

CLARKSVILLE-MONTGOMERY COUNTY  
REGIONAL PLANNING COMMISSION

- MINUTES -

DRAFT

May 27, 2009

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
- Eric Burnett
- Joe Creek
- Geno Grubbs
- Mark Grant
- John Laida
- George Marks
- Ricky Thomas

OTHERS PRESENT:

- David A. Riggins, RPC Director of Planning
- J. Stan Williams, RPC Transportation Planning Coordinator
- Keith Lampkin, RPC Senior Planner
- Audrea M. Harris, RPC Planning Manager
- Ruth C. Russell, RPC Planner/Address Manager
- Jason Blalock, RPC Planner/Subdivision Coordinator
- Brent Clemmons, RPC GIS Analyst
- John Spainhoward, RPC Planner/Subdivision Coordinator
- Jill Hall, RPC Transportation Planner
- Judy Burkhart, RPC Office Manager
- Mark Riggins, City Engineer's Office
- David Shepherd, City Street Department
- Jack Frazier, City Street Department
- Les Crocker, City Building & Codes Department
- Mike Frost/Monroe Elliott, County Highway Department
- Rod Streeter/John Doss, County Zoning Enforcement Officer
- Ray Williams/Ricky Cumberland, Clarksville Fire Department
- Chris Brown, Ft. Campbell

II. APPROVAL OF MINUTES OF MEETING OF: 4/29/09

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

III. CITY & COUNTY ZONING CASES:

CASE NUMBER Z - 15 - 2009 APPLICANT(S): Donald R. & Brian R. Wolff

REQUEST: R-4 Multiple Family Residential District
to C-2 General Commercial District

LOCATION: 187 feet +/- east of the centerline intersection of Shelby Street and Providence Blvd (US Highway 41-A), on the north side of Providence Blvd ( U S Highway 41-A).

TAX MAP(S): 054E-C PARCEL(S): 011.00 ACREAGE: 1.38 CIVIL DISTRICT(S): 7

REASON FOR REQUEST: Auto sales and auto glass business

Mr. Lampkin read the case and gave the staff recommendation for approval. Good infill possibilities on this site. C buffer will be required on both sides of property. Existing ingress and egress point off of Providence Boulevard. This rezoning would not have an adverse impact on surrounding property. Total area and depth of request has been reduced from original request.

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

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

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CASE NUMBER Z - 20 - 2009 APPLICANT(S): Bill Mace

REQUEST: E-1 Single Family Estate District
to O-1 Office, Medical, Institutional & Civic District

LOCATION: Corner of Trenton Road and Meriwether Road on the east side of Trenton Road and the north side of Meriwether Road

TAX MAP(S): 17 PARCEL(S): 005.09 ACREAGE: 1.14 CIVIL DISTRICT(S): 2

REASON FOR REQUEST: Correspond with property beside (5 acres) and corner.

Mr. Lampkin read the case and gave the staff recommendation for disapproval. Good transition exists currently between these residential lots, the R-4 and C-5 to the north. O-1 would be encroachment into long standing residential area. O-1 zoning not compatible with surrounding residences and school due to various uses allowed within the district. No school system comments above. Parcel should have access to Meriwether Road only.

Mr. Mace, applicant, stated that the original request was for C-5 and has been modified to O-1. The house on the property can be converted to an office or daycare center and the area is building up with commercial zoning. Mr. Mace added that a traffic count has not been completed for this intersection.

Mr. George Podroe, adjacent property owners, stated he was in opposition and cited traffic as his concern.

There being no more discussion, Mr. Thomas moved for disapproval. The motion was seconded by Mr. Burnett and carried with Mr. Marks voting for approval.

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

CASE NUMBER Z - 21 - 2009 APPLICANT(S): Bill Mace

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

LOCATION: At the intersection of Needmore Road & Tiny Town Road & North Henderson Way, on the northwest side of North Henderson Way.

TAX MAP(S): 007N-B PARCEL(S): 001.00 ACREAGE: 0.62 CIVIL DISTRICT(S): 2

REASON FOR REQUEST: Correspond with property across the street and better flow for the area.

Mr. Lampkin read the case and gave the staff recommendation for disapproval. This lot is within established single family subdivision and C-5 would be an intrusion into single family area. D landscape buffer required. This property has a single family dwelling on site and has reasonable use with current zoning. No access from Tiny Town Road per Street Department.

Mr. Bill Mace, applicant, stated that he has modified his request from C-5 to O-1 and this would be an extension of O-1 zoning. There will be a traffic signal at the intersection. Mr. Mace added that O-1 zoning would serve the neighborhood.

Mr. Robert Clark, adjacent property owner, stated that he has O-1 zoned property to the west of this request and was in favor of the rezoning.

Mr. George Podroe, 3306 N. Henderson Way, stated that he was in opposition and cited safety concerns, 400 homes using the same intersection and traffic as concerns.

Ms. Leslie Parker, East Henderson Way, stated that she was also in opposition to this case. She cited traffic as concern.

The commission went into recess while the staff considered the amended request to O-1. After the recess, Mr. Riggins stated that the staff recommendation was still for disapproval of the O-1 request.

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

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

CASE NUMBER Z - 22 - 2009 APPLICANT(S): Patricia Day

Agent: Todd Biter

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

LOCATION: 865 feet +/- east of the intersection of Durrett Drive and the east margin of Fort Campbell Blvd., on the north and south side of Durrett Drive.

TAX MAP(S): 005E-B PARCEL(S): 005.00, 006.00, 007.00 ACREAGE: 0.75 CIVIL DISTRICT(S): 3

REASON FOR REQUEST: Build multifamily apartments - like surrounding area.

Mr. Lampkin read the case and gave the staff recommendation for disapproval. Even though this would be an extension of existing R-4 zones, the existing single family homes should be protected. Further encroachment upon this long established single family neighborhood should not be encouraged. Existing single family residences should not be further encroached upon. Current zoning is appropriate.

Mr. Ronny Fuqua, husband of applicant, stated that the property is bordered by R-4 multi-family. There is commercial zoning to the west. Mr. Todd Biter, agent, stated that he had submitted pictures of proposed units and they are proposing to build 13 more town homes there. Lot 62 will have five units and the other lot will have 13.

Ms. Janet Goodman, 67 Durrett Drive, stated that she was in opposition. She stated that she was concerned about traffic. She added that she has lived in the area for 35 years and does not think there is enough green space.

Mr. Grubbs asked about green space and Mr. Biter stated that will be some areas in the front and back of the units.

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

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CASE NUMBER Z - 24 - 2009 APPLICANT(S): Floyd Bradley

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

LOCATION: At the intersection of Ashland City Road and Edmondson Ferry Road on the south side of Ashland City Road and the west side of Edmondson Ferry Road

TAX MAP(S): 079 K-B PARCEL(S): 004.00 ACREAGE: 0.71 CIVIL DISTRICT(S): 12

REASON FOR REQUEST: To improve property to establish a business at this location.

This case with deferred by the applicant for 30 days.

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CASE NUMBER Z - 25 - 2009 APPLICANT(S): Marshall E. Ross

Agent: Robert Sheppard, Jr.

REQUEST: R-4 Multiple Family Residential District  
to C-2 General Commercial District

LOCATION: 535 feet +/- southeast of the intersection of Tobacco Road and Creekside Drive on the south portion of Tobacco Road

TAX MAP(S): 030 PARCEL(S): 004.00 ACREAGE: 8.9 CIVIL DISTRICT(S): 03

REASON FOR REQUEST: To build a self-storage facility.

This case was deferred by the applicant for 30 days.

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

CASE NUMBER Z - 26 - 2009 APPLICANT(S): Kleeman Packing Company C/o Jack M. Rudolph

Agent: Thomas N. Bateman

REQUEST: R-3 Two and Three Family Residential District

to M-2 General Industrial District

LOCATION: East and north of the terminus of Ford Street and north of Chapel Street

TAX MAP(S): 055 PARCEL(S): 036.00, 037.00 ACREAGE: 131.8 CIVIL DISTRICT(S): 07 (portions)

REASON FOR REQUEST: Future expansion of existing use.

Mr. Lampkin read the case and gave the staff recommendation for approval. This would be an extension of an existing zone. Expansion is directed away from existing residences to the west of Ford Street. Adequate buffers being retained to the East.

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

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

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CASE NUMBER Z - 27 - 2009 APPLICANT(S): H & Y Partnership

Agent: Randy Young

REQUEST: R-1 Single Family Residential District

to R-4 Multiple Family Residential District

LOCATION: 1489 feet +/- east of the intersection of Tracy Lane and Whitfield Road on the north side of Tracy Lane and 580 feet +/- west of the intersection of Cherrybark Lane and Tracy Lane.

TAX MAP(S): 041 PARCEL(S): 003.00 ACREAGE: 0.69 CIVIL DISTRICT(S): 06

REASON FOR REQUEST: To extend R-4 zoning for development of a multi-family building.

Mr. Lampkin read the case and gave the staff recommendation for approval. Extension of R-4 zone. The area is in transition and utilities can be made available for the site. High density developments should be located close to high corridors with sufficient access.

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

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

CASE NUMBER CZ - 15 - 2009 APPLICANT(S): Alfred E. Emrick, Jr.

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

LOCATION: 648 +/- south of the intersection of Holt Lane and Lock B Road on the east side of Holt Lane  
TAX MAP(S): 125 PARCEL(S): 023.00 (p) ACREAGE: 0.2 CIVIL DISTRICT(S): 03  
REASON FOR REQUEST: Build kitchen cabinets; have been doing this for the past three years; no employees.

Mr. Lampkin read the case and gave the staff recommendation for disapproval. The proposed zone is not compatible with the surrounding area. Potential for increase in commercial truck traffic into single family neighborhood. Not consistent with adopted Land Use Plan.

Mr. Alfred Emrick, applicant, stated that he has no employees and does not consider himself a commercial operation. He only built 14 sets of cabinets last year. He added that he prefers to have an orchard business and when his orchard matures, he is sure he will have commercial traffic.

Mr. Sam Gregory, adjacent property owner, stated that he is in opposition and submitted a petition and packet of information including pictures of traffic entering the property. He added that Holt Lane is a residential street and does not want a commercial business. Mr. Steve Winchester, adjacent property owner, stated that he is in opposition.

Mr. Thomas asked Mr. Emrick if he had a business license for this address and Mr. Emrick stated that he did.

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

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CASE NUMBER CZ - 16 - 2009 APPLICANT(S): Keith & Sonja Mixon

REQUEST: AG Agricultural District  
to E-1 Single Family Estate District

LOCATION: 494 feet +/- northwest of the intersection of Marion Road and Bryant Hollow Road on the north side of Bryant Hollow Road  
TAX MAP(S): 156 PARCEL(S): 032.01 ACREAGE: 1.46 CIVIL DISTRICT(S): 20  
REASON FOR REQUEST: To conform with zoning resolution.

Mr. Lampkin read the case description and gave the staff recommendation for approval. Residential use is compatible with surrounding area. Bring lot into conformance with zoning resolution of Montgomery County. Rezoning would not change existing residential status of property and no additional residences would be allowed on the site.

Ms. Sonja Mixon, applicant, stated that she requests to make the property conforming to zoning.

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

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

CASE NUMBER CZ - 17 - 2009 APPLICANT(S): Robert E. White

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

LOCATION: At the intersection of Oakwood Road and Gibbs Road on the east side of Gibbs Road

TAX MAP(S): 070 PARCEL(S): 126.00 ACREAGE: 5 CIVIL DISTRICT(S): 09

REASON FOR REQUEST: Losing our shop, 1836 Woodlawn Road; we buy and sell farm equipment, do repair work for many local farmers. I am building shop for my farm on this parcel; would like to get multi-use of it.

Mr. Lampkin read the case and gave the staff recommendation for disapproval. The proposed zoning is out of character with surrounding area and no other C-2 property exists in the immediate vicinity. C-2 zone provides a broad list of allowable uses not compatible with rural surroundings. No direct access onto Dover Road.

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

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

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IV. SUBDIVISIONS:

CASE NUMBER: S - 62 - 2008 APPLICANT: JAMES MAYNARD
REQUEST: Final Plat Approval of RINGGOLD ESTATES SECTION 1 (ORDINANCE 69-2004-05), FORMERLY WEST PEACHTREE
LOCATION: LOCATED NORTH OF 101ST AIRBORNE DIVISION PARKWAY, NORTH OF LITTLE WEST FORK CREEK, EAST OF RINGGOLD ROAD
MAP: 30 PARCEL(S): 11 ACREAGE: 48.63
# OF LOTS: 82 CIVIL DISTRICT(S): 3
STAFF RECOMMENDATION: Defer for 30 days at the request of the project engineer.

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CASE NUMBER: S - 16 - 2009 APPLICANT: Mainstreet Investments
REQUEST: Replat Approval of REPLAT LOTS 15-17, 42-48 FOX HOLLOW
LOCATION: South of Paradise Hill Road, adjacent to Luxury Drive & Maureen Drive
MAP: 080g PARCEL(S): "J"015.00-017.00, ACREAGE: 2.90
# OF LOTS: 10 CIVIL DISTRICT(S): 12th
STAFF RECOMMENDATION: Final Plat Approval.

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CASE NUMBER: S - 17 - 2009 APPLICANT: Cristina R. Cruz
REQUEST: Final Plat Approval of CRUZ COMMERCIAL PROPERTY
LOCATION: Northeast of the intersection of Otis Smith Drive & Ted Crozier Blvd.
MAP: 040 PARCEL(S): 025.04 ACREAGE: 2.138 +/-
# OF LOTS: 3 CIVIL DISTRICT(S): 6th
STAFF RECOMMENDATION: Final Plat Approval.

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CASE NUMBER: S - 18 - 2009 APPLICANT: Bill Mace
REQUEST: Replat Approval of REPLAT LOTS 33-34 & 41 OF EXECUTIVE PARK SECTION 3
LOCATION: South of Jack Miller Blvd. East of and adjacent to Executive Ave.
MAP: 019I PARCEL(S): "H"003.00-004.00 ACREAGE: 1.05 +/-
# OF LOTS: 3 CIVIL DISTRICT(S): 3rd
STAFF RECOMMENDATION: Defer for 30 days at the request of the Project Engineer.

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CASE NUMBER: MP - 35 - 2009 APPLICANT: Mainstream Investments
REQUEST: Replat Approval of REPLAT LOTS 57 + 60 TIMBERSPRINGS SECTION 1
LOCATION: Located south of Hazelwood Rd., North of Needmore Rd., west of Trenton Rd., north and adjacent to Timberdale Dr.
MAP: 017P PARCEL(S): "A" 007.00 + 010.00 ACREAGE: 0.55
# OF LOTS: 2 CIVIL DISTRICT(S): 2nd
STAFF RECOMMENDATION: Approval

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IV. SUBDIVISIONS (CONT.):

CASE NUMBER: MP - 42 - 2009      APPLICANT: Paul Burkhart  
REQUEST: Replat Approval of REPLAT LOTS 315-316 HERMITAGE ESTATES  
SECTION D2  
LOCATION: Adjacent to Andrew Drive  
MAP: 030P PARCEL(S): M 031.00 + 032.00    ACREAGE: 0.62  
# OF LOTS: 2    CIVIL DISTRICT(S): 3rd  
STAFF RECOMMENDATION: APPROVAL, NO CONDITIONS

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CASE NUMBER: MP - 47 - 2009      APPLICANT: Dora Brown  
REQUEST: Minor Approval of DORA BROWN PROPERTY, CUMBERLAND  
HEIGHTS RD., LOT.1  
LOCATION: Adjacent to Cumberland Heights Rd.  
MAP: 100 PARCEL(S): 036.02    ACREAGE: 1.98  
# OF LOTS: 1    CIVIL DISTRICT(S): 13th  
STAFF RECOMMENDATION: APPROVAL, NO CONDITIONS

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CASE NUMBER: MP - 48 - 2009      APPLICANT: Garland Wright  
REQUEST: Minor Approval of GARLAND WRIGHT PROPERTY,  
GARRETTSBURG RD., LOT 1  
LOCATION: Adjacent to Garrettsburg Rd.  
MAP: 044 PARCEL(S): 032.00    ACREAGE: 1.17  
# OF LOTS: 1    CIVIL DISTRICT(S): 3rd  
STAFF RECOMMENDATION: APPROVAL, NO CONDITIONS

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CASE NUMBER: MP - 50 - 2009      APPLICANT: Mack Phillips  
REQUEST: Replat Approval of REPLAT LOT 30 PHILLIPS ESTATES SECTION 3-  
B  
LOCATION: West side of Crossroads Dr between Ironhorse Way and Talts Station Dr.  
MAP: 015K PARCEL(S): C 012.00    ACREAGE: 1.501  
# OF LOTS: 1    CIVIL DISTRICT(S): 1st  
STAFF RECOMMENDATION: APPROVAL, NO CONDITIONS

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

Mr. Spainhoward read the cases and asked for endorsement of MP-35-2009, MP-42-2009, MP-47-2009, MP-48-2009 and MP-50-2009.

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

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**V. SITE REVIEWS AND/OR ABANDONMENTS:**

CASE NUMBER: SR - 11 - 2009 APPLICANT: NEW EDEN KOREAN CHURCH

Agent: Young, Hobbs Associates

DEVELOPMENT: NEW EDEN KOREAN CHURCH

PROPOSED USE: CHURCH

LOCATION: 415 OLD HOPKINSVILLE RD

MAP: 300-B-06.00 ACREAGE: 7.07+/-

CIVIL DIST.: 3

**STAFF RECOMMENDATION:** DEFERRAL, PENDING SUBMISSION OF ADDITIONAL INFORMATION

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CASE NUMBER: SR - 14 - 2009 APPLICANT: WILLIAM BEACH

Agent: Lee M. Starnes

DEVELOPMENT: BEACH OIL COMPANY / ON THE RUN

PROPOSED USE: CONVENIENCE STORE / GAS PUMPS

LOCATION: 4015 TRENTON ROAD OR 1199 TYLERTOWN ROAD

MAP: 08, 3.06 ACREAGE: 1.16+/-

CIVIL DIST.: 3

**STAFF RECOMMENDATION:** DEFERRAL, PENDING SUBMISSION OF ADDITIONAL INFORMATION

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CASE NUMBER: AB - 3 - 2009 APPLICANT: FULTON WILSON

Agent: Dbs & Associates

DEVELOPMENT: FULTON WILSON

PROPOSED USE: ABANDONMENT

LOCATION: EAST OF ALFRED THUN ROAD; SOUTH OF CORPORATE PARKWAY BLVD.

MAP: Map 33, between parcels 6.15, 14.01, ACREAGE: 0.683 +/-

CIVIL DIST.:

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

**CONDITIONS:** Retention of an easement for storm water and surface drainage and for public utilities.

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

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

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

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**VI. PLANNING DIRECTOR'S REPORT:**

A. Budget Report: Mr. Riggins explained that budget information was included in the packets.

B. 12-month waiting period for applications: Mr. Riggins explained that Mr. Spainhoward is doing some research regarding this matter and will make a presentation with the results at a later date.

C. Authorization to initiate amendment to PUD ordinance relative to 600 square yard requirements: Ms. Harris read the information and explained that there was a PUD case for rezoning on Trenton Road. The Planning Commission does not have the right to grant a variance from the 600 square foot yard requirements, therefore, the staff would like the time to do some research that matter. There being no more discussion, Mr. Creek moved to recommend approval. The motion was seconded by Mr. Grant and carried unanimously.

**VII. ADJOURNMENT:**

The meeting was adjourned at 4:00 p.m.

**ATTEST:**

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**GARY NORRIS, CHAIRMAN**