



**CLARKSVILLE CITY COUNCIL
REGULAR SESSION
JANUARY 7, 2021, 7:00 P.M.**

AGENDA

IN AN EFFORT TO FACILITATE THE CONTINUED RESPONSE TO THE CORONAVIRUS DISEASE (COVID-19), THIS MEETING WILL BE CONDUCTED VIA GOOGLE MEETS AND LIVE STREAMED ON CITYOFCLARKSVILLE.COM

- 1) CALL TO ORDER *Mayor Joe Pitts*
- 2) PRAYER *Councilperson Trisha Butler*
- 3) PLEDGE OF ALLEGIANCE *Councilperson Jason Knight*
- 4) ATTENDANCE
- 5) APPROVAL OF ELECTRONIC MEETING

“In order to comply with the technical aspects of the Governor’s Executive Order regarding holding open meetings in a forum other than in the open and in public, this governing body determines that meeting electronically is necessary to protect the health, safety, and welfare of its citizens due to the COVID-19 outbreak.”

- 6) PLANNING COMMISSION PUBLIC HEARING *Mayor Pro Tem Richard Garrett*

1. **ORDINANCE 55-2020-21** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Reda Home Builders, Inc., Reda Home Builders, Inc. - Agent, for zone change on property located at the intersection of Providence Boulevard and Shelby Street from R-3 Three Family Residential District to R-4 Multiple Family Residential District *RPC: Approval/Approval*

No requests submitted to speak for or against.

2. **ORDINANCE 56-2020-21** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Eagles Bluff Partnership for zone change on property located east of Whitfield Road and South of Tracy Lane from R-1 Single Family Residential District to R-4 Multiple Family Residential District *RPC: Approval/Approval*

FOR: *Jeff Burkhart*

OPPOSE: *No requests submitted to speak against.*

3. **ORDINANCE 57-2020-21** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Jeff Robinson, Cody Dahl-Agent, for zone change on property located south of McClure Street, west of N. 2nd Street, East of N. 1st Street, and north of Bogard Lane from R-4 Multiple Family Residential District, O-1 Office District, and H-1 Overlay to CBD Central Business District, H-1 Overlay Central Business District *RPC: Approval/Approval*

No requests submitted to speak for or against.

4. **ORDINANCE 58-2020-21** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of S L Endeavors (Micha Stair, Luke Stair) for zone change on property located on the south frontage of Caldwell Lane and the east frontage of Robert Street from R-2 Single Family Residential District to R-6 Single Family Residential District *RPC: Approval/Approval*

FOR: *Mike Stair, Luke Stair*

OPPOSE: *No requests submitted to speak against.*

5. **ORDINANCE 59-2020-21** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of MSI Homes, Shawn Berner-Agent, for zone change on property located at the intersection of Monroe Street and Edmondson Ferry Road from R-2 Single Family Residential District to R-3 Three Family Residential District *RPC: Approval/Approval*

FOR: *Shawn Berner*

OPPOSE: *No requests submitted to speak against.*

6. **ORDINANCE 60-2020-21** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of L. C. Simpson, et al, Norma S. Jones, Greenspace Partners-Agent, for zone change on property located at the intersection of Old Russellville Pike and Fantasy Lane and at the intersection of Old Russellville Pike and Candlewood Drive from M-2 General Industrial District and R-1 Single Family Residential District to R-1 Single Family Residential District, R-5 Residential District, and R-6 Single Family Residential District *RPC: Approval/Approval*

FOR: *Syd Hedrick, Bryce Powers, Jimmy Bagwell*

OPPOSE: *David Winters, Luis Velazquez*

7. **ORDINANCE 61-2020-21** (First Reading). Amending the Zoning Ordinance pertaining to bulk regulations, building setbacks, minimum frontage requirements, and other minor updates *RPC: Approval/Approval*

No requests submitted to speak for or against.

8. **RESOLUTION 43-2020-21** Adopting the Final Plan of Services Progress Report for annexed territory off Highway 76 east of Interstate 24/Exit 11

No requests submitted to speak for or against.

7) **CONSENT AGENDA** *City Clerk*

All items in this portion of the agenda are considered to be routine and non-controversial by the Council and may be approved by one motion; however, a member of the Council may request that an item be removed for separate consideration under the appropriate committee report:

1. **ORDINANCE 48-2020-21** (Second Reading) Amending the City Zoning Ordinance relative to the Floodplain Overlay District

2. **ORDINANCE 50-2020-21** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Shelbyvillas, GP, Dana Baggett-Agent, for zone change on property located at the intersection of Providence Boulevard and Shelby Street from R-3 Three Family Residential District to R-6 Single Family Residential District

3. **ORDINANCE 51-2020-21** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Raymond Sheppard, Christopher Averitt-Agent, for zone change on property located at the intersection of South Rosewood Drive and Turner Reynolds Court from R-2 Single Family Residential District to R-6 Single Family Residential District

4. **ORDINANCE 52-2020-21** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Fentress Bryant and Suk Lee-Tennessee Community Property Trust, Reed Baldwin-Agent, for zone change on property located at the intersection of Fort Campbell Boulevard and Lady Marion Drive and east of West Fork Creek from C-5 Highway & Arterial Commercial District to R-4 Multiple Family Residential District

5. **ORDINANCE 53-2020-21** (Second Reading) Amending the FY21 Operating and Capital Budget for the Governmental Funds for Freedom Point Remediation

6. **ORDINANCE 54-2020-21** (Second Reading) Authorizing a contract for purchase of Roxy Regional Theater property

7. **RESOLUTION 45-2020-21** Approving appointments to the Custom House Museum Board, Human Relations Commission, and Tree Board

- *Custom House Museum Board: Paige Adkins, Jamie Durrett (reappointment), Linda Nichols, Thomasa Ross - January 2021 through December 2023, Vondell Richmond - January 2021 through December 2021*
- *Human Relations Commission: Ashlee Evans - January 2021 through June 2022*
- *Tree Board: Alexandria Wills - July 2020 through June 2023; Karla Kean - January 2021 through June 2021*

8. Adoption of Minutes: December 3, 2020, December 17, 2020

8) FINANCE COMMITTEE *Chairperson Stacey Streetman*

1. Department Report

9) GAS & WATER COMMITTEE *Chairperson Wallace Redd*

1. Department Report

10) HOUSING & COMMUNITY DEVELOPMENT COMMITTEE *Chairperson Wanda Smith*

1. Department Report

11) PARKS & RECREATION COMMITTEE *Chairperson Vondell Richmond*

1. Department Report

12) PUBLIC SAFETY COMMITTEE *Chairperson Richard Garrett*

1. Department Reports

13) STREETS-GARAGE-TRANSPORTATION COMMITTEE *Chairperson Wanda Smith*

1. Department Reports

14) MAYOR AND COUNCIL MEMBER COMMENTS

15) ADJOURNMENT

CITY ZONING ACTIONS

The following case(s) will be considered for action at the formal session of the Clarksville City Council on: January 7, 2021. The public hearing will be held on: January 5, 2021.

CITY ORD. #: 55-2020-21 RPC CASE NUMBER: Z-50-2020

Applicant: REDA HOME BUILDERS, INC.

Agent: Reda Home Builders, Inc.

Location: Property fronting on the west frontage of Shelby St., 615 +/- feet north of the Providence Blvd. & Shelby St. intersection.

Ward #: 4

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

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ORD. #: 56-2020-21 RPC CASE NUMBER: Z-51-2020

Applicant: EAGLES BLUFF PARTNERSHIP

Agent:

Location: Property located east of Whitfield Rd. & South of Tracy Ln.

Ward #: 11

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

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ORD. #: 57-2020-21 RPC CASE NUMBER: Z-52-2020

Applicant: JEFF ROBINSON

Agent: Cody Dahl

Location: Four properties south of McClure St., west of N. 2nd St., East of N. 1st St. & North of Bogard Ln.

Ward #: 6

Request: R-4 Multiple-Family Residential District / O-1 Office District /
H-1 overlay to
CBD Central Business District / H-1 overlay Central Business District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ZONING ACTIONS

The following case(s) will be considered for action at the formal session of the Clarksville City Council on: January 7, 2021. The public hearing will be held on: January 5, 2021.

CITY ORD. #: 58-2020-21 RPC CASE NUMBER: Z-53-2020

Applicant: S L ENDEAVORS (MICAH STAIR, LUKE STAIR)

Agent:

Location: A tract fronting on the south frontage of Caldwell Ln. & the east frontage of Robert St.

Ward #: 7

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

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ORD. #: 59-2020-21 RPC CASE NUMBER: Z-54-2020

Applicant: M S I HOMES

Agent: Shawn Berner

Location: Property fronting on the north frontage of Monroe St. 165 +/- feet west of the Monroe St. Edmondson Ferry Rd. intersection.

Ward #: 6

Request: R-2 Single-Family Residential District
to
R-3 Three Family Residential District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ORD. #: 60-2020-21 RPC CASE NUMBER: Z-55-2020

Applicant: L C SIMPSON, ET AL NORMA S JONES

Agent: Greenspace Partners

Location: Property fronting on the west frontage of Old Russelville Pike, west & south of the Old Russelville Pike & Fantasy Ln. intersection, also west & north of the Old Russelville Pike & Candlewood Dr. intersection.

Ward #: 9

Request: M-2 General Industrial District / R-1 Single-Family Residential District /
to

R-1 Single-Family Residential District / R-5 Residential District & R-6 Single-Family Residential District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ORD. #: 61-2020-21 RPC CASE NUMBER: ZO-5-2020

Applicant: REGIONAL PLANNING COMMISSION

Text

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

RPC MEETING DATE 12/30/2020

CASE NUMBER: Z - 50 -2020

NAME OF APPLICANT:Reda Home Builders.

AGENT: Reda Home Builders.

GENERAL INFORMATION

TAX PLAT: 054E B

PARCEL(S): 020.00

ACREAGE TO BE REZONED: 0.429

PRESENT ZONING: R-3

PROPOSED ZONING: R-4

EXTENSION OF ZONING

CLASSIFICATION: YES TO THE SOUTH & EAST

PROPERTY LOCATION: Property fronting on the west frontage of Shelby St., 615 +/- feet north of the Providence Blvd. & Shelby St. intersection.

CITY COUNCIL WARD: 4

COUNTY COMMISSION DISTRICT: 16

CIVIL DISTRICT: 7

DESCRIPTION OF PROPERTY: Vacant cleared lot.

APPLICANT'S STATEMENT None given by applicant
FOR PROPOSED USE:

GROWTH PLAN AREA: CITY

PLANNING AREA: New Providence

PREVIOUS ZONING HISTORY:

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

- ☒ GAS AND WATER ENG. SUPPORT MGR.
- ☒ GAS AND WATER ENG. SUPPORT COOR.
- ☐ UTILITY DISTRICT
- ☒ CITY STREET DEPT.
- ☒ TRAFFIC ENG. - ST. DEPT.
- ☐ COUNTY HIGHWAY DEPT.
- ☐ CEMC
- ☒ DEPT. OF ELECTRICITY (CDE)

- ☐ ATT
- ☒ FIRE DEPARTMENT
- ☐ EMERGENCY MANAGEMENT
- ☒ POLICE DEPARTMENT
- ☐ SHERIFF'S DEPARTMENT
- ☒ CITY BUILDING DEPT.
- ☐ COUNTY BUILDING DEPT.
- ☒ SCHOOL SYSTEM OPERATIONS
- ☐ FT. CAMPBELL

- ☐ DIV. OF GROUND WATER
- ☐ HOUSING AUTHORITY
- ☐ INDUSTRIAL DEV BOARD
- ☐ CHARTER COMM.
- ☐ Other...

1. CITY ENGINEER/UTILITY DISTRICT:

Comments received from department and they had no concerns.

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

Comments received from department and they had no concerns.

3. DRAINAGE COMMENTS:

Comments received from department and they had no concerns.

4. CDE/CEMC:

No Comment(s) Received

5. FIRE DEPT/EMERGENCY MGT.:

Comments received from department and they had no concerns.

6. POLICE DEPT/SHERIFF'S OFFICE:

Comments received from department and they had no concerns.

7. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

Comments received from department and they had no concerns.

8. SCHOOL SYSTEM:

ELEMENTARY: BYRNS DARDEN

MIDDLE SCHOOL: KENWOOD

HIGH SCHOOL: KENWOOD

Kenwood Middle is in the fastest growing region in Montgomery County. Kenwood Middles is at 94% capacity. This development could add additional students and require additional infrastructure & funding. Current school boundaries are subject to adjustments in order to achieve optimal capacity utilization throughout the District.

9. FT. CAMPBELL:

10. OTHER COMMENTS:

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

IMPACT OF PROPOSED USE ON Increased multi-family density.
SURROUNDING DEVELOPMENT:

INFRASTRUCTURE:

WATER SOURCE: CITY

SEWER SOURCE: CITY

STREET/ROAD ACCESSIBILITY: Shelby Street

DRAINAGE COMMENTS:

RESIDENTIAL DEVELOPMENT

APPLICANT'S ESTIMATES HISTORICAL ESTIMATES

LOTS/UNITS:

5

POPULATION:

13

APPLICABLE LAND USE PLAN

New Providence Planning Area is made up of a series of mature neighborhoods that center upon US 41A / Ft. Campbell Blvd. with multiple areas of strip commercialization along the arterial corridor.

STAFF RECOMMENDATION: **APPROVAL**

- 1.** The proposed zoning request is consistent with the adopted Land Use Plan.
- 2.** Zoning change is an extension of the R-4 zoning to the south & east.
- 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 serves the site & no adverse environmental issues were identified relative to this request.
- 5.**

Z-50-2020

APPLICANT:

REDA HOME BUILDERS,
INC

REQUEST:

R-3

TO

R-4

MAP & PARCEL


054E B 02000

ACRES +/-

0.429

Scale: 1:5,000



 ReZoning Request

 Parcels

Z-50-2020

APPLICANT:

REDA HOME BUILDERS,
INC

REQUEST:

R-3

TO

R-4

MAP & PARCEL

054E B 02000

ACRES +/-

0.429


Scale: 1:1,000

0 40 80
Feet



12/30/2020



 ReZoning Request

 Parcels

Z-50-2020

APPLICANT:

REDA HOME BUILDERS,
INC

REQUEST:

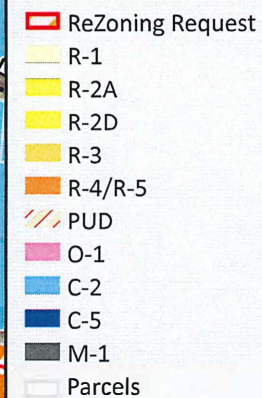
**R-3
TO
R-4**

MAP & PARCEL

054E B 02000

ACRES +/-

0.429



Scale: 1:5,000



12/30/2020

CASE NUMBER: Z 50 2020 **MEETING DATE** 12/30/2020

APPLICANT: Reda Home Builders, Inc.

PRESENT ZONING R-3

PROPOSED ZONING R-4

TAX PLAT # 054E B

PARCEL 020.00

GEN. LOCATION Property fronting on the west frontage of Shelby St., 615 +/- feet north of the
Providence Blvd. & Shelby St. intersection.

PUBLIC COMMENTS

None received as of 9:00 A.M. on 12/30/2020 (A.L.)

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

RPC MEETING DATE: 12/30/2020

CASE NUMBER: Z - 51 - 2020

NAME OF APPLICANT: Eagles Bluff

AGENT:

GENERAL INFORMATION

TAX PLAT: 042

PARCEL(S): 008.03

ACREAGE TO BE REZONED: 2.5

PRESENT ZONING: R-1

PROPOSED ZONING: R-4

EXTENSION OF ZONING

CLASSIFICATION: YES TO THE EAST

PROPERTY LOCATION: Property located east of Whitfield Rd. & South of Tracy Ln.

CITY COUNCIL WARD: 11

COUNTY COMMISSION DISTRICT: 14

CIVIL DISTRICT: 6

DESCRIPTION OF PROPERTY: Vacant lots in new portion of a subdivision.

APPLICANT'S STATEMENT To match zoning of adjacent property, as access to property is through multifamily

FOR PROPOSED USE: property.

GROWTH PLAN AREA: CITY

PLANNING AREA: Trenton

PREVIOUS ZONING HISTORY: S-84-2020

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

- ☒ GAS AND WATER ENG. SUPPORT MGR.
- ☒ GAS AND WATER ENG. SUPPORT COOR.
- ☐ UTILITY DISTRICT
- ☒ CITY STREET DEPT.
- ☒ TRAFFIC ENG. - ST. DEPT.
- ☐ COUNTY HIGHWAY DEPT.
- ☐ CEMC
- ☒ DEPT. OF ELECTRICITY (CDE)

- ☐ ATT
- ☒ FIRE DEPARTMENT
- ☐ EMERGENCY MANAGEMENT
- ☒ POLICE DEPARTMENT
- ☐ SHERIFF'S DEPARTMENT
- ☒ CITY BUILDING DEPT.
- ☐ COUNTY BUILDING DEPT.
- ☒ SCHOOL SYSTEM OPERATIONS
- ☐ FT. CAMPBELL

- ☐ DIV. OF GROUND WATER
- ☐ HOUSING AUTHORITY
- ☐ INDUSTRIAL DEV BOARD
- ☐ CHARTER COMM.
- ☐ Other...

1. CITY ENGINEER/UTILITY DISTRICT:

Comments received from department and they had no concerns.

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

Comments received from department and they had no concerns.

3. DRAINAGE COMMENTS:

Comments received from department and they had no concerns.

4. CDE/CEMC:

No Comment(s) Received

5. FIRE DEPT/EMERGENCY MGT.:

Comments received from department and they had no concerns.

6. POLICE DEPT/SHERIFF'S OFFICE:

Comments received from department and they had no concerns.

7. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

Comments received from department and they had no concerns.

8. SCHOOL SYSTEM:

ELEMENTARY: GLENELLEN

MIDDLE SCHOOL: KENWOOD

HIGH SCHOOL: KENWOOD

Glenellen Elementary & Kenwood Middle are in the fastest growing region of Montgomery County. Glenellen Elementary is at 95% capacity and currently has 4 portable classrooms. Kenwood Middle School is at 94% capacity. This development could add additional students and require additional infrastructure & funding. Current school boundaries are subject to adjustments in order to achieve optimal capacity utilization throughout the District.

9. FT. CAMPBELL:

10. OTHER COMMENTS:

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

IMPACT OF PROPOSED USE ON SURROUNDING DEVELOPMENT: Increased multi- Family residential density.

INFRASTRUCTURE:

WATER SOURCE: CITY

SEWER SOURCE: CITY

STREET/ROAD ACCESSIBILITY: Through preliminary approved subdivision.

DRAINAGE COMMENTS:

RESIDENTIAL DEVELOPMENT

APPLICANT'S ESTIMATES HISTORICAL ESTIMATES

LOTS/UNITS: 30

POPULATION: 81

APPLICABLE LAND USE PLAN

Trenton Road Planning Area: The dominant transportation corridor in the area is I-24, strongly supported by Wilma Rudolph Blvd. & 101st Airborne Parkway. Exit 1 I-24 interchange with Trenton Road has seen tremendous growth since 2000.

STAFF RECOMMENDATION: **APPROVAL**

1. The proposed zoning request is consistent with the adopted Land Use Plan.
2. Zoning change is an extension of the R-4 zoning to the east & is part of a cul-de-sac of an existing R-4 neighborhood under development.
3. Adequate infrastructure serves the site & no adverse environmental issues were identified relative to this request.
- 4.
- 5.

Z-51-2020

APPLICANT:

EAGLES BLUFF
PARTNERSHIP

REQUEST:

**R-1
TO
R-4**

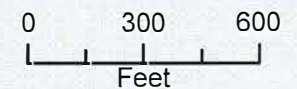
MAP & PARCEL

042 00803

ACRES +/-

2.5

Scale: 1:6,000



12/30/2020



Z-51-2020

APPLICANT:

EAGLES BLUFF
PARTNERSHIP

REQUEST:

R-1

TO

R-4

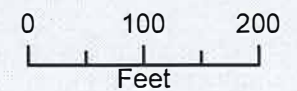
MAP & PARCEL

042 00803


ACRES +/-


2.5

Scale: 1:2,000



12/30/2020

 ReZoning Request

 Parcels

Z-51-2020

APPLICANT:

EAGLES BLUFF
PARTNERSHIP

REQUEST:


**R-1
TO
R-4**

MAP & PARCEL

042 00803

ACRES +/-

2.5


 ReZoning Request

 AG


 R-1

 R-2

 R-2A

 R-4/R-5

 C-5

 Parcels

Scale: 1:6,000

0 300 600
Feet

12/30/2020



CASE NUMBER: Z 51 2020 **MEETING DATE** 12/30/2020

APPLICANT: Eagles Bluff Partnership

PRESENT ZONING R-1

PROPOSED ZONING R-4

TAX PLAT # 042

PARCEL 008.03

GEN. LOCATION Property located east of Whitfield Rd. & South of Tracy Ln.

PUBLIC COMMENTS

None received as of 9:00 A.M. on 12/30/2020 (A.L.)

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

RPC MEETING DATE: 12/30/2020

CASE NUMBER: Z - 52 - 2020

NAME OF APPLICANT: Jeff Robinson

AGENT: Cody Dahl

GENERAL INFORMATION

TAX PLAT: 066B B

PARCEL(S): 014.00/010.00/01
1.00/018.00

ACREAGE TO BE REZONED: 1.44+/-

PRESENT ZONING: R-4 O-1 H-1 overlay

PROPOSED ZONING: CBD H-1 overlay

EXTENSION OF ZONING

CLASSIFICATION: YES TO THE SOUTH

PROPERTY LOCATION: Four properties south of McClure St., west of N. 2nd St., East of N. 1st St. & North of Bogard Ln.

CITY COUNCIL WARD: 6

COUNTY COMMISSION DISTRICT: 13

CIVIL DISTRICT: 12

DESCRIPTION OF PROPERTY: Existing multi-family structure, two single family structures & 1 vacant parcel.

APPLICANT'S STATEMENT Urban Residential
FOR PROPOSED USE:

GROWTH PLAN AREA: CITY **PLANNING AREA:** Red River

PREVIOUS ZONING HISTORY: Z-48-2007 & SR-10-2008 (O-1 portion)

Z-20-2016

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

- ☒ GAS AND WATER ENG. SUPPORT MGR.
- ☒ GAS AND WATER ENG. SUPPORT COOR.
- ☐ UTILITY DISTRICT
- ☒ CITY STREET DEPT.
- ☒ TRAFFIC ENG. - ST. DEPT.
- ☐ COUNTY HIGHWAY DEPT.
- ☐ CEMC
- ☒ DEPT. OF ELECTRICITY (CDE)

- ☐ ATT
- ☒ FIRE DEPARTMENT
- ☐ EMERGENCY MANAGEMENT
- ☒ POLICE DEPARTMENT
- ☐ SHERIFF'S DEPARTMENT
- ☒ CITY BUILDING DEPT.
- ☐ COUNTY BUILDING DEPT.
- ☒ SCHOOL SYSTEM OPERATIONS
- ☐ FT. CAMPBELL

- ☐ DIV. OF GROUND WATER
- ☐ HOUSING AUTHORITY
- ☐ INDUSTRIAL DEV BOARD
- ☐ CHARTER COMM.
- ☐ Other...

1. CITY ENGINEER/UTILITY DISTRICT:

Comments received from department and they had no concerns.

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

Comments received from department and they had no concerns.

3. DRAINAGE COMMENTS:

Comments received from department and they had no concerns.

4. CDE/CEMC:

No Comment(s) Received

5. FIRE DEPT/EMERGENCY MGT.:

Comments received from department and they had no concerns.

6. POLICE DEPT/SHERIFF'S OFFICE:

Comments received from department and they had no concerns.

7. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

Comments received from department and they had no concerns.

8. SCHOOL SYSTEM:

ELEMENTARY: NORMAN SMITH
MIDDLE SCHOOL: ROSSVIEW
HIGH SCHOOL: ROSSVIEW

Rossvie Middle & Rossvie High are in the 2nd fastest growing region in Mont. County. Rossvie Middle is at 118% capacity and currently has 11 portable classrooms, Rossvie High is at 113% capacity and currently has 8 portables. There are over 1,000 lots already approved in this region. This continued student growth necessitates additional action to address building capacity growth and school bus transportation needs in Mont. County. This development could contribute add additional students & require additional infrastructure & funding. This will also increase traffic volume on Rossvie Rd. Current school boundaries are subject to adjustments in order to achieve optimal capacity utilization throughout the District.

9. FT. CAMPBELL:

10. OTHER COMMENTS:

The Historic Zoning Commission offered no comments on this zone change application.

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING
STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

IMPACT OF PROPOSED USE ON Minimal
SURROUNDING DEVELOPMENT:

INFRASTRUCTURE:

WATER SOURCE: CITY

SEWER SOURCE: CITY

STREET/ROAD ACCESSIBILITY: McClure St., First St. & N. 2nd St.

DRAINAGE COMMENTS:

RESIDENTIAL DEVELOPMENT

APPLICANT'S ESTIMATES HISTORICAL ESTIMATES

LOTS/UNITS:

N/A

POPULATION:

APPLICABLE LAND USE PLAN

Red River Planning Area- This planning area is home to the APSU campus. This is a mixed use area with primarily older housing stock neighborhoods sandwiched in between light industrial and commercial districts. This planning area is also targeted for redevelopment.

STAFF RECOMMENDATION: APPROVAL

1. The proposed zoning request is consistent with Growth Plan and adopted Land Use Plan.
2. Adequate infrastructure serves the site.
3. No adverse environmental issues were identified relative to this request.
4. The proposed CBD Central Business District zoning classification resolves a legal non-forming use on the multi-family structure with minimal change to the current single family parcels.
- 5.

Z-52-2020

APPLICANT:

JEFF ROBINSON

REQUEST:

R-4/O-1

TO

CBD

MAP & PARCEL

066B B 01000

066B B 01100

066B B 01400


066B B 01800


ACRES +/-
1.44

Scale: 1:4,000

0 200 400
Feet

12/30/2020

 ReZoning Request

 Parcels

Z-52-2020

APPLICANT:

JEFF ROBINSON

REQUEST:

R-4/O-1

TO

CBD

MAP & PARCEL

066B B 01000

066B B 01100

066B B 01400


066B B 01800

ACRES +/-
1.44

Scale: 1:1,000

0 40 80
Feet

12/30/2020

 ReZoning Request

 Parcels

Z-52-2020

APPLICANT:

JEFF ROBINSON

REQUEST:

R-4/O-1

TO

CBD

MAP & PARCEL


066B B 01000


066B B 01100

066B B 01400

066B B 01800

ACRES +/-
1.44

 ReZoning Request

 R-1

 R-2

 R-3

 R-4/R-5

 O-1

 C-2

 C-5

 CBD

 M-1

 Parcels

Scale: 1:4,000

0 200 400
Feet

12/30/2020

Z-52-2020

APPLICANT:

JEFF ROBINSON

REQUEST:

R-4/O-1

TO

CBD

MAP & PARCEL

066B B 01000

066B B 01100

066B B 01400




066B B 01800

ACRES +/-
1.44

Scale: 1:4,000

0 200 400
Feet

12/30/2020

 ReZoning Request
 Parcels
 Historic Overlay



CASE NUMBER: Z 52 2020 **MEETING DATE** 12/30/2020

APPLICANT: Jeff Robinson

PRESENT ZONING R-4

PROPOSED ZONING CBD

TAX PLAT # 066B B

PARCEL 014.00/010.00/011.00/018.00

GEN. LOCATION Four properties south of McClure St., west of N. 2nd St., East of N. 1st St. & North of Bogard Ln.

PUBLIC COMMENTS

None received as of 9:00 A.M. on 12/30/2020 (A.L.)

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

RPC MEETING DATE: 12/30/2020

CASE NUMBER: Z - 53 - 2020

NAME OF APPLICANT: S L Endeavors

(Micah Stair, Luke Stair)

AGENT:

GENERAL INFORMATION

TAX PLAT: 079K A

PARCEL(S): 002.00

ACREAGE TO BE REZONED: 1.57

PRESENT ZONING: R-2

PROPOSED ZONING: R-6

EXTENSION OF ZONING

CLASSIFICATION: NO

PROPERTY LOCATION: A tract fronting on the south frontage of Caldwell Ln. & the east frontage of Robert St.

CITY COUNCIL WARD: 7

COUNTY COMMISSION DISTRICT: 5

CIVIL DISTRICT: 12

DESCRIPTION OF PROPERTY: 1.5 acre tract with a single family home. The tract features a mild slope.

APPLICANT'S STATEMENT None given by applicant.

FOR PROPOSED USE:

GROWTH PLAN AREA: CITY

PLANNING AREA: South Clarksville

PREVIOUS ZONING HISTORY:

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

- ☒ GAS AND WATER ENG. SUPPORT MGR.
- ☒ GAS AND WATER ENG. SUPPORT COOR.
- ☐ UTILITY DISTRICT
- ☒ CITY STREET DEPT.
- ☒ TRAFFIC ENG. - ST. DEPT.
- ☐ COUNTY HIGHWAY DEPT.
- ☐ CEMC
- ☒ DEPT. OF ELECTRICITY (CDE)

- ☐ ATT
- ☒ FIRE DEPARTMENT
- ☐ EMERGENCY MANAGEMENT
- ☒ POLICE DEPARTMENT
- ☐ SHERIFF'S DEPARTMENT
- ☒ CITY BUILDING DEPT.
- ☐ COUNTY BUILDING DEPT.
- ☒ SCHOOL SYSTEM OPERATIONS
- ☐ FT. CAMPBELL

- ☐ DIV. OF GROUND WATER
- ☐ HOUSING AUTHORITY
- ☐ INDUSTRIAL DEV BOARD
- ☐ CHARTER COMM.
- ☐ Other...

1. CITY ENGINEER/UTILITY DISTRICT:

May require water system upgrades.

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

Comments received from department and they had no concerns.

3. DRAINAGE COMMENTS:

4. CDE/CEMC:

No Comment(s) Received

5. FIRE DEPT/EMERGENCY MGT.:

Comments received from department and they had no concerns.

6. POLICE DEPT/SHERIFF'S OFFICE:

Comments received from department and they had no concerns.

7. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

Comments received from department and they had no concerns.

8. SCHOOL SYSTEM:

ELEMENTARY: NORMAN SMITH

MIDDLE SCHOOL: MONTGOMERY

HIGH SCHOOL: MONTGOMERY

Montgomery Central Middle School is at 98% capacity and currently has 4 portable classrooms. This development could add additional students and require additional infrastructure & funding. Current school boundaries are subject to adjustments in order to achieve optimal capacity utilization throughout the District.

9. FT. CAMPBELL:

10. OTHER COMMENTS:

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

IMPACT OF PROPOSED USE ON SURROUNDING DEVELOPMENT: Increased single family residential density

INFRASTRUCTURE:

WATER SOURCE: CITY

SEWER SOURCE: CITY

STREET/ROAD ACCESSIBILITY: Caldwell Ln. & Robert St.

DRAINAGE COMMENTS:

RESIDENTIAL DEVELOPMENT

APPLICANT'S ESTIMATES HISTORICAL ESTIMATES

LOTS/UNITS:

15

POPULATION:

40

APPLICABLE LAND USE PLAN

South Clarksville Planning Area - South Clarksville is dominated by residential development but is ringed by commercial and light industrial uses. It is near the core of the city and has a well developed transportation network for destinations within its boundaries and other areas of the city. Sufficient infrastructure to support high density development.

STAFF RECOMMENDATION: **APPROVAL**

- 1.** The proposed zoning request is consistent with Growth Plan and adopted Land Use Plan.
- 2.** The R-6 single family zoning classifications are not out of character with the surrounding area or established uses.
- 3.** Adequate infrastructure serves the site, including other residential-supportive uses such as, mass transit and retail services. Sidewalks will be required as part of the development as required per R-6 Single Family Zoning.
- 4.** No adverse environmental issues were identified relative to this request.
- 5.**

Z-53-2020

APPLICANT:

SL ENDEAVORS

REQUEST:

R-2

TO

R-6

MAP & PARCEL

079K A 00200


ACRES +/-
1.57

Scale: 1:5,000

0 250 500
Feet

12/30/2020

 ReZoning Request

 Parcels



Z-53-2020

APPLICANT:
SL ENDEAVORS



REQUEST:
R-2
TO
R-6

MAP & PARCEL
079K A 00200

ACRES +/-
1.57

Scale: 1:1,000



 ReZoning Request
 Parcels

12/30/2020

Z-53-2020

APPLICANT:

SL ENDEAVORS

REQUEST:

R-2

TO

R-6

MAP & PARCEL

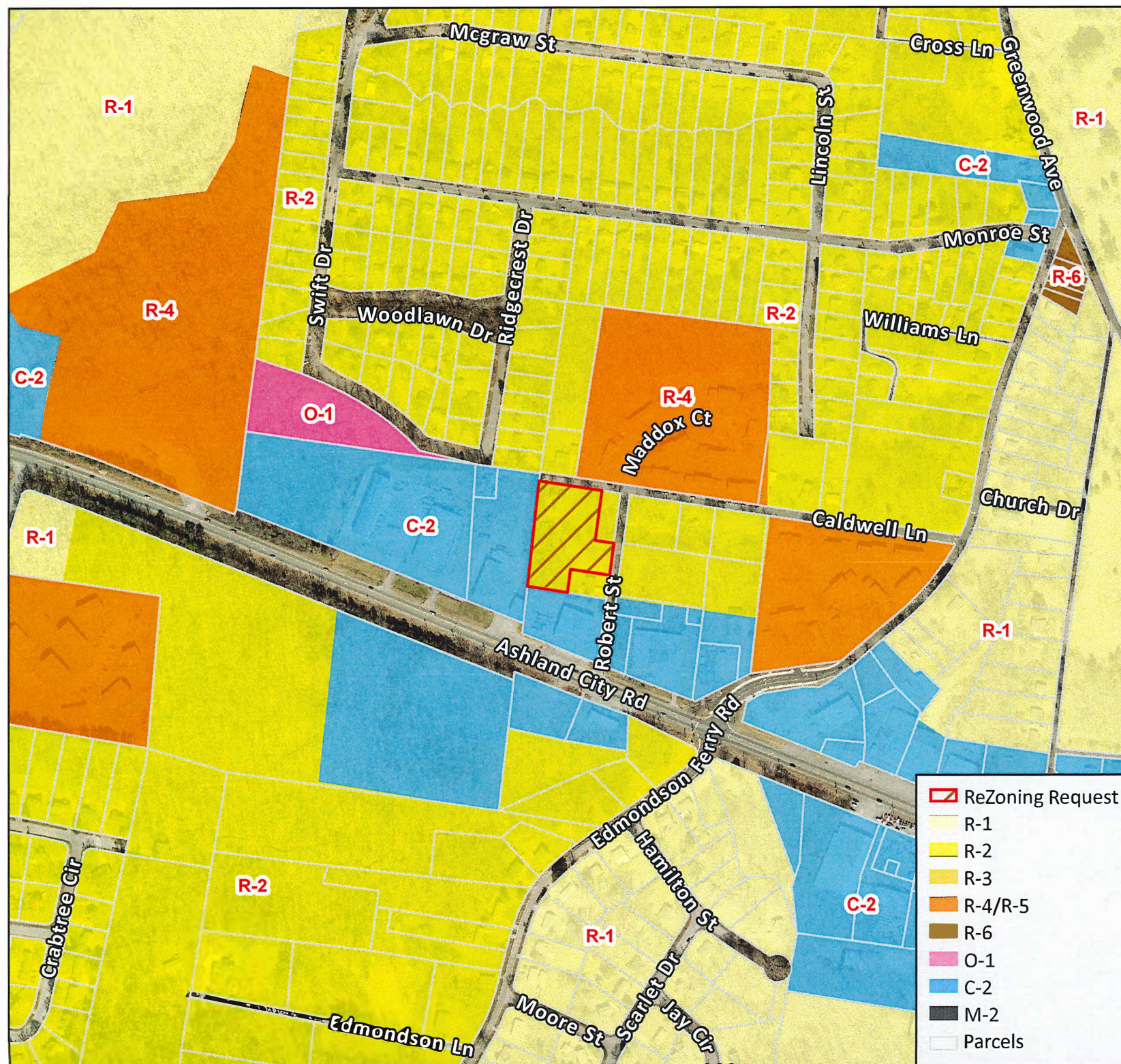
079K A 00200

ACRES +/-
1.57

Scale: 1:5,000



12/30/2020



CASE NUMBER: Z 53 2020

MEETING DATE 12/30/2020

APPLICANT: S L Endeavors

(Micah Stair, Luke Stair)

PRESENT ZONING R-2

PROPOSED ZONING R-6

TAX PLAT # 079K A

PARCEL 002.00

GEN. LOCATION A tract fronting on the south frontage of Caldwell Ln. & the east frontage of Robert St.

PUBLIC COMMENTS

None received as of 9:00 A.M. on 12/30/2020 (A.L.)

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

RPC MEETING DATE: 12/30/2020

CASE NUMBER: Z - 54 -2020

NAME OF APPLICANT:M S I Homes

AGENT: Shawn Berner

GENERAL INFORMATION

TAX PLAT: 079 F E

PARCEL(S): 025.00

ACREAGE TO BE REZONED: 0.36 +/-

PRESENT ZONING: R-2

PROPOSED ZONING: R-3

EXTENSION OF ZONING

CLASSIFICATION: NO

PROPERTY LOCATION: Property fronting on the north frontage of Monroe St. 165 +/- feet west of the Monroe St. Edmondson Ferry Rd. intersection.

CITY COUNCIL WARD: 6

COUNTY COMMISSION DISTRICT: 5

CIVIL DISTRICT: 12

DESCRIPTION OF PROPERTY: Recently had a duplex onsite destroyed by a fire.

APPLICANT'S STATEMENT Current structure was a duplex. It has burnt down, want to replace w/ multi-family triplex.
FOR PROPOSED USE:

GROWTH PLAN AREA: CITY

PLANNING AREA: South Clarksville

PREVIOUS ZONING HISTORY:

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

- ☒ GAS AND WATER ENG. SUPPORT MGR.
- ☒ GAS AND WATER ENG. SUPPORT COOR.
- ☐ UTILITY DISTRICT
- ☒ CITY STREET DEPT.
- ☒ TRAFFIC ENG. - ST. DEPT.
- ☐ COUNTY HIGHWAY DEPT.
- ☐ CEMC
- ☒ DEPT. OF ELECTRICITY (CDE)

- ☐ ATT
- ☒ FIRE DEPARTMENT
- ☐ EMERGENCY MANAGEMENT
- ☒ POLICE DEPARTMENT
- ☐ SHERIFF'S DEPARTMENT
- ☒ CITY BUILDING DEPT.
- ☐ COUNTY BUILDING DEPT.
- ☒ SCHOOL SYSTEM OPERATIONS
- ☐ FT. CAMPBELL

- ☐ DIV. OF GROUND WATER
- ☐ HOUSING AUTHORITY
- ☐ INDUSTRIAL DEV BOARD
- ☐ CHARTER COMM.
- ☐ Other...

1. CITY ENGINEER/UTILITY DISTRICT:

Comments received from department and they had no concerns.

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

Comments received from department and they had no concerns.

3. DRAINAGE COMMENTS:

Comments received from department and they had no concerns.

4. CDE/CEMC:

No Comment(s) Received

5. FIRE DEPT/EMERGENCY MGT.:

Comments received from department and they had no concerns.

6. POLICE DEPT/SHERIFF'S OFFICE:

Comments received from department and they had no concerns.

7. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

Comments received from department and they had no concerns.

8. SCHOOL SYSTEM:

ELEMENTARY: NORMAN SMITH

MIDDLE SCHOOL: MONTGOMERY

HIGH SCHOOL: MONTGOMERY

Montgomery Central Middle School is at 98% capacity and currently has 4 portable classrooms. This development could add additional students and require additional infrastructure & funding. Current school boundaries are subject to adjustments in order to achieve optimal capacity utilization throughout the District.

9. FT. CAMPBELL:

10. OTHER COMMENTS:

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING
STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

IMPACT OF PROPOSED USE ON Increased residential density.
SURROUNDING DEVELOPMENT:

INFRASTRUCTURE:

WATER SOURCE: CITY

SEWER SOURCE: CITY

STREET/ROAD ACCESSIBILITY: Monroe St.

DRAINAGE COMMENTS:

RESIDENTIAL DEVELOPMENT

APPLICANT'S ESTIMATES HISTORICAL ESTIMATES

LOTS/UNITS:

3

POPULATION:

8

APPLICABLE LAND USE PLAN

South Clarksville Planning Area - South Clarksville is dominated by residential development but is ringed by commercial and light industrial uses. It is near the core of the city and has a well developed transportation network for destinations within its boundaries and other areas of the city. Sufficient infrastructure to support high density development.

STAFF RECOMMENDATION: **APPROVAL**

- 1.** The proposed zoning request is consistent with Growth Plan and adopted Land Use Plan.
- 2.** The adopted Land Use Plan states that it is encouraged to maintain a desirable mixture of housing types throughout the community. This property is also located at an intersection that is currently in transition with new single family homes construction nearby & potential for adjacent C-2 zoning to develop in a mixed-use or commercial fashion.
- 3.** Adequate infrastructure serves the site.
- 4.** No adverse environmental issues were identified relative to this request.
- 5.**

Z-54-2020

APPLICANT:

MSI HOMES

REQUEST:

R-2

TO

R-3

MAP & PARCEL

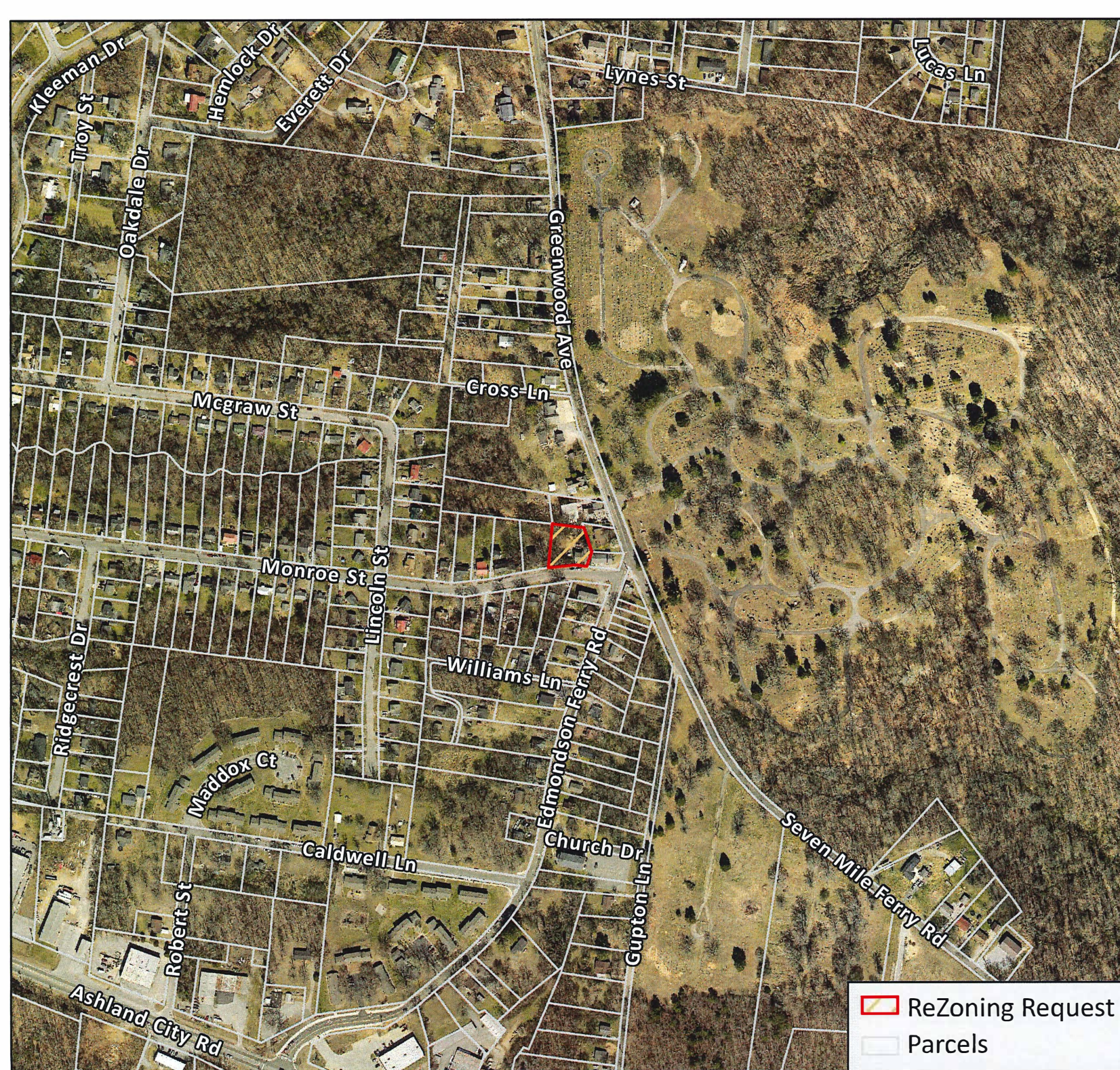
079F E 02500

ACRES +/-
0.36

Scale: 1:5,000



12/30/2020



 ReZoning Request
 Parcels

Z-54-2020

APPLICANT:

MSI HOMES

REQUEST:

R-2

TO

R-3

MAP & PARCEL

079F E 02500


ACRES +/-
0.36

Scale: 1:1,000

0 40 80
Feet

12/30/2020



 ReZoning Request

 Parcels



Z-54-2020

APPLICANT:

MSI HOMES

REQUEST:

R-2

TO

R-3

MAP & PARCEL

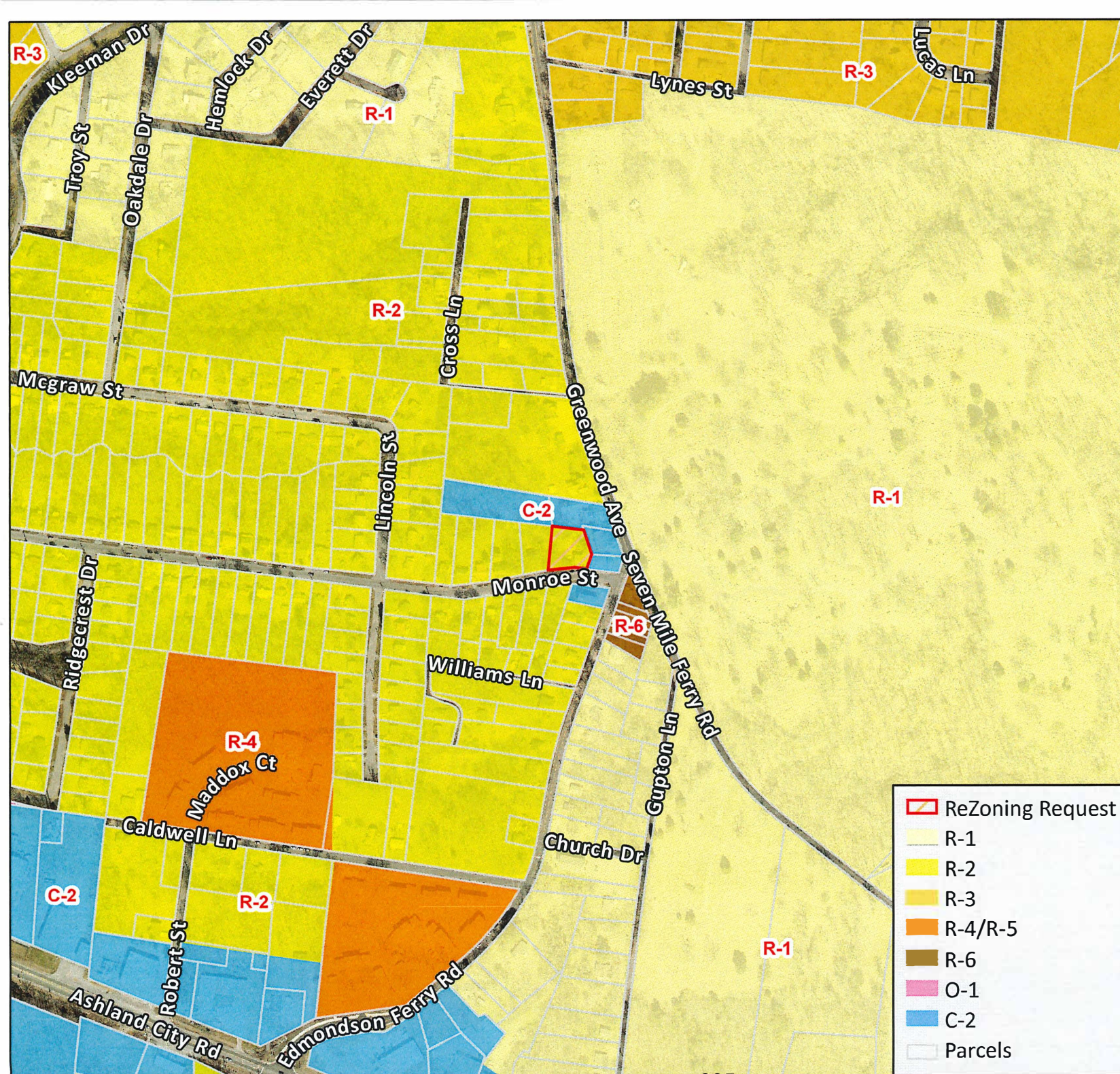
079F E 02500

ACRES +/-
0.36

Scale: 1:5,000



12/30/2020



CASE NUMBER: Z 54 2020 **MEETING DATE** 12/30/2020

APPLICANT: M S I Homes

PRESENT ZONING R-2

PROPOSED ZONING R-3

TAX PLAT # 079 F E

PARCEL 025.00

GEN. LOCATION Property fronting on the north frontage of Monroe St. 165 +/- feet west of the
Monroe St. Edmondson Ferry Rd. intersection.

PUBLIC COMMENTS

None received as of 9:00 A.M. on 12/30/2020 (A.L.)

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

RPC MEETING DATE: 12/30/2020

CASE NUMBER: Z - 55 -2020

NAME OF APPLICANT:L C Simpson, Et Al

Norma S Jones

AGENT: Greenspace Partners

GENERAL INFORMATION

TAX PLAT: 056

PARCEL(S): 073.00/074.00/07
4.01/074.02

ACREAGE TO BE REZONED: 111.29

PRESENT ZONING: M-2 R-1

PROPOSED ZONING: R-1 R-5 & R-6

EXTENSION OF ZONING

CLASSIFICATION: Yes, Extension of R-1 to the North & South

PROPERTY LOCATION: Property fronting on the west frontage of Old Russelville Pike, west & south of the Old Russelville Pike & Fantasy Ln. intersection, also west & north of the Old Russelville Pike & Candlewood Dr. intersection.

CITY COUNCIL WARD: 9

COUNTY COMMISSION DISTRICT: 2

CIVIL DISTRICT: 12

DESCRIPTION OF PROPERTY: Tracts of land with varying steep topography. It is also bisected with TVA power lines & has an existing rock quarry onsite. The property is also bordered by the Red River & has areas that are identified as flood plain.

APPLICANT'S STATEMENT To redevelop into mixed use neighborhood with single family and townhome
FOR PROPOSED USE: components.

GROWTH PLAN AREA:

CITY

PLANNING AREA:

Rossvie

PREVIOUS ZONING HISTORY: CZ-16-1980 R-1 to M-2

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

☒ GAS AND WATER ENG. SUPPORT MGR.
☒ GAS AND WATER ENG. SUPPORT COOR.
☐ UTILITY DISTRICT
☒ CITY STREET DEPT.
☒ TRAFFIC ENG. - ST. DEPT.
☐ COUNTY HIGHWAY DEPT.
☐ CEMC
☒ DEPT. OF ELECTRICITY (CDE)

☐ ATT
☒ FIRE DEPARTMENT
☐ EMERGENCY MANAGEMENT
☒ POLICE DEPARTMENT
☐ SHERIFF'S DEPARTMENT
☒ CITY BUILDING DEPT.
☐ COUNTY BUILDING DEPT.
☒ SCHOOL SYSTEM OPERATIONS
☐ FT. CAMPBELL

☐ DIV. OF GROUND WATER
☐ HOUSING AUTHORITY
☐ INDUSTRIAL DEV BOARD
☐ CHARTER COMM.
☐ Other...

1. CITY ENGINEER/UTILITY DISTRICT:

May require sewer system upgrades.

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

Traffic Assessment Required (Submitted) Traffic assessment found acceptable. The traffic generated by the new zoning is nearly the same as what is allowed by current zoning. There are areas o poor LOS in either case on Dunbar Cave Rd. CSD will evaluate the need for improvements at site plan. In addition traffic is anticipated to have a lower percentage of heavy truck traffic on Old Russellville which is seen as a benefit.

3. DRAINAGE COMMENTS:

Active quarry mine.

4. CDE/CEMC:

No Comment(s) Received

5. FIRE DEPT/EMERGENCY MGT.:

Comments received from department and they had no concerns.

6. POLICE DEPT/SHERIFF'S OFFICE:

Comments received from department and they had no concerns.

7. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

Comments received from department and they had no concerns.

8. SCHOOL SYSTEM:

ELEMENTARY: ST. B.

MIDDLE SCHOOL: ROSSVIEW

HIGH SCHOOL: ROSSVIEW

Rossvie Middle & Rossvie High are in the 2nd fastest growing region in Mont. County. Rossvie Middle is at 118% capacity and currently has 11 portable classrooms, Rossvie High is at 113% capacity and currently has 8 portables. There are over 1,000 lots already approved in this region. This continued student growth necessitates additional action to address building capacity growth and school bus transportation needs in Mont. County. This development could contribute add additional students & require additional infrastructure & funding. This will also increase traffic volume on Rossvie Rd. Current school boundaries are subject to adjustments in order to achieve optimal capacity utilization throughout the District.

9. FT. CAMPBELL:

10. OTHER COMMENTS:

Proposed 13.8 +/- acres of R-1 with 35.3 +/- acres of existing R-1, 18.2 +/- acres of R-6 & 44.8 +/- acres of R-5 with a majority of the encumbered area

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

included in the R-5 portion.

PLANNING STAFF'S STUDY AND RECOMMENDATION

IMPACT OF PROPOSED USE ON SURROUNDING DEVELOPMENT: Increased residential density & removal of 70 +/- acres of Industrial zoned property.

INFRASTRUCTURE:

WATER SOURCE: CITY

SEWER SOURCE: CITY

STREET/ROAD ACCESSIBILITY: Old Russellville Pike & Heritage Dr.

DRAINAGE COMMENTS: Varies (62.5 +/- acres are encumbered with steep topography, TVA easement, existing quarry & flood plain directly adjacent to the Red River)

RESIDENTIAL DEVELOPMENT

APPLICANT'S ESTIMATES HISTORICAL ESTIMATES

LOTS/UNITS:	165-lots 150-units	190-lots 160-units
POPULATION:	850	945
		Adjusted for topo & flood plain Likely High Est.

APPLICABLE LAND USE PLAN

Rossvie Road Planning Area - One of the most diversified areas of the county in terms of land use. It has the best remaining agricultural land. One of the fastest growing sectors of Montgomery County. Factors affecting growth all average to above average. The Industrial Park is also located in this planning area.

STAFF RECOMMENDATION: APPROVAL

1. The proposed zoning request is consistent with Growth Plan and adopted Land Use Plan.
2. The proposed request removes 70 +/- acres of M-2 General Industrial District that has previously been used as a rock quarry operation. The proposed R-1 Single Family, R-6 Single Family & R-5 Residential Districts is clearly more appropriate use of land than the current industrial uses that are currently permitted for this location.
3. The accepted traffic assessment indicates that the traffic generated by the proposed residential zoning classifications is nearly the same as what is allowed with the current industrial zoning in operation. It is also anticipated that a lower percentage of heavy truck traffic with the proposed zoning would be seen as a benefit to Old Russellville Pike.
4. Adequate infrastructure serves the site & no adverse environmental issues were identified relative to this request. There are poor levels of service on Dunbar Cave Rd. with both the current zoning & proposed zoning. The Clarksville Street Dept. will evaluate the needs for improvements at the development stage.
5. The adopted Land Use Plan states that it is encouraged to maintain a desirable mixture of housing types throughout the community.

Z-55-2020

APPLICANT:

L.C. SIMPSON, ET AL &
NORMA S JERLES

REQUEST:

M2/R1
TO
R1/R5/R6

MAP & PARCEL

056 07300

056 07400

056 07401

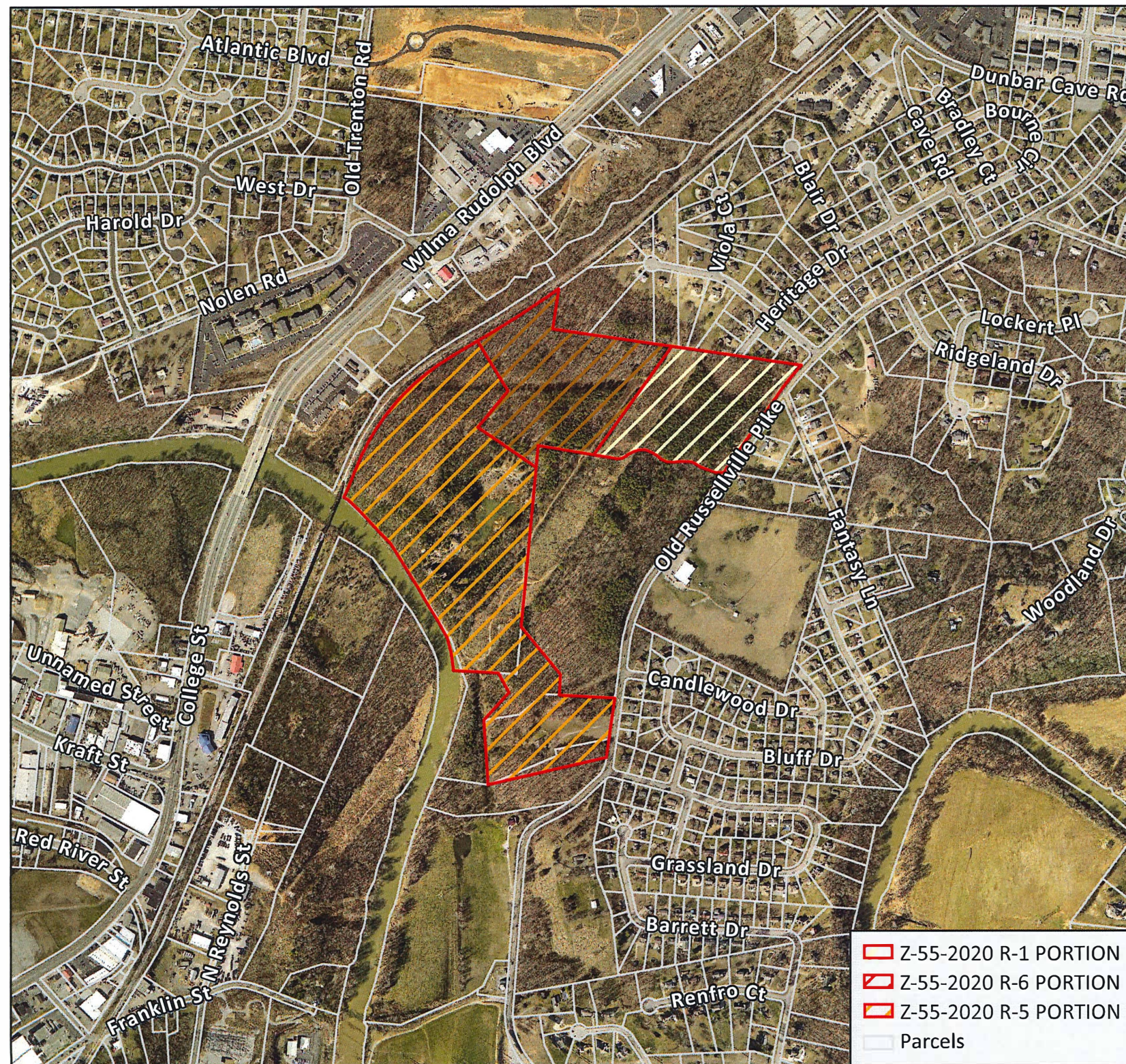
056 07402

ACRES +/-
111.29

Scale: 1:10,000



12/30/2020



Z-55-2020

APPLICANT:

L.C. SIMPSON, ET AL &
NORMA S JERLES

REQUEST:

M2/R1

TO

R1/R5/R6

MAP & PARCEL

056 07300

056 07400

056 07401

056 07402

ACRES +/-
111.29

Scale: 1:5,000



12/30/2020



-  Z-55-2020 R-1 PORTION
-  Z-55-2020 R-6 PORTION
-  Z-55-2020 R-5 PORTION
-  Parcels

Z-55-2020

APPLICANT:

L.C. SIMPSON, ET AL &
NORMA S JERLES

REQUEST:

M2/R1
TO
R1/R5/R6

MAP & PARCEL

056 07300

056 07400

056 07401

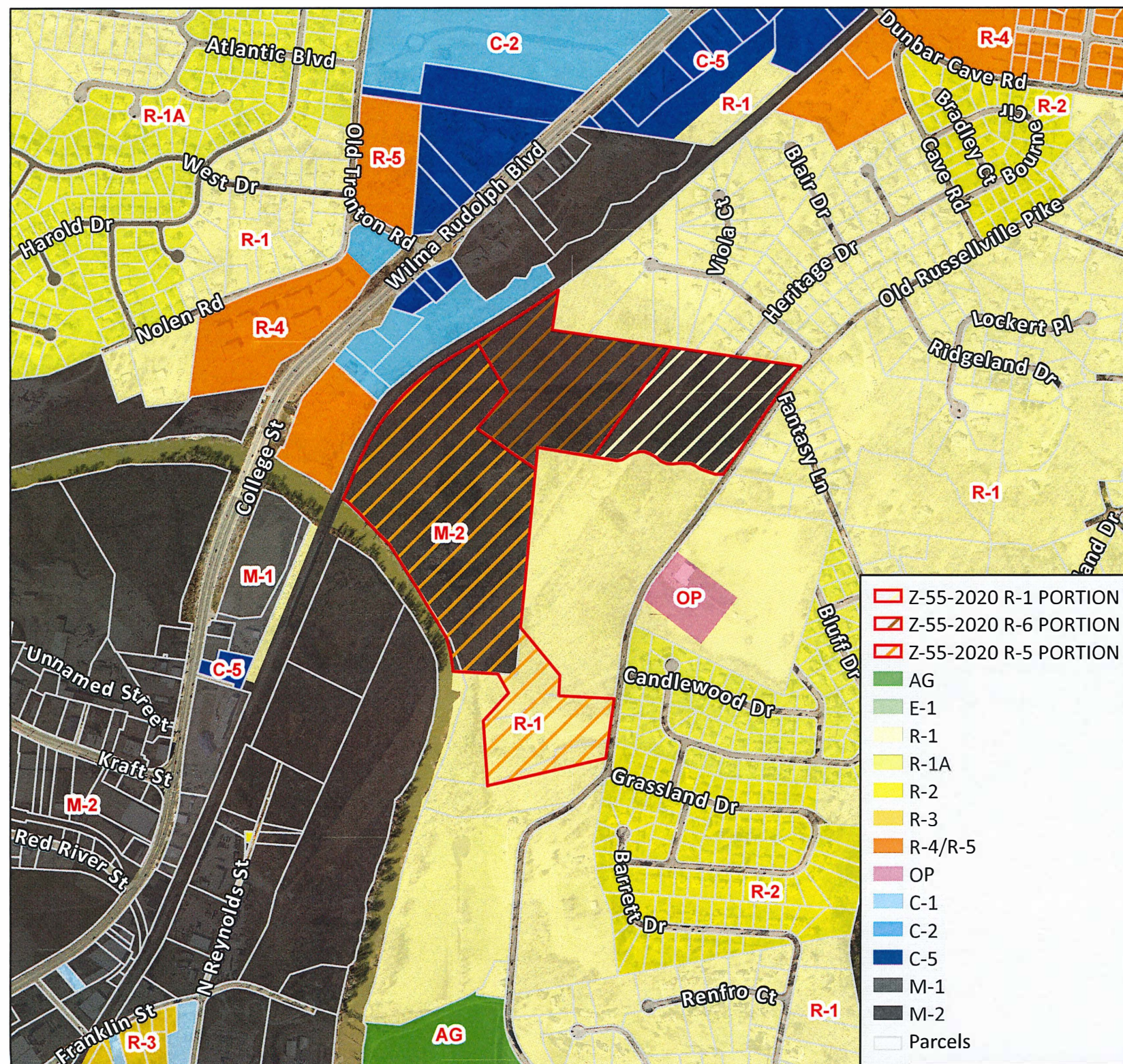
056 07402

ACRES +/-
111.29

Scale: 1:10,000



12/30/2020



Z-55-2020

APPLICANT:

L.C. SIMPSON, ET AL &
NORMA S JERLES

REQUEST:

M2/R1

TO

R1/R5/R6

MAP & PARCEL


056 07300


056 07400

056 07401

056 07402

ACRES +/-
111.29


 Z-55-2020 R-1 PORTION

 Z-55-2020 R-6 PORTION

 Z-55-2020 R-5 PORTION

 Parcels

Flood Zone

 A,

 AE,

 AE, FLOODWAY

Scale: 1:5,000

0 250 500
Feet

12/30/2020

CASE NUMBER: Z 55 2020

MEETING DATE 12/30/2020

APPLICANT: L C Simpson, Et Al

Norma S Jones

PRESENT ZONING M-2

PROPOSED ZONING R-1

TAX PLAT # 056

PARCEL 073.00/074.00/074.01/074.02

GEN. LOCATION Property fronting on the west frontage of Old Russelville Pike, west & south of the
Old Russelville Pike & Fantasy Ln. intersection, also west & north of the Old

PUBLIC COMMENTS

A copy of e-mail is in the file.



**City
of
Clarksville**

John Spainhoward <john.spainhoward@cityofclarksville.com>

Issue with ZONING CASE #Z-55-2020 - Property fronting on west side of Old Russellville Pike, west & south of Fantasy Ln, west and south of Candlewood Dr intersection

1 message

freehardt@aol.com <freehardt@aol.com>

Mon, Dec 28, 2020 at 2:58 PM

Reply-To: freehardt@aol.com

To: "john.spainhoward@cityofclarksville.com" <john.spainhoward@cityofclarksville.com>

Dear Sir,

Thank you for returning my call earlier today. Here's the email we talked about after our phone call.

I have two Objections to the above referenced Rezoning area, based on the information you provided. Please see below:

1- I feel "ONLY Single Family Homes" be Zoned for that area and NO Zoning for Townhomes, Duplexes, or Apartments (for obvious reasons of increased traffic, crime and lowering the value of current homes in the area, and the list can go on) be built in the zoning area. Basically, homes like in "Heritage Estates" and "Willow Bend" Subdivisions should be built.

2- The road (Russellville Pike, south of Fantasy Lane) by the location of the posted "Rezoning Sign" currently ALWAYS FLOODS (a "Flooding Sign" is temporarily setup when it rains heavily) and this issue NEEDS to be corrected/resolved before moving forward with the rezoning change. I have talked with the Department head in the past about the street Flooding issue but, was told it was on hold due to issues with the property on the corner of Russellville Pike and Fantasy Lane, plus the issue with possible run off toward the new homes built on Fantasy Lane.

Please keep me informed about the Rezoning at this location as it's the ONLY road in and out to the many subdivisions South of that area. Thank you

Sincerely,
Concerned Citizen
Mark Freehardt
freehardt@aol.com
H: 931-648-8904



**City
of
Clarksville**

John Spainhowerd <john.spainhowerd@cityofclarksville.com>

Rezoning on Old Russellville Pike Road

1 message

Christine <bridwellcj@gmail.com>

Tue, Dec 29, 2020 at 12:46 PM

To: "john.spainhowerd@cityofclarksville.com" <john.spainhowerd@cityofclarksville.com>

Rezoning on Old Russellville Pike Rd would create a nightmare traffic problem for those who live at that end of ORP. Access in/out is only on two roads, Cave Road and Dunbar Cave Road. Both roads are heavily congested at various times of the day creating backups now-especially Cave Road. Adding the amount of traffic to ORP will only make this situation worse and create more frustration for those of us who live on this end of ORP. I personally am firmly against this rezoning.

Thank you, Christine J. Bridwell

1489 Willow Bend Ct.

Clarksville, TN 2743

Sent from Mail for Windows 10



**City
of
Clarksville**

John Spainhoward <john.spainhoward@cityofclarksville.com>

Pending Zone change Russellville Pike

1 message

btericson@msn.com <btericson@msn.com>

Tue, Dec 29, 2020 at 9:42 AM

Reply-To: "btericson@msn.com" <btericson@msn.com>

To: "john.spainhoward@cityofclarksville.com" <john.spainhoward@cityofclarksville.com>

Mr Spainhoward,

I'm writing you regarding the pending zone change on Russellville Pike. My family, along with all of the neighbors I've spoken with (most of them are not even aware of this) do not want this zone change. Absolutely not. This will disrupt the native wildlife and tunnels/caverns that are part of our history. This is not the area to propose a zoning change so a developer can throw up cookie cutter townhomes,

This will increase noise, traffic, and the natural peace that is part of this area. This will decrease the value of our land and our homes. We stand firmly against this change. We trust you will do the right thing here and tell the developer there are other areas they can explore. This land should not be disrupted. Thank you

Brian Ericson
1334 Barbara Drive



**City
of
Clarksville**

John Spainhoward <john.spainhoward@cityofclarksville.com>

Re: Townhomes

1 message

Keith <keithrob8920@yahoo.com>

Tue, Dec 29, 2020 at 9:31 AM

To: John Spainhoward <john.spainhoward@cityofclarksville.com>

Keith Robertson II
1700 Candlewood Court
Clarksville TN 37043

Sent from my iPhone

On Dec 29, 2020, at 8:36 AM, John Spainhoward <john.spainhoward@cityofclarksville.com> wrote:

To whom it may concern,
Please be aware that public comments submitted for public record must include name & should include an mailing address for the individual as well.

Regards,
JTS

On Mon, Dec 28, 2020 at 9:59 PM Keith <keithrob8920@yahoo.com> wrote:

Totally against the building of townhomes on old Russellville!!!!!! I've lived in that neighborhood for 30 years, it has the perfect traffic flow, nice and quiet, never has been any issues and I believe that will all change of those are built there, not to mention the squeezing of more citizens in already established areas as have been done all over the city, let us have the great neighborhood we've always had over here! Plus the wildlife over here has already been pushed back enough, just leave that area how it is, there's plenty other places to build townhomes!!!!

Sent from my iPhone



John T. Spainhoward, Jr. *Deputy Director of Planning*

Clarksville Montgomery County Regional Planning Commission

931.645.7448 john.spainhoward@cityofclarksville.com

329 Main Street Clarksville, TN 37040

cmcrpc.com



**City
of
Clarksville**

John Spainhoward <john.spainhoward@cityofclarksville.com>

Concern for Rezoning for Townhouses along Old Russellville Pike

1 message

orandyk@aol.com <orandyk@aol.com>

Tue, Dec 29, 2020 at 12:20 AM

Reply-To: orandyk@aol.com

To: "john.spainhoward@cityofclarksville.com" <john.spainhoward@cityofclarksville.com>

Hello,

Our concerns are:

1. The amount of increased traffic congestion on the roads and intersections, expecting 2 cars per occupied unit. The intersection of Old Russellville Pike and Dunbar Cave is already dangerous at it's angle.
 2. The limited access, egress as, what other way out is available if Old Russellville Pike becomes blocked. This is currently a potential problem that will add more people who could become trapped.
 3. How will this effect property values? Will these units be duplex or multiple family? Will these units be owner occupied only or rental property?
 4. Construction disruptions to utilities, traffic and road damage, and the best and most modern codes and construction practices, as in tornado code standards?
 5. Population volume and infrastructure to handle the increased capacity; example schools?
- What was the previous zoning, and why does it need to change? We're sure there are many other things to consider. I don't envy your task.

Thank you for your time,
Randall and Scheryl Keefe



**City
of
Clarksville**

John Spainhoward <john.spainhoward@cityofclarksville.com>

**Re:#Z-55-2020-propertyfronting west side of Old Russellville Pike, west/south
Fantasy Lane, west/south of Candlewood Dr. intersection**

1 message

mary schillo <m_schillo@hotmail.com>

Mon, Dec 28, 2020 at 11:56 PM

To: "john.spainhoward@cityofclarksville.com" <john.spainhoward@cityofclarksville.com>

December, 28, 2020

Dear Mr. Spain,

As a resident of the Willow Bend area subdivision, I am writing to express my concerns about the proposed rezoning of the above property and construction of multi-family units including Townhomes, Duplexes and/or apartments.

The present infrastructure in that location does not support the proposed construction. Flooding is an ongoing issue, and Old Russellville Pike, which is two-lane, is the only road in and out of the Willow Bend area subdivisions. The increase in traffic congestion along Dunbar Cave Road is already being felt, as it has become a thoroughfare from Rossvie Rd, Warfield Blvd and Wilma Rudolph.

The potential for increased traffic congestion, crime and lowering of property values as well as loss of the wooded areas should be taken into consideration. Single family homes as opposed to multi-family units would help to preserve the integrity of the area.

Consideration of the residents of the potentially impacted neighborhoods is appreciated.

Sincerely,

Mary Schillo
PH: 928-606-1693
m_schillo@hotmail.com



**City
of
Clarksville**

John Spainhoward <john.spainhoward@cityofclarksville.com>

ZONING CASE #Z-55-2020

1 message

Jennifer James <toddjenn99@yahoo.com>

Mon, Dec 28, 2020 at 10:36 PM

To: john.spainhoward@cityofclarksville.com, karenreynoldsvote@gmail.com, ward9@cityofclarksville.com, district2@mcgtn.net

Dear rezoning committee,

As concerned citizens that reside at 341 Fantasy Lane (corner house on Old Russellville Pike) we come to plead against the rezoning of the Old Russellville Pike case for townhouses, apartments and/or duplexes as well as single family homes.

Our home values will drop, we will need increased police patrol as the crime rate increases (with the townhouse, apartments/duplexes).

More concerns, but definitely not all, would be increased traffic flow, one way in/out, water pressure, displacement of wildlife, the danger of the abandoned rock quarry, over crowded buses, over crowded schools, traffic speed through surrounding neighborhoods when drivers are impatiently waiting for others turning off Old Russellville Pike, the danger it puts to drivers at the intersection of Dunbar Cave and Old Russellville Pike as well as Cave Rd and Dunbar Cave Road.

There are so many issues that would need to be addressed before considering any change in this area.

Clarksville needs to work on the infrastructure, before the growth!

Please stop this rezoning proposal!
Thank you for your consideration,
Todd and Jennifer James



**City
of
Clarksville**

John Spainhoward <john.spainhoward@cityofclarksville.com>

Rezoning on Russellville Pike

1 message

Karen Jackson <kg0918@bellsouth.net>
To: john.spainhoward@cityofclarksville.com

Mon, Dec 28, 2020 at 10:15 PM

Please put a stop for the rezoning for the property on Russellville Pike across from the 5 Star radio station. I feel that the rezoning would cause lots of traffic issues and safety issues for surrounding neighborhoods.

Sincerely,
Karen Jackson

Sent from my iPhone



**City
of
Clarksville**

John Spainhoward <john.spainhoward@cityofclarksville.com>

Rezoning

1 message

Stacy Johnson <sarah.feher91@gmail.com>

Mon, Dec 28, 2020 at 6:06 PM

To: john.spainhoward@cityofclarksville.com

I am against the rezoning of old Russellville pike near the radio station

This is a beautiful nature area with families of deer, squirrels and many variety of birds. Do not take away their homes.

Thank you

Denise Feher

312 Candlewood drive

Sent from my iPhone



City
of
Clarksville

John Spainhoward <john.spainhoward@cityofclarksville.com>

Rezoning Old Russellville Pike

1 message

Cynthia Routledge <routledges@bellsouth.net>

Mon, Dec 28, 2020 at 4:41 PM

To: john.spainhoward@cityofclarksville.com

Dear Mr. Spainhoward...

As 26 year residents of Willow Bend Subdivision and tax-paying citizens, we would like to go ON RECORD about our **opposition to the rezoning of the property on Old Russellville Pike from Fantasy Lane to the Old Club House.** The 110 acres that face that portion of Old Russellville Pike is curvy, narrow and already busy enough with the property owners that currently reside in Grassland, Willow Bend and Riverside Estates. **We DO NOT NEED the additional traffic** that the rezoning of this property would surely bring.

Sincerely,

Dr and Mrs Steven Routledge

1515 N. Willow Bend Court

Clarksville, TN. 37043



**City
of
Clarksville**

John Spainhowerd <john.spainhowerd@cityofclarksville.com>

Rezoning on Old Russellville Pike

Jessica Brooks <jessicabrooks81108@gmail.com>

Mon, Dec 28, 2020 at 4:23 PM

To: john.spainhowerd@cityofclarksville.com

To Whom It May Concern,

I am sending this email in regards to the rezoning proposal on Old Russellville Pike Rd across from Fantasy Lane. Please do not grant this for housing. My husband and I purchased a home 5 years ago in the Willow Bend subdivision due to the quiet area and the nature that come through the area. We wanted city living but with a "country" feel. Rezoning this section will cause unnecessary congestion on this road and taking yet more land away from nature that frequent this area. There is no need for more housing in this area as the school system is already overflowing as well. Why build more structures instead of renovating older structures?

I ask that you please consider to reject the proposal to rezone this area. Keep things the way they are for nature, the older community, and the children that already live in this area.

Thank you,
Jessica Brooks

Sent from my iPhone



**City
of
Clarksville**

John Spainhoward <john.spainhoward@cityofclarksville.com>

Fwd: Rezoning on Old Russellville across from radio station and on Fantasy LN

1 message

Angela Latta <angela.latta@cityofclarksville.com>

Tue, Dec 29, 2020 at 12:11 PM

To: John Spainhoward <john.spainhoward@cityofclarksville.com>

----- Forwarded message -----

From: **Linda Potts** <gpotts4202@gmail.com>

Date: Tue, Dec 29, 2020 at 11:35 AM

Subject: Rezoning on Old Russellville across from radio station and on Fantasy LN

To: <RPC@cityofclarksville.com>

Townhouses in that area would cause much of the same difficulties we fought against the Academy building a Sports Field several years ago just down the road. Current property value would go down, flooding of the road would be a big issue, traffic on that narrow piece of road would become horrific. Wild life would also be a major concern. That is the only exit from our community. Please no Townhouses, apartments or duplexes of any sort. Thank you, Linda Potts, 1569 Barrett Dr, Clarksville TN. 931-206-8844



**City
of
Clarksville**

John Spainhoward <john.spainhoward@cityofclarksville.com>

Rezoning Old Russellville Pike

1 message

Allen Head <awh1485@gmail.com>

Tue, Dec 29, 2020 at 1:33 PM

To: john.spainhoward@cityofclarksville.com

Dear Mr Spainhoward

My name is Allen Head and on behalf of me and my wife Janet I would like to let you know that we vigorously oppose the proposed Townhouse construction across from the radio station. We are residents of Willow Bend and live on Renfro Court. We feel that adding these houses will dramatically increase traffic and accident potential on an already busy road. Please note our strong disapproval.

Sincerely

Allen and Janet Head

Sent from my iPad



**City
of
Clarksville**

John Spainhoward <john.spainhoward@cityofclarksville.com>

Fwd: Issue with ZONING CASE #Z-55-2020 - Property fronting on west side of Old Russellville Pike, west & south of Fantasy Ln, west and south of Candlewood Dr intersection

1 message

Angela Latta <angela.latta@cityofclarksville.com>
To: John Spainhoward <john.spainhoward@cityofclarksville.com>

Tue, Dec 29, 2020 at 3:45 PM

----- Forwarded message -----

From: **'Emily Hanna Crane' via GDL_web Planning Commission** <rpc@cityofclarksville.com>

Date: Tue, Dec 29, 2020 at 2:37 PM

Subject: Issue with ZONING CASE #Z-55-2020 - Property fronting on west side of Old Russellville Pike, west & south of Fantasy Ln, west and south of Candlewood Dr intersection

To: RPC@cityofclarksville.com <rpc@cityofclarksville.com>

To Whom it may concern,

I am writing as a concerned citizen about the rezoning of the property at Old Russellville Pike and Fantasy Lane. I have lived on Bluff Drive since 2009 and can assert several concerns about flooding, traffic, and property values.

1. This section of Old Russellville Pike is the only entrance and exit out of several Willow Bend neighborhoods. Flooding is quite a problem at the exact intersection on Old Russellville Pike (which the city/county have not taken care of for some reason), causing drivers to often take an alternate route through our section of Willow Bend, increasing traffic on our narrow streets with no sidewalks and slowing down traffic flow. Adding drivers will only exacerbate the issue. By the way, having no sidewalks in neighborhoods and on busy streets is one of the most short-sighted things I have ever seen.

2. As traffic increases so does the chance for accidents, closing off access in and out of the Willow Bend neighborhoods. As an example, a few years ago there was a large accident at the corner of Fantasy and Old Russellville Pike that involved a modular home that had fallen off the truck while turning a corner. The home and the truck blocked traffic coming in and out of the intersection of Fantasy Lane trapping families, blocking access to neighborhoods that could have needed firetrucks or ambulances, not to mention the number of people coming home late from work or, our case, from studying at the library. It took hours to clear the wreckage in order to allow traffic flow (remember there's a flood zone, so driving "off road" is not a possible solution). This kind of accident was a one-time occurrence, but it shows the danger of accidents blocking access in and out of many neighborhoods. Adding apartments and townhomes instead of a few single-family homes will increase the likelihood of accidents at that very intersection.

3. Our home values have recently risen. Apartments and townhomes would lower our property value. For those of us who desperately need to take out home equity loans to pay off debt and repair things like 30-year-old windows with holes and rotting trim, lowering the value of our homes is devastating. We are a transient city, so families that are moving in and out of the neighborhood would lose value on the sale of their homes, perhaps selling for less than what they paid for. In a time where families are barely hanging on, lowering our property values is not only short-sighted, but just callous.

Please consider my concerns as well as those of other citizens in mind before making a decision that would negatively impact so many people.

Emily Hanna Crane
850-212-7436 (cell)

k



**City
of
Clarksville**

John Spainhoward <john.spainhoward@cityofclarksville.com>

Re: Rezoning Z-55-2020

1 message

alex S <alexisxns36@hotmail.com>

Tue, Dec 29, 2020 at 5:07 PM

To: "john.spainhoward@cityofclarksville.com" <john.spainhoward@cityofclarksville.com>

Alexis Schulz
1395 Old Russellville Pike

Sent from my iPhone

> On Dec 29, 2020, at 5:05 PM, alex S <alexisxns36@hotmail.com> wrote:

>

> Good afternoon,

>

> I'm reaching out in regards to the rezoning of Old Russellville Pike. I would appreciate it if you took mine and my fellow resident's concerns into consideration. I have lived in this area for 2+ years and have come to love it, however traffic on this road far exceeds the capability for the amount of houses we currently have residing in the area. Adding townhomes will only increase traffic, crime, and devalue my home. Not to mention deforestation and misplacement of wildlife during a time when climate change is a crucial topic. After seeing first hand what similar homes like this have brought to neighborhoods in the surrounding Clarksville area I would not welcome this new addition. I know increasing revenue for the city is important for its vital function but this is one project that I have to disagree on. I have signed the online petition and will be attending the online meeting. As stated above please take into consideration dozens of residents who would love to keep the forest in tact with all the beautiful wildlife and nature it brings.

> Thank you

>

> Sent from my iPhone



**City
of
Clarksville**

John Spainhoward <john.spainhoward@cityofclarksville.com>

FW: Rezoning Along Old Russellville Pike

1 message

Dewey and Helga <dandhbrowder@charter.net>
To: john.spainhoward@cityofclarksville.com

Tue, Dec 29, 2020 at 9:17 PM

Mr. Spainhoward, I sent the email below to the city planning commission. I have been advised to share it with you. Thanks for your consideration of this matter that is very important to all residents along the proposed rezoning area bordering on Old Russellville Pike.

Please stop the rezoning effort along Old Russellville Pike. I live in Willow Bend, and I can tell you that the addition of multiple family dwellings with accompanying traffic will have considerable negative consequences for all who live along that narrow road. It is our only route out of the already well-developed area. It is likewise the only way emergency vehicles can get in and out. Clarksville is a growing city, but expansion should be outward. The city needs to preserve the green areas we have left.

Dewey and Helga Browder

1219 Willow Bend Drive

Clarksville, TN

Phone: (931) 552=1061# Cell: (931) 551-6010



**City
of
Clarksville**

John Spainhoward <john.spainhoward@cityofclarksville.com>

ZONING CASE #Z-55-2020 - Property fronting on west side of Old Russellville Pike, west & south of Fantasy Ln, west and south of Candlewood Dr intersection

1 message

Luis V <lvjr7@hotmail.com>

Tue, Dec 29, 2020 at 10:46 PM

To: "RPC@Cityofclarksville.com" <RPC@cityofclarksville.com>, "john.spainhoward@cityofclarksville.com" <john.spainhoward@cityofclarksville.com>

Dear Clarksville RPC, I have multiple Objections to the above referenced Rezoning area, based on the information provided on your website. Please see below:

1) While I agree with everybody on reasons why not to rezone I also want to point out that the road is narrow, there are no sidewalks like most of Ward 9 (almost been run over numerous times while running on ORP and Dunbar Cave Road) of which should be addressed as school age kids and pedestrians are on that road. In addition wildlife concerns and encroachment in the area will increase car accidents and have unintended consequences to the environment. Finally, unless they are planning to fill in that quarry it is a mistake to even consider building there as the drop off is 50 plus feet. While it looks good on a map and Google Earth, it is a hazardous area for young kids that will be in housing with their back facing a huge pit. There are numerous tunnels and pits that will be built on and will settle over time. Will the city have any liability for problems arising in the next 10 - 20 years regarding water, sewer, gas, accidents or for allowing residential structures to be built there? Are they going to widen the road, fix the flooding and add sidewalks that would benefit all the residents on that part of ORP? These are items that should be addressed prior to any rezoning or development of this area.

2) If there is to be residential, it should be "ONLY Single Family Homes" Zoned for that area and NO Zoning for Townhomes, Duplexes, or Apartments (for obvious reasons of increased traffic, crime and lowering the value of current homes in the area, and the list can go on) to be built in the zoning area. Only homes like in "Heritage Estates" and "Willow Bend" Subdivisions should be built.

3) The road (Russellville Pike, south of Fantasy Lane) by the location of the posted "Rezoning Sign" currently ALWAYS FLOODS (a "Flooding Sign" is temporarily setup when it rains heavily) and this issue NEEDS to be corrected/resolved before moving forward with the rezoning change. Please keep me informed about the Rezoning at this location as it's the ONLY road in and out to the many subdivisions South of that area.

Thank you,
Luis Velazquez
Willow Bend Subdivision
Email: lvjr7@hotmail.com
931-538-8878 (C)
931-553-6918 (H)



**City
of
Clarksville**

John Spainhoward <john.spainhoward@cityofclarksville.com>

Fwd: Rezoning on Old Russellville Pike

1 message

Angela Latta <angela.latta@cityofclarksville.com>

Wed, Dec 30, 2020 at 8:18 AM

To: John Spainhoward <john.spainhoward@cityofclarksville.com>

----- Forwarded message -----

From: **Kathleen Hunt** <teachingmom2009@gmail.com>

Date: Wed, Dec 30, 2020 at 3:23 AM

Subject: Rezoning on Old Russellville Pike

To: <RPC@cityofclarksville.com>

To whom It May Concern,

My name is Kathleen Hunt. I have lived in the Willow Bend Subdivision since 1989 and am concerned that rezoning the land on Old Russellville Pike across from the Five Star Radio Group would significantly impact my community in a negative way. There is only way into that area and only one way out on a two-lane road. There is no way to widen the road. The traffic would significantly increase and the road is not able to handle an increase like that. There is also the rock quarry with the cave system that is a cause for concern. Also, I worry that the wildlife in the area will be impacted as such a rezoning and building of townhomes will push them out of their home. We love and depend on the wildlife of the area. My family loves having the wildlife in our backyards. Living in this area gives us the feel of living in the country while living in the city limits. Rezoning would impact the noise levels as well. The infrastructure cannot handle a build like what is planned. For these reasons I am against the rezoning of the portion of land on Old Russellville Pike for building townhomes. Please leave the area as it is. Thank you!

Kathleen Hunt

Sent from my iPhone

ZO-5-2020 City Zoning Ordinance Amendments

TABLE 4.2 -- SINGLE FAMILY RESIDENTIAL

ZONING	E-1	R-1	R-1A	R-2	R-2A
Minimum/Maximum Area For New Zone District	N/A	N/A	N/A	N/A	N/A
Minimum Lot Area (See Section 4.1.3 For Exceptions)					
• Dwelling and Accessories Thereto	1 acre (1)	15,000 sq. ft. (1)	12,000 sq. ft. (1)	9,000 sq. ft. (1)	6,000 sq. ft. (1)
• Other Principal Uses	1.5 acres	1 acre	1 acre	30,000 sq. ft.	30,000 sq. ft.
Minimum Lot Width (At The Front Setback Line)					
• Dwellings and Accessories Thereto	120 feet	90 feet	80 feet	60 feet	50 feet
• Other Principal Uses	150 feet	150 feet	150 feet	120 feet	120 feet
Minimum Frontage Requirement					
• All Uses (See Section 4.2)	50 feet	25 feet	25 feet	25 feet	25 feet
Minimum Front Yard Setbacks (See Section 4.1.1 For Exceptions)					
• All Uses	40 feet	40 feet	40 feet	40 feet	40 feet
Minimum Side Yard Setbacks (See Section 4.1.1. For Exceptions)					
• Dwellings (T = The Total for Both Side Yard Setbacks)	20 feet	10 feet T=30 feet (3)	10 feet T=20 feet (3)	8 feet T=20-16 feet (3)	8-5 feet T=20-10 feet (3)
• Unattached Accessory Uses	10 feet	10 feet	10 feet	10 feet	40 feet
• Other Principal Uses	35 feet	25 feet	25 feet	20 feet	20 feet
Minimum Rear Yard Setbacks (See Section 4.1.1 For Exceptions)					
• Principal Uses	40 feet	25 feet	25 feet	25 feet	25 feet
• Unattached Accessory Uses	10 feet	10 feet	10 feet	10 feet	10 feet
Maximum Lot Coverage (All Combined Uses)	25 percent	30 percent	35 percent	40 percent	45 percent
Maximum Height of Structures (See Section 4.1.2 for Exceptions)					
• All Uses	35 feet (2)	35 feet (2)	35 feet (2)	35 feet (2)	35 feet (2)
Site Plan Required (See Section 5.10 For Site Plan Requirements)	No	No	No	No	No

NOTES:

- (1) Only one (1) residential building per lot, except where a guest house is allowed;
- (2) Unattached buildings of accessory use shall be no higher than principal structure or twenty-five (25) feet, whichever is greater;
- (3) To facilitate the use of side/rear entry garages, side yard setbacks can be reduced to a minimum of five (5) feet on one (1) side with the total required of the two sides being maintained.

TABLE 4.3 – SINGLE, TWO, THREE AND MULTI-FAMILY RESIDENTIAL

ZONING	R-2D	R-3	R-4	R-5	R-6 (6)
Minimum/Maximum Area For New Zone District	N/A	N/A	2 acres minimum	2 acres minimum	N/A
Minimum Lot Area (See Section 4.1.3 For Exceptions)					
• Dwelling and Accessories Thereto	12,000 sq. ft. (1)	12,000 sq. ft. (1)	11,000 sq. ft. (4)	5,500 sq. ft. (4)	2,500 sq. ft. (1), (4)
• Other Principal Uses	30,000 sq. ft.	30,000 sq. ft.	20,000 sq. ft.	20,000 sq. ft.	
Minimum Lot Width (At The Front Setback Line)					
• Dwellings and Accessories Thereto	75 feet	80 feet	90 feet	90 feet	25 feet
• Other Principal Uses	120 feet	100 feet	100 feet	100 feet	
Minimum Frontage Requirement					
• All Uses (See Section 4.2)	25 feet	25 feet	25 feet	25 feet	20 feet
Minimum Front Yard Setbacks (See Section 4.1.1 For Exceptions)					
• All Uses	40 feet	40 feet	40 feet	40 feet	20 feet
Minimum Side Yard Setbacks (See Section 4.1.1. For Exceptions)					
• Dwellings (T = The Total for Both Side Yard Setbacks)	8 feet T=20 feet (3)	8 feet T=20 feet (3)	10 feet	10 feet For the subject tract (5)	5 feet T=10 for both sides
• Unattached Accessory Uses	10 feet	10 feet	10 feet	10 feet	5 Feet
• Other Principal Uses	20 feet	25 feet	25 feet	25 feet	10 Feet
Minimum Rear Yard Setbacks (See Section 4.1.1 For Exceptions)					
• Principal Uses	20 feet	20 feet	25 feet	25 feet	20 feet
• Unattached Accessory Uses	10 feet	10 feet	10 feet	10 feet	10 feet
Maximum Lot Coverage (All Combined Uses)	40 percent	40 percent	50 percent	50 percent	60 percent
Maximum Height of Structures (See Section 4.1.2 for Exceptions)					
• All Uses	35 feet (2)	35 feet (2)	N/A	N/A	45 feet
Site Plan Required (See Section 5.10 For Site Plan Requirements)	No	Yes	Yes	Yes	No

NOTES:

- (1) Only one (1) residential building per lot, except where a guest house is allowed;
- (2) Unattached buildings of accessory use shall be no higher than principal structure or twenty-five (25) feet, whichever is greater;
- (3) To facilitate the use of side/rear entry garages, side yard setbacks can be reduced to a minimum of five (5) feet on one (1) side with the total required of the two sides being maintained;
- (4) Maximum density of sixteen (16) units per acre is allowed;
- (5) Plus one (1) additional foot for each five (5) feet of height for any structure exceeding thirty-five (35) feet in height.
- (6) Sidewalks along street frontage are mandatory

5.1.7 RESIDENTIAL USES PERMITTED WITH CONDITIONS (PC)

Multi-Family and Townhouses in the C-2 District:

1. For multi-family dwellings, the following conditions shall be met:
 - A. Multi-family dwellings may be located in the same or separate structures as non-residential uses.
 - B. Single-family detached structures are permitted provided they are located on a common lot, tract or parcel in a horizontal property regime. Off-street parking and primary access to such single-family detached structures ~~shall be encouraged to~~ be ~~on~~ the side or rear of the dwellings.
- ~~2. For townhouses, the following conditions shall be met:
 - A. No more than eight (8) single-family attached dwellings may be attached to one another.
 - B. Each townhouse unit must be a minimum of sixteen (16) feet wide.
 - C. Off-street parking for and primary access to townhouses shall be to the side or rear of the building containing the dwelling units.~~
3. See Section 6.1.2, ~~Paragraph AB~~ for a possible variance for off-street parking for mixed-use development with multi-family dwellings in the same or separate structures on the same tract, parcel or lot.
4. Sidewalks along street frontages are mandatory.

4.1.1 Building Setback Exceptions

- H. If right-of-way (ROW) is dedicated through the Subdivision process that would increase the setbacks (MBSL) of adjacent lots, tracts, and parcels, the front and side street MBSL of those existing properties shall remain the same as they were prior to the ROW dedication for the purpose of site plan or building permit. Any subdivision of the existing adjacent lots, tracts, and parcels shall require full compliance with Chapter 4 District Bulk Regulations and Exceptions as outlined in the Clarksville Zoning Ordinance or Montgomery County Zoning Resolution.

5.10 SITE PLAN REQUIREMENTS

Whenever regulations contained in this Section are different from regulations contained in other City Ordinances, the most restrictive regulations shall prevail.

Purpose: Site Plan Review is intended to advance public safety and well-being through harmonious development that advances the public interests such as; multi-modal transportation, minimum standards, and overall site safety.

- A. The provisions of this section shall apply to all uses, except single-family, ~~and~~ two-family dwellings, and their accessory structures on individual lots. No building or structure shall be erected in any zone district until and unless a site plan meeting the requirements of this section has been submitted and approved by the Regional Planning Commission.
 - ~~I. Staff Minor~~ level review. Site plan review and approval may be handled at the Planning Commission staff level and may not require Regional Planning Commission approval ~~under the following circumstances; if~~
 - ~~H.I.~~ A any one parcel or site is in a platted subdivision, or lot of record less than or equal to 1 acre, AND any one of the following circumstances:-

- a. Any building addition where the existing building's gross square footage is expanded by less than twenty-five percent (25%) but greater than three percent (3%).
- b. Any new sign over fifty (50) feet in height in a new location for an existing building.
- c. Any new building less than 15,000 square feet
- d. Any new Multi Family development less than 16 total units
- b.e. Communication towers and equipment sheds.

2. Procedure.

- A. Filing of application and plans. An application for site plan review shall be submitted together with a designated number of copies of the proposed site plan and a ~~simplified 8 1/2" x 11" reduction~~ digital PDF copy of the proposed site plan to the Planning Commission staff. Regular meeting dates and times, and the deadline for each regular meeting, shall be established by the Regional Planning Commission Office. The Planning Commission staff shall acknowledge receipt of the application by the ~~signing and~~ dating of said application by any person so authorized. The Planning Commission staff shall forward one of said copies to all appropriate City, County or State agencies or utility districts.
 - B. Informational review. The Planning Commission staff shall determine whether all information pertinent to the review has been provided and within ~~seven (7)~~ ten (10) calendar days of application deadline shall notify the applicant that either:
- CC. Site plan shall include a pedestrian circulation plan to include a combination of internal sidewalks, crosswalks, and/or access ramps, etc. and shall meet American with Disabilities Act (ADA) regulations at the time of construction. Sidewalks shall be required at the discretion of the Regional Planning Commission.

ORDINANCE 55-2020-21

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF REDA HOME BUILDERS, REDA HOME BUILDERS, INC.-AGENT, FOR ZONE CHANGE ON PROPERTY LOCATED AT THE INTERSECTION OF PROVIDENCE BOULEVARD AND SHELBY STREET

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned R-3 Three Family Residential District, as R-4 Multiple Family Residential District.

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at an iron pin in the west right of way of Shelby Street said iron pin being north 03 degrees 19 minutes 15 seconds east, 580.07 feet more or less from the intersection of the centerline of Shelby Street & US Highway 41A and running thence south 89 degrees 48 minutes 16 seconds west 145.84 feet to an iron pin; thence north 01 degrees 55 minutes 19 seconds east 125.00 feet to an iron pin; thence north 89 degrees 58 minutes east 153.07 feet to an iron pin; thence south 5 degrees 14 minutes 28 seconds west 125.00 feet to the point of beginning and containing 0.43 +/- acre

ORDINANCE 56-2020-21

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF EAGLES BLUFF PARTNERSHIP FOR ZONE CHANGE ON PROPERTY LOCATED EAST OF WHITFIELD ROAD AND SOUTH OF TRACY LANE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned R-1 Single Family Residential District, as R-4 Multiple Family Residential District.

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a new iron pin located in the southeast corner of the new division, said pin being located North 06 degrees 33 minutes 10 seconds East 621.41 feet from the southwest corner of the Eagles Bluff Partnership Property thence along a new division line North 83 degrees 26 minutes 50 seconds West 192.14 feet to a new iron pin; thence along a new division line North 24 degrees 44 minutes 33 seconds West 324.45 feet to a point in a maple tree; thence along the Donnie L. Haskins Property for the next two calls as follows: North 59 degrees 23 minutes 52 seconds East 22.86 feet to a new iron pin; thence North 65 degrees 39 minutes 52 seconds East 152.70 feet to a new iron pin; thence along the Donnie Haskins Property for the next two calls as follows: North 52 degrees 13 minutes 52 seconds East 122.89 feet to a new iron pin; thence North 60 degrees 01 minutes 52 seconds East 72.46 feet to an old iron pin; thence along the Eagles Bluff Partnership property for the next two calls as follows: South 01 degree 53 minutes 29 seconds East 418.58 feet to an old iron pin; thence South 06 degrees 33 minutes 10 seconds West 86.63 feet to the point of beginning containing 2.50 acres.

ORDINANCE 57-2020-21

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF JEFF ROBINSON, CODY DAHL-AGENT, FOR ZONE CHANGE ON PROPERTY LOCATED SOUTH OF MCCLURE STREET, WEST OF N. 2ND STREET, EAST OF N. 1ST STREET, AND NORTH OF BOGARD LANE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned R-4 Multiple Family Residential District, O-1 Office District, and H-1 Overlay District, as CBD Central Business District, H-1 Overlay Central Business District.

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point, said point being in the southern right of way margin of McClure St., further identified as the southwest corner of the McClure St & North Second St. intersection, thence in a southwesterly direction 341 +/- feet with the southern right of way margin of McClure St. to a point, said point being the northeast corner of the Peggy Brown property, thence in a southerly direction 75 +/- feet with the eastern boundary of the Peggy Brown property to a point, said point being in the southeast corner of the Peggy Brown property thence in a westerly direction with the southern boundary of the Peggy Brown property to a point, said point being in the eastern right of way margin of North First St. thence in a southerly direction 83 +/- feet with the eastern right of way margin of North First St. to a point, said point being the northwest corner of the Gilbert V. Verbist property, thence in a easterly direction 186 +/- feet with the northern boundary of the Gilbert V. Verbist property, to a point, said point being in the western boundary of the A J Saunders, thence in a northerly direction 35 +/- feet, with the western boundary of the A J Saunders property to a point, said point being the northwest corner of the A J Saunders property, thence in a easterly direction 94 +/- feet to a point, said point being the northeast corner of the A J Saunders property, thence in a southerly direction 45 +/- feet, to a point, said point being the northwest corner of the A J Saunders property, thence in a easterly direction 169 +/- feet with the northern boundary of the A J Saunders property to a point, said point being in the western right of way margin of North Second St., thence in a northerly direction 176 +/- feet with the western right of way margin of North Second St. to the point of beginning, said herein described tract containing 1.44 +/- acres.

ORDINANCE 58-2020-21

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF S L ENDEAVORS(MICHA STAIR, LUKE STAIR) FOR ZONE CHANGE ON PROPERTY LOCATED ON THE SOUTH FRONTAGE OF CALDWELL LANE AND THE EAST FRONTAGE OF ROBERT STREET

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned R-2 Single Family Residential District, as R-2 Single Family Residential District.

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point, said point being in the southern right of way margin of Caldwell Ln. at the western terminus of Caldwell Ln., thence in a easterly direction 520 +/- feet with the southern right of way margin of Caldwell Ln. to a point, said point being the northwest corner of the Riggins Group, LLC property this in a southerly direction 158 +/- feet to the southwest corner of the Riggins Group, LLC property, thence in a easterly direction 60 +/- feet with the southern boundary of the Riggins Group, LLC property to a point, said point being in the western right of way margin of Robert St. thence in a southerly direction 99 +/- feet with the western right of way margin of Robert St, to a point, said point being the northeast corner of the Gilliard Family Rev Trust property, thence in a westerly direction 122 +/- feet with the northern boundary of the Gilliard Family Rev Trust property, the northwest corner of the Gilliard Family Rev Trust property, thence in a southerly direction with the western boundary of the Gilliard Family Rev Trust property to a point, said point being in the northern boundary of the Finus H. Wright, Jr., thence in a westerly direction 130 +/- feet with the northern boundary of the Finus H. Wright, Jr. property to a point, said point being in the eastern boundary of the Johnny D, Kraeske property, thence in a northerly direction 339 +/- feet with the eastern boundary of the Johnny D, Kraeske property to the point of beginning, said herein describer tract containing 1.57 +/- acres.

ORDINANCE 59-2020-21

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF MSI HOMES, SHAWN BERNER-AGENT, FOR ZONE CHANGE ON PROPERTY LOCATED AT THE INTERSECTION OF MONROE STREET AND EDMONDSON FERRY ROAD

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned R-2 Single Family Residential District, as R-3 Three Family Residential District.

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point, said point being 227 +/- feet in a westerly direction from the centerline of the Monroe St. & Edmondson Ferry Rd intersection, said point also being the southeast corner of the Jeffery E. Pfeffer property, thence in a northerly direction 143 +/- feet to a point, said point being the southwest corner of the Pamela Ann Claxton property, thence in a easterly direction 102 +/- feet to a point, said point being located in the western boundary of the Maxine Caldwell Johnson property, thence in a southeasterly direction 81 +/- feet to a point, said point being the northwest corner of the Herbert L. Majors property, thence in a southwesterly direction 51 +/- feet with the western boundary of the Herbert L. Majors property to a point, said point being in the northern right of way margin of Monroe St. thence in a westerly direction 124 +/- feet with the northern right of way margin of Monroe St. to the point of beginning, said herein described tract containing 0.36 +/- acres.

ORDINANCE 60-2020-21

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF L. C. SIMPSON, ET AL, NORMA S. JONES, GREENSPACE PARTNERS-AGENT, FOR ZONE CHANGE ON PROPERTY LOCATED AT THE INTERSECTION OF OLD RUSSELLVILLE PIKE AND FANTASY LANE AND AT THE INTERSECTION OF OLD RUSSELLVILLE PIKE AND CANDLEWOOD DRIVE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned M-2 General Industrial District and R-1 Single Family Residential District, as R-1 Single Family Residential District, R-5 Residential District, and R-6 Single Family Residential District.

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

R-1 Zoning Description:

A tract of land located in the Twelfth Civil District of Montgomery County, Tennessee, said tract being generally located west of and adjacent to Old Russellville Pike, south of Andrew Jackson Drive and north of Grassland Drive. Said tract is more fully described as follows: Commencing at an iron pin being the northeast corner of the herein described tract, said point being located at 126.5' south of the centerline intersection of Andrew Jackson Drive and Old Russellville Pike. Thence on a curve to the left having a radius of 1525.00 feet, arc length of 243.32 feet and whose chord bears S 38° 19' 54" W for a chord distance of 243.06 feet to a point; Thence S 33° 45' 39" W for a distance of 564.41 feet to a point; Thence on a curve to the right having a radius of 4975.00 feet, arc length of 56.20 feet and whose chord bears S 34° 05' 04" W for a chord distance of 56.20 feet to a point; Thence N 70° 30' 24" W for a distance of 152.77 feet to a point; Thence N 60° 24' 41" W for a distance of 64.51 feet to a point; Thence S 90° 00' 00" W for a distance of 153.14 feet to a point; Thence N 68° 57' 16" W for a distance of 42.24 feet to a point; Thence N 54° 19' 58" W for a distance of 85.85 feet to a point; Thence N X73° 25' 27" W for a distance of 52.21 feet to a point; Thence S 76° 13' 44" W for a distance of 56.20 feet to a point; Thence S 65° 47' 53" W for a distance of 114.70 feet to a point; Thence S 80° 11' 59" W for a distance of 150.79 feet to a point; Thence N 35° 12' 32" E for a distance of 852.38 feet to a point; Thence S 81° 50' 30" E for a distance of 833.13 feet to the point of beginning; Said property contains 13.88 acres, more or less.

R-6 Zoning Description:

A tract of land located in the Twelfth Civil District of Montgomery County, Tennessee, said tract being generally located west of Old Russellville Pike, south of Andrew Jackson Drive and north of Grassland Drive. Said tract is more fully described as follows: Commencing at an iron pin being the northeast corner of the herein described parent tract, said point being located at 126.5' south of the centerline intersection of Andrew Jackson Drive and Old Russellville Pike. Thence N 81° 50' 30" W for a distance of 833.13 feet to the true Point of Beginning; Thence S 35° 12' 32" W for a distance of 1130.97 feet to a point; Thence N 54° 47' 28" W for a distance of 700.50 feet to a point; Thence N 39° 25' 27" E for a distance of 299.57 feet to a point; Thence N 31° 00' 05" W for a distance of 374.39 feet to a point; Thence N 58° 59' 55" E for a distance of 191.73 feet to a point; Thence on a curve to the left having a radius of 5450.00 feet, arc length of 407.48 feet and whose chord bears N 56° 51' 24" E for a chord distance of 407.39 feet to a point; Thence S 07° 56' 15" W for a distance of 247.65 feet to a point; Thence S 81° 50' 30" E for a distance of 763.49 feet to the point of beginning; Said property contains 18.15 acres, more or less.

R-5 Zoning Description:

A tract of land located in the Twelfth Civil District of Montgomery County, Tennessee, said tract being generally located west of and adjacent to Old Russellville Pike, south of Andrew Jackson Drive and north of Grassland Drive. Said tract is more fully described as follows: Commencing at an iron pin being the northeast corner of the herein described parent tract, said point being located at 126.5' south of the centerline intersection of Andrew Jackson Drive and Old Russellville Pike. Thence S 29° 07' 19" W for a distance of 2434.80 feet to the true Point of Beginning; Thence S 07° 39' 10" W for a distance of 379.48 feet to a point; Thence S 76° 34' 45" W for a distance of 775.88 feet to a point; Thence N 03° 35' 35" W for a distance of 416.95 feet to a point; Thence N 43° 03' 52" E for a distance of 243.93 feet to a point; Thence N 28° 02' 31" W for a distance of 198.43 feet to a point; Thence S 78° 48' 49" W for a distance of 215.50 feet to a point; Thence N 18° 31' 00" W for a distance of 214.82 feet to a point; Thence N 32° 07' 07" W for a distance of 724.34 feet to a point; Thence N 44° 28' 17" W for a distance of 412.21 feet to a point; Thence N 22° 17' 54" E for a distance of 224.05 feet to a point; Thence on a curve to the right having a radius of 1430.00 feet, arc length of 915.97 feet and whose chord bears N 40° 30' 54" E for a chord distance of 900.39 feet to a point; Thence N 58° 59' 55" E for a distance of 202.17 feet to a point; Thence S 31° 00' 05" E for a distance of 374.39 feet to a point; Thence S 39° 25' 27" W for a distance of 299.57 feet to a point; Thence S 54° 47' 28" E for a distance of 445.62 feet to a point; Thence S 05° 20' 00" W for a distance of 1015.99 feet to a point; Thence S 39° 54' 54" E for a distance of 399.99 feet to a point; Thence S 03° 08' 55" W for a distance of 130.73 feet to a point; Thence S 86° 48' 48" E for a distance of 345.58 feet to the point of beginning; Said property contains 44.79 acres, more or less.

Good Evening,

I am sending out a second note to the residents of Ward 9 that have contacted me in the past few days regarding the rezoning of the property off Russellville Pike. I appreciate all of you reaching out and meeting with several of you on Sunday. I am addressing the group in this email.

The rezoning was addressed in the Agenda item #6.

[Agenda-12-30-2020-1.pdf \(cmcrpc.com\)](#)

6. CASE NUMBER: Z-55-2020 APPLICANT(S): L C Simpson, Et Al Norma S Jones AGENT: Greenspace Partners REQUEST: M-2 General Industrial District / R-1 Single-Family Residential District to R-1 Single-Family Residential District / R-5 Residential District/ R-6 Single-Family Residential District LOCATION: Property fronting on the west frontage of Old Russellville Pike, west & south of the Old Russellville Pike & Fantasy Ln. intersection, also west & north of the Old Russellville Pike & Candlewood Dr. intersection. TAX MAP(S): 056 PARCEL #: 073.00/074.00/074.01/074.02 CIVIL DISTRICT: 12 REASON FOR REQUEST: To redevelop into mixed use neighborhood with single family and townhome components. CO. COMM. DISTRICT: 2 CITY COUNCIL WARD: 9

The link to the maps is [Z-55-2020 SIMPSON-JERLES.pdf - Google Drive](#)

My understanding is the residences will consist of single family homes to include homes built on smaller lots and Townhomes. There is a plan to have two entrances to the property, one at the end of Heritage Drive and one onto Old Russellville Pike.

I spoke with the planning commission prior to the meeting on the 30th to obtain more information. I also spoke to Mr. Sid Hedrick who is the Real Estate Broker with Byers and Harvey. Both people indicated the following points:

1. The property is currently zoned M2 - Manufacturing
2. The property was leased by Vulcan to prevent another company from operating a quarry and the lease has expired.
3. If this property is not rezoned it could return to manufacturing.

I spoke to the Planning Commission and I am aware that we do have a housing shortage in our community. The goal of our planners is to "in-fill" and stop the sprawl. The reference that has been shared with me is the population of Clarksville 165,000 and San Francisco, CA is 833,000; they are both around 80 square miles.

I also reached out to the County Commissioner Joshua Beal to ask how we plan in our school systems for these additional homes. He indicated that is also an area that our community struggles with.

I have read your emails and I respect your concerns. Below is an outline of the concerns I have received. If I missed one please let me know and I will update the list.

The items numbered are a summation of concerns from City Councilperson Karen Reynolds to Sid Hedrick. The **Response** is from Mr. Syd Hedrick, Real Estate Broker/Real Estate Appraiser, Byers and Harvey, Inc. 931-237-4137

1. Conservative estimate: 350-400 additional residences – 750 automobiles.

Response: Based on the developer and the engineer's information, the number of units will be between 165-166 single family homes and between 144-148 condominium units. So the total number of units planned for the area is 310-313 units total. Of course as we discussed previously, this will be confirmed at the site plan approval with the Regional Planning Commission. Mr. Bryce Powers, the developer (along with his partners) have indicated he does not think there will be major changes to this; however, if there are changes it would be for less units after being reviewed for regulations at the site plan approval step of development.

2. Additional Traffic on Old Russellville Pike: The road is inadequate for the additional traffic. There is concern that the additional traffic could block emergency access and escape.

Response: Based on a traffic assessment by a professional engineering firm, and after having been reviewed by the street department, this portion of Old Russellville Pike has approximately 273 vehicles at Peak hours (in the afternoon/evening). This is 17% of the road's capacity. Once the development is complete this portion of Old Russellville Pike will only see an increase to 22% of the road's capacity. This is less than 1/4 of the capacity of the road. While the additional vehicles may be considered a hindrance to those who live in the area, a professional engineering firm has determined that the road is very low on capacity with and without the development.

3. Old Russellville Pike is the only access into the neighborhood. It is a narrow road that truly requires to be widened with a sidewalk/bike path to accommodate additional growth. It is noted that Syd Hedrick addressed this in an informal non-binding conversation indicating they planned to leave a buffer along Old Russellville to accommodate a future expansion.

Response: The plat provided to you indicates an access along Old Russellville Pike as well as through Heritage Drive. This will allow for two access points into the neighborhood, which are per the regulations of the Regional Planning Commission. There will be a buffer along ORP. The neighborhood itself will have sidewalks. Any sidewalks or road widening into that buffer will be at the behest of the street department, and not something required of the developer.

4. The entrance from Cave Road onto Heritage Drive into the proposed neighborhood: The issue is this road is not built to accommodate the additional cars and there are no sidewalks. The neighborhood often has cars parked on the road because this did not interfere with the traffic flow.

Response: This will not be the primary access to the neighborhood. At the time of the development of Heritage Drive, sidewalks were not a requirement of the developer (Goad Construction). As far as cars parked along the road, it is likely there are restrictions in the subdivision which do not allow cars being parked overnight. If this problem persists for the residents, they may want to take it up with the Home Owner's Association, or speak to the City of Clarksville Codes department. This access is also important due to 911 access.

5. The intersection of Old Russellville Pike and Dunbar Cave Road is already congested and adding the additional traffic will make the intersection unsafe. We discussed adding a left hand turn lane and possibly a stop light. **This was a discussion prior to this zoning request.**

Response: As discussed, this intersection falls outside of the purview of the developer. Based on the traffic study this rezone request will not increase traffic at this already difficult intersection; however, if the property is not rezoned to residential use, the increased heavy truck traffic which would come with the use of the industrial zoning could become even more of an issue.

6. Additional entrance from Wilma BLVD to bring the traffic out of the area and protect Old Russellville Pike.

Response: The property does not go all the way out to Wilma Rudolph, and if it did, it would have to cross a railroad track. Being that the intended use is residential, crossing a railroad track is not ideal when dealing with school bus traffic. The two proposed entrances and exits meet the requirements of subdivision regulations, and will not increase traffic as believed by the residents, based on the opinion of a professional traffic study.

7. The closed Quarry has been closed but there is a drop off is 50 plus feet. It is a hazardous area for young kids that will be in housing with their back facing a huge pit. There are numerous tunnels and pits that will be built on and will settle. Will the city have any liability for problems arising in the next 10 - 20 years regarding water, sewer, gas or for allowing residential structures to be built there?

Response: The safety at the Quarry is very important. Residential development would actually help to reduce the problem tenfold. Currently the area is relatively barren and remote making it a place for homeless to camp, or really anybody to visit without adequate supervision. Once new development is in the area, the desire for youthful traffic or the homeless will decrease. Once the development is completed the full perimeter of the Quarry itself will be blocked off and supervised through ownership of

the HOA. This will also be part of approximately 65 acres which is not developed and will remain a great natural preserve for wildlife in the area due to the access to the Red River. There has been discussion with Clarksville Parks and Recreation about the city taking the property as a gift and including it into the Greenway and Blueway project. Currently, Jennifer Letourneau (director of Parks and Recreation) is looking into the possibility of setting up a Foundation to receive such a gift.

Utilities on site- any utilities installed for the development will have to be done to all new standards per CDE and Gas and Water. While after completion of the development these utilities will be dedicated to the City and those entities for maintenance, the installation is done by the developer (at his cost), and done to the specifications of the City or appropriate utility company. Within the next 10-20 years maintenance will be required, but capacity issues will be addressed at installation and paid for by the developer at the time of installation.

8. Concern for flooding in the area due to the river. This was also noted in the Map and parcel. Many people were concerned if the expansion would affect the floodplain.

Response: The area near the river is in the FEMA 100 yr flood plain. None of this property will be a part of the development where residences will be located. It will be a part of the property owned and maintained by the HOA. This should not be an issue as the engineering related to the development will be done per the drainage regulation set forth by the Street Department.

9. Rezoning from M2 (Industrial) to R1/R5/R6-the report indicated that this would be similar to industrial. The industry has not existed for 30 years, many people indicated this was not a relevant comparison.

Response: Rezoning from M2 down to a Residential Zoning is very much relevant.

So much so, that I believe if the residents know about its relevance then their concerns will be for the zoning to not be successful. For the last 30 years or so the industrial portion of the property has been encumbered by a lease preventing it from being used; however, the lease has expired and the property can now be used as zoned. When the current owners came to me to market the property for sale we determined that the highest and best use would be as a residential development; therefore, it has only been marketed to developers for residential development. Should this zoning fail, and the sellers have me market for the industrial use, development under the M2 zoning standards will be a matter of right. So a Quarry could be reopened, a manufacturing facility could be built, and any number of things could be built per the zoning code of the City of Clarksville (more than likely something much more noxious to the residents).

##10. There is a concern that adding the townhomes/apartments will decrease property value and increase crime. There was a split, many of the residents mostly concerned about the number of additional homes on the road and others were concerned about the apartments and only requested that the area be zoned for single family residents. This was the number one concern for most citizens.

Response: Just to be clear, a townhome is the style of the unit. All units built will be for resale, and not for rental purposes. These townhomes will be part of a condominium association and subject to restrictions and an HOA. As a certified residential real estate appraiser (TN CR-4116), I will guarantee that the presence of condominiums (in a townhouse style) will not harm property values.

11. Wildlife in the area will be displaced.

Response: Of the 112+/- acres being rezoned, approximately 65 acres of it will remain untouched. It will be used as buffer areas for topography, buffers against Old Russellville Pike, etc. This acreage, which includes the Quarry, will remain a natural habitat for the wildlife in the area. Especially due to the proximity of the Red River as well as the honeycombed cave systems found in and around the Quarry and rock faces.

12. Utilities in the area are already stressed to include decreased water pressure as reported by one resident.

Response: All utilities in the area will be built to the specification of the appropriate utility company. The water for instance, if required, will include appropriate upgrades to prevent any further stress on the

existing system. The final plat cannot be approved unless the utilities are built to service the infrastructure needed for the proposed plat in question.

13. The schools are already utilizing portables. The residents indicated they understood that there is a school that is getting built but still expressed concern.

Response: School Capacity:

The development will be a 3-5 year project. By the time the development is built out, the new school complex will be operational, thus alleviating any overcrowding currently referenced by residents. Furthermore, my wife is the Director of Virtual School for Montgomery County. The Montgomery County Virtual School was developed not as a result of the Pandemic, but rather as a result of the overcrowding district wide. Currently, approximately 10,000 of the 36,000 students in the district are registered for Virtual School.

I hope these responses are helpful to you. The intent is to use the property to its highest and best use, and that is for residential development. The specific zonings requested have been carefully considered and discussed at meetings between myself, the developer, and the professional staff at the Regional Planning Commission. Nobody likes change, and being slightly inconvenienced for the overall good of our community is worth the price when the alternate outcome could mean a use that is not beneficial to the residents, and the possibility of that will loom with the current zoning. I hope that you will look at my personal track record as an advocate for zoning cases, as well as look at the developments built by Greenspace Partners, and Providence Builders to see that they are well respected local contractors and developers who have the best interest of Clarksville as a line item in their proforma.

I spoke with the planning commission prior to the meeting on the 30th to obtain more information. I also spoke to Mr. Sid Hedrick who is the Real Estate Broker with Byers and Harvey. Both people indicated the following points:

1. The property is currently zoned M2 - Manufacturing
2. The property was leased by Vulcan to prevent another company from operating a quarry and the lease has expired.
3. If this property is not rezoned it could return to manufacturing.

I spoke to the Planning Commission and I am aware that we do have a housing shortage in our community. The goal of our planners is to "in-fill" and stop the sprawl. The reference that has been shared with me is the population of Clarksville 165,000 and San Francisco, CA is 833,000; they are both around 80 square miles.

I also reached out to the County Commissioner Joshua Beal to ask how we plan in our school systems for these additional homes. He indicated that is also an area that our community struggles with.



City
of
Clarksville

Sylvia Skinner <sylvia.skinner@cityofclarksville.com>

Re-zoning on Old Russellville Pike Road

1 message

bluedreamss@charter.net <bluedreamss@charter.net>

Wed, Jan 6, 2021 at 1:21 PM

To: "sylvia.skinner@cityofclarksville.com" <sylvia.skinner@cityofclarksville.com>

I wanted to let the city council know that I am **very, very much against** the re-zoning on Old Russellville Park Rd across from the Radio Station.

There are a lot of wildlife that lives in this area and I can't see pushing them out of their respective homes. I enjoy seeing these animals and birds being happy. We have a bird feeder that is used all the time.

There are plenty of houses and apartments that can be bought or rented throughout Clarksville. I also see a lot of property that is being built on for houses and/or apartments throughout Clarksville as well. There is no need to build there. Plus, there is only one road that leads in and out of this neighborhood.

I hope the city council will take this into consideration. I know I am only one voice but I hope it does some good.

Thank you,

Shirley M Korbe

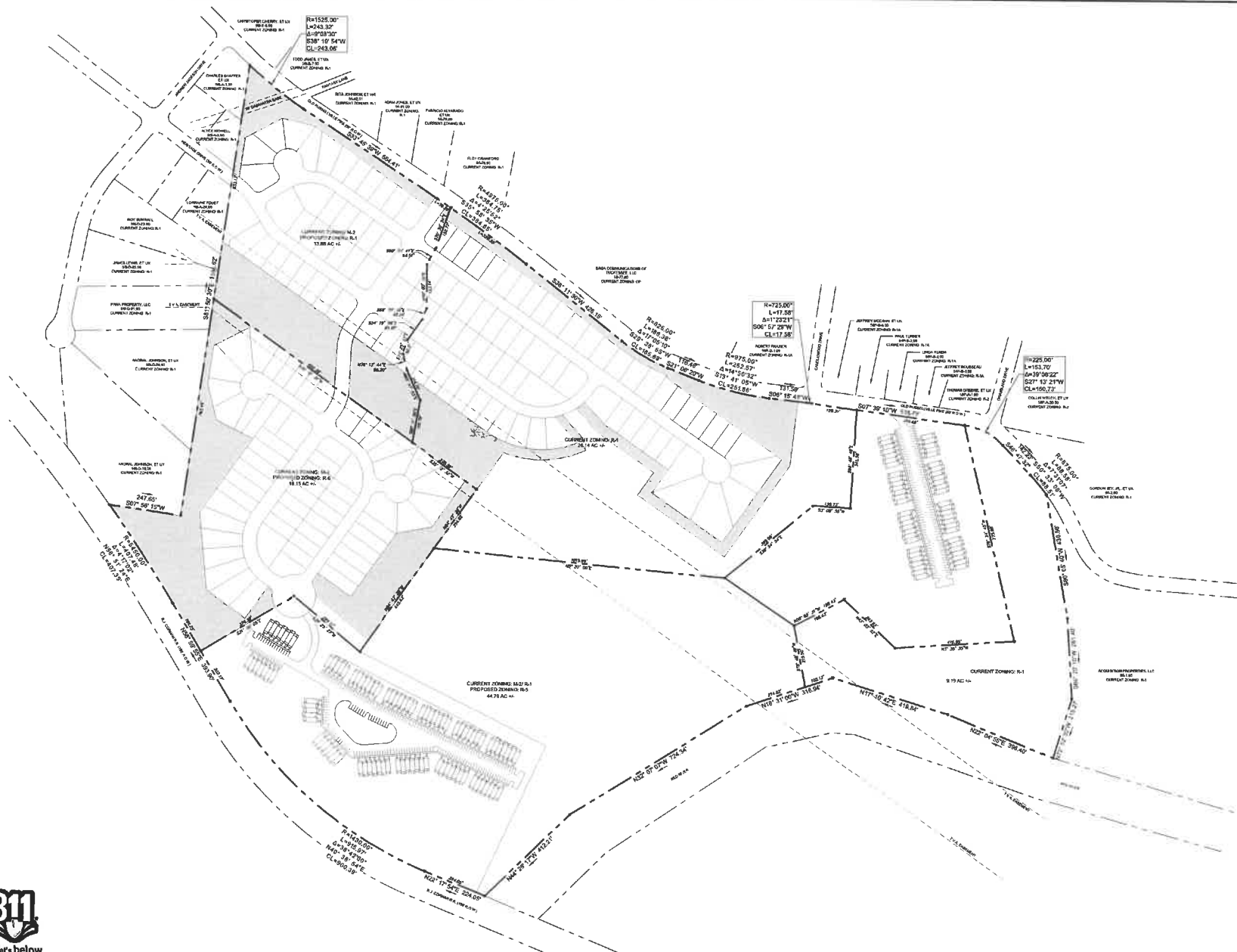
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**L.C. SIMPSON, ET AL,
NORMA S. JERLES
PROPERTIES**

CLARKSVILLE, TN



Know what's below.
Call before you dig.

DATE: NOVEMBER 30, 2020

REVISIONS:

N.A.D. 83
TERRANCE STATE PLANE COORDINATE SYSTEM



150 0 150 300
DRAWING SCALE: 1"=150'

ZONING EXHIBIT

C 1.00

Traffic Assessment

for the

LC Simpson, et al Property

Old Russellville Pike

Clarksville, Montgomery County, Tennessee

December 17, 2020

Prepared By:

MOORE • DESIGN • SERVICES

1641 Wilma Rudolph Blvd • P.O. Box 691 • Clarksville, Tennessee 37041-0691

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Introduction1

The purpose of this traffic assessment is to analyze the potential impacts associated with the development of the L.C. Simpson, et al and Norma S. Jerles properties which is defined in the Montgomery County Tax Assessors Office on Tax Map 64, Parcels 73.00, 74.00, 74.01 and 74.02. The site consists of approximately 112.1 acres +/- and is located west and adjacent to Old Russellville Pike. The site begins approximately 150' south of Andrew Jackson Drive and extends down to Grassland Drive.

The purpose of this assessment is to define the impact that potential development of this site could have on the traffic volumes of Old Russellville Pike and intersections at Dunbar Cave Road. The impact of this development will be measured by first assessing the existing capacity of Old Russellville Pike. The potential traffic produced by the development of the subject property will then be added to the existing conditions and compared.

The methodology for the analysis comes from the current Highway Capacity Manual which involves the calculation of two variables: capacity, which is a quantitative measure of the traffic-carrying capacity of the roadway, and the level of service of the roadway, which measures the operational quality of the roadway. Level of Service will be analyzed for Old Russellville Pike as a two-lane highway. Additionally, we will analyze the intersection of Dunbar Cave Road and Old Russellville Pike as well as the intersection of Dunbar Cave Road and Cave Road.

Level of service is graded on a letter scale from A to F. A being the highest level of service and F being the lowest. At LOS A, traffic flows freely, selecting desired travel speeds with ample passing opportunities. At LOS F, traffic flow is forced, the traffic volume has exceeded the capacity of the roadway to handle it and there are no passing opportunities.

The Transportation Research Board (TRB) has defined the following definition for level of service:

- LOS A represents free flow. Individual users are virtually unaffected by the presence of others in the traffic stream. Freedom to select desired speeds and to maneuver within the traffic stream is extremely high. The general level of comfort and convenience provided to the motorist, passenger, or pedestrian is excellent.
- LOS B is in the range of stable flow, but the presence of other users in the traffic stream begins to be noticeable. Freedom to select desired speeds is relatively unaffected, but there is a slight decline in the freedom to maneuver within the traffic stream from LOS A. The level of comfort and convenience provided is somewhat less than at LOS A, because the presence of others in the traffic stream begins to affect individual behavior.
- LOS C is in the range of stable flow but marks the beginning of the range of flow in which the operation of individual users becomes significantly affected by interactions with others in the traffic stream. The selection of

speed is now affected by the presence of others and maneuvering within the traffic stream requires substantial vigilance on the part of the user. The general level of comfort and convenience declines noticeably at this level.

- LOS D represents high-density, but stable, flow. Speed and freedom to maneuver are severely restricted, and the driver or pedestrian experiences a generally poor level of comfort and convenience. Small increases in traffic flow will generally cause operational problems at this level.
- LOS E represents operating conditions at or near the capacity level. All speeds are reduced to a low, but relatively uniform value. Freedom to maneuver within the traffic stream is extremely difficult, and it is generally accomplished by forcing a vehicle or pedestrian to "give way" to accommodate such maneuvers. Comfort and convenience levels are extremely poor, and driver or pedestrian frustration is generally high. Operations at this level are usually unstable, because even small increases in flow or minor perturbations within the traffic stream will cause breakdowns.
- LOS F is used to define forced or breakdown flow. This condition exists wherever the amount of traffic approaching a point exceeds the amount which can traverse it and queues begin to form. Operations within the queue are characterized by stopping and starting. Over and over, vehicles may progress at reasonable speeds for several hundred feet or more, and then be required to stop. Level-of-service F is used to describe operating conditions within the queue, as well as the point of the breakdown. It should be noted, however, that in many cases once free of the queue, traffic may resume to normal conditions quite rapidly.

Project Description

There is currently a re-zoning request proposing that the subject be re-zoned to a mix of R-1, R-5, and R-6 zonings. A concept plan shows the development of 165 single-family lots and 150 townhomes. Old Russellville Pike is classified as an urban collector road.

The subject property has approximately 3,000 feet of road frontage Old Russellville Pike. The Clarksville Access Ordinance allows two entrances onto collector roads with greater than 300 feet of frontage.

Existing Conditions

The subject property is undeveloped. The surrounding properties consist of single-family residential zones. A single-family residential zone adjoins the subject property to the north and east. The property is bounded by the RJ Corman railroad to the west and by undeveloped land to the south.

Old Russellville Pike is a locally maintained 2-lane paved urban collector roadway having 1-10' lane with 1' shoulders in each direction. The posted speed limit is 30 mph. Traffic on Old Russellville Pike ties to Dunbar Cave Road, a local arterial. Traffic on Old Russellville Pike can also access Dunbar Cave Road via Cave Road and Idaho Springs Road.

Manual traffic data was performed at the Dunbar Cave Road/Old Russellville Pike intersection and the Dunbar Cave Road/ Cave Road intersection. Counts at the intersections were conducted from 4:30-6:30 PM on Monday, December 14, 2020 and Tuesday, December 15, 2020. From this the existing peak hour volumes were found. These volumes are presented on the following pages.

From the existing traffic count data each intersection was then studied during the peak AM and PM hours to determine the level of service. The capacity analysis was performed according to the methods found in the Highway Capacity Manual, Transportation Research Board Special Report 209. The resulting level of service for the intersection turning movements is as follows

Existing Peak Hour Level of Service (2020)

Intersection	Turning Movement	PM Peak Hour	
		Ex. Level of Service	Control Delay (s/veh)
Dunbar Cave Road/ Old Russellville Pike	Old Russellville Pike Northbound (thru lane)	C	22.5
Dunbar Cave Road/Old Russellville Pike	Old Russellville Pike Southbound (thru lane)	C	16.5
Dunbar Cave Road/Cave Road	Cave Road (left turn)	E	44.3

PM PEAK HOUR TRAFFIC EXISTING CONDITIONS (2020)



Background Conditions

Historical average annual daily trip volumes for Dunbar Cave Road shows a consistent five-year annual increase of 1.0%. The estimate timeframe for completing the proposed development is three years. Background conditions are calculated to estimate the existing traffic in 2023, before the proposed development traffic is applied. The existing traffic is thus increase by an annual rate of 1.0% over a period of three years.

The adjusted background conditions for the Dunbar Cave Road/Old Russellville Pike intersection and the Dunbar Cave Road/ Cave Road intersection were then studied during the peak PM hours to determine the level of service. The resulting level of service for the intersection is as follows:

Background PM Peak Hour Level of Service (2023)

Intersection	Turning Movement	PM Peak Hour	
		Ex. Level of Service	Control Delay (s/veh)
Dunbar Cave Road/ Old Russellville Pike	Old Russellville Pike Northbound (thru lane)	C	24.2
Dunbar Cave Road/Old Russellville Pike	Old Russellville Pike Southbound (thru lane)	C	17.2
Dunbar Cave Road/Cave Road	Cave Road (left turn)	F	48.0

PM PEAK HOUR TRAFFIC BACKGROUND CONDITIONS (2023)



Proposed Conditions- Proposed Zoning

Future conditions were then analyzed assuming that the subject properties would be developed according to the proposed site plan. The current "Trip Generation Handbook" published by the Institute of Transportation Engineers was used to estimate the traffic generated by this proposed development. The estimate trip generated by this development is as follows:

Projected Traffic Volumes, Weekday Peak PM								
	Land Use		Quantity	Unit Rate	Percent Enter/Exit		Weekday, Peak PM Hours (4-7 PM)	
	Code	Description			Enter	Exit	Enter	Exit
R-1, R-5	210	Single-Family Residential	181 units	0.99	63%	37%	103	60
R-6	220	Multi-Family (low-rise)	150 units	.56	63%	37%	53	31
TOTAL							156	91

These proposed trips were then distributed over the proposed access points and total peak hour volumes were quantified. The Highway Capacity Manual was used again to determine the level of service at the Dunbar Cave Road/Old Russellville Pike intersection and the Dunbar Cave Road/ Cave Road intersection.

Proposed PM Peak Hour/Level of Service Analysis (2023)

Intersection	Turning Movement	PM Peak Hour	
		Ex. Level of Service	Control Delay (s/veh)
Dunbar Cave Road/ Old Russellville Pike	Old Russellville Pike Northbound (thru lane)	D	33.6
Dunbar Cave Road/Old Russellville Pike	Old Russellville Pike Southbound (thru lane)	C	23.4
Dunbar Cave Road/Cave Road	Cave Road (left turn)	F	64.7

It is our professional opinion that the calculated control delay for Cave Road is not consistent with the delays we observed in the field. It is our belief that the controlled intersection at the Dunbar Cave Road and Wilma Rudolph Boulevard produce greater headways in the major stream of traffic; thus, allowing greater accepted gaps than what the capacity analysis allows for. This would reduce the control delay.

To prove this theory, we took field observations of gaps within the by-pass traffic. Gaps were timed by measuring the time between a vehicle and the time when the next vehicle was too close to begin a left turning movement onto the by-pass. This essentially is an effort to measure the critical gap in the field. These measurements were taken on Tuesday, December 15, 2020. These results are as follows:

PM Peak Hour Critical Gap Measurements	
Range of Gaps	# Measured
6-9 seconds	49
10-14 seconds	8
15+ seconds	3
Total gaps over 6 seconds	60

This data shows that at worst there is at least one acceptable gap per minute during the PM peak.

PM PEAK HOUR TRAFFIC TRIP DISTRIBUTION (2023)



PM PEAK HOUR TRAFFIC TRAFFIC ASSIGNMENT (2023)



PM PEAK HOUR TRAFFIC DEVELOPED CONDITIONS (2023)



Proposed Conditions- Current Zoning

Future conditions were then analyzed assuming that the subject properties would be developed according to current zoning designations. Currently 46 acres are zoned R-1, single-family residential and 31 acres are zoned M-2, manufacturing. The current "Trip Generation Handbook" published by the Institute of Transportation Engineers was used to estimate the traffic generated by this proposed development. The estimate trip generated by this development is as follows:

Projected Traffic Volumes, Weekday Peak PM								
	Land Use		Quantity	Unit Rate	Percent Enter/Exit		Weekday, Peak PM Hours (4-7 PM)	
	Code	Description			Enter	Exit	Enter	Exit
R-1	210	Single-Family Residential	138 units	0.99	63%	37%	87	51
M-2	120	Light Industrial	80 units	.63	13%	87%	6	44
TOTAL							93	95

These proposed trips were then distributed over the proposed access points and total peak hour volumes were quantified. The Highway Capacity Manual was used again to determine the level of service at the Dunbar Cave Road/Old Russellville Pike intersection and the Dunbar Cave Road/ Cave Road intersection.

Proposed PM Peak Hour/Level of Service Analysis (2023)

Intersection	Turning Movement	PM Peak Hour	
		Ex. Level of Service	Control Delay (s/veh)
Dunbar Cave Road/ Old Russellville Pike	Old Russellville Pike Northbound (thru lane)	D	33.8
Dunbar Cave Road/Old Russellville Pike	Old Russellville Pike Southbound (thru lane)	C	20.7
Dunbar Cave Road/Cave Road	Cave Road (left turn)	F	67.3

**PM PEAK HOUR TRAFFIC
TRAFFIC ASSIGNMENT AS
CURRENTLY ZONED (2023)**



PM PEAK HOUR TRAFFIC DEVELOPED CONDITIONS AS CURRENTLY ZONED (2023)



The level of service for both intersections are the same whether the property is developed under existing conditions or developed under proposed zoning changes.

2-Lane Highway Analysis

Finally, the capacity of Old Russellville Pike was analyzed as a two-lane highway. A methodology similar to the intersection capacity was used to determine capacity of the roadway under existing, background and finally proposed conditions.

Roadway	Condition	PM Peak Hour	
		Ex. Level of Service	Volume-Capacity Ratio
Old Russellville Pike	Existing	C	0.17
Old Russellville Pike	Background	C	0.17
Old Russellville Pike	Proposed	C	0.22

Conclusions

It is our professional opinion that Old Russellville Pike has the capacity to handle the traffic generated by the proposed subdivision.

Additionally, the intersections of Old Russellville Pike/ Dunbar Cave Road and Cave Road/Dunbar Cave Road are not affected by the proposed re-zoning request.

ORDINANCE 61-2020-21

AN ORDINANCE AMENDING THE CITY ZONING ORDINANCE OF THE CITY OF CLARKSVILLE, TENNESSEE, AS IT PERTAINS TO BULK REGULATIONS, BUILDING SETBACKS, MINIMUM FRONTAGE REQUIREMENTS, AND OTHER UPDATES

WHEREAS, the Regional Planning Commission from time to time identifies areas of the land use regulations that require updating; and

WHEREAS, the Regional Planning Commission initiated a study of the city zoning ordinance pertaining to several topics including bulk regulations, building setbacks, and minimum frontage requirements; and

WHEREAS, the updates are viewed as beneficial and necessary to the City of Clarksville to promote health, safety, welfare, and a more prosperous city.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE,

That the following amendments are hereby made to the Clarksville City Zoning Ordinance:

Amend TABLE 4.2 in the following manner:

Under the R-2 Column

Amend the Dwelling Minimum Side Yard Setback from T=20 feet to T=16 feet

Under the R-2A Column

Amend the Dwelling Minimum Side Yard Setback from 8 feet to 5 feet

Amend the Dwelling Minimum Side Yard Setback from T=20 feet to T=10 feet

Amend Unattached Accessory Uses from 10 feet to 5 feet

Amend Other Principal Uses from 10 feet to 5 feet

Under the R-6 Column

For Unattached Accessory Uses add 5 feet

For Other Principle Structures add 10 feet

Amend Maximum Lot Coverage (All Combined Uses) from 60 % to 60 percent

Section 5.1.7 RESIDENTIAL USES PERMITTED WITH CONDITIONS (PC)

Replace Multi-Family and Townhouses in the C-2 District with the following:

1. For multi-family dwellings, the following conditions shall be met:
 - A. Multi-family dwellings may be located in the same or separate structures as non-residential uses.
 - B. Single-family detached structures are permitted provided they are located on a common lot, tract or parcel in a horizontal property regime. Off-street parking and primary access to such single-family detached structures is encouraged to be on the side or rear of the dwellings.
2. See Section 6.1.2 B for a possible variance for off-street parking for mixed-use development with multi-family dwellings in the same or separate structures on the same tract, parcel or lot.
3. Sidewalks along street frontages are mandatory.

Add the following paragraph (H) under 4.1.1 Building Setback Exceptions

- H. If right-of-way (ROW) is dedicated through the Subdivision process that would increase the setbacks (MBSL) of adjacent lots, tracts, and parcels, the front and side street MBSL of those existing properties shall remain the same as they were prior to the ROW dedication for the purpose of site plan or building permit. Any subdivision of the existing adjacent lots, tracts, and parcels shall require full compliance with Chapter 4 District Bulk Regulations and Exceptions as outlined in the Clarksville Zoning Ordinance or Montgomery County Zoning Resolution.

Under 5.10 Site Plan Requirements add the following below the first paragraph

Purpose: Site Plan Review is intended to advance public safety and well-being through harmonious development that advances the public interests such as; multi-modal transportation, minimum standards, and overall site safety.

Amend 5.10.1.A. Applicability – remove “and” between “single” and “two” in the first sentence

Repeal 5.10.1.C in its entirety and replace with the following:

- C. Minor level review. Site plan review and approval may be handled at the Planning Commission staff level and may not require Regional Planning Commission approval if any one parcel or site is in a platted subdivision, or lot of record less than or equal to 1 acre, AND any one of the following circumstances:
 - I. Any building addition where the existing building's gross square footage is expanded by less than twenty-five percent (25%) but greater than three percent (3%).
 - II. Any new sign over fifty (50) feet in height in a new location for an existing building.
 - III. Any new building less than 15,000 square feet
 - IV. Any new Multi Family development less than 16 total units

- V. Communication towers and equipment sheds.
- VI. For staff level site review, Section 2 Paragraphs B, C, D and E below shall not apply. All other portions of this Section shall apply to the staff level review process. Staff shall forward copies of plans to applicable departments and agencies. These departments and agencies shall have seven calendar days to notify Planning Commission staff of any site plan concerns or deficiencies that would require either plan resubmittal or formal Regional Planning Commission approval. The developer or owner of the property whose specific activities as listed above are either exempted from this Section or permitted to obtain staff level approval shall nevertheless be responsible for complying with all other Sections of the Ordinance from which this Section derives, and/or any other provisions or permits that may apply to the specific activity. The Director of Planning reserves the right to revoke any of the above exemptions of this Section.

Repeal 5.10.2 A and B and Replace with the following:

- A. Filing of application and plans. An application for site plan review shall be submitted together with a designated number of copies of the proposed site plan and a digital PDF copy of the proposed site plan to the Planning Commission staff. Regular meeting dates and times, and the deadline for each regular meeting, shall be established by the Regional Planning Commission Office. The Planning Commission staff shall acknowledge receipt of the application by the dating of said application by any person so authorized. The Planning Commission staff shall forward one of said copies to all appropriate City, County or State agencies or utility districts.
- B. Informational review. The Planning Commission staff shall determine whether all information pertinent to the review has been provided and within ten (10) calendar days of application deadline shall notify the applicant that either:

Add the following sentence to the end of 5.10.2.CC:

Sidewalks shall be required at the discretion of the Regional Planning Commission.

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

RESOLUTION 43-2020-21

A RESOLUTION ADOPTING A FINAL PLAN OF SERVICES PROGRESS REPORT FOR ANNEXED TERRITORY OFF HIGHWAY 76 EAST OF INTERSTATE 24 EXIT 11

WHEREAS, the Clarksville City Council has determined it to be necessary for the welfare of the residents and property owners, and of the city as a whole, to annex territory off Highway 76 East of Interstate 24 Exit 11;

WHEREAS, annexation of said territory was approved by the adoption of Resolution 4-2019-20 on July 2, 2019 with an effective date of said annexation designated as August 1, 2019; and

WHEREAS, by of adoption of RESOLUTION 5-2019-20, the Clarksville City Council approved the Plan of Services for said territory on July 2, 2019; and

WHEREAS, the first Plan of Services Update (Resolution 65-2019-20) remained unfulfilled which required a follow up Plan of Services Update 6 months later, and

WHEREAS, T.C.A 6-51-108 (c) requires municipalities to report on and hold a public hearing on the progress made in the subsequent year toward the extension of services according to the adopted Plan of Service; and

WHEREAS, it has been determined that all original and follow up Plan of Service elements have been met and were completed within the first six months of annexation including the provision of: Police, Fire, Electricity, Gas, Water, Sewer, Solid Waste Disposal, Transit, Streets, Building and Codes (Inspection Services), E911, City Finance, County Assessor, Election Commission, Planning and Zoning, Street Lighting, and Parks and Recreation where applicable.

PUBLIC HEARING:

ADOPTED:

ORDINANCE 48-2020-21

A ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CLARKSVILLE, TENNESSEE, AS IT PERTAINS TO FLOODPLAINS AND THE NATIONAL FLOODPLAIN INSURANCE PROGRAM (NFIP)

WHEREAS, the Flood Rate Insurance Maps for the Cumberland River Basin have been updated; and

WHEREAS, this requires an update to the Zoning Ordinance to adopt the changes required to comply with the National Floodplain Insurance Program; and

WHEREAS, the Legislature of the State of Tennessee has in Sections 13-7-201 through 13-7-210, *Tennessee Code Annotated*, delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, this is important to the property owners in the City of Clarksville in order to obtain flood insurance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the City of Clarksville Zoning Ordinance, Chapter 9, “Overlay Districts,” is hereby amended by deleting the existing language in Section 9.2 “Floodplain Overlay District” and by substituting instead the language in Attachment A.

BE IT FURTHER ORDAINED that the provisions of this ordinance shall be effective January 15, 2021.

<i>PUBLIC HEARING:</i>	December 3, 2020
<i>FIRST READING:</i>	December 3, 2020
<i>SECOND READING:</i>	<i>Scheduled for January 7, 2021</i>
<i>EFFECTIVE DATE:</i>	

ATTACHMENT A

9.2 FLOODPLAIN OVERLAY DISTRICT

1. **Statutory Authorization.** The Legislature of the State of Tennessee has in Sections 13-7-201 through 13-7-210, Tennessee Code Annotated delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry.

2. **Findings of Fact.** The City of Clarksville, Tennessee, Mayor and its City Council wishes to maintain its eligibility in the National Flood Insurance Program (NFIP) and in order to do so must meet the NFIP regulations found in Title 44 of the Code of Federal Regulations (CFR), Ch. 1, Section 60.3.

- A. Areas of the City of Clarksville, Tennessee are subject to periodic inundation, which could result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
- B. Flood losses are caused by the cumulative effect of obstructions in floodplains, causing increases in flood heights and velocities; by uses in flood hazard areas which are vulnerable to floods; or construction which is inadequately elevated, floodproofed, or otherwise unprotected from flood damages.

3. **Statement of Purpose.** It is the purpose of this Ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas. This Ordinance is designed to:

- A. Restrict or prohibit uses which are vulnerable to flooding or erosion hazards, or which result in damaging increases in erosion, flood heights, or velocities;
- B. Require that uses vulnerable to floods, including community facilities, be protected against flood damage at the time of initial construction;
- C. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters;
- D. Control filling, grading, dredging and other development which may increase flood damage or erosion;
- E. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

4. **Objectives.** The objectives of this Ordinance are:

- A. To protect human life, health, safety and property;
- B. To minimize expenditure of public funds for costly flood control projects;
- C. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. To minimize prolonged business interruptions;
- E. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodprone areas;

- F. To help maintain a stable tax base by providing for the sound use and development of floodprone areas to minimize blight in flood areas;
- G. To ensure that potential homebuyers are notified that property is in a floodprone area;
- H. To maintain eligibility for participation in the NFIP.

5. **Definitions.** Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted as to give them the meaning they have in common usage and to give this Ordinance its most reasonable application given its stated purpose and objectives.

- A. ***Accessory Structure*** means a subordinate structure to the principal structure on the same lot and, for the purpose of this Ordinance, shall conform to the following:
 - I. Accessory structures shall only be used for parking of vehicles and storage.
 - II. Accessory structures shall be designed to have low flood damage potential.
 - III. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters.
 - IV. Accessory structures shall be firmly anchored to prevent flotation, collapse, and lateral movement, which otherwise may result in damage to other structures.
 - V. Utilities and service facilities such as electrical and heating equipment shall be elevated or otherwise protected from intrusion of floodwaters.
- B. ***Addition (to an existing building)*** means any walled and roofed expansion to the perimeter or height of a building.
- C. ***Appeal*** means a request for a review of the local enforcement officer's interpretation of any provision of this Ordinance or a request for a variance.
- D. ***Area of Shallow Flooding*** means a designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate; and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.
- E. ***Area of Special Flood-related Erosion Hazard*** is the land within a community which is most likely to be subject to severe flood-related erosion losses. The area may be designated as Zone E on the Flood Hazard Boundary Map (FHBM). After the detailed evaluation of the special flood-related erosion hazard area in preparation for publication of the FIRM, Zone E may be further refined.
- F. ***Area of Special Flood Hazard*** see ***Special Flood Hazard Area***
- G. ***Base Flood*** means the flood having a one percent chance of being equaled or exceeded in any given year. This term is also referred to as the 100-year flood or the one (1)-percent annual chance flood.

- H. **Basement** means any portion of a building having its floor subgrade (below ground level) on all sides.
- I. **Building** *see* **Structure**
- J. **Development** means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or storage of equipment or materials.
- K. **Elevated Building** means a non-basement building built to have the lowest floor of the lowest enclosed area elevated above the ground level by means of solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwater, pilings, columns, piers, or shear walls adequately anchored so as not to impair the structural integrity of the building during a base flood event.
- L. **Emergency Flood Insurance Program or Emergency Program** means the program as implemented on an emergency basis in accordance with Section 1336 of the Act. It is intended as a program to provide a first layer amount of insurance on all insurable structures before the effective date of the initial FIRM.
- M. **Erosion** means the process of the gradual wearing away of land masses. This peril is not per se covered under the Program.
- N. **Exception** means a waiver from the provisions of this Ordinance which relieves the applicant from the requirements of a rule, regulation, order or other determination made or issued pursuant to this Ordinance.
- O. **Existing Construction** means any structure for which the start of construction commenced before the effective date of the initial floodplain management code or Ordinance adopted by the community as a basis for that community's participation in the NFIP.
- P. **Existing Manufactured Home Park or Subdivision** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management code or Ordinance adopted by the community as a basis for that community's participation in the NFIP.
- Q. **Existing Structures** *see* **Existing Construction**

- R. ***Expansion to an Existing Manufactured Home Park or Subdivision*** means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
- S. ***Flood or Flooding***
- a. A general and temporary condition of partial or complete inundation of normally dry land areas from:
 - I. The overflow of inland or tidal waters.
 - II. The unusual and rapid accumulation or runoff of surface waters from any source.
 - III. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (a)(II) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
 - b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (a)(I) of this definition
- T. ***Flood Elevation Determination*** means a determination by the Federal Emergency Management Agency (FEMA) of the water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year.
- U. ***Flood Elevation Study*** means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) or flood-related erosion hazards.
- V. ***Flood Hazard Boundary Map (FHBM)*** means an official map of a community, issued by FEMA, where the boundaries of areas of special flood hazard have been designated as Zone A.
- W. ***Flood Insurance Rate Map (FIRM)*** means an official map of a community, issued by FEMA, delineating the areas of special flood hazard or the risk premium zones applicable to the community.

- X. ***Flood Insurance Study*** is the official report provided by FEMA, evaluating flood hazards and containing flood profiles and water surface elevation of the base flood.
- Y. ***Floodplain or Floodprone Area*** means any land area susceptible to being inundated by water from any source (see definition of flooding).
- Z. ***Floodplain Management*** means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.
- AA. ***Flood Protection System*** means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a special flood hazard and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.
- BB. ***Floodproofing*** means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities and structures and their contents.
- CC. ***Flood-related Erosion*** means the collapse or subsidence of land along the shore of a lake or other body of water as a result of undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood, or by some similarly unusual and unforeseeable event which results in flooding.
- DD. ***Flood-related Erosion Area or Flood-related Erosion Prone Area*** means a land area adjoining the shore of a lake or other body of water, which due to the composition of the shoreline or bank and high water levels or wind-driven currents, is likely to suffer flood-related erosion damage.
- EE. ***Flood-related Erosion Area Management*** means the operation of an overall program of corrective and preventive measures for reducing flood-related erosion damage, including but not limited to emergency preparedness plans, flood-related erosion control works and floodplain management regulations.
- FF. ***Floodway*** means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

- GG. ***Freeboard*** means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. Freeboard tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, blockage of bridge or culvert openings, and the hydrological effect of urbanization of the watershed.
- HH. ***Functionally Dependent Use*** means a use, which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.
- II. ***Highest Adjacent Grade*** means the highest natural elevation of the ground surface, prior to construction, adjacent to the proposed walls of a structure.
- JJ. ***Historic Structure*** means any structure that is:
- I. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
 - II. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
 - III. Individually listed on the Tennessee inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or
 - IV. Individually listed on the City of Clarksville, Tennessee inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:
 - a. By the approved Tennessee program as determined by the Secretary of the Interior or
 - b. Directly by the Secretary of the Interior.
- KK. ***Levee*** means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.
- LL. ***Levee System*** means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

- MM. ***Lowest Floor*** means the lowest floor of the lowest enclosed area, including a basement. An unfinished or flood resistant enclosure used solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Ordinance.
- NN. ***Manufactured Home*** means a structure, transportable in one or more sections, which is built on a permanent chassis and designed for use with or without a permanent foundation when attached to the required utilities. The term Manufactured Home does not include a Recreational Vehicle.
- OO. ***Manufactured Home Park or Subdivision*** means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
- PP. ***Map*** means the Flood Hazard Boundary Map (FHBM) or the Flood Insurance Rate Map (FIRM) for a community issued by FEMA.
- QQ. ***Mean Sea Level*** means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For the purposes of this Ordinance, the term is synonymous with the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.
- RR. ***National Geodetic Vertical Datum (NGVD)*** means, as corrected in 1929, a vertical control used as a reference for establishing varying elevations within the floodplain.
- SS. ***New Construction*** means any structure for which the start of construction commenced on or after the effective date of the initial floodplain management Ordinance and includes any subsequent improvements to such structure.
- TT. ***New Manufactured Home Park or Subdivision*** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of this Ordinance or the effective date of the initial floodplain management Ordinance and includes any subsequent improvements to such structure.
- UU. ***North American Vertical Datum (NAVD)*** means, as corrected in 1988, a vertical control used as a reference for establishing varying elevations within the floodplain.
- VV. ***100-year Flood see Base Flood***

- WW. **Person** includes any individual or group of individuals, corporation, partnership, association, or any other entity, including State and local governments and agencies.
- XX. **Reasonably Safe from Flooding** means base flood waters will not inundate the land or damage structures to be removed from the Special Flood Hazard Area and that any subsurface waters related to the base flood will not damage existing or proposed structures.
- YY. **Recreational Vehicle** means a vehicle which is:
- I. Built on a single chassis;
 - II. 400 square feet or less when measured at the largest horizontal projection;
 - III. Designed to be self-propelled or permanently towable by a light duty truck;
 - IV. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
- ZZ. **Regulatory Floodway** means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.
- AAA. **Regulatory Flood Protection Elevation** means the Base Flood Elevation plus the Freeboard. In Special Flood Hazard Areas where Base Flood Elevations (BFEs) have been determined, this elevation shall be the BFE plus two (2) feet. In Special Flood Hazard Areas where no BFE has been established, this elevation shall be at least three (3) feet above the highest adjacent grade.
- BBB. **Riverine** means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.
- CCC. **Special Flood Hazard Area** is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A on the FHBM. After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE or A99.
- DDD. **Special Hazard Area** means an area having special flood, mudslide (i.e., mudflow) and/or flood-related erosion hazards, and shown on an FHBM or FIRM as Zone A, AO, A1-30, AE, A99, or AH.
- EEE. **Start of Construction** includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, the installation of piles,

the construction of columns, or any work beyond the stage of excavation; and includes the placement of a manufactured home on a foundation. Permanent construction does not include initial land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds, not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

FFF. ***State Coordinating Agency*** the Tennessee Emergency Management Agency, State NFIP Office, as designated by the Governor of the State of Tennessee at the request of FEMA to assist in the implementation of the NFIP for the State.

GGG. ***Structure*** for purposes of this Ordinance, means a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.

HHH. ***Substantial Damage*** means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

III. ***Substantial Improvement*** means any reconstruction, rehabilitation, addition, alteration or other improvement of a structure in which the cost equals or exceeds fifty percent (50%) of the market value of the structure before the start of construction of the initial improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial improvement, or (2) in the case of substantial damage, the value of the structure prior to the damage occurring.

The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of State or local health, sanitary, or safety code specifications which have been pre-identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions and not solely triggered by an improvement or repair project or; (2) Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

JJJ. ***Substantially Improved Existing Manufactured Home Parks or Subdivisions*** is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds fifty percent (50%) of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

KKK. **Variance** is a grant of relief from the requirements of this Ordinance.

LLL. **Violation** means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certification, or other evidence of compliance required in this Ordinance is presumed to be in violation until such time as that documentation is provided.

MMM. **Water Surface Elevation** means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, where specified, of floods of various magnitudes and frequencies in the floodplains of riverine areas.

6. **Application.** This Ordinance shall apply to all areas within the incorporated area of the City of Clarksville, Tennessee.
7. **Basis for Establishing the Areas of Special Flood Hazard.** The Areas of Special Flood Hazard identified on the City of Clarksville, Tennessee, as identified by FEMA, and in its Flood Insurance Study (FIS) dated January 15, 2021 and Flood Insurance Rate Map (FIRM), Community 470137, Panel Numbers 47125C0063D, 47125C0088D, 47125C0201D, 47125C0202D, 47125C0204D, 47125C0206D, 47125C0207D, 47125C0208D, 47125C0209D, 47125C0226D, 47125C0227D, 47125C0228D, 47125C0229D, 47125C0235D, 47125C0237D, 47125C0241D, 47125C0242D, 47125C0261D, 47125C0262D, 47125C0263D, 47125C0264D dated March 18, 2008, and 47125C0215E 47125C0216E, 47125C0217E, 47125C0220E, 47125C0236E, 47125C0238E, 47125C0239E, 47125C0243E, 47125C0244E, 47125C0335E, 47125C0351E, 47125C0352E, 47125C0356E, 47125C0357E, 47125C0380E, dated January 15, 2021, along with all supporting technical data, are adopted by reference and declared to be a part of this Ordinance.
8. **Requirement for Development Permit.** A development permit shall be required in conformity with this Ordinance prior to the commencement of any development activities.
9. **Compliance.** No land, structure or use shall hereafter be located, extended, converted or structurally altered without full compliance with the terms of this Ordinance and other applicable regulations.
10. **Abrogation and Greater Restrictions.** This Ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants or deed restrictions. However, where this Ordinance conflicts or overlaps with another regulatory instrument, whichever imposes the more stringent restrictions shall prevail.

11. **Interpretation.** In the interpretation and application of this Ordinance, all provisions shall be:
 - A. Considered as minimum requirements.
 - B. Liberally construed in favor of the governing body and;
 - C. Deemed neither to limit nor repeal any other powers granted under Tennessee statutes.
12. **Warning and Disclaimer of Liability.** The degree of flood protection required by this Ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Ordinance does not imply that land outside the Areas of Special Flood Hazard or uses permitted within such areas will be free from flooding or flood damages. This Ordinance shall not create liability on the part of the City of Clarksville, Tennessee or by any officer or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made hereunder.
13. **Penalties for Violation.** Violation of the provisions of this Ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance shall constitute a misdemeanor punishable as other misdemeanors as provided by law. Any person who violates this Ordinance or fails to comply with any of its requirements shall, upon adjudication therefore, be fined as prescribed by Tennessee statutes, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Clarksville, Tennessee from taking such other lawful actions to prevent or remedy any violation.
14. **Designation of Ordinance Administrator.** The Director of Streets and/or his designee is hereby appointed as the Administrator to implement the provisions of this Ordinance.
15. **Permit Procedures.** Application for a development permit shall be made to the Administrator on forms furnished by the community prior to any development activities. The development permit may include, but is not limited to the following: plans in duplicate drawn to scale and showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill placement, storage of materials or equipment, and drainage facilities. Specifically, the following information is required:
 - A. **Application Stage.**
 - I. Elevation in relation to mean sea level of the proposed lowest floor, including basement, of all buildings where Base Flood Elevations are available, or to certain height above the highest adjacent grade when applicable under this Ordinance.

- II. Elevation in relation to mean sea level to which any non-residential building will be floodproofed where Base Flood Elevations are available, or to certain height above the highest adjacent grade when applicable under this Ordinance.
- III. A FEMA Floodproofing Certificate from a Tennessee registered professional engineer or architect that the proposed non-residential floodproofed building will meet the floodproofing criteria in Sections 17 and 18.
- IV. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
- V. A final Finished Construction Elevation Certificate (FEMA Form 086-0-33) is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance. It shall be the duty of t/he permit holder to submit to the Floodplain Administrator a certification of final as-built construction of the elevation of the reference level and all attendant utilities.
- VI. In order to determine if improvements or damage meet the Substantial Improvement or Substantial Damage criteria, the applicant shall provide to the Administrator a detailed cost to repair all damages and/or cost of improvements which includes the complete costs associated with all types of work necessary to completely repair or improve a building. These include the costs of all materials, labor, and other items necessary to perform the proposed work. These must be in the form of:
 - a. An itemized costs of materials, and labor, or estimates of materials and labor that are prepared by licensed contractors or professional construction cost estimators.
 - b. Building valuation tables published by building code organizations and cost-estimating manuals and tools available from professional building cost-estimating services.
 - c. A qualified estimate of costs that is prepared by the local official using professional judgement and knowledge of local and regional construction costs.
 - d. A detailed cost estimate provided and prepared by the building owner. This must include as much supporting documentation as possible (such as pricing information from lumber companies, plumbing and electrical suppliers, etc.). In addition, the estimate must include the value of labor, including the value of the owner's labor.

B. **Construction Stage.** Within AE Zones, where Base Flood Elevation data is available, any lowest floor certification made relative to mean sea level shall be prepared by or under the direct supervision of, a Tennessee registered land surveyor and certified by same. The Administrator shall record the elevation of the lowest floor on the development permit. When floodproofing is utilized for a non-residential building, said certification shall be prepared by, or under the direct supervision of, a Tennessee registered professional engineer or architect and certified by same.

Within approximate A Zones, where Base Flood Elevation data is not available, the elevation of the lowest floor shall be determined as the measurement of the lowest floor of the building relative to the highest adjacent grade. The Administrator shall record the elevation of the lowest floor on the development permit. When floodproofing is utilized for a non-residential building, said certification shall be prepared by, or under the direct supervision of, a Tennessee registered professional engineer or architect and certified by same.

For all new construction and substantial improvements, the permit holder shall provide to the Administrator an as-built certification of the lowest floor elevation or floodproofing level upon the completion of the lowest floor or floodproofing.

Any work undertaken prior to submission of the certification shall be at the permit holder's risk. The Administrator shall review the above-referenced certification data. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being allowed to proceed. Failure to submit the certification or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

- C. **Finished Construction Stage.** For all new construction and substantial improvements, the permit holder shall provide to the Administrator a final Finished Construction Elevation Certificate (FEMA Form 086-0-33). A final Finished Construction Elevation Certificate is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance. It shall be the duty of the permit holder to submit to the Building and Codes Department a certification of final as-built construction of the elevation of the reference level and all attendant utilities. The Administrator will keep the certificate on file in perpetuity.

16. Duties and Responsibilities of the Administrator shall include, but not be limited to, the following:

- A. Review all development permits to assure that the permit requirements of this Ordinance have been satisfied, and that proposed building sites will be reasonably safe from flooding.
- B. Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
- C. Notify adjacent communities and the Tennessee Emergency Management Agency, State NFIP Office, prior to any alteration or relocation of a watercourse and submit evidence of such notification to FEMA.
- D. For any altered or relocated watercourse, submit engineering data/analysis within six (6) months to FEMA to ensure accuracy of community FIRM's through the Letter of Map Revision process.

- E. Assure that the flood carrying capacity within an altered or relocated portion of any watercourse is maintained.
- F. Record the elevation, in relation to mean sea level or the highest adjacent grade, where applicable, of the lowest floor (including basement) of all new and substantially improved buildings, in accordance with Section 15.
- G. Record the actual elevation, in relation to mean sea level or the highest adjacent grade, where applicable to which the new and substantially improved buildings have been floodproofed, in accordance with Section 15.
- H. When floodproofing is utilized for a nonresidential structure, obtain certification of design criteria from a Tennessee registered professional engineer or architect, in accordance with Section 15.
- I. Where interpretation is needed as to the exact location of boundaries of the Areas of Special Flood Hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Ordinance.
- J. When Base Flood Elevation data and floodway data have not been provided by FEMA, obtain, review, and reasonably utilize any Base Flood Elevation and floodway data available from a Federal, State, or other sources, including data developed as a result of these regulations, as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the City of Clarksville,, Tennessee FIRM meet the requirements of this Ordinance.
- K. Maintain all records pertaining to the provisions of this Ordinance in the office of the Administrator and shall be open for public inspection. Permits issued under the provisions of this Ordinance shall be maintained in a separate file or marked for expedited retrieval within combined files.
- L. A final Finished Construction Elevation Certificate (FEMA Form 086-0-33) is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance. It shall be the duty of the permit holder to submit to the floodplain administrator a certification of final as-built construction of the elevation of the reference level and all attendant utilities. Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to Certificate of Compliance/Occupancy issuance. In some instances, another certification may be required to certify corrected as-built construction. Failure to submit the certification or failure to make required corrections shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy. The Finished Construction Elevation Certificate certifier shall provide at least 2 photographs showing the front and rear of the building taken within 90 days from the date of certification. The photographs must be taken with views confirming the building description and diagram number provided in Section A. To the extent possible, these photographs should show the entire building including foundation. If the building has split-level or multi-level areas, provide at least 2 additional photographs showing side views of the building. In addition, when applicable, provide a photograph of the foundation showing a representative example of the flood openings or vents. All photographs must be in color and measure at least 3" × 3". Digital photographs are acceptable.

17. **Provisions for Flood Hazard Reduction.** In all areas of special flood hazard, the following provisions are required:

- A. New construction and substantial improvements shall be anchored to prevent flotation, collapse and lateral movement of the structure;
- B. Manufactured homes shall be installed using methods and practices that minimize flood damage. They must be elevated and anchored to prevent flotation, collapse and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State of Tennessee and local anchoring requirements for resisting wind forces.
- C. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
- D. New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;
- E. All electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
- F. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- G. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
- H. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;
- I. Any alteration, repair, reconstruction or improvements to a building that is in compliance with the provisions of this Ordinance, shall meet the requirements of "new construction" as contained in this Ordinance;
- J. Any alteration, repair, reconstruction or improvements to a building that is not in compliance with the provision of this Ordinance, shall be undertaken only if said non-conformity is not further extended or replaced;
- K. All new construction and substantial improvement proposals shall provide copies of all necessary Federal and State permits, including Section 404 of the Federal Water Pollution Control Act amendments of 1972, 33 U.S.C. 1334;
- L. All subdivision proposals and other proposed new development proposals shall meet the standards of Section 18;
- M. When proposed new construction and substantial improvements are partially located in an area of special flood hazard, the entire structure shall meet the standards for new construction;
- N. When proposed new construction and substantial improvements are located in multiple flood hazard risk zones or in a flood hazard risk zone with multiple Base Flood Elevations, the entire structure shall meet the standards for the most hazardous flood hazard risk zone and the highest Base Flood Elevation.

18. **Specific Standards.** In all Areas of Special Flood Hazard, the following provisions, in addition to those set forth in Section 17, are required:

- A. **Residential Structures.** In AE Zones where Base Flood Elevation data is available, new construction and substantial improvement of any residential building (or manufactured home) shall have the lowest floor, including basement, elevated to no lower than two (2) feet above the Base Flood Elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures".

Within approximate A Zones where Base Flood Elevations have not been established and where alternative data is not available, the Administrator shall require the lowest floor of a building to be elevated to a level of at least three (3) feet above the highest adjacent grade (as defined in Section 5). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures".

- B. **Non-Residential Structures.** In AE Zones, where Base Flood Elevation data is available, new construction and substantial improvement of any commercial, industrial, or non-residential building, shall have the lowest floor, including basement, elevated or floodproofed to no lower than two (2) feet above the level of the Base Flood Elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures".

In approximate A Zones, where Base Flood Elevations have not been established and where alternative data is not available, new construction and substantial improvement of any commercial, industrial, or non-residential building, shall have the lowest floor, including basement, elevated or floodproofed to no lower than three (3) feet above the highest adjacent grade (as defined in Section 5). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures".

Non-Residential buildings located in all A Zones may be floodproofed, in lieu of being elevated, provided that all areas of the building below the required elevation are watertight, with walls substantially impermeable to the passage of water, and are built with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A Tennessee registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the

provisions above, and shall provide such certification to the Administrator as set forth in Section 15.

- C. **Enclosures.** All new construction and substantial improvements that include fully enclosed areas formed by foundation and other exterior walls below the lowest floor that are subject to flooding, shall be designed to preclude finished living space and designed to allow for the entry and exit of flood waters to automatically equalize hydrostatic flood forces on exterior walls.
- I. Designs for complying with this requirement must either be certified by a Tennessee professional engineer or architect or meet or exceed the following minimum criteria.
 - a. Provide a minimum of two openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding;
 - b. The bottom of all openings shall be no higher than one (1) foot above the finished grade;
 - c. Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
 - II. The enclosed area shall be the minimum necessary to allow for parking of vehicles, storage or building access.
 - III. The interior portion of such enclosed area shall not be finished or partitioned into separate rooms in such a way as to impede the movement of floodwaters and all such partitions shall comply with the provisions of Section 18.

19. Standards for Manufactured Homes and Recreational Vehicles.

- A. All manufactured homes placed, or substantially improved, on: (1) individual lots or parcels, (2) in expansions to existing manufactured home parks or subdivisions, or (3) in new or substantially improved manufactured home parks or subdivisions, must meet all the requirements of new construction.
- B. All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that either:
 - I. In AE Zones, with Base Flood Elevations, the lowest floor of the manufactured home is elevated on a permanent foundation to no lower than two (2) feet above the level of the Base Flood Elevation or
 - II. In approximate A Zones, without Base Flood Elevations, the manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least equivalent strength) that are at least three (3) feet in height above the highest adjacent grade (as defined in Section 5).
- C. Any manufactured home, which has incurred “substantial damage” as the result of a flood, must meet the standards of Sections 17 and 18.
- D. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.

E. All recreational vehicles placed in an identified Special Flood Hazard Area must either:

- I. Be on the site for fewer than 180 consecutive days;
- II. Be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions), or;
- III. The recreational vehicle must meet all the requirements for new construction.

20. Standards for Subdivisions and Other Proposed New Development Proposals.

Subdivisions and other proposed new developments, including manufactured home parks, shall be reviewed to determine whether such proposals will be reasonably safe from flooding.

- A. All subdivision and other proposed new development proposals shall be consistent with the need to minimize flood damage.
- B. All subdivision and other proposed new development proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.
- C. All subdivision and other proposed new development proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- D. In all approximate A Zones require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals Base Flood Elevation data (See Section 22).

21. Standards for Special Flood Hazard Areas with Established Base Flood Elevations Designated and With Floodways Designated. Located within the Special Flood Hazard Areas established in Section 7, are areas designated as floodways. A floodway may be an extremely hazardous area due to the velocity of floodwaters, debris or erosion potential. In addition, the area must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights and velocities. Therefore, the following provisions shall apply:

- A. Encroachments are prohibited, including fill, new construction, substantial improvements or other development within the adopted regulatory floodway. Development may be permitted however, provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the encroachment shall not result in any increase in flood levels or floodway widths during a base flood discharge. A registered professional engineer must provide supporting technical data and certification thereof;

- B. A community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the applicant first applies for a conditional letter of map revision (CLOMR) and floodway revision, fulfills the requirements for such revisions as established under the provisions of § 65.12, and receives the approval of FEMA;
- C. ONLY if Section 21 Subsections A and B are satisfied, then any new construction or substantial improvement shall comply with all other applicable flood hazard reduction provisions of Sections 17 and 18

22. Standards for Areas of Special Flood Hazard Zones AE with Established Base Flood Elevations but Without Floodways Designated. Located within the Special Flood Hazard Areas established in Section 7 , where streams exist with base flood data provided but where no floodways have been designated (Zones AE), the following provisions apply:

- A. Require until a regulatory floodway is designated, that no new construction, substantial , or other development, including fill shall be permitted within Zone AE on the community's FIRM, unless it is demonstrated through hydrologic and hydraulic analyses performed that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community.
- B. A community may permit encroachments within Zones AE on the community's FIRM, that would result in an increase in the water surface elevation of the base flood, provided that the applicant first applies for a conditional letter of map revision (CLOMR) and floodway revision, fulfills the requirements for such revisions as established under the provisions of § 65.12, and receives the approval of FEMA;
- C. ONLY if Section 22 Subsections A and B are satisfied, then any new construction or substantial improvement shall comply with all other applicable flood hazard reduction provisions of Sections 17 and 18

23. Standards for Streams without Established Base Flood Elevations and Floodways (A Zones) Located within the Special Flood Hazard Areas established in Section 7 , where streams exist, but no base flood data has been provided and where a Floodway has not been delineated, the following provisions shall apply:

- A. The Administrator shall obtain, review, and reasonably utilize any Base Flood Elevation and floodway data available from any Federal, State, or other sources, including data developed as a result of these regulations (see 2 below), as criteria for requiring that new construction, substantial improvements, or other development in approximate A Zones meet the requirements of Sections 17 and 18.
- B. Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals Base Flood Elevation data.

- C. Within approximate A Zones, where Base Flood Elevations have not been established and where such data is not available from other sources, require the lowest floor of a building to be elevated or floodproofed to a level of at least three (3) feet above the highest adjacent grade (as defined in Section 5). All applicable data including elevations or floodproofing certifications shall be recorded as set forth in Section 15. Openings sufficient to facilitate automatic equalization of hydrostatic flood forces on exterior walls shall be provided in accordance with the standards of Section 18.
 - D. Within approximate A Zones, where Base Flood Elevations have not been established and where such data is not available from other sources, no encroachments, including structures or fill material, shall be located within an area equal to the width of the stream or twenty feet (20), whichever is greater, measured from the top of the stream bank, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the City of Clarksville, , Tennessee. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.
 - E. New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of Sections 17 and 18. Within approximate A Zones, require that those subsections of Section 18 dealing with the alteration or relocation of a watercourse, assuring watercourse carrying capacities are maintained and manufactured homes provisions are complied with as required.
24. **Standards for Areas of Shallow Flooding (Zone AO)** Located within the Special Flood Hazard Areas established in Section 7 are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate. In addition to Sections 17 and 18, all new construction and substantial improvements shall meet the following requirements:
- A. The lowest floor (including basement) shall be elevated at least as high as the depth number specified on the Flood Insurance Rate Map (FIRM), in feet, plus a freeboard of one (1) foot above the highest adjacent grade; or at least three (3) feet above the highest adjacent grade, if no depth number is specified.
 - B. Non-residential structures may, in lieu of elevation, be floodproofed to the same level as required in Subsection 24.A so that the structure, together with attendant utility and sanitary facilities, below that level shall be watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Certification is required in accordance with Subsection 13.A.III and Subsection 18.B.
 - C. Adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

25. **Standards For Areas of Shallow Flooding (Zone AH)** Located within the Special Flood Hazard Areas established in Section 7 are areas designated as shallow flooding areas. These areas are subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are one (1) to three (3) feet. Base Flood Elevations are derived from detailed hydraulic analyses are shown in this zone. In addition to meeting the requirements of Sections 17 and 18, all new construction and substantial improvements shall meet the following requirements:
- A. Adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from proposed structures.
26. **Standards For Areas Protected by Flood Protection System (A-99 Zones)** Located within the Areas of Special Flood Hazard established in Section 7, are areas of the 100-year floodplain protected by a flood protection system but where Base Flood Elevations have not been determined. Within these areas (A-99 Zones), all provisions of Sections 11 through 26 shall apply.
27. **Standards for Unmapped Streams** Located within the City of Clarksville,, Tennessee, are unmapped streams where areas of special flood hazard are neither indicated nor identified. Adjacent to such streams, the following provisions shall apply:
- A. No encroachments including fill material or other development including structures shall be located within an area of at least equal to twice the width of the stream, measured from the top of each stream bank, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the locality.
 - B. When a new flood hazard risk zone, and Base Flood Elevation and floodway data is available, new construction and substantial improvements shall meet the standards established in accordance with Sections 11 through 26.
 - C. ONLY if Subsection 9.2.2, provisions (A) through (B) are satisfied, then any new construction or substantial improvement shall comply with all other applicable flood hazard reduction provisions of
28. **Variance Procedures**
- A. **Authority.** The City of Clarksville, Tennessee Board of Zoning Appeals and/or Stormwater Board of Appeals shall hear and decide appeals and requests for variances from the requirements of this Ordinance.
 - B. **Procedures.** Meetings of the Board of Zoning Appeals shall be held at such times, as the Board shall determine. All meetings of the Board of Zoning Appeals shall be open to the public. The Board of Zoning Appeals shall adopt rules of procedure and shall keep records of applications and actions thereof, which shall be a public record. Compensation of the members of the Board of Zoning Appeals shall be set by the Clarksville City Council.

- C. An appeal to the Board of Zoning Appeals may be taken by any person, firm or corporation aggrieved or by any governmental officer, department, or bureau affected by any decision of the Administrator based in whole or in part upon the provisions of this Ordinance. Such appeal shall be taken by filing with the Board of Zoning Appeals a notice of appeal, specifying the grounds thereof. In all cases where an appeal is made by a property owner or other interested party, a fee of \$255 dollars for the cost of publishing a notice of such hearings shall be paid by the appellant. The Administrator shall transmit to the Board of Zoning Appeals all papers constituting the record upon which the appeal action was taken. The Board of Zoning Appeals shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to parties in interest and decide the same within a reasonable time which shall not be more than 30 days from the date of the hearing. At the hearing, any person or party may appear and be heard in person or by agent or by attorney.
- D. The Board of Zoning Appeals shall have the following powers:
- I. Administrative Review. To hear and decide appeals where it is alleged by the applicant that there is error in any order, requirement, permit, decision, determination, or refusal made by the Administrator or other administrative official in carrying out or enforcement of any provisions of this Ordinance.
 - II. Variance Procedures. In the case of a request for a variance the following shall apply:
 - a. The City of Clarksville, Tennessee Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this Ordinance.
 - b. Variances may be issued for the repair or rehabilitation of historic structures as defined, herein, upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary deviation from the requirements of this Ordinance to preserve the historic character and design of the structure.
 - c. In passing upon such applications, the Board of Zoning Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this Ordinance, and:
 - i. The danger that materials may be swept onto other property to the injury of others;
 - ii. The danger to life and property due to flooding or erosion;
 - iii. The susceptibility of the proposed facility and its contents to flood damage;
 - iv. The importance of the services provided by the proposed facility to the community;
 - v. The necessity of the facility to a waterfront location, in the case of a functionally dependent use;
 - vi. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 - vii. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;

- viii. The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - ix. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
 - x. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, water systems, and streets and bridges.
- d. Upon consideration of the factors listed above, and the purposes of this Ordinance, the Board of Zoning Appeals may attach such conditions to the granting of variances, as it deems necessary to effectuate the purposes of this Ordinance.
- e. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

29. Conditions for Variances

- A. Variances shall be issued upon a determination that the variance is the minimum relief necessary, considering the flood hazard and the factors listed in Section 28. Variances shall only be issued upon: a showing of good and sufficient cause, a determination that failure to grant the variance would result in exceptional hardship; or a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or Ordinances.
- B. Any applicant to whom a variance is granted shall be given written notice that the issuance of a variance to construct a structure below the Base Flood Elevation will result in increased premium rates for flood insurance (as high as \$25 for \$100) coverage, and that such construction below the Base Flood Elevation increases risks to life and property.
- C. The Administrator shall maintain the records of all appeal actions and report any variances to FEMA upon request.

30. Legal Status Provisions

- A. In case of conflict between this Ordinance or any part thereof, and the whole or part of any existing or future Ordinance of the City of Clarksville, Tennessee, the most restrictive shall in all cases apply.
- B. Severability. If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this Ordinance, which is not of itself invalid or unconstitutional.
- C. Effective Date. This Ordinance shall become effective on January 15, 2021, in accordance with the Charter of the City of Clarksville, Tennessee, and the public welfare demanding it.

ORDINANCE 50-2020-21

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF SHELBYVILLAS, G.P., DANA BAGGETT-AGENT, FOR ZONE CHANGE ON PROPERTY LOCATED AT THE INTERSECTION OF PROVIDENCE BOULEVARD AND SHELBY STREET

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned R-3 Three Family Residential District, as R-6 Single Family Residential District.

PUBLIC HEARING: December 3, 2020
FIRST READING: December 3, 2020
SECOND READING: *Scheduled for January 7, 2021*
EFFECTIVE DATE:

EXHIBIT A

Beginning at a point, said point being in the east right of way margin of Shelby St. 1,639 +/- feet north of the centerline of the Providence Blvd. & Shelby St. intersection, said point also being the northwest corner of the Lydia Gayle Zarichansky property, thence in a northerly direction 104 +/- feet with the eastern right of way margin of Shelby St. to a point, said point being the southwest corner of the Shelbyvillas GP property, thence in a easterly direction 138 +/- feet with the southern boundary of the Shelbyvillas GP property to a point, said point being in the western boundary of the Brian R. Wolff property, thence in a southerly direction 104 +/- feet with the western boundary of the Brian R. Wolff property to a point, said point being the northeast corner of the Lydia Gayle Zarichansky property, thence in a westerly direction 140 +/- feet with the northern boundary of the Lydia Gayle Zarichansky property to the point of beginning, said herein described tract containing 0.31 +/- acre.

ORDINANCE 51-2020-21

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF RAYMOND SHEPPARD, CHRISTOPHER AVERITT-AGENT, FOR ZONE CHANGE ON PROPERTY LOCATED AT THE INTERSECTION OF SOUTH ROSEWOOD DRIVE AND TURNER REYNOLDS COURT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned R-2 Single Family Residential District, as R-6 Single Family Residential District.

PUBLIC HEARING: December 3, 2020
FIRST READING: December 3, 2020
SECOND READING: Scheduled for January 7, 2021
EFFECTIVE DATE:

EXHIBIT A

Beginning at a point, said point being 194 +/- feet south of the S. Rosewood Dr. & Rosewood Dr. intersection, said point located in the west right of way margin of S. Rosewood Dr. and also the southeast corner of the Olivia Joan Pollard property, thence in a southwesterly direction 194 +/- feet with the western right of way margin of S. Rosewood Dr. to a point, said point being the northeast corner of the Healing Investments, LLC property, thence in a westerly direction 222 +/- feet with the northern boundary of the Healing Investments, LLC property to a point, said point being in the eastern boundary Blackjack Investments, LLC, thence in a northwesterly direction 133 +/- feet with the eastern boundary of the Blackjack Investments, LLC property, to a point, said point being the southwest corner of the Hugh T. Underwood property, thence in a easterly direction 371 +/- feet with the southern boundary of the Hugh T. Underwood property to the point of beginning, said herein described tract containing 0.98 +/- acre.

ORDINANCE 52-2020-21

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF FENTRESS BRYANT AND SUK LEE-TENNESSEE COMMUNITY PROPERTY TRUST, REED BALDWIN-AGENT, FOR ZONE CHANGE ON PROPERTY LOCATED AT THE INTERSECTION OF FORT CAMPBELL BOULEVARD AND LADY MARION DRIVE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned C-5 Highway & Arterial Commercial District, as R-4 Multiple Family Residential District.

PUBLIC HEARING: December 3, 2020
FIRST READING: December 3, 2020
SECOND READING: Scheduled for January 7, 2021
EFFECTIVE DATE:

EXHIBIT A

Beginning an iron pin (old), said pin being west of and adjacent to said Fort Campbell Boulevard right of way, said pin being S 81° 49' E for a distance of 494 feet from the centerline intersection of Fort Campbell Boulevard and Lady Marion Drive, said point also being the southeastern corner of the herein described parcel; Thence, along Fort Campbell Boulevard right of way, S 25° 48' 16" E for a distance of 100.00 feet to a point on a line, said point being the north east corner of the said Fentress Bryant and Suk Lee TN Community Property Trust property; Thence, leaving said Fort Campbell Boulevard right of way and along said Fentress Bryant and Suk Lee TN Community Property Trust property line, S 64° 02' 59" W for a distance of 500.00 feet to a point on a line; Thence, leaving said Fentress Bryant and Suk Lee TN Community Property Trust property and along a zoning ling, N 26° 19' 20" W for a distance of 1139.90 feet to a point on a line, said point being the north west corner of the herein described parcel, said point also being the southern property line of the Zachary Henard property as described in ORV 1212, page 2389; Thence, along said Zachary Henard property line, N 61° 25' 44" E for a distance of 202.62 feet to a point on a line, said point being the north west corner of the Richard Herron property as described in ORV 1941, page 1334, said point being the north east corner of the herein described parcel; Thence, leaving said Zachary Henard property and along said Richard Herron property for the next 2 calls, S 27° 55' 57" E for

a distance of 99.06 feet to a point on a line; Thence, N 63° 55' 46" E for a distance of 75.02 feet to a point on a line, said point being the north west corner of the said Fentress Bryant and Suk Lee TN Community Property Trust property; Thence, S 26° 19' 19" E for a distance of 443.46 feet to a point on a line, said point being the north west corner of the David Gardner property as described in ORV 541, page 272; Thence, leaving said Fentress Bryant and Suk Lee TN Community Property Trust property and along said David Gardner property for the next 2 calls, S 26° 19' 19" E for a distance of 81.80 feet to a point on a line; Thence, N 63° 57' 44" E for a distance of 21.64 feet to a point on a line, said point being the north west corner of the Gardner Revocable Living Trust property as described in ORV 1668, page 2260; Thence, leaving said David Gardner property and along said Gardner Revocable Living Trust property, S 26° 34' 11" E for a distance of 125.47 feet to a point on a line, said point being the northern property line of the said Fentress Bryant and Suk Lee TN Community Property Trust property; Thence, along said Fentress Bryant and Suk Lee TN Community Property Trust property for the next 3 calls, S 64° 13' 33" W for a distance of 99.94 feet to a point on a line; Thence, S 26° 00' 51" E for a distance of 299.94 feet to a point on a line; Thence, N 64° 02' 59" E a distance of 300.00 feet to the point of beginning, said parcel containing 314,790 Square Feet or 7.23 Acres, more or less.

ORDINANCE 53-2020-21

AN ORDINANCE AMENDING THE 2020-21 OPERATING AND CAPITAL BUDGET (ORDINANCE 39-2020-21) FOR THE GOVERNMENTAL FUNDS IN THE AMOUNT OF \$250,000 FOR THE FREEDOM POINT REMEDIATION CAPITAL PROJECT

WHEREAS, Liberty Park was developed to include Wilma Rudolph Event Center, Freedom Point, dog park and more. The previously constructed Freedom Point area is need of remediation; and

WHEREAS, After several years of working with previous contractors the City reached a negotiated settlement of \$625,000 to remediate the structural issues at Freedom Point; and

WHEREAS, Parties understood the settlement would not be sufficient to pay for the work necessary for structural integrity of the facility; and

WHEREAS, Timing of the repairs is critical due to tides and use of the facility; and

WHEREAS, Work of this nature has many potential unknowns due to underwater work and soil work, a cost was difficult to identify until bids were received.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

The following budget amendment be made:

Capital Projects Fund

Liberty Park Remediation

40450003-4450-17505	Construction Services	Increase	\$250,000
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BE IT FURTHER ORDAINED that the source funding for the \$250,000 shall be from debt issuance.

FIRST READING: December 17, 2020

SECOND READING: *Scheduled for January 7, 2021*

EFFECTIVE DATE:

ORDINANCE 54-2020-21

AN ORDINANCE AUTHORIZING THE CITY'S PURCHASE OF THE ROXY THEATER PROPERTY

WHEREAS, the City Council finds that the Roxy Theater is an esteemed part of Clarksville's history; that the Roxy Theater building retains significant architectural significance, and the Roxy Theater plays a central and critical role in providing educational services in the fine arts, and entertainment to the general public, and adds tremendous value to the culture of our community; and

WHEREAS, the City Council finds that the Roxy Theater building is no longer large enough to accommodate the needs of the community and it's children; and

WHEREAS, the City Council finds that the Roxy Productions, Inc. cannot afford to make necessary repairs and / or maintenance to the existing building, and is committed to constructing a new building for the performing arts and community events featuring the arts of all types while maintaining key architectural and historical features of the current building; and

WHEREAS, the City Council finds that the best interests of the City and its residents and children would best be served by the City purchasing the existing Roxy Theater building, and then re-building a new, high quality, expanded, and more efficient Performing Arts Center, at a fair market value purchase price of \$810,000.00, as determined by a reputable appraisal firm, and then leasing the new Performing Arts Center to Roxy Productions, Inc. or successor / assignee, in order to operate and manage the Performing Arts Center and provide high quality fine arts educational and entertainment programming.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the purchase by the City of the Roxy Theater property from owner Roxy Productions, Inc., to include a separate parking parcel adjacent thereto also owned by Roxy Productions, Inc., is hereby approved, in accordance with the terms and conditions of the real estate purchase and sale agreement attached hereto as Exhibit A, for a purchase price not to exceed Eight Hundred and Ten Thousand and 00/100 Dollars (\$810,000.00), plus reasonable settlement costs and fees, and the Mayor and City Attorney are hereby authorized to execute all necessary documents required to effectuate the purchase of said properties.

FIRST READING: December 17, 2020
SECOND READING: Scheduled for January 7, 2021
EFFECTIVE DATE:

RESOLUTION 45-2020-21

A RESOLUTION APPROVING APPOINTMENTS TO THE CUSTOM HOUSE MUSEUM BOARD OF DIRECTORS, HUMAN RELATIONS COMMISSION, AND TREE BOARD

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Clarksville City Council hereby approves the following appointments:

Custom House Museum Board: Paige Adkins, Jamie Durrett, Linda Nichols, Thomasa Ross - January 2021 through December 2023, Vondell Richmond - January 2021 through December 2021

Human Relations Commission: Ashlee Evans - January 2021 through June 2022

Tree Board: Alexandria Wills - July 2020 through June 2023; Karla Kean - January 2021 through June 2021

ADOPTED:



**CLARKSVILLE CITY COUNCIL
REGULAR SESSION
DECEMBER 3, 2020**

MINUTES

PUBLIC COMMENTS

Prior to the meeting, Monica Meeks said she was mistreated by a city employee while campaigning during early voting; she did state the name of the employee.

CALL TO ORDER

The regular session of the Clarksville City Council was called to order by Mayor Joe Pitts on Thursday, December 3, 2020, at 7:00 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Councilman Jeff Burkhart; the Pledge of Allegiance was led by Councillady Valerie Guzman.

This meeting was conducted via Google Meets and live streamed on cityofclarksville.com.

APPROVAL OF ELECTRONIC MEETING

"In order to comply with the technical aspects of the Governor's Executive Order regarding holding open meetings in a forum other than in the open and in public, this governing body determines that meeting electronically is necessary to protect the health, safety, and welfare of its citizens due to the COVID-19 outbreak."

Councillady Smith made a motion to approve the electronic meeting. The motion was seconded by Councilman Holleman. The following vote was recorded:

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to approve the electronic meeting unanimously passed.

SPECIAL RECOGNITIONS

Mayor Pitts presented a Certificate of Appreciation to outgoing City Council members for their service: Ron Erb - Ward 3, Tim Chandler - Ward 4, Valerie Guzman - Ward 5, David Allen - Ward 8, Jeff Henley - Ward 9, Gary Norris - Ward 11, Jeff Burkhart - Ward 12.

ZONING PUBLIC HEARING

Councilman Garrett made a motion to conduct a public hearing to receive comments regarding the proposed Floodplain Overlay District, requests for zone change and abandonment of property. The motion was seconded by Councilwoman Guzman. There was no objection.

ORDINANCE 48-2020-21 (First Reading) Amending the City Zoning Ordinance relative to the Floodplain Overlay District

No requests were received to speak for or against this proposed amendment.

ORDINANCE 50-2020-21 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Shelbyvillas, GP, Dana Baggett-Agent, for zone change on property located at the intersection of Providence Boulevard and Shelby Street from R-3 Three Family Residential District to R-6 Single Family Residential District

No requests were received to speak for or against this request.

ORDINANCE 51-2020-21 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Raymond Sheppard, Christopher Averitt-Agent, for zone change on property located at the intersection of South Rosewood Drive and Turner Reynolds Court from R-2 Single Family Residential District to R-6 Single Family Residential District

Syd Hedrick said the R-6 zoning was appropriate for this location and it would benefit the neighborhood.

Don Lawrence felt the change would lower property values and increase traffic problems. He noted two developments were already underway in the area.

ORDINANCE 52-2020-21 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Fentress Bryant and Suk Lee-Tennessee Community Property Trust, Reed Baldwin-Agent, for zone change on property located at the intersection of Fort Campbell Boulevard and Lady Marion Drive and east of West Fork Creek from C-5 to R-4

Cal McKay thanked members of the City Council for their service. He offered to answer questions; no questions were asked. Syd Hedrick said this change would provide 120 affordable off-post housing units for military residents. He said the

developer would address Councilman Richmond's concern about traffic at the nearby intersection at Fort Campbell Boulevard. There were no requests to speak in opposition to this change.

RESOLUTION 41-2020-21 Approving abandonment of a portion of an alleyway north of Main Street, south of College Street, and west of 8th Street; request of James Corlew, Sr.

No requests were received to speak for or against this request.

Councilman Garrett made a motion to revert to regular session. The motion was seconded by Councilman Holleman. There was no objection.

ADOPTION OF ZONING

The recommendation of the Regional Planning Staff and Commission were for approval of **ORDINANCE 48-2020-21**. Councilman Garrett made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Henley. There was no discussion. The following vote was recorded:

AYE: Allen, Burkhardt, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this ordinance on first reading unanimously passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 50-2020-21**. Councilman Garrett made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Burkhardt. Councilman Chandler felt this change would improve the area. The following vote was recorded:

AYE: Allen, Burkhardt, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this ordinance on first reading unanimously passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 51-2020-21**. Councilman Garrett made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Henley. Councilman Allen said R-6 zoning would serve as a buffer for the transition from the commercial to residential uses and said the change could provide for affordable housing. Councilman Garrett said this change would fit the adopted land use plan. Councilman Burkhardt felt the R-6 zoning would not decrease the area's property values. Councilman Chandler and Councilman Holleman said four new homes should not dramatically affect traffic. Councilman Smith said she supported a single-family development as opposed to a multi-family development on this property. Councilman Henley felt the proposed R-6 change would fit well with the existing commercial activities. The following vote was recorded:

AYE: Allen, Burkhardt, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this ordinance on first reading unanimously passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 52-2020-21**. Councilman Garrett made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Henley. Councilman Chandler said the City does not need affordable housing that could create traffic hazards. Councilman Garrett said the developer agreed to create an access for emergency vehicles and felt multi-family was the best use for this property. Councilman Allen said any development at this location would require a left turn onto Fort Campbell Boulevard and said this change would be good for the community as a whole. Councilman Erb was concerned that the exit from the property did not intersect with the existing traffic signal, but felt it would be a good use of the property. Councilman Richmond expressed support for the Regional Planning Staff and Commission's recommendations for approval. The following vote was recorded:

AYE: Allen, Burkhardt, Garrett, Guzman, Henley, Holleman, Norris, Richmond, Smith, Streetman

NAY: Chandler, Erb, Pitts

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **RESOLUTION 41-2020-21**. Councilman Garrett made a motion to adopt this resolution. The motion was seconded by Councilman Burkhardt. The following vote was recorded:

AYE: Allen, Burkhardt, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this resolution unanimously passed.

CONSENT AGENDA

All items in this portion of the agenda are considered to be routine and non-controversial by the Council and may be approved by one motion; however, a member of the Council may request that an item be removed for separate consideration under the appropriate committee report:

1. **ORDINANCE 40-2020-21** (Second Reading) Amending the Official Code relative to adoption of the updated Codes of the International Code Council (Building Code, Gas Code, Plumbing Code, Residential Code, and Mechanical Code)
2. **ORDINANCE 41-2020-21** (Second Reading) Amending the Official Code reapportioning the City of Clarksville for the purpose of electing persons for the office of city council member for annexed territory off Britton Springs Road near Center Road

3. **ORDINANCE 43-2020-21** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Mark Holleman and John Hampel, Houston Smith-Agent, for zone change on property located at the intersection of Golf Club Lane and Colonial Court and the intersection of Paradise Hill Road and Highland Circle from R-1 Single Family Residential District to R-6 Single Family Residential District

4. **ORDINANCE 44-2020-21** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Ava Homes, LLC/Amber Frederick, Amber Fredrick and Bryan Gerwitz-Agents, for zone change on property located at the terminus of Dodd Street from R-3 Three Family Residential District to R-6 Single Family Residential District

5. **ORDINANCE 45-2020-21** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Christopher Colburn for zone change on property located at the intersection of North Seven Mile Ferry Road and Ashland City Road from R-1 Single Family Residential District to C-2 General Commercial District

6. **ORDINANCE 46-2020-21** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Re4e Holdings, LLC, Acklen Property Group, LLC-Agent, for zone change on property located at the intersection of Hickory Grove Boulevard and Hickory Heights from R-2 Single Family Residential District to R-6 Single Family Residential District

7. **RESOLUTION 37-2020-21** Approving a Certificate of Compliance for sale of wine at Pop Shelf, 2819 Wilma Rudolph Boulevard *[Removed; see below department reports]*

8. **RESOLUTION 42-2020-21** Approving appointments to the Audit Committee and Roxy Regional Theater Board of Directors *[Removed; below department reports]*

- *Audit Committee: Peter Reyman, Dr. Jennifer Thayer - January 2021 through December 2022*
- *Roxy Regional Theater Board of Directors: Anthony Johnson, Gary Norris - December 2020 through November 2021; Charlie Foust, Andrea Herrera, Amanda Pitt - December 2020 through November 2022; Kurt Kowalski, Nancy Ladd, Melisa Schaffner, Stephanie Stafford, Jerica Swiger, Stacey Turner - December 2020 through November 2023*

9. Adoption of Minutes: November 5, November 10

Mayor Pitts requested separate consideration of **RESOLUTION 37-2020-21** and **RESOLUTION 42-2020-21**. Councillady Guzman made a motion to adopt the Consent Agenda as amended. The motion was seconded by Councilman Allen. Councilman Holleman registered “abstain” on **ORDINANCE 43-2020-21** because of his family relationship with the applicant. The following vote was recorded:

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt the Consent Agenda as amended passed.

FINANCE COMMITTEE *Chairman Jeff Burkhart*

RESOLUTION 35-2020-21 Authorizing a memorandum of understanding with the Tennessee Bureau of Investigation relative to the Mobile Identification Device Policy

The recommendations of the Finance Committee and Public Safety Committee were for approval. Councilman Burkhart made a motion to adopt this resolution. The motion was seconded by Councilman Chandler. The following vote was recorded:

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this resolution unanimously passed.

RESOLUTION 36-2020-21 Authorizing a mutual aid agreement with Austin Peay State University for police services

The recommendations of the Finance Committee and Public Safety Committee were for approval. Councilman Burkhart made a motion to adopt this resolution. The motion was seconded by Councilman Henley.

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this resolution unanimously passed.

RESOLUTION 38-2020-21 Recommending banking services contracts under reevaluation as required by State Law

The recommendation of the Finance Committee was for approval. Councilman Burkhart made a motion to adopt this resolution. The motion was seconded by Councilman Erb.

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith

ABSTAIN: Streetman

The motion to adopt this resolution passed.

RESOLUTION 39-2020-21 Declaring intent to reimburse \$40,000,000 for certain project expenditures with proceeds of general obligation bonds, notes, or other debt obligations

The recommendation of the Finance Committee was for approval. Councilman Burkhart made a motion to adopt this resolution. The motion was seconded by Councilman Chandler.

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this resolution unanimously passed.

RESOLUTION 40-2020-21 Approving a lease with the Roxy Regional Theater

The recommendation of the Finance Committee was for approval. Councilman Burkhart made a motion to adopt this resolution. The motion was seconded by Councilman Henley.

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this resolution unanimously passed.

GAS & WATER COMMITTEE *Chairlady Valerie Guzman*

Councillady Guzman expressed appreciation to the Gas & Water Department staff for their service during her tenure as Chair of this committee.

Councillady Guzman shared the following monthly department statistics: 386 million gallons of treated water, call center conversations averaged 3 minutes and 9 seconds, and 67 natural gas odor responses.

HOUSING & COMMUNITY DEVELOPMENT COMMITTEE *Chairman David Allen*

Councilman Allen said the Office of Housing & Community Development had \$1.4 in funding available for Coronavirus relief grants.

PARKS & RECREATION COMMITTEE *Chairlady Valerie Guzman*

Councillady Guzman noted upcoming events including the drive-through Christmas Parade, Elf Splash, and the 19th Century Christmas at Fort Defiance, and Christmas Light Run.

Councillady Guzman expressed appreciation to the staff of the Parks & Recreation Department for their support during her tenure as Chair of this committee.

PUBLIC SAFETY COMMITTEE *Chairman Jeff Henley*

ORDINANCE 49-2020-21 (First Reading) Amending the Official Code relative citations for city code violation of miscellaneous offences

The recommendation of the Public Safety Committee was for approval. Councilman Henley made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Erb. Councillady Streetman said the Loss Prevention Officers already patrol city parks and this would give them authority to issue citations for certain offenses on city property. Councilman Chandler

expressed concern regarding alcohol-related incidents. The following vote was recorded:

AYE: Allen, Burkhart, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

NAY: Chandler

The motion to adopt this ordinance on first reading passed.

Councilman Henley shared the following monthly department statistics: Building & Codes - 2,694 inspections, 63 enforcement cases, and 47 abatement work orders, 83 single-family permits, 20 multi-family permits, and 15 commercial permits; Fire Rescue - 1,307 runs; Police - 11,259 responses.

Councilman Henley thanked Fire Chief Freddie Montgomery and Police Chief David Crockarrell, former Police Chief Al Ansley, and Building & Codes Director David Smith for their support during his tenure as Chair of the Public Safety Committee.

STREETS & GARAGE COMMITTEE *Chairman Tim Chandler*

Councilman Chandler said even though some City Garage expenses recently increased, the department's year-to-date spending was under budget. The Street Department had completed paving in Chestnut Grove Subdivision and Woodlawn Estates. The department responded to 491 calls for debris pickup. He announced Dunbar Cave Road was open following several weeks of bridge reconstruction. Utility relocation was continuing for Rossview Road, Meriwether Road, and Trenton Road.

Councilman Chandler thanked the staffs of the City Garage and Street Department, and all employees for their service to the City.

TRANSPORTATION COMMITTEE *Chairlady Wanda Smith*

Councilwoman Smith said Clarksville Transit System transported 36,452 passengers during November including 5,975 senior citizens and 2,218 demand responses. She said CTS collected 686 canned goods for the Basket of Thankfulness. She reminded citizens the Industrial Park Bus Route 1000 is fare-free through December and announced CTS would provide free rides for the Warm Souls event on Christmas Eve. Councilwoman Smith announced four new bus shelters had recently been constructed.

POP SHELF CERTIFICATE OF COMPLIANCE

RESOLUTION 37-2020-21 Approving a Certificate of Compliance for sale of wine at Pop Shelf, 2819 Wilma Rudolph Boulevard

This resolution was removed from the original Consent Agenda. Councilman Chandler made a motion to adopt this resolution. The motion was seconded by Councilwoman Smith. Mayor Pitts stated the applicant had withdrawn the application, therefore, the Certificate of Compliance was not necessary. The following vote was recorded:

NAY: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this resolution failed.

ROXY THEATER BOARD OF DIRECTORS

RESOLUTION 42-2020-21 Approving appointments to the Audit Committee and Roxy Regional Theater Board of Directors

This resolution was removed from the original Consent Agenda. Council lady Guzman made a motion to adopt this resolution. The motion was seconded by Councilman Allen. Councilman Chandler made a motion to change the effective date of the terms from December 2020 to January 2021. The motion was seconded by Councilman Burkhart. The following vote was recorded:

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The amendment unanimously passed. The following vote on the motion as amended was recorded:

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this resolution as amended unanimously passed.

ADJOURNMENT

The meeting was adjourned at 8:47 p.m.



**CLARKSVILLE CITY COUNCIL
SPECIAL SESSION
DECEMBER 17, 2020**

MINUTES

CALL TO ORDER

A special session of the Clarksville City Council was called to order by Mayor Joe Pitts on Thursday, December 17, 2020, at 4:30 p.m. in City Council Chambers, 1 Public Square, Clarksville, Tennessee. This meeting was conducted via Google Meets.

A prayer was offered by Mayor Pro Tem David Allen; the Pledge of Allegiance was led by Councilman Ron Erb.

ATTENDANCE

IN PERSON: Richard Garrett (Ward 1), Ron Erb (Ward 3), Travis Holleman (Ward 7), Stacey Streetman (Ward 10), Gary Norris (Ward 11)

VIA GOOGLE MEETS: Vondell Richmond (Ward 2), Valerie Guzman (Ward 5), Wanda Smith (Ward 6), David Allen, Mayor Pro Tem (Ward 8), Jeff Henley (Ward 9), Jeff Burkhart (Ward 12)

ABSENT: Tim Chandler (Ward 4)

APPROVAL OF ELECTRONIC MEETING

"In order to comply with the technical aspects of the Governor's Executive Order regarding holding open meetings in a forum other than in the open and in public, this governing body determines that meeting electronically is necessary to protect the health, safety, and welfare of its citizens due to the COVID-19 outbreak."

Councilman Erb made a motion to approve the electronic meeting. The motion was seconded by Councilman Holleman. The following vote was recorded:

AYE: Garrett, Richmond, Erb, Guzman, Smith, Holleman, Allen, Henley, Streetman, Norris, Burkhardt, Pitts

The motion to approve the electronic meeting passed.

SECURITY OFFICER AUTHORITY

ORDINANCE 49-2020-21 (Second Reading) Amending the Official Code pertaining to authority of City Security Officers

Councilman Henley made a motion to adopt this ordinance on second reading. The motion was seconded by Councilman Smith. The following vote was recorded:

AYE: Garrett, Richmond, Erb, Guzman, Smith, Holleman, Allen, Henley, Streetman, Norris, Burkhardt, Pitts

The motion to adopt this ordinance on second reading passed.

FREEDOM POINT REMEDIATION

ORDINANCE 53-2020-21 (First Reading) Amending the FY21 Operating and Capital Budget for the Governmental Funds for Freedom Point Remediation

Councilman Streetman made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Richmond. Mayor Pitts said this amendment would fund necessary repairs to the building including structural issues resulting from gradual settling. The following vote was recorded:

AYE: Garrett, Richmond, Erb, Guzman, Smith, Holleman, Allen, Henley, Streetman, Norris, Burkhardt, Pitts

The motion to adopt this ordinance on first reading passed.

ROXY THEATER PROPERTY PURCHASE

ORDINANCE 54-2020-21 (First Reading) Authorizing a contract for purchase of Roxy Regional Theater property

Councillady Streetman made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Norris. Councillady Streetman made a motion to amend this ordinance by deleting all references to “Roxy Theater” and substituting instead “Performing Arts Center.” The motion was seconded by Councilman Garrett. The following vote was recorded:

AYE: Garrett, Richmond, Erb, Guzman, Smith, Holleman, Allen, Henley, Streetman, Norris, Burkhardt, Pitts

The amendment passed. In response to Councillady Smith’s question, Mayor Pitts said the Roxy Theater would operate the performing arts center. City Attorney Lance Baker said he would make corrections to the contract regarding the closing date. Councilman Henley felt the appraisal was too high. Mayor Pitts said the appraisal increased as a result of renovations to the marquis and said two existing liens on the property would be made whole with this purchase. Councilman Norris stated he was currently a non-voting member of the Roxy Board and asked for support for this ordinance. The following vote on the ordinance as amended was recorded:

AYE: Garrett, Richmond, Erb, Guzman, Smith, Holleman, Allen, Streetman, Burkhardt, Pitts

ABSTAIN: Henley, Norris

The motion to adopt this ordinance as amended on first reading passed.

MARQUIS V. CITY

RESOLUTION 44-2020-21 Approving the City agreeing to forego seeking discretionary costs in exchange for no appeal in the Marquis v. City case

Councilman Garrett made a motion to adopt this resolution. The motion was seconded by Councillady Streetman. In response to Councillady Smith’s question, Mayor Pitts said the plaintiff’s attorney said they would not appeal the

Judge's verdict in this case if the City would forego seeking discretionary costs which the City is entitled to. The following vote was recorded:

AYE: Garrett, Richmond, Erb, Guzman, Smith, Holleman, Allen,
Henley, Streetman, Norris, Burkhardt, Pitts

The motion to adopt this resolution passed.

ADJOURNMENT

The meeting was adjourned at 4:51 p.m.