

**COOKEVILLE PLANNING COMMISSION  
MINUTES  
FEBRUARY 27, 2006**

The Cookeville Planning Commission met on Monday, February 27, 2006 at 5:30 p.m., in the Council Chambers, 45 E. Broad Street, Cookeville, Tennessee.

**MEMBERS PRESENT:** Judy Jennings, Dr. Roy Loutzenheiser, Nina Lunn, Don Prince, Sam Sallee, Jim Stafne, Dr. Angelo Volpe, Chris Wakefield, and Tod Williams.

**STAFF MEMBERS PRESENT:** Jim Shipley, James Mills and Jayne Barns.

**OTHERS PRESENT:** Richard Grogan, Eric Cherry, Bruce McCormick, Matthew Hahnert, Sally Askew, Andy Milton, Donald W. Smith, Ruby Crawford, Vickie Loftis, Mike Patterson, and Jack Wirt.

**CONSIDER FOR APPROVAL THE AGENDA AS SUBMITTED.** Don Prince made the motion to approve the agenda with the following amendment: Action Item #5: Add closure and abandonment of West 5<sup>th</sup> Street from North Hickory to North Whitney Avenues. Dr. Angelo Volpe seconded the motion and the motion carried unanimously. **APPROVED.**

**CONSIDER FOR APPROVAL THE MINUTES OF JANUARY 23, 2006.** Don Prince made the motion to approve the minutes of January 23, 2006. Dr. Angelo Volpe seconded the motion and the motion carried unanimously. **APPROVED.**

**CONSIDER FOR ACTION REZONING 401 PINE AVENUE FROM RS-5 (SINGLE-FAMILY RESIDENTIAL) TO RM8 (MULTI-FAMILY RESIDENTIAL). REQUEST SUBMITTED BY VICKIE LOFTIS ON BEHALF OF RICHARD WHITE.** James Mills stated that Ms. Vickie Loftis, on behalf of property owner Richard White, has submitted a request to rezone from RS-5, Single Family Residential to RM-8, Multi-Family Residential property addressed as 401 Pine Avenue, identified as a portion of Parcel 25.00 on Map 53A, Group C and located at the southeastern intersection of Pine Avenue and West 4<sup>th</sup> Street. The property proposed for rezoning consists of approximately 0.43 acre and is currently undeveloped. The subject property was subdivided into two (2) parcels in October of 2005 and the Property Assessor has not yet assigned a new parcel number. The second parcel, on which a single-family structure is located, consists of approximately 0.23 acre.

The subject property is contiguous with RM-8 zoning to the west, with RM-14 zoning to the south and with RS-5 zoning to the north and east. The density or minimum lot size requirement of the two zoning districts is the same at 5,000 square feet per dwelling unit. The primary difference is that under RM-8 zoning a three (3) unit multi-family development could be built on the property and under RS-5 zoning three (3) single-family structures could potentially be constructed.

The Planning Department has some concern that rezoning the subject property would spur additional requests for rezoning of properties to the north in the block between Pine and Spruce Avenues, which is primarily single-family development. However, the Comprehensive Future Land Use Plan depicts the property as being best suited for higher

density residential development. Further, with the exception of the two (2) lots making up Parcel 25.00, all properties along West 4<sup>th</sup> Street from Franklin Avenue to the terminus of West 4<sup>th</sup> Street at West Broad Street are zoned or used for multi-family purposes. The inclusion of the remainder of Parcel 25.00 in the rezoning would provide more consistent zoning along this portion of West 4<sup>th</sup> Street. Since the remainder of Parcel 25.00 consists of less than 10,000 square feet, the density of development would not be increased with its inclusion in the rezoning.

Staff recommended approval of request subject to the inclusion of all of Parcel 25.00, Map 53A, Group C (both lots).

Sally Askew stated that her mother lives at 428 Spruce Avenue and they were concerned about additional noise, speed of the traffic, which is already a problem, and reduced property values due to adding more rental properties to their neighborhood.

Mr. Mills stated that prior to 2002, the zoning in this area allowed apartments. When the City Council adopted the new zoning map in January 2002, there were several areas in town that were changed from apartments (RM8 & RM14) to single family residential (RS5 & RS10) and single-family & duplex residential (RD). The changes were designed to help older established single-family neighborhoods.

There was a question by the Board concerning rezoning to RD (Single-Family and Duplex Residential). Mr. Mills stated that the RD zone also requires 5,000 sq. ft. of land per unit.

Tod Williams made the motion to approve rezoning both 401 Pine Avenue and 406 Spruce Avenue to RM8 (Multi-Family Residential). Dr. Angelo Volpe seconded the motion. Votes: Judy Jennings--nay, Dr. Roy Loutzenheiser--aye, Nina Lunn--aye, Don Prince--nay, Sam Sallee--aye, Jim Stafne--aye, Dr. Angelo Volpe--aye, Chris Wakefield--aye, and Tod Williams--aye. Motion carried. **APPROVED REZONING 401 PINE AVENUE AND 406 SPRUCE AVENUE TO RM8.**

**CONSIDER FOR ACTION REZONING 660, 670, 718 & 730 E. 22<sup>ND</sup> STREET AND TWO VACANT LOTS FROM LM (LIGHT MANUFACTURING) TO CI (COMMERCIAL INDUSTRIAL MIXED USE). REQUEST SUBMITTED BY ROBERT DAVIS ON BEHALF OF GALEN DAVIS, CHARLES BEAN, JOHN DAWSON CHOATE, JOHN MOORE, AND BILLY ELAM.** James Mills stated that Mr. Robert Davis, on behalf of the Cookeville First Assembly of God, has submitted a request to rezone from LM, Light Manufacturing to CI, Commercial Industrial Mixed Use six properties located off East 22<sup>nd</sup> Street identified as Parcels 9.00, 9.01, 9.02, 10.01, 12.00 and 13.00 on Tax Map 40C, Group E.

The subject properties are contiguous with CI zoning to the north and east, with CL and LM zoning to the west and with RM-8 and LM zoning to the south. The rezoning from LM to CL of contiguous property owned by the church at the corner of North Washington Avenue and East 22<sup>nd</sup> Street was approved by the City Council at its last meeting. Representatives of the church have indicated that they have purchased Parcel 13.00 and intend to acquire the remaining subject properties for the purpose of relocating the church and developing a youth facility. Churches are permitted uses in the CI zone but are not allowed in the LM zone.

The Planning Department has contacted the property owners regarding the rezoning request. Mr. Galen Davis, the owner of Parcels 9.00 and 9.02; Mr. Charles Bean, the owner of Parcel 10.01; and Mr. Dawson Choate, the owner of Parcel 12.00 have submitted documentation that they are in favor of the rezoning. No response has been received from Mr. Bill Elam, the owner of Parcel 9.01. The Comprehensive Future Land Use Plan depicts the subject properties as being best suited for commercial-industrial mixed-use developments.

Staff recommended approval of the rezoning request.

Jack Wirt, property owner on East 22<sup>nd</sup> Street, was concerned about the impact on his property.

Don Prince made the motion to approve the request for rezoning to CI (Commercial-Industrial Mixed Use). Dr. Angelo Volpe seconded the motion and the motion carried unanimously. **APPROVED.**

**CONSIDER FOR ACTION CLOSURE AND ABANDONMENT AS A CITY STREET THE PORTION OF WEST 6<sup>TH</sup> STREET BETWEEN NORTH CEDAR AND NORTH WHITNEY AVENUES AND MEDICAL CENTER BOULEVARD (NORTH HICKORY AVENUE) FROM WEST 5<sup>TH</sup> TO WEST 7<sup>TH</sup> STREETS AND A PORTION OF WEST 5<sup>TH</sup> STREET FROM NORTH WHITNEY AVENUE TO MEDICAL CENTER BOULEVARD (NORTH HICKORY AVENUE). REQUEST SUBMITTED BY COOKEVILLE REGIONAL MEDICAL CENTER.** James Mills stated that Mr. Bernie Mattingly, CEO of the Cookeville Regional Medical Center, on behalf of the CRMC, has submitted a request that the portion of West 6<sup>th</sup> Street located between Cedar and Whitney Avenues, Medical Center Boulevard (formerly North Hickory Avenue between West 7<sup>th</sup> and West 5<sup>th</sup> Streets), and the portion of West 5<sup>th</sup> Street between Hickory and Whitney Avenues be closed and abandoned as city streets.

Mr. Mattingly has indicated that the closure and abandonment is necessary to accommodate planned expansions of the medical center. The expansion is a part of the medical center's Master Plan, which is to be presented to the Planning Commission at its April 2005 meeting. The medical center intends to widen West 6<sup>th</sup> Street and Medical Center Boulevard to three (3) lanes and provide curbs and gutters, sidewalks, landscaping and upscale street lighting. The streets proposed for abandonment do not have enough right-of-way to allow the medical center to complete the proposed improvements and still provide the required landscape areas and meet required setbacks without major modifications in the Master Plan. The medical center intends to one-way the portion of West 5<sup>th</sup> Street between Hickory and Whitney Avenues to accommodate traffic flow from the medical center's new main entrance and to provide parking on both sides of the street. Abandoning the streets as city streets will remove the need for a number of variances and provide greater flexibility to the medical center for the planned expansions. The streets are to remain open for public use.

The CRMC has purchased or intends to purchase all properties on the southern r-o-w of West 6<sup>th</sup> Street. There are four (4) properties located along the northern r-o-w of West 6<sup>th</sup> Street not owned by CRMC, which will be affected by closure and abandonment. Three (3) of these property owners have contacted the Planning Department and were primarily concerned that they would still have access to their properties.

The CRMC owns all parcels with frontage on Medical Center Boulevard with the exception of one (1) parcel located at the eastern intersection of Medical Center Boulevard and West 7<sup>th</sup> Boulevard. The owner of this property has contacted the Planning Department and was concerned that he would still have access to his property.

The proposed closures have been reviewed by all of the applicable city departments. The Electric, Gas and Water Quality Control Departments indicate that they have facilities located within the right-of-ways for which easements must be retained if closure and abandonment is approved.

Staff recommended approval of requests subject to permanent access easements being provided for all contiguous properties not owned by the CRMC and to the retention of utility easements acceptable to the applicable departments.

Mrs. Ruby Crawford, 125 West 6<sup>th</sup> Street, asked if the improvements would cause more traffic on 6<sup>th</sup> Street. Mike Patterson, representative for the Hospital, stated that the design should decrease the traffic on her street.

Don Prince made the motion to approve the request for closure and abandonment, subject to permanent access easements being provided for all contiguous properties not owned by the CRMC and to the retention of utility easements acceptable to the applicable departments. Judy Jennings seconded the motion and the motion carried unanimously. **APPROVED.**

**CONSIDER FOR ACTION FINAL PLAT OF CROWN VIEW ESTATES, 6 LOTS LOCATED ON CRESCENT DRIVE. REQUEST SUBMITTED BY ANDY MINTON.** James Mills stated that Mr. Andy Milton has submitted for approval a Final Plat of Crown View Estates, a 6-lot subdivision located off Crescent Drive and Linnaeus Avenue.

The proposed lots have the required frontage on a public street and have access to the necessary utilities. The plat depicts the required dedication of street right-of-way, 25 feet from centerline, for Crescent Drive and Linnaeus Avenue.

Staff recommended conditional approval subject to utility easements acceptable to the applicable departments being depicted on the Final Plat.

Don Prince made the motion to grant conditional final plat approval of Crown View Estates, subject to staff's recommendation. Nina Lunn seconded the motion and the motion carried unanimously. **CONDITIONAL FINAL APPROVAL.**

**CONSIDER FOR ACTION FINAL PLAT OF SOUTHERN WOODS SUBDIVISION, 10 LOTS LOCATED IN PLANNING REGION OFF BUNKER HILL ROAD. REQUEST SUBMITTED BY ERIC CHERRY.** James Mills stated that Mr. Eric Cherry of Signature Properties has submitted for approval a Final Plat of Southern Woods, a 10-lot subdivision located off Bunker Hill Road in the Cookeville Planning Region.

Preliminary approval was granted for this subdivision in August of 2005. A variance was approved to allow a street length of greater than 1,200 feet for a dead-end street. The

subdivision required the installation of water lines and appurtenances and street construction. Sidewalks were not required because sewer is not available. The final street surfacing (1.5 inch top coat) has not been completed and the developer has submitted a Letter-of-Credit in the amount of \$8,700 to financially guarantee its completion. The Public Works Department recommends that the financial guarantee include \$5,000 for ditch and right-of-way stabilization. A Letter-of-Credit in the amount of \$7,500 to serve as a Warranty of Improvements has also been submitted.

Staff recommended conditional approval subject to the following:

- Submittal of as-built plans for water lines and appurtenances
- Approval of County Environmentalist for subsurface disposal systems
- Assignment of addresses by Putnam County E-911
- Corrections/amendments to Letter-of Credit serving as Financial Guarantee of Improvements to cover the installation of the final street surface and for ditch and right-of-way stabilization satisfactory to the Public Works Department.

Don Prince made the motion to grant conditional final plat approval subject to staff's recommendations. Dr. Roy Loutzenheiser seconded the motion and the motion carried unanimously. **CONDITIONAL FINAL APPROVAL.**

**CONSIDER FOR ACTION 2006 CITIZEN SURVEY. REQUEST SUBMITTED BY STAFF.** James Mills stated that at the request of Mayor Womack a proposed 2006 Citizen Survey has been prepared by the Planning Department and is submitted to the Planning Commission for review and approval.

It is proposed that the 2006 survey be completed as a random sample survey. The sample size would be approximately 500 households. A random sample survey will allow the city to better gauge how well the results represent the opinions of the city as a whole. It is also proposed that the assistance and/or participation of Tennessee Tech be sought. At minimum the university's assistance is desired in formatting and formulating the survey questions and in completing statistical analysis of the results.

Councilman Sam Sallee and I met with Dr. Ada Haynes, Professor of the TTU Sociology and Political Science Department concerning the possibility of the university assisting with the survey. Dr. Haynes indicated that the university might be willing to participate, but that the degree of participation would depend on the timing of the distribution of the survey. She indicated that a higher degree of participation would be likely if the distribution could be delayed until the fall.

The survey, as currently drafted, consists of three (3) parts. The first part asks respondents to evaluate current city services. The second part asks respondents to identify their major concerns regarding quality of life. The final part asks participants to rank potential capital projects and new services. Any suggestions, especially items the Planning Commission believes should be addressed in the survey, would be appreciated. Completion of the survey is subject to the approval of the City Council.

Staff recommended that the approval of survey be postponed to allow Dr. Haynes time to present a specific proposal for the university's participation.

Sam Sallee stated that Dr. Haynes suggested that more information be added to projects listed on the survey.

Tod Williams made the motion to table this request. Sam Sallee seconded the motion and the motion carried unanimously. **TABLED.**

Don Prince made the motion to take the following items for study. Tod Williams seconded the motion and the motion carried unanimously. **STUDY ITEMS.**

- (1) CONSIDER FOR STUDY CLOSURE AND ABANDONMENT AS A CITY STREET AN ABANDONED ROAD FORMALLY KNOWN AS LAGUNA ROAD. REQUEST SUBMITTED BY STEVEN FLATT.**
- (2) CONSIDER FOR STUDY REZONING 400 DUBOIS ROAD FROM PCD (PLANNED COMMERCIAL DEVELOPMENT) TO CR (REGIONAL COMMERCIAL). REQUEST SUBMITTED BY JOHNNY STITES ON BEHALF OF RETAIL PARTNERS, LLC.**
- (3) CONSIDER FOR STUDY REZONING 1100 OLD CAVALRY ROAD FROM RS20 (SINGLE-FAMILY RESIDENTIAL) TO HM (HEAVY MANUFACTURING). REQUEST SUBMITTED BY BRUCE MCCORMICK ON BEHALF OF COOKEVILLE LIMESTONE LLC.**
- (3) CONSIDER FOR STUDY REZONING 1061 & 1065 SHAG RAG ROAD FROM HM (HEAVY MANUFACTURING) TO CI (COMMERCIAL-INDUSTRIAL MIXED USE). REQUEST SUBMITTED BY ANTHONY DEASON ON BEHALF OF JOYCE BARTON & GEORGE MITCHELL.**
- (4) CONSIDER FOR STUDY PRELIMINARY PLAT OF ESSEX ROAD SUBDIVISION, PHASE II, 8 LOTS LOCATED OFF ESSEX ROAD. REQUEST SUBMITTED BY MIKE PATTERSON.**
- (5) CONSIDER FOR STUDY REZONING 220 KING STREET FROM RD (SINGLE-FAMILY & DUPLEX RESIDENTIAL) TO CL (LOCAL COMMERCIAL). REQUEST SUBMITTED BY SONJA BROWN ON BEHALF OF J. D. PARKS.**
- (6) CONSIDER FOR STUDY REZONING 648 & 658 E. 15<sup>TH</sup> STREET FROM RS-10 (SINGLE-FAMILY RESIDENTIAL) TO CI (COMMERCIAL INDUSTRIAL MIXED USE). REQUEST SUBMITTED BY BILL BULLINGTON.**
- (7) CONSIDER FOR STUDY REZONING 1596 SHAG RAG ROAD AND VACANT LOT (TAX MAP # 41-26.00 & 27.00) FROM RS-10 (SINGLE-FAMILY RESIDENTIAL) TO RS-5 (SINGLE-FAMILY RESIDENTIAL). REQUEST SUBMITTED BY DOUG SARGENT ON BEHALF OF GLENN AND DOROTHY ERVIN.**

**STAFF REPORTS:**

**(1) MINOR PLAT APPROVALS:**

- HADLOCK DIVISION – 1 LOT LOCATED ON WEST BROAD STREET – FRANK HADLOCK.
- HAWKINS DIVISION – 2 LOTS LOCATED ON BILL SMITH ROAD – JERRY HAWKINS.

**(2) STAFF REPORT ON PLANNING COMMISSION TRAINING SESSION.**

**ADJOURNMENT: 6:17 P.M.**

**SUBMITTED FOR APPROVAL**

**SUBMITTED FOR RECORDING**

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**JAYNE BARNS CPS  
PLANNING ASSISTANT**

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**JIM STAFNE, CHAIRMAN  
COOKEVILLE PLANNING  
COMMISSION**