

CLARKSVILLE-MONTGOMERY COUNTY
REGIONAL PLANNING COMMISSION

- MINUTES -

DRAFT

July 27, 2011

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
- Geno Grubbs
- Mark Grant
- John Laida
- George Marks
- Kim McMillan
- 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 Streeer/John Doss, County Zoning Enforcement Office
- Mike Roberts/Ray Williams/Ricky Cumberland, Clarksville Fire Department
- Chris Brown, Ft. Campbell

II. APPROVAL OF MINUTES OF MEETING OF:6/29/11

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

III. CITY & COUNTY ZONING CASES:

CASE NUMBER Z - 12 - 2011 APPLICANT(S): Trustees Of Maplewood Baptist Church

Agent: Billy J. Mace

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

LOCATION: north of Tiny Town Rd. 235+/- feet Northeast of the Clearwater Dr. and Tinytown Rd. Intersection.
TAX MAP(S): 007 PARCEL(S): 013.01 (portion) ACREAGE: 4.488 CIVIL DISTRICT(S): 2
REASON FOR REQUEST: Rezone request is to make the road frontage along Tiny Town Road commercial zoning with the remainder R-2 for future dwellings.

This application was deferred at the applicants request.

Mr. Spainhoward stated that the applicant had requested deferral of this request. There being no more discussion, Ms. Larson moved to recommend deferral. The motion was seconded by Mr. Grubbs and carried unanimously.

CASE NUMBER Z - 14 - 2011 APPLICANT(S): Allen Moser

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

LOCATION: 500+/- feet northeast of the Warfield Blvd & Dunbar Cave Rd. Fronts on the south side of Dunbar Cave Rd. 230 +/- feet
TAX MAP(S): 056 L-D PARCEL(S): 002.00 ACREAGE: 1.84 CIVIL DISTRICT(S): 6th
REASON FOR REQUEST: Due to tough topography, rezoning allows for highest and best use of the property.

This case was deferred for 30 days per applicants request.

CASE NUMBER Z - 15 - 2011 APPLICANT(S): Wayne Darnell (Urban Farms)

Agent: Chad Swallows (Winn Marine)

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

LOCATION: on the north bank of the Cumberland River 2,800+/- feet. 850 +/- feet south of the terminuses of Ginkgo Dr. & Aspen Dr., north Line follows TVA easement.
TAX MAP(S): 054 PARCEL(S): 011.00 (portion) ACREAGE: 90 +/- CIVIL DISTRICT(S): 7th
REASON FOR REQUEST: Allow for expansion of the existing Winn Marine River Port to provide greater river port access and capacity for Clarksville/Montgomery County

Mr. Spainhoward read the case and gave the staff recommendation for approval. Request is an extension of M-2 zoning to the Northeast. Adopted future Land Use Opinion Map indicates industrial development in this area and applicant stated use would be an extension of an existing barge point facility referenced in the adopted Land Use Plan. A " D" Landscape Buffer or approved equivalent shall be provided upon development of the proposed request.

Mr. Riggins stated that this case will be heard in conjunction with CZ-9-2011.

Chad Swallows, agent, stated that he is the General Manager for Winn Marine and stated that Brad Thompson was present too. He explained the reasons for the rezoning and what effect it would have on the area.

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

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

CASE NUMBER Z - 16 - 2011 APPLICANT(S): Hollingsworth Family Partnership

Agent: Matt Frey W/ Steven E Artz & Assoc

REQUEST: M-2 General Industrial District
to C-5 Highway & Arterial Commercial District

LOCATION: southwest corner of the Wilma Rudolph Blvd. & Needmore Road intersection.

TAX MAP(S): 041 PARCEL(S): 019.00 (portion) ACREAGE: 2.34 CIVIL DISTRICT(S): 6th

REASON FOR REQUEST: We wish to rezone a portion of this property to C-5 to match the surrounding parcels and develop a commercial/retail site.

Mr. Spainhoward read the request and gave the staff recommendation for approval. Proposed zoning would bring the existing service station in conformance with the zoning ordinance. C-5 is an Arterial and Highway Commercial District and is suited for a corner lot along Wilma Rudolph Boulevard, which is an arterial highway. This property is completely surrounded by C-5 property and is an extension of the zoning classification.

Mr. Ron Hollingworth, 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. Grubbs and carried unanimously.

CASE NUMBER Z - 17 - 2011 APPLICANT(S): James Connerth

REQUEST: R-3 Three Family Residential District
to R-4 Multiple-Family Residential District

LOCATION: north of the 12th Street & Wisdom Street intersection

TAX MAP(S): 066 E-K PARCEL(S): 007.00 (portion) ACREAGE: 0.95 CIVIL DISTRICT(S): 12th

REASON FOR REQUEST: Multi-family

Mr. Spainhoward read the case and gave the staff recommendation for approval. Approval of the request would be an extension of an R-4 zone to the south. Approval of the request would allow for increased density which is recommended where adequate infrastructure is in place.

Ms. Geneva Bell, adjacent property owner, stated that she was in favor of the rezoning.

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

CASE NUMBER Z - 18 - 2011 APPLICANT(S): Gathway Health Systems C/o Bill

Agent: Richard H. Swift

REQUEST: O-1 Office District
to C-2 General Commercial District

LOCATION: at the northwest corner of the Madison Street & Haynes Street intersection.

TAX MAP(S): 080 B-A PARCEL(S): 004.00, 004.01 ACREAGE: 2.10 CIVIL DISTRICT(S): 12th

REASON FOR REQUEST: Extension of current zoning in place for the forthcoming Publix-anchored center to be called Madison Street Commons.

This case was deferred for 30 days.

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

CASE NUMBER CZ - 9 - 2011 APPLICANT(S): Wayne Darnell (Urban Farms)

Agent: Chad Swallows (Winn Marine)

REQUEST: R-1 Single-Family Residential District

to M-2 General Industrial District

LOCATION: on the north bank of the Cumberland River 750+/- feet. 1550+/- feet west of the terminus of Rusty Lane.
North line follows TVA easement

TAX MAP(S): 054 PARCEL(S): 011.00 (portion) ACREAGE: 55+/- CIVIL DISTRICT(S): 8th

REASON FOR REQUEST: Allow for expansion of the existing Winn Marine River Port to provide greater river port access and capacity for Clarksville/Montgomery County

Mr. Spainhoward read the case and gave the staff recommendation for approval. Request is an extension of M-2 City Zoning request to the Northeast. (Z-15-2011). Adopted future land use opinion map indicates industrial development in this area and applicant stated use would be an extension of an existing barge point facility referenced in the adopted Lane Use Plan. A "D" Landscape Buffer or approved equivalent shall be provided upon development of the proposed request.

This case was heard in conjunction with Z-15-2011.

IV. SUBDIVISIONS:

CASE NUMBER: S - 13 - 2011 APPLICANT: Mainstreet Investments

REQUEST: Final Plat Approval of TIMBER SPRINGS SECTION 2

LOCATION: South of Hazelwood Road, west of Trenton Road, south of Timberdale Drive

MAP: 017 PARCEL(S): 053.02 ACREAGE: 37.98

OF LOTS: 62 CIVIL DISTRICT(S): 2

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

VARIANCES REQUESTED: The applicant is requesting a variance to allow a cul-de-sac length (Sand Stream Court), over the maximum allowed 500'. The reason given by the applicant is that the location is in a knoll that projects into the flood plain of Spring Creek preventing any

VAR. STAFF RECOMMENDATION: Approval

CASE NUMBER: S - 22 - 2011 APPLICANT: Bill Mace

REQUEST: Final Plat Approval of SOLITUDE RIGHT OF WAY EASEMENT
DEDICATION

LOCATION: South of Interstate 24, north of Sango Road, east of and adjacent to S. Woodson Road.

MAP: 082 PARCEL(S): 091.00 ACREAGE: 2.90

OF LOTS: 0 CIVIL DISTRICT(S): 5

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

CASE NUMBER: S - 26 - 2011 APPLICANT: Barclay Group

REQUEST: Final Plat Approval of THE SHOPPES AT PEACHERS MILL

LOCATION: Northwest of the intersection of Peachers Mill Tiny Town Road

MAP: 018 PARCEL(S): 002.00 ACREAGE: 14.28

OF LOTS: 4 CIVIL DISTRICT(S): 3

STAFF RECOMMENDATION: APPROVAL, NO CONDITIONS

IV. SUBDIVISIONS (CONT.):

CASE NUMBER: S - 27 - 2011 APPLICANT: greenspace Partners LLC
REQUEST: Revised Preliminary Plat Approval of WOODLAND HILLS CLUSTER (REVISED)
LOCATION: East of Beverly Hills Dr, North of Ashland City Rd, West of Swift Drive
MAP: 079 PARCEL(S): 025.03 ACREAGE: 46.80
OF LOTS: 116 CIVIL DISTRICT(S): 12

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

1. Approval by the City Engineers 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.
4. A Landscape Plan must be submitted to Ruth Russell of this office and approved by the RPC prior to final plat submittal.

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

Mr. Vincent Meaker, 1214 Beverly Hills Drive, stated that he was in opposition and cited drainage, traffic and impact on surrounding area as his concerns. Ms. Geneva Bell, Mt. Olive Cemetery, stated that she was in opposition and cited concerns for adjacent cemetery as her concerns. Ms. Desiree Dial, 1215 Beverly Hills Dr., stated that she was also in opposition and cited fire truck and EMS access, needing two or more access points for best protection for residents.

Mr. Alan Moser, stated that he was in favor of development and stated that this is in fill development to prevent urban sprawl as his reason.

Mr. Jimmy Bagwell, engineer, stated that there is no access to Swift Drive, that adjacent property was sold. He added that the owner might consider a fence for buffering.

Mr. Ron Shelton, adjacent property owners, stated that he was in opposition and stated that two entrances are needed.

Fire Chief Mike Roberts stated that the fire department prefers two entrances which is always standard in urban areas with 2,000 people per square mile but that does not apply in this instance. He added there are also topographic issues which would prohibit another access. He also stated that the Fire Department always prefers two entrances.

There being no more discussion, Mr. Marks moved to recommend approval. The motion was seconded by Mr. Grant and carried with Mr. Grubbs voting no and Mr. Powers abstaining from the vote.

CASE NUMBER: S - 28 - 2011 APPLICANT: Jeff Cundiff
REQUEST: Preliminary Plat Approval of MAPCO EXPRESS
LOCATION: Southwest section of the intersection of Wilma Rudolph and Boulevard and Old Trenton
MAP: 0410 PARCEL(S): 002.01 003.00 & 004.00 ACREAGE: 2.81
OF LOTS: 2 CIVIL DISTRICT(S): 6

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 and/or TDOT of all driveway access locations to the public right-of-way before construction begins on site, as per City of Clarksville Driveway Access Ordinance.

IV. SUBDIVISIONS (CONT.):

CASE NUMBER: S - 29 - 2011 APPLICANT: Edgoten LLC
REQUEST: Final Plat Approval of FRANKLIN MEADOWS SECTION 1B
LOCATION: South of Twelve Oaks Boulevard, south of Tiny Town Road between Peachers Mill and Allen Road,
adjacent to Allmon Drive and Franklin Meadows Way
MAP: 007 PARCEL(S): 016.03 ACREAGE: 21.05
OF LOTS: 80 CIVIL DISTRICT(S): 3
STAFF RECOMMENDATION: Final Plat Approval.

CASE NUMBER: S - 30 - 2011 APPLICANT: Scott Appleton
REQUEST: Final Plat Approval of SALEM RIDGE ESTATES
LOCATION: Northwesterly corner of the intersection Salem Ridge Road and Morrison Lane
MAP: 112 PARCEL(S): 040.00 ACREAGE: 14.926
OF LOTS: 9 CIVIL DISTRICT(S): 17
STAFF RECOMMENDATION: Final Plat Approval

CASE NUMBER: S - 31 - 2011 APPLICANT: Rick Reda
REQUEST: Preliminary 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: 6 CIVIL DISTRICT(S): 6
STAFF RECOMMENDATION: Defer for 30 days at the request of the project engineer.

CASE NUMBER: S - 32 - 2011 APPLICANT: WB Builders, LLC
REQUEST: Final Plat Approval of BENTLEY MEADOWS SECTION 1 (CLUSTER)
LOCATION: South of Highway 41A on the west side of Excell Road
MAP: 088 PARCEL(S): 038.00 ACREAGE: 32.89
OF LOTS: 86 CIVIL DISTRICT(S): 11
STAFF RECOMMENDATION: Defer for 30 days at the request of the project engineer.

CASE NUMBER: MP - 38 - 2011 APPLICANT: Mark Suggs
REQUEST: Minor Approval of MARK SUGGS PROPERTY BALL ROAD LOT 1
LOCATION: Southeast of the intersection of Freedom and Ball Road
MAP: 123 PARCEL(S): 012.00 ACREAGE: 3.2
OF LOTS: 1 CIVIL DISTRICT(S): 17
STAFF RECOMMENDATION: APPROVAL, NO CONDITIONS

IV. SUBDIVISIONS (CONT.):

CASE NUMBER: MP - 44 - 2011 APPLICANT: Providence Builders LLC

REQUEST: Replat Approval of REPLAT OF RIVERMONT LOT 24

LOCATION: Southeast of the intersection of Warfield Boulevard and Rivermont Drive.

MAP: 064H PARCEL(S): B 002.00 ACREAGE: .46

OF LOTS: 1 CIVIL DISTRICT(S): 6

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

PLANNING COMMISSION ACTIONS: Mr. Harrison 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. See discussion for S-27-2011.

Mr. Parker read the cases and asked for endorsement of cases MP-38-2011, MP-43-2011 and MP-44-2011.

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

V. SITE REVIEWS AND/OR ABANDONMENTS:

CASE NUMBER: SR - 17 - 2011 APPLICANT: BILLY J. MACE
Agent: Billy Ray Suiter

DEVELOPMENT: SONUS CAR AUDIO
PROPOSED USE: RETAIL
LOCATION: 550 HERITAGE POINTE DRIVE
LOT 3, HERITAGE POINTE COMMERCIAL
MAP: 008, 013.06 (P) ACREAGE: 0.484
CIVIL DIST.: 2

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

CONDITIONS: 1. Minor Plat completed.

CASE NUMBER: SR - 18 - 2011 APPLICANT: HARRY AND LES CROCKER
Agent: Chris Fielder

DEVELOPMENT: CROCKER RETAIL
PROPOSED USE: RETAIL
LOCATION: 224 DOVER ROAD
MAP: 054-F-A-033.00 ACREAGE: 1.72
CIVIL DIST.: 7

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

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

CASE NUMBER: SR - 19 - 2011 APPLICANT: BILLY J. MACE
Agent: Billy Ray Suiter

DEVELOPMENT: DOGGY DAY SPA
PROPOSED USE: DOGGY DAY SPA
LOCATION: 2803 TROUGH SPRINGS ROAD
MAP: 064, 035.01 ACREAGE: 0.827
CIVIL DIST.: 11

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. Approval of a landscape plan.

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

CASE NUMBER: SR -20 -2011 APPLICANT: FENTRESS BRYANT

Agent: Billy Ray Suiter

DEVELOPMENT: BRYANT APARTMENT COMPLEX

PROPOSED USE: APARTMENTS

LOCATION: WEST SIDE OF GILES ROAD NORTH OF TOBACCO ROAD

MAP: 019, 028.00 & 029.00 ACREAGE: 2.070

CIVIL DIST.: 3

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

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

CASE NUMBER: SR -21 -2011 APPLICANT: FIRST BAPTIST WOODLAWN

Agent: Harold Tracy

DEVELOPMENT: FIRST BAPTIST CHURCH OF WOODLAWN

PROPOSED USE: CHURCH ADDITION

LOCATION: 2751 WOODLAWN ROAD

MAP: 052,001.00 ACREAGE: 5.75

CIVIL DIST.: 9

STAFF RECOMMENDATION: APPROVAL, NO CONDITIONS

CASE NUMBER: SR -22 -2011 APPLICANT: ERIC HUNEYCUTT

Agent: Cal Mckay

DEVELOPMENT: HUNEYCUTT SANGO ROAD APARTMENTS

PROPOSED USE: MULTI-FAMILY

LOCATION: SANGO ROAD

MAP: 063-O-F-025.00 ACREAGE: .87

CIVIL DIST.: 11

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

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

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

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

Ms. Pamela Ross, Sango Road, stated that she was in opposition. She cited traffic and drainage as her concerns. Mr. Don Bledsoe, adjacent property owner, stated that he was in opposition and cited dangerous traffic and drainage as his concerns.

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

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

CASE NUMBER: SR - 23 - 2011 APPLICANT: MAPCO EXPRESS

Bwsc, Inc.

DEVELOPMENT: MAPCO EXPRESS

PROPOSED USE:

LOCATION: 2099 WILMA RUDOLPH BLVD.

MAP: 041-0-G-003.00 ACREAGE: 1.27

CIVIL DIST.: 6

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

- CONDITIONS:** 1. Approval of all grading and drainage plans by the City Street Department.
2. Subdivision plat completed.

CASE NUMBER: SR - 24 - 2011 APPLICANT: ROB DURRETT

Agent: Cal Mckay

DEVELOPMENT: INTERNATIONAL BLVD. WAREHOUSES

PROPOSED USE: WAREHOUSES

LOCATION: 565 INTERNATIONAL BLVD.

MAP: 033,008.01 ACREAGE: 12.38

CIVIL DIST.: 6

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

- CONDITIONS:** 1. Approval of all utility plans by the Chief Utility Engineer.
2. Approval of all grading, drainage, erosion and storm water pollution prevention plans by the County Building and Codes Department.
3. Approval from T.V.A.

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

CASE NUMBER: SR - 25 - 2011 APPLICANT: JEFF BURKHART

Agent: Britt Little

DEVELOPMENT: TINY TOWN CAR WASH

PROPOSED USE: CARWASH AND OIL CHANGE

LOCATION: TINY TOWN ROAD AND CAINLO DRIVE

MAP: 008,013.11 ACREAGE: 1.9

CIVIL DIST.: 2

STAFF RECOMMENDATION: DEFERRAL

- CONDITIONS:**
1. Approval of all utility plans by the Chief Utility Engineer. As built will be required. Show water meter, water service, and sewer service sizes onsite plan.
 2. Approval of all grading and drainage plans by the City Street Department.
 3. No access will be allowed off Tiny Town Road. Plans will need to be revised.
 4. Approval of a landscape plan.
 5. Application needs to be signed.
 6. 40 ft. minimum building setback off the north property line is mislabeled as 50 ft.
 7. Note finished floor elevation.
 8. Note number of oil changing bays and employees for parking spaces calculations.
 9. Revised site plans submitted by 4:30 p.m., Monday July 25th, 2011.

PLANNING COMMISSION ACTIONS: Mr. Harrison 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. See discussion for SR-22-2011.

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

Mr. Vernon Weakley, engineer, stated that access to this property has been denied on Tiny Town Road and A curb cut was built by TDOT. He stated in his opinion that according to the City Street Access Ordinance all requirements have been met.

Mr. Chris Cowan, City Street Department, stated that the City Access Ordinance was to reduce the number of driveways onto major arterial roads. He added that just because the State of Tennessee, while widening Tiny Town Road made curb cuts for driveways does not mean they are allowed and approved.

Mr. Riggins stated that the Planning Commission does not have the authority to overturn the Access Ordinance of the City. He recommended the commission defer this case for one month as recommended by the Regional Planning Commission staff until a decision can be made by the City Access Board of Appeal, and if approved by the City Access Board of Appeals then allow the case to be reviewed again at the staff level. Again, Mr. Harrison agreed that it was not up to the Regional Planning Commission to override the decision of the City Street Department he felt that one of Mr. Riggins options would be the best use for this case. There being no more discussion, Mr. Marks moved to recommend deferral until the Access Board of Appeals makes a decision and allow Regional Planning staff to conduct a staff review. The motion was seconded by Mr. Powers and was withdrawn.

Mr. Marks then made a motion for approval with the conditions listed and Access Board approval and to authorize the staff to handle it as Staff Level Review. The motion was seconded by Mr. Powers and carried unanimously.

VI. PLANNING DIRECTOR'S REPORT:

A. BUDGET REPORT: Mr. Riggins stated that the budget report will be submitted at next month's scheduled meeting.

VII. ADJOURNMENT:

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

ATTEST:

MICHAEL HARRISON, CHAIR