



CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION MINUTES

Date: DECEMBER 28, 2021

Time: 2:00 PM

Members Present

Richard Swift, Chairman

Thom Spigner

Wade Hadley

Michael Long

Stacey Streetman

Bill Kimbrough

Maria Jiminez

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

Jackey Jones, Administrative Support

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

Ben Browder, Clarksville Gas & Water

Jeff Bryant, County Highway Department

Officers Burton & Bergen, Clarksville Police Department

Mr. Swift called the meeting to order at 2:01 PM.

Pledge of Allegiance.

Approval of Minutes

Mr. Swift asked for a motion for approval of the minutes from November 23, 2021 meeting. Mrs. Streetman moved to recommend approval. The motion was seconded by Mr. Long and carried unanimously.

Announcements/Deferrals

Mr. Tyndall announced the deferral of S-133-2021 with the variance to be voted on today. He also stated that Z-84-2021 was withdrawn. There being no more discussion, Mr. Kimbrough recommended approval of deferrals. The motion was seconded by Mrs. Streetman and carried unanimously.

Mr. Swift went over the procedure for addressing The Regional Planning Commission.

City Zoning Cases

CASE NUMBER Z-79-2021 Applicant: Ben Kimbrough Ringgold Mills Properties LLC (R.E. Durrett III)
Agent: Bert Singletary

REQUEST: C-5 Highway & Arterial Commercial District/R-2 Single-Family Residential District to R-4 Multiple-Family Residential District

LOCATION: Property fronting on the west frontage of Leonard Dr. & north frontage of Millwood Dr., 445 +/- feet east of the Ft. Campbell Blvd. & Millwood Dr. intersection.

TAX MAP: 030J PARCEL: C 001.00 ACREAGE: 18.32 +/-

REASON FOR REQUEST: To develop a Multi-family project

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-4 Multiple Family Residential is a more appropriate zone than the current C-5 Highway Arterial Commercial District.
3. The proposed R-4 Multi-family Residential District provides an appropriate transition from the C-5 Highway Arterial Commercial District to the adjacent R-2 Single Family Residential District.
4. Adequate infrastructure serves the site & no adverse environmental issues have been identified relative to this request.

Mr. Spainhoward stated that as of 4:30 PM 12/27/2021 there had been no formal public comments.

Bert Singletary of Singletary Construction spoke in favor of the case stating he was available for any questions.

With there being no further discussion Mrs. Streetman made the motion for approval. Mrs. Jiminez seconded. Mr. Kimbrough abstained. All others were in favor. Motion passed.

CASE NUMBER Z-80-2021 Applicant: Hunter Winn/Cody Heggie Agent: John Hadley

REQUEST: R-2 Single-Family Residential District to R-6 Single Family Residential District

LOCATION: Property fronting on the south frontage of Via Dr., 345+/- feet west of the Via Dr. & Garden Ter. intersection.

TAX MAP: 080K PARCEL: A 030.00 ACREAGE: 2.14 +/-

REASON FOR REQUEST: None given.

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 prominent zoning classification surrounding this development is R-2 Single Family Residential, but there are multiple housing types within the district and surrounding area, such as duplexes, triplexes & quadraplexes. It appears that the R-6 Single Family Residential District would be acceptable to introduce to 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 and no adverse environmental issues were identified relative to this request. A preliminary drainage plan has been provided to the Clks. Street Dept. to address the current drainage concerns for the area.

Mr. Spainhoward stated that as of 4:30 PM 12/27/2021 there had been no formal public comments.

Cody Heggie spoke in favor of the case stating that the topography is limited around it and we are hoping the R-6 will offset that. He stated he was available for any questions.

With there being no further discussion Mr. Hadley made the motion for approval. Mr. Long seconded. All were in favor. Motion passed.

CASE NUMBER Z-81-2021 Applicant: Clarkland Agent: Bert Singletary

REQUEST: O-1 Office District to R-4 Multiple-Family Residential District

LOCATION: Two lots located south of the Professional Park Dr. & Stowe Ct. intersection.

TAX MAPS: 040G PARCELS: A 014.00 A 015.00 ACREAGE: 4.41 +/-

Reason for Request: The land use change would allow for multi-family development which is consistent with the adjoining property to the west. The multi-family use would also provide a buffer between the office use to the north and the single- family residential property to the south.

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-4 Multi-family residential request is not out of character with the surrounding area.
3. Prior to a City Zoning Ordinance amendment multifamily residential was a permitted use in O-1 zoning. Which is why the multifamily residential units are in the O-1 district to the east of this request.
4. Adequate infrastructure serves the site & no adverse environmental issues have been identified relative to this request.

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

Bert Singletary spoke in favor of the case stating he was available for any questions.

Bob Barney spoke in opposition of the case stating that there is one road in and out and this causes traffic issues. He stated that he was not opposed to building, just need a couple more roads.

Jeff Thompson spoke in opposition of the case stating that in the last three years there have been 164 units built on Professional Park, Stowe Court and Big Sky. He stated that traffic was his concern as well with only one way in and out through Professional Park. He stated there needs to be another way in and out of our homes.

Britt Little of Weakley Brothers Engineering spoke in rebuttal stating that the property is already zoned for Office District which would be a significant traffic generator. He stated that the rezone should not increase traffic.

Mr. Hadley asked if there had been a traffic study done.

Mr. Little stated that a traffic study was not warranted because it is not a more dense use.

There being no further discussion Mr. Long made the motion for approval. Mrs. Streetman seconded. All were in favor. Motion passed.

CASE NUMBER Z-82-2021 Applicant: Johnathan Blick/Shawn Robertson Agent: Johnathan Blick

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

LOCATION: Three parcels located at the southeast corner of the Liberty Pkwy. & Delmar Dr. intersection.

TAX MAP: 065 P PARCELS: D 001.00, D 002.00, D 035.02 ACREAGE: .96 +/-

Reason for Request: To mirror neighboring properties for future commercial development.

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

APPROVAL

1. The proposed zoning request is inconsistent with the adopted Land Use Plan.
2. The C-2 zoning request is an extension of the established C-2 district to the south & west.
3. C-2 zoning permits the opportunity for general goods & services establishments with the additional opportunity for mixed use residential. The adopted Land Use Plan states that mixed use, residential & commercial developments should be encouraged.

4. 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 12/27/2021 there have been no formal public comments.

Johnathan Blick spoke in favor of the case stating he was available for any questions.

There being no further discussion Mr. Kimbrough made the motion for approval. Mrs. Jiminez seconded. Mrs. Streetman voted in opposition. Motion passed.

CASE NUMBER Z-83-2021 Applicant: Johnathan Blick

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

LOCATION: A tract of land located at the northern terminus of Sycamore Dr.

TAX MAP: 079B PARCEL: D 018.000 ACREAGE: 3.05 +/-

Reason for Request: To build a duplex at the end of Sycamore Dr.

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 R-2D Two Family Residential zoning request is not out of character with the surrounding development.
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. Spainhoward stated that as of 4:30 PM 12/27/2021 there have been no formal public comments.

Johnathan Blick spoke in favor of the case stating he was available for any questions.

With there being no further discussion Mrs. Streetman made the motion for approval. Mr. Spigner seconded. All were in favor. Motion passed.

CASE NUMBER Z-85-2021 Applicant: BBMH Investments

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

LOCATION: Two parcels fronting on the eastern right of way margin of Cedar Ct., 815 +/- feet south of the Cedar Ct. & Herning Dr. intersection.

TAX MAP: 054L PARCELS: A 001.00 A 002.00 ACREAGE: .78 +/-

REASON FOR REQUEST: To extend the current zoning to provide a multi-family infill 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-4 Multi-Family Residential District appears to be in character with the surrounding area & is an extension of the existing R-4 district.
3. Adequate infrastructure will serve the site and no adverse environmental issues were identified relative to this request.

Mr. Spainhoward stated that as of 4:30 PM 12/27/2021 there have been no formal comments.

Adam Blick, representing BBBMH Investments, spoke in favor of the case stating he was available for any questions.

With there being no further discussion Mr. Kimbrough made the motion for approval of the case. Motion was seconded by Mr. Hadley. All were in favor and motion passed.

CASE NUMBER Z-86-2021 Applicant: JRS Development Agent: Rex Hawkins

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

LOCATION: Parcels located at the southwest corner of the Needmore Rd. & Union Hall Rd. intersection.

TAX MAP: 032 PARCELS: 103.00, 105.00, 105.01, 105.02 ACREAGE: 4.91 +/-

REASON FOR REQUEST: R-4 is an extension of an adjacent zoning and would provide the community with affordable multi-family housing.

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-4 Multi-Family residential District appears to be in character with the surrounding area & is an extension of the existing R-4 district.
3. Adequate infrastructure will serve the site and no adverse environmental issues were identified relative to this request.

Mr. Spainhoward stated that as of 4:30 PM 12/27/2021 there have been no formal comments.

Evan Ellis, representing Rex Hawkins spoke in favor of the case stating he was available for any questions.

With there being no further discussion Mr. Hadley made the motion for approval. Mr. Long seconded. All were in favor. Motion passed.

County Zoning Cases

CASE NUMBER CZ-33-2021 Applicant: Jolie Bunks GP Agent: Stanley Ross

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

LOCATION: Property fronting on west right of way margin of Excell Rd., 450+/- feet south of the Excell Rd. & Old Excell Rd. intersection.

TAX MAP: 081 PARCEL: 129.00 ACREAGE: 1.26 +/-

Reason for Request: To extend existing R-4 zoning from the south in order to build a similar multi-family project.

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 R-4 zoning request is an extension of the existing R-4 zoning district to the south & east.
3. It is encouraged to have areas of increased residential density in proximity to goods & services in addition it is also encouraged to maintain a desirable mixture of housing types throughout the community.
4. Adequate infrastructure serves the site & no adverse environmental issues were identified relative to this request.

Mr. Spainhoward stated that as of 4:30 PM 12/27/2021 there have been no formal public comments.

Stanley Ross spoke in favor of the case stating that it is an extension of existing zoning to the south. He further stated that the plan was to build townhomes similar to the ones to the south, just fewer units.

With there being no further discussion Mr. Long made the motion for approval. Mrs. Streetman seconded. All were in favor. Motion passed.

CASE NUMBER CZ-34-2021 Applicant: James Black Agent: Weakley Brothers, Montgomery Turner, Sr.

REQUEST: AG Agricultural District to C-1 Neighborhood Commercial District

LOCATION: Property fronting on the south right of way margin of SR Highway 13, 300 +/- feet west of the SR Highway 13 & Baggett Hollow intersection.

TAX MAP: 142 PARCEL: 087.01 ACREAGE: 1.2 +/-

Reason for Request: Extend the existing C-1 zoning to accommodate a new Dollar General.

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 C-1 zoning request is an extension of the existing C-1 zoning district to the north & east.
3. The proposed request will meet the future development plan & is at a location of a former retail establishment.
4. 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 12/27/2021 there have been no formal public comments.

Mr. Kimbrough asked Mr. Spainhoward the aerial shows it creeping to the west, is that just the map overlay.

Mr. Spainhoward stated that was just map overlay, it would only be on the applicant's property.

Britt Little, Weakley Brothers Engineering, spoke in favor of the case stating it is for a Dollar General. He further stated a traffic assessment was done and was met with approval by Jeff Bryant's office. Mr. Little further stated that Mr. Bryant was concerned with the speed on Highway 13 so he asked for a sight distance and warrants for a left turn. Sight distance was acceptable and a left turn lane was not warranted.

There being no further discussion Mr. Kimbrough made the motion for approval of the case. Motion was seconded by Mr. Hadley. All others were in favor. Motion passed.

CASE NUMBER CZ-35-2021 Applicant: Evan Ellis

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

LOCATION: Property fronting on the north right of way margin of Harris Cir., 570 +/- feet east of the Harris Cir. & Benton Ridge Rd. intersection.

TAX MAP: 120 PARCEL: 009.01 ACREAGE: 1.03 +/-

Reason for Request: Extend the existing C-1 zoning to accommodate a new Dollar General.

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 E-1 Single Family Estate District request brings an existing non-compliant tract into zoning compliance in order for the owner to construct a new single-family home.
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 11/22/2021 there have been four phone calls in favor of the case.

Evan Ellis spoke in favor of the case stating he was available for any questions.

With there being no further discussion Mrs. Streetman made the motion for approval. Mr. Long seconded. All were in favor. Motion passed.

SUBDIVISION CASES:

CASE NUMBER: S-131-2021 APPLICANT: Main Street Investments

REQUEST: Preliminary Plat Approval of Windham Court

LOCATION: North of Ashland City Road, end of Windham Road

MAP: 088 PARCEL: 004.03 ACREAGE: 7.9 #OF LOTS: 21 ZONING: R-2A GROWTH PLAN: CITY

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 begin.
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.

Houston Smith spoke in favor of the case stating it meets all codes, no variances, he is asking for approval.

With there being no further discussion Mr. Hadley made the motion for approval. Mrs. Jimenez seconded. All were in favor. Motion passed.

CASE NUMBER: S-132-2021 APPLICANT: Chris Blackwell

REQUEST: Preliminary Plat Approval of Honeycomb Heights

LOCATION: East of adjacent to Old Russellville Pike, south of Hickory Trace Road, approximately 180 feet south of the intersection of Russellville Pike and Hickory Trace Road.

MAP: 041 PARCEL: 080.00, 081.00, 082.00 ACREAGE: 4.57 #OF LOTS: 30 ZONING: R-6 GROWTH PLAN: CITY

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 begin.
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.

With there being no further discussion Mr. Kimbrough made the motion for approval. Mr. Long seconded. All were in favor. Motion passed.

CASE NUMBER: S-133-2021 (VARIANCE ONLY) Oak Plains Estates

The applicant is requesting one variance from the Subdivision Regulations.

The applicant is requesting a variance from Section 4.4, Subsection 1, of the Subdivision Regulations for Lots 10 & 11. This section states "The lot arrangement and design shall be such that all lots will provide satisfactory and desirable building sites, properly related to topography and the character of surrounding development."

Mr. Parker presented the case.

Cal Burchett of McKay, Burchett and Company spoke in favor of the variance stating that he guessed what we are looking at is what is a desirable building site. He asked commissioners if they received a letter from David Hayes (developer) and he presented a copy. He stated to summarize the letter, this is a THDA project that has been awarded tax credits for 37 units and 1,500 square foot houses to be built on

those lots. He stated that in the letter the developer is to maintain the lots for a minimum of 20 years. He further stated that our roadway network did not change at all, we had to do a centralized septic system. He stated that Montgomery County Building and Codes and THDA have stated these lots are buildable and desirable and we hope you will grant this variance.

Mr. Hadley the motion to approve variance. Mr. Spigner seconded. All were in favor. Motion for variance passed.

Mr. Kimbrough made the statement that he appreciated all the effort that Mr. Tyndall and his staff have made to make the subdivision process more streamlined.

Mr. Spigner asked if this case (S-133-2021) would have to be voted on.

Mr. Tyndall stated that yes because there is a variance it has to go before the board.

SITE REVIEW CASES:

Ms. Russell read through the consent agenda cases.

CASE NUMBER: SR-72-2021 APPLICANT: Powers & Atkins LLC AGENT: Jimmy Bagwell
DEVELOPMENT: Richardson Street Townhomes PROPOSED USE: Multifamily LOCATION: 711 Richardson Street. MAP: 066M, D 004.01 ACREAGE: 2.44

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-73-2021 APPLICANT: Todd Morris AGENT: Houston Smith
DEVELOPMENT: 680 Peachers Mill Road Apartments PROPOSED USE: Multifamily
LOCATION: Peachers Mill Road MAP: 043M, E 046.00 ACREAGE: 12.94

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-75-2021 APPLICANT: Darnell Construction AGENT: Cal Burchett
DEVELOPMENT: Martin Place PROPOSED USE: Multifamily
LOCATION: 919 Martin St. MAP: 079C, 042.00 ACREAGE: 2.26

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 and City Traffic Engineer.
3. Approval of a landscape plan.

CASE NUMBER: SR-76-2021 APPLICANT: Eric Huneycutt AGENT: Cal Burchett
DEVELOPMENT: Garnet Village Condos PROPOSED USE: Multifamily
LOCATION: Huntco Drive. MAP: 063, 043.07, 040.07 ACREAGE: 11.06

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 landscape plan.

CASE NUMBER: AB-5-2021 APPLICANT: Syd Hedrick
DEVELOPMENT: Hedrick Abandonment PROPOSED USE: Abandonment
LOCATION: North of Woodmont Blvd and Old Woodmont Blvd MAP: 079C-C, north of 20.00-28.00, south of 019.00, 033.00, 036.01

STAFF RECOMMENDATION: APPROVAL, NO CONDITIONS

CASE NUMBER: AB-6-2021 APPLICANT: Montgomery County AGENT: Jeff Bryant
DEVELOPMENT: Montgomery County Highway Department PROPOSED USE: Abandonment
LOCATION: Portion of Shelton Ferry Road, south of Lock B Rd., west of the Cumberland River MAP: 130, 6.00, 9.01, 11.00: 145, 1.00-3.00, 24.00, 14.00 ACREAGE: 10.10

STAFF RECOMMENDATION: APPROVAL, NO CONDITIONS

With there being no further discussion Mr. Spigner voted in approval of consent agenda. Mr. Hadley seconded. All were in favor. Consent agenda passed.

Ms. Russell presented case.

CASE NUMBER: SR-74-2021 APPLICANT: VSRK Properties LLC AGENT: Cal Burchett
DEVELOPMENT: Tiny Town Commons PROPOSED USE: Retail and Multifamily
LOCATION: 1074 Tiny Town Road MAP: 006.00, 041.02 ACREAGE: 7.18

STAFF RECOMMENDATION: DISAPPROVAL

Ms. Russell stated we would like to see a connection between the east and the west for future connections between Princeton Drive and Folly Beach Drive.

Cal Burchett spoke in favor of the case stating that the Planning Commission asked us to look at a public road to connect both sides of our parcel. He stated that both sides of the property have about 8 acres of agricultural undeveloped land. He stated that to those properties there are public roads stubbed to them recently by subdivision development. He stated that for us to build a public road would not be feasible for this project, it is a loss of about one and half acres of this seven-acre property. He further stated that he would be willing to provide a road stub and travel easement, that allows us to build the project just as submitted and have connectivity. He stated that if a travel easement is not accepted today we will not subdivide we will keep it completely private.
Mr. Norris asked Mr. Burchett to explain the travel easement.

Mr. Burchett stated the travel easement would be a "T" to east and west that is privately owned but can be publicly used.

Mr. Hadley asked if the road was wide enough for passing traffic.

Mr. Burchett stated it was 24 feet wide.

Mrs. Streetman asked if that travel easement could be lifted at any point.

Mr. Burchett stated no it would be public use not blocked.

Mr. Spigner asked if it would be maintained by developer.

Mr. Burchett stated that is correct.

Mr. Spigner asked Mr. Tyndall if this meets the intent the staff is looking for as far as accessibility to these adjacent properties.

Mr. Tyndall stated this site plan is a little tricky. He stated that Charleston Oaks Subdivision which had been approved about two years ago and both stub roads have been built. He stated that had either of the properties to the left or right of this property been developed first he did not believe it would be as much of an issue. He further stated it just a timing issue from both the developer and our perspective. He stated what was amenable to the staff and that the Street Department agrees is a public right of way that runs east to west and a travel easement that goes north to south.

Ms. Russell read the conditions with travel easement.

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 sidewalks along road frontage.
3. Subdivision plat completed showing the travel easement.
4. Approval of landscape plan.

With no further discussion Mr. Spigner made the motion for approval with conditions listed including travel easement. Mr. Hadley seconded. All were in favor. Motion passed.

OTHER BUSINESS:

A. LANDSCAPE APPEAL L-67-2020

Ms. Russell presented case stating that Bert Singletary asked for a reduction in the number of trees on perimeter. 16 trees and 75 shrubs to be eliminated.

Mr. Kimbrough asked if most of those were along the right of way.

Ms. Russell stated there was gaps we could ask him to fill in.

Mr. Kimbrough asked if the agent could come forward to explain.

Britt Little stated that there are trees on our side of right of way and we would like credit for those trees. He asked that appeal be approved.

Bert Singletary spoke in favor of the case stating there would be clean up and trees would be placed in gaps.

With there being no further discussion Mr. Kimbrough made the motion for approval of appeal. Mrs. Streetman seconded and all were in favor. Appeal granted.

B. ADOPT 2022 CALENDAR REVISIONS

Mr. Tyndall stated this was to readopt where some dates had to be moved to keep in line with City Council meetings.

With no further discussion Mr. Spigner made the motion to adopt calendar with revisions. Mrs. Jiminez seconded. All were in favor and motion passed.

C. MONTHLY PROFIT AND LOSS STATEMENT

Mr. Kimbrough made the motion to approve monthly profit and loss. Mr. Hadley seconded. All were in favor. Motion passed.

D. SUBDIVISION REGULATIONS UPDATE

Mr. Tyndall spoke of the subdivision regulations update stating that the entire regulation is on the tablets red lined. He stated that it mostly deals with PUDE's going forward. He stated this is only a slight change internally. He further stated this would be for us to be legal and safer for us and everyone else. Cal Burchett came forward asking for a change in one word. Section 4.1.2 Section A, B & C to state "subdivisions" not "development". Page 41 of the Subdivision Regulations.

Karen Reynolds, City Councilperson, stated that she worried this might be short sided. She stated that as we infill our neighborhoods, just as the previous zoning, this could make it to where we could not legally connect roads as we put R-4 and Mixed Use into our current zoning areas. She stated that she would like to see it be an option that can be waived but does not think it should be changed completely.

Mr. Tyndall stated that this is for subdivision regulations which kick in when a property is subdividing and he believes this has actually strengthened the language and clarified it more where stub outs would be required and when you must connect to subdivisions next door.

Mrs. Streetman made the motion to approve the subdivision regulations update. Mr. Kimbrough seconded.

Mrs. Streetman made the motion to amend the Section 4.1.2 Section one A, B & C to replace the word "development" with the word "subdivision". Mr. Spigner seconded. Amendment passed. All were in favor and motion to approve as amended passed.

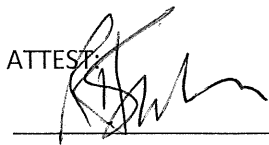
E. FEE WAIVER REQUEST FOR CUNNINGHAM FD

Mr. Tyndall stated that this was to waive the fee for Minor Plat fee for the application involving Salem Community Church and Cunningham Fire Department. The plat involves a substation that will be deeded to the fire department.

Mr. Spigner made the motion to waive the minor plat fee. Mr. Long seconded All were in favor. Fee will be waived.

The meeting was adjourned at 3:26 PM

ATTEST:



Richard Swift, Chairman