



**CLARKSVILLE CITY COUNCIL  
EXECUTIVE SESSION  
AUGUST 26, 2021, 4:30 P.M.**

**AGENDA**

1) WARD 1 AND WARD 5 APPLICANT PRESENTATIONS *(to be held September 2)*

2) PLANNING COMMISSION *RPC Director Jeff Tyndall*

**ZONING PUBLIC HEARING**

1. **ORDINANCE 16-2021-22** (First Reading) Amending the Zoning Ordinance relative to breweries, micro breweries, and brewpubs *RPC: Approval/Approval*
2. **ORDINANCE 19-2021-22** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Reda Home Builders, Inc. for Zone Change on property located at the intersection of Madison St. and Tanglewood Dr. from R-1 Single Family Residential District to C-2 General Commercial District. *RPC: Approval/Approval*
3. **ORDINANCE 20-2021-22** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Olympus Investings, LLC, William Harris-Agent for Zone Change on property located at the intersection of Darnell Place & Cedar Crest Dr. from R-3 Three Family Residential District to R-4 Multiple Family Residential District. *RPC: Approval/Approval*
4. **ORDINANCE 21-2021-22** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of TDK Properties for Zone Change on property located at the southern terminus of Rufus Johnson Rd. from M-3 Planned Industrial District to C-5 Highway & Aterial Commercial District. *RPC: Approval/Approval*

5. **ORDINANCE 22-2021-22** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Willie Walker Byard & Mabry Holdings LLC, Byard & Mabry Holdings LLC-Agent for Zone Change on property located at the intersection of Ishee Dr. & Ringgold Rd. from AG Agricultural District to R-6 Single Family Residential District and R-2 Single Family Residential District. *RPC: Approval/Approval*

6. **ORDINANCE 23-2021-22** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of William Belew for Zone Change on property located at the intersection of Needmore Rd. & E. Boy Scout Rd. from AG Agricultural District to R-1 Single Family Residential District. *RPC: Approval/Approval*

7. **ORDINANCE 24-2021-22** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Johnny Piper for Zone Change on property located at the southern frontage of Cave Springs Rd. east of Danko Ln. from R-3 Three Family Residential District to R-6 Single Family Residential District. *RPC: Approval/Approval*

8. **ORDINANCE 25-2021-22** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of William Revell, Suresh Burle-Agent for Zone Change on property located at the intersection of Tiny Town Rd. & Allen Rd. from AG Agricultural District and C-5 Highway & Arterial Commercial District to AG Agricultural District and R-4 Multiple Family Residential District. *RPC: Approval/Approval*

9. **ORDINANCE 26-2021-22** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Trent Gallivan for Zone Change on property located at the intersection of Fairview Ln & W. Rossvie Rd. from R-1 Single Family Residential District to R-6 Single Family Residential District. *RPC: Approval/Approval*

#### REAPPLICATION FOR ZONE CHANGE

1. **RESOLUTION 17-2021-22** Authorizing reapplication for zone change on property located on Boy Scout Road west of Needmore Road; request of John M. and James R. Clark (*3/4 majority approval required*)

#### 3) 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 109-2020-21** (Second Reading) Amending the Official Code relative to Short Term Rentals (individual owners)
2. **ORDINANCE 3-2021-22** (Second Reading) Amending the Official Code to establish responsibilities for the Department of Information Technology and the Chief Information Officer, and establishing regulations for acquisition of technology resources
3. **ORDINANCE 4-2021-22** (Second Reading) Amending the Zoning Ordinance pertaining to Historic and Design Overlay Districts
4. **ORDINANCE 5-2021-22** (Second Reading) Authorizing an agreement for purchase of an easement right-of-way for the Whitfield Road-Needmore Road intersection improvements and to convey city property in exchange therefore
5. **ORDINANCE 6-2021-22** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Reda Home Builders, Inc. for Zone Change on property located at the intersection of Twin Rivers Rd. and Nolen Rd. from R-1 Single Family Residential District to R-4 Multiple Family Residential District.
6. **ORDINANCE 7-2021-22** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Lynda Ann Holt Conner, Stanley Ross, Harvill Ross, PLLC - Agent, for Zone Change on property located at the intersection of Wilson Rd. and Old Farmers Rd. from C-5 Highway & Arterial Commercial District and R-1 Single Family Residential District to R-5 Residential District.
7. **ORDINANCE 8-2021-22** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Krueckeberg, LLC, Stanley Ross, Harville Ross, PLLC - Agent, for Zone Change on property located at the intersection of Highway 76 & Little Hope Rd. from R-1 Single Family Residential District to R-4 Multiple Family Residential District.
8. **ORDINANCE 9-2021-22** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Bret and Patricia Logan, Tiffany McKeethen - Agent, for Zone Change on property located at the intersection of Peterson Ln. & Old Trenton Rd. from AG Agricultural District to R-1 Single Family Residential District.
9. **ORDINANCE 10-2021-22** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of SDRA Holdings, LLC, Allen Moser - Agent, for Zone Change on property located at the intersection of Franklin St. & Hornberger Ln. from R-3 Three Family Residential District to C-2 General Commercial District.

**10. ORDINANCE 11-2021-22** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Thomas Neal Bateman for Zone Change on property located at the intersection of Wilma Rudolph Blvd. & Old Trenton Rd. from M-2 General Industrial District to C-5 Highway & Arterial Commercial District.

**11. ORDINANCE 13-2021-22** (Second Reading) Authorizing the mayor or his designee to enter into an agreement and convey a transmission line structure easement, guy rights easement, and access road easement with the Tennessee Valley Authority (Little Hope Road and Arrow Lane)

**12. RESOLUTION 11-2021-22** Approving a Certificate of Compliance for sale of wine at Hanyang Oriental Market (100 Tiny Town Road)

**13. RESOLUTION 12-2021-22** Approving appointments to Economic Development Council, Parking Commission, and Tree Board

- *Common Design Review Board: Gail Longton (reappointment) - October 2021 through September 2026*
- *Economic Development Council: Wallace Redd (reappointment) - July 2021 through June 2023*
- *Parking Commission: Andy Kean (reappointment), David Shelton (replace Carol Clark-term expired) - August 2021 - September 2023*
- *Tree Board: Linda Friend (replace Dottie Mann - term expired) - August 2021 - June 2024, Levi Main (replace Joey Redman) - August 2021- June 2024*

**14.** Adoption of Minutes: August 5

4) FINANCE COMMITTEE *Councilperson Stacey Streetman*

1. **ORDINANCE 80-2020-21** (First Reading; Postponed March 23rd) Amending the Official Code relative to the Internal Service Fund *Finance Committee:* \_\_\_\_\_

2. **ORDINANCE 14-2021-22** (First Reading) Amending the Official Code relative to purchasing (discrimination) *Finance Committee:* \_\_\_\_\_

3. **ORDINANCE 15-2021-22** (First Reading) Amending the Official Code relative to equal employment opportunity (discrimination) *Finance Committee:* \_\_\_\_\_

4. **ORDINANCE 17-2021-22** Waiving credit card processing fees for Clarksville Transit System *Finance Committee:* \_\_\_\_\_

5. **ORDINANCE 18-2021-22** Amending the FY22 Operating and Capital Budget to carry forward prior year appropriations and amend for newly identified items *Finance Committee:* \_\_\_\_\_

6. **RESOLUTION 13-2021-22** Approving an economic impact plan for the 518 Madison Development Area *Finance Committee:* \_\_\_\_\_

7. **RESOLUTION 15-2021-22** Authorizing a Memorandum of Understanding with Clarksville-Montgomery County Crime Stoppers *Finance Committee and Public Safety Committees:* \_\_\_\_\_

8. **RESOLUTION 16-2021-22** Authorizing an interlocal agreement with Montgomery County pertaining to division of the 2021 Byrne Justice Assistance Grant fund allocations and administration and use of such funds *Finance and Public Safety Committees:* \_\_\_\_\_

5) GAS & WATER COMMITTEE *Councilperson Wallace Redd*

1. Department Report

6) HOUSING & COMMUNITY DEVELOPMENT COMMITTEE *Councilperson Wanda Smith*

1. Department Report

7) PARKS & RECREATION COMMITTEE *Councilperson Vondell Richmond*

1. Department Report

8) PUBLIC SAFETY COMMITTEE *Councilperson Travis Holleman*

1. **RESOLUTION 1-2021-22** (Referred from City Council August 5th) Authorizing an interlocal agreement between the Clarksville Police Department, Clarksville Fire Rescue, Montgomery County Sheriff, Montgomery County Volunteer Fire Service, Montgomery County EMS, and Clarksville-Montgomery County School System for the Handle With Care Pilot Program *Public Safety Committee:* \_\_\_\_\_

2. Department Reports

9) TRANSPORTATION-STREETS-GARAGE COMMITTEE *Councilperson Wanda Smith*

1. Department Reports

10) LEGISLATIVE LIAISON COMMITTEE

1. **RESOLUTION 14-2020-21** Adopting the City of Clarksville's Legislative Agenda for consideration by the 112th Tennessee General Assembly *Councilperson Streetman*

11) NEW BUSINESS

1. Discussion regarding time limit for speaking according to Robert's Rules of Order *Councilperson Holleman*
2. Discussion regarding RESOLUTION 51-2020-21 regarding the City Attorney *Councilperson Reynolds*

12) MAYOR AND COUNCIL MEMBER COMMENTS

13) PUBLIC COMMENTS *5 minutes each*

14) ADJOURNMENT

## CITY ZONING ACTIONS

The following case(s) will be considered for action at the formal session of the Clarksville City Council on: September 2, 2021. The public hearing will be held on: August 26, 2021.

CITY ORD. #: 19-2021-22      RPC CASE NUMBER: Z-34-2021

Applicant:      REDA HOME BUILDERS

Location:      Property located on the north frontage of Madison Street, 1.06- +/- feet west of the Madison St. & Tanglewood Dr. intersection.

Ward #:      9

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

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

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CITY ORD. #: 20-2021-22      RPC CASE NUMBER: Z-44-2021

Applicant:      OLYMPUS INVESTINGS, LLC

Agent:      William Harris

Location:      Property fronting on the west frontage of Cedar Crest Dr., 440 +/- feet south of the Darnell Place & Cedar Crest Dr. intersection.

Ward #:      6

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

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

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CITY ORD. #: 21-2021-22      RPC CASE NUMBER: Z-45-2021

Applicant:      TDK PROPERTIES

Location:      Property located at the southern terminus of Rufus Johnson Rd.

Ward #:      10

Request:      M-3 Planned Industrial District  
                 to  
                 C-5 Highway & Arterial Commercial District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

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CITY ORD. #: 22-2021-22      RPC CASE NUMBER: Z-46-2021  
Applicant:      WILLIE WALKER BYARD & MABRY HOLDINGS LLC  
Agent:      Byard & Mabry Holdings LLC  
Location:      Property fronting of the north frontage of Ringgold Rd., 680 +/- north of the Ishee Dr. & Ringgold Rd.  
intersection.  
Ward #:      5  
Request:      AG    AG Agricultural District  
                 to  
                 R-6 Single-Family Residential District / R-2 Single-Family Residential District

STAFF RECOMMENDATION: APPROVAL  
PLANNING COMMISSION RECOMMENDATION: APPROVAL  
\*\*\*\*\*

CITY ORD. #: 23-2021-22      RPC CASE NUMBER: Z-47-2021  
Applicant:      WILLIAM BELEW  
  
Location:      Property fronting on the west frontage of Needmore Rd., 2,425 +/- feet south of the Needmore Rd. & E.  
Boy Scout Rd. intersection.  
Ward #:      8  
Request:      AG Agricultural District  
                 to  
                 R-1 Single-Family Residential District

STAFF RECOMMENDATION: APPROVAL  
PLANNING COMMISSION RECOMMENDATION: APPROVAL  
\*\*\*\*\*

CITY ORD. #: 24-2021-22      RPC CASE NUMBER: Z-48-2021  
Applicant:      JOHNNY PIPER  
  
Location:      Property fronting on the southern frontage of Cave Springs Rd. east of Danko Ln.  
Ward #:      4  
Request:      R-3 Three Family Residential District  
                 to  
                 R-6 Single-Family Residential District

STAFF RECOMMENDATION: APPROVAL  
PLANNING COMMISSION RECOMMENDATION: APPROVAL  
\*\*\*\*\*

CITY ORD. #: 25-2021-22      RPC CASE NUMBER: Z-49-2021  
Applicant:      WILLIAM REVELL  
Agent:      Suresh Burle  
Location:      Property fronting on the south frontage of Tiny Town Rd., 775 +/- feet west of the Tiny Town Rd. &  
Allen Rd. intersection.  
Ward #:      5  
Request:      AG Agricultural District / C-5 Highway & Arterial Commercial District  
                 to  
                 AG Agricultural District / R-4 Multiple-Family Residential District

STAFF RECOMMENDATION: APPROVAL  
PLANNING COMMISSION RECOMMENDATION: APPROVAL  
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CITY ORD. #: 26-2021-22      RPC CASE NUMBER: Z-50-2021  
Applicant:      TRENT GALLIVAN

Location:      Property located at the southeast corner of the Fairview Ln. & W. Rossview Rd. intersection.  
Ward #:      11  
Request:      R-1 Single-Family Residential District  
                 to  
                 R-6 Single-Family Residential District

STAFF RECOMMENDATION: APPROVAL  
PLANNING COMMISSION RECOMMENDATION: APPROVAL  
\*\*\*\*\*

CITY ORD. #: 16-2021-22      RPC CASE NUMBER: ZO-2-2021  
Applicant:      REGIONAL PLANNING COMMISSION

STAFF RECOMMENDATION: APPROVAL  
PLANNING COMMISSION RECOMMENDATION: APPROVAL  
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**CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING**

**STAFF REVIEW - ZONING**

**RPC MEETING DATE** 08/24/2021

**CASE NUMBER:** Z - 34 -2021

**NAME OF APPLICANT:**Reda Home Builders

**AGENT:**

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**GENERAL INFORMATION**

**TAX PLAT:** 065P

**PARCEL(S):** D 020.00, D  
019.00 D 018.00

**ACREAGE TO BE REZONED:** 7.33

**PRESENT ZONING:** R-1

**PROPOSED ZONING:** C-2

**EXTENSION OF ZONING**

**CLASSIFICATION:** NO

**PROPERTY LOCATION:** Property located on the north frontage of Madison Street, 1.06- +/- feet west of the Madison St. & Tanglewood Dr. intersection.

**CITY COUNCIL WARD:** 9

**COUNTY COMMISSION DISTRICT:** 21

**CIVIL DISTRICT:** 12

**DESCRIPTION OF PROPERTY:** Request currently consist of three single family lots with residential structures.

**APPLICANT'S STATEMENT** To match zoning of properties in the area.

**FOR PROPOSED USE:**

**GROWTH PLAN AREA:** CITY

**PLANNING AREA:** Medical District

**PREVIOUS ZONING HISTORY:**



# CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

## STAFF REVIEW - ZONING

### DEPARTMENT COMMENTS

- |  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> GAS AND WATER ENG. SUPPORT MGR.  | <input type="checkbox"/> ATT                                 | <input type="checkbox"/> DIV. OF GROUND WATER |
| <input checked="" type="checkbox"/> GAS AND WATER ENG. SUPPORT COOR. | <input checked="" type="checkbox"/> FIRE DEPARTMENT          | <input type="checkbox"/> HOUSING AUTHORITY    |
| <input type="checkbox"/> UTILITY DISTRICT                            | <input type="checkbox"/> EMERGENCY MANAGEMENT                | <input type="checkbox"/> INDUSTRIAL DEV BOARD |
| <input checked="" type="checkbox"/> CITY STREET DEPT.                | <input checked="" type="checkbox"/> POLICE DEPARTMENT        | <input type="checkbox"/> CHARTER COMM.        |
| <input checked="" type="checkbox"/> TRAFFIC ENG. - ST. DEPT.         | <input type="checkbox"/> SHERIFF'S DEPARTMENT                | <input type="checkbox"/> Other...             |
| <input type="checkbox"/> COUNTY HIGHWAY DEPT.                        | <input checked="" type="checkbox"/> CITY BUILDING DEPT.      |   |
| <input type="checkbox"/> CEMC  | <input type="checkbox"/> COUNTY BUILDING DEPT.               |   |
| <input checked="" type="checkbox"/> DEPT. OF ELECTRICITY (CDE)       | <input checked="" type="checkbox"/> SCHOOL SYSTEM OPERATIONS |   |
|  | <input type="checkbox"/> FT. CAMPBELL                        |   |

**1. CITY ENGINEER/UTILITY DISTRICT:** Comments received from department and they had no concerns.

**2. STREET DEPARTMENT/  
COUNTY HIGHWAY DEPARTMENT:** Traffic Assessment required by CSD.  
Traffic assessment reviewed & accepted.

**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:** Rossview Middle & Rossview High are in the 2nd fastest growing region in Mont. County. Rossview Middle is at 118% capacity and currently has 11 portable classrooms. Rossview High is at 113% capacity and currently has 8 portables. 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. Current school boundaries are subject to adjustments in order to achieve optimal capacity utilization throughout the District.

ELEMENTARY:	<u>MOORE</u>
MIDDLE SCHOOL:	<u>ROSSVIEW</u>
HIGH SCHOOL:	<u>ROSSVIEW</u>

**9. FT. CAMPBELL:**

**10. OTHER COMMENTS:** Property lies within the Madison Street Design Overlay District

**CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING**

**STAFF REVIEW - ZONING**

**PLANNING STAFF'S STUDY AND RECOMMENDATION**

**IMPACT OF PROPOSED USE ON SURROUNDING DEVELOPMENT:** C-2 allows for mixed use commercial & multi-family residential use.

**INFRASTRUCTURE:**

**WATER SOURCE:** CITY

**SEWER SOURCE:** CITY

**STREET/ROAD ACCESSIBILITY:** Madison Street

**DRAINAGE COMMENTS:** Property drains north.

**RESIDENTIAL DEVELOPMENT**

**APPLICANT'S ESTIMATES    HISTORICAL ESTIMATES**

**LOTS/UNITS:**

**87**

**POPULATION:**

**234**

**APPLICABLE LAND USE PLAN**

Medical District- This Planning area was driven by the former Hospital located within the district. With the hospital being relocated and the former site being redeveloped as commercial the information and standards for this planning area are dated. The land use standards and objectives are more appropriately documented within the Madison Street Design Overlay documents.

**STAFF RECOMMENDATION:      APPROVAL**

- 1.** The proposed zoning request is consistent with the adopted Land Use Plan.
- 2.** The proposed C-2 Zoning request is consistent with the goals of the Madison Street Design Overlay Corridor. C-2 zoning permits the opportunity for general goods & services establishments with the additional opportunity for mixed use residential.
- 3.** The C-2 General Commercial District is not out of character with the existing uses along the northern frontage of Madison Street in the area.
- 4.** Adequate infrastructure serves the site & no adverse environmental issues were identified relative to this request.



**Z-34-2021**

**APPLICANT:**

REDA HOME BUILDERS,  
INC.

**REQUEST:**

**R-1  
TO  
C-2**

**MAP & PARCEL**

065P D 02000

065P D 01900

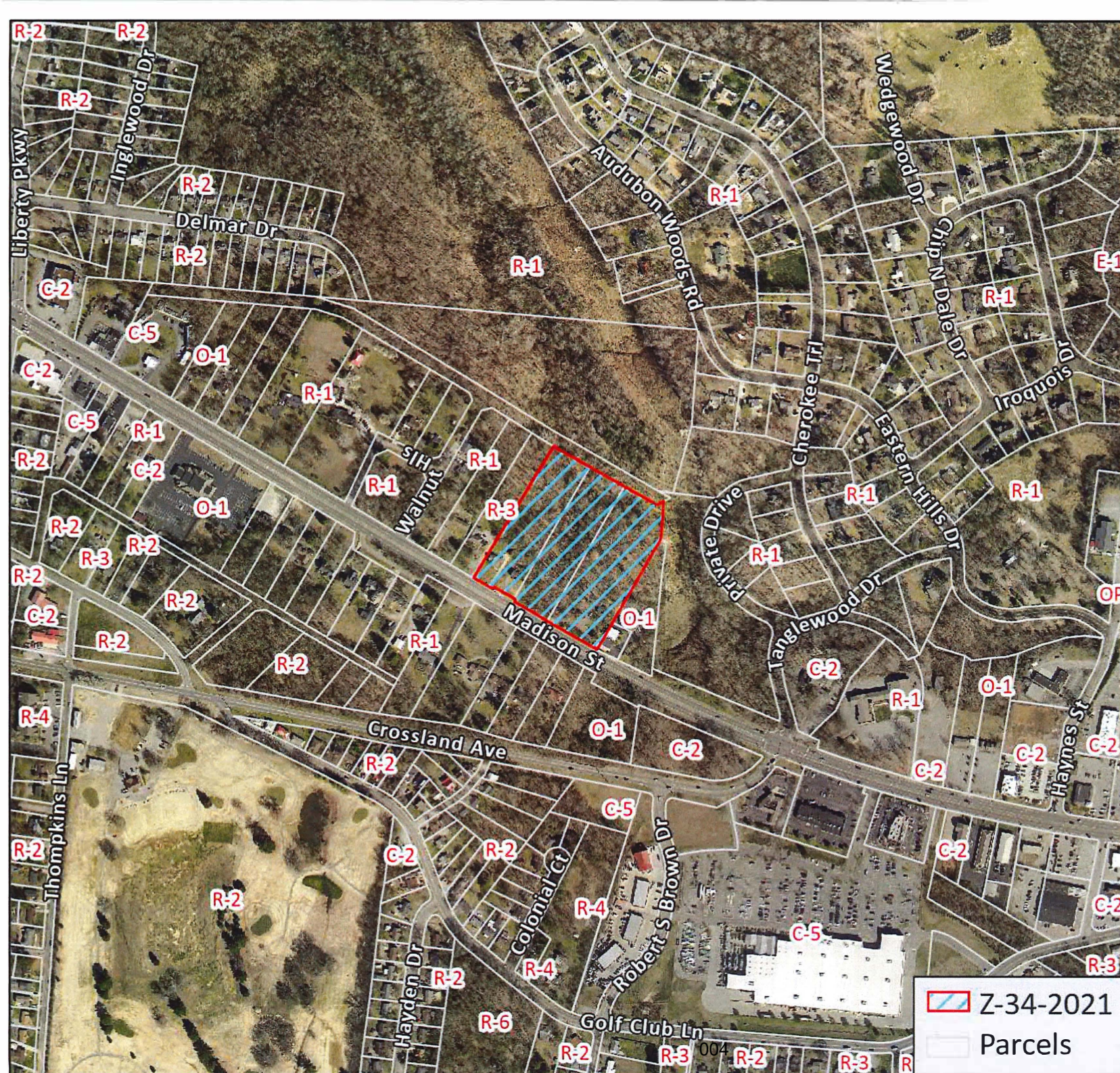
065P D 01800

**ACRES +/-**  
**7.33**

Scale: 1:6,000

0 300 600  
Feet

8/24/2021







**Z-34-2021**

**APPLICANT:**

REDA HOME BUILDERS,  
INC.

**REQUEST:**

**R-1**

**TO**

**C-2**

**MAP & PARCEL**

065P D 02000

065P D 01900


065P D 01800


**ACRES +/-**  
**7.33**

Scale: 1:3,000



8/24/2021

 **Z-34-2021**

 **Parcels**



**Z-34-2021**

**APPLICANT:**

REDA HOME BUILDERS,  
INC.

**REQUEST:**

**R-1  
TO  
C-2**

**MAP & PARCEL**

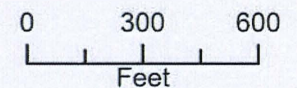
065P D 02000

065P D 01900

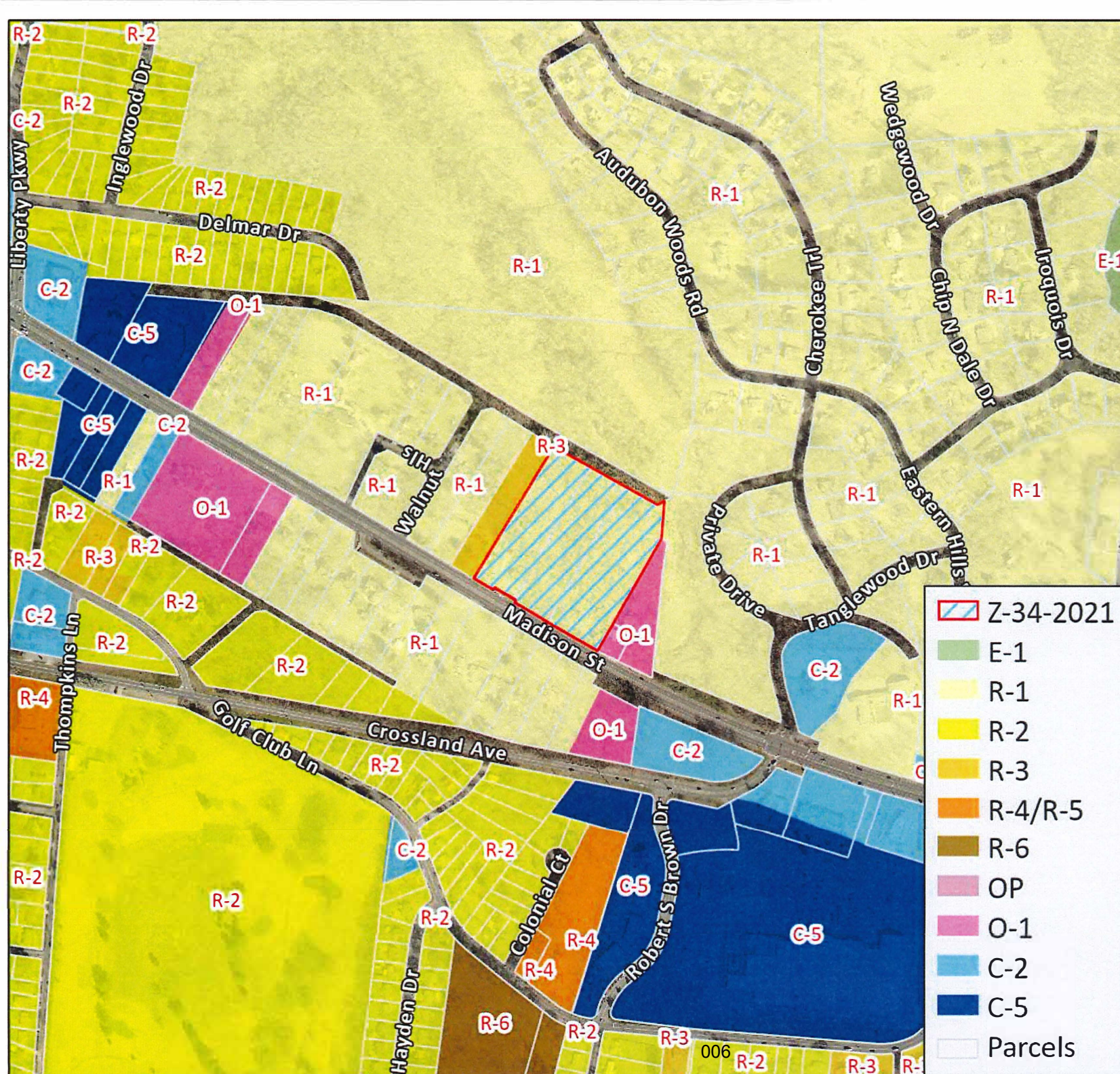
065P D 01800

**ACRES +/-**  
**7.33**

Scale: 1:6,000



8/24/2021





**CASE NUMBER:** Z 34 2021 **MEETING DATE** 08/24/2021

**APPLICANT:** Reda Home Builders

**PRESENT ZONING** R-1

**PROPOSED ZONING** C-2

**TAX PLAT #** 065P

**PARCEL** D 020.00, D 019.00 D 018.00

**GEN. LOCATION** Property located on the north frontage of Madison Street, 1.06- +/- feet west of the Madison St. & Tanglewood Dr. intersection.

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**PUBLIC COMMENTS**

None received as of 4:30 P.M. on 8/23/2021 (A.L.)

**CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING**

**STAFF REVIEW - ZONING**

**RPC MEETING DATE:** 08/24/2021

**CASE NUMBER:** Z -44 -2021

**NAME OF APPLICANT:**Olympus Investings,

**AGENT:** William Harris

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**GENERAL INFORMATION**

**TAX PLAT:** 054L

**PARCEL(S):** B 035.00

**ACREAGE TO BE REZONED:** 0.6

**PRESENT ZONING:** R-3

**PROPOSED ZONING:** R-4

**EXTENSION OF ZONING**

**CLASSIFICATION:** YES

**PROPERTY LOCATION:** Property fronting on the west frontage of Cedar Crest Dr., 440 +/- feet south of the Darnell Place & Cedar Crest Dr. intersection.

**CITY COUNCIL WARD:** 6

**COUNTY COMMISSION DISTRICT:** 13

**CIVIL DISTRICT:** 7

**DESCRIPTION OF PROPERTY:** A maintained grassland area with mild slope.

**APPLICANT'S STATEMENT** Requesting zone change R-3 to R-4 to construct multifamily dwelling of 4 or more units.  
**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:

Requires offsite water upgrades.

#### 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:

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

ELEMENTARY: BYRNS DARDEN

MIDDLE SCHOOL: KENWOOD

HIGH SCHOOL: KENWOOD

#### 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 multiple family residential density.

**INFRASTRUCTURE:**

**WATER SOURCE:** CITY

**SEWER SOURCE:** CITY

**STREET/ROAD ACCESSIBILITY:** Cedar Crest Dr.

**DRAINAGE COMMENTS:**

**RESIDENTIAL DEVELOPMENT**

**APPLICANT'S ESTIMATES    HISTORICAL ESTIMATES**

**LOTS/UNITS:**

**7**

**POPULATION:**

**19**

**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.** The R-4 Multi-Family Residential District request is completely surrounded by R-4 zoning.
- 3.** The adopted Land Use Plan states that it is encouraged to maintain a desirable mixture of housing types throughout the community.
- 4.** Adequate infrastructure will serve the site & no adverse environmental issues were identified relative to this request.





**Z-44-2021**

**APPLICANT:**

OLYMPUS INVESTINGS,  
LLC

**REQUEST:**

**R-3**

**TO**

**R-4**

**MAP & PARCEL**

054L B 03500


**ACRES +/-**  
0.6

Scale: 1:6,000

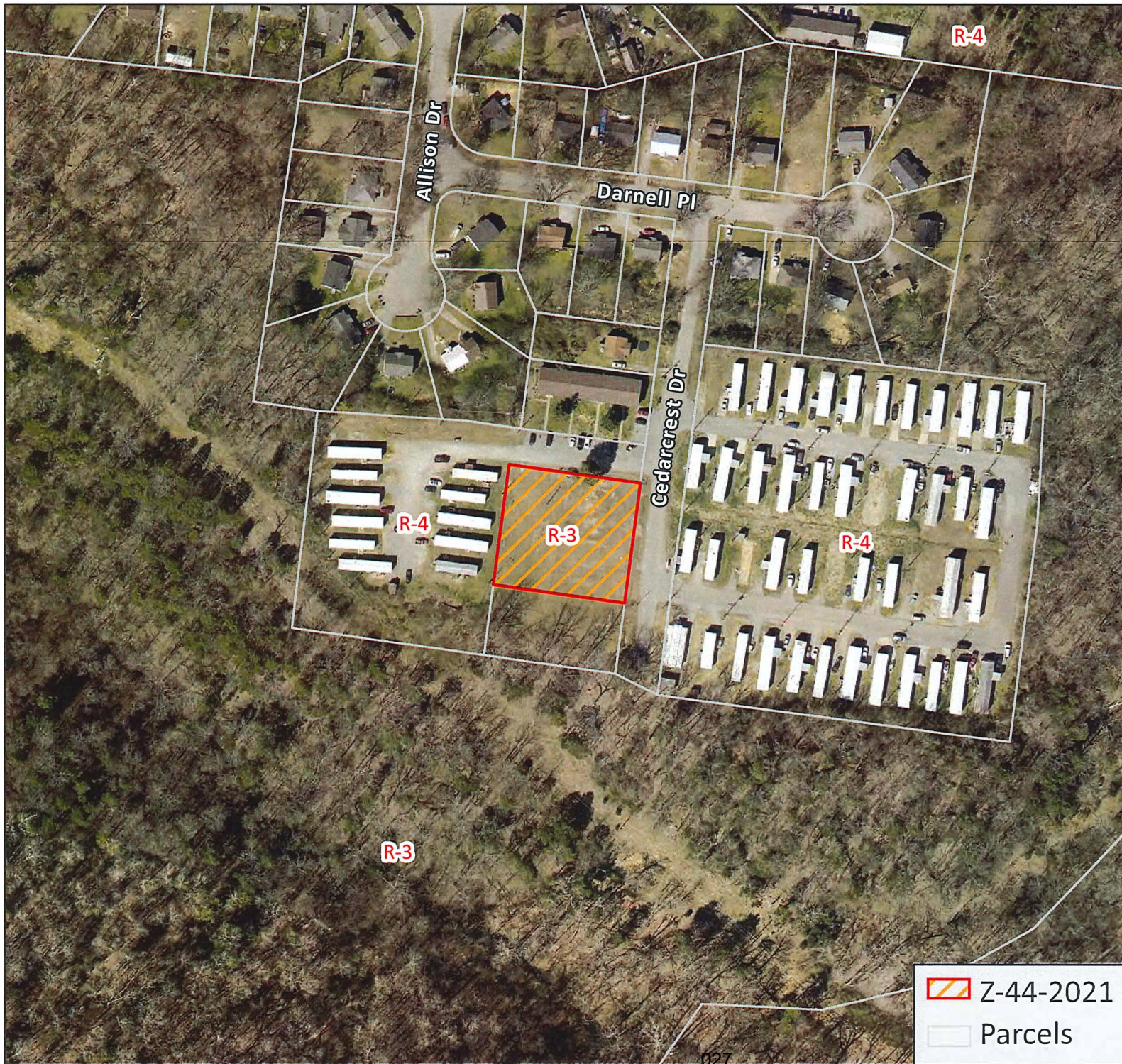


8/24/2021

 **Z-44-2021**

 **Parcels**





**Z-44-2021**

**APPLICANT:**  
OLYMPUS INVESTINGS,  
LLC

**REQUEST:**

**R-3**

**TO**

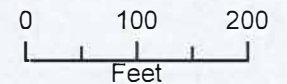
**R-4**

**MAP & PARCEL**

054L B 03500

**ACRES +/-**  
0.6

Scale: 1:2,000



8/24/2021

 **Z-44-2021**

 **Parcels**



**Z-44-2021**

**APPLICANT:**

OLYMPUS INVESTINGS,  
LLC

**REQUEST:**

**R-3  
TO  
R-4**

**MAP & PARCEL**

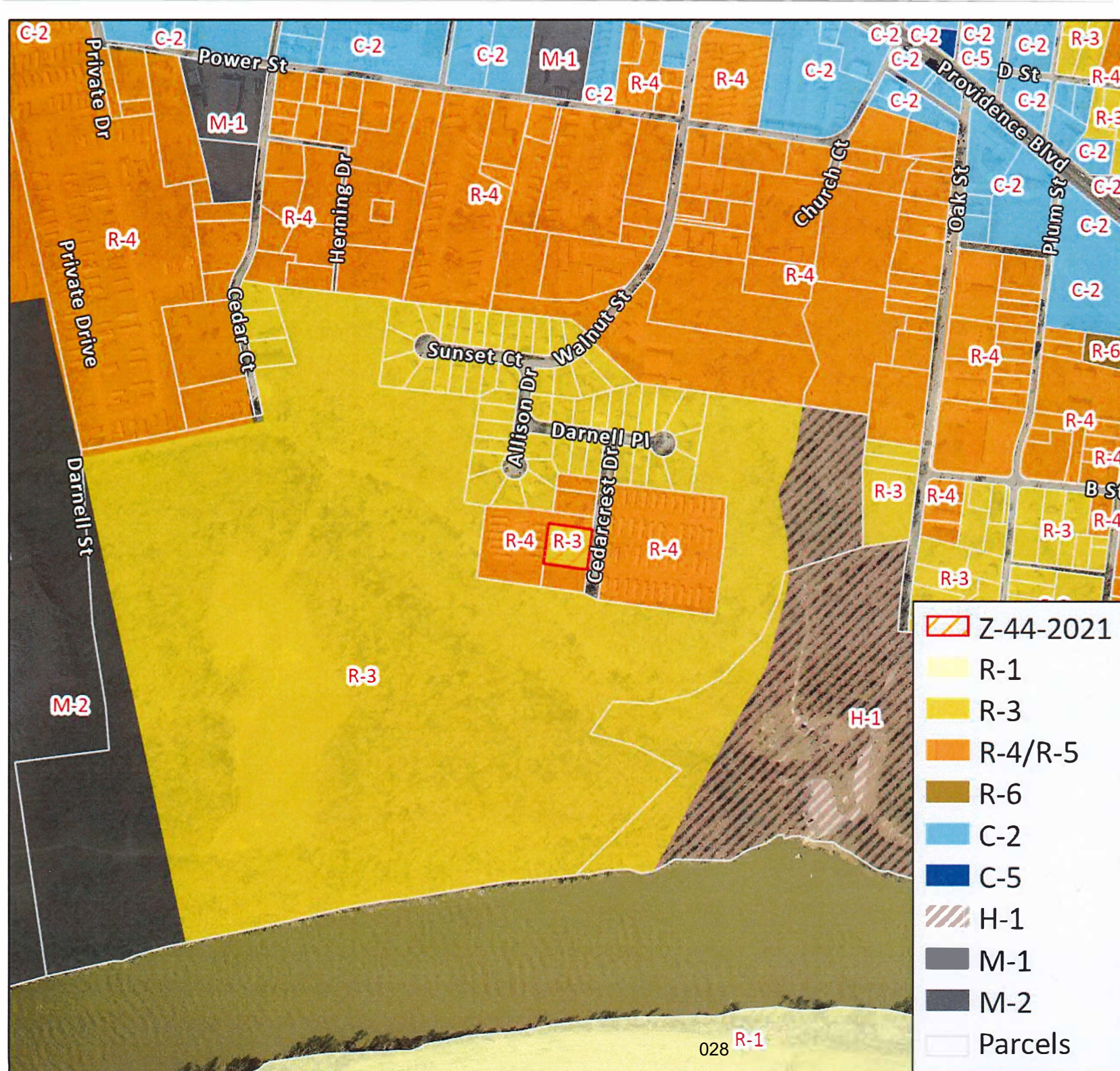
054L B 03500

**ACRES +/-**  
0.6

Scale: 1:6,000

0 300 600  
Feet

8/24/2021



**CASE NUMBER:** Z 44 2021 **MEETING DATE** 08/24/2021

**APPLICANT:** Olympus Investings, LLC

**PRESENT ZONING** R-3

**PROPOSED ZONING** R-4

**TAX PLAT #** 054L

**PARCEL** B 035.00

**GEN. LOCATION** Property fronting on the west frontage of Cedar Crest Dr., 440 +/- feet south of the  
Darnell Place & Cedar Crest Dr. intersection.

\*\*\*\*\*

**PUBLIC COMMENTS**

None received as of 4:30 P.M. on 8/23/2021 (A.L.)



**CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING**

**STAFF REVIEW - ZONING**

**RPC MEETING DATE:** 08/24/2021

**CASE NUMBER:** Z - 45 - 2021

**NAME OF APPLICANT:**TDK Properties

**AGENT:**

---

**GENERAL INFORMATION**

**TAX PLAT:** 081

**PARCEL(S):** 054.02

**ACREAGE TO BE REZONED:** 11.12

**PRESENT ZONING:** M-3

**PROPOSED ZONING:** C-5

**EXTENSION OF ZONING**

**CLASSIFICATION:** YES

**PROPERTY LOCATION:** Property located at the southern terminus of Rufus Johnson Rd.

**CITY COUNCIL WARD:** 10

**COUNTY COMMISSION DISTRICT:** 20

**CIVIL DISTRICT:** 11

**DESCRIPTION OF PROPERTY:** Cleared gravel parking lot and wooded area.

**APPLICANT'S STATEMENT FOR PROPOSED USE:** To expand exiting commercial business.

**GROWTH PLAN AREA:** CITY

**PLANNING AREA:** Sango

**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:**

Traffic assessment required.

Traffic assessment reviewed & accepted. (Will need to consider contribution to construction of future traffic signal with SR76 at site plan.

**3. DRAINAGE COMMENTS:**

Grading permit required.

**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:

MIDDLE SCHOOL:

HIGH SCHOOL:

**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 Minimal**  
**SURROUNDING DEVELOPMENT:**

**INFRASTRUCTURE:**

**WATER SOURCE:** CITY

**SEWER SOURCE:** CITY

**STREET/ROAD ACCESSIBILITY:** Rufus Johnson Rd.

**DRAINAGE COMMENTS:**

**RESIDENTIAL DEVELOPMENT**

**APPLICANT'S ESTIMATES    HISTORICAL ESTIMATES**

**LOTS/UNITS:**

**POPULATION:**

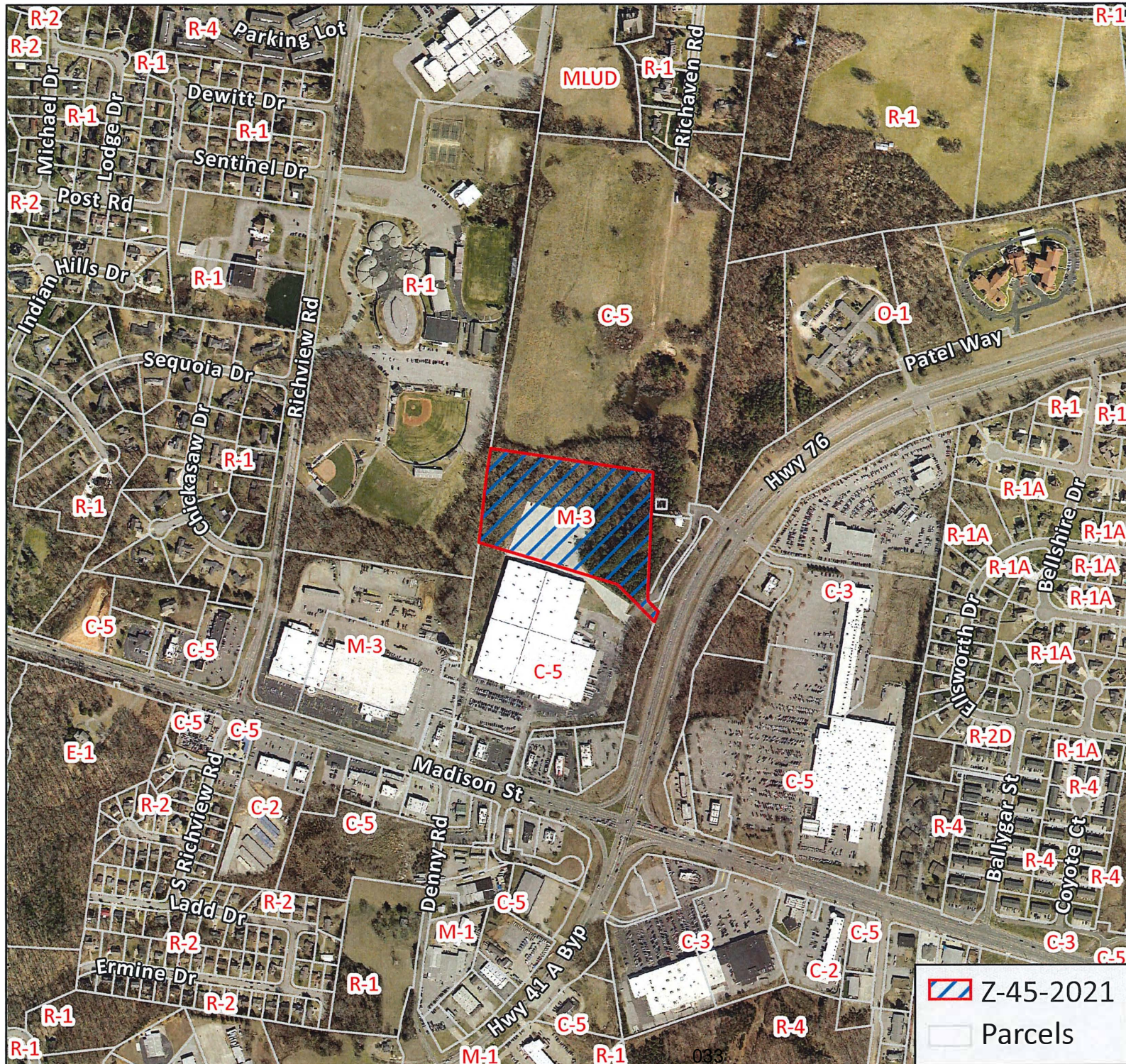
**APPLICABLE LAND USE PLAN**

Sango Planning Area: Growth rate for this area is above the overall county average. US 41-A South is the major east-west corridor spanning this area & provides an alternative to I-24 as a route to Nashville. SR 12 is also a corridor that provides a good linkage to employment, shopping and schools and should continue to support future growth in this portion of the planning area.

**STAFF RECOMMENDATION:**      **APPROVAL**

- 1.** The proposed zoning request is consistent with the adopted Land Use Plan.
- 2.** The proposed C-5 Highway & Arterial zoning classification is the appropriate zoning classification for the property & removes the "grandfathered" M-3 Planned Industrial District from the tract.
- 3.** The property is an extension of the C-5 zoning district to the north & south.
- 4.** Adequate infrastructure will serve the site & no adverse environmental issues were identified relative to this request.





**Z-45-2021**

**APPLICANT:**

TDK PROPERTIES

**REQUEST:**

**M-3**

**TO**

**C-5**

**MAP & PARCEL**

081 05402

**ACRES +/-**  
11.12

Scale: 1:8,000



8/24/2021





**Z-45-2021**

**APPLICANT:**

TDK PROPERTIES

**REQUEST:**

**M-3**

**TO**

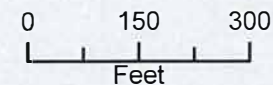
**C-5**

**MAP & PARCEL**


081 05402

**ACRES +/-**  
11.12

Scale: 1:3,000

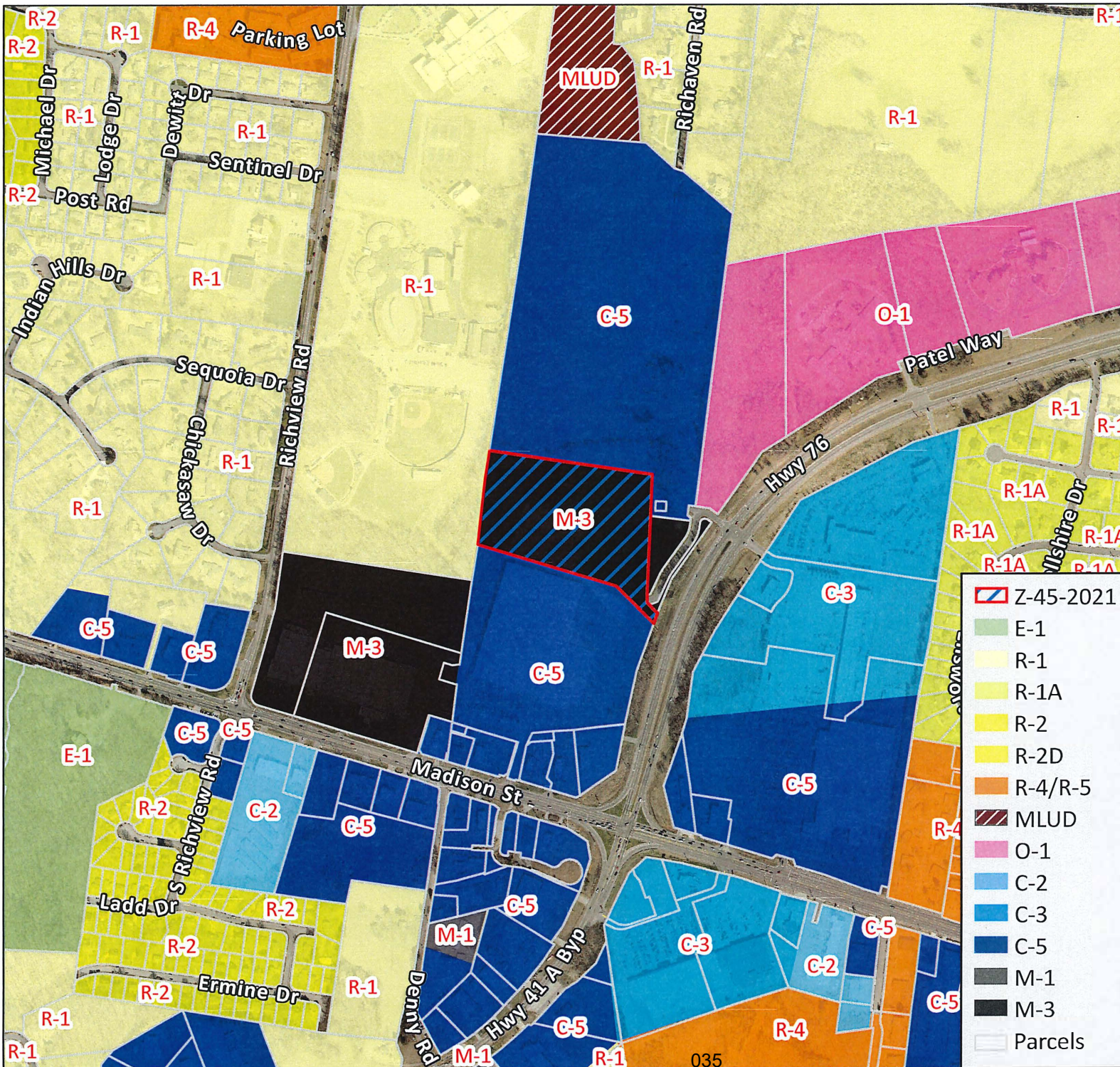


 **Z-45-2021**

 **Parcels**

8/24/2021





**Z-45-2021**

**APPLICANT:**

TDK PROPERTIES

**REQUEST:**

**M-3**

**TO**

**C-5**

**MAP & PARCEL**

081 05402

**ACRES +/-**  
11.12

Z-45-2021

E-1

R-1

R-1A

R-2

R-2D

R-4/R-5

MLUD

O-1

C-2

C-3

C-5

M-1

M-3

Parcels

Scale: 1:8,000



8/24/2021



**CASE NUMBER:** Z 45 2021 **MEETING DATE** 08/24/2021

**APPLICANT:** TDK Properties

**PRESENT ZONING** M-3

**PROPOSED ZONING** C-5

**TAX PLAT #** 081

**PARCEL** 054.02

**GEN. LOCATION** Property located at the southern terminus of Rufus Johnson Rd.

\*\*\*\*\*

**PUBLIC COMMENTS**

None received as of 4:30 P.M. on 8/23/2021 (A.L.)

**CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING**

**STAFF REVIEW - ZONING**

**RPC MEETING DATE:** 08/24/2021

**CASE NUMBER:** Z - 46 - 2021

**NAME OF APPLICANT:** Willie Walker

Byard & Mabry Holdings LLC

**AGENT:** Byard & Mabry

---

**GENERAL INFORMATION**

**TAX PLAT:** 030

**PARCEL(S):** 010.00

010.05

**ACREAGE TO BE REZONED:** 117.73

**PRESENT ZONING:** AG AG

**PROPOSED ZONING:** R-6 R-2

**EXTENSION OF ZONING  
CLASSIFICATION:**

**PROPERTY LOCATION:** Property fronting of the north frontage of Ringgold Rd., 680 +/- north of the Ishee Dr. & Ringgold Rd. intersection.

**CITY COUNCIL WARD:** 5

**COUNTY COMMISSION DISTRICT:** 12

**CIVIL DISTRICT:** 3

**DESCRIPTION OF PROPERTY:** A large tract with tree lines, rolling hills & areas of flood plain along the Little West Fork Creek/River.

**APPLICANT'S STATEMENT  
FOR PROPOSED USE:** For single family development

**GROWTH PLAN AREA:** CITY

**PLANNING AREA:** Peachers Mill

**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:

A traffic assessment is required. Likely roadway improvements on Ringgold Road.

Traffic Assessment Reviewed & Accepted. Will need EB left turn lane improvement during subdivision/site plan.

#### 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: RINGGOLD

MIDDLE SCHOOL: KENWOOD

HIGH SCHOOL: KENWOOD

Ringgold Elementary School & Kenwood Middle School are in the fastest growing region in Montgomery County. Ringgold Elementary is at 92% capacity, and currently has 3 portable classrooms. Kenwood Middle is at 94% capacity. This development could add additional students and require additional infrastructure and funding. Current school boundaries are subject to adjustments in order to achieve optimal capacity utilization throughout the District.

#### 9. FT. CAMPBELL:

#### 10. OTHER COMMENTS:

78.5 +/- acres <sup>038</sup> proposed for R-2  
39.2 +/- acres proposed for R-6

**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:** Ringgold Rd.

**DRAINAGE COMMENTS:**

**RESIDENTIAL DEVELOPMENT**

**APPLICANT'S ESTIMATES    HISTORICAL ESTIMATES**

**LOTS/UNITS:** 317 592

**POPULATION:** 856 1598

Very high est.

Flood Plain Area

reduces dev. area

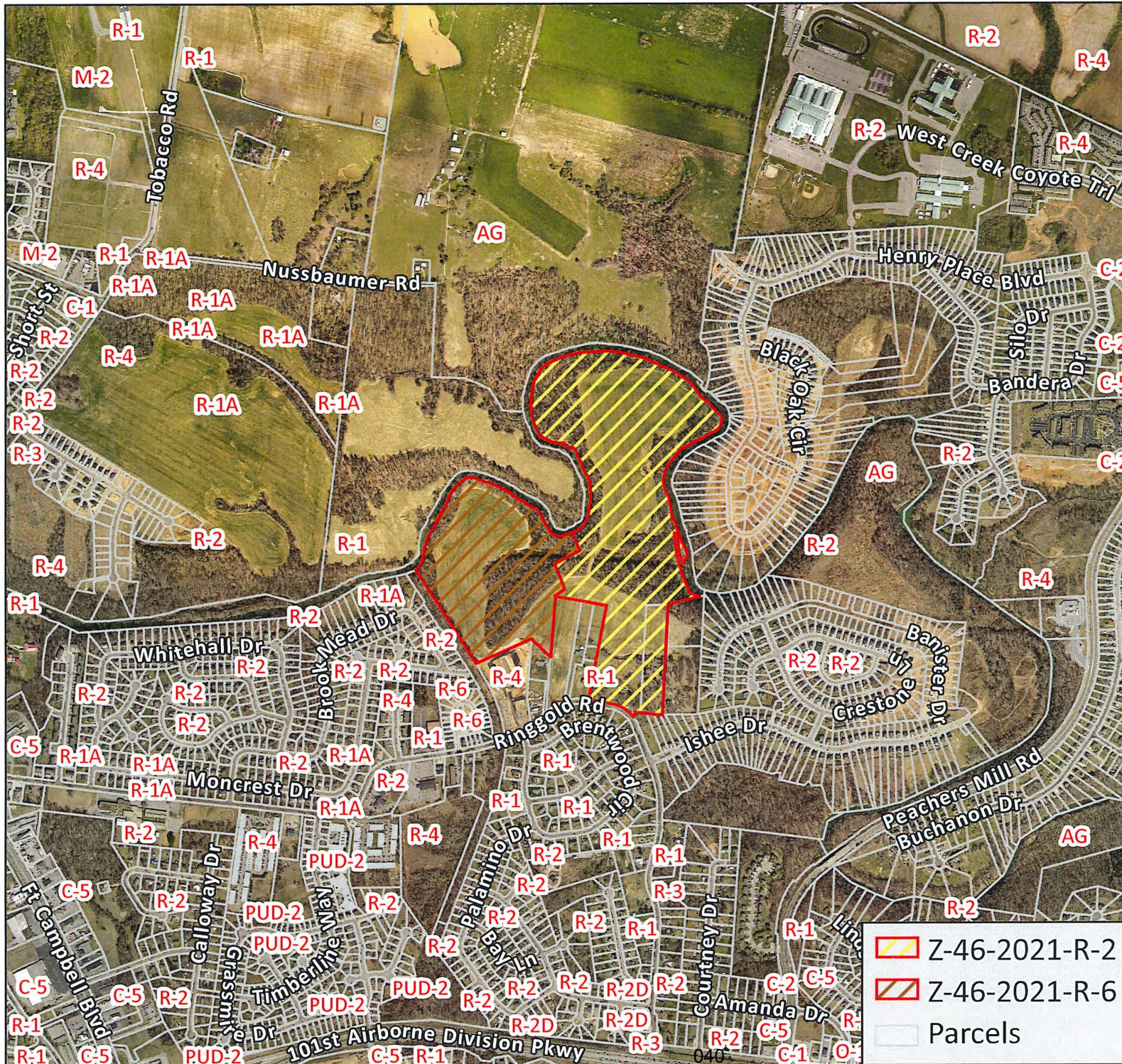
**APPLICABLE LAND USE PLAN**

Peachers Mill Planning Area - This area is a combination of mature and newly platted subdivisions, primarily single family in nature. The construction of the 101st Parkway has had an impact here as it vastly improved the linkage between US 41 A and US 79. Even though the Parkway has limited access, it is creating pressure for commercial nodes at its intersections with local roads.

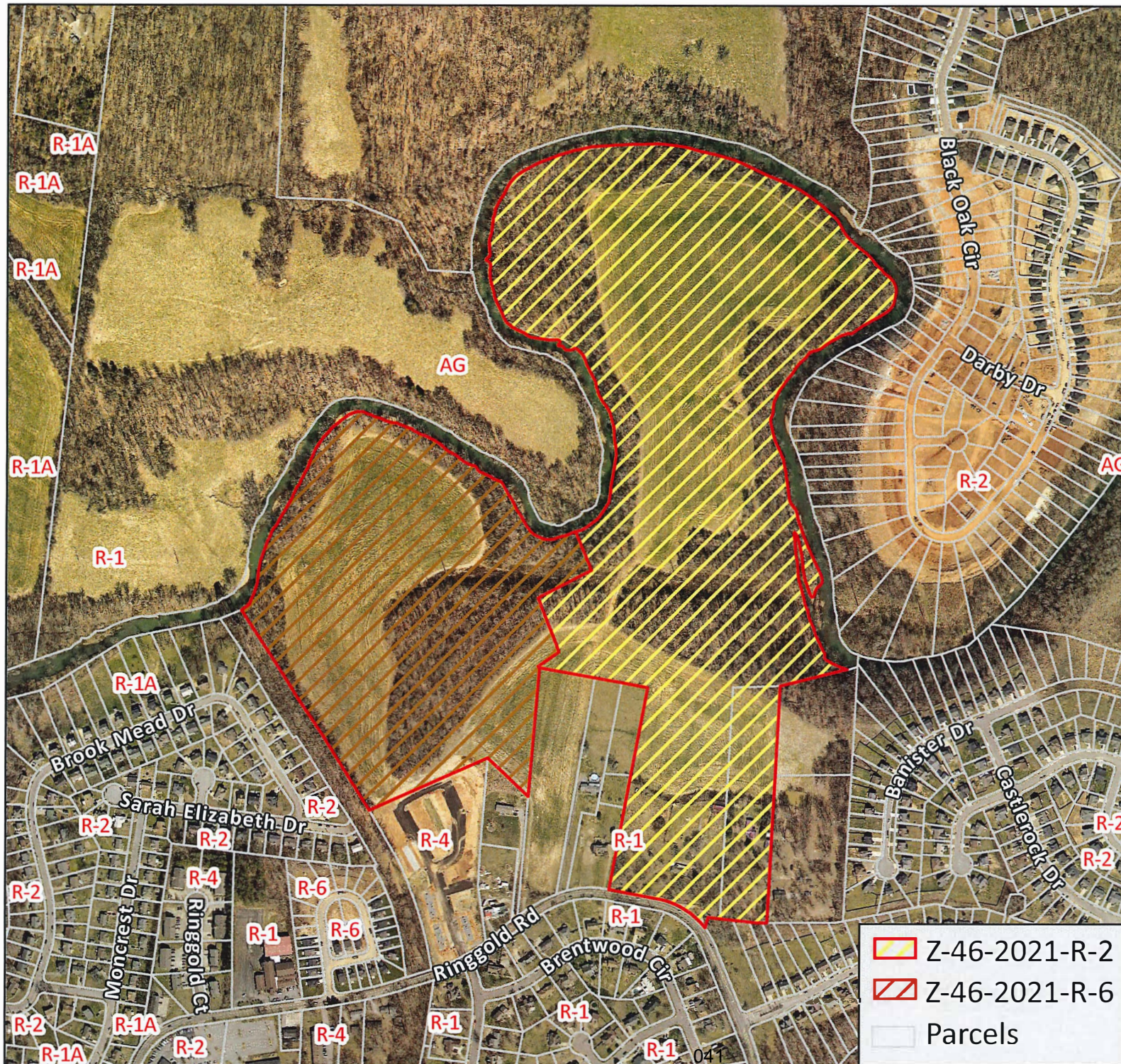
**STAFF RECOMMENDATION:**    **APPROVAL**

1. The proposed zoning request is consistent with the adopted Land Use Plan.
2. The proposed R-2 Single Family Residential District & R-6 Single Family Residential Districts area are not out of character with the development pattern in the surrounding area
3. An eastbound turn lane improvement will be required by the Clarksville Street Dept. as part of the development plan for this property.
4. Adequate infrastructure will serve the site & no adverse environmental issues were identified relative to this request.









**Z-46-2021**

**APPLICANT:**

WILLIE WALKER

**REQUEST:**

**AG**

**TO**

**R-2/R-6**

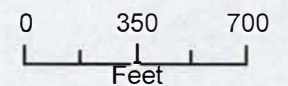
**MAP & PARCEL**

030 01000

030 01005

**ACRES +/-**  
117.73

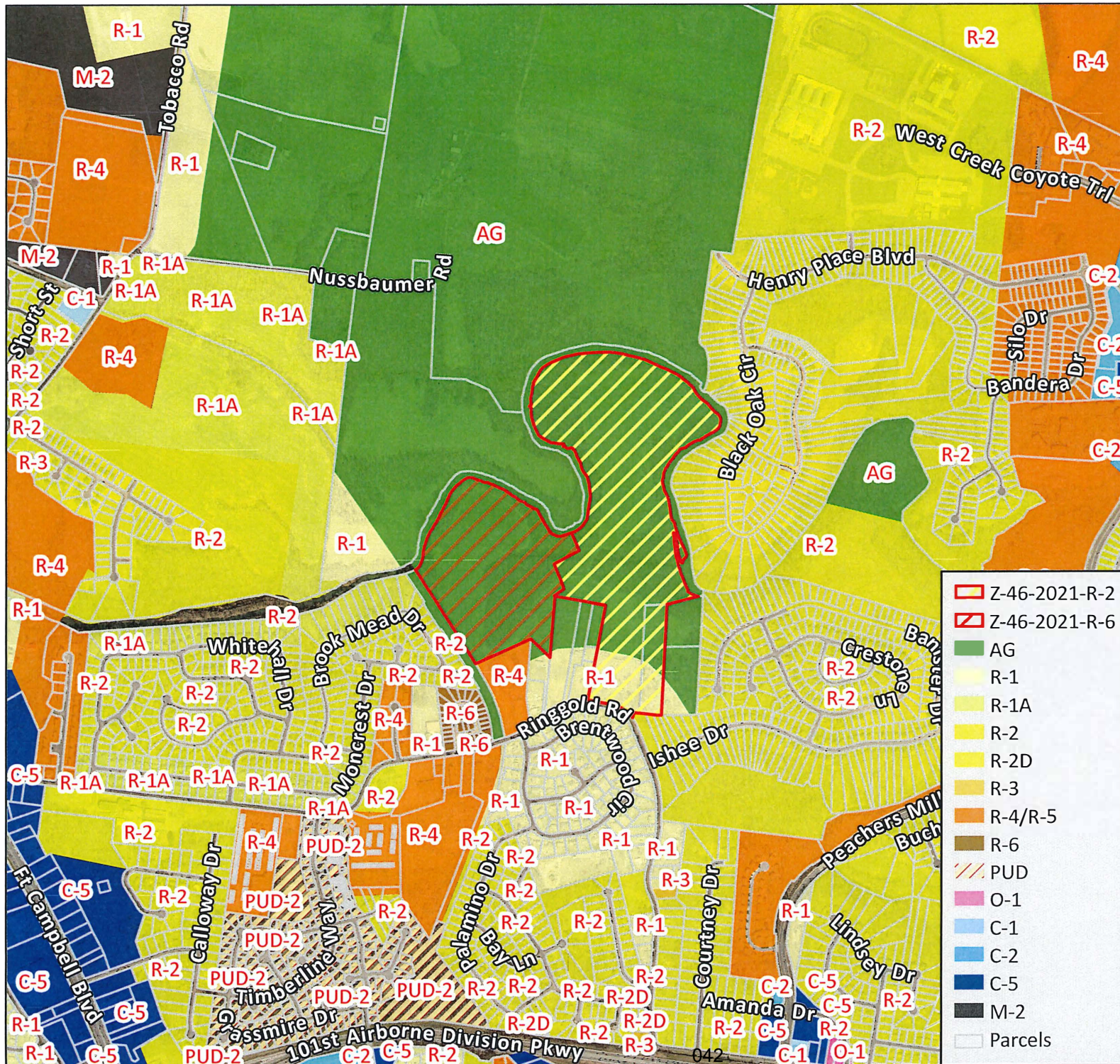
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8/24/2021







**Z-46-2021**

**APPLICANT:**

WILLIE WALKER

**REQUEST:**

**AG**

**TO**

**R-2/R-6**

**MAP & PARCEL**

030 01000

030 01005

**ACRES +/-**  
117.73

Scale: 1:15,000



8/24/2021



**CASE NUMBER:** Z 46 2021

**MEETING DATE** 08/24/2021

**APPLICANT:** Willie Walker

Byard & Mabry Holdings LLC

**PRESENT ZONING** AG

**PROPOSED ZONING** R-6

**TAX PLAT #** 030

**PARCEL** 010.00 010.05

**GEN. LOCATION** Property fronting of the north frontage of Ringgold Rd., 680 +/- north of the Ishee Dr. & Ringgold Rd. intersection.

\*\*\*\*\*

**PUBLIC COMMENTS**

None received as of 4:30 P.M. on 8/23/2021 (A.L.)

**CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING**

**STAFF REVIEW - ZONING**

**RPC MEETING DATE:** 08/24/2021

**CASE NUMBER:** Z - 47 - 2021

**NAME OF APPLICANT:** William Belew

**AGENT:**

---

**GENERAL INFORMATION**

**TAX PLAT:** 018

**PARCEL(S):** 041.00

**ACREAGE TO BE REZONED:** 2.75

**PRESENT ZONING:** AG

**PROPOSED ZONING:** R-1

Agricultural

**EXTENSION OF ZONING**

**CLASSIFICATION:** YES

**PROPERTY LOCATION:** Property fronting on the west frontage of Needmore Rd., 2,425 +/- feet south of the Needmore Rd. & E. Boy Scout Rd. intersection.

**CITY COUNCIL WARD:** 8

**COUNTY COMMISSION DISTRICT:** 18

**CIVIL DISTRICT:** 2

**DESCRIPTION OF PROPERTY:** Cleared tract at the entrance of a proposed single family residential subdivision.

**APPLICANT'S STATEMENT  
FOR PROPOSED USE:**

**GROWTH PLAN AREA:** CITY

**PLANNING AREA:** Trenton

**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: WEST CREEK

MIDDLE SCHOOL: WEST CREEK

HIGH SCHOOL: WEST CREEK

West Creek Elementary, West Creek Middle & West Creek High are in the fastest growing region of Montgomery County. West Creek Elementary is at 115% capacity & currently has 7 portable classrooms, West Creek Middle is at 113% capacity & currently has 11 portable classrooms, West Creek High is at 95% capacity. This continued growth necessitates additional action to address building capacity and school bus transportation needs in Montgomery County. This development could add additional students, and require additional infrastructure and 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:** Needmore Rd.

**DRAINAGE COMMENTS:**

**RESIDENTIAL DEVELOPMENT**

**APPLICANT'S ESTIMATES    HISTORICAL ESTIMATES**

**LOTS/UNITS:** 5

**POPULATION:** 13

**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. This proposal permits the lots at the entrance of the proposed subdivision to fall under the same R-1 Single Family Residential Zoning classification & is not out of character with the residential development in the surrounding area.
3. Adequate infrastructure will serve the site & no adverse environmental issues were identified relative to this request.
- 4.
- 5.





**Z-47-2021**

**APPLICANT:**

WILLIAM BELEW

**REQUEST:**

**AG**

**TO**

**R-1**

**MAP & PARCEL**

018 04100

**ACRES +/-**  
2.75

Scale: 1:8,000



8/24/2021





**Z-47-2021**

**APPLICANT:**

WILLIAM BELEW

**REQUEST:**

**AG**

**TO**

**R-1**

**MAP & PARCEL**

018 04100

**ACRES +/-**  
2.75

Scale: 1:3,000

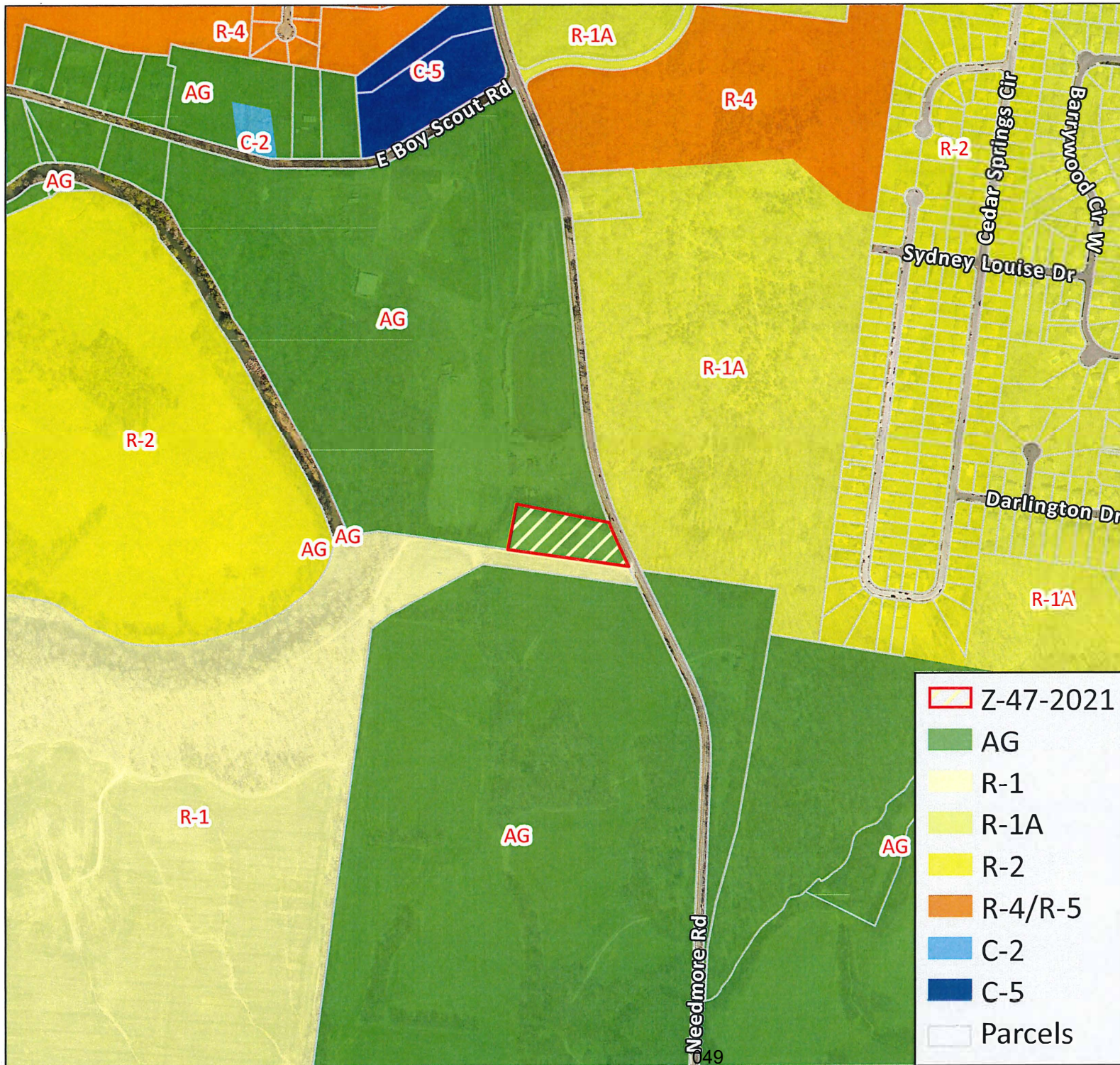


 **Z-47-2021**

 **Parcels**

8/24/2021





**Z-47-2021**

**APPLICANT:**

WILLIAM BELEW

**REQUEST:**

**AG**

**TO**

**R-1**

**MAP & PARCEL**

018 04100

**ACRES +/-**  
2.75

Scale: 1:8,000



8/24/2021

**CASE NUMBER:** Z 47 2021 **MEETING DATE** 08/24/2021

**APPLICANT:** William Belew

**PRESENT ZONING** AG

**PROPOSED ZONING** R-1

**TAX PLAT #** 018

**PARCEL** 041.00

**GEN. LOCATION** Property fronting on the west frontage of Needmore Rd., 2,425 +/- feet south of the  
Needmore Rd. & E. Boy Scout Rd. intersection.

\*\*\*\*\*

**PUBLIC COMMENTS**

None received as of 4:30 P.M. on 8/23/2021 (A.L.)



**CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING**

**STAFF REVIEW - ZONING**

**RPC MEETING DATE:** 08/24/2021

**CASE NUMBER:** Z - 48 - 2021

**NAME OF APPLICANT:** Johnny Piper

**AGENT:**

---

**GENERAL INFORMATION**

**TAX PLAT:** 054E

054D

**PARCEL(S):** A005.00(PO)

C 001.00 (PO)

**ACREAGE TO BE REZONED:** 5.8

**PRESENT ZONING:** R-3

**PROPOSED ZONING:** R-6

**EXTENSION OF ZONING**

**CLASSIFICATION:** YES

**PROPERTY LOCATION:** Property fronting on the southern frontage of Cave Springs Rd. east of Danko Ln.

**CITY COUNCIL WARD:** 4

**COUNTY COMMISSION DISTRICT:** 16

**CIVIL DISTRICT:** 7

**DESCRIPTION OF PROPERTY:** The area proposed for rezoning is primarily wooded and bisected by a significant creek bed/drainage ditch.

**APPLICANT'S STATEMENT** To downzone from a triplex to single family residential which will allow individual  
**FOR PROPOSED USE:** ownership.

**GROWTH PLAN AREA:** CITY

**PLANNING AREA:** Peachers Mill

**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:

Sidewalks required. No traffic assessment required.

#### 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:

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

ELEMENTARY: BYRNS DARDEN

MIDDLE SCHOOL: KENWOOD

HIGH SCHOOL: KENWOOD

#### 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:** Cave Springs Rd. & Sinclair Dr.

**DRAINAGE COMMENTS:**

**RESIDENTIAL DEVELOPMENT**

**APPLICANT'S ESTIMATES    HISTORICAL ESTIMATES**

**LOTS/UNITS:**

**18-24**

**54**

**POPULATION:**

**48- 64**

**145**

**(Likely High**

**Due to topo.)**

**APPLICABLE LAND USE PLAN**

Peachers Mill Planning Area - This area is a combination of mature and newly platted subdivisions, primarily single family in nature. The construction of the 101st Parkway has had an impact here as it vastly improved the linkage between US 41 A and US 79. Even though the Parkway has limited access, it is creating pressure for commercial nodes at its intersections with local roads.

**STAFF RECOMMENDATION:    APPROVAL**

- 1.** The proposed zoning request is consistent with the adopted Land Use Plan.
- 2.** The recent approval of R-6 Single Family Residential zoning at the northeast terminus of Cave Springs Rd. has introduced high density single family residential to the area.
- 3.** The adopted Land Use Plan states that it is encouraged to maintain a desirable mixture of housing types throughout the community.
- 4.** No adverse environmental issues have been identified relative to this request.





**Z-48-2021**

**APPLICANT:**

JOHNNY PIPER

**REQUEST:**

**R-3**

**TO**

**R-6**

**MAP & PARCEL**

054E A 00500 (P)

054D C 00100 (P)


**ACRES +/-**  
5.8

Scale: 1:5,000



8/24/2021

 **Z-48-2021**

 **Parcels**





**Z-48-2021**

**APPLICANT:**

JOHNNY PIPER

**REQUEST:**

**R-3**

**TO**

**R-6**

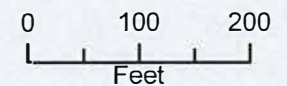
**MAP & PARCEL**

054E A 00500 (P)

054D C 00100 (P)

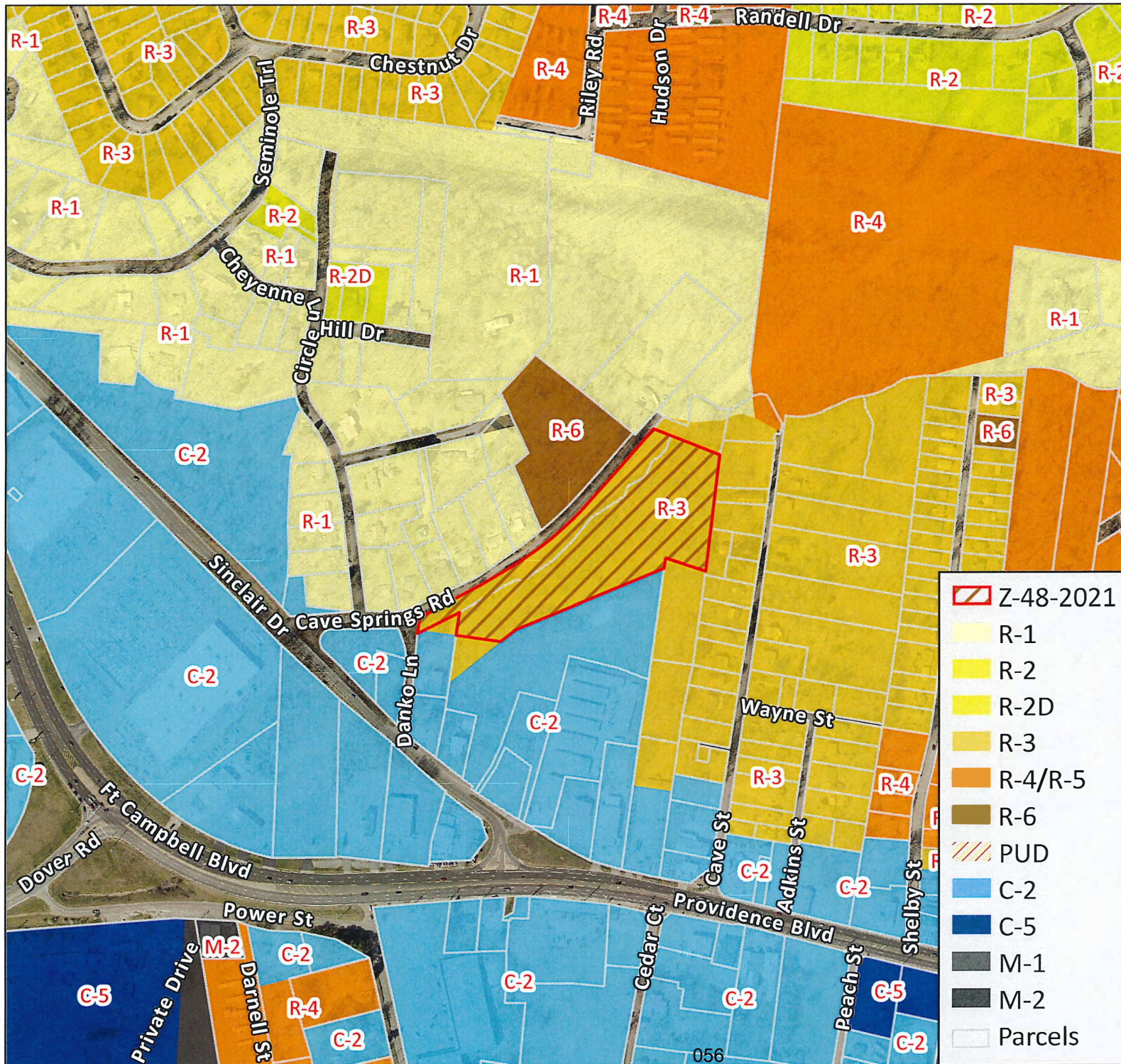
**ACRES +/-**  
5.8

Scale: 1:2,000



8/24/2021





**Z-48-2021**

**APPLICANT:**

JOHNNY PIPER

**REQUEST:**

**R-3  
TO  
R-6**

**MAP & PARCEL**

054E A 00500 (P)

054D C 00100 (P)

**ACRES +/-**  
5.8

- Z-48-2021
- R-1
- R-2
- R-2D
- R-3
- R-4/R-5
- R-6
- PUD
- C-2
- C-5
- M-1
- M-2
- Parcels

Scale: 1:5,000



8/24/2021



**CASE NUMBER:** Z 48 2021 **MEETING DATE** 08/24/2021

**APPLICANT:** Johnny Piper

**PRESENT ZONING** R-3

**PROPOSED ZONING** R-6

**TAX PLAT #** 054E

**PARCEL** A005.00(PO)

**GEN. LOCATION** Property fronting on the southern frontage of Cave Springs Rd. east of Danko Ln.

\*\*\*\*\*

**PUBLIC COMMENTS**

None received as of 4:30 P.M. on 8/23/2021 (A.L.)

**CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING**

**STAFF REVIEW - ZONING**

**RPC MEETING DATE:** 08/24/2021

**CASE NUMBER:** Z - 49 - 2021

**NAME OF APPLICANT:** William Revell

**AGENT:** Suresh Burle

---

**GENERAL INFORMATION**

**TAX PLAT:** 006

**PARCEL(S):** 041.02

**ACREAGE TO BE REZONED:** 7.27

**PRESENT ZONING:** AG C-5

**PROPOSED ZONING:** AG R-4

**EXTENSION OF ZONING**

**CLASSIFICATION:** NO

**PROPERTY LOCATION:** Property fronting on the south frontage of Tiny Town Rd., 775 +/- feet west of the Tiny Town Rd. & Allen Rd. intersection.

**CITY COUNCIL WARD:** 5

**COUNTY COMMISSION DISTRICT:** 9

**CIVIL DISTRICT:** 3

**DESCRIPTION OF PROPERTY:** Semi-wooded tract with mild slope.

**APPLICANT'S STATEMENT** For commercial and multi family development  
**FOR PROPOSED USE:**

**GROWTH PLAN AREA:**

CITY

**PLANNING AREA:** Airport

**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:

No gravity sewer available.

#### 2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

Traffic assessment required. Sidewalks required along Tiny Town Rd.

#### 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: BARKERS MILL

MIDDLE SCHOOL: WEST CREEK

HIGH SCHOOL: WEST CREEK

Barkers Mill Elem., West Creek Middle & West Creek High School are in the fastest growing region in Montgomery County. Barkers Mill Elem. is at 94% capacity & currently has 5 portable classrooms. West Creek Middle is at 113% capacity & currently has 11 portable classrooms. West Creek High is at 95% capacity. This continued growth necessitates additional action to address building capacity and school bus transportation needs in Montgomery County. This development could add additional students, and require additional infrastructure and funding. Current school boundaries are subject to adjustments in order to achieve optimal capacity utilization throughout the district.

#### 9. FT. CAMPBELL:

#### 10. OTHER COMMENTS:

2.5 +/- acres C-5<sup>059</sup> proposed  
4.8 +/- acres R-4 proposed

**CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING**

**STAFF REVIEW - ZONING**

**PLANNING STAFF'S STUDY AND RECOMMENDATION**

**IMPACT OF PROPOSED USE ON SURROUNDING DEVELOPMENT:** Increased traffic, light & noise. Increased multiple family residential density.

**INFRASTRUCTURE:**

**WATER SOURCE:** CITY

**SEWER SOURCE:** CITY

**STREET/ROAD ACCESSIBILITY:** Tiny Town Rd.

**DRAINAGE COMMENTS:**

**RESIDENTIAL DEVELOPMENT**

**APPLICANT'S ESTIMATES    HISTORICAL ESTIMATES**

**LOTS/UNITS:** 57

**POPULATION:** 154

**APPLICABLE LAND USE PLAN**

Airport Planning Area: This Planning area is centered around John H. Outlaw Field. The major north-south axis roads are Ft. Campbell Blvd., Tobacco Rd. and Peachers Mill Rd.. Tiny Town Rd. serves as the major east-west connector here. The planning area has vast amounts of open space that has a long history of agricultural and woodland uses.

**STAFF RECOMMENDATION:**    **APPROVAL**

1. The proposed zoning request is consistent with the adopted Land Use Plan.
2. The proposed C-5 Highway & Arterial Commercial & R-4 Multiple Family Residential Zoning is consistent with the development pattern in the area and is not out of character.
3. Adequate infrastructure will serve the site & no adverse environmental issues were identified relative to this request.
- 4.
- 5.





**Z-49-2021**

**APPLICANT:**

WILLIAM REVELL

**REQUEST:**

**AG**

**TO**

**C-5/R-4**

**MAP & PARCEL**




006 04102

**ACRES +/-**  
7.27

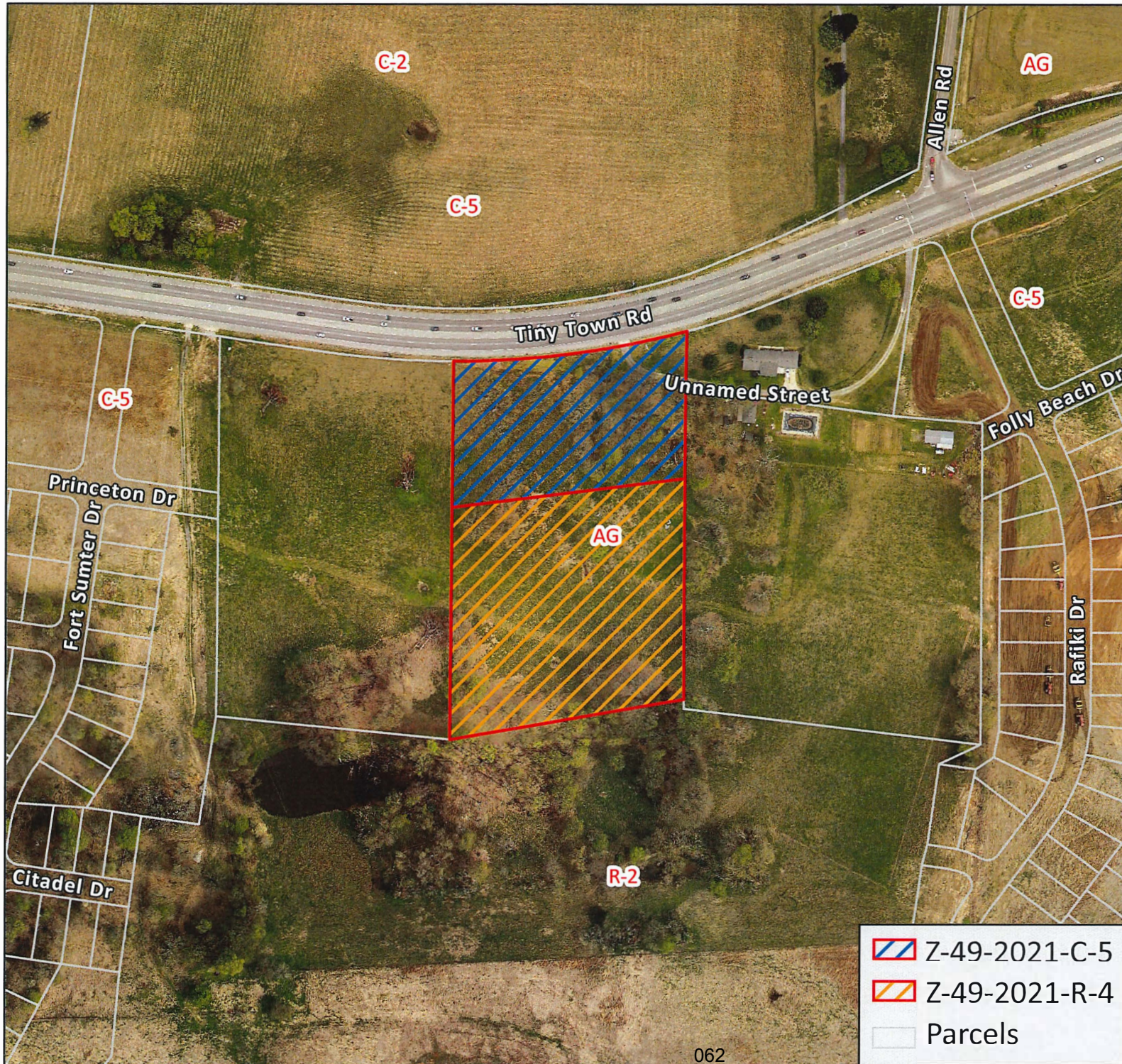
Scale: 1:6,000



8/24/2021

-  7-49-2021-C-5
-  Z-49-2021-R-4
-  Parcels





**Z-49-2021**

**APPLICANT:**

WILLIAM REVELL

**REQUEST:**

**AG**

**TO**

**C-5/R-4**

**MAP & PARCEL**

006 04102

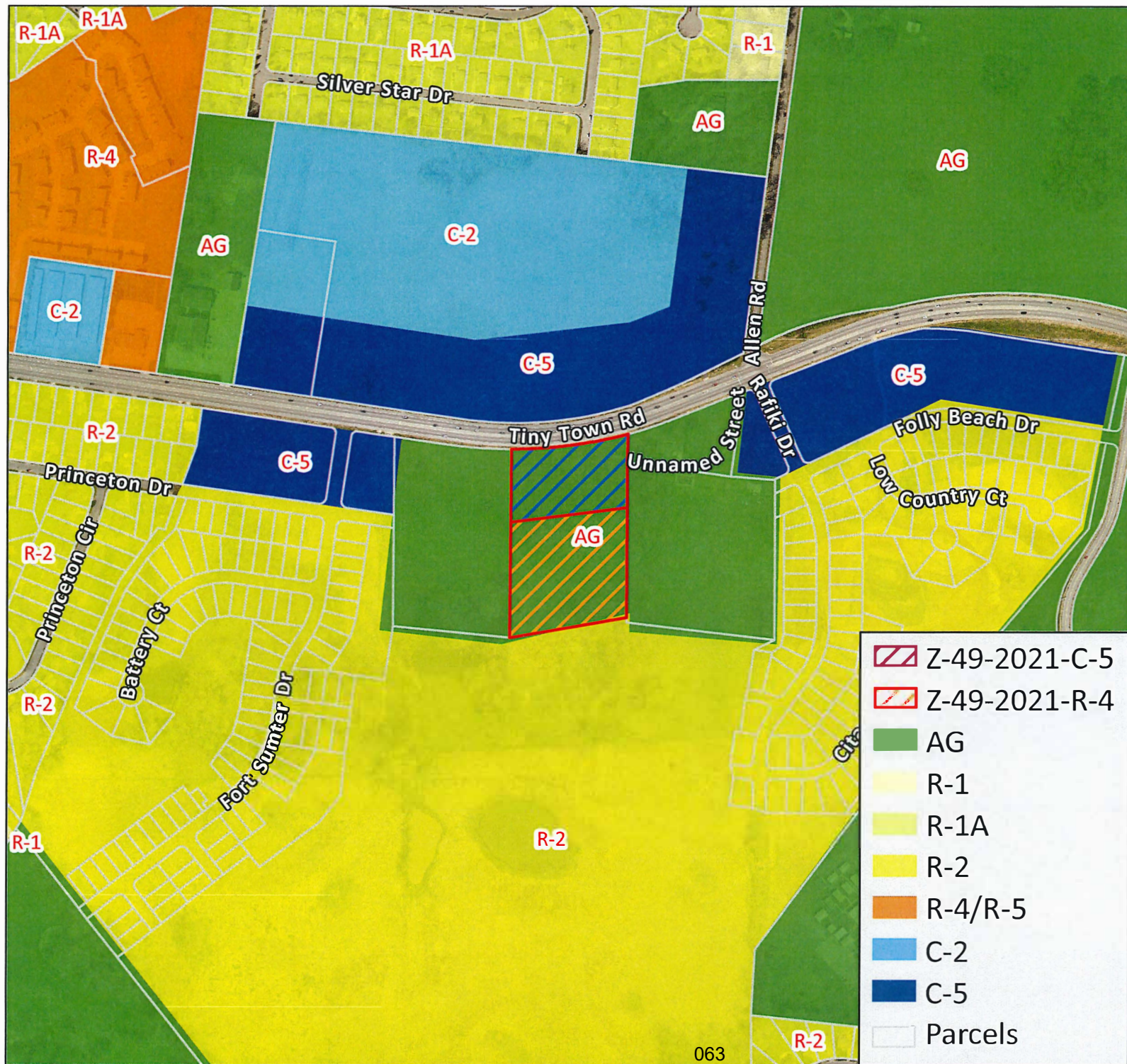
**ACRES +/-**  
**7.27**

Scale: 1:3,000



8/24/2021





**Z-49-2021**

**APPLICANT:**

WILLIAM REVELL

**REQUEST:**

**AG**

**TO**

**C-5/R-4**

**MAP & PARCEL**

006 04102

**ACRES +/-**  
7.27

Scale: 1:6,000



8/24/2021

**CASE NUMBER:** Z 49 2021 **MEETING DATE** 08/24/2021

**APPLICANT:** William Revell

**PRESENT ZONING** AG

**PROPOSED ZONING** AG

**TAX PLAT #** 006

**PARCEL** 041.02

**GEN. LOCATION** Property fronting on the south frontage of Tiny Town Rd., 775 +/- feet west of the  
Tiny Town Rd. & Allen Rd. intersection.

\*\*\*\*\*

**PUBLIC COMMENTS**

None received as of 4:30 P.M. on 8/23/2021 (A.L.)



**CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING**

**STAFF REVIEW - ZONING**

**RPC MEETING DATE:** 08/24/2021

**CASE NUMBER:** Z - 50 -2021

**NAME OF APPLICANT:**Trent Gallivan

**AGENT:**

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**GENERAL INFORMATION**

**TAX PLAT:** 041K

**PARCEL(S):** A 021.00

**ACREAGE TO BE REZONED:** 1.08

**PRESENT ZONING:** R-1

**PROPOSED ZONING:** R-6

**EXTENSION OF ZONING**

**CLASSIFICATION:** NO

**PROPERTY LOCATION:** Property located at the southeast corner of the Fairview Ln. & W. Rossview Rd. intersection.

**CITY COUNCIL WARD:** 11

**COUNTY COMMISSION DISTRICT:** 1

**CIVIL DISTRICT:** 6

**DESCRIPTION OF PROPERTY:** A one acre single family residential lot with a residential structure.

**APPLICANT'S STATEMENT FOR PROPOSED USE:** Request zone change to bring existing lots into conformance.

**GROWTH PLAN AREA:** CITY

**PLANNING AREA:** Trenton

**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:

Sidewalks required. Access to be determined by the City Access Ordinance.

#### 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:

No Comment(s) Received

ELEMENTARY:

MIDDLE SCHOOL:

HIGH SCHOOL:

#### 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:** Fairview Ln. & W. Rossvie Rd.

**DRAINAGE COMMENTS:**

**RESIDENTIAL DEVELOPMENT**

**APPLICANT'S ESTIMATES    HISTORICAL ESTIMATES**

**LOTS/UNITS:**

**10**

**POPULATION:**

**27**

**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.** This area remains in transition & the proposed R-6 Single Family Residential District is not out of character with the surrounding developments.
- 3.** Adequate infrastructure will serve 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 have been identified.
- 5.**





**Z-50-2021**

**APPLICANT:**  
TRENT GALLIVAN

**REQUEST:**

**R-1  
TO  
R-6**

**MAP & PARCEL**

041K A 02100

**ACRES +/-**  
1.08

Scale: 1:5,000

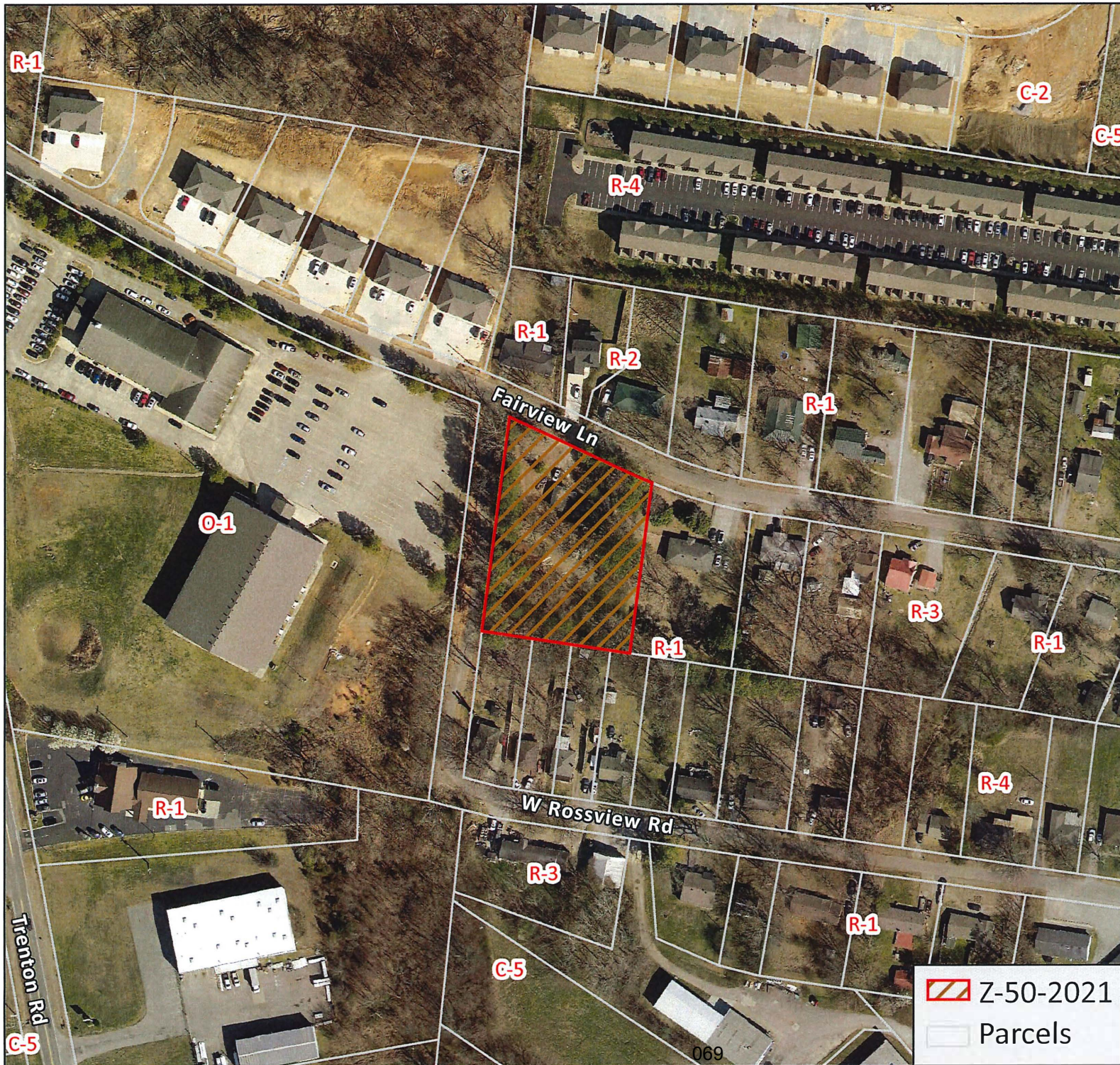


 **Z-50-2021**

 **Parcels**

8/24/2021





**Z-50-2021**

**APPLICANT:**  
TRENT GALLIVAN

**REQUEST:**

**R-1  
TO  
R-6**



**MAP & PARCEL**

041K A 02100

**ACRES +/-**  
1.08

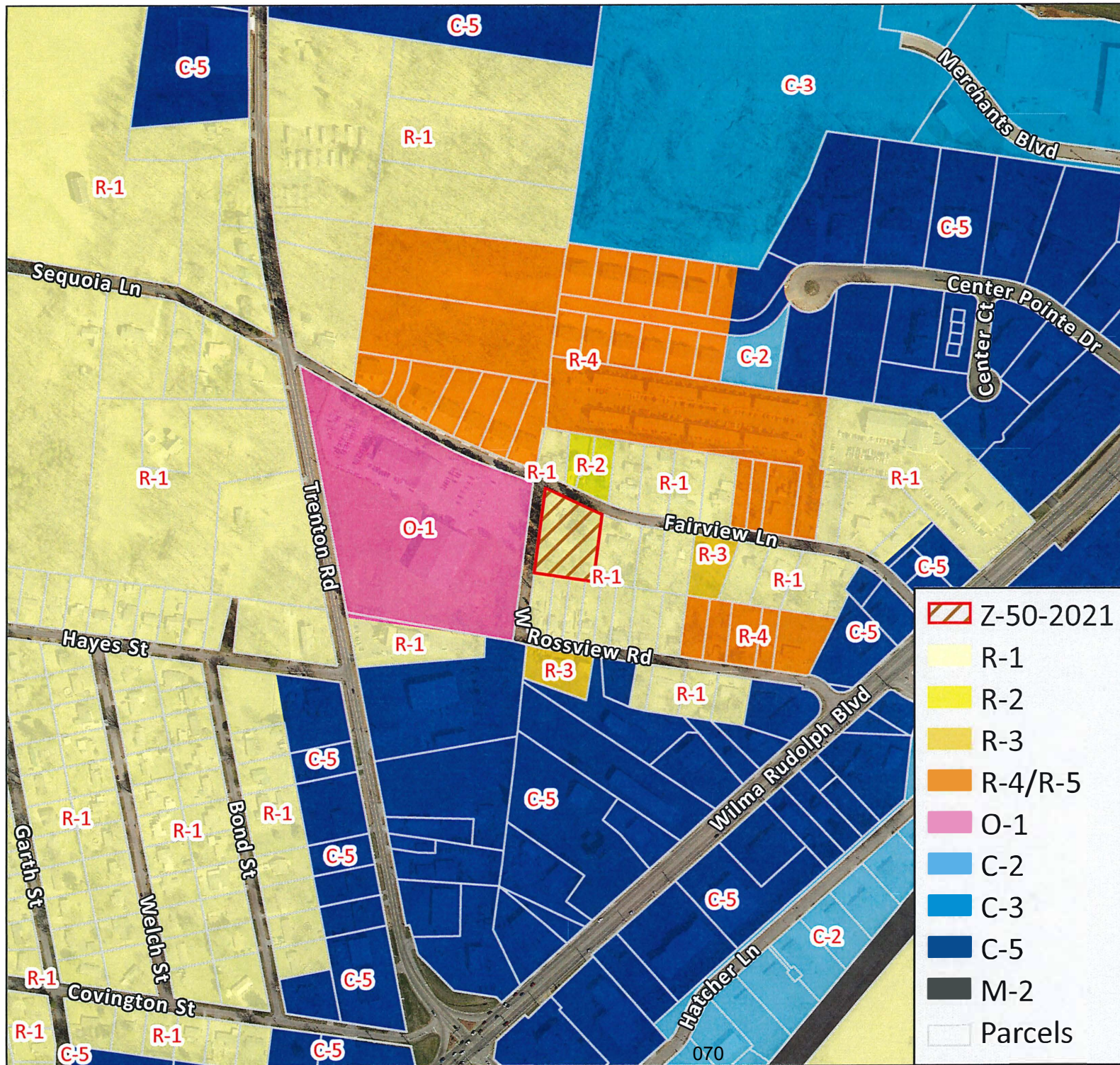
Scale: 1:2,000



 **Z-50-2021**  
 **Parcels**

8/24/2021





**Z-50-2021**

**APPLICANT:**

TRENT GALLIVAN

**REQUEST:**

**R-1**

**TO**

**R-6**

**MAP & PARCEL**

041K A 02100


**ACRES +/-**  
1.08

 Z-50-2021

 R-1

 R-2

 R-3

 R-4/R-5

 O-1

 C-2

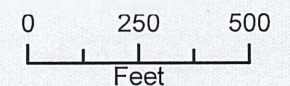
 C-3

 C-5

 M-2

 Parcels

Scale: 1:5,000



8/24/2021



**CASE NUMBER:** Z 50 2021 **MEETING DATE** 08/24/2021

**APPLICANT:** Trent Gallivan

**PRESENT ZONING** R-1

**PROPOSED ZONING** R-6

**TAX PLAT #** 041K

**PARCEL** A 021.00

**GEN. LOCATION** Property located at the southeast corner of the Fairview Ln. & W. Rossvie Rd.  
intersection.

\*\*\*\*\*

**PUBLIC COMMENTS**

None received as of 4:30 P.M. on 8/23/2021 (A.L.)



**CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING**

**STAFF REVIEW - ZONING**

**RPC MEETING DATE** 08/24/2021

**CASE NUMBER:** ZO -2 -2021

**NAME OF APPLICANT:**Regional Planning

**AGENT:**

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**GENERAL INFORMATION**

**TAX PLAT:**

**PARCEL(S):**

**ACREAGE TO BE REZONED:**

**PRESENT ZONING:**

**PROPOSED ZONING:**

**EXTENSION OF ZONING  
CLASSIFICATION:**

**PROPERTY LOCATION:**

**CITY COUNCIL WARD:**

**COUNTY COMMISSION DISTRICT:**

**CIVIL DISTRICT:**

**DESCRIPTION OF PROPERTY:**

**APPLICANT'S STATEMENT** Zoning Ordinance Text Amendment with regards to Breweries, Micro-Breweries, and  
**FOR PROPOSED USE:** Brewpubs.

**GROWTH PLAN AREA:**

**PLANNING AREA:**

**PREVIOUS ZONING HISTORY:**



**CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING**

**STAFF REVIEW - ZONING**

**DEPARTMENT COMMENTS**

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> GAS AND WATER ENG. SUPPORT MGR.  | <input type="checkbox"/> ATT                      | <input type="checkbox"/> DIV. OF GROUND WATER |
| <input type="checkbox"/> GAS AND WATER ENG. SUPPORT COOR. | <input type="checkbox"/> FIRE DEPARTMENT          | <input type="checkbox"/> HOUSING AUTHORITY    |
| <input type="checkbox"/> UTILITY DISTRICT                 | <input type="checkbox"/> EMERGENCY MANAGEMENT     | <input type="checkbox"/> INDUSTRIAL DEV BOARD |
| <input type="checkbox"/> CITY STREET DEPT.                | <input type="checkbox"/> POLICE DEPARTMENT        | <input type="checkbox"/> CHARTER COMM.        |
| <input type="checkbox"/> TRAFFIC ENG. - ST. DEPT.         | <input type="checkbox"/> SHERIFF'S DEPARTMENT     | <input type="checkbox"/> Other...             |
| <input type="checkbox"/> COUNTY HIGHWAY DEPT.             | <input type="checkbox"/> CITY BUILDING DEPT.      |   |
| <input type="checkbox"/> CEMC                             | <input type="checkbox"/> COUNTY BUILDING DEPT.    |   |
| <input type="checkbox"/> DEPT. OF ELECTRICITY (CDE)       | <input type="checkbox"/> SCHOOL SYSTEM OPERATIONS |   |
|   | <input type="checkbox"/> FT. CAMPBELL             |   |

**1. CITY ENGINEER/UTILITY DISTRICT:**

**2. STREET DEPARTMENT/  
COUNTY HIGHWAY DEPARTMENT:**

**3. DRAINAGE COMMENTS:**

**4. CDE/CEMC:**

**5. FIRE DEPT/EMERGENCY MGT.:**

**6. POLICE DEPT/SHERIFF'S OFFICE:**

**7. CITY BUILDING DEPARTMENT/  
COUNTY BUILDING DEPARTMENT:**

**8. SCHOOL SYSTEM:**

ELEMENTARY:

MIDDLE SCHOOL:

HIGH SCHOOL:

**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:**

**INFRASTRUCTURE:**

**WATER SOURCE:**

**SEWER SOURCE:**

**STREET/ROAD ACCESSIBILITY:**

**DRAINAGE COMMENTS:**

**RESIDENTIAL DEVELOPMENT**

**APPLICANT'S ESTIMATES   HISTORICAL ESTIMATES**

**LOTS/UNITS:**

**POPULATION:**

**APPLICABLE LAND USE PLAN**

**STAFF RECOMMENDATION:     APPROVAL**

1. The evolving economy of brewing has led to the need for updating the definitions and manner in which breweries are zoned in the city.
2. Allowing breweries to operate in M-1 and M-2 districts permitted upon review is the best manner to assure incompatible uses are not located near each other.

3.

4.

5.



AN ORDINANCE AMENDING THE CITY ZONING ORDINANCE OF THE CITY OF CLARKSVILLE, TENNESSEE, AS IT PERTAINS TO BREWERIES, MICRO-BREWERIES, AND BREWPUBS.

WHEREAS the Regional Planning Commission initiated a study and update to the City of Clarksville Zoning Ordinance at the written request of the City Mayor at their regularly scheduled meeting on May 25, 2021, AND

WHEREAS the updates are viewed as necessary in order to clarify certain sections of the City of Clarksville Zoning Ordinance with respect to Breweries, Micro-Breweries, and Brewpubs which are a growing and evolving economy in the city.

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

That the following updates to the City of Clarksville Zoning Ordinance are hereby passed:

**Repeal the following entries in Chapter 2.2 Definitions in full:**

*Alcohol Distillery:*

*Small:* Small scale distillery limited to producing alcoholic beverages in quantities not to exceed 1,000 barrels per month, with one barrel holding 55 gallons.

*Large:* Large scale production of alcoholic beverages in quantities exceeding 1,000 barrels per month, with one barrel holding 55 gallons.

*Brewery:*

*Brewery, Micro:* Small scale production of beer or malt beverages in quantities not to exceed 5,000 barrels per month, with one barrel holding 31 gallons.

*Brewery:* Large scale production of beer or malt beverages in quantities exceeding 5,000 barrels per month, with one barrel holding 31 gallons.

**Insert the following definitions in alphabetical order:**

**Alcohol Distillery:** Large scale production of alcoholic beverages in quantities exceeding 1,000 barrels per month, with one barrel holding 55 gallons, and may include as an accessory use tours, a taproom/tasting room, restaurant, or retail space for the consumption of alcohol made on-site and purchase of distillery related merchandise.

**Alcohol Distillery, Micro:** Small scale distillery limited to producing alcoholic beverages in quantities not to exceed 1,000 barrels per month, with one barrel holding 55 gallons, and may include as an accessory use tours, a taproom/tasting room, or retail space for the consumption of alcohol made on-site and purchase of distillery related merchandise. Food trucks may be permitted on-site to serve patrons of the distillery.

**Brewery:** Large-scale production of beer and/or malt beverages in quantities exceeding twenty-five thousand (25,000) barrels annually, with one (1) barrel holding thirty-one (31) gallons, and may include as an accessory use tours, a taproom/tasting room, restaurant, or retail space for the consumption of beer and/or malt beverages made on-site and purchase of brewery related merchandise.

*Brewery, Micro:* Also referred to as a micro-brewery. A Small-scale production of beer and/or malt beverages in quantities not to exceed twenty-five thousand (25,000) barrels annually, with one (1) barrel holding thirty-one (31) gallons, and may include as an accessory use tours, a taproom/tasting room, or retail space for the consumption of beer and/or malt beverages made on-site and purchase of brewery related merchandise.

*Brewpub:* Eating or drinking establishment that includes an accessory use for the production of beer and/or malt beverages not to exceed 25,000 barrels annually. On-site consumption of products and beverages produced on- or off-site are approved.

*Taproom/Tasting Room:* An accessory use to the production facilities of a winery, distillery (large and micro), brewery, or micro-brewery that allows for the purchase, sampling, and on-site consumption of beer and other alcoholic beverages made on-site.

**Amend the Land Use Table in Section 3.4.5 Commercial Uses as follows:**

**Insert alphabetically in table 3.4.5 the following:**

Uses	Agricultural		Residential													Inst.-Civic	Office			Commercial						Industrial	
	AG	AGC	E1	R1	R1A	R2	R2A	R2D	R3	R4	R5	RM1	R6	PUD	MLUD	MHP	IC	O1	OP	CBD	C1	C2	C3	C4	C5	M1	M2
Alcohol Distillery, Micro		PC												P	P					P		P	P	P	P	PR	
Brewery, Micro		PC												P	P					P		P	P	P	P	PR	
Brewpub														P	P					P		P	P	P	P		

**Amend the Land Use Table in Section 3.4.7 Industrial Uses as follows:**

- Remove the row titled “Alcohol Distillery, Small”
- Remove the row titled “Brewery, Micro”

**Replace the Alcohol Distillery, Large and Brewery entries in table 3.4.7 with the following:**

Uses	Agricultural		Residential													Inst.-Civic	Office			Commercial						Industrial	
	AG	AGC	E1	R1	R1A	R2	R2A	R2D	R3	R4	R5	RM1	R6	PUD	MLUD	MHP	IC	O1	OP	CBD	C1	C2	C3	C4	C5	M1	M2
Alcohol Distillery, Large		PC																								PR	PR
Brewery		PC																								PR	PR

**Insert alphabetically into Chapter 5.2.2 STANDARDS FOR COMMERCIAL USES PERMITTED ON REVIEW (PR) the following:**

**Alcohol Distillery, Micro:**

- For all uses within an Alcohol Distillery, Micro (production space, tasting room, taproom, retail space), a location map and scaled site plan should clearly show the following:
  - Site and building dimensions.
  - Interior functions (production, assembly, and retail) and square footage of each. Spaces designated for commercial functions should be accessory to the production purposes of the site and should not exceed 25% of the gross floor area.
  - Any outdoor seating and assembly areas.
  - Outdoor seating and assembly areas must be screened from surrounding properties.



- Parking per Chapter 6 parking provisions based on the square footage of each use. Parking must be provided on-site. Outdoor seating areas must be included in the parking calculations, if shared parking is utilized, a shared parking agreement, signed by all participating parties, must be included.
- 2. Taproom/Tasting Room shall be in the same building as the distillery, micro.
- 3. The Board of Zoning Appeals shall consider the appropriateness of the site for an alcohol distillery, micro in context to the other surrounding land uses and zoning to minimize nuisance, hazards, or public health, safety, and welfare concerns.

**Brewery, Micro:**

1. For all uses within a Brewery, Micro (production space, tasting room, taproom, retail space), a location map and scaled site plan should clearly show the following:
  - Site and building dimensions.
  - Interior functions (production, assembly, and retail) and square footage of each. Spaces designated for commercial functions should be accessory to the production purposes of the site and should not exceed 25% of the gross floor area.
  - Any outdoor seating and assembly areas.
  - Outdoor seating and assembly areas must be screened from surrounding properties.
  - Parking per Chapter 6 parking provisions based on the square footage of each use. Parking must be provided on-site. Outdoor seating areas must be included in the parking calculations, if shared parking is utilized, a shared parking agreement, signed by all participating parties, must be included.
2. Taproom/Tasting Room shall be in the same building as the micro-brewery.
3. The Board of Zoning Appeals shall consider the appropriateness of the site for a brewery, micro in context to the other surrounding land uses and zoning to minimize nuisance, hazards, or public health, safety, and welfare concerns.

**Insert alphabetically into Chapter 5.2.4 STANDARDS FOR INDUSTRIAL USES PERMITTED ON REVIEW (PR) the following:**

**Alcohol Distillery, Large:**

1. For all uses within an Alcohol Distillery, Large (production space, tasting room, taproom, retail space, restaurant), a location map and a scaled site plan should clearly show the following:
  - Site and building dimensions
  - Interior functions (production, assembly, and retail) and square footage of each. Spaces designated for commercial functions should be accessory to the production purposes of the site and should not exceed 25% of the gross floor area.
  - Any outdoor seating and assembly
  - Outdoor seating and assembly areas must be screened from surrounding properties.
  - Parking per Chapter 6 parking provisions based on the square footage of each use. Parking must be provided on-site. Outdoor seating areas must be included in the parking calculations, if shared parking is utilized, a shared parking agreement, signed by all participating parties, must be included.
2. Taproom/Tasting Room shall be in the same building as the distillery

3. The Board of Zoning Appeals shall consider the appropriateness of the site for a distillery in context to the other surrounding land uses and zoning.

**Brewery:**

1. For all uses within a Brewery (production space, tasting room, taproom, retail space, restaurant), a location map and a scaled site plan should clearly show the following:
  - Site and building dimensions
  - Interior functions (production, assembly, and retail) and square footage of each. Spaces designated for commercial functions should be accessory to the production purposes of the site and should not exceed 25% of the gross floor area.
  - Any outdoor seating and assembly
  - Outdoor seating and assembly areas must be screened from surrounding properties.
  - Parking per Chapter 6 parking provisions based on the square footage of each use. Parking must be provided on-site. Outdoor seating areas must be included in the parking calculations, if shared parking is utilized, a shared parking agreement, signed by all participating parties, must be included.
2. Taproom/Tasting Room shall be in the same building as the brewery
3. The Board of Zoning Appeals shall consider the appropriateness of the site for a brewery in context to the other surrounding land uses and zoning.

PUBLIC HEARING: September 2, 2021

FIRST READING: September 2, 2021

SECOND READING: October 7, 2021

EFFECTIVE DATE: October 7, 2021



**CASE NUMBER:** ZO 2 2021 **MEETING DATE** 08/24/2021

**APPLICANT:** Regional Planning Commission

**PRESENT ZONING**

**PROPOSED ZONING**

**TAX PLAT #**

**PARCEL**

**GEN. LOCATION**

\*\*\*\*\*

**PUBLIC COMMENTS**

None received as of 4:30 P.M. on 8/23/2021 (A.L.)

AN ORDINANCE AMENDING THE CITY ZONING ORDINANCE OF THE CITY OF CLARKSVILLE, TENNESSEE, AS IT PERTAINS TO BREWERIES, MICRO-BREWERIES, AND BREWPUBS

*WHEREAS*, the Regional Planning Commission initiated a study and update to the City of Clarksville Zoning Ordinance at the written request of the City Mayor at their regularly scheduled meeting on May 25, 2021; and

*WHEREAS*, the updates are viewed as necessary in order to clarify certain sections of the City of Clarksville Zoning Ordinance with respect to Breweries, Micro-Breweries, and Brewpubs which are a growing and evolving economy in the city.

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

That the following updates to the City of Clarksville Zoning Ordinance are hereby passed:

**Repeal the following entries in Chapter 2.2 Definitions in full:**

*Alcohol Distillery:*

*Small:* Small scale distillery limited to producing alcoholic beverages in quantities not to exceed 1,000 barrels per month, with one barrel holding 55 gallons.

*Large:* Large scale production of alcoholic beverages in quantities exceeding 1,000 barrels per month, with one barrel holding 55 gallons.

*Brewery:*

*Brewery, Micro:* Small scale production of beer or malt beverages in quantities not to exceed 5,000 barrels per month, with one barrel holding 31 gallons.

*Brewery:* Large scale production of beer or malt beverages in quantities exceeding 5,000 barrels per month, with one barrel holding 31 gallons.

**Insert the following definitions in alphabetical order:**

Alcohol Distillery: Large scale production of alcoholic beverages in quantities exceeding 1,000 barrels per month, with one barrel holding 55 gallons, and may include as an accessory use tours, a taproom/tasting room, restaurant, or retail space for the consumption of alcohol made on-site and purchase of distillery related merchandise.

Alcohol Distillery, Micro: Small scale distillery limited to producing alcoholic beverages in quantities not to exceed 1,000 barrels per month, with one barrel holding 55 gallons, and may include as an accessory use tours, a taproom/tasting room, or retail space for the consumption of alcohol made on-site and purchase of distillery related merchandise. Food trucks may be permitted on-site to serve patrons of the distillery.



[illegible]

**Insert alphabetically into Chapter 5.2.2 STANDARDS FOR COMMERCIAL USES PERMITTED ON REVIEW (PR) the following:**

**Alcohol Distillery, Micro:**

1. For all uses within an Alcohol Distillery, Micro (production space, tasting room, taproom, retail space), a location map and scaled site plan should clearly show the following:
  - o Site and building dimensions.
  - o Interior functions (production, assembly, and retail) and square footage of each. Spaces designated for commercial functions should be accessory to the production purposes of the site and should not exceed 25% of the gross floor area.
  - o Any outdoor seating and assembly areas.
  - o Outdoor seating and assembly areas must be screened from surrounding properties.
  - o Parking per Chapter 6 parking provisions based on the square footage of each use. Parking must be provided on-site. Outdoor seating areas must be included in the parking calculations, if shared parking is utilized, a shared parking agreement, signed by all participating parties, must be included.
2. Taproom/Tasting Room shall be in the same building as the distillery, micro.
3. The Board of Zoning Appeals shall consider the appropriateness of the site for an alcohol distillery, micro in context to the other surrounding land uses and zoning to minimize nuisance, hazards, or public health, safety, and welfare concerns.

**Brewery, Micro:**

1. For all uses within a Brewery, Micro (production space, tasting room, taproom, retail space), a location map and scaled site plan should clearly show the following:
  - o Site and building dimensions.
  - o Interior functions (production, assembly, and retail) and square footage of each. Spaces designated for commercial functions should be accessory to the production purposes of the site and should not exceed 25% of the gross floor area.
  - o Any outdoor seating and assembly areas.
  - o Outdoor seating and assembly areas must be screened from surrounding properties.
  - o Parking per Chapter 6 parking provisions based on the square footage of each use. Parking must be provided on-site. Outdoor seating areas must be included in the parking calculations, if shared parking is utilized, a shared parking agreement, signed by all participating parties, must be included.
2. Taproom/Tasting Room shall be in the same building as the micro-brewery.
3. The Board of Zoning Appeals shall consider the appropriateness of the site for a brewery, micro in context to the other surrounding land uses and zoning to minimize nuisance, hazards, or public health, safety, and welfare concerns.



**Insert alphabetically into Chapter 5.2.4 STANDARDS FOR INDUSTRIAL USES PERMITTED ON REVIEW (PR) the following:**

**Alcohol Distillery, Large:**

1. For all uses within an Alcohol Distillery, Large (production space, tasting room, taproom, retail space, restaurant), a location map and a scaled site plan should clearly show the following:
  - o Site and building dimensions
  - o Interior functions (production, assembly, and retail) and square footage of each. Spaces designated for commercial functions should be accessory to the production purposes of the site and should not exceed 25% of the gross floor area.
  - o Any outdoor seating and assembly
  - o Outdoor seating and assembly areas must be screened from surrounding properties.
  - o Parking per Chapter 6 parking provisions based on the square footage of each use. Parking must be provided on-site. Outdoor seating areas must be included in the parking calculations, if shared parking is utilized, a shared parking agreement, signed by all participating parties, must be included.
2. Taproom/Tasting Room shall be in the same building as the distillery
3. The Board of Zoning Appeals shall consider the appropriateness of the site for a distillery in context to the other surrounding land uses and zoning.

**Brewery:**

1. For all uses within a Brewery (production space, tasting room, taproom, retail space, restaurant), a location map and a scaled site plan should clearly show the following:
  - o Site and building dimensions
  - o Interior functions (production, assembly, and retail) and square footage of each. Spaces designated for commercial functions should be accessory to the production purposes of the site and should not exceed 25% of the gross floor area.
  - o Any outdoor seating and assembly
  - o Outdoor seating and assembly areas must be screened from surrounding properties.
  - o Parking per Chapter 6 parking provisions based on the square footage of each use. Parking must be provided on-site. Outdoor seating areas must be included in the parking calculations, if shared parking is utilized, a shared parking agreement, signed by all participating parties, must be included.
2. Taproom/Tasting Room shall be in the same building as the brewery
3. The Board of Zoning Appeals shall consider the appropriateness of the site for a brewery in context to the other surrounding land uses and zoning.

*PUBLIC HEARING:*

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*

ORDINANCE 19-2021-22

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE,  
APPLICATION OF RICK REDA FOR ZONE CHANGE ON PROPERTY LOCATED AT THE  
INTERSECTION OF MADISON STREET AND TANGLEWOOD DRIVE.

*BE IT ORDAINED BY THE CITY COUNCIL 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 to C-2 General Commercial District.

*PUBLIC HEARING:*

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*

**EXHIBIT A**

Beginning at a point in the north margin of Madison Street and being the southwest corner of lot  
47 Walnut Hills Block A, thence leaving margin of said road North 25 degrees 00 minutes 00  
seconds East 600.00 feet to a point; thence South 65 degrees 00 minutes 00 seconds East 450.10  
feet to a point; thence South 04 degrees 00 minutes 00 seconds West 139.25 feet to a point;  
thence South 25 degrees 00 minutes 00 seconds West 470.00 feet to a point in the northern  
margin of Madison Street; thence along margin of said road North 65 degrees 00 minutes 00  
seconds West 500.00 feet to the point of beginning containing 6.8 +/- acres.



ORDINANCE 20-2021-22

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF OLYMPUS INVESTINGS, LLC, WILLIAM HARRIS-AGENT, FOR ZONE CHANGE ON PROPERTY LOCATED AT THE INTERSECTION OF DARNELL PLACE AND CEDAR CREST DRIVE.

*BE IT ORDAINED BY THE CITY COUNCIL 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 to R-4 Multiple-Family Residential District.

*PUBLIC HEARING:*

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*

**EXHIBIT A**

Beginning at a point, said point being 363+/- feet south of the Darnell Place & Cedar Crest Drive intersection, said point being in the in the western right-of-way margin of Cedar Crest Drive and a southeast corner of the Goatdog properties, LLC, thence in a westerly direction 169 +/- feet with a southern boundary line of the Goatdog property to a point, thence in a southerly direction 159 +/- feet with a eastern boundary of the Goatdog Property to a point, said point being the northwest corner of the Steve Greenup property, thence in a easterly direction with the northern boundary of the Steve Greenup property to a point, said point being in the western right-of way margin of Cedar Crest Drive, thence in a northerly direction 157 +/- feet to the point of beginning, said herein described tract containing 0.6 +/- acre.

## ORDINANCE 21-2021-22

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF TDK PROPERTIES, LLC FOR ZONE CHANGE ON PROPERTY LOCATED AT THE SOUTHERN TERMINUS OF RUFUS JOHNSON RD.

*BE IT ORDAINED BY THE CITY COUNCIL 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-3 Planned Industrial District to C-5 Highway & Arterial Commercial District.

*PUBLIC HEARING:*

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*

### EXHIBIT A

Beginning at an iron pin new in the west right-of-way of State Highway 76 Connector Road, said iron pin new being the northeast corner of Tract 2 of the DPL Corporation Southeast property and the southeast corner of the herein described tract, said iron pin new also being located North 08 degrees 36 minutes 03 seconds East 1054.2 ft from the centerline intersection of said State Highway 76 Connector Road and Madison Street (U. S. Hwy 41-A), THENCE leaving said west right-of-way and with a new severance line, North 44 degrees 55 minutes 04 seconds West 268.30 ft to an iron pin new, THENCE continuing along another new severance line, North 72 degrees 59 minutes 42 seconds West 733.93 ft to an iron pin new in the east boundary line of the Clarksville Montgomery County School System property as recorded in ORV.174, Page 481 ROMCT, THENCE leaving said new severance line and with said east line of the Clarksville Montgomery County School property, North 06 degrees 26 minutes 39 seconds East for a distance of 342.86 feet to an iron pin old, (a ½ " rebar); THENCE continuing with said east line, North 08 degrees 22 minutes 06 seconds East for a distance of 141.87 feet to an iron pin old, (1 ½ " rebar) (Tennessee State Plane Coordinates: N=796196.0359, E=1593683.7725), being the southwest corner of the Rufus Johnson property, (ORV. 341, Pg. 1972), said pin also being the northwest corner of the herein tract described; THENCE leaving said Clarksville Montgomery County School System property and with the south line of said Johnson property, South 81 degrees 34 minutes 23 seconds East for a distance of 834.09 feet to an iron pin old, (a ½" rebar) (Tennessee State Plane Coordinates: N=796073.8032, E=1594508.8538), said pin being the north east corner of the herein tract described; THENCE with the west line of said Johnson property and the west line of the City of Clarksville property, (ORV. 270, Pg. 813), South 02 degrees 20 minutes 00 seconds West for a distance of 659.18 feet to an iron pin new; THENCE continuing with the west line of said City of Clarksville property, South 44 degrees 55 minutes 04 seconds East for a distance of 75.25 feet to an iron pin old, (a ½ " rebar with cap marked King Engineers), in the west right of way of State Highway 76 Connector (a varying right of way);



THENCE leaving said City of Clarksville property and with the west right-of-way of State Highway 76 Connector, South 20 degrees 27 minutes 15 seconds West 55.00 ft to the point of beginning, containing 484,646.39 sq ft or 11.126 acres more or less.

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF WILLIE WALKER, BYARD & MABRY HOLDINGS LLC-AGENT, FOR ZONE CHANGE ON PROPERTY LOCATED AT THE INTERSECTION OF RINGGOLD RD. AND ISHEE DR.

*BE IT ORDAINED BY THE CITY COUNCIL 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 AG- Agricultural District to R-6 Single Family Residential District and R-2 Single Family Residential District.

*PUBLIC HEARING:*

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*

#### **EXHIBIT A**

(R-6 Description) Beginning at a point, said point being the eastern property line of the City of Clarksville Property as recorded in Vol. 630, page 1476 ROMCT, said point also being the south west corner of the herein described parcel, said pin being N 32° 45' W for a distance of 799 feet from the centerline intersection of Brentwood Circle and Ringgold Road, said also being the southwestern corner of the herein described parcel; Thence, along said City of Clarksville property, N 32° 49' 39" W for a distance of 1063.12 feet to a point on a line, said point being the southern portion of the Little West Fork River; Thence, leaving said City of Clarksville property and along said Little West Fork River for the next 19 calls, N 48° 32' 08" E for a distance of 50.19 feet to a point on a line; Thence, N 19° 41' 48" E for a distance of 96.27 feet to a point on a line; Thence, N 08° 32' 38" E for a distance of 102.60 feet to a point on a line; Thence, N 19° 09' 31" E for a distance of 88.97 feet to a point on a line; Thence, N 25° 47' 18" E for a distance of 54.65 feet to a point on a line; Thence, N 31° 50' 55" E for a distance of 113.35 feet to a point on a line; Thence, N 26° 04' 27" E for a distance of 103.79 feet to a point on a line; Thence, N 25° 25' 02" E for a distance of 192.69 feet to a point on a line; Thence, N 37° 47' 22" E for a distance of 108.14 feet to a point on a line; Thence, N 53° 46' 14" E for a distance of 125.01 feet to a point on a line; Thence, N 87° 55' 38" E for a distance of 52.10 feet to a point on a line; Thence, S 68° 10' 19" E for a distance of 115.21 feet to a point on a line; Thence, S 82° 34' 03" E for a distance of 35.37 feet to a point on a line; Thence, S 64° 10' 14" E for a distance of 213.33 feet to a point on a line; Thence, S 55° 21' 35" E for a distance of 216.70 feet to a point on a line; Thence, S 58° 55' 39" E for a distance of



125.34 feet to a point on a line; Thence, S 31° 40' 51" E for a distance of 249.44 feet to a point on a line; Thence, S 71° 40' 01" E a distance of 84.36 feet to a point on a line; Thence, N 71° 51' 09" E for a distance of 104.81 feet to a point on a line, said point being the north east corner of the herein described parcel; Thence, leaving said Little West Fork River and along a new zone line for the next 5 calls, S 25° 20' 25" E for a distance of 187.60 feet to a point on a line; Thence, S 62° 16' 11" W for a distance of 268.23 feet to a point on a line; Thence, S 21° 55' 48" E for a distance of 209.12 feet to a point on a line; Thence, S 18° 47' 30" E for a distance of 50.09 feet to the beginning of a non-tangential curve; Said curve turning to the left having a radius of 275.00 feet, and whose long chord bears S 55° 45' 24" W for a distance of 111.93 feet to a point of intersection with a non-tangential line; Thence, S 45° 59' 07" E for a distance of 8.80 feet to a point on a line, said point being the north west corner of the Keith Walker property as described in ORV 1199, page 1683; Thence, along said Keith Walker property, S 04° 50' 17" W for a distance of 579.34 feet to a point on a line, said point being the north east corner of the Michelle Glorioso property as described in ORV 726, page 1569; Thence, along said Glorioso property, N 46° 05' 34" W for a distance of 250.62 feet to a point on a line, said point being the north east corner of the Todd Morris Construction LLC property as described in ORV 1863, page 2171; Thence, along said Todd Morris Construction LLC property, S 65° 49' 14" W for a distance of 571.24 feet to the point of beginning, said parcel containing 1,708,209 Square Feet or 39.22 Acres, more or less.

(R-2 Description) Beginning at a point, said point being the southeastern corner of the Michael Evans Properties as recorded in Vol. 1647, page 428 ROMCT, said point also being the south west corner of the herein described parcel, said pin being N 63° 10' E for a distance of 707 feet from the centerline intersection of Brentwood Circle and Ringgold Road, said also being the southwestern corner of the herein described parcel; Thence, leaving said Ringgold Road right of way and along said Michael Evans property, N 10° 37' 00" E for a distance of 370.14 feet to a point on a line; Thence, leaving said Michael Evans property and along Louise Couch property as described in ORV 855, page 1818 and the Frances Pepper property as described in ORV 731, page 1356, N 10° 37' 07" E a distance of 548.01 feet to a point on a line; Thence, along said Frances Pepper property and the Keith Walker property as described in ORV 1199, page 1683, N 79° 41' 39" W for a distance of 490.00 feet to a point on a line; Thence, leaving said Keith Walker property and along a new zoning line for the next 6 calls, N 45° 59' 07" W for a distance of 8.80 feet to the beginning of a non-tangential curve; Said curve turning to the right, having a radius of 275.00 feet, and whose long chord bears N 55° 45' 24" E for a distance of 111.93 feet to a point of intersection with a non-tangential line; Thence, N 18° 47' 30" W for a distance of 50.09 feet to a point on a line; Thence, N 21° 55' 48" W for a distance of 209.12 feet to a point on a line; Thence, N 62° 16' 11" E for a distance of 268.23 feet to a point on a line; Thence, N 25° 20' 25" W for a distance of 187.60 feet to a point on a line, said point being the southern portion of the Little West Fork River; Thence, along said Little West Fork River for the next 30 calls, N 71° 51' 09" E for a distance of 46.08 feet to a point on a line; Thence, N 54° 58' 22" E for a distance of 78.58 feet to a point on a line; Thence, N 33° 01' 09" E for a distance of 90.19 feet to a point on a line; Thence, N 07° 24' 35" E for a distance of 239.52 feet to a point on a line; Thence, along said Terry Harvey property for the next 2 calls, S 73° 01' 22" W for a distance of 290.88 feet to a point on a line; Thence, S 02° 47' 44" W for a distance of 1047.77 feet to a point on a line, said point being the north property line for the Ringgold Estates Sect. 1 as described in Plat Book 'F' page 790, said point also being the south east corner of the herein described parcel; Thence, along said Ringgold Estates Sect. 1 for the next 3 calls, S 89° 53' 58" W for a distance of 72.18 feet to a point on a line; Thence, N 83° 41' 36" W for a distance of 216.97 feet to a point on a line; Thence, S 18° 10' 07" W for a distance of 47.08 feet to a point on a line, said point

being the north right of way of said Ringgold Road right of way; Thence, along said Ringgold Road right of way for the next 3 calls, N 40° 38' 50" W for a distance of 14.77 feet to the beginning of a curve; Said curve turning to the left having a radius of 350.00 feet, and whose long chord bears N 59° 50' 51" W for a distance of 230.21 feet; Thence, N 79° 02' 53" W for a distance of 222.87 feet to the point of beginning, said parcel containing 3,419,991 Square Feet or 78.51 Acres, more or less.



ORDINANCE 23-2021-22

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE,  
APPLICATION OF WILLIAM BELEW, FOR ZONE CHANGE ON PROPERTY LOCATED  
AT THE INTERSECTION OF NEEDMORE RD. AND E. BOY SCOUT RD.

*BE IT ORDAINED BY THE CITY COUNCIL 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  
AG- Agricultural District to R-1 Single Family Residential District.

*PUBLIC HEARING:*

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*

**EXHIBIT A**

Beginning at a point said point being the southeastern corner of the William Scogin Properties as recorded in Vol. 2025, page 1015 ROMCT, said pin being N 11° 33' W for a distance of 2,312' from the centerline intersection of East Boy Scout Road and Needmore Road, said point also being the western right of way of Needmore Road, said also being the northeastern corner of the herein described parcel; Thence, along said Needmore Road right of way, S 23° 04' 37" E for a distance of 97.42 feet to a point on a line; Thence, continuing along said Needmore Road right of way, S 25° 05' 15" E for a distance of 164.53 to a point on a line, said point being the south east corner of the herein described parcel; Thence, leaving said Needmore Road right of way and along said William Belew property Tract 2, N 80° 55' 37" W for a distance of 621.01 feet to a point on a line, said point being the south west corner of the herein described parcel; Thence, leaving said Tract 2 and along said William Scogin property for the next 2 calls, N 09° 04' 23" E for a distance of 218.62 feet to a point on a line; Thence, S 80° 55' 37" E for a distance of 476.78 feet to the point of beginning, said parcel containing 119,720 Square Feet or 2.75 Acres, more or less.

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF JOHNNY PIPER, FOR ZONE CHANGE ON PROPERTY LOCATED AT THE SOUTHERN FRONTAGE OF CAVE SPRINGS RD., EAST OF DANKO LN.

*BE IT ORDAINED BY THE CITY COUNCIL 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 to R-6 Single Family Residential District.

*PUBLIC HEARING:*

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*

#### **EXHIBIT A**

Beginning at a point in the south right of way of Cave Springs Road, said point of beginning being further described as the northwest corner of The Piper property South 86 degrees 14 minutes 32 seconds East for a distance of 42.53 feet from the centerline intersection of Cave Springs Road and Danko Lane; Thence along the south right of way of Cave Springs Road for the next three calls: North 62 degrees 10 minutes 57 seconds East for a distance of 235.75 feet to a point; On a curve to the left having a radius of 1200.00 feet, an arc length of 441.15 feet, a delta of 21 degrees 03 minutes 49 seconds, a tangent of 223.10 feet, a chord bearing of North 51 degrees 39 minutes 03 seconds East for 438.67 feet; North 41 degrees 07 minutes 08 seconds East for 290.39 feet to a point, being the west property corner of the New Providence Utility District property as recorded in DB 69, Page 127 ROMCT; Thence leaving Cave Springs east right of way along Utility District south property line, South 68 degrees 28 minutes 23 seconds East for 60.86 feet to a point; Thence continuing along the south property line, South 68 degrees 28 minutes 23 seconds East for 165.07 feet to a point, being the northwest corner of the Stephen L. Danko property as recorded in ORV1485, Page 987 ROMCT; Thence along Stephen L. Danko property, South 06 degrees 48 minutes 51 seconds West for 375.03 feet to a point, being the northeast corner of the AmSouth Bank property as recorded in Vol 13, Page 359 ROMCT; Thence along AmSouth north property line, North 71 degrees 51 minutes 32 seconds West for 133.96 feet to a point; Thence along AmSouth west property line, South 07 degrees 50 minutes 29 seconds West for 32.76 feet to a point, lying in the east property line of the Brian Wolfe property; Thence leaving AmSouth property, on a new zone line for the next four calls: South 67 degrees 42 minutes 17 seconds West for 123.06 feet to a point; South 67 degrees 42 minutes 17 seconds West for 386.61 feet to a point; South 53 degrees 56 minutes 48 seconds West for 62.96 feet to a point; North 81 degrees 37 minutes 28 seconds West for 138.66 feet to a point lying in John Michael Danko east property line as recorded in ORV 1485, Page 990 ROMCT; Thence



along J. Danko property, North 08 degrees 06 minutes 30 seconds East for 73.19 feet to a point; Thence South 65 degrees 05 minutes 46 seconds West for 145.62 feet to a point, lying in the east right of way of Danko Lane; Thence along Danko Lane east right of way, North 05 degrees 12 minutes 18 seconds East for 44.32 feet to the point of beginning. Said tract-containing 5.82 acres (253,627.23 sqft) more or less.

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF WILLIAM REVELL, FOR ZONE CHANGE ON PROPERTY LOCATED AT THE INTERSECTION OF TINY TOWN RD. AND ALLEN RD.

*BE IT ORDAINED BY THE CITY COUNCIL 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 AG- Agricultural District and C-5 Highway and Arterial Commercial District to AG Agricultural District and R-4 Multiple Family Residential District.

*PUBLIC HEARING:*

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*

#### **EXHIBIT A**

(C-5 Description) Beginning an iron pin (old), said pin being the northwestern corner of the Betty Bozeman Property as recorded in Vol. WB-AE, page 78 ROMCT, said pin being N 63° 43' W for a distance of 520 from the centerline intersection of Allen Road and Tiny Town Road, said point being the southern right of way of Tiny Town Road, said point also being the northeastern corner of the herein described parcel; Thence, leaving said Tiny Town Road right of way and along said Betty Bozeman property, S 00° 57' 46" W for a distance of 114.90 feet to a point on a line, said point being the north west corner of the said Bozeman property as described in ORV 245, page 495; Thence, S 00° 57' 46" W for a distance of 143.88 feet to a point on a line, said point being the south east corner of the herein described parcel; Thence, along a new zone line, S 83° 33' 30" W for a distance of 450.24 feet to a point on a line, said point being the eastern property line of the Betty Bozeman property as described in ORV 873, page 2664, said point also being the south west corner of the herein described parcel; Thence, along said Bozeman property, N 00° 24' 49" E a distance of 250.01 feet to the being of a curve, said point being the southern right of way of Tiny Town Road, said point also being the north west corner of the herein described parcel; Thence, along said Tiny Town Road right of way, said curve turning to the left, having a radius of 1719.28 feet, and whose long chord bears N 82° 29' 49" E for a distance of 453.83 feet to a point of intersection with a non-tangential line. Said point being the point of beginning, said parcel containing 109,407 Square Feet or 2.51 Acres, more or less.

(R-4 Description) Beginning at a point, said point being the northwestern corner of the Betty Bozeman Property as recorded in Vol. 245, page 495 ROMCT, said pin being S 43° 53' W for a distance of 678 from the centerline intersection of Allen Road and Tiny Town Road, said point also being the northeastern corner of the herein described parcel; Thence, along said Betty Bozeman property, S 00° 57' 46" W for a distance of 453.12 feet to a point on a line, said point



being the northern property line of the Jeff Burkhardt Custom Properties Inc as described in Plat Book 'L', page 41; Thence, along said Jeff Burkhardt Custom Properties Inc for the next 2 calls, S 80° 03' 59" W for a distance of 279.87 feet to a point on a line; Thence, S 80° 03' 59" W for a distance of 170.13 feet to a point on a line, said point being the eastern property line of the Betty Bozeman property as described in ORV 873, page 2664, said point also being the south west corner of the herein described parcel; Thence, along said Betty Bozeman property for the next 2 calls, N 00° 24' 49" E for a distance of 449.65 feet to a point on a line; Thence, N 00° 24' 49" E for a distance of 30.53 feet to a point on a line, said point being the north west corner of the herein described parcel; Thence, leaving said Bozeman property and along a new zone line, N 83° 33' 30" E a distance of 450.24 to the point of beginning, said parcel containing 207,441 Square Feet or 4.76 Acres, more or less.

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF TRENT GALLIVAN, FOR ZONE CHANGE ON PROPERTY LOCATED AT THE INTERSECTION OF FAIRVIEW LN AND W. ROSSVIEW RD.

*BE IT ORDAINED BY THE CITY COUNCIL 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 to R-6 Single Family Residential District.

*PUBLIC HEARING:*

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*

#### **EXHIBIT A**

Beginning at a point, said point being the southeast corner of the Fairview Lane and West Rossview Road intersection & the northwest corner of the herein described tract, said point being in the southern right-of-way margin of Fairview Lane, thence in a easterly direction 203 +/- feet with the southern right-of-way margin of Fairview Lane to a point, said point being the northwest corner of the Michael Sisk property, thence in a southerly direction 200 +/- feet with the western boundary of the Sisk property to a point, said point being in the northern boundary of the Lydle R. Curtis property, thence in a westerly direction 196 +/- feet with the northern boundary of the Curtis property & others to a point, said point being the northwest corner of the Danny Blackshear property & also located in the eastern right-of-way margin of West Rossview Road, thence in a northerly direction 281 +/- feet with the eastern right-of-way margin of West Rossview Road to the point of beginning, said herein described tract containing 1.08 +/- acres



## RESOLUTION 17-2021-22

A RESOLUTION AUTHORIZING REAPPLICATION FOR ZONE CHANGE ON PROPERTY LOCATED ON BOY SCOUT ROAD WEST OF NEEDMORE ROAD, REQUEST OF JOHN M. AND JAMES R. CLARK

*WHEREAS,* John M. and James R. Clark, with Mark Holleman as agent, applied to the Regional Planning Commission for a zone change in the city limits on property located on Boy Scout Road west of Needmore Road on January 25, 2021; and

*WHEREAS,* said application was initiated by the applicants and reviewed by the Regional Planning Commission and after being placed on the agenda with numerous deferments was eventually withdrawn by the applicant from the Regional Planning Commission and never forwarded to the City Council for final action; and

*WHEREAS,* the applicant wishes to initiate a rezoning of the same parcel of property within one year, said property being shown on Montgomery County Tax Map 018 02300 000 (1891 Boy Scout Road); and

*WHEREAS,* the Zoning Ordinance of the City of Clarksville, Section 11-11, states “unless a previously allowed zoning amendment by the City Council, no action shall be initiated for a zoning amendment affecting the same parcel of land more often than once every twelve (12) months; provided, however, by resolution approved by a 3/4 majority of members present of the City Council, that the action may be initiated at any time.”

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

That John M. and James R. Clark are hereby authorized to reapply for a zone change on the above referenced property on any date hence after in the less than the required twelve months from the date of the original application in which it was disapproved.

*ADOPTED:*

ORDINANCE 109-2020-21

AN ORDINANCE AMENDING TITLE 5 OF THE OFFICIAL CITY CODE RELATIVE TO SHORT TERM RENTALS PERTAINING TO INDIVIDUAL OWNER EXEMPTIONS

*WHEREAS*, for economic reasons and for the purpose of making short-term rental requirements less onerous and less burdensome upon the residents of the City of Clarksville, the City Council finds it to be in the best interest of the City to provide certain exceptions to the general rule requiring individuals to obtain a permit in order to operate a short-term rental unit.

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

The Clarksville City Code, Title 5 (Business, Professions, and Occupations) Section 5-303 is hereby amended by adding new paragraph (c) (1), (2), and (3) as set forth below:

(c) This short-term rental ordinance shall not apply:

- (1) to individuals who operate only one single short-term rental unit;
- (2) to individuals who operate and list only one single room as a short-term rental unit in a dwelling unit that is owner-occupied; and
- (3) to individuals who operate a short-term rental unit for less than six (6) months in any calendar year.

*FIRST READING:* August 5, 2021

*SECOND READING:*

*EFFECTIVE DATE:*



ORDINANCE TO ESTABLISH RESPONSIBILITIES FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY AND THE CHIEF INFORMATION OFFICER, AND ESTABLISHING REGULATIONS FOR THE ACQUISITION OF TECHNOLOGY RESOURCES

*WHEREAS*, due to growth of technology throughout the City, it has become necessary to formalize the responsibilities of the information technology department.

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

1. That Title 1 (Administration, Officers, and Personnel), Chapter 11 (Reserved), of the Official Code of the City of Clarksville, Tennessee, is hereby amended by adding a new Chapter 11 as follows:

**Chapter 11 - INFORMATION TECHNOLOGY DEPARTMENT**

**Section 1-1101. Responsibilities of the Department of Information Technology.**

- a. The information technology (IT) department shall be responsible for maintaining, installing, upgrading, and supporting all information technology hardware, software, and online systems; providing internet security; backing up data; researching and providing technical expertise for information technology-related issues; production and distribution of web streams and government television; and performing other duties as may be assigned by the Mayor.
- b. The IT department shall provide services to all departments of the city. Other than the direction of the design, coordination, and operation of the local and wide area network, the department of gas and water is exempt from this section, subject to the approval of the Mayor.

**Section 1-1102. Powers and duties of the Chief Information Officer.**

The City Chief Information Officer (CIO) shall have the power, duties, and responsibilities to:

- a. Manage and coordinate internal information technology systems and data processing functions.
- b. Coordinate the acquisition, development, and implementation of computer applications, and recommend changes and improvements to operations and programming.
- c. Direct the design, coordination, and operation of the local and wide area network and the evaluation and implementation of computers throughout the city.
- d. Develop and operate automated information systems for the purpose of providing efficient data handling.
- e. Manage the preparation of the proposed annual budget for the City of Clarksville Information Technology Department, authorizing necessary expenditures.
- f. Coordinate with departments, recommend and establish policies, procedures, and standards for the development of the City's technology operations, subject to the approval of the Mayor.

- g. To provide leadership to the city council, Mayor, and directors on the alignment of technology with city initiatives, planning priorities, policy, and strategic objectives.
- h. Appoint, remove, and supervise employees in the Information Technology Department in accordance with City of Clarksville policies and regulations.
- i. Review applicants that will manage and/or support technology in other departments.

**Section 1-1103. Criminal Justice Information Systems.**

All criminal justice information systems (CJIS) are subject to any management control agreement with the Tennessee Bureau of Investigation (TBI) and / or any applicable federal criminal justice agencies, and will be managed by the Chief of Police. With regard to CJIS and the responsibilities of the CIO, the Information Technology Department and the Clarksville Police Department will coordinate and consult on technology and policies to ensure CJIS compliance.

**Section 1-1104. Acquisition of technology resources.**

No City officer or employee shall acquire, through purchase, lease, or any form of contract, any information technology resources for the City except through, in coordination with, or in accordance with, policies, guidelines, standards, and procedures established by the Chief Information Officer and subject to approval by the Mayor.

**2. *BE IT FURTHER ORDAINED*,** that Section 10-112, "Department of information and technology," is hereby amended by deleting the section in its entirety and substituting the following therefore:

**Section 10-112. Department of information technology.**

There is hereby established a department of information technology which shall be headed by a Chief Information Officer.

**3.** This ordinance shall take effect from and after the date it shall have been passed, properly signed, certified, and has met all other legal requirements, and as otherwise provided by law, the general welfare of the City of Clarksville requiring it.

*FIRST READING:* August 5, 2021  
*SECOND READING:*  
*EFFECTIVE DATE*



## ORDINANCE 4-2021-22

### AN ORDINANCE AMENDING THE CITY ZONING ORDINANCE OF THE CITY OF CLARKSVILLE, TENNESSEE, AS IT PERTAINS TO HISTORIC AND DESIGN OVERLAY DISTRICTS

*WHEREAS*, the State of Tennessee recently passed Public Chapter 332 (2021) in which all cities and counties in the state are required to update, amend, and readopt any design overlay districts to include historic districts, AND

*WHEREAS*, the Regional Planning Commission initiated the update of the proper sections of the City of Clarksville Zoning Ordinance via a special called meeting on July 14, 2021, AND

*WHEREAS*, the updates are viewed as necessary in order to continue to provide design review in the Historic Overlay District, Madison Street Corridor Urban Design Overlay District, and the Downtown Urban Design Overlay District in 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 Chapters 9.3 Historic Overlay District, 9.4 Madison Street Corridor Urban Design Overlay District, and 9.5 Downtown Urban Design Overlay District of the City of Clarksville Zoning Ordinance are hereby repealed and replaced in their entirety with the following language:

### 9.3 HISTORIC OVERLAY DISTRICT

1. **General Description and Purposes.** The historic district provisions are established in order that appropriate measures may be taken to ensure preservation of structures of historic and/or cultural value to the City of Clarksville, Tennessee, pursuant to the authority contained in Section 13-7-402, of the Tennessee Code Annotated. The general intent includes, among others, the following specific purposes:
  - A. To preserve and protect the historic and/or architectural value of buildings or other structures;
  - B. To protect the historic buildings or other structures from encroachment of surrounding uses which diminish or lessen their significance;
  - C. To regulate exterior design, arrangement, texture, and materials proposed to be used within the historic district to ensure compatibility;
  - D. To create an aesthetic appearance which complements the historic buildings or other structures;
  - E. To stabilize and improve property values;
  - F. To foster civic beauty;
  - G. To strengthen the local economy;
  - H. To promote the use of historic districts for the education, pleasure, and welfare of the present and future citizens of Clarksville and Montgomery County.

2. **Creation of Historic Districts.** Upon the creation of an historic district, the boundaries shall be shown on the zoning map or on special overlays thereto which are made a part of this section and may be viewed upon request at the office of the Regional Planning Commission. No structure shall be constructed, altered, repaired, moved, or demolished in any historic district unless the action complies with the requirements set forth in this section.
3. **Creation of a Regional Historic Zoning Commission.** A Regional Historic Zoning Commission is hereby created for the City of Clarksville, Tennessee, and it shall consist of seven (7) members who shall have been bona fide residents of the area of jurisdiction of Montgomery County for not less than three (3) years immediately prior to appointment and who shall continue to be so eligible as long as they serve. The Commission shall be made up of the following:
  - A. A representative of a local patriotic or historical organization;
  - B. An architect, if available;
  - C. One representative of the City Council;
  - D. One representative of the County Commission;
  - E. One representative of the Regional Planning Commission;
  - F. The remaining members shall be appointed from the general public.
2. **Appeals from Decision of the Regional Historic Zoning Commission.** Anyone who may be aggrieved by any final order or judgment of the Historic Zoning Commission may have such order or judgment reviewed by the courts by procedure of statutory certiorari as provided for in Tennessee Code Annotated § 27, Chapter 8 (Acts 1982, Ch. 814 and 1; 1987, Ch. 40 and 6).
3. **Appointment to the Regional Historic Zoning Commission.**
  - A. The mayor of the City of Clarksville shall appoint the representative of the local patriotic or historical organization, the member of the City Council, and one member from the general public, all subject to confirmation by the City Council.
  - B. The Mayor of Montgomery County shall appoint the architect, the member of the Board of County Commissioners, and one member from the general public, all subject to confirmation by the County Commission.
  - C. The Regional Planning Commission shall nominate the member of that Commission and that member shall be confirmed by both legislative bodies of the City and County.
2. **Term of Appointment, Removal, and Vacancies.** The members of the Regional Historic Zoning Commission shall serve for five-year terms, except that the members appointed initially shall be appointed for staggered terms so that the terms of at least one (1) member, but not more than two (2) members shall expire each year. The term of the member nominated from the Regional Planning Commission shall be concurrent with the term on the Regional Planning Commission, and the term of members from the local legislative bodies shall be concurrent with the terms on the local legislative body. All members shall serve without compensation and may be removed from membership by the appointing authority for just causes. Any member being so removed shall be provided, upon request, a public hearing on the removal decision before the City Council and County Commission. Vacancies on the Regional Historic Zoning Commission shall be filled for the unexpired term of those members whose position has become vacant in the manner herein provided for the appointment of such member. Vacancies shall be filled within a period of sixty (60) days following their occurrence. The Commission may adopt rules and regulations consistent with the provisions of this Section.
3. **Election of Officers, Rules and Meetings.** The Regional Historic Zoning Commission shall elect from its members its own chairman and other officers deemed appropriate to carry out its purpose. The Commission shall adopt rules of order for conducting meetings and establish regular meeting dates.



4. **Conflict of Interest.** Any member of the Regional Historic Commission who shall have a direct or indirect interest in any property which is the subject matter of, or affected by, a decision of said commission shall be disqualified from participating in the discussion, decision, or proceedings of the Regional Historic Zoning Commission in connection therewith.
5. **Powers and Duties of the Regional Historic Zoning Commission.** The Regional Historic Zoning Commission may submit and it shall review applications for amendments to this section designating historic sites or buildings for special historic districts. A historic district or zone shall be defined as a geographically definable area which possesses a significant concentration, linkage or continuity of sites, buildings, structures or objects which are united by past events or aesthetically by plan or physical development, and which meets one or more of the following criteria:
  - A. That it is associated with an event which has made a significant contribution to local, state, or national history;
  - B. That it includes structures associated with the lives of persons significant in local state or national history;
  - C. That it contains structures or groups of structures which embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction;
  - D. That it has yielded or may be likely to yield archaeological information important in history or prehistory;
  - E. That it is listed in the National Register of Historic Places; (Acts 1982 (Adj. S.), Ch. 814, 1.); or
  - F. That it addresses the cost of acquisition by city and/or county governments, restoration, maintenance and repair, as applicable.
2. **Additional Powers and Duties of the Historic Zoning Commission.**
  - A. It shall be the duty of the Regional Historic Zoning Commission to make the following determination with respect to historic districts:
    - I. Appropriateness of altering or demolishing any building or structure within the historic district. The Commission may require interior and exterior photographs, architectural measured drawings of the exterior, or other notations of architectural features to be used for historical documentation as a condition of any permission to demolish a building or structure.
    - II. Appropriateness of exterior architectural features including signs and other exterior fixtures of any new buildings and structures to be constructed within the historic district.
    - III. Appropriateness of front yards, side yards, rear yards, off-street parking spaces, location of entrance drives into the property, sidewalks along the public right-of-way, which might affect the character of any building or structure within the historic district.
    - IV. The general exterior design, arrangement, texture, material, color of the building or other structure in question and the relation of such factors to similar features of buildings in the immediate surroundings. However, the Regional Historic Zoning Commission shall not consider interior arrangement or design, nor shall it make any requirements except for the purpose of preventing extensions incongruous to the historic aspects of the surroundings.
  - B. It shall also be the responsibility of the Commission to review all proposed nominations to the National Register of Historic Places for properties within the jurisdiction of

Montgomery County. A report of the commission's recommendations in this regard will then be forwarded to the Tennessee Historical Commission/State Historic Preservation Office.

- C. The Commission shall also have the authority to conduct surveys of local historical and cultural resources and will maintain a list of districts and individual properties that have been designated historic pursuant to local legislation.
  - D. The Commission shall also have the authority to establish reasonable fees in regard to applications for certificates of appropriateness.
2. **Right of Entry Upon Land.** The Commission, its members and employees, in the performance of its work, may enter upon any land within its jurisdiction and make examinations and surveys and place or remove public notices as required by this section, but there shall be no right of entry into any building without the consent of the owner.
  3. **Liability of Regional Historic Zoning Commission Members.** Any Regional Historic Zoning Commission member acting within the powers granted by this section is relieved from all personal liability for any damage and shall be held harmless by the City and County governments. Any suit brought against any member of the Commission shall be defended by a legal representative furnished by the City of Clarksville or Montgomery County, until the final termination of the procedure
  4. **Submittal of Building Permit to the Historic Zoning Commission.** The City Building Official and the County Building Commissioner shall not issue any permit for the construction, reconstruction, alteration, or extension of building or other structure within any historic zone district, nor shall any other agency issue a permit for the demolition or removal of any building or other structure within said district without first submitting the application for such permit together with all exterior plans, elevations, and other information necessary to determine the appropriateness of the features to be passed upon by the Regional Historic Zoning Commission. In the case of applications for demolition, no plans or other information shall be required to be submitted by the applicant.
  5. **Meetings on Application.** Regular meeting dates and time, and the deadline for each regular meeting, shall be established by the Regional Planning Commission Office, or within ten (10) days after notification by the City Building Official or the County Building Commissioner of the filing of an application relating to a historic district or a nomination to the National Register.
  6. **Approval by the Regional Historic Zoning Commission.** Upon approval of any application, the historic zoning commission shall forthwith transmit a report to the City Building Official or the County Building Commissioner stating the basis upon which such approval was made, and cause a certificate of appropriateness to be issued to the applicant. Upon failure of the Historical Zoning Commission to take final action within thirty (30) days after receipt of the application, the case shall be deemed approved, except when mutual agreement has been made for an extension of the time limit. When a certificate of appropriateness has been issued, a copy thereof shall be transmitted to the City Building Official or the County Building Commissioner who shall, from time to time, inspect the construction or alteration of the exterior approved by such certificate, and report to the Regional Historic Zoning Commission any work not in accordance with such certificate before issuing a certificate of zoning compliance.
  7. **Disapproval by the Regional Historic Zoning Commission.** In the case of disapproval of any application, the Regional Historic Zoning Commission shall state the reasons therefore in a written statement to the applicant, in terms of design, arrangement, texture, color, material, and the like of the property involved. Notice of such disapproval and a copy of the written statement of reasons therefore shall also be transmitted to the City Building Official or the County Building Commissioner.



8. **Approval of Removal or Demolition.** In the event an application for removal or demolition or redevelopment of a building or other structure within an historic district is submitted or such demolition is required, the governmental agency receiving such request or initiating such action shall transmit a copy thereof to the Regional Historic Zoning Commission, and said Commission shall have a period of one hundred twenty (120) days from the date the application was filed to acquire such property. Upon failure of the Regional Historic Zoning Commission to take final action within one hundred twenty (120) days after the filing of the application, the case shall be deemed approved, except when mutual agreement has been made for an extension of the time limit.
9. **[Reserved]** Per Ordinance 64-2019-2020]
10. **Public Comment.** All meetings of the commission shall adhere to the Tennessee Open Meetings Act (TCA sec. 8-44-101, et seq.) Further, the Commission will provide opportunity for public comment during the press of the commission's review of the National Register nominations as well as its consideration of local zoning applications
11. **Further Reporting.** The Commission shall send all annual reports of its activities to the Tennessee Historical Commission/State Historic Preservation Office.

## 9.4 MADISON STREET CORRIDOR URBAN DESIGN OVERLAY DISTRICT

### 9.4.1 PURPOSE

#### Purpose

The purpose of the Madison Street Corridor Urban Design Overlay District is to coordinate the physical improvements that will be made to this important corridor by both public and private entities.

The overlay zoning district is placed “over” the base zoning in an area in order to modify the base zoning’s regulatory standards. The overlay district alters such standards as building placement, size and height, parking and access, landscaping and buffering, and signage, but does not determine the use of the property. The use is governed by the underlying base zoning.

#### How to Use This Section

Government officials, property owners, developers, design consultants and other stakeholders will use this section to prepare improvement plans that are consistent with the Madison Street Corridor Urban Design Overlay and Design Standards and Guidelines, are prepared by Gresham Smith and Partners, and incorporated by reference herein. The standards and guidelines apply to all residential and non-residential new construction and improvements in the area that require building and sign permits and that make modifications to the exterior appearance of buildings, landscaping and parking. Picture 9.1 delineates the area within the Madison Street Corridor Urban Design Overlay District.

#### Scope of Review

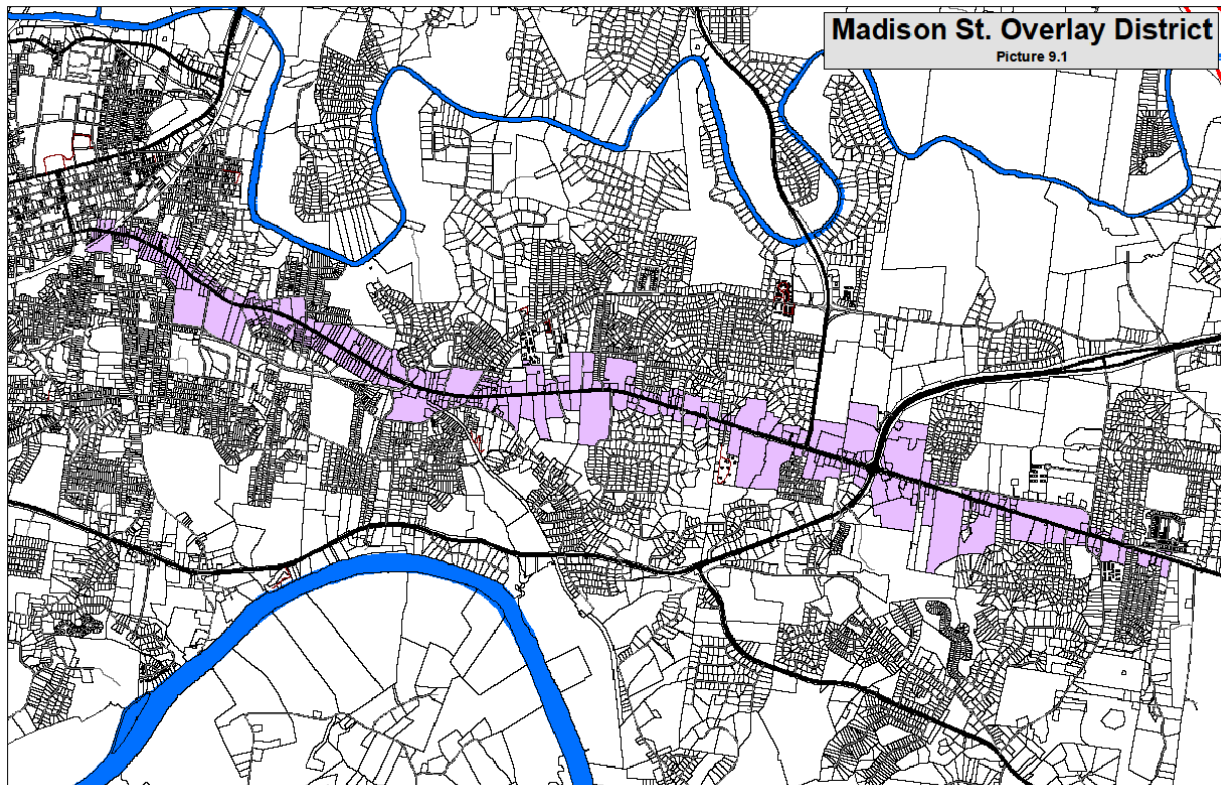
Design review shall apply to all sides of a building. Any discernable changes will require approval from the Design Review Board (\* indicates Administrative rather than Board function):

- a. Demolition of Contributing Structures

- b. Proposed New Construction/Exterior Remodeling/Modifications
- c. Relocation of Buildings
- d. Exterior Repair or Repainting\*
- e. Window Changes In-Kind\*
- f. Landscaping meeting the minimum requirements of Chapter 7 of the Zoning Ordinance\*
- g. Signage and Awnings\*
- h. Sidewalk Changes or Improvements on private property
- i. Exterior Lighting Changes or Improvements
- j. Parking Lot Construction, Changes or Improvements that modify parking locations, number of parking spaces or circulation patterns

The functions above marked with an asterisk (\*) are considered administrative in nature, and may be approved at the Staff Level if all objective standards are met. However, the staff will forward the application for action by the full Design Review Board for review and approval if there is a question about meeting the standards or if the applicant is requesting a variance from the standards.

Picture 9.1





## 9.4.2 DESIGN STANDARDS AND GUIDELINES

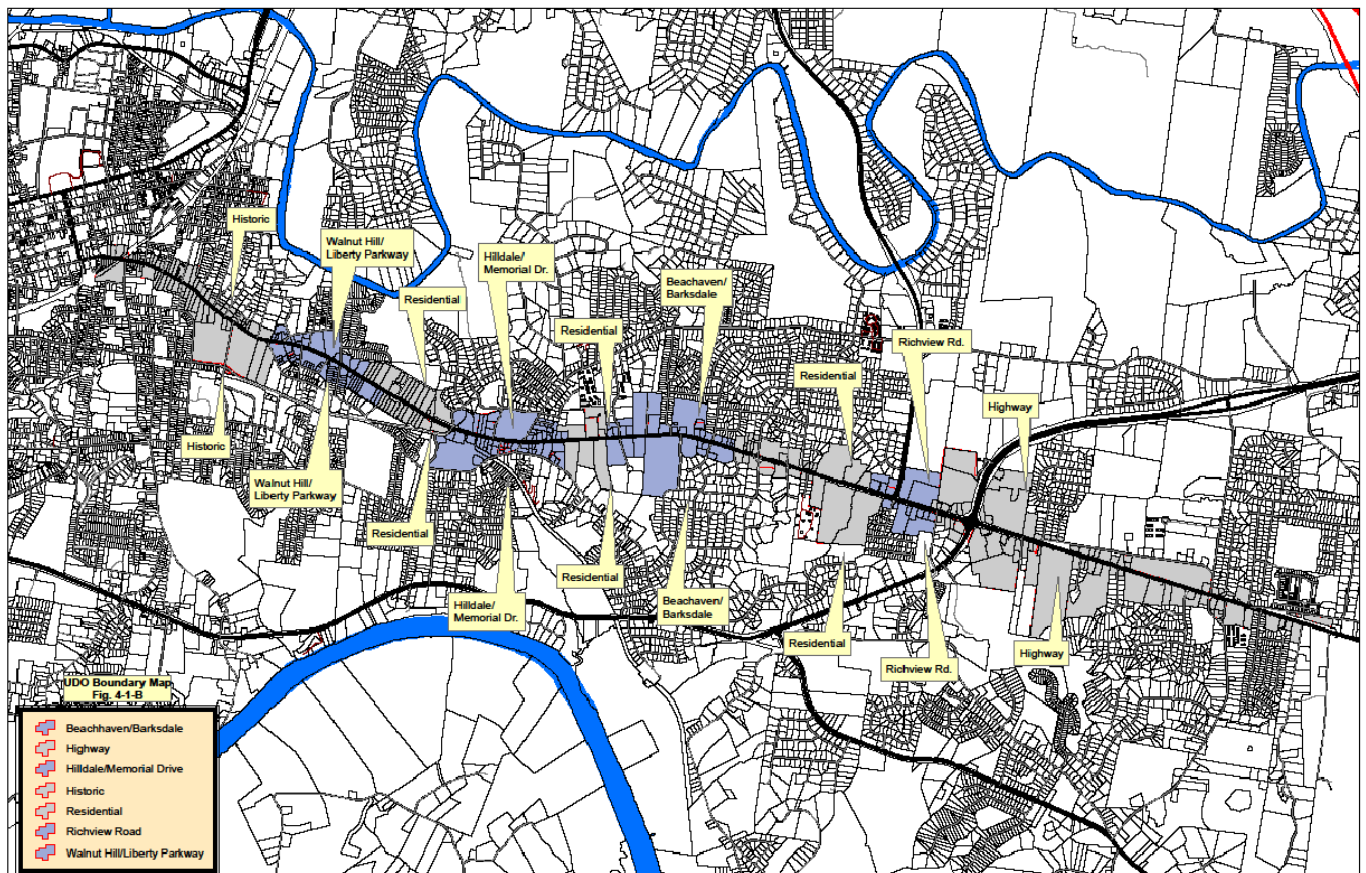
Subsection, 9.4.2. “Design Standards and Guidelines”, organizes the overlay standards and guidelines into six sections: Building Standards, Architectural Treatment, Parking and Access, Signs, Landscape Screening and Buffers, and Streetscapes

### **DESIGN STANDARDS AND GUIDELINES**

#### **A. UDO Boundary Map**

The Madison Street Corridor Urban Design Overlay District has been divided into seven distinct subdistricts based on the desired development character in the corridor (Picture 9.2). Where appropriate, specific design standards have been for each Subdistrict. The Subdistricts are described below.

Picture 9.2



### Centers

Centers are intended to be the focal point of redevelopment in the corridor. They focus on the creation of walkable places. Center subdistricts within the Madison Street Corridor UDO include:

- Walnut Hill/Liberty Parkway
- Hilldale/Memorial Drive
- Beachhaven/Barksdale Elementary
- Richview Road

### Transitions

Transition Subdistricts are located between the Centers. They are intended to reinforce the underlying base zoning building standards. They include:

- Historic
- Residential
- Highway

## B. Building Standards

The Building Standards vary by Subdistrict in the Madison Street Overlay District (Table 9.1)

### Goals

- Guide the placement, size, arrangement and articulation of buildings on the Madison Street Corridor.
- Encourage a walkable, pedestrian-friendly environment within each of the Center Subdistricts that is devoid of large, unoccupied spaces.
- Create a sense of enclosure so that drivers realize they are entering a unique place.

TABLE 9.1: BUILDING STANDARDS BY SUBDISTRICTS					
	CENTER SUBDISTRICTS				TRANSITION ZONES
STANDARD	WALNUT HILL/ LIBERTY PARKWAY	HILLDALE/ME MORIAL DRIVE	BEACHAVEN/ BARKSDALE	RICHVIEW ROAD	HISTORICAL, RESIDENTIAL& HIGHWAY
SETBACKS					BUILDINGS SHALL BE LOCATED AND SIZED ACCORDING TO BASE ZONING
MIN. BUILDING FRONT SETBACK LINE	5 FEET	5 FEET	5 FEET	25 FEET	
MAX. BUILDING FRONT SETBACK LINE	30 FEET	30 FEET	30 FEET	50 FEET	
MIN. BUILDING SIDE SETBACK-INTERIOR LOT/COVERAGE	ACCORDING TO BASE ZONING				
MINIMUM REAR BUILDING SETBACK LINE					
ADJACENT TO RESIDENTIAL	ACCORDING TO BASE ZONING				
ADJACENT TO NON RESIDENTIAL	5 FEET	5 FEET	5 FEET	5 FEET	
MIN. FRONT FAÇADE AT SETBACK LINE	60%	80%	60%	40%	
BUILDING CONFIGURATION					
MAX. BUILDING HEIGHT (a)	45 FEET	75 FEET	60 FEET	45 FEET	
MAX. NUMBER OF STORIES	THREE	FIVE	FOUR	THREE	
MIN. FIRST FLOOR HEIGHT	14 FEET	14 FEET	14 FEET	14 FEET	
MINIMUM % GLAZING OF STREET WALL (b) (c)					



FIRST FLOOR RETAIL	40%	70%	40%	40%	
FIRST FLOOR NON-RETAIL	40%	40%	40%	40%	
ADDITIONAL FLOORS	25%	25%	25%	25%	
LOT OCCUPATION					
MAX. LOT COVERAGE	70%	80%	70%	60%	
NOTES:					
(a) Applicability of Height – Mechanical penthouse is not subject to limitation.					
(b) Glazed Area of Calculations – The first floor glazed area calculation shall be based on the façade area measure to a height of fourteen (14) feet from grade.					
(c) Corner Lot Glazing – On corner lots with frontage on Madison Street, the glazing shall turn the corner facing the secondary street a minimum of twenty (20) feet in length along the property frontage.					
(d) Variance request from this table shall be by the authority of the Madison Street Design Review Committee.					

### C. Architectural Treatment Design Standards and Guidelines

The Architectural Treatment Design Standards and Guidelines apply to all Subdistricts in the Madison Street Overlay District.

#### Goals

- Encourage high-quality buildings that are well designed, visually interesting, and compatible with their surroundings.
- Support active and pedestrian-oriented public spaces throughout the corridor.

#### Standards and Guidelines

##### 1.1 Facades

1.1.1 Provide entrances that are distinct and visible from the street.

1.1.2 Blank walls facing streets shall be prohibited.

1.1.3 Window and door openings shall have a vertical orientation and vertical alignment between floors.

1.1.4 The street frontage of the ground floor of all structures shall have built-out space (e.g., retail, residential, office space).

1.1.5 All commercial buildings shall have a discernible base and cap which are clearly defined by horizontal elements along the bottom and top of the building. Variations in materials and colors can help achieve this standard.

##### 1.2 Massing

1.2.1 The maximum length of an uninterrupted facade plane shall be thirty (30) feet. Building wall offsets, projections and recesses up to four (4) feet, and/or pilasters shall be used to break up the mass of a single building into bays.

1.2.2 Variations in solid and void within walls are encouraged to provide interest along building edges. Changes in color, material and wall height are also encouraged.

1.2.3 The first floor of residential buildings is encouraged to be above the level of the sidewalk to increase privacy.

### **1.3 Materials**

1.3.1 Encourage the use of simple and durable materials, especially at street level.

1.3.2 Minimize the number of building materials to three (3), with one (1) serving as the dominant cladding.

1.3.3 Appropriate exterior wall materials are:

- Brick
- Natural or artificial stone
- Concrete: finish should be architectural level
- Metal panels: individual or systems
- Glass curtain wall systems

1.3.4 Appropriate materials for limited accents are:

- Metal (galvanized, painted or ornamental)
- Concrete (pre-cast or unfinished exposed concrete)
- Wood
- Fiber cement siding
- Tile
- CMU (ground or split face only)
- Exterior insulation and finish system

1.3.5 Inappropriate materials are:



- Applied stone
- Vinyl or aluminum siding
- Mirrored or tinted glass (on ground floor)
- Galvanized metal as veneer

#### **1.4 Colors**

- 1.4.1 Minimize the number of building exterior colors to three.
- 1.4.2 Subtle neutral colors are encouraged.
- 1.4.3 Bright, intense or fluorescent colors are prohibited.

#### **1.5 Roofs**

- 1.5.1 Provide straight forward, simple roof forms free of “sculptural” or sign-like visual qualities.
- 1.5.2 Flat roofs with parapet walls are encouraged.
- 1.5.3 False mansard roofs are prohibited.

#### **1.6 Awnings and Canopies**

- 1.6.1 Canvas or other durable material is preferred.
- 1.6.2 Plastic, fabric or other material that is glossy in nature is not permitted.
- 1.6.3 Internally illuminated canopies are not allowed.
- 1.6.4 Minimum of eight (8) feet clearance is required.
- 1.6.5 No awning shall exceed twenty-five (25) feet in length.

### **D. Parking and Access Design Standards and Guidelines**

The Parking and Access Design Standards and Guidelines apply to all Subdistricts in the Madison Street Overlay District.

#### **Goals**

- Encourage cooperation among local businesses to promote and develop shared parking and access.

- Eliminate barriers separating commercial properties in favor of pedestrian walkways between parking lots and adjacent businesses.

## **Standards and Guidelines**

### **1.1 Surface Parking**

1.1.1 Surface parking shall be located to the side or rear of buildings and screened from streets and sidewalks, except in the Richview Road Subdistrict.

1.1.2 Surface parking located to the side of a building shall be limited to one double loaded aisle.

1.1.3 Lighting for all parking areas shall be appropriate in function and scale for both the pedestrian and vehicular traffic.

1.1.4 The lighting style shall be ornamental and/or consistent with the surrounding architecture.

1.1.5 'Box' or 'cobra' style lighting is prohibited.

1.1.6 All illumination should be shielded from adjacent properties.

1.1.7 Provide perimeter landscaping and interior landscaping of surface parking lots per City of Clarksville Landscape Ordinance.

### **1.2 Structured Parking**

1.2.1 The ground floor of any parking structure shall have built-out space (e.g., retail, residential, office space) provided for a minimum of seventy-five (75) percent of the street frontage.

1.2.2 Wherever parking structures are permitted to front streets, walls must utilize materials, colors, and a pattern of openings consistent with surrounding buildings.

1.2.3 Any built-out space provided on the ground level of a parking structure fronting a public street shall have direct access to the street and sidewalk.

1.2.4 Parking structures built as a principal use must be of flat floor plate construction with a minimum floor to floor height of twelve (12) feet.

## **E. Sign Design Standards and Guidelines**

The Sign Design Standards and Guidelines apply to all Subdistricts in the Madison Street Overlay District.

### **Goals**



- Encourage a more uniform and aesthetically pleasing appearance on Madison Street
- Provide signage that is complementary and well-integrated for pedestrians in a walkable environment, while also legible to vehicular traffic.
- Commercial signage shall be designed primarily for the purpose of identifying a business rather than serving as advertising.

## **Standards and Guidelines**

### **1.1 General**

1.1.1 Signs may not be erected or altered without obtaining a Certificate of Appropriateness from the Design Review Board.

1.1.2 All signage applicants shall be required to develop and submit for review an overall signage program that exhibits a coordinated uniform theme of design elements.

### **1.2 Prohibited Signs**

1.2.1 Animated, flashing, chasing, running or sequential signs are not permitted.

1.2.2 All portable signs, including parked vehicles with signs expressly for advertising, are not permitted.

1.2.3 Pole banners and streamers are not permitted.

1.2.4 Refer to the Chapter 8, Sign Regulations for additional regulations.

### **1.3 Design and Materials**

1.3.1 Simple overall shapes are preferred over complex geometries.

1.3.2 Signs shall be professionally designed and constructed using high-quality materials.

1.3.3 Well designed, hand-painted signs are permitted.

1.3.4 Sign colors should be compatible with the colors of the building façade.

1.3.5 A dull or matte finish is encouraged to reduce glare and enhance legibility.

1.3.6 Signs shall not obscure key architectural elements, doors or windows.

1.3.7 Marquee type signs for announcements of activities taking place at the location are prohibited (exceptions: churches, schools and institutional uses).

1.3.8 Signs for multiple businesses shall be of similar material and design.

1.3.9 Channel letter signs shall have metal frames and plastic faces, or in the case of reverse channel letter signs, metal faces and frames and plastic backs.

#### **1.4 Lighting**

1.4.1 Lighted signs shall be spotlighted, externally lit, or back-lit with a diffused light source.

1.4.2 Spotlighting should completely shield all light sources; light should be contained primarily within the sign frame.

1.4.3 Backlighting should illuminate only the letters, characters or graphics on the sign, but not its background.

1.4.4 Neon signs are discouraged, including open face channel letter signs.

1.4.5 Light emitting diode (LED) signs are prohibited.

1.4.6 Pulsating, flashing, running or rotating lights are not permitted, other than signs depicting time, temperature and gasoline prices.

1.4.7 Illuminated plastic box signs are not permitted.

#### **1.5 Permitted Signs: Awning and Canopy Signs**

1.5.1 Copy limited to valance or vertical face of awning or canopy shall be no greater than fifty (50) percent of height or twelve (12) inches, whichever is less.

1.5.2 Copy limited to fifty (50) percent of horizontal width of awning.

1.5.3 Awnings without valances may have copy not exceeding thirty (30) percent of area.

#### **1.6 Permitted Signs: Free-Standing Signs**

1.6.1 Only one free-standing sign per parcel or platted lot shall be permitted, unless the parcel is a corner lot in which case two (2) shall be allowed.

1.6.2 Free-standing signs shall be supported on a solid base such as a pylon or two column sign designed to complement the architecture of the building or complex to which it pertains.



1.6.3 A landscaped base or architecturally detailed plinth is required.

1.6.4 The height limit for a free-standing sign shall be twenty (20) feet measured from average grade of parcel.

1.6.5 Maximum sign area shall be fifty (50) square feet. For buildings with four or more tenants, City staff and the Design Review Board may allow a maximum of one hundred (100) square feet.

1.6.6 Letter height shall not exceed twelve (12) inches.

### **1.7 Permitted Signs: Monument Signs**

1.7.1 Monument signs shall not exceed thirty (30) square feet in area, excluding the support structure, and may not be more than three and one half (3 ½) in height within fifteen (15) feet of a driveway or street or five (5) feet in height otherwise.

### **1.8 Permitted Signs: Wall Signs**

1.8.1 All signage affixed to buildings shall conform to Section 8.8 of this Ordinance, relative to signs in the Central Business District, except for properties with building front setbacks one hundred (100) feet or greater. For such properties, wall sign size shall not exceed eighty (80) percent of the width of the front façade and letter height shall not exceed thirty-six (36) inches. Exceptions may be granted by the Design Review Board based on building elevation, proportions and design.

1.8.2 Wall signs shall not extend above an eave line or parapet.

### **1.9 Permitted Signs: Window Signs**

1.9.1 Window signs shall not cover more than fifteen (15) percent of the window area with letters not to exceed ten (10) inches in height.

## **2.1 Flags and Flagpoles**

TABLE 9.2: FLAG AND FLAG POLE DESIGN GUIDELINES

FLAG POLE HEIGHT	FACE SIZE OF FLAG
20 - 30 feet in height	4' X 6' Flag
30 - 40 feet in height	5' X 8' Flag
40 – 50 feet in height	6' X 10' Flag

2.1.1 Flags shall be limited to constitutional flags only (City, County, State and Federal).

2.1.2 The total number of flagpoles per parcel or platted lot shall be limited to one (1).

## **2.2 Temporary Signage**

2.2.1 Real Estate signs shall be allowed as long as the property is being actively marketed for sale or lease and limited to one (1) per parcel or platted lot. Overall sign area is limited to thirty-two (32) square feet.

2.2.3 Construction signs are permitted during construction activity only. Overall sign area is limited to thirty-two (32) square feet.

## **F. Landscape, Buffering and Screening Requirements**

The Landscape, Buffering and Screening Requirements of Chapter 7 of this Ordinance shall apply to all Subdistricts in the Madison Street Overlay District.

### **Goals**

- Develop public spaces that are pedestrian friendly, environmentally responsible and aesthetically pleasing.

### **Standards and Guidelines**

#### **1.1 Parking: Perimeter Screening**

1.1.1 Provide perimeter landscaping of vehicular use areas per requirements of Chapter 7 of this Ordinance.

1.1.2 Exterior planting areas should be designed to allow stormwater to collect and percolate.

#### **1.2 Parking: Interior Planting**

1.2.1 Provide interior landscaping of vehicular use areas per requirements of Chapter 7 of this Ordinance.

1.2.2 Interior planting areas should be designed to allow stormwater to collect and percolate.

#### **1.3 Zone District Boundaries: Buffers**

1.3.1 The base zoning district landscape buffer standards shall apply, except as follows:

- The landscape buffer standards shall be waived along internal base zoning district boundaries within the Center Sub-Districts.
- The landscape buffer standards shall be waived along base zoning district boundaries that coincide with the Center Sub-Districts whenever (1) the

abutting base zoning district outside of the Center Sub-Districts is a non-residential district, or (2) the base zoning district boundary is in a public street.

## **G. Streetscape Design Standards and Guidelines**

The Streetscape Design Standards and Guidelines shall apply to all Subdistricts in the Madison Street Overlay District.

### **Goals**

- Develop a distinct identity and street character for the corridor.

### **Standards and Guidelines**

#### **1.1 General**

1.1.1 This section relates primarily to standards and guidelines for the reconstruction of public streets by government or private developers along the corridor.

1.1.2 A specific and unique design theme is encouraged for landscaping, street furniture and lighting for each Center Subdistrict along the corridor.

1.1.3 Minimum roadside (planting strip and sidewalk) width in residential areas is eight (8) feet and in commercial areas is ten (10) feet.

#### **1.2 Sidewalks**

1.2.1 New building construction is required to provide sidewalks along Madison Street consistent with the guidelines described below.

1.2.2 Sidewalks adjacent to ground level retail space should have a width of six to eight (6 to 8) feet with a planting strip or eight to ten (8 to 10) feet without a planting strip.

1.2.3 Appearance of sidewalk (scoring pattern or special paving) should be maintained across driveway and alley access points.

1.2.4 The provision of pedestrian crossings should be given the highest priority in the Walnut Hill/Liberty Parkway, Hilldale/Memorial Drive, and Beachaven/Barksdale Sub-Districts.

1.2.5 Provide marked crosswalks at all signalized intersections for all legs of the intersection.

1.2.6 The use of crosswalk materials that are significantly different in color, texture and design is encouraged.



1.2.7 At unsignalized or uncontrolled crossings, in areas such as school zones or where there is a substantial pedestrian presence, special emphasis markings should be used to increase visibility.

### **1.3 Landscaping**

1.3.1 Tree species and planting techniques should be selected to create a unified image for the street.

1.3.2 Planting strips between curb or edge of pavement and sidewalks should be a minimum of three (3) feet in residential areas and four (4) feet in commercial areas.

1.3.3. Street trees should be planted in continuous planting strips between the curb and sidewalk spaced twenty-five (25) feet on center along Madison and intersecting streets. On internal streets, street trees should be planted in discrete tree and planting openings, or in wells with grates in especially constrained contexts.

1.3.4 Planting strips and openings should be designed to allow stormwater to collect and percolate.

1.3.5 At transit stops, planting strips should be discontinued and a clearance four (4) feet wide provided from the curb for wheelchair access.

### **1.4 Street Furniture**

1.4.1 Select the type, design, and materials of street furniture to reflect the desired character and identity of the corridor.

1.4.2 Street furniture, such as benches, bicycle racks, kiosks and trash receptacles are appropriate in the Walnut Hill/Liberty Parkway, Hilldale/Memorial Drive and Beachaven/ Barksdale Sub-Districts.

1.4.3 Priority locations for street furniture include transit stops, major building entries, mixed use locations, and parks.

1.4.4 Newspaper boxes also contribute to the convenience and pedestrian feel of a street, but should be organized to avoid visual clutter.

### **1.5 Lighting**

1.5.1 Street lighting should be pedestrian scale, decorative and provided in all Center Sub-Districts. It should increase in scale at intersections.

1.5.2 The lighting should be selected in conjunction with the street furniture.

## **H. Project Approval Process**

To ensure consistency with these standards and guidelines, the Common Design Review Board (acting as the Design Review Board for the Madison Street Corridor Urban Design Review Overlay District) and the Clarksville-Montgomery Regional Planning Commission staff will review all projects in the urban design overlay district that require demolition, building and sign permits and that make modifications to the exterior appearance of buildings, landscaping and parking. Existing nonconforming structures, unforeseen physical conditions and subsequent architectural programmatic constraints may warrant exceptions to the guidelines. In such cases, the Design Review Board and planning staff will review alternative design solutions as they relate to the intent of the standards and guidelines and accept alternatives that present the best urban design solution. Where a single use or purpose spans more than one sub-district, the Design Review Board and planning staff will explore with the developer alternative solutions that achieve the design intent of the standards and guidelines. The Clarksville-Montgomery County Regional Planning Commission will review site plans as required by Chapter 5.10 of this Zoning Ordinance.

### **1.1 General Directions**

1.1.1 The authority of the Design Review Board to uphold the Madison Street Corridor Urban Design Overlay is limited to the standards and guidelines contained in this ordinance.

1.1.2 Any approval by the Design Review Board is contingent on zoning and building permits issued by the Building and Codes Department and cannot be interpreted as taking precedence over the building code or zoning ordinance.

1.1.3 Other ordinances or parts thereof which are inconsistent with or are in conflict with the specific provisions of this ordinance are expressly superseded by this ordinance and are to be controlled by the provisions of this ordinance.

1.1.4 Existing base district standards that are not varied by provisions set forth in this ordinance shall apply within the Madison Street Corridor Urban Design Overlay.

### **1.2 Step One/Application**

1.2.1 The first step in undertaking a project in the Madison Street Corridor district is to contact and request an application from the Regional Planning Commission.

1.2.2 Planning Commission staff will provide the applicant with the published guidelines and standards (this document and any future amendments) for projects within the various sub-districts of the Madison Street Corridor. It is recommended that the applicant become familiar with the guidelines and standards prior to planning the project and before the development of any working drawings.

1.2.3 The applicant must submit one set of the following documents signed by the applicant that will be retained by the Planning Commission:

- Copies of the proposed site plan (to an engineering scale) showing all site improvements such as buildings, walls, walks, parking, signs, plant materials, and lighting.
- Completed color exterior elevations (1/8th" = 1' architectural scale minimum).
- Exterior painting schedule (Color name/ brand).
- Samples of exterior materials including brick, stone, metals, glass, and roofing.
- Detailed scale drawings of awnings, canopies and signs, indicating proposed colors.
- Color photographs of all sides of the existing exterior for remodeling, rehabilitation, or demolition. For new demolition, remodeling, and construction, photographs shall show contiguous properties.

### **1.3 Step Two/Design Review Board**

1.3.1 The applicant shall appear before the Design Review Board at a regularly scheduled meeting to present the application.

1.3.2 Should the application indicate alterations, remodeling, or repairs that are not governed by this ordinance, the Design Review Board may exempt the application from the provisions of the urban design overlay district.

### **1.4 Step Three/Approval or Redirection**

1.4.1 After a careful review of the presentation, the Design Review Board will act to approve, conditionally approve or disapprove the application. The Building and Codes Department will then review the approved project for zoning and codes compliance when the drawings and specifications are completed and submitted to the department.

1.4.2 If the project is disapproved, the Design Review Board and Planning Commission staff will strive to assist the applicant by providing guidance and redirection of the project. It will then be necessary to present the project to the Board at another regularly scheduled meeting. A building permit shall not be issued until such time as the proposed project receives final approval from the Design Review Board.

### **1.5 Appeals Process**

1.5.1 The Planning Commission shall hear and decide appeals from any order, requirement, decision or determination made by the Design Review Board or



Planning Commission staff where it is alleged by the applicant in writing that Design Review Board or Planning Commission staff is in error or acted arbitrarily. Such appeal shall be made within sixty (60) calendar days of said order, requirement, decision or determination.

## 9.5 DOWNTOWN URBAN DESIGN OVERLAY DISTRICT

### 9.5.1 General Description and Purpose

**1. Purpose.** The purpose of the Downtown Urban Design Overlay District is to enhance the quality, image, and economic vitality of Downtown Clarksville. Accordingly, to that ends, the Overlay District imposes urban design guidelines to coordinate the physical improvements that will be made to this important geographic area by private entities.

**2. Overlay District Relation To Base Zoning.** This overlay zoning district is placed “over” the base zoning in an area in order to modify the base zoning’s regulatory standards. The overlay district alters such standards as building placement, size and height, parking and access, and landscaping and buffering, but does not determine the use of the property. The use of property (both land and structures) is governed by the underlying base zoning.

**3. Scope of Review.** Government officials, property owners, developers, design consultants and other stakeholders will use this section to prepare improvement plans that are consistent with the Downtown Design Standards and Guidelines. The standards and guidelines apply to private nonresidential and multiple-family residential (excluding single-family and duplex structures) new construction, exterior remodeling or repainting; window and awning changes or improvements; signing changes and improvements; sidewalk changes and improvements; exterior lighting changes and improvements; and landscaping and parking lot construction, changes and improvements. Nothing in this section shall be construed to prevent the ordinary maintenance and repair of any exterior elements of any building or structure; nor shall anything in this section be construed to prevent the construction, reconstruction, alteration or demolition of any such elements, which authorized City officials shall certify as required for public safety.

### 9.5.2 Downtown Overlay District Geographic Boundaries

**1. Designation of Boundaries.** The geographic boundaries of the Downtown Overlay District shall coincide with those of the Central Business Improvement District (CBID) as set forth in Code of the City of Clarksville Title 12, Chapter 9, Section 12-902 “Boundaries”, but exclude those geographic areas within the Historic District Overlay.

**2. Modification of Boundaries.** Any modifications of the boundaries of the Downtown Overlay District by the City Council or other Department of City of Clarksville will involve referral to the Regional Planning Commission for public hearing, public notice and recommendation to the City Council to amend this Zoning Ordinance.

### 9.5.3 Downtown Urban Design Standards and Guidelines

**1. Source of Guidelines.** The urban design review standards and guidelines to be used by the Common

Design Review Board for determining the appropriateness of physical improvements within the Downtown Overlay District shall be those adopted into or by reference into this Section.

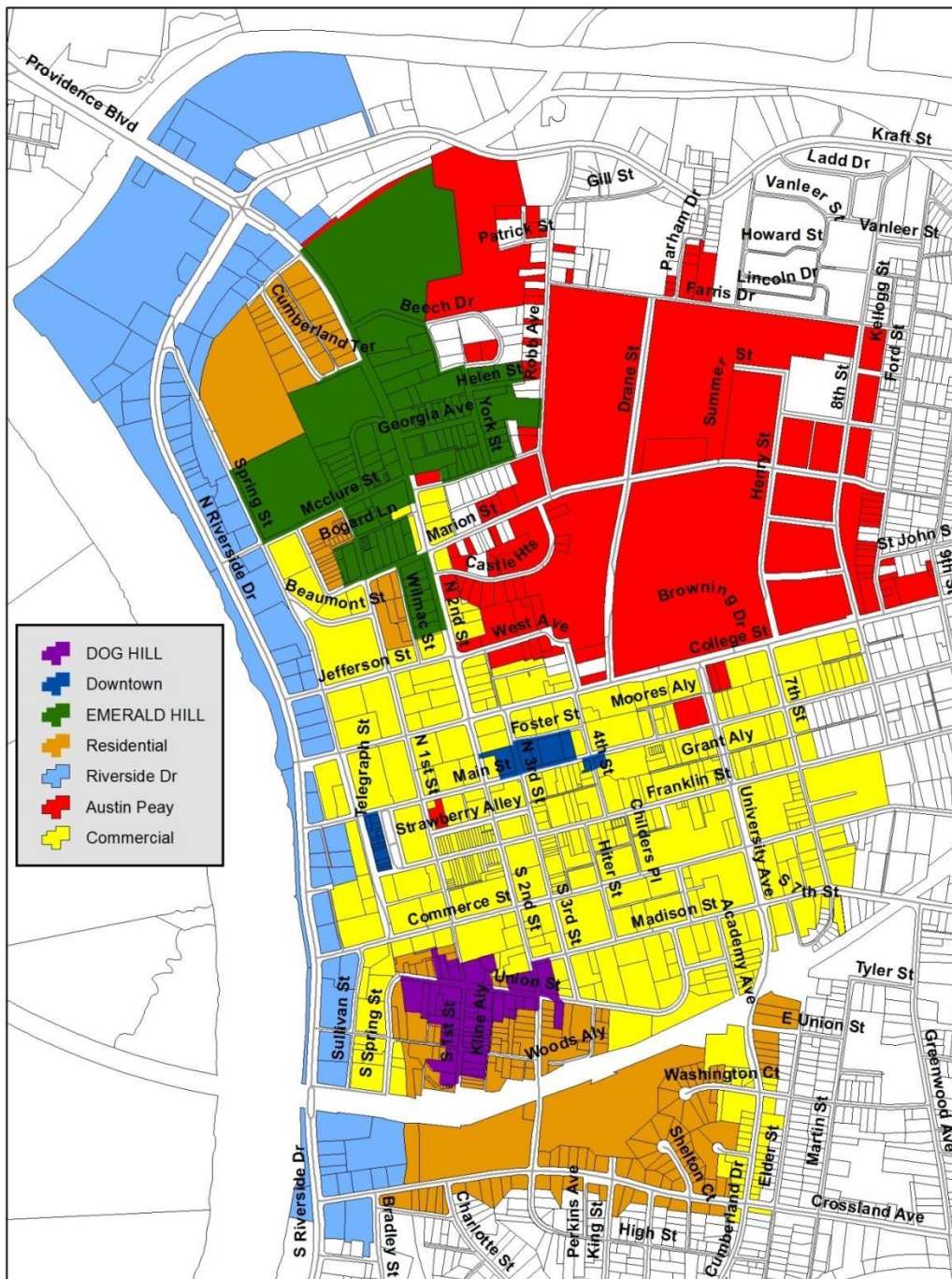
#### **A. Districts and Sub-Districts and Use of Guidelines**

1. These guidelines will be used by property owners, developers, architects, builders, business owners, public officials, and interested citizens when considering rehabilitation or new construction in the Downtown Overlay District involving private non-residential and multiple-family residential (excluding single-family and duplex structures). They will be informational only in the case of publically owned lands and structures, and in geographic areas also designated as Local Historic District Overlays (where design review by the Historic Zoning Commission encompasses all private uses including single-family and duplex structures). The guidelines will also be consulted (but are not binding on the public entities) with respect to proposed infrastructure and streetscape improvement projects. While the base land use zoning districts continue to govern land use, these guidelines will supersede other provisions of this zoning ordinance only when more stringent and geographically specific standards are set forth on design and physical planning issues relative to massing, landscaping, parking, and signage. The appropriate City departments will review all new projects in the Downtown Overlay District that require building permits to ensure consistency with these guidelines. The word “shall” indicates those design standards that are mandated; whereas, terms such as “should”, “encouraged”, and “discouraged” indicate design principles which are more flexible and advisory in nature.
2. These guidelines are intended to preserve and enhance the special character of the Downtown Overlay District by encouraging rehabilitation and new construction that is sensitive to the existing urban form and historic character. The guidelines recognize that no single architectural style predominates, and the guidelines allow for creativity in the design of individual buildings. However, there are certain established urban design and architectural principles shared by most properties within the district that give it a cohesive character and strong sense of place.
3. These guidelines address both architectural design and urban design. Architectural design is addressed in terms of building type. Building types include:
  - a. commercial/mixed-use
  - b. single-family residential
  - c. townhouses
  - d. multi-family apartments
  - e. institutional
4. Not all building types are permitted in all areas of the Downtown Overlay District. The map on page 3 is color-coded and keyed to a corresponding chart to note permitted building types in specific areas of the Downtown Overlay District. The following guidelines that relate to architectural design apply to the particular building type, regardless of location. If exceptions exist in any given area, they will be noted in the guidelines. **Land use is determined by the underlying land use zoning districts, and should not be confused with building type.**
5. Additionally, the guidelines address specific urban design regulations to include:

- a. building height
  - b. setback
  - c. massing
  - d. driveways
  - e. sidewalks
6. These urban design specifications can vary based on the building type and/or location. The guidelines clearly explain where or on what building type these requirements apply. Graphics are included as necessary to help convey the design guidelines.
7. **Design review shall apply to all sides of a building.** Any discernable changes will require approval from the Design Review Board (\* indicates Administrative rather than Board function):
- a. Demolition of Contributing Structures
  - b. Proposed New Construction/Exterior Remodeling/Modifications
  - c. Relocation of Buildings
  - d. Exterior Repair or Repainting\*
  - e. Window Changes In-Kind\*
  - f. Landscaping meeting the minimum requirements of Chapter 7 of the Zoning Ordinance\*
  - g. Signage and Awnings\*
  - h. Sidewalk Changes or Improvements on private property
  - i. Exterior Lighting Changes or Improvements
  - j. Parking Lot Construction, Changes or Improvements that modify parking locations, number of parking spaces or circulation patterns

The functions above marked with an asterisk (\*) are considered administrative in nature, and may be approved at the Staff Level if all objective standards are met. However, the staff will forward the application for action by the full Design Review Board for review and approval if there is a question about meeting the standards or if the applicant is requesting a variance from the standards.





## Map & Chart Intent

It is the intent of this map and chart to illustrate the building types that, in general, tend to predominate within each of the delineated districts. However, it is important to understand that there are many exceptions to the rule. For example, the very northeast corner of the Central Commercial district features a few older single-family houses, yet the chart reflects Single Family Residential building types as not being a predominant building type within that district. Consequently, the determination of whether a particular building type is appropriate for a particular property as new infill development should be made based upon the predominate older existing building types on the block face under consideration. Also, this map and chart are unrelated to land uses, but instead address building types.

## District Map

C-Central Commercial

RD-Riverside Drive

R-Residential

H1-Historic

DG-Dog Hill

EH-Emerald Hill

APSU (exempt from review)

Sub-Districts	commercial and mixed use	Building Types			
		residential			institutional
		single-family	townhouse	multi-family	
C-Central Commercial	YES	NO	YES	YES	YES
RD-Riverside Drive	YES	NO	YES	YES	YES
R-Residential	NO	YES	YES	NO	YES
H1-Downtown Historic*	YES	YES	YES	YES	YES
DH-Dog Hill*	NO	YES	NO	NO	NO
EH-Emerald Hill*	NO	YES	NO	NO	YES

Note: \*These are local Historic District Overlays governed by Section 9.3 of this Zoning Ordinance.

## B. Building Forms, Style & Character

- 1. Founding:** The Downtown Overlay District is composed of buildings reflecting a variety of uses, styles, materials, and several periods of development. The district consists primarily of one- to three-story, masonry commercial buildings and one- and two-story, frame residences. Its physical development began at the time of Clarksville's incorporation in 1785. Helping to define the boundaries of the district are a number of natural and man-made features, some of which historically served as logical margins to the downtown area. These include the Cumberland and Red Rivers, turnpikes, and rail lines.
- 2. Name Sake:** With a population of 132,929 according to the 2010 census data, Clarksville currently stands as the fifth largest city in the state of Tennessee. Clarksville is a city rich in history and tradition dating back to its founding in 1785. The city is named for General George Rogers Clark, frontier fighter and Revolutionary War hero, brother of William Clark of the Lewis and Clark Expedition.
- 3. 19<sup>th</sup> Century History:** Coming into the 19th century, Clarksville grew at a rapid pace. In 1820, steamboats began to navigate the Cumberland River, bringing hardware, coffee, sugar, fabric, and glass. The boats also exported flour, tobacco, cotton, and corn to ports like New Orleans and Pittsburgh along the Ohio and Mississippi Rivers. Trade via land also grew as four main dirt roads were established; two to Nashville, one crossing the Red River via ferry called the Kentucky Road, and Russellville Road. By 1819 the newly-established town had 22 stores, including a bakery and silversmith. In 1829, the first bridge connecting Clarksville to New Providence was built over the Red River. Nine years later, the Clarksville-Hopkinsville Turnpike was built. Railroad service came to the town on October 1, 1859 in the form of the Memphis, Clarksville and Louisville Railroad.

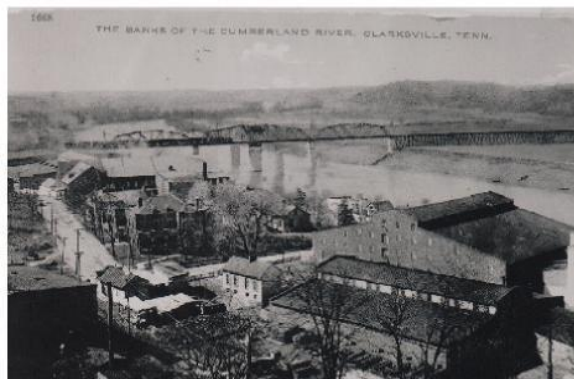
**Civil War:** During the Civil War, Clarksville was first fortified by the Confederacy, which built



Historic Franklin Street.



Odd Fellows Home.



Historic Cumberland Riverfront.



Elders Hardware Store.

Fort Sevier (also known as Fort Defiance) on a prominent hill north of downtown. In February of 1862, Fort Sevier and the city were surrendered to federal forces and it remained in Union hands during most of the rest of the conflict. Clarksville slowly recovered its prosperity after the war when it became a center of the tobacco industry with a thriving riverboat and rail traffic. This prosperity was illustrated by dozens of brick warehouses and commercial buildings built along the Cumberland River and adjacent to the courthouse on the hill above. To the north and south of downtown prosperous merchants built dwellings on what became known as Emerald Hill and Dog Hill. A fire in 1878 destroyed much of downtown, but it was soon rebuilt with new brick commercial buildings and a new courthouse. By the early 20th century, Clarksville was a regional commercial center boasting numerous industries such as flour mills and cigar factories.

Downtown Clarksville winter scene  
on Franklin Street, ca. 1940.

Franklin Street in the 1950s.

- 4. 20th Century History:** The largest change to the city came in 1942, as construction of Camp Campbell (now known as Fort Campbell) began. The new army base was built ten miles northwest of the city. It gave an immediate boost to the population and economy of Clarksville, and is capable of holding 30,000 troops.

**Tornado of 1999:** On the morning of January 22, 1999, the downtown area of Clarksville was devastated by an F3 tornado, damaging many buildings including the county courthouse. Clarksville has since recovered, and has rebuilt much of the damage as a reflection of the city's resilience. Clarksville is presently the home of Austin Peay State University, the Leaf-Chronicle newspaper, and neighbor to the Fort Campbell, Kentucky, United States Army post.

- 5. Today's Surviving Architecture:** There are a number of architectural styles and building traditions in the district. The most prevalent is wood frame vernacular; however, there are excellent examples of high style architecture. The architecture of the late Victorian period was characterized by flamboyant use of decoration, irregular form, multiple roof types, and a variety of materials and colors. Commercial buildings favored the Italianate style in particular and included the use of cast iron. In general, the period witnessed a flowering of a variety of materials, methods of construction, and architectural styles and types. Around the turn of the twentieth century, flamboyant Revival styles yielded to Classically-influenced architecture both



commercial and residential structures.

## 6. Architectural Glossary: Commercial Buildings



Commercial Building

## 7. Commercial Architecture Styles



Italianate - 131 Franklin St.



Victorian Romanesque - 215  
Franklin St.





## 2.3

Art Deco/ Art Modern - Roxy Theater.

- a. The Italianate style (1870-1890) derives from the country villas of Italy, though the style was popular in U.S. commercial, as well as residential, architecture of the mid to late nineteenth century. As applied to commercial building, the Italianate style's characteristic decorative features include window hood moldings, elongated windows, string courses, large eave brackets, corbelled brick work, bracketed parapets, and cast iron pilasters. A good example is at 131 Franklin Street.
- b. The Victorian Romanesque style (1880-1900) was popular at the same time as the Italianate style for downtown commercial buildings. These two styles share a number of similarities but the Victorian Romanesque style is distinguished by its large arches on window and door openings. These buildings often feature exteriors with a mixture of brick, stone and other materials such as sheet metal and terra cotta. The multi-story building at 215-217 Franklin Street is a notable example of this style in the downtown area.
- c. Around the turn of the twentieth century, there was a renewed interest in Classical architecture. The buildings of the 1893 World's Columbian Exposition held in Chicago influenced the rise of the Colonial Revival style (1895-1930), which favored classical ideals of order and balance. Such sensibilities were in stark contrast to the flamboyance and asymmetry that characterized Victorian styles. The Colonial Revival style was popular for commercial, residential, and religious architecture. It often features full-height porticos and classical columns on the primary facades. The style is also characterized by a centered entrance and symmetry. In downtown Clarksville, the Colonial Revival style is exemplified in the old City Hall Building.
- d. In the early 20th century there was also the interest in the Art Deco/Art Moderne styles (1920-1950). These styles originated in Europe and were used in a variety of downtown commercial buildings. Storefronts were often updated in these years with sleek tinted glass in the Art Moderne or Deco styles. Theaters were also popular for these styles, and the notable Roxy Theater built in 1947 features vertical and horizontal banding as well as structural glass blocks indicative of this style.



Colonial Revival with Romanesque influence - City Hall, which is characterized by a symmetrical facade with a central entrance of a Romanesque arch.

Art/Dec/Art Moderne – Roxy Theater

## 8. Architectural Glossary: Residential Buildings



Chimney  
Pitched Gable  
Roof  
Weatherboard  
Siding  
Hood  
Molding  
Double Hung  
Window  
Porch Roof  
Entablature  
Overhead  
Light  
Sidelight  
Ionic  
Columns  
Handrail  
Foundation  
Pier  
Lattice  
Work



## 9. Residential Architecture Styles

- a. The streetscape of a residential district also has a unity that is in part influenced by common traits. While neighboring houses may have very different architectural styles and building dates, there is an overall conformity to setback, height, orientation to the street, massing, and other characteristics that relate the buildings to their sites. Even modest vernacular building forms will blend harmoniously with dwellings which express a high style of architecture when these site characteristics are upheld.



Folk Victorian - 415 S. First St.

- b. The Frame Vernacular or Folk Victorian style (1870-1910) is a modest version of more elaborate late nineteenth century styles. These frame dwellings are modest in scale and decoration, but may contain spindle-work porch details or milled wood posts. They are, to some extent, defined by their forms. The forms include gabled ell, front gable, and the pyramidal square with a hip roof. Typically, they are one or one-and-one-half-stories in height.



Italianate - 103 Union St.

- c. The Italianate style (1870-1890) derives from the country villas of Italy. The nineteenth-century landscape designer Andrew Jackson Downing believed that beautiful homes promoted morality, which he found embodied in these rural dwellings. The Italianate style that he promoted in his pattern books featured such embellishments as window hood moldings, string courses, large eave brackets, cupolas, and corbelled brick work. This picturesque ideal was meant to uplift standards in architecture and social mores and inspire new home ownership. The style may feature characteristic towers or cupolas as focal points of their designs. They also have low-pitched roofs and elongated windows, eave brackets, and bay windows.



Queen Anne - 625 Madison St.

- d. The emergence of the Queen Anne style (1880-1905) coincided with the rise of balloon framing and mass production of wood ornamental features. These developments allowed for extravagant architectural designs with asymmetrical floor plans and irregular roof planes. These houses often feature porches that wrap around from the main façade to a side elevation. More exuberant examples may also have a corner tower, highly detailed spindling, oriole or stained glass windows, roof cresting, wood shingle siding, corbelled brick chimneys with chimney pots, and irregular roof planes. Queen Anne style houses are often painted in rich, contrasting color schemes. Its popularity through the state expanded rapidly, as rail lines transported the mass-produced millwork and other stylistic elements.

- e. By the end of the nineteenth century, American architects began to look towards the country's own architectural roots.

Colonial Revival - 609 Anderson Dr.

- f. The Colonial Revival style (1895-1955) reflects the nation's embrace of its colonial past. The style is characterized by simplicity, symmetry, and unadorned order, as a movement away from asymmetrical, highly embellished styles of the Victorian era. Colonial Revival dwellings typically have rectangular plans and symmetrical facades. The roof may be gabled or hipped. Windows are multi-paned double sashes. Doorways may contain sidelights, fanlights, pediments, and columns or pilasters. The details are classically inspired, and entry porticos are common.

Craftsman - 99 Union St.

- g. The Craftsman/Bungalow style (1905-1930) represents a movement away from mass-produced architectural design of the balloon-frame period. The Bungalow plan has roots in British India during the eighteenth and nineteenth centuries. The house type melded with Japanese building techniques exhibited at late nineteenth-century American expositions. Craftsman bungalow buildings typically have low-pitched gabled roofs with a wide eave overhang, exposed rafters, decorative beams or braces, full- or partial-width porches, and tapered posts on brick piers. Designers often used the Craftsman style for bungalows, which were generally one-and-one-half story houses with large porches and open interior floor plans. The Bungalow first emerged as a house type in American residential architecture in California and quickly spread across the country as a popular design choice for small houses. While the bungalow can take the form of a modest gable-front example, elaborate bungalow design can include a multi-plane roof shape, known as an Airplane bungalow, and can feature extensive Craftsman detail on the interior.

Tudor Revival - 611 Anderson Dr.

- h. The Tudor Revival style (1910-1940) is based loosely on Medieval architecture. Peaking in popularity during the 1920s, the style was fashionable for single-family dwellings as well as small apartment buildings. The plans often feature cross gable, high-pitched roofs. Exteriors can be of stone, stucco with false half-timbering, brick veneer, or weatherboard siding. A Tudor Revival dwelling may feature a gable-front projecting bay with an arched entrance, an exterior, façade wall chimney, and even an entrance tower. Windows may be double-hung wood sash or multi-light styles. The Tudor Revival style was used almost solely on

residential architecture.



## 10. Twentieth-Century Commercial Buildings of Riverside Drive

- a. Riverside Drive was created in the mid-20th century as a four-lane artery along the Cumberland River. At that time, many of the existing buildings were removed for the construction of the highway, though a few remain. While warehouses historically dominated the riverfront, commercial structures are the predominant building type today.

One-story brick commercial building on Riverside.

- b. The development of Riverside Drive was intended to increase vehicular access through the downtown and to stimulate new commercial development. The buildings that have since been constructed here are primarily one- to three- story buildings constructed from the 1950s to present. These buildings are generally rectangular by design, of brick or concrete construction and are functional in form with minimal detailing. Generally, the area was oriented for automobile traffic rather than pedestrians, with most of the buildings recessed from the street with paved parking in front. Along the highway are numerous examples of retail “chain” designs used across the country by restaurants and other businesses.

Example of multi-story commercial building.

- c. Recent plans have proposed re-designing this strip commercial corridor into an urban boulevard that is pedestrian-friendly, and has buildings that relate more strongly with the street. This plan would be achieved with a median, buildings closer to the street, specialty pavers, side and rear parking lots, minimized signage and curb cuts, street trees, and more landscaping. These features would promote a unified streetscape more in keeping with the balance of the downtown core. Future development should consider the character of relationship to existing riverfront development. This can include non-commercial buildings, especially housing.
- d. The goal of these sub-district guidelines is to provide for regulated development that promotes a safe, attractive, unified streetscape that recognizes the value of the adjacent Historic Downtown and related neighborhoods, the river and developing Riverwalk Park system, and promotes a mix of future development to include retail, housing, entertainment and recreation in a district of increasing value and aesthetic appeal.

## C. General Design Principles

1. **Overview:** These guidelines have been developed for specific application in the Downtown Overlay District to provide detailed assistance to building owners and the Design Review Board. These guidelines are used for the review of improvements to buildings in National Historic Districts and on the National Register outside the local Historic District Overlays, and may be consulted for design review within the local Historic District Overlays. The guidelines are based on The Secretary of the Interior's Standards for Rehabilitation, a document created in 1977 and revised in 1990.
2. **Secretary of the Interior's Standards for Rehabilitation:** The Department of the Interior describes the standards as ten basic principles created to help preserve the individual quality of a historic building and its site, while allowing for its evolution through reasonable changes to meet new needs. The Secretary of the Interior uses the Standards when reviewing projects involving federal funding or requiring federal licenses or permits. The Design Review Board uses principles of the Secretary's Standards on a local level as the basis for reviewing historic building rehabilitation and new infill construction. The Secretary of the Interior's Standards for Rehabilitation are:
  - a. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
  - b. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
  - c. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
  - d. Most properties change over time; those changes that have acquired significance in their own right shall be retained and preserved.
  - e. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
  - f. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
  - g. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
  - h. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
  - i. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

- j. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

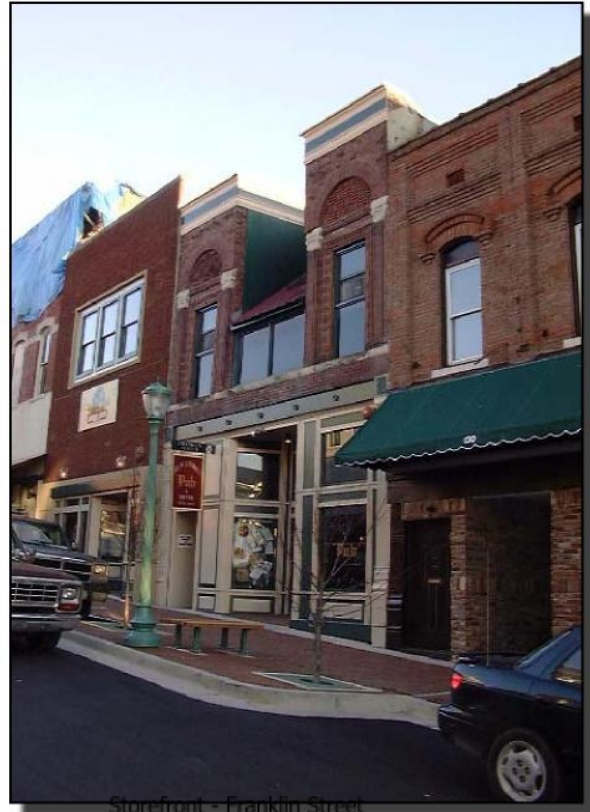


## D. Design Guidelines for Existing Commercial and Mixed-Use Buildings

These guidelines are targeted for design standards that preserve the existing historic character and include a wide variety of building types. Development should consider the relationship to surrounding structures currently found in the immediate area. Examples of commercial and mixed-use buildings are illustrated below.



Franklin Street



Storefront - Franklin Street



Recent example of compatible infill - Franklin Street.



Theatre - Franklin Street

## 1. Storefronts

- a. Storefronts are often the most visible feature of historic commercial buildings. Maintain storefront components, including display windows, bulkheads, transoms, doors, cornices, pillars and pilasters, with proper care and treatment. Do not cover or conceal these historic storefront components with modern materials. If historic storefronts or their components are missing, replace them so that they replicate the historic storefront. Match replacement components to the original in size, material, texture, and detail. Use historical photographic evidence to help determine the design and style of missing components.



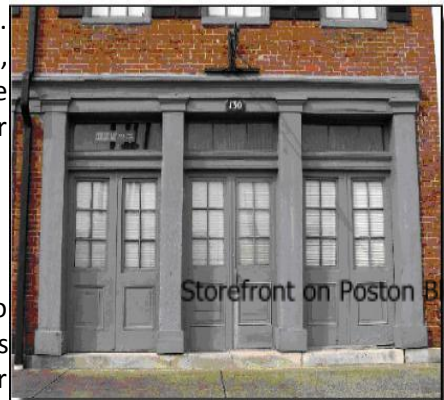
- b. Display windows and bulkheads are essential elements of traditional storefronts and contribute significantly to a commercial property's historic character and appearance. If at all possible, it is better to repair rather than replace original features. If original display windows or bulkheads are missing or deteriorated beyond repair, they may be replaced with new ones to match the original. If the original is unknown, select replacement windows are traditionally scaled with large glass lights and with as few structural divisions as possible to maintain the traditional transparent storefront look. If the original bulkhead material is unknown, replacement may be of wood, brick, metal, or other material that is appropriate with the façade. When historical photographic evidence is not available, comparable buildings should be considered as models for design.



- c. Balconies are acceptable features on infill building design. They are not, however, appropriate additions to historic buildings. The only exception is when there is evidence that a balcony has been removed. Evidence can be in the form of historic photographs, ghost traces of a balcony attachment to the façade exterior, or building design, such as an exterior door on an upper floor.

## 2. Entrances

- a. New entrance openings shall not be added to historic storefronts. If an additional entrance is required by code, it shall be placed in the rear or



on the side of the building. If it is not possible to place the opening in the rear or side, the new opening must be of the same design as the existing historic openings.



Storefront awning on West Franklin Street.



An example of an acceptable ground floor awning.



## 3.2 - 3.3

- b.** Existing doors shall be retained. If the design is known, new doors shall match the original in design and materials. If not, the missing door shall be replaced with a new door in a design and materials to match the character and style of the building as much as possible. Traditional designs such as single-light glass and wood doors are encouraged.
- 3. Transoms:** Transoms shall be maintained with historic materials. Where missing or damaged transoms are being replaced, the original design shall be replicated based upon physical or pictorial evidence. If neither exists, use similar historic buildings from the same period as examples.
- 4. Awnings and Canopies:** While awnings and canopies have a similar purpose in providing cover, they differ in design. An awning is made of fabric (usually canvas) and mounted on a framework extending from the facade. A canopy is a rigid wooden or metal plane that is parallel or somewhat parallel to the ground and perpendicular to the facade. It can be supported by a series of chains or rods (approximately 45 degree angle) extending from the facade just above it. Guidelines for awnings and canopies are the same for historic and new commercial/mixed use buildings.
  - a. Awnings:** Awnings may be used on storefronts as well as upper levels. Shed awnings shall be used for rectangular openings, and arched awnings shall be used for arched openings. Continuous rows of awnings along the same building shall generally be restricted to the same type awning and application with consistent color.
  - b. Canopies:** Canopies function only at the ground-floor level. Canopies that are sloped must be open on the ends and shall have no greater than a 45 degree angle (preferably less). Faux shingled Colonial-type canopies are not allowed. Canopies are relatively permanent, while awnings should be designed at least to appear to be retractable, though do not have to be. Conforming existing awnings and canopies shall be maintained or restored where they occurred. New awnings and canopies can be added to historic buildings for functional purposes. Either may be appropriate provided it complements a building's architectural style and does not irreparably conceal significant architectural features. Awnings or canopies shall be positioned individually within major structural bays of the building and designed to fit the

opening in which they occur. New canopies and awnings shall maintain a clear height of seven (7) feet above the sidewalk, shall not extend more than six (6) feet over the sidewalk. Columns are not allowed on sidewalks. Canvas or other durable material is preferred, but plastic, fabric or other material which is glossy in nature is not permitted. Awnings or canopies may not be internally lit to function as signs. However, signage graphics and text are permitted on awnings as set forth in Subsection J.

5. **Storefront Windows:** Existing historic display windows shall not be reduced, covered, or altered. Missing or damaged windows shall be replaced with windows that match the originals in location, design, and materials. If the original design is unknown, the replacement windows shall maintain the original scale, shall be largely glass with wood or aluminum mullions, and shall have as few subdivisions as practical to maintain the traditional display window appearance. The glass shall be clear or lightly tinted, and decorative glass or glass block shall not be used. On the interior, should the ceiling height be lower than the display window or transom, the ceiling space shall be recessed away from the interior side of the glass.



6. **Upper Windows:** Upper windows shall be maintained with the original size, materials, detailing, and number and arrangement of lights. If the design of the window is unknown, the window type and detailing shall be that of the architectural style or period of the building. Wood mullions with a painted finish or aluminum mullions with a white painted or bronze anodized finish shall be used.



7. **Shutters:** Shutters shall not be added to upper floor windows unless physical or pictorial evidence can be provided that they existed. Shutters shall be of a size and scale that fit the window and shall appear functional. Also, shutter design should be appropriate to the era of the building.
8. **Storm Windows:** Excluding local and national historic districts and structures, storm windows may be added to upper floor windows. They shall be full sash or sash proportionate with minimum mullions.
9. **Cornices:** Existing cornices shall be maintained or restored and shall not be concealed or obscured. Replacement of missing or damaged cornices shall be based on historic physical or pictorial evidence using materials and details which match the existing building. If historic evidence is not available, use similar historic buildings from the same period as examples.
10. **Architectural Features:** Architectural features shall be maintained or restored. Examples of these features such as columns, pilaster, brick detailing, lintels and window hoods are shown here. Replacement of missing or damaged features shall be based upon original materials,

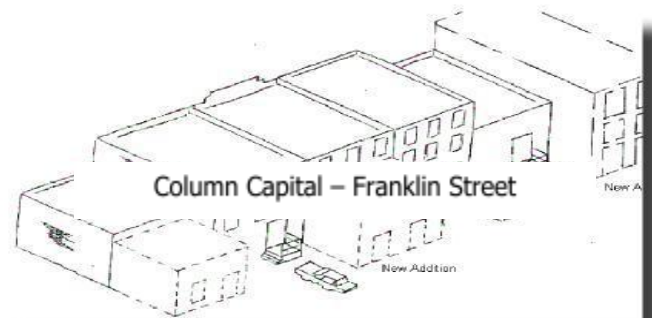
design, and detail. Excluding local and national historic districts and structures, alternative materials may be used if they look identical to the original and do not have maintenance issues that would cause them to not look like the original material over time. Decorative features shall not be added where none existed originally.

- 11. Building Relocation:** Historic buildings within the downtown area should be relocated only under the following circumstances:
- if the only alternative is demolition,
  - if the loss of a historic building is not required to create space for the relocation,
  - if the building to be relocated will be architecturally compatible with the adjacent buildings in height, scale, massing, materials, design, and setback.

- 11. New Additions:** Additions shall be compatible in design and complementary to the existing structure. Additions must be visually subordinate to the main building. They shall have a lower roof, a compatible design, similar proportions and rhythm of openings, and shall be secondary in importance to the existing building. Additions should have exterior materials which are comparable to the original structure. These materials should also help differentiate between the original and the new. The use of sustainable materials such as cementitious siding should be considered for new additions. Additions should be placed at rear facades or adjacent to existing structures in a scale and proportion similar to the existing buildings. Rear additions should be smaller and lower than, or be of similar size to the existing structure. Side additions must be set back slightly from the main building. Additions similar in size should have a distinct break from the original structure.



Column Capital - West Franklin Street



Dashed lines represent appropriate additions.

## E. Design Guidelines for Existing Residential Buildings

- 1. Residential Overview:** These guidelines are for use outside the local Historic District Overlays for only townhouse and multiple-family structures because single-family homes and duplexes are excluded from design review outside the local Historic District Overlays, but may be consulted

Dashed lines represent appropriate additions  
Street



for guidance for improvement review within the local Historic District Overlays. While not all residential neighborhoods are necessarily historically significant, some, such as Emerald Hill and Dog Hill, are historic. The residential character of these areas should be preserved and maintained. Examples of buildings in this area are illustrated below.



2. **Foundations:** Do not cover or conceal historically visible foundations. Follow the guidelines for masonry to maintain or repair foundations. If infill is desired for pier foundations, the installation of lattice sections between the piers is appropriate. Solid fill is not encouraged.
3. **Siding:** Wood siding is an important character defining feature of a building and preservation of original siding is recommended. Wood siding original to a building should be repaired rather than replaced. Original wood siding should be replaced only where necessary. Repair of original wood siding should be with wood siding to match the original. On a rear elevation, a non-wood siding may be acceptable if done in whole part, not in small pieces or sections.

Non-original siding alternatives:

- cementitious siding that matches the dimensions, non-grained texture, and color of the original wood

- do not allow replacement siding to cover or conceal original architectural details

- removal of asbestos, aluminum, and vinyl siding and restoration of the original wood siding is recommended

- do not cover venting on a façade

- match new siding width to the existing



#### 4. Porches:

- a. Original porch elements such as columns, railings, valances, balusters and eave decoration should be preserved and maintained. If these features are deteriorated, they should be repaired with like materials and styles as closely as possible. If repair is not possible, they should be replaced with materials to match the original or with the most appropriate and sustainable material.
- b. Appropriate porch step materials include reconstructed wooden steps for wood porches and concrete steps for concrete porches. Brick is not a traditional material for porch steps and is not recommended. Porches on front facades should not be enclosed, as this type of addition alters the character of the façade. If screening is permitted, follow the recommendation below (see 11).



Original porches should be preserved and not removed or enclosed (610 Anderson Drive).

5. **Entrances:** Original doors and door elements such as sidelights and transoms should be preserved and maintained. The removal of original doors is not appropriate. If storm doors are added, they should be full-view design to allow the original door to be visible.
6. **Windows:** Original wood or metal windows should be preserved and maintained. Replacement windows should be with materials and forms to match the original as closely as possible. The installation of anodized aluminum or baked enamel aluminum windows is appropriate if they match the original light configuration, color and profile of the original windows. The installation of vinyl windows is discouraged as well as the use of snap-in mullions. Many brands of vinyl windows do not successfully imitate wood windows in their dimensions and profile, and may also discolor due to ultra-violet rays.

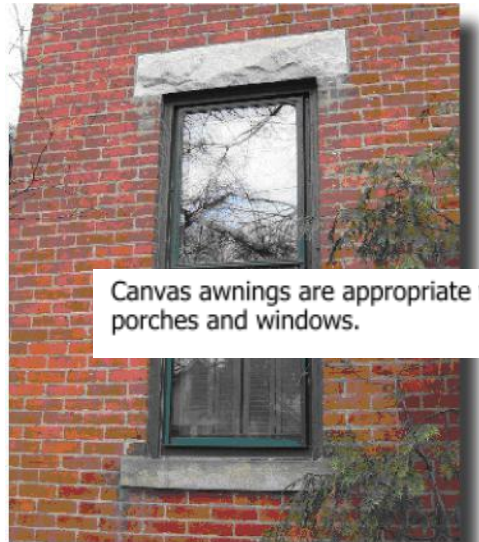


Preserve and maintain original entrance elements including doors, transoms and sidelights (102 Union Street).



Original two-over-two wood sash, arched windows.

7. **Security Doors and Windows:** The installation of security doors and windows is appropriate within some parameters. Statistically, intruders primarily enter through rear or side doors or windows which are not visible from the street. The installation of security doors and window bars on these facades may be appropriate. Although less appropriate on main facades, security doors may be installed if they are full view design or have minimal structural framing which allow the viewing of the historic door behind it. Ornate security doors with extensive grillwork or decorative detailing are not appropriate for entrances on the primary facade. Bars on windows may be placed on side or rear elevations, but never on facades.



Canvas awnings are appropriate for shading porches and windows.

8. **Storm Windows and Doors:** The installation of storm windows and doors can help in lowering energy costs and are appropriate for older dwellings. Storm windows should be full-view design or have the central meeting rail (the horizontal element where the top and bottom panes meet) at the same location as the historic window behind it. Storm doors should be of full-view design. Windows and doors of dark anodized aluminum or baked enamel are preferred to those of “raw” or shiny aluminum.

Storm windows should be full view design or match the meeting rail of the window.



Installing full-view storm doors for energy conservation is appropriate (410 S. First Street).

9. **Awnings:** Canvas awnings for windows and porches were common features of buildings in the early 20th century. With the widespread use of air conditioning after World War II, the use of awnings declined. In recent years, the use of awnings has increased because they are attractive and save energy costs. Canvas and similar material awnings are appropriate for many of Clarksville’s dwellings.



Appropriate door awning at 612 Anderson Drive.



**10. Architectural Features:** Original architectural features should be preserved and retained. These may include design elements such as wood shingles, eave verge-board and trim, window cornices, and eave brackets. If these features are deteriorated they should be repaired with like materials as closely as possible. If repair is not possible, they should be replaced with materials to match the original or with the most appropriate and sustainable material.

**11. Screens:** While screening in porches is discouraged, this action is permitted and should follow certain guidelines so as to not compromise the architectural integrity of the façade. Visibility of architectural features such as porch columns and any decorative work is essential. Screen panels for porches and screen doors for entrances are appropriate if the structural framework is kept to a minimum to retain the open appearance of the porch and the visibility of the original door behind the screen door.

**12. Lighting:** Many dwellings retain original exterior light fixtures at the porch ceiling or adjacent to the main entrance. Distinctive tinted globes and the “box” shaped fixtures for Craftsman/ Bungalows are part of a building’s character and should be preserved and maintained. If the original light fixtures are missing, light fixtures with simple designs and detailing are preferred to large, ornate colonial or “Williamsburg” style fixtures. Avoid lighting styles that are inconsistent with the architectural style. Many companies now provide light fixtures based upon historic designs and the addition of these types of period fixtures is appropriate and encouraged.

**13. Mechanical Systems:** Modern air conditioning and heating units often require condensers and other units to be placed on the exterior. These units are typically located adjacent to, or within a few feet of, the building. Heating and cooling units should be

placed at rear or sides of buildings not visible from the street. The placement of these units at the front of buildings is not appropriate and should be avoided. Screening of these units through shrubbery, fencing, or lattice panels is highly recommended.



The enclosure of porches with screen panels is acceptable if guidelines in Section 11 are followed.



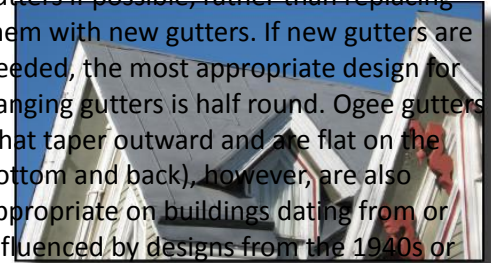
Preserve and maintain original porch elements such as porch columns, eave decoration and lighting (103 Union Street).



Preserve and maintain original architectural detailing such as eave brackets (422 S. First Street).

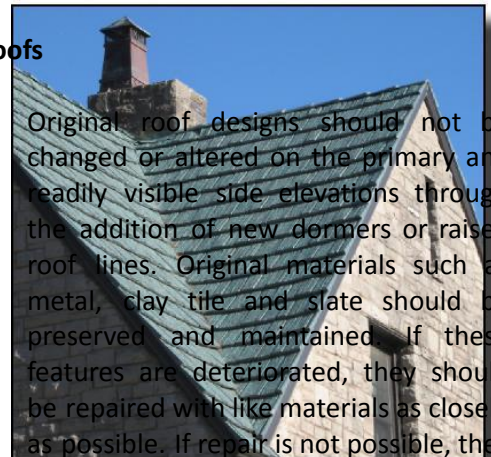


- 14. Gutters and Downspouts:** Retain existing boxed or built-in gutters. Repair deteriorated or damaged boxed or built-in gutters if possible, rather than replacing them with new gutters. If new gutters are needed, the most appropriate design for hanging gutters is half round. Ogee gutters (that taper outward and are flat on the bottom and back), however, are also appropriate on buildings dating from or influenced by designs from the 1940s or later. Locate downspouts away from architectural features and on the least public building elevation.



## 15. Roofs

- a. Original roof designs should not be changed or altered on the primary and readily visible side elevations through the addition of new dormers or raised roof lines. Original materials such as metal, clay tile and slate should be preserved and maintained. If these features are deteriorated, they should be repaired with like materials as closely as possible. If repair is not possible, they should be replaced with materials to match the original or with the most





appropriate and sustainable material. Synthetic materials can be acceptable if they accurately depict such roof materials, such as slate or clay tile. If new metal roofs are added they should match the original in crimping and spacing. New roof penetrations (pipes, vents) should be located on slopes of the roof that are not in view from the street.

- b. The addition of skylights can make the use of upper floor space or attic space more practical. The installation of skylights is appropriate as long as they are placed on rear roof lines, behind gables or dormers, or otherwise not visible from the street. Skylights which are flush with the roofline or lay flat are more appropriate than those with convex or “bubble” designs.
- c. Solar energy collectors or panels are available which can be either freestanding or attached directly to the building. Solar collectors are appropriate as long as freestanding panels are sited in rear yards and the roof panels are on rear facades or side facades not visible from the street.

Half-round gutters and downspouts are recommended for Clarksville's historic dwellings (424 S. First Street).

Preserve and maintain original metal roofs (422 S. First Street).

New roof materials should be compatible with the original roof materials such as this imitative tile roof at 611 Anderson Drive.

**16. Decks:** Outdoor wood decks are popular additions and can usually work well with older buildings. As in the case of adding rooms, wood decks should be only built at the rear of buildings. Decks may be added to side elevations; however, their design will be reviewed. A review is required of a rear deck that is not visible from the street. A deck should not take visual priority away from the building; it should not extend beyond the sides of the building's walls. Its design should be simple with simple, square posts of 3-4 feet in height, spindles spaced 3-4 inches apart, and with a flat top railing.



### **17. Handicap Ramps**

- a. Handicapped ramps, also known as accessible ramps, are sometimes needed to provide access for those with disabilities. Handicapped ramps are best at the rear or sides of buildings so as not to be visible from the street. Ramps of wood construction are most appropriate for Clarksville's historic residential areas, and the railings should be with simple designs or match the original porch railing in design and detailing. If the ramp must be on the building front, it should be architecturally compatible with the building and/or screened with landscaping.
- b. For properties which have high visitation such as physician offices, consider the installation of a chair lift on a side or rear elevation.



Handicapped ramps should be sited on the side or rear rather than on the front of dwellings.



Example of an appropriate chair life on a front porch.

An example of new building construction that adopts an appropriate building mass.

## F. Design Guidelines for New Commercial and Mixed-Use Buildings

### 1. New Building Approach

- a. New commercial building design shall reflect the period of its construction and shall not attempt a reproduction of a historic style unless it is reproducing a documented previously-existing building. It shall be compatible with the existing adjacent building, given the adjacent building is historic or exemplifies appropriate infill design in scale, setback, height, width, materials, massing, and rhythm and proportion of openings.
- b. While warehouses historically dominated the riverfront, commercial structures are the predominant building type along Riverside Drive today. The area has evolved into a strip commercial corridor, but needs to be transformed into an urban boulevard, including a median with landscaping and/or specialty pavers, street trees, sidewalks, fewer and narrower curb cuts, buildings closer to the street, and off-street parking to the rear or side of the buildings. These features would promote a unified streetscape more in keeping with the balance of the downtown core. Future development should consider the character of and relationship to existing riverfront development. This can include non-commercial buildings, especially housing (townhouses and other multiple-family structures). While the Riverside Drive Corridor should not be as urban as areas such as Franklin Street, it should be much less suburban than its current condition.

2. **Height:** Currently, building heights are from one to five-story in the downtown core. Residential neighborhoods in the district have one- and two-story single-family dwellings. Townhouses and apartments are two and three-story. The height of new buildings in the historic commercial district will vary from street to street and shall consider the height of adjacent buildings, as well as the entire block face and those of the block face on the opposite side of the street. Taller buildings may be appropriate at key intersections. Based on existing development, the figure on the following page is advisory only for building heights because the height restrictions of the underlying zoning district apply unless varied by the Board of Zoning Appeal. For reasons of financial viability and to encourage greater property values per acre Downtown, building heights greater than the advisory height may be necessary outside of the local and national historic districts. The height of any new structure should not block the view shed of the cupola of the Old Historic Court House, the upper floor of the new City Hall and the spires of churches on the National Register of Historic Places. Consideration should also be given to avoiding the obstruction of views of the Cumberland River from structures on the bluff.









The façade of the Poston Building is divided by pilasters on the first floor. Additionally, the roofline has ridges that have a similar visual effect of breaking a long building into bays.



Another exception to using adjacent building setbacks as a determinant is when such neighboring buildings are inappropriate infill, such as many of the post-1950s buildings existing along Riverside Drive.



### 3. Massing

- a. No uninterrupted front façade plane shall extend more than thirty feet. Pilasters, variations in the roof line or parapet wall, or building wall recesses shall be used to break up the mass of a single building into distinct bays no wider than thirty feet. Variations in materials and colors can also help achieve this massing standard. The length of the street wall for all buildings shall be at least seventy-five percent (75%) of the lot frontage along downtown blocks.
- b. A minimum of fifty percent (50%) of the building wall shall be built to the building setback line. Taller buildings shall be carefully designed with a narrow profile towards Riverside Drive to maintain views of the river from the downtown core.

### 4. Building Setback Lines: Buildings shall be located in a manner compatible with the existing structures; incompatible or inappropriate adjacent buildings shall not be used as a contextual reference point.

- a. Central Commercial Sub-District. The front yard setback should be based on the predominant setback of existing structures on the blockface or across the street. If adjacent buildings are zero lot line, then the front facade shall be zero lot line with the street right-of-way line.
- b. Riverside Drive Sub-District: The front yard setback along Riverside Drive should not be less than twenty (20) feet to accommodate public utility easements and landscaping outside the street right-of-way, should encourage off-street parking to be located to the rear and side of structures, and should enable the building pad to be raised above the one percent (1%) storm elevation. In addition, building massing will provide guidance on desirable building setbacks.
- d. An exception to setback guidelines would occur where outdoor seating/dining is planned

into the design. In this case, the building's façade wall may be located behind the adjacent setback line between twenty (25) to thirty (30) feet if a low and/or pierced brick wall delineates the patio area and constitutes the setback line. The wall shall be between 2 ½ and 3 ½ feet in height. If decorative ironwork is included atop the wall, the entire structure shall not exceed 3 ½ feet in total height.

## 5. Roofs

- a. Roof forms should be appropriate to the building's architecture and surrounding context. Most flat roofs in the downtown area are not readily visible from the street. Parapet walls along the façade roofline are used to conceal the roof, as well as any mechanical systems located on rooftops. This is an appropriate design for new buildings. However, there is historical precedence for a gable roof on commercial buildings, as seen on the Poston Building from the 1840s. A gable roof design may be appropriate on a new commercial building provided it is adjacent to a commercial building with a gable roof or dominates the blockface. Metal roofs should have crimping and spacing to be consistent with historic metal roofs. Corrugated metal roofs are not an appropriate material in place of standing-seam metal roofs.
- b. Parapet walls should be used on flat roofs for buildings in the Riverside Drive Sub-District, as well. Buildings there should have simple roof forms free of "sculptural or sign-like visual qualities."



Buildings should have vertical divisions to maintain streetscape rhythm.

## 6. Facades

- a. In order for infill buildings to blend into the existing streetscape, their design should complement that of historic buildings. To achieve the desired results, new buildings should incorporate design elements of historic facades. A new building should have a street-level storefront consisting of a primary entrance and large, clear display windows. A transom can be included over the entrance, and display windows can rest on bulkheads, as in traditional commercial design. There should be a distinct transition between the storefront and upper façade, which can be achieved by use of decorative means such as corbelled brick. The following points are also essential to appropriate infill design:

- b. Facade Articulation:** Building facades shall emphasize clearly articulated main entrances using awnings, canopies, columns, pilasters and recessed entrances. Provide entrances that are distinct and visible from the street. Avoid long expanses of uninterrupted storefronts. Divide with architectural elements.
- c. Doors and Windows:** Infill buildings shall have their primary entrance on the primary facade fronting the street. Window and door openings should have a vertical orientation and alignment. Upper floor windows also need to be vertically oriented in proportions close to those of existing.
- d. Glazing:** A minimum of sixty-five percent (65%) of the front facade's ground floor shall be glazed (consisting of glass in the form of doors and/ or windows). The ground floor is considered the area between grade and the first floor's ceiling. Glass anywhere on the front facade may not be reflective or heavily tinted.
- e. Side and Rear Facades:** Rear and side facades do not need to be designed to the extent of primary facades. However, side and rear facades within and adjacent to local Historic District Overlays and the National Historic Districts and Structures are subject to review as well as other new structures visible from the public right of way.

## 7. Materials

- a.** Materials and their texture should be appropriate for the building's architecture and surrounding context. Exterior insulation finish systems and metal panels shall be considered for use only by careful review by the Design Review Board. Vinyl and aluminum siding are not appropriate in any sub-district.
- b.** The primary exterior wall materials should be brick and natural or artificial stone, split-faced concrete masonry, smooth surface stucco, historically correct painted wood siding or painted cement composite sidings. Additionally, cementitious siding and Exterior Insulation Finishing System (EIFS) are acceptable; however, the latter is not encouraged due to concerns about its longevity. Brick shall not be painted unless it is extremely mismatched or so deteriorated that it cannot resist moisture penetration. If painting is necessary, the natural color of the brick shall be used. Stone shall not be painted.
- c.** Wall materials that are discouraged:
  - Unfinished or rough natural wood siding
  - Aluminum or other large sheet painted metal
  - Heavy textured stucco
 (Note: Many of the above materials may be used as accents or trim in small amounts)
- e.** The following wall materials are discouraged in the Downtown Overlay District, however, may be given special consideration by board approval only. Use of these materials:
  - must be consistent with the architectural style or character of the building and adjacent structures.
  - shall not provide a false sense of historic development.



- reflect the period of the building's construction.
- be compatible with adjacent historic materials.
- not accelerate the deterioration of adjacent historic materials.
- match the appearance of adjacent historic materials.

These special consideration materials are:

- Plywood
- Vinyl siding
- Wood shakes
- Plastic or fiberglass
- Asphalt shingles
- Reflective, opaque or mirrored glass
- Unfinished concrete
- Illuminated plastic elements
- Unsurfaced or unpainted precision face concrete blocks (on street or public fencing facades)

## 8. Colors

- a. Colors shall be complimentary to the dominant neutral building material colors such as dark red or red brown for brick and buff, taupe or gray for natural stone. Softer muted hues with gray or white added to the basic color shall be used to highlight architectural features such as window frames, sills, cornices, and details.
- b. Avoid large areas of intense bright or very dark colors. Medium or subtle colors are encouraged. **Fluorescent or “day-bright” colors are prohibited.** Minimize the number of colors on an exterior to three except where accent colors may reflect a particular historic character.

**9. Awnings and Canopies:** Guidelines for awnings and canopies are the same for infill buildings as for historic buildings. Please see these guidelines in Section D.4.

**10. Balconies:** On infill buildings, balconies shall be metal or wood. If balconies have supporting columns, they should not impede pedestrian traffic. If covered, the roofs shall follow the standards for canopies. Permanent screens are prohibited, but roll-down screens and wood (or simulated wood) shutters are acceptable.

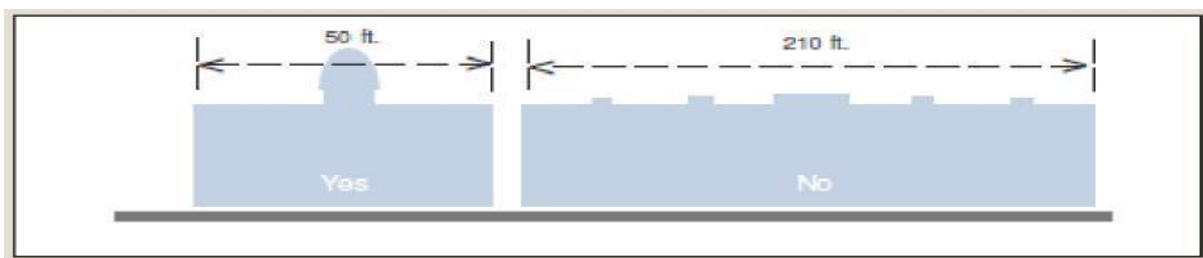
**11. Retractable Storefront Windows:** Façade windows that retract for an open-air design may be acceptable in some areas of downtown. Hinged bi-fold windows open laterally and are the best option visually as they least detract from the building design. The use of full-glass garage-style doors may also be appropriate.



building.

## G. Design Guidelines for New Institutional Buildings

- 1. General Approach:** Institutional buildings include a broad range of structures that are publicly or privately developed for governmental, religious, educational, and similar purposes. They include churches, schools, post offices, and municipal buildings. Institutional buildings are geographic landmarks in the sense that they are readily identifiable, and their designs clearly express their function. Therefore, unlike other types of development, it is understood that an institutional building should accentuate its design differences from other downtown buildings, in order to underscore its significance. For this reason the standards for institutional design are minimal relative to other building types. Nevertheless, these guidelines will be used to review the design of private buildings, and may be consulted in the case of publically owned lands and structures.
- 2. Height:** The height of an institutional building should be comparable to that of commercial/mixed use buildings on the same block or street. Height varies through the Downtown Overlay District according to building type and location. See suggestions for maximum height in Section F. The vertical architectural elements which are not habitable, such as spires, steeples and cupolas, shall not count toward height measurements. The height restrictions of the underlying zoning district shall govern.
- 3. Width:** The maximum width for new institutional buildings shall not exceed 200 feet. The examples of an exception to this limit are conference centers and similar large-footprint buildings. These may exceed the width if the facade massing can be visually broken up.



- 4. Setback:** There are no building setback requirements for new institutional buildings, although no parking shall exist within the front yard. Also, where appropriate, a generous setback is encouraged as a means of lending the building prominence and underscoring its significance.





5. **Roofs:** In the case of institutional buildings with flat or only slightly sloped roofs, a parapet wall shall serve as the front facade to mask the roof. Mechanical systems placed on the roof top shall be screened or obscured from public streets by either a parapet wall or by its location. Decorative, vertically-oriented architectural features, such as steeples and cupolas, are encouraged.
6. **Ground Floor Façade Massing:** The ground-floor level of a primary facade plane shall not exceed a width of 50 ft. without an interruption. Ground-floor façades shall be broken into a series of vertical bays using any of the following elements: wall off-sets of at least 4 inches in depth, pilasters (engaged pillars) with a minimum depth of 4 inches, columns/posts, projecting bays, and porches. These means of achieving massing may be accompanied by other approaches such as material changes, roofline changes and front steps.
7. **Front Façades and Entrances:** A building's primary façade and its entrance shall front onto the building's associated street. For corner lots, the front façade and primary entrance shall face the "primary" street rather than the side street. The design of the primary entrance should be most prominent, clearly indicating it as the main point of entry. Its design may be echoed at secondary entrances, on a lesser scale or with lesser degree decorative embellishment, to identify them as subordinate.
8. **Glazing:** Glass on any facade fronting a street may not be reflective or heavily tinted, but colored glass in the form of leaded "stained glass" is permitted.

**H. New Residential Buildings:** These guidelines are advisory only for single-family and duplex structures outside of the local Historic District Overlays, and may be consulted (but are informational only) for the review of new residential housing of all types within the local Historic District Overlays.

1. **Height:** The building height of a single-family dwelling shall not exceed 2 stories and 25 feet to the eave line. Multifamily apartment buildings can vary in height between one and four stories depending on their location, as depicted on the map in Section F. The height restrictions of the underlying zoning district shall govern provided the building height does not exceed the predominant building height of existing structures on the blockface and across the street.
2. **Setbacks:** All residential dwellings shall have a setback equal to or greater than that of the adjacent buildings' setbacks, given that the adjacent buildings represent compatible models.
  - a. In residential neighborhoods of the Downtown Overlay District, front yard setbacks need to be within five (5) feet of the average of the block face. (Consult Chapter 4 for setback standards and Section 4.1.1 for setback exceptions in this zoning ordinance.) An exception from the front setback standards is permitted for a front courtyard design in which at least one third of the building's frontage adheres to the required setback. The courtyard depth shall not exceed fifty (50) feet as measured from the public right-of-way line and no parking is permitted within the courtyard area. Street side yard setbacks can vary and should be an average of existing examples on the block face. (Street side yard setbacks follow the same standards as front yard setbacks in this zoning ordinance.)



High-pitched roof.



Low-pitched roof.



Appropriate setback for townhouse.

3. **Roofs:** For single-family dwellings, pitched roofs with a slope between 6:12 and 12:12 are required excluding porch roofs. Roofing materials shall include slate, heavy textured asphalt shingles, wood shakes, or standing seam metal compatible with the construction period of the area. Roof penetrations (pipes, vents) should be located on slopes of the roof that are not in view from the street. Synthetic materials that accurately depict materials such as slate and wood shakes may be permitted if they are appropriate to the style of the house. Single-family attached and detached houses shall have sloped roofs. Townhouses and apartment buildings can have either sloped or flat roofs with a parapet wall.
4. **Façades:** In order for infill buildings to blend into the existing streetscape, their design should complement that of historic buildings. To achieve the desired results, new buildings should incorporate design elements of historic facades. Facades shall reflect the residential building types in the area. For all new single-family dwellings, porches shall be a minimum depth of six (6) feet and extend across a minimum of sixty percent (60%) of the front façade. The following points are also essential to appropriate infill design:
  - a. **Façade Articulation:** Building façades shall emphasize clearly articulated main entrances that are distinct and visible from the street. This applies to apartment buildings as well. In the case of courtyard apartments, the ends of the buildings face the street and would not need to meet this requirement. However, their front facades (the ends) would need to meet the requirement for build-to range for front setbacks.
  - b. **Doors and Windows:** Infill buildings shall have their primary entrance on the primary facade fronting the street. Window and door openings should have a vertical orientation and alignment.
  - c. **Glazing:** Glass anywhere on the front façade may not be reflective or heavily tinted.
  - d. **Side and Rear Facades:** Side and rear facades do not need to be designed to the extent of primary facades. However, side and rear elevations are reviewed when within or adjacent to local Historic District Overlays, the National Register Historic Districts and Structures, and all other new multiple-family (townhouses and apartments) residential visible from the public way.



Appropriate porch depth and width.



- 5. Raised Foundations:** Buildings shall have a foundation height (measured from finished grade to finished first floor) of at least 24 inches. Foundation materials should be of poured concrete, stone, brick or split faced concrete masonry unit (CMU).

**6. Door and Window Design**

- a. The building's primary entrance shall face the associated street.
- b. All windows shall have a vertical orientation. However, individual vertically oriented windows may be "ganged" to collectively have a horizontal orientation. Door and window mullions shall be true divided lights or simulated divided lights on both sides of the glass.
- c. Shutters, if provided, shall be sized to fit the window and appear to be operable.

**7. Materials**

- a. Appropriate materials shall include:
  - Brick (foundations and siding)
  - Weatherboard or wood shingle siding (not on townhouse or apartments in the downtown core)
  - Stone (foundations)
  - Lattice panels (foundations)
  - Cast stone (siding and foundations)
  - Split-face concrete masonry unit (foundations)
- b. Additionally, cementitious siding and Exterior Insulation Finishing System (EIFS) are acceptable for siding; however, the latter is not encouraged due to concerns about its longevity.

**8. Garages and Accessory Buildings**

- a. Garages for new single-family residential construction shall be detached in the local Historic District Overlays, the National Register Historic Districts and Structures, and abutting such historic properties. Garages may be attached to the rear of residential structures not in or adjacent to historic structures. Garages and other accessory buildings shall occur in the rear of a lot, and shall meet the minimum side and rear yard requirements unless a variance is approved by the Board of Zoning Appeals.
- b. Multi-vehicle garages visible from the street shall have one bay door per vehicle.
- c. Parking garages are addressed in Section I.7.



The above examples illustrate appropriate sidewalks and cross walks.

The above examples illustrate appropriate brick sidewalks and crosswalks.



## I. Streetscape and Site Planning

1. **Streetscape and Site Planning:** Clarksville has undertaken several projects involving streetscapes and other improvements to the downtown area. Future work planned for downtown should be in accordance with the following guidelines. However, these streetscape guidelines are not mandatory for any public entity.
2. **Sidewalks**
  - a. The repair, construction, or modification of sidewalks within the District will require a Certificate of Appropriateness and a building permit from the City of Clarksville. Sidewalks along street right-of-ways shall be well maintained and provided where not already present.
  - b. **Design:** Continuous formed curb and gutter shall be used on both sides of the public streets. Walkways should be raised above the street level and curbed, but should have depressed curbs at intersections for ADA accessibility. Accessibility for wheelchairs should be at least a minimum of thirty-six inches in width. In the Riverside Drive Subdistrict, the sidewalk should be a minimum of six (6) feet wide or maintain the existing building face. In residential areas, the sidewalks should be a minimum of four (4) feet wide; for multiple-family developments, wider sidewalk widths may be required. In the Central Commercial Subdistrict, sidewalks should be at least six (6) feet in width and wider sidewalks may be appropriate to match predominant sidewalk widths in the immediate area. Sidewalks shall be expanded at street corners to include “bulb-outs,” which protect parked end vehicles and decrease the distance for pedestrians to cross the street.
  - c. **Materials:** Sidewalks along Commerce Street from Third Street to Second Street, Franklin Street from Third Street to Public Square, Strawberry Alley/Legion Street from Third Street to First Street, First Street from Franklin to Main Street, Second Street from Commerce Street to Main Street, and Third Street from Commerce Street to Main Street, and the Public Square should contain brick elements with concrete curb and gutter.



- d. Other sidewalks are recommended to be of a combination of brick pavers, brick pavers with concrete bands, or broom finish concrete paving with brick bands. Pedestrian street crossings should be clearly delineated with paving materials that stand out from the street surface.

### 3. Lighting

- a. New light standards should be consistent with those introduced into the downtown area during recent streetscape improvements. Metal halide lighting is preferred and should be used in locations where it complements the lighting design. The use of LED and high-pressure sodium lights may also be appropriate. In particular, all parking lot lighting shall have low cut-off fixtures which do not throw lighting on adjacent properties. 'Box' or 'cobra' style lighting is prohibited.
- b. Pedestrian lighting in residential areas shall use lamp-post fixtures fourteen (14) feet in height. Fixtures shall use high-pressure sodium luminaire lighting. The street lighting for major streets shall be standard fixtures from the utility company painted to be

New light standards in the downtown area should be consistent with standards added in previous streetscape improvements.

- 4 **Street Trees:** Street trees shall be used along the street right-of-ways to create a sense of place. Trees shall be Willow Oaks and Littleleaf Lindens, "Village Green" Zelkovas or other approved species compatible with the existing landscaping.
5. **Street Furniture:** Street furniture shall include benches, trash receptacles, bollards, planters, bicycle racks and kiosks. Benches and trash receptacles are appropriate in carefully selected locations. Newspaper boxes also contribute to the convenience of an area, but should be



grouped to avoid visual clutter. The color of street furniture shall blend harmoniously into the streetscape.



## 6. Parking and Egress

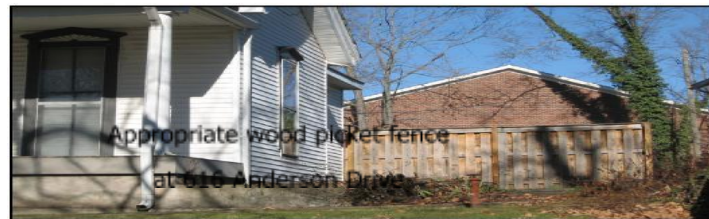
- a. Parking shall be provided in accordance with the requirements of the zoning ordinance. Shared parking facilities are encouraged. Parking lots should be sited on rear or side elevations, and screened with appropriate fencing or landscaping. Surface parking located on the side elevation of building shall be limited to one double loaded aisle. The layout and screening of lots should minimize direct views of parked vehicles from streets and sidewalks, and should provide a reasonable amount of shade.
- An example of appropriate screening of parking lots includes vegetation and fencing, two acceptable elements for this purpose.

- b. Parking lots shall be screened from the streets by landscaping or a wall a minimum of three (3) feet in height. Evergreen hedges and walls shall be used. Screening should be compatible with the style, materials, and colors of the principal building on the same lot. The parking areas for the car dealerships shall use street trees and planting strips along the street frontage to improve the quality of the streetscape and the image of the downtown. On residential streets, parking shall be to the rear of the primary dwelling. Front parking pads are not permitted in residential areas. On-street parking is acceptable throughout the downtown and residential areas, but parking lots and structures are not permitted in front of the primary building. Side parking lots between buildings may be permitted with screening. Neither parking structures nor spaces shall be located in front of the primary building.

- 7. Parking Structures:** Parking structure entrances and exits should be located on side streets if available. Walls fronting streets shall utilize materials, colors, and a pattern of openings consistent with surrounding buildings. Commercial business space shall be placed along the ground floor of new parking structures to maximize activity along the street frontage, and shall have direct access to the street and sidewalk. This is not a requirement on non-retail streets. A minimum of seventy-five percent (75%) of that commercial space wall area shall be transparent. Louvers and other open screening devices shall be used on upper level openings to hide the automobiles, screen garage lighting, and allow the garages to blend with the urban design fabric.

## 8. Fences

- a. Wood fences were widely used in Clarksville to separate lots and outline front yards, but are no longer appropriate in the front yards of properties in the H-1 local Historic District Overlays. Cast iron, brick, stone, and wire fences were also used. In recent decades, chain link fences have been popular, but are no longer appropriate. Historic (pre-1960) fences should be preserved and maintained.
- b. **Appropriate front yard fences:**
  - historic wrought iron fences or black, steel fences that replicate wrought iron, not to exceed 3-½ feet in height
  - historic stone walls
  - wood picket fences, not to exceed 3-½ feet in height.
- c. **Appropriate side yard (not along a street):**
  - wood picket fences
  - wood privacy fences, not to exceed six (6) feet in height
  - No chain link or wire fence is appropriate.
- d. **Appropriate rear yards:**
  - privacy fences
  - chain link and wire fences are prohibited
  - landscape screening.



Appropriate design and location of a privacy fence at 103 Marion Street.

## J. Sign Standards

1. **General Principles:** The following principles are broad concepts that are addressed below with more specific standards.

Mixed use urban districts can utilize a broad range of sign types to identify businesses in a visually appealing manner.

- a. Signs may NOT be erected or altered without obtaining a permit from the Clarksville Building and Codes Department. Signs meeting the objective standards of Chapter 8 may be approved at the Staff Level without going to the Design Review Board; however, within the H-1 local Historic District Overlays, a Certificate of Appropriateness will require Historic Zoning Commission approval.
- b. Commercial signage shall be designed primarily for the purpose of identifying a business rather than serving as advertising.
- c. Signage should balance the need for businesses to be identified with the objective of avoiding visual clutter.
- d. Signage should not visually obscure significant architectural elements of a building (windows, opening trim, architectural detailing, etc.).
- e. In the case of wall-mounted signs, channel letter signs are preferred over cabinet signs.
- f. Sign materials should reflect a high level of quality and a historic character by utilizing traditional, non-synthetic materials (wood, metal, etc.). Material exceptions may be granted in the Riverside Drive Sub-District on a case-by-case basis.
- g. Refer to Chapter 8 of this ordinance for additional sign regulations. In particular, Section 8.2 of this ordinance establishes sign regulations applicable to all land use zoning districts and all zoning overlay districts. When more stringent sign regulations are established below, they shall prevail for the Downtown Overlay District.

2. **Sign Standards:** Within the Downtown Overlay District and including the local Historic Overlays encompassed therein, the following sign standards shall apply:

- a. For land uses in the Residential Zoning Districts, the residential Planned Unit Development (PUD) District and residential uses in the CBD and C-2 Districts, the sign provisions of Section 8.3 "Residential Districts" shall apply.
- b. For land uses in the Office, Commercial, Industrial and Mixed Land Use District (MLUD) Districts, the sign provisions of Section 8.8 "Central Business District" and Section 8.9



“Downtown Sidewalk Signs” shall apply.

**2. Precedence of Regional Historic Zoning Commission Review Guidelines.** The Review Guidelines adopted by the Regional Historic Zoning Commission and this Ordinance for locally designated historic districts within the Downtown Boundaries shall take precedence within the H-1 Historic District Overlay, in the event of a conflict between the two sets of guidelines.

#### **9.5.4. Project Approval Process**

**1. Overview.** To ensure consistency with the Downtown Urban Design Standards and Guidelines, the Common Design Review Board and the Clarksville-Montgomery Regional Planning Commission staff will review all private projects in the Downtown Urban Design Overlay District that require demolition and building permits and that make modifications to the exterior appearance of buildings, signing, landscaping and parking. Existing nonconforming structures, unforeseen physical conditions and subsequent architectural programmatic constraints may warrant exceptions to the guidelines. In such cases, the Common Design Review Board and planning staff will review alternative design solutions as they relate to the intent of the standards and guidelines, and will accept alternatives that present the best urban design solution. Where a single use or structure spans more than one sub-district (i.e., Central Commercial District, River District, Residential or Historic), the Common Design Review Board and planning staff will explore with the developer alternative solutions that achieve the design intent of the standards and guidelines. The Clarksville-Montgomery County Regional Planning Commission will continue to review site plans as required by Chapter 5.10 “Site Plan Requirements” and landscape plans as required by Chapter 7 “Landscape, Buffering and Screening Requirements” of this Zoning Ordinance.

#### **2. General Directions:**

- A. The authority of the Common Design Review Board to uphold the Downtown Urban Design Overlay guidelines is limited to the standards and guidelines referenced in Subsection 9.5.3.1 of this ordinance.
- B. Any approval by the Common Design Review Board is contingent on zoning and building permits issued by the Building and Codes Department, and cannot be interpreted as taking precedence over the building code or zoning ordinance except where the zoning standards set forth in the Downtown Overlay Standards and Guidelines are more stringent than other Sections of this Ordinance.
- C. Other ordinances or parts thereof which are inconsistent with or are in conflict with the specific provisions of this ordinance are expressly superseded by this ordinance and are to be controlled by the provisions of this Ordinance.
- D. Existing base zoning district standards that are not varied by this Section as set forth in this Ordinance shall apply within the Downtown Urban Design Overlay.

### **3. Step One/Application**

A. The first step in undertaking a project in the Downtown Urban Design Overlay is to contact and request an application from the Regional Planning Commission.

B. Regional Planning Commission staff will provide the applicant with the published guidelines and standards (this document and any future amendments) for projects within the various sub-districts of the Downtown Urban Design Overlay. It is recommended that the applicant become familiar with the guidelines and standards prior to planning the project and before the development of any working drawings.

C. The applicant must submit one set of the following documents signed by the applicant that will be retained by the Planning Commission:

- I. Copies of the proposed site plan (to an engineering scale) showing all site improvements such as buildings, walls, walks, parking, signs, plant materials, and lighting.
- II. Completed color exterior elevations (1/8th" = 1' architectural scale minimum).
- III. Exterior painting schedule (Color name/brand).
- IV. Samples of exterior materials including brick, stone, metals, glass, roofing.
- V. Detailed scale drawings of awnings and canopies, indicating proposed colors.
- VI. Color photographs of all sides of the existing exterior for remodeling, rehabilitation, or demolition. For demolition, remodeling, and new construction, photographs shall show contiguous properties.

### **4. Step Two/Common Design Review Board**

A. Should the application indicate alterations, remodeling, or repairs that are not governed by this Ordinance, the Common Design Review Board may exempt the application from the provisions of this urban design overlay district.

### **5. Step Three/Approval or Redirection**

A. After a careful review of the presentation, the Common Design Review Board will act to approve, conditionally approve or disapprove the application. The Clarksville Building and Codes Department will then review the approved project for zoning and codes compliance when the drawings and specifications are completed and submitted to the department.

B. If the project is disapproved, the Common Design Review Board and Planning Commission staff will strive to assist the applicant by providing guidance and redirection of the project. It will then be necessary to present the project to the Board at another regularly scheduled meeting. A building permit shall not be issued until such time as the proposed project receives final approval from the Common Design Review Board.

C. Under extreme circumstances, the Common Design Review Board shall have the right to approve projects which do not absolutely meet the guidelines, but that follow the intent and spirit of the urban design guidelines.

D. Upon project approval, the project must be executed as presented and approved. Any substantial departure from the plans as presented will require another review by the Common Design Review Board.

### **9.5.5 Appeals Process**

A. The Planning Commission shall hear and decide appeals from any order, requirement, decision or determination made by the Common Design Review Board or Planning Commission staff where it is alleged by the applicant in writing that Common Design Review Board or Planning Commission staff is in error or acted arbitrarily. Such appeal shall be made within sixty (60) calendar days of said order, requirement, decision or determination.

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<i>EFFECTIVE DATE:</i>	



ORDINANCE 5-2021-22

AN ORDINANCE AUTHORIZING THE MAYOR, THROUGH THE CITY ATTORNEY OR HIS DESIGNEE, TO CONDUCT NEGOTIATION AND ENTER INTO AN AGREEMENT FOR THE PURCHASE OF AN EASEMENT OR RIGHT OF WAY AND TO ACQUIRE PROPERTY FOR A PUBLIC PURPOSE FOR INTERSECTION IMPROVEMENTS FOR THE WHITFIELD ROAD IMPROVEMENT PROJECT AND TO CONVEY CITY OF CLARKSVILLE PROPERTY IN EXCHANGE THEREFORE

*WHEREAS*, the City of Clarksville finds that improvements to road and intersections within the City are vital to the to the transportation system and enhanced quality of life for City residents; and

*WHEREAS*, the Clarksville City Council finds it to be in the public interest to acquire easements and / or right of way rights for constructing improvements to Whitfield Road and Needmore Road; and

*WHEREAS*, Sonjia Mae McGlown, Fonda Malone and Riniski McGlown (hereinafter “McGlown”) are the owners of certain real property, being approximately 205.94 feet and being located at 2704 Whitfield Road being a portion of Tax Map and Parcel 32P-C-61, more particularly described in **Exhibit A** and having an opined value at \$1,465.00; and

*WHEREAS*, the City of Clarksville is the owner of certain real property to the west of the McGlown property being located at 773 Needmore Road being Tax Map and Parcel 32P-C-60, and more particularly described in **Exhibit B** having acquired said property for the Whitfield Road and Needmore Road improvement project; and

*WHEREAS*, the City of Clarksville property located at 773 Needmore Road being Tax Map and Parcel 32P-C-60 which will remain after the roadway improvement project is complete will have no road access, cannot be adjoined to adjoining properties as one parcel due to zoning regulations and will have an opined market value of \$0.13 per square foot or \$1,509.00 total; and

*WHEREAS*, the City of Clarksville did acquire the 205.94 square feet parcel, more or less including a utility, construction and slope easement, located at 2704 Whitfield Road being a portion of Tax Map and Parcel 32P-C-60 as depicted in **Exhibit C** from Sonjia Mae McGlown, Fonda Malone and Riniski McGlown for the purpose of improving Whitfield and Needmore Road said conveyance being filed of record on April 5, 2021 in Official Record Book Volume 2078, Page 1658, Register Office for Montgomery County, Tennessee ; and

*WHEREAS*, to avoid maintenance costs on the City of Clarksville property remaining after the improvement project is completed the Clarksville City Council finds it to be in the public interest to convey the property remaining after roadway improvements and located at 773 Needmore Road being Tax Map and Parcel 32P-C-60 to Sonjia Mae McGlown, Fonda Malone and Riniski McGlown as payment for the acquisition of the 205.94 feet parcel and easement being located at 2704 Whitfield Road which conveyance has been agreed to by Sonjia Mae McGlown, Fonda Malone and Riniski McGlown and which conveyance shall become effective at the completion of the Whitfield Road project.

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

That the Mayor, in consideration for the purchase of property located at 2704 Whitfield Road being a portion of Tax Map and Parcel 32P-C-60 from Sonjia Mae McGlown, Fonda Malone and Riniski McGlown being 205.94 square feet, more or less including a utility, construction and slope easement, may quitclaim transfer and convey the City of Clarksville property remaining after the Whitfield Roadway Project improvement identified as a portion of Tax Map and Parcel 32P-C-61 and located at 773 Needmore Road to Sonjia Mae McGlown, Fonda Malone and Riniski McGlown as payment therefore which conveyance shall become effective at the completion of the Whitfield Road project.

*FIRST READING:* August 5, 2021  
*SECOND READING:*  
*EFFECTIVE DATE:*

ORDINANCE 6-2021-22

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF REDA HOME BUILDERS FOR ZONE CHANGE ON PROPERTY LOCATED AT THE INTERSECTION OF TWIN RIVERS ROAD AND NOLEN 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-1 Single-Family Residential District, as R-4 Multiple-Family Residential District.

*PUBLIC HEARING:* August 5, 2021  
*FIRST READING:* August 5, 2021  
*SECOND READING:*  
*EFFECTIVE DATE:*

EXHIBIT A

Beginning at an existing capped iron pin located in the south right of way of Nolen Road, said iron pin being 27,4 ft from the centerline of the said Nolen Road, and being approximately 1,288 feet southwest of the intersection of Old Trenton Road, and corner to Campus Crest of Clarksville, LLS (V1358/482), being the point of beginning. Thence leaving Nolen Road with Campus Crest, South 6 degrees 38 minutes 5 seconds West 553.16 feet to an existing iron pin on the bluff in the line of Greenfield (V948/1432) and a corner to Steve Meadows (1/6511760); thence with Meadows, South 81 degrees 48 minutes 40 Seconds West 267.77 feet to an existing iron pin; thence North 16 degrees 28 minutes 46 seconds West 118.41 feet to an existing capped iron pin, corner to Sutton (V1364/2353); thence with Sutton, North 16 degrees 25 minutes 09 seconds West 294.02 feet to an existing iron pin set in concrete, lying 21.4 feet in a southerly direction from the centerline of Nolen Road; thence along the south right of way line of Nolen Road, North 66 degrees 41 minutes 25 seconds East 485,26 feet to the point of beginning, and containing 3.92 +/- acres (Tax Map 055 Parcel 033.00)



ORDINANCE 7-2021-22

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF LYNDIA ANN HOLT CONNER FOR ZONE CHANGE ON PROPERTY LOCATED AT THE INTERSECTION OF WILSON ROAD AND OLD FARMERS 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 C-5 Highway & Arterial Commercial District and R-1 Single-Family Residential District, as R-5 Residential District Residential District.

*PUBLIC HEARING:* August 5, 2021

*FIRST READING:* August 5, 2021

*SECOND READING:*

*EFFECTIVE DATE:*

EXHIBIT A

TRACT I Beginning at a point, said point being the southeastern corner of the Allen Chase subdivision as described in Plat Book I page 127, said point being N 89° 10' E for a distance of 141 feet from the centerline intersection of Coyote Ct. and Wilson Road, said point also being the southwestern corner of the herein described parcel; Thence, along said Allen Chase subdivision, lots 15 thru 29, N 03° 35' 55" E for a distance of 1397.51 feet to a point on a line, said point being the north west corner of the herein described parcel; Thence, along thence along the Bellshire Subdivision Section D, Lot 89 as described in Plat Book K page 6, S 86° 08' 11" E for a distance of 7.78 feet to a point on a line; Thence, leaving said Bellshire subdivision Section D and along Bellshire Subdivision Section E as described in Plat Book K page 9, lots 117 thru 121 and lot 109, S 86° 08' 11" E a distance of 862.95; Thence, along the Cottages at Townsend as described in Plat book J page 392, lots 14 thru 18, S 03° 57' 26" W for a distance of 479.90 feet to a point on a line; Thence, along Townsend Condos as described in ORV 733 page 1075, S 03° 57' 26.0" W for a distance of 826.87 feet to a point on a line; Thence, along Robert Conner property as described in ORV 175 page 282 for the next 2 calls, N 84° 00' 00" W for a distance of 144.60 feet to a point on a line; Thence, S 04° 43' 29" W for a distance of 165.70 feet to a point on a line, said point being the northern right of way of Wilson Road; Thence, along said Wilson Road right of way, N 81° 20' 04" W for a distance of 255.90 feet to a point on a line, said point being the south east corner of the herein described parcel; Thence, leaving said Wilson Road right of way and along Michael Lowe property as described in ORV 463 page 1822 for the next 7 calls, N 06° 02' 00" W for a distance of 322.20 feet to a point on a line; Thence, N 84° 58' 00" E for a distance of 152.00 feet to a point on a line; Thence, N 05° 02' 00" W for a distance of

175.00 feet to a point on a line; Thence, S 84° 58' 00" W for a distance of 200.00 feet to a point on a line; Thence, S 05° 02' 00" E for a distance of 175.00 feet to a point on a line; Thence, N 84° 58' 00" E for a distance of 32.00 feet to a point on a line; Thence, S 05° 49' 34" E for a distance of 317.98 feet to a point on a line, said point being the northern right of way of said Wilson Road; Thence, along said Wilson Road, N 80° 06' 58" W for a distance of 444.93 feet to the point of beginning, said tract containing 1,183,069 Square Feet or 27.16 Acres, more or less.

TRACT II Beginning at a point, said point being the northwestern corner of the Randy Thrash property as described in ORV 1682 page 750, said point being the southern right of way of Wilson Road, said point being S 71° 48' E for a distance of 164 feet from the centerline intersection of Coyote Ct. and Wilson Road, said point also being the northwestern corner of the herein described parcel Thence, along said Wilson Road right of way, S 80° 07' 00" E a distance of 246.01, to a point on the northwestern corner of the Aaron Chamberlain as described in ORV 1874 page 2823; Thence, along said Chamberlain property for the next 2 calls, S 27° 08' 09" W for a distance of 42.24 feet to a point on a line; Thence, S 20° 11' 40" W for a distance of 42.92 feet to a point on a line, said point being the northeastern corner of the Rosie Devault property as described in ORV 510, page 766, said point being the south eastern corner of the herein described parcel; Thence, N 77° 27' 14" W for a distance of 222.63 feet to a point on a line, said point being the eastern property line of said Randy Thrash property; Thence, N 07° 10' 26" E for a distance of 72.30 feet to the point of beginning, said tract containing 18,059 Square Feet or 0.41 Acres, more or less.

ORDINANCE 8-2021-22

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE,  
APPLICATION OF KRUECKEBERG, LLC, FOR ZONE CHANGE ON PROPERTY  
LOCATED AT THE INTERSECTION OF HIGHWAY 76 AND LITTLE HOPE 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-1 Single-Family Residential District, as R-4 Multiple-Family Residential District.

*PUBLIC HEARING:* August 5, 2021

*FIRST READING:* August 5, 2021

*SECOND READING:*

*EFFECTIVE DATE:*

EXHIBIT A

Beginning at a point, said point being 119 +/- feet southeast of the centerline of the intersection of Little Hope Rd. & highway 76 intersection, said point being the northeast corner of the Merlyn Mayes property and the northwest corner of the herein described tract, thence in a southerly direction 221 +/- feet with the eastern boundary of the Mayes property to a point, said point being in the northern boundary of the Maude C. Powers property, thence in a easterly direction 364 +/- feet with the northern boundary of the Powers property, to a point, said point being in the western boundary of the Linda E. Carter property, thence in a northerly direction 276 +/- feet with the western boundary of the Carter property to a point said point being the northwest corner of the Carter property and located in the southern right of way margin of Highway 76, thence in a westerly direction 423 +/- feet with the southern right of way margin of Highway 76 to the point of beginning. said tract containing 2.23 +/- acres, further identified as Tax Map 63, parcel 63



ORDINANCE 9-2021-22

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF BRET AND PATRICIA LOGAN FOR ZONE CHANGE ON PROPERTY LOCATED AT THE INTERSECTION OF PETERSON LANE AND OLD TRENTON 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 AG Agricultural District, as R-1 Single-Family Residential District.

*PUBLIC HEARING:* August 5, 2021

*FIRST READING:* August 5, 2021

*SECOND READING:*

*EFFECTIVE DATE:*

EXHIBIT A

Tract 1: BEGINNING at a new iron pin in the east margin of Peterson Lane at Michael W. Cannan's (ORBV 481, Page 2263, ROMCT) southeast corner, 228.00 feet, more or less, South of the centerline of Priesly Drive, as measured along said margin of Peterson Lane; thence leaving said margin of said Lane and along Cannan's south boundary as follows: North 01 degrees 57 minutes 14 seconds East 166.86 feet to an old iron pin, North 02 degrees 17 minutes 14 seconds East 258.03 feet to an old iron pin and North 06 degrees 26 minutes 05 seconds East 440.35 feet to an old iron pin at Cannan's northeast corner; thence with a portion of Cannan's north boundary, South 87 degrees 11 minutes 05 seconds West 87.90 feet to an old iron pin at Marvin E. Smith's southeast corner (ORBV 235, Page 294, ROMCT); thence with portions of Smith's boundaries as follows: North 20 degrees 45 minutes 23 seconds West 271.80 feet to an old fence post, North 88 degrees 56 minutes 26 seconds West 224.21 feet to an old iron pin at a fence post and North 13 degrees 20 minutes 31 seconds East 233.06 feet to an old iron pin at Johnnie B. Buhler's (ORBV 453, Page 2013, ROMCT) southwest corner; thence with Buhler's south boundary, South 70 degrees 33 minutes 48 seconds East 354.77 feet to a 42 inch poplar tree; thence continuing with Buhler's boundary, South 73 degrees 23 minutes 45 seconds East 275.88 feet to an old P. K. nail in a tree; thence continuing with Buhler's boundary, South 81 degrees 16 minutes 29 seconds East 28.82 feet to an old iron pin at a metal fence post; thence South 01 degrees 41 minutes 29 seconds West 357.93 feet to a new iron pin at the northwest corner of Carolyn C. Whitford's property (ORBV 409, Page 1774, ROMCT); thence along Whitford's west boundary as follows: South 06 degrees 26 minutes 05 seconds West 374.87 feet to a new iron pin, South 02 degrees 17 minutes 14 seconds West 258.27 feet to a new iron pin and South 01 degrees 57 minutes 14 seconds West 166.86 feet to a new iron pin in the north margin of Peterson Lane; thence with said margin of Peterson Lane, North 87 degrees 08 minutes 37 seconds West 270.00 feet to the point of beginning and containing 9.64 acres, more or less, according to survey dated July 16, 1993, bearing Job No. 93 168, by David N. Young, TRLS #1562, of Young & Associates, 1532 New Ashland City Road, Clarksville, Tennessee 37041-1463. This description was taken from the previous deed of record in ORBV 511, Page 1264, ROMCT.

Tract 2: Beginning at an old fence post, said fence post being the most southwesterly corner of the tract which is being conveyed herein, and said old fence post being located South 88 degrees 57 minutes 29 seconds West 11.78 feet from an old iron pin located in the east margin of a road leading to the APSU farm (as shown in ORBV 624, page 812, ROMCT); thence as measured along the westerly boundary line of the property being conveyed herein and the easterly boundary of the Austin Peay farm property (Deed Book 113, page 592, ROMCT) North 03 degrees 07 minutes 20 seconds East 417.91 feet to an iron pin; thence North 02 degrees 57 minutes 11 seconds East 360.57 feet to an iron pin; thence North 03 degrees 03 minutes 47 seconds East 527.67 feet to a new iron pin; thence South 86 degrees 53 minutes 36 seconds East 324.76 feet to an old iron pin; thence South 11 degrees 01 minutes 41 seconds East 266.26 feet to an old iron pin; thence South 13 degrees 19 minutes 36 seconds West 140.13 feet to an old iron pin; thence South 13 degrees 15 minutes 01 seconds West 49.21 feet to an iron pin; thence South 13 degrees 10 minutes 28 seconds West 302.01 feet to an old iron pin; thence South 13 degrees 20 minutes 31 seconds West 233.06 feet to an old iron pin; thence South 88 degrees 56 minutes 26 seconds East 224.21 feet to an old fence post; thence South 20 degrees 45 minutes 23 seconds East 271.80 feet to an old iron pin; thence South 83 degrees 49 minutes 13 seconds West 412.47 feet to an old iron pin; thence South 84 degrees 24 minutes 38 seconds West 178.04 feet to an old iron pin; thence South 88 degrees 57 minutes 29 seconds West 11.78 feet to the point of beginning, containing 11.11 acres, more or less, all according to survey of David N. Young, TRLS #1562, dated March 21, 2000.

ORDINANCE 10-2021-22

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE,  
APPLICATION OF SDRA HOLDINGS, LLC, ALLEN MOSER, MANAGER-AGENT, FOR  
ZONE CHANGE ON PROPERTY LOCATED AT THE INTERSECTION OF FRANKLIN  
STREET AND HORNBERGER 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-3 Three Family Residential District, as C-2 General Commercial District.

*PUBLIC HEARING:* August 5, 2021

*FIRST READING:* August 5, 2021

*SECOND READING:*

*EFFECTIVE DATE:*

EXHIBIT A

Beginning at an old iron pin located in the southerly right of way margin of Franklin Street, said iron pin being located North 71 degrees 59 minutes 13 seconds East 118.55 feet from the centerline intersection of the railroad tracks and Franklin Street, thence as measured along said right-of-margin of Franklin Street North 61 degrees 17 minutes 14 seconds East 139.86 feet to an old iron pin; thence leaving the said right-of-way margin of Franklin Street and running along the common boundary line of the Kip Chaa Gilkey, South 14 degrees 05 minutes 12 seconds East 342.22 feet to pipe, thence running with the common boundary with Andrew Harland, then Kenneth McDaniel, north 82 degrees 06 minutes 21 seconds West 103.57 feet to an old iron pin, thence running with the common boundary of Kenneth McDaniel, then Rosie M. Camey, North 82 degrees 26 minutes 20 seconds West 43.08 feet to an old iron pin, thence running with the common boundary of the Rosie M. Carney, then Joonho Lim, North 13 degrees 54 minutes 52 seconds West 252.24 feet to the point of beginning and containing 0.97 +/- further identified as (Tax Map 66-D-D, Parcel 4.00)



ORDINANCE 11-2021-22

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF THOMAS NEAL BATEMAN FOR ZONE CHANGE ON PROPERTY LOCATED AT THE INTERSECTION OF WILMA RUDOLPH BOULEVARD AND OLD TRENTON 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 M-2 General Industrial District, as C-5 Highway & Arterial Commercial District.

*PUBLIC HEARING:* August 5, 2021

*FIRST READING:* August 5, 2021

*SECOND READING:*

*EFFECTIVE DATE:*

EXHIBIT A

Beginning at an iron pin in the southeastern right of way margin of Wilma Rudolph Blvd., said iron pin being 60.00 feet southwest of a concrete monument, as measure along said margin of Wilma Rudolph Blvd., which monument marks the northeast corner of the Leo Smith property; thence leaving said margin, North 67 degrees 15 minutes 58 seconds West 143.53 feet to an iron pin; thence North 38 degrees 45 minutes 58 seconds East 151.80 feet to an iron pin; thence South 48 degrees 15 minutes 40 seconds East 161.29 feet to an iron pin in the southeastern right of way margin of Wilma Rudolph Blvd., thence along said margin, North 51 degrees 19 minutes 49 seconds East 106.34 feet to the point of beginning, containing 0.43 +/- acre.

ORDINANCE 13-2021-22

AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT AND GRANT A TRANSMISSION LINE STRUCTURE EASEMENT, GUY RIGHTS EASEMENT AND ACCESS ROAD EASEMENT ON PROPERTY ADJACENT TO LITTLE HOPE ROAD AND ARROW LANE TO THE TENNESSEE VALLEY AUTHORITY

*WHEREAS,* the City of Clarksville, finds that construction and improvements to power transmission lines are vital to the enhanced quality of life for City residents; and

*WHEREAS,* the Clarksville City Council finds it to be in the public interest to cooperate with the Tennessee Valley Authority (hereinafter, "TVA") in its construction and improvement of power transmission lines; and

*WHEREAS,* the City of Clarksville, by deed of record in Official Record Book Volume 1542, Page 1817, Register's Office for Montgomery County, Tennessee owns certain real property located adjacent to Little Hope Road and Arrow Lane, being Map & Parcel Number 63-12.00, and

*WHEREAS,* the Tennessee Valley Authority by deed of record in Official Record Book Volume 1779, Page 1091, Register's Office for Montgomery County, Tennessee has a transmission line easement on the above described property which was previously granted to it by the City of Clarksville as depicted in Exhibit A attached hereto; and

*WHEREAS,* the Tennessee Valley Authority requires certain additional transmission line easements and a right of way on the above described property to access, improve, repair, rebuild and operate its transmission lines, structures and guy wires, said easements being described in collective Exhibit B, attached hereto;

*WHEREAS,* the City of Clarksville has agreed to sell the required easements and right of way to TVA for the total sum of Three Thousand One Hundred and 00/100 Dollars (\$3,100.00), and other good and valuable consideration;

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

That the Clarksville City Council hereby authorizes the sale of the Transmission Line Easements and right of way access as shown in Exhibit B to the Tennessee Valley Authority for the total sum of Three Thousand One Hundred and 00/100 Dollars (\$3,100.00) and, further, that any and all necessary forms required to effectuate said sale and transfer be executed by the Mayor after approval of the City Attorney.

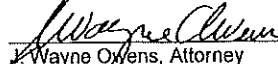
*FIRST READING:* August 5, 2021

*SECOND READING:*

*EFFECTIVE DATE:*

Connie E. Gannett, Register  
Montgomery County Tennessee  
Rec #: 395253 Instrument #: 1145006  
Rec'd: 20.00 Recorded  
State: 0.00 11/28/2017 at 12:01 PM  
Clerk: 0.00 in Volume  
Other: 2.00 1779  
Total: 22.00 Pgs 1091-1094

Prepared by and return to:

  
Wayne Owens, Attorney  
Tennessee Valley Authority  
1101 Market Street, BR 4B  
Chattanooga, Tennessee 37402-2801  
1-888-817-5201

TVA Tract Nos. SPTM-26 and 34

### GRANT OF TRANSMISSION LINE EASEMENT

FOR AND IN CONSIDERATION of the sum of SIXTY-SIX THOUSAND TWO HUNDRED TWENTY-FIVE AND NO/100 DOLLARS (\$66,225.00), cash in hand paid, receipt whereof is hereby acknowledged, the undersigned,

CITY OF CLARKSVILLE, a Tennessee Municipal Corporation,

(hereinafter sometimes referred to as "GRANTOR") has this day bargained and sold, and by these presents does hereby grant, bargain, sell, transfer, and convey unto the UNITED STATES OF AMERICA a permanent easement and right-of-way for the following purposes, namely: the perpetual right to enter at any time and from time to time and to erect, maintain, repair, rebuild, operate, and patrol lines of transmission line structures with wires and cables for electric power circuits and communication circuits, and all necessary appurtenances, in, on, over, and across said right-of-way, together with the right to clear said right-of-way and keep the same clear of brush, trees, buildings, signboards, billboards, and fire hazards; to destroy or otherwise dispose of such trees and brush; and to remove, destroy, or otherwise dispose of any trees located beyond the limits of said right-of-way which in falling could come within five (5) feet of any transmission line structure or conductor; all over, upon, across, and under the land described in Exhibit A hereto attached and by this reference hereby incorporated in and made a part of this instrument as fully as if here written.

The previous and last conveyances of this property are deeds of record in Official Record Volume 1542, page 1817, and Deed Book 70, page 259, in the office of the Register of Montgomery County, Tennessee.

Subject to existing easement rights owned by the United States of America.

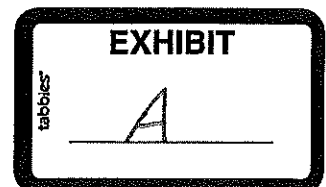
TO HAVE AND TO HOLD the said easement and right-of-way to the UNITED STATES OF AMERICA and its assigns forever.

GRANTOR covenants with the said UNITED STATES OF AMERICA that it is lawfully seized and possessed of said real estate, has a good and lawful right to convey the easement rights hereinabove described, that said property is free of all encumbrances, and that it will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

GRANTOR agrees that the payment of the purchase price above stated is accepted by it as full compensation for all damage caused by the exercise of any of the rights above described; except that the UNITED STATES OF AMERICA shall remain liable for any damage to annual growing crops and any direct physical damage caused to the property of the undersigned by its construction forces or by the construction forces of its agents and employees in the erection and maintenance of or in exercising a right of ingress and egress to said lines.

GRANTOR, for itself, and its successors and assigns, covenants with the UNITED STATES OF AMERICA that no buildings, signboards, billboards, or fire hazards will be erected or maintained within the limits of the right-of-way, and agrees that this shall be a real covenant which shall attach to and run

TVA 1501C\_TN [7-2015]





with the land affected by the easement rights and shall be binding upon everyone who may hereafter come into ownership of said land, whether by purchase, devise, descent, or succession.

IN WITNESS WHEREOF, GRANTOR has caused this instrument to be executed on this 21<sup>st</sup> day of November, 2017.

ATTEST:

By: [Signature] Title: City Clerk

By: [Signature] Title: Kim McMillan, Mayor



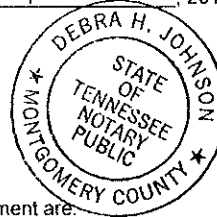
STATE OF TENNESSEE )  
 ) SS  
COUNTY OF MONTGOMERY )

Before me appeared Kim McMillan, to me personally known, who, being by me duly sworn, did say that she is the Mayor of the CITY OF CLARKSVILLE, a Tennessee Municipal Corporation, and that said instrument was signed and delivered on behalf of said Municipal Corporation, and that she, as such official, acknowledged said instrument to be the free act and deed of said Municipal Corporation, on the day and year therein mentioned.

WITNESS my hand and official seal this 21<sup>st</sup> day of November, 2017.

[Signature]  
NOTARY PUBLIC

My Commission Expires: 10-14-19



The name and address of the owner of the aforescribed easement are:

EASEMENT OWNER: United States of America [Tax Exempt  
Tennessee Valley Authority TCA §67-5-203(a)(1)]  
1101 Market Street, BR 4B  
Chattanooga, Tennessee 37402-2801

The name(s) and address of the legal owner(s) are:

OWNER(S): City of Clarksville (See O.R.V. 1542, page 1817  
One Public Square, 4<sup>th</sup> Floor and D.B. 70, page 259)  
Clarksville, Tennessee 37040

Tax Map	Group	Parcel
063		012.00 000
066E	E	002.00 000

EXHIBIT A

MONTGOMERY-CLARKSVILLE NO. 3  
161-kV TRANSMISSION LINE

City of Clarksville, Tennessee

A permanent easement for an access road on, over, and across a strip of land located in the Fifth Civil District of Montgomery County, Tennessee, as shown on Sheet 3 of US-TVA Drawing LW-9028, Revision 1, the said strip being 30 feet wide, lying 15 feet on each side of the centerline of the access road location, the centerline of the location and the end boundaries of the strip being more particularly described as follows:

Beginning at a point in the centerline of the transmission line location at survey station 254+79.00 as shown on said LW-9028; thence in a south and then southwest direction along the centerline of said access road, 375.5 feet to a point on the right-of-way of Little Hope Road and being 251.27 feet right of the centerline of the location at survey station 255+95.83.

Said access easement having an overall length of 375.5 feet, and containing 0.26 acres more or less.

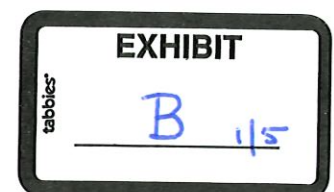
This description prepared from a survey by:

Barry A. Savage, RLS

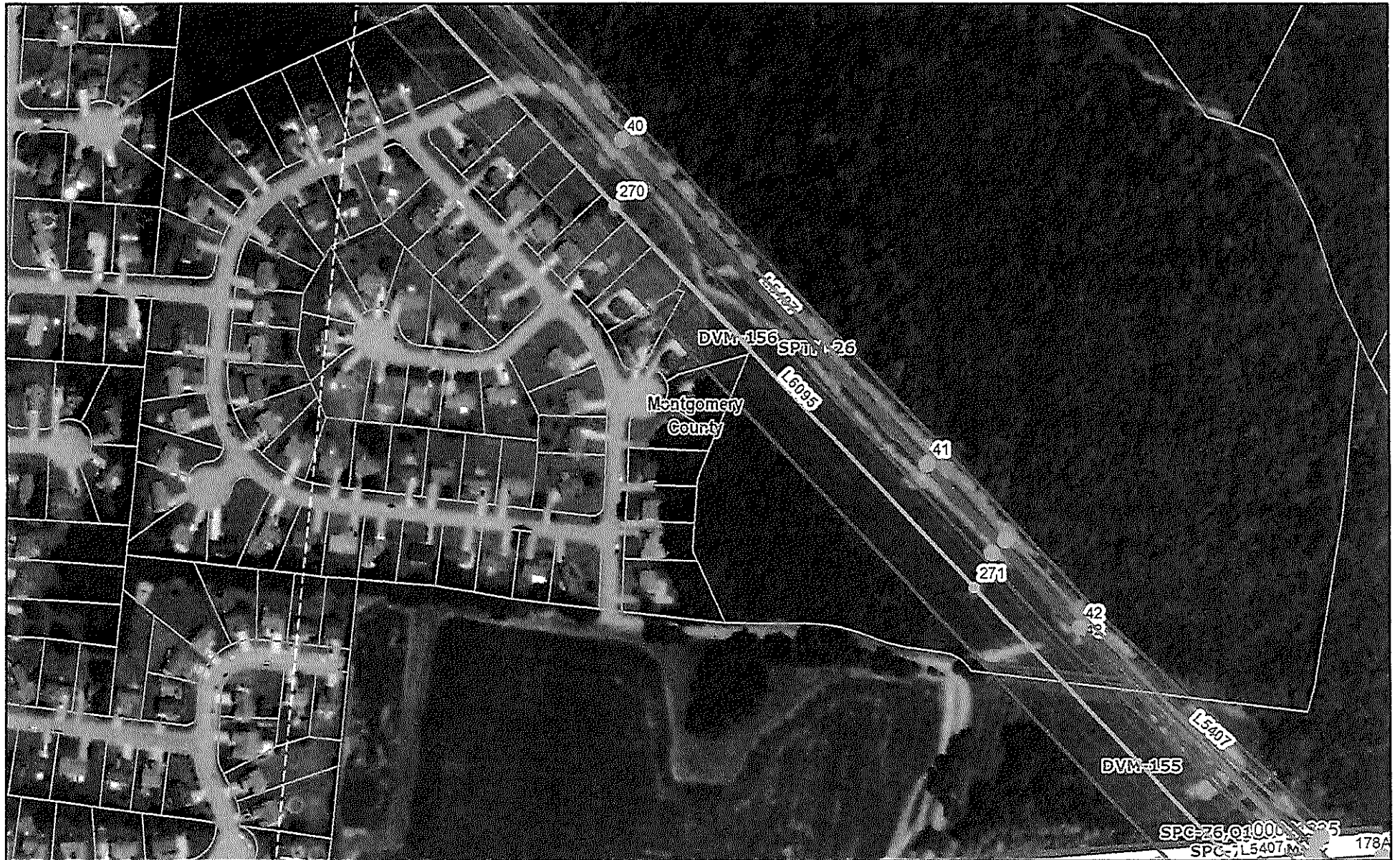
Tennessee Valley Authority

1101 Market Street, MR-4B

Chattanooga, Tennessee 37402-2801



# EGIS Web Map



March 4, 2021

- GCT Pipeline Points
- Tax Parcels



Property Hazard Structures

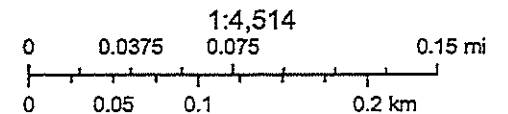


Property Hazard Segments

States

Counties

- Siting Preliminary Structures
- Siting Preliminary Work Lines
- Proposed Centerline



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



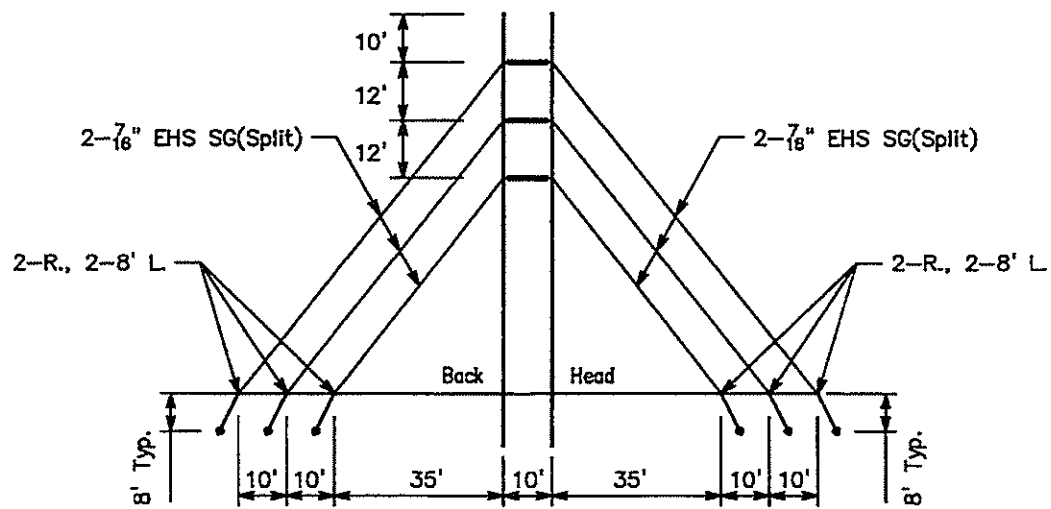
264+78.26 PI  
469.23

260

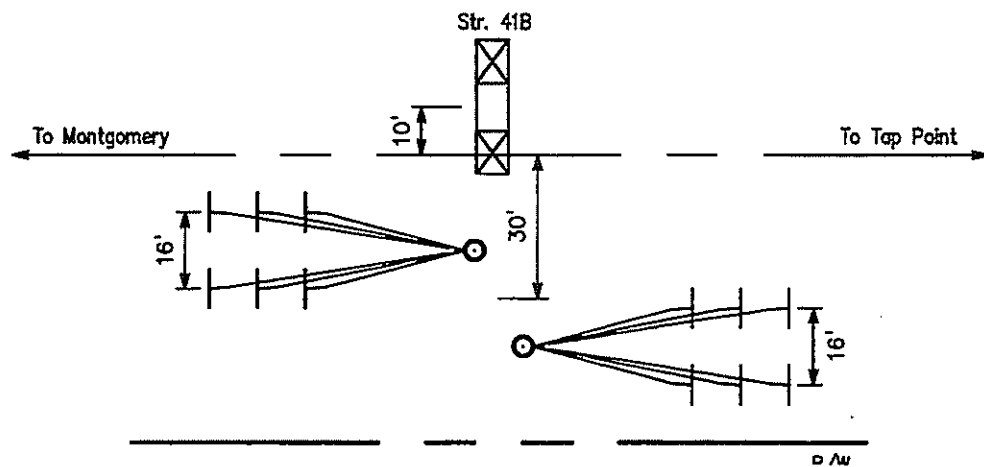
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**STANDARD**  
For DHS--

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R/W



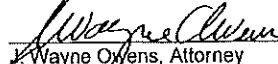
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B 5/5



Connie E. Gannett, Register  
Montgomery County Tennessee  
Rec #: 395253 Instrument #: 1145006  
Rec'd: 20.00 Recorded  
State: 0.00 11/28/2017 at 12:01 PM  
Clerk: 0.00 in Volume  
Other: 2.00 1779  
Total: 22.00 Pgs 1091-1094

Prepared by and return to:

  
Wayne Owens, Attorney  
Tennessee Valley Authority  
1101 Market Street, BR 4B  
Chattanooga, Tennessee 37402-2801  
1-888-817-5201

TVA Tract Nos. SPTM-26 and 34

### GRANT OF TRANSMISSION LINE EASEMENT

FOR AND IN CONSIDERATION of the sum of SIXTY-SIX THOUSAND TWO HUNDRED TWENTY-FIVE AND NO/100 DOLLARS (\$66,225.00), cash in hand paid, receipt whereof is hereby acknowledged, the undersigned,

CITY OF CLARKSVILLE, a Tennessee Municipal Corporation,

(hereinafter sometimes referred to as "GRANTOR") has this day bargained and sold, and by these presents does hereby grant, bargain, sell, transfer, and convey unto the UNITED STATES OF AMERICA a permanent easement and right-of-way for the following purposes, namely: the perpetual right to enter at any time and from time to time and to erect, maintain, repair, rebuild, operate, and patrol lines of transmission line structures with wires and cables for electric power circuits and communication circuits, and all necessary appurtenances, in, on, over, and across said right-of-way, together with the right to clear said right-of-way and keep the same clear of brush, trees, buildings, signboards, billboards, and fire hazards; to destroy or otherwise dispose of such trees and brush; and to remove, destroy, or otherwise dispose of any trees located beyond the limits of said right-of-way which in falling could come within five (5) feet of any transmission line structure or conductor; all over, upon, across, and under the land described in Exhibit A hereto attached and by this reference hereby incorporated in and made a part of this instrument as fully as if here written.

The previous and last conveyances of this property are deeds of record in Official Record Volume 1542, page 1817, and Deed Book 70, page 259, in the office of the Register of Montgomery County, Tennessee.

Subject to existing easement rights owned by the United States of America.

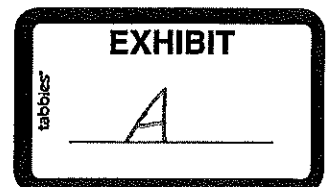
TO HAVE AND TO HOLD the said easement and right-of-way to the UNITED STATES OF AMERICA and its assigns forever.

GRANTOR covenants with the said UNITED STATES OF AMERICA that it is lawfully seized and possessed of said real estate, has a good and lawful right to convey the easement rights hereinabove described, that said property is free of all encumbrances, and that it will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

GRANTOR agrees that the payment of the purchase price above stated is accepted by it as full compensation for all damage caused by the exercise of any of the rights above described; except that the UNITED STATES OF AMERICA shall remain liable for any damage to annual growing crops and any direct physical damage caused to the property of the undersigned by its construction forces or by the construction forces of its agents and employees in the erection and maintenance of or in exercising a right of ingress and egress to said lines.

GRANTOR, for itself, and its successors and assigns, covenants with the UNITED STATES OF AMERICA that no buildings, signboards, billboards, or fire hazards will be erected or maintained within the limits of the right-of-way, and agrees that this shall be a real covenant which shall attach to and run

TVA 1501C\_TN [7-2015]



with the land affected by the easement rights and shall be binding upon everyone who may hereafter come into ownership of said land, whether by purchase, devise, descent, or succession.

IN WITNESS WHEREOF, GRANTOR has caused this instrument to be executed on this 21<sup>st</sup> day of November, 2017.

ATTEST:

By:

Title:

Debra H. Johnson  
City Clerk



CITY OF CLARKSVILLE

By:

Title:

Kim McMillan  
Kim McMillan, Mayor

STATE OF TENNESSEE )

) SS

COUNTY OF MONTGOMERY )

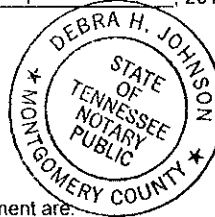
Before me appeared Kim McMillan, to me personally known, who, being by me duly sworn, did say that she is the Mayor of the CITY OF CLARKSVILLE, a Tennessee Municipal Corporation, and that said instrument was signed and delivered on behalf of said Municipal Corporation, and that she, as such official, acknowledged said instrument to be the free act and deed of said Municipal Corporation, on the day and year therein mentioned.

WITNESS my hand and official seal this 21<sup>st</sup> day of November, 2017.

Debra H. Johnson  
NOTARY PUBLIC

My Commission Expires:

10-14-19



The name and address of the owner of the aforescribed easement are:

EASEMENT OWNER: United States of America  
Tennessee Valley Authority  
1101 Market Street, BR 4B  
Chattanooga, Tennessee 37402-2801

[Tax Exempt  
TCA §67-5-203(a)(1)]

The name(s) and address of the legal owner(s) are:

OWNER(S): City of Clarksville  
One Public Square, 4<sup>th</sup> Floor  
Clarksville, Tennessee 37040

(See O.R.V. 1542, page 1817  
and D.B. 70, page 259)

Tax Map	Group	Parcel
063		012.00 000
066E	E	002.00 000

EXHIBIT A

MONTGOMERY-CLARKSVILLE NO. 3  
161-kV TRANSMISSION LINE

City of Clarksville, Tennessee

A permanent easement for an access road on, over, and across a strip of land located in the Fifth Civil District of Montgomery County, Tennessee, as shown on Sheet 3 of US-TVA Drawing LW-9028, Revision 1, the said strip being 30 feet wide, lying 15 feet on each side of the centerline of the access road location, the centerline of the location and the end boundaries of the strip being more particularly described as follows:

Beginning at a point in the centerline of the transmission line location at survey station 254+79.00 as shown on said LW-9028; thence in a south and then southwest direction along the centerline of said access road, 375.5 feet to a point on the right-of-way of Little Hope Road and being 251.27 feet right of the centerline of the location at survey station 255+95.83.

Said access easement having an overall length of 375.5 feet, and containing 0.26 acres more or less.

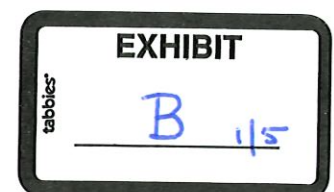
This description prepared from a survey by:

Barry A. Savage, RLS

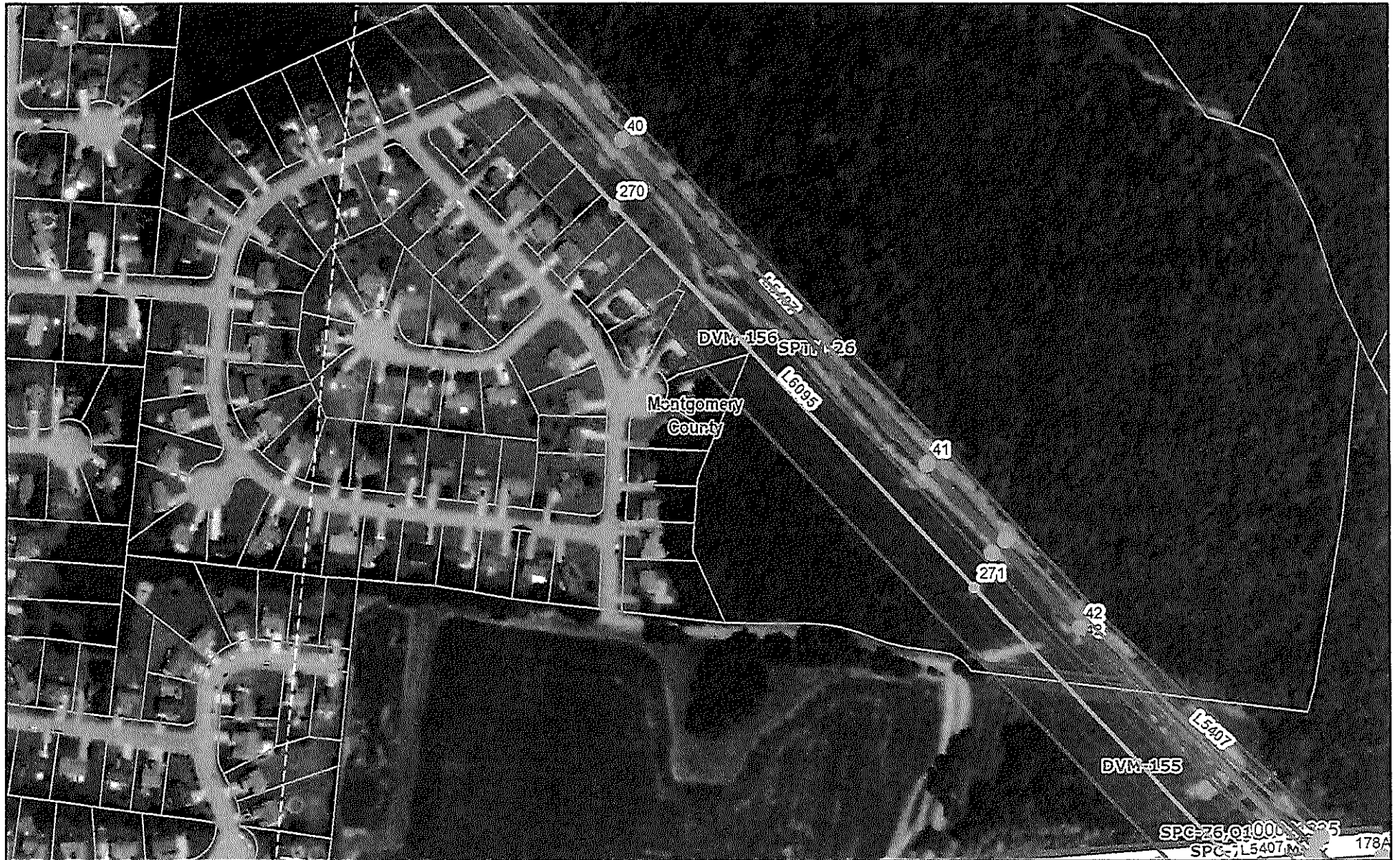
Tennessee Valley Authority

1101 Market Street, MR-4B

Chattanooga, Tennessee 37402-2801



# EGIS Web Map



March 4, 2021

- GCT Pipeline Points
- Tax Parcels



Property Hazard Structures

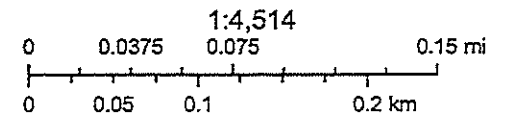


Property Hazard Segments

States

Counties

- Siting Preliminary Structures
- Siting Preliminary Work Lines
- Proposed Centerline



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



227+09.62  
469.63

230+27.71  
470.37

233+16.49  
502.87  
234+40.50  
502.70  
235+69.85  
484.66

238+52.75  
453.20

240+75.23  
471.85

242+87.01  
477.34

244+46.01  
474.11

246+21.26  
463.30

248+57.52  
474.14

250+58.65  
502.77

253+37.96  
526.46  
254+53.72  
534.80

256+43.68  
533.92  
257+30.52 PI  
526.26  
258+73.24  
507.66

261+56.49  
446.09

Ephemeral  
263+11.5

264+78.26 PI  
469.23

230

240

250

260

# MONTGOMERY COUNTY, TENN. FIFTH CIVIL DISTRICT

Se  
CLAF

## AND DETAILS:

or Guying Inserts  
s of Structures.

CITY OF CLARKSVILLE

SPTM-26A-GR  
Guy Rights Only

CITY OF CLARKSVILLE

SPTM-26A-AS.1  
Additional Structure Rights

CITY OF CLARKSVILLE, TENNESSEE

SPTM-26

6.47 Ac. ± (New)  
4.21 Ac. ± (Existing)  
10.68 Ac. ± (Total)  
(Including Guy Rights)

MONTGOMERY-CLARKSVILLE NO.3

MONTGOMERY-STR. 43A(FUTURE)

257+30.52 PI

$\Delta=3^{\circ}25'56''$  Lt.

N=803851.93

E=1613611.15

JAMES D. SLATE

SPTM-27

1.48 Ac. ± (New)

2.52 Ac. ± (Existing)

4.00 Ac. ± (Total)

(Including Guy Rights)

Begin 30' Access Rd.

N86°35'37"E-63.88'

From 264+78.26

262+43 & Ditch

N86°35'36"E

266+

260

260

260

260

260

260

260

260

260

260

260

260

260

260

260

CITY OF CLARKSVILLE

SPTM-26A-AR

0.26 Ac. ±  
30' Access Rd.

End 30' Access Rd. 251.27 Rt.  
255+95.83

+24.78=R

S82°29'25"E-609.18'

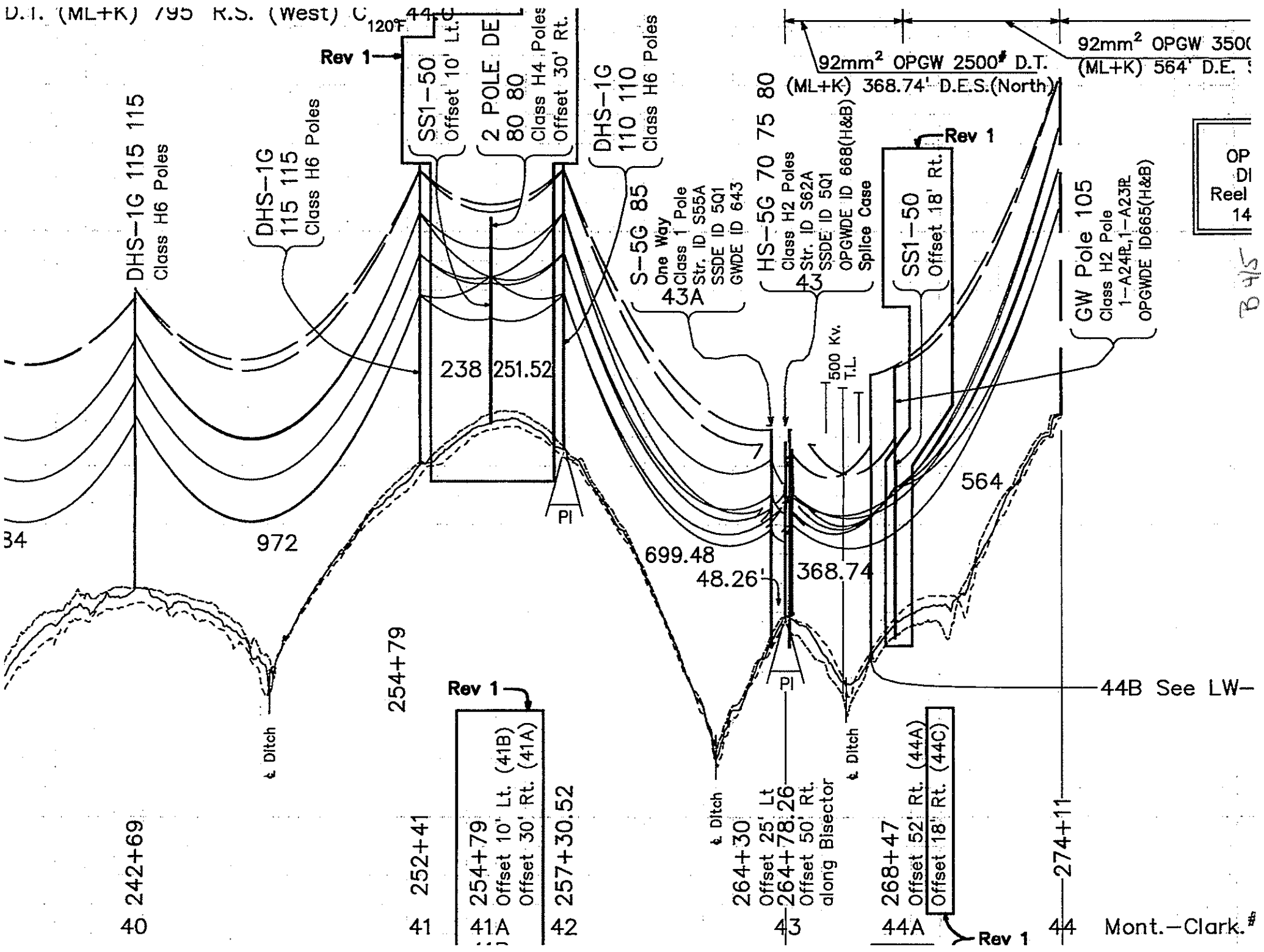
Ephemeral  
R/W  
N86°35'36"E-592.92'

R/W  
4°23'W-130.00'

1010.47' Along &  
S86°35'36"W-736.8'

271+78.64 End  
30' Access Rd.

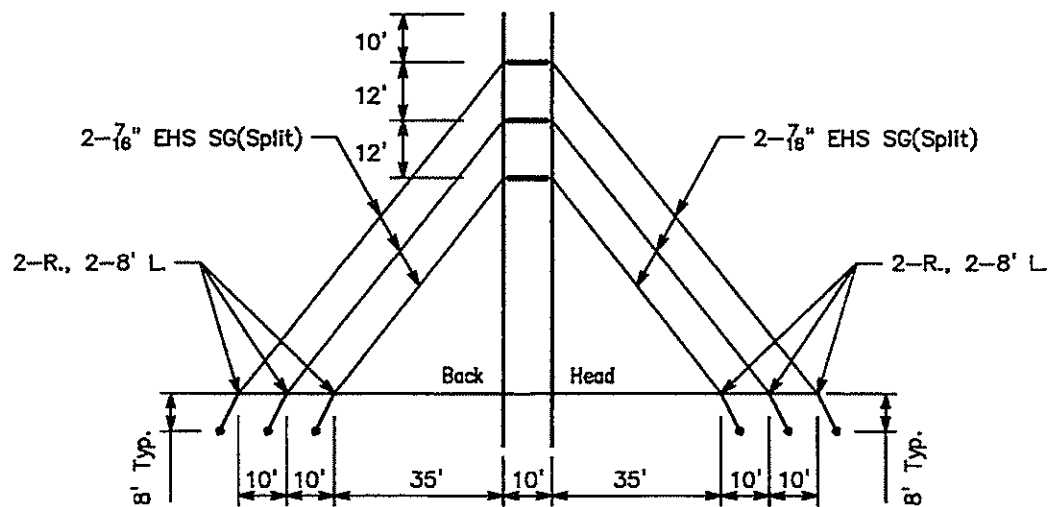
STANDARD  
For DHS-



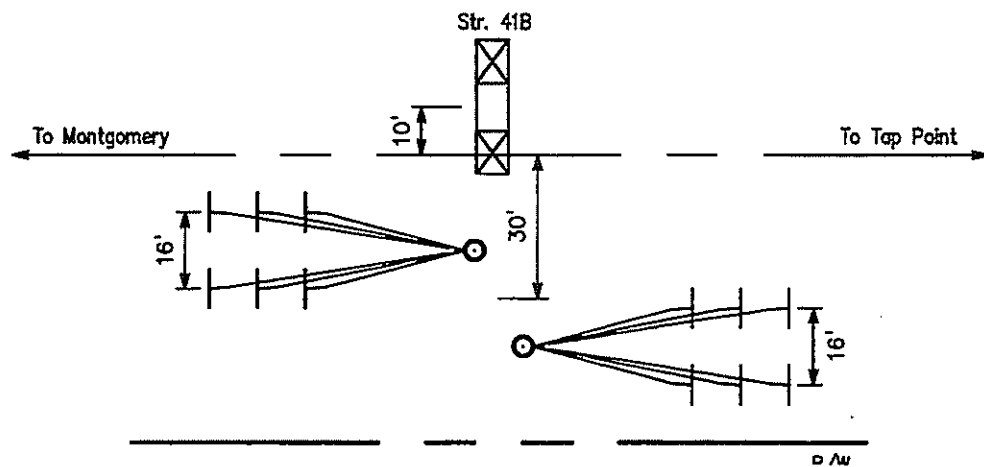
40	242+69
41	252+41
41A	254+79 Offset 10' Lt. (41B) Offset 30' Rt. (41A)
42	257+30.52

OP  
DI  
Reel  
14

B4/S



R/W



R/W

B 5/5

RESOLUTION 11-2021-22

A RESOLUTION APPROVING A CERTIFICATE OF COMPLIANCE FOR SALE OF WINE  
AT HANYANG ORIENTAL MARKET

*WHEREAS,* Yong Nan Pak has applied for a Certificate of Compliance from the City of Clarksville according to regulations of the Tennessee Alcoholic Beverage Commission, for sale of wine at Hanyang Oriental Market, located at 100 Tiny Town Rd., Clarksville TN 37042; and

*WHEREAS,* the Clarksville Police Department has conducted a review of local criminal history and found the applicant(s) who are to be in actual charge of the business have not been convicted of a felony within a ten-year period immediately preceding the date of application and, if a corporation, that the executive officers or those in control have not been convicted of a felony within a ten-year period immediately preceding the date of the application; and

*WHEREAS,* according to the Clarksville Building & Codes Department, the applicant(s) have secured a location for the business which complies with all zoning laws adopted by the local jurisdiction as to the location of the business.

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

That the Clarksville City Council hereby approves a Certificate of Compliance for Yong Nan Pak for sale of wine at Hanyang Oriental Market, 100 Tiny Town Rd., Clarksville, Tennessee.

*ADOPTED*



RESOLUTION 12-2021-22

A RESOLUTION APPROVING BOARD APPOINTMENTS FOR ECONOMIC DEVELOPMENT COUNCIL, PARKING 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 follow board appointments:

*Economic Development Council: Wallace Redd - July 2021 through June 2023*

*Parking Commission: Andy Kean, David Shelton - August 2021 - September 2023*

*Tree Board: Linda Friend - August 2021 - June 2024, Levi Main - August 2021- June 2024*

*ADOPTED:*



**CLARKSVILLE CITY COUNCIL  
REGULAR SESSION  
AUGUST 5, 2021**

**MINUTES**

**PUBLIC COMMENTS**

Prior to the meeting, JoAnn McIntosh urged support for implementation of electric vehicles into the city fleet. Matthew Romack questioned the City Council's actions on the recent budget with specific reference to approving a tax increase to fund a transportation plan. Shedrich Webster had requested to speak but was not present.

**CALL TO ORDER**

The regular session of the Clarksville City Council was called to order by Mayor Joe Pitts on Thursday, August 5, 2021, at 6:00 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

Councilperson DaJuan Little led the Lord's Prayer; the Pledge of Allegiance was led by Councilperson Karen Reynolds.

**ATTENDANCE**

**PRESENT:** Vondell Richmond (Ward 2), DaJuan Little (Ward 3), Wallace Redd (Ward 4), Wanda Smith (Ward 6), Travis Holleman (Ward 7), Wanda Allen (Ward 8), Karen Reynolds (Ward 9), Stacey Streetman (Ward 10), Ashlee Evans (Ward 11), Trisha Butler (12)

**NOTE:** Richard Garrett (Ward 1), resigned July 22, 2021; Jason Knight (Ward 5) resigned July 27, 2021

**SPECIAL PRESENTATIONS**

Mayor Pitts declared August 8, 2021 as Emancipation Day and presented the proclamation to Councilperson Wanda Smith.

## PLANNING COMMISSION: PUBLIC HEARING

Councilperson Streetman made a motion to conduct a public hearing regarding zoning amendments and requests for zone change. The motion was seconded by Councilperson Richmond. There was no objection.

**ORDINANCE 4-2021-22** (First Reading) Amending the Zoning Ordinance pertaining to Historic and Design Overlay Districts

No one spoke for or against this request.

**ORDINANCE 6-2021-22** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Reda Home Builders, Inc. for Zone Change on property located at the intersection of Twin Rivers Rd. and Nolen Rd. from R-1 Single Family Residential District to R-4 Multiple Family Residential District

Rick Reda shared a brief history of the rezoning efforts for this property and also for surrounding properties and questioned concerns related to traffic congestion.

Kathryn McAtee expressed concern about heavy traffic on Trenton Road and said clearing the land disturbs wildlife habitats and inhibits tree survival.

In rebuttal, Mr. Reda said he could consider placing mobile homes on the property as it was currently zoned. Ms. McAtee said she opposed additional traffic that could be generated from an apartment development.

**ORDINANCE 7-2021-22** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Lynda Ann Holt Conner, Stanley Ross, Harvill Ross, PLLC - Agent, for Zone Change on property located at the intersection of Wilson Rd. and Old Farmers Rd. from C-5 Highway & Arterial Commercial District and R-1 Single Family Residential District to R-5 Residential District

Stanley Ross said there was no previous opposition to this change and offered to answer questions on behalf of the applicant.

No one expressed opposition to this request.

**ORDINANCE 8-2021-22** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Krueckeberg, LLC, Stanley Ross, Harville Ross, PLLC - Agent, for Zone Change on property located at the intersection of Highway 76 & Little Hope Rd. from R-1 Single Family Residential District to R-4 Multiple Family Residential District

Stanley Ross said the Regional Planning Staff and Commission voted for approval of this change and there was no public opposition.

No one expressed opposition to this request.

**ORDINANCE 9-2021-22** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Bret and Patricia Logan, Tiffany McKeethen - Agent, for Zone Change on property located at the intersection of Peterson Ln. & Old Trenton Rd. from AG Agricultural District to R-1 Single Family Residential District.

Tiffany McKeethan said the cluster option would provide a buffer between this property and the Austin Peay State University property and the drainage issues would be addressed.

Tom Hutchins, APSU Physical Plant, expressed concern regarding drainage problems and said there were existing issues with trespassing.

Joyce Thomas, adjacent property owner, asked for consideration of a buffer between the properties and said some drainage problems already exist.

In rebuttal, Ms. McKeethan said the drainage plan was being evaluated and stated 40 units could be built in the development.

**ORDINANCE 10-2021-22** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of SDRA Holdings, LLC, Allen Moser - Agent, for Zone Change on property located at the intersection of Franklin St. & Hornberger Ln. from R-3 Three Family Residential District to C-2 General Commercial District

No one expressed support for or opposition to this request.

**ORDINANCE 11-2021-22** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Thomas Neal Bateman for Zone Change on property located at the intersection of Wilma Rudolph Blvd. & Old Trenton Rd. from M-2 General Industrial District to C-5 Highway & Arterial Commercial District

Neal Bateman offered to answer questions. No one expressed opposition to this request.

**ORDINANCE 12-2021-22** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Ben Kimbrough-Ringgold Mill Properties, LLC, Bert Singletary - Agent, for Zone Change on the property located at the intersection of Ft. Campbell Blvd. & Millswood Dr. from C-5 Highway & Arterial Commercial District and R-2 Single Family Residential District to R-4 Multiple Family Residential District.

Bert Singletary offered to answer questions. He said an alternate ingress/egress was possible. Cal McKay said drainage issues were being addressed. He said R-4 was more suitable for the property and there were no objections from the commercial property owners. Mr. McKay said sidewalks would be addressed during the process noting between 140 and 160 apartments could be constructed.

Dr. Jean Murphy requested the 25' tree buffer remain and wanted the developer to assure residents the natural drainage would not be blocked. April Odom expressed concern about increased traffic and said there were no existing sidewalks.

In rebuttal, Mr. McKay said the drainage system should be improved with the new development and noted a clear zone would not allow any structures to be built within 200' of the existing cellular tower. He said two potential access points could be considered. Dr. Murphy said Timberline Way would not be opened by the Street Department because of drainage.



Councilperson Richmond made a motion to revert to regular session. The motion was seconded by Councilperson Redd. There was no objection.

## ADOPTION OF ZONING

The recommendation of the Regional Planning Staff and Commission were for approval of **ORDINANCE 4-2021-21**. Councilperson Streetman made a motion to adopt this ordinance on first reading. The motion was seconded by Councilperson Holleman. Councilperson Reynolds made a motion to postpone action on this ordinance to the September 2, 2021 regular session. The motion was seconded by Councilperson Smith. Councilperson Reynolds felt more time to evaluate these changes should be allowed since applicants can no longer appeal to the City Council. City Attorney Lance Baker said amendments to the Zoning Code must be voted on within 100 days of the application or the ordinance would fail. Regional Planning Commission Director Jeff Tyndall said the State of Tennessee had imposed a deadline of September 1, 2021, for local governments to adopt their complete code relative to historic districts. The following vote was recorded:

AYE: Butler, Smith

NAY: Allen, Evans, Holleman, Little, Pitts, Redd, Reynolds, Richmond, Streetman

The motion to postpone failed. The following vote on the main motion was recorded:

AYE: Allen, Evans, Holleman, Little, Pitts, Redd, Reynolds, Richmond, Streetman

\_\_\_\_\_NAY: Butler, Smith

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 6-2021-22**. Councilperson Streetman made a motion to adopt this ordinance on first reading. The motion was seconded by Councilperson Richmond. Councilperson Reynolds said the City was not sufficiently maintaining its infrastructure causing traffic issues and said the City lacks greenspace and sidewalks to bus stops. Councilperson Allen and Councilperson Butler agreed the developer wants to provide affordable housing, but existing issues should not deny future development. The following vote was recorded:

AYE: Allen, Butler, Evans, Holleman, Little, Richmond, Smith

NAY: Pitts, Redd, Reynolds, Streetman

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff were for approval of **ORDINANCE 7-2021-22**. Councilperson Streetman made a motion to adopt this ordinance on first reading. The motion was seconded by Councilperson Evans. The following vote was recorded:

AYE: Allen, Butler, Evans, Holleman, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff were for approval of **ORDINANCE 8-2021-22**. Councilperson Streetman made a motion to adopt this ordinance on first reading. The motion was seconded by Councilperson Evans. The following vote was recorded:

AYE: Allen, Butler, Evans, Holleman, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 9-2021-22**. Councilperson Streetman made a motion to adopt this ordinance on first reading. The motion was seconded by Councilperson Little. Councilperson Reynolds said another property owner was concerned about the existing water pressure. The following vote was recorded:

AYE: Allen, Butler, Evans, Holleman, Little, Redd, Reynolds, Streetman

NAY: Pitts, Richmond, Smith

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 10-2021-22**. Councilperson Streetman made a motion to adopt this ordinance on first reading. The motion was seconded by Councilperson Holleman. The following vote was recorded:

AYE: Allen, Butler, Evans, Holleman, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 11-2021-22**. Councilperson Streetman made a motion to adopt this ordinance on first reading. The motion was seconded by Councilperson Evans. The following vote was recorded:

AYE: Allen, Butler, Evans, Holleman, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 12-2021-22**. Councilperson Streetman made a motion to adopt this ordinance on first reading. The motion was seconded by Councilperson Holleman. Councilperson Allen made a motion to postpone action on this ordinance to the October

7, 2021 regular session so that Ward 5 will be represented. The motion was seconded by Councilperson Little. The following vote was recorded:

AYE: Allen, Butler, Evans, Holleman, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

The motion to postpone action on this ordinance to the October regular session passed.

#### 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 1-2021-22** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Rick Reda for zone change on property located at the intersection of Evans Rd. and Shaw Dr. from RM-1 Single-Family Mobile Home Residential District to R-4 Multiple-Family Residential District
2. **ORDINANCE 2-2021-22** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of City of Clarksville, Joe Pitts, Mayor - Agent, for zone change on property located at the intersection of Union St. and South 3rd St. from CBD Central Business District to R-4 Multiple-Family Residential District
3. **RESOLUTION 7-2021-22** Approving a Certificate of Compliance for sale of wine at Silver Dollar, Inc., 2700 Trenton Road *CPD: No Criminal History*
4. **RESOLUTION 9-2021-22** Approving appointments to Arts & Heritage Development Council, Adult Oriented Establishment Board, and Tree Board
  - *Adult-Oriented Establishment Board: Chonoliah Teasley, Geno Grubbs - January 2021 through December 2024*
  - *Arts & Heritage Development Council: Yvonne Kendall - August 2021 through June 2024*
  - *Tree Board: Karla Kean, Sheela Clark - June 2021 through June 2024*
5. Adoption of Minutes: June 28, June 29, June 30, July 1

Councilperson Little made a motion to adopt the Consent Agenda as presented. The motion was seconded by Councilperson Richmond. The following vote was recorded:

AYE: Allen, Butler, Evans, Holleman, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

The motion to adopt the Consent Agenda as presented passed.

**RESOLUTION 5-2021-22** Authorizing a Memorandum of Understanding with Mt. Olive Cemetery Historical Preservation Society and accepting donation of the United States Colored Troops Monument

The recommendations of the Parks & Recreation Committee and Finance Committee were for approval. Councilperson Streetman made a motion to adopt this resolution. The motion was seconded by Councilperson Little. The following vote was recorded:

AYE: Allen, Butler, Evans, Holleman, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

The motion to adopt this resolution passed.

**RESOLUTION 6-2021-22** Authorizing a Memorandum of Understanding with Combat Veterans Motorcycle Association pertaining to a memorial wall at Patriots Park

The recommendations of the Parks & Recreation Committee and Finance Committee were for approval. Councilperson Streetman made a motion to adopt this resolution. The motion was seconded by Councilperson Redd. Several members expressed appreciation to the Combat Veterans Motorcycle Association for their efforts.. The following vote was recorded:

AYE: Allen, Butler, Evans, Holleman, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

The motion to adopt this resolution passed.

The City Council recessed at 7:47 p.m. and reconvened at 7:56 p.m.

**ORDINANCE 109-2020-21** (First Reading) Amending the Official Code relative to Short Term Rentals (individual owner exemption)

The recommendation of the Finance Committee was for approval. Councilperson Streetman made a motion to adopt this ordinance on first reading. The motion was seconded by Councilperson Evans. Councilperson Streetman opposed this amendment and safety of all rentals should be the priority. She said this exemption would create confusion and loopholes and noted both the Police Department and Fire Rescue Department supported the current ordinance. Councilperson Allen called for a point of order and said Councilperson Redd, the sponsor, should have been allowed to speak. Councilperson Redd said a citizen had requested this exemption to allow him to rent a room in his home without being regulated. Councilperson Redd made a motion to amend this ordinance by adding “or” at the end of Paragraph (c)(1), and by deleting “and” and substituting instead “or” at the end of (c)(2). The motion was seconded by Councilperson Evans. The following vote was recorded:

AYE: Allen, Butler, Evans, Holleman, Little, Redd, Smith

NAY: Pitts, Reynolds, Richmond, Streetman



The amendment passed. Councilperson Allen called for the question. The question was seconded by Councilperson Evans. There was no objection to ceasing discussion on this ordinance. The following vote on the main motion was recorded:

\_\_\_\_\_ AYE: Allen, Butler, Evans, Holleman, Little, Redd, Smith

NAY: Pitts, Reynolds, Richmond, Streetman

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

**ORDINANCE 3-2021-22** (First Reading) Amending the Official Code to establish responsibilities for the Department of Information Technology and the Chief Information Officer, and establishing regulations for acquisition of technology resources

The recommendation of the Finance Committee was for approval. Councilperson Streetman made a motion to adopt this ordinance on first reading. The motion was seconded by Councilperson Little. Councilperson Streetman made a motion to amend this ordinance by deleting “section” and substituting instead “chapter” in Sec. 1-1101, paragraph b. The motion was seconded by Councilperson Butler. The following vote was recorded:

AYE: Allen, Butler, Evans, Holleman, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

The amendment passed. The following vote on the main motion was recorded:

AYE: Allen, Butler, Evans, Holleman, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

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

**ORDINANCE 5-2021-22** (First Reading) Authorizing an agreement for purchase of an easement right-of-way for the Whitfield Road-Needmore Road intersection improvements and to convey city property in exchange therefore

The recommendation of the Finance Committee was for approval. Councilperson Streetman made a motion to adopt this ordinance on first reading. The motion was seconded by Councilperson Little. Councilperson Reynolds felt that this exchange was a result of a lack of planning. The following vote was recorded:

AYE: Allen, Butler, Evans, Holleman, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

The motion to adopt this ordinance on first reading passed.

**RESOLUTION 1-2021-22** Authorizing an interlocal agreement between the Clarksville Police Department, Clarksville Fire Rescue, Montgomery County Sheriff, Montgomery County Volunteer Fire Service, Montgomery County EMS, and Clarksville-Montgomery County School System for the Handle With Care Pilot Program

The recommendations of the Public Safety Committee and Finance Committee were for approval. Councilperson Streetman made a motion to adopt this resolution. The motion was seconded by Councilperson Holleman. Councilperson Allen felt the agreement should require parental disclosures and made a motion to postpone action on this resolution to the September 2, 2021 regular session. The motion was seconded by Councilperson Butler. Councilperson Reynolds said a confidential notice would be sent to certain school officials. The following vote was recorded:

AYE: Allen, Butler, Redd, Richmond, Smith

NAY: Evans, Holleman, Little, Pitts, Reynolds, Streetman

The motion to postpone failed. Councilperson Allen requested viewing of a nine-minute video sponsored by Metro Nashville Police Department regarding this program. Councilperson Allen said parents should be offered the option to opt out. Mr. Baker reminded members that any amendments to the contract must be approved by all parties. Councilperson Richmond made a motion to refer this resolution back to the Public Safety Committee for consideration of amendments regarding parental disclosure and opt-out clause. The motion was seconded by Councilperson Redd. The following vote was recorded:

AYE: Allen, Butler, Evans, Holleman, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

The motion to refer this resolution to the Public Safety Committee passed.

**RESOLUTION 8-2021-22** Declaring intent of the City of Clarksville to reimburse itself not to exceed \$7,500,000 for certain expenditures with proceeds from general obligation bonds, notes, or other debt obligations to be issued by the City

The recommendation of the Finance Committee was for approval. Councilperson Streetman made a motion to adopt this resolution. The motion was seconded by Councilperson Holleman. The following vote was recorded:

AYE: Allen, Evans, Holleman, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

NAY: Butler

The motion to adopt this resolution passed.

**RESOLUTION 10-2021-22** Approving a Consent Decree in the case of Tennessee River Keepers v. City

The recommendation of the Finance Committee was for approval. Councilperson Streetman made a motion to adopt this resolution. The motion was seconded by Councilperson Holleman. City Attorney Lance Baker explained the stipulations of the proposed decree and said the Tennessee Department of Conservation had realized the City was already fulfilling its responsibilities of the previous court order. He said the City will send monthly reports to TRK as part of the decree and will pay TRK's attorney fees. The following vote was recorded:

AYE: Allen, Butler, Evans, Holleman, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

The motion to adopt this resolution passed.

**GAS & WATER COMMITTEE** *Councilperson Wallace Redd*

**RESOLUTION 63-2020-21** (Postponed July 1st) Authorizing an interlocal agreement Bi-County Solid Waste Management for acceptance of biosolids from the wastewater treatment plant

The recommendation of the Gas & Water Committee was for approval. Adoption of this resolution was postponed on July 1, 2021. Councilperson Redd made a motion to adopt this resolution. The motion was seconded by Councilperson Streetman. Councilperson Redd made a motion to amend this resolution by substituting the revised language as recommended by Mark Riggins, Gas & Water General Manager. The motion was seconded by Councilperson Evans. The following vote was recorded:

AYE: Allen, Butler, Evans, Holleman, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

The amendment passed. The following vote on the main motion was recorded:

AYE: Allen, Butler, Evans, Holleman, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

The motion to adopt this resolution as amended passed.

Councilperson Redd announced services disconnected on August 4th and August 5th were reconnected because phone and internet access was not available to paying customers and late payment fees were suspended.

**HOUSING & COMMUNITY DEVELOPMENT COMMITTEE** *Councilperson Wanda Smith*

No report.

**PARKS & RECREATION COMMITTEE** *Councilperson Vondell Richmond*

Councilperson Richmond reported more than 10,000 facility checkins and more than 3,000 rounds of golf during the previous month. The Downtown Saturday Market hosted more than 1,500 visitors each weekend. Councilperson Richmond mentioned upcoming events including the Back to School Splash, Wonder Kids Triathlon, Movies in the Park, Fort Defiance Photography Display, and RiverFest. He said the recent Summer Night Lights events were successful.

**PUBLIC SAFETY COMMITTEE** *Councilperson Holleman*

Councilperson Holleman shared the following monthly department statistics: Fire Rescue - 1,229 calls; Police - 12,836 responses; Building & Codes - 121 single-family permits, 22 multi-family permits, 21 commercial permits. He noted both Police and Fire Rescue departments were hiring.

## TRANSPORTATION-STREETS-GARAGE COMMITTEE *Councilperson Wanda Smith*

Councilperson Smith shared the following monthly department statistics: 39,488 passengers, 7,566 senior citizens, 2,950 demand responses, 1,303 free Summer Rides for youth; Streets - 259 work orders, paving of Old Town Village subdivision, Hartford Subdivision, Barkers Mill Road, Tower Drive, Rossvie Road upgrades, Concord Road sidewalks, Whitfield Road utilities, design of SR48/13 sidewalks, Needmore Road improvements, Exit 1 lighting, International Boulevard extension design; Garage - \$228,188 in requisitions, 407 work orders, 870 work hours, unleaded fuel \$2.38/gallon, diesel fuel \$2.21/gallon.

## TVA AGREEMENT

**ORDINANCE 13-2021-22** (First Reading) Authorizing the mayor or his designee to enter into an agreement and convey a transmission line structure easement, guy rights easement, and access road easement with the Tennessee Valley Authority (Little Hope Road and Arrow Lane)

Mayor Pitts said this agreement was being requested by TVA for a CEMC substation easement. Councilperson Smith made a motion to adopt this ordinance on first reading. The motion was seconded by Councilperson Holleman. The following vote was recorded:

AYE: Allen, Butler, Evans, Holleman, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

The motion to adopt this ordinance on first reading passed.

## CHARTER AMENDMENTS

**RESOLUTION 59-2020-21** Requesting the Tennessee General Assembly to amend the Official Charter of the City of Clarksville according to Exhibit A

Action on this resolution was postponed April 1, 2021. Councilperson Butler made a motion to adopt this resolution. The motion was seconded by Councilperson Redd. Councilperson Butler made a motion to postpone action on this resolution to the October regular session. The motion was seconded by Councilperson Redd. The following vote was recorded:

AYE: Allen, Butler, Evans, Holleman, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

The motion to postpone action on this resolution to the October 7, 2021 regular session passed.

## CODE OF ETHICS

**RESOLUTION 65-2020-21** Requesting the Mayor call a special session of the City Council as a Committee of the Whole to study and make recommendations pertaining to the City Code of Ethics



Action on this resolution was postponed July 1, 2021. Councilperson Allen made a motion to adopt this resolution. The motion was seconded by Councilperson Evans. Councilperson Allen made a motion to postpone action to the October regular session. The motion was seconded by Councilperson Redd. The following vote was recorded:

AYE: Allen, Butler, Evans, Holleman, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

The motion to postpone action on this resolution to the October 7, 2021 regular session passed.

#### RED RIVER DISTRICT ZONING STUDY

**RESOLUTION 4-2021-22** Requesting the Regional Planning Commission Director and Staff to perform an area-wide study of the R-3 residential neighborhood in the Red River District

Action on this ordinance was postponed July 1, 2021. Councilperson Smith made a motion to adopt this resolution. The motion was seconded by Councilperson Redd. Councilperson Smith made a motion to postpone action on this resolution to the October regular session. The motion was seconded by Councilperson Redd. The following vote was recorded:

AYE: Allen, Butler, Evans, Holleman, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

The motion to postpone action to the October 7, 2021 regular session passed.

#### MAYOR AND COUNCIL MEMBER COMMENTS

Mayor Pitts reported \$62.3 million Gas-Water-Sewer refunding revenue bonds, with a net savings in excess of \$7 million, had been issued along with \$187.7 million new revenue bonds, both of which would be guaranteed by the Gas-Water-Sewer Department. No action was required.

Councilperson Smith invited the public to the August 8th weekend celebrations

Councilperson Allen asked drivers to use caution in school zones.

#### ADJOURNMENT

The meeting was adjourned at 9:26 p.m.

ORDINANCE 80-2020-21

AN ORDINANCE AMENDING PART II (CODE OF ORDINANCES); TITLE 6 (FINANCE AND TAXATION), CHAPTER 5 (BUDGETS, IMPLEMENTATION, AND ADMINISTRATION), SECTION 6-514. INTERNAL SERVICE FUND

WHEREAS, the City Council finds that maintaining integrity and ethics, and the appearance of same, with regard to the settlement of claims and lawsuits, serves the general welfare of the City; and

WHEREAS, the City Council finds that City Council members who have received funds or in-kind donations of materials or services in connection with their political campaigns should not vote on any settlement of any claims or lawsuits filed against the City by persons or business entities that have made such contributions to their campaigns, in order to avoid questionable ethics, or the possible compromise of their judgment in connection therewith, or the appearance of same.

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

(1) That **Section 6-514. Internal Service Fund** is amended by adding the following new subsection (g):

**Section 6-514. Internal Service Fund.**

(a) ....

...

(g) No City Council member may vote on any motion, resolution, ordinance, or agenda item pertaining to any claims, lawsuits, or administrative proceedings of any kind or nature whatsoever in which the City is a party, or in which any City employee or City official is a party, if the City Council member has previously accepted, with or without the City Council member's consent or acquiescence, any donations or contributions of any money or funds, or any services, or any in-kind contributions or donations, or any donated materials, from the person, association, organization, non-profit corporation, organization, or other entity or individual who is the same claimant or plaintiff pursuing the claim, lawsuit, or administrative proceeding which is the subject of the instant vote.

*REFERRED:*

March 4, 2021, to Finance Committee

*POSTPONED:*

March 23, 2021 by Finance Committee to August 24, 2021

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*

ORDINANCE 14-2021-22

AN ORDINANCE AMENDING THE OFFICIAL CODE TITLE 6, CHAPTER 1, SECTION 102 RELATIVE TO PURCHASING

WHEREAS, the City wishes to amend the City Code to add language to maximize promotion of equal opportunity in purchase contracts by the City of Clarksville regardless of sexual orientation and gender identity.

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

That Title 6 (FINANCE AND TAXATION), Chapter 1 (MISCELLANEOUS), Section 6-102 (Purchasing) of the official Clarksville City Code is hereby amended by adding a new subsection (r) as follows:

(r) *Equal opportunity in purchase contracts.* The city shall not deny, evaluate, modify, or cancel, or otherwise discriminate against any proposed contractor with which the city has received a proposal of contract with, with respect to compensation, terms, or conditions, on the basis of race, color, religion, creed, sex, national origin, or on the basis of disability or age, sexual orientation, or gender identity except as provided by general law.

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*

ORDINANCE 15-2021-22

AN ORDINANCE AMENDING THE OFFICIAL CODE TITLE 1.5, CHAPTER 1, SECTION 1.5-103 RELATIVE TO EQUAL EMPLOYMENT OPPORTUNITY

WHEREAS, the City wishes to amend the City Code to add language to conform to law and ensure promotion of equal employment by the City of Clarksville regardless of sexual orientation and gender identity.

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

That Title 1.5 (HUMAN RESOURCES), Chapter 1 (GENERAL), Section 1.5-103 (Equal Employment Opportunity) of the official Clarksville City Code is hereby amended by deleting Section 1.5-103 in its entirety and substituting thereafter a new Section 1.5-103 as follows:

Sec. 1.5-103. – Equal employment opportunity.

The city shall not deny employment or refuse to hire, or to promote, evaluate, or discharge, or otherwise to discriminate against any individual with respect to compensation, benefits, terms, conditions, or privileges of employment, on the basis of race, color, religion, creed, sex, national origin, or on the basis of disability or age, sexual orientation, or gender identity except as provided by general law.

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*



AN ORDINANCE WAIVING CREDIT CARD COLLECTION FEES FOR THE TRANSIT DEPARTMENT

*WHEREAS,* In accordance with Title 9, Chapter 1, Section 108 (2021) of *Tennessee Code Annotated* the City of Clarksville is provided with the ability to receive payment by credit card or debit card.

*WHEREAS,* *TCA 9-1-108* currently states any municipal entity collecting payment by credit/debit card “shall” set and collect a processing fee. Also, provided for is a waiver of the processing fee by the governing body.

*WHEREAS,* Under certain situations, generally where a consumer is paying for a service, the costs associated with credit/debit card acceptance is included as a normal cost of operations. A waiver to collect processing fees is required. The following Departments accept credit cards and currently do not charge processing/transaction fees:

- Clarksville Gas & Water – waive all credit/debit card processing fees.
- Parking Commission – waive credit/debit card processing fees for remote payment of parking metered time.
- Parks & Recreation – waive all credit/debit card processing fees.
- Golf Courses – waive all credit/debit card processing fees.
- Clarksville Department of Electric – waive all credit/debit card processing fees when paid in person at CDE offices.
- Community Development – waive credit card fees related to loan repayments.

*WHEREAS,* The Transit Department currently accepts credit cards and will further be adding an app for bus fares. It has been determined the credit card processing fees will be cost prohibitive for the citizens to use the service.

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

The City waives the requirement to collect credit/debit card processing fees for users of the Transit System. This shall include in person, bus or app credit card usage.

*BE IT FURTHER ORDAINED:*

This waiver in no way prohibits a City Department from changing their credit card acceptance model to include credit/debit card processing fees.

This waiver of collecting credit/debit card processing fees is effective immediately upon passage and only for transactions directly related to CGW, CDE, Parking Commission, Parks & Recreation, golf courses, Community Development and Transit as outlined above.

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*

ORDINANCE 18-2021-22

AN ORDINANCE AMENDING THE OPERATING AND CAPITAL BUDGETS FOR FISCAL YEAR 2022 FOR GOVERNMENTAL FUNDS (ORDINANCE 130-2021-22) CARRY FORWARD PRIOR YEAR APPROPRIATIONS AND AMEND FOR NEWLY IDENTIFIED ITEMS

WHEREAS, Article VII, Section 3 of the official charter of the City of Clarksville provides for the approval and adoption of a budget; and

WHEREAS, Article VII, Section 3 of the official charter of the City of Clarksville provides for the ability to amend the adopted budget by ordinance by the City Council at any time during the fiscal year by vote of a majority of the City Council on two (2) separate readings; and

WHEREAS, Due to COVID caused delays many items planned to be completed/delivered in FY2021 have been delayed necessitating reappropriation of funds to FY2022. At year-end unspent funds return to the fund balance of the appropriated fund.

WHEREAS, Since the budget was adopted and due to the changing environment we are operating in has caused the necessity of additional items to continue to provide essential services safely and effectively.

WHEREAS, Since the budget was adopted we have been notified of additional funds coming to the City to pay for certain capital project needs thus requiring an increase in revenue and expenditures to appropriate the funds for use.

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

That the following Amendment be made:

<b>COVID Special Revenue Fund - 1260</b>					
unused funds from FY21 COVID	roll	*	1,456,643	incr	CARES/ARP
Station 10 additional & truck funds necessary	expense		40,507	incr	COVID
Transfer from GF	revenue		40,507	incr	
* from the FY21 ending fund balance					
<b>GF - roll from FY21</b>					
CPD - radios	roll	*	22,301		
Finance - north service center	roll	*	50,000		
* from the FY21 ending fund balance					

<b>GF New items from FB</b>						
CPD - robot	expense	**	50,000	incr		
IT - Energov	expense	**	45,000	incr		
RPC - Energov	expense	**	51,400	incr		
P&R - Trice Landing Damage	revenue		15,000	incr		
P&R - Trice Landing Damage	expense		15,000	incr		
Transfer to SRF	expense	**	40,507	incr		to COVID Fund
** Funding from Fund Balance of the General Fund						
<b>Capital Projects Fund</b>						
93101 Rossvie Road Project	expense	***	100,000	incr		needed for college street
93101 Rossvie Road Project	revenue		801,769	incr		MPO COVID funding
93101 Rossvie Road Project	expense		801,769	incr		expenditures
21224 Fire Truck	expense		55,000	incre		SCBA's
21223 Fire Truck	expense		55,000	decre		SCBA's
19303 intersection improvement	revenue		250,000	incr		funded by Quik Trip
19303 intersection improvement	expense		250,000	incr		funded by Quik Trip
22101 L&N Close project	expense		50,000	decr		
21221 fire admin	expense		50,000	incr		
22221 Fire Ladder Truck	expense	***	1,000,000	incr		critical need
***funded with prior debt issuance						

*BE IT FURTHER ORDAINED* that above funds will be provided from fund balance or debt as noted above.

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*

RESOLUTION 15-2021-22

A RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN  
THE CITY OF CLARKSVILLE AND CLARKSVILLE-MONTGOMERY COUNTY CRIME  
STOPPERS

*WHEREAS*, Crime Stoppers is a “crime stoppers organization” as defined by Crime Stoppers USA, whose purpose includes receiving information submitted by any person regarding criminal activity, conduct, or threatened conduct that constitutes a danger to public safety or an individual, and providing said information to the appropriate law enforcement agency; and

*WHEREAS*, CMCCS and the City of Clarksville Government desire to formalize their long-standing agreement regarding funding and the importance of CMCCS in the crime prevention and crime-solving activities in and around Clarksville Montgomery County Tennessee.

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

That the Clarksville City Council hereby authorizes a Memorandum of Understanding, attached hereto as Exhibit A, between the City of Clarksville and Clarksville-Montgomery County Crime Stoppers.

*ADOPTED:*



## EXHIBIT A

### AGREEMENT REGARDING CRIME STOPPERS OPERATIONS

This agreement is by and between Clarksville Montgomery County Crime Stoppers (hereinafter referred to as CMCCS) and the City of Clarksville Government.

WHEREAS, Crime Stoppers is a “crime stoppers organization” as defined by Crime Stoppers USA, whose purpose includes receiving information submitted by any person regarding criminal activity, conduct, or threatened conduct that constitutes a danger to public safety or an individual, and providing said information to the appropriate law enforcement agency; and

WHEREAS, the CMCCS program began in 1982 from the efforts of the Clarksville City Council and the Clarksville Police Department; and

WHEREAS CMCCS now operates as an independent organization; and

WHEREAS, CMCCS has agreed to accept reports of criminal activity occurring in and around Clarksville Montgomery County, Tennessee; and

WHEREAS the original concept has developed into a combination of efforts by local media, businesses, civic and social clubs, law enforcement agencies, and the public; and

WHEREAS CMCCS is a registered 501c3 non-profit organization whose mission is to act as the liaison between anonymous tipsters and local law enforcement agencies for the purposes of solving crimes; and

WHEREAS, Donations of airtime, newspaper space, and reward monies have established CMCCS as an effective tool to fight crime in the Clarksville Montgomery County Tennessee area; and

WHEREAS, CMCCS is made up of a 12 member volunteer (uncompensated) board of directors; and

WHEREAS, CMCCS is considered a component unit of the City of Clarksville that does not own or lease any real property; and

WHEREAS, CMCCS uses several avenues to promote the reporting crimes anonymously to CMCCS by offering cash rewards of up to \$1,000 that lead to the arrest and/or conviction of persons responsible; and

WHEREAS, more than the majority of CMCCS's revenues are reserved for cash payments to anonymous tipsters who provide information that helps solve Felony classified crimes; and

WHEREAS, CMCCS is listed annually under section "2.1 Department Program"s of the City of Clarksville Budget; and

WHEREAS, CMCCS and the City of Clarksville Government desire to formalize their long-standing agreement regarding funding and the importance of CMCCS in the crime prevention and crime-solving activities in and around Clarksville Montgomery County Tennessee; and

CMCCS and the City of Clarksville agree to and acknowledge the following in relation to CMCCS operations:

I. General Items:

- A. All CMCCS operations shall be conducted in accordance with the policies and procedures of Crime Stoppers USA and any applicable laws;
- B. The identity of a person who submits a Crime Stoppers Tip shall be kept confidential.

II. City of Clarksville agrees to:

- A. Assist in promoting Crime Stoppers by including the anonymous methods that citizens can report tips in felony crime-related press releases;
- B. Provide time for law enforcement personnel to investigate Crime Stoppers Tips;
- C. Assist Crime Stoppers in the distribution of Crime Stoppers-related promotional materials;
- D. Provide time and funding for law enforcement personnel and appropriate Department staff to attend Crime Stoppers orientation and training;
- E. Provide time and funding for law enforcement personnel and appropriate Department staff to attend Crime Stoppers related meetings;

F. Protect the identity of all persons who submit Crime Stoppers Tips;

G. Provide funding to CMCCS in the amount of \$2 from each guilty city traffic violation to be paid quarterly;

H. Obtain approval from Crime Stoppers before releasing publicly any document or information utilizing or referring to Crime Stoppers' name, logo, website, mobile application, telephone tipline, or social media application.

III. CMCCS agrees to:

A. Annually present a formal budget request to the City of Clarksville as part of the official City of Clarksville Budget Process;

B. Provide the use of the Crime Stoppers website, mobile application, and other online tools to promote Crime Stoppers operations and anonymously receive Crime Stoppers Tips regarding activity occurring in and around Clarksville Montgomery County Tennessee;

C. Provide the use of the Crime Stoppers' tip-taking and processing software for trained Department law enforcement personnel;

D. Provide the use of the Crime Stoppers' telephone tipline;

E. Provide informational Kiosk access to local law enforcement so that they can post directly to the Kiosk system;

F. Provide program fliers, brochures, and training materials to members of the community;

G. Upon request, provide orientation and training to law enforcement personnel;

H. Forward to Department law enforcement personnel anonymously-submitted Crime Stoppers Tips regarding activity occurring in and around Clarksville Montgomery County Tennessee ;

I. Protect the identity of all Crime Stoppers Tipsters;

J. Pay rewards in accordance with the policies and procedures of Crime Stoppers;

K. Publicly promote Crime Stoppers in the community to increase awareness of reporting anonymous tips for rewards.

This agreement becomes effective upon execution by all parties and renews annually on the first day of July unless a party to the agreement notifies the other party of its intent to terminate the agreement.

The following procedure shall be observed by the parties regarding any notifications: Any agreement termination notice required or permitted to be given under this agreement shall be in writing by personal delivery, by hand delivery through a courier or a delivery service, or by registered or certified mail, postage prepaid, return receipt requested, addressed to the proper party, at the address set forth below the signature of the party:

Clarksville Montgomery County Crime Stoppers

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Signature

Deanna M. McLaughlin  
Chairman  
P.O. Box 31634  
Clarksville, TN 37040

---

Date

City of Clarksville, Tennessee

---

Signature

Joe Pitts  
1 Public Square  
Clarksville, TN 37040

---

Date



A RESOLUTION AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF CLARKSVILLE AND MONTGOMERY COUNTY PERTAINING TO THE DIVISION OF 2021 BYRNE JUSTICE ASSISTANCE GRANT FUND ALLOCATIONS AND THE ADMINISTRATION AND USE OF SUCH FUNDS

*WHEREAS,* a combined, disparate allocation of funds of \$69,255 from the 2021 JAG Program to the City of Clarksville and Montgomery County establishes the need for a joint JAG Program Award Application; and

*WHEREAS,* each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

*WHEREAS,* each governing body finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement; and

*WHEREAS,* the Clarksville City Council finds it to be in the best interest of the City to approve the 2021 Byrne JAG interlocal agreement with Montgomery County.

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

1. That the City of Clarksville agrees to provide Montgomery County \$20,776 from the JAG award for the 2021 Clarksville-Montgomery County Law Enforcement Program, and
2. That Montgomery County will use \$20,776 for the Law Enforcement Program no later than September 30, 2024; and
3. That the City of Clarksville shall be the applicant, fiscal agent and subrecipient monitor for the 2021 Byrne Justice Assistance Grant; and
4. The Clarksville City Council hereby authorizes the interlocal agreement attached hereto as Exhibit A; and
5. That this Resolution shall be in full force and effect from and after its passage and approval.

*ADOPTED:*

**INTERLOCAL AGREEMENT BETWEEN THE CITY OF CLARKSVILLE, TN AND  
THE COUNTY OF MONTGOMERY, TN  
REGARDING THE  
2021 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD**

This Agreement is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2021, by and between The COUNTY of Montgomery acting by and through its governing body, the County Commission, hereinafter referred to as COUNTY, and the CITY of Clarksville acting by and through its governing body, the City Council, hereinafter referred to as CITY, both of Montgomery County, State of Tennessee, witnesseth:

**WHEREAS**, the CITY receives a direct award based on violent crime data but the COUNTY does not qualify for a direct award. The two agencies are considered disparate jurisdictions since the COUNTY provides criminal justice services to the CITY, thus requiring the CITY to share its allocation with the COUNTY; and

**WHEREAS**, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

**WHEREAS**, each governing body finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement; and

**WHEREAS**, the CITY agrees to provide the COUNTY \$20,776 from the 2021 JAG award for the Law Enforcement Program; and

**WHEREAS**, the CITY and COUNTY believe it to be in their best interests to reallocate the JAG funds,

**NOW THEREFORE, the COUNTY and CITY agree as follows:**

**Section 1.**

CITY agrees to reimburse COUNTY a total of \$20,776 of 2021 JAG funds based upon expenditure records supplied by the COUNTY to the CITY.

**Section 2.**

COUNTY agrees to use \$20,776 for the Law Enforcement Program no later than September 30, 2024.

**Section 3.**

Nothing in the performance of this Agreement shall impose any liability for claims against COUNTY other than claims for which liability may be imposed by the Tennessee Governmental Tort Liability Act.

**Section 4.**

Nothing in the performance of this Agreement shall impose any liability for claims against CITY other than claims for which liability may be imposed by the Tennessee Governmental Tort Liability Act.

**Section 5.**

The CITY shall serve as Applicant, Primary Grantee and Fiscal Agent for the 2021 JAG Program Application. The COUNTY is a subrecipient and subject to subrecipient monitoring by the CITY as required under the grant. The CITY shall advise the COUNTY of balance available information on a periodic basis, and shall prepare all reports. The COUNTY shall submit claims/requests for distribution of COUNTY share of funds to the CITY for payment processing and provide such summary information as may be required for periodic reports.

**Section 6.**

Each party to this agreement will be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

**Section 7.**

The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

**Section 8.**

By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

**Section 9.**

This interlocal agreement will become effective upon adoption of enabling resolutions by the governing bodies of both the COUNTY and the CITY, at which time the applicant shall proceed to accept the JAG grant award.

For the CITY OF CLARKSVILLE, TN:

\_\_\_\_\_  
Joe Pitts, Mayor

\_\_\_\_\_  
Date

For the COUNTY OF MONTGOMERY, TN

\_\_\_\_\_  
Jim Durrett, Mayor

\_\_\_\_\_  
Date

RESOLUTION 1-2021-22

A RESOLUTION AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF CLARKSVILLE POLICE DEPARTMENT, CLARKSVILLE FIRE RESCUE, MONTGOMERY COUNTY SHERIFF, MONTGOMERY COUNTY VOLUNTEER FIRE SERVICE, MONTGOMERY COUNTY EMERGENCY MEDICAL SERVICES AND THE CLARKSVILLE-MONTGOMERY COUNTY SCHOOL SYSTEM FOR THE HANDLE WITH CARE PILOT PROGRAM

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

That the Clarksville City Council hereby authorizes an interlocal agreement between the Clarksville Police Department, Clarksville Fire Rescue, Montgomery County Sheriff, Montgomery County Volunteer Fire Service, Montgomery County Emergency Medical Services and the Clarksville-Montgomery County School System, attached hereto as Exhibit A, for Handle With Care pilot program.

*REFERRED:* August 5, 2021, to Public Safety Committee

*ADOPTED:*



## INTERLOCAL AGREEMENT BETWEEN THE

Clarksville Police Department, Montgomery County Sheriff's Office, Clarksville Fire Rescue,  
Montgomery Co. Volunteer Fire Service and Montgomery County Emergency Medical Services

AND THE

Clarksville-Montgomery County School System

This Interlocal Agreement (the "Agreement") is entered into by and between the Clarksville-Montgomery County School System ("District"), the Clarksville Police Department, Montgomery County Sheriff's Office, Clarksville Fire Rescue, Montgomery Co. Volunteer Fire Service and Montgomery County Emergency Medical Services ("First Responders"). All entities may be referred to collectively as the "Parties."

### 1. Statement of Purpose

- 1.1. The District is committed to assisting trauma-affected students while eliminating barriers to their successful education.
- 1.2. The District has students who are enrolled and are experiencing extraordinary events outside of the school day that involve first responder agencies.
- 1.3. In order to participate in the pilot program, Handle With Care, the District will partner with first responders through an Interlocal Agreement.
- 1.4. The best interests of the District's trauma-affected students will be served by the mutual support of the District and first responders as described herein.
- 1.5. The Handle With Care program entails first responders sending a confidential notification to the District whose students may have experienced a traumatic event that required a first responder response in the community. The respective District school's trained staff would then provide the appropriate care to the student at the school following the incident.

### 2. District Obligations

The District agrees to provide annual notice to its stakeholders (parents/guardians/students) that the Handle With Care program exists.

The District agrees to provide the following to first responders if the purposes identified above continue to be met and the appropriate controls continue to be implemented.

- 2.1. District will utilize current staff members and resources to operate and facilitate distribution within its schools of the information received from first responders.
- 2.2. District will be responsible for distributing first responder notifications to its schools' principals and their two designated points of contact.

- 2.3. District will count:
- 2.3.1. Total number of notifications each school receives.
  - 2.3.2. Total number of counselor referrals related to the notification events.
  - 2.3.3. Total number of administrative referrals related to the notification events.
- 2.4. District will coordinate the delivery of the data to first responders with the understanding that the District will not provide or disclose any confidential information about its students to first responders pursuant to this Agreement.
- 2.5. District will maintain and control all supporting documentation relating to data collection, students lists, and any additional identifying student data.
- 2.6. District will provide annual training to its employees who might utilize this program.

### 3. First Responders

First responders agree to provide the following to the District, provided that the purposes identified above continue to be met and the appropriate controls continue to be implemented.

- 3.1. First responders shall serve as the point of contact for notifications delivered to the District.
- 3.2. First responders will submit a confidential HWC notification through an internal form at <https://hwc.cmcass.net/> with the following information:
- 3.2.1. Student name
  - 3.2.2. Student age
  - 3.2.3. Student grade
  - 3.2.4. Student school name
- 3.3. First Responders will provide annual training to their respective employees who might utilize this program.

### 4. Terms and Termination

- 4.1. This Agreement shall become effective upon execution of all the Parties, and will remain in effect through the 2021-22 school year unless extension or earlier termination shall occur pursuant to the terms of this agreement. This Agreement may be renewed by mutual consent of the Parties for up to two (2) successive one (1) year terms (each, a "Renewal Term"). Any Renewal Term(s) shall be in writing, and signed by the Parties.
- 4.2. The Parties understand and mutually agree that this Agreement may be terminated by any party upon giving thirty (30) days' written notice to the other party. Notice is said to be given when the written notice is received by the other party.

### 5. Amendment



- 5.1. No amendment, modification, or alteration of the terms of this Agreement shall be binding unless the same be in writing, dated subsequent to the date hereof, and duly executed and mutually agreed to by the Parties.

#### 6. Assigning Interest

- 6.1. No party shall transfer or assign any interest in this Agreement without the prior written consent of the other party.

#### 7. Compliance

- 7.1. The Parties agree to comply with all federal and state laws regarding nondiscrimination in the execution of this Agreement. In accordance therewith, the Parties shall ensure that no person is denied benefits hereunder on the basis of race, color, national origin, religion, gender, age, handicap, or political affiliation.

#### 8. Indemnity

- 8.1 The Parties acknowledge that they are governmental entities, and that no party indemnifies the other party. The Parties agree, however, to notify the other parties if they are provided notice of a lawsuit or potential lawsuit related in any manner to this agreement between the Parties.
- 8.2 NOTWITHSTANDING ANYTHING TO THE CONTRARY IN THIS AGREEMENT, THE PARTIES ACKNOWLEDGE, STIPULATE, AND AGREE THAT NOTHING IN THIS AGREEMENT SHALL BE CONSTRUED AS A WAIVER OF ANY DEFENSE AVAILABLE TO THE PARTIES, INCLUDING BUT NOT LIMITED TO ANY STATUTORY OR GOVERNMENTAL IMMUNITY AVAILABLE TO THE PARTIES UNDER APPLICABLE LAW.

#### 9. Relationship of the Parties

- 9.1 The Parties agree and acknowledge that each entity is not an agent of one of the other entities and that each entity is responsible for its own acts, forbearance, negligence and deeds, and of its agents or employees in conjunction with the performance of work covered under this Agreement. The parties agree that each entity shall be responsible for any liability or damages of its personnel.
- 9.2 This agreement is intended for the benefit of the parties hereto and their successors and permitted assigns only. There are no third party beneficiaries.
- 9.3 The Parties understand and agree that no party has authority to bind another party or to hold out to third parties that it has the authority to bind the others.

#### 10. Notices

10.1. For purposes of this Agreement, all official communications and notices between the Parties shall be deemed sufficient if in writing and delivered in person and/or mailed, Postage prepaid, or emailed to the addresses set forth below on attached signature pages:

District  
621 Gracey Avenue  
Clarksville, TN 37040  
Attn: Dr. Angela M. Huff, Interim Director of Schools  
Email: [angela.huff@cmcss.net](mailto:angela.huff@cmcss.net)  
Phone: (931)920-7808

With a copy to Ashley Dale, Elementary Lead Counselor  
1312 Hwy 48/13  
Clarksville, TN 37040  
Email: [ashley.dale@cmcss.net](mailto:ashley.dale@cmcss.net)  
Phone: (931)553-1130

CPD	MCSO
Attn:	Attn:
Email:	Email:
Phone:	Phone:

CFR	MCVFS
Attn:	Attn:
Email:	Email:
Phone:	Phone:

MCEMS  
Attn:  
Email:  
Phone:

## 11. Miscellaneous Terms

11.1. Full Agreement. This Agreement constitutes the final and entire agreement between the Parties hereto and contains all of the terms and conditions agreed upon. No other agreements, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind the Parties hereto unless same be in writing, dated subsequent to the date hereof, and duly executed by the Parties.



- 11.2. Authority. The signers of this Agreement, by placing their respective signatures below, represent and warrant that they have full authority to execute this Agreement on behalf of the Respective party each represents.
- 11.3. Severability. In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein. The Parties further agree that in lieu of each clause or provision of this Agreement that is invalid, illegal, or unenforceable, there be added as a part of the Agreement a clause or provision as similar in terms to be invalid, illegal or unenforceable clause or provision as may be possible, legal, valid and enforceable.
- 11.4. Captions. The captions contained in this Agreement are for convenience of reference only, and in no way limit or enlarge the terms or conditions of this Agreement.
- 11.5. Law of State to Govern. The validity, enforceability and interpretation of any provision of this Agreement will be determined and governed by the substantive and procedural laws of the State of Tennessee. The Parties further agree that any action or proceeding brought to enforce the terms and conditions of this Agreement shall be maintained in Montgomery County, Tennessee.

CLARKSVILLE-MONTGOMERY COUNTY SCHOOL SYSTEM

BY: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

CLARKSVILLE POLICE DEPARTMENT

BY: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

MONTGOMERY COUNTY SHERIFF'S OFFICE

BY: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

CLARKSVILLE FIRE RESCUE

BY: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

MONTGOMERY CO. VOLUNTEER FIRE SERVICE

BY: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

MONTGOMERY COUNTY EMERGENCY MEDICAL SERVICES

BY: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

RESOLUTION 14-2021-22

A RESOLUTION ADOPTING THE CITY OF CLARKSVILLE'S LEGISLATIVE AGENDA FOR CONSIDERATION BY THE 112TH TENNESSEE GENERAL ASSEMBLY

*WHEREAS*, the City of Clarksville's Legislative Committee, recently appointed by the City Mayor, was charged with developing an agenda of items to be recommended for consideration by the 112th Tennessee General Assembly; and

*WHEREAS*, the City's 2022 Legislative Agenda includes proposed legislation relative to major road improvement projects, the expansion of Nashville State Community College, access to the State Information System, calculation of certified tax rate and tax increases, Department of Safety processing fees and open records charge for inspection; and

*WHEREAS*, the City's approved requests will be forwarded to the Montgomery County Mayor for inclusion in the Montgomery County Legislative Liaison Committee's agenda which will be forwarded to the local delegation of the Tennessee General Assembly.

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

That the Clarksville City Council hereby adopts the 2022 Legislative Agenda, attached hereto as Exhibit A, proposed by the City's Legislative Committee, which will be forwarded to the Montgomery county Legislative Liaison Committee and subsequently considered by the 112th Tennessee General Assembly.

*ADOPTED:*



**CITY OF CLARKSVILLE  
2022 Legislative Agenda**

*Presented to the*  
Clarksville/Montgomery County Delegation

Senator Bill Powers, SD-22  
Deputy Speaker & Representative Curtis Johnson, HD-68  
Representative Jason Hodges HD-67  
Representative Jay Reedy, HD-74

For the

**112th Tennessee General Assembly**

**Legislative Liaison Ad-hoc Committee Members**

Councilperson Stacey Streetman, Chair  
Councilperson Ashlee Evans  
Councilperson Travis Holleman  
Councilperson Wanda Smith  
& Clarksville City Council  
Mayor Joe Pitts

- 1. Widening of I-24 from Kentucky State Line to I-65.** Next to start is the Technical Report from SR76/Montgomery County to SR45/Davidson County
- 2. EXPANSION OF NASHVILLE STATE COMMUNITY COLLEGE**

NSCC has grown in student enrollment over the years and installed portable classrooms to handle the overflow. The administration of the school has a new classroom building on the list of projects to to be funded by the state of Tennessee, as funding is available. The building did not make the cut for the current fiscal year (FY22) and request the state of Tennessee fund the new building on the Clarksville campus in FY23.



**3. ROAD PROJECTS** Encourage the Tennessee Department of Transportation to obligate funding for the following projects:

- Widening of I-24 from Kentucky State Line to I-65. Next to start is the Technical Report from SR76/Montgomery County to SR45/Davidson County
- SR374/Warfield/Richview (from S of Dunbar Cave Rd. to SR 112/Madison St.) the Technical Report is completed. Next to start is the PE-NEPA;
- SR237/Rossvie Rd. (from W of Keysburg Rd. to SR374/Warfield Blvd.) the MPO will produce the Technical Report. Next to start is the PE-NEPA;
- SR48/Trenton Rd. (from near SR374/101st Pkwy. to near I-24) the PE-NEPA and Design are underway. Next to start is the Right-of-Way;
- SR12/US41A Bypass (from SR76/MLK Blvd to SR 13/Riverside Dr.) the MPO will have technical report produced. Next to start is the PE-NPEPA.

**4. ONGOING ACCESS TO STATE INFORMATION SYSTEM**

Allow the City electronic access to the County information through the State Information System by amending TCA 67-1-1704.

67-1-1704. Disclosure for administrative purposes - Tax collection.

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(d) Upon request in writing, returns and tax information may be disclosed to duly authorized officials of a unit of local government of this state for the purpose of ascertaining whether proper local taxes or the tax imposed by § 67-4-704 is being paid. Upon written request, tax information may also be disclosed to duly authorized officials of a unit of local government of this state to the extent necessary to ascertain whether allocations from state levied taxes are being distributed to the correct unit of local government; provided, that such information shall not include the taxpayer's returns, receipts, income, tax liability, tax payments, or other financial information. For purposes of ascertaining whether proper local severance taxes are being paid pursuant to chapter 7, part 2 of this title, "authorized officials of a unit of local government" means the county mayor or a member of the county governing body. No unit of local government nor any official or employee of a unit of local government who receives returns or tax information under this subsection (d) shall disclose such information to any person other than the person to whom it relates, except as otherwise may be authorized by law. Any official or employee of a unit of local government who has or has had, at any time, access to any return or tax information under this subsection (d) shall be subject to all of the penalties and restrictions applicable to an officer or employee of the state under § 67-1-1709.

## **5. CALCULATION OF CERTIFIED TAX RATE AND TAX INCREASES**

The calculation of the certified tax rate does not take in account appeals or the ability to collect funds after an appeal, or allow the advertising of the tax rate increase to be included with the budget notification. Amend TCA 67-5-1701 to allow jurisdictions an estimate to help with tax rate, not additional advertising/time.

67-5-1701. General Provisions.

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**(a) (5)** In calculating the certified tax rate, the governing body of the county or municipality may adjust the calculation, according to a method approved by the state board of equalization, to reflect extraordinary assessment changes anticipated from appeals to the state or local boards of equalization. The state board of equalization shall order recapture of an excessive adjustment in the following year if the certified tax rate is found to have been overstated due overestimation of the appeals adjustment, and in these cases the jurisdiction may exceed the recapture rate only after public hearing.

## **6. ADMINISTRATIVE PROCESSING FEE INCREASE PROPOSAL TO THE TENNESSEE DEPARTMENT OF SAFETY**

Increase the administrative processing fee, from \$4 to \$10 per transaction, provided to local partners for providing DMV services. The citizen pays the fee in addition to the driver's license renewal fee for the convenience of utilizing the City Hall location. The City retains the fee as per state law. The TCA needing to be amended is below:

55-50-331. Examination for, and issuance, renewal and contents of, licenses -- Conditional licenses.

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**(a)** Notwithstanding this chapter to the contrary, the department has oversight of the issuance, examination and renewal of all driver licenses provided for in this chapter. The department is authorized to contract for the provision of any service related to the issuance, examination and renewal of driver licenses subject to applicable contracting statutes and regulations. The commissioner has the discretion to solicit outside consulting services in order to accomplish on a competitive basis the design and application of the system and implementation of this system. Any entity so contracting with the department is authorized to charge an additional fee of four dollars (\$4.00), which shall be retained by the entity for administrative costs.

## **7. OPEN RECORDS CHARGE FOR INSPECTION**

As currently written, TCA 10-7-503 allows a public records coordinator to charge a copying fee and an hourly labor fee for a request wherein a requestor requests copies of multiple documents which is time consuming for the coordinator to locate, review, potentially redact, copy and produce.

Because of the voluminous public records requests that are made on state and local governments, and due to the costs associated therewith in labor fees to process the requests, it is requested that 10-7-503 subsection (a) (7)(A)(i) should be amended to remove the portion of the sentence whereby it states that “A governmental entity shall not ... assess a charge to view a public record unless otherwise required by law” and shall add language to 10-8-503 subsection (a)(7)(B) to make it clear that the coordinator shall be allowed to assess fees to located, review, redact, copy and produce records for inspection and/or copying.

### **ITEMS OF INTEREST**

1. **PRIVATE UTILITIES** Request a time limit be imposed on private utility companies to address the need for them to respond to local government projects where utilities need to be moved. The utilities would have no more than 30 days from the issuing of the “notice to proceed” to begin to move their equipment or infrastructure from the site. Failure to begin construction would result in liquidated damages payable to the City.
2. **CONVICTED FELONS RIGHT TO VOTE AND HOLD PUBLIC OFFICE** Discontinue disenfranchising convicted felons by no longer taking away their right to vote or hold public office upon conclusion of sentence
3. **CANNABIS** Repeal TCA 39-17-418 through a Ballot Initiative for the decriminalization of simple possession or casual exchange of marijuana for personal use
4. **DEPOSIT FOR BOTTLES AND PLASTIC** Put a mandatory deposit on beverage containers to provide an incentive to recycle and a disincentive to litter

RESOLUTION 51-2020-21

A RESOLUTION EXPRESSING THE SENSE OF THE COUNCIL IN THE INVESTIGATION OF LANCE BAKER IN REGARD TO HIS POSITION OF CITY ATTORNEY FOR THE CITY OF CLARKSVILLE

*WHEREAS*, Lance Baker has held the position of City Attorney of the City of Clarksville for a number of years; and

*WHEREAS*, the Charter of the City of Clarksville charges Lance Baker with the duty to direct the management of all litigation in which the City of Clarksville is a party, advise the City Council of the City of Clarksville, its members, and committees as to all legal questions affecting the City of Clarksville's interest, and to have full charge of all legal proceedings in which the City of Clarksville is a party; and

*WHEREAS*, Lance Baker has conducted the duties charged to Lance Baker in a manner that City Council of the City of Clarksville now finds may not be in the best interest of the City of Clarksville and to the detriment of the confidence of the City Council of the City of Clarksville in Lance Baker to discharge such duties with objectivity and impartiality; and

*WHEREAS*, Lance Baker has conducted the duties charged to Lance Baker as Chief Ethics Officer of the City of Clarksville in a manner that may have negatively impacted public confidence in the commitment of the City of Clarksville to transparency, impartiality, and the avoidance of conflicts of interest, as mandated by the Code of Ethics of the City of Clarksville; and

*WHEREAS*, Lance Baker has conducted the duties charged to Lance Baker to inform, advise, and counsel the City Council of the City of Clarksville in a manner that the City Council of the City of Clarksville has determined may be in need of improvement; and

*WHEREAS*, the City Council of the City of Clarksville has determined that the position of City Attorney of the City of Clarksville should better reflect the needs, priorities, and concerns of the City of Clarksville and the City Council of the City of Clarksville.

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

That the Clarksville City Council hereby expresses its sense concerning the City Attorney, Lance Baker, and, more particularly, hereby urges the Mayor to consider and investigate fully the above-referenced matters relating to the City Attorney and, in the event just cause for disciplinary action is thereafter confirmed, the City Council likewise urges the Mayor to present the applicable charges to the City Attorney and to otherwise provide all due process to the City Attorney and to impose necessary discipline (to include removal) in accordance with City Code Sec. 1.5-1001 *et seq.*

*ADOPTED:* February 4, 2021