

CLARKSVILLE-MONTGOMERY COUNTY
REGIONAL PLANNING COMMISSION

- MINUTES -

DRAFT

October 27, 2010

2:00 P.M.

PLANNING COMMISSION MEETING ROOM
329 MAIN STREET

I. CALL TO ORDER/QUORUM CHECK:

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

MEMBERS PRESENT:

- Gary Norris, Chairman
- Mabel Larson, Vice Chairman
- Geno Grubbs
- Mark Grant
- Mike Harrison
- John Laida
- George Marks
- Robert Nichols
- Ricky Thomas

OTHERS PRESENT:

- David A. Riggins, RPC Director of Planning
- J. Stan Williams, RPC Transportation Planning Coordinator
- Audrea M. Harris, 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 Cowen, City Street Department
- Les Crocker/Mike Baker, City Building & Codes Department
- Mike Frost, County Highway Department
- Rod Streeter/John Doss, County Zoning Enforcement Officer
- Mike Roberts/Ray Williams/Ricky Cumberland, Clarksville Fire D
- Chris Brown, Ft. Campbell

II. APPROVAL OF MINUTES OF MEETING OF: 9/29/2010

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

III. CITY & COUNTY ZONING CASES:

CASE NUMBER ZO - 3 - 2010 APPLICANT(S):

REQUEST: Proposed amendments to Clarksville Zoning Ordinance
to

LOCATION:

TAX MAP(S): PARCEL(S): ACREAGE: CIVIL DISTRICT(S):

REASON FOR REQUEST:

Mr. Riggins read the amendments and stated that they would be voted on separately.

The first amendment was Amendment #1 - Add a new section 4.3 Fire Rating for Exterior Walls: Mr. Riggins read the amendment.

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

Amendment #2 - In the R-2 Single Family Residential District: Mr. Riggins read the amendment and stated that the staff would like to retain current requirements in the proposed zoning ordinance (1st section). Mr. Grant disagreed and wanted the size reduced to 7,500.

Councilman Bill Summers stated he wanted to keep original especially the narrowing of the distance to the property line. There being no more discussion, Mr. Marks moved to recommend approval for A.B. and C. and leave as is per staff's recommendation. The motion was seconded by Mr. Thomas. The motion was withdrawn.

Each section of Amendment #2 was then to be voted individually.

A. Reduce the minimum lot size from 9,000 square feet to 7,500 square feet - Staff recommended 9,000 feet. Mr. Grant made a motion to reduce to 7,500. The motion was seconded by Mr. Harrison and carried with two against.

B. Reduce the minimum lot width from 60 feet to 55 feet - Mr. Grant made a motion to reduce the number 55'. The motion was seconded by Mr. Harrison and carried with two against.

C. Reduce the side yard setbacks from 8'/total 20' to 5 feet on both sides. Mr. Grant made a motion to reduce the side yard to 5'. The motion was seconded by Ms. Larson and carried with two against.

D. Reduce the side yard setbacks from 8'/total 20' to 5 feet on both sides. Staff recommends 5' with approval of #1. There being no more discussion, Ms. Larson moved to recommend approval of 5'. The motion was seconded by Mr. Grant and carried with one against.

Amendment #3 - Under Section 5.4 Standards and Procedures for Mixed Land Use Districts (MLUD), add a new Subsection 5.4.2 as follows and renumber Subsections 2 through 7 as appropriate: Mr. Riggins read the amendment. Mr. Summers commented that he was in support of this amendment. There being no more discussion, Mr. Harrison moved to recommend approval. The motion was seconded and carried unanimously.

Amendment #4 - Under Subsection 3.4.12 Residential Uses (Use Tables), Table 3.14, change the use designation for Townhouses in the R-5 District from P (Permitted) to PC (Permitted With Conditions). Mr. Riggins read the conditions and stated that the staff was in support of this amendment. There being no more discussion, Mr. Harrison moved to recommend approval. The motion was seconded by Mr. Thomas and carried unanimously.

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

CASE NUMBER Z - 12 - 2010 APPLICANT(S): Durrett Investment

REQUEST: C-1 Neighborhood Commercial District &
R-2 Single Family Residential District
R-4 Multiple Family Residential District
to C-2 General Commercial District

LOCATION: Property is located NW and SW of the intersection of West Creek Coyote Trail and Peachers Mill Road and fronts on north and south sides of West Creek Coyote Trail and the west side of Peachers Mill Road

TAX MAP(S): 018 PARCEL(S): 035.03 (portion) ACREAGE: 12.74 CIVIL DISTRICT(S): 3

REASON FOR REQUEST: To extend commercial zoning for development.

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

The request as it is currently presented encourages strip commercialization of Peachers Mill Road, which is detrimental to long range planning in this area. Undeveloped commercial acreage currently exist in the immediate area.

There being no more discussion, Mr. Thomas moved to recommend disapproval. There not being a second to the motion, the motion failed.

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

CASE NUMBER Z - 23 - 2010 APPLICANT(S): Sheila Posey

REQUEST: R-1 Single Family Residential District
to O-1 Office, Medical, Institutional & Civic District

LOCATION: Fronting on the south side of Madison St. 100 +/- feet, 1,200 +/- feet southeast of the Liberty Pkwy and Madison Street intersection.

TAX MAP(S): 065 P-J PARCEL(S): 011.00 ACREAGE: 0.92 CIVIL DISTRICT(S): 12

REASON FOR REQUEST: Adjacent property currently zoned O-1. Subject property to be used as business office. Existing hair salon is located in basement.

Mr. Spainhoard read the request and gave the staff recommendation for approval. Request is inline with the approved Madison Street Corridor Urban Design Overlay Lane Use Plan. Request allows for mixed use development. O-1 zoning allows for an appropriate transition to the R-1 parcels to the east.

Mr. Henry Livingston, adjacent property owner, stated that he had no objections to this case. He added that he would like to maintain buffers.

Ms. Faye Ward, adjacent property owners, stated that she was against some uses in O-1.

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

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

CASE NUMBER Z - 24 - 2010 APPLICANT(S): Thomas N. Cunningham

REQUEST: O-1 Office, Medical, Institutional & Civic District
to C-5 Highway & Arterial Commercial District

LOCATION: Located at the Northeast & Southeast Corners of the Peachers Mill Rd. & Amanda Dr. Intersection

TAX MAP(S): 030 PARCEL(S): 019.00 ACREAGE: 2.16 CIVIL DISTRICT(S): 3

REASON FOR REQUEST: To develop the property into a self-storage facility.

Mr. Spainhoward read the request and gave the staff recommendation for approval. The parcel is located along a high traffic corridor (Peachers Mill Road) and is also in close proximity of the 101st Parkway and Peachers Mill Road intersection. Driveway access will be limited to Amanda Drive only. A landscape buffer will be required for portions abutting residential zone districts.

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

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

CASE NUMBER Z - 25 - 2010 APPLICANT(S): Harry Crocker

Robert Schutz

REQUEST: R-1 Single Family Residential District
to R-4 Multiple Family Residential District

LOCATION: Located on the North Side of East Old Ashland City Road 350+/- feet South east of the East Old Ashland City Road & Windham Drive Intersection.

TAX MAP(S): 088 PARCEL(S): 015.00 ACREAGE: 17.59 CIVIL DISTRICT(S): 11

REASON FOR REQUEST: Property is to be utilized for upscale condos.

Mr. Spainhoward read the request and gave the staff recommendation for disapproval. R-4 zoning is out of character with surrounding properties. This parcel is surrounded by R-1 single family district on all sides. Entrance to this property has limited sight distance and the increased density permitted by R-4 zoning will increase trips to the entrance of this parcel.

Mr. Robert Schutz, applicant, stated that he was present to answer any questions.

Mr. Miller Boisseau, adjacent property owner, stated that the area is R-1 residential zoned and there is not good road visibility. Mr. Larry Goolsby, adjacent property owner, stated that he has lived in the area 27 years and the roads are dangerous with a lot of accidents. He also stated that the majority of the property in the area is R-1 residential and does not want multi-family.

Mr. Billy Ray Suiter, agent, stated that there is a narrow entrance and the first 500-600' has no room for lots and roads. He stated that the applicant proposes to build approximately 37 upscale condominium units.

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

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

CASE NUMBER Z - 26 - 2010 APPLICANT(S): Carol Shippen (P O A)

REQUEST: M-2 General Industrial District
to R-1 Single Family Residential District

LOCATION: Located on the South Side of Nolen Road at the Terminus of Nolen Road 150+/- feet Southwest of the Twin Rivers Rd. & Nolen Road intersection.

TAX MAP(S): 055 PARCEL(S): 034.00 (portion) ACREAGE: 1.0 CIVIL DISTRICT(S): 12

REASON FOR REQUEST: Residence has been used as a residence for 55 years. Present owner has contract for purchase as a residence.

Mr. Spainhoward read the case and gave the staff recommendation for approval. Approval of this request will bring an existing use into zoning compliance. This request is not out of character with the surrounding Single Family uses.

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

CASE NUMBER CZ - 13 - 2010 APPLICANT(S): Temple Ministries Trust

Agent: Dan Lemke

REQUEST: C-5 Highway & Arterial Commercial District
to R-1 Single Family Residential District

LOCATION: Fronts on the South Side of Sango Road 175 +/- feet west of the Avignon Way & Sango Road Int. & 650 +/- East of the Brown Cemetery Rd. & Sango Rd. Int.

TAX MAP(S): 082 PARCEL(S): 146.00 ACREAGE: 2.02 CIVIL DISTRICT(S): 11

REASON FOR REQUEST: Property has been used and will continue to be used as a single family residence.

Mr. Spainhoward read the request and gave the staff recommendation for approval. Approval of this request will bring an existing use into zoning compliance. This request is not out of character with the surrounding single family uses.

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

CASE NUMBER CZ - 14 - 2010 APPLICANT(S): Velma A. Shelton

Agent: Sandra Olsen

REQUEST: AG Agricultural District
to EM-1 Single Family Mobile Home Estate District

LOCATION: Located on the South Side of Louise Rd. 635 +/- feet west of the Daisy Circle Rd. & Louise Rd. Intersection

TAX MAP(S): 149 PARCEL(S): 043.00 ACREAGE: 1.3 CIVIL DISTRICT(S): 22

REASON FOR REQUEST: To bring property in compliance and allow for replacement of mobile home.

Mr. Spainhoward read the request and gave the staff recommendation for approval. Approval of this request will bring an existing use into zoning compliance. Approval of this request will permit the owner of the property to replace the current mobile home on the parcel with a new mobile home. Other EM-1 request have been approved in the area.

County Commissioner Mark Riggins spoke on behalf of Ms. Shelton. He stated that the property owners were needing to replace the older mobile home with a new one. He added that there has been no opposition with any of the adjacent property owners.

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

IV. SUBDIVISIONS:

CASE NUMBER: S - 22 - 2010 APPLICANT: Marshall Ross (J & N Enterprises)
REQUEST: Final Plat Approval of OLD SPEES ACRES, SECTION 1
LOCATION: East of Liberty Church Road and south of Sunshine Drive
MAP: 044 PARCEL(S): 080.00 and 080.01 ACREAGE: 3.32
OF LOTS: 8 CIVIL DISTRICT(S): 8 and 3
STAFF RECOMMENDATION: Defer for 30 days at the request of the project engineer.

CASE NUMBER: S - 32 - 2010 APPLICANT: Arthur and Mark Reynolds
REQUEST: Final Plat Approval of SOUTHERN VIEW SECTION 3 FINAL PLAT
LOCATION: East of 48/13, west of Oak Hill Drive, south of and adjacent to Hawkins Road
MAP: 090 PARCEL(S): 001.02 and 001.04 ACREAGE: 7.58
OF LOTS: 15 CIVIL DISTRICT(S): 12
STAFF RECOMMENDATION: Final Plat Approval.

CASE NUMBER: S - 48 - 2010 APPLICANT: WB Builders, LLC
REQUEST: Final Plat Approval of PROMENADE HILLS, SECTION 1
LOCATION: South side of Trough Springs Road at the intersection of Trough Springs and Cedarport intersection
MAP: 082 PARCEL(S): 028.00 ACREAGE: 20.76
OF LOTS: 40 CIVIL DISTRICT(S): 5
STAFF RECOMMENDATION: Final Plat Approval.

CASE NUMBER: S - 50 - 2010 APPLICANT: Cumberland Land Development, LLC
REQUEST: Final Plat Approval of INDUSTRIAL COMMONS SECTION 1A FINAL PLAT
LOCATION: North of Rossview Road, east of and adjacent to Rollow Lane
MAP: 039 PARCEL(S): 025.08 ACREAGE: 2.98
OF LOTS: 2 CIVIL DISTRICT(S): 1
STAFF RECOMMENDATION: Defer for 30 days at the request of the project engineer.

CASE NUMBER: S - 51 - 2010 APPLICANT: Cumberland Land Development, LLC
REQUEST: Final Plat Approval of INDUSTRIAL COMMONS SECTION 1B FINAL PLAT
LOCATION: North of Rossview Road, east of and adjacent to Rollow Lane
MAP: 039 PARCEL(S): 025.08 ACREAGE: 20.56
OF LOTS: 15 CIVIL DISTRICT(S): 1
STAFF RECOMMENDATION: Defer for 30 days at the request of the project engineer

IV. SUBDIVISIONS (CONT.):

CASE NUMBER: S - 55 - 2010 APPLICANT: Mack and Leann Phillips
REQUEST: Preliminary Plat Approval of SOUTHWINDS, SECTION 2
LOCATION: West of Dotsonville Road, north of Rowdy Trail and south of Phillips Drive
MAP: 77 PARCEL(S): 23 ACREAGE: 15.62
OF LOTS: 25 CIVIL DISTRICT(S): 8

STAFF RECOMMENDATION: Disapproval.

- 1. Under Article V. General Provisions, Item 3, states "All proposed subdivision of land shall conform to the applicable portion of the comprehensive plan for the Clarksville-Montgomery County Planning Region."
- 2. Under Article V, General Provisions, Item 5, states "The Planning Commission shall not approve the subdivision of land if from adequate investigations conducted by all agencies concerned, it has been determined that in the best interest of the public the site is not suitable for platting and development purposes of the kind proposed".
- 3. Under Article VI item 1.b. (2) states "Arrangement of major streets in the subdivision shall conform as closely as possible with the major Thoroughfare Plan."
- 4. Southwinds Section 2 was disapproved by the Regional Planning Commission in November 2001 and October 1997.

VARIANCES REQUESTED: A request for a variance to allow excessive cul-de-sac length for both streets shown on the preliminary. The applicant states the request is due to the narrow configuration of the property.

VAR. STAFF RECOMMENDATION: Disapproval

Mr. Parker read the case and gave the staff recommendation.

Mr. Brian Lokey, Moore Design Services, stated that they have not been able to develop the property for 13 years due to the road extension and right of way and the State of Tennessee still has not taken action pertaining to this property. Mr. Riggins stated that this property is shown in the right of way acquisition plans for the extension of SR374.

Austin Peay VII, Montgomery County Attorney, stated that Planning Commission and TDOT do have the right to keep the property as is until the roadway expansion is finalized.

Mr. Harrison stated that he does not think it is right for the State and local offices to be able to hold private property from being used and continuing to assess taxes.

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

CASE NUMBER: S - 56 - 2010 APPLICANT: Billy R. Channell
REQUEST: Final Row Dedication Approval of HARVEST DRIVE ROW DEDICATION
LOCATION: At the end of Harvest Drive
MAP: 090 PARCEL(S): 020.00 ACREAGE: .03
OF LOTS: 0 CIVIL DISTRICT(S): 12
STAFF RECOMMENDATION: Withdrawn

IV. SUBDIVISIONS (CONT.):

CASE NUMBER: S - 57 - 2010 APPLICANT: GC Land Development
REQUEST: Final Plat Approval of BOYER FARMS SECTION I
LOCATION: West of Dunlop Lane & South of Charles Bell Road
MAP: 34 PARCEL(S): 50.14, 50.16 ACREAGE: 28.88
OF LOTS: 28 CIVIL DISTRICT(S): 1st
STAFF RECOMMENDATION: Defer for 30 days at the request of the owner

CASE NUMBER: S - 58 - 2010 APPLICANT: Durrett Investments Co
REQUEST: Preliminary Plat Approval of DURRETT PROPERTY (ENHANCE ZONING ORD
69-2004-2005)
LOCATION: West of Peachers Mill Road and south of Coyote Drive
MAP: 018 PARCEL(S): 035.03 ACREAGE: 229.5
OF LOTS: 410 CIVIL DISTRICT(S): 3
STAFF RECOMMENDATION: None

Mr. Riggins read the case description. He stated that Councilman Bill Summers has asked for a one month deferral to readdress the east/west corridor with the City Council. Mr. Norris stated that the applicants have met the subdivision requirements for this to receive action.

Mr. Bill Summers stated that the street study is on-going and stated that the east/west corridor is not dead and is still being reviewed and will be on the City Council agenda for discussion at next week's City Council Meeting. He felt if the council agreed to pursue this, a moratorium could be from November until March's timeline.

Mr. Lance Baker, City Attorney, stated that they can defer the plat for 30 days and he discussed a moratorium and how that could be upheld in court. He stated that would be for a limited time period, 1-3 years, and the purpose of the moratorium is important. If the purpose is to conduct further study then that would be acceptable, city council can pass that resolution with the intent to build the road consistent to the corridor per the previous study.

Mr. Jim Durrett, applicant, stated that they had met all the requirements of the Subdivision Regulations and they needed to move forward with this project. He further stated the City Council had already had the opportunity to address the road concerns and had not done so. He then asked the Commission to grant approval of this request.

There being no more discussion, Mr. Nichols moved to recommend approval. There being no second, the motion failed.

Mr. Thomas then made a motion for a 30-day deferral. The motion was seconded by Mr. Marks and carried with one against.

IV. SUBDIVISIONS (CONT.):

CASE NUMBER: S - 59 - 2010 APPLICANT: William Hadley Jr
REQUEST: Final Plat Approval of SAGE HOLLOW (PREVIOUSLY SAGE MEADOWS AND PREVIOUSLY CALLED
LOCATION: North of I-24, west of Trenton Road, adjacent to Tylertown Road
MAP: 8H PARCEL(S): A 14 ACREAGE: 12.03
OF LOTS: 16 CIVIL DISTRICT(S): 2
STAFF RECOMMENDATION: Final Plat Approval.

CASE NUMBER: S - 60 - 2010 APPLICANT: WBW Developers
REQUEST: Revised Preliminary Plat Approval of ELLINGTON GATE (ENHANCED ZONING)
LOCATION: WEST OF KIM DRIVE, NORTH OF ROSSVIEW ROAD
MAP: 40 PARCEL(S): 34 ACREAGE: 30.6
OF LOTS: 73 CIVIL DISTRICT(S): 6

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

- 1. Approval by the City Engineer's Office and the State Department of Environment and Conservation of all utility plans before construction of utilities begins.
- 2. Approval by the City Street Department of all road, 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 Tennessee Department of Transportation for a highway connection permit to Rossview Road prior to construction plan approval.

VARIANCES REQUESTED: The applicant is requesting a variance for excessive cul-de-sac length for Carousel Court. The reason the applicant has given is due to topography.

VAR. STAFF RECOMMENDATION: approval

CASE NUMBER: S - 61 - 2010 APPLICANT: WBW Developers
REQUEST: Revised Preliminary Plat Approval of FIELDS OF NORTHMEADE SECTION 4 C & D (PREVIOUSLY CALLED SECTION 4)
LOCATION: East of the terminus of Twelve Oaks Boulevard
MAP: 007 PARCEL(S): 001.07 ACREAGE: 48.73
OF LOTS: 171 CIVIL DISTRICT(S): 3

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

- 1. Approval by the City Engineer's Office and the State Department of Environment and Conservation of all utility plans before construction of utilities begins.
- 2. Approval by the City Street Department of all road, 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 Tennessee Department of Transportation for a highway connection permit to Rossview Road prior to construction plan approval.

IV. SUBDIVISIONS (CONT.):

CASE NUMBER: S - 62 - 2010 APPLICANT: WBW Developers

REQUEST: Revised Preliminary Plat Approval of FIELDS OF NORTHMEADE SECTION 5
(ENHANCED ZONING)

LOCATION: Terminus of Raven Road

MAP: 007 PARCEL(S): 001.07 ACREAGE: 26.5

OF LOTS: 76 CIVIL DISTRICT(S): 3

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

1. Approval by the City Engineer's Office and the State Department of Environment and Conservation of all utility plans before construction of utilities begins.
2. Approval by the City Street Department of all road, 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 Tennessee Department of Transportation for a highway connection permit to Rossvie Road prior to construction plan approval.

VARIANCES REQUESTED: The applicant is requesting a variance for Raven Road for excessive block length.
The reason the applicant has given is due to topography.

VAR. STAFF RECOMMENDATION: Approval

CASE NUMBER: S - 63 - 2010 APPLICANT: J & N Enterprises, Inc.

REQUEST: Final Plat Approval of TRACY LANE ESTATES

LOCATION: South of 101st West of Pea Ridge Road & East of Whitfield Road

MAP: 041 PARCEL(S): 042.01 ACREAGE: 16.75

OF LOTS: 42 CIVIL DISTRICT(S): 6th

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

CASE NUMBER: MP - 23 - 2010 APPLICANT: Wade Channell Properties, LLC and Steven Kelley

REQUEST: Replat Approval of STONES MANOR SECTION 1 LOTS 55-56
REPLAT

LOCATION: West of Settlers Trace

MAP: 058B PARCEL(S): C 006.00 and 007.00 ACREAGE: .70

OF LOTS: 2 CIVIL DISTRICT(S): 1

STAFF RECOMMENDATION: APPROVAL, NO CONDITIONS

IV. SUBDIVISIONS (CONT.):

CASE NUMBER: MP - 63 - 2010 APPLICANT: Greater New Birth Jerusalem Ministries, Inc
REQUEST: Replat Approval of REPLAT OF CAMPBELL HEIGHTS SUBDIVISION
LOTS 148 AND 149 AND FINAL PLAT OF
LOCATION: Intersection of Arbor Street and Burch Road
MAP: 006P PARCEL(S): 010.00 011.00 and 012.00 ACREAGE: .81
OF LOTS: 1 CIVIL DISTRICT(S): 3
STAFF RECOMMENDATION: APPROVAL, NO CONDITIONS
VARIANCES REQUESTED: BZA Granted a variance for a 30' front setback
VAR. STAFF RECOMMENDATION: Approval

CASE NUMBER: MP - 69 - 2010 APPLICANT: Christopher Wall
REQUEST: Replat Approval of REPLAT OF CHURCHPLACE, SECTION 3B LOTS
37 & 38
LOCATION: Adjacent to the intersection of Cloverbrook Drive and Gardendale Lane
MAP: 008M PARCEL(S): D 024.00 and 025.00 ACREAGE: .92
OF LOTS: 1 CIVIL DISTRICT(S): 2
STAFF RECOMMENDATION: APPROVAL, NO CONDITIONS

CASE NUMBER: MP - 70 - 2010 APPLICANT: Alan Moser
REQUEST: Replat Approval of REPLAT OF MEADOW BROOK SUBDIVISION
SECTION J4 LOT 374
LOCATION: Shiloh Road off of Pine Mountain Road
MAP: 043C PARCEL(S): P 017.00 ACREAGE: .34
OF LOTS: 1 CIVIL DISTRICT(S): 3
STAFF RECOMMENDATION: APPROVAL, NO CONDITIONS

CASE NUMBER: MP - 71 - 2010 APPLICANT: Rossview Farms, LLC
REQUEST: Final Approval of MINOR PLAT ROSSVIEW FARMS LLC
PROPERTY KILLEBREW ROAD LOT 1
LOCATION: East side of Killebrew road, 778' south of the centerline intersection of Rossview road and Killebrew
road.
MAP: 039 PARCEL(S): 032.00 (p) ACREAGE: 2.007
OF LOTS: 1 CIVIL DISTRICT(S): 1
STAFF RECOMMENDATION: APPROVAL, NO CONDITIONS

V. SITE REVIEWS AND/OR ABANDONMENTS:

CASE NUMBER: SR -35 -2010 APPLICANT: BIRCHWOOD CONTRACTORS, INC.

Agent: Moore Design Services

DEVELOPMENT: CYPRESS SQUARE

PROPOSED USE: MULTI FAMILY - 12 UNITS

LOCATION: 855 TRACY LANE

MAP: 041,003.00 ACREAGE: 0.691 +/-

CIVIL DIST.:

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

- CONDITIONS:**
1. Approval of all grading and drainage and plans by the City Street Department.
 2. Approval of all utility plans by the Office of the Chief Utility Engineer.
 3. Approval of a landscape plan.

Mr. Norris stated that these cases are heard on a consent agenda and if anyone wanted a case heard separately to let him know at this time.

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

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

VI. PLANNING DIRECTOR'S REPORT:

A. BUDGET REPORT: Mr. Riggins stated that budget information was distributed in the commissioners packets. There being no more discussion, Ms. Larson moved to recommend approval. The motion was seconded by Mr. Harrison and carried unanimously.

B. ANNEXATION PLAN OF SERVICE: (See Attached) Ms. Harris read the information and answered any questions. There being no more discussion, Mr. Grant moved to recommend approval. The motion was seconded by Mr. Harrison and carried unanimously.

C. ADOPTION OF FEE FOR REVISED PRELIMINARY PLATS: Mr. Riggins read the information and answered any questions. There being no more discussion, Mr. Marks moved to recommend approval. The motion was seconded by Mr. Grant and carried unanimously.

D. REMINDERS - NOVEMBER REGIONAL PLANNING COMMISSION MEETING IS 11/23/2010 AND DECEMBER ZONING REVIEW MEETING IS 12/22/2010.

VII. ADJOURNMENT:

The meeting was adjourned at 3:55 p.m.

ATTEST:

GARY NORRIS, CHAIR

10/27/2010

Proposed Amendments to Clarksville Zoning Ordinance**Amendment #1**

Add a new Section 4.3 as follows:

4.3 Fire Rating for Exterior Walls

Exterior walls of any structure used for residential purposes, located within eight (8) feet or less from any property line, shall have a water/fire resistant gypsum wall board of a minimum 5/8" Type X (or equivalent) on the outside of the exterior wall. This wall board will serve as an underlayment for the exterior siding material. Homes that have continuous exterior soffits shall have the wall board run continuous to the roof deck with fire blocking and be sealed against the deck to prevent the movement of air into the attic space. Gable end vents are prohibited. All other ventilation requirements shall meet the current adopted Building Code. These requirements apply notwithstanding any provision of the current adopted Building Code to the contrary. Variances from this Section shall not be granted by the Board of Zoning Appeals.

Amendment #2

In the R-2 Single Family Residential District:

- A. Reduce the minimum lot size from 9,000 sq. ft. to 7,500 sq. ft.
- B. Reduce the minimum lot width from 60 feet to 55 feet.
- C. Reduce the side yard setbacks from 8'/total 20' to 5 feet on both sides.

In the R-2A Single Family Residential District:

- D. Reduce the side yard setbacks from 8'/total 20' to 5 feet on both sides.

Amendment #3

Under Section 5.4 Standards and Procedures for Mixed Land Use Districts (MLUD), add a new Subsection 5.4.2 as follows and renumber Subsections 2 through 7 as appropriate:

5.4.2 Required mixture of Uses

A residential component shall be required in the MLUD. The residential component may include, but is not limited to, single-unit dwellings, duplexes, townhouses, condominiums, and apartments. A minimum of 20 (twenty) percent of the total building square footage of the mixed use development shall be used for residential purposes.

A maximum of 80 (eighty) percent of the total building square footage of the mixed use development may be occupied by a single use type (residential, retail, office, civic, etc.)

Percentages of uses must be maintained throughout individual phases of development or construction.

Amendment #4

Under Subsection 3.4.12 Residential Uses (Use Tables), Table 3.14, change the use designation for Townhouses in the R-5 District from P (Permitted) to PC (Permitted With Conditions).

Under Subsection 5.1.7 Residential Uses Permitted With Conditions (PC), add the following paragraph:

Townhouses:

1. A minimum of fifteen (15) percent of the acreage within the R-5 project shall be set aside for use as common open space.
2. Improvement of common open space must be coordinated with construction of residential buildings within the development so that such space becomes available as dwelling units are occupied.
3. An association of all individuals owning property within the development shall be established, prior to the sale of any units, to ensure the maintenance of all common open space.
4. The title to all residential property owners within the development shall include an undivided fee simple estate in all common open space.
5. Open space must be deeded to the homeowners association of the development and the developer shall provide the following recorded documentation before final plat approval or before the release of a site plan for building permits:
 - I. That the homeowners association will be responsible for liability insurance, local taxes, and maintenance of recreational, drainage structures, or other facilities pertaining to the open space.
 - II. Restrictive covenants shall require mandatory membership in the homeowners association, and include as a minimum the following provisions:
 - a. Responsibility for paying a pro-rated share of the cost of the homeowners association operation.
 - b. Agreement that the assessment levied by the association can become a lien on the property if not paid.
 - c. Agreement that the association shall be able to adjust the assessment to meet the changing needs.
 - d. Guarantee of permanent unrestricted right to utilize lands and facilities owned by the association.

6. In the event of dissolution of the homeowners association for any reason whether administrative or otherwise, responsibility for maintenance of all common areas shall become that of the individual lot owners within the development on a pro-rated basis based on the number of units within the development, or if the restrictive covenants so provide, any one or more owners within the development, may reform the homeowners association and assess each lot or parcel equally for the amount necessary to maintain said open space. In the event of failure of either of the above remedies the City may, upon giving proper notice to each property owner, bring such open space into compliance, and place a lien on all lot or unit owners within the development for their pro-rata share of the cost, plus any administrative fees. In the event of failure of the association to pay any taxes assessed to the common areas, such taxes shall attach to each lot within the subdivision on a pro-rata basis based on the number of lots or units within the development.