICANT: Rick Reda
REQUEST: Replat Approval of REPLAT OF CREEKVIEW VILLAGE LOTS 107 &
108
LOCATION: Approximately 330' east of the intersection of Trenton Road and Viewmont Drive
MAP: 032B PARCEL(S): E 010.00 & 011.00 ACREAGE: .65
OF LOTS: 2 CIVIL DISTRICT(S): 2
STAFF RECOMMENDATION: Approval.

IV. SUBDIVISIONS (CONT.):

CASE NUMBER: MP - 85 - 2011 APPLICANT: Gunn Road Partnership
REQUEST: Replat Approval of REPLAT OF FIELDCREST LOTS 1 & 2
LOCATION: North of the 76 Bypass, west of Ford Road, east of and adjacent to Gunn Road
MAP: 058E PARCEL(S): A 012.00 & 013.00 ACREAGE: 5.11
OF LOTS: 1 CIVIL DISTRICT(S): 5
STAFF RECOMMENDATION: Approval.

CASE NUMBER: MP - 88 - 2011 APPLICANT: Singletary Construction
REQUEST: Replat Approval of REPLAT OF BENTON PARK LOTS 314 & 315
LOCATION: North of the Cumberland River, east of Hwy 48/13, south of Hawkins Road, and east of adjacent to
Benton Park Place
MAP: 090G PARCEL(S): A 050.00 & 051.00 ACREAGE: .57
OF LOTS: 2 CIVIL DISTRICT(S): 12
STAFF RECOMMENDATION: Approval.

PLANNING COMMISSION ACTIONS: Mr. Harrison explained that these cases are heard on a consent agenda and if anyone wanted a case heard separately to let him know at this time.

Mr. Parker read the cases and asked for endorsement of cases MP-56-2010, MP-74-2011, MP-84-2011, MP-85-2011 and MP-88-2011.

There being no more discussion, Mr. Grubbs moved to recommend approval. The motion was seconded by Mr. Nichols and carried unanimously.

V. SITE REVIEWS AND/OR ABANDONMENTS:

CASE NUMBER: SR - 1 - 2012 APPLICANT: K J J INVESTMENT, INC.
Agent: Dbs & Associates Chris Fielder

DEVELOPMENT: ROSSVIEW COMMONS
PROPOSED USE: RETAIL
LOCATION: 1640 ROSSVIEW ROAD
MAP: 058, 001.00 (P) ACREAGE: 1.00
CIVIL DIST.: 6

STAFF RECOMMENDATION: APPROVAL, SUBJECT TO THE FOLLOWING CONDITION(S):

- CONDITIONS:** 1. Approval of all utility plans by the Office of the Chief Utility Engineer, to include as built.
2. Approval of all grading, drainage and erosion control plans by the County Building and Codes Department.
3. Minor plat completed.

CASE NUMBER: SR - 2 - 2012 APPLICANT: CHAD BYARD
Agent: Dbs & Associates Cal Mckay

DEVELOPMENT: BYARD CONSTRUCTION
PROPOSED USE: CONTRUCTION OFFICES/WAREHOUSES
LOCATION: 775 HORNBUCKLE ROAD
MAP: 063, 022.00 ACREAGE: 7.44
CIVIL DIST.: 11

STAFF RECOMMENDATION: APPROVAL, SUBJECT TO THE FOLLOWING CONDITION(S):

- CONDITIONS:** 1. Approval of all utility plans by the Office of the Chief Utility Engineer, to include as built.
2. Approval of all grading, drainage and water quality plans by the City Street Department to include driveway locations.
3. Approval from the Fire Department.
4. Approval of a landscape plan.

CASE NUMBER: SR - 3 - 2012 APPLICANT: KIMMEL K. EVANS
Agent: Jimmy Bagwell, P.e.

DEVELOPMENT: CONDOR COURT APARTMENT
PROPOSED USE: MULTI FAMILY
LOCATION: 161 JACK MILLER BLVD
MAP: 019-H-D-017.00 (P) ACREAGE: 2.58
CIVIL DIST.: 11

STAFF RECOMMENDATION: DEFERRAL, PENDING SUBMISSION OF ADDITIONAL INFORMATION

V. SITE REVIEWS AND/OR ABANDONMENTS (CONT.):

CASE NUMBER: AB - 1 - 2012 APPLICANT: HOLLY POINT LLC

DEVELOPMENT: SMITH BROTHERS LANE

PROPOSED USE: ABANDONMENT

LOCATION: SMITH BROTHERS LANE (EAST OF SMITH LANE AND WEST OF BAGWELL RD)

MAP: N OF 087, 033.00; S OF 087, 033.03 ACREAGE: 1.61

CIVIL DIST.: 10

STAFF RECOMMENDATION: APPROVAL, NO CONDITIONS

Ms. Russell read the case and gave the staff recommendation.

Mr. Cal McKay, agent, stated that he was present to answer any questions.

There being no more discussion, Mr. Powers moved to recommend approval. The motion was seconded by Mr. Grubbs and carried unanimously.

CASE NUMBER: AB - 4 - 2011 APPLICANT: JOHN T. ROCHFORD

Agent: Bill Morton

DEVELOPMENT: JOHN T. ROCHFORD

PROPOSED USE: ABANDONMENT

LOCATION: CURRENT ROAD

MAP: NORTH OF 016-H-A-055.00 AND ACREAGE: 0.86 +/-

CIVIL DIST.: 2

STAFF RECOMMENDATION: DEFERRAL, PENDING SUBMISSION OF ADDITIONAL INFORMATION

PLANNING COMMISSION ACTIONS: Mr. Harrison explained that these cases are heard on a consent agenda and if anyone wanted a case heard separately to let him know. See discussion for AB-1-2012.

Ms. Russell read the cases and gave the staff recommendation.

There being no more discussion, Mr. Kelly moved to recommend approval. The motion was seconded by Mr. Powers and carried unanimously.

VI. PLANNING DIRECTOR'S REPORT:

A. BUDGET REPORT: Mr. Riggins stated the budget information was distributed in the commissioners packets and asked for their endorsement of the monthly budget. There being no more discussion, Mr. Grubbs moved to recommend approval. The motion was seconded by Mr. Powers and carried unanimously.

B. ELECTION OF CHAIR/VICE CHAIR: Mr. Riggins stated that it was time to elect Chair and Vice Chair for the next year. He asked for nominations. Mr. Powers moved to reappoint Mr. Harrison as Chair. The motion was seconded by Mr. Grubbs and carried unanimously. Mr. Nichols then moved to reappoint Ms. Larson as Vice Chair. The motion was seconded by Mr. Kelly and carried unanimously. The nominations were closed by Mr. Nichols and seconded by Mr. Kelly and carried unanimously.

C. REGIONAL PLANNING COMMISSION APPOINTMENT TO CITY BOARD OF ZONING APPEALS: Mr. Riggins explained that they needed nominations for a representative of the Planning Commission to serve on the city. Board of Zoning Appeals. Mr. Powers moved to appoint Mr. Harrison. The motion was seconded by Mr. Nichols and carried unanimously.

VII. ADJOURNMENT:

The meeting was adjourned at 3:30 p.m.

ATTEST:

MICHAEL HARRISON, CHAIR