

CLARKSVILLE-MONTGOMERY COUNTY
REGIONAL PLANNING COMMISSION

- MINUTES -

May 30, 2018

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
- Bill Kimbrough
- Robert Nichols
- 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 Receptionist
- Garth Branch, City Engineer's Office
- Greg Stewart/Patrick Chesney, City Gas & Water Dept.
- David Shepherd, City Street Department
- Jack Frazier/Chris Cowan/Jeff Bryan, 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
- Lynn Burkhart, Woodlawn Utility District

II. APPROVAL OF MINUTES OF MEETING OF 4/25/2018

Mr. Swift asked for a motion for approval of the minutes of April 25, 2018. Mr. Kelly moved to recommend approval. The motion was seconded by Mr. Grubbs and carried unanimously.

III: ANNOUNCEMENTS/DEFERRALS

Mr. Tyndall announced the deferrals which included cases S-7-2018, S-17-2018, S-20-2018, S-21-2018, S-29-2018 and S-34-2018.

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

IV. CITY & COUNTY ZONING CASES:

CASE NUMBER Z - 12 - 2018 APPLICANT(S): 451 Alfred Thun Rd Partners

Agent: Tom Cunningham

REQUEST: M-1 Light Industrial District
to C-4 Highway Interchange District

LOCATION: Property located at the northeast corner of the Alfred Thun Rd. & Corporate Parkway Blvd. intersection.

TAX MAP(S): 033 PARCEL(S): 014.11 ACREAGE: 7.24 +/- CIVIL DISTRICT(S): 6
033-G-A 012.01

REASON FOR REQUEST: C-4 zoning is better suited for current and future uses of the property.

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 evolving nature of the business at this site has become more commercial in nature providing food, beverage, and entertainment made off site to be sold and perform on site as part of events. The C-4 zoning is more appropriate for these types of uses. No adverse environmental issues were identified relative to this request. He stated that there were no departmental comments of any concern relative to this case. He stated that this is in the Rossview Road Planning Area. He stated that there were no public comments received as of 10:45 A.M.

Mr. Tom Cunningham, applicant, stated that 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. Kimbrough moved to recommend approval based on consistency with the adopted Land Use Plan. The motion was seconded by Mr. Grubbs and carried unanimously.

CASE NUMBER Z - 13 - 2018 APPLICANT(S): River Chase Marine Terminal, Llc

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

LOCATION: Property south of Ashland City Rd., west of Beacon Dr., & Gratton Rd., east of the Cumberland River.

TAX MAP(S): 080 PARCEL(S): 007.00 ACREAGE: 114.74 CIVIL DISTRICT(S): 11

REASON FOR REQUEST: Zone change requested to allow best use of property

Mr. Spainhoward read the case and gave the staff recommendation for approval. The proposed zoning request is consistent with the adopted Land Use Plan. Shift from M-2 to residential uses more aligns with surrounding land uses. Planned cluster subdivision will allow for preservation of open space and rails to trails abandoned rail bed to be developed with the Greenway. Project will meet both multi-family and single family detached housing needs. No adverse environmental issues were identified relative to this request. He stated that there was a traffic assessment submitted to the Clarksville Street Department and reviewed for this request. He stated that there were no public comments as of 10:45 A.M.

Mr. Jimmy Bagwell, agent, stated that they feel that this complies with the Land Use Plan and is less intrusive than the current M-2 zoning which is currently in place. He stated that 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. Kelly moved to recommend approval based on the new zoning classification more well aligns with surrounding land uses. The motion was seconded by Mr. Grubbs and carried unanimously.

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

CASE NUMBER ZO - 1 - 2018 APPLICANT(S): Regional Planning Commission

REQUEST: Text

to

LOCATION:

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

REASON FOR REQUEST: Murals, Works of Public Art & Ghost Signs Ordinance Amendment

Mr. Spainhoward read the case and gave the staff recommendation for approval. The Common Design Review Board has formed an Ad Hoc committee to evaluate the ordinance and on May 21, 2018 recommended sending the ordinance to the RPC for consideration. These changes would affect the overlay districts including the Madison Street Design Overlay District and the Downtown Overlay District. He stated that this ordinance has been reviewed by the City Attorney.

Mr. Tyndall stated that Dr. Ripple had started this process back in November or December of last year. He stated that they believe that they have come up with a way in which to regulate the space, determine where murals may be placed and allow the City to deem what the work of art would be. This also allows the City final say in the outcome of this. He stated that this primarily includes the Historic District but that at the request of City Officials the Madison Street District had been added along with the Downtown CBID District. Murals outside of these areas are not regulated by the Regional Planning Commission or the Common Design Review Board.

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

There being no more discussion, Mr. Grubbs moved to recommend approval. The motion was seconded by Mr. Nichols and carried with Ms. Walker abstaining.

IV. CITY & COUNTY ZONING CASES:

CASE NUMBER CZ - 10 - 2018 APPLICANT(S): David Parker

Agent: Keith Parker

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

LOCATION: Property fronting on the south frontage of Huggins Lane, 830 +/- feet east of the Huggins Ln. & Huggins Rd. intersection.

TAX MAP(S): 102 PARCEL(S): 051.03 ACREAGE: 0.58 CIVIL DISTRICT(S): 17

REASON FOR REQUEST: Changing to adjoin with adjacent lot to build a home later on. Adjacent lot will be surveyed out to meet Building Codes requirements.

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 zone change will allow the neighboring property and owner's property to subdivide while meeting lot minimums. No adverse environmental issues were identified relative to this request. He stated that there were no departmental comments of any concern. He stated that this is in the Cumberland Planning Area. He stated that as of 10:45 A.M. there were no public comments received.

Mr. Keith Parker, on behalf of his father David Parker, stated that 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. Hadley moved to recommend approval based on consistency with the Growth Plan. The motion was seconded by Mr. Nichols and carried unanimously.

IV. CITY & COUNTY ZONING CASES:

CASE NUMBER CZ - 11 - 2018

APPLICANT(S): Ben Stanley

Agent: Civil Site Design Group Chris Goodman

REQUEST: AG Agricultural District

to R-4 Multiple-Family Residential District

LOCATION: Property fronting on the north frontage of Dunlop Lane, 1,500 +/- feet west of the Dunlop Ln. & Rollow Ln. intersection

TAX MAP(S): 040 PARCEL(S): 011.00 p/o ACREAGE: 17.26 CIVIL DISTRICT(S): 6

REASON FOR REQUEST: Multi-Family development will be buffer between single family and industrial zoned property to the east.

Mr. Spainhoward read the case and gave the staff recommendation for disapproval. The proposed zoning request is in conflict with adopted Land Use Plan. R-4 Multi Family Residential District is not compatible with nearby and neighboring industrial zoning and uses as recommended on the "Future Land Use Opinion Map." The land along Dunlop Lane is severely impaired by standing water even when precipitation had not occurred for over a week prior. Conversion of this property to residential use would continue to erode city and county investments in the "Corporate Business Park South," an area that has already developed 2,850 jobs and has over 200 acres remaining for development opportunities. M-2 Industrial Districts exist adjacent and across Dunlop Lane, which are not completely compatible with residential uses. He stated that this is in the Rossview Planning Area. He stated that the City Engineer's Office stated that there is no gravity sewer that fronts along this property and any utility main extension will require City Council approval. He stated that the County drainage comments were that there is a large sinkhole in close proximity to this site, okay otherwise. Other comments were from the Industrial Development Board stating that the land is adjacent to the Corporate Business Park South which is a 28.6 million dollar investment by the City and County. He stated that there are several e-mails and letters submitted, one of which comes from the Industrial Development Board.

Mr. Tyndall stated Mike Evans, Industrial Development Board, called him during lunch today and was tied up with Hankook Tire all day and was unable to attend this meeting. He stated that his comments letter should stand.

Mr. Spainhoward stated that drainage comments are that the property has little to no slope and holds water. He stated that this is in the Rossview Road Planning Area.

Mr. Nichols stated that in looking at the map he could see 4 to 5 possible sinkholes. Mr. Spainhoward stated that he is only aware of one sinkhole but the land is extremely level and it does hold water. Mr. Spainhoward stated that the applicant did perform a traffic assessment and he believed there was a representative available who could answer questions about that.

Mr. Chris Goodman, Civil Site Design Group, stated that the owner is aware of the storm water issue. He stated that no one has made any official improvements or created any official injection wells.

Mr. Ben Stanley, applicant, stated that he feels this is the best use for the property. There is R-4 next door. They feel that they will be able to manage the water issue without harming adjoining properties. He stated that there was a traffic study done which indicated that the development would not impede any traffic.

There was no one present to speak in opposition of this case, multiple e-mails were received.

There being no more discussion, Mr. Hadley moved to recommend disapproval consistent with the Staff's recommendation and this being an encroachment on the Industrial Park. The motion was seconded by Mr. Kimbrough and carried unanimously.

IV. CITY & COUNTY ZONING CASES:

CASE NUMBER CZ - 12 - 2018

APPLICANT(S): Ben Stanley

Agent: Civil Site Design Group Chris Goodman

REQUEST: AG Agricultural District

to R-1A Single-Family Residential District

LOCATION: Property fronting on the north frontage of Dunlop Lane, 2,900 +/- feet west of the Dunlop Ln. & Rollow Ln. intersection

TAX MAP(S): 040 PARCEL(S): 011.00 p/o ACREAGE: 50.25 CIVIL DISTRICT(S): 6

REASON FOR REQUEST: Bring property adjacent to existing R-1A zoning to continue single family development.

Mr. Spainhoward read the case and gave the staff recommendation for disapproval. The proposed zoning request is in conflict with adopted Land Use Plan. Though this part of the parcel in question is adjacent to an existing R-1A subdivision, the proposed R-1A Single Family Residential District is not compatible with neighboring and nearby industrial zoning and uses as recommended on the "Future Land Use Opinion Map." The land along Dunlop Lane is severely impaired by standing water even when precipitation had not occurred for over a week prior. Conversion of this property to residential use would continue to erode city and county investments in the "Corporate Business Park South," an area that has already developed 2,850 jobs and has over 200 acres remaining for development opportunities. M-2 Industrial Districts exist across Dunlop Lane, which are not completely compatible with residential uses. He stated that, under department comments, this would require City Council approval to extend utilities. The Industrial Development Board's comments are that it is adjacent to the Corporate Business Park South which is a 28.6 million dollar investment by both the City and County. He stated that this is in the Rossview Road Planning Area. The same e-mails are provided for this case that were provided for CZ-11-2018.

Mr. Chris Goodman, Civil Site Design Group, stated that the owner is aware of the storm water issue. He stated that no one has made any official improvements or created any official injection wells.

Mr. Ben Stanley, applicant, stated that he feels this is the best use for the property. There is R-4 next door. They feel that they will be able to manage the water issue without harming adjoining properties. He stated that there was a traffic study done which indicated that the development would not impede any traffic. He wanted to ad that Beech Grove is right next to this. It has already been zoned R-1A. He stated that with the R-1A next door he doesn't see Industrial being next to that.

Mr. Swift stated that, just as a historical note, the Planning Commission recommended the same thing 3-4 years ago and it went forward and was approved by the governing body.

There was no one present to speak in opposition of this case, multiple e-mails were received.

There being no more discussion, Mr. Hadley moved to recommend disapproval consistent with the Staff's recommendation and this being an encroachment on the Industrial Park. The motion was seconded by Mr. Nichols and carried unanimously.

IV. CITY & COUNTY ZONING CASES:

CASE NUMBER CZ - 13 - 2018 APPLICANT(S): Don Teasley Lisa McClain

Agent: Danell Welch

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

LOCATION: Property fronting on the east frontage of Harper Rd., 1,000 +/- feet south of the Highway 41-A South & Harper Rd. intersection.

TAX MAP(S): 081 PARCEL(S): 167.00, 172.00 & ACREAGE: 8.03 CIVIL DISTRICT(S): 11
176.00 p/o

REASON FOR REQUEST: To create a transitional zoning between commercial (C-5) and single family (R-1)

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 majority of Highway 41-A in Sango is zoned Commercial (C-1 through C-5). An adjacent parcel to this request is zoned C-4. Resthaven Cemetery is existing to the rear and a good transition from a larger 700+ unit detached residential development to the east. R-4 Multi Family Residential District is a good use adjacent/behind Commercial zoned parcels and off major roadways. Sango has continued to develop with commercial uses, single family detached (dense and less dense), and multi family uses to the south to Sango Drive. Multi Family housing is a continued need in Clarksville-Montgomery County. He stated that there have been several phone calls on this application stating that this is being placed between two single family properties. He stated that the single family home to the north is zoned C-5 Commercial. He stated that there is no gravity sewer in the front of this property and would require City Council approval for the extension. The property is accessible by Harper road. The will be increased traffic, light and noise. He stated that this is in the Sango Planning area.

Mr. Spainhoward stated that there were numerous phone calls received in reference to this application, some opposed and some in favor. He stated that there were also several e-mails received concerning this case. He stated that there was also another phone call and one e-mail which came in after the deadline.

Mr. Nichols asked if the three C-5 properties to the north have City water and sewer. Mr. Spainhoward stated that if they did not they could be approved through the City Council for an extension.

Mr. Patrick Chesney, City Gas and Water Department, stated that there are water and sewer available which would require City Council approval for the ones in the County and would be by pump only.

Mr. Danell Welch, Agent, stated that he was available to answer any questions. He stated that he does have a couple of properties in Sango, two apartment complexes, one of which is currently being built as Watson Point and another at Pine Village. Mr. Powers asked about the traffic rating.

Mr. Burchett, McKay, Burchett and Company, stated that he would try to answer the question about traffic rating. He stated that they did a quick analysis of the existing traffic with the 40 single family homes on Harper Road with the additional 60 units that could be added. He stated that the level of service for that intersection, with the left turn, would be the main one they would be looking at. It is now at level of service A and would remain at level of service A. He stated there would not be a big change in the time they would sit.

Ms. Shannon Jones, property owner on Harper Road, stated that they are completely against this rezoning. She stated that they moved to Harper Road just 6 years ago for the sole purpose of being on a quiet street. She stated that there were at least two other families who had moved to Harper Road, just this year, because they did not want to be in a subdivision and wanted to be on a quiet road. She stated that no other tract of land on Harper Road is zoned R-4, that it is either zoned R-1 or Agricultural. She stated that the addition of 100-200 cars would wreak havoc on Harper Road. She stated that she is concerned there could be drag racing on Harper Road and that this development could reduce property values. She stated that a number of properties on Harper Road already retain water and there is a huge concern as to where the water will be going when all of the concrete is done for this development. She stated that they just want single family homes on this 8 acres.

Ms. Roxanne Hallisey, property owner, stated that as a homeowner on that street she is not comforted by the negative impact that adding this many dwellings will bring and therefore she has to oppose this. She stated that traffic and pollution will be increased. She stated that there is no traffic light at the end of Harper Road going onto 41-A and with this addition accidents are imminent. She stated that she is concerned about the length of construction and noise pollution as well as drainage. She is also worried about the construction of multifamily units putting a strain on animal habitats. She stated that her neighbors, who have a pond, are concerned it will be filled with waste or there will be trespassing on their property. She stated that her neighbors are also against this rezoning and she asks that the Planning

V. SUBDIVISIONS:

CASE NUMBER: S - 28 - 2018 APPLICANT: Industrial Development Board of Montgomery County

REQUEST: Preliminary Plat Approval of LIFE'S GOOD WAY PRELIMINARY RIGHT OF WAY DEDICATION

LOCATION: East of and adjacent to Jim Johnson Road, approximately 3,675' south of the intersection of Tyler Town Road and Jim Johnson Road.

MAP: 009 PARCEL(S): 014.01 & 014.02 ACREAGE: 7.4

OF LOTS: 0 CIVIL DISTRICT(S): 2

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/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 two (2) variances from the Subdivision Regulations.

1. Section 6.2.4(5) and is to allow the spacing between fire hydrants in an Industrial Zoned District to exceed the maximum distance allowed of three hundred (300) feet along the proposed right-of-way (ROW).

2. Section 4.1.7(3) and is to allow a property line corner at an intersection to not be rounded by an arc, with a minimum radius of twenty-five (25) feet. Pavement radius can currently be accommodated.

VAR. STAFF RECOMMENDATION:

Variance Request 1

Mr. Parker read the first variance request.

Chris Fielder, DBS and Associates Engineering, representing the Industrial Development Board stated that, for LG coming to Tennessee, one of the requests was for TDOT to put in this roadway. He stated that Life's Good Way would be LG's new road. He stated that the IDB brings all utilities infrastructure to these projects such as LG, in this case for fire support and water supply. He stated that with the help of Clarksville Gas and Water they will bring in a 24 inch water main from the water tower along the western border of the site which ties in to Tylertown.

Mr. Nichols asked if exceeding 300 feet would require a fire truck pumper. Mr. Ricky Cumberland, City of Clarksville Fire Marshall, stated that they do have an agreement with the county, the IDB that they provide fire service for these county businesses. He stated that they had spoken at length about this particular issue. He stated that the fire code requires that the hydrant be near the structures. He stated that if there was an incident on this road, they could bring in a pumper or they could bring in a tanker and most likely handle whatever the issue was. He stated that the building would have its own fire service.

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

Variance Request 2

Mr. Parker read the second variance request.

Mr. Chris Fielder, DBS and Associates Engineering, stated that in conjunction with the project, the IDB, the County is providing 100 foot right-of-way to TDOT for the expansion of this road. He stated that, in addition, they have expanded the right-of-way and deeded that already to the County Highway Department for the widening of Jim Johnson Road. He stated that this allows for adequate room for all of the roadway improvements and utilities.

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

There being no more discussion, Mr. Kelly moved to recommend approval of the variance request as written. The

V. SUBDIVISIONS (CONT.):

motion was seconded by Mr. Grubbs and carried unanimously.

Mr. Parker read the subdivision case and gave the staff recommendation for approval.

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

CASE NUMBER: S - 29 - 2018 APPLICANT: Danell Welch

REQUEST: Final Plat Approval of WELCHTREE SECTION 3

LOCATION: South of Old Clarksville Pike, east of Ashland City Road, west of Walter Road, at the terminus of Rosebury Lane

MAP: 126 PARCEL(S): 068.01 ACREAGE: 26.07

OF LOTS: 13 CIVIL DISTRICT(S): 10

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

CASE NUMBER: S - 30 - 2018 APPLICANT: Green Space Partners

REQUEST: Final Plat Approval of KIRKWOOD FARMS

LOCATION: South of and adjacent to Charles Bell, West of and adjacent to Dunlop Lane, at the intersection of Charles Bell and Dunlop Lane

MAP: 034 PARCEL(S): 049.03 ACREAGE: 7.41

OF LOTS: 9 CIVIL DISTRICT(S): 1

STAFF RECOMMENDATION: FINAL PLAT APPROVAL

CASE NUMBER: S - 31 - 2018 APPLICANT: Frank Darnell

REQUEST: Preliminary Plat Approval of FRANKLIN COMMONS

LOCATION: South of and adjacent to Tiny Town Road, east of Little Bobcat, approximately 150 feet east of the intersection of Little Bobcat and Tiny Town Road

MAP: 007 PARCEL(S): 016.05 ACREAGE: 5.1

OF LOTS: 4 CIVIL DISTRICT(S): 3

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.

V. SUBDIVISIONS (CONT.):

CASE NUMBER: S - 32 - 2018 APPLICANT: Whitetail Development

REQUEST: Preliminary Approval of WHITE TAIL RIDGE SECTION 2C (CLUSTER)

LOCATION: South of 101st Airborne Division Pkwy, West of Pea Ridge, East of Tracy Lane at the northern terminus of Button Drive.

MAP: 041 PARCEL(S): 040.02 ACREAGE: 21.63

OF LOTS: 66 CIVIL DISTRICT(S): 6

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.

VARIANCES REQUESTED: The applicant is requesting a variance to Section 4.1.9(1) of the Clarksville/Montgomery County Subdivision Regulations to allow two (2) cul-de-sacs in excess of the maximum allowed five-hundred (500) feet in length. The proposed Andean Court is approximately five-hundred and eighty-five (585) linear feet and the proposed Sambar Drive is approximately one-thousand (1,000) linear feet.

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

VAR. STAFF RECOMMENDATION:

Variance Request 1

Mr. Parker read the variance request.

Mr. Eddie Burchett stated that there is a TVA easement running through the middle of this property. He stated that at one time there was a stub to the west of this which is no longer available. He stated that there had been no comments from the Police, Fire Department or Gas and Water on this change. He stated that he feels this change is warranted and would appreciate support.

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

There being no more discussion, Mr. Adkins moved to recommend approval of the variance request. The motion was seconded by Mr. Grubbs and carried with Mr. Hadley and Mr. Kimbrough abstaining.

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

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

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

V. SUBDIVISIONS (CONT.):

CASE NUMBER: S - 33 - 2018 APPLICANT: C. Blackwell Construction

REQUEST: Preliminary/replat Approval of ROSSVIEW VILLAGE AND REPLAT OF INDUSTRIAL COMMONS SECTION 1A & 1B AND 1C LOTS 2 & 3

LOCATION: North of Rossvie Road, east of and adjacent to Rollow Lane, adjacent to Holland Drive.

MAP: 039p PARCEL(S): A 001.00 - 007.00, 025.08 ACREAGE: 10.35

OF LOTS: 20 CIVIL DISTRICT(S): 1

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

1. Prior to final plat approval, the 100 year floodplain will need to be field verified and submitted to and approved by the Montgomery County Building and Codes Department for the Class 5 Injection Well detention area adjacent to Lot 20, based on a current survey of that structure. This will need to include a plan to access the proposed lots 19 and 20 as shown on the Preliminary Plat.
2. 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.
3. 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
4. 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.

CASE NUMBER: S - 34 - 2018 APPLICANT: Griffy Family Partnership

REQUEST: Preliminary Plat Approval of GRIFFEY ESTATES SECTION 3

LOCATION: South of Allen Griffey Road, east of the terminus of Harrison Way, north of Little West Fork Creek.

MAP: 031 PARCEL(S): 040.00 ACREAGE: 81.7

OF LOTS: 213 CIVIL DISTRICT(S): 3

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

V. SUBDIVISIONS (CONT.):

CASE NUMBER: S - 35 - 2018 APPLICANT: Cherry Development

REQUEST: Preliminary Plat Approval of GLENSTONE SECTION 3

LOCATION: Adjacent to and south and west of E. Old Ashland City Road, east of the terminus of Glenstone Springs Drive, and west of the terminus of Lily Way.

MAP: 081 PARCEL(S): 085.00 ACREAGE: 17.23

OF LOTS: 37 CIVIL DISTRICT(S): 11

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

1. Prior to final plat approval, a site distance analysis will be required to be submitted to and approved by the Clarksville Street Department for the driveway locations on the proposed lots 31 and 32. The applicant will also need to demonstrate that the location of the driveways meets intersection and stopping site distance as defined by the AASHTO guidelines.
2. Approval by the City Engineer's Office and the State Department of Environment and Conservation of all utility plans before construction of utilities begins.
3. 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.
4. 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 two (2) variances from the Subdivision Regulations.

1. Section 4.1.9(1) and is to allow a cul-de-sac in excess of the maximum allowed five-hundred (500) feet in length. The proposed Penelope Court is approximately six-hundred and ten (610) feet.

2. Section 4.1.2(1) and is to allow the development to not provide for the continuation and connection to the existing Lily Way.

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

VAR. STAFF RECOMMENDATION:

Variance Request 1

Mr. Parker read the first variance request.

Mr. Vernon Weakley, project engineer, stated that these types of variances are typical because we have a very short restriction for length of cul-de-sacs and this one is barely exceeding due to topographical issues.

Mr. David McIntyre, 2804 East Old Ashland City Road, stated that he is just below where this subdivision is going to be. He stated that he already has problems with water runoff and is concerned about the water situation. He stated that he is also concerned about the sewer situation. He stated that there is an easement through his property and Gas and Water has said the line is not large enough to handle the current volume and he is concerned about the addition of this subdivision and the impact it will have.

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

Variance Request 2

Mr. Parker read the second variance request.

Mr. Vernon Weakley, project engineer, stated that this particular stub is in a very awkward position. He stated that there is a ditch between them and the stub that is over 25 feet deep that would require other variances in order to gain access. He stated that they are requesting this variance for topographical reasons.

Mr. Tyndall asked if it would need to be a culvert or a bridge due to this ditch. Mr. Weakley stated that it would be a culvert because the flow of drainage is not so great in it but it has eroded so deep it would be very costly to repair.

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

V. SUBDIVISIONS (CONT.):

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

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

Mr. Swift asked Mr. Vernon Weakley to address the drainage issue. Mr. Weakley stated that if they get this approval, drainage plans would have to be drawn and approved by the County Building Commission and also the County Highway Department and during that process all drainage questions and concerns would be addressed. Mr. Powers stated that there was also a mention about sewer capacity and asked Mr. Weakly if he was aware of any issues with that. Mr. Weakley stated that this had gone before Gas and Water and that they had not mentioned that there would be any problem with sewer.

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

PLANNING COMMISSION ACTIONS: Mr. Swift explained that these cases are heard on a consent agenda unless there is a need to pull one of the cases for separate consideration. He stated that with the exception of those cases which are being deferred these cases will be handled with one vote. Mr. Tyndall stated that there were three cases, with variance requests, which needed to be pulled from the consent agenda. The cases to be pulled are S-28-2018, S-32-2018 and S-35-2018 (see those cases for discussion and action). Mr. Parker read the cases and gave the staff recommendation for approval. There being no more discussion, Mr. Grubbs moved to recommend approval. The motion was seconded by Mr. Kelly and carried unanimously.

VI. SITE REVIEWS AND/OR ABANDONMENTS:

CASE NUMBER: SR - 23 - 2018 APPLICANT: CHONGSON PYO
Agent: Jimmy Bagwell

DEVELOPMENT: CHONGSON PYO RETAIL

PROPOSED USE: RETAIL

LOCATION:

MAP: 030-H-B-014.01 ACREAGE: 1.19

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.

CASE NUMBER: SR - 24 - 2018 APPLICANT: UNITED PARCEL C/O LAMAR REED
Agent: Molli Lindsey

DEVELOPMENT: UNITED PARCEL SERVICE

PROPOSED USE: WAREHOUSE

LOCATION:

MAP: 080-J-A-006.00 & 007.00 ACREAGE: 3.18

CIVIL DIST.: 12

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

- CONDITIONS:**
1. Approval of all grading and drainage plans by the City Street Department.
 2. Subdivision plat completed.
 3. Approval of a landscape plan.

VI. SITE REVIEWS AND/OR ABANDONMENTS:

CASE NUMBER: SR - 25 - 2018 APPLICANT: THE TABERNACLE CHURCH

Agent: J. Chris Fielder

DEVELOPMENT: THE TABERNACLE CHURCH

PROPOSED USE: CHURCH ADDITION

LOCATION:

MAP: 044, 028.00 ACREAGE: 9.22

CIVIL DIST.: 3

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

CONDITIONS: 1. Approval of all grading, drainage and erosion plans by the County Building and Codes Department.

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

Mr. Chris Fielder, DBS and Associates, stated that this is a new sanctuary expansion. He stated that Sunday school classrooms will be in the existing building and this will be the new sanctuary.

Ms. Ruth Greenup stated that she lives next to the Tabernacle Church. She stated that her parents built this property over 55 years ago. She stated that the church had tried to purchase property from her when her father had passed away stating that they were going to build a school. She stated that she still has some concerns with the church, one of which is when they built the church a bulldozer knocked over some of her fence line and damaged some of her trees. She stated the she and her father had to repair the fence. She stated that trash has been thrown over on her property. She stated that she has seen them cut the lawn and shrubbery, put it in a trash bag, cross the fence line and throw it in a hole that is on her property. She stated that she has seen the workers, while they were building the church, throw trash onto her property. She stated that her biggest concern is the noise. She stated that she has called the church numerous times requesting that they turn the music down. She stated that she is hard of hearing and can hear it inside of her home. She stated that she has left multiple messages and no one ever returned her calls. She stated that she is speaking on behalf of her son, James Greenup, who is the owner of the property. She stated that traffic is another major concern that she and her neighbors share and the fact that this is a small road and the intersection with Garrettsburg Road and 101st is dangerous.

Mr. Swift suggested that Ms. Greenup should contact the Police and Building and Codes for most of the issues that she mentioned.

Mr. Noble Brooks, 950 Garrettsburg Road, stated that there is a traffic problem at Garrettsburg Road and 374. He stated that there are minor accidents nearly daily and a major accident approximately once a week at that intersection. He stated that the church has a large congregation and that on Thursday nights they have a number of cars speeding up and down Garrettsburg Road. He feels that an increase in the size of the building will increase the traffic problem.

There being no more discussion, Mr. Hadley moved to recommend approval based on the fact that they have met all the requirements. The motion was seconded by Mr. Adkins and carried unanimously.

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

CASE NUMBER: SR -26 -2018 APPLICANT: TRACIE EVICK

Agent: Cal Burchett

DEVELOPMENT: THE RUFF LIFE RESORT

PROPOSED USE: RETAIL

LOCATION:

MAP: 082, 173.00 ACREAGE: 0.87

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.
 2. Approval of all grading, drainage and erosion plans by the County Building and Codes Department.
 3. Approval from TDOT.

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

Mr. Cal Burchett stated that they meet the zoning ordinance. He stated that it is a little less than 5000 square feet with plenty of room for detention. He stated that he was available to answer any questions.

Mr. Edison Vidro, 3226 Hwy 41A South, stated that he lives right across the street from 3225 where they are planning to build this doggie daycare. He stated that he is representing the opposition for the construction of The Ruff Life Resort. He stated that their main concerns are intrusive noise, disruption of an already developed community, inconsiderate business placement and safety and also the smell. He stated that he and his family have owned this property since around the time of the big ice storm in 1993. He stated that in 2008 he started a production company called Mind to Mass. He stated that a dog bark is a difficult noise to filter out and that this will impact his work. He stated that a single mother with three kids who lives in the community, and could not be here today, expressed her concern about this development being placed across the street from a child daycare. She was worried it could pose a safety risk if the animals were not properly restrained and were to run across the street. He stated that the church that is next to him also expressed the same concern.

Mr. Matthew Leonard stated that he is a local musician in the community. He stated that this development will be detrimental to the professional recording studio which is across the street.

Mr. Swift asked Ms. Russell to read the case again.

Ms. Russell again read the case and gave the staff recommendation for approval. She stated that the zoning is C-5 and this use is allowed. She stated that there is nothing in the ordinance that prohibits outside kennels.

There being no more discussion, Mr. Hadley moved to recommend approval since this complies with the zoning. The motion was seconded by Mr. Powers and carried unanimously.

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

CASE NUMBER: SR -27-2018 APPLICANT: SARAH MCGOWAN

Agent: Matthew Rhule, P.e.

DEVELOPMENT: RACETRAC #1305 - PROVIDENCE BLVD.

PROPOSED USE: CONVENIENCE STORE

LOCATION:

MAP: 054-E-D-010.00 & 012.01 ACREAGE: 1.65

CIVIL DIST.: 7

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. Subdivision plat completed.

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. Cases SR-25-2018 and SR-26-2018 were pulled from the consent agenda (see those cases for discussion and action). Ms. Russell gave the staff reports. There being no more discussion, Mr. Kelly moved to recommend approval. The motion was seconded by Mr. Grubbs and carried unanimously.

VII. PLANNING DIRECTOR'S REPORT:

A. MONTHLY PROFIT AND LOSS STATEMENT: Mr. Tyndall read the monthly profit and loss statement.

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

B. YEAR TO DATE BUDGET TO ACTUAL: Mr. Tyndall read the year to date budget to actual.

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

C. AMENDMENT TO CITY CIP RESOLUTION: Mr. Tyndall stated that last month when the City and County CIP's were approved, through some e-mail correspondence, three of them were inadvertently left off. Those were for the Clarksville Fire Department, The Clarksville Transit System, and The Clarksville Police Department.

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

D. RPC BUDGET AMENDMENT FY 2017-2018: Mr. Tyndall stated that this is transferring 14,100 dollars from consulting fees to building improvements. He stated that this is to fit into this year's budget the replacement of one of our three air conditioning units upstairs.

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

E. REPORT FROM FEES AND VARIANCES AD HOC COMMITTEE: Mr. Tyndall stated that last week the Ad Hoc committee met for fees and variances. This committee includes Mr. Powers, Mr. Hadley and Mr. Kelly. He stated that they sat and discussed not only fees but also the variance procedure, which he feels worked well today. He stated that the Staff is now providing a report on the four criteria contained in the Subdivision Regulations and our opinion on whether or not it meets all four of those criteria. He stated that this is not necessarily an approval or denial but more information for the Planning Commission to act upon. He stated that he felt that those variances being acted upon separately worked well. He stated that we are developing a variance application, that will be more than just an e-mail from the applicant, over the next couple of months. He stated that there is a draft fee schedule available. He stated that we are going to have an open house on June 13th at 1:00 P.M. He stated that there will be an e-mail sent out to the engineering firms that we regularly work with. He stated that it will be a 1 to 2 hour open house to discuss the fees and the variance procedure with our regular users, engineers, surveyors and applicants. He stated that hopefully by the next month we will have a package to put forward for approval as per the bylaws.

VII. ADJOURNMENT:

The meeting was adjourned at 4:07 p.m.

ATTEST:

Richard Swift, CHAIR