

CLARKSVILLE-MONTGOMERY COUNTY
REGIONAL PLANNING COMMISSION

- MINUTES -

September 26, 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
- Tim Harvey, County Attorney

II. APPROVAL OF MINUTES OF MEETING OF 8/29/2018 and 8/24/2018

Mr. Swift asked for a motion for approval of the minutes of August 29, 2018 and the informal meeting minutes of 8/24/2018. Mr. Rocconi moved to recommend approval. The motion was seconded by Mr. Kelly and carried unanimously.

III: ANNOUNCEMENTS/DEFERRALS

Mr. Tyndall announced the deferrals which included cases S-17-2018, S-55-2018, S-60-2018, S-71-2018 and S-72-2018. There being no more discussion, Mr. Grubbs moved to recommend approval. The motion was seconded by Mr. Kimbrough and carried unanimously.

IV: NEW BUSINESS

Mr. Tyndall presented the Subdivision Regulation Amendments and the addressing manual. He stated that over the last three months they had met with City Departments and developers. This had also been e-mailed to a list of developers that they work with on a regular basis, and there was no feedback. There were some comments from engineers at last month's informal meeting and those have been addressed. He stated that there are still a few things they want to work

on with street requirements but they plan to continue working with the Street Department on that. There being no more discussion, Mr. Rocconi moved to recommend approval. The motion was seconded by Mr. Adkins and carried unanimously.

IV. CITY & COUNTY ZONING CASES:

CASE NUMBER Z - 19 - 2018 APPLICANT(S): Alvin T. Brown

REQUEST: R-1 Single Family Residential District
to R-2D Two-Family Residential District

LOCATION: Property fronting on the North frontage of East Copeland Court 500 +/- feet southeast of the Copeland Road & East Copeland Court intersection.

TAX MAP(S): 006I-E PARCEL(S): 022.00 & 023.00 ACREAGE: 0.61 +/- CIVIL DISTRICT(S): 3

REASON FOR REQUEST: Residential Duplex

Mr. Spainhoward read the case and gave the Staff recommendation for approval. The proposed zoning request is consistent with the adopted Land Use Plan. Request is an extension of an existing R-2D Two-Family Residential zoning district to the east. Adequate infrastructure serves the site and no adverse environmental issues were identified relative to this request. Request supports In-fill development and a "B" landscape buffer will be required for the development for the adjacent single family residents. He stated that there were no departmental comments of any concern relative to this application. He stated that this is in the Airport Planning Area. He stated that there were no public comments received relative to this case.

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

There being no more discussion, Mr. Kelly moved to recommend approval per the Staff's recommendation with particular emphasis on the fact that this is an extension of the R-2D Two-Family Residential district and that this request supports In-fill development. The motion was seconded by Mr. Grubbs and carried unanimously.

CASE NUMBER Z - 20 - 2018 APPLICANT(S): James Pelham

REQUEST: R-3 Two and Three Family Residential District
to R-4 Multiple-Family Residential District

LOCATION: two parcels located at the northwest corner of Woodard Street & Richardson Street.

TAX MAP(S): 066M-C PARCEL(S): 015.00 & 015.01 ACREAGE: 1.14 +/- CIVIL DISTRICT(S): 12

REASON FOR REQUEST: Multi-Family Residential

Mr. Spainhoward read the case and gave the Staff recommendation for approval. The proposed zoning request is consistent with the adopted Land Use Plan. Request is an extension of an existing R-4 Multi-Family Residential zoning district to the east. Adequate infrastructure serves the site and no adverse environmental issues were identified relative to this request. The R-4 zoning request brings an established existing use into compliance with the Zoning Ordinance. He stated that there were no departmental comments of any concern relative to this application. He stated that this is in the South Clarksville Planning Area. He stated that there were no public comments received.

Mr. Pelham stated that he owns some property behind the apartments on Richardson Street that he had no access to. He stated that he purchased the adjoining property in order to gain access to this. He is requesting to rezone to R-4 for the possibility of building more units down the road but at this time he is just interested in the access to it.

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. Rocconi and carried unanimously.

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

CASE NUMBER Z - 21 - 2018 APPLICANT(S): Rosalynd Greene & Sandra Taylor Estate Of Robert Darden

Agent: Sandra Taylor

REQUEST: AG Agricultural District

to R-2 Single-Family Residential District

LOCATION: A tract of land fronting on the East frontage of Trenton Road 725 +/- feet north of the Trenton Road & Aspen Grove Way intersection. The tract also is south of the terminus of Cross Ridge Drive.

TAX MAP(S): 032 PARCEL(S): 005.00 & 005.02 ACREAGE: 21.69 +/- CIVIL DISTRICT(S): 2

REASON FOR REQUEST: Single Family Residential

Mr. Spainhoward read the case and gave the Staff recommendation for deferral. He stated that he had a couple of inquiries about this case. He stated that the owner and applicant have both requested a deferral but based on the timing of the request a public hearing is still necessary. He stated that this is an extension of the R-2 zoning to the north. He stated that there is a traffic assessment required by the Street Department. He stated that they are working with those departments to resolve a matter relating to this project. He stated that this is in the Trenton Road Planning Area. Awaiting traffic assessment submittal for the Clarksville Street Department.

He stated that there was an e-mail received in reference to this case and there have been 2 or 3 phone calls with questions from residents who live in the area. He stated that some of those were in opposition.

Mr. Houston Smith, DBS & Associates, representing the buyer of this property stated that he just wanted to reiterate that they are requesting a deferral. He stated that he was also available to answer any questions.

Mr. Felix Alvarez Jr., 3150 Cross Ridge Drive, stated that he is not against the rezoning but that he lives at the terminus of CrossRidge Drive. He stated that he bought that lot because he was under the impression that it was a dead end subdivision on a dead end street. He stated that when Clarksville Gas and Water added the fire hydrant they told him it was being placed so that they could open it on their schedule to keep the water fresh. He stated that he is just requesting that they reconsider the entrance and exit. He stated that the wall that was placed there was as a retainer because when it rained the mud would flow right into his yard.

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

IV. CITY & COUNTY ZONING CASES:

CASE NUMBER CZ - 19 - 2018 APPLICANT(S): Christopher Ferraraccio Anna Ferraraccio

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

LOCATION: Property fronting on the north frontage of Highway 41-A South north of the Highway 41-A South & Welch Road intersection

TAX MAP(S): 086 PARCEL(S): 034.00 ACREAGE: 16.59 CIVIL DISTRICT(S): 10

REASON FOR REQUEST: To develop a storage facility.

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 C-5 zoning request is an extension of the existing C-5 Highway & Arterial Commercial District to the west. Adequate infrastructure serves the site and no adverse environmental issues were identified relative to this request. Property is located in the "PGA" requiring a Type "C" Landscape Buffer between commercial and residential use zones. Property's limited road frontage and acreage lends itself to proposed storage facility use. He stated that the only departmental comment of any concern was from East Montgomery Utility District stating that they have a six inch water main that is located along the front of the property which sets back farther than may be anticipated. He stated that they would like to be involved in any development plan to make sure their water main is not damaged. He stated that this is in the Sango Planning Area. He stated that, regarding the landscape buffer, he did speak with Mr. Ferraraccio and he stated that his plan was to try and preserve the buffer that is along the residential properties, which is something that we normally encourage. He stated that if they were to eliminate that a type "C" buffer would be required. He stated that there were e-mails from individuals in opposition of this case.

Mr. Ferraraccio stated that he was available to answer any questions. He stated that it is his intention to leave a very wide, 50 to 75 foot, swath of trees on all sides with the exception of the property line that joins the property line of the existing storage facility. He stated his plans are for boat storage which would be a lean to, open air with a roof type of complex.

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

There being no more discussion, Mr. Powers moved to recommend approval based on this being an extension of the existing C-5. The motion was seconded by Mr. Hadley and carried unanimously.

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

CASE NUMBER CZ - 20 - 2018 APPLICANT(S): Scott Appleton

REQUEST: AG Agricultural District
to C-5 Highway & Arterial Commercial District

LOCATION: Portion of a tract fronting on the north frontage of Highway 149 560 +/- feet northeast of the intersection of Highway 149 & Palmyra Road, further identified as 900 +/- feet northeast of the Highway 149 &

TAX MAP(S): 115 PARCEL(S): 025.00 ACREAGE: 1.00 CIVIL DISTRICT(S): 19

REASON FOR REQUEST: Barbecue Restaurant

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 and no adverse environmental issues were identified relative to this request. The adopted Land Use Plan indicates commercial zones should be established in rural areas in order to support convenience operations, provide goods and services that would save trips into the City. C-5 is a Highway & Arterial Commercial District and Highway 149 is an arterial highway. He stated that there were no departmental comments of any concern. He stated that it is in the Cumberland Planning Area. He stated that there were a few phone calls in reference to this case but there were no public comments that were left. He stated that someone came in this morning with some questions regarding this case. He stated that this is a portion of approximately six acres that is located there and that there is a cell phone tower to the north. He stated that Mr. Appleton is in the process of building a single family home to the east of this site and he is also grading some future single family home sites.

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

There being no more discussion, Mr. Hadley moved to recommend approval based on this being located on an arterial highway. The motion was seconded by Mr. Kimbrough and carried unanimously.

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

CASE NUMBER CZ - 21 - 2018 APPLICANT(S): Ronnie Powers

Agent: Jon Clark

REQUEST: AG Agricultural District

to R-1A Single-Family Residential District

LOCATION: Property fronting on the south frontage of Highway 76 west of the Highway 76 & Little Hope Road intersection. Also east of Superior Lane & North of Interstate 24.

TAX MAP(S): 063 PARCEL(S): 067.00 p/o ACREAGE: 46.25 CIVIL DISTRICT(S): 11

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. The R-1A rezoning request is an extension of the existing R-1A Single Family residential zoning district. The Clover Hills & Clover Glen subdivisions were designed with required street stubs for the future development of the property. Adequate infrastructure serves the site and 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 the historical estimates for this would be approximately 125 lots. He stated that number may be high considering the topography of the area. He stated that this is in the Sango Planning Area. He stated that there are existing street stubs at Lillian Grace Drive and Karmaflux Drive. He stated that there was an e-mail received in reference to this case. He stated that there were also a couple of phone calls in reference to this application, both of which were specific to where this property tied in on Highway 76.

Mr. John Clark, Agent and Architect for Mr. Powers, 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 this being an extension of the existing R-1A. The motion was seconded by Mr. Powers and carried unanimously.

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:

CASE NUMBER: S - 43 - 2018 APPLICANT: Holly Point, LLC
REQUEST: Final Plat Approval of SUMMERFIELD SECTION 2C (CLUSTER)
LOCATION: North of Tylertown Road, west of Parade Drive, west of and adjacent to Winterset Drive.
MAP: 008 PARCEL(S): 004.00 p/o ACREAGE: 16.28
OF LOTS: 66 CIVIL DISTRICT(S): 2
STAFF RECOMMENDATION: FINAL PLAT APPROVAL

CASE NUMBER: S - 55 - 2018 APPLICANT: Gordon Seay
REQUEST: Final Plat Approval of AUTUMNWOOD FARMS 11C
LOCATION: South of Tiny Town Road, north of Hazelwood Drive, east of Spring Haven Drive, at the terminus of Rushmore Road.
MAP: 018 PARCEL(S): 016.00 ACREAGE: 17.64
OF LOTS: 51 CIVIL DISTRICT(S): 2
STAFF RECOMMENDATION: DEFER FOR 30 DAYS AT THE REQUEST OF THE PROJECT ENGINEER

CASE NUMBER: S - 60 - 2018 APPLICANT: WB BUILDERS
REQUEST: Final Plat Approval of BENTLEY MEADOWS SECTION 1B (CLUSTER)
LOCATION: South and east of Bryan Drive, west of Excell Road, north of Ashland City Road at the north terminus of Rye Drive.
MAP: 088 PARCEL(S): 038.00 ACREAGE: 19.29
OF LOTS: 46 CIVIL DISTRICT(S): 11
STAFF RECOMMENDATION: DEFER FOR 30 DAYS AT THE REQUEST OF THE PROJECT ENGINEER

V. SUBDIVISIONS (CONT.):

CASE NUMBER: S - 60V - 2018 APPLICANT: WB BUILDERS
REQUEST: Approval of BENTLEY MEADOWS SECTION 1B (CLUSTER)
VARIANCE ONLY

LOCATION: South and east of Bryan Drive, west of Excell Road, north of Ashland City Road at the north terminus of Rye Drive.

MAP: 088 PARCEL(S): 038.00 ACREAGE: 19.29

OF LOTS: 46 CIVIL DISTRICT(S): 11

STAFF RECOMMENDATION:

VARIANCES REQUESTED: The applicant is requesting a variance to Section 4.1.1 Table 4.1 of the Subdivision Regulations to allow a thirty foot (30') right of way (ROW) instead of the required forty foot (40').

VAR. STAFF RECOMMENDATION:

Mr. Parker read the variance request.

Mr. Vernon Weakley stated that this was an older preliminary plat when they allowed the 30 foot right-of-way. He stated that they kept that but did build the 40 foot right-of-way in the road so that it has the same width of road of today's standard. He stated that he was available to answer any questions.

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

Mr. Tyndall stated that this is a variance at the final plat phase. He stated that we extended the preliminary plat a month or two ago. He stated that we should hear the final on this in the next month or two once Storm water and Roads sign off on it.

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

CASE NUMBER: S - 62 - 2018 APPLICANT: RIVERCHASE, LLC
REQUEST: Preliminary Plat Approval of RIVER CHASE SUBDIVISION

LOCATION: South of Ashland City Road, west of and adjacent to Gratton Road, north of Appleton Road, east of Cumberland River.

MAP: 080 PARCEL(S): 007.00 & 007.01 p/o ACREAGE: 81.94

OF LOTS: 81 CIVIL DISTRICT(S): 11

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

City Portion:

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.

County Portion:

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

V. SUBDIVISIONS (CONT.):

CASE NUMBER: S - 69 - 2018 APPLICANT: Robert P Krueckeberg
REQUEST: Replat Approval of REPLAT OF TINY TOWN APARTMENTS LOTS 1 - 4
LOCATION: North of Tiny Town Road, West of and adjacent to Royster Lane, East of Pembroke Road and South of Mallard Drive
MAP: 006j PARCEL(S): D 001.00, 002.00, 003.00 & ACREAGE: 1.34
OF LOTS: 1 CIVIL DISTRICT(S): 3
STAFF RECOMMENDATION: FINAL REPLAT APPROVAL
VARIANCES REQUESTED: The applicant is requesting a variance to Section 4.8.3 Subsection 3.C of the Subdivision Regulations to allow a 5.7 variance to the required 20' Public Utility and Drainage Easement (PUDE) along the radius of the intersection at Royster Lane and Tiny Town Road, at the southeast corner of Lot 1 of the Tiny Town Apartments Final Plat as recorded in Plat Book 13 Page 588.

VAR. STAFF RECOMMENDATION:

Mr. Parker read the variance request.

Mr. Kyle Collins stated that the property has been purchased. He stated that they are requesting this variance to prevent the existing building from encroaching into the proposed PUDE.

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

There being no more discussion, Mr. Powers moved to recommend approval of the variance request based on the fact that these are existing buildings. The motion was seconded by Mr. Grubbs and carried unanimously.

Mr. Swift stated that a motion was needed on the subdivision case. There being no more discussion, Mr. Powers moved to recommend approval. The motion was seconded by Mr. Grubbs and carried unanimously.

CASE NUMBER: S - 70 - 2018 APPLICANT: JEFFREY ROBINSON
REQUEST: Preliminary Plat Approval of 1ST AND MARION LOTS 1 & 2
LOCATION: Approximately 85' east of the intersection of 1st and Marion Street.
MAP: 066g PARCEL(S): B 002.00 ACREAGE: 0.48
OF LOTS: 2 CIVIL DISTRICT(S): 12
STAFF RECOMMENDATION: FINAL PLAT APPROVAL BY MINOR PLAT PROVISIONS

CASE NUMBER: S - 71 - 2018 APPLICANT: Todd Morris (Developer)
REQUEST: Preliminary Plat Approval of VERIDIAN
LOCATION: North of Highway 41A South, west of Smith Lane, approximately 800 feet east of the intersection of Sango Drive and Sango Road, south of and adjacent to Sango Road.
MAP: 082 PARCEL(S): 053.00 ACREAGE: 18.14
OF LOTS: 29 CIVIL DISTRICT(S): 11
STAFF RECOMMENDATION: DEFER FOR 30 DAYS

V. SUBDIVISIONS (CONT.):

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

CASE NUMBER: S - 73 - 2018 APPLICANT: Jeff Burkhart
REQUEST: Preliminary Plat Approval of AUTUMN CREEK SECTION 8
LOCATION: South of Tiny Town Road, west of Needmore Road, east of Peachers Mill Road, at the terminus of Charles Thomas Road and Jackie Lorraine Drive.
MAP: 018 PARCEL(S): 022.00 ACREAGE: 41.49
OF LOTS: 152 CIVIL DISTRICT(S): 2
STAFF RECOMMENDATION: PRELIMINARY PLAT APPROVAL SUBJECT TO THE CONDITIONS LISTED.

1. Approval by the City Engineer's Office and the State Department of Environment and Conservation of all utility plans before construction of utilities begins.
2. Approval by the City Street Department of all road, drainage, grading, and erosion control plans before construction begins. No grading, excavating, stripping, filling, or other disturbance of the natural ground cover shall take place prior to the approval of a grading, drainage, and erosion control plan.
3. Approval by the City Street Department of all driveway access locations to the public right-of-way before construction begins on site, as per City of Clarksville Driveway Access Ordinance.

CASE NUMBER: S - 74 - 2018 APPLICANT: DEBORAH MARKS
REQUEST: Preliminary Plat Approval of HICKORY HILLS SECTION 1
LOCATION: West of and adjacent to Hickory Point Road, approximately 220 feet northwest of the intersection of Hickory Point Road and Lock B Road North.
MAP: 110 PARCEL(S): 025.00 ACREAGE: 11.08
OF LOTS: 6 CIVIL DISTRICT(S): 15
STAFF RECOMMENDATION: FINAL PLAT APPROVAL BY MINOR PLAT PROVISIONS

V. SUBDIVISIONS (CONT.):

CASE NUMBER: S - 75 - 2018 APPLICANT: Hubert Smith

REQUEST: Preliminary Plat Approval of HARPER ROAD COMMERCIAL

LOCATION: West of Miller Road, east of Shady Maple Drive, South of and adjacent to Highway 41A South, immediately southeast and southwest of the intersection of Harper Road and 41A South.

MAP: 081 PARCEL(S): 165.00 & 167.01 ACREAGE: 5.44

OF LOTS: 6 CIVIL DISTRICT(S): 11

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.

Harper Road:

1. Approval by the County Highway Department of any road and drainage plans, for drainage structures within the proposed rights-of-way, before construction begins on site.

V. SUBDIVISIONS (CONT.):

CASE NUMBER: S - 76 - 2018 APPLICANT: MAIN ST INVESTMENTS

REQUEST: Preliminary Plat Approval of TIMBER SPRINGS SECTION 3

LOCATION: West of Trenton Road, south of Hazelwood Road, west of Timberdale Drive, southwest of the current terminus of Castlewood Drive.

MAP: 017 PARCEL(S): 053.02 ACREAGE: 62.63

OF LOTS: 90 CIVIL DISTRICT(S): 2

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

1. Approval by the City Engineer's Office and the State Department of Environment and Conservation of all utility plans before construction of utilities begins.
2. Approval by the City Street Department of all road, drainage, grading, and erosion control plans before construction begins. No grading, excavating, stripping, filling, or other disturbance of the natural ground cover shall take place prior to the approval of a grading, drainage, and erosion control plan.
3. Approval by the City Street Department of all driveway access locations to the public right-of-way before construction begins on site, as per City of Clarksville Driveway Access Ordinance.

VARIANCES REQUESTED: The applicant is requesting a variance to Section 4.3 Subsection 2 of the Subdivision Regulations to allow a block length of 1,965 feet in length, which exceeds the maximum of 1,500' allowed.

VAR. STAFF RECOMMENDATION:

Mr. Parker read the variance request.

Mr. Tyndall stated that the original preliminary, from approximately 13 years ago, had shown a cul-de-sac which would have broken up the block length. They have decided to remove that due to the topography which is why they require the variance.

Mr. Houston Smith, DBS & Associates, 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 of the variance as requested. The motion was seconded by Mr. Rocconi and carried unanimously.

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

Mr. Houston Smith, DBS & Associates, stated that this is an expired preliminary plat that expired fairly recently. He stated that they are not looking for anything to change from the existing approved Gas and Water or Street Department plans. He stated that what is being built there is continuing to be built. He stated that they are having to update the preliminary because it expired and would be going for final plat very soon.

Ms. Tamika Bourne stated that she was not necessarily against this but she wanted to know what they were going to do to the roads, as far as turnarounds. She stated that her son is disabled and that they need the cul-de-sac for the bus to turn around. She stated that the area was currently mud and the bus could not turn around.

Mr. Houston Smith stated that they have nothing to do with what is out there now and that they are trying to get this road installed and get the whole network tied back together so there is no plan for any temporary turnaround.

Mr. Kelly asked which portion she is talking about. Mr. Parker stated that she is the very last lot in the existing section. Mr. Kelly asked who she should take her concern to. Mr. Parker stated that if he is understanding the question correctly, when this section is paved and connected to the rest of the subdivision, which Mr. Smith stated they are planning on submitting in the next month or so, he believes this will alleviate that concern.

Mr. Kelly stated that he felt maybe this was an issue for the School System and whoever manages the buses or the City Street Department.

Mr. Jack Frazier stated that he was caught off guard with this complaint but that he would personally go out and look at it tomorrow and see what the condition is. It was asked that he get Ms. Bourne's number so that he could be in contact with her.

V. SUBDIVISIONS (CONT.):

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. Parker asked if there is anyone in the audience who would like to discuss a particular subdivision case to let us know and we will remove this case from the consent agenda. Case S-76-2018 was requested to be pulled from the consent agenda. Mr. Parker stated that the staff would like to pull cases S-60V-2018, S-69-2018, and case S-76-2018 (see those cases 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 -40 -2018 APPLICANT: ALLEN YATES
Agent: Dewayne Caldwell

DEVELOPMENT: COMFORT SUPPLY STORAGE ADDITION

PROPOSED USE: STORAGE ADDITION

LOCATION:

MAP: 079-M-A-017.00 ACREAGE: 0.56

CIVIL DIST.: 12

STAFF RECOMMENDATION: APPROVAL, NO CONDITIONS

CASE NUMBER: SR -41 -2018 APPLICANT: DAVID PSIMER
Agent: Houston Smith

DEVELOPMENT: FIELDSTONE VILLAGE

PROPOSED USE: MULTI FAMILY

LOCATION:

MAP: 039, 002.00 (P) ACREAGE: 10.02

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 and drainage plans by the County Building and Codes Department.
 3. Approval from the County Highway Department.
 4. Approval of a landscape buffer plan.

CASE NUMBER: SR -42 -2018 APPLICANT: CLEAR SKY
Agent: Cal Burchett

DEVELOPMENT: CLEAR SKY 41-A

PROPOSED USE: RETAIL

LOCATION:

MAP: 081-K-A-005.00 & 006.00 ACREAGE: 1.20

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 and drainage plans by the City Street Department.
 3. Approval from the Common Design Review Board.
 4. Approval of a landscape plan.

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

CASE NUMBER: SR -43 -2018 APPLICANT: TERRY AND GLORIA GARNER

Agent: J. Chris Fielder

DEVELOPMENT: GARNER TOWNHOMES

PROPOSED USE: TOWNHOUSES

LOCATION:

MAP: 041,077.00 ACREAGE: 0.82

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.
2. Approval of all grading and drainage plans by the City Street Department.
3. Approval of a landscape plan.

CASE NUMBER: SR -44 -2018 APPLICANT: HUBERT SMITH

Agent: Houston Smith

DEVELOPMENT: HARPER ROAD COMMERCIAL LOT 1

PROPOSED USE: RETAIL

LOCATION:

MAP: 081,165.00 (P) ACREAGE: 1.14

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 and drainage by the City Street Department.
3. Approval from the Common Design Review Board.
4. Approval from TDOT.
5. Subdivison plat completed.
6. Approval of a landscape plan.

CASE NUMBER: SR -45 -2018 APPLICANT: HUBERT SMITH

Agent: Houston Smith

DEVELOPMENT: HARPER ROAD COMMERCIAL LOT 2

PROPOSED USE: RETAIL

LOCATION:

MAP: 081,167.01 (P) ACREAGE: 1.04

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 and drainage by the City Street Department.
3. Approval from the Common Design Review Board.
4. Approval from TDOT.
5. Subdivison plat completed.
6. Approval of a landscape plan.

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

CASE NUMBER: SR -46 -2018 APPLICANT: ATLAS BX

Agent: Blaine Prine

DEVELOPMENT: ATLAS BX - BATTERY MANUFACTURING FACILITY

PROPOSED USE: BATTERY MANUFACTURING

LOCATION:

MAP: 040,012.00 (P) ACREAGE: 39.8

CIVIL DIST.:

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

- CONDITIONS:**
1. Approval of all utility plans by the Office of the Chief Utility Engineer to include as built.
 2. Approval of all grading and drainage plans by the County Building and Codes Department.
 3. Approval of a landscape buffer plan.

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

Mr. Swift stated that for those who are here for case SR-46-2018 he has a statement. He stated that the duty of the Regional Planning Commission when it comes to site plans is to ensure new construction or additions to buildings are designed in a manner that meets the Zoning Ordinance, to act as a clearinghouse to allow development applications to be reviewed by Streets and Highway Departments, Gas and Water Utilities, Storm Water Management, Emergency Services, the School System and other departments within the City and the County. As a part of the site plan review process, staffs of many departments review the applications for elements such as appropriateness of the use to the zoning, topography, water bodies and drainage, grading, building height and setbacks, parking, utility connections, lighting, connections to roads, landscaping and other items. The Regional Planning Commission is not responsible for reviewing the actual construction of structures, which is handled by City or County Codes Departments or required that a developer has secured all necessary permits and licenses, many of which are obtained after the site plan review, and often after the buildings are built. The approval of the Atlas BX Battery Plant falls in the same situation and our review of this application today does not permit the operation of the facility. That responsibility lies with other offices such as TDEC and that is going to be one that most of you will be most interested in. TDEC is The Department of Environment and Conservation. It is a State agency and they are holding a public meeting tonight at 6:00 P.M. at the County Library. So if you would like to hear from TDEC directly, you will have an opportunity tonight at 6:00 P.M.

Ms. Joanne MacIntosh stated that she was a concerned citizen and that she does not live in the immediate area. She stated that she understood the statement that was just made but that she would also like to take this opportunity to speak for some of the people who are very concerned about Atlas BX Plant going in, for environmental reasons. She stated that several years ago the Planning Commission and the County Commission approved the area adjacent to the Industrial Park to be rezoned for residential. She stated that she knows it was very contested at the time and the reasons for that are exactly what we are facing today with Atlas BX. She stated that they have had a lot of information published in the newspapers along with letters to the editor. She stated that there is a petition that was circulated that has received around 1600 signatures from concerned citizens in Clarksville, Montgomery County. She stated that the issue is the air contaminants, sulfuric acid, sulfur dioxide and lead. She said that it has been said that the amount of lead emitted from this plant falls below standards allowed by the State. She stated that sometimes what is legal is not always what is best for residents in the community. She stated that doctors associations all over the world agree that no amount of lead is safe and we are talking about putting a lead emitting plant in the back yard of residents, schools, a hospital and a vineyard. She stated she would ask the Planning Commission to be good stewards and if nothing else to please table any decision, defer any approval until after the public town meeting with TDEC this evening.

Mr. Ed Clapp stated that he has a home, extended families homes, his business office, real estate company and construction company, plus the school that his grandkids and great grandkids go to that all fall within a mile diameter of this area. He stated that he believed

SR-46-2018 (CONT.)

it was either in the Lebanon or Franklin area a few years ago where the lead acid battery plant closed down and they found extensive contamination of the soil from lead. He stated that he would request that this be continued to a later date until a more extensive study of the water runoff and possible land contamination could be completed.

Mr. Alex Conley, Chairman of the AMVETS Veteran's Wellness Committee for the Department of Tennessee, stated that he was here today, not in opposition of anything when it comes to zoning or the operations of City access. He stated that he was requesting a deferral due to the fact that there is information coming forward through the contaminants that this facility is maintaining. He stated that a lot of the concerned citizens have a right to be concerned because as it was stated earlier, lead in no manner is healthy. He stated that more veterans are getting out at Fort Campbell every day. He stated that we have concerns about veterans with lung issues for the fact of Agent Orange exposure but we are not concerned about putting lead into our oxygen system. He stated that he feels it would be prudent for the Commission to at least defer this to the next meeting until after the concerned citizens have had a change to voice their concerns and more information has been provided by TDEC.

Mr. John Maher stated that he lives in Stones Manor Subdivision and his children all attend Rossvie High School. He stated that he understands that what the Planning Commission does, does not fully entail what the problems are here but one of the issues is runoff. He stated that he does not know if when the studies were done of storm water runoff if it was taken into account what contaminants might be in the runoff and where those would go. He stated that he felt this should definitely be tabled to do those studies because this is a major concern for everyone who lives in the area.

Dr. Walker asked if Mr. Tyndall could respond to what studies have been done and by whom. Mr. Tyndall stated that when it comes to the air quality, those studies are being handled by TDEC. He stated that there are representatives from Building and Codes but they are still in preliminary talks about the construction of the building and the operations that are going on there and just where it should be in the sprinklering and types of fire rating of walls and such. He stated that, if there was a concern over drainage, one of the staff's recommendations on this is a conditional approval, which means you are not approved until you meet these requirements. The number two recommendation was the approval of all grading and drainage plans by County Building and Codes Department, so they are still working out the drainage system for this site. He stated that it is just at a point where we can approve the site with the understanding that they will continue to work this out. He stated that they do not get actual signature of approval until we receive a letter from Building and Codes that this has been worked out to their satisfaction and once all the conditions have been met we give final approval to proceed with getting a building permit. He stated that we do not typically require any studies other than possibly a traffic study. Ms. Russell stated that we do not require any other studies.

Mr. Kelly asked, in the overall process, if the choice is made today to give the 30 days what is the overall impact it will have on the entire process Mr. Tyndall stated that there are representatives in the audience who can answer that. He stated that he cannot answer that for the company itself and there would have to be a reason to defer it.

Mr. Rocconi asked Mr. Tyndall if the intended use is permitted in the M-2 zoning. Mr. Tyndall stated that is correct. He stated that M-2 is the City and County's most intense industrial zone and this use, which they have spoken with County Codes about twice, is a permitted use in the M-2 zone. Mr. Rocconi stated that he would like to address Ms. MacIntosh. He stated that as a County Commissioner he always voted to allow the surrounding people to do what they wanted to with their land. He stated that he took the position that if the Industrial Development Board did not buy the land, they could not tell the neighbor what to do. He stated that he fought for the neighbors' rights and the owner's rights. He stated that it was not that he was against the Industrial Development Board but that he believes in owner's rights. He stated that same position puts him where he cannot see how you could not vote for this or recommend this because it is zoned M-2. He stated that the Industrial Development Board really fought to keep people from living around that area and we let people live around that area. He stated that he does not want to cause those people harm but this is M-2 and he believes that is a proper use in that zone.

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

Mr. Swift announced that the public meeting is at 6:00 tonight at the Public Library where there will be an opportunity to speak with TDEC officials face to face. Mr. Swift announced that there would be a 5 minute recess from 3:15 to 3:20.

Mr. Swift noted that site plan, abandonment and driveway access cases will be heard on a consent agenda unless there is a case anyone wishes to pull for separate consideration.

Ms. Russell pulled case SR-46-2018 from the consent agenda (see that case for discussion and action).

Ms. Russell gave the staff reports for the remaining cases.

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

VII. PLANNING DIRECTOR'S REPORT:

A. LANDSCAPE BUFFER APPEAL LA-40-2018: Ms. Russell stated that a few months ago Mr. Piper rezoned this property to R-4. She stated that he has a 24 unit townhouse development and he is asking for a waiver of the buffer between the C-2 and the R-4. She stated that the grade is quite steep there so where the buffer would be it wouldn't really do any good. She stated that they feel this is a good request as he has done all of the perimeter and interior plantings.

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

B. FEE WAIVER REQUEST: Mr. Tyndall stated that we do not approve fee waivers at staff level and that requires a Board action. He stated that we have a request from Loaves and Fishes for an application that they may be making over the next 60 days for a zoning change. He stated that they are requesting a fee waiver of the \$1400 rezoning fee and this would require Commission's approval. There being no more discussion, Mr. Powers moved to recommend approval. The motion was seconded by Mr. Grubbs and carried with Mr. Rocconi stated that he had been engaged by Loaves and Fishes to represent them in the purchase of this property and he will therefore be abstaining.

C. MONTHLY PROFIT AND LOSS STATEMENT: Mr. Tyndall presented the monthly profit and loss statement. There being no more discussion, Mr. Kimbrough moved to recommend approval. The motion was seconded by Ms. Walker and carried unanimously.

VII. ADJOURNMENT:

The meeting was adjourned at 3:25 p.m.

ATTEST:



Richard Swift, CHAIR