

CLARKSVILLE-MONTGOMERY COUNTY  
REGIONAL PLANNING COMMISSION

- MINUTES -

November 28, 2018

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
- 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
- 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
- Lynn Burkhart, Woodlawn Utility District

II. APPROVAL OF MINUTES OF MEETING OF 10/24/2018

Mr. Swift asked for a motion for approval of the minutes of October 24, Mr. Grubbs moved to recommend approval. The motion was seconded by Dr. Walker and carried unanimously.

III: ANNOUNCEMENTS/DEFERRALS

Mr. Tyndall announced the deferrals which included cases S-17-2018, S-80-2018 and S-82-2018, S-86-2018, S-87-2018 and SR-49-2018. There being no more discussion, Mr. Kimbrough moved to recommend approval. The motion was seconded by Mr. Rocconi and carried unanimously.

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

CASE NUMBER Z - 25 - 2018 APPLICANT(S): Estate Of Harold W Weakley Kathy Biter, Executrix

Agent: Gary Norris

REQUEST: R-4 Three-Family Residential District  
Three Family Residential District  
to IC Institutional/Civic District

LOCATION: Property north of Crossland Ave., East of Martin St., South of Washington St., & West of Greenwood Ave.

TAX MAP(S): 066K-K PARCEL(S): 030.01 ACREAGE: 5.08 CIVIL DISTRICT(S): 12

REASON FOR REQUEST: Loaves and Fishes of Clarksville is purchasing this property to move locations. It will provide meals to those in need in Clarksville.

Mr. Spainhoward read the case and gave the Staff recommendation for approval. The proposed Institutional/Civic District zoning classification provides a compatible transition from the C-2 General Commercial Zoning District and R-3 Three Family Zoning District as well as an in-fill development opportunity. A 25 foot side yard setback requirement will be required adjacent to residential uses. Adequate infrastructure serves the site and no adverse environmental issues were identified relative to this request. A Type "B" landscaping buffer will be required adjacent to the residential properties. Preservation of acceptable existing vegetation will be encouraged. He stated that there were no departmental comments of significant concern. He stated that this property is in the South Clarksville Planning area and does have access to Crossland Avenue and Martin Street. He stated that as of 10:00 A.M. this morning we had not received any public comments in reference to this application. He stated that he did receive a phone call about the meaning of this zoning classification. He also received a call from the property owner adjacent to the sign location inquiring about placement of the sign.

Mr. Gary Norris, 327 Partridge Court, stated that he was the authorized agent for the owners of the subject property. He stated that the Estate wants to sell this property to Loaves and Fishes. He stated that Loaves and Fishes is a 501(c)(3) nonprofit organization that helps feed the hungry in our community. He stated that in order for Loaves and Fishes to move their facility to this property, the 5.08 acres will need to be rezoned. He stated that Loaves and Fishes have been providing meals in Clarksville for 35 years. They have been at their current location on Foster Street for 19 years. He stated that they operate by the use of monetary and food donations from the community and local businesses. He stated that 28 local churches and 300 volunteers provide support for Loaves and Fishes.

Mr. Norris stated that their current location is 1,300 square feet and they have outgrown this. He stated that they would like to construct a new 13,000 square foot facility on this property which will enable them to store their supplies in this facility rather than off site. He stated that they will install the B Landscaping as required, saving as many existing trees as possible. He stated that they are going to install an 8 foot chain link fence around the property, outdoor lighting, a security system and 3 gates. He stated that one gate will be on Crossland Avenue and two on Martin Street. He stated that Loaves and Fishes will tear down two of the houses that are on this property and use the third one as a construction office during construction of the new facility. He stated that this will be a one level facility using material that will complement the surrounding area. He stated that it will have a large gathering area, restroom facilities, kitchen area, dining room, food pantry, storage areas and office space. Mr. Norris stated that many of the neighbors have been contacted about this request and that they have had one public hearing at the Crossland Avenue Baptist Church. He stated that a member of the Weakley Family was in attendance as well as Cal Burchett Civil Engineer, John Clark Architect, and several board members of Loaves and Fishes and would be happy to answer any questions.

Ms. Rashidah Leverett, County Commissioner for this area, stated that she appreciates Loaves and Fishes and the service that they provide to this area. She stated that she wants Mr. Norris and members of the Board of Loaves and Fishes to consider the bus route and that this is directly down the street from Norman Smith Elementary School. She stated that the increase in foot traffic should be considered. She stated that she has been in this area for almost 20 years and owns a home there. She stated that she feels that traffic and safety should be considered and that the hours of operation should be considered to make sure there is not an increase in traffic when Norman Smith School lets out.

There being no more discussion, Mr. Powers moved to recommend approval based on the Staff's recommendation. The motion was seconded by Mr. Grubbs and carried with Mr. Rocconi abstaining.

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

\*\*\*\*\*

CASE NUMBER Z - 26 - 2018 APPLICANT(S): Luke Baggett

Agent: Syd Hedrick Byers And Harvey

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

LOCATION: Property fronting on the southwest frontage of Charlotte St, 330 +/- feet southeast of the Charlotte St. & Current St. intersection.

TAX MAP(S): 079B-A PARCEL(S): 028.00 ACREAGE: 0.76 CIVIL DISTRICT(S): 12

REASON FOR REQUEST: It will be used for single family residential with equal density levels as the current multifamily zoning. The zone change will engender affordable fee simple ownership through the R-6 zone district.

Mr. Spainhoward read the case and gave the Staff recommendation for approval. The proposed zoning request is consistent with the adopted Land Use Plan. Adequate infrastructure serves the site, including other residential-supportive uses such as mass transit and retail services. Sidewalks will be required as part of the development as required per R-6 Single Family Zoning. The anticipated density does not change with the potential zone change. No adverse environmental issues were identified relative to this request. He stated that there was a comment from the School System that Rossview Middle and Rossview High School are currently over 95% capacities. Norman Smith has 5 portable classrooms, Rossview Middle has 7 portable classrooms, and Rossview High has 3 portable classrooms. This continued student growth necessitates action to address building capacity and bus needs in the second fastest growing region in this county. No infrastructure, funding, or processes are in place at this time to address housing developments in this region. He stated that this is in the South Clarksville Planning Area.

Mr. Syd Hedrick, here on behalf of Mr. Baggett, stated that while he was here as a real estate agent on Mr. Baggett's behalf, he has been a developer for an R-6 project of this sort, Cotham's Corner, which is on the corner of Greenwood. He also has another under way which is 7th Hill which is at West High Street, Blackman and Charlotte. He stated that this will allow fee simple home ownership single family homes. He stated that everything seems to be going up in price and affordable homes are harder to find, even existing homes. He stated that this is one of the lower income areas of Clarksville and they want to see that change. He feels the way to do that is redevelopment.

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. Kelly and carried unanimously.

\*\*\*\*\*

CASE NUMBER Z - 27 - 2018 APPLICANT(S): Crocker Rental Partnership

REQUEST: C-5 Highway and Arterial Commercial District  
to R-4 Multiple-Family Residential District

LOCATION: Property East of Ft. Campbell Blvd., South of Park Lane, North of Maple St., West of Rebecca Lane.

TAX MAP(S): 054C-G PARCEL(S): 041.03 ACREAGE: 4.10 CIVIL DISTRICT(S): 7

REASON FOR REQUEST: Property to be utilized for multifamily development.

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 R-4 Multi-Family Residential zoning request is a less intense zoning classification than the existing C-5 Highway & Arterial Commercial District. This proposal of R-4 is more compatible to the residential properties to the north, south & east than the existing C-5 zoning classification. No adverse environmental issues were identified relative to this request. He stated that there were no departmental comments of any concern relative to this application. He stated that this is in the Peachers Mill Planning Area. He stated that there were no public comments received in reference to this case by phone or e-mail. He stated that while he was on site taking pictures of the property, there was an individual who expressed interest in what was going on and stated that they would be unhappy with the R-4 zoning. Mr. Spainhoward stated that he explained the process of making their comments known and they did not follow through.

Mr. Les Crocker stated that he was available to answer any questions.

There being no more discussion, Mr. Kimbrough moved to recommend approval based on Staff's recommendation. The motion was seconded by Mr. Grubbs and carried unanimously.

\*\*\*\*\*

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

CASE NUMBER Z - 28 - 2018 APPLICANT(S): Betty G Henley

Agent: David Henley (owner's Son)

REQUEST: R-4 Multiple-Family Residential District

to C-2 General Commercial District

LOCATION: Property located at the southwest corner of in intersection of Providence Blvd., & Beech St., the southeast corner of the intersection of Providence Blvd. & Plum St.

TAX MAP(S): 0551-B PARCEL(S): 004.00 ACREAGE: 2.5 +/- CIVIL DISTRICT(S): 7

REASON FOR REQUEST: Want the entire parcel to have the C-2 zoning instead of the split zoning. This would make the parcel more consistent with the depth of the C-2 zone properties up and down the street. This would also connect the C-2 zoning with property behind that is also zoned C-2.

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 proposed C-2 General Commercial zoning request is an extension of the existing C-2 zoning district to the north. Approval of the request provides development flexibility in order to address issues relative to grade & topography of the tract. No adverse environmental issues were identified relative to this request. He stated that there were no departmental comments of any concern. He stated that the Clarksville Street Department did request a traffic assessment that was submitted to the Clarksville Street Department and reviewed. He stated that the findings indicated that this development would have little impact on the traffic on Providence Boulevard. He stated that this is in the New Providence Planning Area. He stated that C-2 still affords the opportunity for multifamily development which is permitted in R-4. He stated that there were no public comments received in reference to this request.

Mr. David Henley, the owner's son, stated that he is representing Ms. Henley for this case. He stated that basically they have this property with a split zoning. He stated that they had recent conversations with Mike Baker at the Building and Codes Department and he has asked that the fruit stand be removed from the property due to the age and condition of the property and the fact that it is so close to the street. He stated that the strip of land that is zoned C-2 would not provide adequate depth to develop the property for C-2 use due to setback requirements. He stated that they are therefore asking to have the entire parcel zoned C-2 to be consistent with the other properties up and down the street and because there is C-2 zoning behind this also.

Ms. Huffman stated that she lives on Plum behind the old fruit stand and is not sure that she is against this rezoning but does have some questions. She asked if this property is rezoned does that mean there cannot be homes there.

Mr. Spainhoward stated that the portion that is being requested for rezoning does not currently have any units on it and that no other properties were included with this rezoning other than the Henley property.

Commissioner Woodruff stated that the 13th District is his district. He stated that he is glad to see that some development is coming to New Providence. He stated that he is also trying to work on a project to help get the people back and forth across the street. He stated that was a priority of his when he ran for Commissioner. He stated that, whether it be a pedestrian bridge or some other project, his priority was to work on something to help get the people back and forth across the street. He stated that he is looking forward to New Providence being a more developed community.

There being no more discussion, Mr. Rocconi moved to recommend approval based on this being an extension of the existing C-2 zoning district. The motion was seconded by Mr. Adkins and carried unanimously.

\*\*\*\*\*

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

CASE NUMBER Z - 29 - 2018 APPLICANT(S): Richard Collins

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

LOCATION: Property fronting on the South frontage of Batts Lane at the West Terminus of Batts Lane.  
TAX MAP(S): 030I-H PARCEL(S): 001.00 ACREAGE: 3.03 CIVIL DISTRICT(S): 3  
029L-D 046.00

REASON FOR REQUEST:  
Mr. Spainhoward read the case and gave the Staff recommendation for approval. The proposed zoning request is consistent with the adopted Land Use Plan. Proposed request is an extension of the existing R-4 zoning to the north & east. Market changes relative to the mobile home industry have limited the viability of RM-1 zoned property. No adverse environmental issues were identified relative to this request. He stated that there were department comments received. He stated that the Street Department pointed out that there is a potential blue line stream to the west of this property. He stated that no traffic assessment was required but they did inquire about the potential widening of Batts Lane which could be reviewed further. He stated that this is in the Lafayette Planning Area. He stated that as of 10:30 A.M. there were no public comments received in reference to this application.

Mr. Grubbs asked Mr. Spainhoward if he saw the blue line stream when he was out on the property and Mr. Spainhoward stated that he did not. He stated that the property drops in the back and he believes this is right at the property line.

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

There being no more discussion, Mr. Adkins moved to recommend approval based on this being an extension of the R-4 zoning. The motion was seconded by Mr. Kimbrough and carried unanimously.

\*\*\*\*\*

CASE NUMBER Z - 30 - 2018 APPLICANT(S): Bj Properties

REQUEST: C-5 Highway and Arterial Commercial District  
to R-4 Multiple-Family Residential District

LOCATION: Property fronting on the west frontage of Heritage Pointe Dr. 800 +/- feet north of the Tiny Town Rd. & Heritage Pointe Dr. intersection.  
TAX MAP(S): 008 PARCEL(S): 013.06 p/o ACREAGE: 6.1 CIVIL DISTRICT(S): 2

REASON FOR REQUEST: To allow for a multifamily development  
Mr. Spainhoward read the case and gave the Staff recommendation for approval. The proposed zoning request is consistent with the adopted Land Use Plan. Proposed request is an extension of the existing R-4 zoning to the north. The distance & limited visibility from Tiny Town Road limits commercial development potential. No adverse environmental issues were identified relative to this request. He stated that there were no departmental comments of any concern. He stated that there was a comment from the School System which stated that Hazelwood Elementary, Northeast Middle, and High School are currently over 99% capacities. Hazelwood has 6 portable classrooms, Northeast Middle has 9 portable classrooms, under construction with additional classrooms, and Northeast High is under construction with additional classrooms. This continued student growth necessitates additional action to address building capacity and bus needs in the fastest growing region in Montgomery County. He stated that this is in the Trenton Road Planning Area. He stated that there were no calls received or public comments taken in reference to this application.

Mr. Reed Baldwin, property owner, 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. Rocconi moved to recommend approval based on this being an extension of the R-4 zoning to the north. The motion was seconded by Mr. Powers and carried unanimously.

\*\*\*\*\*

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

CASE NUMBER Z - 31 - 2018 APPLICANT(S): Cbp Properties

Agent: Houston Smith

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

LOCATION: property located at the northwest corner of the intersection of High St. & Perkins Ave.

TAX MAP(S): 066N-B PARCEL(S): 022.00 ACREAGE: 0.26 CIVIL DISTRICT(S): 12

REASON FOR REQUEST:

Mr. Spainhoward read the case and gave the Staff recommendation for approval. The proposed zoning request is consistent with the adopted Land Use Plan. Adequate infrastructure serves the site, including other residential-supportive uses such as mass transit and retail services. Sidewalks will be required as part of the development as required per R-6 Single Family Zoning. No adverse environmental issues were identified relative to this request. Proposed R-6 development will provide redevelopment opportunity for single family detached homes without changing the anticipated density. He stated that there were no departmental comments of any concern. He stated that there was a comment from the School System stating that Rossvie Middle and Rossvie High School are currently over 95% capacities. Norman Smith has 5 portable classrooms, Rossvie Middle has 7 portable classrooms, and Rossvie High has 3 portable classrooms. This continued student growth necessitates action to address building capacity and bus needs in the second fastest growing region in this county. No infrastructure, funding or processes are in place at this time to address housing developments in this region. He stated that this is in the South Clarksville Planning Area with access to Perkins Avenue and High Street. He stated that there were no public comments logged in but there was an inquiry which came into the office when he was not available and another staff member discussed the application with them.

Mr. Christian Black, one of the owners of the property, stated that this is an extension of the R-6 zoning to the north and they are planning on constructing three single family homes. He stated that it is currently zoned R-3 which allows for a triplex so they are trying to build homes to conform with the single family in the neighborhood. He stated that this does not change the density.

Ms. Misty Johnson, 305 High Street, stated that she and her mother-in-law reside in the home right across the street from this. She stated that the street is very narrow with no turnaround. She stated that they are concerned about additional traffic and access for emergency vehicles. She was wondering if there was any discussion about widening the road.

Mr. Tyndall asked if she was talking about Perkins or High Street. She stated that she lives on High Street but her driveway is on Perkins. She stated that she does not understand how this does not change the density of the area.

Mr. Christian Black stated they have a drive going in to the west side and behind the properties and that they are going to have a single lane, one way, at the northern end to come back on Perkins. He stated that all of the cars will not be parking on Perkins Avenue. He feels that will alleviate that problem. He stated that the current zoning allows for a triplex so that there is no change in density as far as the amount of cars that would be coming and going from that area.

Ms. Patricia Johnson, 305 High Street, stated that she is the owner of the property. She stated that the area, in her opinion, will not support that many residences. She stated that it is just a small street and that two cars have a very difficult time passing on that street as is.

Mr. Tyndall stated that Ricky Cumberland is here, with the Clarksville Fire Department, who first brought this challenge to our attention. He stated that Mr. Black owns the parcels to the north and that they are talking with potential developers about installing an alley that would run parallel to Perkins coming off High Street and coming back onto Perkins and allowing visitor parking in the rear. He stated that there will be adequate parking in the rear for the homes to be built there as well as visitor parking behind the structures, off of the alleyway and the alley provides a method of getting around the block without having to turn around with the absence of a cul-de-sac. He stated that they are well aware of it and are working through the subdivision process to get this right.

Mr. Kimbrough asked if the concern was with High Street or Perkins Avenue. Ms. Patricia Johnson stated that they access their property off of Perkins and that she does not feel it is safe.

There being no more discussion, Mr. Rocconi moved to recommend approval based on this being consistent with the adopted Land Use Plan. The motion was seconded by Mr. Kimbrough and carried with Mr. Powers abstaining.

\*\*\*\*\*

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

\*\*\*\*\*

CASE NUMBER: S - 72 - 2018 APPLICANT: KENNETH BONE & DAVID mATHEWS  
REQUEST: Preliminary Plat Approval of MONTGOMERY ESTATES SECTION 7  
LOCATION: North of Overton Drive, south of Helton Drive, and east of Bedford Drive.  
MAP: 042 PARCEL(S): 040.01 ACREAGE: 6.08  
# OF LOTS: 4 CIVIL DISTRICT(S): 3  
STAFF RECOMMENDATION: FINAL PLAT APPROVAL BY MINOR PLAT PROVISIONS

\*\*\*\*\*

CASE NUMBER: S - 78 - 2018 APPLICANT: Hereford Farm Partnership  
REQUEST: Final Plat Approval of HEREFORD FARMS SECTION 1 (CLUSTER)  
LOCATION: South of 41- A, east of and adjacent to Miller Road.  
MAP: 088 PARCEL(S): 106.00 ACREAGE: 38.18  
# OF LOTS: 120 CIVIL DISTRICT(S): 11  
STAFF RECOMMENDATION: FINAL PLAT APPROVAL

\*\*\*\*\*

CASE NUMBER: S - 80 - 2018 APPLICANT: Main Street investments  
REQUEST: Final Plat Approval of TIMBER SPRINGS SECTION 3  
LOCATION: South of Hazelwood Road, west of Trenton Road at the western terminus of Castlewood and Stillwood Drive.  
MAP: 017 PARCEL(S): 053.02 ACREAGE: 62.63  
# OF LOTS: 90 CIVIL DISTRICT(S): 2  
STAFF RECOMMENDATION: DEFER FOR 30 DAYS AT THE REQUEST OF THE PROJECT ENGINEER

\*\*\*\*\*

CASE NUMBER: S - 81 - 2018 APPLICANT: christopher Blackwell  
REQUEST: Preliminary Plat Approval of HARVEST HILLS  
LOCATION: South of Lock B Road S, East of and adjacent to Chapel Hill Road, approximately 435 feet south of the intersection of Parchman Rd and Chapel Hill Road.  
MAP: 124 PARCEL(S): 079.00 ACREAGE: 7.79  
# OF LOTS: 5 CIVIL DISTRICT(S): 17  
STAFF RECOMMENDATION: FINAL PLAT APPROVAL BY MINOR PLAT PROVISIONS

\*\*\*\*\*

V. SUBDIVISIONS (CONT.):

CASE NUMBER: S - 82 - 2018      APPLICANT: WHITETAIL DEV. PARTNERSHIP  
REQUEST: Final Plat Approval of AUTUMN CREEK SECTION 7A (CLUSTER)  
LOCATION: South of Tiny Town Road, north of 101st Airborne Division Pkwy, west of Needmore Road, east of Peachers Mill Road, west of Jackie Lorraine Drive, at the current terminus of Rains Road.  
MAP: 018 PARCEL(S): 026.01    ACREAGE: 56.40  
# OF LOTS: 111    CIVIL DISTRICT(S): 2  
STAFF RECOMMENDATION: DEFER FOR 30 DAYS AT THE REQUEST OF THE PROJECT ENGINEER

\*\*\*\*\*

CASE NUMBER: S - 83 - 2018      APPLICANT: HOLLY POINT LLC  
REQUEST: Preliminary Plat Approval of HOLLY POINT LLC TYLERTOWN ROAD LOT 1  
LOCATION: West of Parade Dr., east of Trenton Rd., south of the Tennessee and Kentucky State line, north of and adjacent to Tylertown Road at the northwestern quadrant of the intersection of Tylertown Road  
MAP: 008 PARCEL(S): 004.00    ACREAGE: 2.11  
# OF LOTS: 1    CIVIL DISTRICT(S): 2  
STAFF RECOMMENDATION: FINAL PLAT APPROVAL BY MINOR PLAT PROVISIONS

\*\*\*\*\*

CASE NUMBER: S - 84 - 2018      APPLICANT: NICK DATTILO  
REQUEST: Preliminary Approval of NICK DATTILO PROPERTY EVANS ROAD LOTS 1-4  
LOCATION: North of Lafayette Road, south of Purple Heart Parkway, east of and adjacent to Evans Road with the addresses of 1655-1709 Evans Road.  
MAP: 044D PARCEL(S): B 010.00 - 013.00    ACREAGE: 5.45  
# OF LOTS: 4    CIVIL DISTRICT(S): 3  
STAFF RECOMMENDATION: REPLAT/FINAL PLAT APPROVAL BY MINOR PLAT PROVISIONS

\*\*\*\*\*



## V. SUBDIVISIONS (CONT.):

CASE NUMBER: S - 85 - 2018      APPLICANT: CLINTON BARGER

REQUEST: Preliminary Plat Approval of MCADOO ESTATES (CLUSTER)

LOCATION: South of Highway 41-A South, west of and adjacent to Mcadoo Creek Road, approximately 890' south of the intersection of McAdoo Creek and and Poplar Hill.

MAP: 087 PARCEL(S): 095.01    ACREAGE: 16.00

# OF LOTS: 29    CIVIL DISTRICT(S): 15

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.
4. A landscape plan and/or tree survey will be required to be approved prior to final plat approval for the area(s) that are using the landscape buffer section of the Zoning Ordinance.
5. As requested by the Montgomery County School System, the owner/developer should consider installing sidewalks along McAdoo Creek Road to provide improved pedestrian connectivity for this development to the nearby East Montgomery Elementary School.

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

Mr. Rocconi stated that when he first saw this he went back and looked through their notes and stated that on November 7, 2016 at their informal this rezoning case came before them as a County Commission. He stated that he always wondered why the County Commission sent someone down here but he stated maybe that is why, because they remember these things. He stated that it is nothing against Mr. Barger but at that point he stated that this land was only going to be his forever home and a single family tract. He stated that he does not know if there is anything to do other than to approve this today because it seems to be zoned properly. He just wanted to make everyone aware that the Planning Commission voted and deliberated this section on the statement that it was going to be a single family home.

Mr. Tyndall stated that is a great lesson for the Planning Commission as well as the City and County to remember, that regardless of what is stated up front, rezoning lasts and runs with the land. He stated that whether or not that land is sold or personal situations change, and a family may need to sell and develop the property, once the rezoning is done it opens all of those windows. Mr. Powers stated that there were also discussions at that time regarding severe erosion and some pipe failures that were related to this major drainage way there and he was not sure if that had been addressed. He stated that was a concern by a neighbor at that time.

Mr. Tyndall stated that the applicant's engineer is here and may have additional information.

Mr. Houston Smith, DBS and Associates, stated that as far as the erosion they are aware of it. He stated that Poplar Hills Section 7, to the west of this section, has a large detention basin where they over detain that onsite water. He stated that they tried to actually block the ditch and over detain it to significantly help the downstream but TDEC put a stop to that because it is a stream. He stated that they had to just do their site and that they can only do a little bit because they are not a major contributor to the drainage area in that feature. He stated that they will do the same on this side where they will put a detention basin between the two cul-de-sacs to slow this site water also. He stated that they are unable to do anything about the water coming through the ditch from the north but that they do have to slow down what they are contributing to it.

Dr. Walker asked whose problem it was to fix. Mr. Smith stated that he would have to defer to John Doss on that. Mr. Kimbrough stated that he believed some of it falls under the HOA of Poplar Hills. Mr. Smith stated that John Doss has been in contact with the HOA. He stated that was a large part of the approval process originally with Poplar Hills Section 7. Mr. Smith stated that they attempted to help Mr. Comperry slow the entire drainage system but that they were unable to.

Mr. Rocconi stated that in the same meeting, that he re-watched this morning, it was also stated that Poplar Hill and Mr. Barger were going to engage an engineering firm to fix the issues right then before they moved forward. Mr. Barger stated that he is working with another firm. Mr. Doss and Poplar Hills is working with another firm

V. SUBDIVISIONS (CONT.):

Mr. Tyndall stated that legally if it meets all of the conditions of the Subdivision Regulations we have to approve it. He stated that this one does not at this time meet all of the conditions. He stated that there are five conditions, the fifth of which is more of a suggestion from the School System. He stated that we do what is called a conditional approval stated that if these conditions are met it will become approved and the Staff makes sure that they check off the conditions. He stated that it could be deferred and wait if there are questions that need to be answered or it could be approved with conditions.

Mr. Powers stated that he wondered if this should be deferred and to get John Doss to comment on this as it does not seem that the joint effort that was supposed to remedy this problem has been very effective.

There being no more discussion, Mr. Powers moved to recommend to deferral for 30 days. The motion was seconded by Mr. Kimbrough and carried unanimously.

\*\*\*\*\*

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

\*\*\*\*\*

CASE NUMBER: S - 87 - 2018      APPLICANT: CHRISTIAN BLACK  
REQUEST: Preliminary Plat Approval of PERKINS ROW  
LOCATION: East and north of High Street, south of Crossland Avenue, west of and adjacent to Perkins Avenue.  
MAP: 066n PARCEL(S): B 002.01, 003.00, 020.00    ACREAGE: 1.09  
# OF LOTS: 9    CIVIL DISTRICT(S): 12  
STAFF RECOMMENDATION: DEFER FOR 30 DAYS

\*\*\*\*\*

PLANNING COMMISSION ACTIONS: Mr. Parker stated if there was anyone in the audience who would like to discuss a particular subdivision case to let us know so that it may be removed from the consent agenda. Case number S-85-2018 was pulled 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 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 - 48 - 2018 APPLICANT: JOHN HADLEY  
Agent: Cal Burchett

DEVELOPMENT: PROFESSIONAL PARK TOWN HOMES

PROPOSED USE: MULTI-FAMILY

LOCATION: 971 PROFESSIONAL PARK DRIVE CLARKSVILLE PROFESSIONAL PARK  
LOTS 16 & 17

MAP: 040-G-C-005.00, 006.00 ACREAGE: 4.62

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, drainage and LID plans by the City Street Department.
  3. Approval from the City Traffic Engineer.
  4. Approval of a landscape plan.
  5. Minor plat completed.

\*\*\*\*\*

CASE NUMBER: SR - 49 - 2018 APPLICANT: NEW JERUSALEM FIVE FOLDS  
Agent: Clint Head

DEVELOPMENT: NEW JERUSALEM FIVE FOLDS MINISTRIES

PROPOSED USE: CHURCH ADDITION

LOCATION:

MAP: 065-P-H-006.03 ACREAGE: 0.54

CIVIL DIST.: 12

**STAFF RECOMMENDATION:** DEFERRAL, PENDING SUBMISSION OF ADDITIONAL INFORMATION

\*\*\*\*\*

CASE NUMBER: SR - 50 - 2018 APPLICANT: AHC CLARKSVILLE  
Agent: Jason Yost

DEVELOPMENT: AHC CLARKSVILLE

PROPOSED USE: MEDICAL FACILITY ADDITION

LOCATION: 930 PROFESSIONAL PARK DR  
CLARKSVILLE PROFESSIONAL PARK, LOT 6

MAP: 040-G-A-002.00 ACREAGE: 3.14

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 City Street Department.

\*\*\*\*\*

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

CASE NUMBER: SR - 51 - 2018 APPLICANT: MYERS-CHAPMAN C/O SIMEON CONRAD

Agent: William M Suiter

DEVELOPMENT: URBAN FARMS SALT STORAGE

PROPOSED USE: SALT STORAGE

LOCATION: 800 BARGE POINT ROAD

MAP: 054,011.00 ACREAGE: 50

CIVIL DIST.: 7

**STAFF RECOMMENDATION:** APPROVAL, NO CONDITIONS

\*\*\*\*\*

CASE NUMBER: SR - 52 - 2018 APPLICANT: TMS CONSTRUCTION THOM SPIGNER

Agent: Britt Little

DEVELOPMENT: ROSSVIEW ANIMAL CLINIC

PROPOSED USE: ANIMAL CLINIC AND RETAIL

LOCATION: 919 ROSSVIEW RD

MAP: 039,025.22 ACREAGE: 1.5

CIVIL DIST.: 1

**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, drainage and erosion control plans by the County Building and Codes Department.
  3. Approval from TDOT of driveway location.

\*\*\*\*\*

CASE NUMBER: SR - 53 - 2018 APPLICANT: JOHNNY PIPER

Agent: Houston Smith

DEVELOPMENT: BILTMORE APARTMENTS, PHASE 2

PROPOSED USE: MULTI FAMILY CONDOS

LOCATION: WILMA RUDOLPH BLVD

MAP: 056-I-F-015.00 & 016.00 ACREAGE: 6.40

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 of a landscape plan.

\*\*\*\*\*

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

CASE NUMBER: AB -3 -2018 APPLICANT: GEORGE WATSON

DEVELOPMENT: GEORGE WATSON ABANDONMENT

PROPOSED USE: ABANDONMENT

LOCATION: PORTION OF THAYER LANE

MAP: 080-E-A, BETWEEN PARCELS ACREAGE: 0.132

CIVIL DIST.: 11

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

**CONDITIONS:** 1. Retention of an easement for stormwater and surface drainage, and for public utilities.

\*\*\*\*\*

CASE NUMBER: AB -4 -2018 APPLICANT: CRAIG STUARD

Agent: Chris Goodman

DEVELOPMENT: CRAIG STUARD ABANDONMENT

PROPOSED USE: ABANDONMENT

LOCATION: PORTION OF OLD HIGHWAY 76

MAP: 063, NE OF 32.01 & EAST OF ACREAGE: 0.331

CIVIL DIST.: 11

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

**CONDITIONS:** 1. Retention for an easement for stormwater and surface drainage, and for public utilities.

\*\*\*\*\*

Ms. Russell asked if there was anyone in the audience who wished to have a case pulled from the consent agenda for separate consideration.

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. ANNEXATION PLAN OF SERVICE A-2-2018: Mr. Tyndall stated that this is a portion of property just north of Tylertown Road, east of Fox Run Subdivision. It is 17.05 acres and they are leaving a portion remaining in the County. He stated that there are two applicants, the Etson and the Alley family. He stated that a request for Plan of Service was sent out last month. We received the comments back. He stated that currently the property is zoned AG and is vacant. He stated that the big note in the plan of service is that here is a rezoning tied to it. He stated that they are requesting to go to R-2 which matches and is an extension of the R-2. He stated that this would be developed off of the stub road that exists there. He stated that this will go to the City Council tomorrow night for consideration by resolution of both the Plan of Service and the annexation. Since it is already vacant there are no concerns about bringing population in or adding population to this area. He stated that this property will receive sewer, Police, Fire, CDE, Electric and he other rights and responsibilities that come with being in the City. He stated that since it does have a zoning change to it we actually must have a public hearing so that we can report to City Council that we had a public hearing.

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 endorsement. The motion was seconded by Mr. Rocconi and carried unanimously.

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

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

2. ADOPT 2019 RPC MTGS CALENDAR: Mr. Tyndall presented the 2019 RPC Meetings Calendar.

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

D. REVISED FEE SCHEDULE: Mr. Tyndall stated that we are just removing the credit card minimum of fifteen dollars from the fee schedule and we have added a debit/credit card convenience fee which is legal and provided to public agencies when credit cards are used, in order to offset the electronic fees. He stated that some offices may use a fee as a percentage but that we decided to go with a flat fee of five dollars. He stated that this will help offset the yearly fees that we incur from accepting credit cards, which is upwards of several hundred dollars.

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

**VII. ADJOURNMENT:**

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

ATTEST

  
Richard Swift, CHAIR