



# CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

## CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

### MINUTES

**Date:** March 29, 2022

**Time:** 2:00 PM

#### Members Present

Richard Swift, Chairman

Thom Spigner

Wade Hadley

Michael Long

Stacey Streetman

Bill Kimbrough

Maria Jiminez

Larry Rocconi

Bryce Powers

#### Others Present

Jeff Tyndall, Director of Planning

Ruth Russell, Site Review/ Address Manager

Brad Parker, Subdivision Coordinator

Brent Clemmons, Design Review Coordinator

Angela Latta, Planning Tech

John Spainhoward, Zoning Coordinator

LaDonna Marshall, Office Manager

Daniel Morris, GIS Planner

Sarah Cook, Long Range Planner

Chris Cowan/Jerome Henderson/Joe Green, City Street Dept.

Ben Browder/Patrick Chesney, Clarksville Gas & Water

Rod Streeter, County Zoning Enforcement Office

Jobe Moore, Clarksville Fire Department

Mr. Swift called the meeting to order at 2:02 PM.

Pledge of Allegiance.

### **Approval of Minutes**

Mr. Swift asked for a motion for approval of the minutes from January 25, 2022 meeting. Mrs. Streetman moved to recommend approval. The motion was seconded by Mr. Kimbrough and carried unanimously.

### **Announcements/Deferrals**

Mr. Tyndall announced under other business, we are going to present the R-3 Red River Neighborhood Study for your information at the end of the meeting. Mr. Tyndall then announced deferrals which include Z-8-2022, Z-21-2022, CZ-9-2022, S-133-2021, S-12-2022, SR-6-2022 and SR-14-2022. There being no more discussion, Mr. Spigner recommended approval of deferrals. The motion was seconded by Mrs. Streetman and carried unanimously.

### **City Zoning Cases**

**CASE NUMBER Z-9-2022** Applicant: Mark Davis

REQUEST: C-2 General Commercial District to R-6 Single-Family Residential District

LOCATION: Property fronting on the north frontage of Crossland Ave., east of the Shearon Ln. & Crossland Ave. intersection & west of the Kelly Ln. & Crossland Ave. intersection.

TAX MAP: 065P PARCEL: H 011.00 H 011.01 ACREAGE: .76+/-

REASON FOR REQUEST: Single-Family Development

Mr. Spainhoward read the case and gave the staff recommendations:

#### **APPROVAL**

1. The proposed zoning request is consistent with the adopted Land Use Plan.
2. The proposed R-6 Single-Family Residential District is not out of character with the surrounding development pattern.
3. Adequate infrastructure will serve the site & sidewalks will be required by the Clarksville Street Dept. as part of development approval process.
4. The parcel has a large amount of fill placed on site. The fill would be required to be removed prior to development or an approved compaction test provided to Building & Codes prior to construction.

Mr. Spainhoward stated that as of 4:30 PM 03/28/2022 there had been no formal public comments.

Kolt Milam spoke in favor of the case stating we know that we need an alleyway up front and that is in the plan. All the fill dirt will be removed before anything is built there. He further stated he was available for any questions.

Rashidah Leverett came forward stating she lives in this district and wants to clarify that sidewalks are required for this property. She is not against this and that is the only question she had.

Mr. Spainhoward spoke up saying that sidewalks are required for all R-6 Developments.

There being no further discussion Mr. Rocconi made the motion to approve. The motion was seconded by Mr. Hadley. All were in favor and motion passed.

**CASE NUMBER Z-10-2022** Applicant: Juanita Charles

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

LOCATION: Property fronting on the east frontage of Plum St., 690 +/- feet north of the Plum St. & E St. intersection.

TAX MAP: 055H PARCEL: B 019.00 B 017.00 ACREAGE: 2.0 +/-

REASON FOR REQUEST: To build affordable housing.

Mr. Spainhoward read the case and made note that a comment from the school system came in after the informal meeting stating this development is within 500 feet of Burns Darden. Sidewalks would need to be provided for bike access and pedestrians. That is something we would look at during the site plan approval process. The staff recommendations are for:

APPROVAL

1. The proposed zoning request is consistent with the adopted Land Use Plan.
2. The proposed R-4 Multi-Family Residential District is not out of character with the surrounding development pattern.
3. Existing infrastructure to include water and streets must be upgraded to a level deemed acceptable to the Clarksville Gas & Water Dept., Clarksville Street Dept. & Clarksville Fire Dept. prior to the release of an approved site plan.
4. No adverse environmental issues were identified relative to this request.

Mr. Spainhoward stated that as of 4:30 PM 03/28/2022 there had been no formal public comments.

Juanita Charles submitted a site plan with a turn around on the property. We want to create affordable and attainable work force housing. It is going to be mixed income housing with full market rate, Section 8 and some sliding scale. There will be a small portion that will be set aside for transitional housing for emergency use for homeless, domestic abuse and things like that. We also wanted to improve the aging housing stock in the area.

There being no further discussion Mrs. Streetman made the motion to approve. The motion was seconded by Mrs. Jiminez. All were in favor and motion passed.

**CASE NUMBER Z-11-2022** Applicant: Benny Skinner

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

LOCATION: Property fronting on the south frontage of E. College St., 685 +/- ft. west of the Franklin St. & E. College St. intersection.

TAX MAPS: 066E PARCEL: A 007.00 ACREAGE: 0.17 +/-

Reason for Request: Redevelopment for single family homes.

Mr. Spainhoward read the case and gave the staff recommendations:

#### APPROVAL

1. The proposed zoning request is consistent with the adopted Land Use Plan.
2. The proposed R-6 Single-family Residential District is not out of character with the surrounding development pattern.
3. Adequate infrastructure will serve the site & sidewalks will be required by the Clks. Street Dept. as part of development approval process.

Mr. Spainhoward stated that an email was in the Commissioner's packets as formal public comment.

Benny Skinner spoke in favor of the case stating he was just asking for a zone change to construct single family affordable housing and help improve the appearance of the area.

Grace Cowan, adjoining property owner, had a couple of concerns. First there is a 200 plus year old tree that is right on the border of Mr. Skinner's property and doesn't want it killed. She wants to know how many homes will be constructed. She also wanted to know how far from her property line that the houses would be built and their design. And whether there would be garages or off-street parking. It is a pretty busy area there. She would be in favor of the rezoning request if she could understand more but with no more than two homes and does not want her tree cut. In closing she wanted to compliment Mr. Spainhoward and Mr. Parker, that they are really speedy in their responses, articulate and they give a lot of information.

In rebuttal, Mr. Skinner responded to her concerns by stating that a watchful eye is always kept on him whenever he builds. He will certainly abide by all the regulations of the R-6 zone. The infrastructure is in place, the water is there, the sewer is there and the street has curb on that side. It will be in character with the neighborhood. He feels like it meets the criteria for R-6 zone.

Grace Cowan spoke up again asking how many houses.

Mr. Skinner said three houses could be built but they would have to be awfully small. No house plans have been picked out yet. We just wanted to get the zoning done first. It may a tomorrow project or a 5-year project.

There being no further discussion Mr. Kimbrough made the motion to approve. The motion was seconded by Mr. Hadley. All were in favor and motion passed.

**CASE NUMBER Z-12-2022** Applicant: Samuel Renison Baggett

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

LOCATION: Property fronting on the east frontage of Edmonson Ferry Rd., 875 +/- feet south of the Edmondson Ferry Rd. & Jen Hollow intersection.

TAX MAP: 090 PARCEL: 013.00 ACREAGE: .51 +/-

Reason for Request: The property aforementioned is too narrow to build a single-family home as zone R-1. The intention is to rezone to R-2 allowing a single-family residence to be built meeting the lot width at setback requirement.

Mr. Spainhoward read the case and gave the staff recommendations:

APPROVAL

1. The proposed zoning request is consistent with the adopted Land Use Plan.
2. The proposed R-2 Single Family Residential District brings the property into zoning compliance for minimum lot width & does not appear to be out of character with the surrounding residential development pattern.
3. Adequate infrastructure serves the site and no adverse environmental issues were identified relative to this request.

Mr. Spainhoward stated that as of 4:30 PM 03/28/2022 there have been no formal public comments but there were several phone calls. Once explained, no one expressed any opposition.

Ren Baggett spoke in favor seeking to rezone this property from R-1 to R-2 in order to build a single-family home.

There being no further discussion Mr. Rocconi made the motion to approve. The motion was seconded by Mrs. Streetman. All were in favor and motion passed.

**CASE NUMBER Z-13-2022** Applicant: John & James Clark Agent: Landmark Group

REQUEST: R-1 Single-Family Residential District to R-6 Single-Family Residential District

LOCATION: Property fronting on the south frontage of E. Boy Scout Rd., 2,000 +/- feet west of the Needmore Rd. & E. Boy Scout Rd. intersection.

TAX MAP: 018 PARCEL: 023.00 ACREAGE: 2.04 +/-

Reason for Request: To build single family houses overlooking the river.

Mr. Spainhoward read the case and gave the staff recommendations:

APPROVAL

1. The proposed zoning request is consistent with the adopted Land Use Plan.
2. The proposed R-6 Single Family Residential District is not out of character with the surrounding development pattern. The property also has the Billy Dunlop Park in close proximity to the west & retail goods & services will soon become available on the commercial properties to the east.
3. The adopted Land Use Plan states that it is encouraged to maintain a desirable mixture of housing types throughout the community.
4. E. Boy Scout Rd. will be required to be widened & sidewalks will be required by the Clarksville Street Dept. during the development phase.

Mr. Spainhoward stated that there had been few phone calls and an email was in the Commissioner's packets as a formal public comment.

Christian Black spoke saying they were going from R-1 to R-6 to allow some additional density and more affordable housing in the area. We feel like it is a good transition from the multi-family and the commercial over to the residential that goes down to Billy Dunlop Park. This also allows us to continue the road widening that we are going to have to do for the adjacent property, a 1000' going down the road towards the park that will give us an additional 300' towards the park. The staff recommends approval and we appreciate your support.

There being no further discussion Mr. Kimbrough made the motion to approve. The motion was seconded by Mrs. Jiminez. All were in favor with the exception of Mr. Rocconi abstaining from the vote and motion passed.

**CASE NUMBER Z-14-2022** Applicant: Ligon Home Builders Agent: Calvin Ligon

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

LOCATION: Three parcels fronting on the west frontage of Ford St., west of the Ford St. & Carpenter St. intersection.

TAX MAP: 066C PARCELS: D 016.00 D 017.00 D 019.00 ACREAGE :0 .29 +/-

REASON FOR REQUEST: To build single family homes.

Mr. Spainhoward read the case and gave the staff recommendations:

**APPROVAL**

1. The proposed zoning request is consistent with the adopted Land Use Plan.
2. The proposed R-6 Single Family Residential District is not out of character with the surrounding development pattern.
3. The adopted Land Use Plan states that it is encouraged to maintain a desirable mixture of housing types throughout the community.
4. Adequate infrastructure will serve the site & sidewalks will be required by the Clks. Street Dept. as part of development approval process.

Mr. Spainhoward stated that as of 4:30 PM 03/28/2022 there had been no formal public comments.

Mr. Swift apologized to everyone that he missed one statement earlier and proceeded to go over the procedure for addressing the Planning Commission.

There being no further discussion Mr. Rocconi made the motion to approve. The motion was seconded by Mr. Spigner. All were in favor with the exception of Mr. Long abstaining from the vote and motion passed.

**CASE NUMBER Z-15-2022** Applicant: Syd Hedrick Berry Hedrick Agent: Syd Hedrick

REQUEST: R-1 Single-Family Residential district to R-6 Single-Family Residential District

LOCATION: Property fronting on the south frontage of Lafayette Rd. southwest of the Lafayette Rd. & Monarch Ln intersection.

TAX MAP: 054B PARCEL: B 001.00 ACREAGE: 7.75 +/-

REASON FOR REQUEST: The subject property is a prime example of a hold out property best suited for in-fill development. In an effort to engender single family development and allow for affordable housing. The R-6 zoning best fits my intention to develop into building lots.

Mr. Spainhoward read the case and gave the staff recommendations:

APPROVAL

1. The proposed zoning request is consistent with the adopted Land Use Plan.
2. The proposed R-6 Single Family Residential District is not out of character with the development pattern of the area.
3. The adopted Land Use Plan states that it is encouraged to maintain a desirable mixture of housing types throughout the community.
4. Adequate infrastructure will serve the site & sidewalks will be required by the Clks. Street Dept. as part of development approval process.

Mr. Spainhoward stated we did take several phone calls but no one logged a formal comment in reference to this application.

Syd. Hedrick spoke in favor stating R-6 seemed to be popular these days because it is really the only option for affordable housing. He can't control material or labor costs but he can control the costs of his lots somewhat. With R-6 zoning he can have some affordable lots to build on or sell to builders for homes that are going to be starter homes. My intent is for these homes to be purchased for home owners not necessarily for rental properties.

There being no further discussion Mr. Long made the motion to approve. The motion was seconded by Mrs. Streetman. All were in favor and motion passed.

**CASE NUMBER Z-17-2022** Applicant: Hunter Winn Et Al

REQUEST: RM-1 Single Family Mobile Home Residential District to R-6 Single-Family Residential District

LOCATION: Property fronting on the east frontage of Biglen Rd., 270 +/- feet north of the Batts Ln. & Biglen Rd.

TAX MAP: 029L PARCEL: D 035.00 ACREAGE :0 .94 +/-

REASON FOR REQUEST: To transition from the adjacent apartments on the southeast and single-family mobile on the northwest.

Mr. Spainhoward read the case and gave the staff recommendations:

## DISAPPROVAL

1. The proposed zoning request appears to be inconsistent with the adopted Land Use Plan.
2. The R-6 Single Family Residential District appears to be out of character with the surrounding development pattern.
3. The property may warrant consideration of a zone change, however the appropriate zoning classification appears to be the R-4 Multiple Family Residential Zoning District.
4. Adequate infrastructure will serve the site and sidewalks will be required by the Clks. Street Dept. as part of development approval process.

Mr. Spainhoward stated there had been a couple of questions received but no formal comments regarding this application.

Vernon Weakley spoke in favor stating that we considered R-4 for this site but we felt like that was infringing into the single-family portion of this property that goes back on Biglen. It is a mobile home single family but some of the area is quickly transitioning to homes that are like what R-6 provides for. We really thought we would get support for either zone but we would like to do the R-6 and we think it is a good zone to transition from between the apartments and the single-family homes.

Stacey Streetman asked if Mr. Weakley said the area was transitioning to R-6? She stated she did not see any R-6 on there and wanted to clarify.

Mr. Weakley said different parts of that area were being reworked. It's all so new. It will keep coming.

Mr. Powers asked how many units are you planning for?

Mr. Weakley replied with four or five. It's not very big.

David Young came forward to speak in favor agreeing with Mr. Weakley. Do you want mobile home, apartments or single-family where people can afford especially the military? Houses are getting so expensive and lots like this make it affordable and you can own a home instead of renting. It is pushing more and more that way.

Kim Reynolds came forward with the question that if we already have mobile homes there, why do we consider R-6 different from mobile homes in lot size and space.

Mr. Tyndall explained that it's going to go from one mobile home to 4,5,6 lots so the density will be increased. This is an interesting area and if you look in the city and county Britton Springs, Batts Lane and Evans Road has historically had a lot of mobile home properties. It's been transitioning over time with some going to duplexes, some to single family homes, a lot to R-3 & R-4 for triplexes or quadplexes for rental. It is a heavy rental area and one of our concerns was the introduction of ownership versus rental in an area, where often when you buy a house, it's a lot harder to move if there are issues in the area whereas if you rent you can wait until your year or two is up to move. If you look at the definition of R-6 it is meant for more infill, in and around pedestrian supported services, this is an area that is very hilly with no sidewalks, no pedestrian services, and no bus routes so we felt at this time it is was a little premature for R-6 in this area.

There being no further discussion Mr. Powers made the motion for disapproval. The motion was seconded by Mrs. Streetman. There was a tie with 4 yeas and 4 nays which were Mr. Long, Mr. Rocconi,



Mr. Spigner & Mr. Hadley. As Chairman, Mr. Swift cast his tie breaking vote for disapproval citing the staff recommendation. Motion for disapproval passed 5 to 4.

**CASE NUMBER Z-18-2022** Applicant: Gateway Baptist Church of Clarksville Agent: Bradley Jackson

REQUEST: AG Agricultural District to R-5 Residential District

LOCATION: Property fronting on the north frontage of Needmore Rd., 395 +/- feet west of the Needmore Rd. & Arthurs Ct. intersection.

TAX MAP: 031 PARCEL: 027.00 ACREAGE :3.75 +/-

REASON FOR REQUEST: To provide an affordable townhome development with common open space to be used by the development and homeowner's association per the R-5 zoning regulations.

Mr. Spainhoward read the case and noted that the Street Dept. had requested a future reservation for a right of way widening, a site distance analysis was proposed for this entrance where this property would be and it was deemed acceptable. He gave the staff recommendations:

APPROVAL

1. The proposed zoning request is consistent with the adopted Land Use Plan.
2. The proposed R-5 Residential District is not out of character with the surrounding uses & properties.
3. The adopted Land Use Plan states that it is encouraged to maintain a desirable mixture of housing types throughout the community.
4. Adequate infrastructure will serve the site & no adverse environmental issues were identified relative to this request.

Mr. Bradley Jackson spoke in favor stating the intent was to go to R-5 because they do not have intentions of keeping them as rentals. They understand there has been a lot of growth in that immediate area so they've worked directly with their engineer for the proper set-backs. They've made sure they have the proper sidewalks. The inevitable goal is to connect the sidewalks to the adjoining community to create more walkable and safer area for the kids. Safety is the main focus of this project.

Chris Rasnic spoke in opposition stating one of the pictures being used was the wrong property. That was the property across the street. The property behind him is a slope. He and his neighbor get constant flooding. He brought photos showing the flooding they actually get. They get a lot of erosion and root rot. He has taken down 5 trees as well as his neighbor because of this. Two houses down had so much flooding that a tree almost fell down on that house. The one at the very bottom where it all drains to, he has had to do truckloads of dirt to bring up his playground for his children where they can actually play.

Mr. Swift asked Mr. Rasnic if he had an engineer with him today and he answered no. Mr. Spainhoward said they would be happy to add his photos to the file. They are provided in the email but they do not come out very clear. As a point of clarity, pictures from the site and everything around it are shown.

Veronica Finney spoke against saying her property backs up to the Needmore property. She has lived there for over 20 years and loves her privacy. There are a lot of accidents on that corner. If it is going to be low income property, the families, the children's safety would be a concern. She would like for it to stay residential if they are going to build anything there where there would be maybe two or three homes, instead of 20 different units. She is against this.

Finally, April Sledge spoke against stating this would affect her neighborhood on Sugar Cane Way greatly. The City had already acknowledged that Needmore is inadequate as it is, they have done that with their Transportation Plan and by lowering the speed limit with the existing multi-family dwellings near the school and the large developments near the firehouse. Needmore Road will very quickly move from inadequate to dangerous. The current infrastructure won't support the rapid growth. With two lane roads and only one exit for our neighborhood at Sugartree it will make it hard for emergency services to reach anyone there when needed. She voiced that the schools would become even more overcrowded and the safety of the children commuting this road by foot will be at stake even with a sidewalk. Her concern is that when we talk about affordable housing, can we get a definition of what that price point will be. Can the proposed developer explain in detail because right now the minimum wage is like \$7.25 and interest rates for homes are around 4.5%, so what is affordable?

Bradley Jackson spoke in rebuttal stating the grade would have to be adjusted for this property to be feasible. They are working directly with their engineer and will have the proper setbacks. Where the water runs off they have water retention space. The grade would have to come down to the rest of the property. Safety is their biggest focus. They are being transparent. His job as a developer is to provide the houses for the people and allow the rest of the processes to fall in place. Regarding the affordable housing part, the exact same floor plan they intend to build has been built right in front of West Creek High School. All of these have sold or are under contract for less than \$250,000. That's our goal. As a licensed real estate agent, as a developer, he sees everyday rents are going up, the price of sales on houses are going up and we want to be able to provide people with the reality of owning a home. We understand there is some concern about the traffic on the street and they are willing to address these during the planning process to make everyone as comfortable as they can.

Mr. Swift asked if there was any retention on the property now as it is.

Mr. Jackson responded that not to his knowledge. It does have a moderate slope to it and it crests right where the farthest easement, closest to Arthur's Court where our easement is going to be. It does have an odd shape section and it will all have to be graded down. It's the northwest side of the property that is where they plan on redirecting the water so it doesn't affect any of their neighbors.

Mr. Rocconi asked what would be the projected density with the shared access R1-A, 5 or 6 maybe?

Mr. Spainhoward stated he could not give an actual answer now because there are some site distance issues as you go further towards Sugartree, so the access that is currently there is the safest location and if that turned out to be the only location then you are talking about a yield of 2 lots.

Mr. Rocconi then asked with our new shared access road, could you get more.

Mr. Spainhoward responded you probably could but he would feel more comfortable with an engineer who did the site distance to answer. If you truly needed that answer, we would need a deferral on this case for additional research.

Mr. Rocconi stated he didn't see any R-5 near, there is a little R-4 and a little R-3 but it seems more like R-1A or R-1 is more in character.

Mr. Swift spoke up saying one of the options was to defer for thirty days.

Mr. Spainhoward added that where the legend is on the map there is another R-4 development that curves there and clips that portion. From the standpoint of R-5, the zoning is primarily about the density. There are very similar density patterns in that area. This is like a hold out property that was reserved for a church, everything else developed around it and that church is no longer interested in developing there. There was a site plan approved for that use in 2013. There was another zoning application in 1995 that considered it to have as a market for the area which was disapproved. The zone that is there was established in 1974.

Mr. Tyndall added that there was a wider zoom map in the packet than normal to show the context of the area, that the closer zoom doesn't really give you. Glennellen School is just outside that picture. Whitfield Road with its improvements is just outside that picture. There is a PUD on that corner and a recently approved R-4 to the east of that so it is just outside that to the west but as planning commissioners it's your judgement whether to continue past Glennellen School or not.

There being no further discussion Mr. Rocconi made the motion for disapproval. The motion was seconded by Mrs. Streetman. All were in favor with the exception of Mr. Powers. Motion for disapproval passed.

**CASE NUMBER Z-19-2022** Applicant: Richard Tucker

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

LOCATION: Property fronting on the south frontage of Martin Luther King Blvd., south of the Martin Luther King Blvd. & Memorial Dr. intersection. Property also fronts on the west frontage of Jones Rd.

TAX MAP: 081 PARCEL: 009.00 ACREAGE :14.60 +/-

REASON FOR REQUEST: To provide a transition zone between commercial and single family and provide multi-family development.

Mr. Spainhoward read the case and gave an update since the informal meeting from the Street Department, the property must follow the City Access Ordinance as it relates to Jones Road. A traffic assessment was submitted and approved and improvements to Jones Road may be required as part of the development process. No formal comments were made. He gave the staff recommendations:

#### APPROVAL

1. The proposed zoning request is consistent with the adopted Land Use Plan.
2. The proposed R-4 Multi-Family Residential District is not out of character with the surrounding uses & properties. It also provides an appropriate transition from the C-5 Highway & Arterial Commercial District along MLK Jr. Highway & the R-1 Single Family Residential District.
3. The adopted Land Use Plan states that it is encouraged to maintain a desirable mixture of housing types throughout the community.

4. Adequate infrastructure will serve the site & no adverse environmental issues were identified relative to this request.

Richard Tucker spoke in favor pointing out two things. One, this property is currently zoned C-5 which is a very comprehensive zone classification. This will be a down zoning and will make a nice transition between single family residences, and will be in character with some other nice apartments being built in the area. This is development working for the community because it was pointed out that there were some inadequacies with Jones Road and the developer has agreed to bring that road up to standards that meet the Street Departments request.

Curtis Scott spoke against this development. His house attaches itself to Jones Road and he has lived there 12 years. That is a very bad place to put multiple family homes. Coming off MLK used to take 5 minutes. The other day it took 23 minutes from Trough Springs to MLK because of traffic. There are 200+ or 300 apartments being built right down the road on the other side of the interstate. Across the street we have Lakeview being built right now, 194 acres of custom homes. Where do you think they have to come out on when they leave - MLK. There is absolutely traffic galore and I don't think anyone that says they have been over and taken a count and said everything was fine and that it is ok to put multiple family homes. It is not OK. I am not objecting to single family homes but trying to put multiple families in there and trying to drop another 150 families in that property is really bad.

Jody O'Conner spoke against this as well. She doesn't live in the area but is a real estate agent and has a lot of clients who live in this area. This property backs up to Savannah Trace, the homes on Jones Road are really nice homes and Mr. Tucker builds gorgeous neighborhoods but there are at least 4 multi-family apartments or condo developments that are currently in the area being built beside the one Mr. Scott talked about. This R-4, R-5 push is getting ridiculous because it is affecting the homeowner's property values that could suffer. Mr. Tucker had this as C-5 and we don't think there was ever any issue with it being commercial and he has left a portion of that commercial facing Hwy 76. The homeowners are not averse to having R-1 single family residences but to put all these apartment complexes or condos there would be averse to many of the neighbors over there.

Mr. Tucker spoke in rebuttal pointing out that for the last 16 years he has lived about the same distance from the connector road as the first gentleman. We have a light at Publix now and that is the way a lot of the apartment people will be encouraged to go out. The light is adequate, the intersection is adequate, the City Street Department has said with improvements that Jones Road is adequate. Change is painful for some, and he has been responsible for a lot of change in Sango and maybe he will be able to do a little bit more. He believes it will be really nice and it could be all commercial with a whole lot more people. He has opportunities to develop commercial but this buttons it up a little quicker for him.

Mrs. Streetman made a motion for disapproval. The thought of adding 472 vehicles there is concerning to me. With the majority of around it being R-1 it is out of character for her. Mr. Long seconded the motion.

Mr. Rocconi asked to speak to the motion. He asked if there was a traffic study.

Mr. Spainhoward responded with a yes. The C-5 zone would generate more traffic than the proposed R-4 development. There were some improvements called for by Jones Road and the email that references that, the engineer for that applicant states that they would be willing to make those improvements from the entrance of their project from Jones Road.

Mrs. Streetman stated that various properties along that still have rights to be able to connect to Hwy 76. She questioned is this property one of those? Where will the commercial property along the front connect to? Will they be able to connect to Hwy 76?

Mr. Spainhoward stated there is an approved preliminary entrance out to MLK Blvd.

Mrs. Streetman stated that if this stayed C-5, it would likely add traffic directly to MLK Blvd rather than Jones Road.

Mr. Spainhoward said that was a fair assumption. He didn't know what the traffic splits are but the engineer that performed that analysis is here and if you want the specifics, they would be the best person to ask. There is an approved preliminary that centers this property that gives an access to MLK and cuts over to Jones Road.

Mr. Kimbrough asked if they had seen a site plan before that showed a connection coming off MLK and looping back over to Jones Road.

Mr. Spainhoward said going back to the full history, I think you saw a prelim that actually showed going to the M1 property connecting East and West. That prelim was amended to only require the connection out to Jones Road. It is essentially an "L". There is still an approved site plan for a doctor's office development out on the corner that has been conveyed to us that it may not occur any more. The plan still stands and the prelim is still active.

Mr. Kimbrough stated that the access right now could actually "L" over and connect back to Jones Road from MLK.

Mr. Powers spoke up saying that they were not there today for a Site Plan, but would there be an assumption or the Street Department spoke to on whether that connection to MLK would have to happen before this apartment development or would it currently 100% of the traffic come into Jones Road.

Mr. Spainhoward said that was more of the assumption from the traffic assessment and that would be better spoke to by the engineer and then maybe confirmed by the Street Dept. Mr. Tucker can speak to the timing of that or whether he is going to build that road.

Cal Burchett, the engineer for this project, stated he spoke to the Street Dept having a formal comment with preferred access only from Jones Road for this R-4 development. We pushed for a connection to Hwy 76 and TDOT has a project realigning Memorial Drive that would possibly add a signal but we don't know the timing of that.

Mr. Kimbrough asked if they did ask for connection to loop from MLK to Jones Road.

Mr. Burchett said that Mr. Tucker had a different engineer working on this project and they submitted that plan. A medical office had been planned so they had referenced their traffic study since it was an in-depth study of the traffic in that area. Felt like the reduction in the C-5 to R-4 was lesser traffic approximately 5 – 10%. The daily traffic is usually 10 – 20% but the A.M. and the morning is a little heavier for multi-family. Mr. Tucker was handcuffed by not knowing if a signal was coming. A way forward is to see if they were other options whether that is a right in or a right out on Hwy 76 or access coming completely from Jones Road.

Mr. Tyndall spoke to answer Mr. Rocconi's question. The doctor's office that was proposed wanted a traffic signal but it couldn't be guaranteed. At this time, they have shelved that idea until either a traffic signal comes in or they change their mind that they could make it work without a traffic signal.

Mr. Spigner spoke up asking if there was a stub road going across that remainder of property that will be C-5 to the north.

Mr. Burchett replied with yes, definitely stubbing either to Hwy 76 if we can or just leaving a stub there for future activity. It takes TDOT approval to go any further. If we are granted access without approval, we would do that. The signal sounded like a stalemate with TDOT, Street Dept. and everybody. We would entertain a right turn if we could.

Mr. Spainhoward said all this would be hashed out on a Site Plan for this development or any future development on this C-5.

Mr. Spigner reiterated what Mr. Kimbrough said about if it was all built now it would all dump out on Jones Road.

Mr. Burchett said that was true unless the Street Dept granted them a right in/out turn was granted by the Street Dept. The Street Dept initiates any activity with TDOT. They have to approve it prior to TDOT. Typically, if they do, TDOT follows.

Mr. Rocconi stated that they would stub through the remaining C-5 to the north, which might mess that up for something that was going to develop that might not want something going straight through there.

Mr. Burchett stated that they would line up with Memorial Drive no matter what. We know pretty close where that connection will be.

Mr. Kimbrough added that if this was a perfect world, a signal light, no signal light, right turn in and right turn out, would you consider that road at that point in time and if you could connect to MLK that it would be a City street.

Mr. Burchett replied a public road through the commercial to the multi-family and on over to Jones, we would consider that. The Street Dept said that Memorial might go over to Redcoat Run and this could be a completely different plan. He didn't want to commit to that right now.

Mr. Spigner asked what are the improvements to Jones Road that are proposed.

Mr. Burchett replied with 24' pavement, within the 20' range, adding at least 4 feet from our site entrance all the way to Trough Springs.

Mr. Swift reminded everyone that there was a motion for disapproval and a second for this case.

Mrs. Jiménez wanted Chris Cowan from the Street Dept to speak to the way out from the Highway, was it possible. Would it have to be a C-5 for the City to open that way. It cannot be the way they are asking.

Chris Cowan explained that if the remaining C-5 portion was developed, he felt the entrance would be right across from Memorial. It would not have to connect to the R-4 that you are looking to rezone but it could connect to Hwy 76.

Mr. Powers asked Mr. Cowan if they would allow this development to connect to MLK or not. We understood from Mr. Burchett that this was not the case.

Mr. Cowan stated he had not seen a Site Plan for this development. My only concern with any connection to Hwy 76 is that it has to be a safe connection. If they are throwing traffic already into a congested location with high accidents, then that is a problem. He cannot let that happen unless it is controlled in a different manner than it is now. It could possibly mean signalization at that location. On the other side of Hwy 76 we are currently in the process of developing as part of the Transportation 2020 Plan, improvements to Memorial Extension all the way from Richview Road, all the way over to Hwy 76. That is a widening of that road and it is also going to include sidewalks, multi-use purposes there but in addition I was alluding to another connection coming across Old Farmers Road and having possibly a new signalization at Hwy 76. On Farmers, it could take a lot of that traffic off Memorial Extension in which case how many cars is going to come across from this location could be drastically different from what it is today.

Mrs. Jiménez stated they would be connected to Jones Road, not to Memorial Drive.

Mr. Cowan replied if it's the apartments you are talking about here is going out on Jones Road and that was the access being requested and we would be ok allowing that, we just made the statement that improvements to Jones Road would have to be done from that point to Trough Springs Road. They would have to make wider and bring it up to current standards. In addition, something that is in the works now is improvements to the intersection of Fire Station Road to Hwy 76 that currently does have a traffic signal. We are looking at that entire length of Fire Station Road a three-lane section with sidewalks on both sides. That is under design currently so that will allow us to create an additional lane at the signalized intersection that would aid in the current developments happening.

Mrs. Streetman spoke up saying her question was that if it this stayed as C-5, it would add the same amount of traffic to Jones Road. If it was all C-5, that front portion could still have the availability to possibly connect to Hwy 76, so that wouldn't necessarily add the same amount of traffic to Jones Road as rezoning this area that is separated from Hwy 76 from the C-5.

Mr. Cowan replied that rezoning is different than actual site plan development, a previous preliminary subdivision development of that area showed a connection over to Jones Road and Hwy 76. Under the previous development plans it was going to go to both roads.

Mr. Kimbrough asked if it was C-5 and you are still building the same problem because if you have semi's pulling into this area and they want to go across Memorial Extension to turn left to go into Clarksville, you still have an issue there whether it's C-5 or not.

Mr. Cowan agreed with that statement. He thinks as it stands today you have to have a signal at that location. There are no designated funding sources to build that. To do it safely, you would need a signal. It's hard to tell until we see the full development.

Richard Tucker came forward and said that he had two medical buildings contracted for which were going to be spectacular. They got into it with the State, the Street Dept and the Planning Commission. The Planning Commission and the Street Dept felt like there needed to be a signal there. There was no one to speak to at the State Dept of Transportation that will tell you anything about when a signal could come. The doctors even talked about paying for the whole signal which was going to be almost 2 million

dollars. That building, that site plan is dead because we could not get approval to go to Hwy 76. Without that approval I have a C5 piece of property that I cannot use. I found a buyer who wanted to build apartments and that could wait on the other. What you are saying by disapproving this, is that I have 21 acres that I have been paying commercial taxes on every year since 2017, that I have no remedy, no way to develop this property at any specific point and time. They have talked about widening and putting sidewalks on Memorial Extension for over 15 years. The doctors hired a traffic consultant who did numerous hours of work on this and she had a plan for a light at Memorial Drive but the State kept saying it didn't know where it wanted the light. The R-4 is the logical step down. It will not create that much more traffic on Jones Road, we are improving Jones Road to the City's specifications. Jones Road will be improved as nice as any street the City manages. Without this approval I may go years without anything else I can do with this property. I would appreciate approval on this.

Mr. Swift suggested that Mr. Long pull his second and Mrs. Streetman pull her motion for disapproval since it was made so long ago and start this over.

With no further discussion, Mrs. Streetman made a motion for disapproval and Mr. Long seconded. Vote was taken with 2 for disapproval, Mrs. Streetman and Mr. Long. The others voted nay and the motion for disapproval failed.

Mr. Kimbrough made a motion for approval and Mr. Spigner made a proper second. The motion carried with only 2 nays, Mrs. Streetman and Mr. Long.

**CASE NUMBER Z-20-2022** Applicant: Ascension Properties, LLC

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

LOCATION: Three parcels fronting on the east frontage of West Thompkins Lane at the southern terminus of West Thompkins Lane.

TAX MAP: 080H PARCEL: E 008.00 ACREAGE :0.967+/-

REASON FOR REQUEST: To better utilize the existing property, into 6 lots from 2 tri-plexes.

Mr. Spainhoward read the case and stated this case was originally heard in 2020 and a subdivision plat approved in the latter part of 2020 for (2) R-3 lots. There were no public comments as of 4:30 as of 03/29/2022. He then gave the staff recommendations:

**APPROVAL**

1. The proposed zoning request is consistent with the adopted Land Use Plan.
2. The proposed R-6 Single Family Residential District is not out of character with the development pattern in the area.
3. A turnaround acceptable by the Clarksville Street Dept. & Clarksville Fire & Rescue is required at the development stage. Sidewalks are also required by the Clarksville Street Dept.

David Young of Young & Hobbs spoke in favor stating this does fit the R-6 zoning.



With no further discussion Mr. Spigner made a motion to approve and Mr. Powers seconded the motion. The motion passed for approval.

**SUBDIVISION CASES:**

Mr. Parker read the Subdivision case.

**CASE NUMBER: S-13-2022** APPLICANT: Hartley Hills TGP

REQUEST: Preliminary Plat Approval of Hartley Hills Section 4

LOCATION: North and west of Dunlop Ln., south of Charles Bell Road, east of Steel Stock Road, south of the current terminus of Sawyer Vern Drive.

MAP: 033 PARCEL: 011.00 ACREAGE: 60.0 +/- #OF LOTS: 39 +/- ZONING: R-1 GROWTH PLAN: RA

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.

With no further discussion, Mr. Powers made a motion to approve and Mr. Kimbrough made a second. All were in favor and the motion passed.

**SITE REVIEW CASES:**

The following cases were pulled from the consent agenda: SR-8-2022 and & SR-17-2022.

Ms. Russell read through the consent agenda cases.

**CASE NUMBER: SR-12-2022** APPLICANT: Josh Dennis AGENT: Cal Burchett

DEVELOPMENT: Tracy Lane Apartments PROPOSED USE: Multifamily

LOCATION: 750 & 760. MAP: 041.00, 042.00 ACREAGE: 13.14 +/-

STAFF RECOMMENDATION: APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS

1. Approval of all utility plans by the Office of the Chief Utility Engineer.
2. Approval of all grading, drainage and water quality plans by the City Street Department.
3. Approval from TVA.
4. Approval of a landscape plan.

**CASE NUMBER: SR-13-2022** APPLICANT: Rob Durrett AGENT: Cal Burchett

DEVELOPMENT: Needmore Office/Light Industrial PROPOSED USE: Office/Light Industrial

LOCATION: 255 Needmore Road MAP: 032, 106.03 (portion of) ACREAGE: 1.50 +/-

STAFF RECOMMENDATION: APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS

1. Approval of all grading, drainage and water quality plans by the City Street Department.

**CASE NUMBER: SR-15-2022** APPLICANT: Florim USA AGENT: Aaron Arnold.

DEVELOPMENT: Florim USA PROPOSED USE: Manufacturing LOCATION: 300 International Blvd.

MAP: 016, 018.04/ 033, 006.04, 016.04 ACREAGE: 133.85 +/-

STAFF RECOMMENDATION: APPROVAL SUBJECT TO THE FOLLOWING 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 County Building and Codes Department.
3. Combination of parcels by deed or plat.

**CASE NUMBER: SR-16-2022** APPLICANT: Charles Jerles AGENT: Britt Little

DEVELOPMENT: Bellamy Lane Development PROPOSED USE: multifamily & Retail LOCATION: 405

Bellamy Ln MAP: 041, 085.00 & 085.05 ACREAGE: 2.88 +/-

STAFF RECOMMENDATION: APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS

1. Approval of all utility plans by the office of the Chief Utility Engineer.
2. Approval of all grading, drainage and water quality plans by the City Street Department.
3. Approval of a landscape plan.

**CASE NUMBER: SR-18-2022** APPLICANT: Hughes Construction Corp AGENT: Jimmy Bagwell

DEVELOPMENT: Hughes Construction PROPOSED USE: Contractors Office LOCATION: US Highway 41

MAP: 011, 020.00 & 022.00 ACREAGE: 2.37 +/-

STAFF RECOMMENDATION: APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS

1. Approval of all utility plans by the South Guthrie Utility District.
2. Approval of all grading, drainage and water quality plans by the County Building and Codes Department.
3. Approval from the Division of Ground Water Protection.
4. Approval from the railroad company.
5. Approval of the Emergency Management.
6. Approval from TDOT.
7. Minor plat completed.
8. Landscape buffer plan.

**CASE NUMBER: SR-19-2022** APPLICANT: Reda Home Builders AGENT: Britt Little

DEVELOPMENT: Circle Hill Apartments PROPOSED USE: Multifamily LOCATION: Sinclair Drive

MAP: 054C, E 021.00 ACREAGE: 7.10 +/-

STAFF RECOMMENDATION: APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS

1. Approval of all utility plans by the office of the Chief Utility Engineer.
2. Approval of all grading, drainage and water quality plans by the City Street Department.
3. Approval from the Fire Department.
4. Approval of a landscape plan.

**CASE NUMBER: SR-20-2022** APPLICANT: JRS Development AGENT: Brad Weakley  
DEVELOPMENT: Union Hall Multifamily PROPOSED USE: Multifamily LOCATION: 230 Union Hall Road  
MAP: 032, 103.00, 105.00, 105.01, 105.03 ACREAGE: 4.91 +/-

STAFF RECOMMENDATION: APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS

1. Approval of all utility plans by the office of the Chief Utility Engineer.
2. Approval of all grading, drainage and water quality plans by the City Street Department, to include dumpster connected to sewer.
3. Minor plat completed.
4. Approval of a landscape plan.

**CASE NUMBER: SR-21-2022** APPLICANT: Samaroo Development Group AGENT: Houston Smith  
DEVELOPMENT: Samaroo Apartments PROPOSED USE: Multifamily LOCATION: McCormick Lane  
MAP: 041, 040.01 ACREAGE: 10.6 +/-

STAFF RECOMMENDATION: APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS

1. Approval of all utility plans by the office of the Chief Utility Engineer.
2. Approval of all grading, drainage and water quality plans by the City Street Department.
3. Approval of a landscape plan.

**CASE NUMBER: AB-1-2022** APPLICANT: Bryce Powers  
DEVELOPMENT: Bryce Powers-Jackson Ridge Rd (formerly Fishermans Alley)  
PROPOSED USE: Abandonment LOCATION: Portion of Jackson Ridge Road (formerly Fishermans Alley)  
MAP: 118, within parcel 014.00 ACREAGE: 99,560 SF +/-

STAFF RECOMMENDATION: APPROVAL, NO CONDITIONS

A motion was made for approval of the Consent Agenda by Mr. Spigner with a properly made second by Mr. Long. All approved, with Mr. Powers abstaining from SR-18-2022 & AB-1-2022. Motion passed. Mrs. Russell presented the cases pulled from the Consent Agenda as follows:

**CASE NUMBER: SR-8-2022** APPLICANT: William Belew AGENT: Cal Burchett  
DEVELOPMENT: Sinclair Ridge PROPOSED USE: Multifamily & Office Buildings  
LOCATION: Warfield Blvd. MAP: 040, 032.04 (portion of) ACREAGE: 27.24 +/-

STAFF RECOMMENDATION: APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS

1. Approval of all utility plans by the Office of the Chief Utility Engineer.
2. Approval of all grading, drainage and water quality plans by the City Street Department.
3. Approval from the City Traffic Engineer, to include a Traffic Study and improvements as needed.

4. Approval from TDOT
5. Approval of a landscape plan.

Mr. Cal McKay came forward to speak in favor. This was deferred last month by the staff and some departments wanted some additional measures done, with changes made. Mr. Belew agreed to do the additional measures. Everything else meets or exceeds the ordinance.

Dr. Terry Ellis spoke against this site plan. We find it inconvenient in this particular situation because this came up before the City Council back before Covid. It was deferred for a period of time and then was held during closed session because we were never invited back to the sessions that were held online to dispute the plans for this area. Once he received this property plan, what we see is 924 parking spaces to an area that has poor ingress and egress off of Rossvie Road and Warfield Blvd. This area is not consistent with what is going on in this area. What has been going on in the area past 40 or 50 years is the building of single-family dwellings which have been built on either side of Rossvie Rd and the other side of Warfield Blvd. What they are proposing here is to add significant congestion to the area. He wrote an email to the Planning Commission about this and I hope it is included in the record, as many of us have written in about this. His final comment was you as a Commission are a group of people who should be forward looking and not just respond to short-term requests. He is dependent upon the Commission to look at what is happening here with 924 cars and 420 dwellings which would possibly extend to over a 1000 people living in the area on top of the traffic brought in by the businesses that was already stated that would be worse than the property Mr. Tucker is building on.

Mr. Bob Stuerke came forward to voice his disapproval. He wanted to echo what Mr. Ellis said but added that Rossvie Rd a few years ago had a traffic study and it rated Rossvie Rd as "F". Nothing has changed in that portion. It does not serve the traffic that is already there, adding another 1000 vehicles to that area is going to make a nightmare out of that place. There will be no way to get in or out of that one intersection. The other problem he sees is where they widened Warfield, it's wonderful now except at certain times of the day, traffic can be backed up as much as a half a mile at that Rossvie intersection that is waiting on the light to change. There are no multi-family dwelling homes anywhere near that area. To add multi-family units is completely out of character. There is no buffer zone between us and those family units. They would be right on top of us. He asked that the Commission respect our living and not allow this.

Mr. Kimbrough asked Mr. Tyndall to explain to the people who were sitting here who had expressed their concerns, what the Commissioner position are at this point and time.

Mr. Tyndall addressed the audience saying that the first half of the meeting was zoning cases and there is where an applicant requests to change the zone of a property. It really is the opportunity for the Planning Commission, City Council, and our County Commission to make that future determination as to what should be there. Though this was rezoned during Covid, this property was eventually rezoned to C-2. When it comes to a Site Plan or Subdivision, there is very little leeway for this Commission to deny a project unless it does not meet the regulations. This project meets or exceeds the regulations when it comes to storm-water, access, landscape buffer still needs to be shown but they are leaving plenty of room for that. After meeting with the applicant this past month, they were asked to have 2 driveways on Warfield. Instead they are going to have a driveway on Rossvie and a driveway on Warfield. The other departments are okay with it, that means the Street, Fire, Gas & Water and others. For that reason, the staff has to recommend approval. There can be some minor tweaks along the way to finalize some things that are not quite ironed out such as a sidewalk placement or the landscape buffer.

This plan is nearly there and the Planning Commission is obligated to approve them when it comes to the Site Plan or Subdivision process.

Mr. Rocconi made a motion for approval. The motion was seconded by Mr. Kimbrough. All were in favor and the motion passed.

**CASE NUMBER: SR-17-2022** APPLICANT: Singletary Construction AGENT: Britt Little  
DEVELOPMENT: East Johnson Apartments PROPOSED USE: Multifamily LOCATION: 229 E Johnson Circle  
MAP: 079, 040.01 ACREAGE: 5.8 +/-

STAFF RECOMMENDATION: APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS

1. Approval of all utility plans by the office of the Chief Utility Engineer.
2. Approval of all grading, drainage and water quality plans by the City Street Department.
3. Approval of a landscape plan.

There was one comment sent in by Loretta Baggett.

Mr. Vernon Weakley spoke in favor stating if anyone had any questions he would be happy to answer.

Mrs. Loretta Baggett said for the record that she was not representing Building & Codes. The community of Cumberland Hills is in opposition to this case. She understood it had been multi-family zoning for years. She wanted to let the Commission hear the history of that property along with the property South of that site, now Cumberland Ridge. There has been nothing but single-family dwellings that have been built surrounding this area. They have become a family unit community. With this proposed site plan, there is 78 units, with a bare minimum of 78 vehicles. We have lack of infrastructure on a very short dead-end street and she is questioning if there has been a traffic study for this particular project. Another concern is that there is only one ingress and egress. Slayden Circle families have questioned whether Emergency Vehicles would be able to access this property and maneuver around properly. They feel this is just not in the best interest of our community, not only will it disrupt the traffic but we also have an overload of children at a very small bus stop. Will the buses be able to maneuver around that area that small? It is just out of character.

Travis Holleman came forward and spoke against. He is on the City Council and some of the people in Cumberland Hills had expressed quite a bit of concern regarding this. It is going to change the neighborhood. He feels they are a very close-knit neighborhood and they understand growth, they've seen it especially in that area. We have a petition signed by quite a few residents. He passed that around. People are upset including myself. The sheer size, the suddenness of this coming upon us, it's heartbreaking. We have seen development issues with burning wood and the ash, noise, drainage issues and this is the icing of a very bad cake. They would like to defer it.

Fred Jurecki stated he had recently bought a home at 1291 Slayden Circle. The drainage issues that hill has would take a lot to fix. He lives on the downside of it. He had to dig a ditch himself to keep the water from flowing down. All the water comes down to his new house. He thinks someone should go out there and reevaluate that land because it is not suitable for those apartments. The reason you don't have comments back is because the populous affected does not know about them.

Mr. Tyndall spoke up stating that we supply everyone within a 100' of the properties

Mr. Jurecki stated his property bounded this and he had heard nothing. He was the property owner. The builder is still shown as the owner even though he has owned it since January.

Mr. Tyndall told him that we go by the Assessor of Property's listing and we would be happy to show him the paper that goes with it.

Mr. Jurecki went on to say that these zoning updates need some reconsideration after so many years with the houses in this area being built since 1971. All the houses around it are single-family homes.

Mr. Swift explained there had been updates and new classifications. This particular property had been zoned multi-family since 1971.

Mr. Weakley stated that the drainage issue will have to go before the Street Department for approval. There will be dentition on site to hold back an additional run-off that this project would generate. The run-off from this site will be less than what it is now. It would be controlled.

Mr. Rocconi spoke up saying this Commission listens to people and when you saw things voted one way or another, and what people's opinions are, we certainly consider them. The oddity is that at this level, the rules that we are supposed to follow is we have to vote yes unless it doesn't meet the criteria. The public sentiment isn't really supposed to come into play if we have a part of it. Maybe there are some things that can be done to accommodate the neighbors. This is difficult for us because this one doesn't have a lot of latitude or leeway. It has been R-4. He doesn't know if we try to change the system going forward.

Mr. Swift stated again that the R-4 zoning is still in place today. Unless the property owner comes forward and changes it, we've got our hands tied.

Mr. Kimbrough said the Commission is bound by law, if it meets criteria, we have to vote yes.

Mr. Spainhoward spoke up and said the basis of this public hearing is an opportunity for the public to review the plan and make comments on whether the plan meets requirements or not. Everyone has heard the comments that have been made, but our design professionals have reviewed the drainage plan for post development. Mr. Weakley had stated that on an undeveloped piece of property, there is no plan, the drainage flows as it flows. When they develop this plan, they have to accommodate and make the drainage to meet the current requirements. They didn't require any roadway improvement or it would be a part of this plan. All the departments have provided their comments that have to be met and this plan meets those. The Street Dept has already approved the plan as it has been submitted with the conditions Ms. Russell stated. Everyone has heard your statements but there has been no comment made to how this plan doesn't meet the minimum requirements adopted. We can't deny a property owner what they are zoned for and that is why they are obligated to approve the plan and if it meets the requirements.

Mr. Rocconi made a motion for approval and Mr. Spigner provided the second. All voted in favor and the motion passed.

**OTHER BUSINESS:**

**A. PLAN OF SERVICE FOR A-1-2022**

**Annexation Information**

Overview: This annexation is a voluntary request of 1 property with 2 different owners. This parcel is located South of Highway 12 between Shellie Drive and Acorn Drive within the Urban Growth Boundary.

Tax Map ID 088 12100 000

Area: Total Property = 98.27 +/- acres

Total Annexation (A portion is already inside the city limits) = 91.91 +/- acres

Zoning: Current zoning is R-1 and no zone change is requested with the annexation

CDE already services in front of the property, CMC has no current customers, gas & water is already out there and there were no comments or concerns from the departments. A plan of endorsement from the Planning Commission is needed in order to bring it forward to City Council this week.

Mr. Rocconi made a motion to endorse with Mrs. Jiminez the second. All were in favor and the motion passed.

**B. MONTHLY PROFIT AND LOSS STATEMENT**

Mrs. Jiménez made a motion for approval and Mr. Rocconi made the second. All were in favor and motion passed.

Mr. Tyndall said back in October, City Councilwoman Smith passed a resolution asking the staff to study the Red River District and everything that is zoned R-3. It's everything R-3 between Eighth and Red River Street. She wanted to make it "exclusively" single-family residential properties in the Red River District. The differences between R-3 and R-4 on an existing lot can be really tricky. For R-3 if you are less than 9,000 square feet, you can put a single-family house only. Between 10,000 and 12,000 square feet, you can have a single family or a duplex. If you are greater than 12,000 square feet you can have a single family, duplex or triplex. If you rezone to R-3 and you subdivide a lot, you can only be a triplex and you have to 12,000 square feet. So, this entire neighborhood is one big lot of record that when we readopted the zoning in 2010 that it is grandfathered. It is beholden to the old lot records of standard prior to November 10, 2010. This entire neighborhood is 85 acres and it has 315 lots there all zoned R-3. Of them, 196 or 62% of the neighborhood, is utilized for single family homes. 35% of those are vacant and 3% are used for other uses. There's a church and a corner store. There is not a majority owner for all these vacant lots. There is a lot of single one lot owners. No one owns say 20 of them. There are a lot of out of town ownership. Things have just not developed in a while. Furthermore, concerns were over the speed of development out there and the Councilwoman who brought this up was concerned about a duplex that was built across her house. Since 2018-2021, 3 years of full building, only 21 building permits were pulled in this study area. Of the 21 permits, 10 were for renovations, 7 for demolition and 2 were for new single-family houses and 1 was for a duplex, the other for a mixed-use commercial structure. 74% of the total lots can only have single family housing as of right now. Of the

remaining 81, 43 or 14% of all them can have up to a duplex and 12% of the lots could have a triplex. We didn't look at the lots that have single-family on them. Your options are:

1. Keep R-3 zoning. You will have grandfathering protection for all those properties. There might be some development of duplexes and triplexes in the downtown neighborhood areas like Crossland Avenue or New Providence. It is not uncommon for a downtown neighborhood to have a mix of housing units.
2. R2-A was looked at as the lowest exclusive single-family option. R2-A is 6000 square foot minimum and 50-foot-wide lot. The majority of the lots are slightly less or slightly more than 50 feet wide. 63% meet the minimum lot size and lot width. That would result in 115 lots being grandfathered, 37% which is greater than the current grandfathered number under R-3. Therefore, we do not recommend R2-A.
3. The most discussed was the R-6. 96% of the lots would be compliant with R-6 and 4% would not for one reason or another. The properties could be developed further. The current R-3 could support 398 totally units if built out to its full potential. Under R-6, 361 total units. It accommodates most of the properties out there right now.
4. Option 4 would be for a Neighborhood Area Plan. Neighborhood and Community Services has grant money where we could get a consultant to look at this area in more depth and supply an exact idea of what needs to happen out here. There is no one all size fits one zoning right now.

The staff looks at this as if there may be areas you want multi-family and there may be areas you want single-family. We don't have the zones that are nuanced enough to meet this neighborhood. An overlay or a Red River Zone may be appropriate. Since Mr. Newbern has the money, we are going to recommend sitting on R-3 and further studying it over the next year and bring it back for a final recommendation. This may have a long-term zone change for out there.

Mr. Powers asked if we could add what percentage would be grandfathered

Mr. Tyndall answered yes.

Mrs. Jiménez asked why we were doing this, because of one person.

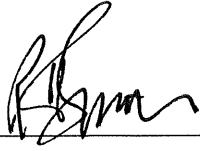
Mr. Tyndall explained that the City Council voted on a resolution with a majority to direct the RPC to do this study. Mr. Tyndall will have to present this to the Commission before he presents it to the City Council.

Mr. Powers made a motion to endorse Mr. Tyndall's plan with a second from Mr. Kimbrough. All were in favor and the endorsement passed.



The meeting was adjourned at 4:38 PM

ATTEST:



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Richard Swift, Chairman