

**COOKEVILLE PLANNING COMMISSION
MINUTES
SEPTEMBER 25, 2006**

The Cookeville Planning Commission met on Monday, September 25, 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, Jim Stafne, Dr. Angelo Volpe, Ryan Williams, and Tod Williams.

MEMBERS ABSENT: Chris Wakefield.

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

OTHERS PRESENT: Jerry Gaw, Tony Kennedy, and Randy Dalton.

CONSIDER FOR APPROVAL THE AGENDA AS SUBMITTED. Tod Williams made the motion to approve the agenda as submitted. Ryan Williams seconded the motion and the motion carried unanimously. **APPROVED.**

CONSIDER FOR APPROVAL THE MINUTES OF AUGUST 28, 2006. Tod Williams made the motion to approve the minutes of August 28, 2006. Dr. Angelo Volpe seconded the motion and the motion carried unanimously. **APPROVED.**

CONSIDER FOR ACTION ANNEXATION OF GAW-DODSON BRANCH ROAD AREA AND PLAN OF SERVICES FOR SAME. REQUEST SUBMITTED BY PROPERTY OWNER, JASON GAW. (MOVING THIS ITEM FROM STUDY TO ACTION REQUIRES THE APPROVAL OF THE PLANNING COMMISSION.)

James Mills stated that the Planning Department has completed a feasibility study on the annexation of approximately 2.3 acres of property located north of the current corporate limits along Dodson Branch Road (State Highway 135) and North Dixie Avenue. The area proposed for annexation is located entirely within the City of Cookeville Urban Growth Boundary. The annexation proposal was initiated at the request of the property owner.

A Plan of Services for the proposed annexation area was reviewed on a point by point basis. A written report from the Planning Commission to the City Council regarding the Plan of Services is required.

The study area consists of two parcels of land. No residents are located on the parcels. The properties are currently being developed for commercial purposes. The area contains 590 linear feet of Dodson Branch Road (State Highway 135), which is in good condition. Water and natural gas service are available and are provided to the area by the City of Cookeville. No additional hydrants are necessary to serve the area. Public sewer service is nearby and the property owner has indicated that he will incur the cost to connect to the system. The area is currently served by UCEMC and the service area would have to be purchased by the city. The estimated cost for electric service is \$3,500.

Based on current property tax assessments total annual revenue to the city as a result of annexation is estimated at \$187.03. It should be noted that there are commercial buildings under construction, which will result in sales tax revenue and increased property tax revenue.

Should the area be annexed it is recommended that it be zoned as CL, Local Commercial.

Staff recommended approval of the Plan of Services and Annexation with a recommendation to City Council for CL, Local Commercial Zoning.

Dr. Angelo Volpe made the motion to move this item from study to action. Tod Williams seconded the motion and the motion carried unanimously. **MOVED FROM STUDY TO ACTION.**

Don Prince made the motion to approve the Annexation, Plan of Services and CL, Local Commercial Zoning. Dr. Roy Loutzenheiser seconded the motion and the motion carried unanimously. **APPROVED ANNEXATION, PLAN OF SERVICES AND CL ZONING.**

CONSIDER FOR ACTION FINAL PLAT JOYCE WRIGHT DIVISION, PHASE IV. REQUEST SUBMITTED BY STEVE RAINES. James Mills stated that Mr. Steve Raines has submitted for approval a Final Plat of the Joyce Wright Division, Phase IV, a three lot division of the Joyce and Jimmy Wright property located on Interstate Drive and South Walnut Avenue.

The property proposed for subdivision consists of approximately 5.33 acres. It is zoned as CG, General Commercial. The proposed lots have existing public street frontage and have access to water, electric and natural gas service. There is some question as to whether all the lots can connect to existing sewer lines. Any costs for connecting to the public sewer system will be the responsibility of the property owner/developer.

There is some concern about a proposed lot divided from the proposed Lot No. 2D where an existing billboard is located. This lot does not meet the minimum lot requirements for the CG District. This lot should be combined with Lot No. 2D and, if desired by the property owner, an easement retained for the billboard or it should be enlarged to meet the minimum lot size requirements.

Staff recommended conditional approval subject to the submittal and approval of sewer plans and to the combination of the substandard lot with the proposed Lot No. 2D or the enlargement of the substandard lot to meet minimum lot size requirements.

Don Prince made the motion to grant conditional final plat approval subject to staff's recommendation. Dr. Angelo Volpe seconded the motion and the motion carried unanimously. **CONDITIONAL FINAL PLAT APPROVAL.**

CONSIDER FOR ACTION FINAL PLAT FRISBIE LANE EXTENSION RIGHT-OF-WAY DEDICATION. REQUEST SUBMITTED BY STAFF. James Mills stated that the City of Cookeville has submitted for approval a Final Plat of the Frisbie Lane Extension/Right-of-Way Dedication located at the eastern end of Frisbie Lane.

Dr. John Limbacher has tentatively agreed to donate to the City of Cookeville right-of-way for the construction of a cul-de-sac at the end of Frisbie Lane. Frisbie Lane is a dead end street with no turn-around area. Vehicles currently must turn around on private drives to exit the street. Sanitation trucks are currently required to back down the street. To address this situation the City approached Dr. Limbacher about the right-of-way dedication to allow the city to construct a cul-de-sac.

The street is also proposed to be extended about 100 feet so that a parcel owned by Ruth Doss currently accessed by an easement will have street frontage. As a part of the street construction the city may extend utilities, including water and sewer.

Staff recommended approval of the Final Plat and acceptance of right-of-way dedication.

Don Prince made the motion to approve the Final Plat and accept the right-of-way dedication. Dr. Angelo Volpe seconded the motion and the motion carried unanimously.
APPROVED FINAL PLAT AND ACCEPTED RIGHT-OF-WAY DEDICATION.

CONSIDER FOR ACTION VARIANCE REQUEST TO INSTALL EXTRUDED CURB AT ST. JAMES PLACE. REQUEST SUBMITTED BY JERRY GAW. James Mills stated that Mr. Jerry Gaw has submitted for approval a variance request to allow the installation of extruded curbs instead of integral curb and gutters in the proposed St. James Place Subdivision.

The St. James Place Subdivision, a proposed 34 unit condominium development located off South Walnut Avenue, was granted conditional preliminary approval at the August 2006 meeting of the Planning Commission. The plat depicted street right-of-way widths of 40 feet, which is allowed provided integral curb and gutters area installed. Mr. Gaw is requesting that he be allowed to install extruded curbs. Storm drainage facilities must be installed with both types of curbing. The Public Works Department recommends for approval of the request.

Staff recommended conditional approval subject to a determination by the applicable utility departments that there is sufficient area within the right-of-way or dedicated easements for the provision of the required utilities.

Dr. Angelo Volpe made the motion to grant conditional approval subject to staff's recommendation. Don Prince seconded the motion and the motion carried unanimously.
CONDITIONAL APPROVAL.

CONSIDER FOR ACTION A REQUEST FOR A DENSITY BONUS TO ALLOW THE CONSTRUCTION OF A DUPLEX AND TRIPLEX IN A RD ZONE ON THE

PROPERTY LOCATED AT 212 E. 15TH STREET AND 185 E. 16TH STREET. REQUEST SUBMITTED BY CHARLIE SOARD. James Mills stated that Mr. Charlie Soard has submitted for approval a request for a density bonus for the conversion of a nonconforming use to a conforming use for property located at 212 East 15th Street and zoned as RD, Single Family and Duplex Residential. The property is identified as Parcel 6.00 on Map 40K, Group A.

Section 201.8J of the Zoning Code provides that the Planning Commission may approve a density bonus in certain residential districts for the conversion of a nonconforming use to conforming use provided certain conditions are met. The conditions are as follows:

1. A request for a density bonus for the conversion of a nonconforming use to a conforming use shall be submitted to the Planning Department and shall include a description of the existing nonconforming use and the proposed conforming use.
2. The density bonus shall not exceed fifteen (15) percent of the minimum lot area requirement per dwelling unit.
3. The nonconforming use shall be discontinued within ninety (90) days from the date of approval of the reduction in the lot area requirement.
4. All setback requirements shall be met.
5. If the proposed conforming use requires the subdivision of property, a plat in conformance with the requirements of the Cookeville Subdivision Regulations shall be submitted and considered for approval in conjunction with the request for reduction in the minimum lot area requirement.

A nonconforming mobile home park, referred to as the Ramsey Mobile Home Park, was previously located on the subject property. All mobile homes have now been removed from the property.

The property consists of approximately 31,407 square feet. The minimum lot area requirement of the RD District is 5,000 square feet per dwelling unit, which would allow six dwelling units on the property. A 15 percent density bonus for the RD District reduces the minimum lot area requirement to 4,250 square feet per dwelling unit, which would allow seven dwelling units (7 x 4,250 sq. ft. = 29,750 sq. ft.) on the property.

Mr. Soard has submitted a plan for a five lot subdivision of the property on which seven (7) dwelling units, consisting of two (2) duplexes and three (3) single-family zero lot line attached dwelling units, are proposed.

Staff recommended conditional approval subject to the submittal and approval of a subdivision plat.

Don Prince made the motion to grant conditional approval of the density bonus, subject to the submittal and approval of a 5 lot subdivision plat consisting of two (2) duplexes and three (3) single-family zero lot line attached dwelling units. Nina Lunn seconded the motion and the motion carried unanimously. **CONDITIONAL APPROVAL.**

CONSIDER FOR ACTION FINAL PLAT FIFTEENTH STREET DIVISION, 5 LOTS LOCATED OFF EAST 15TH & 16TH STREETS. REQUEST SUBMITTED BY CHARLIE SOARD. James Mills stated that Mr. Charlie Soard has submitted for approval a Final Plat of the Fifteenth Street Division. The plat was originally submitted as a three lot division and then changed to a five lot division located off East 15th and East 16th Streets. The property proposed for division is identified as Parcel 6.00 on Map 40K, Group A.

The property consists of 0.721 acre and is zoned as RD, Single Family and Duplex Residential. The plat has been submitted as a conditional for approval of the density bonus request considered under the previous action item. Each of the proposed lots has frontage on an exiting public street and has access to required utilities.

Staff recommended conditional approval of the final plat subject to the approval of the applicable city departments and to the depiction of a notation of the approval of the density bonus.

Don Prince made the motion to grant conditional approval of the Final Plat consisting of 5 lots, subject to staff's recommendation. Dr. Angelo Volpe seconded the motion and the motion carried unanimously. **CONDITIONAL FINAL PLAT APPROVAL.**

There was some discussion by the Board concerning the need for establishing codes for quarries at this time.

Mr. Mills stated that setting up standards is the first step in adopting guidelines for quarries and mineral extraction operations.

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

- (1) **CONSIDER FOR STUDY AMENDING THE ZONING CODE ESTABLISHING A NEW ZONING DISTRICT TO BE ENTITLED QM, QUARRY AND MINING DISTRICT AND ESTABLISHING SPECIAL STANDARDS FOR QUARRIES AND MINERAL EXTRACTION OPERATIONS. REQUEST SUBMITTED BY STAFF.**
- (2) **CONSIDER FOR STUDY REZONING 110 SOUTH WILLOW AVENUE FROM CL (LOCAL COMMERCIAL) TO CG (GENERAL COMMERCIAL). REQUEST SUBMITTED BY KIRT T. LAMB ON BEHALF OF JESSE LAMB.**
- (3) **CONSIDER FOR STUDY ANNEXATION OF REBECCA PLACE-BUNKERHILL ROAD AREA. REQUEST SUBMITTED BY STAFF.**
- (4) **CONSIDER FOR STUDY CONVERSION OF WEST 5TH STREET FROM 2-WAY TRAFFIC TO ONE-WAY TRAFFIC WEST BETWEEN MEDICAL**

**CENTER BOULEVARD AND NORTH WHITNEY AVENUE. REQUEST
SUBMITTED BY CRMC.**

STAFF REPORTS:

(1) MINOR PLAT APPROVALS:

- SWEETLAND PROPERTY - RESUBDIVISION OF PORTION OF LOT 40 COLONIAL PARK WEST PHASE II, LOT 4, 5 SWEETLAND SUBDIVISION PHASE B – 2 LOTS LOCATED ON STATE STREET – HERB SWEETLAND.
- KOHL'S – 2 LOTS LOCATED ON WEST JACKSON STREET – NAP COOKEVILLE.

(2) UPDATE ON PUBLIC HEARING FOR REVISED FEMA FLOOD MAPS.

James Mills reported that a Public Hearing was scheduled on Tuesday, September 19, 2006 from 4-6 p.m. to review the revised FEMA Flood Maps. There were about 30 people in attendance. The Planning Department has received numerous calls and several people have come by the office to review the maps. After the flood maps are approved in about 6-7 months, then an ordinance will be adopted to amend the floodplain.

ADJOURNMENT: 6:10 P.M.

SUBMITTED FOR APPROVAL

SUBMITTED FOR RECORDING

**JAYNE BARNS CPS
PLANNING ASSISTANT**

**JIM STAFNE, CHAIRMAN
COOKEVILLE PLANNING
COMMISSION**