

CLARKSVILLE-MONTGOMERY COUNTY
REGIONAL PLANNING COMMISSION

- MINUTES -

January 27, 2016

DRAFT

2:00 P.M.

PLANNING COMMISSION MEETING ROOM
329 MAIN STREET

I. CALL TO ORDER/QUORUM CHECK:

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

MEMBERS PRESENT:

- Richard Swift, Chairman
- Bryce Powers, Vice Chairman
- Russell Adkins
- Geno Grubbs
- Wade Hadley
- Mark Kelly
- Bill Kimbrough
- Robert Nichols
- Linda Rudolph

OTHERS PRESENT:

- David A. Ripple, Director of Planning
- J. Stan Williams, RPC Transportation Planning Coordinator
- Ruth C. Russell, RPC Planner/Address Manager
- Brad Parker, RPC 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
- Greg Stewart, City Gas & Water Dept.
- David Shepherd, City Street Department
- Jack Frazier/Chris Cowan/Jeff Bryant, City Street Department
- Mike Baker, City Building & Codes Department
- Mike Frost, County Highway Department
- Rod Streeter/John Doss/Justin Crosby, County Zoning Enforcement Office
- Mike Roberts/Ray Williams/Ricky Cumberland, Clarksville Fire Department
- Chris Brown, Ft. Campbell

II. APPROVAL OF MINUTES OF MEETING OF 12/30/15

Mr. Swift asked for a motion for approval of the minutes of December 30, 2015. Mr. Kelly moved to recommend approval. The motion was seconded by Mr. Nichols and carried unanimously.

III: ANNOUNCEMENTS/DEFERRALS

Dr. Ripple stated that the project engineer has requested 30-day deferral of cases S-60-2015 and S-4-2016. There being no more discussion, Ms. Rudolph. The motion was seconded by Mr. Kelly and carried unanimously.

IV. CITY & COUNTY ZONING CASES:

CASE NUMBER Z - 1 - 2016 APPLICANT(S): Ricky C Reda

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

LOCATION: Property located at the northwest corner of the intersection of North Second St. & Marion St.
TAX MAP(S): 066-B-B PARCEL(S): 22.00 ACREAGE: 0.28 CIVIL DISTRICT(S): 12th

REASON FOR REQUEST: To bring property into conformance with the new zoning ordinance. The present use, auto sales, is no longer allowed within the C-2 zoning classification.

Mr. Spainhoward read the case and gave the staff recommendation for disapproval. The proposed zoning request is consistent with Growth Plan (as in the City), but inconsistent with the adopted Land Use Plan. The adopted Land Use Plan indicates that the present C-2 zoning classification is assumed to be correct unless the proposed zone is more consistent with the Land Use Plan, the parcel was incorrectly zoned in the first place, or major changes of an economic, physical or social nature were not considered in the present plan which have substantially altered the character of the area. The existing Auto Sales Use is a legal non-conforming use that is protected under the current Non-Conforming Use provisions and is permitted to continue under those standards without requiring rezoning. The proposed C-5 zoning is viewed as an intrusion to the Emerald Hill Residential/Historic District as it removes the ability to permit Multifamily/Mixed Use Development. Mr. Spainhoward stated he did not receive any calls about this request.

Mr. Reda, applicant, stated he was present to ask for endorsement of this rezoning to answer any questions. He stated that the property had been used as a car lot for over 50 years, that he had owned the lot for the last 18 years, and that he wanted zoning to reflect this use.

Mr. Kimbrough asked when would car sales not be allowed, asking for a definition of non-conforming use.

Mr. Spainhoward explained the legal non-conforming provisions of the Zoning Ordinance.

Mr. Reda stated that he would lose the right to the used car lot if the non-conforming use were discontinued, and he noted other requests have been approved to C-5 for used car sales in New Providence and on College Street near Kraft Street.

Ms. Rudolph asked why he needed the rezoning to C-5 if the non-conforming car lot could continue. Rick Reda responded that the permissible uses in the C-2 District recently changed to exclude motor vehicle sales and that he wanted to keep the used car use forever. Ms. Rudolph stated that APSU was expanding westward into the neighborhood to provide student housing and that the non-conforming used car lot could continue until purchased by APSU or converted to housing. Rick Reda responded that he wanted to protect the value of the car lot through the rezoning to C-5.

Dr. Rippled noted that Jenkins and Wynne, James Corlew, and Wyatt and Johnson Kia were all non-conforming motor vehicle sales.

There were no speakers in opposition.

There being no more discussion, Mr. Nichols moved to recommend approval of rezoning to C-5. The motion was seconded by Mr. Adkins. The motion failed unanimously.

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

CASE NUMBER CZO - 1 - 2016 APPLICANT(S): County Zoning Resolution Update

REQUEST: Setbacks and add AGC to list after AG
to

LOCATION:

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

REASON FOR REQUEST: Update County Zoning Resolution.

Mr. Spainhoward read the case, noted that another meeting was held with the development community on January 22, 2016, and asked for adoption of the second amendment in the e-mail from Dr. Ripple to the Planning Commissioners in their notebook.

There being no more discussion, Mr. Kimbrough moved to recommend approval to add Amendment 2. The motion was seconded by Mr. Nichols and carried unanimously.

There were no speakers for or against.

Ms. Rudolph made a motion to approve the Zoning Resolution update as amended on December 30, 2015 and today. The motion was seconded by Mr. Powers and carried unanimously.

CASE NUMBER CZ - 1 - 2016 APPLICANT(S): Syd Hedrick

REQUEST: AG Agricultural District
to R-1 Single-Family Residential District

LOCATION: fronting on the east frontage of Dotsonville Rd. 400 +/- feet north of the Martin Rd. & Dotsonville Rd.

TAX MAP(S): 068 PARCEL(S): 126.00 ACREAGE: 6.09 CIVIL DISTRICT(S):

REASON FOR REQUEST: Splitting into residential tracts to derive 100-foot lot width.

Mr. Spainhoward read the case and gave the staff recommendation for approval. The proposed zoning request is consistent with Growth Plan (as in the County) and adopted Land Use Plan. No adverse environmental issues were identified relative to this request. Adequate infrastructure serves the site. Single Family Residential is the predominant use in the area. Mr. Spainhoward stated he did not received any inquiries regarding this request.

Mr. Hedrick, applicant, stated he wishes to divide into four residential lots of comparable size to the surrounding area but needed the narrower lot width of the R-1 District. He noted several other subdivisions in the corridor with smaller lots, and that his proposed lots would be in line with lots in the area.

There were no speakers in opposition.

There being no more discussion, Mr. Kelly moved to recommend approval as single-family was the predominate use in the area, adequate infrastructure existed and the proposal was consistent with the Plan. The motion was seconded by Mr. Nichols and carried unanimously.

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

CASE NUMBER CZ - 2 - 2016 APPLICANT(S): Doug Hildreth

REQUEST: AG Agricultural District
to R-1 Single-Family Residential District

LOCATION: at the northeast corner of the Highway 41-A South & Towes Lane intersection.

TAX MAP(S): 087 PARCEL(S): 023.00 ACREAGE: 67 +/- CIVIL DISTRICT(S): 11th

REASON FOR REQUEST: Propose extension of R-1 zoned property to allow for development of single family homes.

Mr. Spainhoward read the case and gave the staff recommendation for approval. The proposed zoning request is consistent with Growth Plan (as in the "Urban Growth Boundary" area) and adopted Land Use Plan. No adverse environmental issues were identified relative to this request. Adequate infrastructure serves the site. He noted that a traffic assessment of US41A at Towes Lane found adequate stopping sight distances. Roadway improvements will be required to Towes Lane during the development stage. Mr. Spainhoward stated he had not received any inquiries regarding this request.

Mr. Hildreth, applicant, stated he was present to answer any questions. He further stated that he had farmed the land for 25 years, but physically may not continue to do so. He noted that his land was next to other subdivisions developing outward from the City per the Growth Plan and Sango Crossings, but he would not be developing the property himself.

There were no speakers in opposition.

There being no more discussion, Ms. Rudoph moved to recommend approval on the basis that the request was consistent with the Growth Plan. The motion was seconded by Mr. Powers and carried with Mr. Hadley abstaining from the vote.

V. SUBDIVISIONS:

CASE NUMBER: S - 60 - 2015 APPLICANT: Todd Morris
REQUEST: Final Plat Approval of NORTHPARK VILLAS
LOCATION: South of Ringgold Road, north of the 101st Parkway, and east of and adjacent to Grassmire Drive
MAP: 030 PARCEL(S): 035.02 ACREAGE: 3.57
OF LOTS: 8 CIVIL DISTRICT(S): 3
STAFF RECOMMENDATION: Defer for 30 days at the request of the Project Engineer.

CASE NUMBER: S - 1 - 2016 APPLICANT: Holly Point, LLC
REQUEST: Revised Preliminary Plat Approval of EASTHAVEN SECTION 2 (REVISED PRELIMINARY) CLUSTER
LOCATION: East of Smith Lane, west of Bagwell Road, approximately 1,000 feet north and west of the intersection of Bagwell Road and Madison Street.
MAP: 087 PARCEL(S): 033.03 & 033.04 ACREAGE: +/-1.77
OF LOTS: 6 CIVIL DISTRICT(S): 10

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

CASE NUMBER: S - 2 - 2016 APPLICANT: Bill Mace
REQUEST: Final Plat Approval of MERCHANTS BOULEVARD SECTION 2
LOCATION: At the current terminus of Merchants Boulevard
MAP: 041 PARCEL(S): 063.00 ACREAGE: 3.698
OF LOTS: 1 CIVIL DISTRICT(S): 6
STAFF RECOMMENDATION: Final Plat Approval.

CASE NUMBER: S - 3 - 2016 APPLICANT: Reda Homebuilders
REQUEST: Final Plat Approval of CHEEKWOOD TRAIL ROW EXTENSION
LOCATION: At the terminus of Cheekwood Trail
MAP: 077 PARCEL(S): 026.03 ACREAGE: .19
OF LOTS: 0 CIVIL DISTRICT(S): 8
STAFF RECOMMENDATION: Final Plat Approval.

V. SUBDIVISIONS (CONT.):

CASE NUMBER: S - 4 - 2016 APPLICANT: Blue Hole Partners
REQUEST: Preliminary Plat Approval of BLUE HOLE PARTNERS PROPERTY DUNBAR CAVE
ROAD LOTS 1 & 2
LOCATION: North of and adjacent to Dunbar Cave Road, west of and adjacent to Warfield Boulevard.
MAP: 056 PARCEL(S): 042.00 ACREAGE: 5.67
OF LOTS: 2 CIVIL DISTRICT(S): 6
STAFF RECOMMENDATION: Defer for 30 days at the request of the Project Engineer.

CASE NUMBER: S - 2a - 2015 APPLICANT: Billy Ray Suiter
REQUEST: Void Approval of VOID MERCHANTS BOULEVARD SECTION 2
LOCATION: Current terminus of Merchants Boulevard
MAP: 041 PARCEL(S): 063.00 ACREAGE: 7.150
OF LOTS: 5 CIVIL DISTRICT(S): 6
STAFF RECOMMENDATION: Void the Final Plat
Case S-2-2015 received Final approval on January 28, 2015 but was never recorded.

PLANNING COMMISSION ACTIONS: Mr. Swift 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.

There were no cases pulled from the agenda.

Mr. Parker read the cases and gave the staff recommendations.

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

VI. SITE REVIEWS AND/OR ABANDONMENTS:

CASE NUMBER: SR - 39 - 2015 APPLICANT: TELECAD WIRELESS VERIZON WIRELESS

Agent: Penny Cox

DEVELOPMENT: COMMUNICATIONS TOWER

PROPOSED USE: UNMANNED CELL TOWER

LOCATION: 3107 PROSPECT CIRCLE

MAP: 063,069.00 ACREAGE: 37.84

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.

CASE NUMBER: SR - 1 - 2016 APPLICANT: DMK DEVELOPMENT GROUP

Agent: Jimmy Bagwell

DEVELOPMENT: ARCADIA CLARKSVILLE

PROPOSED USE: ASSISTED LIVING FACILITY

LOCATION: 175 CHESAPEAKE LANE

MAP: 040,004.18 (P) ACREAGE: 4.32

CIVIL DIST.: 6

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

- CONDITIONS:**
1. Approval of all utility plans by the Office of the Chief Utility Engineer.
 2. Approval of all grading, drainage, water quality and LID plans by the City Street Department.
 3. Approval of sidewalks as required by the City Street Department.
 4. Approval from the Fire Department.
 5. Minor plat completed.
 6. Approval of a landscape plan.

CASE NUMBER: SR - 2 - 2016 APPLICANT: LIFEPOINT CHURCH

Agent: J. Chris Fielder

DEVELOPMENT: LIFEPOINT CHURCH

PROPOSED USE: ADDITION

LOCATION: 1915 ROSSVIEW ROAD

MAP: 039,025.01 ACREAGE: 20.00

CIVIL DIST.: 1

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

- CONDITIONS:**
1. Approval of all utility plans by the Office of the Chief Utility Engineer.
 2. Approval of all grading and drainage plans by the County Building and Codes Department.
 3. Approval of driveways by the Director of Planning.
 4. Approval by TDOT of all new driveways.

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

CASE NUMBER: SR -3 -2016 APPLICANT: TEETER FARM AND SEED COMPANY

Agent: J. Chris Fielder

DEVELOPMENT: TEETER FARM AND SEED COMPANY

PROPOSED USE: SEED PLANT, OFFICE, STORAGE, WAREHOUSE

LOCATION: 3375 JIM JOHNSON ROAD

MAP: 009, 014.02 (P) ACREAGE: 22.40

CIVIL DIST.: 2

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

- CONDITIONS:**
1. Approval of all utility plans by the Office of the Chief Utility Engineer.
 2. Approval of all grading and drainage plans by the County Building and Codes Department.

CASE NUMBER: SR -4 -2016 APPLICANT: LEO MILLAN

Agent: Cal Burchett

DEVELOPMENT: MILLAN RETAIL QUIN LANE

PROPOSED USE: RETAIL

LOCATION: 100 QUIN LANE

MAP: 043, 001.12 (P) ACREAGE: 1.49

CIVIL DIST.: 3

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

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

PLANNING COMMISSION ACTIONS: Mr. Swift 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.

There were no cases pulled from the consent agenda.

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

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

VII. PLANNING DIRECTOR'S REPORT:

A. MONTHLY PROFIT AND LOSS STATEMENT: Dr. Ripple asked for approval of this month's statement. There being no more discussion, Ms. Rudolph moved to recommend approval. The motion was seconded by Mr. Adkins and carried unanimously.

B. QUARTERLY BUDGET TO ACTUAL SCHEDULE: Dr. Ripple stated that the Quarterly Budget Report has been provided through December 31st and that expenditures were under budget. He asked for RPC board approval and Ms. Rudolph moved to recommend approval. The motion was seconded by Mr. Adkins and carried unanimously.

C. ELECTION OF CHAIR/VICE CHAIR: Dr. Ripple explained it is time to elect a Chair and Vice-Chair for 2016. There being no more discussion, Mr. Power moved to elect Mr. Swift as Chair. The motion was seconded by Ms. Rudolph and carried unanimously. Mr. Kelly then moved to elect Mr. Powers as Vice-Chair. The motion was seconded by Ms. Rudolph and carried unanimously.

VII. ADJOURNMENT:

The meeting was adjourned at 2:46 p.m.

ATTEST:

Richard Swift, CHAIR