

CLARKSVILLE-MONTGOMERY COUNTY
REGIONAL PLANNING COMMISSION

- MINUTES -

February 26, 2014

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
- Mabel Larson
- Robert Nichols
- Linda Rudolph

OTHERS PRESENT:

- David A. Ripple, Director of Planning
- Audrea M. Smithson, RPC Planning Manager
- 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
- 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 1/29/2014

Mr. Swift asked for a motion for approval of the minutes. Ms. Larson moved to recommend approval. The motion was seconded by Mr. Hadley and carried unanimously. Dr. Ripple then stated that the project engineers have requested 30-day deferral of cases S-80-2013 and S-8-2014. There being no more discussion, Mr. Hadley moved to recommend deferral. The motion was seconded by Mr. Powers and carried unanimously.

III. CITY & COUNTY ZONING CASES:

CASE NUMBER Z - 5 - 2014 APPLICANT(S): C B P Properties C/o Christian Black

REQUEST: R-3 Three Family Residential District
to R-6 Single-Family District

LOCATION: 3 parcels located at the southwest corner of Crossland Ave. & Perkins Ave.

TAX MAP(S): 66-N-B PARCEL(S): 2.01, 3.00 & 20.00 ACREAGE: 1.09 +/- CIVIL DISTRICT(S):

REASON FOR REQUEST: For redevelopment into single family homes.

Mr. Spainhoward read the case and gave the staff recommendation for approval. He noted that Clarksville Gas and Water commented "water and sewer upgrades may be needed" and that the City Street Department stated "no access to Crossland Avenue per the Access Ordinance"; he stated the historical lot yield for the subject property would be nine (9) lots. The proposed zoning request is consistent with Growth Plan (as in the City) and adopted Land Use Plan. Existing infrastructure serves the site, however, infrastructure improvements may be required during the development stage for this property. No adverse environmental issues were identified relative to this request. Proposed R-6 development will provide redevelopment opportunity for single family detached homes. One phone call received asking questions, but no public comments had been otherwise received.

Mr. Christian Black, applicant, stated that he wanted to build single family homes, that the area was now zoned for apartments, and that his development would be an improvement to the area.

Mr. George Dean, attorney representing adjacent property owners, Phillip and Marie Wallace, 709 Perkins Avenue, stated that they are in opposition to the rezoning and cited increased density and traffic on narrow road. He suggested that the case be deferred so that the Wallaces could meet with the developer.

Mr. Potter, adjacent property owner, stated he was also in opposition and cited parking on streets as his concern.

Mr. Black stated that there will be driveways with off-street parking for each proposed home and there should not be any parking problems. He stated he would be happy to defer for 30 days to help work out concerns with adjacent property owners.

There being no more discussion, Mr. Hadley moved to recommend deferral. The motion was seconded by Ms. Larson and carried with Mr. Powers abstaining, due to an interest in the property.

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

CASE NUMBER Z - 6 - 2014 APPLICANT(S): Glenn S. Gentry Estate

Agent: Mark Holleman

REQUEST: R-1

to C-5 Highway & Arterial Commercial District

LOCATION: Property fronting on the north frontage of Madison St. located 1,250+/- feet west of the Madison St. & Richview Rd. intersection.

TAX MAP(S): 81-A-D PARCEL(S): 29.00 p/o ACREAGE: 4.33 +/- CIVIL DISTRICT(S):

REASON FOR REQUEST: Request extends an existing C-5 zone and would allow property to fulfill commercial demand in the area.

Mr. Spainhoward read the case and gave the staff recommendation for disapproval. The proposed zoning request is inconsistent with Growth Plan (as in the City) and adopted Land Use Plan. The rezoning application is premature and speculative, failing to contribute to the orderly use and development of land. The gully/ravine to the east of this property currently serves as a natural break/transition between the adjacent C-5 to the east and this residential property. Severe topographical constraints will limit commercial development opportunities. Property is located in a residential sub-district of the Madison Street Corridor Urban Design Overlay District. E-Mails from Amos Watkins and Wendell Smith who oppose the rezoning are in the agenda packet.

Mr. Vernon Weakley, engineer, stated that five-lane Madison Street can handle the traffic. Utilities and drainage are adequate and the property is not good for residential development due to the five-lane road. A buffer and conservation easement is to the rear of the property providing 300-foot separation from the nearest home. He then showed a drawing of what could be built on the front of the property, and he stated that the 9,000 square foot retail building would conform the zoning requirements meeting off-street parking requirements and the Madison Street Overlay setback regulations.

Ms. Rudolph asked how close the proposed development will be to the residential area to the west. Mr. Weakley answered about 1,000.00 feet. Mr. Kelly asked how wide was the TVA powerline easement through the site. Mr. Weakley indicated about 150 feet. Mr. Powers asked why C-5 for the existing home toward the rear of the property. Mr. Weakley stated that the existing home site was more likely a medical office site due to poor visibility from Madison Street.

Steve Kent, adjacent property owner to the west, stated he was in opposition to the rezoning and submitted a petition to keep the property residential with 54 signatures. He didn't buy the argument that the property was only good for commercial. It is good for residential because several developers have built single-family homes in the immediate area. He wanted the subject property kept as single-family because the subject property was part of a residential area important to the Madison Street corridor. The deep raving (on the east edge of the subject property) is a good buffer between commercial to the east and residential to the west. There is limited area to develop on the Gentry tract due to topography, and he claimed Mr. Gentry was opposed to commercial before he died. When the Brown rezoning to C-5 to the east was approved, the west edge of the Brown property line was to be the demarcation line between commercial and residential in the Madison Street Corridor. He had concerns because C-5 allows any use not only medical uses.

Mr. Brian Carney, 112 Chickasaw Court, stated he was also in opposition and was concerned about ingress/egress onto Madison Street with commercial zoning.

Mr. Kelly asked how the demarcation between commercial and residential was established on the west edge of the Brown property. Mr. Spainhoward stated the RPC staff was divided on the Brown rezoning case, and determined that ravine with the blue line stream and steep topography was a natural boundary between commercial and residential and that Madison Street Corridor Plan stopped the Madison Street/Richview Road commercial node at the ravine. Mr. Kelly asked for clarification on the buffer location. Mr. Spainhoward responded that the portion of the property on the north and northeast not hatched for rezoning on the case map constituted the proposed buffer.

There being no more discussion, Mr. Nichols made a motion for disapproval, citing not consistent with surrounding properties and premature. The motion was seconded by Ms. Rudolph and carried unanimously.

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

CASE NUMBER Z - 7 - 2014 APPLICANT(S): Regional Planning Commission

REQUEST: R-4 Multiple-Family Residential District
to R-1 Single-Family Residential District &
R-2 Single-Family Residential District

LOCATION:

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

REASON FOR REQUEST:

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. No adverse environmental issues were identified relative to this request. Proposed area wide rezoning protects property investments for both the short-term and long-term by verifying that conforming uses fall under the correct zoning classification. He stated that a few phone call questions were fielded but no opposition was expressed.

No one spoke in favor or opposition.

There being no more discussion, Mr. Grubbs moved to recommend approval based on consistency with the Growth Plan. The motion was seconded by Ms. Larson and carried unanimously.

CASE NUMBER CZ - 2 - 2014 APPLICANT(S): Thomas R Meeks

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

LOCATION: Property located in the southwest corner of the Zinc Plant Rd. & Cumberland Heights Rd. intersection.

TAX MAP(S): 78-E-A PARCEL(S): 11.00 ACREAGE: 0.63 CIVIL DISTRICT(S): 13

REASON FOR REQUEST: Owner would like to construct storage units on property.

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. Adequate infrastructure serves the site. No adverse environmental issues were identified relative to this request. Request is an extension of the existing C-2 zoning to the south. If access is made to Zinc Plant Road, it must be as far as possible from the Cumberland Heights Road and Zinc Plan Road intersection. He received one phone call inquiry, but no opposition was expressed.

No one spoke in favor or opposition.

There being no more discussion, Mr. Hadley mad a motion to recommend approval based on consistency with the Growth Plan and extension of existing commercial zoning. The motion was seconded by Mr. Nichols and carried unanimously.

IV. SUBDIVISIONS:

CASE NUMBER: S - 80 - 2013 APPLICANT: Holly Point, LLC
REQUEST: Final Plat Approval of FARMINGTON SECTION 4A, CLUSTER
LOCATION: South of John Duke Boulevard, north of Bainbridge Drive, east of Rollow Lane
MAP: 039 PARCEL(S): 025.12 ACREAGE: 21.08
OF LOTS: 41 CIVIL DISTRICT(S): 1
STAFF RECOMMENDATION: Defer for 30 days at the request of the project engineer.

CASE NUMBER: S - 1 - 2014 APPLICANT: Rick Reda
REQUEST: Preliminary Plat Approval of REDA ESTATES SECTION 2
LOCATION: North side of Ogburn Chapel Road west of its intersection of Dotsonville Road, north of the current terminus of Double R Boulevard.
MAP: 077 PARCEL(S): 013.06 ACREAGE: 121.6
OF LOTS: 77 CIVIL DISTRICT(S): 8

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.

VARIANCES REQUESTED: The applicant has requested two variances from the Subdivision Regulations. The first is to allow a cul-de-sac in excess of the maximum allowed 500' on Allie Kat Court. The reason given by the applicant is due to drainage and topography issues and a sizable valley that lies between Allie Kat Court and Takao Court. The second variance is to allow a block length in excess of the maximum allowed 1500' on the northern margin of Reda Drive. The reason given by the applicant is due to the presence of a stream on the north side of Reda Drive.

VAR. STAFF RECOMMENDATION: Approval

CASE NUMBER: S - 8 - 2014 APPLICANT: Jon Watts
REQUEST: Preliminary Plat Approval of STACKER ESTATES
LOCATION: North and west of the Shearor Street and Poston Street intersection at the terminus of Short Stacker Drive
MAP: 055n PARCEL(S): D 034.00 ACREAGE: 1.63
OF LOTS: 3 CIVIL DISTRICT(S): 12

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

IV. SUBDIVISIONS (CONT.):

CASE NUMBER: S - 9 - 2014 APPLICANT: Fulton Wilson

REQUEST: Preliminary/final Approval of FULTON WILSON PROPERTY ALFRED THUN ROAD
LOTS 1 & 2

LOCATION: East of Interstate 24, west of Progress Drive, south of and adjacent to Alfred Thun Road

MAP: 033 PARCEL(S): 014.07 ACREAGE: 5.42

OF LOTS: 2 CIVIL DISTRICT(S): 6

STAFF RECOMMENDATION: Final Plat approval by minor plat provisions.

PLANNING COMMISSION ACTIONS: Mr. Swift 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 recommendation.

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

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

SUBDIVISION REGULATIONS, UPDATE (FEBRUARY 2014) - PUBLIC HEARING AND ADOPTION

Ms. Smithson then stated that the Subdivision Regulation changes have been completed. She read through the staff changes in the document since public notice was posted over 30 days ago. She asked for the Planning Commission's approval with the staff amendments.

In discussion, it was noted that the new Subdivision Regulations would become effective for new preliminary subdivision applications after passage of these amendments to the Subdivision Regulations. The old Subdivision Regulations would remain in effect for previously approved preliminary subdivisions as long as the two-year approval period had not expired and for new subdivision applications received prior to adoption of this update (contingent on final plan approval with two years of the preliminary plat approval).

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

V. SITE REVIEWS AND/OR ABANDONMENTS:

CASE NUMBER: SR - 1 - 2014 APPLICANT: WAYNE GULLEDGE

Agent: Clint Head

DEVELOPMENT: FOUR SEASONS HVAC

PROPOSED USE: WAREHOUSE

LOCATION: 1408 ASHLAND CITY ROAD

MAP: 079-K-C-013.01 ACREAGE: 1.61

CIVIL DIST.: 12

STAFF RECOMMENDATION: APPROVAL, NO CONDITIONS

CASE NUMBER: SR - 2 - 2014 APPLICANT: CLARKSVILLE ACADEMY

Agent: Chris Fielder

DEVELOPMENT: CLARKSVILLE ACADEMY

PROPOSED USE: BUILDING ADDITION

LOCATION: 710 N. SECOND STREET

MAP: 055-O-C-029.00 ACREAGE: 5.49

CIVIL DIST.: 12

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 City Street Department.
 3. Approval from the Historic Zoning Commission.

Note: Landscape plan will be reviewed and approved through the Historic Review Committee.

V. SITE REVIEWS AND/OR ABANDONMENTS:

CASE NUMBER: AB - 1 - 2014 APPLICANT: ERNEST CARPENTER

N/a

DEVELOPMENT: ERNEST CARPENTER

PROPOSED USE: ABANDONMENT

LOCATION: SOUTH OF TINY TOWN ROAD, WEST OF NEEDMORE ROAD

MAP: 07, SW OF 11.05, E OF 12.02 ACREAGE: 0.073+/-

CIVIL DIST.: 12

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

CONDITIONS: 1. Retention of an easement for public utilities.

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

Mr. Ernie Carpenter, applicant, stated that he was present to answer any questions and asked the RPC to support his request for a right-of-way abandonment.

PLANNING COMMISSION ACTION: Mr. Swift 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 recommendation.

There was no one present to speak in favor or opposition to these cases.

There being no more discussion, Mr. Kelly moved to recommend approval of all site review and abandonment cases. The motion was seconded by Mr. Grubbs and carried unanimously.

VII. PLANNING DIRECTOR'S REPORT:

1. MONTHLY BUDGET REPORT: Dr. Ripple stated that the monthly budget report was available in the Commissioners' packets. He then asked for endorsement of the report. There being no discussion, Mr. Nichols moved to recommend approval. The motion was seconded by Ms. Larson and carried unanimously.

B. ANNUAL BUDGET PREPARATION: Dr. Ripple stated that the County's budget is due March 21, 2014 and the City's is April 1, 2014. The Planning Commission will be able to review information prior to submission. An Executive Committee meeting of the RPC has been scheduled for Tuesday, March 18, 2014 at 2:00 p.m. at the RPC offices. All Planning Commissioners are welcome to attend; and the proposed Fiscal 2014-2015 budget will be mailed to the Executive Committee and other Planning Commissioners in advance of the meeting. The Executive Committee will review the proposed budget and recommend action to the full RPC board. If any amendments are made by the RPC board at the formal meeting on March 26, 2014, they will be conveyed to both jurisdictions. .

C. REPORT ON POSSIBLE AREA-WIDE REZONINGS - Cunningham Place: Dr. Ripple stated that this is the next subdivision being studied for an area wide rezoning.

D. INTRODUCTION OF NEW AREA-WIDE REZONINGS - DALE TERRACE, GLENSTONE, HERITAGE ESTATES, CREEKSIDE: Dr. Ripple asked for approval for these four area-wide rezonings. There being no more discussion, Mr. Grubbs moved to recommend approval. The motion was seconded by Mr. Hadley and carried unanimously.

E. REPORT ON MAYOR'S DESIGN REVIEW TASK FORCE (CITY): No report.

F. REPORT ON MAYOR'S ACCESS MANAGEMENT ORDINANCE TASK FORCE (CITY): No report.

VII. ADJOURNMENT:

The meeting was adjourned at 3:12 p.m.

ATTEST:

Richard Swift, CHAIR