

CLARKSVILLE-MONTGOMERY COUNTY  
REGIONAL PLANNING COMMISSION

- MINUTES -

DRAFT

February 27, 2019

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
- Richard Garrett
- Wade Hadley
- Mark Kelly
- Bill Kimbrough
- Larry Rocconi
- Amanda Walker

OTHERS PRESENT:

- Director of Planning, Jeff Tyndall
- 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
- Sonny Emmert, RPC GIS Planner
- Judy Burkhart, RPC Office Manager / Angela Latta, RPC Admin. Support Clerk
- Kristin Costanzo, Long Range/Special Projects Planner
- Garth Branch, City Engineer's Office
- Greg Stewart/Patrick Chesney, 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/David Roan, County Zoning Enforcement Office
- Mike Roberts/Ray Williams/Ricky Cumberland, Clarksville Fire Department
- Chris Brown, Ft. Campbell

II. APPROVAL OF MINUTES OF MEETING OF 1/30/2019

Mr. Swift asked for a motion for approval of the minutes of January 30, 2019. Mr. Rocconi moved to recommend approval. The motion was seconded by Mr. Garrett and carried unanimously.

III: ANNOUNCEMENTS/DEFERRALS

Mr. Tyndall stated that case number Z-2-2019 had been withdrawn by the applicant and required no board action.

Mr. Tyndall stated that case number S-10-2019 no longer needed a variance and could be handled at staff level so was removed from the agenda.

Mr. Tyndall announced the deferrals which which included cases S-17-2018, S-86-2018, and S-7-2019. There being no more discussion, Mr. Kimbrough moved to recommend approval. The motion was seconded by Mr. Adkins and carried unanimously.

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

CASE NUMBER Z - 4 - 2019 APPLICANT(S): William Belew

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

LOCATION: Property fronting on the west frontage of Needmore Rd. 2,665 +/- feet south of the Needmore Rd. & E. Boy Scout Rd. intersection.

TAX MAP(S): 031.00 PARCEL(S): 008.00 ACREAGE: 231.2 CIVIL DISTRICT(S): 2

REASON FOR REQUEST: To allow for the parcel to be divided into 3 tracts using the Needmore Road Frontage

Mr. Spainhoward read the case and gave the Staff recommendation for approval. The proposed zoning request is consistent with the adopted Land Use Plan. If the property is developed at the typical yield of R-1 Single Family developments the developer will be required to make infrastructure improvements to include but not limited potential right of way and water and sewer upgrades prior to subdivision approval. The R-1 Single-Family zoning request is not out of character with the other residential districts in the area. He stated that we had received this zoning application because the minimum road frontage to divide property in AG is 50 foot of frontage and they only have 90 foot. In order to get 3 tracts the R-1 zoning classification is the next classification that requires 25 foot of frontage.

Mr. Spainhoward stated that under department comments, there is no sewer available. He stated that the Street Department did request a traffic assessment and there is a representative available to answer questions. The School System commented that West Creek Elementary is currently 101% capacity and West Creek Middle is currently at 110% capacity. West Creek Elementary has 4 portable classrooms and West Creek Middl has 7 portable classrooms. This continued student growth necessitates action to address building capacity and bus needs in the fastest growing region in Montgomery County. NOTE: The vacant land falls within West Creek school zone. No assumptions should be made on school zone based on proximity to vacant land.

Mr. Spainhoward stated that this has City water and street accessibility would be from Needmore Road. He stated that the property has steep topography and flood plain encumbrances and the maximum development potential at R-1 is estimated to be 228. Historically without the encumbrances it would be estimated to be 443. He stated that this is in the Trenton Road Planning Area. He stated that as of 9:30 this morning there were no public comments received in reference to this case.

Mr. Cal McKay stated that he was here on behalf of Mr. Belew and available to answer any questions.

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

There being no more discussion, Mr. Rocconi moved to recommend approval based on consistency with the adopted Land Use Plan. The motion was seconded by Mr. Garrett and carried unanimously.

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**IV. CITY & COUNTY ZONING CASES:**

CASE NUMBER CZ - 1 - 2019 APPLICANT(S): Leonard And Debra Schultz

REQUEST: AG Agricultural District  
to E-1 Single-Family Estate District

LOCATION: Property fronting on the south frontage of N. Hinton Rd. 4,300+/- feet east of the N. Hinton Rd. & Erwin Rd. intersection.

TAX MAP(S): 129 PARCEL(S): 019.01 ACREAGE: 1.2 CIVIL DISTRICT(S): 14

REASON FOR REQUEST: Would like to put in double wide.

Mr. Spainhoward read the case and gave the Staff recommendation for approval. The proposed zoning request is consistent with the adopted Land Use Plan. The E-1 Single-Family zoning request is not out of character with the other residential properties in the area. The E-1 Single-Family request will bring an existing 1.2 acre parcel into conformance with the Montgomery County Zoning Resolution. He stated that it is a current home site and the applicant's statement is to install a doublewide. He stated that there were no departmental comments of any concern. He stated that this is on North Hinton Road and is currently served by utilities and existing septic system. He stated that historical estimates are for one lot, which currently exists. He stated that this is in the Sango Planning Area. He stated that as 9:30 this morning, there were no public comments received. He stated that he did receive a question from an adjoining property owner who had received a letter and they expressed no concern.

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

There being no more discussion, Mr. Hadley moved to recommend approval based on consistency with the adopted Land Use Plan. The motion was seconded by Mr. Powers and carried unanimously.

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PLANNING COMMISSION ACTIONS: Mr. Parker stated that subdivision cases are heard on a consent agenda unless someone would like to have a case removed to discuss separately. He stated that the Staff would like to remove case S-6 -2019 from the consent agenda (see that case for discussion and action). Mr. Parker read the remaining cases on the consent agenda and gave the Staff recommendations for approval. There being no more discussion, Mr. Garrett moved to recommend approval. The motion was seconded by Mr. Rocconi and carried unanimously.  
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V. SUBDIVISIONS:

CASE NUMBER: S - 17 - 2018      APPLICANT: J & N Enterprises  
REQUEST: Preliminary Plat Approval of RIDGELAND ESTATES, SECTION 3 (CLUSTER)  
LOCATION: North of and adjacent to Dover Road, east of North Liberty Church Road and southeast of the current southern terminus of Cameo Court.  
MAP: 053 PARCEL(S): 010.04    ACREAGE: 33.31  
# OF LOTS: 124    CIVIL DISTRICT(S): 8  
STAFF RECOMMENDATION: DEFER FOR 30 DAYS AT THE REQUEST OF THE PROJECT ENGINEER

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CASE NUMBER: S - 86 - 2018      APPLICANT: MCCALL CONTRACTING FIRM, INC.  
REQUEST: Final Plat Approval of POPLAR HILLS SECTION 7  
LOCATION: East of Miller Road, west of Mcadoo Creek Road, at the southeast terminus of Dabney Lane.  
MAP: 087 PARCEL(S): 095.02    ACREAGE: 5.97  
# OF LOTS: 10    CIVIL DISTRICT(S): 15  
STAFF RECOMMENDATION: DEFER FOR 30 DAYS AT THE REQUEST OF THE PROJECT ENGINEER

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CASE NUMBER: S - 3 - 2019      APPLICANT: REDA HOME BUILDERS, INC.  
REQUEST: Replat Approval of REPLAT FIELDS OF NORTHMEADE SECTION 1A LOT 158  
LOCATION: 3486 Southwood Drive  
MAP: 007 H PARCEL(S): C 026.00    ACREAGE: 0.417  
# OF LOTS: 1    CIVIL DISTRICT(S): 3  
STAFF RECOMMENDATION: FINAL REPLAT APPROVAL

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V. SUBDIVISIONS (CONT.):

CASE NUMBER: S - 6 - 2019      APPLICANT: Tommy Byard

REQUEST: Final/replat Approval of REPLAT OF CHARLESTOWN ESTATES LOT 15 AND PORTION OF LOT 30 AND FINAL PLAT OF CHARLESTOWN ESTATES SECTION 5 LOT 30A

LOCATION: 2217 Charlestown Road

MAP: 057B PARCEL(S): B 015.00 & 029.01 ACREAGE: 1.07

# OF LOTS: 2 CIVIL DISTRICT(S): 6

STAFF RECOMMENDATION: REPLAT AND FINAL PLAT APPROVAL

VARIANCES REQUESTED: The applicant is requesting two (2) variances from the Subdivision Regulations.

1. Section 4.8.3 Subsection 3.C. and is to allow the front Public Utility and Drainage Easement (PUDE) along all right-of-ways to be reduced from the minimum required twenty-feet (20') to five feet (5').

2. Section 6.2.3 Subsection 2 of the Subdivision Regulations to allow an offsite septic easement for Lot 15 on the proposed Lot 30A.

See the file or the Planning Commission Packet for the full request.

VAR. STAFF RECOMMENDATION:

Mr. Parker read the first variance request.

Mr. Greg Walker stated that they are trying to make this lot a useable lot. He stated that they have been waiting for sewer but it does not appear it is going to be available in the near future.

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

Mr. Kimbrough asked if Mr. Chesney was okay with this variance. Mr. Chesney responded, when asked this question, that he was okay with the proposal. Mr. Parker stated that when it was moved to 15 from the originally requested 5 that Gas and Water stated that they supported the request.

There being no more discussion, Mr. Rocconi moved to recommend approval of the variance request. The motion was seconded by Mr. Kimbrough and carried unanimously.

Mr. Parker read the second variance request.

There was no one present to speak in favor of or in opposition of this variance request.

There being no more discussion, Mr. Hadley moved to recommend approval of this variance request. The motion was seconded by Mr. Rocconi and carried unanimously.

Mr. Parker read the case and gave the Staff recommendation for approval.

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

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V. SUBDIVISIONS (CONT.):

CASE NUMBER: S - 7 - 2019 APPLICANT: COURTNEY M CAUDILL, ETAL  
REQUEST: Final Plat Approval of RINGGOLD ESTATES SECTION 5A (ORDINANCE 69  
-2004-05)

LOCATION: South of Tiny Town Road, north of 101st Airborne Division Parkway, northwest of Peachers Mill Road, east terminus of Ishee Drive.

MAP: 030 PARCEL(S): 011.00 (P) ACREAGE: 9.35

# OF LOTS: 32 CIVIL DISTRICT(S): 3

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

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CASE NUMBER: S - 8 - 2019 APPLICANT: c. blackwell Construction  
REQUEST: Preliminary Plat Approval of FOX CROSSING SECTION 4 (CLUSTER)

LOCATION: North of Tylertown Road, south of the State Line, west of Rowe Lane, east of and adjacent to the terminus of Swift Fox Drive.

MAP: 009 PARCEL(S): 002.07 (portion) & 002.08 ACREAGE: 17.15

# OF LOTS: 51 CIVIL DISTRICT(S): 2

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.

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CASE NUMBER: S - 9 - 2019 APPLICANT: LUKE BAGGETT  
REQUEST: Preliminary Plat Approval of CHARLOTTE STREET LOTS

LOCATION: West of Cumberland Drive, south of Crossland Drive, west of and adjacent to Charlotte Street, approximately 210' southeast of the intersection of Current Street and Charlotte Street.

MAP: 079b PARCEL(S): A 028.00 ACREAGE: 0.62

# OF LOTS: 5 CIVIL DISTRICT(S): 12

STAFF RECOMMENDATION: FINAL PLAT APPROVAL BY MINOR PLAT PROVISIONS

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PLANNING COMMISSION ACTIONS: Ms. Russell explained that site reviews are heard on a consent agenda. Cases SR-5-2019 and SR-7-2019 were pulled from the consent agenda (see those cases for discussion and action).

Ms. Russell gave the staff reports.

Ms. Russell stated that a public comment was received after the deadline on case SR-6-2019 from a Ms. Delilah Holland who stated that she has big concerns about drainage and water coming onto her property. Was not happy that apartments were being built, would rather it be single family houses. Ms. Russell stated that Houston is aware of the drainage problems and that they are working to help alleviate that with this site plan.

There being no more discussion, Mr. Kimbrough moved to recommend approval. The motion was seconded by Mr. Garrett and carried with Mr. Rocconi abstaining from case SR-6-2019.

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**VI. SITE REVIEWS AND/OR ABANDONMENTS:**

CASE NUMBER: SR -4 -2019 APPLICANT: C & H PROPERTIES

Agent: Dan Newbill

DEVELOPMENT: SUDDEN SERVICE # 75

PROPOSED USE: CONVENIENCE STORE

LOCATION: 1550 HANKOOK RD

MAP: 057, 018.00 & 019.00 ACREAGE: 2.97

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.
  2. Approval of all grading and drainage plans by the County Building and Codes Department.
  3. Approval from the City Traffic Engineer.
  4. Approval of a landscape plan.
  5. Subdivision/minor plat completed.
  6. Approval from TDOT.

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**VI. SITE REVIEWS AND/OR ABANDONMENTS (CONT.):**

CASE NUMBER: SR - 5 - 2019 APPLICANT: LOAVES & FISHES

Agent: Cal Burchett

DEVELOPMENT: LOAVES & FISHES

PROPOSED USE: SOUP KITCHEN

LOCATION: 623 MARTIN STREET

MAP: 066K-K-030.01 & 033.00 ACREAGE: 5.47

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 to include as built.
  2. Approval of all grading and drainage plans by the City Street Department.
  3. Approval from the City Traffic Engineer.
  4. Approval of a landscape plan.
  5. Combination of parcels required by plat or by survey.

Ms. Russell read the case and gave the Staff recommendation for approval.

Mr. Cal Burchett stated that he is here to answer any questions and that Mr. Gary Norris is also here to represent Loaves and Fishes.

Mr. Gary Norris stated that he was available to answer any questions.

Mr. Billy Womble, 631 Martin Street, stated that he and his neighbors have been against this coming into their neighborhood. He stated that they were hoping that the City Zoning Ordinances would protect them. He stated that the City Zoning Ordinance on page 119 talks about a soup kitchen, which is what Loaves and Fishes is. He stated that it says no soup kitchen shall be permitted within 300 feet measured near property line to near property line of a licensed child daycare facility or any preschool or school. He stated that there is an alternative school close to it. He stated that it goes on to state that with the exception of the Central Business District no soup kitchen shall be located within 1000 feet measured from near property line to near property line of any zoning district where residential uses are permitted. He stated that it is right next to residential areas and it is not in the Central Business District. He stated that the City allowing this to happen is breaking their own Zoning Ordinance and he feels this should not be permitted.

Mr. Tyndall stated that he would like to allow John Spainhoward, the Zoning Administrator for the Planning Commission, to answer that question.

Mr. Spainhoward stated that he does not have a copy of the Zoning Ordinance in front of him but he believes the section that Mr. Womble read is under permitted with conditions and that this use is a use by right in the Institutional Civic District. He stated that the section that Mr. Womble quoted is a different section of the Ordinance that does not apply to Institutional Civic District.

There being no more discussion, Mr. Powers moved to recommend approval. The motion was seconded by Mr. Hadley and carried with Mr. Rocconi abstaining.

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**VI. SITE REVIEWS AND/OR ABANDONMENTS (CONT.):**

CASE NUMBER: SR -6 -2019 APPLICANT: TODD MORRIS

Agent: Houston Smith

DEVELOPMENT: NORTH PARK PHASE II

PROPOSED USE: MULTI-FAMILY

LOCATION: 495 RINGGOLD ROAD

MAP: 030,010.11 ACREAGE: 6.45

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 to include as built.
  2. Approval of all grading and drainage plans by the City Street Department.
  3. Subdivision/alley dedication completed.
  4. Approval of a landscape plan.

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**VI. SITE REVIEWS AND/OR ABANDONMENTS:**

CASE NUMBER: SR - 7 - 2019 APPLICANT: OLDCASTLE APG SOUTH, INC.

Agent: Matt Suiter

DEVELOPMENT: OLD CASTLE

PROPOSED USE: BLOCK PREPARATION/WAREHOUSE

LOCATION: 4235 GUTHRIE HWY

MAP: 015,041.01 ACREAGE: 13.80

CIVIL DIST.: 1

**STAFF RECOMMENDATION: APPROVAL, NO CONDITIONS**

Ms. Russell read the case and gave the Staff recommendation for approval.

Mr. James Baker, 188 Hampton Station Road, stated that he is here also on behalf of Mr. and Mrs. Douglas who live at 126 Hampton Station Road, and Mr. and Mrs. Shaw who live at 110 Hampton Station Road. Mr. Baker stated that there is a severe storm water drainage issue with that Old Castle property. He stated that storm water floods nearly an entire third of his property. He stated that it has caused substantial damage to the property at 126 Hampton Station Road and makes it impossible for his neighbor at 110 Hampton Station Road to access his shed, even after a moderate rain. He stated that the flooding is caused by negligent storm water discharge through a culvert on the northeast edge of Old Castle's property. He stated that this has caused tremendous erosion.

Mr. Baker stated that he had made contact with an individual from Old Castle who had met he and his neighbor from 110 Hampton Station and they walked through the area and he had explained the situation to him. He stated that they made some effort to correct the problem but their efforts actually made things worse. He stated that it has slowed the rate at which the water flows through the culvert but it causes the water to continue flowing for a much longer period of time. He stated that the last improvement they made to the property was a very large concrete pad which he believes has increased the amount of flooding. He stated that he opposes any and all improvements to Old Castle's property unless and until the storm water drainage and subsequent flooding issues are corrected.

Mr. Swift asked Ms. Russell if she could address this. She stated that Mr. Doss was not here but that he had stated that based upon the criteria a grading and drainage plan would not be required for this. Mr. Powers stated that the site plan shows zero square foot of additional impervious area.

Mr. Tyndall asked if this was one of those sites that had been developed over time, in small increments, and if it had all come in at one time originally, would require a storm water system. Ms. Russell stated that it would. Mr. Tyndall stated that Mr. Baker could perhaps speak with John Doss. Mr. Baker stated that he had been in contact with Mr. Doss and Mr. Streeter over the last several years. He stated that he had also been in contact with Mr. Garland, his County Commissioner. He stated that their solution was for him to hire an engineer.

Mr. Powers stated that it seems to him that Mr. Baker may have a legitimate concern with the existing condition but he thinks that this building going on compacted parking lot is not going to contribute an additional amount. He stated that he would encourage Mr. Baker to proceed however he needs to in order to remedy the current problem.

Mr. Garrett asked if this was anything this body could make a recommendation on a condition for. Mr. Tyndall stated that this was correct and that the plan had been sent off to John Doss, the County Storm Water Coordinator, and his comments came back that none is required at this time.

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## **VII. PLANNING DIRECTOR'S REPORT:**

Mr. Tyndall stated that he would like to give Mr. Spainhoward a moment to clarify a comment he had made earlier about the Loaves and Fishes Case.

Mr. Spainhoward stated that he had previously stated that it was permitted with conditions. He stated that it is actually permitted on review with those conditions. He stated that it is a use permitted by right Institutional Civic District and those conditions Mr. Womble read were being pulled from conditions from a separate section of the Ordinance.

A. MONTHLY PROFIT AND LOSS STATEMENT/B. YEAR TO DATE BUDGET TO ACTUAL: Mr. Tyndall read the monthly profit and loss statement and the year to date July through January. He stated that we received one of our payments from TDOT which put us back in the black for the fiscal year.

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

C. OTHER BUSINESS: Mr. Tyndall stated that we have launched a social media web page on Facebook for the Planning Commission. He stated that this month we have just put our agenda on it and put up a couple of pictures. He stated that we developed a social media policy for the department to follow and we are going to keep it strictly business for the most part. He stated that it will be used primarily for putting out agendas and important meeting dates.

## **VII. ADJOURNMENT:**

The meeting was adjourned at 2:47 p.m.

**ATTEST:**

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**Richard Swift, CHAIR**