



CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

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REGIONAL PLANNING COMMISSION

MINUTES

Date: May 25, 2021

Time: 2:00 PM

Members Present

Richard Swift, Chairman

Bryce Powers, Vice Chairman

Thom Spigner

Richard Garrett

Wade Hadley

Larry Rocconi

Maria Jiminez

Michael Long

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

Jackey Jones, Administrative Support

Chris Cowan/Joe Green/Jerome Henderson, City Street

Jobe Moore, Clarksville Fire and Rescue

Ben Browder/Patrick Chesney, Clarksville Gas & Water

Mr. Swift called the meeting to order at 2:08 PM.

Approval of Minutes

Mr. Swift asked for a motion for approval of the minutes from April 27, 2021 meeting. Mr. Spigner moved to recommend approval. The motion was seconded by Mr. Hadley and carried unanimously.

Announcements

Mr. Tyndall stated that 06/03/2021 will be the City public hearing at new time of 6:00 PM. He stated that the County Public Hearing will be 06/07/2021 at 6:00 PM.

City Zoning Cases

Mr. Tyndall announced the deferrals which include Z-18-2021. There being no more discussion, Mr. Spigner recommended approval of deferral. The motion was seconded by Mrs. Jiminez and carried unanimously.

Mr. Tyndall stated that case Z-21-2021 was withdrawn.

CASE NUMBER Z-15-2021 Applicant: Reda Home Builders, Inc.

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

LOCATION: Northwest corner of the Oak St. & Mann Circle intersection.

TAX MAP: 055H PARCEL: J 009.00 ACREAGE: 2.75 +/-

REASON FOR REQUEST: Future building opportunities

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 New Providence Planning area has seen recent interest with redevelopment and in-fill. The proposed development is not out of character with the surrounding area and provides the opportunity to provide residential density in an area where goods and services are readily available.
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.

Mr. Spainhoward stated that as of 4:30 PM 05/24/2021 there have been no formal comments.

Mr. Vernon Weakley spoke in favor of case and stated that he was present to answer any questions.

There being no further discussion Mr. Rocconi made the motion to recommend approval. The motion was seconded by Mr. Garrett and motion passed unanimously.

CASE NUMBER Z-24-2021 Applicant: Satish Prabhu

REQUEST: C-4 Highway Interchange District to R-4 Multiple-Family Residential District

LOCATION: Two parcels fronting on the east frontage of New South Dr., 395 +/- feet south of the Martin Luther King Jr. /Highway 76 & New South Dr. Intersection.

TAX MAP: 063P PARCELS: C006.00, C007.00 ACREAGE: 2,26 +/-

REASON FOR REQUEST: To facilitate the sale of the property currently under contract.

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 is an extension of the established R-4 district and use to the South and is not out of character with the surrounding area.
3. The R-4 Multi-Family Residential Classification is the appropriate zoning district when the property is planned solely for multi-family residential development.
4. 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 05/24/2021 there have been no formal comments.

Matthew Ellis spoke on behalf of applicant. He stated he was available for any questions.

There being no more discussion, Mr. Spigner made motion to recommend approval. The motion was seconded by Mr. Garrett and carried unanimously. Motion passed.

CASE NUMBER Z-25-2021 Applicant: Singletary Construction, LLC

REQUEST: C-5 Highway and Arterial District to C-2 General Commercial District

LOCATION: Property fronting on the south frontage of Center Pointe Dr. 750 +/- feet west of the Center Pointe Dr. & Center Ct. intersection.

TAX MAP: 041K PARCEL: E 010.01 ACREAGE: 76

Reason for Request: C-2 allows development as mixed use and would provide a buffer between the adjacent R-4 and C-5 zones.

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. C-2 zoning. Permits the opportunity for general goods and services. Establishments with the additional opportunity for mixed use residential. The adopted land use plan states that mixed use, residential and commercial development should be encouraged.
3. This lot lays at a point of transition on center Point Drive where the established commercial uses transitioned to multi- family residential.
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 5/24/2021, there had been no formal public comments.

Mr. Vernon Weekly spoke in favor and stated that he was present to answer any questions.

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

CASE NUMBER Z-26-2021 Applicant: Salvador Castro

REQUEST: C-5 Highway and Arterial District to C-2 General Commercial District

LOCATION: Property fronting on the north frontage of Jack Miller Blvd. 810 +/- feet east of the FT. Campbell Blvd. & Jack Miller Blvd. intersection.

TAX MAP: 019H PARCEL: C 008.05 ACREAGE: 8.34

Reason for Request: Down zone from C-5 to C-2

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. C-2 zoning permits the opportunity for general goods and services. Establishments with the additional opportunity for mixed use residential. The adopted land use plan states that mixed used residential and commercial development should be encouraged.
3. This property is located in an area of established commercial and multifamily residential development along Jack Miller Blvd, and the proposal is not out of character with the surrounding established uses.
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 5/24/2021, there have been no formal public comments.

Mr. Rex Hawkins spoke in favor of the case and stated that he was present to answer any questions.

Linda Alley of Powell Rd. stated she owns property on Airport Rd. and wanted to know how it might affect the airport. Mr. Spainhoward responded that it is not within any flight patterns of the airport should have no impact.

There being no further discussion, Mr. Garrett moved to recommend approval. The motion was seconded by Mr. Long and carried unanimously with Mr. Rocconi abstaining. Motion passed.

CASE NUMBER Z-27-2021 Applicant: Syd Hedrick

REQUEST: R-3 Three Family Residential District & R-6 Single-Family Residential District to C-2 General Commercial District

LOCATION: Property located south of Crossland Ave., north of West High St. and east of Charlotte St.

TAX MAP: 066O PARCELS: B 002.00, 003.00, 004.00, 005.00 ACREAGE: .87

Reason for Request: Owner seeks to rezone from residential to commercial. Recent zoning in the area to adjacent property supports a request to C-2, C-2 zoning is also appropriate zoning when displacing residential and buffering a commercially suitable corridor.

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. C-2 zoning permits the opportunity for general goods and services. Establishments with the additional opportunity for mixed use residential. The adopted land use plan states that the mixed use residential and commercial development should be encouraged.
3. This property is located near the Riverside Drive Commercial District in the Crossland Ave Corridor and in an area of transition that has existing commercial development with recent development of high density residential growth
4. 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 5/24/2021 there have been no formal public comments.

Mr. Syd Hedrick spoke in favor stating this property is located on the Crossland Ave Corridor the intent is to make this Section 3 of Upland Terrace at 7th Hill. My desire is to allow for goods and services to service these homes as well as mixed used to do some multi-family along with it. He stated he was happy to answer any questions.

There being no more discussion, Mr. Rocconi moved to recommend approval. The motion was seconded by Mr. Garrett, carried unanimously with Mr. Powers abstaining. Motion passed.

CASE NUMBER Z-28-2021 Applicant: Bristol Ridge Apartments

REQUEST: C-5 Highway and Arterial District and R-1A Single-Family Residential to R-4 Multiple-Family Residential and C-5 Highway and Arterial Commercial District

LOCATION: Property located south of Highway 76 & north of the street stub of Karmaflux Way.

TAX MAP: 063 PARCEL: 067.00 ACREAGE: 1.67

Reason for Request: To revise and clean up zoning to match master plan.

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 proposal updates the existing zoning district boundaries to align with the proposed lot line, street/roadway infrastructure, and uses within the future development.

Mr. Spainhoward stated that there had been several phone calls, but after explanation there were no formal comments as of 4:30 PM 5/24/2021. He stated that there was a road that was going to tie

through the area and there is a convergence of multiple properties in lot lines. This will make in line with existing zoning.

Mr. Cal McKay spoke in favor on behalf of Mr. Belew. He stated that this was to clean up the zoning lines and stated he was available for any questions.

There being no more discussion, Mr. Powers move to recommend approval. The motion was seconded by Mr. Long and carried unanimously. Motion passed.

CASE NUMBER Z-29-2021 Applicant: Brian Wolff

REQUEST: R-3 Three-Family Residential District & C-2 General Commercial District to C-2 General Commercial District & R-3 Three Family Residential District

LOCATION: Property located north of Providence Blvd. and east of Cave Springs Road

TAX MAP: 054E PARCEL: A 005.00 (P/O) ACREAGE: 1.72

Reason for Request: To facilitate the sale of the property currently under contract.

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 zoning classifications are minor changes. Or extensions to the established zoning districts to meet a development plan.
3. The proposed changes are not out of character with the surrounding uses.
4. Adequate infrastructure will serve the site and no adverse environmental issues were identified relative to this request.

Mr. Spainhoward stated that as a 4:30 PM 5/24/2021 there have been no formal public comments.

Mr. Houston Smith spoke in favor of case. He stated that this is to clear up some of his own lines and he would be happy to answer any questions.

There being no more discussion, Mr. Rocconi move to recommend approval. The motion was seconded by Mr. Spigner and carried unanimously. Motion passed.

CASE NUMBER Z-30-2021 Applicant: Dan Johnson

REQUEST: AG Agricultural District to R-1 Single-Family residential District

LOCATION: Property fronting on the south/west frontage of Powell Road, 725 +/- feet south of the Powell Road and Ellie Piper Circle intersection.

TAX MAP: 057 PARCEL: 133.03 ACREAGE: 23.84

Reason for Request: Single family subdivision

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-1 single family Residential District is the appropriate zoning classification for the area and is an extension of the R-1 zoning classification to the West.
3. Continued development along Power Rd. necessitates improvements to the West in order to achieve connection to Dunbar Cave Rd.
4. No adverse environmental issues were identified relative to this request.

Mr. Spainhoward stated that there have been several emails and phone calls. The emails can be found on pages 59 through 80. He stated that a traffic assessment was submitted and received in reference to this. The general comments were that this development would allow for future connection of Dunbar Cave Rd. He stated that Powell Rd. currently has only one way in and one way out.

Mr. Houston Smith spoke in favor of the case. He stated that we understand that there is a sharp curve at Power Rd and is a part of this development. We have provided a plan to straighten that out to make it a lot safer. We also plan to make a connection to the property to the West, which will leave one piece of property to connect Powell Rd. to Dunbar Cave Rd.

Mr. Long asked of Mr. Smith if that curve was definitely going to be straightened and Mr. Smith replied yes, it was put in the traffic study and he then preceded to pass the traffic study to the members of the Commission.

Mr. Ralph Mackins of 2050 Powell Rd. spoke in opposition of the case. He asked if Mr. Smith had stated that he was going to tie this project into Dunbar Cave Rd. Or did he misunderstand? Mr. Smith stated that he was building a connection to the property that is adjacent. No, he is not building a connection to Dunbar Cave Rd. Mr. Mackins preceded to present his opposition. He stated that Powell Rd. residents are not asking for convenience. We are begging for safety. Nowhere does this traffic assessment mention 28-foot streets emptying out onto a 20-foot road, it does not mention that it has no shoulder. If you are forced off the road, you are in a ditch. Powell Rd is a 553-lot subdivision with only one way in and one way out. He respectfully requests that the Planning Commission as a whole and each commissioner recommend disapproval of this zoning request.

Linda Alley of 2112 Powell Rd spoke in opposition of this case. She stated that the city had promised sidewalks, that was 20 years ago and there are no sidewalks. They promised us street lights, but there is only one. She stated that the traffic light is a good idea, but I think that traffic light depends on if the gas station goes across the street. I think they have decided not to put the gas station there. She stated that if this case gets approved, there would be 3 new housing projects going on in Powell Rd. And that does not count the new housing in other areas. It could be 20 years before the connection to Dunbar Cave Rd. There has to be a limit of traffic on a mile and a half road before it is unsafe. She asked how many people will you let live on this road before it is unsafe? Mr. Spainhoward replied that he would defer to the Street Department. There was a traffic assessment performed and they may be able to answer this question.

Mr. Swift asked Mr. Cowan to come forward to speak about the intersection and signal. Mr. Cowan stated that is under current and future construction. He stated as far as the traffic signal. There is a contract being executed from the developer and is currently under review by the city attorney. Mr. Swift asked when can we expect some resolution to that? Mr. Cowan stated, hopefully in the next week or two. Mr. Powers asked once that contract is signed. It is a city project, correct? Mr. Cowan stated yes.

There being no further discussion, Mr. Rocconi made the motion to recommend approval. The motion was seconded by Mr. Hadley. 5 yeas and 2 nay votes. Motion passed.

CASE NUMBER Z-31-2021 Applicant: William Belew, Jr.

REQUEST: R-1A to C-5 Highway and Arterial District

LOCATION: Property located at the southwest corner of Needmore Road and Hazelwood Road

TAX MAP: 018 PARCELS: 042.00 (P/O) ACREAGE: 1.9

Reason for Request: Commercial 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 property is located on the corner of a two way stop sign controlled intersection. Commercial zoning classifications, or ideally located at intersections to hands their community commercial. An economic potential for way signalized intersections required at this location in the future. Commercial notes providing goods and services at treaty strategic intersections/ locations are beneficial to the neighboring residential users.
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 5/24/2021, there have been several phone calls, but no formal public comments.

Mr. Cal Burchett, Engineer on project spoke on behalf of applicant in favor of case. He stated that the traffic assessment shows that there is a need for improvement at this intersection. He stated we will work with the city on the improvements that are needed at this intersection and that he was available for any questions.

Kristi Madore of 1736 Hazelwood Rd spoke in opposition to case. She stated that traffic on Hazelwood has become extremely overwhelmed. They have just built a new residential on the other side of Needmore off Hazelwood. They're also building another residential towards Trenton and another across the street. There is too much congestion, needs to be more traffic lights, and at school time, you cannot even get out of our driveway. Roger Madore stepped forward to speak with his wife at the podium. He stated that it takes forever to turn left on this road. If anything happens on Tiny Town, our roads become bumper to bumper. It is unsafe, no sidewalks except ones that lead to nowhere. He stated that this area is just too congested.

Mr. Powers asked Mr. Tyndall if at the site plan process could it be held until the resolution of the traffic signal? Mr. Tyndall stated that this is the zoning phase, as it moves forward, it will come before us at the next stage. He stated that the 2020 traffic plan, phase two and three has Hazelwood and Needmore in need of additional lanes.

With no further discussion, Mr. Powers made the motion to approve, knowing this can be addressed at the site plan stage. The motion was seconded by Mr. Hadley and motion carried unanimously. Motion passed.

County Zoning Cases

CASE NUMBER CZ-9-2021 Applicant: Todd Morris

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

LOCATION: Property located south of Old Sango Road and west of Sango Drive

TAX MAP: 018 PARCELS: 042.00 (P/O) ACREAGE: 1.9

Reason for Request: Commercial 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 request is an extension of the R dash for multi-Family Residential district to the South.
3. The adopted 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.

Mr. Spainhoward stated that as of 4:30 PM 5/24/2021, there have been no formal public comments.

Mr. Houston Smith spoke in favor of case. He stayed, they were looking to do multifamily with a lot of landscaping and wide units with garages. Mr. Swift asked if this would be rentals and Mr. Smith replied that objective would be to sell.

Gisela Asquith 3401 Sango Rd. spoke in opposition to case. She stated that the road is very narrow and busy. She mailed a letter in the Commission should be getting it soon.

Ava Smith spoke in opposition. She stated her concerns were if a traffic study had been done. She stayed, the road is very narrow and two lane, no shoulders. She stated that there is going to be more congestion, we do not feel that the road can handle that much traffic. She asked that the Commission reconsider based on current infrastructure. She stated that tonight the HOA would be brought forward and there will be additional comments and questions. Mr. Spainhoward spoke to the subject of additional comments and stated that our public comments close yesterday at 4:30, but there is another public hearing process that will go to the county Commission.

Mr. Powers asked if this case met the threshold of traffic assessment. Mr. Spainhoward stated it does not in the zoning phase.

There being no further discussion, Mr. Rocconi made the motion to recommend approval. The motion was seconded by Mr. Spigner and all were in favor. Motion passed.

CASE NUMBER CZ-11-2021 Applicant: Jeff Shepherd

REQUEST: R-1 Single-Family Residential to C-2 General Commercial District

LOCATION: Property located at the northeast corner of the Lake Road and Old Dover Road intersection

TAX MAP: 052 PARCELS: 076.00, 082.00 ACREAGE: 1.15

Reason for Request: To bring property into zoning compliance to be used as construction company office.

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 property is located on a corner of a four way stop sign controlled intersection. Commercial zoning classifications are ideally located at intersection to enhance their commercial and economic potential.
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 5/24/2021, there had been no formal public comments.

Mr. Jeff Shepherd, owner of the property, spoke in favor of case. He stated he was available for any questions. Mr. Swift, ask if he was just trying to put his property in compliance. From a zoning standpoint? Mr. Shepherd replied that is correct.

Mr. Vincent Reap. 2614 Lake Rd. spoke in opposition. He stated that the zoning change was not approved in 2006. But the owner had continued to use the property as a construction business. He studied that building in codes in 2009 through 2010. Had been contacted with no action taken. He stated he and his wife then halted the process. He stated that numerous vehicles were parked there as well as an above ground storage tank for fuel. Mr. Reap. Offered a photo of the property But Mr. Tyndall stated that the slides have a photo of the property, and the slide was shown. Mr. Reap stated that the adjacent property is not zoned commercial. He respectfully requested that this case be denied.

There being no further discussion Mr. Spigner made the motion to approve. The motion was seconded by Mr. Powers and all were in favor. Motion passed.

CASE NUMBER CZ-12-2021 Applicant: Jason Winn

REQUEST: AG Agricultural to R-1 Single-Family Residential District

LOCATION: Property located south of the terminus of Hilltop View Road and west of River Road.

TAX MAP: 100 PARCEL: 091.00 (P/O) ACREAGE: 42.5

Reason for Request: Extend existing R-1 zone district to remainder of the parcel for the development of a single-family subdivision.

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 northeast portion of the subject tract is currently zoned R-1 single family residential.
3. The proposed R-1 single family residential request is not out of character with the surrounding area.
4. Adequate infrastructure will serve the site and no adverse environmental issues were identified relative to this request.

Mr. Spainhoward explained that a portion of tract is already zoned R-1. This is an additional area of the tract. He stated that the tract already zoned R-1 has Rd frontage. He also stated that as of 430 PM 5/24/2021, there have been no formal public comments.

Mr. Cal Burchett representing agent and applicant spoke in favor of case stating that there is access to River Rd. and estimating around 60 lots.

There being no more discussion, Mr. Rocconi made the motion to approve. Motion was seconded by Mr. Long. All were in favor with Mr. Powers abstaining. Motion passed.

CASE NUMBER CZ-13-2021 Applicant: Jane Walker

REQUEST: AG Agricultural District to R-1 Single-Family Residential

LOCATION: Property fronting on the east frontage of Deerwood Road 825 +/- feet south of the Highway 41-A South and Deerwood Road intersection.

TAX MAP: 087 PARCEL: 030.01 ACREAGE: 17.8

Reason for Request: Rezoning to allow for small subdivision.

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 request is an extension of the existing R-1 single family residential district to the east and southeast. The property lies within the plan growth area. PGA of the adopted 2040 growth plan and is not out of character with the development pattern in the single planning area.
3. The adopted land use opinion map identifies this area for single family residential development.
4. Adequate infrastructure will serve the site and no adverse environmental issues were identified relative to this request.

Mr. Spainhoward stated that emails received are included in packet pages 29 through 44. Mr. Spigner asked if there was a traffic assessment before meeting. Mr. Tyndall stated that due to the number of emails they are going to do a traffic assessment before the County Commission meeting.

Chris Goodman working with the landowners in this project stated the intent is to develop the northern portion of the project, roughly 9 acres. He stayed there going to keep the pond. He also stated we are working on the traffic assessment and will be available at County Commission.

Mr. Ben Walker, son of the applicant, spoke in favor of the project and was available for questions.

Mrs. Lana Broome 272 Deerwood Circle spoke in opposition. She stated that all parcels inside this Deerwood subdivision are zoned AG. R-1 is out of character with the existing neighborhood. She stated that only two lanes on the road and no room to pull over and no turning lane at this entrance to our subdivision. When I - 24 is shut down, traffic is rerouted to our road and makes it even more dangerous. She stated that there was no land touching R1 and that this would increase the population by 91 residents. She also stated this was increased noise, pollution, and crime.

Mr. Terry Pevehouse spoke in opposition. He stated that Deerwood Rd is narrow. Any adverse effects would be flooding if heavy rainfall. He stated we ask that you preserve the integrity of Deerwood.

Mrs. Rosalind Kurita spoke in opposition and stated that she found it very unusual that there is not a traffic study. She stated that she requested a traffic study by the state. This is not an extension of R-1. She stated that you, Planning Commission, should stay within your process. Mr. Spainhoward replied that if we stuck with our normal process, there would not be a traffic assessment required. Mr. Tyndall stated the normal process of traffic assessments and that this case will have a traffic study because the county Commission asked for it after the number of emails.

Mr. Spigner stated that this is an extension of R-1 according to zoning maps. Mr. Spainhoward agreed and went into detail about residential cluster option.

Chris Goodman came forward for rebuttal. He stated that there would only be a max of 20 houses, probably less. He stated the drainage would still be going toward the pond where it is now.

With no further discussion, Mr. Rocconi made the motion to approve and seconded by Mr. Hadley. Motion was passed with one nay.

CASE NUMBER CZ-14-2021 Applicant: FWJR Development Partnership

REQUEST: M-1 Light Industrial District to C-5 Highway and Arterial District

LOCATION: Property southeast of Guthrie Highway and northeast of Hampton Station Road

TAX MAP: 015 PARCELS: 007.02 ACREAGE: 4.21

Reason for Request: To convert existing building into a private school.

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

DISAPPROVAL

1. The proposed zoning request is inconsistent with the adopted Land Use Plan.
2. The adopted land use plan indicates that the present M-1 zoning classification is assumed to be correct unless the proposed zone is more consistent with the land use plan. The parcel was incorrectly zoned in the 1st place or major changes of an economic, physical, or social nature were not considered in the present plan which have substantially altered the character of the area.
3. Be permitted uses permitted is C-5 Highway an arterial commercial district and the surrounding M-1, an M-2 industrial districts may have uses that have adverse effects on each other.
4. Adequate infrastructure will serve the site.

Mr. Spainhoward stated that emails received are included in Packet page 52 through 65.

Mrs. Katowba Stallworth spoke in favor of case, stating she was available for questions. Mr. Rocconi asked if they had considered any other buildings. Mrs. Stallworth stated that this building met all their needs. Mr. Garrett asked if there are any problems with other properties. Mrs. Stallworth stated no difficulties, Mr. Richard Tucker, an adjoining property owner, has no problems. She stated no one in close proximity except the tobacco company.

Mr. Rocconi stated that his concern is that nothing stops M-1, M-2 from building here. They can do whatever they want next to you. He stated he was super concerned for the school for what could possibly be around it.

Mr. David Nixon spoke in favor of the case, stating he lives within a half a mile of the property. His family owns 80 acres, and he is much in favor.

Mr. Alan Austin spoke in favor of the case stating (inaudible)

Mr. Ed Neely spoke in opposition stating he owns 15 acres south of the property and his concern is putting a school in an M-1 zoning area. He stated he has been approached about selling the property and is very close to an agreement. He stated he is not opposed to the school. He is opposed to this area.

Mrs. Stallworth in rebuttal spoke of the environmental testing that had been done for asbestos. She also stated that there is a need for childcare/day care in this area. She stated that she had been in touch with the EPA, and they stated that no environmental stipulations had occurred in this area.

Mr. Tyndall presented to the Commission the different owners of surrounding properties, which included the Industrial Development Board, American Snuff Company, Orgain, Ready Mix, Mr. Neely, DJB, and Knight Electric.

Mr. Powers stated that he understands the educational needs, but he just believes it is a danger to put a school inside of an industrial district. He stated that he knows the Planning Commission staff is willing to help Mrs. Stallworth find a more suitable location and with all that being said, Mr. Powers made the motion to disapprove with Mr. Hadley second. Motion of disapproval passed with four yea three nay.

SUBDIVISION CASES:

Mr. Swift asked if any cases need to be pulled from consent agenda and member of audience asked for S-47-2021 to be pulled.

Mr. Parker read through the consent agenda cases.

CASE NUMBER: S-43-2021 APPLICANT: EXIT 8 PROPERTIES

REQUEST: Preliminary Plat Approval of EXIT 8 PROPERTIES RIGHT OF WAY DEDICATION (previously International Blvd Right Of Way Dedication)

LOCATION: East of I-24, south of Rossvie Road, approximately 500 feet south of the intersection of Rossvie Road and International Boulevard.

MAP: 058 PARCEL: 001.00 (p/o) ACREAGE: 9.44 # OF LOTS: 0 ZONING: C-5/M-1 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 begins.
2. Approval by the City Street Department of all road, drainage, grading, and erosion control plans before construction begins. No grading, excavating, stripping, filling, or other disturbance of the natural ground cover shall take place prior to the approval of a grading, drainage, and erosion control plan.
3. Approval by the City Street Department of all driveway access locations to the public right-of-way before construction begins on site, as per City of Clarksville Driveway Access Ordinance.
4. The roadway design must be approved by the City of Clarksville Street Department.

CASE NUMBER: S-44-2021 APPLICANT: AVA HOMES L L C

REQUEST: Preliminary Plat Approval of AVA HOMES LLC DODD ST. LOTS 1-3 (Replat of Carney & Savage Addition Lots 56 & 57)

LOCATION: South of and adjacent to Dodd Street, east of Reynolds Street, north of Poplar Court at the terminus of Dodd Street.

MAP: 066E PARCEL: M 007.00 ACREAGE: .43 # OF LOTS: 3 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 begins.
2. Approval by the City Street Department of all road, drainage, grading, and erosion control plans before construction begins. No grading, excavating, stripping, filling, or other disturbance of the natural ground cover shall take place prior to the approval of a grading, drainage, and erosion control plan.
3. Approval by the City Street Department of all driveway access locations to the public right-of-way before construction begins on site, as per City of Clarksville Driveway Access Ordinance.

CASE NUMBER: S-45-2021 APPLICANT: DOUBLE BOGEY PARTNERS

REQUEST: Preliminary Plat Approval of DOUBLE BOGEY ESTATES SECTION 1

LOCATION: South and East of Gratton Road, across from the intersection of Waterchase Way and Gratton Road.

MAP: 089 PARCEL: 012.00 (PO) ACREAGE: 4.26 # OF LOTS: 5 ZONING: R-1 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 begins.
2. Approval by the City Street Department of all road, drainage, grading, and erosion control plans before construction begins. No grading, excavating, stripping, filling, or other disturbance of the natural ground cover shall take place prior to the approval of a grading, drainage, and erosion control plan.
3. Approval by the City Street Department of all driveway access locations to the public right-of-way before construction begins on site, as per City of Clarksville Driveway Access Ordinance.

CASE NUMBER: S-46-2021 APPLICANT: WILLIAM BELEW

REQUEST: Revised Preliminary Plat Approval of CEDAR SPRINGS SECTION 3 (REVISED PRELIMINARY) (CLUSTER)

LOCATION: South of Hazelwood Road, east of and adjacent to Needmore Road, west of and adjacent to the western terminus of Sydney Louise Drive.

MAP: 018 PARCEL: 042.00 ACREAGE: 30.84 # OF LOTS: 188 ZONING: R-1A 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 begins.
2. Approval by the City Street Department of all road, drainage, grading, and erosion control plans before construction begins. No grading, excavating, stripping, filling, or other disturbance of the natural ground cover shall take place prior to the approval of a grading, drainage, and erosion control plan.
3. Approval by the City Street Department of all driveway access locations to the public right-of-way before construction begins on site, as per City of Clarksville Driveway Access Ordinance.

CASE NUMBER: S-48-2021 APPLICANT: REDA HOME BUILDERS

REQUEST: Preliminary Plat Approval of HAND ESTATES SECTION 5

LOCATION: North of Lafayette Road, Southwest of Garrettsburg Road, west of and adjacent to the current terminus of Kendall Drive.

MAP: 029 PARCEL: 070.00 ACREAGE: 2.43 # OF LOTS: 4 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.

CASE NUMBER: S-49-2021 APPLICANT: CHRIS BLACKWELL

REQUEST: Preliminary Plat

Approval of MOCKINGBIRD MEADOWS (previously Hummingbird Estates)

LOCATION: North of Highway 13, north of Mockingbird Hill Road, north and west of the terminus of Hummingbird Meadows Road.

MAP: 140 PARCEL: 013.05, 013.06 ACREAGE: 10.01 # OF LOTS: 5 ZONING: AG GROWTH PLAN: RA

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.

Mr. Hadley made the motion to approve consent agenda. With Mr. Spigner second. All were in favor in motion passed with Mr. Powers abstaining from S-44-2021.

CASE NUMBER S-47-2021 APPLICANT: DOUBLE J PARTNERS

REQUEST: PRELIMINARY PLAT APPROVAL OF WOFFORD HILLS SUBJECT TO THE CONDITIONS LISTED.

LOCATION: Southeast of Guthrie Highway, west of and adjacent to Port Royal Road, approximately 1,400 feet southeast of the intersection of Braxtons Run and Port Royal Road.

TAX MAP: 010 PARCEL: 016.03 ACREAGE: 111 NUMBER OF LOTS: 79

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 begins.
4. Approval by the Tennessee Department of Transportation for a highway connection permit and any potential roadway improvements to S.R. 238 required before final plat approval.

VARIANCES REQUESTED:

1. Section 4.3 Subsection 2. For the proposed "Road 2" to allow a block length of approximately 1,840' which exceeds the maximum allowed of 1,500'
2. Section 4.1.9 Subsection 1. For the proposed "road 3" allow a cul-de-sac length of approximately 126' which is less than the minimum of 150'

Mr. Parker presented the variances requested.

Mr. Parker stated that an email was received from Randy Gannon along with state right to farm statutes.

Mr. Josh Moore, vice president of Cal Wen Foods, spoke in favor of them building on property, but wanted everyone involved aware that there is a feed mill close to the property and there is a potential for dust and noise.

Vernon Weekly came forward to speak of the two variances he stated there was no property to stub to and drainage and such that must be avoided.

Mr. Rocconi made the motion to approve both variances with a second by Mr. Spigner. All were in favor and variances approved.

Mr. Powers made the motion to approve the subdivision, as amended with Mr. Rocconi seconding, all were in favor. Motion passed.

SITE REVIEW CASES:

Mr. Swift, asked if any cases need to be pulled from consent agenda.

Mrs. Russell stated that AB-2- 2021 will be pulled in. Mr. Tyndall will present case.

Mrs. Russell read through the consent agenda cases.

CASE NUMBER: SR-22-2021 APPLICANT: Mark Boles AGENT: Britt Little
DEVELOPMENT: Mark Boles Property PROPOSED USE: Multifamily

LOCATION: Center Pointe Drive MAP: 041, 059.00 ACREAGE: 2.95

STAFF RECOMMENDATION: APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS

1. Approval of all utility plans and as built 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 dumpster locations by the Building and Codes Department.
4. Approval of a landscape plan.

CASE NUMBER: SR-27-2021 APPLICANT: Scannell Properties, LLC AGENT: J. Chris Fielder
DEVELOPMENT: CMCCBP Tract 20 PROPOSED USE: Distribution
LOCATION: 2800 International Blvd MAP: 039, 021.00 & 040, 012.00 ACREAGE: 73.00

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. Approval from the Emergency Management Office.
4. Combination of parcels by deed or survey.

CASE NUMBER: SR-28-2021 APPLICANT: Liberty Park Partners AGENT: J Chris Fielder
DEVELOPMENT: Liberty Park Partners Spec Retail PROPOSED USE: Spec Retail
LOCATION: 1191 Hwy 48/Cumberland Dr. MAP: 079, 035.00 (P/O) ACREAGE: 4.60

STAFF RECOMMENDATION: APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS

1. Approval of all utility plans and as built 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.
4. Approval of a landscape plan.
5. Approval from TDOT.

CASE NUMBER: SR-29-2021 APPLICANT: RG Brothers LLC AGENT: J Chris Fielder
DEVELOPMENT: Immunotek Clarksville PROPOSED USE: Medical Office
LOCATION: 804 Providence Blvd. MAP: 054E-D, 004.00 ACREAGE: 1.87

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 sidewalk improvements.
3. Approval of a landscape plan.
4. Approval from TDOT.

CASE NUMBER: SR-30-2021 APPLICANT: Allen Moser AGENT: Cal Burchett
DEVELOPMENT: Center Springs 2 PROPOSED USE: Multifamily
LOCATION: Britton Springs Road MAP: 029, 042.00 ACREAGE: 9.26

STAFF RECOMMENDATION: APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS

1. Approval of all utility plans and as built by the Office of the Chief Utility Engineer.
2. Approval of all grading and drainage plans by the County Building and Codes Department.
3. Approval of a landscape buffer plan.
4. Subdivision plat completed.

CASE NUMBER: SR-31-2021 APPLICANT: Sunil Arunagiri AGENT: Cal Burchett

DEVELOPMENT: Sunil Retail 41-A S PROPOSED USE: Retail

LOCATION: Hwy 41-A S MAP: 081, 025.00 ACREAGE: 2.83

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. Approval of a landscape buffer plan. An 'A' type buffer will be required adjacent to Old Sango Road.

CASE NUMBER: SR-32-2021 APPLICANT: Providence Builders AGENT: Cal Burchett

DEVELOPMENT: Judy's Hope PROPOSED USE: Religious Institution

LOCATION: 46 Union St. Clarksville, TN 37040

MAP: 066K H/ 016.00 ACREAGE: 11.88

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 by the Common Design Review Board.
4. Approval of a landscape plan.

CASE NUMBER: SR-33-2021 APPLICANT: Eagles Bluff TGP AGENT: Vernon Weakley

DEVELOPMENT: Midtown Place PROPOSED USE: Multifamily

LOCATION: Old Trenton Road MAP: 056, 062.00 ACREAGE: 13.2

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.
4. Approval of a landscape plan.

CASE NUMBER: SR-34-2021 APPLICANT: Robert Kolbe AGENT: Brad Weakley

DEVELOPMENT: Kylie Avenue Townhomes PROPOSED USE: Multifamily

LOCATION: Peachers Mill Road MAP: 055A A 005.00 ACREAGE: 19.9

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.
4. Approval from TVA.

CASE NUMBER: AB-1-2021 APPLICANT: Cody & Lindsey Heggie AGENT: Cal Burchett

DEVELOPMENT: CODY AND LINDSEY HEGGIE PROPOSED USE: ABANDONMENT

LOCATION: North of Golf Club Lane, South of Madison Street, East of Liberty Parkway

MAP: North of 80A-C-1.00, 2.00, 3.00 and South of 65P-J-3.00, 4.00, 5.00, 6.00 ACREAGE: 0.22

STAFF RECOMMENDATION: APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS

1. Retention of an easement for storm water and surface drainage, and for public utilities.

Mr. Hadley made the motion to approve consent agenda with Mrs. Jimenez second, all were in favor.
Motion passed.

CASE NUMBER AB-2-2021 Applicant: Damon Dozier DEVELOPMENT: Damon Dozier

PROPOSED USE: Abandonment TAX MAP: North of 058G PARCEL: B 001 .00 ACREAGE: .0218

STAFF RECOMMENDATION: DISAPPROVAL

Mr. Tyndall explained the process of abandonment and presented the case. He stated under advisement of County Attorney Tim Harvey that following the process, there is no public hearing required. Mr. Tyndall stated that we have received seven emails since this went on the agenda. The main topics brought up were traffic, HOA, property values, school overcrowding, and lower quality homes. Mr. Tyndall stated that the staff asked the Commissioners to uphold our subdivision regulations.

Mr. Swift stated that we are always looking for better and quicker ways to get into areas in the event of an emergency, and that is what that stub is for. Mr. Swift stated that loss of value is not something that can be proved. You cannot predict the future.

Mr. Spigner ask how would this affect the site plan that was approved by Commission for Sterling Acres? Mr. Tyndall stated that the rules as currently drafted would have capped it at 250 lots if there was no second entrance or they would have had to come in for a variance for those extra 15 lots. Stones Manor was built prior to these rules but he stated that the remaining two-thirds of Stones Manor has expired and the Commission will probably see a preliminary for these sections in the future. If the stub road is abandoned Stones Manor will be capped at 250 lots as well. The stub road between the two of them will make the cap over 500 lots. He stated that you can share stub roads for subdivision purposes the way the subdivision regulations are written now.

Mr. Rocconi asked, had anyone notified owners at Stones Manor? Mr. Tyndall stated we notified Mr. Moore. Mr. Blackwell, and property owners surrounding this road.

Mr. Tyndall stated that he believes that if this starts now, we will have many more applications which undermines the subdivision regulations. Mr. Swift stated it also undermines the health and safety of our public.

Mr. Long made the motion to approve abandonment with Mr. Rocconi second. 1 yea and 5 nay with Mr. Garrett abstaining. Motion failed.

Mr. Hadley made motion not to abandon with Mr. Power second. 5 yea 1 nay with Mr. Garrett abstaining. Motion passed.

OTHER BUSINESS:

A. MONTHLY PROFIT AND LOSS STATEMENT

Mr. Rocconi made the motion to approve with Mr. Spigner second. All were in favor. Motion passed.

B. CONSIDER CITY OF CLARKSVILLE FY 2021-2026 CAPITAL IMPROVEMENT PLAN

Mr. Powers made the motion to approve with Mr. Spigner second. All were in favor. Motion passed.

C. ANNEXATION A-2-2021 PLAN OF SERVICE

Mr. Spigner made the motion to approve with Mrs. Jiminez second. All were in favor. Motion passed.

D. INITIATE CITY ZONING ORDINANCE UPDATE REGARDING BREWERIES AND BREWPUBS.

Mr. Long made the motion to approve with Mr. Hadley second. All were in favor. Motion passed.

E. CHANGE CALENDAR - CHANGE INFORMAL IN JUNE FROM JUNE 18, 2021 TO JUNE 17, 2021.

Mrs. Jiminez made the motion to approve with Mr. Hadley second. All were in favor. Motion passed.

F. BOND APPROVAL

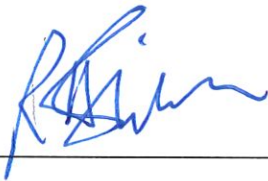
1. ASHLAND CORNER

Mr. Spigner made the motion to approve with Mrs. Jiminez second. Mr. Powers abstained with all others in favor. Motion passed.

H. SUBDIVISION REGULATION UPDATES DEFERRED

The meeting was adjourned at 5:02 PM

ATTEST:



Richard Swift, Chair