

CLARKSVILLE-MONTGOMERY COUNTY
REGIONAL PLANNING COMMISSION

- MINUTES -

DRAFT

May 25, 2016

2:00 P.M.

PLANNING COMMISSION MEETING ROOM
329 MAIN STREET

I. CALL TO ORDER/QUORUM CHECK:

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

MEMBERS PRESENT:

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

OTHERS PRESENT:

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

II. APPROVAL OF MINUTES OF MEETING OF 4/27/16

Mr. Swift asked for a motion for approval of the minutes of April 27, 2016. Mr. Kelly moved to recommend approval. The motion was seconded by Mr. Nichols and carried unanimously.

III: ANNOUNCEMENTS/DEFERRALS

Dr. Ripple stated that the project engineer has requested a 30-day deferral of case S-29-2016 and the applicant has requested a 30-day deferral of case S-31-2016. Mr. Mike Frost, as superintendent of the County Highway Department and the applicant, has withdrawn case AB-1-2016 due to fire hydrant and water shut off valve relocation costs. There being no more discussion, Ms. Rudolph moved to recommend approval of these deferrals. The motion was seconded by Mr. Kelly and carried unanimously.

Dr. Ripple stated that the applicants have requested a 30-day deferral of CZ-5-2016, and CZ-8-2016. (Since these requests were received in the automatic deferral time frame, no public hearing and no RPC Board action are required.)

IV. CITY & COUNTY ZONING CASES:

CASE NUMBER Z - 11 - 2016 APPLICANT(S): Wanda Morrison

Agent: Mark Holleman

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

LOCATION: Property located north of Dover Rd., east of Paula Dr., west of Aurelia Lynn Dr.

TAX MAP(S): 54-G-C PARCEL(S): 10.00 ACREAGE: 4.25 CIVIL DISTRICT(S): 7th

REASON FOR REQUEST:

Mr. Clemmons stated that this case had been referred back to the Planning Commission by the City Council at the request of the applicant to reduce the area of the rezoning. He then read the case and gave the staff recommendation for approval. The proposed zoning request is consistent with the Growth Plan (as in the City) and adopted Land Use Plan. Adequate infrastructure services the site. No adverse environmental issues were identified relative to this request. Property has frontage onto Highway 79/Dover Road and has two other frontages along secondary City Streets. The property lends itself to commercial along the Dover Road frontage and possible mixed use residential to the rear. Type C landscape buffer required for C-2 abutting R-1. Vehicle Use areas adjacent to public streets require landscape strip. Mr. Clemmons stated there were no public comments received regarding this case.

Mr. Mark Holleman, agent, stated that this case was approved at last month's meeting, but the applicant has reduced the area of the C-2 request leaving an R-1 buffer to accommodate the adjacent subdivision owners who had concerns regarding the C-2 zoning.

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

There being no more discussion, Mr. Kelly moved to recommend approval based on the Growth Plan and that the property lends itself to commercial on Dover Road. The motion was seconded by Mr. Nichols and carried unanimously.

CASE NUMBER Z - 14 - 2016 APPLICANT(S): Roger & Karlynn Hillman

Agent: Christian Black

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

LOCATION: Property fronting on the south frontage of Union Hall Rd. 150+/- feet west of the Union Hall Rd. & Russell Dr. intersection.

TAX MAP(S): 41-C-A PARCEL(S): 1.04 ACREAGE: 2.04 CIVIL DISTRICT(S): 6th

REASON FOR REQUEST: For multi-family development in conformance with similar multi-family developments in close proximity

Mr. Clemmons 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. Provides an opportunity for in-fill development which is encouraged by the adopted Growth Plan to help keep development more compact and better utilize existing infrastructure. Adequate infrastructure serves the site. No adverse environmental issues were identified relative to this request. Type B landscape buffer required for R-4 abutting R-1. There were no public comments received regarding this case.

Mr. Syd Hedrick, agent, stated that there is R-4 zoning nearby (citing Needmore Place and the Paddock) and this lends itself to multi-family zoning as a buffer to the industrial area north of Needmore Road.

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

There being no more discussion, Mr. Hadley moved to recommend approval based on providing an opportunity for infill development. The motion was seconded by Ms. Rudolph and carried with Mr. Powers abstaining from the vote.

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

CASE NUMBER CZ - 5 - 2016 APPLICANT(S): Robert Brown
Virgil Brown

Agent: Houston Smith (D B S & Assoc)

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

LOCATION: Property on the west ROW frontage of Ashland City Rd., 400 +/- feet north of the Ashland City Rd. & South Ridge Trail. intersection, also located at the termini of Scarbrough Dr. & Grand Forest Ln.

TAX MAP(S): 103 PARCEL(S): 12.00 & 12.03 ACREAGE: 53 +/- CIVIL DISTRICT(S): 15th

REASON FOR REQUEST: In order to conform with surrounding property zoning and density for future development.

The case was deferred by the applicant.

CASE NUMBER CZ - 8 - 2016 APPLICANT(S): Connie Hassell

Agent: Houston Smith (D B S)

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

LOCATION: Property on the west ROW frontage of Ashland City Rd., 650 +/- feet north of the Ashland City Rd. & South Ridge Trail. intersection.

TAX MAP(S): 103 PARCEL(S): 15.00 ACREAGE: 7.93 CIVIL DISTRICT(S): 15th

REASON FOR REQUEST: In order to conform with surrounding property zoning and density for future development.

This case was deferred by the applicant.

CASE NUMBER CZ - 9 - 2016 APPLICANT(S): Erle Butts

Agent: Chris Blackwell

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

LOCATION: at the northwest corner of the Dover Rd. & Butts Dr. intersection.

TAX MAP(S): 53 PARCEL(S): 6.01 p/o ACREAGE: 0.49 CIVIL DISTRICT(S): 8th

REASON FOR REQUEST: To conform with the zoning of the adjoining property and to allow for commercial development.

Mr. Clemmons 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. C-5 zoning is a Highway and Arterial Commercial District and this property is a corner lot with frontage on (Arterial Highway) US Highway 79/Dover Road and is an extension of the C-5 zoning to the east and west. Adequate infrastructure serves the site. No adverse environmental issues were identified relative to this request. Ft. Campbell planners will provide input relative to the site development. There were no public comments received regarding this case.

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

There being no more discussion, Mr. Kelly moved to recommend approval as the property meets the definition of a C-5 commercial use. The motion was seconded by Mr. Powers and carried unanimously.

V. SUBDIVISIONS:

CASE NUMBER: S - 13 - 2016 APPLICANT: Shannon Keen
 REQUEST: Preliminary/replat Approval of GRANNY'S ATTIC INC. PROPERTY AND REPLAT OF CUMBERLAND MEADOWS SECTION I I BLOCK C LOTS 1-7, 15-20, & 27-30
 LOCATION: East side of Fort Campbell Boulevard, north of Collier Road, west of Robert Avenue, and south of Wallace Boulevard.
 MAP: 020D PARCEL(S): A 009.00, 011.00, 014.00 ACREAGE: 5.081
 # OF LOTS: 3 CIVIL DISTRICT(S): 3
 STAFF RECOMMENDATION: Final Plat/Replat Approval

CASE NUMBER: S - 26 - 2016 APPLICANT: Wildwood Partners
 REQUEST: Replat Approval of REPLAT OF PERIMETER PARK LOTS 5-7
 LOCATION: 200 & 204 Harnett Court and 2284 Raleigh Court
 MAP: 041E PARCEL(S): C 037.00, 038.00, 039.00 ACREAGE: 1.729
 # OF LOTS: 3 CIVIL DISTRICT(S): 6
 STAFF RECOMMENDATION: Final Replat Approval

CASE NUMBER: S - 27 - 2016 APPLICANT: Jeff Burkhart Custom Properties
 REQUEST: Final Plat Approval of THE GROVES AT HEARTHSTONE SECTION 1B CLUSTER (PREVIOUSLY THE TERRACES OF HEARTHSTONE)
 LOCATION: Current terminus of Terraceside Circle
 MAP: 016 PARCEL(S): 020.11 ACREAGE: .50
 # OF LOTS: 2 CIVIL DISTRICT(S): 2
 STAFF RECOMMENDATION: Final Plat Approval

CASE NUMBER: S - 28 - 2016 APPLICANT: Eagles Bluff Partnership
 REQUEST: Final Plat Approval of EAGLES BLUFF SECTION 2A (CLUSTER)
 LOCATION: East of Trenton Road at the current southern terminus of Talon Hills Drive
 MAP: 017 PARCEL(S): 049.00 ACREAGE: 5.51
 # OF LOTS: 20 CIVIL DISTRICT(S): 2
 STAFF RECOMMENDATION: Final Plat Approval

V. SUBDIVISIONS (CONT.):

CASE NUMBER: S - 29 - 2016 APPLICANT: Hartley Hills
REQUEST: Final Plat Approval of HARTLEY HILLS SECTION 1A
LOCATION: Western terminus of Boyer Boulevard
MAP: 033 PARCEL(S): 011.00 ACREAGE: 18.33
OF LOTS: 31 CIVIL DISTRICT(S): 6
STAFF RECOMMENDATION: Defer for 30 days at the request of the Project Engineer.

CASE NUMBER: S - 30 - 2016 APPLICANT: Beachgrove
REQUEST: Final Plat Approval of THE GROVES OF BEACHAVEN
LOCATION: North side of Dunlop Lane east of Steelstock Road and west of Rollow Lane
MAP: 020 PARCEL(S): 053.00 ACREAGE: 20.00
OF LOTS: 53 CIVIL DISTRICT(S): 6
STAFF RECOMMENDATION: Final Plat Approval.

CASE NUMBER: S - 31 - 2016 APPLICANT: Ronnie Goad
REQUEST: Preliminary Plat Approval of BELLSHIRE SECTION E
LOCATION: North side of Wilson Road, south of Bellshire Drive, approximately 1,090' east of the intersection of the Coyote Court and Wilson Road intersection.
MAP: 081 PARCEL(S): 044 ACREAGE: 10.38
OF LOTS: 34 CIVIL DISTRICT(S): 11
STAFF RECOMMENDATION: Defer for 30 days.

V. SUBDIVISIONS (CONT.):

CASE NUMBER: S - 32 - 2016 APPLICANT: David Welch

REQUEST: Replat Approval of REPLAT OF WELCHTREE SECTION 2A LOTS 55 & 56

LOCATION: 1591 Clay Hills and 4005 Legacy Drive

MAP: 109M PARCEL(S): C 006.00& 007.00 ACREAGE: 1.45

OF LOTS: 2 CIVIL DISTRICT(S): 10

STAFF RECOMMENDATION: DISAPPROVAL

1. Section 6.3.(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 unity it will serve."
2. The septic system on Lot 55 may also fail if a house is built on this lot and there may not be sufficient area remaining for a secondary field.

** 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 a offsite septic system for Lot 56 to be placed on Lot 55. The reason give by the applicant is that he has put in two systems that have failed on Lot 56 and that Groundwater Protection has no problem with approving SSDS area on other lots in this situation.

VAR. STAFF RECOMMENDATION: Disapproval

Pulled from the consent agenda, Mr. Parker read the case and gave the staff recommendation for disapproval stating that the subdivision regulations do not allow off-site septic systems and that there was no assurance the off-site septic field would work given two on site septic fields have already failed. He stated there was a revision of the septic area for Lot 55 since the RPC Informal meeting that shows where a home may now be built on Lot 55.

Mr. Danell Welch, applicant, stated that he built the home on Lot 56 and followed the rules. He had the soil tested and Tennessee Groundwater signed off on the plans, but ultimately both septic systems failed on Lot 56 in about one and a half years. The first field failed in six months and then the second field on Lot 56 failed about 12 months later. He noted that off -ite septic fields were allowed for preliminary subdivisions approved prior to November 22, 2005, and that the preliminary plat for Welchtree Section 2 was approved January 26, 2005. He stated that this was a unique hardship situation, and placing a third septic field for Lot 56 on Lot 55 was their solution.

Mr. Hadley asked if Lot 55 has a secondary septic field on it and if any other on-site septic system had failed in the Welchtree Subdivision? Mr. Danell Welch said that Lot 55 would have a primary and secondary field for any home on Lot 55 and that this was the second septic system to fail in the subdivision.

Next, Mr. Powers asked what would happen if a house is built on Lot 55 and there were septic issues with the home on Lot 55 as well as the field on Lot 55 for Lot 56?. Mr. Danell Welch stted that the would let Lot 55 set for a year or so to make sure the septic field worked for the house on Lot 56.

Mr. Powers asked if Tennessee Groundwater Division was good with the septic aareas on Lot 55 for homes on both Lots 55 and 56? Mr. Danell Welch said yes. Mr. Powers then asked if all the area was gone on Lot 56 for septic fields? Mr. Danell Welch said yes.

Mr. Kelly asked what would happen if the septic field on Lot 55 for the home on Lot 56 failed. Mr. Danell welch said that, if the septic field failed on Lot 55, they would bore under the road to vacant Lots 54 or 81. Mr. Danell Welch stated he would keep the lot for a while and see what happens.

Mr. David Welch, applicant, stated that he developed the property and his son, Danell Welch, built the houses. He asked for help with this matter so he could resolve issues with the property owner. He stated that they had done what they were suppose to do through Tennessee Groundwater Protection, but were close to a law suit by the owner of Lot 56. When it rained this spring the septic field on Lot 56 failed. He approached the owner of Lot 31 to the north, but the Lot 31 owner would not accept payment for a septic easement for Lot 56.

Mr. Nichols asked if Mr. David Welch could wait to build on Lot 55 for proof that the septic field for the home on Lot 56 would operate properly? Mr. David Welch said yes.

V. SUBDIVISIONS (CONT.):

Mr. David Welch further explained that the septic field for the home on Lot 56 would be a high density lateral field out the south end of Lot 55.

Ms. Rudooph asked about soil suitability for a septic field on Lot 55 compared to Lot 56. Mr. David Welch responded that Tennessee Groundwater Protection had examined the soils on Lot 55 and had found the soils suitable for the proposed septic fields.

Mr. Brad Parker noted that off-site septic fields were allowed for preliminary subdivisions prior to November 22, 2005; however, Lots 55 and 56 were not grandfathered under this exception because they were not originally platted with off-site septic systems.

Mr. Nichols asked if a plat variance could be approved with the condition in writing that Lot 55 be held off of market until there were assurances the field serving Lot 56 was properly working. Mr. David Welch said he was willing to hold Lot 55 off the market. However, Mr. Parker noted that final replat approval cannot be conditioned.

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

There being no more discussion, Mr. Powers moved to recommend approval with the variance request. He asked that Mr. David Welch keep the commitment to hold Lot 55 off the market for one to one and a half years. Dr. Ripple said that previous oral statements by Mr. David Welch at this public forum were sufficient and a written statement was not necessary because of final replat approval cannot be conditioned. The motion was seconded by Mr. Hadley and

CASE NUMBER: S - 33 - 2016 APPLICANT: Thom Spigner

REQUEST: Preliminary Plat Approval of SUNNY VIEW ACRES

LOCATION: West of and adjacent to Gip Manning Road approximately 150' south of the intersection Gip Manning and Manning Gate Lane. East of and adjacent to Dotsonville Road approximately 1,425

MAP: 077 PARCEL(S): 090.00 ACREAGE: 49.26

OF LOTS: 26 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 is requesting a variance to Section 4.3(2) of the Subdivision regulations to allow a block length that is in excess of 1500'. The developer is to replace the originally abandoned Smith Road. The reason given by the applicant is that the topography of the property and lack of potential development of the adjacent properties makes interconnectivity expensive, difficult and very unlikely. The only feasible option for this property is to connect Gip Manning directly into Dotsonville Road. Intermediate turnarounds will be installed throughout the road as necessary to meet the Subdivision Regulations.

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. Mr. Parker asked to pull case S-32-2016 from the consent agenda for public comment and separate action.

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

There being no more discussion, Ms. Rudolph moved to recommend approval. The motion was seconded by Mr. Nichols and carried with Mr. Powers abstaining from voting on case S-26-2016.

VI. SITE REVIEWS AND/OR ABANDONMENTS:

CASE NUMBER: SR -20 -2016 APPLICANT: CHANDRIKA PATEL

Agent: Russell Hayes

DEVELOPMENT: C & G FOODMART

PROPOSED USE: CONVENIENCE STORE WITH GAS PUMPS

LOCATION: 901 CROSSLAND AVENUE

MAP: 066-N-F-16.00 & 17.00 ACREAGE: 0.48

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, drainage and water quality plans by the City Street Department.
 3. Approval of a landscape plan, with a reduction in width and plantings along the north property.
 4. Minor plat completed.

Pulled from the consent agenda, Ms. Russell read the case and gave the staff recommendation.

Mr. Jerry Haire, adjacent property owner, stated he wasn't in opposition to C-1 or C-2 but had concerns with his C-1 neighbor and how the property is being used and assessed.

There was no one present to speak in favor or the case.

There being no more discussion, Mr. Hadley moved to recommend approval as the site plan met all requirements. The motion was seconded by Mr. Powers and carried unanimously,.

CASE NUMBER: SR -21 -2016 APPLICANT: SERVICE KING PAINT & BODY LLC

Agent: Jimmy Bagwell

DEVELOPMENT: SERVICE KING

PROPOSED USE: AUTO BODY REPAIR

LOCATION: 1633 FT. CAMPBELL BLVD.

MAP: 043-B-A-008.00 ACREAGE: 2.20

CIVIL DIST.: 3

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

- CONDITIONS:**
1. Approval of all utility plans by the Office of the Chief Utility Engineer.
 2. Approval of all grading, drainage and water quality plans by the City Street Department.

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

CASE NUMBER: AB - 1 - 2016 APPLICANT: MONTGOMERY HIGHWAY

Agent: Mike Frost

DEVELOPMENT: MONTGOMERY COUNTY

PROPOSED USE: ABANDONMENT

LOCATION: BUTTS DRIVE (PORTION OF)

MAP: 053, N OF 6.06, E & W 6.03 ACREAGE: 0.127 +/-

CIVIL DIST.: 8

STAFF RECOMMENDATION: Withdrawn at applicant's request.

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 AB-2016 was withdrawn by the applicant and case SR-20-2016 was pulled from the consent agenda to be heard separately.

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

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

VII. PLANNING DIRECTOR'S REPORT:

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

B. BUDGET TO ACTUAL (1ST 10 MONTHS): Dr. Ripple stated that the 10-month intake of moneys exceeded the budget forecast (on page 3) and that the expenditures year-to-date were below the budget (on page 5). There being no more discussion, Mr. Kelly moved to recommend approval. The motion was seconded by Ms. Rudolph and carried unanimously.

C. ANNEXATION PLAN OF SERVICES (A-1-2016): Dr. Ripple stated that the property owners have made this request to annex their property located at Rossvie Road and I-24 containing 24 acres as set forth in the proposed annexation ordinance on page 9 and the maps on page 11. This annexation includes the right-of-way of Rossvie Road on the north property line of the subject property. A "plan of services" by the City (pages 6 thru 8) accompanies the proposed annexation. There are city sanitary sewer, water and gas lines along the north property line; is new City Fire Station No. 12 on International Boulevard within a mile of the property; and is City Police service from the North Precinct at Interstate Exit 4 down to Interstate Exit 11. The Clarksville Department of Electricity estimates about \$30,000 to provide service to the site. If the annexation is approved, there will be a six-month progress report on the Plan of Services. The application is for a service plan and recommendation to City Council to act on the Annexation request.

Mr. David Smith, agent, stated that he was present to answer any questions.

There was no one present in opposition.

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

VII. ADJOURNMENT:

The meeting was adjourned at 3:00 p.m.

ATTEST:

Richard Swift, CHAIR