

CLARKSVILLE-MONTGOMERY COUNTY
REGIONAL PLANNING COMMISSION

- MINUTES -

DRAFT

October 25, 2017

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
- Garth Branch, 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 09/27/2017

Mr. Swift asked for a motion for approval of the minutes of September 27, 2017. Mr. Nichols moved to recommend approval. The motion was seconded by Mr. Grubbs and carried unanimously.

III: ANNOUNCEMENTS/DEFERRALS

Dr. Ripple stated that the project engineers have requested a 30-day deferral of subdivision cases S-53-2017, S-58-2017, S-71-2017, S-73-2017, S-77-2017 and site review SR-33-2017. There being no more discussion, Ms. Rudolph moved to recommend deferral. The motion was seconded by Mr. Grubbs and carried unanimously.

IV. CITY & COUNTY ZONING CASES:

CASE NUMBER Z - 17 - 2017 APPLICANT(S): M K P Partnership

Agent: Wayne P. Wilkinson

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

LOCATION: Property located north of Dover Raod, East of Magnolia Drive, West of Rosehill Drive, South of Zinnia Drive.

TAX MAP(S): 054-A-D PARCEL(S): 009.00 ACREAGE: 4.9 CIVIL DISTRICT(S): 8

REASON FOR REQUEST: To allow for the development of a self service storage facility.

Mr. Spainhoward read the case and gave the staff recommendation for approval. The proposed zoning request is consistent with Growth Plan (as in the City) and adopted Land Use Plan. Adequate infrastructure serves the site. Property fronts along an arterial highway and the area has a mixture of established commercial districts and residential districts along the corridor. He stated there were no departmental comments of any concern. There was a traffic assessment submitted to the Clarksville Street Department which was reviewed and accepted. He stated as of 9:45 A.M. there were no public comments received in reference to this case.

In favor, Mr. Wayne Wilkinson, Agent, stated he did not have anything to add to Mr. Spainhoward's comments but stated he was available to answer any questions. In opposition, Rebecah Barber, 406 Parker Drive, stated that she lives right across the street on Dover Road. She stated there are many self-storage facilities within a 3-mile radius of this site. She stated she had managed a self-storage facility on Lafayette Road for 2.5 years that had over 500 units. She stated that storage units bring crime to the area. She stated there are many families with children within close proximity to this site, and she is opposed to this facility going in across the street from her home. She stated she does not understand why there is a need for another self-storage facility of this type when there is another just blocks from this location, and she feels that there is a greater need for more houses in the area.

Mr. Wayne Wilkinson stated that the developer for this proposed self storage facility has other facilities. He stated that these developments are secure and have not experienced an issue with crime. He stated, as for residential, this property fronts a five-lane highway and is not appropriate for single-family residential with driveways in and out of the highway.

Mr. Nichols asked where the other self-storage facilities owned by the developer were located? Mr. Wilkinson responded in Cunningham, southeast Clarksville, Tiny Town Road and Wilma Rudolph Boulevard.

Ms. Rudolph asked what the self-storage facility operator did to deter crime? Mr. Wilkinson said that crime was deterred by a fence, security cameras, lighting, well-maintained for visibility of the units and manning during business hours.

There being no more discussion, Mr. Powers moved to recommend approval based on the fact that the property fronts on a five-lane arterial highway. The motion was seconded by Mr. Adkins and carried unanimously.

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

CASE NUMBER Z - 18 - 2017 APPLICANT(S): Mildred Johnson

Agent: Keith D. Lampkin

REQUEST: C-1 Neighborhood Commercial District
to R-3 Three Family Residential District

LOCATION: Property fronting on the south frontage of Woodland Street, 200 +/- feet east of the Greenwood Avenue and Woodland Street intersection.

TAX MAP(S): 066-N-G PARCEL(S): 014.00 ACREAGE: 0.11 +/- CIVIL DISTRICT(S): 12

REASON FOR REQUEST: House is being reconstructed under the City of Clarksville's CDBG program. Proper zone classification is needed.

Mr. Spainhoward read the case and gave the staff recommendation for approval. The proposed zoning request is consistent with Growth Plan (as in the City) and adopted Land Use Plan. Adequate infrastructure serves the site. Approval of the R-3 request will permit existing single family use to remain during demolition/renovation of existing structure. Request is an extension of the established R-3 Zoning District. There were no departmental comments of any concern. He stated there was one phone call on the afternoon of October 24, 2017 from Gibbs Electric with concerns as to why the home has been demolished prior to the zoning meeting.

Mr. Keith Lampkin, City of Clarksville CDBG Office, stated he was available to answer any questions. He stated that the CDBG Office had originally wanted to rehabilitate the property, but after further inspection felt reconstruction was needed. Thus, rezoning was needed to construct a new residential structure.

There being no more discussion, Mr. Grubbs moved to recommend approval as consistent with the Growth Plan. The motion was seconded by Mr. Nichols and carried unanimously.

CASE NUMBER Z - 19 - 2017 APPLICANT(S): Clarksville Cc Group, L L C C/o John Hadley

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

LOCATION: Portion of property located west of Fairway Drive, North of Memorial Drive, and east of Georgetown Road.

TAX MAP(S): 064-I-G PARCEL(S): 020.00 ACREAGE: 3.77 CIVIL DISTRICT(S): 11

REASON FOR REQUEST: Development of 20-25 condominium units around existing clubhouse on golf course.

Mr. Spainhoward read the case and gave the staff recommendation for approval. The proposed zoning request is consistent with Growth Plan (as in the City) and adopted Land Use Plan. Adequate infrastructure serves the site. Request is surrounded by the established Golf Course and Country Club Complex that is zoned E-1. The proposed R-4 zoning will afford the applicant the ability to develop a condo/multi-family component within the proposed area. Residential uses are not out of character with Golf Courses and their additional amenities. There were no departmental comments of any concern. He stated there were phone calls on October 24, 2017 in reference to this case. There were also multiple calls regarding traffic concerns. This proposal did not warrant a traffic assessment because it does not generate very many vehicles. It is in the Medical District and the anticipated units are in line with the allowance of R-4 for total units. There was a public comment on October 24, 2017 from Mr. Terry Welker, 357 Fairway Drive, in opposition of the rezoning based on traffic concerns and a preference for single-family use. Mr. Spainhoward stated there was also an e-mail received this morning from an individual inquiring as to whether a site plan had been submitted, and Mr. Spainhoward responded that a site plan is not required at the zoning stage, and the submittal was not binding even if the rezoning were to pass. He stated he made them aware one did exist if they wish to look at it. They had also inquired about building elevations, but no information had been received on the number of stories and such was not required.

Mr. John Hadley stated he was available to answer any questions.

There was no one present to speak in opposition of this case.

There being no more discussion, Mr. Powers moved to recommend approval based on staff's recommendation. The motion was seconded by Mr. Adkins and carried unanimously. Ms. Rudolph stated that she is a member of the Clarksville Country Club, but has no financial ownership.

V. SUBDIVISIONS:

CASE NUMBER: S - 53 - 2017 APPLICANT: Magnolia Drive Partnership
REQUEST: Final Plat Approval of SANGO MILLS SECTION 1 (CLUSTER)
LOCATION: North of US Hwy 41-A, South of Sango Road, north of and adjacent to Towes Lane.
MAP: 087 PARCEL(S): 023.02 ACREAGE: 28.94
OF LOTS: 67 CIVIL DISTRICT(S): 10/11
STAFF RECOMMENDATION: DEFER FOR 30 DAYS AT THE REQUEST OF THE PROJECT ENGINEER

CASE NUMBER: S - 57 - 2017 APPLICANT: Rhonda Byard, et al
REQUEST: Preliminary Plat Approval of RHONDA BYARD PROPERTY MADISON STREET LOTS
1 & 2
LOCATION: South of and adjacent to Old Sango Road, north of and adjacent to Highway 41-A south, at 3230 Old
Sango Road.
MAP: 082 PARCEL(S): 159.00 ACREAGE: 10.66
OF LOTS: 2 CIVIL DISTRICT(S): 11
STAFF RECOMMENDATION: FINAL PLAT APPROVAL BY MINOR PLAT PROVISIONS
VARIANCES REQUESTED: The applicant is requesting a variance to Section 6.3 of the Subdivision Regulations
to allow a preliminary plat to be approved under the minor plat provisions even
though a sewer extension (force main) and fire hydrant is required. The reason given
by the applicant is that utility construction plans have been submitted to Clarksville
Gas and Water and are to be bonded by the owner prior to minor plat approval. See
the File for the complete variance request.
VAR. STAFF RECOMMENDATION: APPROVAL

CASE NUMBER: S - 58 - 2017 APPLICANT: Advanced De. Const. Co. Inc.
REQUEST: Preliminary Plat Approval of ADVANCED DEV CONST CO. INC. PROPERTY E. PINE
MOUNTAIN ROAD LOTS 1 & 2
LOCATION: South of and adjacent to the 101st Airborne Parkway, east of and adjacent to the terminus of E. Pine
Mountain Road.
MAP: 042 PARCEL(S): 030.00 ACREAGE: 3.18
OF LOTS: 2 CIVIL DISTRICT(S): 3
STAFF RECOMMENDATION: DEFER FOR 30 DAYS AT THE REQUEST OF THE APPLICANT

CASE NUMBER: S - 62 - 2017 APPLICANT: J & N Enterprises
REQUEST: Final Plat Approval of RIDGELAND ESTATES SECTION 2 (CLUSTER)
LOCATION: North of Dover Road, south of and adjacent to the current terminus of Cameo Lane.
MAP: 053 PARCEL(S): 010.04 ACREAGE: 14.42
OF LOTS: 60 CIVIL DISTRICT(S): 8
STAFF RECOMMENDATION: FINAL PLAT APPROVAL

V. SUBDIVISIONS (CONT.):

CASE NUMBER: S - 68 - 2017 APPLICANT: Chris Blackwell

REQUEST: Final Plat Approval of RICH ELLEN RIDGE

LOCATION: South of and adjacent to Hwy 149, East of Hematite Road.

MAP: 099 PARCEL(S): 020.04 ACREAGE: 38.99

OF LOTS: 23 CIVIL DISTRICT(S): 18

STAFF RECOMMENDATION: FINAL PLAT APPROVAL

V. SUBDIVISIONS:

CASE NUMBER: S - 69 - 2017 APPLICANT: Brad Benson

REQUEST: Preliminary Plat Approval of BRAD & ROBBIE BENSON PROPERTY HWY 13 LOT 1

LOCATION: 1249 Highway 13

MAP: 141 PARCEL(S): 033.00 ACREAGE: 2.239

OF LOTS: 1 CIVIL DISTRICT(S): 18

STAFF RECOMMENDATION: DISAPPROVAL

1. Section 6.2.3(2.) of the Subdivision Regulations states that "The individual disposal system, including the septic tank, septic disposal fields, and secondary areas, shall be located on the same platted lot as the dwelling unit it will serve."

***The plat may be reconsidered once the following steps have been accomplished:

- 1. The entire septic system is included on one platted lot.
- 2. The plat must meet all the other requirements of the Clarksville/Montgomery County Subdivision Regulations.

VARIANCES REQUESTED: The applicant is requesting a variance from Section 6.2.3(2) of the Subdivision Regulations to allow an offsite septic system. The existing septic tank is partially located on the adjacent property by approximately three (3) feet. See the file for the complete variance request along with other information provided.

VAR. STAFF RECOMMENDATION: DISAPPROVAL

Pulled from the consent agenda, Mr. Parker read the case and gave the staff recommendation for disapproval.

Mike Abernathy, Land Surveyor, stated he was hired by Brad and Robbie Benson to locate and measure the property boundaries and in the process he discovered that the original house sat on property that was the parent tract of the two adjoining lots. In 1989, the lot on the left side of the lot in question was cut out of the original Baggett Property, hence creating the issue with the septic tank. He states at the time he does not think they realized they were crossing the existing septic tank with the property line. That lot is compliant as far as lot size. The lot on the right side was done in 1996 and as far as he is aware it is also a complying lot. In the process of those two lots being taken away from the original Baggett Property, the one in the middle was too narrow. They applied for a variance on the lot width since it was an existing lot width with the house in dilapidated condition. They received a variance on the lot width so they could place a new house on the property once the existing house was demolished. He stated in the process of his survey he noticed that the septic tank was clipping the line, not entirely across the line but about three feet over. The adjoining owner was contacted and she gave a notarized statement that she would approve the continued use of that existing septic tank, as is. He stated she was in attendance if her testimony was needed that she is in fact still in favor of this. He also stated that the owners of the land on the right side were in attendance in support of this case. He stated that to this point this has not been a platted lot.

Ms. Bonnie Harris stated her dad was the owner of the parent tract which was seven acres. She stated in 1977 he had 1.5 acres surveyed for her. This is the property the septic is encroaching on. She stated she signed an easement and she does not mind that the septic tank is three feet on her property. She stated that Robbie Benson is her cousin and she only sold the property to keep it in the family. She stated her brother lives on the other side so all seven acres are still family owned. She stated she plans to keep her 1.5 acres in the family.

Mr. Parker stated that there is a note on the plat that, if the septic tank fails, any new septic tank must be placed solely on this lot. He also stated, if the plat is approved, it needs to be done by minor plat provisions, meaning it would be approved as a final plat.

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

V. SUBDIVISIONS (CONT.):

CASE NUMBER: S - 70 - 2017 APPLICANT: Aravind Mndula, etux
REQUEST: Replat Approval of REPLAT OF PARKWAY PLACE LOTS 12-13
LOCATION: North of and adjacent to Parkway Place approximately 450 feet east of the intersection of Verkler Drive and Parkway Place.
MAP: 030n PARCEL(S): J 00.200-00.300 ACREAGE: 0.918
OF LOTS: 3 CIVIL DISTRICT(S): 3
STAFF RECOMMENDATION: FINAL REPLAT APPROVAL

CASE NUMBER: S - 71 - 2017 APPLICANT: Richard Tucker, etux
REQUEST: Preliminary Plat Approval of CONNECTOR COMMERCIAL DEVELOPMENT
LOCATION: South of and adjacent to Highway 76 and west of and adjacent to Jones Road.
MAP: 081 PARCEL(S): 009.00 ACREAGE: 20.7
OF LOTS: 6 CIVIL DISTRICT(S): 11
STAFF RECOMMENDATION: DEFER FOR 30 DAYS AT THE REQUEST OF THE PROJECT ENGINEER

V. SUBDIVISIONS:

CASE NUMBER: S - 72 - 2017 APPLICANT: Eagles Bluff TGp

REQUEST: Preliminary Plat Approval of THE CROSSINGS

LOCATION: West of and adjacent to Wilma Rudolph Boulevard, south of and adjacent to Wylma Van Allen, approximately 1,000 feet southwest of the intersection of Wilma Rudolph Boulevard and Dunbar

MAP: 056 PARCEL(S): 062.00 ACREAGE: 31.2

OF LOTS: 26 CIVIL DISTRICT(S): 12

STAFF RECOMMENDATION: PRELIMINARY PLAT APPROVAL SUBJECT TO THE CONDITIONS LISTED.

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.
4. A traffic impact study shall be submitted to and approved by the City Street Department prior to construction plan approval.

VARIANCES REQUESTED: The applicant is requesting a variance to Section 4.3(2) of the Subdivision Regulations to allow a block length that is in excess of the maximum allowed 1500' in length. The reason given by the applicant is due to detention ponds and a ponded sink basin obstructing the alignment with Huskey Drive.

VAR. STAFF RECOMMENDATION: APPROVAL

Pulled from the consent agenda, Mr. Parker read the case and gave the staff recommendation for approval.

Ms. Cynthia McWilliams, 1884 Hamlet Drive, stated that, even though she was told when she walked in that social media sites were already offering congratulations for this project, she would still like to read some of her concerns and concerns of her neighbors about this project. She stated the major road, Pat Summit, will connect traffic from Wilma Rudolph to Old Trenton Road which is already over saturated with traffic. She stated half a dozen or more subdivisions are dependent on this road for everyday travel. Unlike Industrial Road, Dunbar Cave Road through the Industrial Park and Alpine Road, which is also near the DMV, which have curves that slow down traffic, Pat Summit is straight which will allow cars to speed from Wilma Rudolph to Old Trenton Road. This will result in several cars merging onto Old Trenton Road without stopping despite the signs. Most commercial vehicles, which are larger, will be on Old Trenton Road. Old Trenton Road has no shoulders to safeguard cars that will meet those vehicles. The traffic from the industrial park does not directly influence the neighborhood but Wilma Rudolph to Old Trenton Road traffic will. Some people who live at the Verge, the apartments by Red River, walk down the hill to the bus stops on Wilma Rudolph and there are no sidewalks or shoulders upon which they can walk on Old Trenton Road. She stated there are several empty buildings in the surrounding industrial parks and that businesses change frequently indicating that businesses fail to thrive in this area. Empty buildings near their neighborhood are a security risk. The lack of information about the businesses themselves creates concern as certain types of business could further depreciate the value of homes in the neighborhood.

Mr. Vernon Weakley stated he would be glad to answer any questions. He stated they are just going through the preliminary plat process. He stated the required traffic study will answer some of the questions on the traffic. He stated he did not know a lot of the particulars on any business other than they will comply with the C-5 zoning requirements.

There being no more discussion, Mr. Powers moved to recommend approval based on this meeting the requirements of the C-5 zoning. The motion was seconded by Mr. Grubbs and carried unanimously.

V. SUBDIVISIONS (CONT.):

CASE NUMBER: S - 73 - 2017 APPLICANT: Eagles Bluff TGp
REQUEST: Preliminary Plat Approval of EAGLES BLUFF, SECTION 5
LOCATION: Immediately south and east of the intersection of Trenton Road and Kennedy Road.
MAP: 017 PARCEL(S): 049.00 ACREAGE: 6.27
OF LOTS: 30 CIVIL DISTRICT(S): 2
STAFF RECOMMENDATION: DEFER FOR 30 DAYS AT THE REQUEST OF THE PROJECT ENGINEER

CASE NUMBER: S - 74 - 2017 APPLICANT: Jeff Burkhart
REQUEST: Final Approval of THE GROVES OF HEARTHSTONE, SECTION 1C
(CLUSTER)
LOCATION: South of Current Road approximately 2,800 feet north of intersection of Oakland Road and Guthrie Highway.
MAP: 016 PARCEL(S): 020.11 ACREAGE: 11.73
OF LOTS: 46 CIVIL DISTRICT(S): 2
STAFF RECOMMENDATION: FINAL PLAT APPROVAL

CASE NUMBER: S - 75 - 2017 APPLICANT: Oakhill Estates, GP
REQUEST: Replat Approval of REPLAT ALONZO PLACE ESTATES SECTION 1 LOTS 1
-3
LOCATION: Located west of Highway 13, east of Vernon Creek Road, North of and adjacent to Alonzo Place.
MAP: 133 PARCEL(S): 019.00 ACREAGE: 5.94
OF LOTS: 3 CIVIL DISTRICT(S): 18
STAFF RECOMMENDATION: FINAL REPLAT APPROVAL

CASE NUMBER: S - 76 - 2017 APPLICANT: Oakhill Estates, Gp
REQUEST: Preliminary Plat Approval of RIGHT OF WAY DEDICATION OF ALONZO COURT
LOCATION: Located west of highway 13, east of Vernon Creek Road, North of and adjacent to Alonzo Place.
MAP: 133 PARCEL(S): 019.00 ACREAGE: 0.43
OF LOTS: 0 CIVIL DISTRICT(S): 18
STAFF RECOMMENDATION: PRELIMINARY PLAT APPROVAL SUBJECT TO THE CONDITIONS LISTED.

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/r 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.

V. SUBDIVISIONS (CONT.):

CASE NUMBER: S - 77 - 2017 APPLICANT: Exit 8 Properties
REQUEST: Preliminary/final Approval of ROSSVIEW COMMONS SECTION 2 LOTS 1-3
LOCATION: South of and adjacent to Hancock Road (S.R 237), immediately southwest of the intersection of Hancock Road and International Boulevard.
MAP: 058 PARCEL(S): 001.00 ACREAGE: 3.26
OF LOTS: 3 CIVIL DISTRICT(S): 6
STAFF RECOMMENDATION: DEFER FOR 30 DAYS AT THE REQUEST OF THE PROJECT ENGINEER

CASE NUMBER: S - 78 - 2017 APPLICANT: Exit 11 Properties
REQUEST: Preliminary Plat Approval of EXIT 11 PROPERTIES HORNBUCKLE ROAD LOT 1
LOCATION: East of and adjacent to Hornbuckle Road approximately 120 feet north of the intersection of Windemere Drive and Hornbuckle Road.
MAP: 063 PARCEL(S): 046.04 ACREAGE: 4.0
OF LOTS: 1 CIVIL DISTRICT(S): 11
STAFF RECOMMENDATION: FINAL PLAT APPROVAL BY MINOR PLAT PROVISIONS
VARIANCES REQUESTED: The applicant is requesting a variance to Section 6.3 of the Subdivision Regulations to allow a Preliminary plat to be approved under the minor plat provisions even though a fire hydrant is required. The reason given by the applicant is that the utility plans have been submitted to Clarksville Gas and Water and the improvements are to be bonded prior to minor plat approval. See the file for the complete variance request.

VAR. STAFF RECOMMENDATION: APPROVAL

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.

Case numbers S-69-2017 and S-72-2017 were pulled from the consent agenda (see those cases for discussion and action).

There was no one present to speak in favor or against the other cases.

Mr. Parker gave the staff reports. There being no more discussion, Ms. Rudolph moved to recommend approval. The motion was seconded by Mr. Grubbs and carried unanimously.

VI. SITE REVIEWS AND/OR ABANDONMENTS:

CASE NUMBER: SR - 33 - 2017 APPLICANT: TURNER AND REALITY, INC

Agent: Houston Smith

DEVELOPMENT: DOLLAR GENERAL - TYLERTOWN ROAD

PROPOSED USE: RETAIL

LOCATION:

MAP: 008, 007.00 (P) ACREAGE: 1.43

CIVIL DIST.: 2

STAFF RECOMMENDATION: DEFER FOR 30 DAYS AT THE REQUEST OF THE PROJECT ENGINEER

CASE NUMBER: SR - 35 - 2017 APPLICANT: MACK PHILLIPS

Agent: Jimmy Bagwell

DEVELOPMENT: CLOVERLANDS EVENT CENTER

PROPOSED USE: EVENT CENTER

LOCATION:

MAP: 008, 002.02 ACREAGE: 14.9

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 to include as built.
 2. Approval of all grading and drainage and plans by the City Street Department.

CASE NUMBER: SR - 36 - 2017 APPLICANT: REDSTONE CONSTRUCTION

Agent: Cal Burchett

DEVELOPMENT: OLD CHICAGO

PROPOSED USE: RESTAURANT

LOCATION:

MAP: 063, 36.00 & 37.00 ACREAGE: 1.78

CIVIL DIST.: 11

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

- CONDITIONS:**
1. Approval of all utility plans by the Office of the Chief Utility Engineer to include as built.
 2. Approval of all grading and drainage and plans by the City Street Department.
 3. Subdivision plat completed prior to the issuance of a Final Certificate of Occupancy.

Mr. Swift noted that site plan reviews were acted upon in a consent agenda and that anyone who wanted to discuss any particular case could request removal from the consent agenda. Ms. Russell gave the staff reports. There being no further discussion of the consent agenda, Mr. Grubbs moved to recommend approval. The motion was seconded by Mr. Nichols and carried unanimously.

VII. PLANNING DIRECTOR'S REPORT:

A. MONTHLY PROFIT AND LOSS STATEMENTS: Dr. Ripple read the report for September noting that there was only a minor amount of negative net income due to Federal monies we are awaiting.

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

B. BUDGET TO ACTUAL: Dr. Ripple read the year to date budget report which is the first quarterly report through September 30th. He stated that the three month actual to the three month budget is fairly close relative to revenues. The three month actual expense is \$312,000 compared to the budget of \$357,000 and that actual expense is under budget at this point.

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

C. Z0-1-2017: Dr. Ripple stated that this is a proposed amendment to the City Zoning Ordinance to address temporary signs. He stated the action of the General Assembly this year established basically minimum standards for campaign signs to be effective July 1, 2017. So the City had to make some amendments to the sign provisions in the City Zoning Ordinance to address the difference between signs for events (such as announcements for nonprofit groups) and campaign signs. The amendments establish a maximum square footage of thirty-two square feet for signs placed on commercial property and sixteen square feet for those on residential property as well as how many signs may be placed and for how long.

Campaign signs are not only for the candidate but could be for an issue or subject such as a vote on consolidated government. This specifically gets them to the maximum size sign on commercial properties versus residential properties. Residential is sixteen feet. Commercial is thirty-two feet. State law says you cannot have them less than sixty days before an election. The City has been using ninety so that would continue. The State law says they have to be removed in not less than one day. We are allowing at least five days so we are not more stringent than the State law. There are also provisions relative to homeowners' associations and the statement in the State law indicates local governments cannot be more restrictive than the State law. The bottom line here is that there will be a permit for a sign over sixteen square feet on commercial property but not for signs that are at or under sixteen square feet. The fee is twenty-five dollars per sign, so if you have three signs on a property that are over sixteen square feet you will pay seventy-five dollars. He stated this today is merely to be introduced by this body for a public hearing in November. So your permission here today is to go on and introduce this so we can advertise for a public hearing in November. Afterward make a recommendation to the City Council for action on adoption. Between now and when you act at the public hearing, amendments could be made but after this body acts and makes a recommendation to the City Council no substantive changes could be made unless it is referred back to The Planning Commission. For instance, if you wanted to change the fee from twenty-five dollars per sign to twenty-five dollars per property, that would result in referring it back to the Planning Commission.

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

Ms. Burkhart reminded The Planning Commission that, with the upcoming Holidays, November and December meeting dates could be altered depending on case load. It was decided to move the Informal Sessions in November and December to precede the Formal Sessions. The actual time of the Informal Session before the Formal Session would depend upon case load.

VII. ADJOURNMENT:

The meeting was adjourned at 2:50 p.m.

ATTEST:

Richard Swift, CHAIR