

CLARKSVILLE-MONTGOMERY COUNTY
REGIONAL PLANNING COMMISSION

- MINUTES -

DRAFT

February 22, 2012

2:00 P.M.

PLANNING COMMISSION MEETING ROOM
329 MAIN STREET

I. CALL TO ORDER/QUORUM CHECK:

Ms. Larson 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: 1/25/12

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

III. CITY & COUNTY ZONING CASES:

CASE NUMBER Z - 4 - 2012 APPLICANT(S): Montgomery County Government

Agent: Clint Camp; Office Of Facilities

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

LOCATION: east of the intersection of S. Jordan Dr. & Arrowood Dr. fronting on the south side of Arrowood Dr. 800 +/- feet also located north of the terminus of Windrush Dr.

TAX MAP(S): 043 PARCEL(S): 001.22 ACREAGE: 9.57 CIVIL DISTRICT(S): 3rd

REASON FOR REQUEST: On behalf of the State of Tennessee for use as an assisted living facility for veterans. To be operated by TSVH.

Mr. Spainhoward read the case and gave the staff recommendation for approval. C-5 request is an extension of the C-5 Zoning classification to the north, east and west. The property is contiguous with other C-5 zoning abutting a major arterial highway. C-5 zoning abutting R-2 zoning requires a "C" landscape buffer.

Mr. Patrick Mohan, adjacent property owner, stated that he was in favor of request, but had a question about verifying property lines.

Mr. Clint Camp, agent, stated that the county had received State approval to start design process soon.

Austin Peay, County Attorney, stated that he is aware of the fence encroachments and the county will move the fence back to property line.

Diane McWilliams, adjacent property owner, stated that she was also in favor of the request, but she also had been taking care of property adjacent to this site.

Mr. Mark Kelly asked if the survey has been completed and would like for adjacent property owners to get copy of survey. Mr. Peay then agreed to provide copies of survey.

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

CASE NUMBER Z - 5 - 2012 APPLICANT(S): Berry S. Hedrick

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

LOCATION: 1,050+/- feet north of the Franklin St. & N. Reynolds St. intersection fronting on the east side of N. Reynolds St. 70 +/- feet

TAX MAP(S): 55-M-D PARCEL(S): 004.00 ACREAGE: 0.477 CIVIL DISTRICT(S): 12th

REASON FOR REQUEST: To make it marketable.

Mr. Spainhoward read the case and gave the staff recommendation for approval. M-2 request is an extension of the M-2 zoning to the north, south and east. A single R-2 residential lot is not compatible with the surrounding M-2 zone.

Mr. Sid Hedrick, agent, stated that he felt this use would be more conforming to zoning in the area.

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

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

CASE NUMBER Z - 6 - 2012 APPLICANT(S): Hawkins & Lafferty

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

LOCATION: at the terminus of Ann Drive

TAX MAP(S): 032 PARCEL(S): 052.06 ACREAGE: 4.35 CIVIL DISTRICT(S): 2nd

REASON FOR REQUEST: For single family development.

Mr. Spainhoward read the case and gave the staff recommendation for approval. R-2 request is an extension of the R-2 zoning to the east and west. R-2 request will allow for the Ann Drive stub to be developed within character of the surrounding development. Residential lots are in demand in this area due to location.

Mr. Rex Hawkins, applicant, stated that he was present to answer any questions.

Ms. Gayla Quarles, adjacent property owner, stated she had concerns about sinkholes on the property.

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

CASE NUMBER Z - 7 - 2012 APPLICANT(S): Stephanie Lee Choate Et Al

Agent: Jeff Burkhart

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

LOCATION: North of Kennedy Road, east of Trenton Road; at the intersection of Trenton Road and Kennedy Road

TAX MAP(S): 017 PARCEL(S): 039.01 ACREAGE: 22.9 CIVIL DISTRICT(S): 2nd

REASON FOR REQUEST: To make the zoning conform to neighboring subdivisions

Mr. Spainhoward read the case and gave the staff recommendation for approval. Single family residential development is prevalent in this area. Based on current traffic conditions and sight distance along the Trenton Road Corridor, roadway improvements may be required of the developer during the development phase of this property. The land use plan manual encourages in-fill development as a means to help keep development more compact and better utilize existing infrastructure.

Mr. Jeff Burkhart, agent, stated that he was present to answer any questions. Mr. Grubbs asked where the entrance to the development would be and Mr. Burkhart stated the northeast portion of the property. Mr. Nichols asked if there would be sidewalks to the school and Mr. Burkhart answered that he would provide sidewalks.

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

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

Agent: Wade Hadley

REQUEST: AG Agricultural District
to R-2 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: 49.5 CIVIL DISTRICT(S): 2nd

REASON FOR REQUEST:

This case was deferred at the request of the project engineer.

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. Portions of request are within the flood plain. The bulk of commercial uses allowed within C-2 are not compatible with flood plain development. 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. 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". Property access point/driveway has a sight distance concerns. Reference to sight distance is made in the Traffic Assessment. C-2 General Commercial allows for more intense uses that may be out of character with surrounding rural roads.

Mr. Powers asked if a buffer will be required and Mr. Riggins answered that it would have to meet the ordinance and a site plan would be required. Mr. Nichols asked about liability for county for allowing a building in a flood plain and Mr. Spainhoward stated that the applicant has been made aware that the building is in a flood plain.

Mr. Joel Ragland, agent, stated that he represents Ms. Walker. He stated that they wish to relocate the Catfish House from Salem Road to this site and Ms. Walker is aware of the risks of building in a flood plain. Rezoning will not increase hazards of building and Mr. Vernon Weakley performed a traffic study. Ms. Walker lives on the property and owns the surrounding property adjacent to this rezoning request.

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

CASE NUMBER CZ - 2 - 2012 APPLICANT(S): Dapp Investments (Jason

REQUEST: C-2 General Commercial District
to R-1 Single-Family Residential District

LOCATION: 2,500+/- feet northwest of the River Rd. & Antioch Church Rd, Intersection fronting on the east side of River Rd. 300 +/- feet.
TAX MAP(S): 100 PARCEL(S): 068.00 ACREAGE: 4.00 CIVIL DISTRICT(S): 17th
REASON FOR REQUEST: To be in conformance with surrounding uses.

Mr. Spainhoward stated that the applicant had requested a deferral. Mr. Spainhoward stated that this is not an automatic deferral and would have to be approved by the Planning Commission. He added that the staff has no objections to the deferral request.

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

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: Final Plat Approval

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: Final Plat 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: Preliminary Plat Approval, subject to the following conditions

- 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.
4. Approval by TDOT for a highway connection permit and any potential roadway improvements to Highway 41A is required before final plat approval.

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: Approval

IV. SUBDIVISIONS (CONT.):

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: S - 5 - 2012 APPLICANT: Wesley Chapel Christian Methodist Episcopal Church
REQUEST: Preliminary/final Plat Approval of WESLEY CHAPEL CHRISTIAN METHODIST
EPISCOPAL CHURCH, WASHINGTON STREET
LOCATION: 1026 Washington Street
MAP: 066K PARCEL(S): K 006.00 & 007.00 ACREAGE: .84
OF LOTS: 1 CIVIL DISTRICT(S): 12
STAFF RECOMMENDATION: Final Plat Approval, by minor plat provisions
VARIANCES REQUESTED: The applicant is requesting a variance from the front, side (east) and rear PUDE due
the location of the existing church.
VAR. STAFF RECOMMENDATION: Approval

IV. SUBDIVISIONS (CONT.):

CASE NUMBER: S - 6 - 2012 APPLICANT: WBW c/o jeff Burkhart
REQUEST: Revised Preliminary Plat Approval of PATRICK PLACE, SECTION 5 CLUSTER
(REVISED)

LOCATION: North of Tiny Town Road, east of and adjacent to West Fork Creek, near N. Henderson Way

MAP: 007 PARCEL(S): 002.00 ACREAGE: 34.7

OF LOTS: 92 CIVIL DISTRICT(S): 2

STAFF RECOMMENDATION: Preliminary Plat Approval, subject to the following conditions

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, and erosion control plans before construction begins. No grading, excavating, stripping, filling, or other disturbance of the natural ground cover shall take place prior to the approval of a grading, drainage, and erosion control plan.
3. Approval by the City Street Department of all driveway access locations to the public right-of-way before construction begins on site, as per City of Clarksville Driveway Access Ordinance.

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

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

Ms. Rachel Rutland, adjacent property owner, stated that this plan is not conforming to lot size of remaining neighborhood. She stated that her concerns were drainage and pavement standards are below normal and are not safe. She added that she had a petition with 120 signatures and the deed restrictions are different and was concerned about smaller homes being built than what was required in her deed restrictions.

Mr. Burkhart stated that current regulations are different from the first section. He added that this section will have underground utilities, sewer, sidewalks, curb and gutter and previous Patrick Place sections do not have these amenities.

There being no more discussion, Mr. Nichols moved to recommend deferral. The motion was seconded by Mr. Powers and passed with Mr. Grubbs opposed.

CASE NUMBER: S - 7 - 2012 APPLICANT: Eddie Burchett
 REQUEST: Final Plat Approval of WHITE TAIL RIDGE SECTION 1A
 LOCATION: Located south of the 101st, west of Pea Ridge Road, west of and adjacent to Tracy Lane
 MAP: 041 PARCEL(S): 040.03 ACREAGE: 5.18
 # OF LOTS: 18 CIVIL DISTRICT(S): 6

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

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CASE NUMBER: MP - 30 - 2011 APPLICANT: Leo Millan
 REQUEST: Replat Approval of REPLAT OF PROGRESS PROPERTIES, LOTS 4 &
 5 WILMA RUDOLPH BLVD
 LOCATION: South of Dunbar Cave Road, south of and adjacent to Wilma Rudolph Boulevard
 MAP: 056 PARCEL(S): 057.02 & 057.03 ACREAGE: 2.57
 # OF LOTS: 1 CIVIL DISTRICT(S): 12

STAFF RECOMMENDATION: APPROVAL, NO CONDITIONS

IV. SUBDIVISIONS (CONT.):

CASE NUMBER: MP - 80 - 2011 APPLICANT: Reda Homebuilders
REQUEST: Replat Approval of REPLAT OF FARMINGTON SECTION 1 LOTS 73 & 74
LOCATION: Northeast of the intersection of Green Grove Way and Edgewater Lane
MAP: 0390 PARCEL(S): 015 & 016.00 ACREAGE: .67
OF LOTS: 2 CIVIL DISTRICT(S): 1
STAFF RECOMMENDATION: APPROVAL, NO CONDITIONS

CASE NUMBER: MP - 86 - 2011 APPLICANT: Eric Honeycutt
REQUEST: Replat Approval of REPLAT OF MCCLARDY MANOR SECTION F LOTS 260 & 261 (ENHANCED ZONING)
LOCATION: North of McClardy Road and south of and adjacent to Whitt Lane
MAP: 0311 PARCEL(S): J 059.00 & 060.00 ACREAGE: .65
OF LOTS: 2 CIVIL DISTRICT(S): 3
STAFF RECOMMENDATION: APPROVAL, NO CONDITIONS

CASE NUMBER: MP - 3 - 2012 APPLICANT: Clear Sky, LLC
REQUEST: Replat Approval of REPLAT OF PEACHERS RIDGE LOTS 8-10
LOCATION: West of Beth Drive, north of Raddell Drive, and east of and adjacent to Peachers Mill Road
MAP: 055A PARCEL(S): A 001.08-001.10 ACREAGE: .87
OF LOTS: 1 CIVIL DISTRICT(S): 7
STAFF RECOMMENDATION: APPROVAL, NO CONDITIONS

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. See discussion for S-6-2012.

Mr. Parker read the cases and asked for endorsement of cases MP-30-2011, MP-80-2011, MP-86-2011, MP-92-2011, MP-2-2012, MP-3-2012 and MP-4-2012.

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

V. SITE REVIEWS AND/OR ABANDONMENTS:

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

- CONDITIONS:** 1. Approval of all utility plans by the Chief Utility Engineer, to include as built.
2. Approval of all grading and drainage plans by the City Street Department.

CASE NUMBER: SR -4 -2012 APPLICANT: CLARKSVILLE CHURCH OF GOD
Agent: Chris Fielder

DEVELOPMENT: CLARKSVILLE CHURCH OF GOD
PROPOSED USE: CHURCH
LOCATION: 435 JORDAN ROAD
MAP: 030P-G, 016.00 ACREAGE: 10.32
CIVIL DIST.: 3

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

- CONDITIONS:** 1. Approval of all grading and drainage plans by the City Street Department.
2. Approval from the Fire Department.
3. Minor plat completed to include abandonment of unimproved right-of-way.
4. Approval of a landscape plan.

CASE NUMBER: SR -5 -2012 APPLICANT: TILTED KILT OF CLARKSVILLE, INC
Agent: Chris Fielder

DEVELOPMENT: TILTED KILT RESTAURANT
PROPOSED USE: RESTAURANT
LOCATION: 130 TERMINAL ROAD
MAP: 032, 109.01 & 111.00 ACREAGE: 3.63
CIVIL DIST.: 3

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

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

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

CASE NUMBER: SR -6 -2012 APPLICANT: ACI RETAIL
Agent: Cal Mckay
DEVELOPMENT: ACI RETAIL / WILMA RUDOLPH
PROPOSED USE: RETAIL
LOCATION: 2141 WILMA RUDOLPH BLVD
MAP: 041-N-A-007.00 ACREAGE: 1.65
CIVIL DIST.: 6

STAFF RECOMMENDATION: DEFERRAL, PENDING SUBMISSION OF ADDITIONAL INFORMATION

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: Ms. Larsona 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. Smithson read the cases and gave the staff recommendations.

There being no more discussion, Mr. Grubbs moved to recommend approval. The motion was seconded by Mr. Adkins and carried with Mr. Powers abstaining from SR-3-2012.

VI. PLANNING DIRECTOR'S REPORT:

A. BUDGET REPORT: Mr. Riggins asked for approval of December and January 2012 budget reports. There being no more discussion, Mr. Grubbs moved to recommend approval. The motion was seconded by Mr. Nichols and carried unanimously.

B. RPC BUDGET - FY 2012-2013: Mr. Riggins stated that budgets are due March 23, 2012 and he asked for authorization to submit preliminary budget.

C. AUTHORIZATION TO INITIATE ZONING TEXT AMENDMENTS RELATIVE TO THE CITY SIGN ORDINANCE: Mr. Riggins stated that this would be for authorization to start process of amendments for the city sign ordinance. There being no more discussion, Mr. Kelly moved to recommend approval. The motion was seconded by Mr. Powers and carried unanimously.

VII. ADJOURNMENT:

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

ATTEST:

MICHAEL HARRISON, CHAIR