



CLARKSVILLE CITY COUNCIL
CITY COUNCIL CHAMBERS
106 PUBLIC SQUARE
CLARKSVILLE TENNESSEE

REGULAR SESSION
December 2, 2021, 6:00 P.M.

AGENDA

PUBLIC COMMENTS - No public comments

- 1) CALL TO ORDER *Mayor Joe Pitts*
- 2) PRAYER *Councilperson Karen Reynolds*
- 3) PLEDGE OF ALLEGIANCE *Councilperson Ashlee Evans*
- 4) ATTENDANCE
- 5) SPECIAL PRESENTATIONS
- 6) PLANNING COMMISSION *Councilperson Stacey Streetman*

PLANNING COMMISSION PUBLIC HEARING

1. **RESOLUTION 33-2021-22** Annexing territory along HWY 76 and Little Hope Rd. **Pg 54**
 - 1a. **CONSIDERATION OF RESOLUTION 33-2021-22** Annexing territory along State Route 12 and East Old Ashland City Rd. near Bryan Rd. (requires $\frac{3}{4}$ majority approval of members present and voting)
 - 1b. **RESOLUTION 33-2021-22** Annexing territory along State Route 12 and East Old Ashland City Rd. near Bryan Rd.
2. **RESOLUTION 34-2021-22** Adopting a plan of service for annexed territory along HWY 76 and Little Hope Rd. **Pg 57**

- 2a. **CONSIDERATION OF RESOLUTION 34-2021-22** Adopting a plan of service for annexed territory along State Route 12 and East Old Ashland City Rd. near Bryan Rd.
- 2b. **RESOLUTION 34-2021-22** Adopting a plan of service for annexed territory along State Route 12 and East Old Ashland City Rd. near Bryan Rd.
3. **ORDINANCE 60-2021-22** (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 RPC: Approval/Approval **Pg 63**
4. **ORDINANCE 61-2021-22** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Brian R. Wolff, Roy Dale - Agent, for Zone Change on property located at the southern terminus of McCormick Ln. from R-2A Single Family Residential District to R-4 Multiple Family Residential District RPC: Approval/Approval **Pg 83**
5. **ORDINANCE 62-2021-22** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Bible Baptist Church for Zone Change on property located at the intersection of Sango Rd. and Woody Ln. from O-1 Office District to R-5 Residential District RPC: Approval/Approval **Pg 129**
6. **ORDINANCE 63-2021-22** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Larry Chappell, Chris Blackwell - Agent, for Zone Change on property located at the intersection of Gupton Ln & Gupton Cir. from R-1 Single Family Residential District to R-4 Multiple Family Residential District RPC: Disapproval/Disapproval **Pg 177**
7. **ORDINANCE 64-2021-22** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Quiktrip Corp. for Zone Change on property located north of Rossvie Rd., west of I-24, & east of the Rossvie School Complex from C-4 Highway Interchange District to C-2 General Commercial District RPC: Disapproval/Approval **Pg 178**
8. **ORDINANCE 65-2021-22** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Winn Properties LP for Zone Change on property located at the intersection of Martin Luther King, Jr. Blvd & Fire Station Rd. from C-4 Highway Interchange District to C-2 General Commercial District RPC: Approval/Approval **Pg 179**
9. **ORDINANCE 66-2021-22** (First Reading) Amending the City Zoning Ordinance of the City of Clarksville, Tennessee, as it pertains to Planned Unit Developments and Mixed Use Planned Unit Developments RPC: Approval/Approval **Pg 181**

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

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

1. **ORDINANCE 29-2021-22** (Second Reading) Amending the official code of the City of Clarksville Title 4 (Building, Utility and Housing Codes) relative to non-single family housing **Pg 198**
2. **ORDINANCE 30-2021-22** (Second Reading) Amending the official code Title 1, Chapter 2, Section 204 relative to presenting legislation and deliberation of City Council members to maximize efficiency **Pg 201**
3. **ORDINANCE 48-2021-22** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of John and James Clark, Calvin Ligon - Agent for Zone Change on property located at the intersection of E. Boy Scout Rd. and Needmore Rd. from AG Agricultural District/C-2 General Commercial District to R-1 Single Family Residential District/R-4 Multiple Family Residential District **Pg 205**
4. **ORDINANCE 49-2021-22** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Spencer Patrick Johnson & Sherry Johnson, Todd Morris - Agent for Zone Change on property located at the intersection of Peachers Mill Rd. & Pollard Rd. from R-1 Single Family Residential District to R-4 Multiple Residential District **Pg 207**
5. **ORDINANCE 50-2021-22** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Michael Young, Wayne Wilkinson - Agent for Zone Change on property located north of Martin Luther King Blvd, west of Huntco Dr. & east of Vaughn Rd. from C-4 Highway Interchange District to C-2 General Commercial District **Pg 209**
6. **ORDINANCE 51-2021-22** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of 2114 Holdings LLC for Zone Change on property located at the intersection of Crossland Ave. & Robert S. Brown Dr. from C-5 Highway & Arterial Commercial District to C-2 General Commercial District **Pg 211**
7. **ORDINANCE 52-2021-22** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Anthony Q. Johson for Zone Change on property located at the intersection of Daniel St. & Lucas Ln. from R-3 Three Family Residential District to R-6 Single Family Residential District **Pg 212**
8. **ORDINANCE 53-2021-22** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Black Hawk Land Development, Rex Hawkins Agent for Zone Change on property located at the intersection of Peachers Mill Rd., & W. Boy Scout Rd. from C-5 Highway & Arterial Commercial District to R-2 Single Family Residential District **Pg 213**
9. **ORDINANCE 54-2021-22** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of KMG Properties, Rex Hawkins - Agent for Zone Change on property located at the intersection of Notgrass Rd. & Arbor St. from R-1 Single Family Residential District to R-4 Multiple Family Residential District **Pg 214**
10. **ORDINANCE 55-2021-22** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of KMG Properties, Rex Hawkins - Agent for Zone Change on property located at the intersection of Notgrass Rd. & Copeland Rd. from R-1 Single Family Residential District to R-4 Multiple Family Residential District **Pg 215**

11. **ORDINANCE 56-2021-22** (Second Reading) Amending the Official Code of the City of Clarksville Reapportioning the City of Clarksville for the Purpose of Electing Persons for the Office of City Council [Citywide Reapportionment - 2020 Census] **Pg 216**

12. **ORDINANCE 58-2021-22** (Second Reading) Authorizing a name change from Office of Housing and Community Development to Neighborhood and Community Services **Pg 219**

13. **RESOLUTION 32-2021-22** Approving Appointments to the After Hours Establishment Board, Audit Committee and Museum Board **Pg 221**

a) After Hours Establishment Board: Reappointment of Jeremy Bowles (December 2021 - November 2023) and Rhonda Davis (December 2021 - November 2023)

b) Audit Committee: Reappointment of Brandon DiPaolo Harrison (January 2022 - December 2023) and Marcia Demorest (January 2022 - December 2023)

c) Museum Board: Dr. James Diehr (January 2022 - December 2024), Reappoint Kell Black to 1st full term - (January 2022 to December 2024), Reappoint Lawson Mabry (January 2022 - December 2024), Brendalyn Player (January 2022 - December 2024)

14. Adoption of minutes: November 4 **Pg 222**

8) **FINANCE COMMITTEE** *Councilperson Stacey Streetman*

a) **ORDINANCE 59-2021-22** Approving the amendment to ORDINANCE 45-2021-22 pertaining to a settlement of the Robinsons and/or Franklin Street Corporation (FSC) v. City State Court and Federal Court lawsuits. *Finance Committee: Approval* **Pg 235**

b) **RESOLUTION 35-2021-22** Authorize the Mayor of the City of Clarksville to sign a proposal with the Tennessee Dept. of Transportation for Project Number (FEDERAL PROJECT NUMBER: HSIP-236(7), (STATE PROJECT NUMBER: 64047-0229-94, 63037-3229-94, 63037-229-94, 63037-1229-94). *Finance Committee: Approval* **Pg 287**

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

1. Department Report

10) **HOUSING & COMMUNITY DEVELOPMENT COMMITTEE** *Mayor Pro Tem Wanda Smith*

1. Department Report

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

1. Department Report

12) PUBLIC SAFETY COMMITTEE *Councilman Travis Holleman*

1. Department Reports

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

1. Department Reports

14) NEW BUSINESS

1. **RESOLUTION 58-2020-21** (Referred to Legislative Liaison Committee 3/4/21) Supporting the decriminalization of simple possession or casual exchange of marijuana for personal use *Councilperson Butler* **Pg 308**

2. **CONSIDERATION OF RESOLUTION 36-2021-22** Authorizing the City of Clarksville to join the State of Tennessee and other local governments as participants in the Tennessee state-subdivision opioid abatement agreement and approving the related settlement agreements (requires $\frac{3}{4}$ majority approval of members present and voting) **Pg 309**

- 2a. **RESOLUTION 36-2021-22** Authorizing the City of Clarksville to join the State of Tennessee and other local governments as participants in the Tennessee state-subdivision opioid abatement agreement and approving the related settlement agreements

15) MAYOR AND COUNCIL MEMBER COMMENTS

16) ADJOURNMENT

CITY ZONING ACTIONS

The following case(s) will be considered for action at the formal session of the Clarksville City Council on: December 2, 2021. The public hearing will be held on: November 30, 2021.

CITY ORD. #: 60-2020-21 RPC CASE NUMBER: Z-71-2021

Applicant: REDA HOME BUILDERS, INC.

Location: Property located southeast of the Twin Rivers Rd. and Nolen Rd. intersection.

Ward #: 9

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

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ORD. #: 61-2021-22 RPC CASE NUMBER: Z-72-2021

Applicant: BRIAN R. WOLFF

Agent: Roy Dale

Location: Property located at the southern terminus of McCormick Lane.

Ward #: 11

Request: R-2A Single-Family Residential District
 to
 R-4 Multiple-Family Residential District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ORD. #: 62-2021-22 RPC CASE NUMBER: Z-75-2021

Applicant: BIBLE BAPTIST CHURCH

Agent: John Hadley

Location: Property fronting on the east frontage of Sango Rd. 500 +/- feet north of the Sango Rd. & Woody Ln. intersection.

Ward #: 10

Request: O-1 Office District
 to
 R-5 Residential District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ORD. #: 63-2021-22 RPC CASE NUMBER: Z-76-2021

Applicant: LARRY CHAPPELL

Agent: Chris Blackwell

Location: Property located at the northeast corner of the Gupton Ln. & Gupton Cir. intersection.

Ward #: 7

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

STAFF RECOMMENDATION: DISAPPROVAL

PLANNING COMMISSION RECOMMENDATION: DISAPPROVAL

CITY ORD. #: 64-2021-22 RPC CASE NUMBER: Z-77-2021

Applicant: QUIKTRIP CORP

Agent: Laws Bouldin

Location: Property located north of Rossview Rd., west of I-24 & east of the Rossview School Complex.

Ward #: 12

Request: C-4 Highway Interchange District
 to
 C-2 General Commercial District

STAFF RECOMMENDATION: DISAPPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ORD. #: 65-2021-22 RPC CASE NUMBER: Z-78-2021

Applicant: WINN PROPERTIES LP

Agent: CS-Clarksville Chris Goodman

Location: Property fronting on the south frontage of Martin Luther King, Jr. Blvd. 925 +/- feet northeast of the
Martin Luther King, Jr. Blvd. & Fire Station Rd. intersection.

Ward #: 10

Request: C-4 Highway Interchange District
 to
 C-2 General Commercial District .

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ORD. #: 66-2021-22 RPC CASE NUMBER: ZO-5-2021

Applicant: REGIONAL PLANNING COMMISSION

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

RPC MEETING DATE 11/23/2021

CASE NUMBER: Z - 71 -2021

NAME OF APPLICANT:Reda Home Builders,

AGENT:

GENERAL INFORMATION

TAX PLAT: 055

PARCEL(S): 033.00

ACREAGE TO BE REZONED: 3.92

PRESENT ZONING: R-1

PROPOSED ZONING: R-4

EXTENSION OF ZONING

CLASSIFICATION: YES TO THE EAST

PROPERTY LOCATION: Property located southeast of the Twin Rivers Rd. and Nolen Rd. intersection.

CITY COUNCIL WARD: 9

COUNTY COMMISSION DISTRICT: 14

CIVIL DISTRICT: 12

DESCRIPTION OF PROPERTY: Single Family Residential with outbuilding and several mature trees.

APPLICANT'S STATEMENT Rezoning to build condos to sell individually with an HOA to insure property

FOR PROPOSED USE: maintenance and management

GROWTH PLAN AREA: CITY **PLANNING AREA:** Trenton

PREVIOUS ZONING HISTORY: Z-39-2012, Z-11-2021, Z-35-2021

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:

Revised Traffic Assessment needed.

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:

MIDDLE SCHOOL:

HIGH SCHOOL:

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.

9. FT. CAMPBELL:

10. OTHER COMMENTS:

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING
STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

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

INFRASTRUCTURE:

WATER SOURCE: CITY

SEWER SOURCE: CITY

STREET/ROAD ACCESSIBILITY: Nolen Rd.

DRAINAGE COMMENTS:

RESIDENTIAL DEVELOPMENT

APPLICANT'S ESTIMATES HISTORICAL ESTIMATES

LOTS/UNITS:

46

POPULATION:

124

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. The R-4 request is a continuation of the established R-4 zoning to the east.
3. The R-4 Multi-family Residential zoning classification is not out of character with the surrounding area.
4. Adequate infrastructure serves the site & no adverse environmental issues have been identified relative to this request.
- 5.



Z-71-2021

APPLICANT:

REDA HOME BUILDERS,
INC

REQUEST:

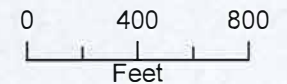
**R-1
TO
R-4**


MAP & PARCEL


055 03300

ACRES +/-
3.92

Scale: 1:8,000



 **Z-71-2021**

 **Parcels**

11/23/2021



Z-71-2021

APPLICANT:

REDA HOME BUILDERS,
INC

REQUEST:

R-1

TO

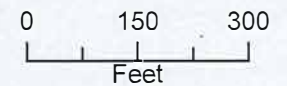
R-4


MAP & PARCEL


055 03300

ACRES +/-
3.92

Scale: 1:3,000



 **Z-71-2021**

 **Parcels**

11/23/2021



Z-71-2021

APPLICANT:
REDA HOME BUILDERS,
INC

REQUEST:

**R-1
TO
R-4**

MAP & PARCEL

055 03300

ACRES +/-
3.92

Scale: 1:8,000



11/23/2021

CASE NUMBER: Z 71 2021 **MEETING DATE** 11/23/2021

APPLICANT: Reda Home Builders, Inc.

PRESENT ZONING R-1

PROPOSED ZONING R-4

TAX PLAT # 055

PARCEL 033.00

GEN. LOCATION Property located southeast of the Twin Rivers Rd. and Nolen Rd. intersection.

PUBLIC COMMENTS

None received as of 4:30 P.M. on 11/22/2021 (A.L.)

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

RPC MEETING DATE: 11/23/2021

CASE NUMBER: Z - 72 -2021

NAME OF APPLICANT:Brian R. Wolff

AGENT: Roy Dale

GENERAL INFORMATION

TAX PLAT: 041

PARCEL(S): 040.01 (po)

ACREAGE TO BE REZONED: 11.7

PRESENT ZONING: R-2A

PROPOSED ZONING: R-4

EXTENSION OF ZONING

CLASSIFICATION: YES

PROPERTY LOCATION: Property located at the southern terminus of McCormick Lane.

CITY COUNCIL WARD: 11

COUNTY COMMISSION DISTRICT: 14

CIVIL DISTRICT: 6

DESCRIPTION OF PROPERTY: Wooded area at existing street stub that falls towards a ravine.

APPLICANT'S STATEMENT Property to be zoned consistent with current and adjacent zoning to allow multifamily
FOR PROPOSED USE:

GROWTH PLAN AREA: CITY

PLANNING AREA: Trenton

PREVIOUS ZONING HISTORY: SR-46-2020, Z-13-2015, S-27-2015

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

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

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

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

1. CITY ENGINEER/UTILITY DISTRICT:

May require offsite water upgrades.

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

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:

ELEMENTARY: GLENELLEN
MIDDLE SCHOOL: KENWOOD
HIGH SCHOOL: KENWOOD

Glenellen Elementary is in the fastest growing region in Montgomery County. Glenellen is at 94% capacity, and currently has 4 portable classrooms. 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.

9. FT. CAMPBELL:

10. OTHER COMMENTS:

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING
STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

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

INFRASTRUCTURE:

WATER SOURCE: CITY

SEWER SOURCE: CITY

STREET/ROAD ACCESSIBILITY: McCormick Lane

DRAINAGE COMMENTS:

RESIDENTIAL DEVELOPMENT

APPLICANT'S ESTIMATES HISTORICAL ESTIMATES

LOTS/UNITS:

164

140

POPULATION:

442

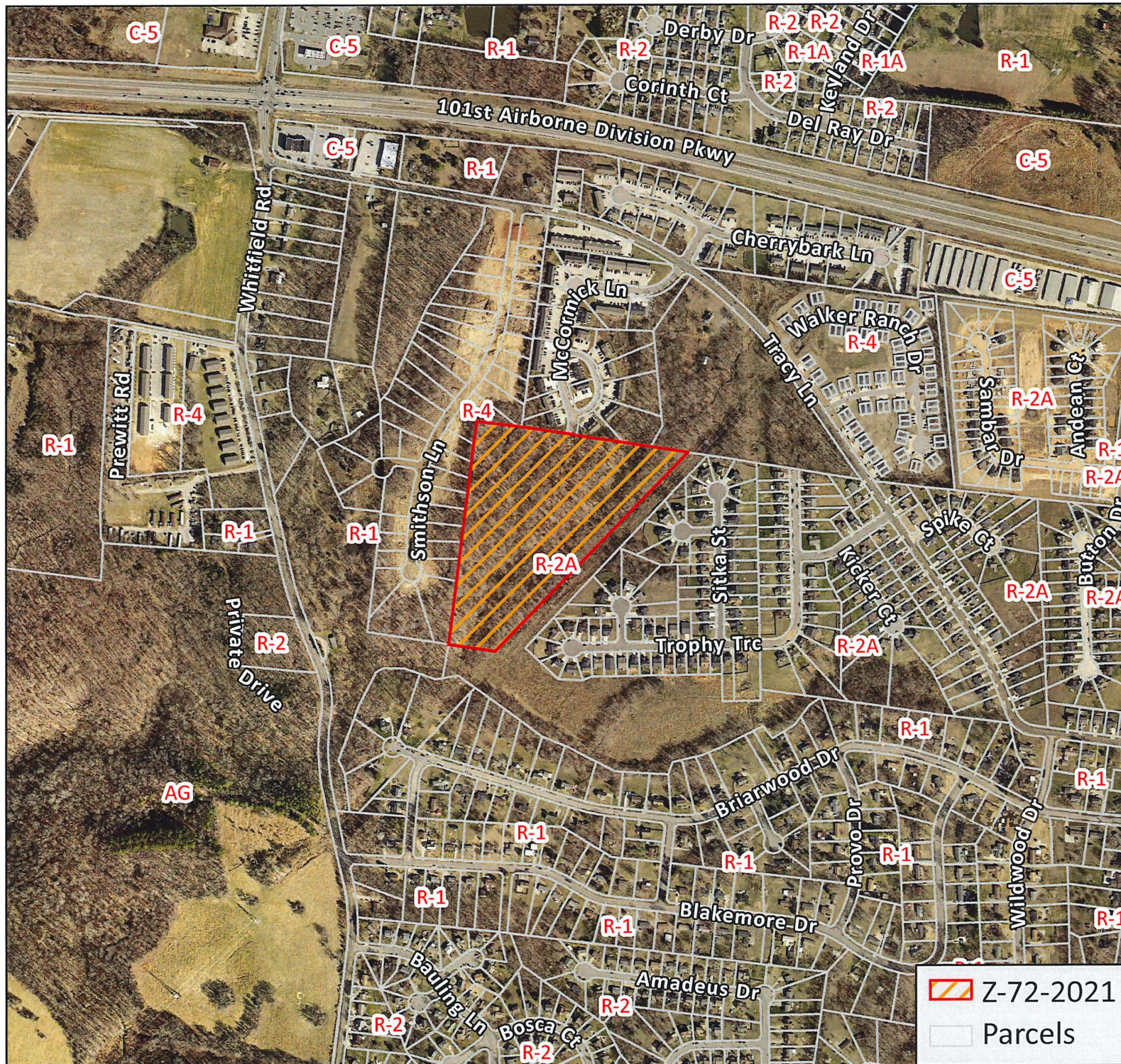
378

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.** The R-4 request is a continuation of the established R-4 zoning to the north & west.
- 3.** The McCormick Street stub was created for the future development opportunity.
- 4.** Adequate infrastructure serves the site & no adverse environmental issues have been identified relative to this request.
- 5.**



Z-72-2021

APPLICANT:

BRIAN R. WOLFF

REQUEST:

**R-2A
TO
R-4**

MAP & PARCEL

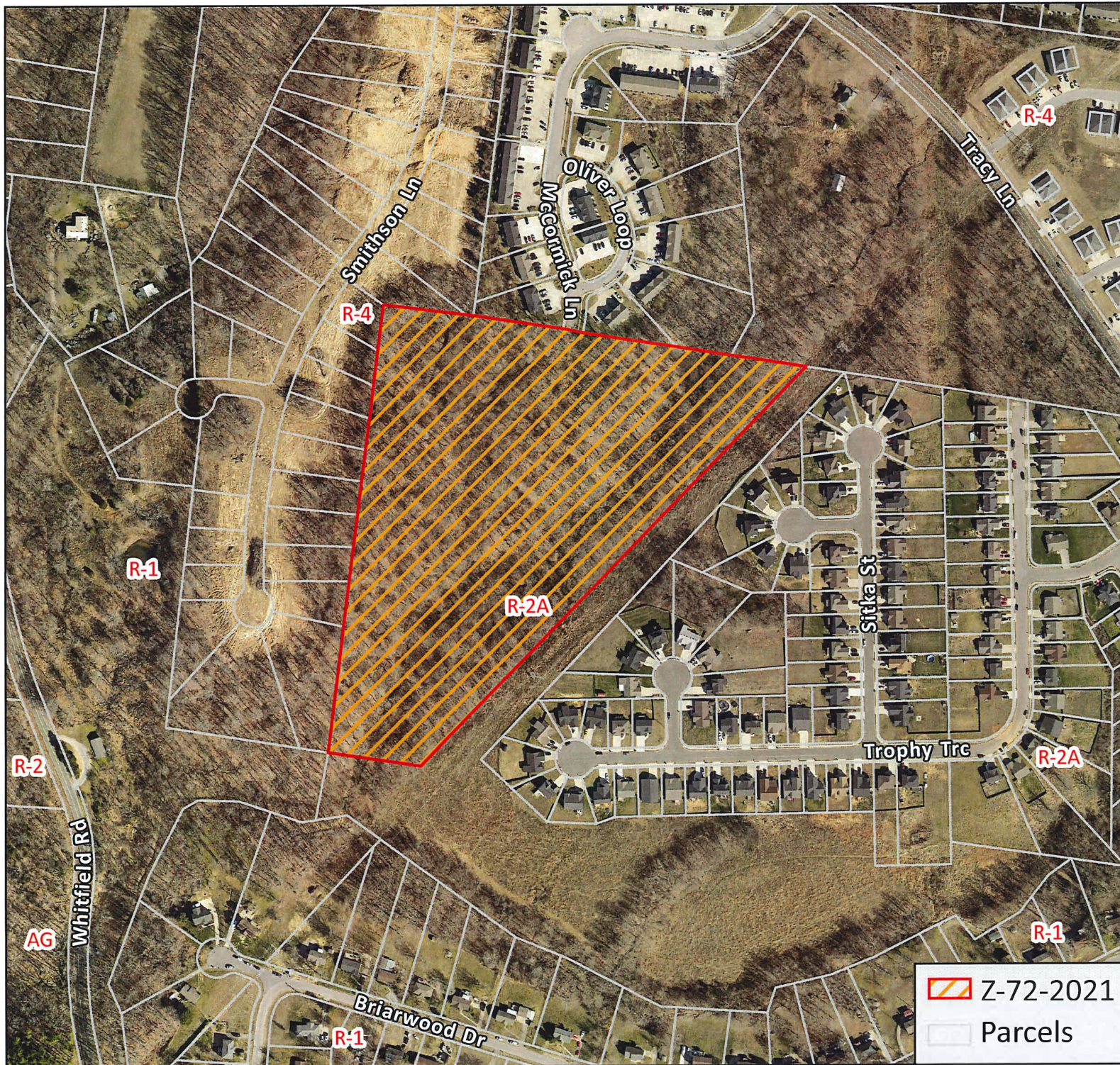
041 04001 (P)

ACRES +/-
11.7

Scale: 1:8,000



11/23/2021



Z-72-2021

APPLICANT:

BRIAN R. WOLFF

REQUEST:

R-2A

TO

R-4

MAP & PARCEL

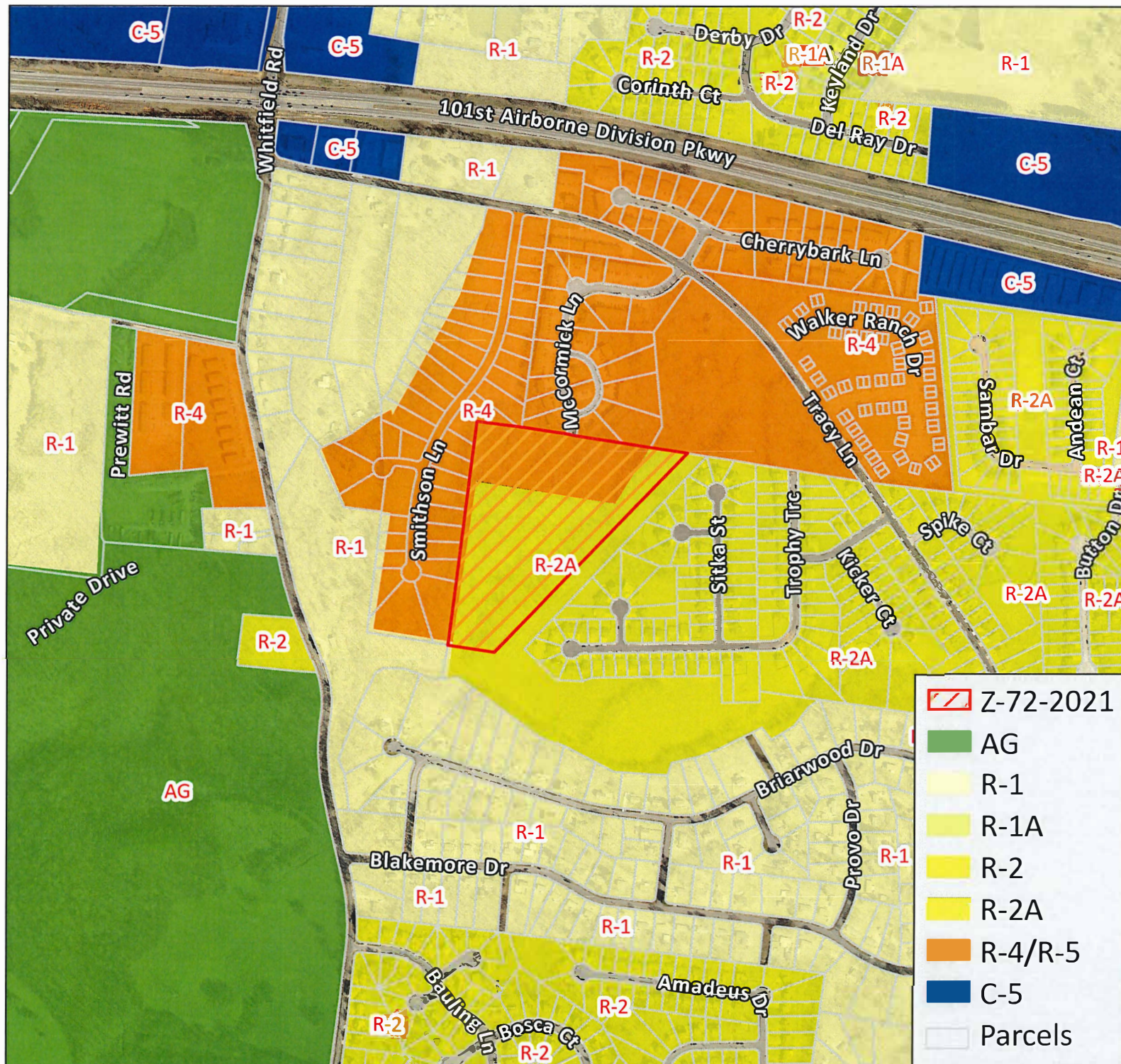
041 04001 (P)

ACRES +/-
11.7

Scale: 1:4,000



11/23/2021



Z-72-2021

APPLICANT:

BRIAN R. WOLFF

REQUEST:

R-2A

TO

R-4

MAP & PARCEL

041 04001 (P)

ACRES +/-
11.7

Scale: 1:8,000



11/23/2021

CASE NUMBER: Z 72 2021 **MEETING DATE** 11/23/2021

APPLICANT: Brian R. Wolff

PRESENT ZONING R-2A

PROPOSED ZONING R-4

TAX PLAT # 041

PARCEL 040.01 (po)

GEN. LOCATION Property located at the southern terminus of McCormick Lane.

PUBLIC COMMENTS

None received as of 4:30 P.M. on 11/22/2021 (A.L.)

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

RPC MEETING DATE: 11/23/2021

CASE NUMBER: Z - 75 -2021

NAME OF APPLICANT:Bible Baptist Church

AGENT: John Hadley

GENERAL INFORMATION

TAX PLAT: 063

PARCEL(S): 069.00

ACREAGE TO BE REZONED: 10.46

PRESENT ZONING: O-1

PROPOSED ZONING: R-5

EXTENSION OF ZONING

CLASSIFICATION: NO

PROPERTY LOCATION: Property fronting on the east frontage of Sango Rd. 500 +/- feet north of the Sango Rd. & Woody Ln. intersection.

CITY COUNCIL WARD: 10

COUNTY COMMISSION DISTRICT: 15

CIVIL DISTRICT: 11

DESCRIPTION OF PROPERTY: Grassland area with areas of moderate slope border on the northeast by I-24 R.O.W.

APPLICANT'S STATEMENT Proposed condominium development
FOR PROPOSED USE:

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:

No gravity sewer available.

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

Trip generation provided.

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: SANGO
MIDDLE SCHOOL: RICHVIEW
HIGH SCHOOL: CLARKSVILLE

Sango Elementary, Richview Middle & Clarksville High are in the 3rd fastest growing region in Montgomery County. Sango Elementary is at 102% capacity, and currently has 1 portable classroom. Richview Middle is at 94% capacity and currently has 2 portable classrooms. Clarksville High School is at 101% capacity and currently has 1 portable classroom. This continued growth necessitates additional action to address building capacity and school transportation needs in Montgomery County. Current school boundaries are subject to adjustments in order to achieve optimal capacity utilization throughout the District.

9. FT. CAMPBELL:

10. OTHER COMMENTS:

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING
STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

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

INFRASTRUCTURE:

WATER SOURCE: CITY

SEWER SOURCE: CITY

STREET/ROAD ACCESSIBILITY: Sango Rd.

DRAINAGE COMMENTS:

RESIDENTIAL DEVELOPMENT

APPLICANT'S ESTIMATES HISTORICAL ESTIMATES

LOTS/UNITS:

125

POPULATION:

337

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 R-5 Residential District is not out of character with the surrounding uses & properties.
- 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.

5.



Z-75-2021

APPLICANT:
BIBLE BAPTIST CHURCH

REQUEST:

**O-1
TO
R-5**



MAP & PARCEL

063 06900

ACRES +/-
10.46

Scale: 1:8,000



 **Z-75-2021**
 **Parcels**

11/23/2021



Z-75-2021

APPLICANT:
BIBLE BAPTIST CHURCH

REQUEST:

**O-1
TO
R-5**

MAP & PARCEL


063 06900

ACRES +/-
10.46

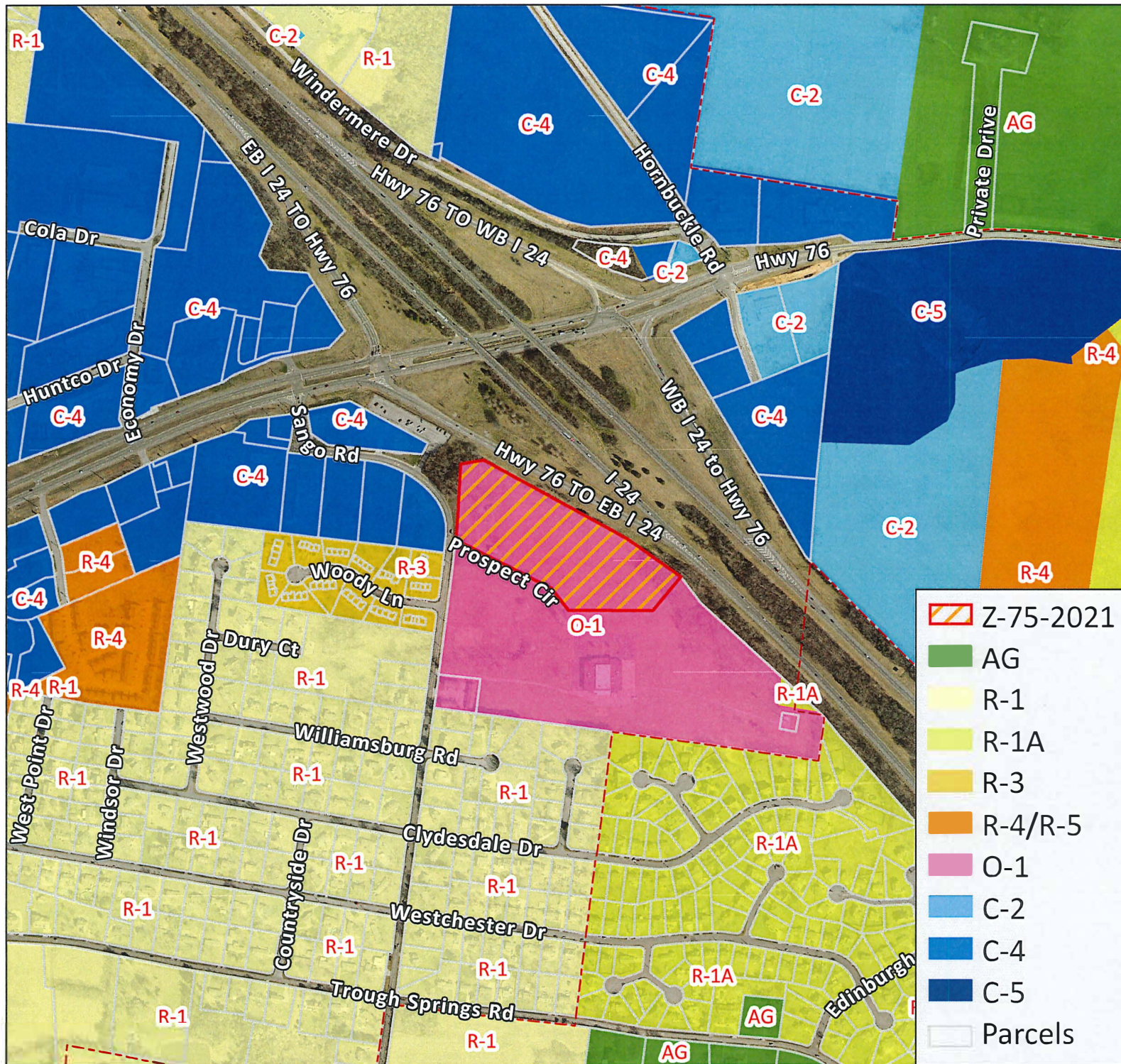
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 **Z-75-2021**

 **Parcels**

11/23/2021



Z-75-2021

APPLICANT:
BIBLE BAPTIST CHURCH

REQUEST:

**O-1
TO
R-5**

MAP & PARCEL

063 06900

ACRES +/-
10.46

-  Z-75-2021
-  AG
-  R-1
-  R-1A
-  R-3
-  R-4/R-5
-  O-1
-  C-2
-  C-4
-  C-5
-  Parcels

Scale: 1:8,000



11/23/2021

CASE NUMBER: Z 75 2021 **MEETING DATE** 11/23/2021

APPLICANT: Bible Baptist Church

PRESENT ZONING O-1

PROPOSED ZONING R-5

TAX PLAT # 063

PARCEL 069.00

GEN. LOCATION Property fronting on the east frontage of Sango Rd. 500 +/- feet north of the Sango Rd. & Woody Ln. intersection.

PUBLIC COMMENTS

None received as of 4:30 P.M. on 11/22/2021 (A.L.)

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

RPC MEETING DATE: 11/23/2021

CASE NUMBER: Z - 76 -2021

NAME OF APPLICANT:Larry Chappell

AGENT: Chris Blackwell

GENERAL INFORMATION

TAX PLAT: 079L

PARCEL(S): B 029.00(po)

ACREAGE TO BE REZONED: 2.76

PRESENT ZONING: R-1

PROPOSED ZONING: R-4

EXTENSION OF ZONING

CLASSIFICATION: NO

PROPERTY LOCATION: Property located at the northeast corner of the Gupton Ln. & Gupton Cir. intersection.

CITY COUNCIL WARD: 7

COUNTY COMMISSION DISTRICT: 5

CIVIL DISTRICT: 12

DESCRIPTION OF PROPERTY: The southern portion of the property & area of the request is a relatively level wooded area. The northern area of the tract outside the area of the request is the establishe Evergreen Cemetery.

APPLICANT'S STATEMENT Will create a transitional zoning between commercial and single family for a proposed
FOR PROPOSED USE: multi family development.

GROWTH PLAN AREA: CITY

PLANNING AREA: South Clarksville

PREVIOUS ZONING HISTORY:

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

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

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

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

1. CITY ENGINEER/UTILITY DISTRICT:

Comments received from department and they had no concerns.

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

Evaluate road conditions on Gupton Lane.

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: BARKSDALE
MIDDLE SCHOOL: RICHVIEW
HIGH SCHOOL: CLARKSVILLE

Barksdale Elem., Richview & Clarksville High are in the 3rd fastest growing region in Mont. County. Barksdale is at 103% capacity & currently has 5 portable classrooms. Richview is at 94% capacity & currently has 2 portable classrooms. Clarksville High is at 101% capacity & currently has 1 portable classroom. 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.

9. FT. CAMPBELL:

10. OTHER COMMENTS:

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING
STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

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

INFRASTRUCTURE:

WATER SOURCE: CITY

SEWER SOURCE: CITY

STREET/ROAD ACCESSIBILITY: Gupton Lan & Gupton Circle

DRAINAGE COMMENTS:

RESIDENTIAL DEVELOPMENT

APPLICANT'S ESTIMATES HISTORICAL ESTIMATES

LOTS/UNITS:

33

POPULATION:

89

APPLICABLE LAND USE PLAN

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

STAFF RECOMMENDATION: **DISAPPROVAL**

- 1.** The proposed zoning request is inconsistent with the adopted Land Use Plan.
- 2.** The adopted Land Use Plan indicates that the present R-1 zoning classification is assumed to be correct unless the proposed zone is more consistent with the land use plan, the parcel was incorrectly zoned in the first place, or major changes of an economic, physical or social nature were not considered in the present plan which have substantially altered the character of the area.
- 3.** This immediate area does appear to be an appropriate location to introduce a new multi-family residential district.
- 4.** The street network in the immediate area does not appear adequate for increased residential density.
- 5.** No adverse environmental issues have been identified for this request.



Z-76-2021

APPLICANT:

LARRY CHAPPELL

REQUEST:

R-1

TO

R-4

MAP & PARCEL


079L B 02900 (P)

ACRES +/-
2.76

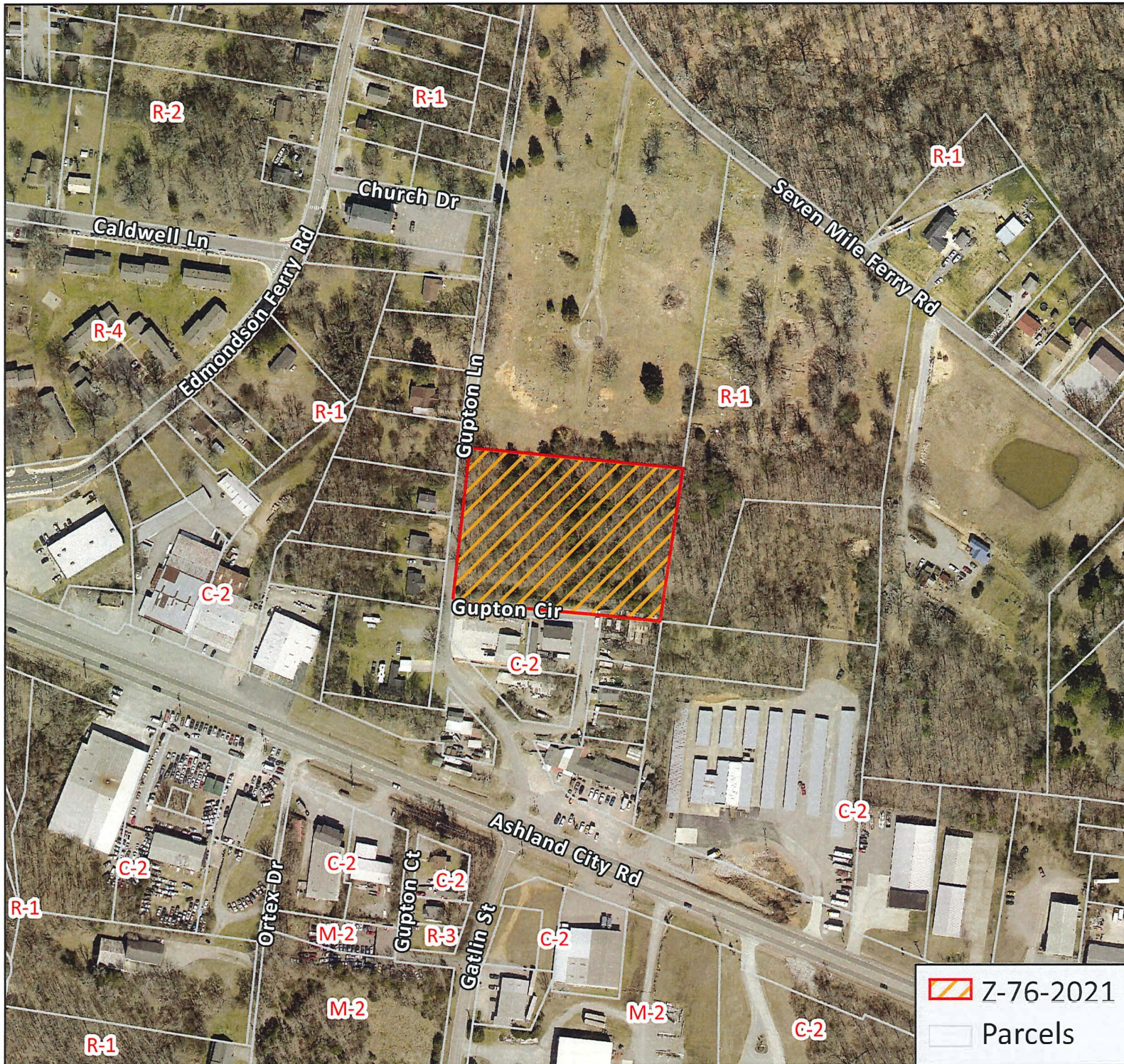
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 **Z-76-2021**

 **Parcels**

11/23/2021



Z-76-2021

APPLICANT:

LARRY CHAPPELL

REQUEST:

R-1

TO

R-4


MAP & PARCEL


079L B 02900 (P)

ACRES +/-
2.76

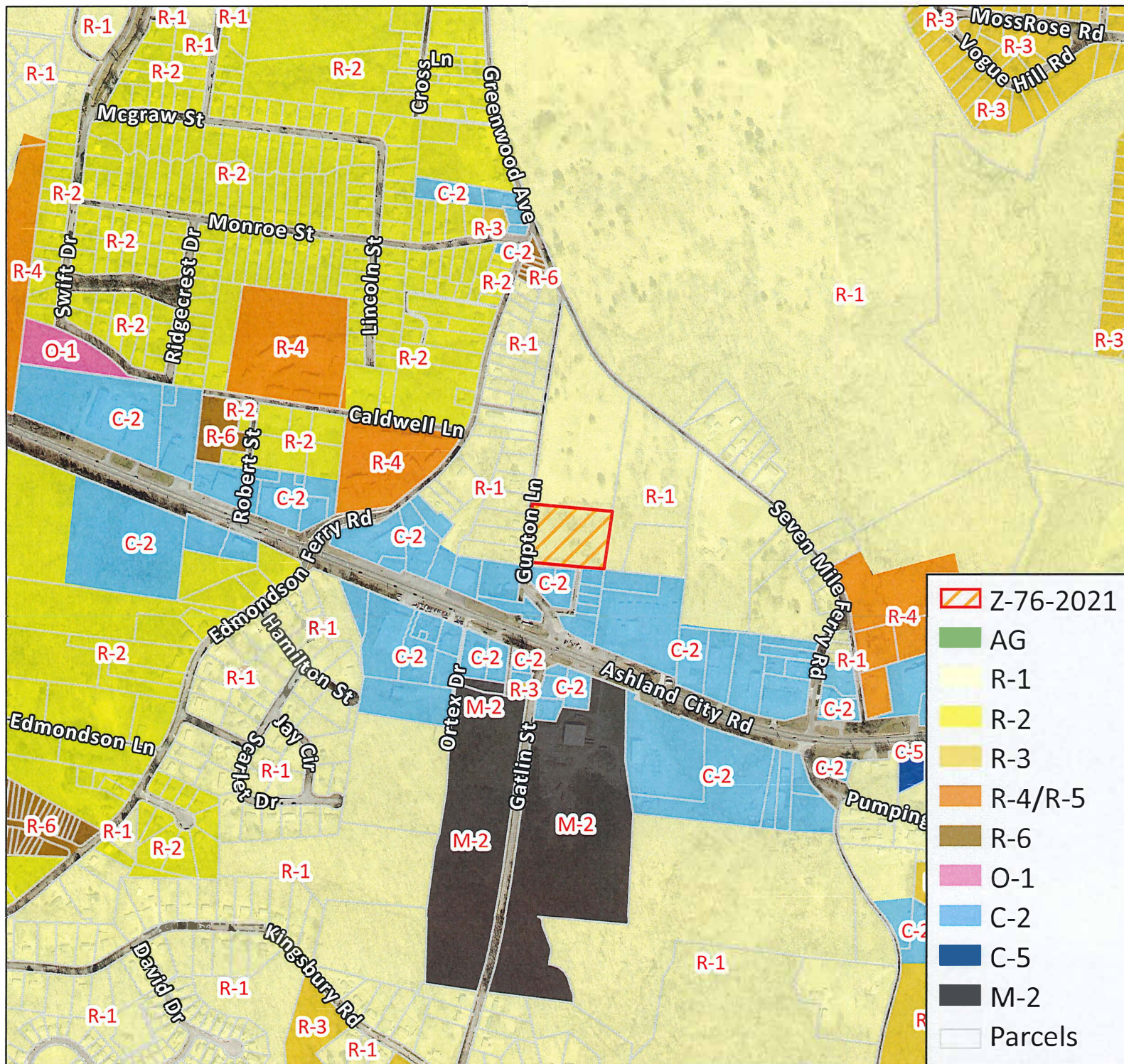
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 **Z-76-2021**

 **Parcels**

11/23/2021



Z-76-2021

APPLICANT:

LARRY CHAPPELL

REQUEST:

R-1

TO

R-4

MAP & PARCEL

079L B 02900 (P)

ACRES +/-
2.76

Scale: 1:8,000



11/23/2021

CASE NUMBER: Z 76 2021 **MEETING DATE** 11/23/2021

APPLICANT: Larry Chappell

PRESENT ZONING R-1

PROPOSED ZONING R-4

TAX PLAT # 079L

PARCEL B 029.00(po)

GEN. LOCATION Property located at the northeast corner of the Gupton Ln. & Gupton Cir.
intersection.

PUBLIC COMMENTS

None received as of 4:30 P.M. on 11/22/2021 (A.L.)

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

RPC MEETING DATE: 11/23/2021

CASE NUMBER: Z - 77 -2021

NAME OF APPLICANT:Quiktrip Corp

AGENT: Laws Bouldin

GENERAL INFORMATION

TAX PLAT: 057

PARCEL(S): 016.00 (po)

ACREAGE TO BE REZONED: 14.7

PRESENT ZONING: C-4

PROPOSED ZONING: C-2

EXTENSION OF ZONING

CLASSIFICATION: NO

PROPERTY LOCATION: Property located north of Rossview Rd., west of I-24 & east of the Rossview School Complex.

CITY COUNCIL WARD: 12

COUNTY COMMISSION DISTRICT: 1

CIVIL DISTRICT: 6

DESCRIPTION OF PROPERTY: Relatively level triangular shaped tract bordered by I-24 R.O.W. to the east.

APPLICANT'S STATEMENT For a proposed mixed use development
FOR PROPOSED USE:

GROWTH PLAN AREA: CITY

PLANNING AREA: Rossview

PREVIOUS ZONING HISTORY: CZ-2-1989
CZ-20-1989
Z-19-2020

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

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

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

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

1. CITY ENGINEER/UTILITY DISTRICT:

Comments received from department and they had no concerns.

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

Comments received from department and they had no concerns.

3. DRAINAGE COMMENTS:

Comments received from department and they had no concerns.

4. CDE/CEMC:

No Comment(s) Received

5. FIRE DEPT/EMERGENCY MGT.:

Comments received from department and they had no concerns.

6. POLICE DEPT/SHERIFF'S OFFICE:

Comments received from department and they had no concerns.

7. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

Comments received from department and they had no concerns.

8. SCHOOL SYSTEM:

ELEMENTARY: ROSSVIEW
MIDDLE SCHOOL: ROSSVIEW
HIGH SCHOOL: ROSSVIEW

This area, which is beside Rossview High, services students attending Rossview Elementary, Rossview Middle & Rossview High are in the 2nd fastest growing region in Mont. County. Rossview Elem. is at 108% capacity and currently has 11 portable classrooms. Rossview Middle is at 118% capacity and currently has 12 portable classrooms. Rossview High is at 116% capacity and currently has 8 portables. This continued student growth necessitates additional action to traffic concerns in the area. This development will only worsen traffic tie -ups from the schools to & from the interstate, coupled with drivers accessing Rossview Rd. from Powell Rd., which is directly across from this development. There is only one entrance and exit at Powell Rd. If there is an accident here it would block off an entire neighborhood. Connectivity only at discretion of CMCSS Ops. Dept.

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: C-2 allows for mixed use commercial & multi-family residential use.

INFRASTRUCTURE:

WATER SOURCE: CITY

SEWER SOURCE: CITY

STREET/ROAD ACCESSIBILITY: Rossview Road

DRAINAGE COMMENTS:

RESIDENTIAL DEVELOPMENT

APPLICANT'S ESTIMATES HISTORICAL ESTIMATES

LOTS/UNITS:

176

POPULATION:

475

APPLICABLE LAND USE PLAN

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

STAFF RECOMMENDATION: **DISAPPROVAL**

- 1.** The proposed zoning request is inconsistent with the adopted Land Use Plan.
- 2.** C-4 Highway Interchange Zoning District is the correct zoning classification for this tract. The C-4 District is intended primarily for transient sleeping accommodations, food establishments & automobile service oriented establishments
- 3.** The availability of C-4 Highway Interchange Zoning District is limited to the areas of the Interstate Exits. The Exit 8 Interchange has an extremely limited stock of C-4 Zoning. It is not encouraged to reduce the stock of C-4 zoning for this area due to the limited stock for this exit & the immediate & future needs of C-4 uses for this interchange.
- 4.** This tract currently has visibility from eastbound traffic on I-24. This eastbound visibility increases the viability of the uses at this location and future uses located at this interchange.
- 5.** Adequate infrastructure will serve the site & no adverse environmental issues were identified relative to this request.



Z-77-2021

APPLICANT:

QUIKTRIP CORP

REQUEST:

C-4

TO

C-2

MAP & PARCEL

057 01600 (P)

ACRES +/-
14.7

Scale: 1:8,000



 **Z-77-2021**

 **Parcels**

11/23/2021



Z-77-2021

APPLICANT:

QUIKTRIP CORP

REQUEST:

C-4

TO

C-2

MAP & PARCEL

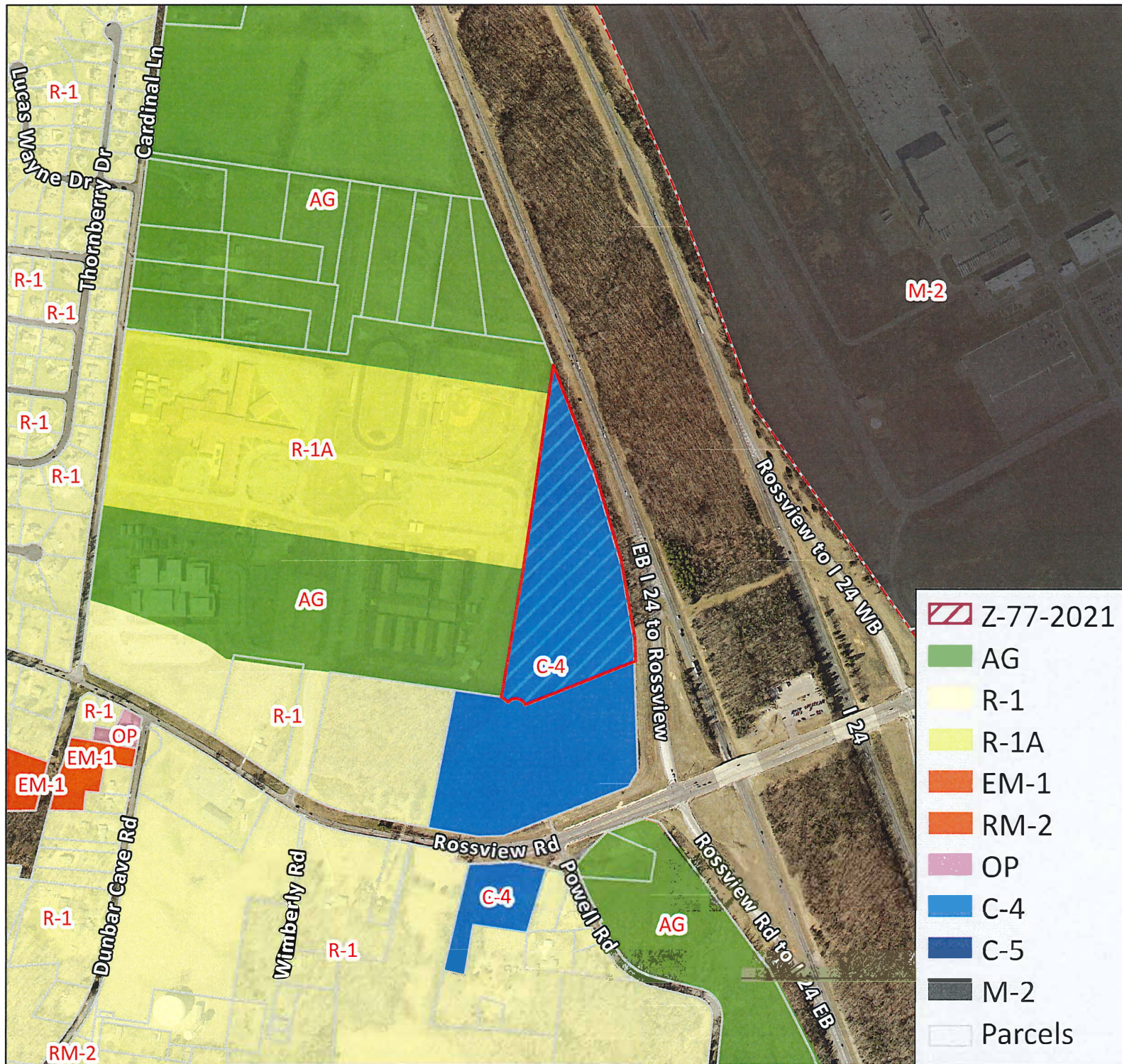
057 01600 (P)

ACRES +/-
14.7

Scale: 1:4,000



11/23/2021



Z-77-2021

APPLICANT:

QUIKTRIP CORP

REQUEST:

C-4

TO

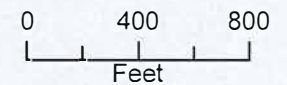
C-2

MAP & PARCEL

057 01600 (P)

ACRES +/-
14.7

Scale: 1:8,000



11/23/2021

CASE NUMBER: Z 77 2021 **MEETING DATE** 11/23/2021

APPLICANT: Quiktrip Corp

PRESENT ZONING C-4

PROPOSED ZONING C-2

TAX PLAT # 057

PARCEL 016.00(po)

GEN. LOCATION Property located north of Rossview Rd., west of I-24 & east of the Rossview School Complex.

PUBLIC COMMENTS

None received as of 4:30 P.M. on 11/22/2021 (A.L.)

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

RPC MEETING DATE: 11/23/2021

CASE NUMBER: Z - 78 -2021

NAME OF APPLICANT:Winn Properties LP

AGENT: CS-Clarksville Chris

GENERAL INFORMATION

TAX PLAT: 063

PARCEL(S): 077.00po),077.03 078.00

ACREAGE TO BE REZONED: 19.20

PRESENT ZONING: C-4

PROPOSED ZONING: C-2

EXTENSION OF ZONING

CLASSIFICATION: NO

PROPERTY LOCATION: Property fronting on the south frontage of Martin Luther King, Jr. Blvd. 925 +/- feet northeast of the Martin Luther King, Jr. Blvd. & Fire Station Rd. intersection.

CITY COUNCIL WARD: 10

COUNTY COMMISSION DISTRICT: 15

CIVIL DISTRICT: 11

DESCRIPTION OF PROPERTY:

APPLICANT'S STATEMENT Portion is more suitable for small commercial or multi-use, and eliminate any chance of
FOR PROPOSED USE: big box retail near existing residential.

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:

Comments received from department and they had no concerns.

3. DRAINAGE COMMENTS:

Sinkhole Onsite

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: SAN O
MIDDLE SCHOOL: RICHVIEW
HIGH SCHOOL: CLARKSVILLE

Sango Elementary, Richview Middle & Clarksville High are in the 3rd fastest growing region in Montgomery County. Sango Elementary is at 102% capacity, and currently has 1 portable classroom. Richview Middle is at 94% capacity and currently has 2 portable classrooms. Clarksville High School is at 101% capacity and currently has 1 portable classroom. This continued growth necessitates additional action to address building capacity and school transportation needs in Montgomery County. 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: C-2 allows for mixed use commercial & multi-family residential use.

INFRASTRUCTURE:

WATER SOURCE: CITY

SEWER SOURCE: CITY

STREET/ROAD ACCESSIBILITY: Winn Way

DRAINAGE COMMENTS:

RESIDENTIAL DEVELOPMENT

APPLICANT'S ESTIMATES HISTORICAL ESTIMATES

LOTS/UNITS:

230

POPULATION:

621

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 area of the request is on the fringe of the established C-4 Highway interchange district with limited visibility from Martin Luther King, Jr. Parkway. The C-2 General Commercial District provides the opportunity for Mixed-Use development potential in an area where goods & services are readily available.
3. C-2 zoning permits the opportunity for general goods & services establishments with the additional opportunity for mixed use residential. The adopted Land Use Plan states that mixed use, residential & commercial developments should be encouraged. The C-2 District also provides an opportunity for a more appropriate transition from the C-4 to the established R-4 use to the east/south.
4. This tract has reserved a portion of the Martin Luther King, Jr. Parkway frontage of C-4 Highway Interchange District to cater to the future needs near the Interstate interchange, such as, transient sleeping accommodations, food establishments & automobile service oriented establishments
5. Adequate infrastructure will serve the site & no adverse environmental issues were identified relative to this request.



Z-78-2021

APPLICANT:

WINN PROPERTIES LP

REQUEST:

C-4

TO

C-2

MAP & PARCEL

063 07700 (P)

063 07800


063 07703


ACRES +/-
19.2

Scale: 1:8,000



 Z-75-2021

 Z-78-2021

 Parcels

11/23/2021



Z-78-2021

APPLICANT:
WINN PROPERTIES LP

REQUEST:

C-4
TO
C-2

MAP & PARCEL

063 07700 (P)



063 07800

063 07703

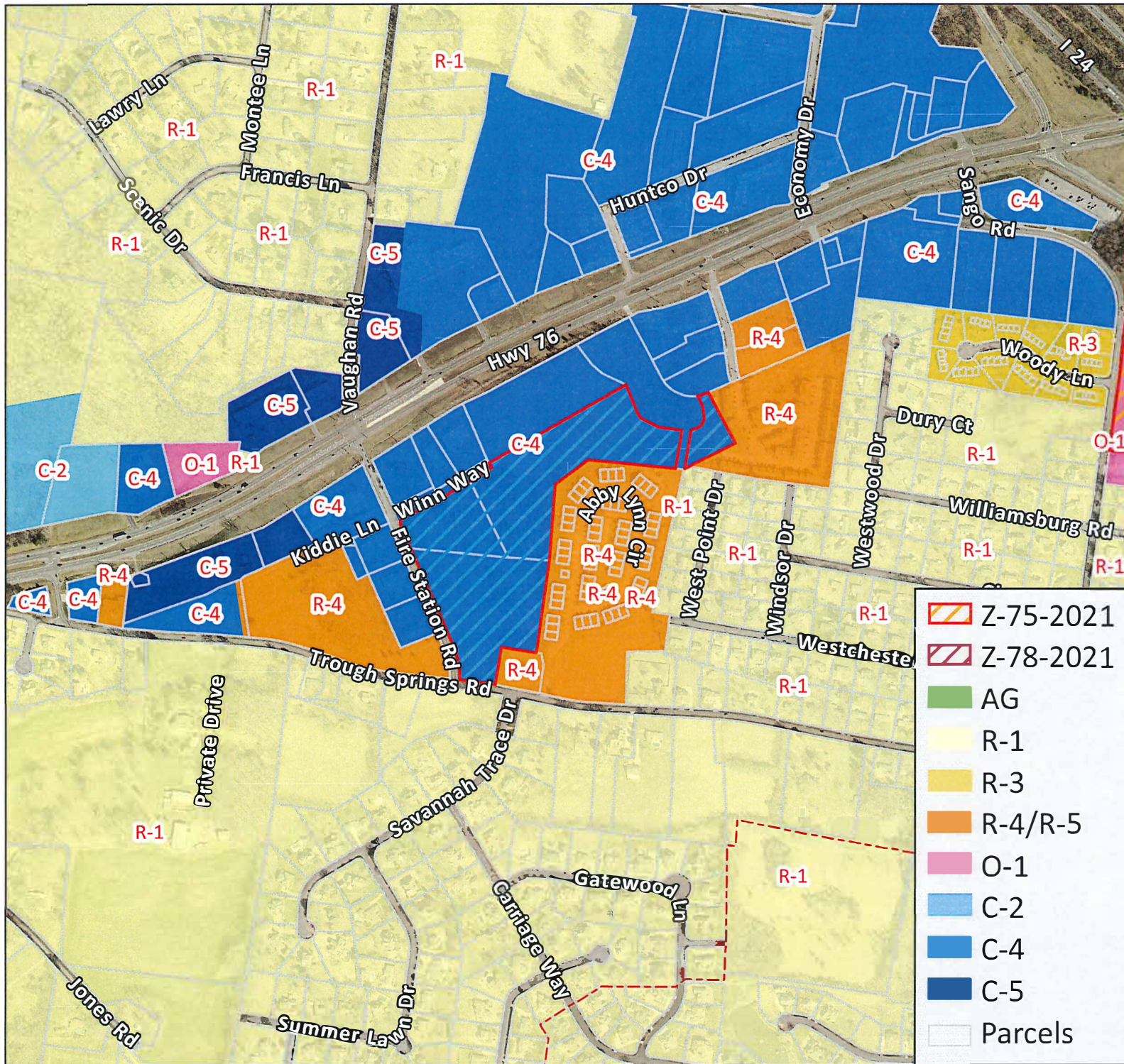
ACRES +/-
19.2

Scale: 1:4,000



 **Z-78-2021**
 **Parcels**

11/23/2021



Z-78-2021

APPLICANT:

WINN PROPERTIES LP

REQUEST:

C-4

TO

C-2

MAP & PARCEL

063 07700 (P)

063 07800

063 07703

ACRES +/-
19.2

Scale: 1:8,000



11/23/2021

CASE NUMBER: Z 78 2021 **MEETING DATE** 11/23/2021

APPLICANT: Winn Properties LP

PRESENT ZONING C-4

PROPOSED ZONING C-2

TAX PLAT # 063

PARCEL 077.00po),077.03

GEN. LOCATION Property fronting on the south frontage of Martin Luther King, Jr. Blvd. 925 +/- feet northeast of the Martin Luther King, Jr. Blvd. & Fire Station Rd. intersection.

PUBLIC COMMENTS

None received as of 4:30 P.M. on 11/22/2021 (A.L.)

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

RPC MEETING DATE: 11/23/2021

CASE NUMBER: ZO - 5 -2021

NAME OF APPLICANT:Regional Planning

AGENT:

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 To allow for more flexible PUD developments which allow for the highest design and
FOR PROPOSED USE: product. Previous codes precluded PUDs in a majority of cases.

GROWTH PLAN AREA:

PLANNING AREA:

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:**

No Comment(s) Received

3. DRAINAGE COMMENTS:

No Comment(s) Received

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:

No Comment(s) Received

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

No Comment(s) Received

8. SCHOOL SYSTEM:

No Comment(s) Received

ELEMENTARY:

MIDDLE SCHOOL:

HIGH SCHOOL:

9. FT. CAMPBELL:

No Comment(s) Received

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 amendments to PUD and adding Mixed Use PUD language to the City Zoning Ordinance
- 2.
- 3.
- 4.
- 5.

CASE NUMBER: ZO 5 2021 **MEETING DATE** 11/23/2021

APPLICANT: Regional Planning Commission

PRESENT ZONING

PROPOSED ZONING

TAX PLAT #

PARCEL

GEN. LOCATION

PUBLIC COMMENTS

None received as of 4:30 P.M. on 11/22/2021 (A.L.)

~~A RESOLUTION ANNEXING TERRITORY ALONG HWY 76 AND LITTLE HOPE ROAD.~~

A RESOLUTION ANNEXING TERRITORY ALONG STATE ROUTE 12 AND EAST OLD ASHLAND CITY ROAD NEAR BRYAN ROAD

WHEREAS, the City of Clarksville is considering annexation of an area described in attached legal description (See “Exhibit A”) as requested by property owners Henry Davis, Anthony C. Tice, and Karen Tice;

WHEREAS, the annexation of this territory is deemed beneficial to the welfare of the residents and property owners thereof and to the City of Clarksville as a whole.

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

That pursuant to authority conferred by 6-51-102, *Tennessee Code Annotated*, there is hereby annexed to the City of Clarksville, Tennessee, and incorporated within the same corporate boundaries thereof, the territory described by “Exhibit A” and shown in “Exhibit B” attached, adjoining the present corporate boundaries.

BE IT FURTHER ORDAINED that this resolution shall be effective from and after its final passage and publication in accordance with *Article III, Section 6* of the Official Charter of the City of Clarksville, Tennessee.

Adopted: December 2, 2021

Effective Date: January 2, 2022

DESCRIPTION OF PROPERTIES:

LAND DESCRIPTION OF TICE AND DAVIS PROPERTIES

Being a parcel of land in the 15th Civil District of Clarksville, Montgomery County, Tennessee, said parcel being tax map 88 parcel 23.00 and parcel 23.02, recorded in Volume (Vol.) 828, page 2722, and Volume (Vol.) 1372, page 1609 Register's Office Montgomery County, Tennessee (ROMCT).

Beginning at the northwest corner of the Tice Property, South 39 degrees 19 Minutes 27 Seconds East 91.3 feet from the centerline of the intersections of E. Old Ashland City Road, and Parkview Village Way;

Thence along the margin of East Old Ashland City Road, South 54 degrees 16 Minutes 20 Seconds East 32.81;

Thence with a curve turning to the right with an arc length of 185.67', with a radius of 636.98', with a chord bearing of South 45 degrees 51 Minutes 58 Seconds East, with a chord length of 185.02';

Thence, South 37 Degrees 07 Minutes 59 Seconds East 193.38 feet;

Thence, South 39 Degrees 42 Minutes 00 Seconds East 125.88 feet;

Thence, South 42 Degrees 04 Minutes 14 Seconds East 55.18 feet;

Thence, South 44 Degrees 59 Minutes 18 Seconds East 66.36 feet;

Thence, South 41 Degrees 29 Minutes 37 Seconds East 71.34 feet;

Thence, leaving East Old Ashland City Road, South 26 Degrees 29 Minutes 17 Seconds West 285.60 feet;

Thence, South 20 Degrees 03 Minutes 37 Seconds West 284.31 feet;

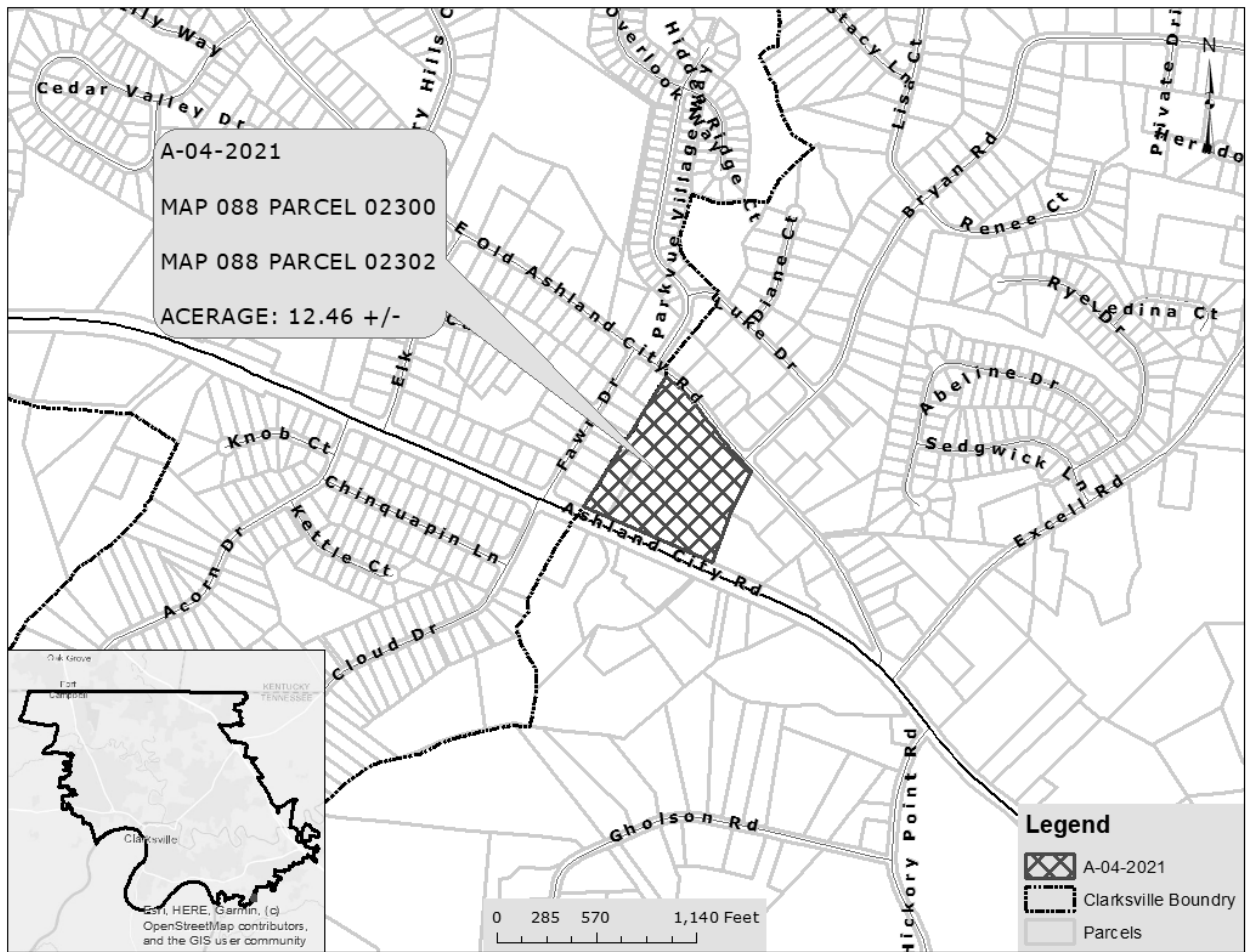
Thence, turning west along Ashland City Road, North 66 Degrees 30 Minutes 52 Seconds West 645.16 feet;

Thence, North 66 Degrees 30 Minutes 28 Seconds West 146.08 feet;

Thence, leaving Ashland City Road, North 32 Degrees 20 Minutes 25 Seconds East 391.67 feet;

Thence, North 32 Degrees 20 Minutes 26 Seconds East 489.04 feet to the point of beginning containing an area of 12.46 acres+/- as surveyed by McKay-Burchett & Company, on September 29th, 2021. Together with and subject to all right of ways, easements, restrictions, covenants and conveyances of record and not of record.

EXHIBIT B



~~A RESOLUTION ADOPTING A PLAN OF SERVICE FOR ANNEXED TERRITORY ALONG HWY 76 AND LITTLE HOPE ROAD.~~

A RESOLUTION ADOPTING A PLAN OF SERVICE FOR ANNEXED TERRITORY ALONG STATE ROUTE 12 AND EAST OLD ASHLAND CITY ROAD NEAR BRYAN ROAD

WHEREAS, T.C.A. Section 6-51-102 requires that a plan of services be adopted by the governing body of a city; and

WHEREAS, the City of Clarksville is considering annexation of an area described in attached legal description (See “Exhibit A”) as requested by property owners Henry Davis, Anthony C. Tice, and Karen Tice.

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

SECTION 1. Pursuant to the provisions of Section 6-51-102, Tennessee Code Annotated, there is hereby adopted, for the area bounded as described in “Exhibit A” and shown on “Exhibit B”, the following plan of service.

POLICE

Clarksville Police Department will handle the annexation if approved with the current hiring plan relying on accurate census/population information.

FIRE

Clarksville Fire Rescue has effective support and personnel in the proposed annexation area. In the proposed annexation area we are able to respond in a timely manner as long as adequate roadway access and width are in place, with appropriate hydrant spacing being met as well.

ADDRESSING / E-911

E-911 Center does not have any objection to this annexation.

The MSAG and APSU GIS will update changes in the CAD system upon the annexation effective date.

SOLID WASTE

Current policies of the Bi-County Solid Waste Management System for areas within the city limits of Clarksville will extend into the newly annexed area upon the effective date of annexation.

GAS, WATER, AND SEWER - CGW

The 12.35 +/- acres encompassed by the three properties subject to A-4-2021 (Tax Map ID 088 02300 000 and Tax Map ID 088 02302 000) that are being considered for annexation into the City limits of Clarksville, Tennessee currently lie within the service area of Clarksville Gas and Water (CGW). CGW owns, operates, and maintains water, sanitary sewer, and natural gas mains currently present along Highway 12 and East Old Ashland City Road. Any public main extensions of these utilities into the proposed annexation area would be the responsibility of the developer of the properties, including any and all costs. Upon completion of public utility main extension work by the developer, CGW would assume ownership of the new mains.

The proposed annexation area is relatively small in size and is situated well within the existing service area. Therefore we do not anticipate any additional improvements, equipment, materials, or personnel which the CGW department will need to service this area. Any incidental costs incurred by CGW to operate and maintain these new facilities, such as utility location, valve maintenance, meter reading, or main repair, would generally be offset by revenue generated from water, sewer, and natural gas usage by the new customer base. These operation and maintenance activities can be handled by existing CGW labor force.

CLARKSVILLE DEPARTMENT OF ELECTRICITY - CDE

CDE Lightband already has electrical facilities touching the corners of this property and is ready to extend service to the development on the parcels. CDE will work with any future developments to provide electric and broadband services.

CUMBERLAND ELECTRIC MEMBERS COOPERATIVE – CEMC

CEMC currently serves two current members within the proposed annexation area. Transfer to CDE will be coordinated as the properties change use or after demolition.

PLANNING AND ZONING

The 12.35 +/- acres have requested multiple zone changes for each tract per the attached zoning map.

- R-1 to R-2 = 2.87 acres
- R-1 to R-4 = 3.2 acres
- R-1 to C-5 = 6.25 acres

The RPC recommends approval of these requests as they are compatible with the surrounding zoning districts. The parcels will be able to develop under city zoning standards after the annexation's effective date. Any additional/future zone changes will need to be requested with the RPC and go through the normal processes.

See **Exhibit C** for map.

STREET DEPARTMENT

The City of Clarksville Street Department will begin enforcing its regulations on the effective date of annexation. No additional personnel or equipment are anticipated to be required to service this area. However, due to the growth throughout the City through annexations and development over the years, the Street Department may need to add additional staff to maintain the roads, traffic control, and drainage systems to acceptable standards.

Any future improvements of this property will be the responsibility of the Developer and/or property owner(s).

Emergency maintenance of streets such as repair of hazardous potholes and measures necessary for traffic flow will begin once streets are dedicated to the public.

Routine maintenance, on a daily basis, will begin once the streets are dedicated to the public.

Construction of streets, installation of storm drain facilities, construction of curb and gutters, and other such major improvements will be accomplished under City policies.

CLARKSVILLE TRANSIT SERVICES – CTS

The Clarksville Transit System (CTS) receives funding from the Federal Transit Administration to operate within the urbanized area. The parcels in question (Tax Map ID 088 02300 000 and Tax Map ID 088 02302 000) are not located within the urbanized area. All parcels are located in an area that lacks the density, transit supportive density, and road design to support public transportation services. Without these items it is unlikely that CTS will service this parcel within ½ mile in the near future.

BUILDING AND CODES

On the effective date of annexation the Building and Codes Department will provide the following services:

- (1) Construction and Sign Permits, Administration, and Inspections – minimal impact expected; City Building and Codes staff will issue building permits associated with Residential and Commercial construction. Inspection services will be provided to the respective trades of the construction industry to include; building, plumbing, water and sewer, mechanical, and electrical. These services will be adsorbed by the existing staff.
- (2) Code Enforcement, Property Maintenance and Abatement – minimal impact expected; Code Enforcement Division will patrol and enforce property maintenance violations as necessary. Department will continue to enforce applicable codes and ordinances dealing with environmental issues. These services will be adsorbed by the existing staff.

- (3) Planning and Zoning – No impact; the Building & Codes office will continue to regulate the Zoning Ordinance and shall be interpreted and administered by the building official of the City.

PARKS AND RECREATION

Currently the City of Clarksville Parks and Recreation Department adequately serves this area of the city to comply with our desired standards. We currently have 161.6 acres of park property in City Council Ward 7 in which this proposed annexation is included. The recommended number of acres is 135.5, or 10 acres per 1,000 residents. This number does not include Montgomery County Parks and Recreation's Rotary Park which is on the boarder of Ward 7 and Ward 10 and is 136 acres.

It is the opinion of Park and Recreation that the annexation of the 12.35 acres will not significantly increase the need for parkland in this area of town.

CITY FINANCE DEPARTMENT

There would be no impact to Finance and Revenue Department needs with this annexation.

ELECTION COMMISSION

As this area goes through the process with City Council it should be included, in whole, in the City Ward 7 boundary (2021 Redistricting Map).

ASSESSOR

An effective date for taxation is set as January 1 the next calendar year to begin the tax roll in line with TCA requirements. No other comments.

SECTION 2. This resolution shall be effective 30 days after its adoption; January 2, 2022.

Exhibit A

LAND DESCRIPTION OF KAREN TICE AND DAVIS HENRY PROPERTY

Being a parcel of land in the 15th Civil District of Clarksville, Montgomery County, Tennessee, said parcel being tax map 88 parcel 23.00 and parcel 23.02, recorded in Volume (Vol.) 828, page 2722, and Volume (Vol.) 1372, page 1609 Register's Office Montgomery County, Tennessee (ROMCT).

Beginning at the northwest corner of the Tice Property, South 39 degrees 19 Minutes 27 Seconds East 91.3 feet from the centerline of the intersections of E. Old Ashland City Road, and Parkview Village Way;

Thence along the margin of East Old Ashland City Road, South 54 degrees 16 Minutes 20 Seconds East 32.81;

Thence with a curve turning to the right with an arc length of 185.67', with a radius of 636.98', with a chord bearing of South 45 degrees 51 Minutes 58 Seconds East, with a chord length of 185.02';

Thence, South 37 Degrees 07 Minutes 59 Seconds East 193.38 feet;

Thence, South 39 Degrees 42 Minutes 00 Seconds East 125.88 feet;

Thence, South 42 Degrees 04 Minutes 14 Seconds East 55.18 feet;

Thence, South 44 Degrees 59 Minutes 18 Seconds East 66.36 feet;

Thence, South 41 Degrees 29 Minutes 37 Seconds East 71.34 feet;

Thence, leaving East Old Ashland City Road, South 26 Degrees 29 Minutes 17 Seconds West 285.60 feet;

Thence, South 20 Degrees 03 Minutes 37 Seconds West 284.31 feet;

Thence, turning west along Ashland City Road, North 66 Degrees 30 Minutes 52 Seconds West 645.16 feet;

Thence, North 66 Degrees 30 Minutes 28 Seconds West 146.08 feet;

Thence, leaving Ashland City Road, North 32 Degrees 20 Minutes 25 Seconds East 391.67 feet;

Thence, North 32 Degrees 20 Minutes 26 Seconds East 489.04 feet to the point of beginning containing an area of 12.46 acres+/- as surveyed by McKay-Burchett & Company, on September 29th, 2021. Together with and subject to all right of ways, easements, restrictions, covenants and conveyances of record and not of record.

Exhibit B

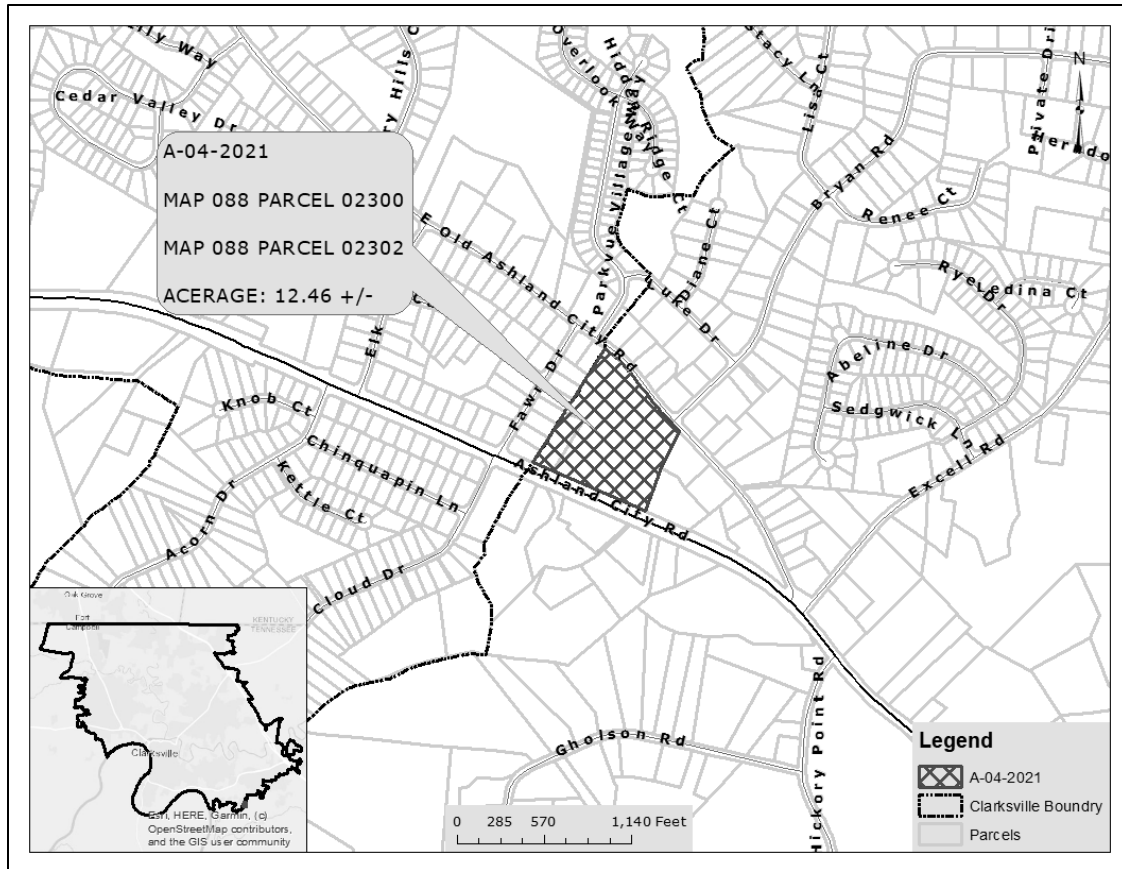
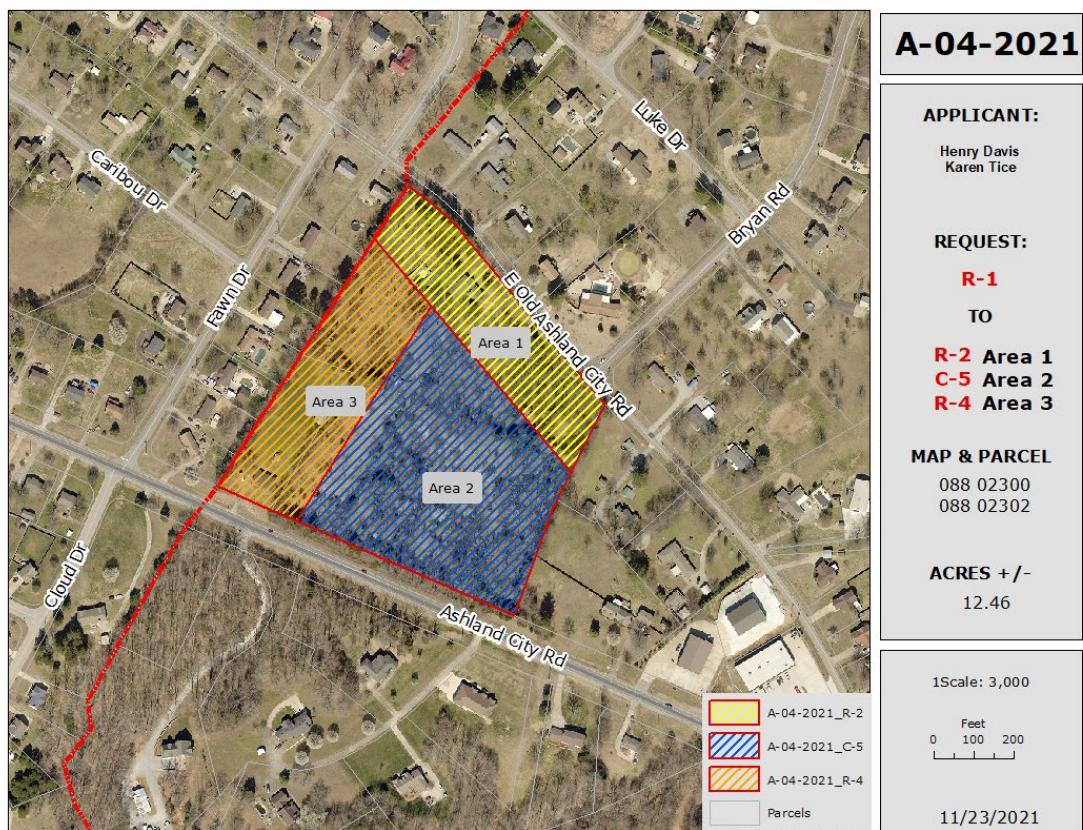


Exhibit C
Zoning Map Post Annexation



**APPLICATION OF Reda Home Builders, Inc
FOR A ZONE CHANGE ON**

Property located southeast of the Twin Rivers Rd. and Nolen Rd. intersection.

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

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

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

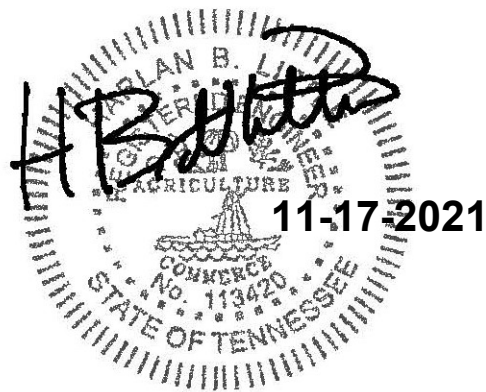
Beginning at an existing capped iron pin located in the south right of way of Nolen Road, said iron pin being 27.4 ft from the centerline of the said Nolen Road, and being approximately 1,288 feet southwest of the intersection of Old Trenton Road, and corner to Campus Crest of Clarksville, LLS (V1358/482), 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)

TRAFFIC ASSESSMENT

**Z-71-2021
Nolen Road
Clarksville, Tennessee**

Prepared For:
Reda Home Builders, Inc
November 2021



Prepared By:


WEAKLEY BROTHERS
E N G I N E E R I N G

108 Center Pointe Drive
Clarksville, TN 37040
Phone: 931-551-9445
Email: BLittle@WeakleyBrothers.com

GENERAL SITE DESCRIPTION

This traffic assessment has been prepared to evaluate the traffic impacts associated with the rezone request for the Reda Home Builders, Inc Property located on Nolen Road. This property is located on the south side of Nolen Road, west of the Old Trenton Road. The property is currently zoned R-1. The proposed zoning is R-4. The subject property is 3.9 acres and has a potential to yield 62 apartment units. The zoning request map is presented in Appendix A.

EXISTING AND BACKGROUND CONDITIONS

The project site lies on Nolen Road and has access potential to the roadway. Nolen Road is a local street running in the general east-west direction. The roadway traverses between Twin Rivers Road and Old Trenton Road. The roadway has two 12 feet travel lanes and a posted speed limit of 20 miles per hour.

Nolen Road ends at the intersection of Nolen Road, West Road, and Old Trenton Road. A traffic count was performed at this intersection on a weekday afternoon to determine the existing peak hour traffic volume. A traffic count was also performed at the nearby intersection of Old Trenton Road and Wilma Rudolph Boulevard. The existing traffic volumes for these intersections are presented in Figure 1.

Two significant developments are under construction in the vicinity of the subject property. Traffic for these developments were estimated to determine the background traffic for this assessment. The traffic volume was estimated by trip generation standards and distributed to the roadway to establish background traffic volumes. The background traffic volumes are presented in Figure 2.

Operational analyses were conducted to assess subject intersections under background traffic conditions. These analyses were performed according to the methods set forth in the Highway Capacity Manual 6 (HCM). The results are reported in terms of Level of Service (LOS). Level of Service is a concept used to describe the quality of traffic operations for a section of roadway or intersection. LOS A represents free flow traffic operations, and LOS F indicates that traffic demand exceeds capacity. Table 1 provides the descriptions for each LOS.

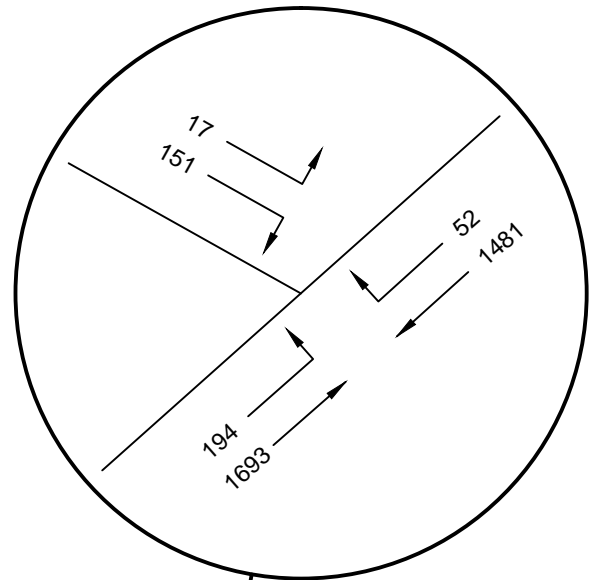
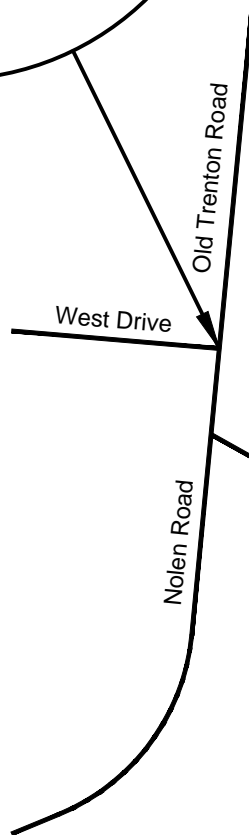
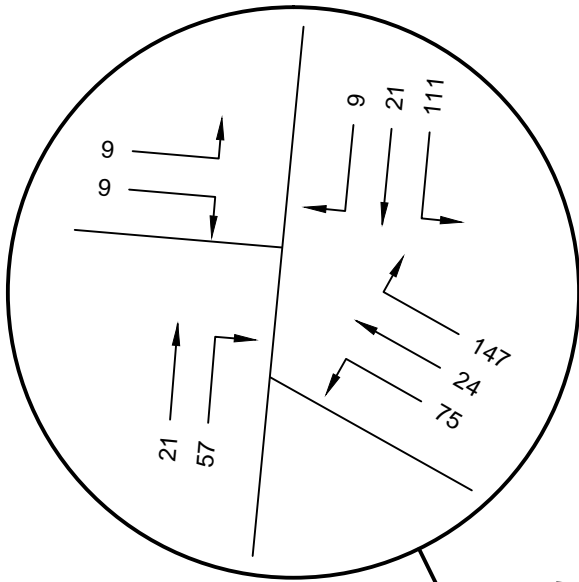


Figure 1 - Existing Traffic Volumes - PM Peak

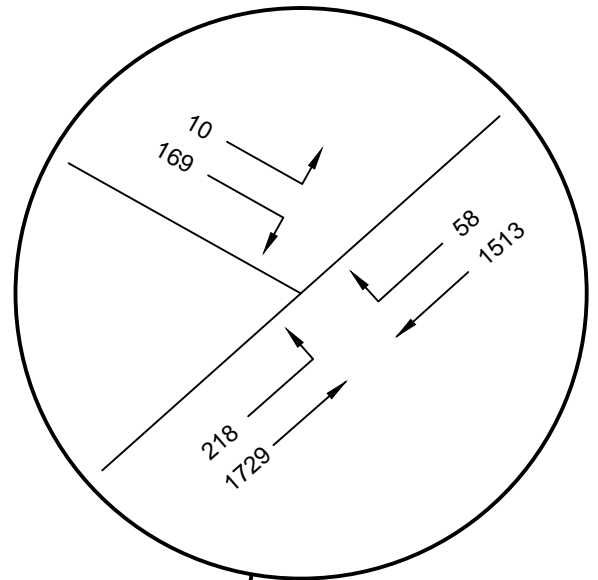
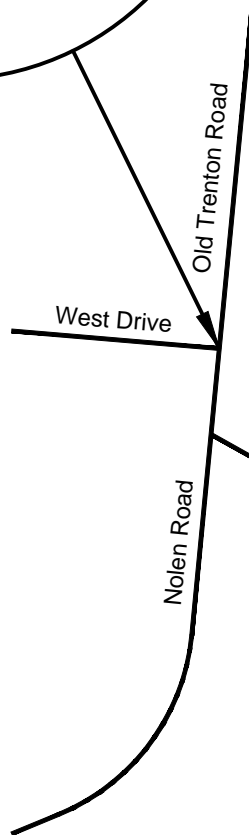
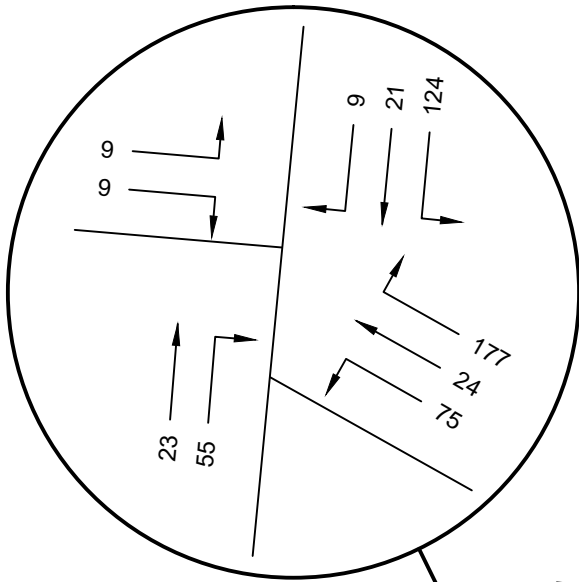


Figure 2 - Background Traffic Volumes - PM Peak

Table 1: Unsignalized Intersection LOS Descriptions

Level of Service	Description	Average Control Delay (sec/veh)
A	Minimal Delay	≤ 10
B	Brief Delay	> 10 and ≤ 15
C	Average Delay	> 15 and ≤ 25
D	Significant Delay	> 25 and ≤ 35
E	Long Delay	> 35 and ≤ 50
F	Extreme Delay	> 50

The following assumptions were made in performing the analyses.

- 1) The proposed intersection will be an all-way stop controlled intersection.
- 2) All other existing infrastructure will remain, and no additional improvement will be made.

The results of the capacity analyses are provided in Table 2.

Table 2: Background Peak Hour Levels of Service

Intersection	Approach/Turning Movement	PM Peak Hour	
		Level of Service	Intersection Delay (s/veh)
Nolen Road/West Road/Old Trenton Road	Eastbound Left/Right Turns	A	8.0
	Westbound Left/Right Turns	A	9.1
	Northbound Left/Right Turns	A	7.8
	Southbound Left/Right Turns	A	9.2
	Overall Intersection	A	8.9
Wilma Rudolph Boulevard/Old Trenton Road	Eastbound Left Turn	C	22.1
	Southbound Right Turn	C	20.8
	Southbound Left Turn	E	41.7
	Southbound Approach	C	21.9

TRIP GENERATION

Trip generation calculations were conducted to estimate the potential traffic generated by the development of the subject property. These calculations were conducted using Land Use Code 220 (Apartment) in accordance with *Trip Generation*, 8th Edition, Institute of Transportation Engineers. Trip generation values are presented in Table 3.

Table 3: Project Trip Generation

Daily Traffic Generated	Peak Hour (AM)	Peak Hour In	Peak Hour Out	Peak Hour (PM)	Peak Hour In	Peak Hour Out
412	34	10	24	42	25	17

LUC 220 (Apartment): Daily Trip Generation Rate: $T = 6.65 X$
AM Peak Hour Equation: $T = 0.55 X$
AM Peak In/Out Ratio: 29/71
PM Peak Hour Equation: $T = 0.67 X$
PM Peak In/Out Ratio: 61/39

Where: X = Number of Dwelling Units

TRIP DISTRIBUTION AND TRAFFIC ASSIGNMENT

Directional distribution of the trips generated by the project were estimated using the proposed land use characteristics, the directional distribution of existing traffic, and the location of the subject property to the studied intersections. The directional distribution of trips is provided in Figure 3. The assignment of trips is provided in Figure 4.

The trips generated by the site were added to the background traffic according to the directional distribution. The projected traffic volumes are provided in Figure 5.

Capacity analyses were conducted to assess subject intersections under projected traffic conditions. The following assumptions were made in performing the analyses.

- 1) The proposed intersection will be an all-way stop controlled intersection.
- 2) All other existing infrastructure will remain, and no additional improvement will be made.

The results of the capacity analyses are provided in Table 4.

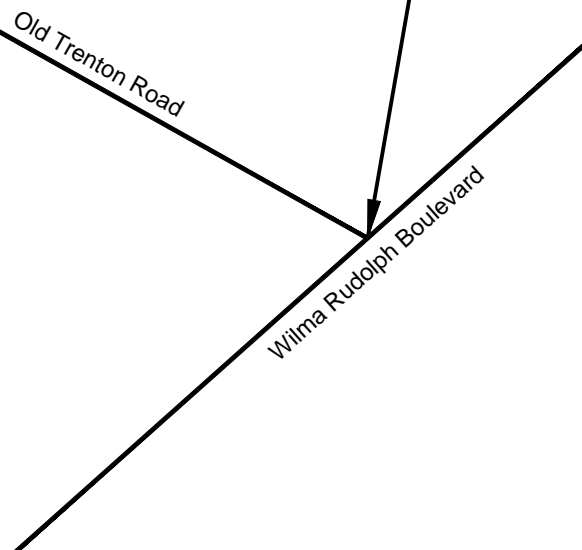
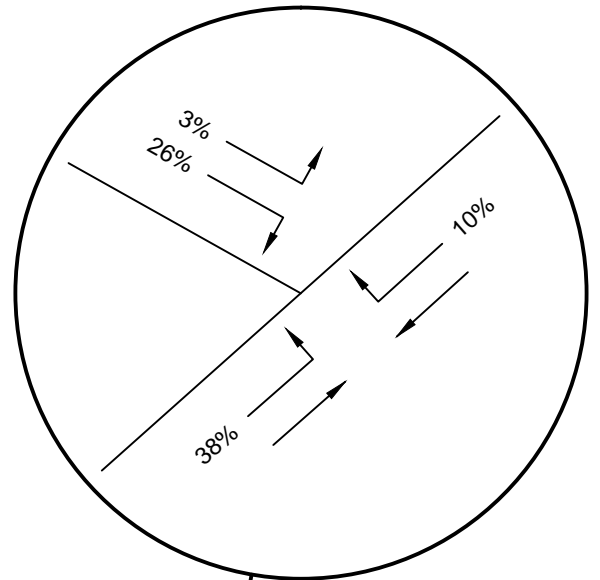
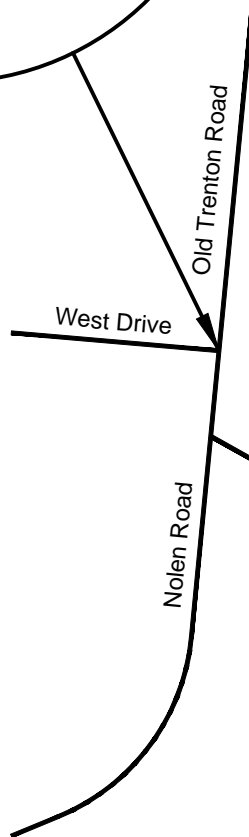
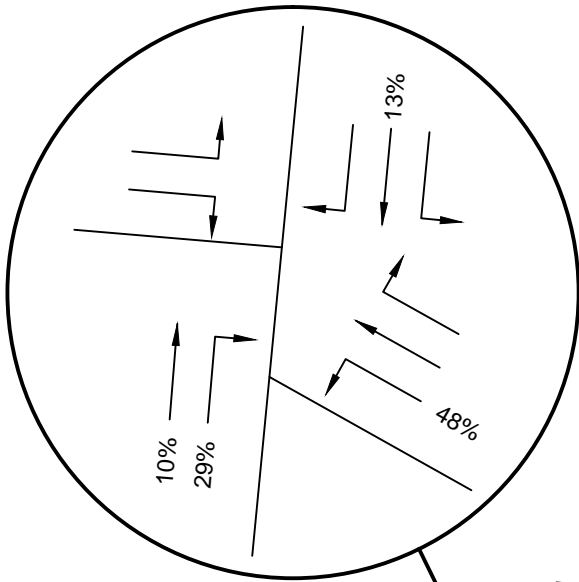


Figure 3 - Project Trip Distribution - PM Peak

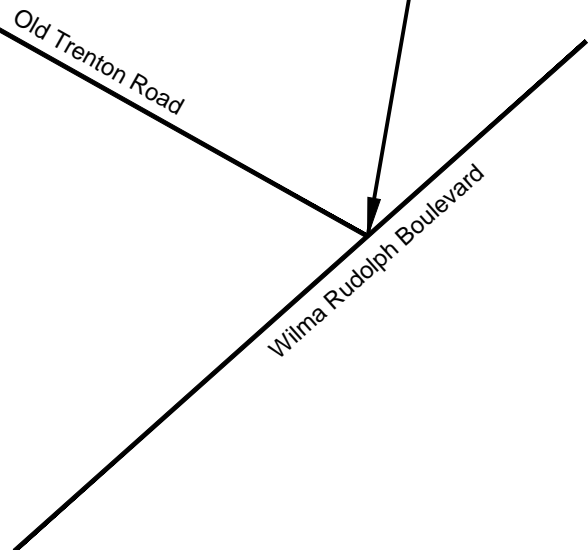
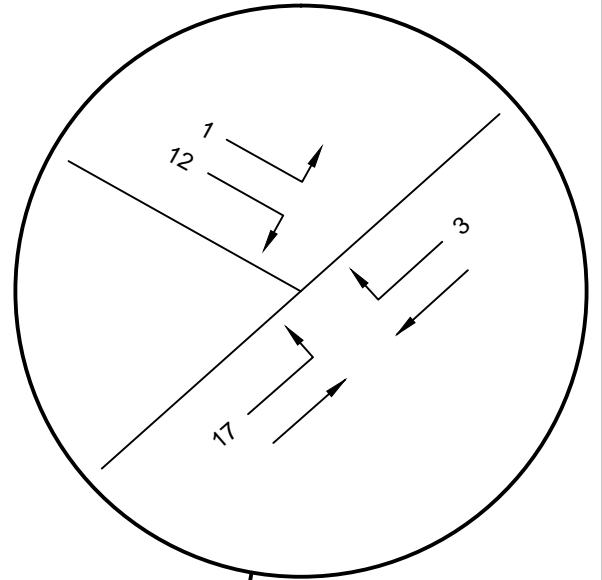
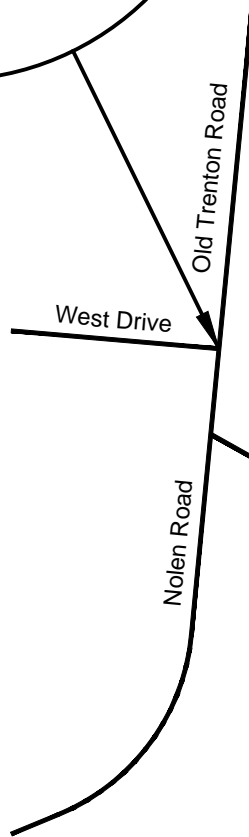
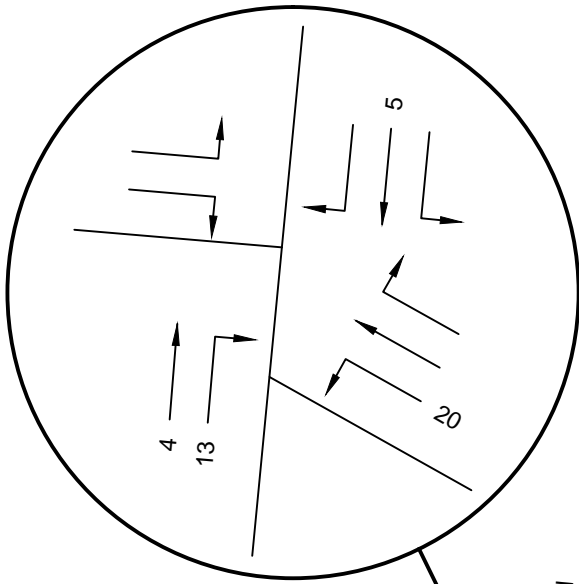


Figure 4 - Project Trip Assignment - PM Peak

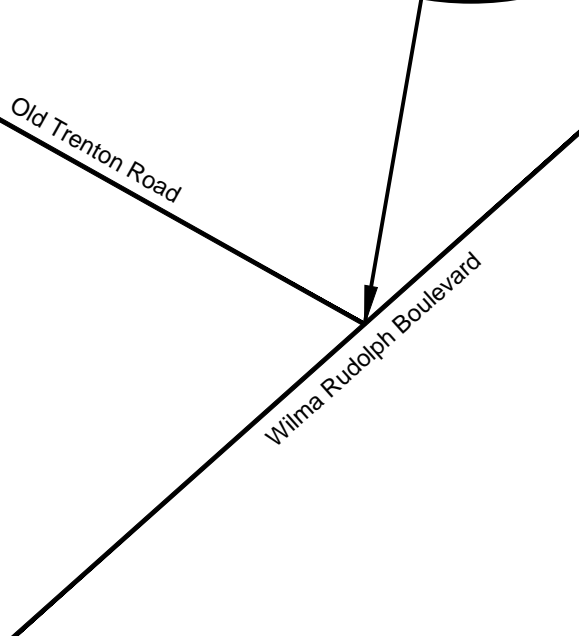
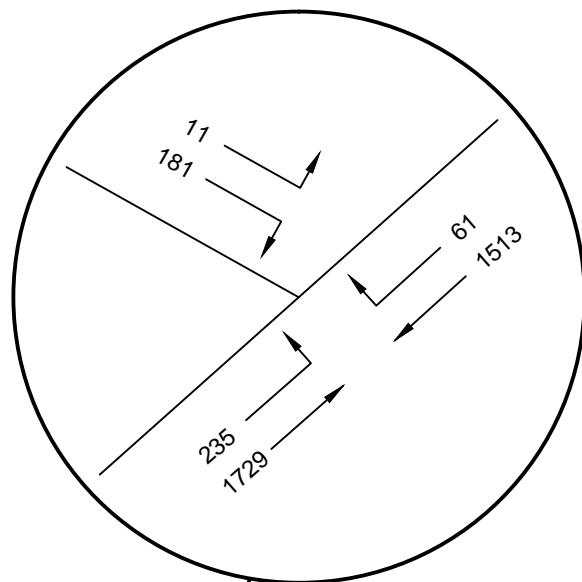
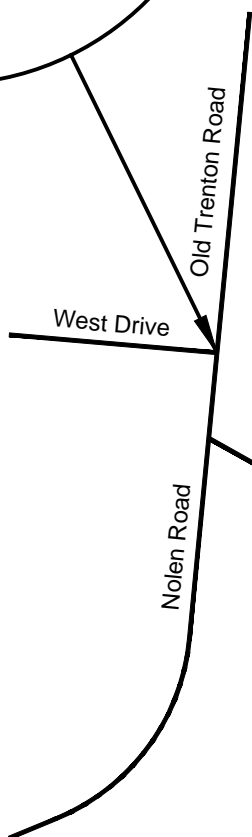
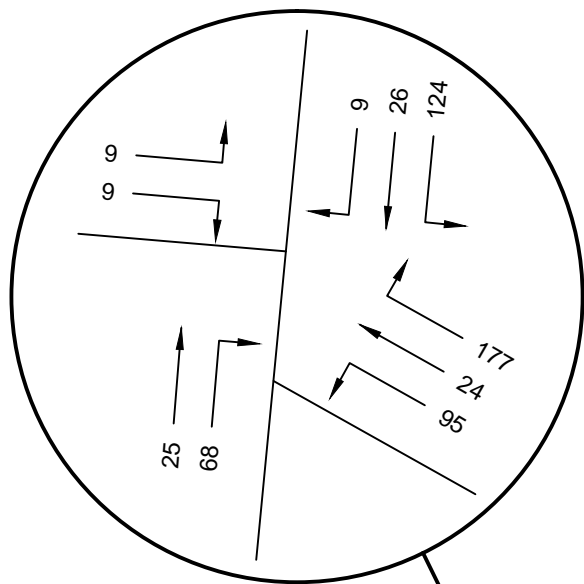


Figure 5 - Projected Traffic Volumes - PM Peak

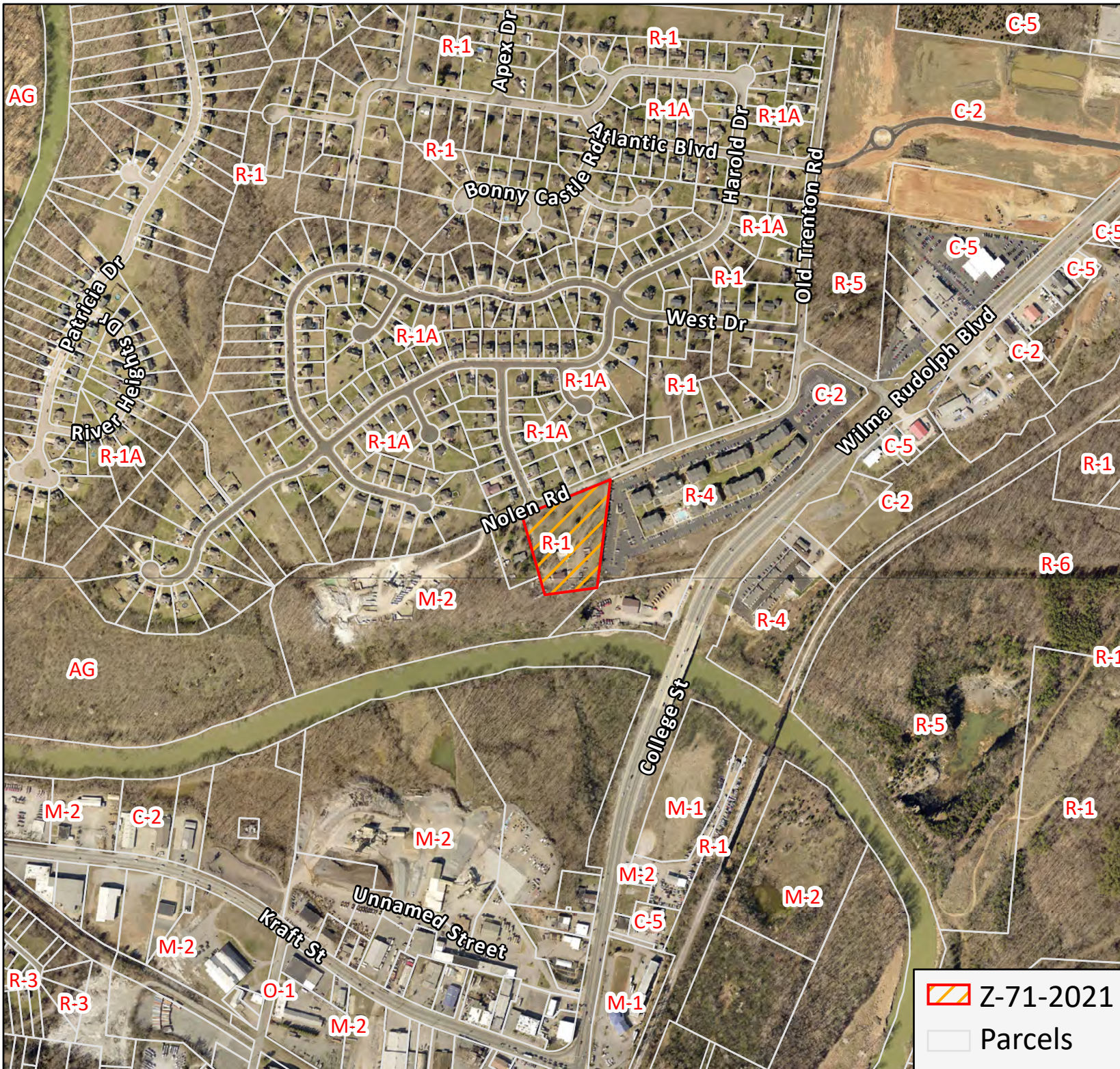
Table 4: Projected Peak Hour Levels of Service

Intersection	Approach/Turning Movement	PM Peak Hour	
		Level of Service	Intersection Delay (s/veh)
Nolen Road/West Road/Old Trenton Road	Eastbound Left/Right Turns	A	8.1
	Westbound Left/Right Turns	A	9.4
	Northbound Left/Right Turns	A	7.9
	Southbound Left/Right Turns	A	8.4
	Overall Intersection	A	8.9
Wilma Rudolph Boulevard/Old Trenton Road	Eastbound Left Turn	C	23.5
	Southbound Right Turn	C	21.6
	Southbound Left Turn	E	48.3
	Southbound Approach	C	23.1

CONCLUSIONS

The trips generated by the development of the Reda Home Builders, Inc property would have little affect on the intersections studied in this assessment.

APPENDIX A: ZONING MAP



Z-71-2021

APPLICANT:

REDA HOME BUILDERS,
INC

REQUEST:

**R-1
TO
R-4**

MAP & PARCEL

055 03300

ACRES +/-
3.92

Scale: 1:8,000

0 400 800
Feet



11/23/2021



Z-71-2021

APPLICANT:

REDA HOME BUILDERS,
INC

REQUEST:

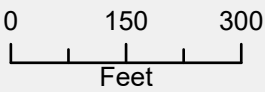
**R-1
TO
R-4**



MAP & PARCEL

055 03300

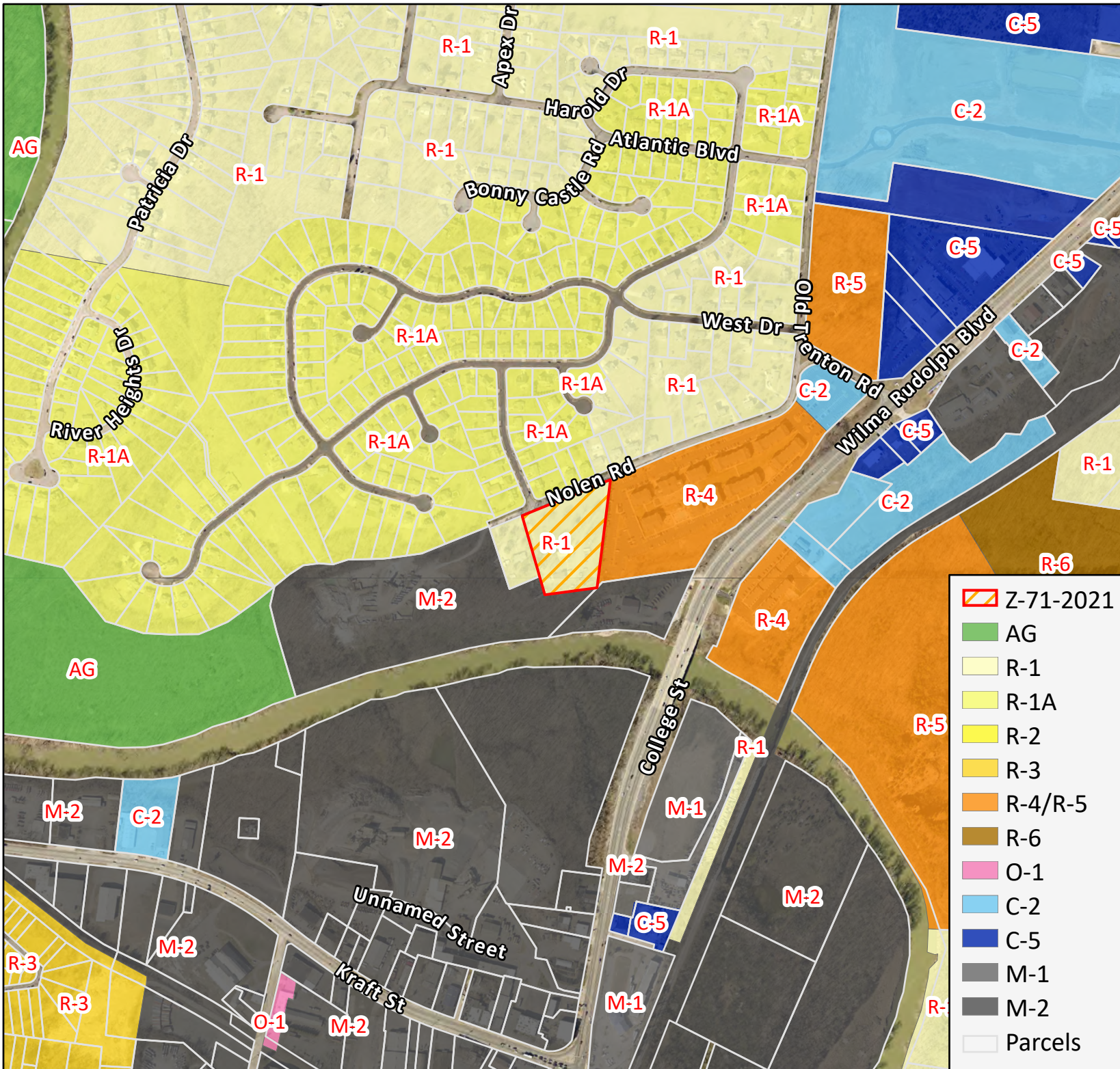
**ACRES +/-
3.92**

Scale: 1:3,000



 **Z-71-2021**
 **Parcels**

11/23/2021



Z-71-2021

APPLICANT:

REDA HOME BUILDERS,
INC

REQUEST:

**R-1
TO
R-4**

MAP & PARCEL

055 03300

ACRES +/-
3.92

Scale: 1:8,000

0 400 800
Feet

11/23/2021

APPENDIX B: LEVEL OF SERVICE WORKSHEETS

ALL-WAY STOP CONTROL ANALYSIS

General Information				Site Information	
Analyst	Britt Little			Intersection	Nolen/West/Old Trenton
Agency/Co.	Weakley Brothers Engineering			Jurisdiction	Clarksville
Date Performed	11/10/2021			Analysis Year	Background
Analysis Time Period	PM Peak				

Project ID Z-71-2021 Traffic Assessment

East/West Street: West Drive/Old Trenton Road

North/South Street: Old Trenton/Nolen Road

Volume Adjustments and Site Characteristics

Approach	Eastbound			Westbound		
Movement	L	T	R	L	T	R
Volume (veh/h)	9	9	0	75	24	177
%Thrus Left Lane						
Approach	Northbound			Southbound		
Movement	L	T	R	L	T	R
Volume (veh/h)	0	23	57	124	21	9
%Thrus Left Lane						

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Configuration	LTR		LTR		LT	R	LTR	
PHF	1.00		1.00		1.00	1.00	1.00	
Flow Rate (veh/h)	18		276		23	57	154	
% Heavy Vehicles	0		0		0	0	0	
No. Lanes	1		1		2		1	
Geometry Group	2		2		5		4a	
Duration, T	0.25							

Saturation Headway Adjustment Worksheet

Prop. Left-Turns	0.5		0.3		0.0	0.0	0.8	
Prop. Right-Turns	0.0		0.6		0.0	1.0	0.1	
Prop. Heavy Vehicle	0.0		0.0		0.0	0.0	0.0	
hLT-adj	0.2	0.2	0.2	0.2	0.5	0.5	0.2	0.2
hRT-adj	-0.6	-0.6	-0.6	-0.6	-0.7	-0.7	-0.6	-0.6
hHV-adj	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7
hadj, computed	0.1		-0.3		0.0	-0.7	0.1	

Departure Headway and Service Time

hd, initial value (s)	3.20		3.20		3.20	3.20	3.20	
x, initial	0.02		0.25		0.02	0.05	0.14	
hd, final value (s)	4.89		4.17		5.33	4.62	4.90	
x, final value	0.02		0.32		0.03	0.07	0.21	
Move-up time, m (s)	2.0		2.0		2.3		2.0	
Service Time, t _s (s)	2.9		2.2		3.0	2.3	2.9	

Capacity and Level of Service

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Capacity (veh/h)	268		526		273	307	404	
Delay (s/veh)	8.02		9.12		8.22	7.69	9.19	
LOS	A		A		A	A	A	
Approach: Delay (s/veh)	8.02		9.12		7.84		9.19	
LOS	A		A		A		A	
Intersection Delay (s/veh)	8.91							
Intersection LOS	A							

TWO-WAY STOP CONTROL SUMMARY								
General Information				Site Information				
Analyst	Britt Little			Intersection	Old Trenton/Wilma Rudolph			
Agency/Co.	Weakley Brothers Engineering			Jurisdiction	Clarksville			
Date Performed	11/10/2021			Analysis Year	Background			
Analysis Time Period	PM Peak							
Project Description Nolen Road Traffic Assessment								
East/West Street: Wilma Rudolph Boulevard				North/South Street: Old Trenton				
Intersection Orientation: East-West				Study Period (hrs): 0.25				
Vehicle Volumes and Adjustments								
Major Street	Eastbound			Westbound				
Movement	1	2	3	4	5	6		
	L	T	R	L	T	R		
Volume (veh/h)	218	1729			1513	58		
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00		
Hourly Flow Rate, HFR (veh/h)	218	1729	0	0	1513	58		
Percent Heavy Vehicles	0	--	--	0	--	--		
Median Type	Two Way Left Turn Lane							
RT Channelized			0			0		
Lanes	1	2	0	0	2	0		
Configuration	L	T			T	TR		
Upstream Signal		0			0			
Minor Street	Northbound			Southbound				
Movement	7	8	9	10	11	12		
	L	T	R	L	T	R		
Volume (veh/h)				10		169		
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00		
Hourly Flow Rate, HFR (veh/h)	0	0	0	10	0	169		
Percent Heavy Vehicles	0	0	0	0	0	0		
Percent Grade (%)	0			0				
Flared Approach		N			N			
Storage		0			0			
RT Channelized			0			0		
Lanes	0	0	0	1	0	1		
Configuration				L		R		
Delay, Queue Length, and Level of Service								
Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	L					L		R
v (veh/h)	218					10		169
C (m) (veh/h)	425					108		395
v/c	0.51					0.09		0.43
95% queue length	2.85					0.30		2.09
Control Delay (s/veh)	22.1					41.7		20.8
LOS	C					E		C
Approach Delay (s/veh)	--	--				21.9		
Approach LOS	--	--				C		

ALL-WAY STOP CONTROL ANALYSIS

General Information				Site Information	
Analyst	Britt Little			Intersection	Nolen/West/Old Trenton
Agency/Co.	Weakley Brothers Engineering			Jurisdiction	Clarksville
Date Performed	11/10/2021			Analysis Year	Projected
Analysis Time Period	PM Peak				

Project ID Z-71-2021 Traffic Assessment

East/West Street: West Drive/Old Trenton Road

North/South Street: Old Trenton/Nolen Road

Volume Adjustments and Site Characteristics

Approach	Eastbound			Westbound		
Movement	L	T	R	L	T	R
Volume (veh/h)	9	9	0	95	24	177
%Thrus Left Lane						
Approach	Northbound			Southbound		
Movement	L	T	R	L	T	R
Volume (veh/h)	0	25	68	9	26	124
%Thrus Left Lane						

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Configuration	LTR		LTR		LT	R	LTR	
PHF	1.00		1.00		1.00	1.00	1.00	
Flow Rate (veh/h)	18		296		25	68	159	
% Heavy Vehicles	0		0		0	0	0	
No. Lanes	1		1		2		1	
Geometry Group	2		2		5		4a	
Duration, T	0.25							

Saturation Headway Adjustment Worksheet

Prop. Left-Turns	0.5		0.3		0.0	0.0	0.1	
Prop. Right-Turns	0.0		0.6		0.0	1.0	0.8	
Prop. Heavy Vehicle	0.0		0.0		0.0	0.0	0.0	
hLT-adj	0.2	0.2	0.2	0.2	0.5	0.5	0.2	0.2
hRT-adj	-0.6	-0.6	-0.6	-0.6	-0.7	-0.7	-0.6	-0.6
hHV-adj	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7
hadj, computed	0.1		-0.3		0.0	-0.7	-0.5	

Departure Headway and Service Time

hd, initial value (s)	3.20		3.20		3.20	3.20	3.20	
x, initial	0.02		0.26		0.02	0.06	0.14	
hd, final value (s)	4.92		4.21		5.37	4.67	4.38	
x, final value	0.02		0.35		0.04	0.09	0.19	
Move-up time, m (s)	2.0		2.0		2.3		2.0	
Service Time, t _s (s)	2.9		2.2		3.1	2.4	2.4	

Capacity and Level of Service

	Eastbound		Westbound		Northbound		Southbound	
	L1	L2	L1	L2	L1	L2	L1	L2
Capacity (veh/h)	268		546		275	318	409	
Delay (s/veh)	8.05		9.42		8.28	7.82	8.43	
LOS	A		A		A	A	A	
Approach: Delay (s/veh)	8.05		9.42		7.94		8.43	
LOS	A		A		A		A	
Intersection Delay (s/veh)	8.85							
Intersection LOS	A							

TWO-WAY STOP CONTROL SUMMARY								
General Information				Site Information				
Analyst	Britt Little			Intersection	Old Trenton/Wilma Rudolph			
Agency/Co.	Weakley Brothers Engineering			Jurisdiction	Clarksville			
Date Performed	11/10/2021			Analysis Year	Projected			
Analysis Time Period	PM Peak							
Project Description Z-71-2021 Traffic Assessment								
East/West Street: Wilma Rudolph Boulevard				North/South Street: Old Trenton				
Intersection Orientation: East-West				Study Period (hrs): 0.25				
Vehicle Volumes and Adjustments								
Major Street	Eastbound			Westbound				
Movement	1	2	3	4	5	6		
	L	T	R	L	T	R		
Volume (veh/h)	235	1729			1513	61		
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00		
Hourly Flow Rate, HFR (veh/h)	235	1729	0	0	1513	61		
Percent Heavy Vehicles	0	--	--	0	--	--		
Median Type	Two Way Left Turn Lane							
RT Channelized			0			0		
Lanes	1	2	0	0	2	0		
Configuration	L	T			T	TR		
Upstream Signal		0			0			
Minor Street	Northbound			Southbound				
Movement	7	8	9	10	11	12		
	L	T	R	L	T	R		
Volume (veh/h)				11		181		
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00		
Hourly Flow Rate, HFR (veh/h)	0	0	0	11	0	181		
Percent Heavy Vehicles	0	0	0	0	0	0		
Percent Grade (%)	0			0				
Flared Approach		N			N			
Storage		0			0			
RT Channelized			0			0		
Lanes	0	0	0	1	0	1		
Configuration				L		R		
Delay, Queue Length, and Level of Service								
Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	L					L		R
v (veh/h)	235					11		181
C (m) (veh/h)	424					94		395
v/c	0.55					0.12		0.46
95% queue length	3.28					0.38		2.33
Control Delay (s/veh)	23.5					48.3		21.6
LOS	C					E		C
Approach Delay (s/veh)	--	--				23.1		
Approach LOS	--	--				C		

ORDINANCE 61-2021-22

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE,

APPLICATION OF Brian R. Wolff

FOR A ZONE CHANGE ON

Property located at the southern terminus of McCormick 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-2A Single-Family Residential District as R-4 Multiple-Family Residential District

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point at the southeasterly corner of the Springhouse Subdivision as of record in Plat Book F Page 876 of the Register's Office of Montgomery County, thence continuing along the southerly property line of Robert Rivers property said property as of record in ORV 665 Page 2485 of the Register's Office of Montgomery County along a line S 81°26'26" E a distance of

189.92 to a point, said point being the westerly limits of a 100 foot wide power line easement: Thence along said westerly easement margin S 43° 11'04" W a distance of 1411.75 to a point, Thence leaving said easement along a line N 82°55'31" W a distance of 239.21 to a point in the easterly property line of the Flint Ridge Subdivision Sections One and Two as of record in Plat Book K Page 250 of the Register's Office of Montgomery County Thence along said easterly property line along said line N 07°04'29" E a distance of 853.22 feet to a point located at the limits of the southerly border of current R-4 Zoning, Thence continuing along the southerly limits of the R-4 zoning along a line S 81°26'26" E a distance of 722.53 feet to a point at the easterly limit of the current R-4 zoning line Thence continuing along the easterly limits of the R-4 zoning along a line N 34°09'56" E a distance of 349.28 feet to the point of beginning and containing 11.7 acres more or less.

F i s c h b a c h
Transportation Group, LLC
Traffic Engineering and Planning

Traffic Assessment

Proposed Multi-Family Project
McCormick Lane
Clarksville, TN

Prepared November 2021
For Dale & Associates

FTG, LLC
P.O. Box 682736
Franklin, TN 37068
(615) 771-8022 phone
Gillian@FTGtraffic.com

Traffic Assessment

Proposed Multi-Family Project

**McCormick Lane
Clarksville, Tennessee**

Prepared November 2021

PREPARED FOR:

Dale and Associates, Inc.
516 Heather Place
Nashville, TN 37204

PREPARED BY:

Ms. Gillian L. Fischbach, P.E., PTOE
Fischbach Transportation Group (FTG, LLC)
P.O. Box 682736
Franklin, TN 37068
Phone: (615) 771-8022
FTG Project Number: 11185

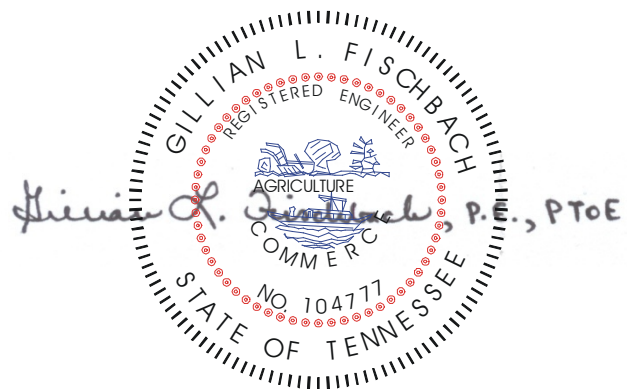


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1. INTRODUCTION

This traffic study has been prepared in order to provide a preliminary analysis of the traffic impacts of a multi-family residential development that is proposed to be constructed at the existing terminus of McCormick Lane, south of Tracy Lane, in Clarksville, Tennessee.

For the purposes of this study, existing and background traffic volumes were established, and capacity analyses were conducted for these conditions. Trip generation calculations were performed, and the trips which are expected to be generated by the proposed project were distributed to the roadway system. The site-generated trips were added to the background traffic volumes, and the intersections which provide access to the site were then evaluated to determine the traffic impacts of the proposed project. Access needs for the project were evaluated, and the necessary roadway and/or traffic control improvements were identified. This report presents the results of these analyses and the subsequent recommendations.

2. PROJECT DESCRIPTION

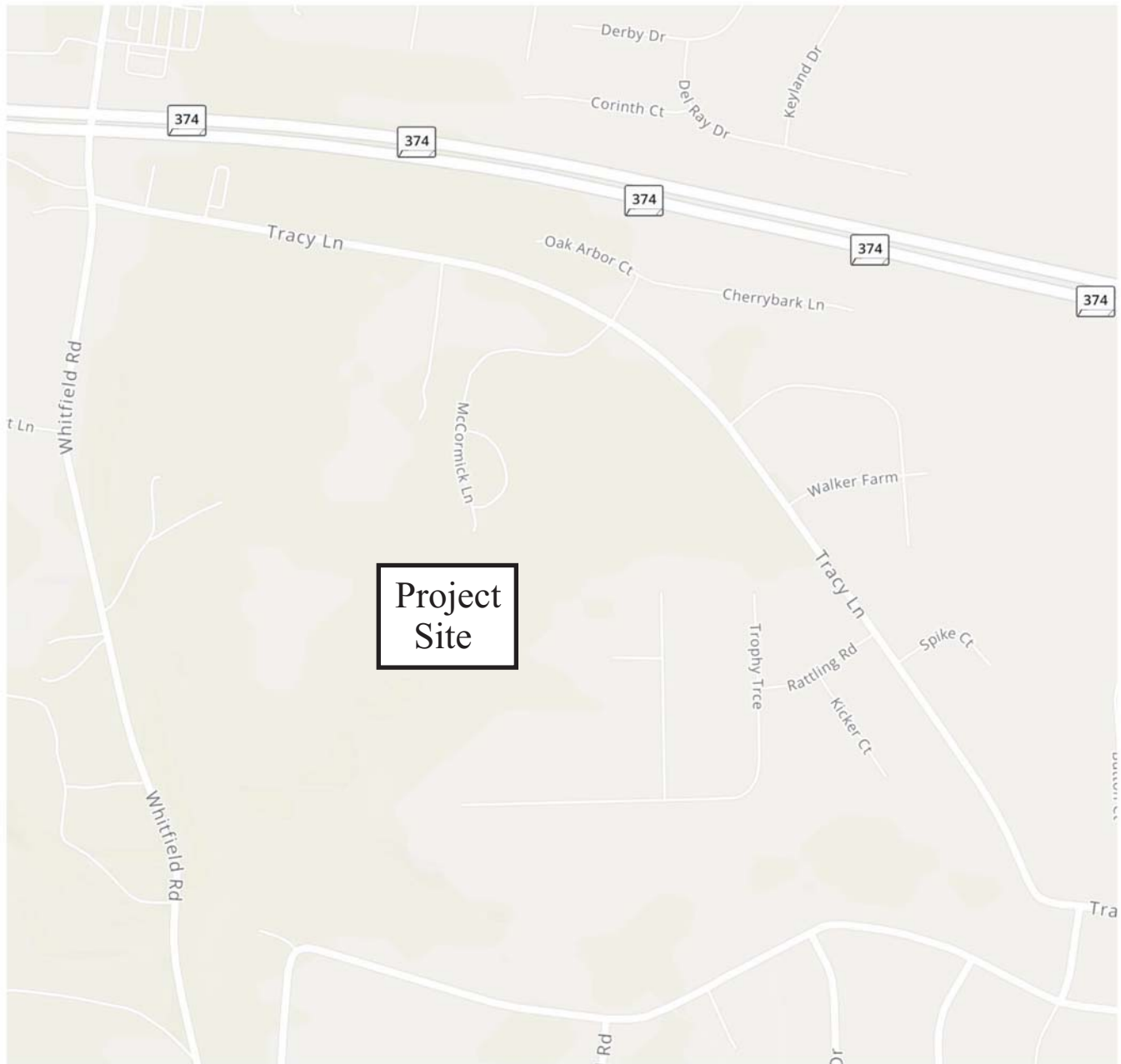
The location of the proposed project is shown in [Figure 1](#). As shown, the project site is located at the existing terminus of McCormick Lane, south of Tracy Lane, in Clarksville, Tennessee.

The current site plan for the proposed project is shown in [Figure 2](#). Currently, the project site is undeveloped, and the developer of the proposed project plans to construct a total of 245 apartments. Access to this development is proposed to be provided by extending McCormick Lane into the project site.

It is important to note that 5.8 acres of the project site is already zoned R-4, and 81 apartments will be constructed on this portion of the property. The developer of the proposed project requests that another 11.7 acres be rezoned from R-2A to R-4 to allow the development of an additional 164 apartments. The remainder of the project site, on the southeast side of an existing power line easement, will remain zoned R-2A. The existing and proposed zoning are shown in [Figure 3](#).

In large part, economic and market considerations will dictate the pace and timing with which the proposed project is actually completed. For the purposes of this study, it was assumed that the entire proposed project will be completed in Year 2025.

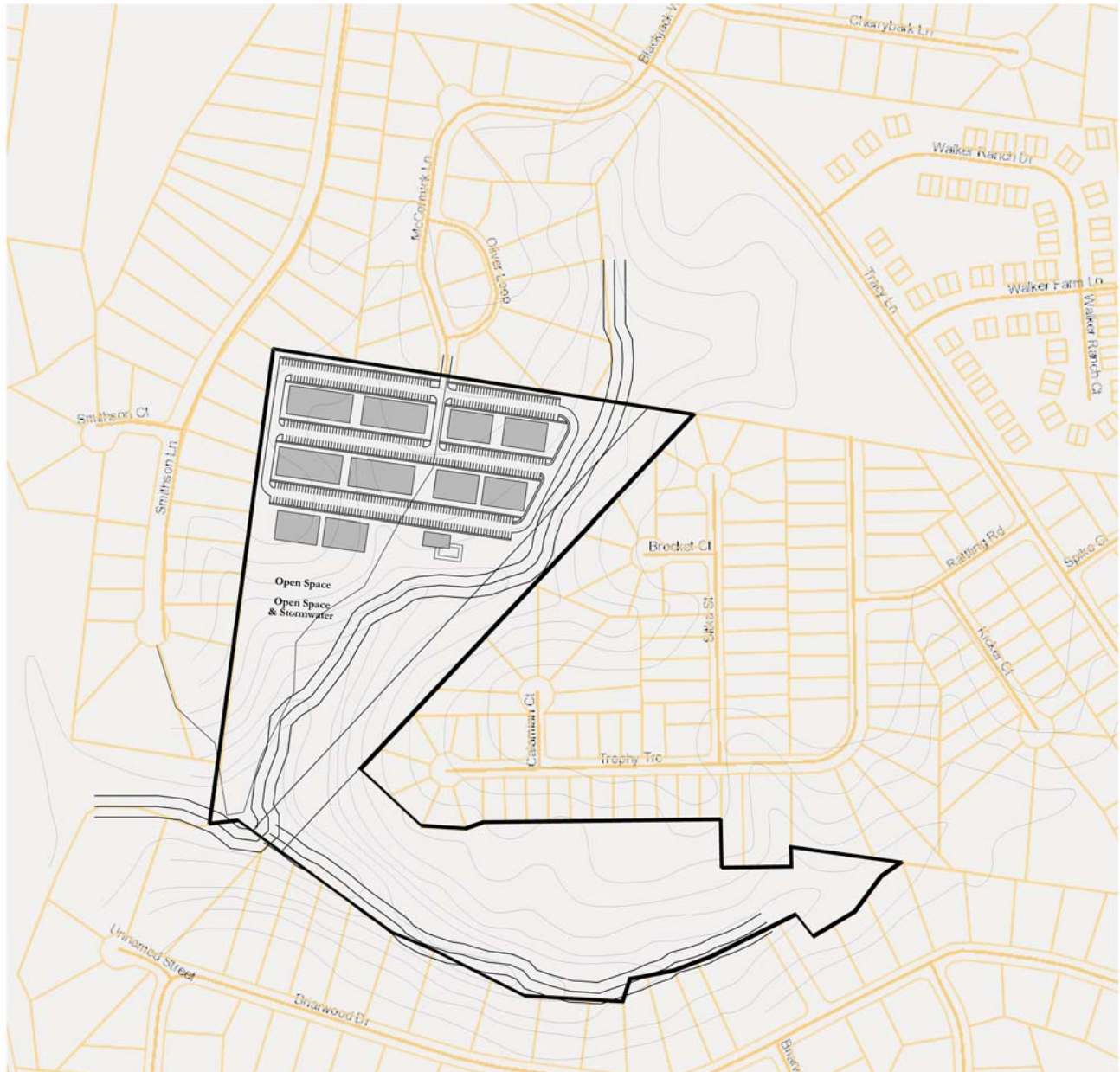
F i s c h b a c h
Transportation Group, LLC
Traffic Engineering and Planning



No Scale

Figure 1.
Location of the Proposed Project Site

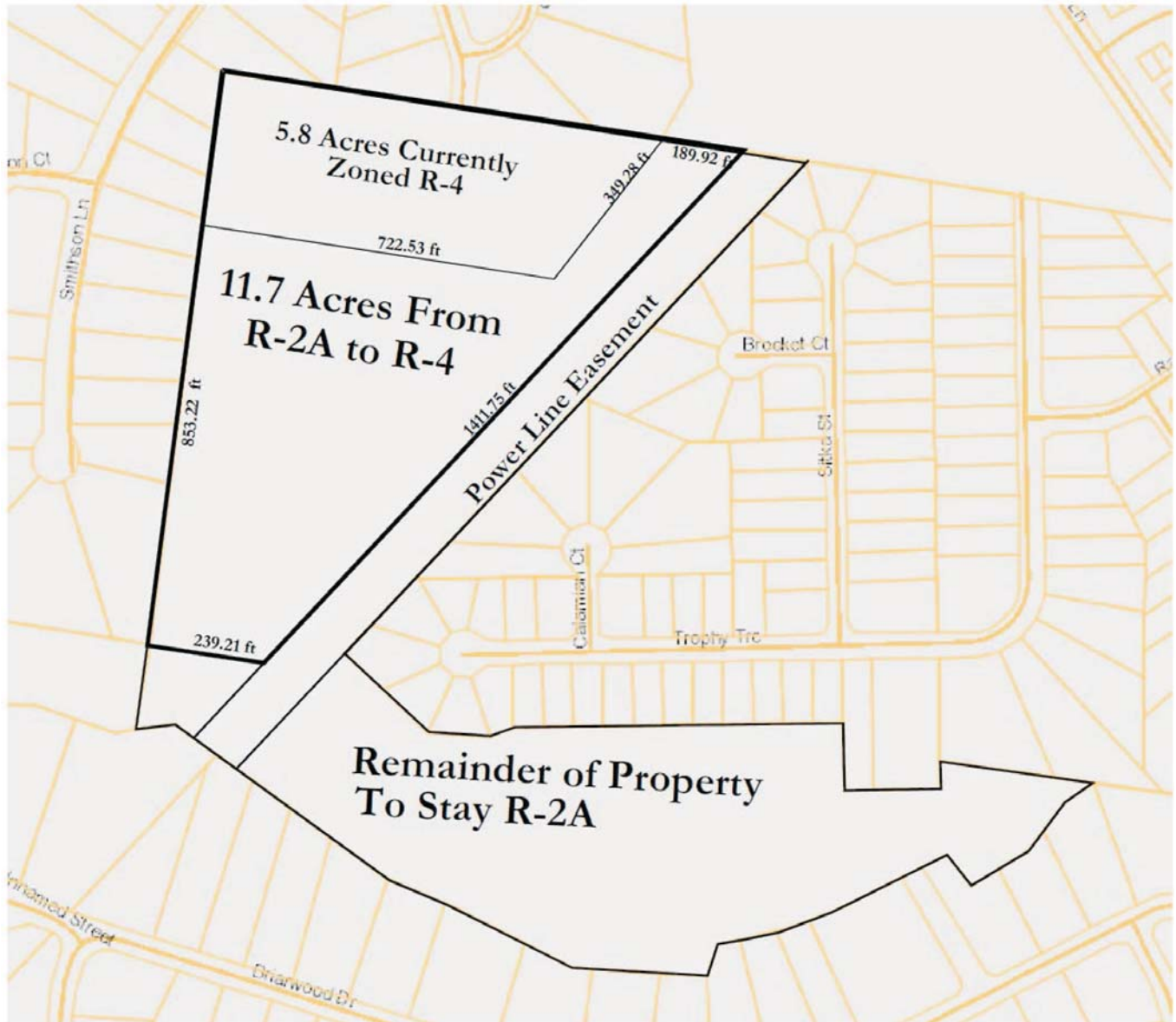
F i s c h b a c h
Transportation Group, LLC
Traffic Engineering and Planning



No Scale

Figure 2.
Current Site Plan for the Proposed Project

F i s c h b a c h
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Traffic Engineering and Planning



No Scale

Figure 3.
Existing and Proposed Zoning for the Project Site

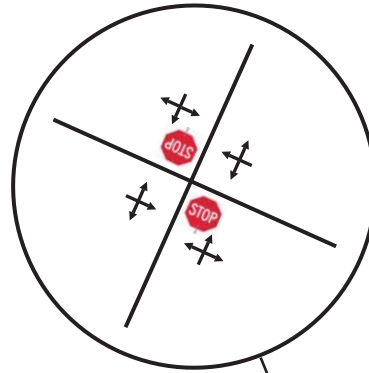
3. YEAR 2021 EXISTING CONDITIONS

3.1 REGIONAL AND LOCAL ACCESS

Tracy Lane provides access to the project site. In the vicinity of McCormick Lane, Tracy Lane is a collector roadway that includes two 11-foot travel lanes and no shoulders. Currently, a 30 mph speed limit is posted on Tracy Lane in the vicinity of the project site.

The existing laneage and traffic control at the intersections within the study area are shown in [Figure 4](#).

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Transportation Group, LLC
Traffic Engineering and Planning



No Scale

XX - AM Peak Hour Volumes
(XX) - PM Peak Hour Volumes

Figure 4.
Existing Laneage and Traffic Control within the Study Area

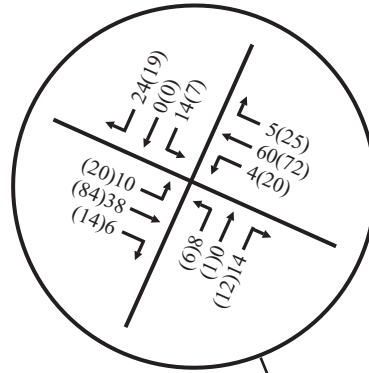
3.2 YEAR 2021 EXISTING TRAFFIC VOLUMES

In order to provide data for the traffic impact analysis, peak hour traffic volumes were identified for the intersection of Tracy Lane and McCormick Lane / Blackjack Way. Peak hour traffic counts were collected on a typical weekday in November 2021 when schools were in session. The traffic count worksheets are included in [Appendix A](#), and the existing peak hour traffic volumes are shown in [Figure 5](#).

Using the Year 2021 peak hour traffic volumes, capacity analyses were conducted for the intersection studied and the roadway that provides access to the project site. Specifically, in order to identify current peak hour levels of operation within the study area, the capacity calculations were performed according to the methods outlined in the Highway Capacity Manual 6 (HCM 6). These analyses result in the determination of a Level of Service (LOS), which is a measure of evaluation is used to describe how well an intersection or roadway operates. LOS A represents free flow traffic operations, and LOS F suggests that the traffic demand exceeds the available capacity. In an urbanized area, LOS D is typically considered to be the minimum acceptable LOS. [Table 1](#) presents the descriptions of LOS for unsignalized intersections.

The results of the capacity analyses for the existing peak hour traffic volumes are shown in [Table 2](#), and [Appendix B](#) includes the capacity analyses worksheets. The analyses indicate that all of the critical turning movements at the intersection of Tracy Lane and McCormick Lane / Blackjack Way operate at LOS A during both peak hours. Also, the segment of Tracy Lane that provides access to the project site operates at LOS A during both peak hours.

F i s c h b a c h
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 Traffic Engineering and Planning



No Scale

XX - AM Peak Hour Volumes
 (XX) - PM Peak Hour Volumes

Figure 5.
 Existing Peak Hour Traffic Volumes

TABLE 1. DESCRIPTIONS OF LOS FOR UNSIGNALIZED INTERSECTIONS

Level of Service	Description	Average Control Delay (sec/veh)
A	Minimal delay	≤ 10
B	Brief delay	> 10 and ≤ 15
C	Average delay	> 15 and ≤ 25
D	Significant delay	> 25 and ≤ 35
E	Long delay	> 35 and ≤ 50
F	Extreme delay	> 50

Source: Highway Capacity Manual 6 (HCM 6)

TABLE 2. YEAR 2021 EXISTING PEAK HOUR LEVELS OF SERVICE

INTERSECTION	TURNING MOVEMENT	AM PEAK HOUR		PM PEAK HOUR	
		LEVEL OF SERVICE	95TH %-ILE QUEUE	LEVEL OF SERVICE	95TH %-ILE QUEUE
Tracy Lane and McCormick Lane / Blackjack Way	Eastbound Turning Movements	LOS A	0 veh (7 sec/veh)	LOS A	0 veh (7 sec/veh)
	Westbound Turning Movements	LOS A	0 veh (7 sec/veh)	LOS A	0 veh (7 sec/veh)
	Northbound Turning Movements	LOS A	1 veh (9 sec/veh)	LOS A	1 veh (10 sec/veh)
	Southbound Turning Movements	LOS A	1 veh (9 sec/veh)	LOS A	1 veh (9 sec/veh)
ROADWAY	SEGMENT	AM PEAK HOUR		PM PEAK HOUR	
		LEVEL OF SERVICE		LEVEL OF SERVICE	
Tracy Lane	West of McCormick Lane / Blackjack Way	LOS A		LOS A	

4. YEAR 2025 BACKGROUND TRAFFIC VOLUMES

In order to account for the traffic growth which will occur within the study area because of typical growth, background traffic volumes were established for the intersections within the study area. Specifically, in order to account for growth within the study area, consideration was given to the historical traffic volumes near the project site. The Tennessee Department of Transportation (TDOT) conducts an annual count program throughout the state. This count program includes the annual collection of average daily traffic (ADT) counts at numerous fixed locations. Although there are no count stations on Tracy Lane, the count station closest to the project site is on Trenton Road, east of the project site.

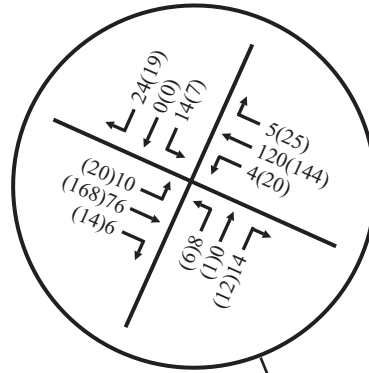
As shown in [Table 3](#), the daily traffic volumes within the study area are generally increasing at a rate of approximately 3% per year. However, since the existing traffic volumes on Tracy Lane are relatively low, the eastbound and westbound through volumes at the intersection of Tracy Lane and McCormick Lane / Blackjack Way were increased 100% in order to present a conservative analysis for Year 2025. These final Year 2025 background traffic volumes are shown in [Figure 6](#).

TABLE 3. HISTORICAL TRAFFIC VOLUMES IN THE STUDY AREA

Year	Station 24 Trenton Road ADT	Annual Growth	Overall Growth
2011	8,708		
2012	8,866	1.81%	
2013	8,683	-2.06%	
2014	9,085	4.63%	
2015	10,415	14.64%	
2016	10,237	-1.71%	
2017	10,405	1.64%	
2018	10,515	1.06%	
2019	10,994	4.56%	3.28%

Using the background peak hour traffic volumes, capacity analyses were conducted for the intersections within the study area. For these analyses, it was assumed that all existing infrastructure will be maintained and no improvements will be made. The results of the capacity analyses for the background peak hour traffic volumes are shown in [Table 4](#), and [Appendix B](#) includes the capacity analyses worksheets. The analyses indicate that all of the critical turning movements at the intersection of Tracy Lane and McCormick Lane / Blackjack Way will operate at LOS B or better during both peak hours. Also, the segment of Tracy Lane that provides access to the project site will operate at LOS B or better during both peak hours.

F i s c h b a c h
 Transportation Group, LLC
 Traffic Engineering and Planning



No Scale

XX - AM Peak Hour Volumes
 (XX) - PM Peak Hour Volumes

Figure 6.
Year 2025 Background Peak Hour Traffic
(Year 2021 Existing Through Traffic Increased 100%)

TABLE 4. YEAR 2025 BACKGROUND PEAK HOUR LEVELS OF SERVICE

INTERSECTION	TURNING MOVEMENT	AM PEAK HOUR		PM PEAK HOUR	
		LEVEL OF SERVICE	95TH %-ILE QUEUE	LEVEL OF SERVICE	95TH %-ILE QUEUE
Tracy Lane and McCormick Lane / Blackjack Way	Eastbound Turning Movements	LOS A	0 veh (8 sec/veh)	LOS A	0 veh (8 sec/veh)
	Westbound Turning Movements	LOS A	0 veh (7 sec/veh)	LOS A	0 veh (8 sec/veh)
	Northbound Turning Movements	LOS A	1 veh (9 sec/veh)	LOS B	1 veh (10 sec/veh)
	Southbound Turning Movements	LOS A	1 veh (10 sec/veh)	LOS B	1 veh (10 sec/veh)
ROADWAY	SEGMENT	AM PEAK HOUR		PM PEAK HOUR	
		LEVEL OF SERVICE		LEVEL OF SERVICE	
Tracy Lane	West of McCormick Lane / Blackjack Way	LOS A		LOS B	

5. IMPACTS OF PROPOSED DEVELOPMENT

5.1 TRIP GENERATION

Trip generation calculations were conducted in order to identify how much traffic will be generated by the proposed project. Trip generation data for daily and peak hour trips were identified from Trip Generation, 11th Edition, which was published by the Institute of Transportation Engineers (ITE) in 2021. [Table 5](#) presents the daily and peak hour trip generations for proposed project, and these calculations are included in [Appendix C](#).

TABLE 5. TRIP GENERATION FOR THE PROPOSED PROJECT

LAND USE	SIZE	DAILY TRAFFIC	GENERATED TRAFFIC			
			AM PEAK HOUR		PM PEAK HOUR	
			ENTER	EXIT	ENTER	EXIT
Multi-Family (Low-Rise) (LUC 220)	245 homes	1,652	24	74	79	46

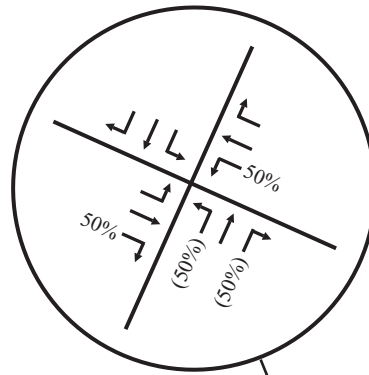
5.2 TRIP DISTRIBUTION AND TRAFFIC ASSIGNMENT

For the purposes of this study, it was estimated that the trips generated by the proposed development will access the project site according to the directional distribution shown in [Figure 7](#). The development of this distribution was based on the following factors:

- existing land use characteristics,
- the directions of approach of the existing traffic,
- the access proposed for the project, and
- the locations of population centers in the area.

The peak hour trip generation and directional distribution were used to add the site-generated trips to the roadway system. [Figure 8](#) includes the peak hour traffic volumes that are expected to be generated by the proposed project.

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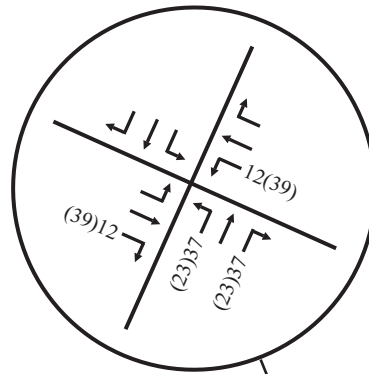


No Scale

XX - AM Peak Hour Volumes
(XX) - PM Peak Hour Volumes

Figure 7.
Directional Distribution of Traffic Generated by the Proposed Project

F i s c h b a c h
 Transportation Group, LLC
 Traffic Engineering and Planning



No Scale

XX - AM Peak Hour Volumes
 (XX) - PM Peak Hour Volumes

Figure 8.
Peak Hour Traffic Generated by the Proposed Project

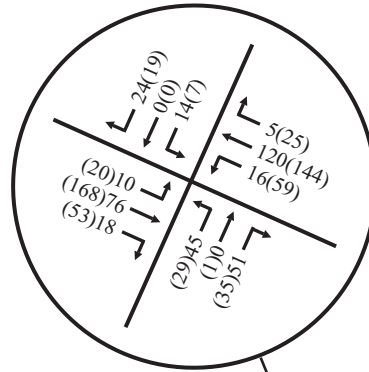
5.3 CAPACITY ANALYSES

In order to identify the projected peak hour traffic volumes at the completion of the proposed project, the trips generated by the proposed development were added to the background peak hour traffic volumes within the study area. The resulting peak hour volumes are shown in [Figure 9](#).

Using the total projected peak hour traffic volumes, capacity analyses were conducted in order to determine the impact of the proposed project on the roadway system. For the purposes of these analyses, it was assumed that all other existing laneage and traffic control will be maintained.

The results of the capacity analyses for the total projected peak hour traffic volumes are shown in [Table 6](#), and [Appendix B](#) includes the capacity analyses worksheets. The analyses indicate that all of the critical turning movements at the intersection of Tracy Lane and McCormick Lane / Blackjack Way will operate at LOS B or better during both peak hours. Also, the segment of Tracy Lane that provides access to the project site will operate at LOS B during both peak hours.

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No Scale

XX - AM Peak Hour Volumes
 (XX) - PM Peak Hour Volumes

Figure 9.
Total Year 2025 Projected Peak Hour Traffic

TABLE 6. TOTAL PROJECTED PEAK HOUR LEVELS OF SERVICE

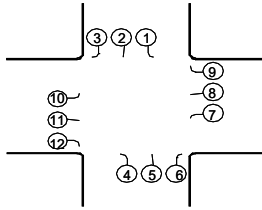
INTERSECTION	TURNING MOVEMENT	AM PEAK HOUR		PM PEAK HOUR	
		LEVEL OF SERVICE	95TH %-ILE QUEUE	LEVEL OF SERVICE	95TH %-ILE QUEUE
Tracy Lane and McCormick Lane / Blackjack Way	Eastbound Turning Movements	LOS A	0 veh (8 sec/veh)	LOS A	0 veh (8 sec/veh)
	Westbound Turning Movements	LOS A	0 veh (7 sec/veh)	LOS A	1 veh (8 sec/veh)
	Northbound Turning Movements	LOS B	1 veh (10 sec/veh)	LOS B	1 veh (12 sec/veh)
	Southbound Turning Movements	LOS A	1 veh (10 sec/veh)	LOS B	1 veh (11 sec/veh)
ROADWAY	SEGMENT	AM PEAK HOUR		PM PEAK HOUR	
		LEVEL OF SERVICE		LEVEL OF SERVICE	
Tracy Lane	West of McCormick Lane / Blackjack Way	LOS B		LOS B	

6. CONCLUSIONS AND RECOMMENDATIONS

The analyses conducted for the purposes of this study indicate that the traffic generated by the proposed project will have a minor impact on the intersection of Tracy Lane and McCormick Lane / Blackjack Way. Also, the proposed project will have a minor impact on the segment of Tracy Lane that provides access to the project site.

**APPENDIX A
EXISTING TRAFFIC COUNTS**

INTERSECTION TRAFFIC VOLUME COUNTS



LOCATION: Tracy Lane and McCormick Lane/Blackjack Way
DATE: 16-Nov-21 Tue
RECORDER: Burns
NOTES: unsignalized

LOCATION	S/B Blackjack Way			N/B McCormick Lane			W/B Tracy Lane			E/B Tracy Lane		
TIME	1	2	3	4	5	6	7	8	9	10	11	12
6:00-6:15	3		7	2		3		3		2	3	2
6:15-6:30	5		3	1		6	1	2	1		5	
6:30-6:45	5		2			6	1	4		1	2	
6:45-7:00	4		1	2		2		4	2	1	9	2
7:00-7:15	1		4	5		2		9			8	1
7:15-7:30	1	1	2	2	1	5		6	2	1	9	1
7:30-7:45	7		5	3		3		7	1	1	7	1
7:45-8:00	4		5	2		6	2	14		1	12	
8:00-8:15	2		6			3	1	13	1	5	9	
8:15-8:30	1		6	1		3		17	4	2	9	2
8:30-8:45	7		7	5		2	1	16		2	8	4
8:45-9:00	7		5	1		2		9	3	3	8	1
4:00-4:15	1		1	2		3	3	12	5	5	26	5
4:15-4:30	3		3			2	1	15	2	5	18	2
4:30-4:45	5		1			2	5	15	3	1	9	2
4:45-5:00	2			4		3	4	14	6	1	23	5
5:00-5:15	2		1			2	5	16	9	3	24	2
5:15-5:30	2		3	1		5	2	20	7	3	21	6
5:30-5:45	2		4	2		3	4	18	4	5	28	2
5:45-6:00	1		8	1			8	20	6	4	19	2
6:00-6:15	2		4	2	1	4	6	14	8	8	16	4
6:15-6:30	4	1	2	2		1	3	15	4	9	14	7
6:30-6:45	1		4	3		5	5	5	7	5	12	2
6:45-7:00	4		1	1		2	3	12	3		12	4
TOTAL	76	2	85	42	2	75	55	280	78	68	311	57
AM PK HR	14		24	8		14	4	60	5	10	38	6
PM PK HR	7		19	6	1	12	20	72	25	20	84	14

97 25
102 24
109 21
123 27
142 30
152 31
166 35
183 46
176 40
45
52
39
219 63
220 51
239 43
268 62
275 64
280 70
272 72
249 69
222 69
62
49
42
7:45-8:45 0.99
5:15-6:15 0.97

**APPENDIX B
CAPACITY ANALYSES**

EXISTING CONDITIONS

HCS7 Two-Way Stop-Control Report

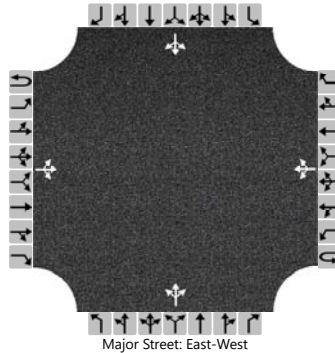
General Information

Analyst	FTG
Agency/Co.	FTG
Date Performed	Nov 2021
Analysis Year	2021
Time Analyzed	AM Peak Hour
Intersection Orientation	East-West
Project Description	11185 (Existing)

Site Information

Intersection	Tracy/McCormick/Blackjack
Jurisdiction	Clarksville, TN
East/West Street	Tracy Lane
North/South Street	McCormick Ln/Blackjack Wy
Peak Hour Factor	0.99
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	0	0	0	1	0		0	1	0		0	1	0
Configuration			LTR				LTR				LTR				LTR	
Volume (veh/h)		10	38	6		4	60	5		8	0	14		14	0	24
Percent Heavy Vehicles (%)		0				0				0	0	0		0	0	0
Proportion Time Blocked																
Percent Grade (%)									0				0			
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		4.1				4.1				7.1	6.5	6.2		7.1	6.5	6.2
Critical Headway (sec)		4.10				4.10				7.10	6.50	6.20		7.10	6.50	6.20
Base Follow-Up Headway (sec)		2.2				2.2				3.5	4.0	3.3		3.5	4.0	3.3
Follow-Up Headway (sec)		2.20				2.20				3.50	4.00	3.30		3.50	4.00	3.30

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		10				4					22					38
Capacity, c (veh/h)		1549				1577					937					928
v/c Ratio		0.01				0.00					0.02					0.04
95% Queue Length, Q ₉₅ (veh)		0.0				0.0					0.1					0.1
Control Delay (s/veh)		7.3				7.3					8.9					9.0
Level of Service (LOS)		A				A					A					A
Approach Delay (s/veh)	1.4				0.4				8.9				9.0			
Approach LOS									A				A			

HCS7 Two-Way Stop-Control Report

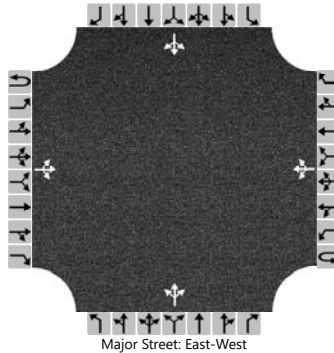
General Information

Analyst	FTG
Agency/Co.	FTG
Date Performed	Nov 2021
Analysis Year	2021
Time Analyzed	PM Peak Hour
Intersection Orientation	East-West
Project Description	11185 (Existing)

Site Information

Intersection	Tracy/McCormick/Blackjack
Jurisdiction	Clarksville, TN
East/West Street	Tracy Lane
North/South Street	McCormick Ln/Blackjack Wy
Peak Hour Factor	0.97
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	0	0	0	1	0		0	1	0		0	1	0
Configuration			LTR				LTR				LTR				LTR	
Volume (veh/h)		20	84	14		20	72	25		6	1	12		7	0	19
Percent Heavy Vehicles (%)		0				0				0	0	0		0	0	0
Proportion Time Blocked																
Percent Grade (%)									0				0			
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		4.1				4.1				7.1	6.5	6.2		7.1	6.5	6.2
Critical Headway (sec)		4.10				4.10				7.10	6.50	6.20		7.10	6.50	6.20
Base Follow-Up Headway (sec)		2.2				2.2				3.5	4.0	3.3		3.5	4.0	3.3
Follow-Up Headway (sec)		2.20				2.20				3.50	4.00	3.30		3.50	4.00	3.30

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		21				21					20					27
Capacity, c (veh/h)		1505				1504					820					866
v/c Ratio		0.01				0.01					0.02					0.03
95% Queue Length, Q ₉₅ (veh)		0.0				0.0					0.1					0.1
Control Delay (s/veh)		7.4				7.4					9.5					9.3
Level of Service (LOS)		A				A					A					A
Approach Delay (s/veh)	1.3				1.4				9.5				9.3			
Approach LOS									A				A			

HCS7 Two-Lane Highway Report

Project Information

Analyst	FTG	Date	Nov 2021
Agency	FTG	Analysis Year	2021 (Existing)
Jurisdiction	Clarksville, TN	Time Period Analyzed	AM Peak Hour
Project Description	11185 (Tracy Lane, west of McCormick Lane)	Unit	United States Customary

Segment 1

Vehicle Inputs

Segment Type	Passing Constrained	Length, ft	5280
Lane Width, ft	11	Shoulder Width, ft	0
Speed Limit, mi/h	30	Access Point Density, pts/mi	11.0

Demand and Capacity

Directional Demand Flow Rate, veh/h	93	Opposing Demand Flow Rate, veh/h	-
Peak Hour Factor	0.99	Total Trucks, %	0.00
Segment Capacity, veh/h	1700	Demand/Capacity (D/C)	0.05

Intermediate Results

Segment Vertical Class	1	Free-Flow Speed, mi/h	26.7
Speed Slope Coefficient	2.00460	Speed Power Coefficient	0.41674
PF Slope Coefficient	-1.33824	PF Power Coefficient	0.63275
In Passing Lane Effective Length?	No	Total Segment Density, veh/mi/ln	0.9
%Improved % Followers	0.0	% Improved Avg Speed	0.0

Subsegment Data

#	Segment Type	Length, ft	Radius, ft	Superelevation, %	Average Speed, mi/h
1	Tangent	5280	-	-	26.7

Vehicle Results

Average Speed, mi/h	26.7	Percent Followers, %	25.7
Segment Travel Time, minutes	2.25	Follower Density, followers/mi/ln	0.9
Vehicle LOS	A		

Bicycle Results

Percent Occupied Parking	0	Pavement Condition Rating	4
Flow Rate Outside Lane, veh/h	93	Bicycle Effective Width, ft	17
Bicycle LOS Score	2.73	Bicycle Effective Speed Factor	3.39
Bicycle LOS	C		

Facility Results

T	Follower Density, followers/mi/ln	LOS
1	0.9	A

HCS7 Two-Lane Highway Report

Project Information

Analyst	FTG	Date	Nov 2021
Agency	FTG	Analysis Year	2021 (Existing)
Jurisdiction	Clarksville, TN	Time Period Analyzed	PM Peak Hour
Project Description	11185 (Tracy Lane, west of McCormick Lane)	Unit	United States Customary

Segment 1

Vehicle Inputs

Segment Type	Passing Constrained	Length, ft	5280
Lane Width, ft	11	Shoulder Width, ft	0
Speed Limit, mi/h	30	Access Point Density, pts/mi	11.0

Demand and Capacity

Directional Demand Flow Rate, veh/h	122	Opposing Demand Flow Rate, veh/h	-
Peak Hour Factor	0.97	Total Trucks, %	0.00
Segment Capacity, veh/h	1700	Demand/Capacity (D/C)	0.07

Intermediate Results

Segment Vertical Class	1	Free-Flow Speed, mi/h	26.7
Speed Slope Coefficient	2.00460	Speed Power Coefficient	0.41674
PF Slope Coefficient	-1.33824	PF Power Coefficient	0.63275
In Passing Lane Effective Length?	No	Total Segment Density, veh/mi/ln	1.4
%Improved % Followers	0.0	% Improved Avg Speed	0.0

Subsegment Data

#	Segment Type	Length, ft	Radius, ft	Superelevation, %	Average Speed, mi/h
1	Tangent	5280	-	-	26.2

Vehicle Results

Average Speed, mi/h	26.2	Percent Followers, %	29.7
Segment Travel Time, minutes	2.29	Follower Density, followers/mi/ln	1.4
Vehicle LOS	A		

Bicycle Results

Percent Occupied Parking	0	Pavement Condition Rating	4
Flow Rate Outside Lane, veh/h	122	Bicycle Effective Width, ft	16
Bicycle LOS Score	3.03	Bicycle Effective Speed Factor	3.39
Bicycle LOS	C		

Facility Results

T	Follower Density, followers/mi/ln	LOS
1	1.4	A

BACKGROUND CONDITIONS

HCS7 Two-Way Stop-Control Report

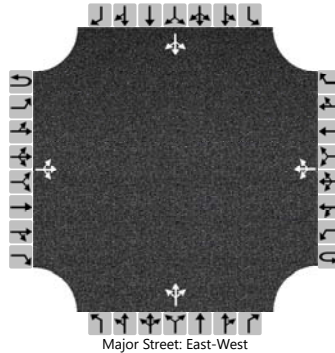
General Information

Analyst	FTG
Agency/Co.	FTG
Date Performed	Nov 2021
Analysis Year	2025
Time Analyzed	AM Peak Hour
Intersection Orientation	East-West
Project Description	11185 (Back)

Site Information

Intersection	Tracy/McCormick/Blackjack
Jurisdiction	Clarksville, TN
East/West Street	Tracy Lane
North/South Street	McCormick Ln/Blackjack Wy
Peak Hour Factor	0.99
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	0	0	0	1	0		0	1	0		0	1	0
Configuration			LTR				LTR				LTR				LTR	
Volume (veh/h)		10	76	6		4	120	5		8	0	14		14	0	24
Percent Heavy Vehicles (%)		0				0				0	0	0		0	0	0
Proportion Time Blocked																
Percent Grade (%)									0				0			
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		4.1				4.1				7.1	6.5	6.2		7.1	6.5	6.2
Critical Headway (sec)		4.10				4.10				7.10	6.50	6.20		7.10	6.50	6.20
Base Follow-Up Headway (sec)		2.2				2.2				3.5	4.0	3.3		3.5	4.0	3.3
Follow-Up Headway (sec)		2.20				2.20				3.50	4.00	3.30		3.50	4.00	3.30

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		10				4					22					38
Capacity, c (veh/h)		1473				1527					853					833
v/c Ratio		0.01				0.00					0.03					0.05
95% Queue Length, Q ₉₅ (veh)		0.0				0.0					0.1					0.1
Control Delay (s/veh)		7.5				7.4					9.3					9.5
Level of Service (LOS)		A				A					A					A
Approach Delay (s/veh)	0.9				0.2				9.3				9.5			
Approach LOS									A				A			

HCS7 Two-Way Stop-Control Report

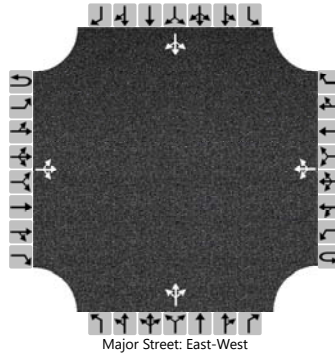
General Information

Analyst	FTG
Agency/Co.	FTG
Date Performed	Nov 2021
Analysis Year	2025
Time Analyzed	PM Peak Hour
Intersection Orientation	East-West
Project Description	11185 (Back)

Site Information

Intersection	Tracy/McCormick/Blackjack
Jurisdiction	Clarksville, TN
East/West Street	Tracy Lane
North/South Street	McCormick Ln/Blackjack Wy
Peak Hour Factor	0.97
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	0	0	0	1	0		0	1	0		0	1	0
Configuration			LTR				LTR				LTR				LTR	
Volume (veh/h)		20	168	14		20	144	25		6	1	12		7	0	19
Percent Heavy Vehicles (%)		0				0				0	0	0		0	0	0
Proportion Time Blocked																
Percent Grade (%)									0				0			
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		4.1				4.1				7.1	6.5	6.2		7.1	6.5	6.2
Critical Headway (sec)		4.10				4.10				7.10	6.50	6.20		7.10	6.50	6.20
Base Follow-Up Headway (sec)		2.2				2.2				3.5	4.0	3.3		3.5	4.0	3.3
Follow-Up Headway (sec)		2.20				2.20				3.50	4.00	3.30		3.50	4.00	3.30

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		21				21					20				27	
Capacity, c (veh/h)		1415				1399					689				744	
v/c Ratio		0.01				0.01					0.03				0.04	
95% Queue Length, Q ₉₅ (veh)		0.0				0.0					0.1				0.1	
Control Delay (s/veh)		7.6				7.6					10.4				10.0	
Level of Service (LOS)		A				A					B				B	
Approach Delay (s/veh)	0.9				0.9				10.4				10.0			
Approach LOS									B				B			

HCS7 Two-Lane Highway Report

Project Information

Analyst	FTG	Date	Nov 2021
Agency	FTG	Analysis Year	2025 (Back)
Jurisdiction	Clarksville, TN	Time Period Analyzed	AM Peak Hour
Project Description	11185 (Tracy Lane, west of McCormick Lane)	Unit	United States Customary

Segment 1

Vehicle Inputs

Segment Type	Passing Constrained	Length, ft	5280
Lane Width, ft	11	Shoulder Width, ft	0
Speed Limit, mi/h	30	Access Point Density, pts/mi	11.0

Demand and Capacity

Directional Demand Flow Rate, veh/h	154	Opposing Demand Flow Rate, veh/h	-
Peak Hour Factor	0.99	Total Trucks, %	0.00
Segment Capacity, veh/h	1700	Demand/Capacity (D/C)	0.09

Intermediate Results

Segment Vertical Class	1	Free-Flow Speed, mi/h	26.7
Speed Slope Coefficient	2.00460	Speed Power Coefficient	0.41674
PF Slope Coefficient	-1.33824	PF Power Coefficient	0.63275
In Passing Lane Effective Length?	No	Total Segment Density, veh/mi/ln	2.0
%Improved % Followers	0.0	% Improved Avg Speed	0.0

Subsegment Data

#	Segment Type	Length, ft	Radius, ft	Superelevation, %	Average Speed, mi/h
1	Tangent	5280	-	-	26.1

Vehicle Results

Average Speed, mi/h	26.1	Percent Followers, %	33.6
Segment Travel Time, minutes	2.30	Follower Density, followers/mi/ln	2.0
Vehicle LOS	A		

Bicycle Results

Percent Occupied Parking	0	Pavement Condition Rating	4
Flow Rate Outside Lane, veh/h	154	Bicycle Effective Width, ft	14
Bicycle LOS Score	3.45	Bicycle Effective Speed Factor	3.39
Bicycle LOS	C		

Facility Results

T	Follower Density, followers/mi/ln	LOS
1	2.0	A

HCS7 Two-Lane Highway Report

Project Information

Analyst	FTG	Date	Nov 2021
Agency	FTG	Analysis Year	2025 (Back)
Jurisdiction	Clarksville, TN	Time Period Analyzed	PM Peak Hour
Project Description	11185 (Tracy Lane, west of McCormick Lane)	Unit	United States Customary

Segment 1

Vehicle Inputs

Segment Type	Passing Constrained	Length, ft	5280
Lane Width, ft	11	Shoulder Width, ft	0
Speed Limit, mi/h	30	Access Point Density, pts/mi	11.0

Demand and Capacity

Directional Demand Flow Rate, veh/h	208	Opposing Demand Flow Rate, veh/h	-
Peak Hour Factor	0.97	Total Trucks, %	0.00
Segment Capacity, veh/h	1700	Demand/Capacity (D/C)	0.12

Intermediate Results

Segment Vertical Class	1	Free-Flow Speed, mi/h	26.7
Speed Slope Coefficient	2.00460	Speed Power Coefficient	0.41674
PF Slope Coefficient	-1.33824	PF Power Coefficient	0.63275
In Passing Lane Effective Length?	No	Total Segment Density, veh/mi/ln	3.1
%Improved % Followers	0.0	% Improved Avg Speed	0.0

Subsegment Data

#	Segment Type	Length, ft	Radius, ft	Superelevation, %	Average Speed, mi/h
1	Tangent	5280	-	-	25.9

Vehicle Results

Average Speed, mi/h	25.9	Percent Followers, %	39.1
Segment Travel Time, minutes	2.32	Follower Density, followers/mi/ln	3.1
Vehicle LOS	B		

Bicycle Results

Percent Occupied Parking	0	Pavement Condition Rating	4
Flow Rate Outside Lane, veh/h	208	Bicycle Effective Width, ft	11
Bicycle LOS Score	3.98	Bicycle Effective Speed Factor	3.39
Bicycle LOS	D		

Facility Results

T	Follower Density, followers/mi/ln	LOS
1	3.1	B

TOTAL PROJECTED CONDITIONS

HCS7 Two-Way Stop-Control Report

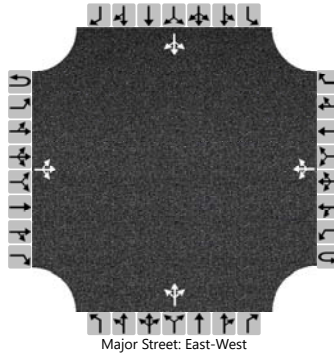
General Information

Analyst	FTG
Agency/Co.	FTG
Date Performed	Nov 2021
Analysis Year	2025
Time Analyzed	AM Peak Hour
Intersection Orientation	East-West
Project Description	11185 (Total)

Site Information

Intersection	Tracy/McCormick/Blackjack
Jurisdiction	Clarksville, TN
East/West Street	Tracy Lane
North/South Street	McCormick Ln/Blackjack Wy
Peak Hour Factor	0.99
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	0	0	0	1	0		0	1	0		0	1	0
Configuration			LTR				LTR				LTR				LTR	
Volume (veh/h)		10	76	18		16	120	5		45	0	51		14	0	24
Percent Heavy Vehicles (%)		0				0				0	0	0		0	0	0
Proportion Time Blocked																
Percent Grade (%)									0				0			
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		4.1				4.1				7.1	6.5	6.2		7.1	6.5	6.2
Critical Headway (sec)		4.10				4.10				7.10	6.50	6.20		7.10	6.50	6.20
Base Follow-Up Headway (sec)		2.2				2.2				3.5	4.0	3.3		3.5	4.0	3.3
Follow-Up Headway (sec)		2.20				2.20				3.50	4.00	3.30		3.50	4.00	3.30

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		10				16					97				38	
Capacity, c (veh/h)		1473				1512					795				789	
v/c Ratio		0.01				0.01					0.12				0.05	
95% Queue Length, Q ₉₅ (veh)		0.0				0.0					0.4				0.2	
Control Delay (s/veh)		7.5				7.4					10.2				9.8	
Level of Service (LOS)		A				A					B				A	
Approach Delay (s/veh)	0.8				0.9				10.2				9.8			
Approach LOS									B				A			

HCS7 Two-Way Stop-Control Report

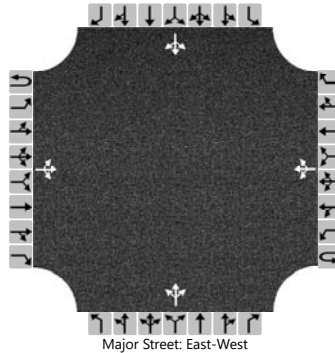
General Information

Analyst	FTG
Agency/Co.	FTG
Date Performed	Nov 2021
Analysis Year	2025
Time Analyzed	PM Peak Hour
Intersection Orientation	East-West
Project Description	11185 (Total)

Site Information

Intersection	Tracy/McCormick/Blackjack
Jurisdiction	Clarksville, TN
East/West Street	Tracy Lane
North/South Street	McCormick Ln/Blackjack Wy
Peak Hour Factor	0.97
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	0	0	0	1	0		0	1	0		0	1	0
Configuration			LTR				LTR				LTR				LTR	
Volume (veh/h)		20	168	53		59	144	25		29	1	35		7	0	19
Percent Heavy Vehicles (%)		0				0				0	0	0		0	0	0
Proportion Time Blocked																
Percent Grade (%)									0				0			
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		4.1				4.1				7.1	6.5	6.2		7.1	6.5	6.2
Critical Headway (sec)		4.10				4.10				7.10	6.50	6.20		7.10	6.50	6.20
Base Follow-Up Headway (sec)		2.2				2.2				3.5	4.0	3.3		3.5	4.0	3.3
Follow-Up Headway (sec)		2.20				2.20				3.50	4.00	3.30		3.50	4.00	3.30

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		21				61					67				27	
Capacity, c (veh/h)		1415				1352					582				677	
v/c Ratio		0.01				0.04					0.12				0.04	
95% Queue Length, Q ₉₅ (veh)		0.0				0.1					0.4				0.1	
Control Delay (s/veh)		7.6				7.8					12.0				10.5	
Level of Service (LOS)		A				A					B				B	
Approach Delay (s/veh)	0.7				2.3				12.0				10.5			
Approach LOS									B				B			

HCS7 Two-Lane Highway Report

Project Information

Analyst	FTG	Date	Nov 2021
Agency	FTG	Analysis Year	2025 (Total)
Jurisdiction	Clarksville, TN	Time Period Analyzed	AM Peak Hour
Project Description	11185 (Tracy Lane, west of McCormick Lane)	Unit	United States Customary

Segment 1

Vehicle Inputs

Segment Type	Passing Constrained	Length, ft	5280
Lane Width, ft	11	Shoulder Width, ft	0
Speed Limit, mi/h	30	Access Point Density, pts/mi	11.0

Demand and Capacity

Directional Demand Flow Rate, veh/h	191	Opposing Demand Flow Rate, veh/h	-
Peak Hour Factor	0.99	Total Trucks, %	0.00
Segment Capacity, veh/h	1700	Demand/Capacity (D/C)	0.11

Intermediate Results

Segment Vertical Class	1	Free-Flow Speed, mi/h	26.7
Speed Slope Coefficient	2.00460	Speed Power Coefficient	0.41674
PF Slope Coefficient	-1.33824	PF Power Coefficient	0.63275
In Passing Lane Effective Length?	No	Total Segment Density, veh/mi/ln	2.8
%Improved % Followers	0.0	% Improved Avg Speed	0.0

Subsegment Data

#	Segment Type	Length, ft	Radius, ft	Superelevation, %	Average Speed, mi/h
1	Tangent	5280	-	-	25.9

Vehicle Results

Average Speed, mi/h	25.9	Percent Followers, %	37.5
Segment Travel Time, minutes	2.32	Follower Density, followers/mi/ln	2.8
Vehicle LOS	B		

Bicycle Results

Percent Occupied Parking	0	Pavement Condition Rating	4
Flow Rate Outside Lane, veh/h	191	Bicycle Effective Width, ft	11
Bicycle LOS Score	3.94	Bicycle Effective Speed Factor	3.39
Bicycle LOS	D		

Facility Results

T	Follower Density, followers/mi/ln	LOS
1	2.8	B

HCS7 Two-Lane Highway Report

Project Information

Analyst	FTG	Date	Nov 2021
Agency	FTG	Analysis Year	2025 (Total)
Jurisdiction	Clarksville, TN	Time Period Analyzed	PM Peak Hour
Project Description	11185 (Tracy Lane, west of McCormick Lane)	Unit	United States Customary

Segment 1

Vehicle Inputs

Segment Type	Passing Constrained	Length, ft	5280
Lane Width, ft	11	Shoulder Width, ft	0
Speed Limit, mi/h	30	Access Point Density, pts/mi	11.0

Demand and Capacity

Directional Demand Flow Rate, veh/h	248	Opposing Demand Flow Rate, veh/h	-
Peak Hour Factor	0.97	Total Trucks, %	0.00
Segment Capacity, veh/h	1700	Demand/Capacity (D/C)	0.15

Intermediate Results

Segment Vertical Class	1	Free-Flow Speed, mi/h	26.7
Speed Slope Coefficient	2.00460	Speed Power Coefficient	0.41674
PF Slope Coefficient	-1.33824	PF Power Coefficient	0.63275
In Passing Lane Effective Length?	No	Total Segment Density, veh/mi/ln	4.1
%Improved % Followers	0.0	% Improved Avg Speed	0.0

Subsegment Data

#	Segment Type	Length, ft	Radius, ft	Superelevation, %	Average Speed, mi/h
1	Tangent	5280	-	-	25.7

Vehicle Results

Average Speed, mi/h	25.7	Percent Followers, %	42.6
Segment Travel Time, minutes	2.33	Follower Density, followers/mi/ln	4.1
Vehicle LOS	B		

Bicycle Results

Percent Occupied Parking	0	Pavement Condition Rating	4
Flow Rate Outside Lane, veh/h	248	Bicycle Effective Width, ft	11
Bicycle LOS Score	4.07	Bicycle Effective Speed Factor	3.39
Bicycle LOS	D		

Facility Results

T	Follower Density, followers/mi/ln	LOS
1	4.1	B

**APPENDIX C
TRIP GENERATION**

TRIP GENERATION CALCULATIONS - Multi-family Homes (Low-Rise)

The following calculations are based on the data compiled for ITE Land Use Code 220.

Average Daily Traffic

$$T = 6.74 (X)$$

$$T = 6.74 (245)$$

$$T = 1,652 \text{ vehicles}$$

$$\text{Enter} = 0.50 (1,652) = 826 \text{ vehicles}$$

$$\text{Exit} = 0.50 (1,652) = 826 \text{ vehicles}$$

AM traffic during peak hour of adjacent street

$$T = 0.40 (X)$$

$$T = 0.40 (245)$$

$$T = 98 \text{ vehicles}$$

$$\text{Enter} = 0.24 (98) = 24 \text{ vehicles}$$

$$\text{Exit} = 0.76 (98) = 74 \text{ vehicles}$$

PM traffic during peak hour of adjacent street

$$T = 0.51 (X)$$

$$T = 0.51 (245)$$

$$T = 125 \text{ vehicles}$$

$$\text{Enter} = 0.63 (125) = 79 \text{ vehicles}$$

$$\text{Exit} = 0.37 (125) = 46 \text{ vehicles}$$

ORDINANCE 62-2021-22

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE,

APPLICATION OF Bible Baptist Church

FOR A ZONE CHANGE ON

Property fronting on the east frontage of Sango Rd. 500 +/- feet north of the Sango Rd. & Woody Ln. intersection.

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 O-1 Office District as R-5 Residential District

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

BEGINNING AT A CONCRETE MONUMENT FOUND AT THE RIGHT OF WAY LINE INTERSECTION OF SANGO ROAD AND INTERSTATE 24; THENCE WITH THE RIGHT OF WAY LINE OF INTERSECTION 24, AS FOLLOWS: N 04°39'38" EA DISTANCE OF

126.64 FEET TO A CONCRETE MONUMENT FOUND; THENCE N 89° 52'22" EA DISTANCE OF 122.77 FEET TO A CONCRETE MONUMENT FOUND; THENCE S 61

°59'36" EA DISTANCE OF 831.14 FEET TO A CONCRETE MONUMENT FOUND; THENCE S 54°08'49" EA DISTANCE OF 328.41 FEET TO A CONCRETE MONUMENT FOUND; THENCE LEAVING SAID RIGHT OF WAY LINE ACROSS THE PARENT TRACT, AS FOLLOWS: S 39°50'18" WA DISTANCE OF 223.31 FEET TO A 1/2" IRON PIN SET; THENCE N 89°56'54" WA DISTANCE OF 427.47 FEET TO A 1/2" IRON PIN SET; THENCE N 38°35'36" WA DISTANCE OF 143.91 FEET TO A 1/2" IRON PIN SET; THENCE N 62°57'13" WA DISTANCE OF 542.47 FEET TO A 1/2" IRON PIN SET IN THE EAST RIGHT OF WAY LINE OF SAID SANGO ROAD; THENCE WITH SAID RIGHT OF WAY LINE OF SANGO ROAD, AS FOLLOWS: WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 103.35 FEET WITH A RADIUS OF 566.58 FEET WITH A CHORD BEARING OF N 01°41'46" W, WITH A CHORD LENGTH OF 103.21 FEET; THENCE N 04°39'38" EA DISTANCE OF 165.46 FEET TO THE POINT OF BEGINNING, HAVING AN AREA OF 10.46 ACRES, MORE OR LESS.

Traffic Assessment

**Hadley Condos Development
Sango Rd.**

Clarksville, Montgomery County, Tennessee

10.46 Acres

November 2021

Prepared for: Clarksville Street Department



TABLE OF CONTENTS

I.	GENERAL SITE DESCRIPTION	1
II.	TRIP GENERATION AND EXISTING TRAFFIC VOLUME	1
III.	EXISTING ROADWAY AND ACCESS CONDITIONS.....	1
IV.	ANALYSIS.....	1
V.	CONCLUSION.....	2

APPENDICES

I. General Site Description

The subject property is at the intersection of Sango Rd and Prospect Cir in Clarksville, TN. The property is southeast of the intersection of Sango Rd and Hwy 76. A vicinity map can be seen in Appendix I. The current zoning of the property consists of 37.58 acres zoned O-1. 10.46 acres of the property is proposed to be rezoned to R-5 Residential. Trip Distribution Exhibits can be seen in Appendix II. Sango Rd is currently a 24' wide 2 lane road with 2 12' lanes. Prospect Cir is currently a 20' wide 2 lane road without stripping. The speed limit is 30 miles per hour on Sango Rd. This study has been completed to determine if the proposed development will negatively impact the traffic on Sango Rd, determine the LOS of the proposed site entrance, and determine the LOS at the signalized intersection of Sango Rd and Hwy 76. The AM and PM peak hour was analyzed to determine a worst-case scenario for the intersections delay. An intermediate step has been taken to analyze the current O-1 zoning.

II. Trip Generation and Existing Traffic Volume

Existing traffic volumes were derived from an existing traffic study analyzing the signalized intersection of Sango Rd and Hwy 76 completed by others on 10/30/2019. The existing counts can be seen in Appendix III. A live count was conducted by McKay-Burchett & Company on 10/28/2021 between 3-6 PM and on 10/29/2021 between 7-9 AM. *Trip Generation, 9th Edition*, by the Institute of Transportation Engineers was used to develop proposed trip generations. The proposed generations can be seen in the Appendix IV. The assumed land use was Apartments (ITE 220). A density for the proposed R-5 zoning of 126 units for the proposed property was used based on the maximum allowed 12 units per acre. A density of 15% leasable was assumed for the current O-1 zoning based on historical data. These assumptions can be further analyzed during site development plans.

III. Existing Roadway and Access Conditions

The property that is proposed to be rezoned currently has one access point via Prospect Cir. The proposed rezoning will include an improved site entrance that includes 3 travel lanes on Prospect Cir. The property currently consists of a large undeveloped open area, a single-family residential house, and a religious use building, all with access to Sango Rd via Prospect Cir. The proposed traffic distribution was assumed to be a 60/39/1 split with 60% of the traffic traveling north to Hwy 76, 39% traveling south along Sango Rd, and 1% traveling through the intersection into the existing commercial center parking lot. Sango Rd traveling northbound and southbound currently operates at a LOS A for AM, and a LOS of A for PM which can be seen in the Appendix. The signalized intersection of Sango Rd and Hwy 76 has a LOS of C for AM, and a LOS of B for PM which can be seen in the Appendix.

IV. Analysis

The peak hour generation was used to add to the existing traffic counts to analyze the proposed R-5 zoning, as well as the existing O-1 zoning. AM and PM peak hours were analyzed to determine the delay and level of service (LOS) for the site entrance and the signalized intersection of Sango Rd and Hwy 76. The McTrans HCS 2010 software was used for the analysis. The two way stop control and multilane reports can be seen in Appendix V. The delay and LOS are summarized in the table below. The proposed site entrance at Prospect Cir will be developed to include 3 travel lanes which is reflected in this analysis. The calculated proposed flows were also analyzed using TDOT Roadway Design Guidelines figures which can be seen in the Appendix.

V. Conclusions

The subject property to be rezoned will not change the northbound and southbound LOS, A, on Sango Dr. The signalized intersection level of service for AM will change from C to D and the PM will not change. If the site were to remain the current zoning of O-1, the AM would change from C to D and the PM would not change. The proposed rezoning will include an improved site entrance that includes 3 travel lanes on Prospect Cir. This report is based on proposed density assumptions at completed development and is subject to change. Further, the traffic was distributed based on a typical distribution but could be different based on actual traffic movements and should be further studied upon development. The calculated proposed AM and PM flows were analyze using TDOT's Warrant for Left-Turn Storage Lanes on Two-Lane Highways and this analysis does not warrant a left-turn storage lane. The addition of sidewalks along Sango Rd are not necessary as installation would create drainage issues due to the existing ROW being in a ditch condition conveying stormwater. No improvements are necessary to Sango Rd based on the findings in this report.

Level of Service (LOS) Summary

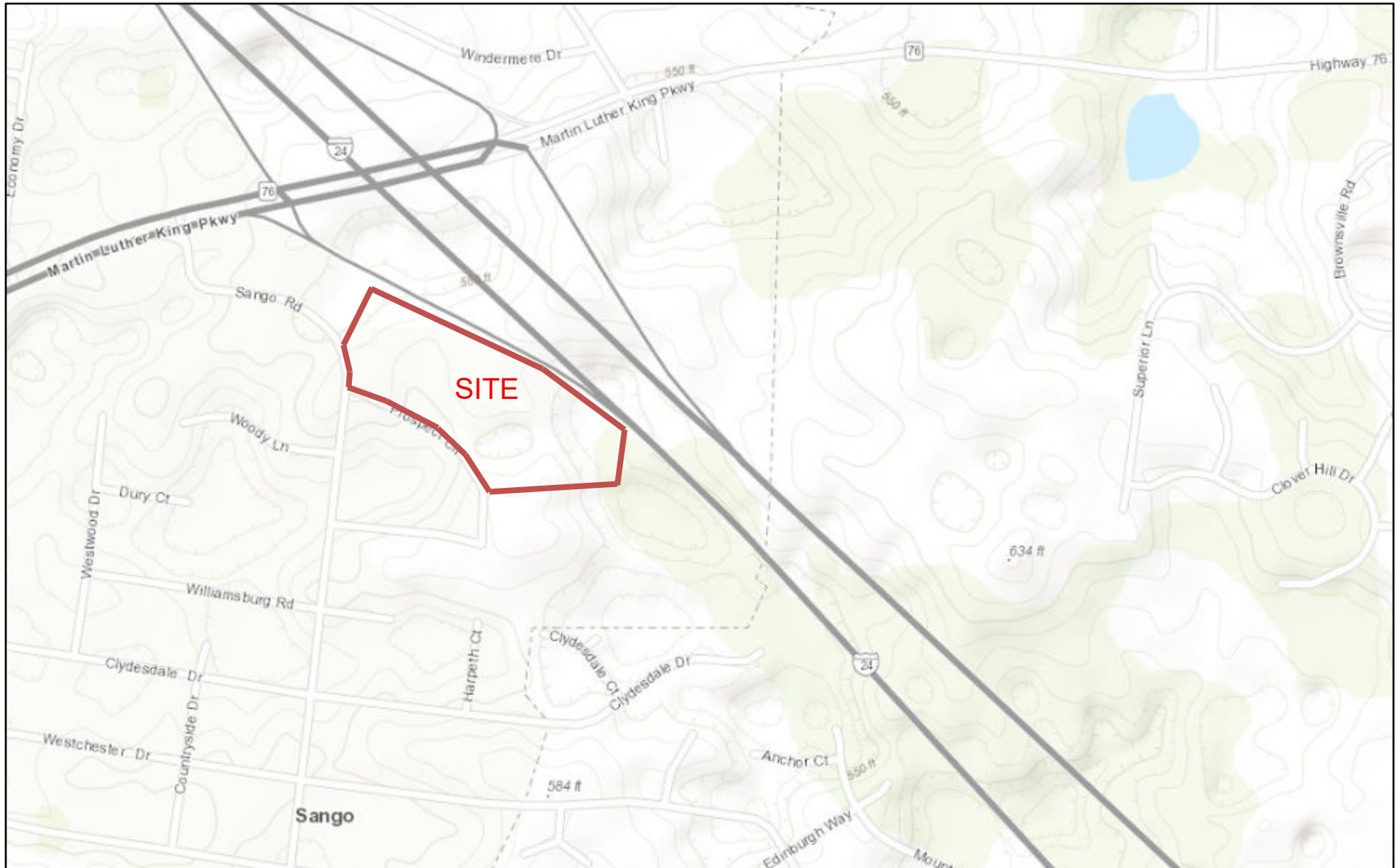
Proposed Sango Rd & Prospect Cir						
	Existing Conditions		Existing O-1 Zoning		Proposed R-5 Zoning	
	SB / Sango Rd	NB / Sango Rd	SB / Sango Rd	NB / Sango Rd	SB / Sango Rd	NB / Sango Rd
AM Delay (s)	0.1	0	2.8	0	0.5	0
AM LOS	A	A	A	A	A	A
PM Delay (s)	0.1	0.1	0.3	0.1	0.9	0.1
PM LOS	A	A	A	A	A	A

Proposed Sango Rd & Hwy 76 Signal			
	Existing Conditions	Existing O-1 Zoning	Proposed R-5 Zoning
AM Intersection Delay (s)	28.8	38.1	42.8
AM LOS	C	D	D
PM Intersection Delay (s)	16.2	19.6	17.2
PM LOS	B	B	B

Appendix I

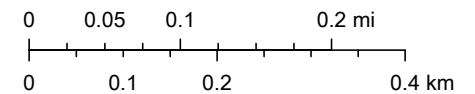
Vicinity Map

ArcGIS Vicinity Map



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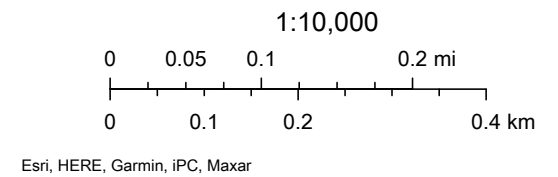
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ArcGIS Vicinity Map

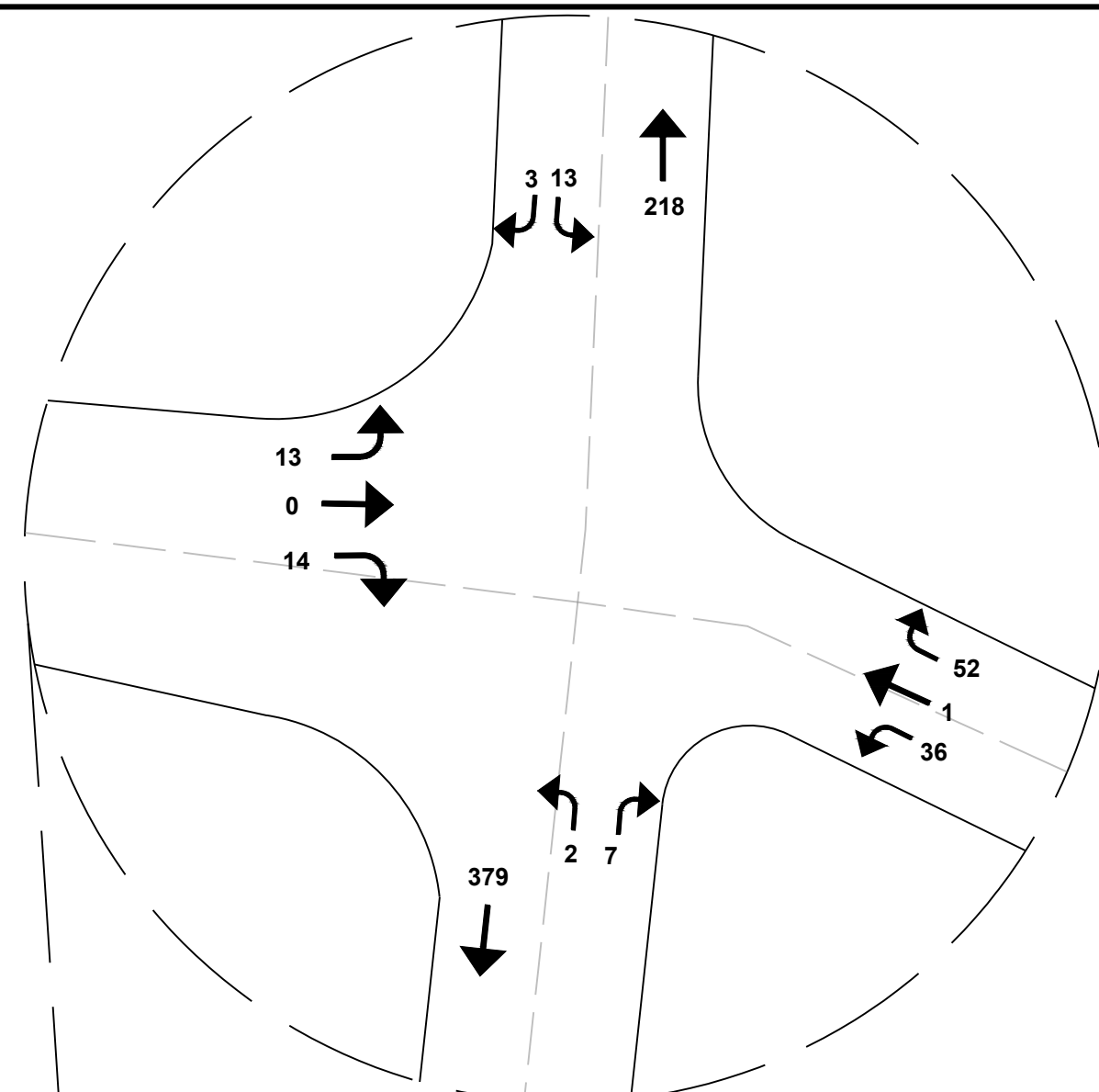


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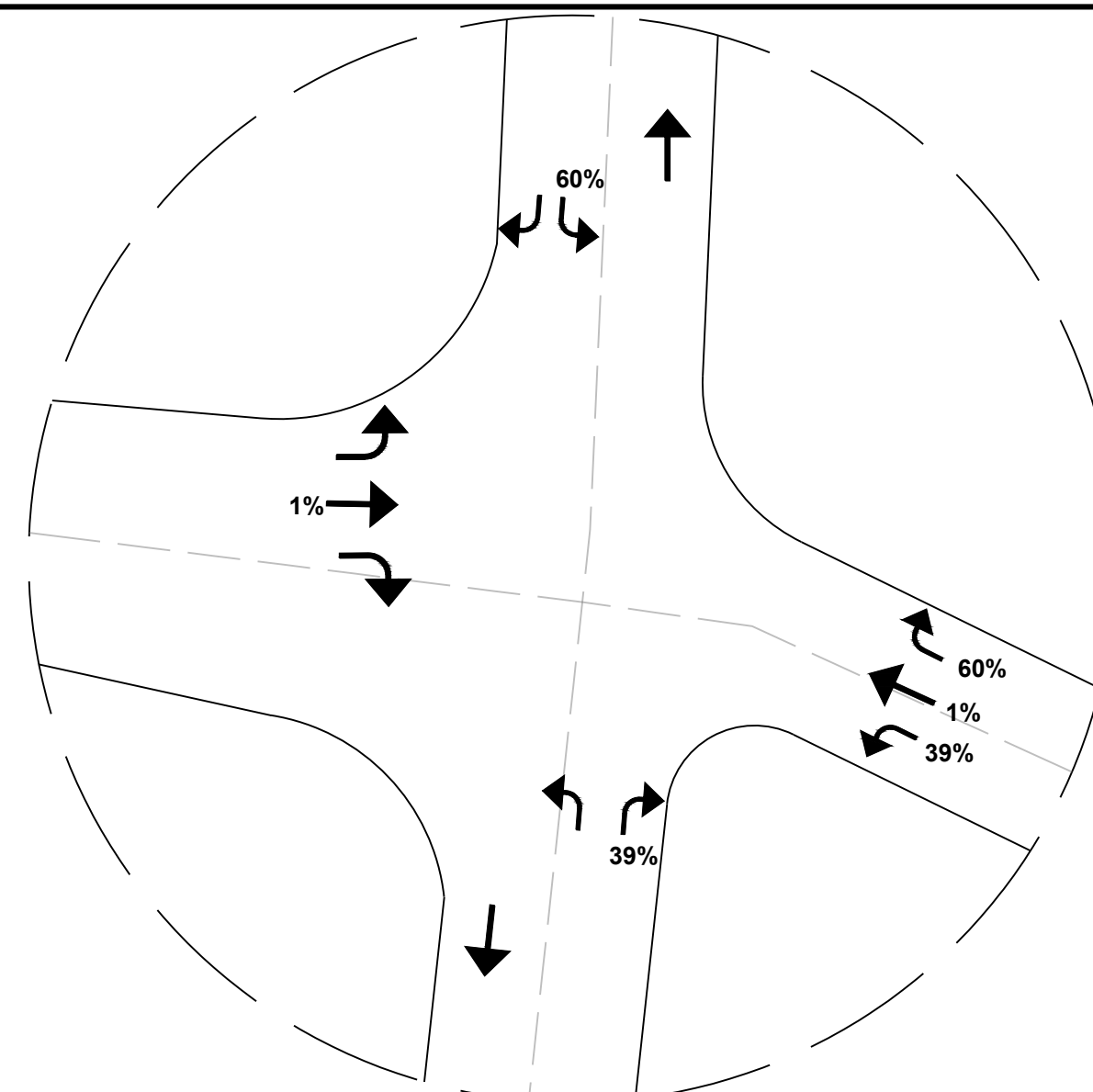


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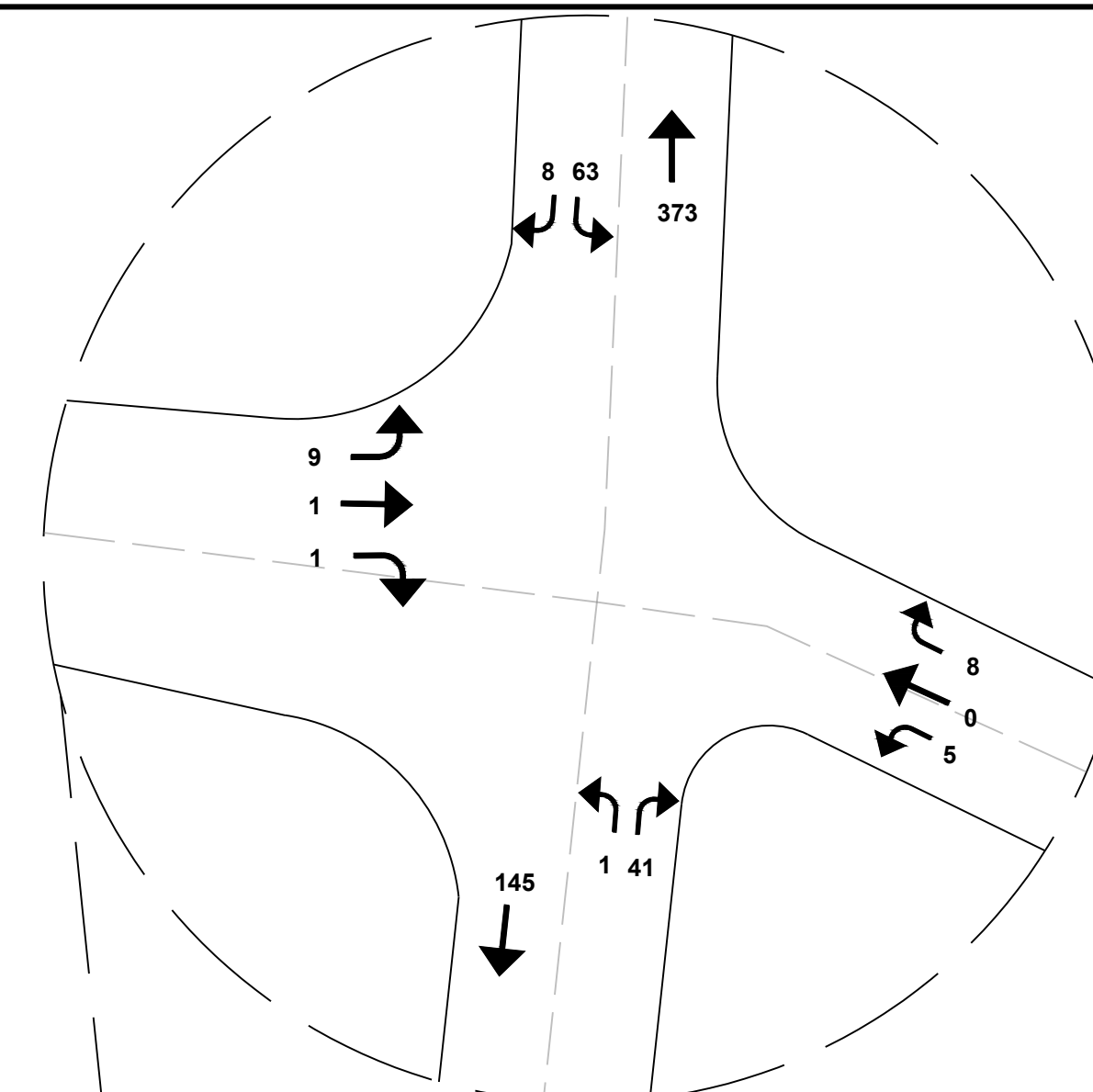
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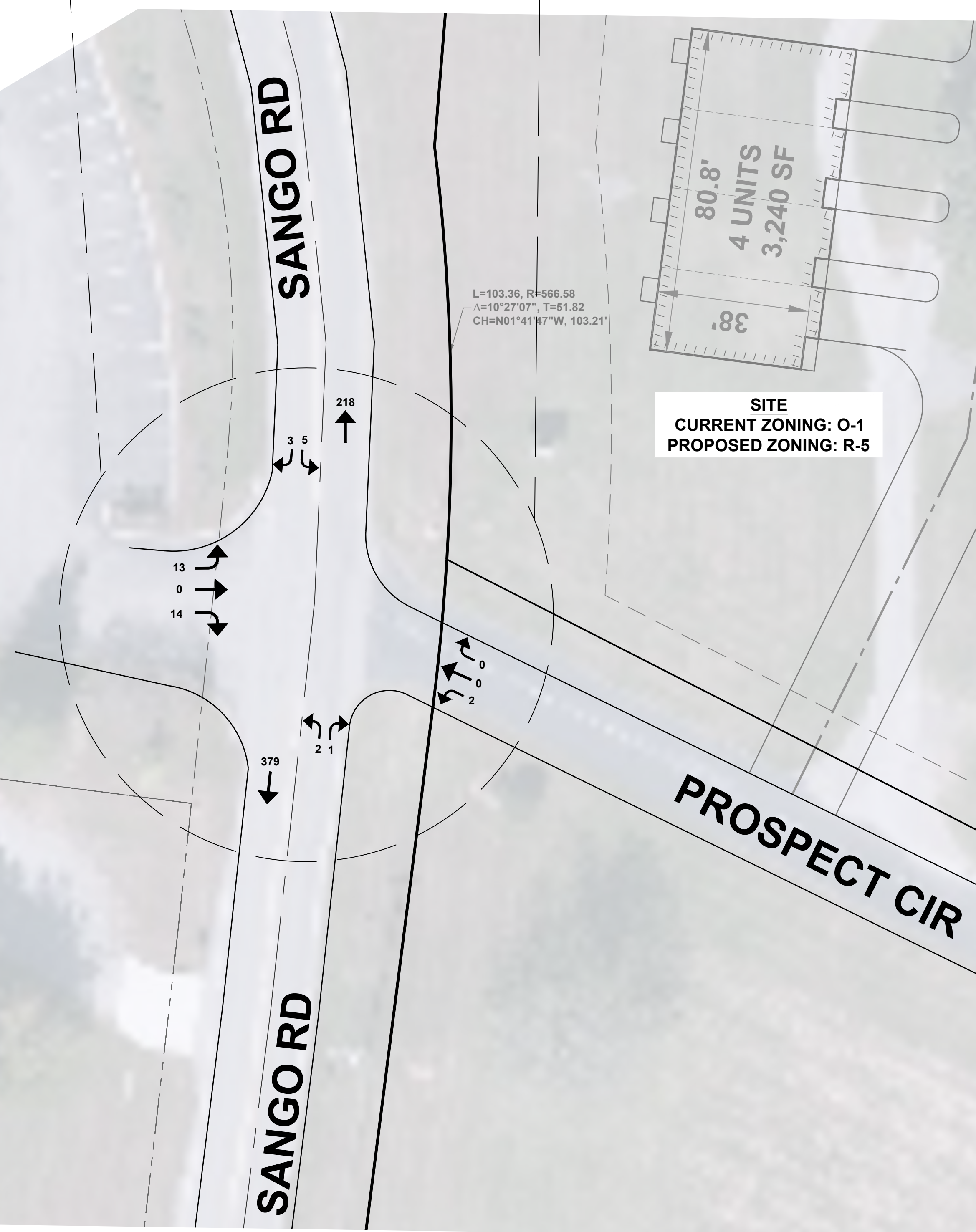
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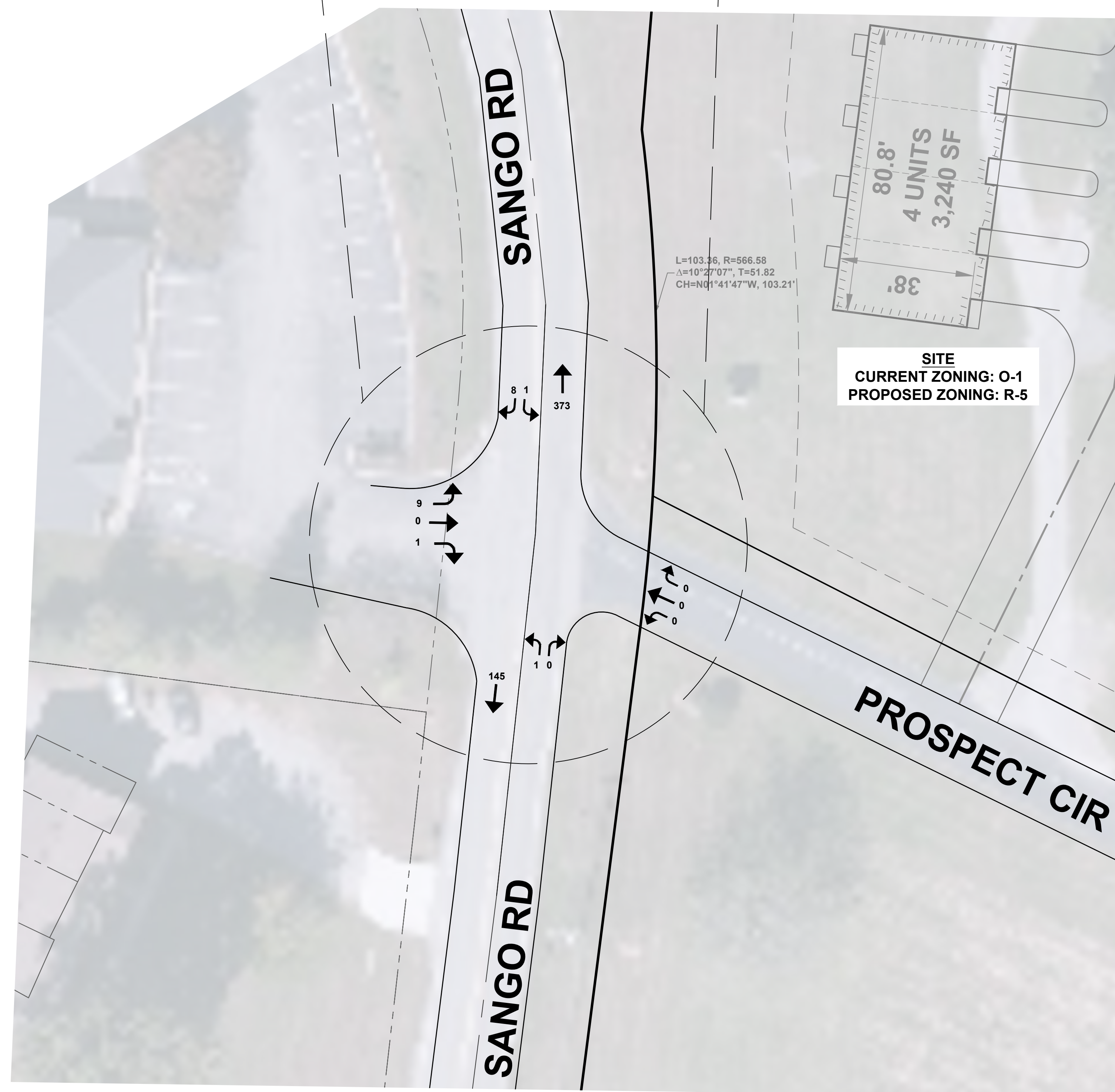
PROPOSED FLOW DISTRIBUTION PERCENTAGE
N.T.S.



PROPOSED A.M. FLOW DISTRIBUTION
N.T.S.



EXISTING P.M. FLOW DISTRIBUTION
SCALE: 1" = 20'




EXISTING A.M. FLOW DISTRIBUTION
SCALE: 1" = 20'

[illegible]

BIBLE BAPTIST CHURCH PROPERTY

TRIP DISTRIBUTION EXHIBIT (0-1)

SANGO ROAD, CLARKSVILLE
MONTGOMERY COUNTY, TENNESSEE
November 16, 2021



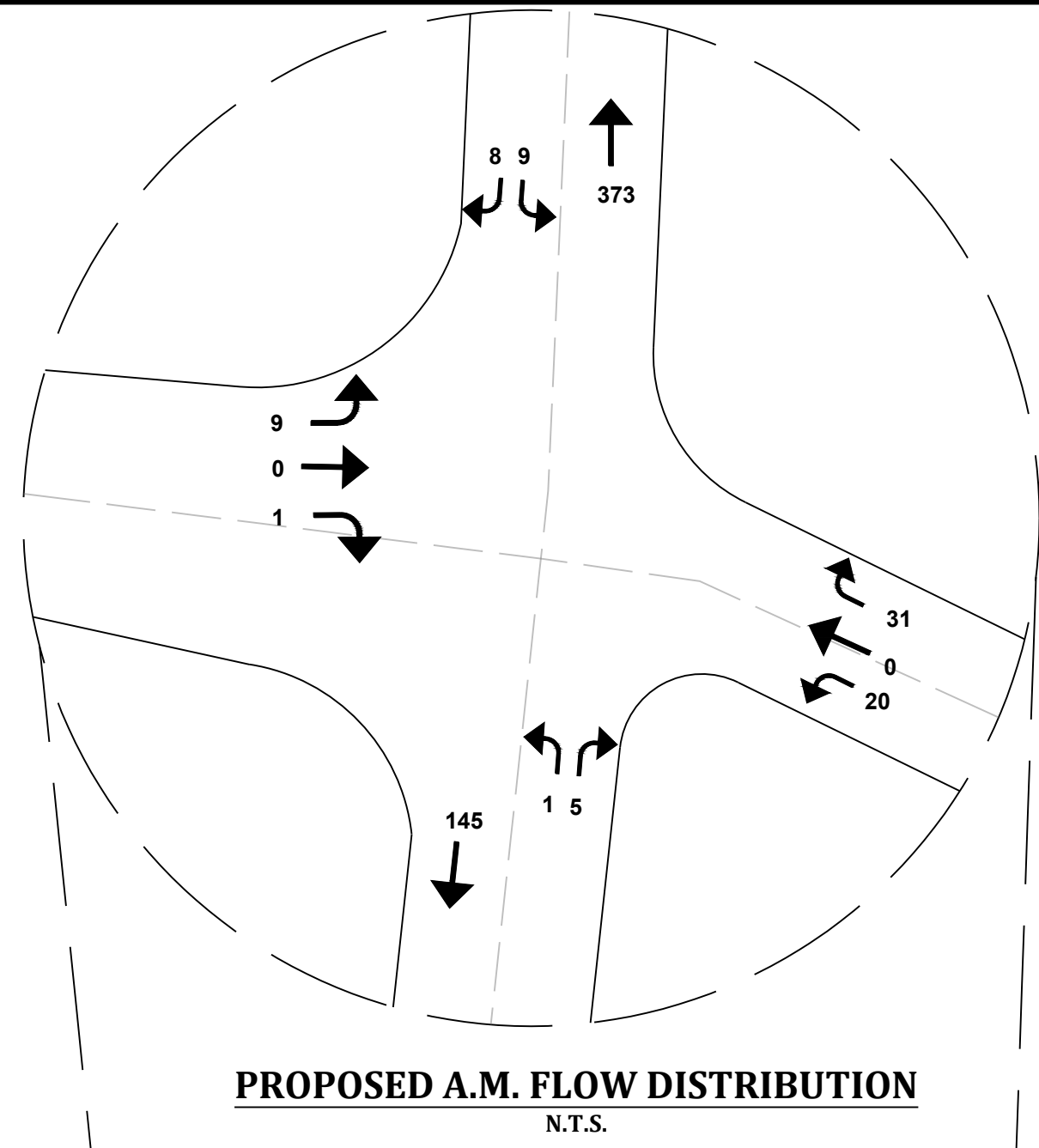
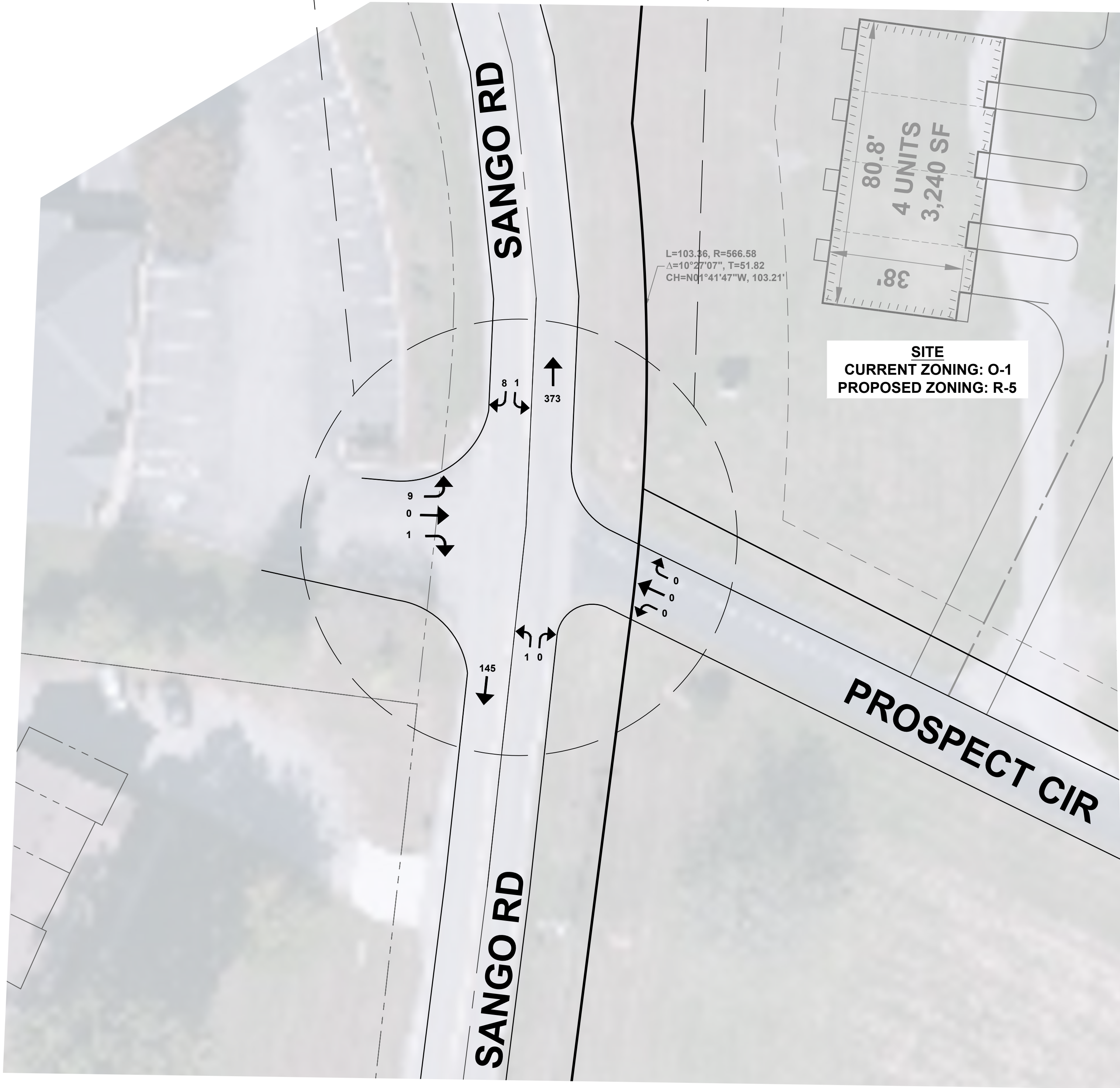
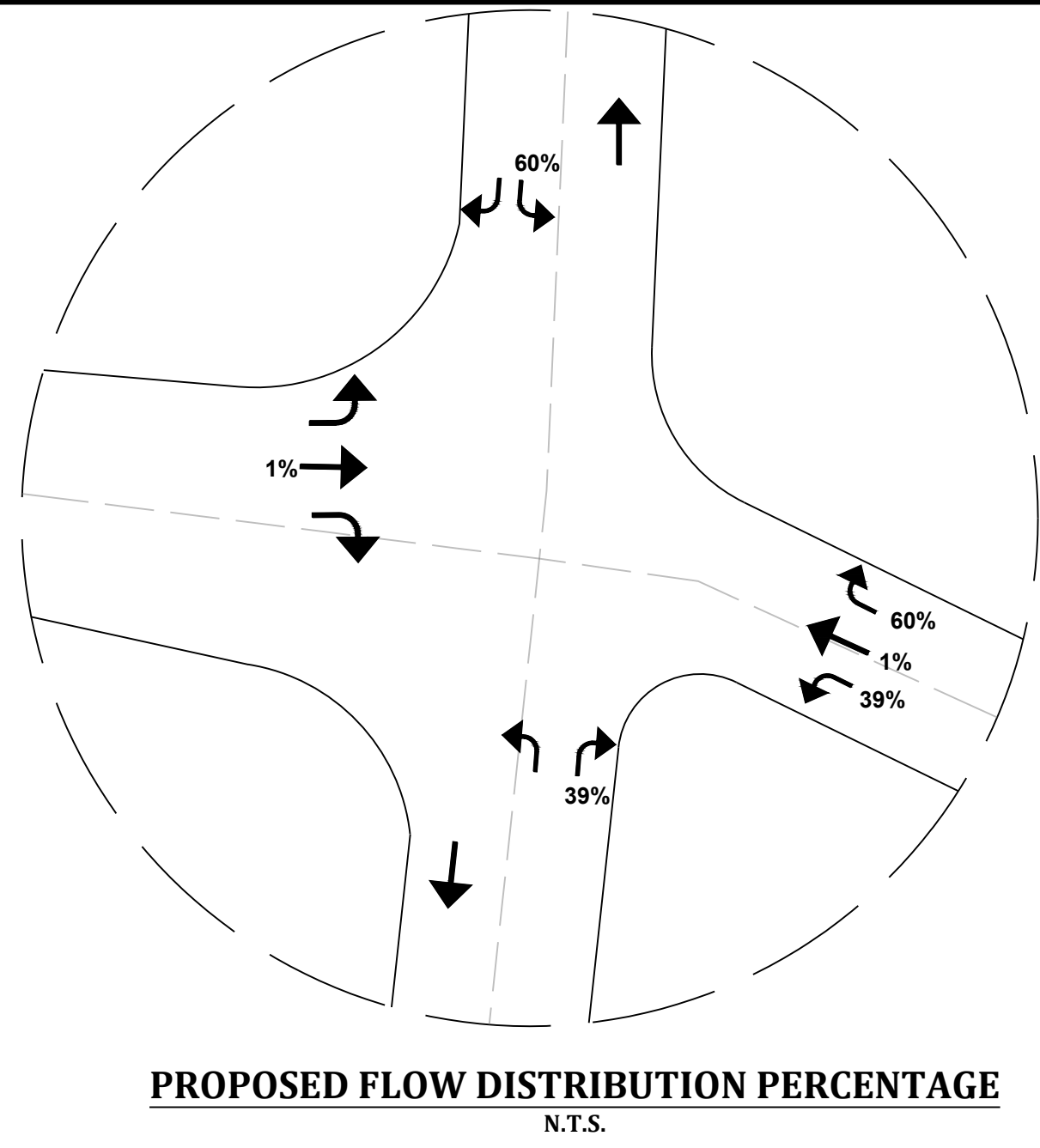
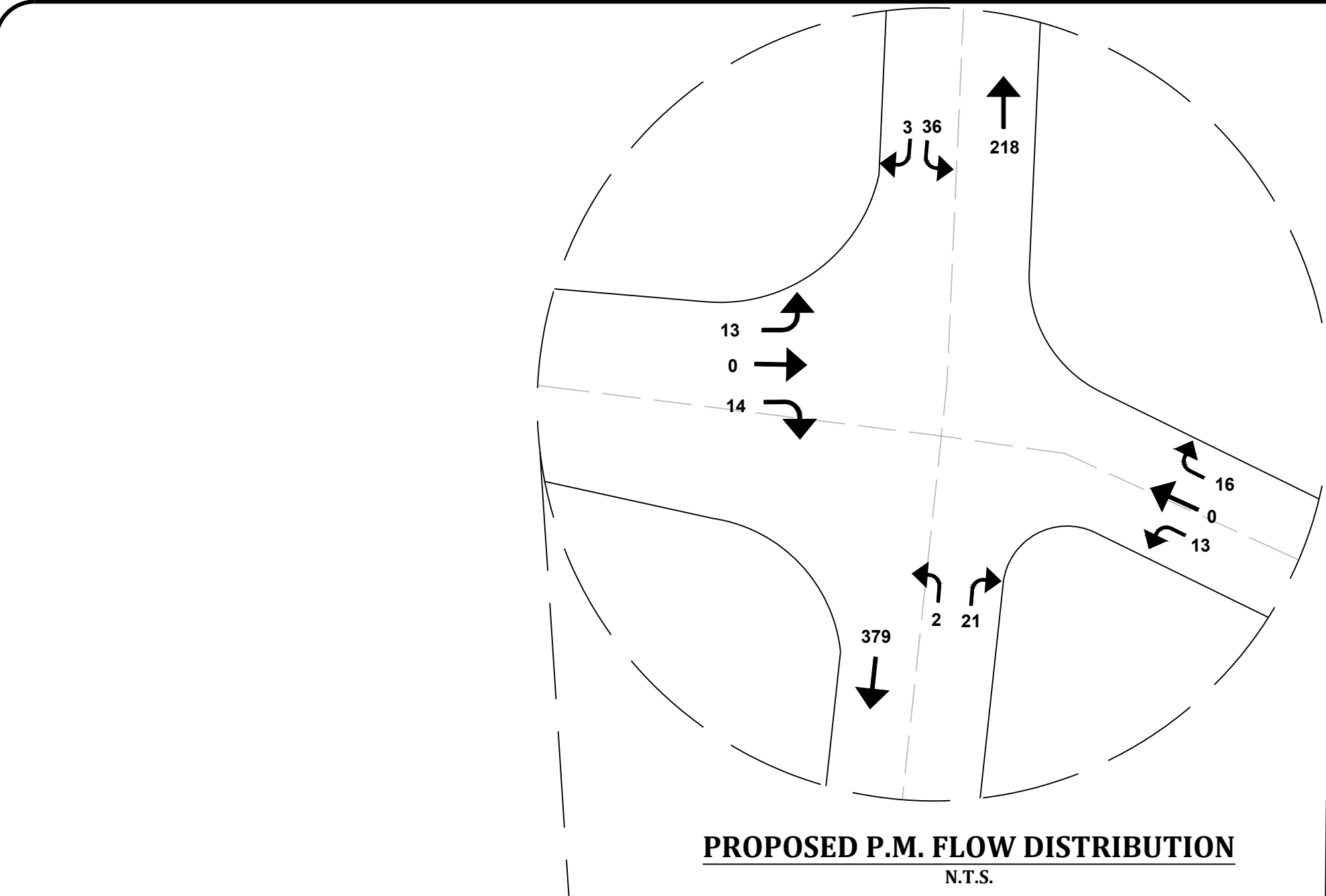
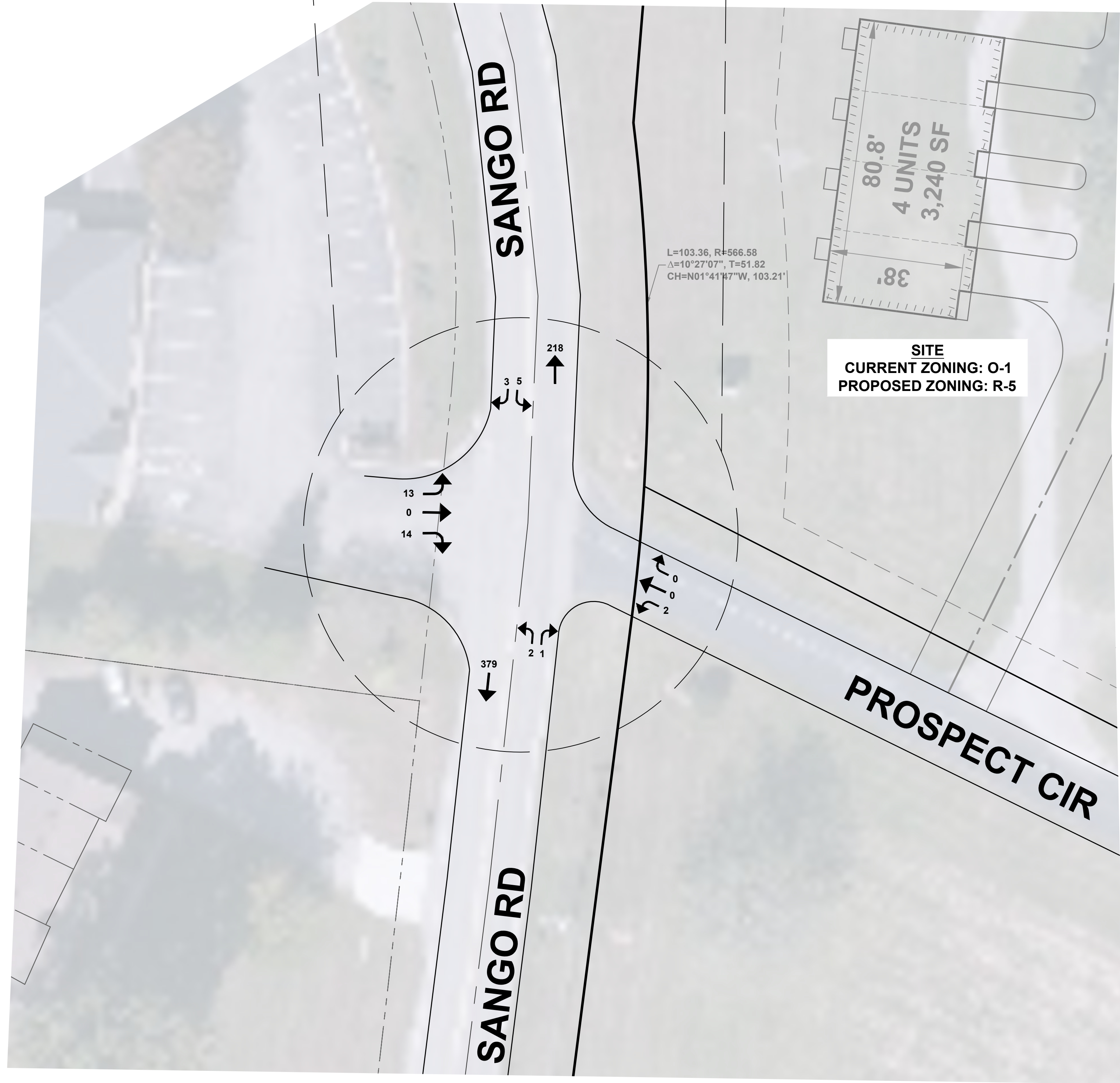
McKAY-BURCHETT
& COMPANY
ENGINEERS

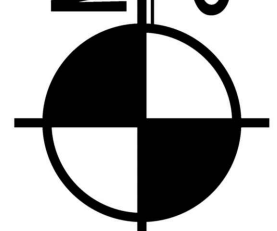
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Clarksville, TN 37040
Ph # 931-245-3095

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CHECKED BY: C.BURCHETT

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McKAY-BURCHETT
& COMPANY
ENGINEERS

1545 Madison Street
Clarksville, TN 37040
Ph # 931-245-3095

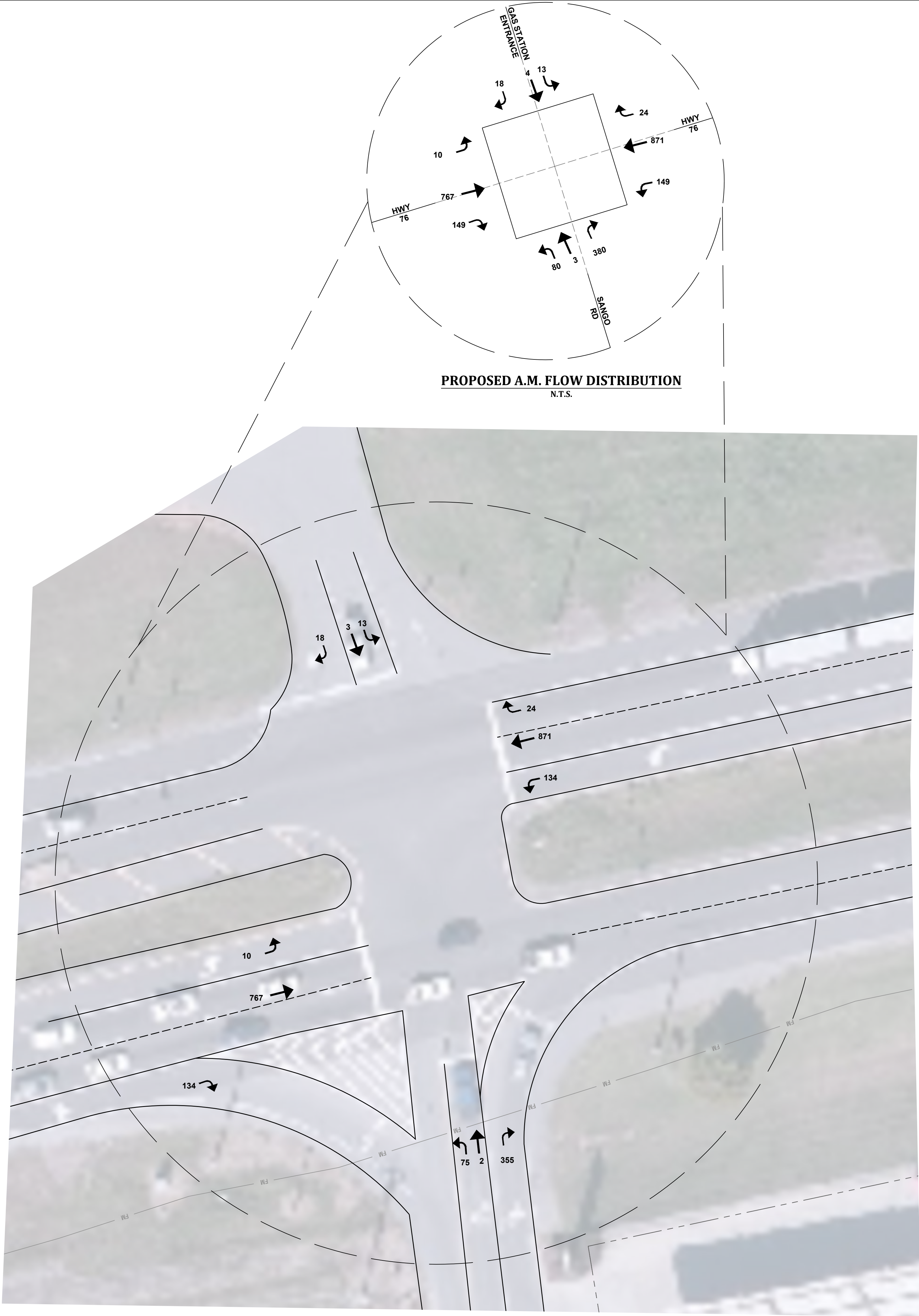
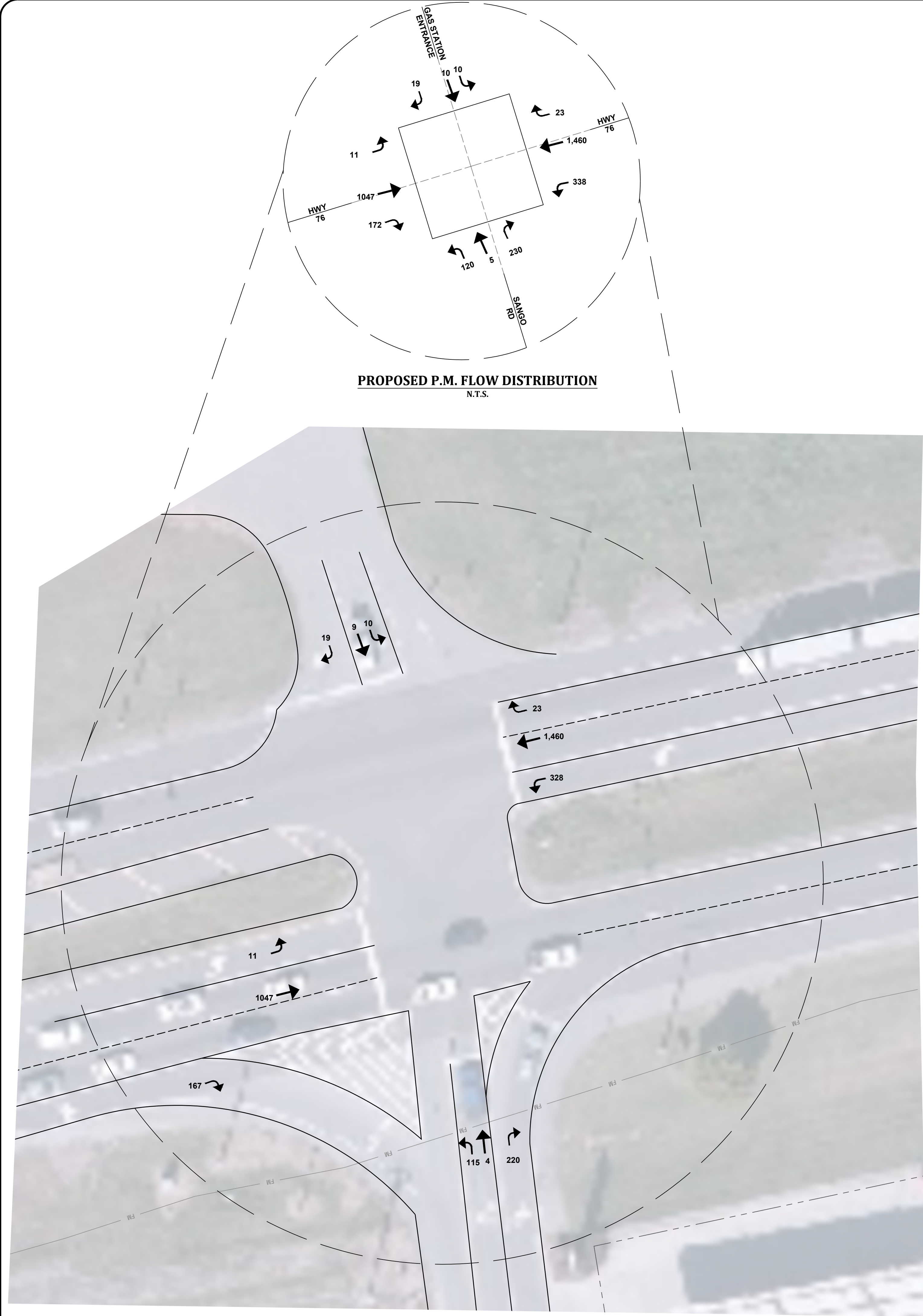
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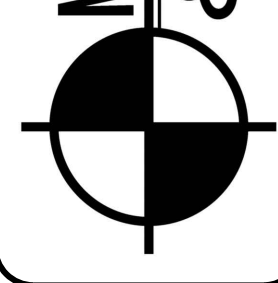
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BIBLE BAPTIST CHURCH PROPERTY
TRIP DISTRIBUTION EXHIBIT (R-5)
SANGO ROAD, CLARKSVILLE
MONTGOMERY COUNTY, TENNESSEE
November 16, 2021

REVISIONS	
DATE	COMMENTS





1545 Madison Street
Clarksville, TN 37040
Ph # 931-245-3095

**McKAY-BURCHETT
& COMPANY**
ENGINEERS

CHOWN BY: K. COOK
CHECKED BY: C. BURCHETT

FILE: A:\Projects\2021\101221\101221_Highway
Control Signal and Traffic Assessment - 101221

SHEET: C 1.00

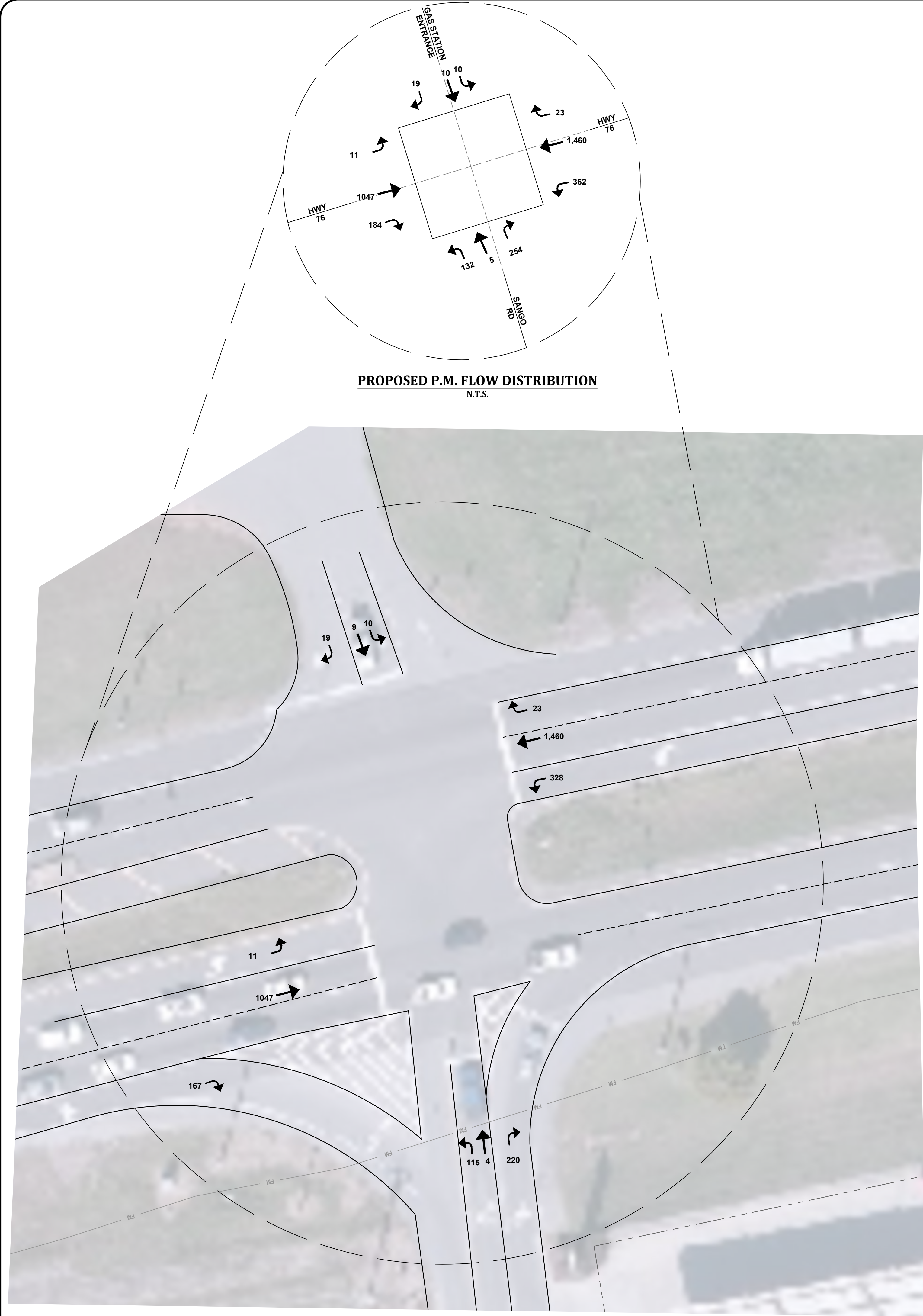
BIBLE BAPTIST CHURCH PROPERTY

SIGNAL TRIP DISTRIBUTION EXHIBIT (R-5)

SANGO ROAD, CLARKSVILLE
MONTGOMERY COUNTY, TENNESSEE
November 16, 2021

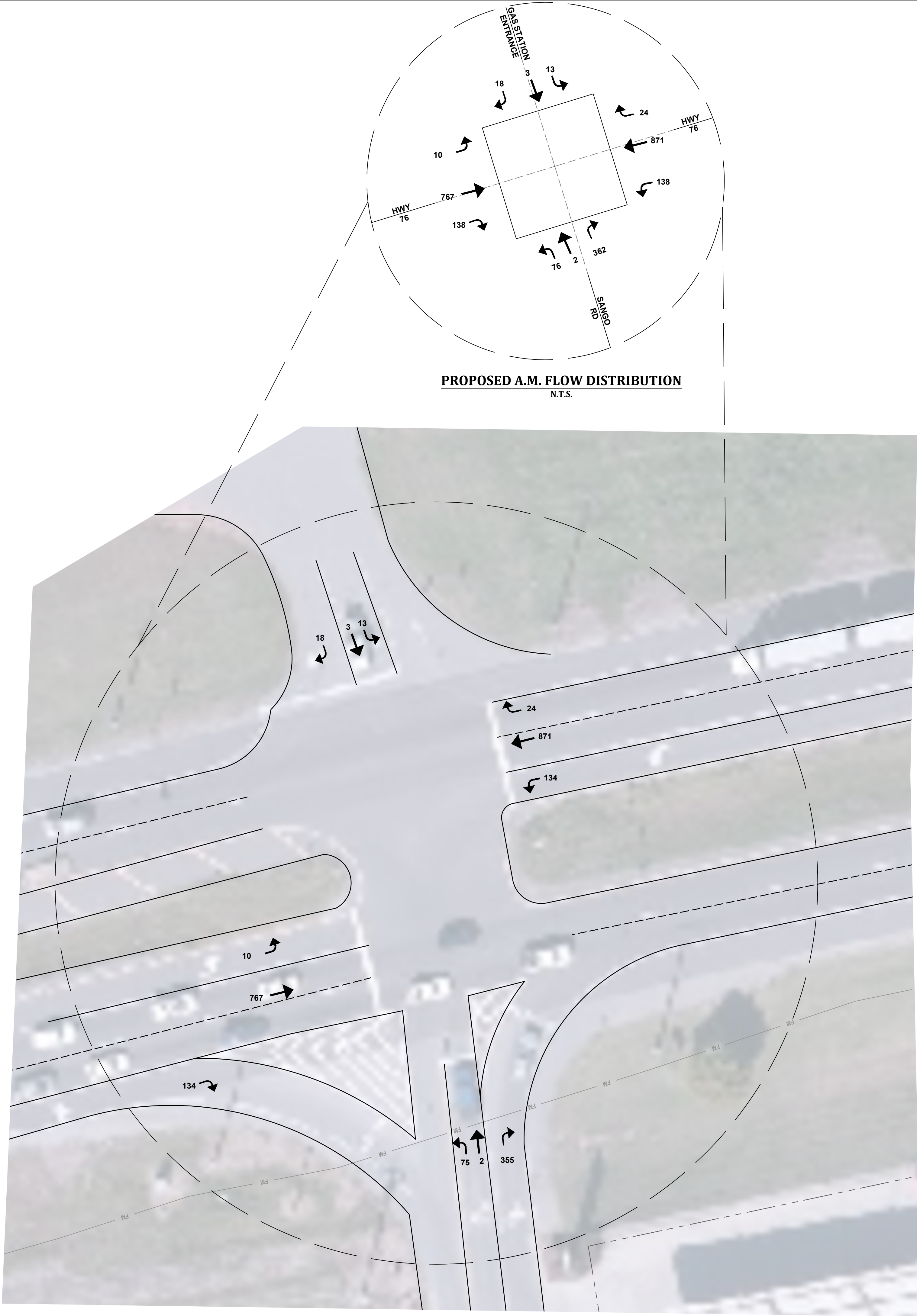
REVISIONS

DATE	COMMENTS




EXISTING P.M. FLOW DISTRIBUTION
SCALE: 1" = 20'

PROPOSED P.M. FLOW DISTRIBUTION
N.T.S.



EXISTING A.M. FLOW DISTRIBUTION
SCALE: 1" = 20'

PROPOSED A.M. FLOW DISTRIBUTION
N.T.S.



1545 Madison Street
Clarksville, TN 37040
Ph # 931-245-3095

**McKAY-BURCHETT
& COMPANY**
ENGINEERS

CHOWN BY: K. COOK
CHECKED BY: C. BURCHETT

FILE: A:\Projects\2021\101221\101221_Highway
Control Signal RJ/Traffic
Accessment Traffic Assessment File.dwg

REVISIONS

DATE	COMMENTS

BIBLE BAPTIST CHURCH PROPERTY
SIGNAL TRIP DISTRIBUTION EXHIBIT (0-1)
SANGO ROAD, CLARKSVILLE
MONTGOMERY COUNTY, TENNESSEE
November 16, 2021

Appendix III

Existing Traffic Counts

VEHICLE TURNING MOVEMENT COUNT

#93 Sango Road & SR 76 - AM PEAK

LOCATION#:	93	QTD PROJ#:	2019201
NORTH / SOUTH:	Sango Road	DATE:	Wednesday, October 30, 2019
EAST / WEST:	SR 76	VICINITY:	CLARK

DIRECTION:	NL	NT	NR	SL	ST	SR	EL	ET	ER	WL	WT	WR	TOTALS
LANES:	0.5	0.5	1	0.5	0.5	1	1	2	1	1	2	0	
6:00 AM	11	0	90	0	0	0	1	197	24	18	51	2	394
6:15 AM	9	0	73	2	1	2	1	211	28	19	102	0	448
6:30 AM	13	0	97	0	1	0	2	208	23	24	149	1	518
6:45 AM	15	0	81	5	2	2	3	201	24	23	155	4	515
7:00 AM	13	0	103	5	0	3	5	201	32	27	162	4	555
7:15 AM	17	0	78	1	1	2	2	197	28	35	229	4	594
7:30 AM	19	1	87	6	2	2	1	199	35	40	272	11	675
7:45 AM	26	1	87	1	0	11	2	170	39	32	208	5	582
8:00 AM	17	1	68	4	1	7	4	164	30	33	170	4	503
8:15 AM	28	1	56	3	1	7	5	134	19	46	189	8	497
8:30 AM	23	2	66	5	0	5	3	183	27	43	151	8	516
8:45 AM	25	1	62	4	2	5	0	152	31	49	173	3	507
VOLUME STATS:	NL	NT	NR	SL	ST	SR	EL	ET	ER	WL	WT	WR	
TOTAL:	216	7	948	36	11	46	29	2217	340	389	2011	54	6304
P.H.V:	75	2	355	13	3	18	10	767	134	134	871	24	2406
P.H.F:		0.931			0.708			0.957			0.796		0.891

- (1) Peak Hour Volume (Peak Hour - 700 AM - 800 AM)
 (2) Peak Hour Factor (directional aggregate)
 (3) Peak 15m: 730 AM - 745 AM



QUALITY TRAFFIC DATA, LLC

Phone: 877-852-4355 Fax: 877-877-3698 Info@QualityTrafficData.com

VEHICLE TURNING MOVEMENT COUNT

#93 Sango Road & SR 76 - PM PEAK

LOCATION#:	93	OTD PROJ#:	2019201
NORTH / SOUTH:	Sango Road	DATE:	Wednesday, October 30, 2019
EAST / WEST:	SR 76	VICINITY:	CLARK

DIRECTION:	NL	NT	NR	SL	ST	SR	EL	ET	ER	WL	WT	WR	TOTALS
LANES:	0.5	0.5	1	0.5	0.5	1	1	2	1	1	2	0	
3:00 PM	14	2	55	1	0	2	1	215	38	55	228	2	613
3:15 PM	21	0	44	5	0	1	3	204	34	51	292	5	660
3:30 PM	30	1	39	1	0	2	4	222	29	54	292	3	677
3:45 PM	32	1	62	4	0	2	3	200	36	64	309	1	714
4:00 PM	16	0	34	2	1	5	0	212	25	65	324	7	691
4:15 PM	14	0	49	3	1	6	5	246	38	71	313	7	753
4:30 PM	23	0	47	3	1	3	0	220	40	78	344	5	764
4:45 PM	28	2	64	2	1	7	1	224	41	98	368	6	842
5:00 PM	28	1	57	3	0	5	7	270	42	92	392	5	902
5:15 PM	23	0	48	0	5	7	0	275	36	70	344	8	816
5:30 PM	35	2	54	3	2	3	1	238	44	78	331	6	797
5:45 PM	29	1	61	4	2	4	3	264	45	88	393	4	898
VOLUME STATS:	NL	NT	NR	SL	ST	SR	EL	ET	ER	WL	WT	WR	
TOTAL:	293	10	614	31	13	47	28	2790	448	864	3930	59	9127
P.H.V: 1	115	4	220	10	9	19	11	1047	167	328	1460	23	3413
P.H.F: 2		0.931			0.792			0.960			0.926		0.946

(1) Peak Hour Volume (Peak Hour - 500 PM - 600 PM)

(2) Peak Hour Factor (directional aggregate)

(3) Peak 15m: 500 PM - 515 PM



QUALITY TRAFFIC DATA, LLC

Phone: 877-852-4355 Fax: 877-877-3698 Info@QualityTrafficData.com

Appendix III

Existing Traffic Count

MBC Live Count

10/29/2021

7-9 AM

In			
	FROM LEFT	FROM RIGHT	TOTALS
4:00-4:15	0	0	0
4:15-4:30	0	0	0
4:30-4:45	0	0	0
4:45-5:00	0	0	0
5:00-5:15	0	0	0
5:15-5:30	0	1	1
5:30-5:45	0	0	0
5:45-6:00	0	0	0

Out			
	←	→	TOTALS
4:00-4:15	0	0	0
4:15-4:30	0	0	0
4:30-4:45	0	0	0
4:45-5:00	0	0	0
5:00-5:15	0	0	0
5:15-5:30	0	0	0
5:30-5:45	0	0	0
5:45-6:00	0	0	0

Sango Road			
	Northbound	Southbound	
	→	←	TOTALS
4:00-4:15	97	20	117
4:15-4:30	86	36	122
4:30-4:45	108	41	149
4:45-5:00	82	48	130
5:00-5:15	61	56	117
5:15-5:30	80	39	119
5:30-5:45	78	54	132
5:45-6:00	76	33	109

Commercial Parking Lot (Out)			
	Northbound	Southbound	
	→	←	TOTALS
4:00-4:15	0	0	0
4:15-4:30	0	1	1
4:30-4:45	0	0	0
4:45-5:00	1	0	1
5:00-5:15	5	0	5
5:15-5:30	1	0	1
5:30-5:45	2	1	3
5:45-6:00	1	0	1

Commercial Parking Lot (In)			
	From North	From South	TOTALS
4:00-4:15	1	0	1
4:15-4:30	1	0	1
4:30-4:45	2	0	2
4:45-5:00	2	1	3
5:00-5:15	3	1	4
5:15-5:30	3	0	3
5:30-5:45	2	0	2
5:45-6:00	0	0	0

Appendix III

Existing Traffic Count

MBC Live Count

10/28/2021

3-6 PM

In			
	FROM LEFT	FROM RIGHT	TOTALS
4:00-4:15	1	0	1
4:15-4:30	1	0	1
4:30-4:45	0	0	0
4:45-5:00	0	0	0
5:00-5:15	0	1	1
5:15-5:30	0	2	2
5:30-5:45	1	1	2
5:45-6:00	0	1	1

Out			
	←	→	TOTALS
4:00-4:15	1	0	1
4:15-4:30	1	0	1
4:30-4:45	0	0	
4:45-5:00	0	0	
5:00-5:15	0	0	
5:15-5:30	0	0	
5:30-5:45	0	0	
5:45-6:00	0	1	1

Sango Road			
	Northbound	Southbound	
	→	←	TOTALS
4:00-4:15	68	74	142
4:15-4:30	50	93	143
4:30-4:45	44	85	129
4:45-5:00	50	102	152
5:00-5:15	49	83	132
5:15-5:30	61	108	169
5:30-5:45	40	93	133
5:45-6:00	68	95	163

Commercial Parking Lot (Out)			
	Northbound	Southbound	
	→	←	TOTALS
4:00-4:15	11	1	12
4:15-4:30	1	11	12
4:30-4:45	1	1	2
4:45-5:00	0	1	1
5:00-5:15	1	11	12
5:15-5:30	0	0	0
5:30-5:45	1	0	1
5:45-6:00	0	0	0

Commercial Parking Lot (In)			
	From North	From South	TOTALS
4:00-4:15	1	1	2
4:15-4:30	0	0	0
4:30-4:45	1	0	1
4:45-5:00	1	1	2
5:00-5:15	1	0	1
5:15-5:30	0	0	0
5:30-5:45	1	0	1
5:45-6:00	0	0	0

Appendix IV

Trip Generation

Land Use: Apartment (ITE 220)

Total Acreage: 10.46

Units / Acre 12

Number of Dwelling Units 126

Average Vehicle Trip Ends vs: Dwelling Unit On a: Weekday		
Average Rate:	6.65	
Total	Entering 50%	Exiting 50%
835	417	417

Average Vehicle Trip Ends vs: Dwelling Unit On a: Weekday, A.M. Peak Hour Generator		
Average Rate:	0.51	
Total	Entering 20%	Exiting 80%
64	13	51

Average Vehicle Trip Ends vs: Dwelling Unit On a: Weekday, P.M. Peak Hour Generator		
Average Rate:	0.62	
Total	Entering 65%	Exiting 35%
78	51	27

*Trip Generation, 9th Edition, ITE

Land Use: Office Park (ITE 750)

Total Acreage: 10.46

Useable Area (Acres, 15%) 1.6

1,000 SF Gross Floor Area 68

**Average Vehicle Trip Ends vs: 1,000 SF gross floor
On a: Weekday**

Average Rate:	11.42	
Total	Entering 50%	Exiting 50%
781	390	390

**Average Vehicle Trip Ends vs: 1,000 SF gross floor
On a: Weekday, A.M. Peak Hour Generator**

Average Rate:	1.71	
Total	Entering 89%	Exiting 11%
117	104	13

**Average Vehicle Trip Ends vs: 1,000 SF gross floor
On a: Weekday, P.M. Peak Hour Generator**

Average Rate:	1.48	
Total	Entering 14%	Exiting 86%
101	14	87

*Trip Generation, 9th Edition, ITE

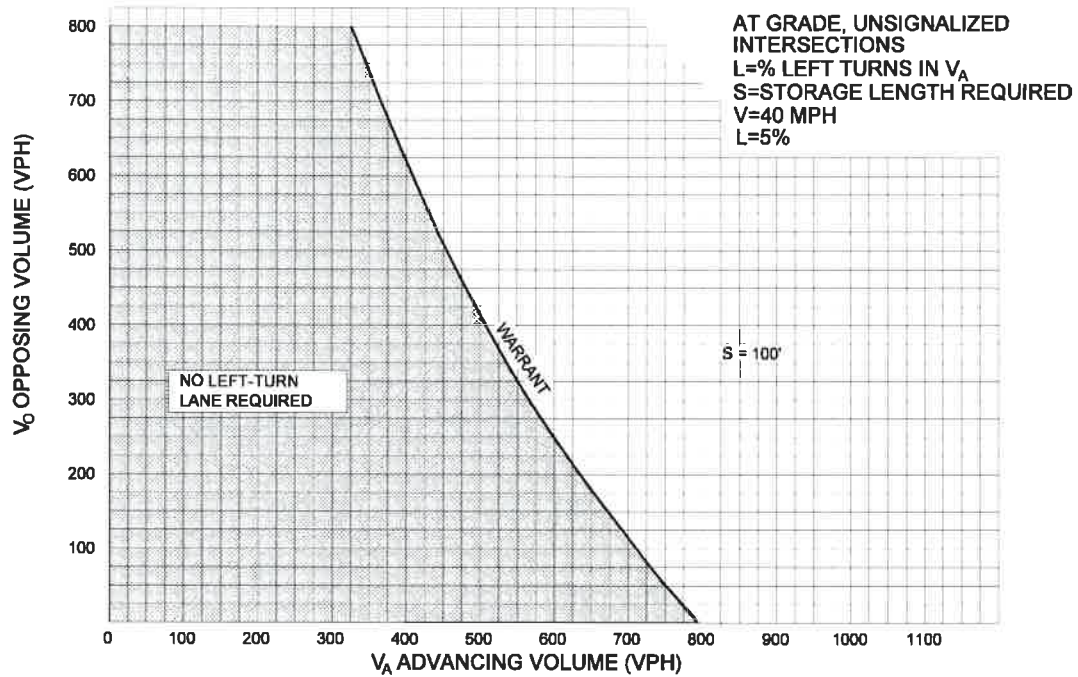


Figure 2-18A

Warrant for Left-Turn Storage Lanes on Two-Lane Highways ($V = 40 \text{ mph}$ and $L = 5\%$)

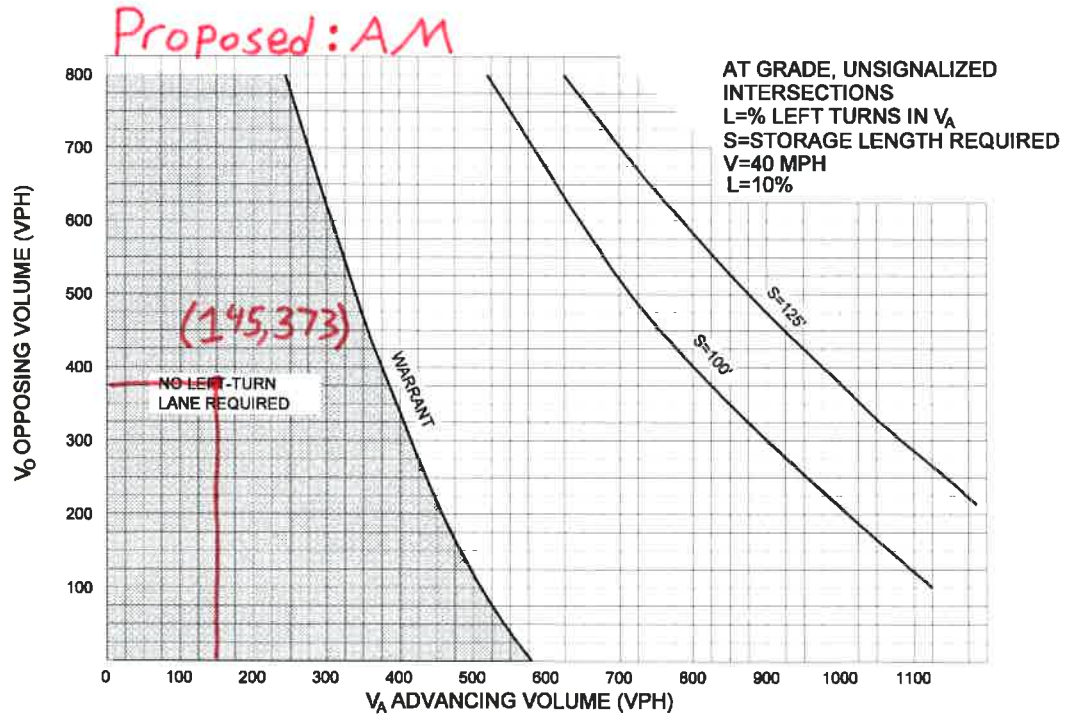


Figure 2-18B

Warrant for Left-Turn Storage Lanes on Two-Lane Highways ($V = 40 \text{ mph}$ and $L = 10\%$)

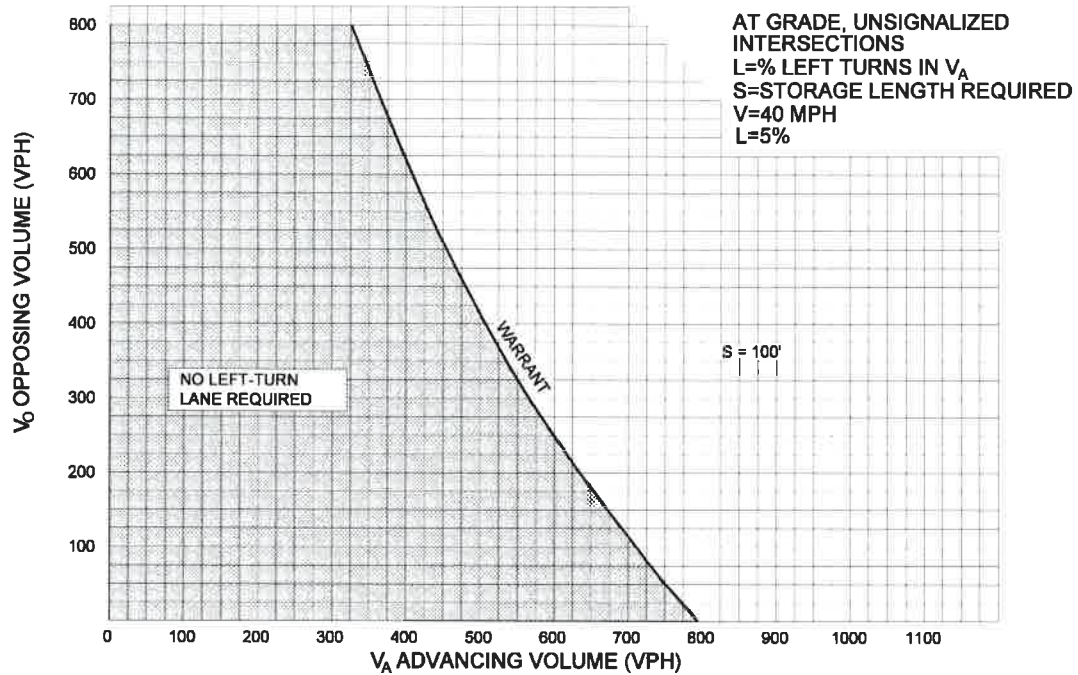


Figure 2-18A

Warrant for Left-Turn Storage Lanes on Two-Lane Highways ($V = 40 \text{ mph}$ and $L = 5\%$)

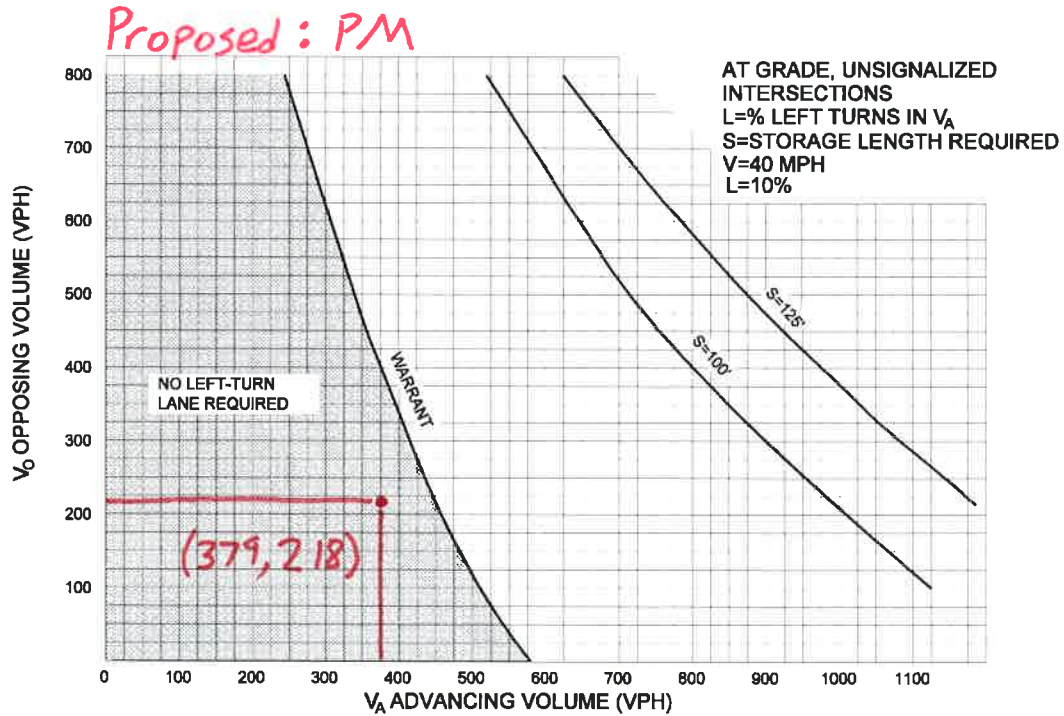


Figure 2-18B

Warrant for Left-Turn Storage Lanes on Two-Lane Highways ($V = 40 \text{ mph}$ and $L = 10\%$)

Appendix V

HCS Reports

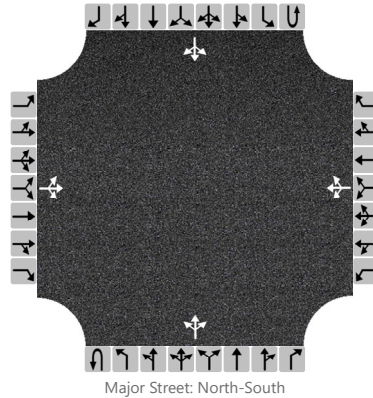
Exiting Conditions

HCS 2010 Two-Way Stop-Control Report

General Information

Analyst	C. Burchett	Intersection	Site Entr/ Sango Rd
Agency/Co.	McKay Burchett & Co	Jurisdiction	CSD
Date Performed	11/16/2021	East/West Street	Site Entrance
Analysis Year	2021	North/South Street	Sango Rd
Time Analyzed	Exist AM Peak	Peak Hour Factor	0.92
Intersection Orientation	North-South	Analysis Time Period (hrs)	0.25
Project Description	0127-21 Hadley Condos Sango Rd		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	1	0		0	1	0	0	0	1	0	0	0	1	0
Configuration			LTR				LTR				LTR				LTR	
Volume, V (veh/h)		9	0	1		0	0	0		1	373	0		1	145	8
Percent Heavy Vehicles (%)		3	3	3		3	3	3		3				3		
Proportion Time Blocked																
Percent Grade (%)	0				0											
Right Turn Channelized	No				No				No				No			
Median Type/Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		7.1	6.5	6.2		7.1	6.5	6.2		4.1				4.1		
Critical Headway (sec)		6.43	6.53	6.23		7.13	6.53	6.23		4.13				4.13		
Base Follow-Up Headway (sec)		3.5	4.0	3.3		3.5	4.0	3.3		2.2				2.2		
Follow-Up Headway (sec)		3.53	4.03	3.33		3.53	4.03	3.33		2.23				2.23		

Delay, Queue Length, and Level of Service

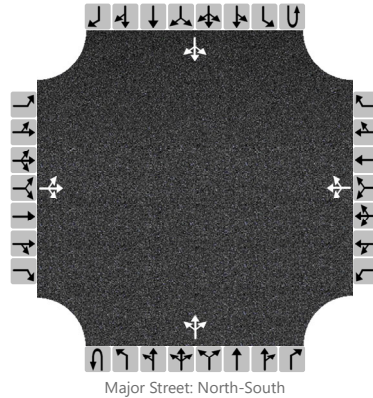
Flow Rate, v (veh/h)			11				0				1				1	
Capacity, c (veh/h)			500				0				1403				1147	
v/c Ratio			0.02								0.00				0.00	
95% Queue Length, Q ₉₅ (veh)			0.1								0.0				0.0	
Control Delay (s/veh)			12.4				5.0				7.6				8.1	
Level of Service, LOS			B				A				A				A	
Approach Delay (s/veh)	12.4				5.0				0.0				0.1			
Approach LOS	B				A											

HCS 2010 Two-Way Stop-Control Report

General Information

Analyst	C. Burchett	Intersection	Site Entr/ Sango Rd
Agency/Co.	McKay Burchett & Co	Jurisdiction	CSD
Date Performed	11/16/2021	East/West Street	Site Entrance
Analysis Year	2021	North/South Street	Sango Rd
Time Analyzed	Exist PM Peak	Peak Hour Factor	0.92
Intersection Orientation	North-South	Analysis Time Period (hrs)	0.25
Project Description	0127-21 Hadley Condos Sango Rd		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	1	0		0	1	0	0	0	1	0	0	0	1	0
Configuration			LTR				LTR				LTR				LTR	
Volume, V (veh/h)		13	0	14		2	0	0		2	218	1		5	379	3
Percent Heavy Vehicles (%)		3	3	3		3	3	3		3				3		
Proportion Time Blocked																
Percent Grade (%)	0				0											
Right Turn Channelized	No				No				No				No			
Median Type/Storage	Undivided															

Critical and Follow-up Headways

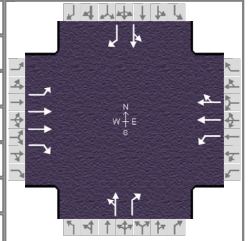
Base Critical Headway (sec)		7.1	6.5	6.2		7.1	6.5	6.2		4.1				4.1		
Critical Headway (sec)		7.13	6.53	6.23		7.13	6.53	6.23		4.13				4.13		
Base Follow-Up Headway (sec)		3.5	4.0	3.3		3.5	4.0	3.3		2.2				2.2		
Follow-Up Headway (sec)		3.53	4.03	3.33		3.53	4.03	3.33		2.23				2.23		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)			29				2			2				5		
Capacity, c (veh/h)			472				358			1137				1322		
v/c Ratio			0.06				0.01			0.00				0.00		
95% Queue Length, Q ₉₅ (veh)			0.2				0.0			0.0				0.0		
Control Delay (s/veh)			13.1				15.1			8.2				7.7		
Level of Service, LOS			B				C			A				A		
Approach Delay (s/veh)	13.1				15.1				0.1				0.1			
Approach LOS	B				C											















HCS 2010 Signalized Intersection Results Summary

General Information				Intersection Information	
Agency	McKay Burchett & Co			Duration, h	0.25
Analyst	C. Burchett	Analysis Date	Nov 16, 2021	Area Type	Other
Jurisdiction		Time Period		PHF	0.92
Urban Street	Highway 76	Analysis Year	2021	Analysis Period	1 > 7:00
Intersection	Sango Rd	File Name	Existing Signal_AM.xus		
Project Description	Exist AM				



Demand Information	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h	10	767	134	134	871	24	75	2	355	13	3	18

Signal Information												
Cycle, s	120.0	Reference Phase	2									
Offset, s	0	Reference Point	End									
Uncoordinated	No	Simult. Gap E/W	On	Green	1.8	0.1	76.0	26.0	0.0	0.0		
				Yellow	4.0	4.0	4.0	4.0	0.0	0.0		
Force Mode	Fixed	Simult. Gap N/S	On	Red	0.0	0.0	0.0	0.0	0.0	0.0		

													
1	2	3	4	5	6	7	8	9	10	11	12	13	14

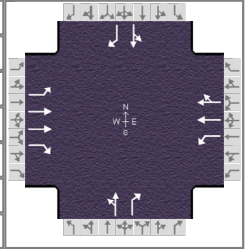
Timer Results	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase	1	6	5	2		4		8
Case Number	2.0	3.0	1.1	4.0		7.0		7.0
Phase Duration, s	5.8	80.0	10.0	84.2		30.0		30.0
Change Period, ($Y+R_c$), s	4.0	4.0	4.0	4.0		4.0		4.0
Max Allow Headway (MAH), s	3.0	0.0	3.0	0.0		3.2		3.2
Queue Clearance Time (g_s), s	2.7		5.2			28.0		3.2
Green Extension Time (g_e), s	0.0	0.0	0.2	0.0		0.0		1.0
Phase Call Probability	0.30		0.99			1.00		1.00
Max Out Probability	0.00		0.00			1.00		0.00

Movement Group Results	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement	1	6	16	5	2	12	7	4	14	3	8	18
Adjusted Flow Rate (v), veh/h	11	834	146	146	489	484		84	386		17	20
Adjusted Saturation Flow Rate (s), veh/h/ln	1810	1809	1610	1810	1900	1882		1446	1610		1513	1610
Queue Service Time (g_s), s	0.7	13.2	4.4	3.2	13.8	13.8		4.8	26.0		0.0	1.2
Cycle Queue Clearance Time (g_c), s	0.7	13.2	4.4	3.2	13.8	13.8		5.8	26.0		1.0	1.2
Green Ratio (g/C)	0.02	0.63	0.63	0.70	0.67	0.67		0.22	0.22		0.22	0.22
Capacity (c), veh/h	28	2293	1020	500	1269	1257		372	349		382	349
Volume-to-Capacity Ratio (X)	0.395	0.364	0.143	0.291	0.385	0.385		0.225	1.106		0.046	0.056
Back of Queue (Q), ft/ln (50 th percentile)	8.6	117.6	35.9	24.9	127.6	126.8		49.8	442.1		9.8	11.1
Back of Queue (Q), veh/ln (50 th percentile)	0.3	4.7	1.4	1.0	5.1	5.1		2.0	17.7		0.4	0.4
Queue Storage Ratio (RQ) (50 th percentile)	0.04	0.12	0.08	0.09	0.32	0.32		0.10	0.88		0.10	0.11
Uniform Delay (d_1), s/veh	58.5	10.5	8.9	7.1	8.9	8.9		39.1	47.0		37.2	37.3
Incremental Delay (d_2), s/veh	3.4	0.4	0.3	0.1	0.9	0.9		0.1	79.9		0.0	0.0
Initial Queue Delay (d_3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0		0.0	0.0		0.0	0.0
Control Delay (d), s/veh	61.9	10.9	9.1	7.2	9.8	9.8		39.2	126.9		37.2	37.3
Level of Service (LOS)	E	B	A	A	A	A		D	F		D	D
Approach Delay, s/veh / LOS	11.2		B	9.5		A	111.2		F	37.2		D
Intersection Delay, s/veh / LOS	28.8						C					

Multimodal Results	EB		WB		NB		SB	
Pedestrian LOS Score / LOS	2.2	B	2.2	B	2.9	C	3.0	C
Bicycle LOS Score / LOS	1.3	A	1.4	A	1.3	A	0.5	A

HCS 2010 Signalized Intersection Results Summary

General Information				Intersection Information	
Agency	McKay Burchett & Co			Duration, h	0.25
Analyst	C. Burchett	Analysis Date	Nov 16, 2021	Area Type	Other
Jurisdiction		Time Period		PHF	0.92
Urban Street	Highway 76	Analysis Year	2021	Analysis Period	1> 7:00
Intersection	Sango Rd	File Name	Existing Signal_PM.xus		
Project Description	Existing PM				



Demand Information	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h	11	1047	167	328	1460	23	115	4	220	10	9	19

Signal Information											
Cycle, s	120.0	Reference Phase	2								
Offset, s	0	Reference Point	End								
Uncoordinated	No	Simult. Gap E/W	On								
Force Mode	Fixed	Simult. Gap N/S	On								

Timer Results	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase	1	6	5	2		4		8
Case Number	2.0	3.0	1.1	4.0		7.0		7.0
Phase Duration, s	6.0	82.2	13.9	90.1		23.9		23.9
Change Period, ($Y+R_c$), s	4.0	4.0	4.0	4.0		4.0		4.0
Max Allow Headway (MAH), s	3.0	0.0	3.0	0.0		3.1		3.1
Queue Clearance Time (g_s), s	2.8		9.3			19.5		3.3
Green Extension Time (g_e), s	0.0	0.0	0.5	0.0		0.5		0.7
Phase Call Probability	0.33		1.00			1.00		1.00
Max Out Probability	0.00		0.00			0.09		0.00

Movement Group Results	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement	1	6	16	5	2	12	7	4	14	3	8	18
Adjusted Flow Rate (v), veh/h	12	1138	182	357	807	805		129	239		21	21
Adjusted Saturation Flow Rate (s), veh/h/ln	1810	1809	1610	1810	1900	1889		1439	1610		1648	1610
Queue Service Time (g_s), s	0.8	19.2	5.3	7.3	25.0	25.2		8.8	17.5		0.0	1.3
Cycle Queue Clearance Time (g_c), s	0.8	19.2	5.3	7.3	25.0	25.2		9.9	17.5		1.1	1.3
Green Ratio (g/C)	0.02	0.65	0.65	0.75	0.72	0.72		0.17	0.17		0.17	0.17
Capacity (c), veh/h	30	2357	1049	456	1363	1356		298	267		320	267
Volume-to-Capacity Ratio (X)	0.402	0.483	0.173	0.782	0.592	0.594		0.434	0.894		0.065	0.077
Back of Queue (Q), ft/ln (50 th percentile)	9.4	168.2	42.7	72.7	215.9	216.5		86.1	201		12.6	12.6
Back of Queue (Q), veh/ln (50 th percentile)	0.4	6.7	1.7	2.9	8.6	8.7		3.4	8.0		0.5	0.5
Queue Storage Ratio (RQ) (50 th percentile)	0.04	0.17	0.09	0.27	0.54	0.54		0.17	0.40		0.13	0.13
Uniform Delay (d_1), s/veh	58.4	10.6	8.2	11.1	8.3	8.3		45.8	49.0		42.2	42.3
Incremental Delay (d_2), s/veh	3.2	0.7	0.4	2.6	1.9	1.9		0.4	17.5		0.0	0.0
Initial Queue Delay (d_3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0		0.0	0.0		0.0	0.0
Control Delay (d), s/veh	61.7	11.3	8.6	13.7	10.2	10.3		46.2	66.5		42.2	42.3
Level of Service (LOS)	E	B	A	B	B	B		D	E		D	D
Approach Delay, s/veh / LOS	11.4	B		10.9	B		59.4	E		42.3	D	
Intersection Delay, s/veh / LOS	16.2						B					

Multimodal Results	EB			WB			NB			SB		
Pedestrian LOS Score / LOS	2.2	B		2.2	B		2.9	C		3.0	C	
Bicycle LOS Score / LOS	1.6	A		2.1	B		1.1	A		0.6	A	

Appendix V

HCS Reports

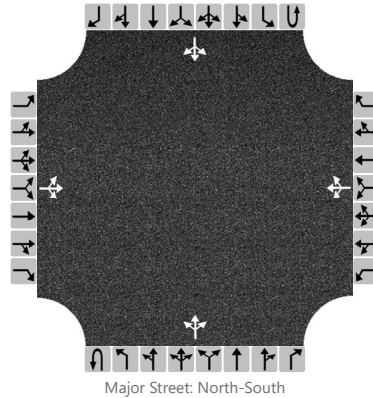
Proposed Conditions

HCS 2010 Two-Way Stop-Control Report

General Information

Analyst	C. Burchett	Intersection	Site Entr/ Sango Rd
Agency/Co.	McKay Burchett & Co	Jurisdiction	CSD
Date Performed	11/16/2021	East/West Street	Site Entrance
Analysis Year	2021	North/South Street	Sango Rd
Time Analyzed	Background AM Peak O-1	Peak Hour Factor	0.92
Intersection Orientation	North-South	Analysis Time Period (hrs)	0.25
Project Description	0127-21 Hadley Condos Sango Rd		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	1	0		0	1	0	0	0	1	0	0	0	1	0
Configuration			LTR				LTR				LTR				LTR	
Volume, V (veh/h)		9	1	1		5	0	8		1	373	41		63	145	8
Percent Heavy Vehicles (%)		3	3	3		3	3	3		3				3		
Proportion Time Blocked																
Percent Grade (%)	0				0											
Right Turn Channelized	No				No				No				No			
Median Type/Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		7.1	6.5	6.2		7.1	6.5	6.2		4.1				4.1		
Critical Headway (sec)		7.13	6.53	6.23		7.13	6.53	6.23		4.13				4.13		
Base Follow-Up Headway (sec)		3.5	4.0	3.3		3.5	4.0	3.3		2.2				2.2		
Follow-Up Headway (sec)		3.53	4.03	3.33		3.53	4.03	3.33		2.23				2.23		

Delay, Queue Length, and Level of Service

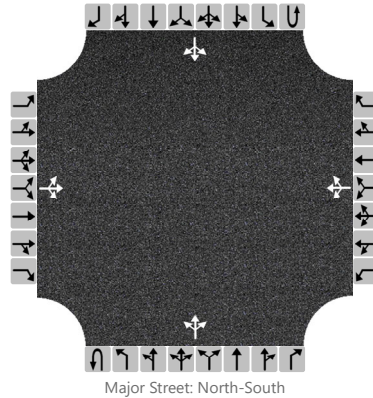
Flow Rate, v (veh/h)			12				14			1				68		
Capacity, c (veh/h)			333				466			1403				1104		
v/c Ratio			0.04				0.03			0.00				0.06		
95% Queue Length, Q ₉₅ (veh)			0.1				0.1			0.0				0.2		
Control Delay (s/veh)			16.2				13.0			7.6				8.5		
Level of Service, LOS			C				B			A				A		
Approach Delay (s/veh)	16.2				13.0				0.0				2.8			
Approach LOS	C				B											

HCS 2010 Two-Way Stop-Control Report

General Information

Analyst	C. Burchett	Intersection	Site Entr/ Sango Rd
Agency/Co.	McKay Burchett & Co	Jurisdiction	CSD
Date Performed	11/16/2021	East/West Street	Site Entrance
Analysis Year	2021	North/South Street	Sango Rd
Time Analyzed	Background PM Peak O-1	Peak Hour Factor	0.92
Intersection Orientation	North-South	Analysis Time Period (hrs)	0.25
Project Description	0127-21 Hadley Condos Sango Rd		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	1	0		0	1	0	0	0	1	0	0	0	1	0
Configuration			LTR				LTR				LTR				LTR	
Volume, V (veh/h)		13	0	14		34	1	52		2	218	7		13	379	3
Percent Heavy Vehicles (%)		3	3	3		3	3	3		3				3		
Proportion Time Blocked																
Percent Grade (%)	0				0											
Right Turn Channelized	No				No				No				No			
Median Type/Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		7.1	6.5	6.2		7.1	6.5	6.2		4.1				4.1		
Critical Headway (sec)		7.13	6.53	6.23		7.13	6.53	6.23		4.13				4.13		
Base Follow-Up Headway (sec)		3.5	4.0	3.3		3.5	4.0	3.3		2.2				2.2		
Follow-Up Headway (sec)		3.53	4.03	3.33		3.53	4.03	3.33		2.23				2.23		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)			29				95			2				14		
Capacity, c (veh/h)			427				522			1137				1314		
v/c Ratio			0.07				0.18			0.00				0.01		
95% Queue Length, Q ₉₅ (veh)			0.2				0.7			0.0				0.0		
Control Delay (s/veh)			14.1				13.4			8.2				7.8		
Level of Service, LOS			B				B			A				A		
Approach Delay (s/veh)	14.1				13.4				0.1				0.3			
Approach LOS	B				B											

HCS 2010 Two-Way Stop-Control Report

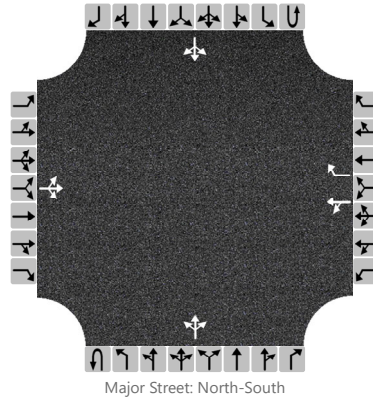
General Information

Analyst	C. Burchett
Agency/Co.	McKay Burchett & Co
Date Performed	11/16/2021
Analysis Year	2021
Time Analyzed	Prop AM Peak R-5
Intersection Orientation	North-South
Project Description	0127-21 Hadley Condos Sango Rd

Site Information

Intersection	Site Entr/ Sango Rd
Jurisdiction	CSD
East/West Street	Site Entrance
North/South Street	Sango Rd
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	1	0		0	1	1	0	0	1	0	0	0	1	0
Configuration			LTR			LT		R			LTR				LTR	
Volume, V (veh/h)		9	0	1		20	0	31		1	373	5		9	145	8
Percent Heavy Vehicles (%)		3	3	3		3	3	3		3				3		
Proportion Time Blocked																
Percent Grade (%)	0				0											
Right Turn Channelized	No				No				No				No			
Median Type/Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)																
Critical Headway (sec)																
Base Follow-Up Headway (sec)																
Follow-Up Headway (sec)																

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)			11			22		34		1				10		
Capacity, c (veh/h)			402			413		641		1403				1142		
v/c Ratio			0.03			0.05		0.05		0.00				0.01		
95% Queue Length, Q ₉₅ (veh)			0.1			0.2		0.2		0.0				0.0		
Control Delay (s/veh)			14.2			14.2		10.9		7.6				8.2		
Level of Service, LOS			B			B		B		A				A		
Approach Delay (s/veh)	14.2				12.2				0.0				0.5			
Approach LOS	B				B											

HCS 2010 Two-Way Stop-Control Report

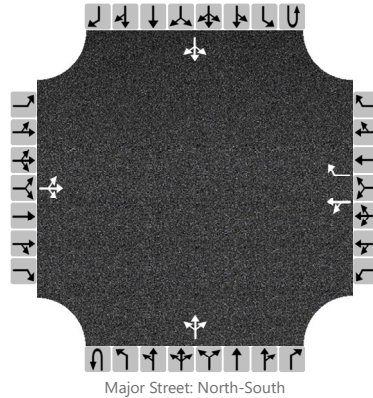
General Information

Analyst	C. Burchett
Agency/Co.	McKay Burchett & Co
Date Performed	11/16/2021
Analysis Year	2021
Time Analyzed	Prop PM Peak R-5
Intersection Orientation	North-South
Project Description	0127-21 Hadley Condos Sango Rd

Site Information

Intersection	Site Entr/ Sango Rd
Jurisdiction	CSD
East/West Street	Site Entrance
North/South Street	Sango Rd
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	1	0		0	1	1	0	0	1	0	0	0	1	0
Configuration			LTR			LT		R			LTR				LTR	
Volume, V (veh/h)		13	0	14		13	0	16		2	218	21		36	379	3
Percent Heavy Vehicles (%)		3	3	3		3	3	3		3				3		
Proportion Time Blocked																
Percent Grade (%)	0				0											
Right Turn Channelized	No				No				No				No			
Median Type/Storage	Undivided															

Critical and Follow-up Headways

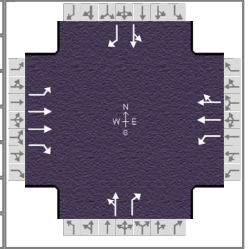
Base Critical Headway (sec)																
Critical Headway (sec)																
Base Follow-Up Headway (sec)																
Follow-Up Headway (sec)																

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)			29			14		17		2				39		
Capacity, c (veh/h)			422			310		788		1137				1297		
v/c Ratio			0.07			0.05		0.02		0.00				0.03		
95% Queue Length, Q ₉₅ (veh)			0.2			0.1		0.1		0.0				0.1		
Control Delay (s/veh)			14.2			17.2		9.7		8.2				7.9		
Level of Service, LOS			B			C		A		A				A		
Approach Delay (s/veh)	14.2				13.1				0.1				0.9			
Approach LOS	B				B											

HCS 2010 Signalized Intersection Results Summary

General Information				Intersection Information	
Agency	McKay Burchett & Co			Duration, h	0.25
Analyst	C. Burchett	Analysis Date	Nov 16, 2021	Area Type	CBD
Jurisdiction	CSD	Time Period	Prop AM	PHF	0.92
Urban Street	Highway 76	Analysis Year	2021	Analysis Period	1> 7:00
Intersection	Sango Rd	File Name			
Project Description					



Demand Information	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h	10	767	138	138	871	24	76	2	362	13	3	18


Signal Information											
Cycle, s	120.0	Reference Phase	2								
Offset, s	0	Reference Point	End								
Uncoordinated	No	Simult. Gap E/W	On								
Force Mode	Fixed	Simult. Gap N/S	On								

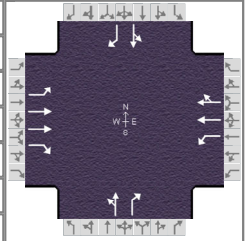
Timer Results	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase	1	6	5	2		4		8
Case Number	2.0	3.0	1.1	4.0		7.0		7.0
Phase Duration, s	5.8	80.0	10.0	84.2		30.0		30.0
Change Period, ($Y+R_c$), s	4.0	4.0	4.0	4.0		4.0		4.0
Max Allow Headway (MAH), s	3.0	0.0	3.0	0.0		3.2		3.2
Queue Clearance Time (g_s), s	2.8		5.7			28.0		3.3
Green Extension Time (g_e), s	0.0	0.0	0.2	0.0		0.0		1.0
Phase Call Probability	0.30		0.99			1.00		1.00
Max Out Probability	0.00		0.00			1.00		0.00

Movement Group Results	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement	1	6	16	5	2	12	7	4	14	3	8	18
Adjusted Flow Rate (v), veh/h	11	834	150	150	489	484		85	393		17	20
Adjusted Saturation Flow Rate (s), veh/h/ln	1629	1628	1304	1629	1710	1694		1301	1449		1362	1449
Queue Service Time (g_s), s	0.8	15.1	5.7	3.7	15.9	15.9		5.4	26.0		0.0	1.3
Cycle Queue Clearance Time (g_c), s	0.8	15.1	5.7	3.7	15.9	15.9		6.5	26.0		1.1	1.3
Green Ratio (g/C)	0.02	0.63	0.63	0.70	0.67	0.67		0.22	0.22		0.22	0.22
Capacity (c), veh/h	25	2063	826	446	1143	1132		341	314		349	314
Volume-to-Capacity Ratio (X)	0.439	0.404	0.181	0.336	0.428	0.428		0.249	1.253		0.050	0.062
Back of Queue (Q), ft/ln (50 th percentile)	8.7	122	38.5	26	133.9	133		50.6	523.4		9.9	11.1
Back of Queue (Q), veh/ln (50 th percentile)	0.3	4.9	1.5	1.0	5.4	5.3		2.0	20.9		0.4	0.4
Queue Storage Ratio (RQ) (50 th percentile)	0.04	0.12	0.08	0.10	0.33	0.33		0.10	1.05		0.10	0.11
Uniform Delay (d_1), s/veh	58.6	10.8	9.1	7.6	9.3	9.3		39.4	47.0		37.2	37.3
Incremental Delay (d_2), s/veh	4.5	0.6	0.5	0.2	1.2	1.2		0.1	137.5		0.0	0.0
Initial Queue Delay (d_3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0		0.0	0.0		0.0	0.0
Control Delay (d), s/veh	63.1	11.4	9.6	7.7	10.4	10.4		39.5	184.5		37.2	37.4
Level of Service (LOS)	E	B	A	A	B	B		D	F		D	D
Approach Delay, s/veh / LOS	11.7		B	10.1		B	158.8		F	37.3		D
Intersection Delay, s/veh / LOS	38.1						D					

Multimodal Results	EB			WB			NB			SB		
Pedestrian LOS Score / LOS	2.2		B	2.2		B	2.9		C	3.0		C
Bicycle LOS Score / LOS	1.3		A	1.4		A	1.3		A	0.5		A

HCS 2010 Signalized Intersection Results Summary

General Information				Intersection Information		
Agency	McKay Burchett & Co			Duration, h	0.25	
Analyst	C. Burchett	Analysis Date	Nov 16, 2021	Area Type	Other	
Jurisdiction		Time Period		PHF	0.92	
Urban Street	Highway 76	Analysis Year	2021	Analysis Period	1 > 7:00	
Intersection	Sango Rd	File Name				
Project Description						



Demand Information	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h	11	1047	184	362	1460	23	132	5	254	10	10	19

Signal Information											
Cycle, s	120.0	Reference Phase	2								
Offset, s	0	Reference Point	End								
Uncoordinated	No	Simult. Gap E/W	On	Green	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Force Mode	Fixed	Simult. Gap N/S	On	Yellow	0.0	0.0	0.0	0.0	0.0	0.0	0.0
				Red	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Timer Results	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase	1	6	5	2		4		8
Case Number	2.0	3.0	1.1	4.0		7.0		7.0
Phase Duration, s	6.0	77.9	15.6	87.5		26.6		26.6
Change Period, ($Y+R_c$), s	4.0	4.0	4.0	4.0		4.0		4.0
Max Allow Headway (MAH), s	0.0	0.0	0.0	0.0		0.0		0.0
Queue Clearance Time (g_s), s	0.0	0.0	0.0	0.0		0.0		0.0
Green Extension Time (g_e), s	0.0	0.0	0.0	0.0		0.0		0.0
Phase Call Probability	0.00	0.00	0.00	0.00		0.00		0.00
Max Out Probability	0.00	0.00	0.00	0.00		0.00		0.00

Movement Group Results	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement	1	6	16	5	2	12	7	4	14	3	8	18
Adjusted Flow Rate (v), veh/h	0	0	0	0	0	0		0	0		0	0
Adjusted Saturation Flow Rate (s), veh/h/ln	0	0	0	0	0	0		0	0		0	0
Queue Service Time (g_s), s	0.0	0.0	0.0	0.0	0.0	0.0		0.0	0.0		0.0	0.0
Cycle Queue Clearance Time (g_c), s	0.0	0.0	0.0	0.0	0.0	0.0		0.0	0.0		0.0	0.0
Green Ratio (g/C)	0.02	0.62	0.62	0.73	0.70	0.70		0.19	0.19		0.19	0.19
Capacity (c), veh/h	30	2227	991	455	1321	1314		330	303		357	303
Volume-to-Capacity Ratio (X)	0.402	0.511	0.202	0.865	0.611	0.612		0.452	0.912		0.061	0.068
Back of Queue (Q), ft/ln (50 th percentile)	9.4	193.8	54.7	150.1	242.5	243		97.5	243.7		12.9	12.2
Back of Queue (Q), veh/ln (50 th percentile)	0.4	7.8	2.2	6.0	9.7	9.7		3.9	9.7		0.5	0.5
Queue Storage Ratio (RQ) (50 th percentile)	0.04	0.19	0.12	0.56	0.61	0.61		0.20	0.49		0.13	0.12
Uniform Delay (d_1), s/veh	58.4	12.9	10.1	14.9	9.7	9.7		44.1	47.7		40.0	40.1
Incremental Delay (d_2), s/veh	3.2	0.8	0.5	9.3	2.1	2.1		0.4	23.7		0.0	0.0
Initial Queue Delay (d_3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0		0.0	0.0		0.0	0.0
Control Delay (d), s/veh	61.7	13.8	10.6	24.2	11.8	11.8		44.5	71.4		40.0	40.1
Level of Service (LOS)	E	B	B	C	B	B		D	E		D	D
Approach Delay, s/veh / LOS	13.7	B		14.2	B		62.0	E		40.1	D	
Intersection Delay, s/veh / LOS	19.6						B					

Multimodal Results	EB		WB		NB		SB	
Pedestrian LOS Score / LOS	2.2	B	2.2	B	2.9	C	3.0	C
Bicycle LOS Score / LOS	1.6	A	2.1	B	1.2	A	0.6	A

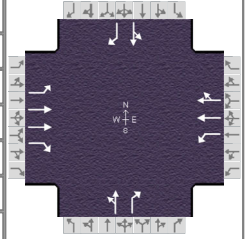
HCS 2010 Signalized Intersection Results Summary

General Information

Agency	McKay Burchett & Co
Analyst	C. Burchett
Jurisdiction	CSD
Urban Street	Highway 76
Intersection	Sango Rd
Project Description	Proposed R-5 AM

Intersection Information

Duration, h	0.25
Area Type	CBD
PHF	0.92
Analysis Period	1> 7:00



Demand Information

	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h	10	767	149	149	871	24	80	3	380	13	4	18

Signal Information

Cycle, s	120.0	Reference Phase	2
Offset, s	0	Reference Point	End
Uncoordinated	No	Simult. Gap E/W	On
Force Mode	Fixed	Simult. Gap N/S	On

Timer Results

	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase	1	6	5	2		4		8
Case Number	2.0	3.0	1.1	4.0		7.0		7.0
Phase Duration, s	5.8	79.9	10.1	84.2		30.0		30.0
Change Period, ($Y+R_c$), s	4.0	4.0	4.0	4.0		4.0		4.0
Max Allow Headway (MAH), s	3.0	0.0	3.0	0.0		3.2		3.2
Queue Clearance Time (g_s), s	2.8		6.0			28.0		3.3
Green Extension Time (g_e), s	0.0	0.0	0.2	0.0		0.0		1.1
Phase Call Probability	0.30		1.00			1.00		1.00
Max Out Probability	0.00		0.00			1.00		0.00


Movement Group Results

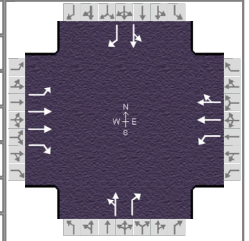
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement	1	6	16	5	2	12	7	4	14	3	8	18
Adjusted Flow Rate (v), veh/h	11	834	162	162	489	484		90	413		18	20
Adjusted Saturation Flow Rate (s), veh/h/ln	1629	1628	1304	1629	1710	1694		1304	1449		1379	1449
Queue Service Time (g_s), s	0.8	15.2	6.3	4.0	15.9	15.9		5.8	26.0		0.0	1.3
Cycle Queue Clearance Time (g_c), s	0.8	15.2	6.3	4.0	15.9	15.9		7.0	26.0		1.1	1.3
Green Ratio (g/C)	0.02	0.63	0.63	0.70	0.67	0.67		0.22	0.22		0.22	0.22
Capacity (c), veh/h	25	2059	825	448	1143	1132		341	314		352	314
Volume-to-Capacity Ratio (X)	0.439	0.405	0.196	0.362	0.428	0.428		0.264	1.315		0.053	0.062
Back of Queue (Q), ft/ln (50 th percentile)	8.7	122.9	42.3	28.3	133.9	133		54.1	578.7		10.5	11.1
Back of Queue (Q), veh/ln (50 th percentile)	0.3	4.9	1.7	1.1	5.4	5.3		2.2	23.1		0.4	0.4
Queue Storage Ratio (RQ) (50 th percentile)	0.04	0.12	0.09	0.10	0.33	0.33		0.11	1.16		0.10	0.11
Uniform Delay (d_1), s/veh	58.6	10.9	9.3	7.7	9.3	9.3		39.5	47.0		37.2	37.3
Incremental Delay (d_2), s/veh	4.5	0.6	0.5	0.2	1.2	1.2		0.2	162.8		0.0	0.0
Initial Queue Delay (d_3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0		0.0	0.0		0.0	0.0
Control Delay (d), s/veh	63.1	11.5	9.8	7.9	10.4	10.4		39.7	209.8		37.3	37.4
Level of Service (LOS)	E	B	A	A	B	B		D	F		D	D
Approach Delay, s/veh / LOS	11.8		B	10.1		B	179.3		F	37.3		D
Intersection Delay, s/veh / LOS	42.8						D					

Multimodal Results

	EB			WB			NB			SB		
Pedestrian LOS Score / LOS	2.2		B	2.2		B	2.9		C	3.0		C
Bicycle LOS Score / LOS	1.3		A	1.4		A	1.3		A	0.6		A

HCS 2010 Signalized Intersection Results Summary

General Information				Intersection Information		
Agency	McKay Burchett & Co			Duration, h	0.25	
Analyst	C. Burchett	Analysis Date	Nov 16, 2021	Area Type	Other	
Jurisdiction		Time Period		PHF	0.92	
Urban Street	Highway 76	Analysis Year	2021	Analysis Period	1 > 7:00	
Intersection	Sango Rd	File Name	Prop R-5 Signal_PM.xus			
Project Description	Prop PM R-5					



Demand Information	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h	11	1047	172	338	1460	23	120	5	230	10	10	19

Signal Information											
Cycle, s	120.0	Reference Phase	2								
Offset, s	0	Reference Point	End								
Uncoordinated	No	Simult. Gap E/W	On	Green	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Force Mode	Fixed	Simult. Gap N/S	On	Yellow	0.0	0.0	0.0	0.0	0.0	0.0	0.0
				Red	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Timer Results	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase	1	6	5	2		4		8
Case Number	2.0	3.0	1.1	4.0		7.0		7.0
Phase Duration, s	6.0	80.9	14.4	89.3		24.7		24.7
Change Period, ($Y+R_c$), s	4.0	4.0	4.0	4.0		4.0		4.0
Max Allow Headway (MAH), s	0.0	0.0	0.0	0.0		0.0		0.0
Queue Clearance Time (g_s), s	0.0	0.0	0.0	0.0		0.0		0.0
Green Extension Time (g_e), s	0.0	0.0	0.0	0.0		0.0		0.0
Phase Call Probability	0.00	0.00	0.00	0.00		0.00		0.00
Max Out Probability	0.00	0.00	0.00	0.00		0.00		0.00

Movement Group Results	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement	1	6	16	5	2	12	7	4	14	3	8	18
Adjusted Flow Rate (ν), veh/h	0	0	0	0	0	0		0	0		0	0
Adjusted Saturation Flow Rate (s), veh/h/ln	0	0	0	0	0	0		0	0		0	0
Queue Service Time (g_s), s	0.0	0.0	0.0	0.0	0.0	0.0		0.0	0.0		0.0	0.0
Cycle Queue Clearance Time (g_c), s	0.0	0.0	0.0	0.0	0.0	0.0		0.0	0.0		0.0	0.0
Green Ratio (g/C)	0.02	0.64	0.64	0.74	0.71	0.71		0.17	0.17		0.17	0.17
Capacity (c), veh/h	30	2319	1032	455	1351	1343		307	278		332	278
Volume-to-Capacity Ratio (X)	0.402	0.491	0.181	0.807	0.598	0.599		0.442	0.899		0.066	0.074
Back of Queue (Q), ft/ln (50 th percentile)	9.4	175.5	46	90.3	223	223.6		90.1	213.4		13.1	12.5
Back of Queue (Q), veh/ln (50 th percentile)	0.4	7.0	1.8	3.6	8.9	8.9		3.6	8.5		0.5	0.5
Queue Storage Ratio (RQ) (50 th percentile)	0.04	0.18	0.10	0.33	0.56	0.56		0.18	0.43		0.13	0.13
Uniform Delay (d_1), s/veh	58.4	11.3	8.7	12.3	8.7	8.7		45.3	48.6		41.5	41.6
Incremental Delay (d_2), s/veh	3.2	0.7	0.4	4.0	2.0	2.0		0.4	19.4		0.0	0.0
Initial Queue Delay (d_3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0		0.0	0.0		0.0	0.0
Control Delay (d), s/veh	61.7	12.0	9.1	16.2	10.7	10.7		45.7	68.0		41.6	41.6
Level of Service (LOS)	E	B	A	B	B	B		D	E		D	D
Approach Delay, s/veh / LOS	12.1	B		11.7	B		60.1	E		41.6	D	
Intersection Delay, s/veh / LOS	17.2						B					

Multimodal Results	EB		WB		NB		SB	
Pedestrian LOS Score / LOS	2.2	B	2.2	B	2.9	C	3.0	C
Bicycle LOS Score / LOS	1.6	A	2.1	B	1.1	A	0.6	A

ORDINANCE 63-2021-22

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF Larry Chappell FOR A ZONE CHANGE ON

Property located at the northeast corner of the Gupton Ln. & Gupton Cir. intersection.

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

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

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point, said point being the east right of way of Gupton Lane, said point being N 28° 06' E for a distance of 17 feet from the centerline intersection of Gupton Lane and Gupton Circle, said point also being the southwestern corner of the herein described parcel; Thence, along said Gupton Lane right of way, N 06° 16' 31" E a distance of 296.92 feet to a point on a line; Thence, leaving said Gupton Lane right of way and along a new zone line, S 83° 43' 29" E for a distance of 407.61 feet to a point on a line, said point being the western property line of the Larry Chappell property as described in ORV 1181, page 1153, said point being the north east corner of the herein described parcel; Thence, along said Chappell property, S 08° 24' 58" W for a distance of 297.14 feet to a point on a line, said point being the north property line of the Robert Huff property as described in ORV 774, page 891, said point being the south east corner of the herein described property; Thence, along said Huff property, N 84° 18' 30" W for a distance of 111.71 feet to a point on a line, said point being the northern right of way Gupton Circle; Thence, leaving said Huff property and along the northern right of way of Gupton Circle for the next 2 calls, N 84° 46' 46" W for a distance of 266.57 feet to a point on a line; Thence, N 65° 22' 52" W for a distance of 19.25 feet to the point beginning, said parcel containing 120,461 Square Feet or 2.77 Acres, more or less.

ORDINANCE 64-2021-22

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF Quiktrip Corp FOR A ZONE CHANGE ON

Property located north of Rossview Rd., west of I-24 & east of the Rossview School Complex.

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-4 Highway Interchange District as C-2 General Commercial District

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point, said point being the south west property corner of the Clarksville Montgomery County School System as described in ORV 1964 page 1300, said point being N 21° 50' W for a distance of 760 feet from the centerline intersection of Rossview Road and Powell Road, said point also being the southwestern corner of the herein described parcel; Thence, along said Clarksville Montgomery County School System property for the next 3 calls, N 09° 26' 11" E for a distance of 780.68 feet to a point on a line; Thence, N 08° 21' 32" E for a distance of 811.95 feet to a point on a line; Thence, N 09° 49' 16" E for a distance of 98.25 feet to a point on a line, said point being the west right of way of Interstate 24, said point also being the north point of the herein described parcel; Thence, leaving said Clarksville Montgomery County School System and along said Interstate 24 right of way for the next 4 calls, S 21° 15' 35" E for a distance of 586.76 feet to a point on a line; Thence, S 16° 25' 44" E for a distance of 468.89 feet to a point on a line; Thence, S 09° 52' 49" E for a distance of 403.61 feet to a point on a line; Thence, S 02° 32' 17" E for a distance of 118.59 feet to a point on a line; Thence, leaving said Interstate 24 right of way and along a new zone line for the next 3 calls, S 68° 24' 43" W for a distance of 604.20 feet to the beginning of a non- tangential curve; Said curve turning to the left, having a radius of 50.00 feet, and whose long chord bears N 81° 33' 23" W for a distance of 86.70 feet to a point on a line; Thence, N 34° 01' 00" W for a distance of 62.73 feet to a point on a line, said point being the point of beginning, said parcel containing 643,440 Square Feet or 14.77 Acres, more or less.

ORDINANCE 65-2021-22

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF Winn Properties LP FOR A ZONE CHANGE ON

Property fronting on the south frontage of Martin Luther King, Jr. Blvd. 925 +/- feet northeast of the Martin Luther King, Jr. Blvd. & Fire Station Rd. intersection.

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-4 Highway Interchange District as C-2 General Commercial District

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Tract 1:

Beginning at a point in the eastern right-of-way of Winn Way, Plat Book J Page 320, said point being an interior corner of the Winn Properties LP property; thence with the eastern right-of-way of Winn Way, North 31 degrees 26 minutes 19 seconds West 25.00 feet to a point; Thence leaving said right-of-way and with a proposed zoning line the following calls: North 63 degrees 43 minutes 35 seconds East 158.11 feet to a point; North 61

degrees 53 minutes 30 seconds East 441.94 feet to a point; North 61 degrees 40 minutes 45 seconds East 134.89 feet to a point; Thence continuing with the proposed zoning line, North 54 degrees 32 minutes 59 seconds East 57.01 feet to a point in the western line of the City of Clarksville property, Volume 1453 Page 2651; Thence with the western line of the City of Clarksville the following calls: South 24 degrees 00 minutes 41 seconds East

89.84 feet to a point; South 16 degrees 14 minutes 16 seconds East 45.27 feet to a point; South 41 degrees 33 minutes 41 seconds East 49.03 feet to a point; South 67 degrees 30 minutes 37 seconds East 50.45 feet to a point; South 72 degrees 34 minutes 09 seconds East 51.81 feet to a point; South 86 degrees 48 minutes 37 seconds East 95.25 feet to a point; South 62 degrees 24 minutes 22 seconds East 20.16 feet to a point; Thence South 11 degrees 17 minutes 11 seconds West 201.07 feet to a point in the north line of Abby Lynn Homeowners Association, Volume 1277 Page 1324; Thence with the north line of Abby Lynn, North 82 degrees 05 minutes 18 seconds West 420.41 feet to a point; Thence continuing with the north line of Abby Lynn, South 52 degrees 56 minutes 44 seconds West 203.94 feet to a point; Thence with the western line of Abby Lynn, South 9 degrees 34 minutes 13 seconds West 872.77 feet to a point in the north line of

Mack Phillips, Volume 1062 Page 2143; Thence with the north line of Phillips, North 83 degrees 31 minutes 36 seconds West 144.57 feet to the northwest corner of Phillips; Thence with the western line of Phillips, South 6 degrees 27 minutes 40 seconds West 186.51 feet to a point the northern right-of-way of Trough Springs Road; Thence with the northern right-of-way of Trough Springs Road, North 82 degrees 01 minutes 24 seconds West 89.49 feet to a point; Thence continuing with the northern right-of-way of Trough Springs Road, North 83 degrees 20 minutes 33 seconds West 98.77 feet to a point at the intersection with the eastern right-of-way of Fire Station Road; Thence with the eastern right-of-way of Fire Station Road the following calls: A curve to the right, with a radius of 25.00 feet, a length of 38.67 feet, and being subtended by a chord bearing North 42 degrees 27 minutes 43 seconds West 34.93 feet to a point; A curve to the left, with a radius of 495.00 feet, a length of 186.94 feet, and being subtended by a chord bearing North 13 degrees 24 minutes 21 seconds West 185.84 feet to a point; North 23 degrees 18 minutes 01 seconds West 510.15 feet to a point; Thence North 23 degrees 00 minutes 41 seconds West 128.77 feet to a point at the intersection with the southern right-of-way of Winn Way; Thence with the southern right-of-way of Winn Way the following calls: A curve to the right, with a radius of 30.00 feet, a length of 46.83 feet, and being subtended by a chord bearing North 21 degrees 42 minutes 02 seconds East 42.22 feet to a point; North 66 degrees 25 minutes 21 seconds East 161.25 feet to a point; A curve to the left, with a radius of 130.00 feet, a length of 17.84 feet, and being subtended by a chord bearing North 62 degrees 05 minutes 57 seconds East 17.83 feet to a point; North 58 degrees 33 minutes 41 seconds East 28.17 feet; North 31 degrees 26 minutes 19 seconds West 5.00 feet; North, 58 degrees 36 minutes 09 seconds East 175.24 feet; Thence North 58 degrees 30 minutes 25 seconds East 131.83 feet to the point of beginning, containing 787,553 Square Feet or 18.08 acres, more or less.

Tract 2:

Beginning at the northwest corner of Gateway Homes LLC, Volume 1828 Page 698, and being in the southern line of James Burchett, Volume 1940 Page 1528; Thence with the western line of Gateway Homes, South 27 degrees 08 minutes 18 seconds East 299.22 feet to a point; Thence with the northern line of Gateway Homes, South 62 degrees 44 minutes 01 seconds West 305.70 feet to the southeast corner of the City of Clarksville property, Volume 1453 Page 2651; Thence with the eastern line of the City of Clarksville the following calls: North 11 degrees 17 minutes 17 seconds East 201.07 feet to a point; North 69 degrees 00 minutes 51 seconds East 54.33 feet to a point; North 28 degrees 28 minutes 18 seconds East 41.35 feet to a point; North 6 degrees 05 minutes 57 seconds East 72.80 feet to a point; Thence North 23 degrees 44 minutes 00 seconds East 62.14 feet to a point in the southern line of James Burchett; Thence with the southern line of Burchett, North 67 degrees 31 minutes 43 seconds East 62.98 feet to the point of beginning, containing 49,086 Square Feet or 1.13 acres, more or less.

AN ORDINANCE AMENDING THE CITY ZONING ORDINANCE OF THE CITY OF CLARKSVILLE, TENNESSEE, AS IT PERTAINS TO PLANNED UNIT DEVELOPMENTS AND MIXED USE PLANNED UNIT DEVELOPMENTS.

WHEREAS the Regional Planning Commission initiated a study and update to the City of Clarksville Zoning Ordinance at their regularly scheduled meeting on June 22, 2021, AND

WHEREAS the updates are viewed as necessary in order to update certain sections of the City of Clarksville Zoning Ordinance with respect to Planned Unit Developments (PUDs) and add Mixed Use Planned Unit Development options more in line with modern planning practices and removing barriers to implementation.

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:

Under Chapter 3.4.5 COMMERCIAL USES Amend the following from Permitted with Conditions (PC) to Accessory (A)

Assembly / Civic Hall

Child Care Facility

Retail

Under Chapter 3.4.5 COMMERCIAL USES add Accessory (A) to the following uses:

Café/Coffee Shop

Gift or Card Shop

Under Chapter 3.4.11 RECREATION AND ENTERTAINMENT USES Amend the following from Permitted with Conditions (PC) to Accessory (A)

Health Club

Marina

Recreation Center

Under Chapter 3.4.12 RESIDENTIAL USES Amend the following from Permitted with Conditions (PC) to Permitted (P)

Townhouses

Under Chapter 5.1.2 Commercial Uses Permitted with Conditions Repeal the following text:

Assembly/Civic Hall: (Planned Unit Development PUD)

Neighborhood activities may include limited uses as specifically limited below:

1. No Assembly/Civic Hall shall be permitted within any PUD containing fewer than two hundred (200) dwelling units.

2. Any Assembly/Civic Hall must be designed as an integral part of the development; external advertising or other characteristics which would alter the residential scenic quality, noise level, or traffic load shall not be permitted.

3. Any Assembly/Civic Hall must be for the exclusive use and convenience of residents of the development and their guests.

Child Care Facility: (Planned Unit Development)

1. Not permitted within any PUD development containing fewer than two hundred (200) dwelling units.

2. Facility must be designed as an integral part of the development; external advertising or other characteristics which would alter the residential scenic quality, noise level, or traffic level shall not be permitted.

3. Must be for the exclusive use and convenience for the residents of the development and their guests.

Retail: (Planned Unit Development PUD)

1. Neighborhood commercial activities may include limited convenience commercial uses as specifically limited below:

A. No commercial activities are permitted within any PUD containing fewer than two hundred (200) dwelling units.

B. Any commercial facility must be designed as an integral part of the development; external advertising or other characteristics which would alter the residential scenic quality, noise level, or traffic load shall not be permitted.

C. Any commercial facility authorized must be for the exclusive use and convenience of residents of the development and their guests.

Under Chapter 5.1.6 Recreation and Entertainment Uses Permitted with Conditions Repeal the following text:

Health Club: (Planned Unit Development)

1. Facility must be designed as an integral part of the development; external advertising or other characteristics which would alter the residential scenic quality, noise level, or traffic level shall not be permitted.

2. Must be for the exclusive use and convenience of residents of the development and their guests.

Marina:

1. Facility must be designed as an integral part of the development; external advertising or other characteristics which would alter the residential scenic quality, noise level, or traffic level shall not be permitted.

2. Must be for the exclusive use and convenience of residents of the development and their guests.

Recreation Center: (Planned Unit Development)

1. Facility must be designed as an integral part of the development; external advertising or other characteristics which would alter the residential scenic quality, noise level, or traffic level shall not be permitted.
2. Must be for the exclusive use and convenience of residents of the development and their guests.

Under Chapter 5.1.7 Residential Uses Permitted with Conditions Repeal the following text:

Townhouses (Planned Unit Development):

1. No more than eight (8) single-family attached dwellings, townhouses, may be attached to one another.
2. Each townhouse unit must be a minimum of sixteen (16) feet wide.
3. No front, side, or rear yard as such is required in connection with any townhouse, but each townhouse shall, as a portion of its individual fee simple lot, have one yard containing not less than three hundred and twenty (320) square feet, no more than fifty (50) percent of the three hundred and twenty (320) square feet can contain any type of structure to include deck, patio, sidewalks, other impervious surfaces. This area shall not be used for off-street parking or for any accessory building.

Repeal existing Chapter 5.6 Standards and Procedures for Planned Unit Developments (PUD) and replace with the following:

1. Types

- A. The requirements for both PUDs and MXU-PUDs are generally the same, unless specifically called out for MXU-PUDs.
- B. **PUD:** The Planned Unit Development is primarily residential with some opportunity for other compatible uses. The purpose of the PUD is to encourage a variety of housing types and to use land efficiently through a professionally prepared master planned community.
- C. **MXU-PUD:** The purpose of the Mixed-Use PUD is to create pedestrian oriented neighborhoods by encouraging a variety of infill housing choices, with retail, office, restaurants, and public facilities or institutions, that are less automobile dependent. The MXU-PUD is intended to promote flexibility in design standards and diversification of complimentary land uses. This is accomplished by applying a professionally prepared development plan, and to promote the efficient use of land, facilitating a more economic arrangement of buildings, circulation systems, land uses, and utilities.

2. PUD Approval Process:

- A. **Pre-application conference:** The developer must schedule and attend a pre-application meeting with RPC and other reviewing agencies prior to formally applying. Pre-application meetings shall be scheduled with staff as needed. The purpose of the pre-application meeting is to prepare a development plan for public hearing with the RPC and appropriate elected body. This discussion shall concern, but not be limited to the following:
 - I. Site:
 - a. Location and Size of development

- b. Floodways and locations of structures
 - c. Existing zoning
 - d. Surrounding type of development, land use, and zoning
 - e. General topography and physiographic characteristics
- II. Development:
 - a. Density and/or mixture of uses
 - b. Parking areas
 - c. Open space
 - d. Proposed landscaping or other treatments
 - e. Proposed access, street layout, and pedestrian circulation
- III. Community facility consideration:
 - a. General statement of the effects of the proposed development on schools, fire, and police services, etc.
 - b. Proximity and adequacy of utilities, major traffic arteries, etc.
- IV. Development phasing schedule: Estimated time span for construction of the proposed development including any phasing.
- B. **Preliminary Application:** After the developer meets with RPC staff for the required pre-application conference, the Preliminary application may be made in the form of a zoning request per the requirements in Chapter 11 Section 4.
 - I. **Application Submittal:** A developer shall make an initial application for approval of a PUD by filing the required application and fourteen (14) copies or digital submission of the preliminary plan with the RPC by the deadline. The RPC shall forward one of these copies to the appropriate departments or entities, all of whom shall submit any recommendations in writing to the RPC prior to the initial hearing on the preliminary plan.
 - II. **Regional Planning Commission Action:** The RPC shall forward the plan to the City Council along with a written report recommending approval or disapproval of the plan and the proposed zoning amendment. The RPC recommendation shall refer, but not be limited to, the following conditions:
 - a. That the PUD is consistent with the comprehensive plan;
 - b. That the property adjacent to the area included in the plan will not be adversely affected;
 - c. That the plan is consistent with the intent and purpose of this section to promote public health, safety, morals, and general welfare;
 - d. That there is a need for such development in the proposed location;
 - III. **Governing Body Action:** Upon receipt of the written report prepared in accordance with Subparagraph II above, the Governing Body shall consider the report, the preliminary PUD plan, and other such data as may be required. Prior to the enactment of any amendment to the zoning map, a required public hearing shall be held. The RPC report must be made available to the public at least three (3) days prior to the public hearing.
 - a. Within one-hundred (100) days after the public hearing, the Governing Body shall either approve the plan and grant the necessary rezoning, or disapprove the plan. Failure of the Governing Body to act within this time period shall be deemed to be a denial.
 - IV. No building permits may be issued and no final plat may be approved on land within the PUD district until the final PUD plan has been approved by the RPC.

C. Final application:

- I. Within twenty four (24) months following the approval of the preliminary plan, the applicant shall file with the RPC a final plan containing in final form the information required. At its discretion and for good cause shown, the RPC may extend the time period for filing the final plan.

D. Relationship to the Subdivision Regulations In any instance where land is to be subdivided or streets are to be dedicated, the following procedure will be utilized.

- I. **Preliminary Plat:** At the time application is made for approval of a final PUD Development Plan, application shall also be made for preliminary approval of a subdivision plan. Both the final PUD plan and preliminary plat will be considered by the RPC concurrently.
- II. **Final Plats:** final plats are permitted on any portion of an approved Development Plan.

E. Final Approval: Regional Planning Commission Action

Within the time period as specified within the requirements of TCA, the RPC shall either approve or disapprove the final PUD and preliminary subdivision plat.

The RPC may approve the final plan if it finds:

- I. The final plan is in substantial compliance with the preliminary plan; and
- II. That the final plan complies with all other standards for review which were not considered when the preliminary plan was approved.

In the event the RPC finds that conditions which supported approval of the preliminary plan have changed so as to raise reasonable question regarding the developer's ability to continue with the plan, it may withdraw its approval of the plan; a report of this action shall be sent immediately to the Governing Body along with a recommendation that the PUD district be changed back to the original zone classification.

In accordance with the schedule presented in the preliminary plan, the developer may elect to seek final approval of only a geographic section or sections of the land included within the total development.

F. Changes and Modifications:

- I. A final PUD, approved by the RPC, is the sole basis for granting minor modifications for site reviews or final plats for any portion of the final development plan.
- II. Major changes to the PUD, after it has been adopted by the Governing Body, shall be considered the same as a new application and shall be made in accordance with the procedures specified in this ordinance.

Major modification may include but are not limited to the following:

- a. An increase in gross density of greater than 10%,
- b. Alteration of exterior boundaries, properties, or acreage,
- c. Significant adjustments to major roadway alignments, or
- d. Significant adjustments to the types and intensity of proposed uses.

- III. Minor changes in PUDs may be approved by the RPC Director provided that such changes:
 - a. Density changes less than +/- 10%,
 - b. Minor adjustments to the boundaries of the use districts in an MXU-PUD,
 - c. Minor shifts in location of buildings and parking, or
 - d. Minor adjustments to alignments of major roadways and changes to local streets, utility easements, and public open spaces.
- G. **Filing of an approved Final Plan:** Upon approval of a final plan, the plan and all maps, covenants, and other portions thereof shall be filed with the following agencies:
 - I. The County Register of Deeds,
 - II. The Regional Planning Commission,
 - III. The City Building Official.
- H. **Failure to begin PUD development:** If no construction has begun or no use established in the PUD three (3) years from the date of approval of the final PUD plan, the RPC may require the landowner to appear before it and to present evidence substantiating that he has not abandoned the project and possesses the willingness and ability to continue its development. At its discretion and for good cause shown, the RPC may extend the time period for completing the PUD plan. In the event the RPC finds that conditions which supported approval of the PUD plan have changed so as to raise reasonable question regarding the developer's ability to continue with the plan, it may withdraw its approval of the plan; a report of this action shall be sent immediately to the City Council along with a recommendation that the PUD district be changed back to the original zone classification.

If site preparation commences and permits are secured within three (3) years then the vesting period shall be extended an additional two (2) years to commence construction from the date of the expiration of the (3) year period. Per TCA 13-3-413, developments with two (2) or more phases shall each have a separate vesting period as described in the development plan.

- I. **Enforcement of the development schedule:** The construction and provision of all common open spaces and public and recreation facilities which are shown on the final plan must proceed according to the approved phasing plan. From time to time the RPC shall compare the actual development accomplished with the approved schedule for development. If the RPC finds that the construction of dwelling units or other commercial structures is different than the approved final phasing plan, the RPC may take any of the following actions:
 - I. Cease approval of any additional final plats.
 - II. Instruct the City of Clarksville Building Official to discontinue issuance of building permits and/or certificates of occupancy.
 - III. In any instance where the above actions are taken, the RPC shall gain assurance that the relationship between the construction of dwellings or other structures of a commercial nature and the provision of common open spaces and public and recreational facilities is brought into adequate balance prior to the continuance of construction.

2. PUD and MXU-PUD Submittal Requirements

A. Eligibility and Minimum Requirements

- I. **Consistency with The Comprehensive Plan:** No PUD shall be approved unless the final development plan is found to be consistent with goals and objectives of the long-range comprehensive plan.
- II. **Ownership:** No tract of land may receive final approval as a residential planned unit development without being under single ownership. Unless otherwise provided as a condition of approval, the developer of an approved planned unit development may divide and transfer parts of the development prior to completion. The transferee shall complete each part, and shall use and maintain it in strict conformance with the adopted final planned unit development plan.
- III. **Minimum Requirements:**
Upgrades to infrastructure may be incurred at the developer's expense to provide adequate infrastructure and services to the MXU-PUD.

	PUD (City Only)	MXU-PUD
Minimum Requirements		
Min acres	1 acre	5 acres
Max acres	25 acres	NA
Min density	5 dwelling units per gross acre	5 dwelling units per gross acre
Max density	40 dwelling units per gross acre	40 dwelling units per gross acre
Mixture of Uses	Residential Minimum 80% of building square footage*	Maximum single use 80% of land area
Utilities and Services		
Fire	NA	Must demonstrate adequate fire protection
Transportation	Traffic Assessment Required at Preliminary PUD when peak hour trips exceeds 100 trips. A Traffic Study may be required at Final PUD as required by the Street Department.	Traffic Impact Study Required
Water and Sewer	Public Water and Sewer required.	Public Water and Sewer required. A statement from the utility provider that they can service the development.

** = Accessory Uses (neighborhood commercial, assembly, office) shall not exceed 20% gross building square footage and must be designed as an integral part of the development; external advertising or other characteristics which would alter the residential scenic quality, noise level, or traffic level shall not be permitted.*

B. General Provisions

- I. **Separation of Structures:**
 - a. The proposed location of all structures shall not be detrimental to existing or prospective adjacent dwellings or to the existing or prospective development of surrounding neighborhoods.
 - b. There shall be a minimum distance between detached structures as follows:

- i. Ten (10) feet for three (3) stories.
- ii. Twenty (20) feet for four (4) stories.
- iii. Four (4) additional feet for each story above four (4) stories.
- c. In no instance shall any one structure extend more than two hundred (200) feet in length without being separated by breezeway or open space break of at least sixteen (16) feet at the ground floor level.
- d. For structures exceeding three (3) stories or thirty-five (35) feet in height, the RPC shall be consulted concerning the location and proper spacing for these units.
- e. No more than twelve (12) single-family attached dwellings (townhouses) may be attached to one another. Each townhouse unit must be a minimum of sixteen (16) feet wide.

II. Height of Buildings:

- a. Any structure which exceeds thirty-five (35) feet or three (3) stories in height must be approved by the RPC.

III. Perimeter Treatments and Landscaping:

- a. At the perimeter of any residential area, buildings shall generally be designed to harmonize in scale, setback, and mass with adjacent buildings outside the boundary of the PUD. The setbacks and heights of structures bordering the PUD shall be a guide for the setbacks of buildings at the perimeter.
- b. The structures must be placed so that the privacy of the occupants of adjacent low-rise dwellings is not invaded by the location of high-rise structures.
- c. If topographical or other barriers do not provide adequate privacy for existing residential uses adjacent to the PUD, the RPC may impose any of the following:
 - i. Structures located on the perimeter must be set back by a distance sufficient to protect the privacy and amenity of adjacent existing uses.
 - ii. Structures located on the perimeter must be permanently screened in a manner which is sufficient to protect the privacy and amenity of adjacent existing uses.
 - iii. The rear lot of residential structures that front a state, arterial, or collector road must provide adequate screening from the roadway.
 - iv. Structures on the perimeter must step down to no more than one story above adjacent structures.
- d. The pattern of existing streets and pedestrian connections shall be continued from and to existing developments. Stubouts should be provided for future connectivity to adjacent developments. Stubouts must be provided on dedicated public roads only to allow for eventual through traffic.
- e. Landscaping shall be provided in accordance with Chapter 7 of this Ordinance. Landscape buffering requirements along the perimeter of a PUD development shall be determined by the RPC staff. Buffering requirements shall be based upon the use(s) proposed along the perimeter of the PUD development and the adjacent zone district. The buffer yard matrix shall be used as a guide in this determination.

IV. Uses

- a. Refer to the use table (Chapter 3) for accessory uses in a PUD
- b. The following uses are not permitted in an MXU-PUD:
 - i. Adult Oriented Establishments
 - ii. Automobile Parts Sales (With Outdoor Display)
 - iii. Automobile Rentals
 - iv. Automobile Repair Service, Major
 - v. Automobile Sales

- vi. Boat Dealers
- vii. Boat Repair and Service
- viii. Building Contractor Supply
- ix. Bus and Truck Service
- x. Crematory
- xi. Farm / Garden Machinery and Equipment Sales and Repair
- xii. Heavy Equipment Sales
- xiii. Kennel, Breeding
- xiv. Kennel, Boarding
- xv. Manufactured Home Sales
- xvi. Self Storage/Mini
- xvii. Tire Recapping
- xviii. Tow-in-lots
- xix. Wrecker Services
- xx. Freight Transportation

V. Open Space.

a. Quantity of open space:

Open Space Requirements		
	PUD	MXU-PUD
Minimum Acres of Open Space	15% of Gross Acreage	<10 Acre Site: 15% of Gross Acreage >10 Acre Site: 20% of Gross Acreage
Provision of active open space and amenities subject to the approval of the RPC	5% reduction*	5% reduction*
Within ¼ mile of a public park and connected via trail or sidewalk	5% reduction*	NA

**- only one 5% reduction may be used in a PUD*

- b. In any instance where it can be established by the landowner that the percent open space requirement would preclude the development of a proposed PUD, this requirement may be varied by the RPC. However, any such variance granted must be for the express purpose of alleviating any hardship and any reduction actually granted must not go beyond that which is needed to alleviate the hardship.

V. Quality and improvement of common open space

- a. Common open space must be for amenity or recreational purposes.
- b. Existing natural areas worthy of preservation, may count towards up to half of the required open space and where possible shall include passive recreational amenities (trails, boardwalks, benches, gazebos, etc.).
- c. Open space must be set aside according to the phasing plan so that it becomes available as dwelling units are occupied.

- d. Certificates of Occupancy will be held until the open space is available according to the phasing plan.

VI. Maintenance of common open space:

- a. The developer shall choose one or a combination of the following methods of administering open space:
 - i. Public dedication to the City of the open space. This method is subject to formal acceptance by the subject Parks and Recreation Department and the appropriate elected body.
 - ii. Establishment of an association or nonprofit corporation of all individuals or corporations owning property within the PUD to ensure the maintenance of all open space.
- b. All privately owned open space shall continue to conform to its intended use through the inclusion in all deeds or appropriate restrictions. The deed restrictions shall run with the land.
- c. If the developer elects to administer common open space through an association or nonprofit corporation, the organization shall conform to the following requirements:
- d. The developer must establish the association or nonprofit corporation prior to the sale of any lots.
- e. Membership in the association or nonprofit corporation shall be mandatory for all residential property owners within the PUD.
- f. If the developer elects an association or nonprofit corporation as a method of administering common open space, the title to all residential property owners shall include an undivided fee simple estate in all open space.
- g. A copy of the association documents or restrictive covenants shall be provided to the RPC prior to final approval.

VII. Streets, Access, and Pedestrian Circulation

- a. **Access:** Access to each dwelling unit shall be provided via a public right-of-way or a private vehicular or pedestrian way owned by the individual lot owner in fee simple or in common ownership with the other residents of the PUD. Private roads are to be allowed within the PUD if they meet the minimum subdivision regulation standards. Private roads shall not be permitted along the perimeter of the PUD unless approved by the RPC. Access and circulation shall adequately provide for fire-fighting and police equipment, furniture moving vans, fuel trucks, refuse collection, and deliveries. Multiple curb cuts are discouraged along state, collector, or arterial roads.
- b. **Stubouts** must be located on publicly dedicated streets. Streets should continue the grid pattern of existing streets or provide stubouts for future connections.
- c. **Pedestrian circulation:** There shall be constructed sidewalks or an equivalent paved internal pedestrian circulation system. All sidewalks shall meet American with Disabilities Act (ADA) requirements. The pedestrian circulation system shall be reasonably insulated from the vehicular street system in order to provide separation of pedestrian and vehicular movement. This shall include, when deemed necessary by the RPC, pedestrian underpasses and overpasses in the vicinity of schools, playgrounds, local shopping areas, and other neighborhood uses which generate considerable pedestrian traffic.

VIII. Off-Street Parking:

- a. Parking for residential uses shall be provided per the table below.

Residential Parking Requirements

Residential Uses	1 Bedroom	2 Bedroom	3 Bedroom	4 or more Bedrooms
Single-Family and Duplexes	2	2	2	3
Multi-family Units (Triplex, Quadplex, Attached Townhomes, and Apartment Buildings)	1.25	1.75	2	3

- i. Garage parking spaces (attached or detached) may be counted toward the overall parking rate for a project of 0.5 spaces per enclosed garage parking space.
- ii. Four (4) seats in the main auditorium of churches and other public buildings.
- iii. Parking spaces for parks, playgrounds, community buildings, or activities as required by the RPC according to the design of the PUD.
- iv. Leasing offices shall provide one space for every worker at the largest shift and an additional 10% of the required parking for guests and deliveries.
- v. Parking for commercial and nonresidential uses shall be provided per the parking requirements in Chapter 6 of the Zoning Ordinance.
- vi. On-street parking adjacent to the use may count as 1:1 ratio for parking requirements
- b. Certain uses within an MXU-PUD may use the following parking discounts for use districts vertical or adjacent to each other:

Parking Discounts

	Residential	Lodging	Office	Retail	Institutional
Residential	0%	10%	30%	20%	30%
Lodging	10%	0%	40%	30%	20%
Office	30%	40%	0%	20%	40%
Retail	20%	30%	20%	0%	30%
Institutional	30%	20%	40%	30%	0%

IX. Site Improvements

a. Utilities:

- i. Underground utilities shall be a requirement in connection with a PUD. Whenever more than one dwelling unit is contained within a building and ownership of the separate dwelling units will be in fee simple or in any ownership other than joint ownership, separate services such as water, power, and sanitary sewer shall be provided to each dwelling unit.

- b. **Sanitary sewers:**
 - i. Each PUD must be connected to a public sanitary sewer system.
 - ii. All principal sanitary sewer lines shall be located within the street right-of-way or public easements.
 - iii. Storm sewers: Storm drainage structures shall be constructed in accordance with standard plans and specifications furnished in the subdivision regulations.
 - c. **Fire hydrants:**
 - i. Fire hydrants shall be in a location approved by the Clarksville Fire Department.
 - d. **Stormwater Regulations:**
 - i. For City stormwater regulations refer to the City Street Department.
- X. **Phasing:**
- a. Each phase within a PUD shall be planned with consideration of existing surroundings and available facilities and services so that it will not have an adverse impact on the PUD or its surroundings.
 - b. Phasing shall be determined at the pre application meeting between the developer and RPC Staff. The RPC may require the site to develop in specific phases if public facilities are not adequate to service the entire development initially.
 - c. Each stage must be substantially complete within itself before moving onto the next phase.
 - d. For MXU-PUDs the phasing plan must consider the mixture of uses and allocation of open space and public facilities. Before the final phase of any MXU-PUD commences the proposed percentages of each land use district must be complete per the phasing plan.

3. **Preliminary plan requirements:**

A. **PUD Preliminary Plan requirements:**

- I. The developer of a PUD planned unit development shall submit a preliminary PUD plan in the form of a rezoning request to the RPC for its review and recommendation to the appropriate elected body.
- II. The preliminary PUD plan shall contain a schematic plan and written statement that will depict the intent and character of the development.
- III. The preliminary plan shall be prepared by a qualified design team combining at least two (2) of the following professionals: A registered land surveyor, or civil engineer and one of the following: architect, landscape architect, or urban planner.
- IV. **The schematic plan** must cover all property which is to be included in the total proposed development and should be sufficiently detailed to allow for effective review. Detailed site plans are not necessary at this stage of the application process, and residential and other areas may be shown schematically. Maps which are a part of the preliminary plan shall contain as a minimum the following information:
 - a. Name of the proposed development, name and address of the landowner, and name and address of the designers of the development.
 - b. Location, accessibility, and existing zoning of the proposed site
 - c. Tabulation of total number of acres in the proposed development and percentage designated for various uses.
 - d. The physical characteristics, type of development, and land use of the surrounding area.
 - e. Adjacent streets and proposed points of access.
 - f. Density and character of the proposed development.

- g. Expected development phasing schedule
- h. Existing topographic character of the land and existing natural features.
- i. Property lines and names of adjacent owners.
- j. Location and description of any existing utilities or easements in the area encompassed by the proposed development.
- k. Existing and proposed land uses and the approximate location of buildings and other structures.
- l. Proposed street layout, access points, and pedestrian circulation
- m. Public uses, including schools, parks, playgrounds, and other open spaces.
- n. North arrow and graphic scale.

V. **The written statement**, in addition to providing necessary information, affords the developer an opportunity to express their intentions and to elaborate on his plan. The written statement may offer any additional supportive information which the applicant was unable to present graphically.; however, it shall contain as a minimum the following information: It shall include.

- a. An explanation of the character of the PUD and the manner in which it has been planned to take advantage of the regulations.
- b. How the R-PUD is a benefit to the community and enhances the surrounding land uses.
- c. Statement of present ownership.
- d. Expected development schedule.
- e. Substance of proposed covenants, grants, or easements or other restrictions to be imposed upon the use of the land.

B. Preliminary Plan Requirements for MXU-PUD Only

The preliminary MXU-PUD development plan shall be submitted to the RPC for its review and recommendation to the appropriate elected body. The preliminary development plan shall contain a:

- a. A schematic plan, and
- b. A pattern language document which will inform the approving agencies and the general public.

The preliminary development plan shall be prepared by a qualified design team consisting of, a registered land surveyor, or civil engineer and one of the following: an architect, landscape architect, or urban planner.

I. Schematic Layout Plan:

- a. Gross Density (du/acre) Overall Plan
- b. Title Bar: location, scale bar, north arrow, project title, name and address of landowner, name and address of MXU-PUD designers
- c. Use Districts: commercial, residential, institutional, open spaces, mixed use, with the size and percentage of total acreage, gross density, and maximum building heights for each. Naming of use districts is subject to the development team.
- d. Proposed points of access and stub roads
- e. Major Streets and Pedestrian Network
- f. Major Structures, Open Spaces, and Parking
- g. Surrounding type of development, land use and zoning

- h. Perimeter Treatments (buffers, landscaping, setbacks, pedestrian and street connections, building heights and stepdowns)
- i. Floodplains and topography
- j. Existing utilities and major easements
- k. Property lines
- l. Other information as required by the Planning Commission Staff.

II. **Pattern Language Document:**

- a. A pattern language document affords the developer an opportunity to express her or his intentions and to further elaborate on the plan. The pattern language statement may include any additional supportive information the developer was unable to communicate graphically and will become the basis for the final MXU-PUD development plan for RPC staff site review of any current and subsequent phases of development.
- b. The document shall at a minimum contain the following:
- c. **Summary**
 - i. General description of character and intent of MXU-PUD
 - ii. Existing zoning
 - iii. Statement of present ownership
 - iv. Anticipated development schedule or phasing plan
 - v. Statement of responsibility for drainage, open space, and road maintenance (public and private)
- d. **Use Districts**
 - i. Lot sizes Min/Max
 - ii. Setbacks Min/Max (rear, side, front)
 - iii. Land Use Tables
 - iv. Parking Table
 - v. Percent Building Frontage on primary street (70% min), on secondary street (30%)
 - vi. Gross density
- e. **Building Typology for each use district**
 - i. Residential Examples: single-family, small lot, townhomes, cottage courts, courtyard apartments, triplex, quadplex or greater
 - ii. Commercial Examples: Village Center, Town Center, Vertical Mixed Use, Town Square, Green Spaces, Institutions
 - iii. Design Standards: Detailed design standards may also be including for each use district
- f. **Structures: spacing, height, and location**
 - i. Structures shall provide building frontage along the primary street of not less than 70% with parking to the side or rear. Structures on corner lots must provide building frontage of not less than 30% along the side or secondary street(s).
 - ii. Structure height shall be set by the Pattern Language Document and Parameter requirements. The proposed heights of structures shall be reviewed by the RPC in order to establish:
 - iii. That proper fire protection is provided
 - iv. That the location and spacing of the structures is adequate to provide proper light and air

- v. That the privacy of the occupants of adjacent low rise structures is not invaded by the location of taller multi-story structures
- g. **Perimeter and Transitions**
 - i. Building Heights
 - ii. Buffers
 - iii. Landscaping
 - iv. Vehicular and Pedestrian Connections
- h. **Streets and Pedestrian Network Typology Hierarchy:**
 - i. Scaled cross sections with overall ROW, travel lane, sidewalk, and planting strip widths.
 - ii. A street hierarchy table must be established to promote the efficient flow of traffic and pedestrians to various uses within and adjacent to the site. The following table is a guide for street design in the MXU-PUD. Other complete street typologies may be considered including “ITE: walkable Urban Thoroughfares” and “NACTO Urban Street Design Guide” upon approval by the streets department.

Complete Streets Typology - Example

	Collector	Sub-collector	Local Street	Alley
Average Daily Trips	750 or more	750 -1500	Less than 250	NA
Right-of-way	71-88 feet	48-72 feet	35 to 50 feet	20 feet
Auto Travel Lanes	Two or three 12 foot lanes	Two 10 foot lanes	Two 10 foot lanes	Two 9 feet lanes for two-way traffic, or one 10 foot lane for one-way traffic
Bicycle lanes	6’ with on-street parking	4’ lanes with no on-street parking or 6’ with on-street parking	4’ lanes with no on-street parking	None
On-street Parking	9’	8’	8’	NA
Curb and Gutter	6” full face (or rolled curb at intersections)	6” full face (or rolled curb at intersections)	6” full face	NA
Sidewalks	8’ min	5’ min	4’ min	NA
Planting Strips	6’ min	4’ min	4’ min	NA

Note: Table adapted from Massachusetts Smart Growth Toolkit, TND Model Ordinance

Collector. This street provides access to commercial or mixed-use buildings, but it is also part of the [city/town]’s major street network. On-street parking, whether diagonal or parallel, helps to slow traffic. Additional parking is provided in lots to the side or rear of buildings

Sub-collector. This street provides primary access to individual residential properties and connects streets of lower and higher function. Design speed is 25 mph.

Local Street. This street provides primary access to individual residential properties. Traffic volumes are relatively low, with a design speed of 20 mph.

Alley. These streets provide secondary access to residential properties where street frontages are narrow, where the street is designed with a narrow width to provide limited on-street parking, or where alley access development is desired to increase residential densities. Alleys may also provide delivery access or alternate parking access to commercial properties

The following parking discounts may be applied for mixed use areas (vertical or adjacent uses) within the MXU-PUD.

- C. Final PUD Plan:** Upon approval of the City Council, the developer may then complete a final PUD plan for review by the RPC. The final PUD plan shall conform to the preliminary PUD plan and shall be sufficiently detailed to indicate fully the ultimate operation and appearance of the development, or portion thereof, and shall include, but not be limited to, all of the following:

Final PUD plan drawings at a scale no smaller than one inch equals 50 feet that includes:

- I. Anticipated finished topography of the area involved (contours at vertical intervals of not more than five (5) feet).
- II. Circulation plan indicating the proposed movement of vehicles, goods, and pedestrians within the R-PUD and to and from existing thoroughfares. This shall specifically include:
- III. Specifications for proposed streets;
- IV. A plan of any sidewalks or proposed pedestrian ways;
- V. Any special engineering features and traffic regulation devices needed to facilitate or ensure the safety of the circulation pattern
- VI. Off-street parking and loading plan showing ground coverage of parking areas.
- VII. Areas proposed to be conveyed, dedicated, or reserved for parks, parkways, and other public or semipublic open space uses including any improvements which are to be deeded as part of any common use area
- VIII. Information regarding the physical characteristics of the surrounding area and development within one hundred (100) feet.
- IX. Plot plan for each building site and common open space, showing the location of all buildings, structures, and improvements, and indicating the open spaces around buildings and structures.
- X. Plan for proposed utilities including sanitary sewers, storm sewers, gas lines, water lines, and electric lines and showing proposed connections to existing utility systems.
- XI. Plan showing the use, height, bulk, and location of all buildings and other structures. Any drawings used to meet this requirement need not be the result of final architectural decisions and need not be in detail.

- XII. Generalized land use map and a tabulation of land area to be devoted to various uses and activities.
- XIII. Tabulation of proposed densities to be allocated to various parts of the area to be developed. This tabulation is to be both in numbers of dwelling units and in projected population.
- XIV. Plan which indicates location, function, and ownership of all open spaces, except those open spaces included in fee simple lots.
- XV. Drafts of all proposed covenants and grants of easement (particularly those pertaining to common open space).

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EFFECTIVE DATE: October 7, 2021

ORDINANCE 29-2021-22

AN ORDINANCE AMENDING THE OFFICIAL CODE OF THE CITY OF CLARKSVILLE, TITLE 4 (BUILDING, UTILITY, AND HOUSING CODES) RELATIVE TO NON-SINGLE FAMILY HOUSING.

WHEREAS, the City of Clarksville Building & Codes department issues permits for single family and non-single family structures to ensure compliance with building codes for the safety of our citizens.

WHEREAS, the Clarksville City Council has determined that it is in the best interest of the City of Clarksville and its citizens to codify current practice and fee schedules presently in place at the Building and Codes Office.

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

That section 4-203 be deleted in its entirety, and replaced with the following:

Sec. 4-203 - Building permit fees.

(1) Effective January 1, 2009 the cost of a building permit for any single family-housing unit will be twenty-two cents (\$0.22) per square foot. The fee rate is applicable to total heated and unheated square footage. This fee reflects the combined cost of building and development inspection services provided by the city offices of building and codes, street department and fire services. At any time, the building and codes department may request construction plans as part of the validation process. Builders who are consistently found to misjudge building permit footage will be required to submit construction plans for each permit requested.

The cost factors that go into the single family-housing building permit fee will be reviewed, analyzed for potential fee adjustments as needed. The cost factors may include services provided by building and codes, street department, fire services. A mandatory inflation factor of one cent (\$0.01) per year will be applied. Effective January 1, 2010, the cost of a building permit for any single-family housing unit will be twenty-three cents (\$0.23) per square foot. The revised building permit fee will be posted by January 1 of each year thereafter.

(2) The cost of a building permit fee for any non-single family housing unit shall be as follows:

Total Valuation	Fee
\$1,000 and less	A minimum fee of \$15.00 shall be charged.
\$1,000 to \$50,000	\$15.00 for the first \$1,000.00 plus \$5.00 for each additional thousand or fraction thereof, to and including \$50,000.00.
\$50,000 to \$100,000	\$260.00 for the first \$50,000.00 plus \$4.00 for each additional thousand or fraction thereof, to and including \$100,000.00.
\$100,000 to \$500,000	\$460.00 for the first \$100,000.00 plus \$3.00 for each additional thousand or fraction thereof, to and including \$500,000.00.
\$500,000 and up	\$1,660.00 for the first \$500,000.00 plus \$2.00 for each additional thousand or fraction thereof.

The City reserves the right to require a detailed breakdown of cost, should the submitted valuation be less than seventy-five (75) percent of the most recent International Building Code (ICC) Building Valuation Table.

Costs associated with a mechanical permit will be excluded from the non-single family housing unit calculation.

(3) A reinspection permit is not required for the first reinspection for a footing, framing, or final. A reinspection permit shall be required when a second or subsequent reinspection is necessary. The cost for such permit shall be twenty dollars (\$20.00).

(4) When the valuation of the proposed construction of commercial buildings or multi-family dwellings exceeds one thousand dollars (\$1,000.00) and a plan is required to be submitted by 2009 International Building Code Section 106.1, a plan-checking fee shall be paid to the building official at the time of submitting plans and specifications for checking. Said plan-checking fee shall be equal to one-half of the building permit fee as set forth in 2009 International Building Code Section 108.1. Such plan-checking fee is in addition to the building permit fee.

(5) Additional fees are as follows:

For the moving of any building or structure \$50.00

For the demolition of any structure \$50.00

Temporary tents \$100.00

Temporary structures \$100.00

All signs \$25.00

Placement of accessory structures \$25.00

No permit fees shall be imposed for signs erected in residential districts on currently occupied single family properties pursuant to section 11-503.

Fees for the erection of temporary tents, signs, and structures in conjunction with public functions, festivals, street fairs, or other similar celebrations being conducted pursuant to City Code section 5-1001 shall be governed by regulations adopted by the agency designated in City Code section 5-1001.

(Ord. No. 57-1987-88, 5-5-88; Ord. No. 37-1994-95, 12-7-94; Ord. No. 6-1997-98, 8-7-97; Ord. No. 7-1998-99, § 5, 10-1-98; Ord. No. 8-1999-00, 8-5-99; Ord. No. 33-2005-06, § 1, 10-6-05; Ord. No. 60-2005-06, 3-2-06; Ord. No. 98-2006-07, 5-3-07; Ord. No. 8-2008-09, 9-9-08; Ord. No. 99-2010-11, 7-7-11; Ord. No. 64-2016-17, §§ 3, 4, 6-1-17)

FIRST READING: November 4, 2021 (Postponed October 7)

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 30-2021-2022

AN ORDINANCE AMENDING THE OFFICIAL CODE TITLE 1, CHAPTER 2, SECTION 204 RELATIVE TO PRESENTING LEGISLATION AND DELIBERATION OF CITY COUNCIL MEMBERS TO MAXIMIZE EFFICIENCY

WHEREAS, the City wishes to amend the City Code to add language to place a five minute time limit per council member on presentation of legislation and deliberation in an effort to maximize the efficiency of city council meetings.

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

That Title 1 (ADMINISTRATION, OFFICERS, AND PERSONNEL), Chapter 2 (CITY COUNCIL), Section 1-204 (General Rules of Order) of the official Clarksville City Code is hereby amended by deleting Section 1-204 in its entirety and substituting therefore a new Section 1-204 as follows:

Sec. 1-204. – General rules of order.

- a. The rules of order and parliamentary procedure contained in Robert's Rules of Order, Revised, shall govern the transaction of business by and before the city council at its meetings in all cases to which they are applicable and in which they are not inconsistent with special rules in the city's Charter or adopted by the council and set out in this Code.
- b. During public hearings concerning zoning amendments, no more than two (2) people shall speak for or against a proposed amendment. Each speaker shall be allowed a maximum of five (5) minutes to speak, and one proponent and one opponent of the amendment shall be allowed an additional three (3) minute rebuttal **and surrebuttal** if requested.
 - (1) No request by an owner of property to postpone council action on a zoning amendment shall be honored if such request is made less than seventy-two (72) hours prior to the meeting of the city council at which such amendment is to be considered. Any request for postponement of a zoning case must be made in writing to the office of the city clerk. Requests meeting the above deadline will be granted one automatic one-month postponement of the scheduled public hearing and scheduled council vote. If a request for postponement is not received prior to the above deadline, the scheduled public hearing will be held and appropriate action will be taken by the city council.
 - (2) A request by an owner of property, and/or authorized agent, to withdraw their application for a zoning amendment from the city council agenda shall be made in writing to the office of the city clerk no less than seventy-two (72) hours prior to the meeting of the city council at which such amendment

is to be considered. An application that is withdrawn shall not be considered by the city council within twelve (12) months of the date of application to the regional planning commission unless re-application is approved by resolution by a three-fourths ($\frac{3}{4}$) majority of city council members present in accordance with Chapter 11, Sec. 11.11, of the city zoning ordinance.

- c. A public comment period shall be conducted before the regular session of the city council from 5:30 p.m. to 6:00 p.m. Any person wishing to address the council shall make such request to the city clerk by noon on Wednesday prior to the regular session and shall submit their name and the topic of said comments. Each person shall be allowed a maximum of five (5) minutes to speak during the comment period. No public comments concerning any zoning amendment to be considered by the city council at such regular session shall be received during this period. The city clerk shall notify council members of beginning time for public comments.
- d.
 - (1) The mayor and city council members shall submit items for inclusion on any regular session agenda to the city clerk at least forty-eight (48) hours prior to the meeting of any standing committee which will review such items. The city clerk shall forward all such items to the standing committee or committees which, in the opinion of the city clerk and sponsor(s), should appropriately review such items and make recommendations thereon to the full city council. Upon such review, all items shall be placed on the regular session agenda, regardless of whether a favorable recommendation for adoption is made by any committee.
 - (2) Alternatively, a member (or mayor) submitting an item may direct the city clerk that the item be placed directly on an executive session agenda, without referral to a standing committee.
 - (1) Department heads may place items pertaining to that department directly on a standing committee agenda, with notice to the city clerk no later than forty-eight (48) hours prior to a committee meeting. In order for such items to be included on a regular session agenda, they must receive the favorable recommendation of a majority of the committee and, in the case of items requiring budget adjustments by the council, the favorable recommendation of the finance and administration committee. In the event that an item does not receive the necessary favorable committee recommendations, such an item may be subsequently requested for inclusion on the executive and regular session agendas by a member of the council or the mayor.
 - (2) All agendas for all meetings shall be available to the public twenty-four (24) hours prior to the meeting.
 - (3) The provisions of this subsection d. shall not apply to an agenda item which is required to originate with an application or similar filing with the Clarksville-Montgomery County Regional Planning Commission.

- (4) A member of the council (or the mayor) may place items on the regular session agenda that have not been considered by a standing committee or by the full city council at its executive session. However, such items may only be considered as new business upon a three-fourths majority vote of the council members in attendance to do so. A public comment period shall be conducted during committee meetings and during the executive session of the city council, not to exceed fifteen (15) minutes unless waived by the chairman. Each person shall be allowed a maximum of five (5) minutes to speak during the comment period.
- e. No public comments concerning any zoning amendment to be considered by the city council at its next regular session shall be received during the public comment period held after executive sessions.
 - f. Except for budget ordinances, no resolution or ordinance previously denied upon a vote of the city council shall be reintroduced within a period of one year; however, such a resolution or ordinance may be reintroduced as new business upon a two-thirds ($\frac{2}{3}$) majority vote of the council members present. The determination of whether a resolution or ordinance is the same as one previously denied shall be determined by the chair, whose decision shall be subject to a majority vote of the full membership of the city council.
 - g. The executive session of the city council shall be held on the Thursday preceding the Thursday on which the regular session is to be held. Executive sessions may be rescheduled with sufficient notice to the city council. Effective November 2003, all executive sessions of the city council shall be held in City Council Chambers, 108 Public Square, Clarksville, Tennessee. The mayor may schedule the executive sessions at a location other than the city council chambers by designating such an alternative location no less than forty-eight (48) hours prior to that meeting.
 - h. Any proposed ordinance or resolution reviewed by any committee shall be presented to the full council with a recommendation by the appropriate committee no more than forty-five (45) days after such ordinance or resolution is presented to the committee.
 - i. Each City Council member, to include the Mayor, shall be limited to speak, comment, make statements or arguments, ~~or ask questions~~, during regular ~~or special-called~~ voting sessions, no more than two times for five minutes each time, and the introduction or presentation of legislation shall count as one time, but the five minute period shall not commence until after a motion and a second have been obtained by the chair and the sponsor recognized, on any main motion, or any amendment to any main motion, or any amendment to an amendment to any main motion, or on any procedural motion. The time limit shall not apply to and shall not limit the speaking time of a City Council member when that City Council member is asking a question to a fellow City Council member, or answering a question from a fellow City Council member.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 48-2021-22

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF John & James Clark FOR A ZONE CHANGE ON A tract fronting on the north frontage of E. Boy Scout Rd. 1,450+/- feet west of the E. Boy Scout Rd. & Needmore Rd. intersection & a tract fronting on the south frontage of E. Boy Scout Rd. 2,025+/- west of the E. Boy Scout Rd. & Needmore Rd. intersection.

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/ C-2 General Commercial District as R-1 Single-Family Residential District/ R-4 Multiple-Family Residential

PUBLIC HEARING: November 4, 2021

FIRST READING: November 4, 2021

SECOND READING: December 2, 2021

EFFECTIVE DATE:

EXHIBIT A

R-4 Zoning description:

Beginning at a point, said point being 888+/- feet in a southwesterly direction from the centerline of the Needmore Rd. & E. Boy Scout Rd. intersection, said point being further identified as the southwest corner of the Bill Mace property & located in the northern R.O.W. margin of E. Boy Scout Rd., thence in a westerly direction 1,015 +/- feet with the northern R.O.W. margin of E. Boy Scout Rd. to a point, said point being the southeast corner of the Aaron Fortin property, thence in a northerly direction 322 +/- feet to a point, and 40 +/- feet in a westerly direction to a point & 108 +/- feet in a northerly direction with the eastern boundary of the Aaron Fortin property & others to a point, said point being in the southern boundary of the Wynwood Apartments, LLC, thence in a easterly direction 956 +/- feet with the southern boundary of the Wynwood Apartments, LLC property to a point, said point being the northwest corner of the City of Clarksville/William Belew property, thence in a southerly direction 424 +/- feet with the western boundary of the City of Clarksville/William Belew property & Bill Mace property to the point of beginning, said herein described tract containing 10.5 +/- acres

R-1 Zoning description:

Beginning at a point, said point being 1,794 +/- feet in a southwesterly direction from the centerline of the Needmore Rd. & E. Boy Scout Rd. intersection, said point being further identified as the northwest corner of the William H Scoggin, III property, thence in a southerly direction 310 +/- feet with the western boundary of the William H Scoggin, III property, to a point, said point being in the

northern bank of the Big West Fork Creek, thence in a westerly direction 397 +/- feet with the northern bank of the Big West Fork Creek to a point, said point being the southeast corner of the Casey J. Furman property, thence in a northerly direction 244 +/- feet with the eastern boundary of the Casey J. Furman property, to a point, said point located in the southern R.O.W. boundary of the E. Boy Scout Rd. R.O.W., thence in easterly direction 309 +/- feet, with the southern R.O.W. boundary of the E. Boy Scout Rd. R.O.W to the point of beginning, said herein described tract containing, 2.04 +/- acres.

ORDINANCE 49-2021-22

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE,
APPLICATION OF SPENCER PATRICK AND SHERRY S JOHNSON FOR A ZONE CHANGE
ON PROPERTY FRONTING ON THE WEST FRONTAGE OF PEACHERS MILL RD. SOUTH
OF THE PEACHERS MILL RD. & POLLARD RD. INTERSECTION.

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: November 4, 2021

FIRST READING: November 4, 2021

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point in the west right of way of Peachers Mill Road, said point of beginning being further described as the southeast corner of the Andrew Johnson property as recorded in ORV 163, Page 82 ROMCT, lying North 74 degrees 40 minutes 18 seconds West for 26.31 feet from the intersection of the centerlines of Pollard Road and Peachers Mill Road; Thence along Peachers Mill west right of way for the next three calls: On a curve to the right having a radius of 1075.00 feet, arc length of 36.31 feet, tangent of 18.16 feet a chord bearing of South 01 degrees 09 minutes 00 seconds West for 36.31 feet to a point; South 02 degrees 07 minutes 03 seconds West for 389.03 feet to a point; On a curve to the left having a radius of 1235.00 feet, arc length of 686.64 feet, tangent of 352.45 feet a chord bearing of South 13 degrees 48 minutes 37 seconds East for 677.83 feet to a point, being the northeast corner of the Johnson Cemetery as recorded in WB-AF, Page 102 ROMCT; Thence leaving west right of way along the cemetery north property line for the next six calls: South 82 degrees 35 minutes 49 seconds West for 195.53 feet to a point; North 85 degrees 32 minutes 33 seconds West for 181.61 feet to a point; North 02 degrees 47 minutes 54 seconds East for 158.00 feet to a point; North 16 degrees 04 minutes 21 seconds West for 110.41 feet to a point; North 89 degrees 47 minutes 31 seconds West for 86.42 feet to a point; South 25 degrees 58 minutes 24 seconds West for 196.68 feet to a point, lying in the east boundary of the Johnson Heights subdivision section A as recorded in PB 12, Page 64 ROMCT, also being the southwest corner of herein described tract; Thence along Johnson Heights east boundary line for the next three calls: North 06 degrees 47 minutes 44 seconds East for 324.98 feet to a point; North 47 degrees 21 minutes 32 seconds

West for 154.37 feet to a point; North 83 degrees 45 minutes 34 seconds West for 189.62 feet to a point, being the northwest corner of lot 2 of Johnson Heights, also lying in the east boundary line of the Dalewood subdivision Section E as recorded in PB 7, Page 18 ROMCT; Thence along Dalewood east boundary line, North 06 degrees 05 minutes 29 seconds East for 616.79 feet to a point; Thence North 03 degrees 34 minutes 52 seconds West for 4.58 feet to a point, being the southwest corner of the James Richardson property as recorded in ORV 146, Page 335 ROMCT, also being the northwest corner of herein described tract; Thence along Richardson south property line, South 84 degrees 36 minutes 06 seconds East for 624.88 feet to the point of beginning. Said tract-containing 13.55 acres more or less.

ORDINANCE 50-2021-22

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE,
APPLICATION OF MICHAEL YOUNG FOR A ZONE CHANGE ON PROPERTY LOCATED
NORTH OF MARTIN LUTHER KING BLVD., WEST OF HUNTCO DR. & EAST OF
VAUGHAN RD.

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

A-1 Highway Interchange District as C-2 General Commercial District

PUBLIC HEARING: November 4, 2021

FIRST READING: November 4, 2021

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point, said point being the northern property line of the Michael Young property as described in ORV 2140, page 442, said point being N 48° 09' E for a distance of 1,300 feet from the centerline intersection of Vaughan Road and State Route 76, said pin also being the southeastern corner of the herein described parcel; Thence, along said Michael Young property for the next 3 calls, S 67° 08' 26" W for a distance of 180.67 feet to a point on a line; Thence, N 58° 26' 32" W for a distance of 88.07 feet to a point on a line; Thence, S 63° 43' 22" W for a distance of 12.68 feet to a point on a line, said point being the eastern property line of the Sango Retail Partners as described in ORV 2046, page 75; Thence, along said Sango Retail Partners property for the next 2 calls, N 26° 16' 38" W for a distance of 170.10 feet to a point on a line; Thence, N 83° 29' 05" W for a distance of 135.06 feet to a point on a line, said point being the eastern property line of the Donna Mcendree property as described in ORV 1853, page 2915; Thence, along said Mcendree property, N 15° 32' 59" E for a distance of 582.98 feet to a point on a line, said point being the south eastern property corner of the Vincent Majid property as described in ORV 1928, page 1380; Thence, along said Majid property and along the eastern property of the David Shadwick property as described ORV 1917, page 1429, N 06° 55' 21" E for a distance of 225.10 feet to a point on a line, said point being on the southern property line of the Carl Baldwin property as described in ORV 449, page 1507, said point also being the north west corner of the herein described parcel; Thence, leaving said Shadwick property and along said Baldwin property, S 80° 56' 32" E for a distance of 99.05 feet to a point on a line; Thence, leaving said Baldwin property and along Carl Baldwin property as described in ORV 595, page 225 for the next 4 calls, S 18° 21' 09" W for a distance of 41.23 feet to a point on a line; Thence, S 05° 52' 43" E for a distance of 16.11 feet to a point on a line; Thence, S 64° 23' 46" E for a distance of 98.63 feet to a point on a line; Thence, S 71° 01' 02" E for a distance of 421.43 feet to a point on a line, said point

being the northwestern property line of the Rohit Patel property as described in ORV 1180, page 248, said point also being the north east corner of the herein described parcel; Thence, along said Patel property for the next 2 calls, S 17° 42' 47" W for a distance of 312.71 feet to a point on a line; Thence, S 30° 18' 05" E for a distance of 152.60 feet to a point on a line, said point being the western right of way of Huntco Drive;

Thence, along said Huntco Drive right of way, S 20° 44' 55" E for a distance of 135.68 feet to an iron rod (old), said rod being on the north property line of the Robert Wilson property as described in ORV 1872, page 742, said rod having the coordinates of Northing 799624.14 and Easting 1606739.69; Thence, along said Wilson property, S 69° 13' 36" W a distance of 199.85 feet; Thence, along the Wilson property as described in ORV 1872, page 747 for the next 2 calls, N 58° 51' 54" W for a distance of 133.16 feet to a point on a line; Thence, S 11° 53' 12" W for a distance of 116.73 feet to the point of beginning, said parcel containing 481,971 Square Feet or 11.06 Acres, more or less.

ORDINANCE 51-2021-22

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF 2114 HOLDINGS LLC FOR A ZONE CHANGE ON PROPERTY FRONTING ON THE SOUTH FRONTAGE OF CROSSLAND AVE. 175 +/- FEET WEST OF THE CROSSLAND AVE. & ROBERT S. BROWN INTERSECTION.

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
A-1 Highway & Arterial Commercial District as C-2 General Commercial District

PUBLIC HEARING: November 4, 2021

FIRST READING: November 4, 2021

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at an iron pin (new), said pin being the southern right of way of Crossland Avenue, said pin being S 58° 37' W for a distance of 79 feet from the centerline intersection of Crossland Avenue and Robert S. Brown Drive, said pin being the north west corner of the the Laurence McMillan Jr property as described in ORV 1361, page 2717, said pin also being the northeastern corner of the herein described parcel; Thence, along said Laurence McMillan property, S 18° 58' 53" W for a distance of 183.24 feet to a point on a line, said point being the north east corner of the Frank Bryant property as described in ORV 438, page 1564, said point also being the south east corner of the herein described property; Thence, along said Bryant property, N 68° 27' 30" W for a distance of 159.02 feet to a point on a line, said point being the north east corner of the Colonial Court Subdivision as described in plat book 6, page 68, lot 9; Thence, along said Colonial Court Subdivision, lots 8 and 9 for the next 2 calls N 68° 27' 30" W for a distance of 75.97 feet to a point on a line; Thence, along lot 8, N 68° 10' 34" W for a distance of 74.96 feet to a point on a line, said point being the eastern property line of the Block A Stout & Porter Lots 9 & 10 as described in Plat Book 2 page 67, said point also being the south west corner of the herein described property; Thence, along said subdivision, N 38° 26' 14" E for a distance of 141.41 feet to a point on a line, said point being the southern right of way of Crossland Avenue; Thence, leaving said subdivision and along said right of way, S 78° 45' 39" E a distance of 264.94 to the point of beginning, said parcel containing 45,072 Square Feet or 1.03 Acres, more or less.

ORDINANCE 52-2021-22

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE,
APPLICATION OF Anthony Q Johnson FOR A ZONE CHANGE ON Property fronting on the
north frontage of Daniel St., 155 +/- feet east of the Daniel St. & Lucas Ln. intersection.

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

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by
designating the zone classification of the property described in Exhibit A, currently zoned

R-3 Three Family Residential District as R-6 Single-Family Residential District

PUBLIC HEARING: November 4, 2021

FIRST READING: November 4, 2021

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

BEGINNING AT A 1/2" OPEN TOP PIPE FOUND IN THE NORTH RIGHT OF WAY OF DANIEL STREET, SAID PIPE BEING THE SOUTHEAST CORNER OF THE PASS PROPERTY, RECORDED IN VOLUME 1753, PAGE 2993; THENCE LEAVING SAID RIGHT OF WAY LINE WITH SAID PASS PROPERTY NORTH 06 DEGREES 28 MINUTES 24 SECONDS EAST A DISTANCE OF 148.07 FEET TO A FENCE POST; THENCE WITH THE SOUTH LINE OF BENTON PROPERTY, RECORDED IN VOLUME 487, PAGE 73 AND THE GILLIAM PROPERTY RECORDED IN VOLUME 205, PAGE 612 SOUTH 84 DEGREES 05 MINUTES 36 SECONDS EAST A DISTANCE OF 73.84 FEET TO A FENCE POST; THENCE WITH THE WEST LINE OF THE PROVO PROPERTY, RECORDED IN VOLUME 1013, PAGE 937 SOUTH 06 DEGREES 44 MINUTES 56 SECONDS WEST A DISTANCE OF 150.61 FEET TO A POINT IN CHAIN LINK FENCE LOCATED IN THE NORTH RIGHT OF WAY LINE OF SAID DANIEL STREET; THENCE WITH SAID NORTH RIGHT OF WAY LINE NORTH 82 DEGREES 06 MINUTES 20 SECONDS WEST A DISTANCE OF 73.13 FEET TO THE POINT OF BEGINNING, MORE OR LESS.

ORDINANCE 53-2021-22

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE,
APPLICATION OF BLACK HAWK LAND FOR A ZONE CHANGE ON PORTION OF
PROPERTY EAST OF PEACHERS MILL RD. & SOUTH OF W. BOY SCOUT RD.

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

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned C-5 Highway & Arterial Commercial District as R-2 Single-Family Residential District

PUBLIC HEARING: November 4, 2021

FIRST READING: November 4, 2021

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point in the south margin of W Boy Scout Road, said point being 300 feet west of the centerline of Peachers Mill Road; thence along margin of said road South 83 Degrees 25 Minutes 02 Seconds East 225.02 feet to a point; thence leaving margin of said road South 07 Degrees 25 Minutes 58 Seconds West 1095.91 feet to a point; thence North 82 Degrees 34 Minutes 02 Seconds West 225.00 feet to a point; thence North 07 Degrees 25 Minutes 58 Seconds East 1092.57 feet to the point of beginning containing an area of 5.65 acres.

ORDINANCE 54-2021-22

**AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE,
APPLICATION OF KMG Properties FOR A ZONE CHANGE ON Property fronting on the
north frontage of Notgrass Rd., 220 +/- feet west of the Notgrass Rd. & Arbor St. intersection.**

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

EXHIBIT A

Beginning at a point in the north margin of Notgrass Road; thence North 8 Degrees 00 Minutes West 195.00 feet to a point; thence South 75 Degrees 37 Minutes East 91.92 feet to a point; thence South 08 Degrees 00 Minutes East 160.00 feet to a point in the north margin of Notgrass Road; thence along margin of said road South 82 Degrees 00 Minutes West 85.00 feet to the point of beginning.

Beginning at a point in the north margin of Notgrass Road; thence North 8 Degrees 00 Minutes West 195.00 feet to a point; thence North 82 Degrees 00 Minutes East 77.00 feet to a point; thence South 08 Degrees 00 Minutes East 195.00 feet to a point in the north margin of Notgrass Road; thence along margin of said road South 82 Degrees 00 Minutes West 77.00 feet to the point of beginning.

ORDINANCE 55-2021-22

**AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE,
APPLICATION OF KMG PROPERTIES FOR A ZONE CHANGE ON A PARCEL OF LAND
LOCATED NORTH OF THE NOTGRASS RD. & COPELAND RD. INTERSECTION.**

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: November 4, 2021

FIRST READING: November 4, 2021

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point in the northwest margin of Copeland Road; thence leaving margin of said road North 44 Degrees 21 Minutes West 120.00 feet to a point; thence North 51 Degrees 44 Minutes 50 Seconds East 86.25 feet to a point; thence South 43 Degrees 11 Minutes 15 Seconds East 111.05 feet to point in the north margin of Copeland Road; thence along margin of said road with a curve turning to the left with an arc length of 20.51 feet, with a radius of 1003.00 feet and with a chord of North 46 Degrees 10 Minutes 33 Seconds East 20.51 feet; thence South 45 Degrees 39 Minutes West 63.0 feet to the point of beginning.

ORDINANCE 56-2021-2022

AN ORDINANCE AMENDING THE OFFICIAL CODE OF THE CITY OF CLARKSVILLE REAPPORTIONING THE CITY OF CLARKSVILLE FOR THE PURPOSE OF ELECTING PERSONS FOR THE OFFICE OF CITY COUNCIL [CITYWIDE REAPPORTIONMENT - 2020 CENSUS]

WHEREAS, Tennessee Code Annotated §6-54-102 provides that municipalities may redistrict into new wards whenever, for reasons, if they deem it necessary to do so; and

WHEREAS, the Charter of the City of Clarksville, Article II, Section 1., subsection (a), provides that the City shall be divided into twelve (12) wards for the purpose of electing twelve (12) persons for the office of Councilman; and

WHEREAS, the Charter of the City of Clarksville, Article II, Section 1., subsection (b) provides that the City Council shall by ordinance divide the city into twelve (12) wards to apportion the City Council so that the Councilmen elected from wards shall represent substantially equal populations; and

WHEREAS, the Charter of the City of Clarksville, Article II, Section 1., subsection (b) provides that the City Council may reapportion at any time thereafter, if it deems such action necessary to maintain substantially equal representation based on population; and

WHEREAS, upon the release of the 2020 Federal Census Bureau population figures it was determined that there was a significant imbalance of population among the current City Wards; and

WHEREAS, it is the desire of the Clarksville City Council to have the city reapportioned into twelve (12) substantially equal wards that reflect the concept of “one person, one vote”; and

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

That Section 1-101 of the Official Code of the City of Clarksville is hereby amended by deleting the existing language in its entirety, and by substituting instead the following:

The City of Clarksville is hereby divided into twelve (12) wards of substantially equal population for the purpose of electing twelve city council members in accordance with Article II, Section 1 of the Charter of the City of Clarksville, in accordance with the map attached hereto and incorporated herein as “Exhibit A – City Council Wards – 2021.”

The map of the above-described ward boundaries shall be maintained on file in the office of the City Clerk, and a copy in the office of the Regional Planning Commission and Montgomery County Election Commission and any successor agency thereto.

ALSO BE IT ORDAINED THAT,

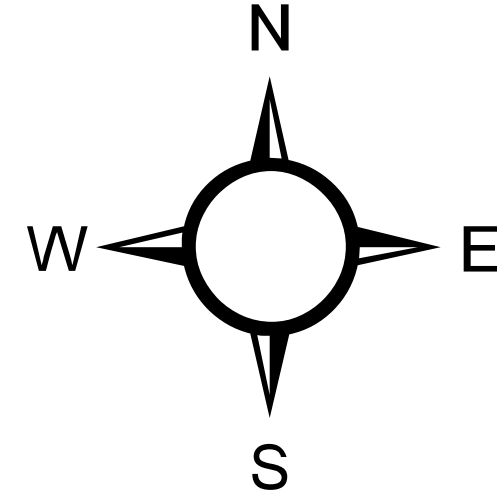
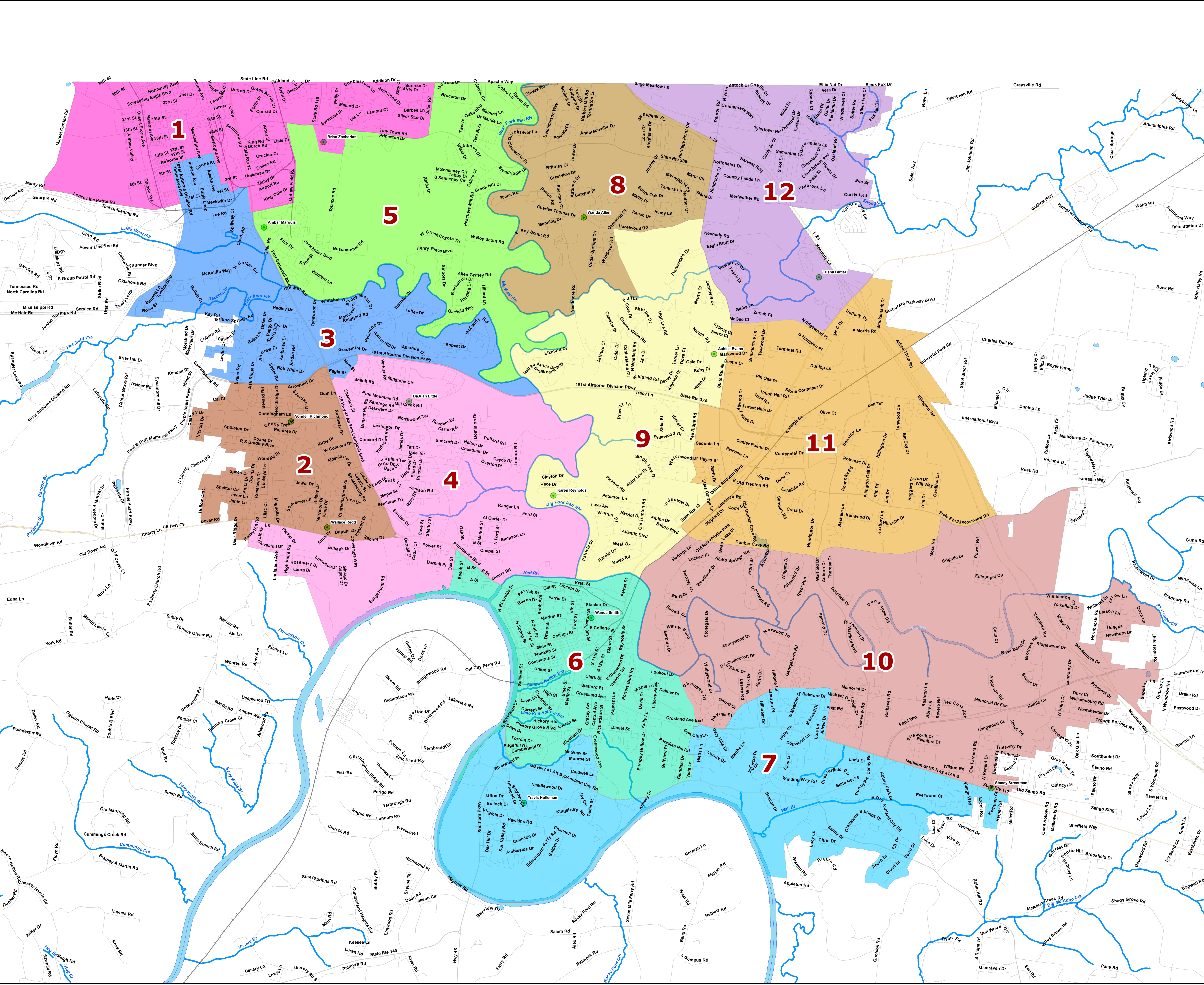
Existing sitting councilmembers as of January 1, 2022 shall fulfill the term they were elected for in the ward they were elected in until the next general election for that ward.

FIRST READING: November 4, 2021

SECOND READING:

EFFECTIVE DATE: January 1, 2022

City of Clarksville Wards



ORDINANCE 58-2021-22

APPROVING A DEPARTMENT NAME CHANGE FROM “DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT” TO “DEPARTMENT OF NEIGHBORHOOD AND COMMUNITY SERVICES”

WHEREAS, the City Council, the City Council Housing and Community Development Committee, the Mayor, and the Director of the Department of Housing and Community Development, find that a change to the name of the “Department of Housing and Community Development” to the “Department of Neighborhood and Community Services” is in the best interest of the City in order to more accurately and clearly reflect the purposes and work of that department ; and

WHEREAS, the proposed name change better reflects the services and activities funded in whole or in part with federal funds which are used for neighborhood revitalization, community engagement, homelessness, and partnerships with community-based organizations necessary to carry out the City’s mission of safe, decent, and sanitary housing, equal housing opportunities, a suitable living environment and expanding opportunities principally for income eligible families.

NOW THEREFORE BE IT ORDAINED that the Clarksville City Council approves departmental name change from the “Department of Housing and Community Development” to the “Department of Neighborhood and Community Services”; and

1. That the City Code, Title 1 (Administration, Officers, and Personnel), Chapter 10 (City Departments and Organization), Section 10-111 is hereby amended by deleting said section in its entirety and substituting therefore the following:

Section 10-111. Department of Neighborhood and Community Services.

There is hereby established a department of neighborhood and community services which shall be headed by a director of neighborhood and community services.

2. That the City Code, wherever it refers to the “Department of Housing and Community Development” is hereby amended by deleting said reference to such department, and by substituting therefore instead the new department name of “Department of Neighborhood and Community Services.”

FIRST READING: November 4, 2021

SECOND READING:

EFFECTIVE:

RESOLUTION 32-2021-22

A RESOLUTION APPROVING APPOINTMENTS TO AFTER HOURS ESTABLISHMENT BOARD, AUDIT COMMITTEE AND MUSEUM BOARD

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

That the Clarksville City Council hereby approves the following appointments:

After Hours Establishment Board: Reappointment of Jeremy Bowles (December 2021 - November 2023) and Rhonda Davis (December 2021 - November 2023)

Audit Committee: Reappointment of Brandon DiPaolo Harrison (January 2022 - December 2023) and Marcia Demorest (January 2022 - December 2023)

Museum Board: Dr. James Diehr (January 2022 - December 2024), Reappointment of Kell Black to 1st full term (January 2022 to December 2024), reappointment of Lawson Mabry (January 2022 - December 2024), Brendalyn Player (January 2022 - December 2024)

ADOPTED:



**CLARKSVILLE CITY COUNCIL
REGULAR SESSION
November 4, 2021**

MINUTES

PUBLIC COMMENTS

Mr. Matthew Romack addressed the Council

CALL TO ORDER

The regular session of the Clarksville City Council was called to order by Mayor Joe Pitts on Thursday, November 4, at 6:00 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

Councilperson Little led everyone in prayer; the Pledge of Allegiance was led by Councilperson Streetman.

ATTENDANCE

PRESENT: Brian Zacharias (Ward 1) Vondell Richmond (Ward 2), DaJuan Little (Ward 3), Wallace Redd (Ward 4), Ambar Marquis (Ward 5), Wanda Smith (Ward 6), Travis Holleman (Ward 7), Karen Reynolds (Ward 9), Stacey Streetman (Ward 10), Ashlee Evans (Ward 11), Trisha Butler (12)

ABSENT: Wanda Allen (Ward 8)

SPECIAL PRESENTATIONS

- Councilperson Streetman recognized Ms. Stephanie Doleck for being alert and finding a missing 7 year old child. Mayor Pitts presented a proclamation to Urban Ministries, having declared October as Domestic Awareness Month. Mayor Pitts and

Mark Riggins recognized Chris Cherry, Gas & Water, for achieving the Patriot Award.

NEW BUSINESS - PART 1

- Mayor Pitts recognized Councilperson Marquis who made a motion to move Resolution 31-2021-22 to the front of the agenda regarding reapplication for zone change; Councilperson Smith seconded.
 - **RESOLUTION 31-2021-22** Authorizing reapplication for Zone Change for Ben Kimbrough – Ringgold Mill Properties, LLC , Bert Singletary – Agent, on the property located at the intersection of Ft. Campbell Boulevard and Millswood Drive from C-5 and R-2 to R-4 *Councilperson Marquis* (Requires 3/4 majority approval of members present and voting)

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

The motion to authorize reapplication for zone change for **RESOLUTION 31-2021-22** passed.

ZONING PUBLIC HEARING

1. ORDINANCE 56-2021-22 (First Reading) Amending the Official Code of the City of Clarksville Reapportioning the City of Clarksville for the Purpose of Electing Persons for the Office of City Council [Citywide Reapportionment - 2020 Census]

Councilperson Streetman made a motion to adopt **ORDINANCE 56-2021-22** (First Reading). Councilperson Reynolds seconded.

Councilperson Reynolds shared a letter from the NAACP that shared concerns regarding inclusivity and higher percentages of all white vs. other percentages. She also encouraged residents to review and share their comments because their voice matters.

The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

Councilperson Streetman made a motion to conduct a public hearing to receive comments regarding requests for zone change. The motion was seconded by Councilperson Evans. There was no objection.

1. ORDINANCE 47-2021-22 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Sandra Sims, Brian Bryant - Agent for Zone Change on property located at the intersection of Hawkins Rd. & Edmondson Ferry Rd. from R-1 Single Family Residential District to R-4 Multiple Family Residential District RPC: Disapproval/Disapproval

No one spoke in favor of this Ordinance. Mr. Lopez spoke to the impact on wildlife in opposition to this ordinance.

2. ORDINANCE 48-2021-22 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of John and James Clark, Calvin Ligon - Agent for Zone Change on property located at the intersection of E. Boy Scout Rd. and Needmore Rd. from AG AgricuR-4 Multiple-Family Residential District/C-2 General Commercial District to R-1 Single Family Residential District/R-4 RPC: Approval/Approval

Mr. Liggin spoke in favor of this ordinance, and said his plans are to widen the road, and ensure the project matches existing property.

Ms. Robin Walmack spoke against this ordinance and said she is unhappy with rezoning as r-4 as their street is all single family homes. She asked that this property not be rezoned for R-4 multi use and shared her concerns regarding traffic and pedestrian safety.

Mr. Kauffman also spoke against, with regards to traffic and his concern for losing the sound barrier by losing trees.

Mr. Liggin spoke as rebuttal and shared his plan to keep some of the treeline. Part of rezone is the road and plan to correct. Councilperson Evans asked the number of apartments and Mr. Liggin said 100-144 and gated.

Ms. Kauffman gave surrebuttal and stated concerns about where property will be taken to widen the road.

3. ORDINANCE 49-2021-22 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Spencer Patrick Johnson & Sherry Johnson, Todd Morris - Agent for Zone Change on property located at the intersection of Peachers Mill Rd. & Pollard Rd. from R-1 Single Family Residential District to R-4 Multiple Residential District RPC: Approval/Approval

Mr. Smith spoke in favor of this ordinance as a representative of the owner.

Ms. Brittney Spires spoke against and shared her concerns regarding rent for lower income families. She also shared her concern regarding traffic and lack of sidewalks, as well as gentrification concerns for the area. Councilpersons Evans and Richmond both thanked her for speaking and sharing her concerns, and Councilperson Richmond encouraged her to take a look at the Housing Committee to share her knowledge.

4. ORDINANCE 50-2021-22 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Michael Young, Wayne Wilkinson - Agent for Zone Change on property located north of Martin Luther King Blvd, west of Huntco Dr. & east of Vaughn Rd. from C-4 Highway Interchange District to C-2 General Commercial District RPC: Approval/Approval

Mr. Wayne Wilkinson spoke in favor of this ordinance, and asked for support.

5. ORDINANCE 51-2021-22 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of 2114 Holdings LLC for Zone Change on property located at the intersection of Crossland Ave. & Robert S. Brown Dr. from C-5 Highway & Arterial Commercial District to C-2 General Commercial District RPC: Approval/Approval

No one spoke for or against

6. ORDINANCE 52-2021-22 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Anthony Q. Johson for Zone Change on property located at the intersection of Daniel St. & Lucas Ln. from R-3 Three Family Residential District to R-6 Single Family Residential District RPC: Approval/Approval

No one spoke for or against

7. ORDINANCE 53-2021-22 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Black Hawk Land Development, Rex Hawkins Agent for Zone Change on property located at the intersection of Peachers Mill Rd., & W. Boy Scout Rd. from C-5 Highway & Arterial Commercial District to R-2 Single Family Residential District RPC: Approval/Approval

Mr Rex Hawkins spoke for, no one spoke against

8. ORDINANCE 54-2021-22 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of KMG Properties, Rex Hawkins - Agent for Zone Change on property located at the intersection of Notgrass Rd. & Arbor St. from R-1 Single Family Residential District to R-4 Multiple Family Residential District RPC: Approval/Approval

Mr Hawkins spoke for, no one spoke against

9. ORDINANCE 55-2021-22 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of KMG Properties, Rex Hawkins - Agent for Zone Change on property located at the intersection of Notgrass Rd. & Copeland Rd. from R-1 Single Family Residential District to R-4 Multiple Family Residential District RPC: Approval/Approval

Mr Hawkins spoke in favor of; no one spoke against

ADOPTION OF ZONING

1. The recommendations of the Regional Planning Staff and Commission were for disapproval of **ORDINANCE 47-2021-22**. Councilperson Streetman made a motion to adopt this ordinance on first reading. The motion was seconded by Councilperson Butler.

Councilperson Holleman spoke to his concerns regarding the curve and traffic/safety, and asked for no vote.

The following vote was recorded:

NAY: Butler, Evans, Holleman, Little, Marquis, Pitts, Redd, Reynolds, Richmond, Smith, Streetman, Zacharias

The motion to adopt this ordinance on first reading failed.

2. The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 48-2021-22**. 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: Butler, Evans, Little, Marquis, Pitts, Redd, Reynolds, Richmond, Smith, Streetman,

NAY: Holleman, Zacharias

The motion to adopt this ordinance on first reading passed.

3. The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 49-2021-22**. 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: Butler, Evans, Holleman, Little, Marquis, Pitts, Redd, Reynolds, Streetman, Zacharias

NAY: Richmond, Smith

The motion to adopt this ordinance on first reading passed.

4. The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 50-2021-22**. Councilperson Streetman made a motion to adopt this ordinance on first reading. The motion was seconded by Councilperson Richmond. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

5. The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 51-2021-22**. Councilperson Streetman made a motion to adopt this ordinance on first reading. The motion was seconded by Councilperson Evans.

Councilperson Reynolds mentioned the sidewalk plan and was happy the project manager will honor and leave space.

The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

6. The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 52-2021-22**. 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: Butler, Evans, Holleman, Little, Marquis, Pitts, Redd, Reynolds, Richmond, Smith, Streetman, Zacharias

The motion to adopt this ordinance on first reading passed.

7. The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 53-2021-22**. 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: Butler, Evans, Holleman, Little, Marquis, Pitts, Redd, Reynolds, Richmond, Smith, Streetman, Zacharias

The motion to adopt this ordinance on first reading passed.

8. The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 54-2021-22**. Councilperson Streetman made a motion to adopt this ordinance on first reading. The motion was seconded by Councilperson Holleman.

Councilperson Zacharias mentioned concerns regarding gentrification, and said he was looking forward to working with Councilperson Reynolds to make affordable housing available.

The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

9. The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 55-2021-22** . Councilperson Streetman made a motion to adopt this ordinance on first reading. The motion was seconded by Councilperson Reynolds. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

CONSENT AGENDA

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

1. **ORDINANCE 27-2021-22** (Second Reading) Authorizing a utility and ingress and egress easement to Bellsouth Telecommunications, LLC/D/B/A AT&T Tennessee at the intersection of Whitfield Rd., and Needmore Rd.

Councilpersons Butler, Little, Red and Richmand voted no on **ORDINANCE 27-2021-22**

2. **ORDINANCE 28-2021-22** (Second Reading) Amending the official code pertaining to hours for consumption of alcoholic beverages, beer and wine in the entertainment district “premises” as described in Tennessee Code Annotated (T.C.A.) § 57-4-102(28)(D)

3. **ORDINANCE 31-2021-22** (Second Reading) Amending The Official Code Of The City Of Clarksville Reapportioning The City Of Clarksville For The Purpose Of Electing Persons For The Office Of City Council Member [Annexed Territory Along Hwy 76 And Little Hope Road]

4. **ORDINANCE 32-2021-22** (Second Reading) Authorizing the sale of property located at 803 Howard Street to Marlon Placid
5. **ORDINANCE 34-2021-22** (Second 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. and Allen Rd. from AG Agricultural District to C-5 Highway & Arterial Commercial District/R-4 Multiple Family Residential District.
6. **ORDINANCE 35-2021-22** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Milam Family, LLC, Jamie Milam, Allen Moser - Agent for Zone Change on property located at the intersection of Golf Club Ln. and Old Ashland City Road from O-1 Office District to C-2 General Commercial District.
7. **ORDINANCE 36-2021-22** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Allen Moser for Zone Change on property located at the intersection of Ft. Campbell Blvd. and W. Bel Air Blvd. from C-5 Highway & Arterial Commercial District/R-1 Single Family Residential District to C-2 General Commercial District.
8. **ORDINANCE 37-2021-22** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Preston Langford, William Belew - Agent for Zone Change on property located at a tract east of Warfield Blvd., west of Roanoke Rd., north of Rossview Rd. from O-1 Office District to C-2 General Commercial District.
9. **ORDINANCE 38-2021-22** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Joel and Shirley Plummer, Chris Blackwell - Agent for Zone Change on property located at the intersection of Old Russellville Pike Rd. and Hickory Trace Rd. from R-1 Single Family Residential District to R-6 Single Family Residential District.
10. **ORDINANCE 39-2021-22** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Powers & Atkins, LLC for Zone Change on property located at the intersection of Richardson St. and Crossland Ave. from R-3 Three Family Residential District to R-4 Multiple Family Residential District.
11. **ORDINANCE 40-2021-22** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Abrahamson Family Trust, Wayne Wilkinson - Agent for Zone Change on property located at the intersection of Tiny Town Rd. and Heritage Pointe Dr. from AG Agricultural District to C-2 General Commercial District.
12. **ORDINANCE 41-2021-22** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Warenda Barker, Ronnie Bell, Debra Whitlock,, Ferguson Bell, Freda O'Neal, for Zone Change on property located at the intersection of Needmore Rd. and Bell Rd. from AG Agricultural District to R-4 Multiple Family Residential District.

13. **ORDINANCE 42-2021-22** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Luke Baggett, Syd Hedric - Agent for Zone Change on property located at the intersection of Oak Ln. and Lucas Ln. from R-3 Three Family Residential District to R-6 Single Family Residential District.

14. **ORDINANCE 43-2021-22** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Benny Skinner for Zone Change on property located at the intersection of Greenwood Ave. and Kleeman Dr. from R-2 Single Family Residential District to R-6 Single Family Residential District.

15. **ORDINANCE 44-2021-22** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of the Estate Of Eddie R. Key Glenda Griswold, Hal Matthews Crye- Leike Realtors Inc. - Agent for Zone Change on property located at the intersection of Needmore Rd. and Turner Ln. from R-3 Three Family Residential District to R-4 Multiple Family Residential District.

16. **ORDINANCE 46-2021-22** (Second Reading) Authorizing the City of Clarksville to convey the sidewalks contained within the Downtown Commons parcel of real property to Montgomery County Tennessee

17. **ORDINANCE 57-2021-22** (Second Reading) Amending the Operating and Capital Budgets for Fiscal Year 2022 for Governmental Funds (ORDINANCE 130-2021-22) to repair the City Hall air conditioning (HVAC) system.

18. **RESOLUTION 29-2021-22** Approving Appointments for the Arts and Heritage Development Council and the Adult Oriented Establishment Board

- Arts & Heritage Development Council: Kitty Harvill (replacing Jim Diehr) October 2021 - September 2024, Arthur "Nick" Nicholson (replacing Kathy Heuston) October 2021 - September 2024, Louisa Cooke (replacing Fred Landiss) October 2021 - September 2024 and Yvonne Kendall October 2021 - September 2024

- Adult Oriented Establishment Board: Kevin Billingsley (replacing Rachel Barrow) October 2021 - 2025

19. Adoption of minutes: October 5, 7

Councilperson Reynolds made a motion to adopt the Consent Agenda. The motion was seconded by Councilperson Smith. The following vote was recorded:

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

The motion to adopt the Consent Agenda passed.

RECESS: The City Council recessed at 7:24 and reconvened at 7:32 pm

8) FINANCE COMMITTEE *Councilperson Stacey Streetman*

1. Department Report: Chairperson Streetman said the external audit is on pace and tax bills have gone out.

9) GAS & WATER COMMITTEE *Councilperson Wallace Redd*

1. Department Report: Chairperson Redd reported the Call Center received 9,686 calls, engineering approved twelve utility plans, and the Billing Division read 105,558 meters with an accuracy rate of 99.89%.

10) HOUSING & COMMUNITY DEVELOPMENT COMMITTEE *Mayor Pro Tem Wanda Smith*

1. Department Report - Chairperson Smith giving her report, the Mayor stated for the record that Councilperson Marquis has been excused. Ms. Smith then reported that the Housing & Community Development on November 29 will open the fiscal year annual application process. Persons interested in funding or block grants are encouraged to attend one of three workshops and information is posted on the City's website.

2. **ORDINANCE 58-2021-22** (First Reading) Authorizing a name change from Department of Housing and Community Development to Department of Neighborhood and Community Services *Mayor Pro Tem Smith*

Mayor Pro Tem Smith made a motion to adopt **ORDINANCE 58-2021-22**. The motion was seconded by Councilperson Evans. The following vote was recorded:

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

The motion to adopt the **ORDINANCE 58-2021-22** passed.

11) PARKS & RECREATION COMMITTEE *Councilperson Vondell Richmond*

1. Department Report: Chairperson Richmond highlighted upcoming events and mentioned available job opportunities.

12) PUBLIC SAFETY COMMITTEE *Councilman Travis Holleman*

1. **ORDINANCE 29-2021-22** (First Reading, Postponed October 7) Amending the official code of the City of Clarksville Title 4 (Building, Utility and Housing Codes) relative to non-single family housing *Councilperson Holleman*

Councilperson Holleman brought forth an amendment to **ORDINANCE 29-2021-22**. The amendment states No permit fees shall be imposed for signs erected in residential districts on currently occupied single family properties pursuant to section 11-503.

Councilperson Redd and Mayor Pro Tem Smith asked about the fee for business/political signs. Mr. Baker clarified the fee applies to ALL signs but residential. Councilperson Reynolds expressed a concern that there is a change as there was no charge for 4x4 signs. Mr. Justin Crosby (Building & Codes) said all signs are \$25 and there is no delineation as to what type of sign.

Councilperson Butler said this amendment appears to be less restrictive and asks that everyone vote yes.

Councilperson Holleman made a motion to adopt **ORDINANCE 29-2021-22** as amended. The motion was seconded by Councilperson Evans.

The following vote was recorded to adopt the amendment to **ORDINANCE 29-2021-22**:

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

The motion to adopt the amendment to **ORDINANCE 29-2021-22** passed.

The following vote was recorded to adopt **ORDINANCE 29-2021-22** as amended:

AYE: Evans, Holleman, Little, Pitts, Reynolds, Richmond, Smith, Streetman, Zacharias

NAY: Butler, Redd

The motion to adopt the **ORDINANCE 29-2021-22** (first reading) as amended passed.

2. Department Reports: Chairperson Holleman gave his report on the Public Safety Departments. He said the Police Dept went over recruitment needs for CPD. He also said they will kick off their juvenile engagement team with teens in the community. There were 11,691 calls in the last month for CPD, CFR had 1,376 calls (69% were rescue and medical calls). Building & Codes had 2,676 total inspections, Code Enforcement had 224 new cases and abatement had 86 work orders.

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

1. Department Reports - Chairperson Smith reported there were 41,534 passengers for CTS, 7,756 senior citizens were passengers. CTS will run regular services on Veterans Day but not on Thanksgiving Day and November 26 will be a fare-free day. The Street Dept. conducted 191 work orders. The Garage Dept. city-wide vehicle expenses were \$212,545. Requisitions turned into Finance totaled \$174,204.72 and the total number of work orders was 357. She also reported on the Frosty Morn plans meeting on November 16.

NEW BUSINESS

1. ORDINANCE 30-2021-22 (First Reading, Postponed October 7) Amending the official code Title 1, Chapter 2, Section 204 relative to presenting legislation and deliberation of city council members to maximize efficiency *Councilperson Holleman*

Councilperson Holleman made a motion to adopt **ORDINANCE 30-2021-22**. The motion was seconded by Councilperson Streetman.

The following comments were made: Councilperson Evans feels this ordinance is redundant and that 10 minutes is fine as it is. Councilperson Reynolds said it will add too much confusion for the Chair and Clerk. Councilperson Zacharias agrees with the spirit of the ordinance and they can do better to be considerate of each others' time but this will restrict the ability to fully flesh out ideas. Councilperson Streetman said she appreciates what the sponsor tried to do and one way to work on efficiencies is to stay on point to move through the meetings. Councilperson Smith agrees with the previous speakers.

2. RESOLUTION 30-2021-22 Authorization to modify and amend the existing Regional Airport Authority Board membership so as to allow "staggered" terms for the members appointed by the City of Clarksville and Montgomery County *Mayor Pitts*

Councilperson Holleman made a motion to adopt **RESOLUTION 30-2021-22**. The motion was seconded by Councilperson Evans. The following vote was recorded:

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

The motion to adopt the **RESOLUTION 30-2021-22** passed.

3. RESOLUTION 31-2021-22 Authorizing reapplication for Zone Change for Ben Kimbrough – Ringgold Mill Properties, LLC , Bert Singletary – Agent, on the property located at the intersection of Ft. Campbell Boulevard and Millswood Drive from C-5 and R-2 to R-4 *Councilperson Marquis* (Requires 3/4 majority approval of members present and voting)

Note - This item was moved to the top of agenda with no objections. **RESOLUTION 31-2021-22** was adopted

15) MAYOR AND COUNCIL MEMBER COMMENTS

1. Councilperson Holleman gave an update on the Senior Center signage and shared the sign concept and said it will be completed by the end of November/Beginning of December.
2. Councilperson Butler recognized Mr. Sincere for being at the meeting.
3. Councilperson Evans recognized all veterans in our community in honor of Veterans Day.
4. Mayor Pitts recognized City Attorney Lance Baker on his birthday and also let councilmembers know that, thanks to John Hilborn, the meters are covered with red bags for them on regular session. He did say that he can't guarantee that those spots will always be available and will not cite anyone for parking there. He thanked Councilperson Allen for the suggestion.

16) ADJOURNMENT

The meeting was adjourned at 8:05 pm

Minutes prepared by Lisa Canfield, City Clerk

ORDINANCE 59-2021-22

AN ORDINANCE APPROVING ~~AN AMENDMENT TO ORDINANCE 45-2021-22 PERTAINING TO~~ A SETTLEMENT OF THE ROBINSONS AND / OR FRANKLIN STREET CORPORATION (FSC) v. CITY STATE COURT AND FEDERAL COURT LAWSUITS

WHEREAS, the City has been sued by Jeff and Sherri Robinson and / or the Franklin Street Corporation, which corporation is owned by them, in three separate lawsuits, styled as follows:

Jeffrey Robinson, Sherri Robinson and Franklin Street Corporation, Plaintiffs, v. City of Clarksville, Defendant. Circuit Court for Montgomery County, Tennessee, Docket No. CC-16-CV-1410; and

Franklin Street Corporation, Plaintiff v. City of Clarksville, Defendant. United States District Court for the Middle District of Tennessee, at Nashville, Docket No. 3:20-CV-00523.; and

Jeffrey Robinson, Plaintiff v. City of Clarksville, Joseph Pitts, officially as Mayor for the City of Clarksville, and Lance Baker, officially as City Attorney for the City of Clarksville, Defendants. Circuit Court for Montgomery County, Tennessee, Docket No. CC-20-CV-2247.

and;

WHEREAS, the City Council ~~has previously finds determined~~ that the best interests of the City would be served by making an offer to settle one or more of the lawsuits as specified in Ordinance 45-2021-22 adopted October 20, 2021 as more completely described in Collective Attachment A thereto, which among other things, provided for a land swap, to include a transfer of land owned by Highpointe Row Partners ~~High Point Row~~ to the City; and

WHEREAS, during the time period for due diligence as required by the proposed settlement documents, it has been determined that there is a cloud on absolute fee simple clear title of the Highpointe Row Partners ~~High Point Row~~ property due to certain other surrounding property owners having an interest in the land owned by Highpointe Row Partners ~~High Point Row partners~~ that is proposed to be transferred to the City, such that the City should not accept ownership of the property; and

WHEREAS, the City Council nevertheless ~~now finds again~~ that the best interests of the City would be served by ~~making an offer to a settlement one or more of two~~ of the lawsuits as specified in, and in accordance with, the full, complete, written Project Agreement, (to include, *inter alia*, the Settlement Agreement), together with all Exhibits thereto, ~~but with the deletion of all references to and without the transfer of the property owned by Highpointe Row Partners~~ High Point Row to the City, all as ~~now~~ attached hereto and incorporated herein as a new, Amended Collective Attachment A, and that Ordinance 45-2021-22 should be amended to delete the Collective Attachment A thereto, and to substitute therefore the new Amended Collective Attachment A instead, as now attached hereto and incorporated herein.

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

That the Clarksville City Council hereby approves an amendment to Ordinance 45-2021-22, pertaining to a settlement proposal to settle ~~one or more~~ two of the above styled lawsuits against the City, as specified in, and in accordance with, the full, complete, written Project Agreement, (to include, *inter alia*, the Settlement Agreement), together with all Exhibits thereto, ~~all as attached hereto and incorporated herein as a new Amended Collective Attachment A~~, by deleting the previously adopted Collective Attachment A to Ordinance 45-2021-22, and by now adopting the new Amended Collective Attachment A attached hereto and incorporated herein instead.

MAYOR

ATTEST:

CITY CLERK

FIRST READING:
SECOND READING:
EFFECTIVE DATE:

PROJECT AGREEMENT

This Project Agreement (this “Agreement”) is entered into as of _____, 2021, by and among Jeffrey Robinson and Sherri Robinson, (collectively the “Robinsons”), Franklin Street Corporation, a Tennessee corporation (“FSC”) and the City of Clarksville, Tennessee, a Tennessee municipal corporation (the “City”) (each a “Party” and, collectively, the “Parties”).

WITNESSETH:

WHEREAS, the Robinsons own certain property located in Montgomery County, Tennessee, being more particularly described on Exhibit 1 attached hereto (the “Robinson Property”);

WHEREAS, FSC owns certain property located in Montgomery County, Tennessee, being more particularly described on Exhibit 2 attached hereto (the “FSC Property”);

WHEREAS, the City owns certain property contiguous to the Robinson Property and the FSC Property, being more particularly described on Exhibit 4 attached hereto (the “City Property”);

WHEREAS, the City has constructed an underground sewer line running beneath South Second Street, a public right of way, and across the City Property (the “Sewer Line”) as shown on the Existing Conditions & Demolition Plan, Sheet C.010 of the plans prepared by McKay-Burchett & Company Engineers, dated 12/16/2020, and attached hereto as Exhibit 5 (the “Construction Plans”); and

WHEREAS, a portion of the Sewer Line is located on the FSC Property, as more particularly depicted on the Construction Plans; and

WHEREAS, in order to reroute a significant portion of the stormwater drainage flowing to an existing drop inlet located on the Christine Roberts property as shown on the Construction Plans, the City has agreed to reimburse the Robinsons and/or FSC for a portion of the cost of extending a combined sewer line on the FSC Property to a new grate inlet, the construction of retaining walls and the alteration of existing downspouts all as shown on the Construction Plans (the “Drainage Improvements”); and

WHEREAS, FSC has agreed to grant to the City a permanent public utilities and drainage easement across a portion of the FSC Property (the “Public Utilities and Drainage Easement”), as more particularly depicted on Exhibit 6;

WHEREAS, the City Property is encumbered by encroachments from the adjoining properties as shown on the Construction Plans (the “Existing Encroachments”);

WHEREAS, the City is willing to convey the City Property to the Robinsons, subject to the terms and conditions of this Agreement;

WHEREAS, the Robinsons and FSC have asserted certain claims against the City in a lawsuit that was filed in Circuit Court for Montgomery County, Tennessee, styled as *Jeffrey Robinson, et al., v. The City of Clarksville, Tennessee*, No. CC16CV1410, and is pending in the Court of Appeals of Tennessee, styled as *Jeffrey Robinson, et al., v. City of Clarksville*, No. M2020-01299-COA-R3-CV (the “Initial State Court Lawsuit”);

WHEREAS, FSC has asserted certain claims against the City in a lawsuit that is pending in United States District Court for the Middle District of Tennessee, styled as *Franklin Street Corporation, v. The City of Clarksville*, Case No. 3:20-cv-00523 (the “Federal Court Lawsuit”); and

WHEREAS, Jeffery Robinson has asserted certain claims against the City, Joseph Pitts, officially as Mayor for the City and Lance Baker, officially as City Attorney for the City, in a lawsuit that is pending in the Circuit Court for Montgomery County, Tennessee, styled as *Jeffrey Robinson, v. City of Clarksville, Joseph Pitts, officially as Mayor for the City of Clarksville, and Lance Baker, officially as City Attorney for the City of Clarksville*, Docket No. CC-20-CV-2247 (the “Second State Court Lawsuit”); and

WHEREAS, in exchange for the City’s agreement to make a payment of additional consideration and to make a payment for the construction of the Drainage Improvements, FSC has agreed to dismiss with prejudice the Federal Court Lawsuit and the Second State Court Lawsuit, and the Robinsons and FSC have agreed to release certain claims as described in the Settlement Agreement.

NOW THEREFORE, the Robinsons, FSC and the City enter into this Agreement for the consideration and purposes expressed herein:

1. Additional Documents. The Parties acknowledge that the following documents, which are to be executed in connection with transaction described in this Agreement (the “Additional Documents”) are attached hereto and incorporated herein by reference:

Exhibit 1	Description of the Robinsons Property
Exhibit 2	Description of the FSC Property
Exhibit 3	Intentionally Deleted
Exhibit 4	Description of the City Property
Exhibit 5	Copy of the Construction Plans
Exhibit 6	Drawing of Public Utilities and Drainage Easement
Exhibit 7	Form of Quitclaim Deed for City Property
Exhibit 8	Intentionally Deleted
Exhibit 9	Form of Public Utilities and Drainage Easement
Exhibit 10	Form of Settlement Agreement

2. Completion of the Drainage Improvements. The Robinsons and/or FSC agree to complete the construction of the Drainage Improvements on or before the issuance of any certificate of occupancy for any building constructed on the FSC Property. Robinsons and/or FSC agree to complete the construction of the Drainage Improvement within three (3) years of the

Effective Date, as defined below. The City shall reimburse the Robinsons and/or FSC for the costs of constructing the Drainage Improvements in an amount not to exceed Two Hundred Thousand and 00/100 Dollars (\$200,000.00) within fifteen (15) days of receipt of adequate documentation from the Robinsons and/or FSC of the costs of such improvements. Any approvals on behalf of the City of the requests for reimbursement submitted by the Robinsons and/or FSC shall be performed by the General Manager of the City's Department of Gas and Water. The Robinsons and/or FSC shall be responsible for payment of any costs in excess of Two Hundred Thousand and 00/100 Dollars (\$200,000.00) for the construction of the Drainage Improvements and all cost for the demolition and construction of any other improvements to the FSC Property and the City Property as shown on the Construction Plans, including but not limited to the reinforcement of the basement walls for the building on the FSC Property and any pavement for an alley to be installed by the Robinsons on the City Property.

3. Additional Consideration. In addition to the payment provided for in Section 2, at the Closing (as defined below), the City shall pay to the Robinsons the sum of Two Hundred Fifty Thousand and 00/100 Dollars (\$250,000.00) (the "Additional Consideration").

4. Intentionally Deleted.

5. Intentionally Deleted.

6. Status. From and after the Effective Date, the City shall not enter into any covenant, restriction, easement or other agreement that encumbers the City Property.

7. Closing of Land Transfer. The closing of the transfer of the City Property to the Robinsons (the "Closing") shall occur within ten (10) days following the Effective Date. The Closing shall take place at a place and time mutually agreed to by the Parties. At the Closing, the City shall pay the Additional Consideration to the Robinsons and quitclaim the City Property to the Robinsons pursuant to the Quitclaim Deed attached hereto as Exhibit 7.

8. Monetary Liens. At or prior to Closing, the City shall cause all liens, monetary judgments, mortgages, deeds of trust, deeds to secure debt, security interests and other similar encumbrances affecting the City Property to be released and discharged, excluding the lien for ad valorem real property taxes levied against the City Property with respect to the year of Closing and subsequent years that are not due and payable as of the Closing.

9. Closing Costs and Prorations. Real property taxes and assessments, if any, levied or assessed against the City Property shall be prorated between the Robinsons and the City and paid as of the date of the Closing. The Robinsons shall be responsible for paying for any title insurance policy obtained by the Robinsons on the City Property and any transfer taxes and recording costs in connection with the conveyance of the City Property to the Robinsons.

10. Public Utilities and Drainage Easement. FSC agrees to grant to the City the Public Utilities and Drainage Easement described herein. At the Closing, FSC and the City shall execute the Public Utilities and Drainage Easement Agreement attached hereto as Exhibit 9.

11. Settlement Agreement. On or before the Closing, the Robinsons, FSC and the City shall execute the Settlement Agreement attached hereto as Exhibit 10 (the “Settlement Agreement”), to resolve the claims described in the Settlement Agreement. In the event the Robinsons, FSC and the City do not execute the Settlement Agreement on or before the date of the Closing, then this Agreement shall automatically terminate.

12. Notices. All notices, consents and other communications (collectively, “Notices”) which may be or are required to be given by the Parties hereunder shall be properly given only if made in writing and sent to the address set forth below by email transmission, and by one of the following: (a) hand delivery, (b) U.S. Certified Mail (Return Receipt Requested), or (c) nationally recognized overnight delivery service. Any such Notice shall be deemed received on the date of the sending of the email by the sender, provided, if the recipient does not confirm receipt of the email of the Notice within twenty-four (24) hours, then any such Notice shall be deemed received (i) if delivered by hand, on the date of delivery, or (ii) if sent by U.S. Mail or overnight delivery service, on the date the same is deposited with the applicable carrier:

Robinsons: Jeffrey and Sherri Robinson
c/o Mark Olson
Olson & Olson, PLC
112 S. Second Street
Clarksville, TN 37040
Email: molson@olsonplc.com; tdahl@tayloradahllaw.com;
jeff@blackhorsebrews.com

FSC: Franklin Street Corporation
c/o Mark Olson
Olson & Olson, PLC
112 S. Second Street
Clarksville, TN 37040
Email: molson@olsonplc.com; tdahl@tayloradahllaw.com;
jeff@blackhorsebrews.com

City City of Clarksville
One Public Square
Clarksville, TN 37040
Attn: City Mayor
Email: joe.pitts@cityofclarksville.com

with a copy to:

City of Clarksville
One Public Square
Clarksville, TN 37040
Attn: City Attorney
Email: lance.baker@cityofclarksville.com

and to:

Clarksville Gas and Water Department
2215 Madison Street

Clarksville, Tennessee 37043
Attn: General Manager
Email: mark.riggins@cityofclarksville.com

Any Party may change its address for Notices by giving written notice to the other Parties in accordance with this provision.

13. No Admission of Liability. This Agreement does not, and shall not, constitute an admission by the City, or of any official, employee or agent of the City, of any violation of any federal, state or local law or regulation, or of a violation of any rights, privileges or immunities of the Robinsons, FSC, or of any other person or entity.

14. Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the Parties to this Agreement.

15. No Third Party Beneficiary. This Agreement is made solely and specifically for the benefit of the City, the Robinsons and FSC and their respective successors and assigns, and no other person or entity shall have any rights, interest, claims or benefits under or on account of this Agreement as a third party beneficiary.

16. Amendment. This Agreement may not be amended or otherwise altered except by an agreement in writing signed by all of the Parties listed below.

17. Applicable Law and Venue. This Agreement shall be interpreted, construed and enforced in accordance with, and its construction and performance shall be governed by, the laws of the State of Tennessee without giving effect to the conflict of laws or choice of laws thereof. Exclusive venue for any litigation arising out of or relating to this Agreement shall be in the U. S. District Court for the Middle District of Tennessee or in the state courts located in Montgomery County, Tennessee.

18. Waiver of Jury Trial. Each Party, for itself and its successors and assigns, hereby waives any right to trial by jury in connection with any litigation arising out of this Agreement.

19. Expenses. Each Party shall be responsible for the payment of the attorneys' fees that it incurs in connection with the preparation of this Agreement or the transaction contemplated herein.

20. Counterparts. This Agreement may be executed in one or more counterparts, including facsimile signatures, all of which shall be considered one and the same agreement and shall become effective when one or more counterparts have been signed by each of the Parties hereto.

21. Construction of Agreement. Each of the Parties hereto has agreed to the use of the particular language of this Agreement, and any question regarding the meaning of this Agreement shall not be resolved by any rule providing for construction against the Party who caused the uncertainty to exist or against the draftsman. If any Party to this Agreement is made up of more than one (1) person or entity, then all of the persons and/or entities comprising such Party shall be

jointly and severally liable hereunder. This Agreement, and the Additional Documents, constitutes the entire agreement and understanding of the Parties with respect to the subject matter hereof and supersedes all prior agreements, understandings, letters, negotiations and discussions, whether oral or written, of the Parties. The captions and headings contained herein are for convenience and reference only, and they shall not be deemed to define, modify or add to the meaning of any provision of this Agreement.

22. Severance. If any part of this Agreement is found unlawful or unenforceable, the remainder of this Agreement shall not be affected by that finding.

23. Business Days. If any date on which performance or notice is due under this Agreement should fall on Saturday, Sunday or any other day declared an official holiday by the City, performance or notice shall not be due until the next business day.

24. City Council Approval. This Agreement shall not be effective as to the City nor executed by the City until the City Council adopts an ordinance approving the Agreement and authorizing the execution thereof.

25. Effective Date. The “Effective Date” of this Agreement shall be the date the Agreement is executed by the last of the Parties.

IN WITNESS WHEREOF, the undersigned Parties have executed this Agreement as of the date set forth below.

THE CITY OF CLARKSVILLE, TENNESSEE

By: _____
Name: _____
Title: _____
Date: _____

ATTEST:

Sylvia Skinner, City Clerk
Date: _____

FRANKLIN STREET CORPORATION

By: _____
Name: _____
Title: _____
Date: _____

JEFFREY ROBINSON

Date: _____

SHERRI ROBINSON

Date: _____

EXHIBIT 1

Description of the Robinsons Property

Tract 1: 132 Franklin Street, Clarksville, Tennessee: A store building and lot at 132 Franklin Street in the City of Clarksville, beginning at a point on the south side of Franklin Street, about 55 feet west of Second Street, Mrs. Harrison's northwest corner; thence southwardly with Mrs. Harrison's parallel with Second Street about 100 feet to the property formerly owned by Michell brothers; thence westwardly, parallel with Franklin Street about 25 feet to the property now owned by Mrs. L.A. Pennebaker; thence northwardly with Pennebaker about 100 feet to Franklin Street; thence eastwardly with said street about 25 feet to the beginning.

Tract 2: 134 Franklin Street, Clarksville, Tennessee: A store building and lot at 132 Franklin Street in the City of Clarksville, beginning at a point on the south side of Franklin Street, about 55 feet west of Second Street, Mrs. Harrison's northwest corner; thence southwardly with Mrs. Harrison's parallel with Second Street about 100 feet to the property formerly owned by Michell brothers; thence westwardly, parallel with Franklin Street about 25 feet to the property now owned by Mrs. L.A. Pennebaker; thence northwardly with Pennebaker about 100 feet to Franklin Street; thence eastwardly with said street about 25 feet to the beginning.

This description was taken from Official Record Book Volume 726, Page 1377, in the Register's Office for Montgomery County, Tennessee.

Tract 1-Parcel ID: 066G K 01500 000

Tract 2-Parcel ID: 066G K 01600 000

This is the same realty conveyed to Jeffrey K. Robinson and wife, Sherri L. Robinson, by deed of record in Official Record Book Volume 844, Page 2347, in the Register's Office for Montgomery County, Tennessee, as to both tracts.

EXHIBIT 2

Description of FSC Property

Being a tract of land situated in the 12th Civil District in Clarksville, Montgomery County, Tennessee, and being more fully described as follows:

BEGINNING at a point in the west right of way of Second Street, said point being South 14 degrees 41 minutes 37 seconds East, 111.50 feet from the intersection of the south right of way of Franklin Street and said west right of way of said Second Street, said point being the northeast corner of said herein tract described;

THENCE with said Second Street, South 14 degrees 41 minutes 37 seconds East, 34.50 feet to a point, said point being the southeast corner of the said Albert Marks property, said point also being the northeast corner of the Mark Olson property, ORBV.816, Page 1355, R.O.M.C.T., said point also being southeast corner of said herein tract described;

THENCE leaving said Second Street and with the north line of said Olson property, South 76 degrees 02 minutes 27 seconds West, 113.76 feet to a point, said point being the southwest corner of said Albert Marks property, said point also being the southeast corner of the D & S Investments property, ORBV. 651, Page 1101, said point also being the southwest corner of said herein tract described;

THENCE leaving said Olson property and with the east line of said D & S Investments property, North 14 degrees 41 minutes 37 seconds West, 34.50 feet to a point, said point being the northwest corner of said herein tract described;

THENCE leaving said D & S Investments property, North 76 degrees 02 minutes 27 seconds East, 113.16 feet to a point of beginning.

Said tract containing 3904 square feet or 0.09 acres more or less.

Said tract being subject to all easements, right of ways, restrictions and conveyances of record.

Being a portion of the property conveyed to Franklin Street Corporation by deeds of record in ORBV 851, Page 2899 and ORBV 854, Page 892, Register's Office for Montgomery County, Tennessee.

This description excludes the property conveyed to the City of Clarksville by deed of record in ORBV 851, Page 2901, Register's Office for Montgomery County, Tennessee.

Parcel ID:

Parcel ID: 066G K 01900 000

EXHIBIT 3

[Intentionally Deleted]

EXHIBIT 4

Description of City Property

Being a Tract of land situated in the 12th Civil District of Montgomery County, Tennessee, said Tract being in downtown Clarksville and being generally located north of Commerce Street, south of Franklin Street, east of S. 1st Street, and west of, and adjacent to S. 2nd Street, said Tract being more particularly described as follows:

Beginning at a pk nail (new) in the western right-of-way of S. 2nd Street, said pk nail being located 95.00 feet south of the southern right-of-way of Franklin Street, as measured along the western right-of-way of S. 2nd Street, said pk nail also being the southeastern corner of the Deborah S. Evans property, as recorded in O.R.V. 609, Page 303, R.O.M.C.T.;

Thence with the western right-of-way of S. 2nd Street, South 14 degrees 52 minutes 43 seconds East 16.50 feet to a pk nail (new);

Thence leaving the said western right-of-way, and on a severance line, South 75 degrees 47 minutes 11 seconds West 112.63 feet to a pk nail (new), said pk nail being in the eastern line of the Grumpy's Enterprises, LLC property, as recorded in O.R.V. 1509, Page 756, R.O.M.C.T.;

Thence with the eastern line of the said Grumpy's Enterprises, LLC property, North 14 degrees 55 minutes 18 seconds West 11.50 feet to a pk nail (new), said pk nail being the southwestern corner of the Christine L. Roberts property, as recorded in O.R.V. 1390, Page 1908, R.O.M.C.T.;

Thence with the southern line of the said Roberts property, and the southern lines of the BKTurner Holding, LLC property, as recorded in O.R.V. 1434, Page 831, R.O.M.C.T., and the Jeffrey K. Robinson, ET UX property, as recorded in O.R.V. 844, Page 2347, R.O.M.C.T., North 75 degrees 47 minutes 11 seconds East 87.79 feet to an iron pin (new), said iron pin being the southeastern corner of the said Jeffrey K. Robinson, ET UX property;

Thence with the eastern line of the said Robinson property, North 14 degrees 46 minutes 05 seconds West 5.00 feet to an iron pin (new), said iron pin being the southwestern corner of the said Deborah S. Evans property;

Thence with the southern line of the said Evans property, North 75 degrees 47 minutes 11 seconds East 24.83 feet to the point of beginning.

The above described Tract shall remain a Public Utility & Drainage Easement in its entirety, regardless of ownership.

Said Tract contains 0.033 Acres (1,419.4 sq. ft.) more or less.

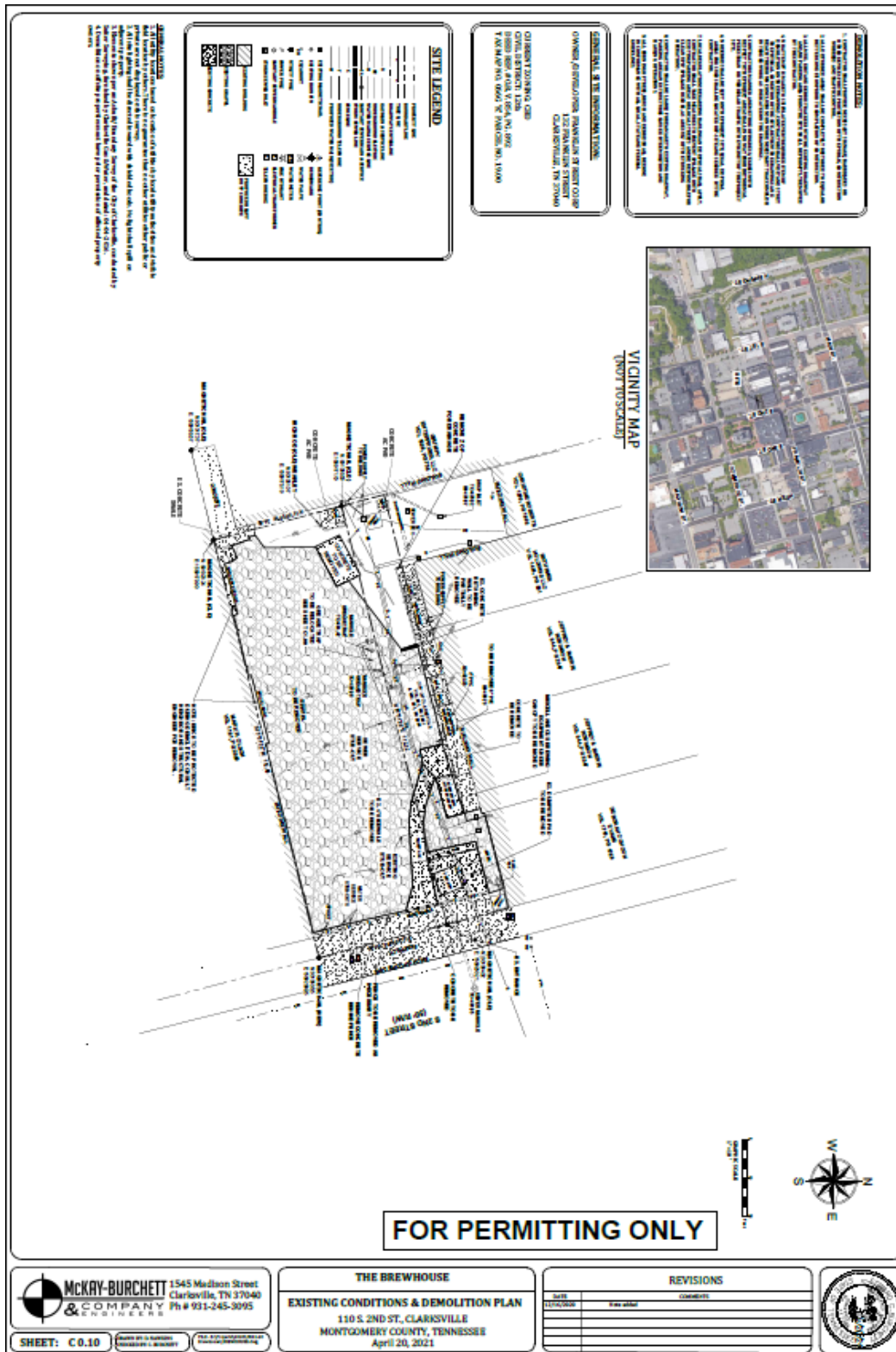
Property is subject to all easements, rights-of-way, covenants, and restrictions of record.

Property description is based on a physical survey by Billy Ray Suiter, PLS 1837.

All iron pins set are ½" x 18" rebar with plastic cap stamped "SUITER 1837".

Being the same property conveyed by Franklin Street Corporation to the City of Clarksville by deeds of record in ORBV 851, Page 2901 and ORBV 851, Page 2904, in the Register's Office for Montgomery County, Tennessee.

Copy of Construction Plans



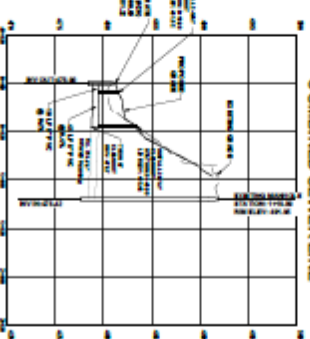
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CARROLLVILLE, TN 37060



TO THE ENGINEER OR PERSON REMOVED OR RELOCATED AS PER THE APPROPRIATE UTILITY DEPARTMENT.



FOR PERMITTING ONLY

 <p>McKAY-BURCHETT & COMPANY ENGINEERS</p> <p>1545 Madison Street Clarksville, TN 37040 Ph # 931-243-3095</p>	<p>THE BREWHOUSE</p> <p>SITE AND UTILITY LAYOUT PLAN</p> <p>110 S. 2ND ST., CLARKSVILLE MONTGOMERY COUNTY, TENNESSEE</p> <p>March 25, 2021</p>	<p>REVISIONS</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">DATE</th> <th style="width: 60%;">DESCRIPTION</th> <th style="width: 30%;">DRAWN BY</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	DATE	DESCRIPTION	DRAWN BY																
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<p>SHEET: C 1.00</p>	<p><small>DESIGNED BY: N. BARNES CHECKED BY: J. BURCHETT</small></p>	<p><small>DATE: 3/25/2021 DRAWN BY: J. BURCHETT</small></p>																			



 <p>McKAY-BURCHETT & COMPANY ENGINEERS</p> <p>1545 Madison Street Clarksville, TN 37040 Ph 931-345-3095</p>	<p>THE BREWHOUSE</p> <p>GRADING & DRAINAGE PLAN</p> <p>110 S. 2ND ST., CLARKSVILLE MONTGOMERY COUNTY, TENNESSEE April 20, 2021</p>	<p>REVISIONS</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">DATE</th> <th style="width: 30%;">NOTED/ISSUED</th> <th style="width: 40%;">COMMENTS</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	DATE	NOTED/ISSUED	COMMENTS													
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<p>SHEET: C.2.00</p>	<p><small>Drawings are to be used in accordance with the specifications and notes on the drawings.</small></p>																	

EXHIBIT 6

Drawing of Public Utilities and Drainage Easement

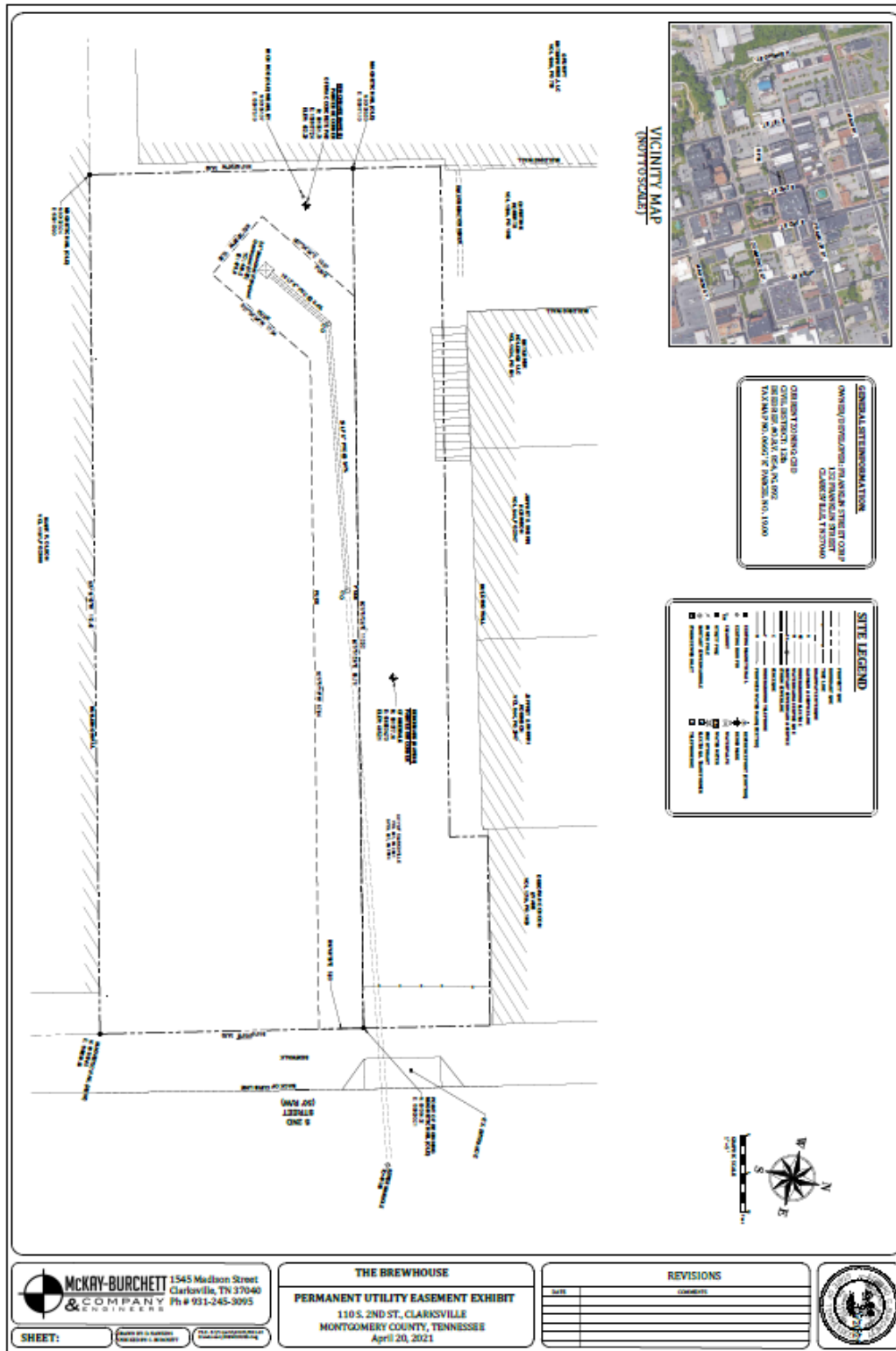


EXHIBIT 7

Form of Quitclaim Deed for City Property

ADDRESS NEW OWNER	MAP/PARCEL	SEND TAX BILLS TO:
Jeffrey K. Robinson and Sherri L. Robinson Clarksville, Tennessee 37040	None	Same as New Owner
This instrument prepared by: Bradley Arant Boult Cummings LLP (JLM) 1600 Division Street, Suite 700, Nashville, Tennessee 37203		

QUITCLAIM DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid, the receipt and sufficiency of which are hereby acknowledged the **City of Clarksville**, a Tennessee municipal corporation (the "Grantor"), hereby conveys, remises releases and quitclaims unto **Jeffrey K. Robinson and Sherri L. Robinson** (collectively, the "Grantee"), certain land in Montgomery County, Tennessee, being more particularly described on **Exhibit A** attached hereto and incorporated herein by reference (the "Property"), including the right of ingress and egress to the Property across the Grantor's sidewalk adjacent to the Property as more particularly described on **Exhibit B** attached hereto and incorporated herein by reference.

Said Property is conveyed subject to such limitations, restrictions and encumbrances as may affect the premises.

This is unimproved property located on South Second Street, City of Clarksville, Montgomery County, Tennessee.

Notwithstanding anything to the contrary contained herein, Grantor herby expressly retains an easement as described on **Exhibit C**, which is attached hereto and incorporated herein by this reference.

<div>STATE OF TENNESSEE COUNTY OF MONTGOMERY</div> <div style="margin-top: 20px;">I, or we, hereby swear or affirm that to the best of affiants knowledge, information, and belief, the actual consideration for this transfer is \$ _____.</div> <div style="text-align: right; margin-top: 20px;">_____ Affiant</div> <div style="margin-top: 20px;">Subscribed and sworn to before me this ____ day of _____, 2021.</div> <div style="text-align: right; margin-top: 20px;">_____ Notary Public My Commission Expires: _____</div>

WITNESS our hands this ____day of _____, 2021.

GRANTOR:

City of Clarksville, a Tennessee municipal corporation

By: _____
Mayor Joe Pitts

Attest:

Sylvia Skinner, City Clerk

STATE OF TENNESSEE)
COUNTY OF MONTGOMERY)

Personally appeared before me, the undersigned, a Notary Public, in and for said County and State, Joe Pitts, Mayor and Sylvia Skinner, City Clerk, with whom I am personally acquainted, and who, upon oath, acknowledged that they executed the within instrument for the purposes therein contained, and who further acknowledged that they are the Mayor and City Clerk, respectively of the maker, City of Clarksville, a Tennessee municipal corporation, and they are authorized by the maker to execute the instrument on behalf of the maker.

WITNESS my hand and seal at office in _____, Tennessee, on
this the _____ day of _____, 2021.

Notary Public

My Commission Expires:

ACCEPTANCE BY GRANTEE

GRANTEE, Jeffrey Robinson and Sherri Robinson, hereby accept this Quitclaim Deed for themselves, their heirs successors and assigns, subject to all conditions, reservations, restrictions and terms contained herein, this the ____ day of _____, 2021.

Jeffrey K. Robinson

Sherri L. Robinson

STATE OF TENNESSEE)
COUNTY OF MONTGOMERY)

Before me, the undersigned, a Notary Public in and for said County and State, duly commissioned and qualified, personally appeared Jeffrey K. Robinson, the within named bargainor, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who acknowledged that he executed the foregoing instrument for the purposes therein contained

WITNESS my hand and seal at office in _____, Tennessee, on this the ____ day of _____, 2021.

Notary Public

My Commission Expires:

STATE OF TENNESSEE)
COUNTY OF MONTGOMERY)

Before me, the undersigned, a Notary Public in and for said County and State, duly commissioned and qualified, personally appeared Sherri L. Robinson, the within named bargainor, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who acknowledged that she executed the foregoing instrument for the purposes therein contained

WITNESS my hand and seal at office in _____, Tennessee, on this the ____ day of _____, 2021.

Notary Public

My Commission Expires:

Exhibit A to Quitclaim Deed

Description of the Property

Being a Tract of land situated in the 12th Civil District of Montgomery County, Tennessee, said Tract being in downtown Clarksville and being generally located north of Commerce Street, south of Franklin Street, east of S. 1st Street, and west of, and adjacent to S. 2nd Street, said Tract being more particularly described as follows:

Beginning at a pk nail (new) in the western right-of-way of S. 2nd Street, said pk nail being located 95.00 feet south of the southern right-of-way of Franklin Street, as measured along the western right-of-way of S. 2nd Street, said pk nail also being the southeastern corner of the Deborah S. Evans property, as recorded in O.R.V. 609, Page 303, R.O.M.C.T.;

Thence with the western right-of-way of S. 2nd Street, South 14 degrees 52 minutes 43 seconds East 16.50 feet to a pk nail (new);

Thence leaving the said western right-of-way, and on a severance line, South 75 degrees 47 minutes 11 seconds West 112.63 feet to a pk nail (new), said pk nail being in the eastern line of the Grumpy's Enterprises, LLC property, as recorded in O.R.V. 1509, Page 756, R.O.M.C.T.;

Thence with the eastern line of the said Grumpy's Enterprises, LLC property, North 14 degrees 55 minutes 18 seconds West 11.50 feet to a pk nail (new), said pk nail being the southwestern corner of the Christine L. Roberts property, as recorded in O.R.V. 1390, Page 1908, R.O.M.C.T.;

Thence with the southern line of the said Roberts property, and the southern lines of the BKTurner Holding, LLC property, as recorded in O.R.V. 1434, Page 831, R.O.M.C.T., and the Jeffrey K. Robinson, ET UX property, as recorded in O.R.V. 844, Page 2347, R.O.M.C.T., North 75 degrees 47 minutes 11 seconds East 87.79 feet to an iron pin (new), said iron pin being the southeastern corner of the said Jeffrey K. Robinson, ET UX property;

Thence with the eastern line of the said Robinson property, North 14 degrees 46 minutes 05 seconds West 5.00 feet to an iron pin (new), said iron pin being the southwestern corner of the said Deborah S. Evans property;

Thence with the southern line of the said Evans property, North 75 degrees 47 minutes 11 seconds East 24.83 feet to the point of beginning.

The above described Tract shall remain a Public Utility & Drainage Easement in its entirety, regardless of ownership.

Said Tract contains 0.033 Acres (1,419.4 sq. ft.) more or less.

Property is subject to all easements, rights-of-way, covenants, and restrictions of record.

Property description is based on a physical survey by Billy Ray Suiter, PLS 1837.

All iron pins set are ½" x 18" rebar with plastic cap stamped "SUITER 1837".

Being the same property conveyed by Franklin Street Corporation to the City of Clarksville by deeds of record in ORBV 851, Page 2901 and ORBV 851, Page 2904, in the Register's Office for Montgomery County, Tennessee.

Exhibit B to Quitclaim Deed

Description of City Sidewalk

Being a portion of land in the 12th Civil District of Clarksville, Montgomery County, Tennessee, said parcel being the City of Clarksville Property, said parcel being generally described as a portion of the South 2nd Street right of way in Clarksville, Tennessee, 37040, said parcel being more particularly described as follows:

From Exhibit A for point of beginning, said point being S 01° 41' E for a distance of 124 feet from the centerline intersection of Franklin Street and South 2nd St., said point also being the northwestern corner of the herein described easement;

Thence, on a new easement line, N 75° 47' 11" E for a distance of 8.00 feet to a point on a line;

Thence, S 14° 52' 43" E a distance of 16.50 feet to a point;

Thence, S 75° 47' 11" W a distance of 8.00 feet to a PK Nail (new);

Thence, N 14° 52' 43" W for a distance of 16.50 feet to the point of beginning, said point being the southeast corner of the Deborah Cohoon Evans property as described in Vol. 609, page 303; said easement containing 132 Square Feet, more or less.

Together with and subject to all right of ways, easements, restrictions, covenants and conveyances of record and not of record.

Description from survey by McKay Burchett Surveying.

Exhibit C to Quitclaim Deed

Easement

1. Concurrently with Grantor's conveyance to Grantee of that certain property described on Exhibit A (the "Conveyed Property"), Grantor expressly retains and reserves for itself and its successors and assigns, a perpetual public utilities and drainage easement for the purpose of installing, operating, inspecting, maintaining, repairing, replacing, or removing public utility facilities beneath, upon, and over the Conveyed Property (the "Easement"). It is recognized by the Grantor and the Grantee that the Grantee intends to use the real property for a private alley to service adjoining real property owned by the Grantee, or by Grantee's affiliates. Grantor agrees that no utilities located aboveground will interfere with the Grantee's proposed use of the Conveyed Property as a paved private alley.

2. Grantee shall not install or construct, or permit to be installed or constructed, any building, structure, utility or other facility, nor shall Grantee drill any well, plant any trees, store materials of any kind, or alter ground level by cut or fill, within the limits of the Conveyed Property, without the prior written consent of the Grantor's. The Grantor and the Grantee acknowledge that the Grantee will build a building next to the real property described herein which the parties agree shall not be deemed to interfere with the Grantor's retained easement. The Grantor agrees that any alteration of the ground level of the Conveyed Property by cut or fill as shown on the Construction Plans (as defined in the Project Agreement by and among the Grantor, Grantee and Franklin Street Corporation, a Tennessee corporation) shall be permitted without any further consent by the City.

3. Grantor shall promptly repair and restore any damage to the Conveyed Property resulting from or arising out of the use thereof by Grantor (or any of its agents, employees, contractors, representatives, subtenants or invitees), to include repaving in the event it is necessary to disturb the pavement installed by the Grantee

4. Grantor shall use and cause its agents, employees, contractors, guests and invitees to use the Easement in a manner that complies with all applicable laws. Grantor shall not use the Easement for general parking or storage.

5. The Grantee shall not maintain the Conveyed Property in a manner that impairs the ability or capacity of the Grantor to fully utilize the Easement. The Grantee shall be granted exclusive use of the Property, but for the specific rights to the real property reserved to the Grantor. The Grantor agrees that the Grantee's paving of a private alley on the Conveyed Property will not impair the ability or capacity of the Grantor to fully utilize the Easement. The Grantor agrees that, but for any activities necessary for the Grantor to fully utilize the Easement, the Grantee shall have the right to use the private alley in anyway not disturbing the Grantee's utilities.

6. The Grantee shall permit the owners of the properties described on Exhibit C-1 (the "Adjoining Properties") to maintain in perpetuity any of the existing encroachments located on the Conveyed Property as shown on the Survey attached hereto as Exhibit C-2. The Grantee shall allow any owner of any Adjoining Property to perform all necessary repairs and maintenance of the encroachments as may be reasonably necessary from time to time. The Grantee shall have the

right to prevent the owners of the Adjoining Properties from parking in, or blocking in anyway, the Grantee's real property.

7. The terms, conditions, covenants, agreements and easements contained herein shall run with the land and are binding on and inure to the benefit of Grantor, Grantee and their respective heirs, successors and assigns.

Exhibit C-1 to Quitclaim Deed

Description of Adjoining Properties

Tract 1

Beginning at a PK nail located south 64 degrees 35 minutes 40 seconds west 104.28 feet from the centerline intersection of Franklin Street and South Second Street and being in the southern line of a brick sidewalk; said iron pin also being located in the northwestern corner of the Jeffrey K. Robinson Property (Vol. 844, Page 2347, ROMCT); thence along the western boundary line of Robinson, south 11 degrees 07 minutes 49 seconds east 100.00 feet to a PK nail located in the northern boundary line of the Franklin Street Corp. Property (Vol. 854, Page 892, ROMCT); thence along said northern boundary line of Franklin Street Corp. Property, south 79 degrees 01 minute 55 seconds west 18.62 feet to a PK nail; thence leaving the northern boundary line of the Franklin Street Corp. Property and along the eastern boundary line of the Christine L. Roberts Property (Vol. 1390, Page 1908, ROMCT), north 11 degrees 07 minutes 15 seconds west 100.00 feet to a PK nail in the said southern line of the brick sidewalk; thence leaving the Roberts boundary line and along the said southern boundary of the brick sidewalk, north 79 degrees 01 minute 55 seconds east, 18.61 feet to the point of beginning, according to survey of Ben Robert Weakley, TRLS No. 1457 of Weakley Brothers Engineering, P.O. Box 3409, 2121 Old Ashland City Road, Clarksville, TN 37043, dated 3-19-12 with a Job No. of 12-201.

The survey shows that the eastern, western and southern boundary lines are along the walls of a 2 story building with basement.

Being the same property which was conveyed to BKTurner Holding LLC, a Tennessee limited liability company, by deed from Todd Hansrote and wife, Suzette Hansrote of record in Volume 1434, Page 831, of the Register's Office for Montgomery County, Tennessee.

Parcel ID: 066G K 01400 000.

Tract 2

Beginning at a PK Nail in the south margin of Franklin Street, said PK Nail being at the Northwest corner of the Carson Castleman Property and also being South 69 degrees 21 minutes 03 seconds West, 142.32 feet from the centerline intersection of 2nd Street and Franklin Street, thence from said point of beginning south 11 degrees 55 minutes 33 seconds East, 147.48 to a PK Nail; thence South 78 degrees 35 minutes 56 seconds West, 24.07 feet to a PK Nail; thence North 10 degrees 47 minutes 53 seconds West, 147.64 feet to a PK Nail in the south margin of Franklin Street; thence with the south margin of Franklin Street, North 79 degrees 01 minutes 55 seconds East, 21.16 feet to the point of beginning, containing 3,336.9 square feet, more or less, according to a survey of J. Vernon Weakley, TRLS#1596, of Weakley Brother's Surveying, dated 7/31/03 and being further designated as Job No. 03-336B.

This property is subject to Special Assessment of record in ORBV 654, Page 890, in the Register's Office for Montgomery County, Tennessee.

This conveyance is further subject to (1) all applicable zoning ordinances (2) utility, sewer, drainage and other easements of record, (3) all subdivision/condominium assessments, covenants,

bylaws, restrictions, declarations and easements of record, (4) building restrictions, and (5) other matters of public record.

Being the same property conveyed to Grumpy's Enterprises LLC by Quitclaim Deed from Grumpy's Bail Bonding, LLC, of record in ORBV 1509, Page 756, in the Register's Office for Montgomery County, Tennessee.

This property is further identified as tax parcel #66G-K-11 in the Montgomery County Tax Assessor's Office.

Parcel ID:066G K 01100 000.

Tract 3

Reality at the southwest corner of Franklin and Second Streets, bounded on the north by Franklin Street, on the east by second street, on the south by an alley, and on the west by Stone (formerly the M. L. Cross Co.), fronting on Franklin Street 24 feet 10 inches and running back 95 feet to said alley.

This being the same realty conveyed to Deborah S. Evans by deed from Charles W. Smith, of record in Volume 609, Page 303, Register's Office for Montgomery County, Tennessee and by Quitclaim Deed from James Larry Cohoon. of record in Volume 1719, Page 1029, Register's Office for Montgomery County, Tennessee.

Parcel ID: 066G K 01700 000.

Tract 4

Fronting 22-1/4 feet on the south side of Franklin Street, and running back to an alley, bounded north by Franklin Street, south by said alley, east by the property of Mrs. Cornelia Turnley, now occupied by Pennebaker, on the west by the property of Mrs. Clara Burney, now occupied by I. P. Gerhart Store.

INCLUDED in the above-described property BUT EXPRESSLY EXCLUDED HEREFROM is the following described real estate to wit:

But off of the same there was sold a strip fronting 8 inches on Franklin Street and back the full length of the above lot along the western edge thereof, fully set out in a deed executed by L. Gauchat dated August 26, 1878 and of record in Deed Book 18, Page 325, to which reference is here made, and the said strip of ground was conveyed to Kincannon Wood & Company by the said last mentioned deed and is not herein conveyed.

This being the same real estate conveyed to Christine L. Roberts by Cash Warranty Deed from Carson Castleman of record in ORBV 1390, Page 1908, in the Register's Office for Montgomery County, Tennessee. The map, group and parcel number assigned to the above described real estate by the Assessor of Property for Montgomery County, Tennessee is 66G-K-13.

Parcel ID: 066G K 01300 000.

Exhibit C-2 to Quitclaim Deed

Copy of Survey

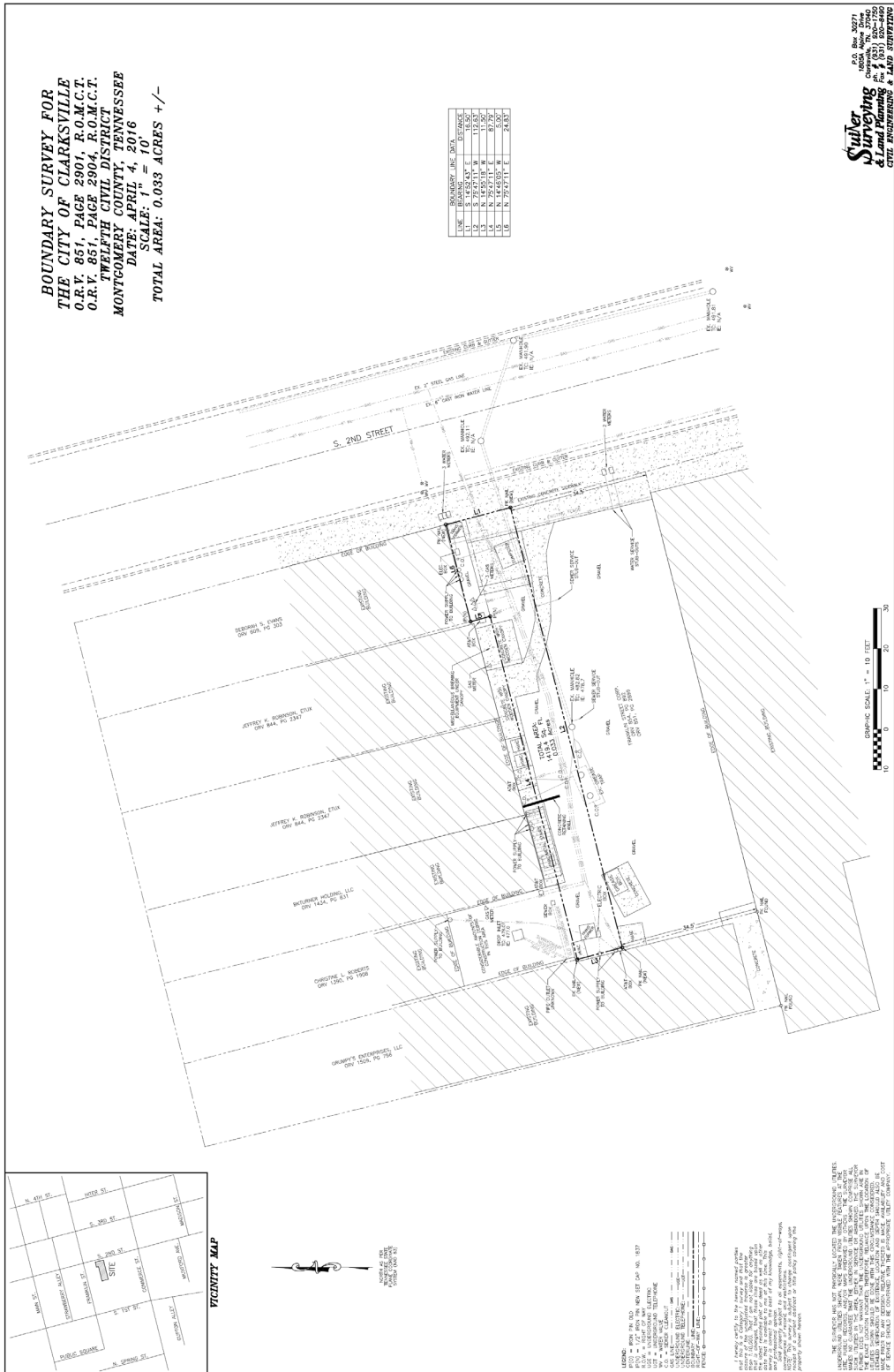


EXHIBIT 8

[Intentionally Deleted]

EXHIBIT 9

Form of Public Utilities and Drainage Easement Agreement

Map & Parcel: 66G-K-019.00
Source: Volume (ORV) 851, Page (PG) 2899 ROMCT (Portion)
and (ORV) 854, Page (PG) 892 ROMCT (Portion)

This Instrument Prepared By:
James L. Murphy III
Bradley Arant Boult Cummings LLP
1600 Division Street, Suite 700
Nashville, Tennessee 37203

GRANT OF PUBLIC UTILITIES AND DRAINAGE EASEMENT

For a good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, FRANKLIN STREET CORPORATION, a Tennessee corporation (the "Grantor"), does hereby grant, transfer and convey to the CITY OF CLARKSVILLE, TENNESSEE, a Tennessee municipal corporation (hereinafter called Grantee), its successors and assigns, a non-exclusive, permanent easement within which to construct, install, operate, maintain, change the size of, inspect, alter, replace and remove, combined sewer utilities, and associated appurtenances, with the area subject to said easement being shown on Exhibit A, which is attached hereto and incorporated herein, and is more particularly described as follows:

Being a Permanent Utility Easement containing a portion of the Franklin Street Corp.'s Property that is located in the 12th Civil District of Montgomery County, Tennessee, said easement being more particularly described as follows:

Commencing at the point of beginning for this easement, a magnetic nail, N: 801384.02, E: 1569280.21, said point being the northeast corner of the Franklin Street Corporation property as described in Deed Book V891, Page 2899 and Deed Book V854, Page 892, said point also being the southeast corner of the City of Clarksville property as described in Deed Book V851, Page 2901, said point also being a point in the west right-of-way of S. 2nd Street;

Thence along the west right-of-way of S. 2nd Street, S 14° 40' 56" E for a distance of 5.83 feet to a point on a line; thence leaving said right-of-way of S. 2nd Street, S 75° 51' 19" W for a distance of 87.64 feet to a point on a line; thence, S 27° 24' 54" W for a distance of 17.04 feet to a point on a line; thence, N 62° 35' 06" W for a distance of 10.00 feet to a point on a line; thence, N 27° 24' 54" E for a distance of 15.97 feet to a point on the north boundary line of said Franklin Street Corporation property; thence along said Franklin Street Corporation north boundary line, N 75° 51' 26" E a distance of 95.78 feet to the point of termination of Permanent Utility Easement, said point also being the point of beginning of Permanent Utility Easement.

Said Permanent Utility Easement measuring approximately 700 square feet, or 0.016 acres.

Being a portion of the property conveyed to Franklin Street Corporation by Warranty Deed recorded in Official Record Volume (ORV) 851, Page (PG) 2899 at the Register's Office of Montgomery County, Tennessee (ROMCT) and by Warranty Deed recorded in Official Record Volume (ORV) 854, Page (PG) 892 at the ROMCT.

Grantor hereby agrees that Grantee, its successors and assigns, may keep the easement clear of any debris, roots, growth or obstructions that may interfere with any utility line(s), and appurtenances thereto. Grantor covenants that no excavation, building, structure or obstruction of any kind will be constructed or permitted on said utility line easement and that it will not destroy, weaken or damage any utility line(s) or associated appurtenances, or interfere with the operation thereof or the flowage of combined sewer therein. The Grantee agrees that the Grantor's paving of any portion of the area subject to said easement will not destroy, weaken or damage any utility line(s) or associated appurtenances, or interfere with the operation thereof or the flowage of combined sewer therein.

Said easement is granted and conveyed subject to the limitations, restrictions, agreements and requirements set out herein, and further subject to any matters appearing of record.

Following any work performed by Grantor in the easement area, Grantor shall promptly remove all debris and shall otherwise restore such area to substantially the same condition as such area existed prior to such work.

Grantee shall not allow any mechanics, materialmen or similar lien to attach to the Grantor Property as a result of the work of Grantee.

TO HAVE AND TO HOLD the above-described easement with the estate, title and interest thereto, including all rights and powers therewith, belonging to Grantee, its successors and assigns, forever; and Grantor does covenant with Grantee that Grantor is lawfully seized and possessed of the underlying land in fee simple and of the utility line easement, has a good right to convey said easement, and the easement is unencumbered, except for matters of record; and Grantor does further covenant and bind itself, its successors and representatives, to warrant and forever defend the title to said easement to Grantee, its successors and assigns, against the lawful claims of all persons whomsoever.

Whenever used, the singular number shall include the plural, the plural, the singular, and the use of any gender shall be applicable to all genders.

[SIGNATURE PAGES BEGIN ON NEXT PAGE]

IN WITNESS WHEREOF, this instrument is executed this _____ day of _____, 2021, at Clarksville, Tennessee.

GRANTOR:

FRANKLIN STREET CORPORATION, a Tennessee corporation

By: _____
Name: _____
Title: _____

STATE OF TENNESSEE)
COUNTY OF MONTGOMERY)

Personally appeared before me, the undersigned, a Notary Public in and for said county and state, _____, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that (s)he executed the within instrument for the purposes therein contained, and who further acknowledged that (s)he is the _____ of Franklin Street Corporation, a Tennessee corporation, and as such _____. (s)he is authorized by the corporation to execute this instrument on behalf of the corporation.

Witness my hand and seal at _____ [City], _____ [State], this _____ day of _____, 2021.

Notary Public

My commission expires: _____

[SIGNATURES CONTINUED ON NEXT PAGE]

GRANTEE:

THE CITY OF CLARKSVILLE,
a Tennessee municipal corporation

By: _____
Mayor Joe Pitts

ATTEST:

Sylvia Skinner, City Clerk

STATE OF TENNESSEE)
COUNTY OF MONTGOMERY)

Personally appeared before me, the undersigned, a Notary Public, in and for said County and State, Joe Pitts, Mayor and Sylvia Skinner, City Clerk, with whom I am personally acquainted, and who, upon oath, acknowledged that they executed the within instrument for the purposes therein contained, and who further acknowledged that they are the Mayor and City Clerk, respectively of the maker, City of Clarksville, a Tennessee municipal corporation, and they are authorized by the maker to execute the instrument on behalf of the maker.

WITNESS MY HAND, at office, this the _____ day of _____, 2021.

Notary Public
My Commission Expires: _____

STATE OF TENNESSEE
COUNTY OF MONTGOMERY

I hereby swear or affirm that a municipality is the Grantee of the property transferred, that pursuant to Tenn. Code Ann. § 67-4-409 (f)(1), this transfer of realty is tax-exempt, and that no oath of value is required pursuant to Tenn. Code Ann. § 67-4-409 (a)(5).

AFFIANT

Sworn to and subscribed before me on this the _____ day of _____, 2021.

NOTARY PUBLIC
My Commission Expires: _____

Drawing of Easement Area

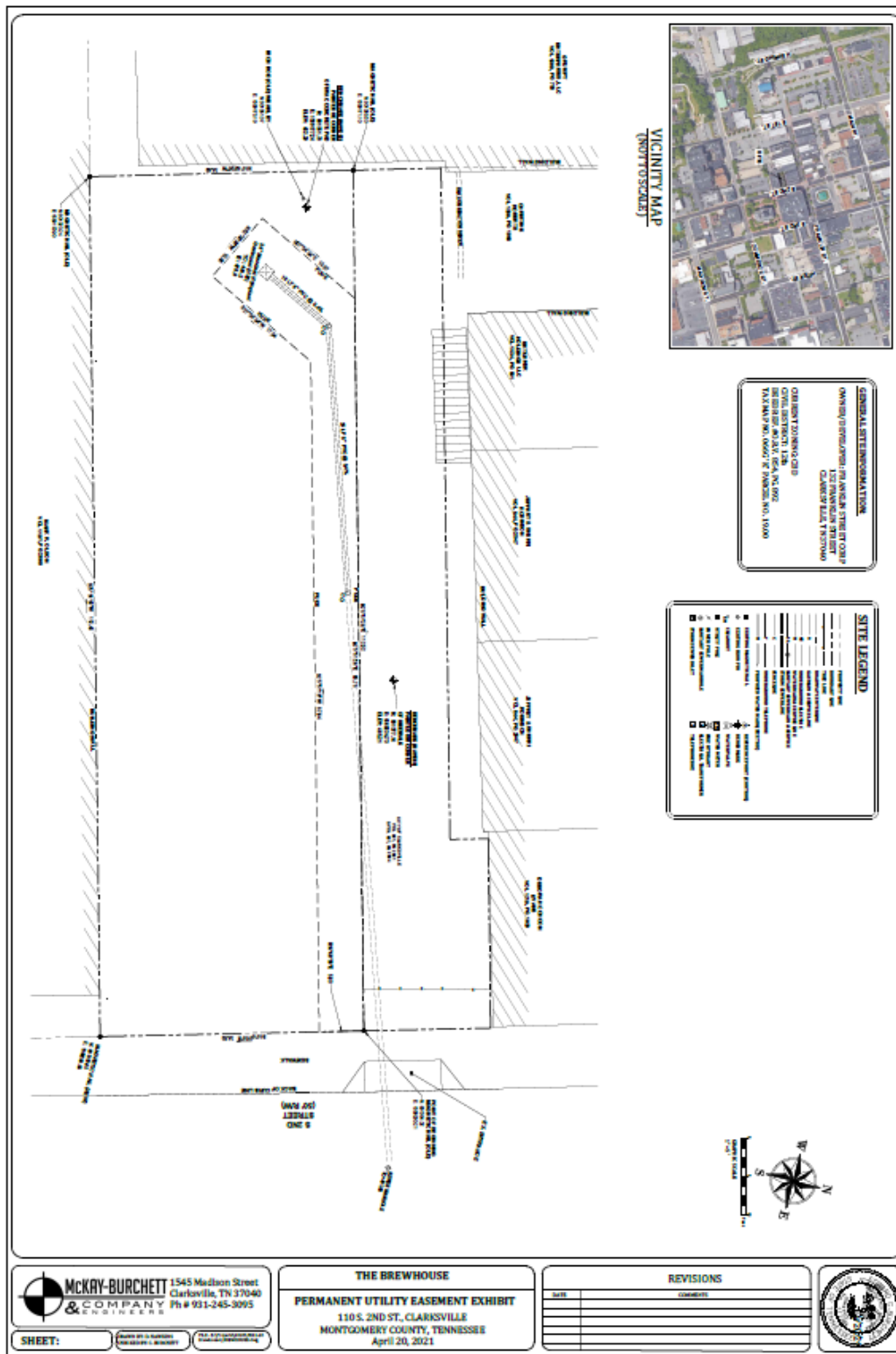


EXHIBIT 10

Form of Settlement Agreement

SETTLEMENT AGREEMENT

This Settlement Agreement (this "Agreement") is entered into as of the ____ day of _____, 2021, by and among Jeffrey Robinson and Sherri Robinson, (collectively the "Robinsons"), Franklin Street Corporation, a Tennessee corporation ("FSC") and the City of Clarksville, Tennessee (the "City") (each a "Party" and, collectively, the "Parties").

WITNESSETH:

WHEREAS, the Robinsons own certain property located in Montgomery County, Tennessee, being more particularly described on Exhibit A attached hereto (the "Robinson Property");

WHEREAS, FSC owns certain property located in Montgomery County, Tennessee, being more particularly described on Exhibit B attached hereto (the "FSC Property");

WHEREAS, the City owns certain property contiguous to the Robinson Property and the FSC Property, being more particularly described on Exhibit C attached hereto (the "City Property");

WHEREAS, the Robinsons and FSC have asserted certain claims against the City in a lawsuit that was filed in the Circuit Court for Montgomery County, Tennessee, styled as *Jeffrey Robinson, et al., v. The City of Clarksville, Tennessee*, No. CC16CV1410, and is now on appeal in the Court of Appeals of Tennessee, styled as *Jeffrey Robinson, et al., v. City of Clarksville*, No. M2020-01299-COA-R3-CV (the "Initial State Court Lawsuit");

WHEREAS, FSC has asserted certain claims against the City in a lawsuit that is pending in United States District Court for the Middle District of Tennessee, styled as *Franklin Street Corporation, v. The City of Clarksville*, Case No. 3:20-cv-00523 (the "Federal Court Lawsuit"); and

WHEREAS, Jeffery Robinson has asserted certain claims against the City, Joseph Pitts, officially as Mayor for the City and Lance Baker, officially as City Attorney for the City, in a lawsuit that is pending in the Circuit Court for Montgomery County, Tennessee, styled as *Jeffrey Robinson, v. City of Clarksville, Joseph Pitts, officially as Mayor for the City of Clarksville, and Lance Baker, officially as City Attorney for the City of Clarksville*, Docket No. CC-20-CV-2247 (the "Second State Court Lawsuit"); and

WHEREAS, the City has retained McKay-Burchett & Company Engineers ("McKay-Burchett") to conduct a drainage study and prepare plans (the "Construction Plans") to reroute a portion of the stormwater drainage flowing to a stormwater inlet located on the property owned

Christine L. Roberts (the “Roberts Inlet”) to the location on the FSC Property as shown on the Construction Plans; and

WHEREAS, pursuant to a Project Agreement (the “Project Agreement”) by and among the Parties, the City has agreed to: (i) reimburse the Robinsons and/or FSC for a portion of the cost of extending the combined sewer line on the FSC Property to a new grate inlet, the construction of a retaining wall and the alteration of existing downspouts (the “Drainage Improvements”) as shown on the Construction Plans, (ii) pay the “Additional Consideration (as defined in the Project Agreement) and (ii) transfer the City Property to the Robinsons; and

WHEREAS, in exchange for the City’s agreement to make the payment of the Additional Consideration and to reimburse the Robinsons and/or FSC for a portion of the cost of the Drainage Improvements and the conveyance of the City Property to the Robinsons, the Robinsons and FSC, have agreed to dismiss with prejudice the Federal Court Lawsuit and the Second State Court Lawsuit and release certain claims as described in this Agreement,

NOW THEREFORE, the Robinsons, FSC and the City enter into this Agreement for the consideration and purposes expressed herein:

1. Dismissal of Federal Court Lawsuit. No later than three (3) business days after the date of the Closing (as defined in the Project Agreement), FSC shall file the Notice of Dismissal (with Prejudice), attached hereto as Exhibit D, dismissing all of its claims in the Federal Court Lawsuit against the City with prejudice. Any court costs assessed in connection with the Federal Court Lawsuit shall be paid by FSC. All parties shall bear their own fees and costs, including attorneys’ fees. Neither party shall seek discretionary costs consistent with Rule 54, Federal Rules of Civil Procedure.

2. Dismissal of Second State Court Lawsuit. No later than three (3) business days after the date of the Closing (as defined in the Project Agreement), Jeffery Robinson shall file the Agreed Order Voluntary Dismissal with Prejudice attached hereto as Exhibit E, dismissing all of his claims in the Second State Court Lawsuit against the City and the City Parties with prejudice. Any court costs assessed in connection with the Second State Court Lawsuit shall be paid by Jeffery Robinson. All parties shall bear their own fees and costs, including attorneys’ fees. Neither party shall seek discretionary costs consistent with Rule 54, Tennessee Rules of Civil Procedure.

3. Robinsons’ Release of the City. The Robinsons, on behalf of themselves and their representatives, related entities, affiliates, parents, subsidiaries, predecessors, successors, assigns and current and former directors, officers, agents and employees, hereby irrevocably and unconditionally releases, discharges and covenants not to sue the City and its affiliates, successors, assigns and its current and former officials, agents, employees, attorneys, contractors/vendors and insurers, from and for: (i) any and all claims, damages, actions, causes of action or liabilities of whatsoever nature, whether known or unknown, disclosed or undisclosed, that, in the broadest sense, in any way arise out of or are related to any flooding from Second Street or the City Property or flooding or overflow from or caused by or in any way connected to the Roberts Inlet that occurred prior to the Effective Date; (ii) any and all claims, damages, actions, causes of action or liabilities of whatsoever nature that have been asserted against the City in the Federal Court

Lawsuit, or which could have been asserted against the City, or its affiliates, successors, assigns, or its current and former officials, agents, employees, attorneys, contractors/vendors and insurers, in the Federal Court Lawsuit; and (iii) any and all claims, damages, actions, causes of action or liabilities of whatsoever nature that have been asserted against the City or its affiliates, successors, assigns, or its current and former officials, agents, employees, attorneys, contractors/vendors and insurers in the Second State Court Lawsuit, or which could have been asserted against the City, or its affiliates, successors, assigns, or its current and former officials, agents, employees, attorneys, contractors/vendors and insurers, in the Second State Court Lawsuit. Nothing contained in the foregoing release and covenant not to sue shall apply to, affect or serve as a defense to any claims previously asserted by the Robinsons against the City, or attempted to be asserted against former Mayor Kim McMillan, in the Initial State Court Lawsuit. This is not a release of any claim set forth in the Initial State Court Lawsuit, including, without limitation, any and all claims by the Robinsons which were previously asserted in the Initial State Court Lawsuit. The settlement set forth herein and the compensation and the land transfers made by the parties pursuant to the Project Agreement shall not be plead by the City as an affirmative defense to any claims which were previously asserted by the Robinsons in the Initial State Court Lawsuit. The compensation paid pursuant to the Project Agreement shall not be plead in any way as satisfaction of any claims which were previously asserted by the Robinsons in the Initial State Court Lawsuit. This includes all claims which were previously asserted by the Robinsons in the Initial State Court Lawsuit but dismissed by the Trial Court which may be reinstated by the Tennessee Court of Appeals and any claims attempted to be brought against former Mayor Kim McMillan which were previously asserted by the Robinsons in the Initial State Court Lawsuit. The foregoing exception to the release by the Robinsons shall not apply to any person or entity not specifically named as a party defendant in the original Complaint or any proposed Amended Complaint filed with the Trial Court in the Initial State Court Lawsuit, including but not limited to Mayor Joe Pitts, Lance Baker, Charlie Gentry, Pat Hickey, Jack Frazier, Mark Riggins Garth Branch and Richard Stevens, both in their official capacity and their individual capacity.

4. FSC's Release of the City. FSC, on behalf of itself and its representatives, related entities, affiliates, parents, subsidiaries, predecessors, successors, assigns and current and former directors, officers, agents and employees, hereby irrevocably and unconditionally releases, discharges and covenants not to sue the City and its affiliates, successors, assigns and its current and former officials, agents, employees, attorneys, contractors/vendors and insurers, from and for: any and all claims, damages, actions, causes of action or liabilities of whatsoever nature, whether known or unknown, disclosed or undisclosed, that, in the broadest sense, in any way arise out of or are related to any flooding from Second Street or the City Property or flooding or overflow from or caused by or in any way connected to the Roberts Inlet that occurred prior to the Effective Date; and (ii) any and all claims, damages, actions, causes of action or liabilities of whatsoever nature, that have been asserted against the City or its affiliates, successors, assigns, or its current and former officials, agents, employees, attorneys, contractors/vendors and insurers, in the Federal Court Lawsuit, or which could have been asserted against the City, or its affiliates, successors, assigns, or its current and former officials, agents, employees, attorneys, contractors/vendors and insurers, in the Federal Court Lawsuit, and (iii) any and all claims, damages, actions, causes of action or liabilities of whatsoever nature that have been asserted against the City or its affiliates, successors, assigns, or its current and former officials, agents, employees, attorneys, contractors/vendors and insurers in the Second State Court Lawsuit, or which could have been

asserted against the City, or its affiliates, successors, assigns, or its current and former officials, agents, employees, attorneys, contractors/vendors and insurers, in the Second State Court Lawsuit. Nothing contained in the foregoing release and covenant not to sue shall apply to, affect or serve as a defense to any claims previously asserted by FSC against the City, or attempted to be asserted against former Mayor Kim McMillan, in the Initial State Court Lawsuit. This is not a release of any claim set forth in the Initial State Court Lawsuit, including, without limitation, any and all claims by FSC which were previously asserted in the Initial State Court Lawsuit. The settlement set forth herein and the compensation and the land transfers made by the parties pursuant to the Project Agreement shall not be plead by the City as an affirmative defense to any claims which were previously asserted by FSC in the Initial State Court Lawsuit. The compensation paid pursuant to the Project Agreement shall not be plead in any way as satisfaction of any claims which were previously asserted by FSC in the Initial State Court Lawsuit. This includes all claims which were previously asserted by FSC in the Initial State Court Lawsuit but dismissed by the Trial Court which may be reinstated by the Tennessee Court of Appeals and any claims attempted to be brought against former Mayor Kim McMillan which were previously asserted by FSC in the Initial State Court Lawsuit. The foregoing exception to the release by FSC shall not apply to any person or entity not specifically named as a party defendant in the original Complaint or any proposed Amended Complaint filed with the Trial Court in the Initial State Court Lawsuit, including, but not limited to, Mayor Joe Pitts, Lance Baker, Charlie Gentry, Pat Hickey, Jack Frazier, Mark Riggins Garth Branch, and Richard Stevens, both in their official capacity and their individual capacity.

5. No Admission of Liability. The facts, claims and issues that have been or which may be asserted by Robinsons and/or FSC, (i) regarding any flooding from or obstruction of the Roberts Inlet, (ii) in the Federal Court Lawsuit, and (iii) in the Second State Court Lawsuit are all disputed by the City. The settlement of the claims regarding any flooding from Second Street or the City Property or flooding or overflow from or caused by or in any way connected to the Roberts Inlet, the settlement of the Federal Court Lawsuit and the settlement of the Second State Court Lawsuit and consideration provided herein to the Robinsons and/or FSC is NOT an acknowledgment by the City, or by any official, employee or agent of the City, of the merits of any flooding claims made by the Robinsons or FSC, or any position taken by the Robinsons or FSC, in the Federal Court Lawsuit or the Second State Court Lawsuit or a statement of the position of the City, or of any official, employee or agent of the City, regarding the facts in dispute, or a finding of any fact as to any issue in dispute. This Agreement does not, and shall not, constitute an admission by the City, or of any official, employee or agent of the City, of any violation of any federal, state or local law or regulation, or of a violation of any rights, privileges or immunities of the Robinsons, FSC or of any other person or entity.

6. Consent and Authority. The Robinsons, FSC and the City represent and warrant that they have the full and proper consent and authority of the persons or entities for which they sign to enter into this Agreement. The Robinsons, FSC and the City represent and warrant that they are the full and sole owners of the claims, demands and/or causes of action released and settled in this Agreement, that they have the full authority and consent to execute the Agreement and to settle and release all such claims, demands and/or causes of action, and that the claims, demands, causes of action and/or other matters released in this Agreement have not been assigned, transferred, or otherwise encumbered.

7. Full Knowledge. The Robinsons, FSC and the City represent to all other Parties that they have carefully read and reviewed and know and understand the contents of this Agreement, that they have discussed the terms of this Agreement with their respective counsel, and that they have executed this Agreement freely, knowingly and voluntarily.

8. Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the Robinsons, FSC and the City.

9. Amendment. This Agreement may not be amended or otherwise altered except by an agreement in writing signed by all of the Parties listed below.

10. Applicable Law and Venue. This Agreement shall be interpreted, construed and enforced in accordance with, and its construction and performance shall be governed by, the laws of the State of Tennessee without giving effect to the conflict of laws or choice of laws thereof. Exclusive venue for any litigation arising out of or relating to this Agreement shall be in the U. S. District Court for the Middle District of Tennessee or in the state courts located in Montgomery County, Tennessee.

11. Waiver of Jury Trial. Each Party, for itself and its successors and assigns, hereby waives any right to trial by jury in connection with any litigation arising out of this Agreement.

12. Construction of Agreement. Each of the Parties hereto has agreed to the use of the particular language of this Agreement, and any question regarding the meaning of this Agreement shall not be resolved by any rule providing for construction against the Party who caused the uncertainty to exist or against the draftsman. If any Party to this Agreement is made up of more than one (1) person or entity, then all of the persons and/or entities comprising such Party shall be jointly and severally liable hereunder. This Agreement and the Additional Documents (as defined in the "Project Agreement") constitutes the entire agreement and understanding of the Parties with respect to the subject matter hereof and supersedes all prior agreements, understandings, letters, negotiations and discussions, whether oral or written, of the Parties. The captions and headings contained herein are for convenience and reference only, and they shall not be deemed to define, modify or add to the meaning of any provision of this Agreement.

13. Counterparts. This Agreement may be executed in one or more counterparts, including facsimile signatures, all of which shall be considered one and the same agreement and shall become effective when one or more counterparts have been signed by each of the Parties hereto.

14. Severance. If any part of this Agreement is found unlawful or unenforceable, the remainder of this Agreement shall not be affected by that finding.

15. Exhibits. The Parties acknowledge that all exhibits referenced in this Agreement are attached hereto and incorporated herein by reference.

16. Expenses. Each Party shall be responsible for the payment of the attorneys' fees that it incurs in connection with the preparation of this Agreement.

17. Effective Date. The "Effective Date" of this Agreement shall be the date of the Closing as defined in the Project Agreement. In the event the Closing does not occur pursuant to the terms of the Project Agreement, then this Agreement shall have no force and effect.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY BLANK.

SIGNATURE PAGE TO FOLLOW.]

IN WITNESS WHEREOF, the undersigned Parties have executed this Agreement as of the date set forth below.

THE CITY OF CLARKSVILLE, TENNESSEE

By: _____
Name: _____
Title: _____
Date: _____

ATTEST:

Sylvia Skinner, City Clerk
DATE: _____

JEFFREY ROBINSON

DATE: _____

SHERRI ROBINSON

DATE: _____

FRANKLIN STREET CORPORATION

BY: _____
NAME: _____
TITLE: _____
DATE: _____

Exhibit A to Settlement Agreement

Description of the Robinsons Property

Tract 1: 132 Franklin Street, Clarksville, Tennessee: A store building and lot at 132 Franklin Street in the City of Clarksville, beginning at a point on the south side of Franklin Street, about 55 feet west of Second Street, Mrs. Harrison's northwest corner; thence southwardly with Mrs. Harrison's parallel with Second Street about 100 feet to the property formerly owned by Michell brothers; thence westwardly, parallel with Franklin Street about 25 feet to the property now owned by Mrs. L.A. Pennebaker; thence northwardly with Pennebaker about 100 feet to Franklin Street; thence eastwardly with said street about 25 feet to the beginning.

Tract 2: 134 Franklin Street, Clarksville, Tennessee: A store building and lot at 132 Franklin Street in the City of Clarksville, beginning at a point on the south side of Franklin Street, about 55 feet west of Second Street, Mrs. Harrison's northwest corner; thence southwardly with Mrs. Harrison's parallel with Second Street about 100 feet to the property formerly owned by Michell brothers; thence westwardly, parallel with Franklin Street about 25 feet to the property now owned by Mrs. L.A. Pennebaker; thence northwardly with Pennebaker about 100 feet to Franklin Street; thence eastwardly with said street about 25 feet to the beginning.

This description was taken from Official Record Book Volume 726, Page 1377, in the Register's Office for Montgomery County, Tennessee.

Tract 1-Parcel ID: 066G K 01500 000

Tract 2-Parcel ID: 066G K 01600 000

This is the same realty conveyed to Jeffrey K. Robinson and wife, Sherri L. Robinson, by deed of record in Official Record Book Volume 844, Page 2347, in the Register's Office for Montgomery County, Tennessee, as to both tracts.

Exhibit B to Settlement Agreement

Description of FSC Property

Being a tract of land situated in the 12th Civil District in Clarksville, Montgomery County, Tennessee, and being more fully described as follows:

BEGINNING at a point in the west right of way of Second Street, said point being South 14 degrees 41 minutes 37 seconds East, 111.50 feet from the intersection of the south right of way of Franklin Street and said west right of way of said Second Street, said point being the northeast corner of said herein tract described;

THENCE with said Second Street, South 14 degrees 41 minutes 37 seconds East, 34.50 feet to a point, said point being the southeast corner of the said Albert Marks property, said point also being the northeast corner of the Mark Olson property, ORBV.816, Page 1355, R.O.M.C.T., said point also being southeast corner of said herein tract described;

THENCE leaving said Second Street and with the north line of said Olson property, South 76 degrees 02 minutes 27 seconds West, 113.76 feet to a point, said point being the southwest corner of said Albert Marks property, said point also being the southeast corner of the D & S Investments property, ORBV. 651, Page 1101, said point also being the southwest corner of said herein tract described;

THENCE leaving said Olson property and with the east line of said D & S Investments property, North 14 degrees 41 minutes 37 seconds West, 34.50 feet to a point, said point being the northwest corner of said herein tract described;

THENCE leaving said D & S Investments property, North 76 degrees 02 minutes 27 seconds East, 113.16 feet to a point of beginning.

Said tract containing 3904 square feet or 0.09 acres more or less.

Said tract being subject to all easements, right of ways, restrictions and conveyances of record.

Being a portion of the property conveyed to Franklin Street Corporation by deeds of record in ORBV 851, Page 2899 and ORBV 854, Page 892, Register's Office for Montgomery County, Tennessee.

This description excludes the property conveyed to the City of Clarksville by deed of record in ORBV 851, Page 2901, Register's Office for Montgomery County, Tennessee.

Parcel ID:

Parcel ID: 066G K 01900 000

Exhibit C to Settlement Agreement

Description of City Property

Being a Tract of land situated in the 12th Civil District of Montgomery County, Tennessee, said Tract being in downtown Clarksville and being generally located north of Commerce Street, south of Franklin Street, east of S. 1st Street, and west of, and adjacent to S. 2nd Street, said Tract being more particularly described as follows:

Beginning at a pk nail (new) in the western right-of-way of S. 2nd Street, said pk nail being located 95.00 feet south of the southern right-of-way of Franklin Street, as measured along the western right-of-way of S. 2nd Street, said pk nail also being the southeastern corner of the Deborah S. Evans property, as recorded in O.R.V. 609, Page 303, R.O.M.C.T.;

Thence with the western right-of-way of S. 2nd Street, South 14 degrees 52 minutes 43 seconds East 16.50 feet to a pk nail (new);

Thence leaving the said western right-of-way, and on a severance line, South 75 degrees 47 minutes 11 seconds West 112.63 feet to a pk nail (new), said pk nail being in the eastern line of the Grumpy's Enterprises, LLC property, as recorded in O.R.V. 1509, Page 756, R.O.M.C.T.;

Thence with the eastern line of the said Grumpy's Enterprises, LLC property, North 14 degrees 55 minutes 18 seconds West 11.50 feet to a pk nail (new), said pk nail being the southwestern corner of the Christine L. Roberts property, as recorded in O.R.V. 1390, Page 1908, R.O.M.C.T.;

Thence with the southern line of the said Robert's property, and the southern lines of the BKTurner Holding, LLC property, as recorded in O.R.V. 1434, Page 831, R.O.M.C.T., and the Jeffrey K. Robinson, ET UX property, as recorded in O.R.V. 844, Page 2347, R.O.M.C.T., North 75 degrees 47 minutes 11 seconds East 87.79 feet to an iron pin (new), said iron pin being the southeastern corner of the said Jeffrey K. Robinson, ET UX property;

Thence with the eastern line of the said Robinson property, North 14 degrees 46 minutes 05 seconds West 5.00 feet to an iron pin (new), said iron pin being the southwestern corner of the said Deborah S. Evans property;

Thence with the southern line of the said Evans' property, North 75 degrees 47 minutes 11 seconds East 24.83 feet to the point of beginning.

The above described Tract shall remain a Public Utility & Drainage Easement in its entirety, regardless of ownership.

Said Tract contains 0.033 Acres (1,419.4 sq. ft.) more or less.

Property is subject to all easements, rights-of-way, covenants, and restrictions of record.

Property description is based on a physical survey by Billy Ray Suiter, PLS 1837.

All iron pins set are ½" x 18" rebar with plastic cap stamped "SUITER 1837".

Being the same property conveyed by Franklin Street Corporation to the City of Clarksville by deeds of record in ORBV 851, Page 2901 and ORBV 851, Page 2904, in the Register's Office for Montgomery County, Tennessee.

Exhibit D to Settlement Agreement

Form of Notice of Dismissal of the Federal Court Lawsuit

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

FRANKLIN STREET CORPORATION,

Plaintiff,

v.

THE CITY OF CLARKSVILLE,
TENNESSEE,

Defendant.

Case No. 3:20-cv-00523

Judge Aleta A. Trauger

**FRANKLIN STREET CORPORATION'S
RULE 41(A)(1)(A)(i) NOTICE OF DISMISSAL**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), Franklin Street Corporation hereby gives notice that it is dismissing this action with prejudice (with costs taxed as paid) due to the parties' settlement of the claims at issue in this matter.

Dated: _____, 2021.

Mark R. Olson ((#11630)
Olson & Olson, PLC
112 S. Second Street, Suite 200
Clarksville, TN 37040
931-648-1517

Attorney for Plaintiff, Franklin Street Corporation

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by email on the following:

Lance A. Baker
One Public Square
Clarksville, TN 37040
lance.baker@cityofclarksville.com

James L. Murphy III
1600 Division Street, Suite 700
P.O. Box 340025
Nashville, Tennessee 37203
jmurphy@bradley.com

Mike J. Stephens
1600 Division Street, Suite 700
P.O. Box 340025
Nashville, Tennessee 37203
mstephens@bradley.com

Attorneys for Defendant, The City of Clarksville, Tennessee

on this the _____ day of _____, 2021.

Mark R. Olson

Form of Agreed Order Voluntary Dismissal with Prejudice of the Second -State Court Lawsuit

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JUDGE HICKS

Entered this the day of , 2021.

ROSS H. HICKS
CIRCUIT COURT JUDGE

APPROVED FOR ENTRY BY:

**OFFICE OF THE CITY ATTORNEY
CITY OF CLARKSVILLE, TN**

By: _____

LANCE A. BAKER, #015152

NEIL C. STAUFFER, # 035447

One Public Square

Clarksville, TN 37040

lance.baker@cityofclarksville.com

neil.stauffer@cityofclarksville.com

Telephone: (931) 553-2475

Facsimile: (931) 221-0122

Attorneys for Defendant City of Clarksville

-and-

Mark R. Olson

112 South Second Street, Suite 200

Clarksville, TN 37040

molson@olsonplc.com

Telephone: (931) 648-1517

Facsimile: (931) 648-9186

Taylor R. Dahl

498 Grant Avenue

Clarksville, TN 37040

tdahl@taylordahllaw.com

Telephone: (931) 245-5060

Facsimile: (931) 245-5062

Attorneys for Plaintiff, Jeffrey Robinson

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing has been served upon the following by hand delivery and/or regular U.S. Mail, postage prepaid, on this the ____ day of _____, 2021:

I hereby certify that a true and correct copy of the foregoing was served by email on the following:

Lance A. Baker
One Public Square
Clarksville, TN 37040
lance.baker@cityofclarksville.com

Neil C. Stauffer
One Public Square
Clarksville, TN 37040
neil.stauffer@cityofclarksville.com

Attorneys for Defendant, The City of Clarksville, Tennessee

on this the _____ day of _____, 2021.

Mark R. Olson

TAX MAP NO. 66J GROUP "F", PARCEL NO. 5.00, 11.00 & 11.01
CURRENT ZONING: CBD & R-4
DEED REF. # O.R.V. 1002, PG 2212 &
O.R.V. 1203, PG 526
12TH CIVIL DISTRICT
TOTAL ACREAGE: 1.02+- ACRES

TOTAL ACREAGE: 44.327 SF
(1.02 +/- ACRES)
TOTAL PROPOSED BUILDING AREA: 6,940 SF
PROPOSED LOT COVERAGE: 13%
PROPOSED PARKING REQUIRED: 19
PROPOSED PARKING PROVIDED: 19
1 PARKING SPACE = 361.18 (180 SF)
PROPOSED VEHICULAR USE AREA: 14,391 SF (44%)
PROPOSED IMPERVIOUS AREA: 22,914 SF (69%)
BUILDING HEIGHT: 75' MAXIMUM
OFF BUILDING SIGN TO BE DETERMINED AT A LATER DATE.

MINIMUM SETBACK LINE

PROPERTY LINE

IRON PIN

ROADWAY CENTERLINE

FENCELINE

PROPOSED WATER SERVICE

PROPOSED SEMI SERVICE

PROPOSED BUILDING

PROPOSED ASPHALT PAVEMENT

[illegible]

1. ALL UNITS LOTS SHALL EACH RECEIVE A 3/4" WATER SERVICE AND A 6" SEWER SERVICE.

2. CONTRACTOR SHALL MAINTAIN A MINIMUM 5' CLEARANCE BETWEEN THE EXISTING WATER MAIN AND ANY OTHER UTILITY SERVICE LOCATED WITHIN THE LOT. EXCEEDING 5' CLEARANCE SHALL BE MAINTAINED.

3. ALL EXISTING MAINS SHALL BE MADE OF PIPE MEETING SD-2041 SPECIFICATIONS AND SHALL HAVE A MINIMUM COVER OF 8' BELOW THE FINISHED GRADE. WATER MAINS SHALL BE MADE OF 12" DUCTILE IRON PIPE WITH 125 PSI WALL THICKNESS.

4. ALL SEWER MAINS SHALL BE MADE OF PIPE MEETING AWWA C900 SPECIFICATION.

5. OWNER NAME SHALL BE INSTALLED AT THE UPSTREAM END OF EACH MAINLINE. THEIR HAND SHALL COMBINE COMPACTED FILL, GRADING AND BACKFILL. MAINS SHALL TRAVEL TOWARD THE TOP OF THE TRENCH AND END INTO THE TRENCH AT THE TRENCH END.

6. ALL NEWLINE LOTS IN THIS AREA SHALL BE REZONED AND COMPLETED TO MEET MAXIMUM DENSITY AND TESTED BY A GEOTECHNICAL ENGINEER.

7. CONTRACTOR SHALL BE ASKED TO OPEN THE CITY OF CLAYTONVILLE STANDARD SPECIFICATIONS TO THE 2015 EDITION.

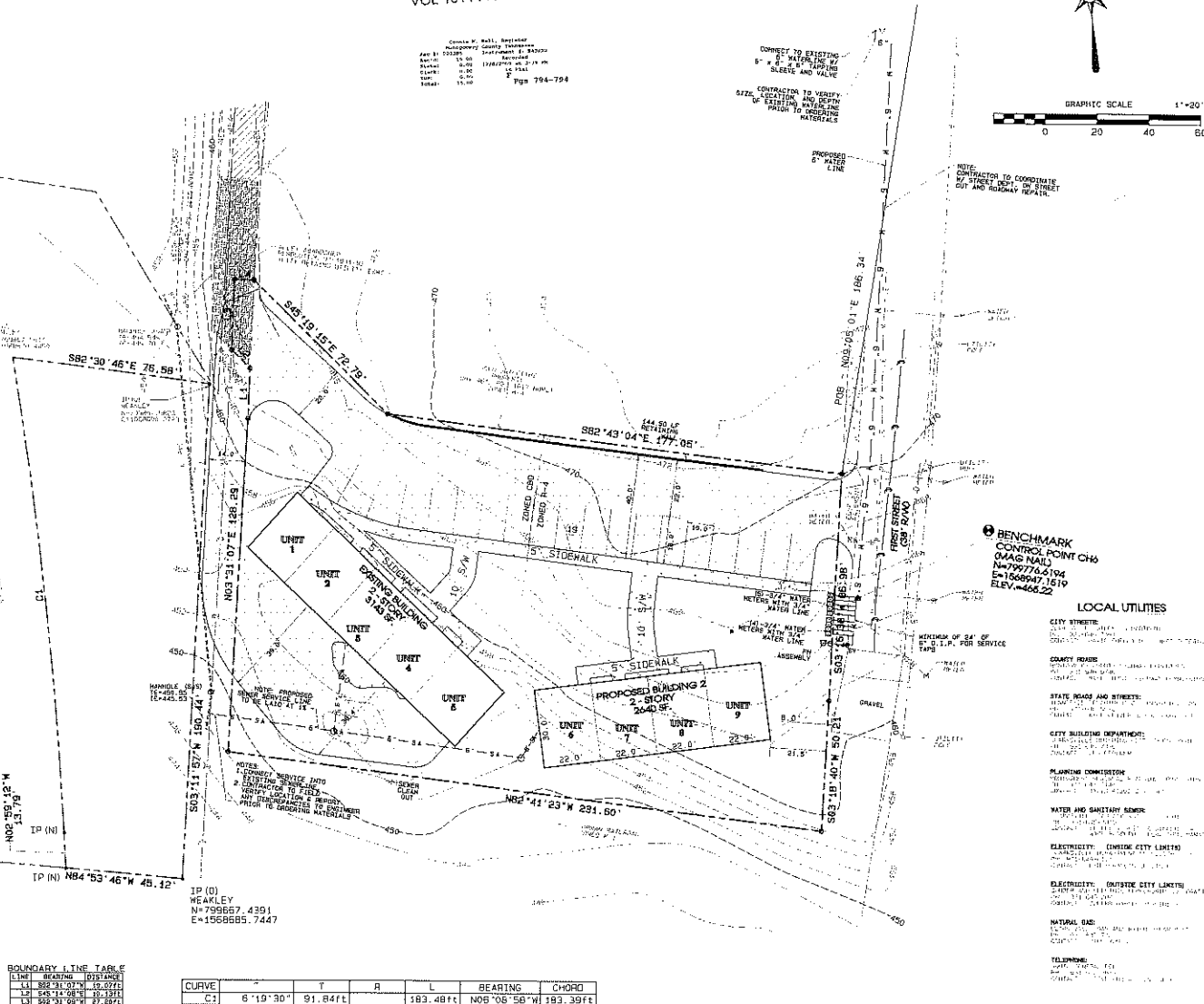
GENERAL NOTE:

1. ALL UTILITY LOCATIONS ARE APPROXIMATE AND ARE DEPICTED BASED ON LOCATION OF UTILITIES BY LOCAL UTILITY AUTHORITIES, VISIBLE ENCUMBRANCES, OR MAPS PREPARED BY OTHERS. THESE LOCATIONS ARE NOT GUARANTEED THAT THERE ARE NO OTHER UTILITIES EITHER PUBLIC OR PRIVATE, THAT ARE NOT SHOWN ON THIS SURVEY. Ra

2. VERIFY DEPTH, LOCATION, AND SIZE OF EXISTING UTILITIES PRIOR TO ORDERING MATERIALS.

EXHIBIT TO
VOL 1314 PAGE 968

Connie M. Hall, Registrar
Montgomery County Treasurer
Per \$1 002285 Instrument # 242922
Recorded
12/8/2010 at 3:14 PM
CLERK: H. DC cc: Hal
TUP: G. M. S
SMA: 15, 10 Pgs 794-794



TOTAL PROPOSED WATERLINE LENGTH:
6" PVC = 243.00 LF

NO SEWER MAIN HAS BEEN PROPOSED.

C 1.00

RESOLUTION 35-2021-22

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF CLARKSVILLE TO SIGN A PROPOSAL WITH TENNESSEE DEPT. OF TRANSPORTATION FOR PROJECT NUMBERS (FEDERAL PROJECT NUMBER: HSIP-236(7), (STATE PROJECT NUMBER: 64047-0229-94, 63037-3229-94, 63037-229-94, 63037-1229-94).

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

That the Mayor be authorized to sign Attachment A with the Tennessee Department of Transportation for the road improvement project.

ADOPTED:

Mayor

ATTEST

City Clerk

P R O P O S A L

OF THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF TENNESSEE

TO THE CITY OF CLARKSVILLE, TENNESSEE:

The DEPARTMENT OF TRANSPORTATION of the State of Tennessee, hereinafter "DEPARTMENT", proposes to construct a project in the City of Clarksville, Tennessee, hereinafter "CITY", designated as Federal Project No. HSIP-236(7), State Project No. 63037-0229-94,63037-3229-94,63037-2229-94,63037-1229-94 , that is described as "From Tobacco Road to Needmore Road Route: SR-236", provided the CITY agrees to cooperate with the DEPARTMENT as set forth in this proposal, so that the general highway program may be carried out in accordance with the intent of the General Assembly of the State.

Accordingly, the parties agree as follows:

1. That in the event any civil actions in inverse condemnation or for damages are instituted by reason of the DEPARTMENT, or its contractor, going upon the highway right-of-way and easements, and constructing said project in accordance with the plans and as necessary to make the completed project functional, it will notify in writing the Attorney General of the State, whose address is 425 Fifth Avenue North, Nashville, Tennessee, 37243, of the institution of each civil action, the complaint and all subsequent pleadings, within ten (10) days after the service of each of the same, under penalty of defending such actions and paying any judgments which result therefrom at its own expense.

2. The CITY will close or otherwise modify any of its roads, or other public ways if indicated on the project plans, as provided by law.

3. The CITY will transfer or cause to be transferred to the DEPARTMENT, without cost to the DEPARTMENT, all land owned by the CITY or by any of its instrumentalities as required

for right-of-way or easement purposes, provided such land is being used or dedicated for road or other public way purposes.

4. Where privately, publicly or cooperatively owned utility lines, facilities and systems for producing, transmitting or distributing communications, power, electricity, light, heat, gas, oil, crude products, water, steam, waste, storm water not connected with highway drainage, and other similar commodities, including publicly owned facilities such as fire and police signal systems and street lighting systems are located within the right-of-way of any road or other public way owned by the CITY or any of its instrumentalities, the CITY agrees that it will take any action necessary to require the removal or adjustment of any of the above-described facilities as would conflict with the construction of the project. But the foregoing may not be a duty of the CITY since it shall become operative only after the DEPARTMENT has been unsuccessful in its efforts to provide for said removals or adjustments for the benefit of the CITY.

The foregoing does not apply to those utility facilities which are owned by the CITY or one of its instrumentalities, it being understood that the CITY has the duty to relocate or adjust such facilities, if required, provided the CITY is notified to do so by the DEPARTMENT with detailed advice as to this duty of the CITY.

5. The CITY will maintain any frontage road to be constructed as part of the project;

6. After the project is completed and open to traffic, the CITY will accept jurisdiction and maintenance such parts of any existing DEPARTMENT highway to be replaced by the project, as shown on the attached map.

7. The CITY will make no changes or alter any segment of a road on its road system that lies within the limits of the right-of-way acquired for any interchange to be constructed as part of the project and will not permit the installation or relocation of any utility facilities within the right-of-way of any such a segment of one of its roads without first obtaining the approval of the

DEPARTMENT.

8. No provision hereof shall be construed as changing the maintenance responsibility of the CITY for such part of the project as may presently be on its highway, street, road or bridge system.

9. It is understood and agreed between the DEPARTMENT and the CITY that all traffic control signs for the control of traffic on a street under the jurisdiction of the CITY and located within the DEPARTMENT's right-of-way shall be maintained and replaced by the CITY.

10. When traffic control devices for the direction or warning of traffic, lighting of roadways or signing, or any of them, which are operated or function by the use of electric current are constructed or installed as part of the project, they will be furnished with electricity and maintained by the CITY.

11. If, as a result of acquisition and use of right-of-way for the project, any building and/or structure improvements become in violation of a CITY setback line or building and/or structure requirement, including, but not limited to, on-premise signs, the CITY agrees to waive enforcement of the CITY setback line or building and/or structure requirement and take other proper governmental action as necessary to accomplish such waiver.

12. If, as a result of acquisition and use of right-of-way for the project, any real property retained by any property owner shall become in violation of a CITY zoning regulation or requirement, the CITY agrees to waive enforcement of the CITY zoning regulation or requirement and take other proper governmental action as necessary to accomplish such waiver.

13. The CITY will not authorize encroachments of any kind upon the right-of-way, nor will the CITY authorize use of the easements for the project in any manner which affects the DEPARTMENT's use thereof.

14. The CITY will obtain the approval of the DEPARTMENT before authorizing parking

on the right-of-way and easements for the project.

15. The CITY will not install or maintain any device for the purpose of regulating the movement of traffic on the roadway except as warranted and in conformity with the Manual on Uniform Traffic Control Devices.

16. If the project is classified as full access control (i.e. a project which has no intersecting streets at grade), then the DEPARTMENT will maintain the completed project. If the project is not classified as full access control, then the DEPARTMENT will maintain the pavement from curb to curb where curbs exist, or will maintain the full width of the roadway where no curbs exist. The CITY agrees to maintain all other parts of non-access control projects; provided, however, that any retaining walls, box culverts, or other like structures constructed as part of the project that support the structural integrity or stability of the roadway surface shall be maintained by the DEPARTMENT.

17. If a sidewalk is constructed as a component of this project, the CITY shall be responsible for maintenance of the sidewalk and shall assume all liability for third-party claims for damages arising from its use of the sidewalk or premises beyond the DEPARTMENT'S maintenance responsibilities as set forth in section 16 of this Proposal.

18. When said project is completed, the CITY thereafter will not permit any additional median crossovers, the cutting of the pavement, curbs, gutters and sidewalks, by any person, firm, corporation, or governmental agency, without first obtaining the approval of the DEPARTMENT.

19. The DEPARTMENT will acquire the right-of-way and easements, construct the project and defend any inverse condemnation for damage or civil actions of which the Attorney General has received the notice and pleadings provided for herein; provided, however, that if the project is being constructed pursuant to a contract administered by the DEPARTMENT's Local Programs Development Office, the terms of that contract shall control in the event of a conflict with this

Proposal..

20. The project plans hereinbefore identified by number and description are incorporated herein by reference and shall be considered a part of this proposal, including any revisions or amendments thereto, provided a copy of each is furnished the CITY.

21. The acceptance of this proposal shall be evidenced by the passage of a resolution or by other proper governmental action, which shall incorporate this proposal verbatim or make reference thereto.

IN WITNESS WHEREOF, the DEPARTMENT has caused this proposal to be executed by its duly authorized official on this the ____ day of _____, 20____.

THE CITY OF _____, TENNESSEE

BY: _____
MAYOR

DATE: _____

STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION

BY: _____
JOSEPH GALBATO, III
COMMISSIONER

DATE: _____

APPROVED AS TO FORM AND LEGALITY:

BY: _____
JOHN REINBOLD
GENERAL COUNSEL

DATE: _____

Index Of Sheets

R.O.W. INDEX OF SHEETS

TITLE SHEET	1
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SIGNAL PLANS	SIG-1
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STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION BUREAU OF ENGINEERING

MONTGOMERY COUNTY

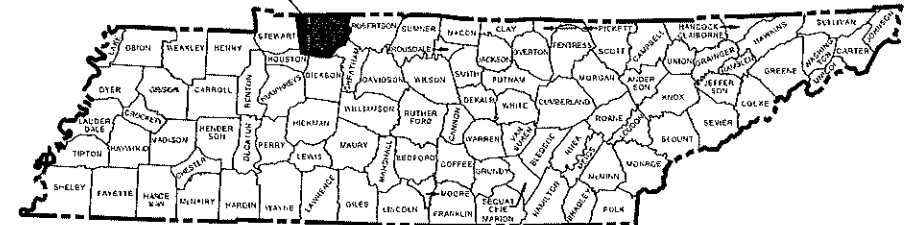
SR-236
FROM TOBACCO ROAD
TO NEEDMORE ROAD
L.M. 1.55 TO L.M. 4.46
RIGHT-OF-WAY

STATE HIGHWAY NO. 236 U.S. ROUTE NO.

DOES THIS PROJECT QUALIFY FOR UTILITY CHAPTER 86	YES	NO X
WORK ZONE SIGNIFICANCE DETERMINATION		
SIGNIFICANT	YES	NO X

TENN.	YEAR	SHEET NO.
	2021	1
FED. AID PROJ. NO.	HSIP-236(7)	
STATE PROJ. NO.	63037-2229-94	

MONTGOMERY COUNTY
PROJECT NO. 63037-2229-94

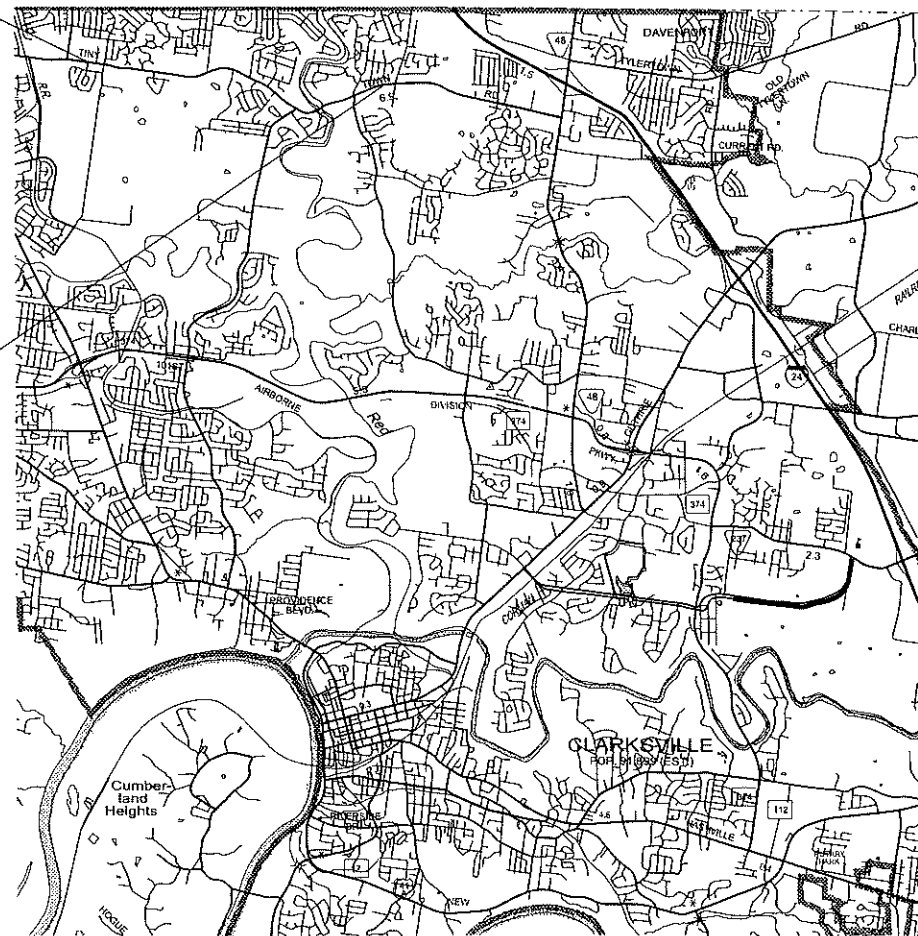


63037-2229-94
END PROJECT NO. HSIP-236(7) R.O.W.

STA. 11+34.00 SR-236
N 839803.7977 E 1554532.5784

63037-2229-94
BEGIN PROJECT NO. HSIP-236(7) R.O.W.

STA. 198+04.00 SR-236
N 838591.0495 E 1572001.1530



NO EXCLUSIONS

R.O.W.
PLANS

SEALED BY

APPROVED: Paul D. Degges
PAUL D. DEGGES, CHIEF ENGINEER

DATE:

APPROVED: Clay Bright
CLAY BRIGHT, COMMISSIONER

SPECIAL NOTES

PROPOSALS MAY BE REJECTED BY THE COMMISSIONER IF ANY OF THE UNIT PRICES CONTAINED THEREIN ARE OBVIOUSLY UNBALANCED, EITHER EXCESSIVE OR BELOW THE REASONABLE COST ANALYSIS VALUE.

THIS PROJECT TO BE CONSTRUCTED UNDER THE STANDARD SPECIFICATIONS OF THE TENNESSEE DEPARTMENT OF TRANSPORTATION DATED JANUARY 1, 2021 AND ADDITIONAL SPECIFICATIONS AND SPECIAL PROVISIONS CONTAINED IN THE PLANS AND IN THE PROPOSAL CONTRACT.

TDOT ROAD SP. SV. 2: STEPHEN K. BRYAN, P.E., P.T.O.E.

DESIGNER: COREY NELSEN, EI

CHECKED BY: GERALD BOLDEN, P.E., P.T.O.E.

P.E. NO. 63037-2229-94 (DESIGN)

PIN NO. 125484.00

R.O.W. LENGTH 0.008 MILES
PROJECT LENGTH 3.413 MILES

SR-236

SURVEY 09/23/19	TRAFFIC DATA
	ADT (2021) 32,840
	ADT (2041) 33,660
	DHV (2041) 3,587
	D 60 - 40
	T (ADT) 10 %
	T (DHV) 7 %
	V 45 MPH

COORDINATES ARE NAD 83(1995), ARE DATUM ADJUSTED BY THE FACTOR OF 0.99998 AND TIED TO THE TGRN. ALL ELEVATIONS ARE REFERENCED TO THE NAVD 1988 WITH GEOID 8-15-19, MODEL g2003u07.

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

APPROVED:

DIVISION ADMINISTRATOR

DATE

9/29/2021 12:51:46 PM X:\4452 - TDOT On-Call Traffic 2017\WO #4 - SR 236_Montgomery Co\Signal Design\sheets\003 - ROW Notes, Details, Utility Owners, Acquisition Table.sht

R.O.W. ACQUISITION TABLE

TRACT NO.	PROPERTY OWNERS	COUNTY RECORDS				TOTAL AREA ACRES			AREA TO BE ACQUIRED ACRES			AREA REMAINING ACRES		EASEMENT (SQUARE FEET)		
		TAX MAP NO.	PARCEL NO.	DEED DOCUMENT REFERENCE		LEFT	RIGHT	TOTAL	LEFT	RIGHT	TOTAL	LEFT	RIGHT	PERM. DRAINAGE	SLOPE	CONST.
				BK.	PAGE											
1	PLANTATION ESTATES, SECTION 7 HOMEOWNERS ASSOCIATION, INC.	7I E	1	1381	323	0.232		0.232	230 S.F.		230 S.F.	0.227				
2	FRANK HAROLD DARNELL JR & SAMUEL HUGHES JOHNSON JR ETUX	7	16.05	1497	963		5.067	5.067					5.067			
3	PLANTATION ESTATES, SECTION 7 HOMEOWNERS ASSOCIATION, INC.	7I D	1	1381	323	0.283		0.283	160 S.F.		160 S.F.	0.279				
4	HEATHER A COCKRELL	7P F	5	1050	280		1.550	1.550					1.550			
5	NATHAN D AND MISTY A BARBER	7I D	2	1047	2023	0.330		0.330				0.330				
6	PRENETTE O HUNTER AND MICHAEL MILLER	7P F	4	1686	930		0.644	0.644					0.644			

UTILITY

- (1) THE LOCATIONS OF UTILITIES SHOWN WITHIN THESE PLANS ARE APPROXIMATE ONLY. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. ABOVE GRADE AND UNDERGROUND UTILITIES SHOWN WERE TAKEN FROM VISIBLE APPURTENANCES AT THE SITE, PUBLIC RECORDS, AND/OR MAPS PREPARED BY OTHERS. THEREFORE, RELIANCE UPON THE TYPE, SIZE, AND LOCATION OF UTILITIES SHOWN SHOULD BE DONE SO WITH THIS CIRCUMSTANCE CONSIDERED. DETAILED VERIFICATION OF EXISTENCE, LOCATION, AND DEPTH SHOULD ALSO BE MADE PRIOR TO ANY DECISION RELATIVE THERETO IS MADE. AVAILABILITY AND COST OF SERVICE SHOULD BE CONFIRMED WITH THE APPROPRIATE UTILITY COMPANY. IN TENNESSEE, IT IS A REQUIREMENT, PER "THE UNDERGROUND UTILITY DAMAGE PREVENTION ACT", THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UNDERGROUND UTILITY OWNERS, NO LESS THAN THREE (3) OR NOT MORE THAN TEN (10) WORKING DAYS PRIOR TO THE DATE OF THEIR INTENT TO EXCAVATE AND ALSO TO AVOID ANY POSSIBLE HAZARD OR CONFLICT. NOTIFICATION BY CALLING THE TENNESSEE ONE CALL SYSTEM, INC., AT 1-800-351-1111 AS REQUIRED BY TCA 65-31-106 WILL BE REQUIRED.
- (2) UNLESS OTHERWISE NOTED, ALL UTILITY ADJUSTMENTS WILL BE PERFORMED BY THE UTILITY OR ITS REPRESENTATIVE. THE CONTRACTOR AND UTILITY OWNERS WILL BE REQUIRED TO COOPERATE WITH EACH OTHER IN ORDER TO EXPEDITE THE WORK REQUIRED BY THIS CONTRACT. ON CONTRACTS WHERE CONSTRUCTION STAKES, LINES, AND GRADES ARE CONTRACT ITEMS, THE CONTRACTOR WILL BE REQUIRED TO PROVIDE RIGHT-OF-WAY OR SLOPE STAKES, DITCH OR STREAM BED GRADES, OR OTHER ESSENTIAL SURVEY STAKING TO PREVENT CONFLICTS WITH THE HIGHWAY CONSTRUCTION. FREQUENTLY, THIS WILL BE REQUIRED AS THE FIRST ITEM OF WORK AND AT ANY LOCATION ON THE PROJECT DIRECTED BY THE ENGINEER.
- (3) THE CONTRACTOR WILL PROVIDE ALL NECESSARY PROTECTIVE MEASURES TO SAFEGUARD EXISTING UTILITIES FROM DAMAGE DURING CONSTRUCTION OF THIS PROJECT. IN THE EVENT THAT SPECIAL EQUIPMENT IS REQUIRED TO WORK OVER AND AROUND THE UTILITIES, THE CONTRACTOR WILL BE REQUIRED TO FURNISH SUCH EQUIPMENT. THE COST OF PROTECTING UTILITIES FROM DAMAGE AND FURNISHING SPECIAL EQUIPMENT WILL BE INCLUDED IN THE PRICE BID FOR OTHER ITEMS OF CONSTRUCTION.
- (4) PRIOR TO SUBMITTING HIS BID, THE CONTRACTOR WILL BE SOLELY RESPONSIBLE FOR CONTACTING OWNERS OF ALL AFFECTED UTILITIES IN ORDER TO DETERMINE THE EXTENT TO WHICH UTILITY RELOCATIONS AND/OR ADJUSTMENTS WILL HAVE UPON THE SCHEDULE OF WORK FOR THE PROJECT. WHILE SOME WORK MAY BE REQUIRED 'AROUND' UTILITY FACILITIES THAT WILL REMAIN IN PLACE, OTHER UTILITY FACILITIES MAY NEED TO BE ADJUSTED CONCURRENTLY WITH THE CONTRACTOR'S OPERATIONS. ADVANCE CLEAR CUTTING MAY BE REQUIRED BY THE ENGINEER AT ANY LOCATION WHERE CLEARING IS CALLED FOR IN THE SPECIFICATIONS AND CLEAR CUTTING IS NECESSARY FOR A UTILITY RELOCATION. ANY ADDITIONAL COST WILL BE INCLUDED IN THE UNIT PRICE BID FOR THE CLEARING ITEM SPECIFIED IN THE PLANS.
- (5) THE CONTRACTOR SHALL NOTIFY EACH INDIVIDUAL UTILITY OWNER OF HIS PLAN OF OPERATION IN THE AREA OF THE UTILITIES. PRIOR TO COMMENCING WORK, THE CONTRACTOR SHALL CONTACT THE UTILITY OWNERS AND REQUEST THEM TO PROPERLY LOCATE THEIR RESPECTIVE UTILITY ON THE GROUND. THIS NOTIFICATION SHALL BE GIVEN AT LEAST THREE (3) BUSINESS DAYS PRIOR TO COMMENCEMENT OF OPERATIONS AROUND THE UTILITY IN ACCORDANCE WITH TCA 65-31-106. NOTIFICATION BY CALLING THE

UTILITY OWNERS

CABLE:
CHARTER COMMUNICATION (SPECTRUM)
1850 BUSINESS PARK DR SUITE 101
CLARKSVILLE, TN 37043
CONTACT: DANIEL JOHNSTON
OFFICE PHONE: 931 981 3269
EMAIL: DANIEL.JOHNSTON@CHARTER.COM

ELECTRIC:
CLARKSVILLE DEPT. OF ELECTRIC
2021 WILMA RUDOLPH BLVD
CLARKSVILLE, TN 37040
CONTACT: DANIEL KIMBELL
OFFICE PHONE: 931 905 7251
EMAIL: DANIEL.KIMBELL@CDELIGHTBAND.COM

ELECTRIC:
CUMBERLAND ELECTTRIC
1940 MADISON STREET
CLARKSVILLE, TN 37043
CONTACT: MARK COOK
OFFICE PHONE: 931 645 2481 EXT 1117
EMAIL: MCOOK@CEMC.ORG

TELEPHONE:
AT&T
333 COMMERCE STREET ROOM 23C 142
NASHVILLE, TN 37201
CONTACT: KIM BEAN
OFFICE PHONE: 615 848 9459
EMAIL: KB1078@ATT.COM

GAS:
BP PIPELINE (NORTH AMERICA) INC.
150 W. WARRENVILLE RD., BLDG 605-3
NAPERVILLE, IL 60563
CONTACT: ALICE JOHNSON
OFFICE PHONE: 630 536 2519
EMAIL: ALICE@JOHNSON@BP.COM

SEWER:
CLARKSVILLE GAS AND WATER
2215 MADISON ST
CLARKSVILLE, TN 37043
CONTACT: MARK RIGGINS
OFFICE PHONE: 931 645 7400
EMAIL: GASANDWATER@CITYOFCLARKSVILLE.COM

FIBER:
AT&T FIBER
360 GEES WILL BUSINESS PKWY
CONYERS, GA 30013
CONTACT: TRINA IVEY
OFFICE PHONE: 678 641 5522
EMAIL: KI2863@ATT.COM

STREET DEPARTMENT:
CLARKSVILLE STREET DEPT
199 10TH STREET
CLARKSVILLE, TN 37040
CONTACT: CHRIS COWAN
OFFICE PHONE: 931 645 7464
EMAIL: CHRIS.COWAN@CITYOFCLARKSVILLE.COM

WATER, SEWER AND GAS:
CITY OF CLARKSVILLE
2215 MADISON STREET
CLARKSVILLE, TN 37043
CONTACT: MARK RIGGINS
OFFICE PHONE: 931 645 7400
EMAIL: MARK.RIGGINS@CITYOFCLARKSVILLE.COM

DISTURBED AREA

IN BETWEEN SLOPE LINE	0.0937 (AC)
15 FOOT WIDE STRIP (OUTSIDE SLOPE LINES)	0.0000 (AC)
TOTAL DISTURBED AREA	0.0937 (AC)
[1] TOTAL PROJECT AREA	1.1385 (AC)

NOTE:
1. THIS INCLUDES PAVEMENT MILLED AND OVERLAY AND TRAFFIC SIGNAL COMPONENT AREA

R.O.W.
PLANS

SEALED BY

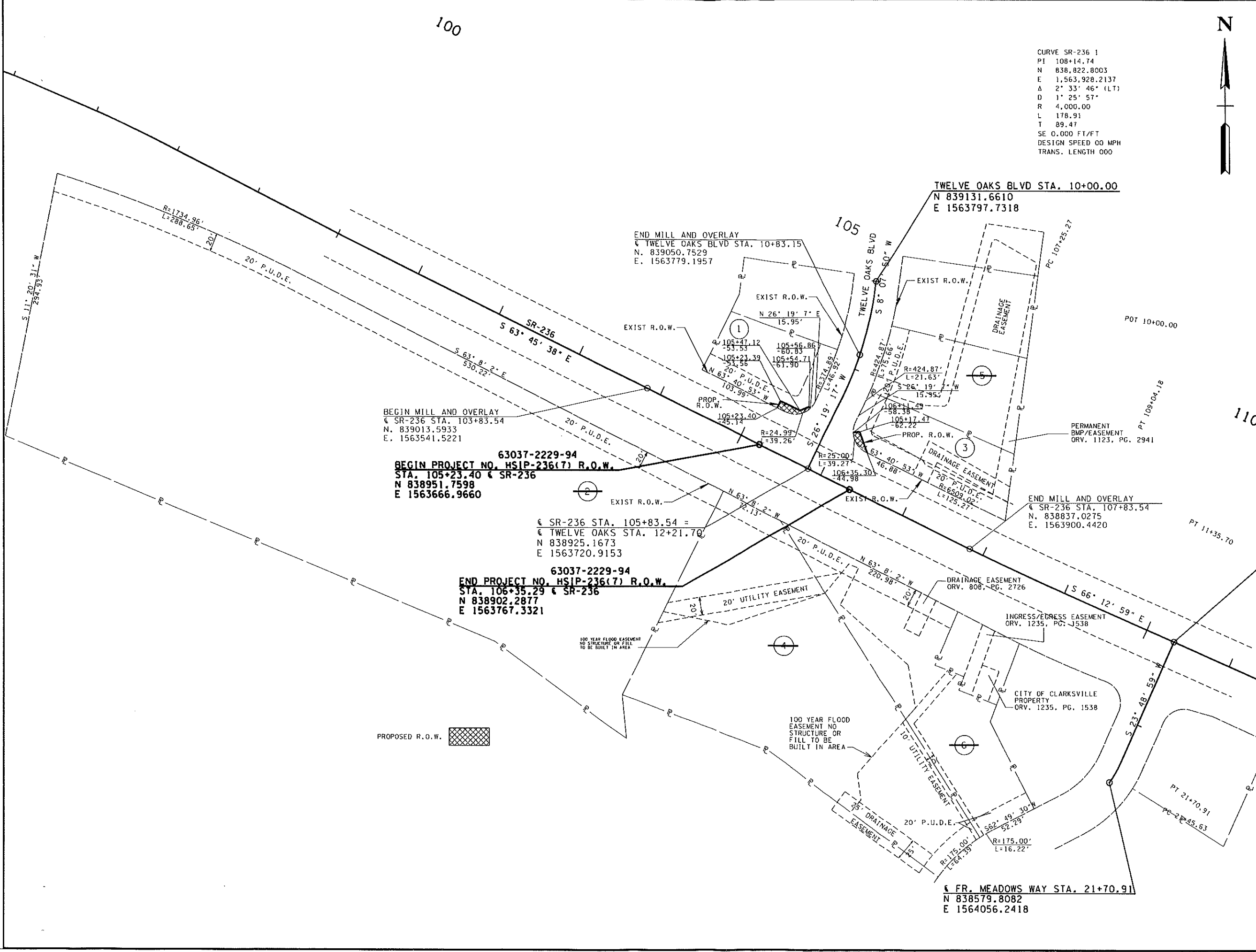
STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION

RIGHT-OF-WAY NOTES,
UTILITY NOTES,
UTILITY OWNERS,
AND ACQUISITION TABLE

TYPE	YEAR	PROJECT NO.	SHEET NO.
R.O.W.	2021	HSIP-236(7)	3A



CURVE SR-236 1
PI 108+14.74
N 838,822.8003
E 1,563,928.2137
A 2° 33' 46" (LT)
D 1° 25' 57"
R 4,000.00
L 178.91
T 89.47
SE 0.000 FT/FT
DESIGN SPEED 00 MPH
TRANS. LENGTH 000



R.O.W.
PLANS

SEALED BY

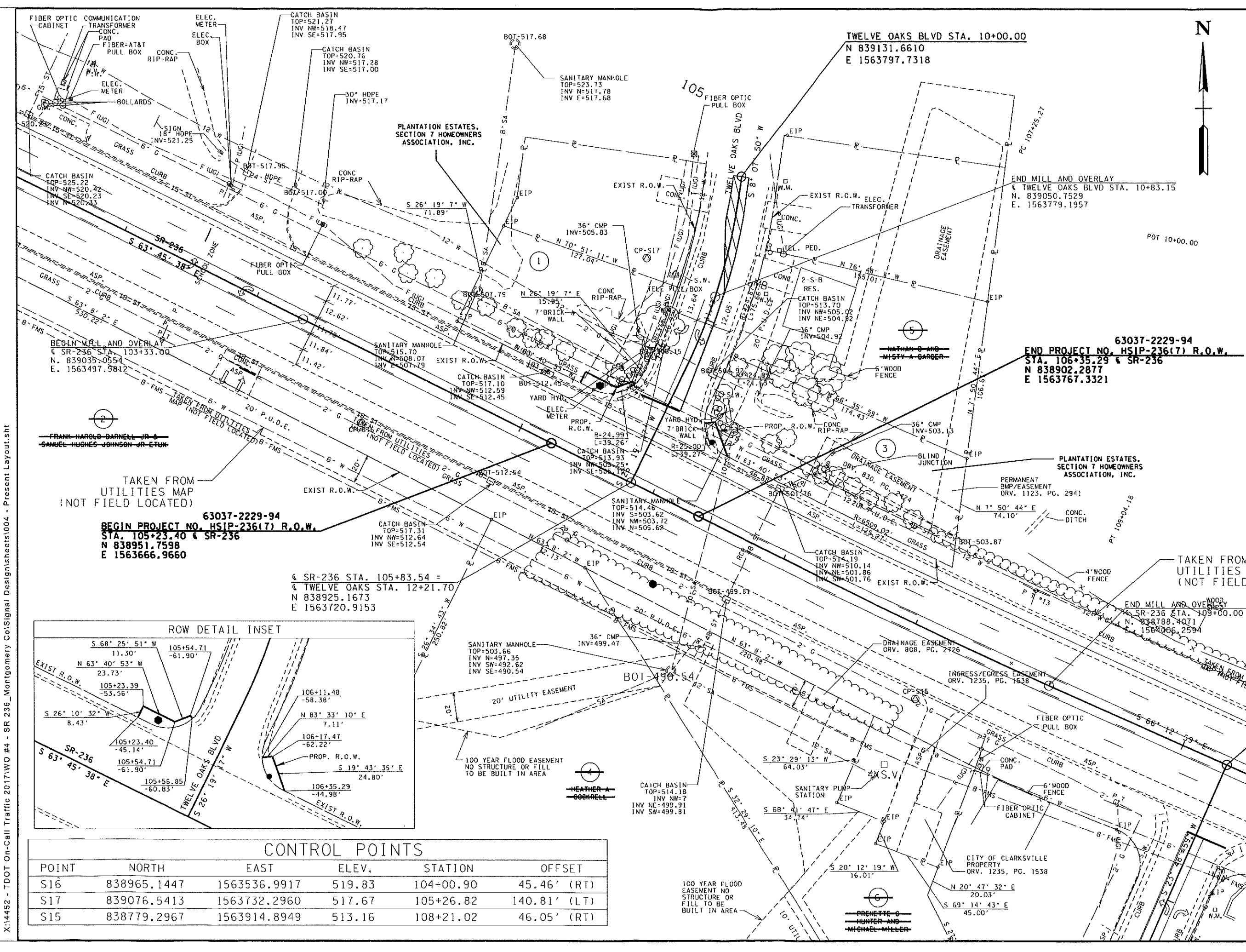
COORDINATES ARE NAD 83(1995), ARE DATUM ADJUSTED BY THE FACTOR OF 0.99998 AND TIED TO THE TGRN. ALL ELEVATIONS ARE REFERENCED TO THE NAVD 1988 WITH GEOID 8-15-19, MODEL g2003u07.

STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION

PROPERTY MAP

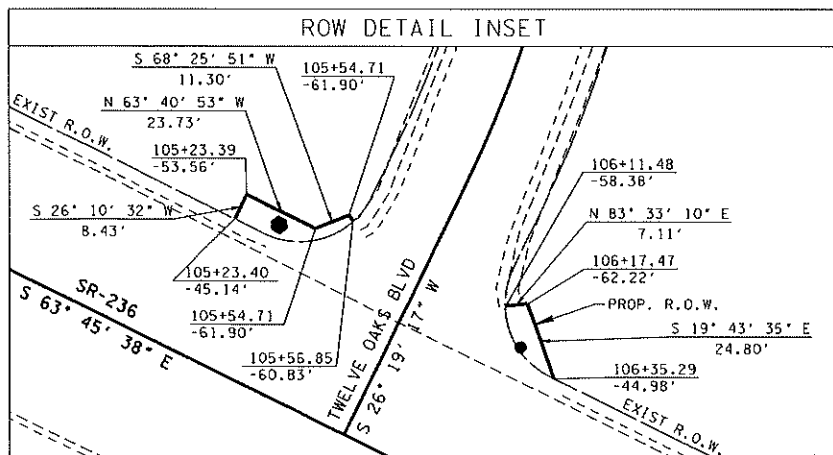
SCALE: 1"=50'

TYPE	YEAR	PROJECT NO.	SHEET NO.
R.O.W.	2021	HSIP-236(7)	4



63037-2229-94
 END PROJECT NO. HSIP-236(7) R.O.W.
 STA. 106+35.29 & SR-236
 N 838902.2877
 E 1563767.3321

63037-2229-94
 BEGIN PROJECT NO. HSIP-236(7) R.O.W.
 STA. 105+23.40 & SR-236
 N 838951.7598
 E 1563666.9660



POINT	NORTH	EAST	ELEV.	STATION	OFFSET
S16	838965.1447	1563536.9917	519.83	104+00.90	45.46' (RT)
S17	839076.5413	1563732.2960	517.67	105+26.82	140.81' (LT)
S15	838779.2967	1563914.8949	513.16	108+21.02	46.05' (RT)

R.O.W.
 PLANS

SEALED BY

COORDINATES ARE NAD 83(1995), ARE DATUM ADJUSTED BY THE FACTOR OF 0.99998 AND TIED TO THE TGRN. ALL ELEVATIONS ARE REFERENCED TO THE NAVD 1988 WITH GEOID 8-15-19, MODEL g2003u07.

STATE OF TENNESSEE
 DEPARTMENT OF TRANSPORTATION

PRESENT LAYOUT

SCALE: 1"= 30'

10/1/2021 1:55:25 PM
 X:14452 - TDOT On-Call Traffic 2017\WO #4 - SR 236_Montgomery Co\Signal Design\Sheets\004 - Present Layout.sht

TYPE	YEAR	PROJECT NO.	SHEET NO.
R.O.W.	2021	HSIP-236(7)	4A



TWELVE OAKS BLVD STA. 10+00.00
N 839131.6610
E 1563797.7318

Pc 101+25.27

END MILL AND OVERLAY
@ TWELVE OAKS BLVD STA. 10+83.15
N. 839050.7529
E. 1563779.1957

POT 10+00.00

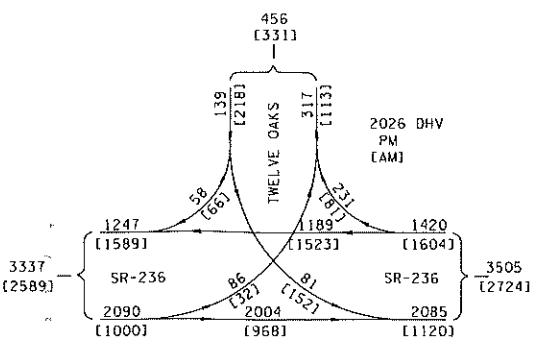
PT 109+04.18

BEGIN MILL AND OVERLAY
@ SR-236 STA. 103+33.00
N. 839035.0554
E. 1563497.9812

63037-2229-94
BEGIN PROJECT NO. HSIP-236(7) R.O.W.
STA. 105+23.40 @ SR-236
N 838951.7598
E 1563666.9660

@ SR-236 STA. 105+83.54 =
@ TWELVE OAKS STA. 12+21.70
N 838925.1673
E 1563720.9153

63037-2229-94
END PROJECT NO. HSIP-236(7) R.O.W.
STA. 106+35.29 @ SR-236
N 838902.2877
E 1563767.3321



MILL AND OVERLAY AREA

MARKING ABBREVIATIONS	
SSWL	- SINGLE SOLID WHITE LINE
SSYL	- SINGLE SOLID YELLOW LINE
SBWL	- SINGLE BROKEN WHITE LINE
SBYL	- SINGLE BROKEN YELLOW LINE
DSYL	- DOUBLE SOLID YELLOW LINE
DWL	- DOTTED WHITE LINE

NOTES:
1) REFER TO SHEET SIG-1
FOR TRAFFIC SIGNAL DESIGN
2) REFER TO SIGNING AND MARKING
SHEETS FOR PROPOSED SIGNS
AND RAISED PAVEMENT MARKERS.

R.O.W.
PLANS

SEALED BY

COORDINATES ARE NAD 83(1995), ARE
DATUM ADJUSTED BY THE FACTOR OF
0.99998 AND TIED TO THE TGRN. ALL
ELEVATIONS ARE REFERENCED TO THE NAVD
1988 WITH GEOID 8-15-19, MODEL g2003u07.

STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION

PROPOSED
LAYOUT

SCALE: 1"= 30'

P R O P O S A L
OF THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF TENNESSEE
TO THE CITY OF CLARKSVILLE, TENNESSEE:

The DEPARTMENT OF TRANSPORTATION of the State of Tennessee, hereinafter "DEPARTMENT", proposes to construct a project in the City of Clarksville, Tennessee, hereinafter "CITY", designated as Federal Project No. HSIP-236(7), State Project No. 63037-0229-94,63037-3229-94,63037-2229-94,63037-1229-94 , that is described as "From Tobacco Road to Needmore Road Route: SR-236", provided the CITY agrees to cooperate with the DEPARTMENT as set forth in this proposal, so that the general highway program may be carried out in accordance with the intent of the General Assembly of the State.

Accordingly, the parties agree as follows:

1. That in the event any civil actions in inverse condemnation or for damages are instituted by reason of the DEPARTMENT, or its contractor, going upon the highway right-of-way and easements, and constructing said project in accordance with the plans and as necessary to make the completed project functional, it will notify in writing the Attorney General of the State, whose address is 425 Fifth Avenue North, Nashville, Tennessee, 37243, of the institution of each civil action, the complaint and all subsequent pleadings, within ten (10) days after the service of each of the same, under penalty of defending such actions and paying any judgments which result therefrom at its own expense.

2. The CITY will close or otherwise modify any of its roads, or other public ways if indicated on the project plans, as provided by law.

3. The CITY will transfer or cause to be transferred to the DEPARTMENT, without cost to the DEPARTMENT, all land owned by the CITY or by any of its instrumentalities as required

for right-of-way or easement purposes, provided such land is being used or dedicated for road or other public way purposes.

4. Where privately, publicly or cooperatively owned utility lines, facilities and systems for producing, transmitting or distributing communications, power, electricity, light, heat, gas, oil, crude products, water, steam, waste, storm water not connected with highway drainage, and other similar commodities, including publicly owned facilities such as fire and police signal systems and street lighting systems are located within the right-of-way of any road or other public way owned by the CITY or any of its instrumentalities, the CITY agrees that it will take any action necessary to require the removal or adjustment of any of the above-described facilities as would conflict with the construction of the project. But the foregoing may not be a duty of the CITY since it shall become operative only after the DEPARTMENT has been unsuccessful in its efforts to provide for said removals or adjustments for the benefit of the CITY.

The foregoing does not apply to those utility facilities which are owned by the CITY or one of its instrumentalities, it being understood that the CITY has the duty to relocate or adjust such facilities, if required, provided the CITY is notified to do so by the DEPARTMENT with detailed advice as to this duty of the CITY.

5. The CITY will maintain any frontage road to be constructed as part of the project;

6. After the project is completed and open to traffic, the CITY will accept jurisdiction and maintenance such parts of any existing DEPARTMENT highway to be replaced by the project, as shown on the attached map.

7. The CITY will make no changes or alter any segment of a road on its road system that lies within the limits of the right-of-way acquired for any interchange to be constructed as part of the project and will not permit the installation or relocation of any utility facilities within the right-of-way of any such a segment of one of its roads without first obtaining the approval of the

DEPARTMENT.

8. No provision hereof shall be construed as changing the maintenance responsibility of the CITY for such part of the project as may presently be on its highway, street, road or bridge system.

9. It is understood and agreed between the DEPARTMENT and the CITY that all traffic control signs for the control of traffic on a street under the jurisdiction of the CITY and located within the DEPARTMENT's right-of-way shall be maintained and replaced by the CITY.

10. When traffic control devices for the direction or warning of traffic, lighting of roadways or signing, or any of them, which are operated or function by the use of electric current are constructed or installed as part of the project, they will be furnished with electricity and maintained by the CITY.

11. If, as a result of acquisition and use of right-of-way for the project, any building and/or structure improvements become in violation of a CITY setback line or building and/or structure requirement, including, but not limited to, on-premise signs, the CITY agrees to waive enforcement of the CITY setback line or building and/or structure requirement and take other proper governmental action as necessary to accomplish such waiver.

12. If, as a result of acquisition and use of right-of-way for the project, any real property retained by any property owner shall become in violation of a CITY zoning regulation or requirement, the CITY agrees to waive enforcement of the CITY zoning regulation or requirement and take other proper governmental action as necessary to accomplish such waiver.

13. The CITY will not authorize encroachments of any kind upon the right-of-way, nor will the CITY authorize use of the easements for the project in any manner which affects the DEPARTMENT's use thereof.

14. The CITY will obtain the approval of the DEPARTMENT before authorizing parking

on the right-of-way and easements for the project.

15. The CITY will not install or maintain any device for the purpose of regulating the movement of traffic on the roadway except as warranted and in conformity with the Manual on Uniform Traffic Control Devices.

16. If the project is classified as full access control (i.e. a project which has no intersecting streets at grade), then the DEPARTMENT will maintain the completed project. If the project is not classified as full access control, then the DEPARTMENT will maintain the pavement from curb to curb where curbs exist, or will maintain the full width of the roadway where no curbs exist. The CITY agrees to maintain all other parts of non-access control projects; provided, however, that any retaining walls, box culverts, or other like structures constructed as part of the project that support the structural integrity or stability of the roadway surface shall be maintained by the DEPARTMENT.

17. If a sidewalk is constructed as a component of this project, the CITY shall be responsible for maintenance of the sidewalk and shall assume all liability for third-party claims for damages arising from its use of the sidewalk or premises beyond the DEPARTMENT'S maintenance responsibilities as set forth in section 16 of this Proposal.

18. When said project is completed, the CITY thereafter will not permit any additional median crossovers, the cutting of the pavement, curbs, gutters and sidewalks, by any person, firm, corporation, or governmental agency, without first obtaining the approval of the DEPARTMENT.

19. The DEPARTMENT will acquire the right-of-way and easements, construct the project and defend any inverse condemnation for damage or civil actions of which the Attorney General has received the notice and pleadings provided for herein; provided, however, that if the project is being constructed pursuant to a contract administered by the DEPARTMENT's Local Programs Development Office, the terms of that contract shall control in the event of a conflict with this

Proposal..

20. The project plans hereinbefore identified by number and description are incorporated herein by reference and shall be considered a part of this proposal, including any revisions or amendments thereto, provided a copy of each is furnished the CITY.

21. The acceptance of this proposal shall be evidenced by the passage of a resolution or by other proper governmental action, which shall incorporate this proposal verbatim or make reference thereto.

IN WITNESS WHEREOF, the DEPARTMENT has caused this proposal to be executed by its duly authorized official on this the ____ day of _____, 20____.

THE CITY OF _____, TENNESSEE

BY: _____
MAYOR

DATE: _____

STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION

BY: _____
JOSEPH GALBATO, III
COMMISSIONER

DATE: _____

APPROVED AS TO FORM AND LEGALITY:

BY: _____
JOHN REINBOLD
GENERAL COUNSEL

DATE: _____

Index Of Sheets

R.O.W. INDEX OF SHEETS

TITLE SHEET	1
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SIGNING AND MARKING	8-15
SIGNAL PLANS	SIG-1
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STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION BUREAU OF ENGINEERING

MONTGOMERY COUNTY

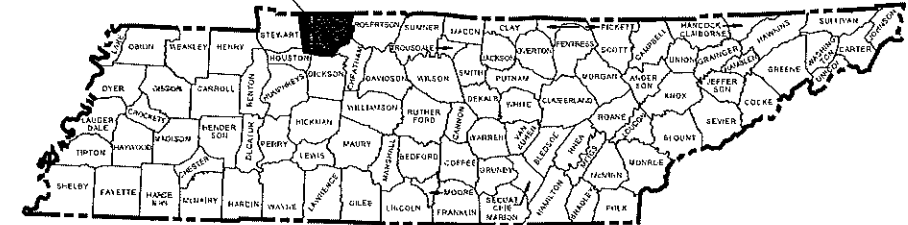
SR-236
FROM TOBACCO ROAD
TO NEEDMORE ROAD
L.M. 1.55 TO L.M. 4.46
RIGHT-OF-WAY

STATE HIGHWAY NO. 236 U.S. ROUTE NO.

DOES THIS PROJECT QUALIFY FOR UTILITY CHAPTER 85	YES	NO X
WORK ZONE SIGNIFICANCE DETERMINATION		
SIGNIFICANT	YES	NO X

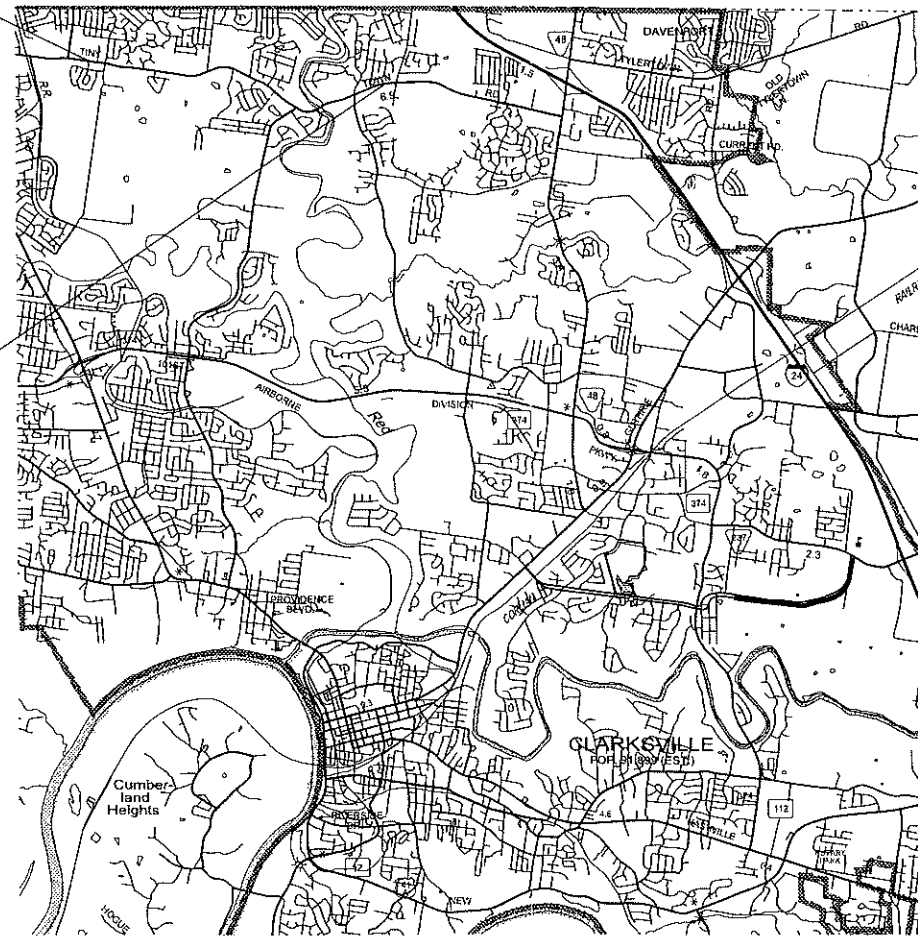
TENN.	YEAR 2021	SHEET NO. 1
FED. AID PROJ. NO.	HSIP-236(7)	
STATE PROJ. NO.	63037-2229-94	

MONTGOMERY COUNTY
PROJECT NO. 63037-2229-94



63037-2229-94
END PROJECT NO. HSIP-236(7) R.O.W.
STA. 11+34.00 SR-236
N 839803.7977 E 1554532.5784

63037-2229-94
BEGIN PROJECT NO. HSIP-236(7) R.O.W.
STA. 198+04.00 SR-236
N 838591.0495 E 1572001.1530



SCALE: 1"= 5280'

0 5280 10560 15840
FEET

R.O.W. LENGTH
PROJECT LENGTH

0.008 MILES
3.413 MILES

NO EXCLUSIONS

R.O.W.
PLANS

SEALED BY

APPROVED: *Paul D. Degges*
PAUL D. DEGGES, CHIEF ENGINEER

DATE:

APPROVED: *Clay Bright*
CLAY BRIGHT, COMMISSIONER

SPECIAL NOTES

PROPOSALS MAY BE REJECTED BY THE COMMISSIONER IF ANY OF THE UNIT PRICES CONTAINED THEREIN ARE OBVIOUSLY UNBALANCED, EITHER EXCESSIVE OR BELOW THE REASONABLE COST ANALYSIS VALUE.

THIS PROJECT TO BE CONSTRUCTED UNDER THE STANDARD SPECIFICATIONS OF THE TENNESSEE DEPARTMENT OF TRANSPORTATION DATED JANUARY 1, 2021 AND ADDITIONAL SPECIFICATIONS AND SPECIAL PROVISIONS CONTAINED IN THE PLANS AND IN THE PROPOSAL CONTRACT.

TDOT ROAD SP. SV. 2: STEPHEN K. BRYAN, P.E., P.T.O.E.

DESIGNER: COREY NELSEN, EI CHECKED BY: GERALD BOLDEN, P.E., P.T.O.E.

P.E. NO. 63037-2229-94 (DESIGN)

PIN NO. 125484.00

SR-236	
SURVEY 09/23/19	TRAFFIC DATA
	ADT (2021) 32,840
	ADT (2041) 33,660
	DHV (2041) 3,587
	D 60 - 40
	T (ADT) 10 %
	T (DHV) 7 %
	V 45 MPH

COORDINATES ARE NAD 83(1995), ARE DATUM ADJUSTED BY THE FACTOR OF 0.99998 AND TIED TO THE TGRN. ALL ELEVATIONS ARE REFERENCED TO THE NAVD 1988 WITH GEOID 8-15-19, MODEL g2003u07.

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

APPROVED:

DIVISION ADMINISTRATOR

DATE

9/29/2021 12:51:45 PM X:\4452 - TDOT On-Call Traffic 2017\WO #4 - SR 236_Montgomery Co\Signal Design\sheets\003 - ROW Notes, Details, Utility Owners, Acquisition Table.sht

R.O.W. ACQUISITION TABLE

TRACT NO.	PROPERTY OWNERS	COUNTY RECORDS				TOTAL AREA ACRES			AREA TO BE ACQUIRED ACRES			AREA REMAINING ACRES		EASEMENT (SQUARE FEET)		
		TAX MAP NO.	PARCEL NO.	DEED DOCUMENT REFERENCE		LEFT	RIGHT	TOTAL	LEFT	RIGHT	TOTAL	LEFT	RIGHT	PERM. DRAINAGE	SLOPE	CONST.
				BK.	PAGE											
1	PLANTATION ESTATES, SECTION 7 HOMEOWNERS ASSOCIATION, INC.	7I E	1	1381	323	0.232		0.232	230 S.F.		230 S.F.	0.227				
2	FRANK HAROLD DARNELL JR & SAMUEL HUGHES JOHNSON JR ETUX	7	16.05	1407	063		5.067	5.067					5.067			
3	PLANTATION ESTATES, SECTION 7 HOMEOWNERS ASSOCIATION, INC.	7I D	1	1381	323	0.283		0.283	160 S.F.		160 S.F.	0.279				
4	HEATHER A COOKRELL	7P F	5	1050	280		1.550	1.550					1.550			
5	NATHAN D AND MISTY A BARBER	74 D	2	1347	2023	0.330		0.330				0.330				
6	PRENETTE G HUNTER AND MICHAEL MILLER	7P F	4	1000	930		0.644	0.644					0.644			

TYPE	YEAR	PROJECT NO.	SHEET NO.
R.O.W.	2021	HSIP-236(7)	3

UTILITY

- (1) THE LOCATIONS OF UTILITIES SHOWN WITHIN THESE PLANS ARE APPROXIMATE ONLY. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. ABOVE GRADE AND UNDERGROUND UTILITIES SHOWN WERE TAKEN FROM VISIBLE APPURTENANCES AT THE SITE, PUBLIC RECORDS, AND/OR MAPS PREPARED BY OTHERS. THEREFORE, RELIANCE UPON THE TYPE, SIZE, AND LOCATION OF UTILITIES SHOWN SHOULD BE DONE SO WITH THIS CIRCUMSTANCE CONSIDERED. DETAILED VERIFICATION OF EXISTENCE, LOCATION, AND DEPTH SHOULD ALSO BE MADE PRIOR TO ANY DECISION RELATIVE THERETO IS MADE. AVAILABILITY AND COST OF SERVICE SHOULD BE CONFIRMED WITH THE APPROPRIATE UTILITY COMPANY. IN TENNESSEE, IT IS A REQUIREMENT, PER "THE UNDERGROUND UTILITY DAMAGE PREVENTION ACT", THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UNDERGROUND UTILITY OWNERS, NO LESS THAN THREE (3) OR NOT MORE THAN TEN (10) WORKING DAYS PRIOR TO THE DATE OF THEIR INTENT TO EXCAVATE AND ALSO TO AVOID ANY POSSIBLE HAZARD OR CONFLICT. NOTIFICATION BY CALLING THE TENNESSEE ONE CALL SYSTEM, INC., AT 1-800-351-1111 AS REQUIRED BY TCA 65-31-106 WILL BE REQUIRED.
- (2) UNLESS OTHERWISE NOTED, ALL UTILITY ADJUSTMENTS WILL BE PERFORMED BY THE UTILITY OR ITS REPRESENTATIVE. THE CONTRACTOR AND UTILITY OWNERS WILL BE REQUIRED TO COOPERATE WITH EACH OTHER IN ORDER TO EXPEDITE THE WORK REQUIRED BY THIS CONTRACT. ON CONTRACTS WHERE CONSTRUCTION STAKES, LINES, AND GRADES ARE CONTRACT ITEMS, THE CONTRACTOR WILL BE REQUIRED TO PROVIDE RIGHT-OF-WAY OR SLOPE STAKES, DITCH OR STREAM BED GRADES, OR OTHER ESSENTIAL SURVEY STAKING TO PREVENT CONFLICTS WITH THE HIGHWAY CONSTRUCTION. FREQUENTLY, THIS WILL BE REQUIRED AS THE FIRST ITEM OF WORK AND AT ANY LOCATION ON THE PROJECT DIRECTED BY THE ENGINEER.
- (3) THE CONTRACTOR WILL PROVIDE ALL NECESSARY PROTECTIVE MEASURES TO SAFEGUARD EXISTING UTILITIES FROM DAMAGE DURING CONSTRUCTION OF THIS PROJECT. IN THE EVENT THAT SPECIAL EQUIPMENT IS REQUIRED TO WORK OVER AND AROUND THE UTILITIES, THE CONTRACTOR WILL BE REQUIRED TO FURNISH SUCH EQUIPMENT. THE COST OF PROTECTING UTILITIES FROM DAMAGE AND FURNISHING SPECIAL EQUIPMENT WILL BE INCLUDED IN THE PRICE BID FOR OTHER ITEMS OF CONSTRUCTION.
- (4) PRIOR TO SUBMITTING HIS BID, THE CONTRACTOR WILL BE SOLELY RESPONSIBLE FOR CONTACTING OWNERS OF ALL AFFECTED UTILITIES IN ORDER TO DETERMINE THE EXTENT TO WHICH UTILITY RELOCATIONS AND/OR ADJUSTMENTS WILL HAVE UPON THE SCHEDULE OF WORK FOR THE PROJECT. WHILE SOME WORK MAY BE REQUIRED 'AROUND' UTILITY FACILITIES THAT WILL REMAIN IN PLACE, OTHER UTILITY FACILITIES MAY NEED TO BE ADJUSTED CONCURRENTLY WITH THE CONTRACTOR'S OPERATIONS. ADVANCE CLEAR CUTTING MAY BE REQUIRED BY THE ENGINEER AT ANY LOCATION WHERE CLEARING IS CALLED FOR IN THE SPECIFICATIONS AND CLEAR CUTTING IS NECESSARY FOR A UTILITY RELOCATION. ANY ADDITIONAL COST WILL BE INCLUDED IN THE UNIT PRICE BID FOR THE CLEARING ITEM SPECIFIED IN THE PLANS.
- (5) THE CONTRACTOR SHALL NOTIFY EACH INDIVIDUAL UTILITY OWNER OF HIS PLAN OF OPERATION IN THE AREA OF THE UTILITIES. PRIOR TO COMMENCING WORK, THE CONTRACTOR SHALL CONTACT THE UTILITY OWNERS AND REQUEST THEM TO PROPERLY LOCATE THEIR RESPECTIVE UTILITY ON THE GROUND. THIS NOTIFICATION SHALL BE GIVEN AT LEAST THREE (3) BUSINESS DAYS PRIOR TO COMMENCEMENT OF OPERATIONS AROUND THE UTILITY IN ACCORDANCE WITH TCA 65-31-106. NOTIFICATION BY CALLING THE

UTILITY OWNERS

CABLE:
CHARTER COMMUNICATION (SPECTRUM)
1850 BUSINESS PARK DR SUITE 101
CLARKSVILLE, TN 37043
CONTACT: DANIEL JOHNSTON
OFFICE PHONE: 931 981 3269
EMAIL: DANIEL.JOHNSTON@CHARTER.COM

ELECTRIC:
CLARKSVILLE DEPT. OF ELECTRIC
2021 WILMA RUDOLPH BLVD
CLARKSVILLE, TN 37040
CONTACT: DANIEL KIMBELL
OFFICE PHONE: 931 905 7251
EMAIL: DANIEL.KIMBELL@CDELIGHTBAND.COM

ELECTRIC:
CUMBERLAND ELECTRIC
1940 MADISON STREET
CLARKSVILLE, TN 37043
CONTACT: MARK COOK
OFFICE PHONE: 931 645 2481 EXT 1117
EMAIL: MCOOK@CEMC.ORG

TELEPHONE:
AT&T
333 COMMERCE STREET ROOM 23C 142
NASHVILLE, TN 37201
CONTACT: KIM BEAN
OFFICE PHONE: 615 848 9459
EMAIL: KB1078@ATT.COM

GAS:
BP PIPELINE (NORTH AMERICA) INC.
150 W. WARRENVILLE RD., BLDG 605-3
NAPERVILLE, IL 60563
CONTACT: ALICE JOHNSON
OFFICE PHONE: 630 536 2519
EMAIL: ALICE@JOHNSON@BP.COM

SEWER:
CLARKSVILLE GAS AND WATER
2215 MADISON ST
CLARKSVILLE, TN 37043
CONTACT: MARK RIGGINS
OFFICE PHONE: 931 645 7400
EMAIL: GASANDWATER@CITYOFCLARKSVILLE.COM

FIBER:
AT&T FIBER
360 GEES WILL BUSINESS PKWY
CONYERS, GA 30013
CONTACT: TRINA IVEY
OFFICE PHONE: 678 641 5522
EMAIL: KI2863@ATT.COM

STREET DEPARTMENT:
CLARKSVILLE STREET DEPT
199 10TH STREET
CLARKSVILLE, TN 37040
CONTACT: CHRIS COWAN
OFFICE PHONE: 931 645 7464
EMAIL: CHRIS.COWAN@CITYOFCLARKSVILLE.COM

WATER, SEWER AND GAS:
CITY OF CLARKSVILLE
2215 MADISON STREET
CLARKSVILLE, TN 37043
CONTACT: MARK RIGGINS
OFFICE PHONE: 931 645 7400
EMAIL: MARK.RIGGINS@CITYOFCLARKSVILLE.COM

DISTURBED AREA

IN BETWEEN SLOPE LINE	0.0937 (AC)
15 FOOT WIDE STRIP (OUTSIDE SLOPE LINES)	0.0000 (AC)
TOTAL DISTURBED AREA	0.0937 (AC)
[1] TOTAL PROJECT AREA	1.1385 (AC)

NOTE:
1. THIS INCLUDES PAVEMENT MILLED AND OVERLAY AND TRAFFIC SIGNAL COMPONENT AREA

R.O.W.
PLANS

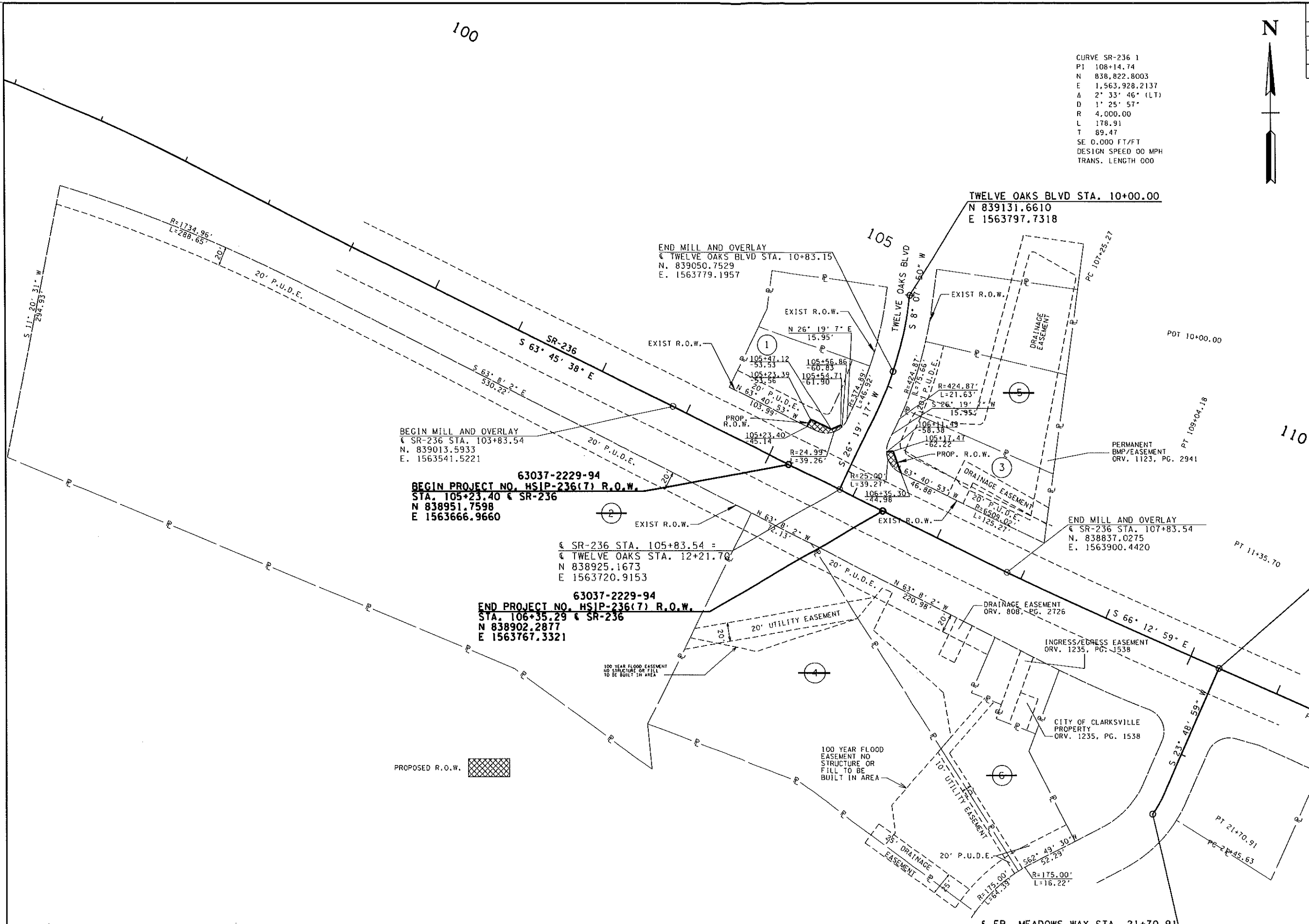
SEALED BY

STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION

RIGHT-OF-WAY NOTES,
UTILITY NOTES,
UTILITY OWNERS,
AND ACQUISITION TABLE

TYPE	YEAR	PROJECT NO.	SHEET NO.
R.O.W.	2021	HSIP-236(7)	3A

CURVE SR-236 1
PI 108+14.74
N 838,822.8003
E 1,563,928.2137
A 2° 33' 46" (LT)
D 1' 25' 57"
R 4,000.00
L 178.91
T 89.47
SE 0.000 FT/FT
DESIGN SPEED 00 MPH
TRANS. LENGTH 000



R.O.W.
PLANS

SEALED BY

COORDINATES ARE NAD 83(1995), ARE DATUM ADJUSTED BY THE FACTOR OF 0.99998 AND TIED TO THE TGRN. ALL ELEVATIONS ARE REFERENCED TO THE NAVD 1988 WITH GEOID 8-15-19, MODEL g2003u07.

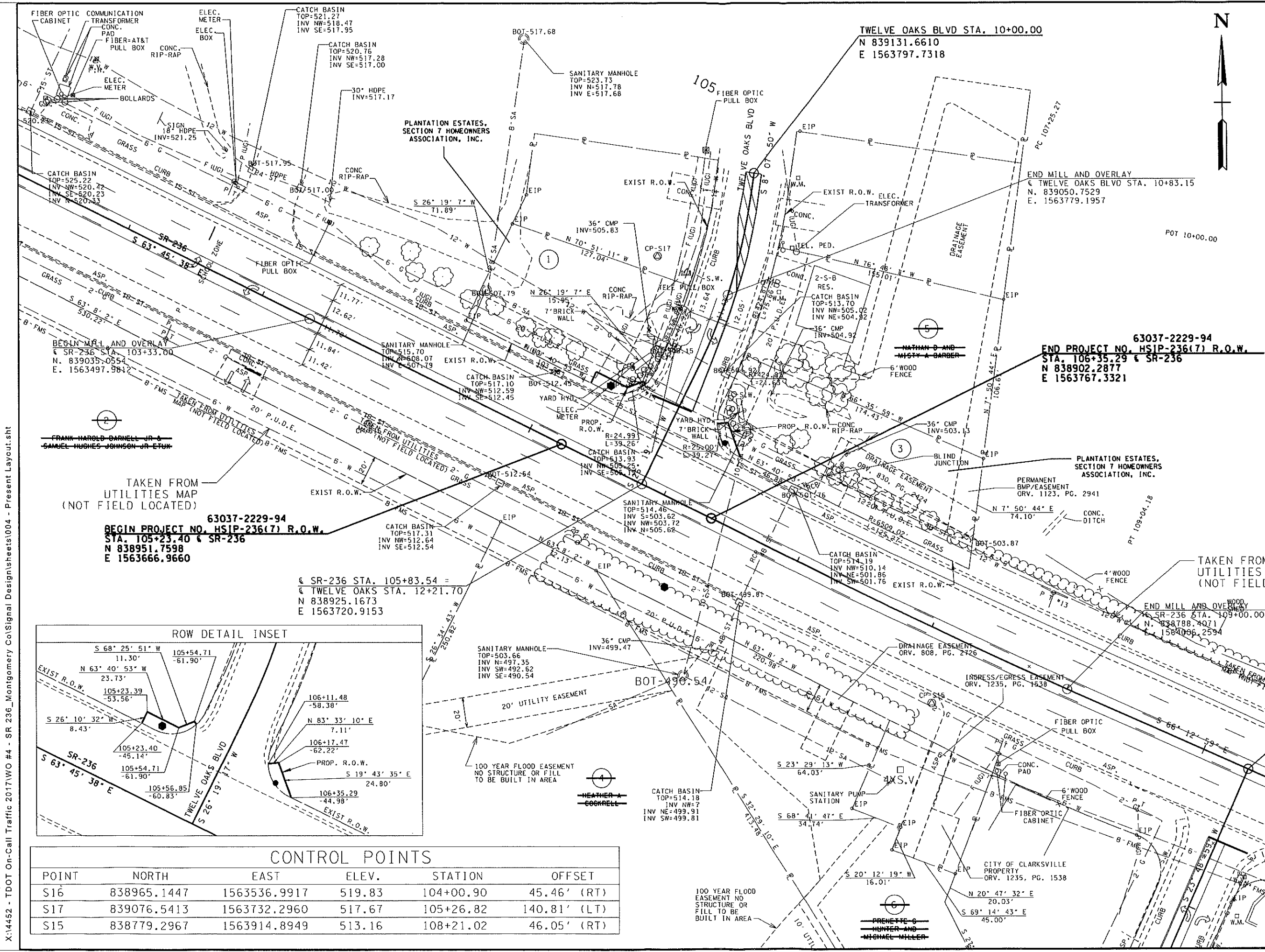
STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION

PROPERTY MAP

SCALE: 1"=50'

7/20/2021 7:46:10 PM
X:\4452 - TDO On-Call Traffic 2017\WO #4 - SR 236_Montgomery Co\Signal Design\Sheets\003A - Property Map.sht

TYPE	YEAR	PROJECT NO.	SHEET NO.
R.O.W.	2021	HSIP-236(7)	4



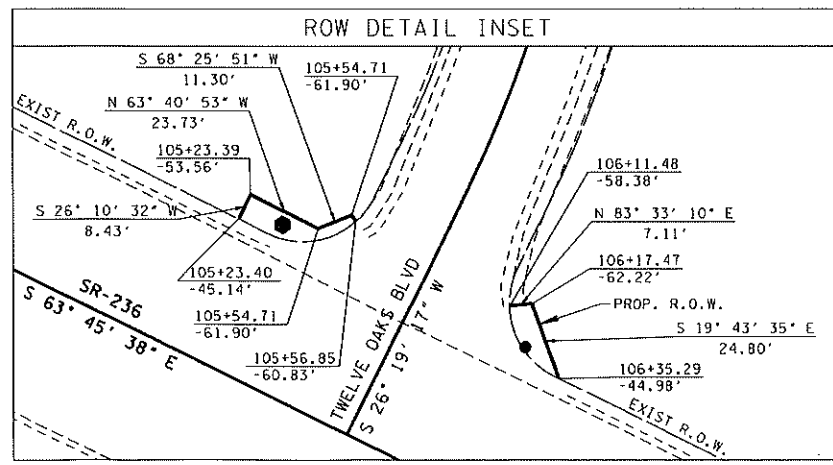
10/17/2021 1:55:25 PM X:\4452 - TDOT On-Call Traffic 2017\WO #4 - SR 236_Montgomery Co\Signal Design\Sheets\004 - Present Layout.sht

FRANK HAROLD DARNELL JR &
SAMUEL HUGHES JOHNSON JR ETUX

TAKEN FROM
UTILITIES MAP
(NOT FIELD LOCATED)

63037-2229-94
BEGIN PROJECT NO. HSIP-236(7) R.O.W.
STA. 105+23.40 & SR-236
N 838951.7598
E 1563666.9660

& SR-236 STA. 105+83.54 =
TWELVE OAKS STA. 12+21.70
N 838925.1673
E 1563720.9153



CONTROL POINTS

POINT	NORTH	EAST	ELEV.	STATION	OFFSET
S16	838965.1447	1563536.9917	519.83	104+00.90	45.46' (RT)
S17	839076.5413	1563732.2960	517.67	105+26.82	140.81' (LT)
S15	838779.2967	1563914.8949	513.16	108+21.02	46.05' (RT)

R.O.W.
PLANS

SEALED BY

COORDINATES ARE NAD 83(1995), ARE
DATUM ADJUSTED BY THE FACTOR OF
0.99998 AND TIED TO THE TGRN. ALL
ELEVATIONS ARE REFERENCED TO THE NAVD
1988 WITH GEOID 8-15-19, MODEL g2003u07.

STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION

PRESENT
LAYOUT

SCALE: 1"= 30'

RESOLUTION 58-2020-21

A RESOLUTION SUPPORTING THE DECRIMINALIZATION OF OF SIMPLE POSSESSION OR CASUAL EXCHANGE OF MARIJUANA FOR PERSONAL USE

WHEREAS, the City Council finds that as a country, the United States spends billions of dollars each year enforcing marijuana laws; and

WHEREAS, the City Council finds this enforcement has not had an impact on marijuana usage and has created additional costs for communities and individuals; and

WHEREAS, the City Council finds that an arrest for possession of marijuana can have an impact on housing, student loans, future employment, child custody determinations, and many other circumstances; and

WHEREAS, the City Council finds that data from the American Civil Liberties Union (ACLU) shows that marijuana usage is roughly equal among whites and blacks in the United States, but blacks are 3.64 times more likely to be arrested for marijuana possession as whites; and

WHEREAS, the City Council finds that according to a 2018 ACLU report the state of Tennessee was 9th highest in marijuana possession arrests per 100,000 people with blacks being four times more likely to be arrested than whites.

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

1. The City Council hereby expresses the sense of the City Council in opposition to the criminalization of marijuana possession in small amounts by users, and further expresses its' desire that enforcement of criminal laws for simple possession or casual exchange of marijuana for personal use (see Tennessee Code Annotated §39-17-418) should be the lowest enforcement priority for the City of Clarksville Police Department; and
2. The City Council hereby expresses the sense of the City Council by requesting that the District Attorney General for the 19th Judicial District take an active stance or position of not prosecuting persons for simple possession or casual exchange of marijuana for personal use; and
3. The City Council hereby expresses the sense of the City Council by requesting the Tennessee General Assembly to pass legislation to decriminalize simple possession or casual exchange of marijuana for personal use (repealing TCA §39-17-418); and requests the members of the local state delegation to the General Assembly to introduce and promote such legislation, and actively work to have such legislation approved.

REFERRED:

March 4, 2021, to Legislative Liaison Committee

RESOLUTION NO. 36-2021-22

A RESOLUTION AUTHORIZING THE CITY OF CLARKSVILLE TO JOIN THE STATE OF TENNESSEE AND OTHER LOCAL GOVERNMENTS AS PARTICIPANTS IN THE TENNESSEE STATE-SUBDIVISION OPIOID ABATEMENT AGREEMENT AND APPROVING THE RELATED SETTLEMENT AGREEMENTS

WHEREAS, the opioid epidemic continues to impact communities in the United States, the State of Tennessee, and the City of Clarksville, Tennessee.

WHEREAS, the City of Clarksville has suffered harm and will continue to suffer harm as a result of the opioid epidemic;

WHEREAS, the State of Tennessee and some Tennessee local governments have filed lawsuits against opioid manufacturers, distributors, and retailers, including many federal lawsuits by Tennessee counties and cities that are pending in the litigation captioned In re: National Prescription Opiate Litigation, MDL No. 2804 (N.D. Ohio) (the MDL case is referred to as the “Opioid Litigation”);

WHEREAS, certain pharmaceutical distributors and a manufacturer have proposed settlements that the City of Clarksville finds acceptable and in the best interest of the community;

WHEREAS, the Tennessee legislature enacted Public Chapter No. 491 during the 2021 Regular Session of the 112th Tennessee General Assembly and was signed into law by Governor Bill Lee on May 24, 2021, which addresses the allocation of funds from certain proposed opioid litigation settlements;

WHEREAS, the State of Tennessee, non-litigating counties, and representatives of various local governments involved in the Opioid Litigation have proposed a unified plan for the allocation and use of certain prospective settlement and bankruptcy funds from opioid related litigation (“Settlement Funds”);

WHEREAS, the Tennessee State-Subdivision Opioid Abatement Agreement (the “Tennessee Plan”), attached hereto as “Exhibit A,” sets forth a framework of a unified plan for the proposed allocation and use of the Settlement Funds; and

WHEREAS, participation in the settlements and Tennessee Plan by a large majority of Tennessee cities and counties will materially increase the amount of settlement funds that Tennessee will receive from pending proposed opioid settlements;

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

Section 1. That the City of Clarksville finds that participation in the Tennessee Plan is in the best interest of the City of Clarksville and its citizens because such a plan would ensure an effective structure for the commitment of Settlement Funds to abate and seek to resolve the opioid epidemic.

Section 2. That the City of Clarksville hereby expresses its support for a unified plan for the allocation and use of Settlement Funds as generally described in the Tennessee Plan.

Section 3. That the City of Clarksville’s Mayor, Joe Pitts, (“City Mayor”) is hereby expressly authorized to execute the Tennessee Plan in substantially the form attached as Exhibit “A” and the City Mayor is hereby authorized to execute any formal agreements necessary to implement a unified plan for the allocation and use of Settlement Funds that is substantially consistent with the Tennessee Plan and this Resolution.

Section 4. That the City Mayor is hereby expressly authorized to execute any formal agreement and related documents evidencing the City of Clarksville’s agreement to the settlement of claims [and litigation] specifically related to AmerisourceBergen Corporation, Cardinal Health, Inc, McKesson Corporation, Janssen Pharmaceuticals, Inc, and Johnson & Johnson.

Section 5. That the City Mayor is authorized to take such other action as necessary and appropriate to effectuate the City of Clarksville's participation in the Tennessee Plan and these settlements.

Section 6. This Resolution is effective upon adoption, the welfare of the City of Clarksville, Tennessee requiring it.

ADOPTED this the _____ day of _____, 2021.

Joe Pitts, Mayor

ATTEST: _____
Lisa Canfield, City Clerk

Tennessee State-Subdivision Opioid Abatement Agreement

I. Definitions

For all sections of this Agreement, the definitions for terms set out in this Section I apply. The Agreement also uses additional terms that are defined in the Distributor/J&J Settlements and other agreements. In such instances, which are clearly stated, those terms are defined by those agreements.

A. “2021 Legislation.” Public Chapter No. 491 passed during the 2021 Regular Session of the 112th Tennessee General Assembly and signed into law by Governor Bill Lee on May 24, 2021. For ease of reference purposes only, a copy of Public Chapter No. 491 is attached.

B. “Agreement.” This document, the Tennessee State-Subdivision Opioid Abatement Agreement, a “state-subdivision opioid abatement agreement” as defined in the 2021 Legislation, Section 5(7) and Section 13(6). This Agreement is also a “State-Subdivision Agreement” as defined in the Distributor/J&J Settlement Agreements and a “Statewide Abatement Agreement” as defined in the Purdue Pharma L.P. and Mallinckrodt PLC bankruptcy plans.

C. “Distributor/J&J Settlements.” The settlements consisting of the joint settlement agreement with distributors McKesson Corporation, Cardinal Health, Inc., and AmerisourceBergen Corporation and their subsidiaries and other related entities and the settlement agreement with manufacturer Johnson & Johnson, its Janssen subsidiaries and other subsidiaries and related entities. Both settlements qualify as Statewide Opioid Settlement Agreements.

D. “Joint Abatement Bankruptcy Plan.” A plan confirmed in federal bankruptcy court under Title 11 of the United States Code that resolves state and subdivision claims related to the manufacture, marketing, distribution, dispensing, or sale of opioids in a manner that allocates funds for abatement jointly to the state and its subdivisions. The plans in the Purdue Pharma L.P. and Mallinckrodt PLC bankruptcy cases are examples of Joint Abatement Bankruptcy Plans.

E. “Opioid Abatement Council.” The council created by the 2021 Legislation, Sections 3-9.

F. “Relevant Funds.” Funds that, pursuant to a Joint Abatement Bankruptcy Plan, are allocated to the State for the claims of the State and its Subdivisions and that must be dedicated to opioid abatement programs.

G. “State.” The State of Tennessee.

H. “State-Only Opioid Settlement Agreement.” A settlement agreement entered into by the State and one or more entities involved in activities related to the manufacture, marketing, distribution, dispensing, or sale of opioids in which there are not provisions for Subdivision joinder.

I. “State Opioid Judgment.” A judgment obtained by the State against one or more entities involved in activities related to the manufacture, marketing, distribution, dispensing, or sale of opioids.

J. “Statewide Opioid Settlement Agreement.” A settlement agreement entered into by the State and one or more entities involved in activities related to the manufacture, marketing, distribution, dispensing, or sale of opioids in which subdivision claims are addressed.

K. “Statutory Bar.” A law barring all subdivisions (not limited to counties and municipalities) in the state from maintaining released claims against released entities, either through a direct bar or through a grant of authority to release claims. The 2021 Legislation, Sections 10-19 establishes a grant of authority process for a statutory bar to be enacted for the entities addressed in the Distributor/J&J Settlements.

L. “Subdivision.” A Tennessee county or municipality.

M. “Subdivision-Only Opioid Settlement Agreement” A settlement agreement between one or more Subdivisions and one or more entities involved in activities related to the manufacture, marketing, distribution, dispensing, or sale of opioids that does not include the State as a party.

N. “Subdivision Opioid Judgment.” A judgment obtained by one or more Subdivisions against one or more entities involved in activities related to the manufacture, marketing, distribution, dispensing, or sale of opioids.

O. “Tennessee Opioid Abatement Fund.” The opioid abatement trust fund established by the 2021 Legislation, Sections 1-2.

II. Interaction of this Agreement with Settlements, Bankruptcy Plans and Legislation

This Agreement replaces certain default provisions in specified State Opioid Settlement Agreements and Joint Abatement Bankruptcy Plans. Certain default provisions are also replaced by the 2021 Legislation and consent judgments will be filed for State Opioid Settlement Agreements. Thus, there will be multiple sources of authority for the application of each settlement agreement or bankruptcy plan. While parts of the 2021 Legislation are described in this Agreement, such descriptions do not supersede the statutory language, which is controlling.

III. Allocation of Funds in the Distributor/J&J Settlements

The Distributor/J&J Settlements allow for payment and allocation default provisions to be replaced by state-subdivision agreements, by statute, and other means. As referenced below, the 2021 Legislation addressed some of the default provisions in these settlements. This Agreement makes a few additional changes to the default provisions. As described below, some default provisions remain in place.

A. Allocation among three sub-funds. The Distributor/J&J Settlements initially allocate the vast majority of settlement funds among three sub-funds for each state: the “State Fund,” the “Abatement Accounts Fund,” and the “Subdivision Fund.”¹ Subject to the terms of the specific settlement agreements and assuming full subdivision participation and maximum payments, allocation among the three Tennessee sub-funds shall remain the same as with the default provision: 15% to the State Fund, 70% to the Abatement Accounts Fund, and 15% to the Subdivision Fund.

B. Use of funds. The Distributor/J&J Settlements have provisions concerning the use of funds and those are controlling.² Generally they require that money from all three sub-funds be used for “Opioid Remediation” as that term is defined in those agreements. Such definitions include restitution for past abatement within the definition of remediation.

C. State Fund. The 15% State Fund shall be directed to the State’s general fund unless directed to the Tennessee Opioid Abatement Fund by future legislation.

D. Abatement Accounts Fund.

1. The 70% Abatement Accounts Fund shall be directed to the Tennessee Opioid Abatement Fund.

2. The 2021 Legislation fully replaces the default provisions for the Abatement Accounts Fund.³ Among the legislative provisions is the requirement that for the Distributor/J&J Settlements funds deposited into the Tennessee Opioid Abatement Fund, the Opioid Abatement Council shall disburse 35% of these proceeds to counties that join the settlements to be spent on opioid abatement and remediation pursuant to Subsections 6(q)-(s). 2021 Legislation Section 6(p).

3. The 2021 Legislation allows for a state-subdivision agreement to determine the metrics used in allocating certain funds among participating counties. 2021 Legislation, Section (6)(q). It is agreed that the allocation formula shall use data for fatal and non-fatal opioid overdoses, opioid sales measured by morphine milligram equivalents, and population. Details and agreed terms regarding the metrics, the updating of allocation percentages, and the initial allocation percentages for each county is set out in Exhibit A.

E. Subdivision Fund.

1. The 15% Subdivision Fund shall generally be directed to the Subdivisions participating in the Distributor/J&J Settlements pursuant to the default provisions of those agreements, including the allocation of funds for non-litigating municipalities with populations under 10,000 to their respective counties.

¹ “State Fund,” Abatement Accounts Fund,” and “Subdivision Fund” are all defined terms in the Distributor/J&J Settlement agreements. They are sub-funds of the settlements’ “Settlement Fund” into which the companies make base and incentive payments pursuant to the settlement agreements.

² Some examples are distributor agreement Subsections V.B.1-2 and J&J agreement Subsections VI.B. 1-2.

³ These are mainly found in distributor agreement Section V.E and J&J agreement Section VI.E.

2. The default provisions are adjusted for non-litigating municipalities in participating counties that both (1) have populations of 10,000 to 30,000 per the 2019 U.S. Census estimate and (2) have a Subdivision Fund allocation percentage less than 0.5%.⁴ The allocations for such municipalities shall be directed to their respective counties if the county is a participating subdivision. (If the county is not a participating subdivision, the funds are not redirected to the county.) The reallocation for such municipalities located in multiple counties will be divided among those counties pursuant to the data used in Exhibit G of the Distributor/J&J Settlements. These redirected funds to certain counties shall be spent on future opioid abatement and shall be subject to the same statutory requirements as the Abatement Accounts Fund money the county receives from the Tennessee Opioid Abatement Fund. These redirected funds to certain counties are in addition to the funds allocated to participating counties pursuant to 2021 Legislation Section 6(p) and should not be included in calculating or disbursing the 35% amount allocated to participating counties. Such redirected funds should also not be viewed as an additional recovery by the county for purposes of calculating any contingency fees agreements.

F. Attorneys' fees and costs. The Distributor/J&J Settlements have provisions for funds dedicated to or related to attorneys' fees, costs, and/or expenses. There are also funds for states without outside counsel, identified as "Additional Restitution Funds." Such funds shall be allocated pursuant to such agreements and are not addressed by this Agreement.

IV. Allocation of Funds for other Statewide Opioid Settlement Agreements

A. Application to future settlements. To the extent allowed by such agreement and subject to IV.B.2 of this Agreement, the provisions in Section III above shall replace default provisions in, and apply to, any future Statewide Opioid Settlement Agreement in which Tennessee counties and municipalities are able to join and receive benefits, either directly or indirectly, in exchange for a release of claims.⁵ Not all municipalities need to be eligible to join such a settlement for the provisions of this Section IV to apply. Indirect benefits include funds being allocated to counties and/or the Tennessee Opioid Abatement Fund.

B. Exceptions. The application of Section IV.A. is limited, as follows:

1. The directing of 35% of Abatement Funds to the counties pursuant to the 2021 Legislation Section 6(p) shall not apply to any Statewide Opioid Settlement Agreement that includes an incentive or other benefit for a Statutory Bar unless (a) Section 19 of the 2021 Legislation is amended to specifically allow a Statewide Opioid Settlement Agreement release for the settling entity or entities or (b) another statute that qualifies as a Statutory Bar for such settlement is enacted. Should such settlement become effective prior

⁴ For the avoidance of doubt, a non-litigating municipality with a population between 10,000 and 30,000 that has a Subdivision Fund allocation percentage of 0.5% or greater is not affected by this subsection and receives its direct allocation from the Subdivision Fund.

⁵ For the avoidance of doubt, the Section III provisions include the 15%/70%/15% allocation of settlement funds among the three sub-funds.

to the enactment of a Statutory Bar addressing claims against the settling entity or entities, 35% of the funds directed to the Tennessee Opioid Abatement Fund shall be withheld and not allocated until the earlier of (1) the enactment of such a Statutory Bar or (2) a full regular session of the Tennessee General Assembly has occurred.

2. Section IV.A shall not apply to any Statewide Opioid Settlement Agreement unless the application of this Agreement to such settlement is approved by a majority of (a) counties and (b) municipalities having a population over 30,000 after such settlement is negotiated and provided to such subdivisions. Whether there is majority approval shall be measured by population of the relevant subdivisions. Population figures shall be from the most recently published U.S. Census population figures (actual count or estimate) for a year for which data is available for both counties and municipalities.

3. Section IV.A shall not apply to any Statewide Opioid Settlement Agreement with Endo International plc. or its subsidiaries.

C. Statutory provisions. The language in this section does not address or control whether any default provisions in a Statewide Opioid Settlement Agreement are replaced by the 2021 Legislation or any other statutory provision if Section IV.A does not apply to such settlement.

V. Allocation of Funds for Opioid-Related Claims in Joint Abatement Bankruptcy Plans

A. Relevant Funds. Multiple opioid manufacturers have filed for bankruptcy in actions for which the State and many Subdivisions are creditors for opioid-related claims. These companies include Purdue and Mallinckrodt. It is anticipated that other entities involved in activities related to the manufacture, marketing, distribution, dispensing, or sale of opioids may also file for bankruptcy and that the State and one or more Subdivisions will pursue opioid-related claims in those actions. Funds allocated to the State and Subdivisions for such claims shall be disbursed pursuant to the confirmed bankruptcy plan for the relevant entity, including requirements for funds to be used for future abatement. It is anticipated that one or more of such plans shall include the allocation of Relevant Funds that must be dedicated to opioid abatement programs. All Relevant Funds shall be placed in the Tennessee Opioid Abatement Fund and allocated pursuant to Sections V.B. Relevant Funds do not include funds disbursed through bankruptcy plans that are not restricted to abatement or that are disbursed for claims that are unrelated to the opioid crisis.

B. Allocation of Relevant Funds. To the extent permissible under the subject bankruptcy plan, Relevant Funds from Joint Abatement Bankruptcy Plans shall be allocated in the same manner as the Abatement Account Funds from the Distributor/J&J Settlements are disbursed under Section III.D and the 2021 Legislation. Thus, the Opioid Abatement Council shall disburse 35% of the proceeds from such bankruptcy plans to the counties subject to 2021 Legislation

Subsections 6(q)-(s). All default provisions related to Relevant Funds in such bankruptcy plans are replaced by this Agreement.⁶

C. Exception. Section V shall not apply to any bankruptcy plan for Endo International plc. or its subsidiaries.

D. Statutory provisions. The language in this section does not address or control whether any default provisions in a Joint Abatement Bankruptcy Plan are replaced by the 2021 Legislation or any other statutory provision if Sections V.A-B do not apply to such bankruptcy plans.

VI. No Application to Other Funds

A. State-Only Opioid Settlement Agreements and State Opioid Judgments. The Attorney General may direct funds from a State-Only Opioid Settlement Agreement or a State Opioid Judgment to the Tennessee Opioid Abatement Fund. Subject to the terms of specific agreements and any conditions placed on the funds prior to their being placed in the Tennessee Opioid Abatement Fund, the funds shall be allocated by the Opioid Abatement Council pursuant to the 2021 Legislation. The allocation and other provisions in this Agreement that apply to certain Statewide Opioid Settlement Agreements and to certain funds from Joint Abatement Bankruptcy Plans do not apply to funds from State-Only Opioid Settlement Agreements or State Opioid Judgments.

B. Subdivision-Only Settlement Agreements and Subdivision Judgments. The allocation and other provisions in this Agreement that apply to certain Statewide Opioid Settlement Agreements and to certain funds from Joint Abatement Bankruptcy Plans do not apply to funds from Subdivision-Only Opioid Settlement Agreements or Subdivision Opioid Judgments.

VII. Adoption and Amendment of Agreement

A. Controlling Authority. For this Agreement to replace default provisions in the Distributor/J&J Settlements, it must be adopted by statute or approved by the State and a sufficient number of Subdivisions as set forth in Exhibit O of those settlements. For this Agreement to replace default provisions in the Purdue and other bankruptcy plans, it is anticipated that it will need to be approved by the State and a sufficient number of Subdivisions as set forth in the specific bankruptcy plans. There are similar requirements for amending state-subdivision agreements such as this Agreement. It is understood that the approval process and participation requirements set out in this Section VII meet the requirements of these settlement agreements and anticipated bankruptcy plans. For any settlement agreement or bankruptcy plan that allows for a state-subdivision agreement to determine the requirements for amendment of a state-subdivision

⁶ For example, the provisions related to the default “Government Participation Mechanism” in the Purdue bankruptcy plan are not applicable with the adoption of this Agreement (which incorporates the Opioid Abatement Council).

agreement, the approval process and participation requirements set out in this Section VII for an amended agreement shall control. Similarly, if this Agreement is adopted by statute, the approval process and participation requirements set out in this Section VII for an amended agreement shall control.

B. Adoption of Agreement. This Agreement is adopted if it is approved by the Attorney General, on behalf of the State, and either (1) Subdivisions whose aggregate “Population Percentages,” determined as set forth below, total more than 60%, or (2) Subdivisions whose aggregate Population Percentages total more than 50%, provided that these Subdivisions also represent 15% or more of the counties, by number.

C. Population Percentage Calculation. Population Percentages shall be determined as follows: The Population Percentage of each county shall be deemed to be equal to (1) (a) 200% of the population of such county minus (b) the aggregate population of all Primary Municipalities located in such county, divided by (2) 200% of the state’s population. A Primary Municipality means a municipality with a population of at least 25,000. The Population Percentage of each Primary Municipality shall be equal to its population divided by 200% of the state’s population. (The result of these calculations is that every person is counted twice: everyone in a Primary Municipality is counted once for that municipality; everyone is counted at least once for their county; and those not in a Primary Municipality are counted a second time for their county.) Except as required by a specific settlement agreement or bankruptcy plan, the population figures for these calculations shall be the 2020 U.S. Census counts for the initial adoption of the Agreement and, for adoption of an amended agreement, the most recently published U.S. Census population figures (actual count or estimate) for a year for which data is available for both counties and municipalities.

D. Amendment of Agreement. This Agreement may be amended if that amended agreement is approved by the Attorney General, on behalf of the State, and either (1) Subdivisions whose aggregate Population Percentages, determined as set forth above, total more than 60%, or (2) Subdivisions whose aggregate Population Percentages total more than 50% provided that these Subdivisions also represent 15% or more of the counties, by number.

VIII. Effect of Agreement

Nothing in this Agreement is intended to abridge or enlarge the authority of the Attorney General, the State, or the subdivisions, except as expressly stated herein.

Exhibit A: County Allocation for Opioid Abatement Fund

Certain abatement funds are allocated by county pursuant to the 2021 Legislation and/or the provisions of this Agreement. The allocations shall be set consistent with the 2021 Legislation and as set forth below.

A. County Allocation Data. The following data shall be used in the county allocation calculations:

1. Fatal opioid overdose data collected by the Tennessee Department of Health. The aggregate figures for the most recent three years of available data shall be used when allocation calculations are performed.

2. Non-fatal opioid overdose data collected by the Tennessee Department of Health. The aggregate figures for the most recent three years of available data shall be used when allocation calculations are performed.

3. Opioid sales as measured by morphine milligram equivalents (“MME”). The aggregate figures for the most recent three years of available data shall be used when allocation calculations are performed.

4. County population. The 2020 U.S. Census counts will be used for the initial allocations. For future allocation calculations, the most recent population estimate or actual count data published by the U.S. Census shall be used.

B. Weighting of Data. In calculating the county allocation percentages, the data shall be weighted as follows:

1. Fatal opioid overdose data shall be weighted at 12.5%.
2. Non-fatal opioid overdose data shall be weighted at 12.5%.
3. Opioid sales as measured by MME shall be weighted at 25%.
4. Population shall be weighted at 50%.

C. Updating of Allocations. The county allocations shall be updated pursuant to statute. The 2021 Legislation requires updating every four years and addresses what happens if a data set used in the initial allocations is unavailable.

D. Allocation Process. The State shall make the initial data and allocable share calculations available to the counties to review for 30 days in order to identify and correct any mathematical or data entry errors. The Opioid Abatement Council will allow for similar review for future reallocations.

E. Holdback Share. It is recognized that, particularly for some very small counties, there could be limits on the ability of the data to capture the scope of the opioid crisis in the county. For example, a large segment of a county’s population may fill prescriptions in a neighboring county, resulting in MME data that dramatically underrepresents the level of opioids prescribed to the residents of the county. To address limited situations such as this, 2% of the abatement funds

allocated to counties shall be initially held back until the Opioid Abatement Council can consider county requests for adjustments to their allocation percentages due to such data issues. However, such requests will only be granted when there is a finding that the data limitations substantially affected the county's overall allocation. The Council may only adjust allocation percentages upwards through the use of the 2% holdback fund and may find that no adjustments are needed. Any portion of the 2% holdback fund not used to adjust county allocations pursuant to this process will be released to the counties pursuant to their allocations, including any adjusted allocation percentages.

F. Initial County Allocation Percentages.

[TABLE TO BE INSERTED ONCE UPDATED DATA AVAILABLE]