

CLARKSVILLE-MONTGOMERY COUNTY
REGIONAL PLANNING COMMISSION

- MINUTES -

DRAFT

February 27, 2013

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
- Russell Adkins
- Geno Grubbs
- Wade Hadley
- Mark Kelly
- Robert Nichols
- Bryce Powers
- Richard Swift

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
- Les Crocker/Mike Baker/Justin Crosby, City Building & Codes Department
- Mike Frost, County Highway Department
- Rod Streeter/John Doss/Elizabeth Warner, County Zoning Enforcement Office
- Mike Roberts/Ray Williams/Ricky Cumberland, Clarksville Fire Department
- Chris Brown, Ft. Campbell

II. APPROVAL OF MINUTES OF MEETING OF: 1/30/13

Mr. Harrison asked for a motion for approval of the minutes. Mr. Kelly moved to recommend approval. The motion was seconded by Mr. Hadley and carried unanimously. Dr. Ripple stated that the project engineer had requested deferral of case S-92-12 and to waive the subdivision deferral fee of \$250.00 because this case has been deferred three times. The property is being rezoned from R-3 to R-2 (Z-01-2013) by Herbert Baggett, Jr. for Habitat for Humanity, has only received 1st reading approval by the City Council on February 7th, 2012, and awaits 2nd reading approval by City Council on March 7th, 2013. Mr. Baggett's request appears on Page 4a of the subdivision cases. There being no more discussion, Mr. Powers moved to recommend deferral. The motion was seconded by Mr. Grubbs and carried unanimously.

III. CITY & COUNTY ZONING CASES:

CASE NUMBER Z - 3 - 2013 APPLICANT(S): Jeff Burkhart

REQUEST: AG Agricultural District
to R-2 Single-Family Residential District

LOCATION: North of Kennedy Road, east of Trenton Road; at the intersection of Trenton Road and Kennedy Road
TAX MAP(S): 017 PARCEL(S): 039.01 ACREAGE: 22.9 CIVIL DISTRICT(S): 2nd
REASON FOR REQUEST:

Noting that this request was the same as that a year ago denied by the City Council, Mr. Spainhoward read the request 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. Single family residential is the predominant use in the area and R-2 zoning is in character with properties in the area that are also zoned R-2. The proposed development will not adversely impact traffic flow on Trenton Road and other public infrastructure is adequate to support this development. No adverse environmental issues were identified relative to this request.

Mr. Vernon Weakley, agent, stated that he was present to answer any questions.

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

CASE NUMBER ZO - 1 - 2013 APPLICANT(S): Regional Planning Commission

REQUEST:
to

LOCATION:
TAX MAP(S): PARCEL(S): ACREAGE: CIVIL DISTRICT(S):
REASON FOR REQUEST: Various Amendments to the Zoning Ordinance, Relative to the Cluster Ordinance

Dr. Ripple stated that this was in regards to amendments to the Residential Cluster Development provisions of the City Zoning Ordinance. These changes are in response to a request from City Attorney, Mayor McMillan and members of City Council to clear up confusion, as quickly as possible, in the wording relative to the landscape buffer and perimeter lot sizes. These changes were introduced by the Regional Planning Commission at the Special Called meeting of the Regional Planning Commission Board on February 14th, 2013, and were advertised on February 18, 2013 for a public hearing and public inspection. The amendments introduced on February 14th have been available for public inspection at the Regional Planning Commission offices and since February 18th at the offices of the City Mayor and City Building and Codes Department. The Residential Development Commission met on last Wednesday, February 20, 2013, to review the proposed amendments and recommended endorsement of the amendments to the Regional Planning Commission Board. Since Cluster Subdivision provisions were adopted in the fall of 2005 in the City and County, the Regional Planning Commission has approved 44 final plats. Patrick Place - Section 5 was number 40. This is not backdoor rezoning because the number of lots in a cluster subdivision is capped by the number of lots under traditional residential subdivision development.

Three proposed staff amendments are in purple. 1. The minimum number of lots for the application of this Residential Cluster Development option shall be ten (10) lots for any preliminary or final plat. 2. Exterior walls located eight (8) or less from the property line will have a water/fire resistant gypsum wall board of a minimum 5/8" Type X (or equivalent) on the outside of the exterior wall. 3. Noise from transportation facilities (such as airports, railroads and interstates. He noted that the amendments would only permit a landscape buffer on the perimeter to be maintained by the Homeowner's association. It could not be an open space easement on private lots.

Ms. Rachel Rutland stated that she is against these changes and these changes are stripping the rights of current owners. She suggested making cluster a separate zoning classification and requiring perimeter lots with buffers. She stated that several plats were passed not following the law and now these changes are being made to make things fit. She wanted this to be a cluster zone option not usurping the authority of the City Council.

Mr. Powers made a motion for approval as written with three proposed staff amendments in purple. The motion was seconded by Mr. Hadley and carried unanimously.

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

CASE NUMBER CZ - 1 - 2013 APPLICANT(S): Maude C. Powers

REQUEST: AG

to R-1A Single-Family Residential District

LOCATION: LOCATED NORTH OF I- 24, SOUTH OF HIGHWAY 76, WEST OF N. WOODSON ROAD AT THE TERMINUSES OF SUPERIOR LANE & CLOVER HILLS DR.

TAX MAP(S): 63 PARCEL(S): 67.00 ACREAGE: 27.27 CIVIL DISTRICT(S): 11th

REASON FOR REQUEST: FOR SINGLE FAMILY DEVELOPMENT

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 R-1A zoning to the north and east. Dr. Ripple noted that the magnitude of the development did not trigger a traffic assessment.

Mr. Tommy Burney, agent, stated that he was present to answer any questions.

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

CASE NUMBER CZ - 2 - 2013 APPLICANT(S): B & S Development

REQUEST: &

M-1 Light Industrial District

to R-4 Multiple-Family Residential District &

R-2Single-Family Residential District

LOCATION: LOCATED NORTHEAST OF INTERSTATE 24, SOUTH OF INTERNATIONAL BLVD. SOUTH OF ROSSVIEW ROAD

TAX MAP(S): 58 PARCEL(S): 1.00 ACREAGE: 88.57 CIVIL DISTRICT(S): 6th

REASON FOR REQUEST: FOR SINGLE AND MULTI FAMILY DEVELOPMENT

The applicant has requested a 30 day deferral to fix the rezoning request because the R-2 district does not exist in the county.

Mr. Spainhoward stated that this case was amended and will be re-advertised for a public hearing next month.

There was no one to speak in favor or opposition to this case.

There being no more discussion, Mr. Grubbs moved to defer until next month's meeting. The motion was seconded by Mr. Hadley and carried unanimously.

IV. SUBDIVISIONS:

CASE NUMBER: S - 63A - 2010 APPLICANT: Todd Halliday/Mainstreet Investments
REQUEST: Approval of VOID OF FINAL PLAT OF TRACY LANE ESTATES
LOCATION: South of 101st West of Pea Ridge Road & East of Whitfield Road
MAP: 041 PARCEL(S): 042.01 ACREAGE: 16.75
OF LOTS: 42 CIVIL DISTRICT(S): 6th
STAFF RECOMMENDATION: Void the Final Plat
S-63-2010, Tracy Lane Estates received final plat approval on May 25, 2011 but was never recorded.

CASE NUMBER: S - 89 - 2012 APPLICANT: Bill mace
REQUEST: Final Plat Approval of GILES ROAD APARTMENTS LOTS 1 & 2
LOCATION: West side of Giles Road between Sherwood Hills Drive and Tobacco Road
MAP: 019 PARCEL(S): 028.00 & 029.00 (portion) ACREAGE: 2.07
OF LOTS: 2 CIVIL DISTRICT(S): 3
STAFF RECOMMENDATION: WITHDRAWN BY THE APPLICANT

CASE NUMBER: S - 92 - 2012 APPLICANT: HERBIE BAGGETT
REQUEST: Replat Approval of REPLAT OF CARNEY AND SAVAGE ADDITION 2, LOTS
67- 69
LOCATION: North side of Poplar Court at its terminus
MAP: 66E- PARCEL(S): M 8.00 ACREAGE: .67
OF LOTS: 3 CIVIL DISTRICT(S): 12
STAFF RECOMMENDATION: Defer for 30 days

CASE NUMBER: S - 2A - 2013 APPLICANT: mack phillips
REQUEST: Approval of PHILLIPS ESTATES, SECTION 4 (VARIANCE ONLY)
LOCATION: end of Taits Station Drive and Ironhorse Way
MAP: 15 PARCEL(S): 12 (portion of) ACREAGE: 22.55
OF LOTS: CIVIL DISTRICT(S): 1
STAFF RECOMMENDATION: Variance Approval
VARIANCES REQUESTED: The applicant is requesting a variance to the subdivision regulations to allow a cul-
de-sac with a grade of .5% instead of the minimum allowed 1%.
VAR. STAFF RECOMMENDATION: APPROVAL

IV. SUBDIVISIONS (CONT.):

CASE NUMBER: S - 4 - 2013 APPLICANT: magnolia place partnership

REQUEST: Preliminary Plat Approval of MAGNOLIA PLACE

LOCATION: South of Lafayette Road, North of Dover Road (Highway 76) at the current termini of Magnolia Drive

MAP: 043 PARCEL(S): 036.00 ACREAGE: 57.01

OF LOTS: 173 CIVIL DISTRICT(S): 7/8

STAFF RECOMMENDATION: Preliminary Plat Approval, subject to the following condition(s):

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 Study will be required during the construction plan approval process.
5. All unimproved ROW contiguous to the proposed subdivision shall be constructed during the construction plan process by the developer/subdivider.
6. Any variances to be obtained from the Board of Zoning Appeals (BZA) shall be approved prior to construction plan approval.

VARIANCES REQUESTED: SEE ATTACHED

VAR. STAFF RECOMMENDATION: See attached

Ms. Smithson read the case and gave the staff recommendation. Dr. Ripple stated that this is a cluster development in the city where the perimeter lots can only step down one lot size, the perimeter lots without a landscape buffer meet the requirements and the developer did lose one lot in making those adjustments.

Mr. Eddie Burchett, applicant, stated that he requested the variance not to connect to Jewel Drive and that he felt the connection east was not necessary. He would lose two lots and would have to build 300' of road across rough topography and a stream. The unbuilt right-of-way has been there for 35 years. Further, he was extending Magnolia Drive through the proposed subdivision.

Mr. Cal McKay, engineer, stated that the subdivider did not want to take on the burden of building the Chestnut Ridge Drive connection on someone else's property. Further, the subdivision would have to build waterlines, sewers and storm drainings as well as pavement for the connection.

Mr. Randall Holder, adjacent property owner, stated that he was in opposition and cited drainage, position of drainage culvert and flooding in his garage as his concerns.

Mr. McKay stated that there are a lot of drainage concerns in the area; all drainage goes to our proposed development; and, when the property is developed, the drainage issues pertaining to this property would have to be corrected.

Mr. Hadley stated that he would be abstaining from the vote.

Mr. Kelly then made a motion for approval for the first variance. The motion was seconded by Mr. Grubbs and carried. Mr. Kelly then made a motion for approval for the second variance. The motion was seconded by Mr. Grubbs and carried. Mr. Powers then made a motion for approval for the third variance and not require applicants to build Chestnut Ridge and allow excessive block length for Magnolia Drive. The motion was seconded by Mr. Kelly and carried.

Mr. Kelly asked about the unbuilt right-of-way of stub streets. Mr. Jack Frazier answered that the stub streets were not required to be built prior to the 1990's even when the right-of-way was provided.

Dr. Ripple asked about the necessity of placing sanitary sewer under the Chestnut Ridge connection. Mr. Frazier answered that was up to the utility agencies.

Mr. Grubbs then made a motion for approval for the subdivision plat with the three variances. The motion was seconded by Mr. Kelly and carried unanimously.

IV. SUBDIVISIONS (CONT.):

CASE NUMBER: S - 5 - 2013 APPLICANT: mack phillips
REQUEST: Final Plat Approval of PHILLIPS ESTATES, LOT 91, SECTION 3D
LOCATION: South of Webb Road at the terminus of Crossroads Drive
MAP: 015 PARCEL(S): 012.02 ACREAGE: 1.04
OF LOTS: 1 CIVIL DISTRICT(S): 1

STAFF RECOMMENDATION: Final Plat Approval by minor plat provisions

VARIANCES REQUESTED: The applicant is requesting a variance to the subdivision regulations to allow this plat to be approved under the minor plat provisions. The project engineer has stated that the road and water line has already been constructed and is only dedicating what has already been built.

VAR. STAFF RECOMMENDATION: Approval

CASE NUMBER: S - 6 - 2013 APPLICANT: thomas neil bateman
REQUEST: Preliminary Plat Approval of CRACKER BARREL DRIVE ROW EXTENSION
LOCATION: Terminus of Cracker Barrel Drive
MAP: 033 PARCEL(S): 003.01 ACREAGE: .23
OF LOTS: 0 CIVIL DISTRICT(S): 2

STAFF RECOMMENDATION: Preliminary Plat Approval, subject to the following condition(s):

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 temporary turnaround is required for this ROW extension.

CASE NUMBER: S - 7 - 2013 APPLICANT: chris blackwell
REQUEST: Preliminary Plat Approval of ELIZABETH PARC (PREVIOUSLY PINE CREST VILLAGE)
LOCATION: West side of Edmondson Ferry Road, approximately 1750' south and west of its intersection with Ashland City Road.
MAP: 79k PARCEL(S): B-24.00 ACREAGE: 4.6
OF LOTS: 14 CIVIL DISTRICT(S): 12

STAFF RECOMMENDATION: Preliminary Plat Approval, subject to the following condition(s):

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.

VARIANCES REQUESTED: The applicant is requesting a variance from the subdivision regulations to not construct a road stub to the west due to steep topography on the Margaret F. Scott Property.

VAR. STAFF RECOMMENDATION: Approval

IV. SUBDIVISIONS (CONT.):

CASE NUMBER: MP - 14 - 2013 APPLICANT: Darrell A. Williams

REQUEST: Replat Approval of REPLAT OF CHEROKEE BLUFF LOT 1 AND OPEN AREA

LOCATION: Immediately Southeast of the intersection of Rembrandt Drive and Briarwood Road

MAP: 078E PARCEL(S): B 001.00 & 002.00 ACREAGE: 1.67

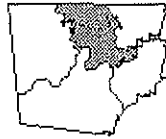
OF LOTS: 1 CIVIL DISTRICT(S): 13

STAFF RECOMMENDATION: Approval.

Mr. Harrison explained that these cases are heard on a consent agenda and if anyone would like a case heard separately to let him know. Case S-4-2013 was pulled from the consent agenda. See discussion for S-4-2013

Ms. Smithson read the cases and asked for endorsement of cases MP-85-2012, MP-2-2013, MP-6-2013, MP-10-2013 and MP-14-2013.

There being no more discussion, Mr. Powers moved to recommend approval. The motion was seconded by Mr. Grubbs and carried with Mr. Powers abstaining from MP-10-2013.



**CLARKSVILLE-MONTGOMERY COUNTY
REGIONAL PLANNING COMMISSION**

329 MAIN STREET; CLARKSVILLE TN 37040
PHONE: 931-645-7448 FAX: 931-645-7481

Magnolia Place Subdivision: Case S-4-2013

The applicant is requesting several variances to the Subdivision Regulations.

1. **Variance Request:** To allow the proposed Magnolia Court to exceed the maximum allowed cul-de-sac length of 500'. The reason for the variance request given by the applicant is due to extreme topography and the blue line stream that is located on the property. *Article VI 1. i. (2) of the Subdivision Regulations.*

Staff Recommendation: Approval

2. **Variance Request:** To not connect to the Jewel Drive ROW to the east of the proposed Subdivision. The reason for the variance request given by the applicant is due to extreme topography and the blue line stream that is located on the property. *Article VI 1. b. (1) of the Subdivision Regulations*

Staff Recommendation: Approval

3. **Variance Request:** To allow the proposed Magnolia Drive to exceed the maximum allowed block length of 1500' on its western side. The reason for the request given by the applicant is that the existing ROW (Chestnut Ridge Drive shown in yellow on the plat) is not constructed to the property line and the adjacent property owners are currently maintaining the existing unimproved ROW. Neither property owner is using it for addresses. *Article VI 1. b. (1) and Article VI 3. B. of the Subdivision Regulations.*

Staff Recommendation: Disapproval

- The applicant has failed to provide evidence supporting the variance relative to:
 1. The conditions upon which the request for the variance is based are unique to the property for which the variance is sought and are not applicable generally to other property. *Article XI Variances and Exceptions of the Subdivision Regulations*
 2. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result as distinguished from a mere inconvenience if the strict letter of these regulations are carried out. *Article XI Variances and Exceptions of the Subdivision Regulations*
- The Chestnut Ridge Drive connection to Buckeye will achieve the continuity of the street system envisioned when the street stub from Buckeye was dedicated.
- Chestnut Ridge Drive connection to Buckeye will aid in the response time for Emergency Services.
- Will help facilitate the flow of traffic internally to the Subdivision and allow further connection outside of the proposed subdivision.
- Provide the opportunity for a stop sign as a traffic calming measure for Buckeye Lane and the proposed Magnolia Drive.
- Providing connectivity would bring Buckeye Lane into conformance for block length.

V. SITE REVIEWS AND/OR ABANDONMENTS:

CASE NUMBER: AB - 2 - 2013 APPLICANT: CRC HOMES

DEVELOPMENT: DEWBERRY ROAD (PORTION)

PROPOSED USE: ABANDONMENT

LOCATION: SOUTHEAST OF ARMSTRONG DR., WEST OF RED FOX TRAIL

MAP: 029-O-A. S OF 1.00:29-O-B. N OF ACREAGE: N/a

CIVIL DIST.:

STAFF RECOMMENDATION: WITHDRAWN

Ms. Russell stated that this case had been withdrawn by the applicant several days ago.

V. SITE REVIEWS AND/OR ABANDONMENTS:

CASE NUMBER: SR - 7 - 2013 APPLICANT: MAIN STREET INVESTMENTS

DEVELOPMENT: STONE GATE CONDOS

PROPOSED USE: MULTI FAMILY

LOCATION: 745 TRACY LANE

MAP: 041 42.01 ACREAGE: 16.74

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, to include as built and upgrades to the Briarwood Pump Station.
 2. Approval of all grading and drainage plans by the City Street Department.
 3. Approval from TVA.
 4. Subdivision plat completed.
 5. Approval of a landscape plan.

Mr. Harrison explained that these cases are heard on a consent agenda and if you wanted a case heard separately to let him know at this time.

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

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

VII. PLANNING DIRECTOR'S REPORT:

A. BUDGET REPORT: Dr. Ripple stated that budget information was distributed in the commissioner's packets. There being no discussion, Mr. Hadley moved to recommend approval. The motion was seconded by Mr. Powers and carried unanimously.

B. ROAD NAME CHANGE - Portion of AMBLESIDE DRIVE TO "AMBLESIDE COURT": Ms. Russell stated the change is needed due to confusion with 911 services and postal service. There being no more discussion, Mr. Grubbs moved to recommend approval. The motion was seconded by Mr. Kelly and carried unanimously.

C. ROAD NAME CHANGE - DUNCAN STREET TO "A STREET COURT" : Ms. Russell explained that the reason for changing the name is for 911 purposes There being no more discussion, Mr. Kelly moved to recommend approval. The motion was seconded by Mr. Grubbs and carried unanimously.

D. MAYOR'S DESIGN REVIEW TASK FORCE: Dr. Ripple stated that the first meeting was February 5, 2013 and the next scheduled meeting is March 12, 2013 to discuss design review oversight. The meetings will be the first Tuesday of the month.

E. MAYOR'S ACCESS MANAGEMENT ORDINANCE TASK FORCE: Dr. Ripple stated that Mr. David Smith of DBS is the Chair, and Mr. Richard Swift and Dr. Ripple are members of the Task Force.

F. NEXT YEAR'S BUDGET: Dr. Ripple stated that the budget process has begun and one item added will be outside attorney's fees. The Executive Committee needs to review the budget before it is forwarded to Planning Commission for their approval in March. The Regional Planning Commission could appoint an ad hoc committee to review the budget. Mr. Harrison stated that if the Planning Commission thinks there is need for an ad hoc committee to let him know and he will appoint one. There being no response from the commissioners, no committee was formed.

VII. ADJOURNMENT:

The meeting was adjourned at 3:10 p.m.

ATTEST:

MICHAEL HARRISON, CHAIR