



**CLARKSVILLE CITY COUNCIL
EXECUTIVE SESSION
SEPTEMBER 26, 2013**

**IMMEDIATELY FOLLOWING
SPECIAL SESSION**

**COUNCIL CHAMBERS
106 PUBLIC SQUARE
CLARKSVILLE, TENNESSEE**

AGENDA

1) PLANNING COMMISSION

PUBLIC HEARING

1. **ORDINANCE 22-2013-14** (First Reading) Amending the Zoning Ordinance and City Code establishing the R-6 Single Family Residential District (*RPC: Approval/Approval*)
2. **ORDINANCE 25-2013-14** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of James R. Hunley and Durrett Investment, Jason Daugherty-Agent, for zone change on property at Peachers Mill Road and Allen Griffey Road from AG Agricultural District and R-4 Multiple Family Residential District to C-2 General Commercial District (*RPC: Approval/Approval*)
3. **ORDINANCE 26-2013-14** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of First Advantage Bancorp Attn: Eric Bradley, Cal Gentry/Winners Circle Partners-Agent, on property at Warfield Boulevard and Dunbar Cave Road from R-1 Single Family Residential District to OP Office/Professional District (*RPC: Approval/Approval*)

2) 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 10-2013-14** (Second Reading) Accepting real property from McClardy Road Partnership for Rossview Place Sewer Lift Station
2. **ORDINANCE 11-2013-13** (Second Reading) Annexing territory east of Red River, south of Passenger Creek, and north and east of Deertrail Subdivision; request of D. W. Howard
3. **ORDINANCE 12-2013-14** (Second Reading) Amending the Official Code relative to designation of automated traffic signal revenues
4. **ORDINANCE 13-2013-14** (Second Reading) Amending the Official Code of the City of Clarksville relative to adoption by reference of amended codes of the International Code Council
5. **ORDINANCE 14-2013-14** (Second Reading) Amending the Official Code relative to beer permits for caterers
6. **ORDINANCE 15-2013-14** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Eddie Burchett for zone change on property at Trenton Road & Lowes Drive from R-4 Multiple Family Residential District to C-5 Highway & Arterial Commercial District
7. **ORDINANCE 16-2013-14** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Seay Wilson Properties (Ron Seay), Wade Hadley-Agent, for zone change on property at Trenton Road & Lowes Drive from C-3 Regional Shopping Center District to C-5 Highway & Arterial Commercial District
8. **ORDINANCE 17-2013-14** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Mary Clark, Eddie Burchett-Agent, for zone change on property at Tiny Town Road & Peachers Mill Road from AG Agricultural District to C-5 Highway & Arterial Commercial District
9. **ORDINANCE 18-2013-14** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Joseph Trovato for zone change on property at Madison Street & Carney Road from R-1 Single Family Residential District to C-5 Highway & Arterial Commercial District
10. **ORDINANCE 19-2013-14** (Second Reading) Authorizing extension of utilities to property on Garrettsburg Road; request of Sun C. Reed
11. Approval of Minutes: Regular Session September 5th
12. Approval of board appointments:

Tree Board: Karla Kean (replace Steve Lamm-term expired) – October 2013 through June 2016

3) COMMUNITY DEVELOPMENT COMMITTEE

David Allen, Chair

5) FINANCE COMMITTEE

Joel Wallace, Chair

1. **ORDINANCE 20-2013-14** (First Reading) Amending the FY14 Community Development Budget to accept a Continuum of Care Program grant (*Finance Committee: Approval*)
2. **ORDINANCE 21-2013-14** (First Reading) Amending the FY14 Community Development Budget for consulting fees for the Choice Neighborhoods Program (*Finance Committee: Approval*)
3. **ORDINANCE 23-2013-14** (First Reading) Amending the FY14 Capital Projects Budget for purchase of property at 808 Riverside Drive (*Finance Committee: Approval*)
4. **RESOLUTION 17-2013-14** Authorizing transition from a fully-insured health and vision benefits plan to a self-insured health and vision benefits plan (*Finance Committee: Approval*)

6) GAS & WATER COMMITTEE

Jeff Burkhart, Chair

7) PARKS, RECREATION, GENERAL SERVICES

Wallace Redd, Chair

8) PUBLIC SAFETY COMMITTEE

(Building & Codes, Fire, Police)

Geno Grubbs, Chair

9) STREET COMMITTEE

James Lewis, Chair

10) TRANSPORTATION COMMITTEE

Marc Harris, Chair

11) NEW BUSINESS

1. **ORDINANCE 24-2013-14** Amending the Official Code pertaining to the filling of vacancies on the City Council other than the Mayor (*Mayor McMillan*)
2. Ward 1 Applicant presentations/interviews

12) MAYOR AND STAFF REPORTS

13) ADJOURNMENT

14) PUBLIC COMMENTS

ORDINANCE 22-2013-14

AN ORDINANCE AMENDING THE CITY ZONING ORDINANCE OF THE CITY OF CLARKSVILLE, TENNESSEE, TO CREATE THE R-6 SINGLE FAMILY DISTRICT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE THAT THE FOLLOWING AMENDMENTS ARE HEREBY MADE TO THE CLARKSVILLE CITY ZONING ORDINANCE

- 1.** Amend Chapter 3, Zone Districts, Use Tables, Section 3, Zoning Districts Described, is hereby amended by adding a new subsection “11” as follows and renumber remaining subsections appropriately:

R-6 Single Family District

The purpose of the R-6 Single Family Infill District is to provide for high-density detached residential development. This district should have access to existing infrastructure and other residential-supportive uses such as, mass transit and retail services. All properties, lots, tracts or parcels in this district shall have frontage on a dedicated public right-of-way and access to public sanitary sewers and a public potable water supply. This district is limited to geographical areas within the city of Clarksville where tracts of land exist in areas suitable for redevelopment or have environmental constraints. The district will allow for the protection of surrounding residential uses and residential zoned properties from potential negative impacts the high-density uses create by increasing the vitality of the neighborhood through revitalization and encouraging high quality design and flexibility. This district will allow more housing opportunities and choices, and enhance an area’s unique identity and development potential.

- 2.** Amend Chapter 4, District Bulk Regulations and Explanation, Table 4.4, by adding the following zoning district between R-5 and RM-1:

DISTRICT BULK TABLE

ZONING	R-6*
Minimum/Maximum Area for New Zone District	N/A
Minimum Lot Area	2,500 sq. ft. Not to exceed 16 dwelling units per acre.
Minimum Lot Width (At Front Setback Line)	25 feet
Minimum Frontage Requirements	20 feet
Minimum Front Yard Setbacks (See Section 4.1.1 For Exceptions)	20
Minimum Side Yard Setbacks (Section 4.1.1 For Exceptions)	5 feet (total of 10’ for both sides)

Minimum Rear Yard Setbacks (See Section 4.1.1 For Exceptions)	20 feet
Accessory Structure	10 feet
Maximum Height of Structures (See Section 4.1.2 for Exceptions)	45 feet
Maximum Lot Coverage	60%
Site Plan Required	No
*Sidewalks along street frontage are mandatory	

3. Amend Land Use Table 3.15 for the R-6 Single Family District:

- Allowable Uses (Permitted)
Single Family Detached
- Allowable Permitted on Review Uses
Home Occupation
Family Day Care
Guest House
- Allowable Accessory Uses
Garage/Carport
Storage Shed
Leasing/Sales Office
Amateur Radio Antenna
Satellite Dish
- Allowable Permitted with Conditions
Tourist Home
Bed and Breakfast

4. Amend Chapter 4 District Bulk Regulations and Explanation, Section 1 Exceptions for District Bulk Regulations, Subsection 1 Building Setback Exceptions, by adding the following after "Central Business District Exceptions":

R-6 Single Family District Additional Exceptions:

Exceptions in addition to those applicable to All Zoning Districts:

- “1. If rear access is provided with two off-street parking spaces, the front yard setback may be reduced to zero (0) provided yard intrusions listed above do not encroach into the sidewalk or public utility and drainage easements.

- “2. Where the intersection is controlled by a stop sign or traffic signal, the City Street Department may reduce the clear sight distance vision triangle requirements for the front yard and street side yard.”

O:\City Zoning Ordinance Amendments\Proposed R-6 District_RPC Board
Recommendation_09_25_2013.docx

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 25-2012-13

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF JAMES R. HUNLEY AND DURRETT INVESTMENT, JASON DAUGHERTY-AGENT, FOR ZONE CHANGE ON PROPERTY AT PEACHERS MILL ROAD AND ALLEN GRIFFEY ROAD

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

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned AG Agricultural District, as C-2 General Commercial District.

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at an iron pin in the west right of way of Peachers Mill Road, being South 37 degrees 38 minutes 23 seconds West for 98.13 feet from the intersection of the centerline of Peachers Mill Road and Henry Place Blvd.; Thence along the west right of way of Peachers Mill Road, South 07 degrees 25 minutes 18 seconds West for 395.05 feet to an iron pin, being the northeast corner of the James Hunley property as recorded in ORV 1365, Page 1365 ROMCT; Thence continuing along the west right of way, South 07 degrees 25 minutes 18 seconds West for 380.57 feet to an iron pin, being the southeast corner of the Hunley property, also being the northeast corner of the Peachers Mill LLC property as recorded in ORV 1347, Page 1624 ROMCT; Thence leaving west right of way along Hunley south property line, North 80 degrees 39 minutes 16 seconds West for 236.02 feet to an iron pin; Thence continuing along south property line, North 88 degrees 59 minutes 52 seconds West for 91.10 feet to an iron pin, being the southwest corner of the Hunley property; Thence along Peachers Mill LLC north property line, south 87 degrees 19 minutes 58 seconds West for 226.18 feet to an iron pin; Thence continuing along north property line, South 87 degrees 35 minutes 17 seconds West for 20.38 feet, being the southwest corner of herein described parcel; Thence leaving north property line along a new zone line for the next 5 calls: North 08 degrees 19 minutes 56 seconds East for 429.47 feet; North 04 degrees 30 minutes 40 seconds East for 105.12 feet; North 26 degrees 31 minutes 05 seconds East for 242.62 feet; North 09 degrees 24 minutes 45

seconds West for 292.80 feet; North 33 degrees 18 minutes 36 seconds East for 98.19 feet to the south right of way of Henry Place Blvd, also being the northwest corner of herein described parcel; Thence along Henry Place south right of way for the next 5 calls: On a curve to the right having a radius of 365.00 feet, an arc length of 148.22 feet, a delta of 23 degrees 16 minutes 02 seconds, chord bearing of South 45 degrees 03 minutes 23 seconds East for 147.21 feet to an iron pin; South 33 degrees 25 minutes 22 seconds East for 73.48 feet to an iron pin; On a curve to the left having a radius of 335.00 feet, an arc length of 286.71 feet, a delta of 49 degrees 02 minutes 15 seconds, chord bearing of South 57 degrees 56 minutes 29 seconds East for 278.04 feet to an iron pin; South 82 degrees 27 minutes 37 seconds East for 62.80 feet to an iron pin; On a curve to the right having a radius of 50.00 feet, an arc length of 78.44 feet, a delta of 89 degrees 52 minutes 55 seconds, chord bearing of South 37 degrees 31 minutes 09 seconds East for 70.64 feet to the point of beginning. Said parcel containing 11.54 +/- acres, (Tax Map Parcels 035.01 & 035.03 p/o)

ORDINANCE 26-2012-13

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF FIRST ADVANTAGE BANCORP, ATTENTION: ERIC BRADLEY, CAL GENTRY/WINNERS CIRCLE PARTNERS-AGENT, FOR ZONE CHANGE ON PROPERTY AT WARFIELD BOULEVARD AND DUNBAR CAVE ROAD

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

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

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a concrete monument in the north right of way of Dunbar Cave Road, lying North 31 degrees 42 minutes 26 seconds West for 177.13 feet from the intersection of the centerline of Dunbar Cave Road and Warfield Blvd.; Thence along the north right of way of Dunbar Cave Road, North 83 degrees 02 minutes 26 seconds West for 420.75 feet to an iron pin, being the southeast corner of the City of Clarksville (Swan Lake Golf course) property as recorded in ORV 148, Page 546 ROMCT, also being the southwest corner of herein described parcel; Thence leaving the north right of way along golf course east property line, North 09 degrees 25 minutes 37 seconds East for 800.00 feet to an iron pin, being the southwest corner of lot 4 of Huntington Place subdivision as recorded in Plat Book 12, Page 131 ROMCT, also being the northwest corner of herein described parcel; Thence leaving golf course property, along Huntington Place south boundary line, South 77 degrees 21 minutes 05 seconds West for 200.25 feet to an iron pin; Thence continuing along southern boundary line, South 03 degrees 52 minutes 35 seconds West for 222.55 feet to an iron pin; Thence continuing along southern boundary line, North 58 degrees 58 minutes 03 seconds East for 8.81 feet to an iron pin; Thence continuing along southern boundary line, South 23 degrees 33 minutes 58 seconds East for 276.68 feet, being the south corner of Huntington Place, also lying in the west right of way of Warfield Blvd (SR 374); Thence along west right of way, South 07 degrees 51 minutes 27 seconds West for 163.32 feet to a concrete monument; Thence continuing along right of way, South 03 degrees 39 minutes 09 seconds East for 163.77 feet to the point of beginning. Said parcel containing 5.67 +/- acres. (Tax Map 056 Parcel 042.00)

CITY ZONING ACTIONS

The following case(s) will be considered for action at the formal session of the Clarksville City Council on: October 3, 2013. The public hearing will be held on: October 3, 2013.

CITY ORD. #: 22-2013-14 RPC CASE NUMBER: ZO-3-2013

Applicant: REGIONAL PLANNING COMMISSION

Request: City Zoning Ordinance Amendment - Add R-6 Single Family Residential District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ORD. #: 25-2013-14 RPC CASE NUMBER: Z-17-2013

Applicant: JAMES R. HUNLEY & DURRETT INVESTMENT

Agent: Jason Daugherty

Location: fronts on the west side of Peachers Mill Rd. 500+/- ft. north of the Peachers Mill Rd. & Allen Griffy Rd. intersection

Ward #: 5

Request: AG Agricultural District / R-4 Multiple-Family Residential District
to
C-2 General Commercial District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ORD. #: 26-2013-14 RPC CASE NUMBER: Z-18-2013

Applicant: FIRST ADVANTAGE BANCORP ATTN: ERIC BRADLEY

Agent: Cal Gentry / Winners Circle Partners

Location: at the northwest quadrant of the Warfield Blvd & Dunbar Cave Rd. intersection.

Ward #: 12

Request: R-1 Single-Family Residential District
to
OP Office/Professional District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

AN ORDINANCE AMENDING THE CITY ZONING ORDINANCE OF THE CITY OF CLARKSVILLE, TENNESSEE, TO CREATE THE R-6 SINGLE FAMILY DISTRICT
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE THAT THE FOLLOWING AMENDMENTS ARE HEREBY MADE TO THE CLARKSVILLE CITY ZONING ORDINANCE:

1. Amend Chapter 3, Zone Districts, Use Tables, Section 3, Zoning Districts Described, is hereby amended by adding a new subsection "11" as follows and renumber remaining subsections appropriately:

R-6 Single Family District

The purpose of the R-6 Single Family Infill District is to provide for high-density detached residential development. This district should have access to existing infrastructure and other residential-supportive uses such as, mass transit and retail services. All properties, lots, tracts or parcels in this district shall have frontage on a dedicated public right-of-way and access to public sanitary sewers and a public potable water supply. This district is limited to geographical areas within the city of Clarksville where tracts of land exist in areas suitable for redevelopment or have environmental constraints. The district will allow for the protection of surrounding residential uses and residential zoned properties from potential negative impacts the high-density uses create by increasing the vitality of the neighborhood through revitalization and encouraging high quality design and flexibility. This district will allow more housing opportunities and choices, and enhance an area's unique identity and development potential.

2. Amend Chapter 4, District Bulk Regulations and Explanation, Table 4.4, by adding the following zoning district between R-5 and RM-1:

DISTRICT BULK TABLE

ZONING	R-6*
Minimum/Maximum Area for New Zone District	N/A
Minimum Lot Area	2,500 sq. ft. Not to exceed 16 dwelling units per acre.
Minimum Lot Width (At Front Setback Line)	25 feet
Minimum Frontage Requirements	20 feet
Minimum Front Yard Setbacks (See Section 4.1.1 For Exceptions)	20
Minimum Side Yard Setbacks (Section 4.1.1 For Exceptions)	5 feet (total of 10' for both sides)
Minimum Rear Yard Setbacks (See Section 4.1.1 For Exceptions)	20 feet
Accessory Structure	10 feet
Maximum Height of Structures (See Section 4.1.2 for Exceptions)	45 feet
Maximum Lot Coverage	60%
Site Plan Required	No
*Sidewalks along street frontage are mandatory	

3. Amend Land Use Table 3.15 for the R-6 Single Family District:

- **Allowable Uses (Permitted)**
Single Family Detached
- **Allowable Permitted on Review Uses**
Home Occupation
Family Day Care
Guest House
- **Allowable Accessory Uses**
Garage/Carport
Storage Shed
Leasing/Sales Office
Amateur Radio Antenna
Satellite Dish
- **Allowable Permitted with Conditions**
Tourist Home
Bed and Breakfast

4. Amend Chapter 4 District Bulk Regulations and Explanation, Section 1 Exceptions for District Bulk Regulations, Subsection 1 Building Setback Exceptions, by adding the following after "Central Business District Exceptions":

R-6 Single Family District Additional Exceptions:

Exceptions in addition to those applicable to All Zoning Districts:

- "1. If rear access is provided with two off-street parking spaces, the front yard setback may be reduced to zero (0) provided yard intrusions listed above do not encroach into the sidewalk or public utility and drainage easements.
- "2. Where the intersection is controlled by a stop sign or traffic signal, the City Street Department may reduce the clear sight distance vision triangle requirements for the front yard and street side yard."

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

RPC MEETING DATE: 9/25/2013

CASE NUMBER: Z - 17 - 2013

NAME OF APPLICANT: James R. Hunley & Durrett Investment

AGENT: Jason

Daugherty

GENERAL INFORMATION

PRESENT ZONING: AG R-4

PROPOSED ZONING: C-2

EXTENSION OF ZONE
CLASSIFICATION: NO

APPLICANT'S STATEMENT To permit a usage of the property commensurate with the current growth pattern
FOR PROPOSED USE: of the surrounding area.

PROPERTY LOCATION: fronts on the west side of Peachers Mill Rd. 500+/- ft. north of the Peachers Mill Rd. & Allen Griffy Rd. intersection

ACREAGE TO BE REZONED: 11.54 +/-

DESCRIPTION OF PROPERTY Gradual sloping lot with a single family house on the property.
AND SURROUNDING USES:

GROWTH PLAN AREA: CITY **TAX PLAT:** 018 **PARCEL(S):** 035.01 &
035.03p/o

CIVIL DISTRICT: 3rd

CITY COUNCIL WARD: 5

COUNTY COMMISSION DISTRICT: 9

PREVIOUS ZONING HISTORY: Z-1-2011: (Ag to C-2) 2.9 +/- acres Staff Rec.-Disapproval RPC Rec.-
(to include zoning, acreage and Disapproval Council-Disapproved
action by legislative body)

Z-19-2011 (C-1/R-2/R-4 to C-2) 11.14 +/- acres Staff Rec.- Approval RPC Rec.-
Approval Council- Approval

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

- ☒ CITY ENGINEER
- ☐ UTILITY DISTRICT
- ☒ JACK FRAZIER
- ☒ CITY STREET DEPT.
- ☒ TRAFFIC ENG. - ST. DEPT.
- ☐ COUNTY HIGHWAY DEPT.
- ☐ CEMC
- ☒ DEPT. OF ELECTRICITY (CDE)
- ☒ CHARTER COMM.

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

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

1. CITY ENGINEER/UTILITY DISTRICT:

Comments Received From Department And They Had No Concerns.

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

Traffic Assessment Required. Traffic Assessment Submitted And Reviewed By The Clarksville Street Dept. Sufficient Capacity Along Peachers Mill Rd.

3. Exist To Support Tthe Increase Of The Proposed Development.

2a. COST TO STREET/HIGHWAY DEPT.:

3. DRAINAGE COMMENTS:

Comments Received From Department And They Had No Concerns.

4.

3a. DRAINAGE COST:

4. CDE/CEMC:

5.

4a. COST TO CDE/CEMC:

5. CHARTER COMM./BELL SOUTH:

6.

5a. COST TO CHARTER AND/OR BELLSOUTH:

6. FIRE DEPT/EMERGENCY MGT.:

7.

Comments Received From Department And They Had No Concerns.

6a. COST FIRE DEPT/EMERGENCY MGT.:

7. POLICE DEPT/SHERIFF'S OFFICE:

8.

Comments Received From Department And They Had No Concerns.

7a. COST TO POLICE DEPT./SHERIFF'S DEPT:

8. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

9.

No Comment(s) Received

8a. COST TO CITY/COUNTY BLDG. & CODES:

9. SCHOOL SYSTEM:

ELEMENTARY:

MIDDLE SCHOOL:

HIGH SCHOOL:

10.

9a. COST TO SCHOOL SYSTEM:

10. FT. CAMPBELL:

10a. COST TO FT. CAMPBELL:

11. OTHER COMMENTS:

11.

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

IMPACT OF PROPOSED USE ON SURROUNDING DEVELOPMENT:

Additional Traffic, Light & Noise

INFRASTRUCTURE:

WATER SOURCE: CITY

PIPE SIZE:

SEWER SOURCE: CITY

ACCESSIBILITY: PEACHERS MILL RD.

DRAINAGE:
VARIES

DEVELOPMENT ESTIMATES:

APPLICANT'S ESTIMATES

HISTORICAL ESTIMATES

LOTS/UNITS:

ROAD MILES:

POPULATION:

ELEMENTARY SCHOOL STUDENTS:

MIDDLE SCHOOL STUDENTS:

HIGH SCHOOL STUDENTS:

APPLICABLE COMPREHENSIVE PLAN ELEMENTS:

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

STAFF RECOMMENDATION: APPROVAL

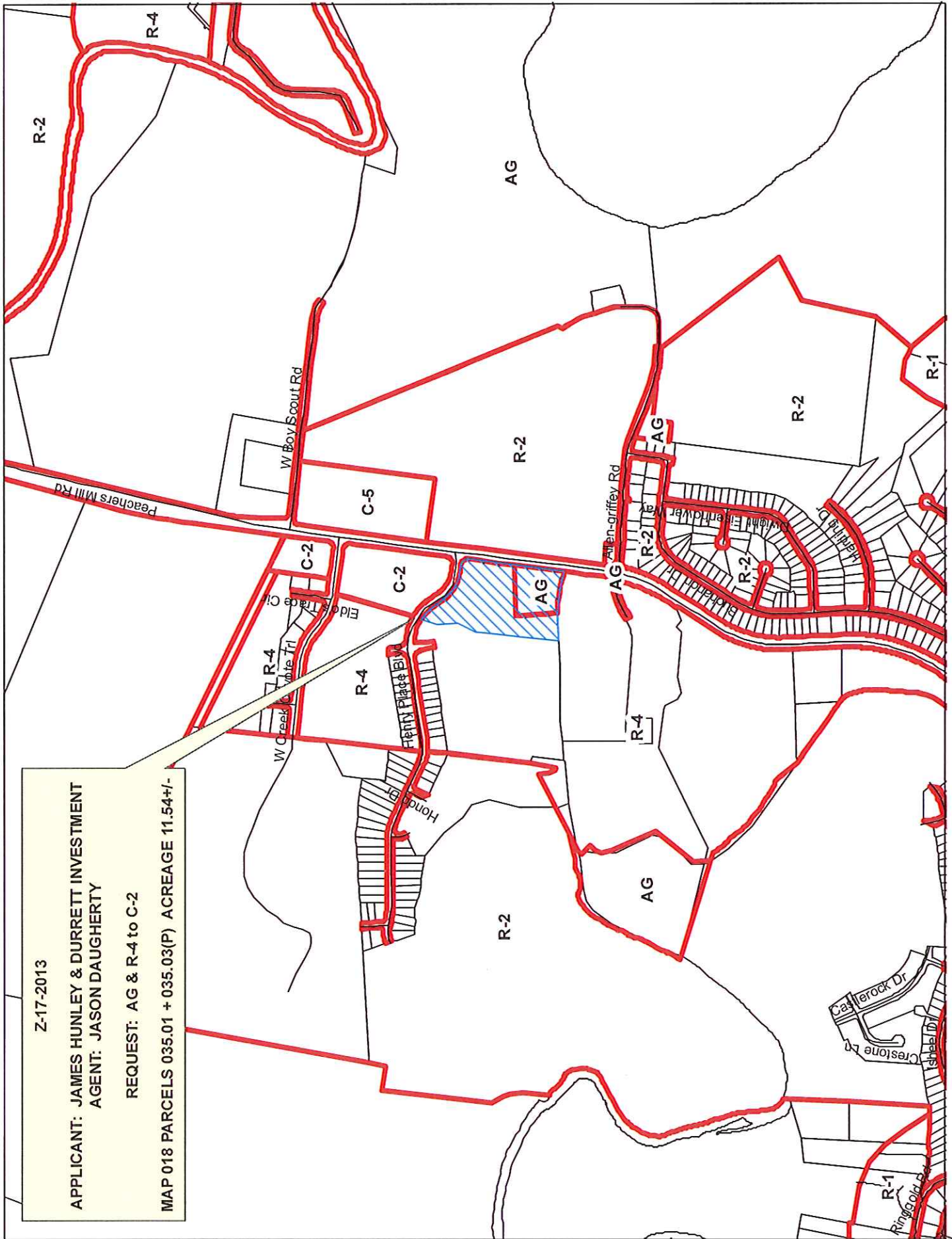
1. The proposed zoning request is consistent with Growth Plan (as in the City) and adopted Land Use Plan.
2. Adequate infrastructure serves the site.
3. No adverse environmental issues were identified relative to this request.
4. Property is located at a signalized intersection at the Peachers Mill Rd. & West Creek Coyote Trail intersection.
- 5.

Z-17-2013

APPLICANT: JAMES HUNLEY & DURRETT INVESTMENT
AGENT: JASON DAUGHERTY

REQUEST: AG & R-4 to C-2

MAP 018 PARCELS 035.01 + 035.03(P) ACREAGE 11.54+/-



CASE NUMBER: Z 17 2013

MEETING DATE 9/25/2013

APPLICANT: James R. Hunley &

Durrett Investment

PRESENT ZONING AG

PROPOSED ZONING C-2

TAX PLAT # 018

PARCEL 035.01 & 035.03p/o

GEN. LOCATION fronts on the west side of Peachers Mill Rd. 500+/- ft. north of the Peachers Mill Rd.
& Allen Griffy Rd. intersection

PUBLIC COMMENTS

None received as of 10:30 a.m. on 9/25/2013 (jhb).

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

RPC MEETING DATE: 9/25/2013

CASE NUMBER: Z - 18 - 2013

NAME OF APPLICANT: First Advantage

Bancorp Attn: Eric Bradley

AGENT: Cal Gentry

Winners Circle Partners

GENERAL INFORMATION

PRESENT ZONING: R-1

PROPOSED ZONING: OP

EXTENSION OF ZONE

CLASSIFICATION: NO

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

PROPERTY LOCATION: at the northwest quadrant of the Warfield Blvd & Dunbar Cave Rd. intersection.

ACREAGE TO BE REZONED: 5.67 +/-

DESCRIPTION OF PROPERTY Parcel with existing structure used for social gatherings /events with varying
AND SURROUNDING USES: topography.

GROWTH PLAN AREA:

CITY **TAX PLAT:** 056

PARCEL(S): 042.00

CIVIL DISTRICT: 6th

CITY COUNCIL WARD: 12

COUNTY COMMISSION DISTRICT: 2

PREVIOUS ZONING HISTORY:

**(to include zoning, acreage and
action by legislative body)**

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

- ☒ CITY ENGINEER
- ☐ UTILITY DISTRICT
- ☒ JACK FRAZIER
- ☒ CITY STREET DEPT.
- ☒ TRAFFIC ENG. - ST. DEPT.
- ☐ COUNTY HIGHWAY DEPT.
- ☐ CEMC
- ☒ DEPT. OF ELECTRICITY (CDE)
- ☐ CHARTER COMM.

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

- ☐ DIV. OF GROUND WATER
- ☐ HOUSING AUTHORITY
- ☐ INDUSCTIRAL DEV BOARD
- ☐ Other...

1. CITY ENGINEER/UTILITY DISTRICT:

Comments Received From Department And They Had No Concerns.

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

Comments Received From Department And They Had No Concerns.

2. STREET DEPARTMENT/

COUNTY HIGHWAY DEPARTMENT:

3.

2a. COST TO STREET/HIGHWAY DEPT.:

Comments Received From Department And They Had No Concerns.

3. DRAINAGE COMMENTS:

4.

3a. DRAINAGE COST:

4. CDE/CEMC:

5.

4a. COST TO CDE/CEMC:

5. CHARTER COMM./BELL SOUTH:

6.

5a. COST TO CHARTER AND/OR BELL SOUTH:

6. FIRE DEPT/EMERGENCY MGT.:

7.

Comments Received From Department And They Had No Concerns.

6a. COST FIRE DEPT/EMERGENCY MGT.:

7. POLICE DEPT/SHERIFF'S OFFICE:

8.

Comments Received From Department And They Had No Concerns.

7a. COST TO POLICE DEPT./SHERIFF'S DEPT:

8. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

9.

8a. COST TO CITY/COUNTY BLDG. & CODES:

9. SCHOOL SYSTEM:

ELEMENTARY:

MIDDLE SCHOOL:

HIGH SCHOOL:

10.

9a. COST TO SCHOOL SYSTEM:

10. FT. CAMPBELL:

10a. COST TO FT. CAMPBELL:

11. OTHER COMMENTS:

11.

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

IMPACT OF PROPOSED USE ON SURROUNDING DEVELOPMENT: Additional Traffic, Light & Noise

INFRASTRUCTURE:

WATER SOURCE: CITY

PIPE SIZE:

SEWER SOURCE: CITY

ACCESSIBILITY: TO SOUTHWEST

DRAINAGE:
VARIES

DEVELOPMENT ESTIMATES:

APPLICANT'S ESTIMATES

HISTORICAL ESTIMATES

LOTS/UNITS:

ROAD MILES:

POPULATION:

ELEMENTARY SCHOOL STUDENTS:

MIDDLE SCHOOL STUDENTS:

HIGH SCHOOL STUDENTS:

APPLICABLE COMPREHENSIVE PLAN ELEMENTS:

Rossvie Road Planning Area - One of the most diversified areas of the county in terms of land use. It has the best remaining agricultural land. One of the fastest growing sectors of Montgomery County. Factors affecting growth all average to above average.

STAFF RECOMMENDATION: APPROVAL

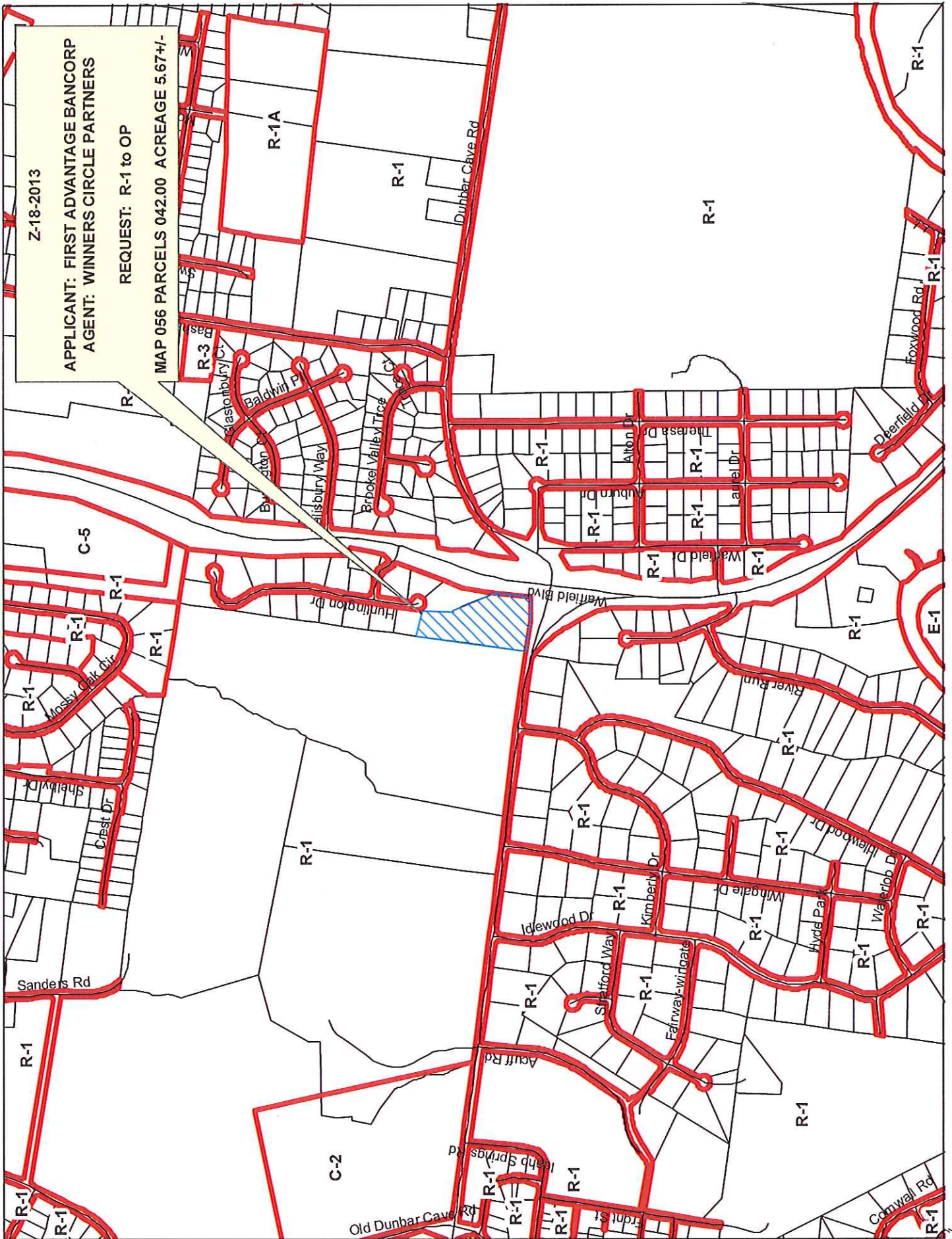
1. The proposed zoning request is consistent with Growth Plan (as in the City) and adopted Land Use Plan.
2. Adequate infrastructure serves the site.
3. No adverse environmental issues were identified relative to this request.
4. Property is located at a high traffic signalized intersection.
- 5.

Z-18-2013

APPLICANT: FIRST ADVANTAGE BANCORP
AGENT: WINNERS CIRCLE PARTNERS

REQUEST: R-1 to OP

MAP 056 PARCELS 042.00 ACREAGE 5.67 +/-



CASE NUMBER: Z 18 2013 MEETING DATE 9/25/2013
APPLICANT: First Advantage Bancorp Attn: Eric Bradley
PRESENT ZONING R-1 PROPOSED ZONING OP
TAX PLAT # 056 PARCEL 042.00

GEN. LOCATION at the northwest quadrant of the Warfield Blvd & Dunbar Cave Rd. intersection.

PUBLIC COMMENTS

None received as of 10:30 a.m. on 9/25/2013 (jhb).

ORDINANCE 10-2013-14

AN ORDINANCE ACCEPTING REAL PROPERTY FROM McCLARDY ROAD PARTNERSHIP, A TENNESSEE GENERAL PARTNERSHIP, FOR ROSSVIEW PLACE SEWER LIFT STATION

WHEREAS, the City of Clarksville seeks to acquire title to certain real property owned by McClardy Road Partnership, a Tennessee general partnership (being composed of partners Calvin R. McKay and John Hadley) and identified in Exhibit A attached hereto (hereinafter, the “Property”) for the purpose of maintaining and operating the Rossview Place sewer lift station.

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

That the Clarksville City Council hereby authorizes the acquisition of the Property, more fully described in Exhibit A attached hereto, from McClardy Road Partnership, a Tennessee general partnership, being composed of partners Calvin R. McKay and John Hadley.

FIRST READING: September 5, 2013

SECOND READING:

EFFECTIVE DATE:

AN ORDINANCE ANNEXING TERRITORY EAST OF RED RIVER, SOUTH OF PASSENGER CREEK AND NORTH AND EAST OF DEERTRAIL SUBDIVISION; REQUEST OF D. W. HOWARD

WHEREAS, the City of Clarksville is considering the request of D. W. Howard for annexation of certain territory east of Red River, south of Passenger Creek and north and east of Deertrail Subdivision; and

WHEREAS, the annexation of such territory is deemed necessary for the welfare of the residents and property owners thereof and of the City 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" attached, adjoining the present corporate boundaries.

BE IT FURTHER ORDAINED that the territory incorporated herein shall be assigned the zoning classification of R-2, Single Family Residential District.

BE IT FURTHER ORDAINED that this ordinance 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.

PUBLIC HEARING: September 5, 2013

FIRST READING: September 5, 2013

SECOND READING:

PUBLICATION DATE:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point being the southeast corner of lot 273 of Deertrail subdivision, said point being 252+/- feet east of the centerline of Drum Lane, said point also being in the north line of the James Slate property, said point also being the current city limits of Clarksville; thence with the current city limits of Clarksville and the boundary of Deertrail Subdivision, in a generally northerly, northwesterly, southwesterly, northerly, and westerly direction, 5,100+/- feet to a point, said point being in the north line of lot 70 of Deertrail subdivision, said point also being in the east line of the Michael Bradbury property; thence leaving the current city limits of Clarksville and with Bradbury's east line in a northerly direction, 300+/- feet to a point in center of Red River; thence with the centerline of and the meanders of Red River in a generally northeasterly direction, 1481+/- feet to a point in the confluence of Passenger Creek and the Red River; thence with the center of and the meanders of Passenger Creek in a generally southeasterly direction, 5,570+/- feet to a point, said point being in the south line of the Trisha Talbot property, said point also being in the north line of the James Slate property; thence leaving the meanders of Passenger Creek with the north line of Slate in a southerly and westerly direction, 2,075+/- feet to the point of beginning; containing 106.45+/- acres (Tax Map 063, parcel 012.00)

ORDINANCE 12-2013-14

AN ORDINANCE AMENDING THE OFFICIAL CODE RELATIVE TO DESIGNATION OF SPECIAL REVENUE FUND PROCEEDS FOR GREENWAYS AND BLUEWAYS

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

That the Official Code of the City of Clarksville, Tennessee, Title 9 (Motor Vehicles and Traffic), Chapter 2 (Administration and Enforcement), Section 9-232 (Automated Traffic Signal Enforcement) is hereby amended by deleting the current language of subsection (f) (Special Revenue Accounts) thereof and substituting therefore the following:

(f) Special revenue accounts

(1) Civil penalties collected by the city will be deposited into two (2) special revenue accounts:

a. One special revenue account will be identified and utilized for the city police department. Seventy (70) percent of collected penalties will be deposited into the city police department account. Disbursement shall be approved by the mayor and city council.

b. One special revenue account will be identified and utilized for the city parks and recreation department. Thirty (30) percent of collected penalties will be deposited into the city parks and recreation department account and shall be designated for ~~Rails-to~~ **Trails City of Clarksville Greenways and Blueways**. Disbursement shall be approved by the mayor and city council.

(2) Interest payments earned by funds in the special revenue accounts will be deposited within each respective account.

(3) Any fees or administrative costs related to the accounts may be paid from the respective special revenue accounts.

FIRST READING: September 5, 2013

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 13-2013-14

AN ORDINANCE AMENDING THE OFFICIAL CODE OF THE CITY OF CLARKSVILLE, TITLE 4 (BUILDING, UTILITY, AND HOUSING CODES) RELATIVE TO AMENDMENTS TO CODES OF THE INTERNATIONAL CODE COUNCIL

WHEREAS, the Clarksville City Council has determined that it is in the best interest of the City of Clarksville and its citizens to amend the Official Code of the City of Clarksville to adopt by reference amendments to the 2009 edition of the International Residential Code and the 2009 edition of the International Building Code; and

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

That the Official Code of the City of Clarksville, Tennessee, Title 4, "Building, Utility, and Housing Codes," Chapter 2 "Building Code", Section 4-201, "Building Code adopted," is hereby amended by adopting by reference the International Building Code Amended Tables 2308.9.5(1,2), 2308.9.6 (1,2) 2308.10.2 (1,2) 2308.10.3 (1,2,3,4,5,6) pertaining to Span Charts for SYP Lumber.

BE IT FURTHER ORDAINED That the Official Code of the City of Clarksville, Tennessee, Title 4, "Building, Utility, and Housing Codes," Chapter 8, "Residential Code," Section 4-801, "International Residential Code" is hereby amended by adopting by reference the International Residential Code (for one and two family dwellings) Amended Tables 502.3.1; (1,2), 502.3.3 (1,2) 502.5 (1,2) 802.4 (1,2) 802.5.1 (1,2,3,4,5,6,7,8) pertaining to Span Charts for SYP Lumber.

FIRST READING: September 5, 2013

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 14-2013-14

AN ORDINANCE AMENDING THE OFFICIAL CODE RELATIVE TO ISSUANCE OF BEER PERMITS FOR CATERERS

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

That the Official Code of the City of Clarksville, Tennessee, Title 2 (Alcoholic Beverages), Chapter 1 (Beer), Section 2-105 (Classes of Permits) is hereby amended by deleting the current language and substituting therefore the following:

Section 2-1-5. Classes of Permits.

There shall be five (5) classes or kinds of permits issued by the beer permit board as follows:

(1) *Manufacturers.* A manufacturer's permit to a manufacturer of beer, for the manufacture, possession, storage, sale, distribution, and transportation of the product of the manufacturer, not to be consumed by the purchaser upon or near the premises of the manufacturer.

(2) *Off-sale.* An "off-sale" permit to any person or legal organization engaged in the sale of beer where it is not to be consumed by the purchaser upon or near the premises of the seller.

(3) *On-sale.* An "on-sale" permit to any person or legal organization engaged in the sale of beer where it is to be consumed by the purchaser or his guests upon the premises of the seller, and provided beer may also be sold in hotel rooms of regularly conducted hotels and in regularly incorporated clubs and lodges upon their obtaining the required permit.

a. Anyone applying for or obtaining an on-sale permit may also sell beer to go so a patron may take beer with him purchased at such place after consuming beer. This will be known as a "joint" permit and shall cost an additional two hundred fifty dollars (\$250.00) at the time the application is made, or at any subsequent time when it is sought to change the type permit.

b. No alcoholic beverage shall be consumed in the parking lot of any establishment possessing an on-sale permit.

(4) *Special events permit.* A "special events" permit is required to be issued to any nonprofit organization engaged in the sale of such beverages where they are

to be consumed by the purchaser or his guests upon the premises of the seller. The special events permit will be issued for the fee of fifty dollars (\$50.00), after approval by the Clarksville police department and the Clarksville beer board. Prior notification must be made in writing ten (10) days prior to the event with the organization holding the event and location where the event is to be held. Each permit will be issued for a specific date and a specific period of time. The specific period of time will not contradict any existing state or city ordinances. Nonprofit organizations may receive no more than four (4) special events permits during a calendar year.

(5) Caterer Permit. A “caterer” permit to any person or legal organization conducting a food and beverage catering business who or which has been previously issued a Liquor by the Drink Certificate from the Tennessee Alcoholic Beverage Commission. The Liquor by the Drink Certificate must be current and not expired or revoked at the time of application for the caterer permit. The caterer permit will be issued for the fee of two hundred and fifty dollars (\$250.00), after approval by the Clarksville Police Department and the Clarksville Beer Board.

FIRST READING: September 5, 2013
SECOND READING:
EFFECTIVE DATE:

ORDINANCE 15-2013-14

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF EDDIE BURCHETT FOR ZONE CHANGE ON PROPERTY AT TRENTON ROAD & LOWES DRIVE

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

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

PUBLIC HEARING: September 5, 2013

FIRST READING: September 5, 2013

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a the southwest corner of Lot 1 of the Eddie Burchett property as recorded in Plat Book F, Page 952 ROMCT, lying in the east right of way of Trenton Road, thence South 84 degrees 33 minutes 43 seconds East for 629.17 feet to the “True Point of Beginning”; Thence on a new zone line, South 84 degrees 33 minutes 43 seconds East for 630.09 feet to the west property line of Moniqueka Gold property as recorded in ORV 711, page 1202 ROMCT, also being the northeast corner of herein described parcel; Thence along Gold’s west property line, South 06 degrees 28 minutes 49 seconds West for 361.75 feet to the southeast corner of the herein described parcel; Thence leaving Gold property on an existing zone line, North 81 degrees 43 minutes 54 seconds West for 639.50 feet; Thence continuing on existing zone line, North 08 degrees 04 minutes 29 seconds East for 330.46 feet to the “True Point of Beginning”. This parcel contains 5.05 +/- acres (Tax Map 41 Parcel 13.00 p/o)

ORDINANCE 16-2013-14

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF SEAY WILSON PROPERTIES (RON SEAY), WADE HADLEY-AGENT, FOR ZONE CHANGE ON PROPERTY AT TRENTON ROAD & LOWES DRIVE

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

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned C-3 Regional Shopping Center District, as C-5 Highway & Arterial Commercial District.

PUBLIC HEARING: September 5, 2013

FIRST READING: September 5, 2013

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a the southwest corner of Wilson property, lying in the north right of way of Lowes Drive, lying North 81 degrees 06 minutes 07 seconds East for 101.06 feet from the centerline intersection of Lowes Drive and Trenton Road; Thence along the east right of way of Trenton Road, North 08 degrees 14 minutes 14 seconds East for 133.38 feet; Thence continuing along the east right of way, North 06 degrees 45 minutes 18 seconds East for 257.92 feet to the southwest corner of Eddie Burchett property as recorded in ORV 1179, Page 1510 ROMCT, also being the northwest corner of herein described parcel; Thence leaving Trenton Road along Burchett south property line, South 81 degrees 43 minutes 54 seconds East for 1278.79 feet to the southeast corner of Burchett property, also being the northwest corner of lot 143 of Forest Hills Section 8 as recorded in Plat Book 12, Page 30 ROMCT; Thence leaving Burchett south property line along Section 8 west boundary line for the next 6 calls: South 06 degrees 45 minutes 35 seconds West for 352.22 feet; South 07 degrees 18 minutes 55 seconds West for 210.67 feet; South 06 degrees 54 minutes 43 seconds West for 192.37 feet; South 06 degrees 37 minutes 42 seconds West for 185.58 feet, lying in the north right of way of Forest Hills Drive; South 05 degrees 43 minutes 20 seconds West for 50.06 feet, lying in the south right of way of Forest Hills Drive; South 08 degrees 41 minutes 07 seconds West for 202.14 feet, to the southwest corner of lot 124 of Forest Hills Section 7 as recorded in Plat Book 11, Page 58 ROMCT, also

lying in the north property line Fort Campbell Federal Credit Union as recorded in ORV 677, Page 1151 ROMCT, also being the southeast corner of herein described parcel; Thence along the Credit Union north property line, South 45 degrees 25 minutes 07 seconds West for 1.58 feet; Thence continuing along Credit Union north property line, North 80 degrees 20 minutes 39 seconds West for 21.60 feet to the east right of way of Lowes Drive; Thence along the east/north right of way of Lowes Drive for the next 9 calls: On a curve to the left having a radius of 342.00 feet, an arc length of 325.53 feet, a chord bearing of North 25 degrees 20 minutes 23 seconds West for 313.38 feet; North 52 degrees 36 minutes 08 seconds West for 178.58 feet; On a curve to the left having a radius of 410.00 feet, an arc length of 30.44 feet, a chord bearing of North 54 degrees 43 minutes 46 seconds West for 30.44 feet; North 56 degrees 51 minutes 24 seconds West for 113.92 feet; On a curve to the left having a radius of 442.00 feet, an arc length of 149.30 feet, a chord bearing of North 66 degrees 32 minutes 09 seconds West for 148.59 feet; North 76 degrees 12 minutes 52 seconds West for 191.71 feet; On a curve to the right having a radius of 288.00 feet, an arc length of 244.37 feet, a chord bearing of North 51 degrees 54 minutes 24 seconds West for 25.53 feet; North 27 degrees 35 minutes 55 seconds West for 151.83 feet; On a curve to the left having a radius of 227.50 feet, an arc length of 214.54 feet, a chord bearing of North 54 degrees 36 minutes 53 seconds West for 206.68 feet to the point of beginning. This parcel contains 21.91 +/- acres (Tax map 41 Parcel 39.01)

ORDINANCE 17-2013-14

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF MARY CLARK, EDDIE BURCHETT-AGENT, FOR ZONE CHANGE ON PROPERTY AT TINY TOWN ROAD & PEACHERS MILL ROAD

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

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

PUBLIC HEARING: September 5, 2013

FIRST READING: September 5, 2013

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a the southeast corner of the Clark property, also being the southwest corner of the Blackwell & Blackwell property as recorded in ORV 1174, Page 471 ROMCT, lying in the north right of way of Tiny Town Road, lying North 48 degrees 29 minutes 23 seconds West for 279.27 feet from the centerline intersection of Tiny Town Road and Peachers Mill Road; Thence along the north right of way of Tiny Town Road, North 58 degrees 31 minutes 45 seconds West for 499.93 feet;

Thence continuing along the north right of way, on a curve to the right having a radius of 1,918.74 feet, an arc length of 555.72 feet, a chord bearing of North 50 degrees 13 minutes 58 seconds West for 553.78 feet to the south corner of Plantation Estates Section 1 as recorded in Plat Book 12, Page 199 ROMCT, also being the west corner of herein described parcel; Thence leaving Tiny Town Road along Section 1 south boundary line, North 67 degrees 36 minutes 57 seconds East for 1,039.76 feet; Thence continuing along south boundary line, North 67 degrees 36 minutes 58 seconds East for 283.29 feet to the east corner of Section 1, also lying in the west boundary line of Marymont Section C as recorded in Plat Book 13, Page 138 ROMCT, lying in the center of Big West Fork Creek; Thence along the centerline of Big West Fork Creek, South 20 degrees 27 minutes 33 seconds East for 237.77 feet; Thence continuing along creek centerline, South 36

degrees 27 minutes 50 seconds East for 346.42 feet to the north corner of the City of Clarksville property as recorded in ORV 1366, Page 955 ROMCT, also being the east corner of herein described parcel; Thence leaving creek centerline along the City west property line for the next 6 calls: South 54 degrees 20 minutes 27 seconds West for 162.23 feet; South 51 degrees 24 minutes 37 seconds East for 74.27 feet; South 08 degrees 15 minutes 35 seconds West for 151.41 feet; South 36 degrees 22 minutes 21 seconds West for 85.89 feet; South 51 degrees 58 minutes 18 seconds West for 119.34 feet; South 25 degrees 42 minutes 24 seconds West for 152.88 feet, to the southwest corner of the City property, also lying in the north property line of Hollingsworth Oil property as recorded in ORV 1340, Page 1172 ROMCT, also being the southeast corner of herein described parcel; Thence along the Hollingsworth north property line, North 67 degrees 04 minutes 05 seconds West for 116.03 feet to the northwest corner of Hollingsworth property also being the northeast corner of the Blackwell & Blackwell property as recorded in ORV 1174, Page 471 ROMCT; Thence along Blackwell north property line, North 67 degrees 08 minutes 34 seconds West for 166.05 feet to the northwest corner of Blackwell property; Thence along Blackwell west property line, South 30 degrees 56 minutes 23 seconds West for 182.16 feet to the point of beginning. This parcel contains 21.44 +/- acres (Tax Map 07 Parcel 14,00)

ORDINANCE 18-2013-14

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF JOSEPH TRAVATO FOR ZONE CHANGE ON PROPERTY AT MADISON STREET & CARNEY ROAD

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

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned R-1 Single Family Residential District, as C-5 Highway & Arterial Commercial District.

PUBLIC HEARING: September 5, 2013

FIRST READING: September 5, 2013

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point in the southern ROW of Madison Street, said point being 210 +/- feet southeast of the Centerline of the Carney Rd. & Madison Street intersection, said point also being the northwest corner of the Glenn Cornett property. thence in a southerly direction 296 +/- feet with the Cornett property to a point, said point being the northeast corner of the Clarence Gudgeon property, thence in a westerly direction, 202 +/- feet to a point said point being in the east ROW of Carney Rd., thence in a northerly direction 288 +/- feet with the east ROW of Carney Rd. to a point said point being in the southern ROW of Madison St. further identified as the northwest corner of the subject tract, thence in an easterly direction 158 +/- feet with the southern ROW of Madison St. to the point of beginning. Containing 1.23 +/- acres (Tax Map 81-K-A Parcels 5.00 & 6.00)

ORDINANCE 19-2013-14

AN ORDINANCE AUTHORIZING EXTENSION OF CITY OF CLARKSVILLE UTILITY SERVICES OUTSIDE THE CLARKSVILLE CITY LIMITS; REQUEST OF SUN C. REED FOR PROPERTY LOCATED ON GARRETTSBURG RD, CMAP 29 PARCEL 12.01.

WHEREAS, proper application has been made by Jimmy Bagwell, PE, Moore Design Services on behalf of Sun C. Reed for extensions of City utility service to property located at Cmap 29, Parcel 12.01 with the property address of Garrettsburg Road outside the corporate boundary of the City, said property and the extension of service thereto, which is more particularly described in Exhibit A attached hereto and incorporated herein; and

WHEREAS, the City of Clarksville Gas and Water Department has recommended approval of said application; and

WHEREAS, the Gas, Water and Sewer Committee of the Clarksville City Council has recommended approval of said application; and

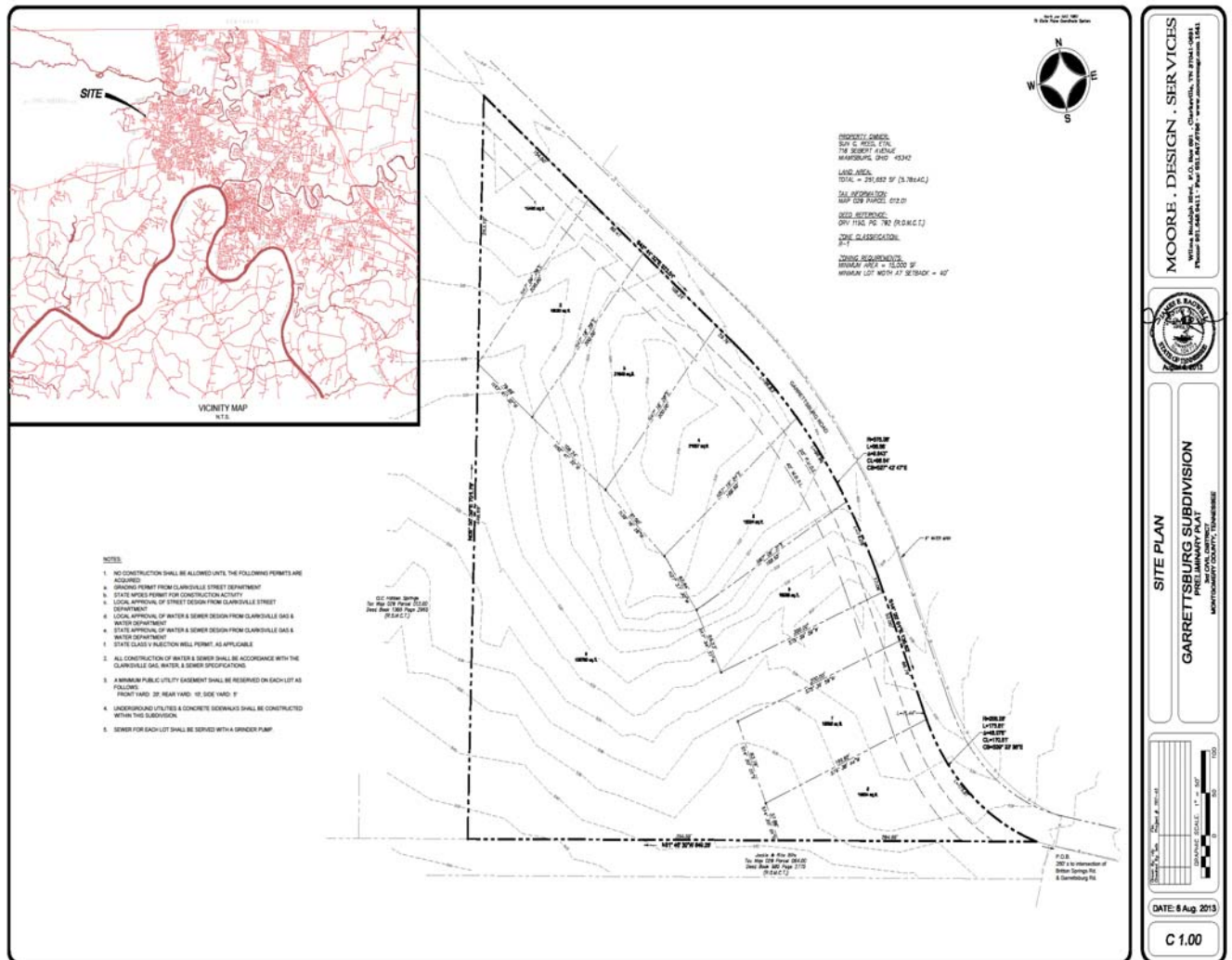
WHEREAS, the Clarksville City Council finds that all of the requirements of City Code Section 13-405 have been or are satisfied and the extension of water and sewer service to property as described in Exhibit A will be in the best interest of the City.

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

That the City of Clarksville Gas, Water and Sewer Department is hereby authorized to extend utility service to property located at Cmap 29, Parcel 12.01 with the property address of Garrettsburg Road outside the City corporate limits as described in Exhibit A attached hereto and incorporated herein and subject to and in accordance with the provisions of the City Code and Ordinance 37-2009-10.

FIRST READING: September 5, 2013
SECOND READING: September 5, 2013
EFFECTIVE DATE

EXHIBIT A





CLARKSVILLE CITY COUNCIL REGULAR SESSION SEPTEMBER 5, 2013

MINUTES

PUBLIC COMMENTS

Prior to the meeting, Gregory Wolyneec, Conductor and Music Director of the Gateway Chamber Orchestra, gave the Council a brief history and update on the organization's activities.

CALL TO ORDER

The regular session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, September 5, 2013, at 7:01 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Councilman Wallace Redd; the Pledge of Allegiance was led by Councilwoman Kaye Jones.

ATTENDANCE

PRESENT: Deanna McLaughlin (2), James Lewis, Mayor Pro Tem (3), Wallace Redd (4), Valerie Guzman (5), Marc Harris (6), Geno Grubbs (7), David Allen (8), Joel Wallace (9), Kaye Jones (11), Jeff Burkhardt (12)

ABSENT: Nick Steward (1), Bill Summers (10)

SPECIAL RECOGNITIONS

Mayor McMillan presented a Certificate of Recognition and Appreciation to Morgan Cozine for calling emergency authorities after witnessing an individual throw a soda bomb in a public park. Police Lt. Steve Warren, Clarksville Homeland Security Officer, presented a certificate to Miss Cozine on behalf of Tennessee Deputy Homeland Security Advisor Rick Shipkowski, designating her as an "Honorary Agent of the Office of Homeland Security." Assistant Police Chief Frankie Gray presented Miss Cozine with a Citizen's Commendation for her heroic action.

Mayor McMillan presented a Certificate of Recognition and Appreciation to Jone Burke for 27 years of teaching in the Clarksville-Montgomery County School System.

PUBLIC HEARING

Councilman Grubbs made a motion to conduct a public hearing to receive comments relative to requests for zone change, annexation, and abandonment of property. The motion seconded by Councilman Harris. A voice vote was taken; the motion passed without opposition.

ORDINANCE 15-2013-14 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Eddie Burchett for zone change on property at Trenton Road & Lowes Drive from R-4 Multiple Family Residential District to C-5 Highway & Arterial Commercial District

Eddie Burchett offered to answer questions. There was no opposition.

ORDINANCE 16-2013-14 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Seay Wilson Properties (Ron Seay), Wade Hadley-Agent, for zone change on property at Trenton Road & Lowes Drive from C-3 Regional Shopping Center District to C-5 Highway & Arterial Commercial District

Wade Hadley offered to answer questions on behalf of the applicant. There was no opposition.

ORDINANCE 17-2013-14 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Mary Clark, Eddie Burchett-Agent, for zone change on property at Tiny Town Road & Peachers Mill Road from AG Agricultural District to C-5 Highway & Arterial Commercial District

Eddie Burchett offered to answer questions on behalf of the applicant. There was no opposition.

ORDINANCE 18-2013-14 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Joseph Trovato for zone change on property at Madison Street & Carney Road from R-1 Single Family Residential District to C-5 Highway & Arterial Commercial District

There were no comments in support of or in opposition to this request.

ORDINANCE 11-2013-13 (First Reading) Annexing territory east of Red River, south of Passenger Creek, and north and east of Deertrail Subdivision; request of D. W. Howard

Lawson Mabry offered to answer questions on behalf of the applicant. There was no opposition.

RESOLUTION 11-2013-14 Adopting a Plan of Service for annexed territory east of Red River, south of Passenger Creek, and north and east of Deertrail Subdivision (request of D. W. Howard)

Lawson Mabry offered to answer questions on behalf of the applicant. There was no opposition.

RESOLUTION 10-2013-14 Approving abandonment of a public alley south of College Street, north of Main Street, east of N. First Street, and west of N. Second Street; request of City of Clarksville

There were no comments in support of or in opposition to this request.

Councilman Grubbs made a motion to revert to regular session. The motion was seconded by Councilman Redd. A voice vote was taken; the motion passed without opposition.

ZONING

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 15-2013-14**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Redd. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, McMillan, Redd, Wallace

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 16-2013-14**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Harris. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Wallace

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 17-2013-14**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Redd. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Wallace

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 18-2013-14**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Redd. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Wallace

The motion to adopt this ordinance on first reading passed.

ANNEXATION

Councilman Grubbs made a motion to adopt **ORDINANCE 11-2013-14** on first reading. The motion was seconded by Councilman Lewis. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Wallace

The motion to adopt this ordinance on first reading passed.

Councilman Grubbs made a motion to adopt **RESOLUTION 11-2013-14**. The motion was seconded by Councilman Lewis. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Wallace

The motion to adopt this resolution passed.

ABANDONMENT

The recommendations of the Regional Planning Staff and Commission were for approval of **RESOLUTION 10-2013-14**. Councilman Grubbs made a motion to adopt this resolution. The motion was seconded by Councilman Redd. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Wallace

The motion to adopt this resolution 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 3-2013-14** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Hettie Hutchinson for zone change on property at the terminus of Vine Street and Cedar Street from R-3 Three Family Residential District to C-1 Neighborhood Commercial District
2. **ORDINANCE 5-2013-14** (Second Reading) Amending the Capital Projects Fund for street light upgrades *[Removed; see Finance Committee]*
3. **ORDINANCE 6-2013-14** (Second Reading) Amending the FY14 Operating Budget to transfer funds from Two Rivers Company to the Legislative Budget
4. **ORDINANCE 8-2013-14** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Brenda Barr and John Gibbs, Wade Hadley-Agent, for zone change on property at the terminus of Gibbs Lane from AG Agricultural District to R-2 Single Family Residential District

5. **ORDINANCE 9-2013-14** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Kevin Finley, Chris Sutton-Agent, for zone change on property at Rossvie Road and Powell Road from AG Agricultural District to R-1 Single Family Residential District
6. Approval of Minutes: Regular Session August 1st
7. Approval of board appointments:

Tree Board: Charlie Rogers – September 2013 through June 2016; Jimmy Weyant and Michael Thompson – September 2013 through June 2015

Councilwoman Jones requested separate consideration of **ORDINANCE 5-2013-14**. Councilman Redd made a motion to adopt the Consent Agenda as amended. The motion was seconded by Councilman Harris. Councilwoman Jones voted “nay” on **ORDINANCE 3-2013-14**. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Wallace

The motion to adopt the amended Consent Agenda passed.

COMMUNITY DEVELOPMENT COMMITTEE

David Allen, Chair

Councilman Allen said volunteers from Grace Community Church recently participated in “Operation Save,” a Community Development Block Grant program, by making repairs to eight local residences.

Councilman Allen announced grand opening ceremonies for Concord Garden Apartments on September 11 and Vinings at Greencastle on September 26.

DESIGNATIONS COMMITTEE

Deanna McLaughlin

RESOLUTION 14-2013-14 Designating Pat Head Summitt Legacy Park

The recommendation of the Designations Committee was for approval of this resolution. Councilwoman McLaughlin made a motion to adopt this resolution. The motion was seconded by Councilman Redd. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, McMillan, Redd, Wallace

The motion to adopt this resolution passed.

FINANCE COMMITTEE

Joel Wallace, Chair

ORDINANCE 10-2013-14 (First Reading) Accepting real property from McClardy Road Partnership for Rossview Place Sewer Lift Station

The recommendation of the Finance Committee was for approval of this ordinance. Councilman Wallace made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Redd. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Wallace

The motion to adopt this ordinance on first reading passed.

ORDINANCE 12-2013-14 (First Reading) Amending the Official Code relative to designation of automated traffic signal revenues

The recommendations of the Finance and Parks & Recreation Committee were for approval of this ordinance. Councilman Wallace made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Lewis. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Wallace

The motion to adopt this ordinance on first reading passed.

ORDINANCE 14-2013-14 (First Reading) Amending the Official Code relative to beer permits for caterers

The recommendation of the Finance Committee was for approval of this ordinance. Councilman Wallace made a motion to adopt this ordinance on first reading. The motion was seconded by Councilwoman McLaughlin. Councilwoman McLaughlin said this change would allow a Tennessee Alcoholic Beverage Commission permit holder to apply for a local permit to sell alcohol. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Wallace

The motion to adopt this ordinance on first reading passed.

RESOLUTION 12-2013-14 Authorizing expenses incidental to acquisition of In-Rel Development property for Clarksville Greenway

The recommendation of the Finance Committee was for approval of this resolution. Councilman Wallace made a motion to adopt this resolution. The motion was seconded by Councilman Lewis. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Wallace

The motion to adopt this resolution passed.

RESOLUTION 13-2013-14 Requesting the Tennessee General Assembly enact legislation to allow CDE to provide broadband services in the Industrial Park

The recommendation of the Finance Committee was for approval of this resolution. Councilman Wallace made a motion to adopt this resolution. The motion was seconded by Councilman Lewis. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, McMillan, Redd, Wallace

The motion to adopt this resolution passed.

ORDINANCE 5-2013-14 (Second Reading) Amending the Capital Projects Fund for street light upgrades

This ordinance was removed from the original Consent Agenda. Councilman Wallace made a motion to adopt this ordinance on second reading. The motion was seconded by Councilman Lewis.

Councilwoman Jones made a motion to postpone second reading on this ordinance indefinitely. The motion was seconded by Councilwoman McLaughlin. Councilwoman Jones said more than one vendor should be considered for this project and a total cost should be determined before proceeding. Councilwoman Jones felt other projects should be given priority. Mayor McMillan said this ordinance would only establish the project and it does not authorize a contract or borrow funds. Councilwoman McLaughlin said this project could eventually increase the City's budget by \$1.4 million.

The following vote was recorded:

AYE: Allen, Jones, McLaughlin

NAY: Burkhart, Grubbs, Guzman, Harris, Lewis, McMillan, Redd, Wallace

The motion to postpone indefinitely failed. Councilwoman Jones made a motion to establish this project and reduce the funding to \$1.00. The motion was seconded by Councilwoman McLaughlin. Mayor McMillan requested input from Finance Director Laurie Matta; Councilman Redd and Councilman Harris objected. The following vote was recorded:

AYE: Allen, Jones, McLaughlin

NAY: Burkhart, Grubbs, Guzman, Harris, Lewis, McMillan, Redd, Wallace

The motion to establish the project and reduce funding failed. Councilman Allen also felt other projects should be given priority. The following vote on the original motion was recorded:

AYE: Burkhart, Grubbs, Guzman, Harris, Lewis, McMillan, Wallace

NAY: Allen, Jones, McLaughlin, Redd

The motion to adopt this ordinance on second reading passed.

GAS & WATER COMMITTEE

Jeff Burkhart, Chair

ORDINANCE 19-2013-14 (First Reading) Authorizing extension of utilities to property on Garrettsburg Road; request of Sun C. Reed

The recommendation of the Gas & Water Committee was for approval of this ordinance. Councilman Burkhart made a motion to adopt this ordinance on first reading. The motion was seconded by Councilwoman Jones. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Wallace

The motion to adopt this ordinance on first reading passed.

PARKS, RECREATION, GENERAL SERVICES

Wallace Redd, Chair

RESOLUTION 15-2013-14 Endorsing and authorizing efforts of the Pat Head Summitt Project Committee

The recommendation of the Parks & Recreation Committee was for approval of this resolution. Councilman Redd made a motion to adopt this resolution. The motion was seconded by Councilman Lewis. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, McMillan, Redd, Wallace

The motion to adopt this resolution passed.

Councilman Redd recognized Councilwoman McLaughlin who informed the Council that the “9-11 Days of Service” volunteers planned to install a landscaped area in Patriot’s Park with labor and materials donated by several local individuals and businesses.

PUBLIC SAFETY COMMITTEE

(Building & Codes, Fire, Police)

Geno Grubbs, Chair

ORDINANCE 13-2013-14 (First Reading) Amending the Official Code of the City of Clarksville relative to adoption by reference of amended codes of the International Code Council

The recommendation of the Public Safety Committee was for approval of this ordinance. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Redd. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Wallace

The motion to adopt this ordinance on first reading passed.

Councilman Grubbs shared the following department statistics for the month of August: Building & Codes Enforcement Division: 509 cases; Building & Codes Construction Division: 846 inspections; Building & Codes Administration: 84 single-family permits; Fire & Rescue: 552 emergency responses; Police: 13,241 calls.

STREET COMMITTEE

James Lewis, Chair

Councilman Lewis reported 199 work orders completed by the Street Department during the month of August.

TRANSPORTATION COMMITTEE

Marc Harris, Chair

Councilman Harris said Clarksville Transit System transported 66,191 passengers during the month of August, 17% less than the same month in 2012. He said the Clarksville-Nashville Express transported 5,088 passengers, an average of 228 per day.

RETAIL LIQUOR STORES

RESOLUTION 16-2013-14 Repealing Horace and Amber Heggie and CRM Liquors, LLC (Cal McKay) Certificates of Compliance and approving a new Certificate of Compliance for CRM Liquors, LLC (Cal McKay) at a separate location

Councilwoman McLaughlin made a motion to adopt this resolution. The motion was seconded by Councilwoman Jones. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Wallace

The motion to adopt this resolution passed.

PUBLIC ART COMMISSION

Councilwoman McLaughlin withdrew her request, without objection, and said she would have a report from the Public Art Commission at a later date.

BOARD APPOINTMENTS

Councilman Harris made a motion to consider appointments to the Arts & Heritage Development Council and the Natural Gas Acquisition Corporation. The motion was seconded by Councilman Redd. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, McMillan, Redd, Wallace

The motion to consider board appointments passed. Councilman Redd made a motion to approve the following board appointments:

Arts & Heritage Development Council: Dr. Dewey Browder, Gary Ellis, Jr., Dr. Joe Filippo, Jim Marshall – September 2013 through August 2016

Natural Gas Acquisition Corporation: Bob Yates – September 2013 through December 2015

The motion was seconded by Councilman Harris. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Wallace

The motion to approve the board appointments as presented passed.

MAYOR AND STAFF REPORTS

Mayor McMillan informed the Council that she had accepted the resignation of Ward 1 City Councilman Nick Steward effective September 5, 2013. She said the interviews for a replacement would be conducted during the October 3rd regular session and the appointment would be made during a special session within 14 days following the interviews.

ADJOURNMENT

The meeting was adjourned at 8:33 p.m.

ORDINANCE 20-2013-14

AN ORDINANCE AMENDING THE 2013-2014 OFFICE OF HOUSING AND COMMUNITY DEVELOPMENT BUDGET (ORDINANCE 85-2012-13) AUTHORIZING THE CITY OF CLARKSVILLE TO CREATE A PROJECT OF \$104,004 TO INCLUDE THE 2012 CONTINUUM OF CARE PROGRAM GRANT

WHEREAS, the Office of Housing and Community of the City of Clarksville has been awarded funding from HUD through the Continuum of Care Program Grant; and

WHEREAS, the grant period is to be effective from May 17, 2013 to May 16, 2014.

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

That the following project be created with the Shelter + Care Fund:

84463003 4810 BV13	Subrecipient: Buffalo Valley 2013	Increase: \$104,004
--------------------	-----------------------------------	---------------------

BE IT FURTHER ORDAINED:

That the following Shelter + Care Revenue be budgeted:

8446300 33150	Grant Revenue	Increase: \$104,004
---------------	---------------	---------------------

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

OFFICE OF HOUSING

+ COMMUNITY DEVELOPMENT



MEMORANDUM

FOR: Clarksville Finance Committee

FROM: Office of  Housing and Community Development

RE: Shelter + Care Grant

DATE: September 16, 2013

The City of Clarksville has been awarded funding for the Shelter + Care grant through the 2012 Continuum of Care Program. The funding amount for this grant was unknown at the time the budget was passed by the City Council. As such we are requesting an amendment to the Housing and Community Development budget to add the funding for this grant. Attached is a copy of the ordinance that we would like to present to the City Council, as well as the grant agreements with HUD.

On Wednesday September 11, 2013, the Community Development Committee met and voted 3-0 in favor of forwarding the request to the finance committee.

Should you have any further questions or concerns please feel free to contact our office.

Attachments: three (3)

ORDINANCE _____

AN ORDINANCE AMENDING THE 2013-2014 OFFICE OF HOUSING AND COMMUNITY DEVELOPMENT BUDGET (ORDINANCE 85-2012-13) TO INCLUDE THE 2012 CONTINUUM OF CARE PROGRAM GRANT

WHEREAS, the Office of Housing and Community of the City of Clarksville has been awarded funding from HUD through the Continuum of Care Program Grant, and;

WHEREAS, The grant period is to be effective from May 17, 2013 to May 16, 2014;

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

That the 2013-2014 Office of Housing and Community Development Budget and Program of expenditures is hereby amended to include \$104,004 for the 2012 Continuum of Care Program Grant.

ATTEST:

City Clerk

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

Project Name: TN-503 – REN -2012 S+C Clarksville
Tax ID #: 62-6000261
Project Location: Scattered site
Grant Number: TN0113L4J031204
DUNS #: 001204275

RECEIVED IN CPD

SEP 03 2013

KNOXVILLE, TN

AMENDMENT TO THE 2012 CONTINUUM OF CARE PROGRAM
GRANT AGREEMENT

This Amendment to Grant Agreement is made by and between the United States Department of Housing and Urban Development (HUD) and the City of Clarksville, (the Recipient), of One Public Square, Clarksville, Tennessee.

RECITALS

1. HUD and the Recipient entered into a Grant Agreement dated July 23, 2013, having Grant No. TN0113L4J031204 (the Grant Agreement).
2. HUD's total funding obligation for the Grant Agreement was listed in Exhibit 1 of the Grant Agreement as \$104,068, but should not have been because the FMRs in the Continuum of Care in which Recipient's project is located decreased since the previous year.
3. The parties are desirous of amending the Grant Agreement to decrease HUD's total funding obligation for the Grant Agreement.

AGREEMENTS

The Grant Agreement is hereby amended by replacing paragraph 3 of Exhibit 1, Scope of Work for FY2012 Competition, with the following:

3. Recipient is not a Unified Funding Agency and was not the only Applicant the Continuum of Care designated to apply for and receive grant funds and is not the only Recipient for the Continuum of Care that designated it. HUD's total funding obligation for this grant is \$104,004 for project number TN0113L4J031204. In accordance with 24 CFR 578.105(b), Recipient is prohibited from moving more than 10% from one budget line item in a project's approved budget to another without a written amendment to this Agreement. The obligation for this project shall be allocated as follows:

- | | |
|----------------------|----------|
| a. Rental Assistance | \$97,200 |
| b. Administration | \$ 6,804 |

This Amendment to Grant Agreement constitutes the entire agreement of the parties as to amendment of the Grant Agreement and will become effective only upon the execution hereof by all parties. The remaining terms of the Grant Agreement remain in full force and effect.

The parties, on the dates set forth below their respective signatures, hereby execute this Amendment to Grant Agreement, as follows:

UNITED STATES OF AMERICA
Department of Housing and Urban Development
By: The Secretary

By: Mary C Wilom
(Signature)

Director CPD
(Title)

9/03/2013
(Date)

RECIPIENT

By: Kim McMillan
(Authorized signatory)

Kim McMillan, Mayor
(Type in name of authorized signatory)

8/26/13
(Date)

Grant Number: TN0113L4J031204
Project Name: TN-503 - REN - 2012 S+C Clarksville
Total Award Amount: \$104,068
Number of Units: 15
Component: SRA
Recipient: City of Clarksville
Contact Person and Title: Keith Lampkin
Telephone Number: (931) 648-6133
Fax Number: (931) 503-3092
E-mail Address: keith.lampkin@cityofclarksville.com
EIN/Tax ID Number: 62-6000261
DUNS Number: 001204275
Effective Date: May 17, 2013
Project Location(s): Scattered site

RECEIVED IN CPD
JUL 23 2013
KNOXVILLE, TN
HUD OFFICE

2012 CONTINUUM OF CARE PROGRAM GRANT AGREEMENT

This Grant Agreement ("this Agreement") is made by and between the United States Department of Housing and Urban Development ("HUD") and (the "Recipient").

This Agreement is governed by title IV of the McKinney-Vento Homeless Assistance Act 42 U.S.C. 11301 et seq. (the "Act") and the Continuum of Care Program regulation (the "Regulation").

The terms "Grant " or "Grant Funds" mean the funds that are provided under this Agreement. The term "Application" means the application submissions on the basis of which the Grant was approved by HUD, including the certifications, assurances, and any information or documentation required to meet any grant award condition. All other terms shall have the meanings given in the Regulation.

The Application is incorporated herein as part of this Agreement, except that only the project listed, and only in the amount listed on the Scope of Work, is funded by this Agreement. In the event of any conflict between any application provision and any provision contained in this Agreement, this Agreement shall control.

Exhibit 1, the FY2012 Scope of Work, is attached hereto and made a part hereof. If appropriations are available for Continuum of Care grants; and if Recipient applies under a Notice of Funds Availability published by HUD; and, if pursuant to the selection criteria in the Notice of Funds Availability, HUD selects Recipient and the project for renewal, then additional exhibits may be attached to this Agreement. Those additional exhibits, when attached, will also become a part hereof.

The effective date of the Agreement shall be the date of execution by HUD and it is the date use of funds under this Agreement may begin. If the project funded by this Agreement is a new project, Recipient and HUD will set an operating start date in LOCCS for the project, which will be used to track expenditures and to determine when the project is eligible for renewal. If this Agreement renews funding for a project, the term of this Agreement shall begin at the end of the Recipient's final operating year for the grant being renewed, and eligible costs incurred

for the project between the end of Recipient's final operating year under the grant being renewed and the execution of this Agreement may be paid with funds from the first operating year of this Agreement.

This Agreement shall remain in effect until termination either 1) by agreement of the parties; 2) by HUD alone, acting under the authority of 24 CFR 578.107; or 3) upon expiration of the final operating year of the project funded under this Agreement.

Recipient agrees:

1. To ensure the operation of the project listed on the Scope of Work in accordance with the provisions of the Act and all requirements of the Regulation;
2. To monitor and report the progress of the project to the Continuum of Care and HUD;
3. To ensure, to the maximum extent practicable, that individuals and families experiencing homelessness are involved, through employment, provision of volunteer services, or otherwise, in constructing, rehabilitating, maintaining, and operating facilities for the project and in providing supportive services for the project;
4. To require certification from any subrecipient that:
 - a. Subrecipient will maintain the confidentiality of records pertaining to any individual or family that was provided family violence prevention or treatment services through the project;
 - b. The address or location of any family violence project assisted with grant funds will not be made public, except with written authorization of the person responsible for the operation of such project;
 - c. Subrecipient will establish policies and practices that are consistent with, and do not restrict, the exercise of rights provided by subtitle B of title VII of the Act and other laws relating to the provision of educational and related services to individuals and families experiencing homelessness;
 - d. In the case of a project that provides housing or services to families, that subrecipient will designate a staff person to be responsible for ensuring that children being served in the program are enrolled in school and connected to appropriate services in the community, including early childhood programs such as Head Start, part C of the Individuals with Disabilities Education Act, and programs authorized under subtitle B of title VII of the Act;
 - e. The subrecipient, its officers, and employees are not debarred or suspended from doing business with the Federal Government; and
 - f. Subrecipient will provide information, such as data and reports, as required by HUD; and
5. To establish such fiscal control and accounting procedures as may be necessary to assure the proper disbursement of, and accounting for grant funds in order to ensure that all financial transactions are conducted, and records maintained in accordance with generally accepted accounting principles, if the Recipient is a Unified Funding Agency;

6. To monitor subrecipient match and report on match to HUD;
7. To take the educational needs of children into account when families are placed in housing and will, to the maximum extent practicable, place families with children as close as possible to their school of origin so as not to disrupt such children's education;
8. To monitor subrecipient at least annually;
9. To use the centralized or coordinated assessment system established by the Continuum of Care as required by §578.7(a)(8). A victim service provider may choose not to use the Continuum of Care's centralized or coordinated assessment system, provided that victim service providers in the area use a centralized or coordinated assessment system that meets HUD's minimum requirements and the victim service provider uses that system instead;
10. To follow the written standards for providing Continuum of Care assistance developed by the Continuum of Care, including the minimum requirements set forth in §578.7(a)(9);
11. Enter into a subrecipient agreement requiring subrecipient to operate the project in accordance with the provisions of this Act and all requirements under 24 CFR 578; and
12. To comply with such other terms and conditions as HUD may have established in the applicable Notice of Funds Availability.

HUD notifications to the Recipient shall be to the address of the Recipient as stated in the Application, unless HUD is otherwise advised in writing. Recipient notifications to HUD shall be to the HUD Field Office executing the Agreement. No right, benefit, or advantage of the Recipient hereunder may be assigned without prior written approval of HUD.

The Agreement constitutes the entire agreement between the parties hereto, and may be amended only in writing executed by HUD and the Recipient.

By signing below, Recipients that are states and units of local government certify that they are following a current HUD approved CHAS (Consolidated Plan).

This agreement is hereby executed on behalf of the parties as follows:

UNITED STATES OF AMERICA,
Secretary of Housing and Urban Development

BY: Mary C. Wilson
(Signature)

Mary C. Wilson, Director CPD
(Typed Name and Title)

July 23, 2013
(Date)

RECIPIENT

City of Clarksville, Tennessee
(Name of Organization)

BY: Kim McMillan
(Signature of Authorized Official)

Kim McMillan
Mayor, City of Clarksville
(Typed Name and Title of Authorized Official)

7/17/13
(Date)

Grant Number: TN0113L4J031204
Project Name: TN-503 - REN - 2012 S+C Clarksville
Total Award Amount: \$104,068
Contact Person and Title: Keith Lampkin
Effective Date: May 17, 2013

EXHIBIT 1
SCOPE OF WORK for FY2012 COMPETITION

1. This Agreement is governed by the Continuum of Care program Interim Rule attached hereto and made a part hereof as Exhibit 1a. Upon publication for effect of a Final Rule for the Continuum of Care program, the Final Rule will govern this Agreement instead of the Interim Rule. The project listed on this Exhibit at 3., below, is also subject to the terms of the FY2012 Notice of Funds Availability.
2. The Continuum that designated Recipient to apply for grant funds is not a high-performing community.
3. Recipient is not a Unified Funding Agency and was not the only Applicant the Continuum of Care designated to apply for and receive grant funds and is not the only Recipient for the Continuum of Care that designated it. HUD's total funding obligation for this grant is **\$104,068** for project number **TN0113L4J031204**. In accordance with 24 CFR 578.105(b), Recipient is prohibited from moving more than 10% from one budget line item in a project's approved budget to another without a written amendment to this Agreement. The obligation for this project shall be allocated as follows:

a. CoC Planning cost	\$
b. Acquisition	\$
c. New construction	\$
d. Rehabilitation	\$
e. Leasing	\$
f. Rental assistance	\$97,200
g. Supportive services	\$
h. Operating costs	\$
i. HMIS	\$
j. Administration	\$ 6,868
4. No funds for new projects may be drawn down by Recipient until HUD has approved site control pursuant to §578.21 and §578.25 and no funds for renewal projects may be drawn down by Recipient before the end date of the project's final operating year under the grant that has been renewed.

ORDINANCE 21-2013-14

AN ORDINANCE AMENDING THE 2013-2014 OFFICE OF HOUSING AND COMMUNITY DEVELOPMENT BUDGET (ORDINANCE 85-2012-13) AUTHORIZING THE CITY OF CLARKSVILLE TO INCREASE FUNDING TO THE OFFICE OF HOUSING AND COMMUNITY DEVELOPMENT FOR A CONSULTANT TO ASSIST IN PREPARING A CHOICE NEIGHBORHOODS PLANNING GRANT FOR FY 2014 OF \$30,000

WHEREAS, the Office of Housing and Community of the City of Clarksville would like to hire a consultant to assist in preparing a Choice Neighborhoods Planning Grant application and Transformation Plan, and;

WHEREAS, The cost estimate to hire the consultant is \$30,000, and;

WHEREAS, The Choice Neighborhoods Program supports locally driven strategies to address struggling neighborhoods with distressed public or HUD-assisted housing through a comprehensive approach to neighborhood transformation;

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

That the following General Fund account be amended:

10470003 4910	Transfers Out	Increase: \$30,000
---------------	---------------	--------------------

BE IT FURTHER ORDAINED:

That the following Community Outreach Fund accounts be amended:

8346300 39150	Transfers In	Increase: \$30,000
83463003 4330 GF13	Other Professional Services	Increase: \$30,000

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

MEMORANDUM

FOR: Clarksville Finance Committee

FROM:  Office of Housing and Community Development

RE: Choice Neighborhoods Planning Grant

DATE: September 12, 2013

Our office would like to hire a qualified consulting firm or individuals to help prepare a Choice Neighborhoods Planning grant for FY 2014. The cost estimate to hire a consultant is \$30,000.00. I am requesting that amount from the city general fund. I have attached an overview of the program and several examples of other cities planning projects.

On Wednesday September 11, 2013, the Community Development Committee met and voted 3-0 in favor of forwarding the request to the finance committee.

On Wednesday August 07, 2013 at the regularly scheduled Clarksville Housing Authority Board meeting, the board voted 6-1 to support our submission of the grant application.

Should you have any further questions or concerns please feel free to contact our office.

Attachments: two (2)

Choice Neighborhoods

Overview

The Choice Neighborhoods program supports locally driven strategies to address struggling neighborhoods with distressed public or HUD-assisted housing through a comprehensive approach to neighborhood transformation. Local leaders, residents, and stakeholders, such as public housing authorities, cities, schools, police, business owners, nonprofits, and private developers, come together to create and implement a plan that transforms distressed HUD housing and addresses the challenges in the surrounding neighborhood. The program is designed to catalyze critical improvements in neighborhood assets, including vacant property, housing, services, and schools.

Choice Neighborhoods is focused on three core goals:

- 1. Housing:** Replace distressed public and assisted housing with high-quality mixed-income housing that is well managed and responsive to the needs of the surrounding neighborhood;
- 2. People:** Improve educational outcomes and intergenerational mobility for youth with services and supports delivered directly to youth and their families; and
- 3. Neighborhood:** Create the conditions necessary for public and private reinvestment in distressed neighborhoods to offer the kinds of amenities and assets, including safety, good schools, and commercial activity, that are important to families' choices about their community.

To achieve these core goals, communities must develop a comprehensive neighborhood revitalization strategy, or Transformation Plan. This Transformation Plan will become the guiding document for the revitalization of the public and/or assisted housing units, while simultaneously directing the transformation of the surrounding neighborhood and positive outcomes for families. To successfully implement the Transformation Plan, applicants will need to work with public and private agencies, organizations (including philanthropic organizations), and individuals to gather and leverage resources needed to support the financial sustainability of the plan. These efforts should build community support for and involvement in the development of the plan. Implementation Grants support those communities that have undergone a comprehensive local planning process and are ready to implement their "Transformation Plan" to redevelop the neighborhood.

Planning Grants

Choice Neighborhoods Planning Grants support the development of comprehensive neighborhood revitalization plans, which focused on directing resources to address three core goals: Housing, People, and Neighborhoods. To achieve these core goals, communities must develop and implement a comprehensive neighborhood revitalization strategy, or Transformation Plan. The Transformation Plan will become the guiding document for the revitalization of the public and/or assisted housing units while simultaneously directing the transformation of the surrounding neighborhood and positive outcomes for families.

The Clarksville Housing Authority was created in October 1941 within the City of Clarksville Tennessee. The Authority has two Asset Management Projects (AMPs) consisting currently of 508 conventional public housing units located at four sites within the City of Clarksville, Tennessee. All of Clarksville Housing's units were built prior to 1970 with 300 of them being built in the 1950's. The Clarksville Housing Authority has a resident population exceeding 1,230. There are approximately 300 female-headed households with children and 84 elderly households. Persons under eighteen (18) years of age represent 52% or (644) of residents. The average annual income is \$8,200.00.

The units are situated in a city, which due to its varied make-up has all the urban problems of a city much larger. There are 212 units in the Lincoln Homes AMP located directly behind Austin Peay State University, consisting of 10,000 students, a larger university campus.

Potential Planning Partners

- Montgomery County
- City of Clarksville
- Clarksville-Montgomery Schools
- Local and regional foundations/business
- Local non-profits
- Austin Peay State University

Census Tracts that include public housing

	Hsg		
	Vacancy	% unemployed	% unemployed
	Rate	w/less than high school	w/high school
1003	13.11	42.95	33.56
1004	19.79	9.78	20.65
1008	11.79	17.65	20.59
1009	29.77	34.39	26.11

CPD maps Consolidated Plan and Continuum of Care Planning Tool 2012; County vacancy rate 12.63

FY 2010 CHOICE NEIGHBORHOODS PLANNING GRANT AWARD INFORMATION

Jackson, Tennessee

Choice Neighborhoods Grantee: Jackson Housing Authority and Jackson Community Redevelopment

Agency

Target Public Housing Project: Allenton Heights

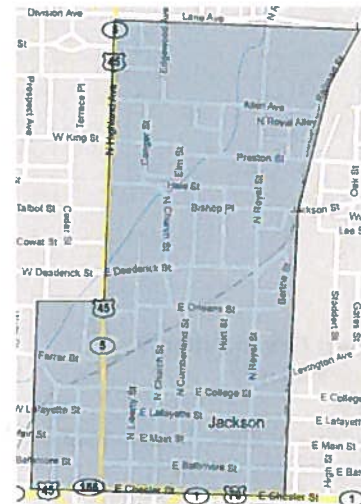
Target Neighborhood: Allenton Heights

Choice Neighborhoods Grant Award: \$167,000

Lead Applicant Contact Information: Mr. Winston Henning,

Executive Director; PH: 731.422.1671; FX: 731.425.4605;

whenning@jacksonha.com



Lead Applicant Organization Type: Public Housing Authority

Key Partners:

Looney Ricks Kiss (Planning Coordinator)

Jackson Police Department

Healthy Community, LLC

JHA Community Development

JMCSS Board of Education

Tennessee Housing Development Corporation

West Tennessee Healthcare

Jackson Madison County Schools

Project Summary:

The Jackson Housing Authority (JHA) and the Jackson Community Redevelopment Agency have partnered with Looney Ricks Kiss (a private developer that will serve as Planning Coordinator) to create a Transformation Plan targeting the Allenton Heights Redevelopment District, a neighborhood that includes the Allenton Heights public housing development, a dense, 100-unit townhouse development that suffers from mold, a lack of insulation, broken sidewalks, inadequate electrical service, insufficient heating/cooling systems and significant site erosion. More than 41 percent of the residents of Allenton are living in poverty and the neighborhood crime rate is over twice the rate of the city as a whole. The JHA is working to improve the neighborhood, since 2003 it has completed four mixed-finance transactions and developed a homeownership initiative in the Jackson area, but improvements are still needed in the targeted neighborhood. The Transformation Planning process will bring together a diverse set of actors including the police department, the board of education, a healthcare provider, and others to assess the neighborhoods' current strengths and weaknesses and develop a plan for improving resident education, employment, health, mobility and safety outcomes. Proposed planning activities include a community needs assessment design workshops, development of replace housing and surveys designed to help improve resident health.

FY2012 CHOICE NEIGHBORHOODS PLANNING GRANT AWARD INFORMATION

Kingsport, TN

Choice Neighborhoods Lead Grantee: Kingsport Housing and Redevelopment Authority

Target Public Housing Project: Robert E. Lee Apartments

Target Neighborhood: Midtown

Choice Neighborhoods Grant Amount: \$300,000



Key Partners:

Urban Collage (Planning Coordinator), City of Kingsport, Greater Kingsport Alliance for Development, Eastern Eight Community Development, Northeast State Community College, Kingsport Boys and Girls Club, Literacy Council of Kingsport, Operation Breakthrough (Head Start), Rural Health Services Consortium, Frontier Health, City of Kingsport Police and Fire Department, Employability Training & Consulting Services, Alliance for Business & Training, Sullivan County Department of Human Services, Eastman Chemical, Domtar, City of Kingsport Economic Development, Kingsport Chamber of Commerce, Kingsport Tomorrow, South Central Kingsport Community Development Corporation, Kingsport Area Transport Service, Wellmont's Holston Valley Medical Center, The Fresh Start Foundation, and United Way of Greater Kingsport.

Project Summary:

In the early 20th century, Midtown Kingsport was a center of the paper products, publishing, textiles, chemicals, glass and cement manufacturing sectors and a regional employment magnet. However, Kingsport could not escape the inner city and downtown deterioration that began in the 1970s and occurred throughout the U.S. as businesses fled the downtown area for the suburbs. Crime and drugs moved in and accelerated the exodus of families outside the city. Living conditions in the Midtown neighborhood spiraled downward the neighborhood became a center for criminal activity. Today, many of the residential and commercial structures are deteriorated. The poverty rate is 40.02 percent and the long-term vacancy rate is 17.88 percent. Lee Apartments' 128 public housing units are highly concentrated and the most distressed housing in the neighborhood.

However, the Midtown neighborhood includes the historic downtown area, where major public and private investments are planned and underway. The Choice Neighborhoods initiative in Kingsport, led by the Kingsport Housing and Redevelopment Authority and Urban Collage as the planning coordinator, will leverage and build upon these existing plans and investments. A stakeholder steering committee will guide planning activities. Focus groups will be formed around critical issues such as health, education, and safety. KHRA, Urban Collage, the stakeholder steering committee and the focus groups will design, administer and implement a four-part transformation planning process over the 24-month grant planning.

period. An independent monitoring and evaluation entity will track progress. The resulting Transformation Plan will provide a roadmap for the revitalization of Midtown with the following objectives: increased access to educational opportunities and training to prepare neighborhood residents for well-paying jobs; access to improved education; shopping and employment; transportation, parks and recreation; housing and neighborhood improvements; and public safety to attract new residents who want to live closer to their employment.

ORDINANCE 23-2013-14

AN ORDINANCE AMENDING THE 2013-14 GENERAL FUND BUDGET AND CAPITAL PROJECTS BUDGET (ORDINANCE 91-2012-13) TO INCREASE FUNDING OF CAPITAL PROJECTS BUDGET IN THE AMOUNT OF \$225,000.00, AND AUTHORIZING PURCHASE OF WATERWORKS BUILDING PROPERTY LOCATED AT 808 SOUTH RIVERSIDE DRIVE FROM G & S CORPORATION

WHEREAS, certain real property known as the Waterworks Building property, located at 808 South Riverside Drive, Clarksville, TN and identified more particularly in Exhibit A attached hereto (hereinafter, the "Property"), lies upon the bank of the Cumberland River and is available for purchase from the owner, G & S Corporation;

WHEREAS, the United States Army Corps of Engineers has announced a project whereby it will stabilize land lying along the Cumberland River bank area;

WHEREAS, in order for the Corps to include the Property as a part of the bank stabilization project, the City of Clarksville must own the Property;

WHEREAS, the City of Clarksville seeks to purchase the Property from G & S Corporation for the purchase price of \$200,000.00, subject to an acceptable environmental report and appraisal; and

WHEREAS, the City estimates the total amount of costs relating to the purchase of the Property to be \$225,000.00, which includes the purchase price, appraisal, survey and environmental study.

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

That the following Budget Amendments be made:

Capital Project:

Property Purchase	404100004-4710	Increase:	\$225,000
Transfer from General Fund	4041000-39150	Increase:	\$225,000

General Fund:

Transfer to Capital Projects	10470003-4914	Increase:	\$225,000
------------------------------	---------------	-----------	-----------

BE IT FURTHER ORDAINED that the source of funding for this \$225,000 shall be from the fund balance of the General Fund.

BE IT FURTHER ORDAINED that the Clarksville City Council hereby authorizes the purchase of the Waterworks Building property, located at 808 South Riverside Drive, Clarksville, TN and more fully described in Exhibit A attached hereto, from G & S Corporation for total sum of \$225,000.00, which includes the purchase price, appraisal, survey and environmental study.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at an iron pin in the general northwestern right-of-way line of Riverside Drive, said iron pin being 70 feet more or less in a general northerly direction from a point which would be at the intersection of the center line of Current Street and Riverside Drive should Current Street be extended in a westerly direction, and running from said point of beginning north 74 degrees 13 minutes west 283 feet more or less to the low water mark of the Cumberland River, thence with the said River at its low water level south 7 degrees 29 minutes west 224.86 feet more or less to a point, thence in a new direction south 77 degrees 15 minutes east 101 feet more or less to an iron pin, thence in a new direction south 36 degrees 15 minutes east 94.30 feet more or less to an iron pin in the general northwestern right-of-way line of Riverside Drive, thence along the said general northwestern right-of-way line 285.9 feet to the point of beginning, all according to a survey and plat by King Engineers dated November 1, 1963.

This is the same realty conveyed to the herein Grantors by deed from the City of Clarksville, of record in Deed Book 157, Page 412, in the Register's Office for said County.

**An Appraisal
In Summary Format of
808 South Riverside Drive
Old Water Works Building
Clarksville, Montgomery County, TN 37040**

PREPARED FOR:

City of Clarksville
Attn: Daniel Binkley
City Hall/One Public Square
Clarksville, TN 37040

PREPARED BY:

Joseph Mark Young, CG-1117
Tennessee State Certified General Appraiser

EFFECTIVE DATE OF APPRAISAL:

“As Is”
September 14th 2013

DATE OF REPORT:

September 23rd 2013

*Mark Young Appraisals
298 Clear Sky Court – Suite H
Clarksville, TN 37043
(931) 552-2877/fax (931) 552-2697*

September 23rd 2013

City of Clarksville
Attn: Daniel Binkley
City Hall/One Public Square
Clarksville, TN 37040

Re: Appraisal of Water Works Building,
808 S. Riverside Drive
Clarksville, Montgomery Co., TN 37040

Dear Mr. Binkley:

In accordance with your request, I have personally inspected and appraised the above captioned property for the purpose of estimating the Market Value of the Fee Simple Estate. I submit this letter along with the attached summary, complete narrative report relative to my findings and conforming to the Uniform Standard of Professional Appraisal Practice and subject to the Contingent and Limiting Conditions.

To the best of our knowledge and belief, the reported analysis, opinions, and conclusions were developed, and this report has been prepared in conformity with the requirements of the Uniform Standards of Professional Appraisal Practice adopted by the Appraisal Standards Board of the Appraisal Foundation. At the request of the client, the scope of the appraisal assignment has been determined by the appraiser to be the Sales Comparison. A site value will be included as well to aide in Highest and Best Use Analysis. The Cost Approach has been omitted due to the age and uniqueness of this building. In addition, the attached appraisal is intended to comply with the Title XI of the Federal Financial Institutions Reform, Recovery and Enforcement Act of 1993 (FIRREA).

The property being appraised consists of one tract of land containing approximately 1.15+/- acres of which 1.00+/- acres is deemed useable area due to a low lying flood area to the rear along the banks of the Cumberland River. The property is improved with a unique building having been used as a lounge for a number of years containing approximately 12,160 square feet gross usable building area (GBA).

The market value estimate shown is based on my personal inspection. This appraisal is based on the assumption that the data relied upon in this report is true and correct. This report, which follows, contains a summary of my investigation and analysis. The pertinent facts and data, which we believe applicable to the property, are summarized and the reasons leading to the estimate of value are included. The appraisal assignment was not based on a requested minimum valuation, a specific valuation or the approval of a loan.

Based upon the subject's location contained within the attached report, an exposure time of six to twelve months or less was estimated for the subject property "as is" assuming the property has been professionally marketed at or near the value estimates contained herein.

After careful consideration of the various approaches, it is my opinion that the estimated value of the subject property's fee simple estate as of the date of my inspection, September 14th 2013 is:

"As Is:"

Three Hundred and Ninety Thousand Dollars (\$390,000)

I appreciate the opportunity to perform this assignment on your behalf. If I may be of further assistance, please contact me.

Respectfully submitted

A handwritten signature in black ink, appearing to read "J. M. Young", with a horizontal line drawn underneath it.

Joseph Mark Young, CG-1117
TN Certified General Appraiser

Table of Contents

	<u>Page</u>
Certification of Appraisal	1
Summary of Salient Facts.....	2
Identification of Subject Property	3
Legal Description	3
Ownership History/Contract Information	3
Tax Assessment.....	4
Zoning	4
Scope of the Appraisal	5
Purpose of the Appraisal	6
Date of Appraisal.....	6
Competency Provision	6
Definition of Fee Simple Estate	7
Clarksville/Montgomery County Data	8
Neighborhood Data	17
Site Data	18
Description of Improvements	20
Highest and Best Use	21
Highest and Best Use of a Site as though Vacant	21
Highest and Best Use of a Site as Improved	22
Appraisal Mode and Scope.....	23
Cost Approach.....	24
Vacant Land Sales	25
Summary of Vacant Site Sales	30
Improved Sales	32
Improved Sales Adjustment Chart	40
The Adjustment Process	41
Income Capitalization Approach.....	43
Comparable Rentals	44
Summary of Rental Comparable	48
Reconciliation.....	52
Estimate of Marketing/Exposure Time	53
Definition of Exposure Time.....	53
Definition of Marketing Time	53
Assumptions and Limiting Conditions.....	54

Addenda

Certification of Appraisal

I certify, to the best of my knowledge and belief, that:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions and is my personal, professional analyses, opinions and conclusions.
- I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.
- My compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainments of a stipulated result or the occurrence of a subsequent event.
- My analyses, opinions and conclusions were developed, and this report has been prepared in conformity with the requirements of the Uniform Standards of Professional Appraisal Practice as promulgated by the Appraisal Foundation.
- I have made a personal inspection of the property that is the subject of this report.
- I have performed no services, as an appraiser, or in any other capacity, regarding the property that is the subject of this report, within the three-year period immediately preceding acceptance of this reporting assignment.
- The use of this report is subject to the requirements of the Uniform Standards of Professional Appraisal Practice.
- That Joseph Mark Young is properly licensed as a Certified General Real Estate Appraiser (CG-1117), State of Tennessee.



Joseph Mark Young, CG-1117
Tennessee State Certified General Appraiser

September 23, 2013

Date

Summary of Salient Facts

Property Identification:	808 South Riverside Drive Known as Old Water Works Night Club
Current Owner:	G & S Corp
Contract Price:	\$200,000
Client:	City of Clarksville
Map/Parcel:	66-B/A/040.00
Effective Date of Appraisal “as is”:	September 14 th 2013
Date of Appraisal Report:	September 23 rd 2013
Ownership Interests Appraised:	Fee Simple Estate
Land Area:	1.15+/- acres (1.0+/- useable)
Flood Map:	FEMA Map 47125 C0228 D March 18, 2008 (IN FEMA Flood area)
Census Tract:	1002.00
Building Size:	12,160 SF Gross Building Area (GBA)

Value Estimates:

Land Value: “as vacant” 1.0+/- acres (useable):	\$ 130,000
--	------------

Improved Value Estimates:

Cost Approach:	\$ N/A
Income Capitalization Approach:	\$400,000
Sales Comparison Approach	\$389,000

Final Market Value Estimate:	\$390,000
-------------------------------------	------------------

Identification of Subject Property

The subject property is located at 808 South Riverside Drive, ¼ +/- mile southwest of the intersection with Crossland Avenue. The property is known as the Old Waters Works Nightclub. The property can be further identified as being parcel 040.00 within group A upon tax map 66-B as per the Assessor of Properties, Clarksville, and Montgomery County, Tennessee.

Legal Description

The subject has a legal description as being Parcel 040.00 within Group A upon Tax Map 66-B as recorded in Volume 1144, Page 1156 and Volume 167, Page 203 within the Register's Office of Clarksville, Montgomery County, Tennessee. A copy of each deed is located in the addenda of this report. The subject property is currently owned by G & S Corp.

Ownership History/Contract Information

Both parcels are currently owned by G & S Corp and has been since 1964. The property was once the old Water Works for The City of Clarksville. Over the past 30 years the subject has seen a number of tenants with all being entertainment venues commonly known as The Water Works. The subject is currently under contract for \$200,000 with the City of Clarksville. The contract is dated September 11th 2013. There are special stipulations in the contract in that any value determined by the appraisal the City will provide a donation letter to the owners for any amount over the appraisal value. This would not be considered an arm's length transaction. The property had been listed for 175 days with a list price at \$395,000.

This title information is provided to give a general background of the subject's ownership. To the best of our knowledge, the information is accurate; however, we are not title attorneys and do not guarantee any of the above title history.

Tax Assessment

In Montgomery County the current tax rate is \$3.14 per \$100 and within the City of Clarksville the tax rate is \$1.24.

Based on information provided by the Assessor of Property's Office of Montgomery County, the subject is appraised for 2013 tax purposes as follows:

Map/Parcel	Improvement Value	Land Value	Total Value	Assessed Value	Tax Burden
66B/A/040.00	\$319,000	\$75,100	\$394,100	\$157,640	\$6,904.64

Each property must stand on its own merits. What other properties are assessed for cannot be used as a basis for determining the assessment on your property. Therefore, I have not included tax comparables at this time.

Zoning

Usage of property may be limited by public or private land use controls. Public land use controls include: zoning regulations; subdivision rules and regulations; flood plain, water resource and aquifer protection districts; endangered species act legislation; and/or town/county planning commissions and other overlay or floating districts. Zoning restrictions are the primary land use control identified for the subject property.

According to the City of Clarksville Zoning Ordinance, the subject property is zoned M-1 (Light Industrial District). According to the city of Clarksville Zoning By- Law, the purpose of the district is set forth as follows.

The district is established to provide areas in which the principal use of land is for light manufacturing and assembly plants, processing, storage, warehousing, wholesaling, and distribution. It is the intent that permitted uses are conducted so that most of the noise, odor, dust and glare of each operation is confined within an enclosed building. These industries may require direct access to rail or street transportation routes; however, the size and volume of the raw materials and finished products involved should not produce the volume of freight generated by uses of the heavy industrial district. These regulations are intended to prevent friction between uses within the district and also between adjoining commercial or residential uses.

*The subject is currently in compliance with existing zoning regulations. See full zoning analysis within addendum of report.

Scope of the Appraisal

The scope of the appraisal assignment was to prepare an appraisal in a summary format to provide a Market Value Estimate for the subject property “as is,” as of September 14th 2013. The value conclusions have been reported in a summary report format that follows the generally accepted appraisal procedures as set forth in the Uniform Standards of Professional Appraisal Practice (USPAP). Portions of material used or relied upon in the appraiser’s conclusions may be within the appraiser’s work files. This appraisal has utilized the Sales Comparison Approach and Income Capitalization Approach to value. As previously mentioned, the Cost Approach has been omitted from the report. A site value has been completed to aide in the Highest and Best Use Analysis. The procedures and methodologies employed in these approaches have been outlined within the Appraisal Process section of this report. The following steps and procedures were completed by the appraisers during the course of this assignment.

1. Inspected and photographed the subject’s site on September 14th 2013.
2. Gathered information from various secondary data sources regarding regional, city, market area, site, and improvement data on the existing improvements.
3. Analyzed data to make a determination of the highest and best use of the subject property as is and as vacant. This was accomplished by locating site sales trying to focus on the Riverside Drive market area.
4. Gathered and confirmed comparable sales on a local and regional basis for comparison to the subject property.
5. Gathered and confirmed vacant site sales in the market area to arrive at a value estimate of the subject site as vacant and available to be developed at its highest and best use.
6. Analyzed the data to arrive at conclusions of value by the Sales Comparison and the Income Approach to value.
7. Reconciled the results of this analysis to arrive at the final “as is” market value.

Purpose of the Appraisal

The purpose of the attached appraisal is to estimate the Market Value of the Fee Simple Estate of the subject “as is,” as of September 14th 2013. The appraisal will be used by our client **The City of Clarksville** in making purchasing decisions on the subject property.

Date of Appraisal

The effective date of this appraisal is September 14th 2013, the date of our last inspection. The date of the report is September 23rd 2013

Competency Provision

The appraiser involved in this assignment has considerable experience in appraising this property type. The company maintains a database on similar properties. The appraiser feels he has adequate knowledge of this property type and location to meet the competency provision requirements of USPAP.

Definition of Fee Simple Estate

Fee Simple¹ Estate is defined as “absolute ownership unencumbered by any other interest or estate, subject only to the limitation imposed by the governmental powers of taxation, eminent domain, police power, and escheat.”

Definition of Market Value

Market Value² as used in this appraisal is defined as:

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition are the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- 1. Buyer and seller are typically motivated;*
- 2. Both parties are well informed or well advised, and acting in what they consider their own best interests;*
- 3. A reasonable time is allowed for exposure in the open market;*
- 4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable hereto;*
- 5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.*

¹ **The Dictionary of Real Estate Appraisal**, Fifth Edition, page 78, Appraisal Institute, Chicago, IL

² **The Dictionary of Real Estate Appraisal**, Fifth Edition, page 122, Appraisal Institute, Chicago, IL

Clarksville/Montgomery County Data³

General Description: The City of Clarksville, Tennessee is a vibrant community located in the northwestern section of Middle Tennessee in Montgomery County, which borders the state line of Kentucky. The seventy-nine square mile city is the county seat for Montgomery County and is located along I-24 forty-five miles northwest of Nashville, TN. The Clarksville Montgomery County community is experiencing a strong amount of growth and progress. It is also the ninth fastest growing city in the nation and the fifth largest municipality in the state.

Population: The results of the 2010 United States Census are in, and they show Clarksville's population in now 132,929. This is a 28.5% increase from the 2000 Census, by far the largest rate of population increasing among the other top five Tennessee cities. The official population of Montgomery County is now 172,331, which is a 27.8% increase over the 2000 Census-reported population of 134,768. The five most populous Tennessee cities and their 2010 Census counts are Memphis: 646,878; Nashville: 626,681; Knoxville: 178,874; Chattanooga: 167,674; and Clarksville: 132,929. Memphis decreased by 0.5 percent since the 2000 Census, Nashville grew by 10 percent, Knoxville grew by 2.9 percent, Chattanooga grew by 7.8 percent and Clarksville grew by 28.5%.⁴ **According to new data Clarksville's population is expected to grow 22% by 2020. The Montgomery County population is expected to grow 23% by 2020.**

Government: Clarksville has a Mayor/Council form of government. The Mayor serves a four-year term and is elected at large. The city council is composed of 12 members who are elected from wards. Montgomery County has a County Mayor/County Commissioner form of government that is similar Clarksville's government. The fire department has 199 personnel supporting ten stations. The City Police Department has a staff of over 250 and the Sheriff's Department has a staff of approximately 395 employees, including deputy sheriffs and civilians.

Public Utilities: Electrical service is provided by the Clarksville Department of Electricity and county electrical service is provided by Cumberland Electric Membership Corporation. Both are powered by the Tennessee Valley Authority. Natural gas is supplied by the Clarksville Department of Gas and Water. Police and fire protection are provided by the City of Clarksville.

Medical: Gateway Medical Center offers programs, services and facilities that rival the best in the state. The hospital employs 1,200 professionals and serves upper Middle Tennessee and South Central Kentucky. It's fully accredited 270 bed medical center provides numerous state-of-the-art services including a heart center, magnetic resonance imaging, respiratory care, surgery, critical care, impatient rehabilitation and emergency services. The medical staff of more than 150 physicians represents over 30 specialties. Gateway-Vanderbilt Cancer Treatment Center is a joint venture with Vanderbilt Medical Center bringing the latest technology in radiation therapy to Clarksville.

³ Prepared by Mark Young Real Estate Appraisals

⁴ Chris Smith. 2011. Clarksville population tops 132,000. *The Leaf Chronicle*, March 16th 2011

There are a total of 10 nursing homes with 578 beds. The former Harriet Cohn Mental Health Center, now known as Centerstone, offers 44 beds and also offers outpatient and residential treatment facilities. It was announced in September 2011 that a veteran's nursing home will be constructed on a 9.5 acre site which the county purchased behind Ft. Campbell Wal-Mart. Plans have called for a 108-bed home of almost 100,000 square feet, with an estimated cost of \$22.6 million. This has still yet to be completed on the site.

Education: There are 38 public schools in the district: one K-5 Magnet School, 22 elementary, seven middle and high schools, one middle college and an alternative school for troubled youth. Clarksville/Montgomery County School System is one of a distinguished group of school districts that has earned whole district accreditation. It is one of the few districts in the nation that is ISO 9001 certified - a standard of effectiveness and efficiency recognized by business and organizations around the world. With a current graduation rate of 90.3% the school system exceeds both state and national averages and receives strong community support for education with an emphasis on 100% graduation for every student. There are also five private schools in the Clarksville/Montgomery County area. Clarksville is home to Austin Peay State University, one of Tennessee's outstanding regional higher education institutions. Austin Peay (enrollment over 10,000) is a four-year public, masters level university offering over 56 majors and 63 different concentrations. APSU was founded in 1927 and named for native son, Governor Austin Peay. The City is also home to Daymar Institute (formerly Draughons Junior College), North Central Institute and Miller-Motte Technical College. Vocation Studies are available at Tennessee Technology Center. Other higher education facilities are also located in nearby Nashville. There are also a growing number of private schools in Clarksville. They are the Clarksville Academy, Clarksville Christian School (Church of Christ), St. Mary's Catholic School, Montgomery Christian Academy, Academy of Academic Excellence and the newest being Tabernacle Christian School, which is associated with the Reverend Jimmy Terry's Tabernacle Baptist Church in New Providence.

Financial Institutions: Clarksville has 14 banking institutions, which have combined deposits of \$1,948,741,805. These banks are Bank of America, with six branches and combined deposits of \$203,812,000; Cumberland Bank and Trust, with five branches and combined deposits of \$120,076,000; F & M Bank with seven branches and \$335,150,000; First Advantage Bank (formerly First Federal Savings Bank) with six branches and \$218,468,000 in combined deposits; Fort Still National Bank with one branch located in Wal-Mart and \$464,000 in deposits; Capital Bank (formerly GreenBank) with five branches and \$122,550,000 in combined deposits; Heritage Bank with three branches and \$61,245,000 in combined deposits; Legends Bank with five branches and combined deposits of \$231,162,000; Planters Bank Inc. with five branches and \$187,845,000 in deposits; Regions Bank with five branches and combined deposits of \$264,631,000, US Bank with eight branches and \$201,289,000 in combined deposits, CEMC Credit Union with one branch and combined deposits of \$578,943 and Gateway Credit Union with one branch and combined deposits of \$1,289,862. Not included in the combined deposits is Cornerstone Financial Credit Union with seven branches in six different cities and combined deposits of \$18,599,877.

Labor Force: Along with Clarksville, Montgomery County's growth, the labor force grows as well. For the Clarksville, Tennessee Metropolitan Statistical Area (MSA), the labor force was 111,460 people for the entire area, which includes Montgomery County, Hopkinsville, Kentucky, and Stewart County, Tennessee. Montgomery County's labor force as per March 2010 was 68,460 people. Of that labor force, 62,190 people were employed and 6,270 were unemployed which is a 10.08% unemployment rate. The 2009 labor force was 65,930 persons, which was a 50% increase from 1990. The estimate for March of 2010 was an increase of 2,530 people in the labor force for Montgomery County. This is the most recent data available for Clarksville-Montgomery County Labor Estimates.

Employment: One of the key factors in Clarksville's growth is the relationship it has with adjoining Ft. Campbell military base - home of the 101st Airborne Division (Air Assault), the 160th Special Operations Aviation Regiment (SOAR), Fifth Group Special Forces and 101st Corps Support Group. The 101st Airborne Division is one of the most powerful and prestigious divisions, having made a name for itself during World War II as the Screaming Eagles in Bastogne, Belgium, Holland, France and Germany. Today, the highly trained soldiers of the 101st are the world's only Air Assault Division. The 101st participates in peacekeeping and humanitarian missions at home and abroad. Ft. Campbell currently has 30,865 active duty soldiers and 4,356 civilian employees. There are over 55,000 family members that call Ft. Campbell home. The installation currently has an annual payroll of approximately \$2.5 billion, making it the largest employer in both Tennessee and Kentucky.

It was recently announced that Akebono Brake Corporation is going to be completing an \$82 million dollar plant expansion at the Clarksville plant. This will also add another 94 jobs to the Clarksville area wide market. Currently Akebono employs 503 people at an average wage of about \$17/hour. The addition will bring the company to a total of 597 jobs.

Within the last five years there have been many new retail stores come to Clarksville including, the Seattle-Based Starbucks, Dicks Sporting Goods, which is a large outdoor and recreation retailer, and the Wisconsin-based Kohl's department Store. In mid 2010 it was announced that two new Publix grocery stores would be coming to Clarksville, Tennessee, one being located along Tiny Town Road in North Clarksville and the other in the Hilldale/ Richview submarket of Clarksville. Ground was broken in August of 2010 and demolition has begun on the old hospital site, which was located at the northwest corner of Madison Street and Memorial Drive in the Hilldale area of Clarksville. Both new Publix developments are now opened.

Over the past ten years, commercial/industrial businesses have invested over \$1.6 billion in their properties. The economic base continues to expand in terms of both new and existing industry. These expansions have added more than 2,000 jobs to the employment market. Three notable examples of this continued investment in the area are Florim USA, Bridgestone Metalpha, and Hemlock Semiconductor LLC, which have invested a combined total of over \$1.4 billion in their facilities. The Clarksville/Montgomery County Corporate Business Park continually attracts new investment, development, and industry.

In April 2011 it was announced that Jostens Printing and Publishing would be moving more of its yearbook operations to Clarksville. The company is transferring yearbook and commercial print production here from State College, Pennsylvania, bringing in roughly 400 more employees for a total staff of 700. Jostens moved out of its former building on Highway 48 and into the 575,000 square foot Quad Graphics building (formerly Quebecor Worldwide) which recently ceased operations in the Clarksville/Montgomery County Industrial Park. The property sits on 75 acres and has about 20 acres remaining for future expansion, according to the Clarksville-Montgomery County Economic Development Council's web site. Jostens officials said the expansion in Clarksville will allow the company to "capitalize on its advanced technological solutions, innovation and efficiencies benefiting its customers and business. Jostens officials expect to be moved into the new building by the end of the third quarter of 2011. The Economic Development Council's President and CEO James Chavez said that he believes the number one reason they are growing here is the stability of their workforce and the strength of the local workforce.

Agero, a leading provider of connected vehicle services including roadside assistance and claims management, opened a call center in Montgomery County, bringing with it a capital investment of \$8 million and the creation of more than 500 jobs. The company has located in the existing building located at 2971 International Blvd, which is at the corner of Rossvie Road and International Blvd. The announcement of Agero's expansion is the latest in a series of economic good news stories that have taken place within the past few years.

In October of 2009, Hemlock Semiconductor L.L.C., one of the world's leading suppliers of polycrystalline silicon products used in the manufacturing of energy producing solar cells and semiconductors used widely in the electronics industry, began construction of a new plant that was supposed to create roughly 500 high paying jobs upon the opening of the plant in fall 2012; however, it was announced recently that Hemlock Semiconductor was laying off 400 employees from its two plants. Approximately 300 of the 400 workers were laid off in January 2013 before the plant could even begin production of polycrystalline silicon in support of the solar power industry. Whether the plant will open this year, as was previously projected by HSC, is unknown, said company president Andrew Tometich. The layoffs are in response to what the company called a "significant oversupply in the polysilicon industry and the threat of protective tariffs on its product sold into China." If these market conditions persist, the layoffs could be permanent. A minimum workforce remains at the massive facility focused on "safely maintaining the site for eventual production." The representatives of HSC that spoke with the media about the layoffs insisted that the plant will be utilized for production of polysilicon, but the time frame of when production could possibly begin remains unknown. If the trade disputes with China and Europe are settled production would begin at the plant, but until that time the future of Hemlock Semiconductor is unknown. Although this is significant step back Clarksville is still seeing growth in other areas.

Also in 2009, Conwood Company, LLC, which specializes in the making and distributing smokeless tobacco products, purchased the former Union Carbide Plant located off Highway 79 North, in northeast Montgomery County. Conwood invested \$115 million dollars into the site and created 20+ new jobs. 2009 also saw Akebono (AMBA, LLC) purchase Bosch Brakes for \$13.5 million and created 300 new jobs.

In 2008 Atlanta Hardwood Corporation purchased the Averitt Lumber Company site, making a \$6 million dollar investment and adding 30+ jobs. Also in 2008, former Bosch Brakes, which is now Akebono (AMBA, LLC), made a \$35 million dollar investment and created 75 new jobs, Bridgestone Metalpha made an \$18 million dollar investment expanding their building and also Trane made a \$6 million dollar investment.

In addition to Ft. Campbell Military Base, there are numerous successful businesses which employ in Clarksville and Montgomery County. Those companies are listed in the table below:

<i>CLARKSVILLE EMPLOYERS</i>		
Company Name	Product	Employment
Austin Peay State University	State Funded University	900
Akebono Brake Systems	Anti-Lock Brake Systems	650
Beach Oil Company	Oil and Gas	150
Bridgestone Metalpha	Steel Cord	415
Florim USA	Ceramic/Porcelain Tile	260
Convergys Corporation	Call Center	800
Centerstone	Behavioral Health Services	184
Bosch Brakes	Tractor Trailer Air-ride	320
Gateway Medical Center	Hospital	1,165
Hemlock Semiconductor	Polysilicon	100
Jostens Printing and Publishing	Yearbooks/Commercial Printing	700
Letica Corporation	Plastic Cups	400
MW/MB LLC	Fiber Glass Strands	105
Nyrstar	Zinc Refining	249
Orgain Building Supply	Lumber/Construction Equipment	120
Progressive Directions Inc	Childcare and Adultcare Services	300
Rivers End Trading Company	Knit Shirts/Woven Apparel	90
Spear USA	Pressure Sensitive Labels	302
SPX Corporation	Cord Forging	108
Trane US, Inc.	Air Conditioning/Heat Units	1,400
Wal-Mart	Retail	1,363

These are just a few major employers located in Clarksville, Montgomery County, Tennessee. Other major employers include the Montgomery County School System and Gateway Hospital. The City of Clarksville offers many other diverse areas of employment, which among others includes, retail education, construction, and medical. Austin Peay State University as noted in the table above has an enrollment of over 10,500 students and is also a major source of employment for the City of Clarksville.

The area is home to a number of restaurants including International and American Cuisine. Ft. Campbell Military Base has aided Clarksville in becoming a much diversified community. This diversity gives the residences of Clarksville cuisine from across the globe, including German, Italian, Korean, Japanese, Chinese and Mexican Restaurants. These along with the other chain restaurants in Clarksville including, O'Charley's, Outback Steakhouse, Red Lobster, Olive Garden, Buffalo Wild Wings, Hooters and Longhorn Steakhouse. Several fast food restaurants have been constructed over the past few years. This is just an example of how commercial businesses have invested more than \$130 million dollars in their properties over the past ten years.

Community Facilities/Recreation: Clarksville has a wide base of recreational venues that satisfy many sports enthusiasts' needs. Heritage Park, one of the state's top soccer sites, has eight fields and is host to several statewide and regional soccer tournaments. The complex is the site for recreational league play, as well as a number of area tournaments. Clarksville offers 25 parks and five community centers for recreational opportunities. The city also provides five community pools and several recreational sports leagues. Special Programs and events are coordinated during the year for all ages. The summer program is just one of the programs offered by the department. A six-week program that provides safe and entertaining recreational activities for ages 6-16, is free and hosted at 13 different sites around the area.

Clarksville/ Montgomery County has over 30 parks, five golf courses and one private course, seven swimming pools, nine tennis courts, 29 movie theater screens and five community centers, six boat ramps/landings for recreational opportunities.

Water sports are abundant in Clarksville and Montgomery County. The area's Cumberland River was named one of the top cat fishing spots in the U.S. by Field & Stream. The Clarksville Marina which is expected to be completed this year will attract a number of river goers who would typically travel to Lake Barkley or Kentucky Lake. This will also help Clarksville begin to utilize its abundant river front. Also the Clarksville Blueway will in all probability begin construction this year. The Clarksville Blueway will provide the citizens of Clarksville the opportunity to canoe and kayak along the Big West Fork Creek, Red River and Cumberland Rivers in Clarksville. In the long run, the city hopes to create 45 miles of Blueway on the Cumberland River, Red River and Big West Fork Creek. Parks and Recreation hope to install at least two more canoe and kayak access points under the Warfield Boulevard and I-24 Bridges. This plan is based on the success of the Clarksville Greenway, which is accessed by Pollard Road off Peachers Mill Road. The greenway provides 3.6+/- miles of walkways which follows an abandoned rail bed. Walking this trail has become very popular with the residents of Clarksville.

There is also a Tudor-style winery and vineyard at Beachaven Winery with tours available. Other area attractions are the 110 acre Dunbar Cave, Port Royal Covered Bridge Park and Fort Donelson National Military Park and Cemetery. Land between the Lakes is located only 30 minutes from Clarksville on Kentucky Lake and Lake Barkley. This 170,000 acre park offers hiking, camping, hunting, fishing, and nature center and a living history farm.

Construction Activity: The area has seen a healthy pace of new single family construction over the past 10 years. The total number of permits reached its peak in 2005 with 1,883 issued that year. The pace of new construction since that time has dropped hitting its lowest point in the year 2008 and then rising some in 2009. The average price of a home in the Clarksville/ Montgomery county area currently averages \$157,000. The area continues to be affordable compared to many of the suburban counties around the Nashville/Davidson County area. The three tables on the following pages outline the construction activity for Clarksville, Montgomery County, from 2007 through March 2013. The permits in the following tables are for Clarksville only and do not include permits pulled outside Clarksville city limits.

Single Family Permits

The level of new home construction appears to be stable in the Clarksville/Montgomery County area since its lowest point in the past three years was largely attributed to the troops being deployed. As shown in the data below from 2009 to 2010 there was a slight drop in the number of single-family construction permits pulled. The market however rebounded to numbers slightly lower than 2007 when the permits were the highest. Both 2011 and 2012 ended up being strong years for single-family construction. There were a total of 996 permits pulled in 2011 and 942 permits pulled in 2012 indicating that the market has seen stable growth in the single-family sector since the low point in 2008, which was mostly caused by the housing crisis and fall of the stock market. If the six month average of current 2013 data is annualized the projected result is approximately 822 permits pulled, which is more than the fiscal year of 2010 and slightly less than the previous two years.

2013 Single-Family Permits		
Year	No. of Permits	Construction Cost
2007	1,015	\$101,680,574
2008	625	\$61,532,146
2009	796	\$86,152,392
2010	767	\$96,654,841
2011	996	\$107,633,719
2012	942	\$90,927,072
2013	573	\$66,987,422
Permits through August		

Multifamily Permits

As shown in the grid below the number of multifamily permits pulled reached a peak in 2007. In 2008 the number then dropped to 61 permits pulled. The drop from 2007 to 2008 is largely contributed to the economic recession caused by the housing bubble. This recession affected not only our area but all areas of the United States. It also didn't help that the service men and women that were stationed at Ft. Campbell Military Base had been deployed to either Iraq or Afghanistan, which caused there to be an above average vacancy rate for multifamily homes. Since that time construction has steadily increased. Beginning in 2009 the number of permits pulled showed that this particular sector in the market was recovering and since that time the market has improved roughly 10.95% annually to the most recent peak in 2011. Numbers declined in 2012 due to more troop deployment to Afghanistan; however, number for 2013, if annualized, project a total of 89 permits pulled, which would be more than the previous year and less than 2011 numbers.

2013 Multifamily Permits		
Year	No. of Permits	Construction Cost
2007	145	\$31,707,177
2008	61	\$33,722,603
2009	73	\$13,838,843
2010	82	\$31,621,532
2011	97	\$29,752,205
2012	67	\$20,968,060
2013	61	\$24,800,600
Permits through August		

Commercial Permits

Commercial growth in 2009 was largely contributed to the announcement of Hemlock Semiconductor venture in Clarksville. As shown from the data below permits pulled fell slightly since the boom in 2010; however, 2011 still saw higher numbers than 2007-2009 before the announcement of Hemlock Semiconductor. Last year's data shows a total of 270 permits pulled, which was only a decrease of 14 permits from the previous year and a decrease of 31 permits pulled from the peak in 2010. So far through July of this year there has been 184 permits pulled, which averages 26.3 permits per month, which when an annualized projection is made, the number of permits pulled could total 315. If the permits do reach or exceed this number, 2013 will have been the best year since the previous high of 301 in 2010. The appraiser notes that there has been a significant increase in retail development within the Clarksville market over the past year.

2013 Commercial Permits		
Year	No. of Permits	Construction Cost
2007	159	\$97,368,618
2008	189	\$97,414,226
2009	204	\$46,918,776
2010	301	\$92,813,881
2011	284	\$61,426,402
2012	270	\$112,756,677
2013	229	\$92,254,679
Permits through August		

Summary: The city of Clarksville is a steadily growing community in the northwest section of Middle Tennessee. Over the past few years Clarksville/Montgomery County area has received national attention, being named by CNN Money as the 4th least expensive city in the nation to live, the 57th Best Place to Live in America by Money Magazine, and it was also ranked 38th in terms of being a family-friendly city. The community for the most part has sustained an annual population growth for over 30 years. Results from the 2010 census showed that Clarksville's population has grown approximately 28.5%. This is an average growth rate of 2.85% per year. The total population for the city of Clarksville as of the 2010 census is 132,929. The total population for Montgomery County is 172,331. This data supports the appraiser's belief that the Clarksville and Montgomery County areas have seen stable growth. Employment growth for the area has been steady primarily due to new companies such as Akebono, Jostens and Agero, which have added over 1,000 high paying jobs within the Clarksville Montgomery county area over the past couple of years. The area is also heavily influenced by Ft. Campbell Military Base, which is the second largest military installation in the United States.

Neighborhood Data

General Description: The subject neighborhood would be considered the commercial corridor known as Riverside Drive and surrounding commercial properties located along secondary corridors off this five lane traffic artery. The general neighborhood boundaries are considered to be east of the Cumberland River and south of the intersection of Highway 41/Providence Blvd and North Second Street to Highway 48/13. These boundaries were chosen because they encompass an area of homogeneous land uses which consist of commercial retail establishments that cater to the 40,000 +/- automobiles that travel this section of Riverside Drive daily. The property is located in what is commonly known as the south western quadrant of the downtown area of Clarksville, Tennessee.

Percentage Built-Up and Trend: The area surrounding the subject property is approximately 95% built up with the majority of properties being older commercial properties along with some multi-family units located off of the main thoroughfare.

Typical Improvements and Level of Maintenance: The typical improvements found within the subject's immediate area are commercial properties ranging in age from 10+/- years to 40+/- years. Typical commercial properties within this submarket are 20 years of age or older.

Transportation: Access to the neighborhood would be regarded as good. Riverside Drive is one of the largest most heavily traveled traffic thoroughfares in Clarksville. Riverside Drive is a four lane plus turning lane highway that leads from the northern sector of downtown Clarksville to the Ft. Campbell/ New Providence area into the north sector of the City of Clarksville. A number of smaller traffic arteries also provide a convenient access to other areas of Clarksville such as the St. Bethlehem area in northeast Clarksville. Riverside Drive is a major thoroughfare of Clarksville and is maintained by the State of Tennessee.

Utilities: The subject's property has access to all public utilities in adequate quantities.

Conclusion: The subject is located along Riverside Drive within an area dominated by older commercial properties. A number of properties have recently been remodeled including the subject property, and the area has also been enhanced by the new Clarksville Marina and Wilma Rudolph Pavilion. This area continues to be one of the major commercial sectors within Clarksville. There are no apparent adverse factors affecting this area.

Site Data

<u>Location:</u>	The subject property is designated by the Montgomery County Tax Assessor's office as Map 66-B Group A, Parcel 040.00. The subject, as shown on the assessor's map within the addenda of this report, is located along the western right of way of Riverside Drive in Clarksville, Montgomery Co., Tennessee. The subject address is 808 South Riverside Drive.
<u>Site/Configuration:</u>	The subject site is rectangular in shape and contains approximately 1.15+/- acres or 50,094+/-square feet. It is estimated that only 1+/- acres or 43,560 square feet is useable due to a low-lying flood plain to the rear along the bank of the Cumberland River.
<u>Visibility & Access:</u>	The subject features good access and visibility within the subject neighborhood. The site is highly visible from both the northerly and southerly directions along Riverside Drive. There are three curb cuts which aide in the traffic flow of customers for the site.
<u>Topography/ Drainage:</u>	The subject site is generally level and at grade just slightly above road grade of Riverside Drive. Drainage by visual inspection appears to be adequate to the west. No evidence of drainage problems, i.e., standing water, was noted at the time of inspection. The entire property lies in flood designated area. The appraiser is aware that Riverside Drive has minimal flooding at times. The appraiser suggests a site elevation of the subject improvements and to then make the determination if flood insurance is needed for the intended buyers if they so desire. In all likely hood flood insurance would be needed. The property incurred extensive damage in May of 2010 due to the catastrophic flood that hit Middle Tennessee. This flood was a once in a 500 year flood and devastated the Middle Tennessee region.
<u>Soil/Subsoil:</u>	No soil tests were supplied with this assignment and none have been undertaken by the appraisers (see Assumptions and Limiting Conditions). The appraiser assumes subsoil conditions are adequate to support the improvements as there is no visual evidence to the contrary, i.e., obvious settling, foundation or exterior wall cracks, etc. Our value estimate, therefore, assumes that the property is in compliance with all Community, State and Federal laws governing hazardous waste.

<u>Floodplain:</u>	A flood plain is defined as a low lying land area that is likely to be flooded by an adjacent watercourse. The appraisers have reviewed flood insurance rate maps of the Federal Emergency Management Agency (FEMA) (City of Clarksville, Montgomery County, Tennessee, Community Panel # 47125C 0238 D, effective date March 18, 2008). The appraisers have ascertained that the subject property is located within a flood plain, Zone AE. The appraiser concludes that the buyer/client to obtain flood insurance on the subject.
<u>Utilities:</u>	All public utilities, including water, storm sewer, sanitary sewer, and electric power, natural gas, and telephone services are available to the subject property. The adequacy and availability of all public utilities is deemed to be acceptable and competitive with similar locations in the market area.
<u>Easements:</u>	As stated in The Standard Assumptions and Limiting Conditions, a title search is beyond the scope of this report. The appraisers are not aware of any easements which would impact the marketability or value of the site. For further documentation, the reader is referred to the subject deed which appears in the Addenda of this report.
<u>Site Improvements:</u>	<p>The subject improvement occupies approximately 14.89% of the total useable area of the site. The subject site is improved with a 12,160 square foot structure that once was the Water Works for the City of Clarksville. Over the past 40+/- years the property has been a number of establishments but the main use was for a lounge/nightclub under the name of The Water Works. The overall condition of the property is average. The lower level of the building contains 6484 square feet and the upper level contains 5,676 square feet as a portion of the upper level is open to the down stairs.</p> <p>Of particular importance to any retail establishment is the provision for on-site parking. There is adequate space on the 1 acre to accommodate a large amount of parking for the prior use.</p>
<u>Building Improvements:</u>	The subject property is a two-story mixed use event lounge/night club. The subject building comprises 12,160 square feet of gross building area. The building's basic construction includes a reinforced concrete slab foundation, poured concrete wall construction with a wood frame roof structure. The improvement is centrally heated and cooled. The roof and floor covering are in average condition. For the past usage the building is efficient for the usage but needs some major renovation for any other use such as restaurant/retail usage different than that in past.

Description of Improvements

The following description of the subject's improvements is based on site and building inspection. A summary of the improvements is as follows:



Water Street Event Center

Size:	12,160 S.F. Gross Building Area (GBA)
Year Built:	1927/ remodeling has occurred in past
Land to Building Ratio:	3.58:1 (useable area)
Effective Age:	30 years
Condition of Improvements:	Average
Occupancy:	Event Center /Night Club
Foundation:	Concrete
Frame:	Concrete Block/Poured Concrete
Floor:	Concrete slab on grade
Roof:	Wood gable and hip/composition shingle
Exterior Walls:	Concrete
Interior Walls:	Painted drywall
Ceilings:	Suspended acoustical tile
Floor Cover:	Hardwood/Carpet/Vinyl/Concrete
Lighting:	Primarily recessed fluorescent fixtures and track lighting throughout the building
Plumbing:	Men and women's restrooms in lower level
HVAC:	Entire Building
Sidewalks:	Concrete slab
Site Improvements:	Crush Stone parking, minimal landscaping

The improvements are all being appraised "as is". The building was formerly an older lounge nightclub. The property is in fair condition and in need of some remodeling at this time. A large amount of cleaning needs to be completed. The subject has crush stone parking encompassing the entire site and appears large enough to support the current highest and best use which is concluded to be the continued use as lounge/night club.

Highest and Best Use

In the highest and best use⁵ analysis, the appraiser identifies the most profitable, competitive use for which a property can be utilized. Highest and Best Use is defined as follows:

The reasonably probable and legal use of vacant land or an improved property which is physically possible, appropriately supported, financially feasible, and that results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum profitability.

Highest and best use is not an absolute fact; it reflects an appraiser's opinion of the best use of the property based on analysis of prevailing market conditions. Proper analysis includes consideration of the highest and best use of the property if vacant, as improved, if the property is improved. This analysis must be made separately. It should be noted that in cases where a site has existing improvements, the highest and best use might be determined to be different from the existing use. The existing use will continue; however, unless or until land value in its highest and best use exceeds the total value of the property in its existing use with the cost of demolition or removal of these improvements.

Highest and Best Use of a Site as though Vacant

Highest and best use of a site as though vacant⁶ as is defined as:

Among all reasonable, alternative uses, the use that yields the highest present land value, after payments are made for labor, capital, and coordination. The use of a property based on the assumption that the parcel of land is vacant or can be made vacant by demolishing any improvements.

In reference to the above definition, consideration has been given to the various factors affecting the highest and best use of the subject including location, market demand, neighboring property influences and trends, zoning, physical, and economic facts.

The highest and best use of the subject site, as vacant, would be a use allowed by the current zoning, one that is maximally productive, financially feasible, and which conforms to the development trend in the neighborhood. Based on the site's location, zoning, surrounding improvements and accessibility, commercial usage (retail/office/service) would appear to be the most logical use for the subject. It is beyond the scope of this appraisal assignment to develop a specific highest and best use, however, given the surrounding development and current zoning, commercial development would be the highest and best use, if vacant.

⁵ The Dictionary of Real Estate Appraisal, Fifth Edition, page 93, Appraisal Institute, Chicago, IL

⁶ The Dictionary of Real Estate Appraisal, Fifth Edition, page 93, Appraisal Institute, Chicago, IL

Highest and Best Use of a Site as Improved

Highest and Best Use as Improved⁷ is defined in The Dictionary of Real Estate Appraisal as:

The best use that should be made of a property as it exists. An existing property should be renovated or retained as is so long as it continues to contribute to the total market value of the property, or until the return from a new improvement would more than offset the cost of demolishing the existing building and constructing a new one.

The improvements consist of a retail property utilized in the past as a night club. In all likelihood the majority of purchasers would utilize the building as is as a night club/lounge. Other uses could be church/activity center etc. The improvements, as shown in the subsequent sections of this report, make a positive value contribution to the overall property value. Therefore, the improvements constitute a financially feasible use. Also, the current improvements of the property would be considered one of the most maximally productive uses. With today's market conditions, there is sufficient demand for restaurants within the surrounding market area. Note we have provided support on this conclusion providing vacant land/site sales along with bid from Morgan Construction to remove the current improvements.

In conclusion, it is our opinion that the current Highest and Best Use of the subject property "As Improved" is for some type of retail property, specifically a night club/lounge. There is no legal, alternative use that could justify removal of the existing improvements. The existing improvements have a substantial contributory value to the overall property value, and the current use is considered the highest and best use of the property, as improved.

⁷ The Dictionary of Real Estate Appraisal, Fifth Edition, page 94, Appraisal Institute, Chicago, IL

Appraisal Mode and Scope

The typical and theoretical real estate appraisal includes three separate, but interrelated, preliminary approaches to value, which are correlated into a single final value conclusion. These preliminary approaches are summarized as follows:

1. **Cost Approach:** The Cost Approach is based on the estimated reproduction or replacement cost of the improvements new less accrued depreciation plus land value.
2. **Sales Comparison Approach:** The Sales Comparison Approach is a direct comparison of the property under appraisal to other similar properties which have sold.
3. **Income Capitalization Approach:** The Income Capitalization Approach is a set of procedures in which a value indication is derived for income producing property by converting anticipated income (benefits) into property value.

The appraised value of any particular property may sometimes result in the application of all three approaches. However, in some cases, one or more approaches are more suitable than the others. There are also times when portions of an approach and/or a combination of the approaches are best to estimate the subject's value. The necessity of these scenarios arises from the amount or lack of data of the quality or quantity of data that is available within the market of the appraisal.

The Sales Comparison Approach and the Income Approach have been implemented within this report. Due to the age of the building and unique design the Cost Approach was deemed not applicable within the valuation of this property.

Cost Approach

The Cost Approach⁸ is based on the premise that a prudent investor would pay no more for a property than the cost of building a similar structure with similar design and utility.

There are two major steps involved in this approach: 1) estimate the value of the site as if vacant, and 2) estimate the value of the improvements in their current condition. Step 1 involved procedures similar to those utilized in the Sales Comparison Approach, that is, the collection and analysis of comparable sales (in this case, site sales). The processes in Step 2 require estimating the cost, new, of improvements and deducting any and all losses due to accrued depreciation.

The Cost Approach has been omitted but the appraiser felt it was necessary to produce a value of the site “as vacant” to conclude that the current use is the most maximally productive use at this time and the site value “as vacant” does not exceed the value “as improved.” The following is the site value analysis followed by the property’s cost approach to support the highest and best use conclusions.

8 The Dictionary of Real Estate Appraisal, Fifth Edition, page 47, Appraisal Institute, Chicago, IL

Vacant Land Sales

Land Sale No. 1

Location Data

Type:	Land
Location:	Tiny Town Road
Tax ID:	018/002.03

Sales Data

Grantor:	Nam
Grantee:	Turner
Date:	June 23 rd , 2011
Deed Book/Page:	1389/1580
Financing:	Cash to Seller
Verification:	Public Records/Deed
Sale Price:	\$425,000

Land Data:

Zoning:	C-5
Topography:	Level
Utilities:	All Available
Shape:	Irregular
Flood Info:	None
Easements:	No Adverse
Intended Use:	Multi-tenant Retail
Current Use:	Dollar General

Land Size Information:

Gross Land Size:	
Acres:	1.92 +/-
Square Feet:	83,635

Indicators:

Sales Price Gross SF:	\$5.08
Acre	\$221,354

Comments: The site was sold as vacant and now contains a retail facility with a Dollar General store and two additional smaller tenants. The site is level but a portion is above the grade of Tiny Town Road. Site is inferior due to being in an area of Tiny Town Road with inferior growth rates at the time of sale. Since that time a new Publix was announced and now constructed across the street.

Land Sale No. 2

Property Identification:

Property Type:	Commercial site
Address:	1046 S Riverside Drive Clarksville Tennessee 37040
Tax ID:	079/014.00

Sales Data:

Grantor:	Mathews
Grantee:	Brown
Sale Date:	09/27/2012
Deed Book/Page:	1469/2290
Financing:	Cash to Seller
Verification:	Public Records/Deed/Grantor
Sale Price:	\$190,000

Land Data:

Zoning:	M-1
Topography:	Level
Utilities:	All Available
Shape:	Irregular
Flood Info:	None
Easements:	No Adverse
Intended Use:	Retail
Current Use:	Single Tenant Auto Sales

Land Size Information:

Gross Land Size:	
Acres:	0.574 +/-
Square Feet:	25,000

Indicators:

Sales Price Gross SF:	\$7.60
Acre	\$331,056

Comments: The site when sold had and continues to have an older mobile home and garage located on the site which added minimal value. The property is a longer narrow site located 1/2 +/- miles south of the subject. The site is level and is all located within the 100 year flood plain similar to the subject. This sale supports the concluded value of the subject "as vacant" located in 100 year flood plain along Riverside Drive which is supported by sale #5.

Land Sale No. 3

Location Data

Type:	Land
Location:	1435 Fort Campbell Boulevard
Tax ID:	43-K/A/034.01

Sale Data

Grantor:	Schuster
Grantee:	Bata
Date:	December 20 th , 2010
Document No:	V1365/328
Financing:	Cash to Seller
Confirmation Source:	Seller
Confirmed By:	Public Records
Sale Price:	\$125,000

Physical Data

Land Area Acres:	0.597
Land Area SF:	26,005
Topography:	Basically Level
Shape:	Rectangular
Corner:	Yes
Utilities:	All Available
Zoning:	C-5
Flood Plain:	No
Proposed Use:	Commercial

Indicators

Price Per Acre:	\$209,380
Price Per SF of Land:	\$4.81

Comments: This property is located on the eastern right of way of Ft. Campbell Blvd. Property is approximately one mile south of the intersection with 101st Airborne Division Parkway. Location would be considered inferior to the subject.

Land Sale No. 4

Location Data

Type:	Land
Location:	501 Heritage Pointe Drive
Tax ID:	017/002.08

Sale Data

Grantor:	Mace
Grantee:	FWJR Partnership
Date:	01/29/2013
Document No:	N/A
Financing:	Cash to Seller
Confirmation Source:	Contract
Confirmed By:	Purchaser
Sale Price:	\$415,000

Physical Data

Land Area Acres:	1.03
Land Area SF:	44,867
Topography:	Level
Shape:	Rectangular
Corner:	Yes
Utilities:	All Available
Zoning:	C-4
Flood Plain:	No
Proposed Use:	Retail

Indicators

Price Per Acre:	\$402,930
Price Per SF of Land:	\$9.25

Comments: This property is located just off of Exit 1, Interstate 24 on Tiny Town Road. This site would be considered superior to the subject due to being a corner lot as well as being located in an area of superior growth rates.

Land Sale No. 5

Location Data

Type:	Land
Location:	664 N Riverside Drive Clarksville Tennessee 37040
Tax ID:	066-B/A/024.00

Sale Data

Grantor:	O'Charley's Inc
Grantee:	Newell-berg Holdings TN LLC
Date:	10/12/2012
Document No:	1472/2468
Financing:	Cash to Seller
Confirmation Source:	Grantee/Public Records
Confirmed By:	Purchaser
Sale Price:	\$475,000

Physical Data

Land Area Acres:	1.058
Land Area SF:	46,085
Topography:	Level
Shape:	Irregular
Corner:	Yes
Utilities:	All Available
Zoning:	C-2
Flood Plain:	No
Proposed Use:	Retail

Indicators

Price Per Acre:	\$448,960
Price Per SF of Land:	\$10.31

Comments: This property is located north of the subject and is within a 100 year flood plain area similar to the subject. This area of Riverside Drive has seen larger development in the retail sector over the past years with a new O'Charley's and Burger King having been constructed over the past 10+ years. The site needed approximately \$120,000 in site work prior to the development of the new Burger King was completed. This was necessary to develop the site up where the building would be constructed outside of the 100 year flood plain which was required by the City of Clarksville Building and Codes Department. This was verified with the developer of the project (Kevin Newell)

Summary of Vacant Site Sales

Sales Summary Chart of Vacant Land Sales							
Sale No.	Location	Date of Sale	Sales Price	AC Size	\$/AC	\$/SF	Adj \$/SF
1	Tiny Town Rd	6/23/2011	\$425,000	1.92	\$221,354	\$5.08	\$7.58
2	1046 S Riverside Drive	9/27/2012	\$190,000	0.57	\$331,010	\$7.60	\$7.60
3	1435 Ft. Campbell	12/20/2010	\$125,000	0.60	\$209,380	\$4.81	\$7.28
4	501 Heritage Pointe Dr.	1/29/2013	\$415,000	1.03	\$402,913	\$9.25	\$6.75
5	664 N Riverside Dr	10/12/2012	\$475,000	1.06	\$448,960	\$10.31	\$8.09
Subject	808 S. Riverside Drive			1.00			

808 S. Riverside Drive- Vacant Land Sales Adjustment Chart												
		Subject	Sale #1	Adj/sf	Sale #2	Adj/sf	Sale #3	Adj/sf	Sale #4	Adj/sf	Sale #4	Adj/sf
Sale Price			\$425,000		\$190,000		\$125,000		\$415,000		\$475,000	
Size/SF		43,560	83,635		25,000		26,136		44,867		44,867	
Price/SF				\$5.08		\$7.60		\$4.78		\$9.25		\$10.59
Property Rights		Fee Simple	Fee Simple		Fee Simple		Fee Simple		Fee Simple		Fee Simple	
Financing		Cash	Cash		Cash		Cash		Cash		Cash	
Date of Sale		N/A	Jun-11		Sep-12		Dec-10		Jan-13		Oct-12	
Time/adj 1%/qtr			C-5		M-1		C-5		C-5		C-5	
Equiv Cash \$/ac			All Avail		All Avail		All Avail		All Avail		All Avail	
Zoning		M-1	Similar		Similar		Similar		Similar		Similar	
Size		43,560	Similar		Similar		Similar		Similar		Similar	
Site Improvements		N/A	Similar		Similar		Similar		Similar		Similar	
Utilities		All Avail	Similar		Similar		Similar		Similar		Similar	
Frontage		Good	Similar		Similar		Similar		Similar		Similar	
Topography		Low	Level		Level		Level		Level		Level	
Location/Access		Riverside	Inferior	\$2.50	Equal		Inferior	\$2.50	Superior	-\$2.50	Superior	-\$2.50
Net Adjustmetns				\$2.50		0		\$2.50				
Adj \$/sf				\$7.58		\$7.60		\$7.28		\$6.75		\$8.09
												Mean
		Median	\$7.58									

Note the subject is improved with an older concrete building that was constructed in 1927. To arrive the subjects concluded value “as vacant” we employed the services of Morgan Contractors to conclude the subject’s current market value “as vacant” This was necessary to arrive at the concluded highest and best use. I felt this was necessary due to the age of the subject property. Based on a letter from Morgan Contractors dated September 18th 2013 the cost to remove the building is between \$185,000 to \$215,000, therefore concluding a cost in the mid range the cost to remove the building must be subtracted from the above concluded value. Therefore the market value of the site “as vacant” taking into the consideration of the cost of demolition is:

One Hundred and Thirty Thousand Dollars (\$130,000)

Sales Comparison Approach

The Sales Comparison Approach⁹ is “a set of procedures in which a value indication is derived by comparing the property being appraised to similar properties that have sold recently, applying the appropriate units of comparison and making adjustments to the sales price of the comparable based on the elements of comparison.” The Sales Comparison Approach relies on the principle of substitution which implies that a prudent person will pay no more to buy a property than it will cost to buy a comparable substitute property.

The comparable sales included in our analysis are described in detail on the following pages.

⁹ **The Dictionary of Real Estate Appraisal**, Fifth Edition, page 175, Appraisal Institute, Chicago, IL

Improved Sales

Improved Sale No. 1



Property Identification

Property Type:	Flex/Daycare/Church
Address:	1970 Memorial Drive Clarksville, Montgomery Co., Tennessee 37043
Tax ID:	65-M/A/4.00

Sale Data

Grantor:	Hopkins
Grantee:	Clarksville Church of God
Sale Date:	07/31/2013
Deed Book/Page:	V1526/2853
Property Rights:	Fee Simple
Conditions of Sale:	Arms Length
Financing:	Cash to seller
Verification:	Broker-Debra Butts (Keller Williams) (931)-245-6701/Public Records
Sale Price:	\$400,000

Land Data

Land Size:	1.50+/- Acres or 65,340 SF
------------	----------------------------

General Physical Data

Building Type:	Single-tenant
Gross Leasable SF:	7,776
Construction Type:	Brick over wood frame
Stories:	1
Year Built:	1959 remodeled
Condition:	Good

Income Analysis

Net Operating Income: N/A

Indicators

Sale Price/Gross Leasable SF: \$51.44/SF

Comments: This is a transaction of a larger building which has been totally remodeled prior to sale located along Memorial Drive in the Richview sub-market. The building was purchased for the future use as a church with adequate area for parking to the front and side. The property was on the open market for 240 days prior to the date of sale.



Photos of interior taken from MLS supporting the condition at time of sale.

Improved Sale No. 2



Property Identification

Property Type:	Office/Retail
Address:	125 N Riverside Drive
Tax ID:	066G/F/29

Sale Data

Grantor:	Triple M Development
Grantee:	Brown & Associates
Sale Date:	May 6 th 2013
Deed Book/Page:	1508/864
Property Rights:	Fee Simple
Conditions of Sale:	Arm's Length
Financing:	Cash to seller
Verification:	ROMCCH/Deed/Seller/Personal Files
Sale Price:	\$325,000

Land Data

Land Size:	0.41 acres (17,860+/- SF)
------------	---------------------------

General Physical Data

Building Type:	Office/Retail/Multi-tenant
Gross Leasable SF:	7,617 SF
Construction Type:	Class C
Sprinklers:	None
Stories:	One story
Year Built:	1967
Condition:	Average

Indicators

Sale Price/Gross Leasable SF	\$42.67
Occupancy at Sale:	100%
Overall or Cap Rate:	10.50%

Comments: This is a one story multi-tenant office building located within the downtown central business district. I was privy to the income and expense analysis prior to this sale. The property was not on the open market but a number of realtors knew the property could be purchased. The property is located in a 100 year flood plain of the Cumberland River with direct frontage along Riverside Drive. The site is smaller than the subject but location and visibility would offsite land to building ratio. The overall cap rate is actual based on the leases that were in place at the time of sale and supports the cap rate used within the Income Approach.

Improved Sale No. 3



Property Identification

Property Type:	Flex Building
Address:	810 Crossland Avenue
Tax ID:	66-N/D/036.00

Sale Data

Grantor:	Insouth Bank
Grantee:	Nicholson
Sale Date:	October 24 th 2011
Deed Book/Page:	1409/49
Property Rights:	Fee Simple
Conditions of Sale:	Arm's Length
Financing:	Cash to seller
Verification:	Public Records/Appraiser Files
Sale Price:	\$232,200

General Physical Data

Building Type:	Single-tenant light industrial service
Gross Leasable SF:	6,718
Construction Type:	Class C
Sprinklers:	None
Stories:	One story
Year Built:	1959
Condition:	Average
Site Size:	0.81+/- acres (35,284 sf)

Indicators

Sale Price/Gross Leasable SF	\$34.56
Occupancy at Sale:	Vacant

Comments: This sale is located within the downtown Central Business District just off Riverside Drive along Crossland Avenue. The property was in foreclosure at time of sale. The front portion of the building is office space with some in average condition with the remainder being service area in fair condition. The property is the home of ServPro who are a water/fire repair service.

Improved Sale No. 4



Property Identification

Property Type:	Church/Flex
Address:	3061 Highway 41-A South Clarksville Tennessee 37043
Tax ID:	082/145.00

Sale Data

Grantor:	Hunt Ministries
Grantee:	Jerles
Sale Date:	August 7 th 2012
Deed Book/Page:	1460/723
Property Rights:	Fee Simple
Conditions of Sale:	Arms Length
Financing:	Cash to seller
Verification:	Public Records/Owner/Personal Files
Sale Price:	\$296,000

Land Data

Land Size:	2.27+/- Acres or 98,881+/- SF
------------	-------------------------------

General Physical Data

Building Type:	Single Tenant
Gross Leasable SF:	10,000
Construction Type:	Brick over wood frame
Sprinklers:	None
Stories:	1
Year Built:	1975
Condition:	Fair

Income Analysis

Net Operating Income:	N/A
-----------------------	-----

Indicators

Sale Price/Gross Leasable SF:	\$29.60
Occupancy at Sale:	Hunt Ministries

Comments: This building is located outside of the downtown central business district along Highway 41-A South. The building is an older industrial building that was partially remodeled and converted into a church. It was once the home of Corley's Dance Studio. Highway 41-A is not as heavily traveled as Madison Street but growth continues which is seen in the upcoming widening by the State of Tennessee to 4 lanes sometimes in the near future. The right of way has been purchased and the easements are being purchased or negotiated at this time. This site has some low lying land to the rear which remains wet a large portion of the time due to poor drainage.

Improved Sales Adjustment Chart

Commercial Sales - 808 S Riverside Drive, Clarksville Tennessee					
Sale No.	Subject	Sale #1	Sale #2	Sale #3	Sale #4
Date of Sale		Jul-13	May-13	Oct-11	Aug-12
Sale Price	N/A	400,000	325,000	232,000	296,000
Size (SF)	12,160	7,776	7,617	6,718	10,000
Sale Price/SF/GBA		\$51.44	\$42.67	\$34.53	\$29.60
Adjustment Categories					
Property Rights Conveyed	Fee Simple	0%	0%	0%	0%
Adjusted Price/SF	N/A	0%	0%	0%	0%
Financing Terms	N/A	0%	0%	0%	0%
Condition of Sale	0%	0%	0%	20%	0%
Adjusted Price/SF	N/A	0%	0%	0%	0%
NOI/SF	N/A	0%	0%	0%	0%
Market Conditions/DOS	N/A	0%	0%	0%	0%
Adjusted Price/SF	N/A	\$51.44	\$42.67	\$41.44	\$29.60
Other Adjustments					
Location	Good	0%	0%	0%	10%
Condition	Average	-35%	-25%	-25%	0%
Quality of Construction	Average	0%	0%	0%	0%
L:B Ratio	3.58	0%	0%	0%	0%
Functional Utility	Average	0%	0%	0%	0%
Building Size/SF	12,160	0%	0%	0%	0%
Economic Characteristics	Typical	0%	0%	0%	0%
Non-Realty Items	0%	0%	0%	0%	0%
Net Percentage Adjustment		-35%	-25%	-25%	10%
Net Adjustment \$/SF		(\$18.00)	(\$10.67)	(\$8.63)	\$2.96
Indicated Value\$/SF		\$33.44	\$32.00	\$32.31	\$32.76
Mean	\$32.63				
Minimum	\$32.00				
Maximum	\$33.44				
Median	\$32.53				

The Adjustment Process

The information verified in the sales data was identified and compared in an effort to discern the different characteristics, which affect value between the comparable properties and the subject. Adjustments for these differences are then applied to the sale price of the individual properties as of the date of the appraisal to make the comparable equal to the subject.

The nine common elements of comparison that should typically be considered in the Sales Comparison Approach for an improved property are outlined as follows:

1. Real Property Rights Conveyed
2. Financing Terms
3. Conditions of Sale
4. Market Conditions/Date of Sale
5. Location
6. Physical Characteristics
7. Economic Characteristics
8. Non-Realty Components of Value

1. **Real Property Rights Conveyed:** All sales were sold with Fee Simple Estate conveyances. All sales were of the same, no adjustment warranted.
2. **Financing Terms:** The consideration of one property may differ significantly from that of an identical property due to financing conditions. Below-market financing must be identified and adjusted for in the sales data. Cash equivalency analysis is a procedure whereby comparable sales are adjusted for atypical financing based on market rates available for comparable properties at the time of sale. Sale #3 was purchased out of foreclosure and an upward adjustment for this sale at 20% was deemed reasonable as the subject was a liquidated property sale. This is concluded to be market as shown later within this report. Sale #4 was owner financed with no lender involved. Typically owner financed sales are the reciprocal of liquidated sales and range from 10% to 30% above what is considered market.
3. **Conditions of Sale:** Adjustments for conditions of sale typically reflect the motivation of buyers/sellers. To the best of my knowledge, all of the comparable sales included herein involved arm's length transactions that sold without atypical motivations or sale conditions. Therefore, no adjustment was necessary for this factor.
4. **Market Conditions/Date of Sale:** As market conditions change over time, an adjustment must be made for any fluctuations that have occurred. The best indications of changes in the market condition are reflected in sales and resales of the same property. In this analysis, no sales and resales of the same property were identified within this market area. There was no quantifiable data suggesting adjustments to be made based on market conditions. Therefore, none were made.

5. **Location:** Location adjustments reflect the increase or decrease in value attributable to a property's location. Factors, which impact the value of a subject, include traffic counts, proximity to employment centers, overall reputation, accessibility, land uses, etc. All sales are located just off or along main traffic corridors in similar sub-markets and no adjustment for location warranted. The subject is partially located in a 100 year flood area. Sale #2 is as well and there appears to be no quantifiable adjustment for this detriment for these older structures.
6. **Physical Characteristics:** This adjustment category includes physical area comparison such as building size, quality of construction, age, condition, utility, land-to-building ratios, etc. All comparable properties were similar in quality of construction as compared to the subject. Sales #1, #2 and #3 were in much better condition than the subject and a downward adjustment for condition were reasonable. Sale #4 was in similar condition and no adjustment was deemed warranted. These conclusions are based on personal inspection of the sales and/or photos from MLS and conversations with the sellers.
7. **Economic Characteristics:** This adjustment refers to all attributes of a property that effect its net operating income. This generally includes operating expenses, quality of management, tenant mix, rent concessions, lease terms, lease expiration dates, renewal options, and expense recovery clauses. The subject property, as well as the comparable sales, is considered to be representative of typical mixed use type facilities. There were no unusual characteristics noted with regard to economic conditions that would have an impact, either positive or negative, on the comparable sales included herein. Therefore, no adjustment was required for this factor.
8. **Non-Realty Components of Value:** This category includes the value attributable to personality, business concerns, or other items that do not constitute real property rights, but are included in the sale price of either the comparable or the subject property. An example of this would be furniture, fixtures, and equipment in a hotel or restaurant. No adjustment is considered necessary for this factor.

Conclusion: I have found four sales which I feel give a good representation of the subject. Data for properties similar to the subject are few and these would be the most reasonable based on size, age condition and location. All comparable were given in making a final conclusion of value. The sales have an adjusted range of values per square foot from \$32.00 per square foot to \$33.44 per square foot with an adjusted mean of \$32.63. The median price per square foot was \$32.53 per square foot. Based on the above findings the appraiser feels the estimated market value of the subject is concluded to be \$32.00 per square foot based on the sales' adjusted prices per square foot. This is near the mean of the value range but lower end of range, which the appraiser feels is reasonable for the subject property based on size, age and location in 100 year flood area. The market value can be calculated as follows:

12,160 sf @ \$32/SF = \$389,120
Rounded: \$389,000

Income Capitalization Approach

The Income Capitalization Approach¹⁰ is a procedure in appraisal analysis whereby anticipated future economic benefits to be derived from a property are converted into a present value estimate through a capitalization process. This approach is based on the principle of anticipation, and value is created by investors' expectations of benefits to be derived in the future. The process of estimating anticipated economic benefits from a particular property, therefore, requires estimates of potential income and expenses as well as debt costs (if applicable), and the selection of the most appropriate capitalization method.

10 The Dictionary of Real Estate Appraisal, Fifth Edition, page 99, Appraisal Institute, Chicago, IL

Comparable Rentals

Rental No.: 1

City/County/State: Clarksville Montgomery Tennessee



Property Data

Name:	Werner Building
Location:	2121-A Wilma Rudolph Blvd
Map/Parcel No.:	41-N/A/5.00
Market Type:	Suburban

Physical Data

Gross Building Area:	6,500 SF
Net Rentable Area:	6,500 SF
Net Useable Area:	6,500 SF
Building Class Rating:	Class D Average
Year of Construction:	1972
Type of Construction:	Brick/wood frame
Quality/Condition:	Good
Other Amenities:	None
Parking Spaces:	Adequate

Rental Data

Quoted Rental Rate:	\$8.31/SF
Existing Lease(s):	\$8.31/SF
Lease Type:	Modified gross
Typical Lease Term:	1 year with one year renewal
Verification	Personal Files/Lease/Agent

Comments: Mod Gross Lease with owner paying property taxes, property insurance, and ext maintenance. Tenant pays utilities, interior maintenance and liability insurance. This space is in good condition 100% built out with sanctuary, greeting area, classrooms, stage/alter and 2 restrooms. This building is being used for a church located 5+/- miles north east of the subject with frontage along Wilma Rudolph Blvd.

Rental No.: 2

City/County/State: Clarksville/Montgomery/Tennessee



Property Data

Location: 1068 Riverside Drive
Assessor's Parcel No: 079/018.00
Market Type: Urban

Physical Data

Property Type: Lounge/Bar
Rentable Area: 3,055 SF
Number of Units: 1
Year Built: 1976
No. of Stories: 1
Property Condition: Average

Rental Data

Contract Rate: \$7.86
Confirmed with: Lessor/Management Company
Rate Monthly or Annual: Annual
Term of Lease: 3 years
Expense Type: Modified Gross

Comments: This represents a single tenant building located partially within a 100 year flood plain which is currently a bar/lounge. This building has similar location, condition with superior access. The current tenant did the improvements to the building after the lease was executed.

Rental No.: 3

City/County/State: Clarksville/Montgomery/Tennessee



Property Data

Location: 1058 Riverside Drive
Assessor's Parcel No: 079/015.00
Market Type: Urban

Physical Data

Property Type: Lounge/Bar
Rentable Area: 3,055 SF
Number of Units: 1
Year Built: 1969
No. of Stories: 1
Property Condition: Average

Rental Data

Contract Rate: \$8.00
Confirmed with: Lessor/Management Company
Rate Monthly or Annual: Annual
Term of Lease: 1-3 years
Expense Type: Modified Gross

Comments: This represents a single tenant building located partially within a 100 year flood plain which is currently a bar/lounge. This building has similar location, condition with superior access. This is an offering for a tenant and has been listed since March 16th 2012.

Rental No.: 4

City/County/State: Clarksville/Montgomery/Tennessee



Property Data

Location:	924 Providence Blvd, Clarksville, TN 37042
County:	Montgomery
Assessor's Parcel No:	054E/E/7.00
Market Type:	Suburban

Physical Data

Property Type:	Retail
Rentable Area:	3,600 SF
Number of Units:	1
Year Built:	2011
No. of Stories:	1
Property Condition:	Average

Rental Data

Contract Rate:	\$5.00
Confirmed with:	MLS-Property Manager
Rate Monthly or Annual:	Annual
Term of Lease:	1 year
Expense Type:	Gross

Comments: This represents a single unit in a multi-tenant building known as the Mart. This space is located to the rear of the plaza and would not be considered to have as good visibility as the subject.

Summary of Rental Comparable

Lounge/Bar/Retail Rental Comps					
No.	Address	Size	Rental	Terms	Tenant
1	2121-A Wilma Rudolph	6,500	\$8.31	Gross	Church
2	1068 Riverside Dr	3,055	\$7.86	Gross	Bar
3	1058 Riverside Dr	2,500	\$8.00	Gross	Vacant
4	1348 College Street	6,517	\$7.37	Gross	Night Club

Estimate of Market Rent: The rental rates indicated for older Lounge/Bar/Retail space in the subject's immediate market area, rates range from \$5.00 square foot to \$8.31 per square foot on a modified gross term. The type of lease is typical for these type facilities. Other owners have been verified who would not disclose their rent rates but confer that \$7.50 per square foot on a modified gross rate is reasonable. This is slightly in the lower end of the range but the subject is much larger and located off the main traffic corridor. The subject is currently vacant and past lease data could not be obtained. Based on the above 4 rentals I feel a market rent of \$7.40 per square foot would be reasonable. Most weight and reliance put on rental #4 which is located in flood area in or near downtown Clarksville,

Gross Potential Income: Based upon the above analysis, the gross potential income for the subject property is calculated as follows:

Total Potential Gross Income: 12,160 GLA @ \$7.40/SF = \$ 89,984

Net Operating Income Schedule: The Net Operating Income (NOI) Schedule is estimated for the subject building within this section. The Gross Potential Rental Income was calculated within the Rental Analysis section of this report and will be utilized here, along with the applicable expenses outlined. The resulting NOI for the subject building will be utilized within the Direct Capitalization Technique.

Vacancy and Credit Loss: The subject property is occupied with no foreseeable reason for vacancy to occur in the near future. However, for the purposes of our income analysis, we will use a general vacancy rate of 15% to reflect the risk of vacancy typically associated with this type of property. Typically properties such as the subject tend to experience larger than normal vacancy and credit losses. This was verified with local management companies.

Operating Expenses: Operating expenses are “the periodic expenditures necessary to maintain the real property and continue production of the effective gross income, assuming prudent and competent management” (The Dictionary of Real Estate Appraisal, Fifth Edition). The expenses necessary to maintain and operate the property must be deducted from the effective gross income to derive the net operating income. Based on rental comparables as shown the subject has an estimated market rent at \$7.40 per square foot based on a modified gross term. Our estimated rental rate is based on a gross term as market leases are structured in that manner. Taxes are actual and insurance is estimated in that the annual premium could not be obtained. As shown by the attached photo obtained from satellite imaging the subject building is within a 100 year flood area. Given the age of the subject we believe an appropriate reserve for replacement fund for the subject would require an annual contribution of approximately \$1.00/Gross SF or \$12,160 (rounded). According to our data, management charges for professional office buildings in this market are typically in the range of 3.0-6.0% of the EGI. Because this is a single-tenant building which in all probability would be managed by a local agency, we have selected a management charge of approximately 6.0% of the effective gross income (EGI) for the subject. This is in the upper end of range but due to the age of the improvements a fee in the upper end is reasonable. Garbage and lawn care and other common area maintenance charges should average \$0.35 per square foot or \$4,256 per year. There is limited landscaping and maintenance associated with the subject.

The representative year Operating & Expense Statement is reconstructed as follows:

Potential Gross Income:	\$ 89,894
Vacancy & Collections (15%)	<u>(\$ 13,484)</u>
Effective Gross Income:	\$ 76,410
Operating Expenses:	
Taxes (actual)	(\$ 6,905)
Management @ 6.0%	(\$ 4,585)
Insurance (estimated)	(\$ 5,000)
Reserves for Replacement	(\$12,160)
<u>Garbage/Lawn Care/CAM</u>	<u>(\$ 4,256)</u>
Total Operating Expenses:	(\$32,906)
Net Operating Income:	\$43,504

Band of Investment: The next step in the Income Capitalization Approach is the selection of an overall capitalization rate. As previously discussed, the estimated net operating income is divided by an appropriate overall capitalization rate to produce a value indication. The best method of selecting an overall capitalization rate is from market data. This can be accomplished in a variety of ways. The most common are direct comparison based on indicated OAR's from comparable sales and the mortgage equity technique.

We have built-up a capitalization rate using a mortgage-equity technique under the following assumptions:

Band of Investment Assumptions

Holding Period: 5 Years
Mortgage Terms: 20 years, 6.00 % Interest, Monthly Payment
Loan to Value Ratio: 75%
Equity Dividend: 16%

Our assumptions relative to the current mortgage terms are supported with reference to rates and terms published in the *Korpacz Investor Survey* as well as general knowledge of currently available financing terms. The equity dividend rate is typical of that required by investors. It is in the upper end of the interviewed investors but deemed reasonable due to subjects age and being located in flood area. Based on these assumptions, an overall rate can be developed as follows:

Mortgage-Equity Capitalization Rate

Return on Mortgage:	
75% Loan to Value Ratio x 0.08597 Mortgage Constant	6.45%
Return on Equity:	
25% Equity Ratio x 16% Cash on Cash	4.00%
Capitalization Rate	10.45%

For additional support, the appraiser has consulted an investment survey conducted by RERC Real Estate Report, Second Quarter of 2013, (*Third Tier Retail Centers within the South*) which indicated an overall rate range from 8.00% to 14.00% with an average of 9.50% for retail facilities. Third Tier investment properties are defined as being older properties with functional inadequacies and/or marginal locations. The subject would be considered a Third Tier facility. Considering these factors along with market demand it is the opinion of the appraiser that a Ro range from 10.50% to 11.00% would be applicable for the subject property. This is within the upper end of range but the subject is located in a 100 year flood plain. Based on that thought/conclusion the subject's market value is based on the 10.50% to 11.00% rate can be calculated as follows:

NOI /Ro = VALUE INDICATION				
\$43,504	/	0.105	=	\$414,324
\$43,504	/	0.11	=	\$395,491
ROUNDED: \$400,000				

The above cap rate can be further supported by one of the sales within the Sales Comparison Approach. Market data is limited as the number of sales and we had to rely on national and local knowledge to conclude the above.

Reconciliation

Reconciliation¹¹ is “the last phase of any valuation assignment in which two or more value indications derived from market data are resolved into a final value estimate.” The approaches to value processed in this report developed the following values:

Cost Approach “As Is”	N/A
Sales Comparison Approach “As Is”	\$389,000
Income Capitalization Approach “As Is”	\$400,000

The Cost Approach was not considered an appropriate method of valuation due to the property being improved to the highest and best use combined with the age and quality/design of construction. The improvements do not suffer from any adverse physical depreciation. Adequate land sales were available to justify the estimated land value. We felt this was necessary to support the subjects continued highest and best use.

The Sales Comparison Approach is usually a quite reliable method as it demonstrates actual prices being paid in the market for similar properties. Sales of four similar properties within Clarksville/Montgomery County Tennessee were located by the appraiser. Due to lack of comparable sales within Clarksville, it was necessary for the appraiser to expand the search for comparable properties to other sub-market of the City/County. After making adjustments for physical characteristics, a value per square foot value was estimated by the appraiser for the subject improvements.

The Income Capitalization Approach was completed as well. The subject has been leased in the past and we felt it was necessary to provide this value conclusion to support the Sales Comparison Approach. As shown the two have reconciled values within \$11,000 and each provide a good indicator of value.

After careful consideration most weight and reliance was placed upon the Sales Comparison Approach. It is our opinion that the market value as of September 14th 2013 is:

“as is:”

Three Hundred and Ninety Thousand Dollars (\$390,000)

¹¹ The Dictionary of Real Estate Appraisal, Fifth Edition, page 162, Appraisal Institute, Chicago, IL

***** We note the subject is under contract at this time for \$200,000. The contract has stipulations where the seller will receive a tax benefit by selling the property at below appraised value. The property is currently held in an estate which will benefit greatly on a quick sale with beneficial tax benefits. This may explain the short exposure time and lower sales price as concluded appraised value.**

Estimate of Marketing/Exposure Time

Based on interviews with local real estate brokers, the current level of activity in the Riverside Drive/Clarksville area market, and the amount of available financing, the estimated marketing time and exposure time for the subject property is six to twelve months. This is supported by estimates of marketing times for commercial properties throughout the Middle Tennessee area and the United States, as published by Price Waterhouse Cooper Real Estate Investment Survey, Third Quarter 2013.

Definition of Exposure Time

Exposure Time¹² is defined as:

1. *“The time a property remains on the market.*
2. *The estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at a market value on the effective date of the appraisal; a retrospective estimate based on an analysis of past events assuming a competitive and open market.”*

Definition of Marketing Time

Marketing Time¹³ is defined as: *“An opinion of the amount of time it might take to sell a real or personal property interest at the concluded market value level during the period immediately after the effective date of the appraisal. Marketing time differs from exposure time, which is always presumed to precede the effective date of an appraisal. (Advisory Opinion 7 of the Appraisal Standards Board of The Appraisal Foundation and Statement on Appraisal Standards No. 6, “Reasonable Exposure Time in Real Property and Personal Property Market Value Opinions” address the determination of reasonable exposure and marketing time.)”*

12 **The Dictionary of Real Estate Appraisal**, Fifth Edition, page 73, Appraisal Institute, Chicago, IL

13 **The Dictionary of Real Estate Appraisal**, Fifth Edition, page 121, Appraisal Institute, Chicago, IL

Assumptions and Limiting Conditions

The certification of the Appraiser appearing in the appraisal report is subject to the following conditions and to such other specific and Limiting Conditions as are set forth in the report.

1. The Appraiser assumes no responsibility for matters of a legal nature affecting the property appraised or the title thereto; no does the appraiser render any opinion as to the title, which is assumed to be good and marketable. The property is appraised as though under responsible ownership.
2. Any sketch in the report may show approximate dimensions and is included to assist the reader in visualizing the property. The Appraiser has made no survey of the property.
3. The Appraiser is not required to give testimony or appear in court because of having made the appraisal with reference to the property in question, unless arrangements have been previously made therefore;
4. Any existing liens and encumbrances have been disregarded.
5. The Appraiser assumes that there are no hidden or unapparent conditions of the property, subsoil, or structures, which would render it more or less valuable. The Appraiser assumes no responsibility for such conditions, or for engineering which might be required to discover such factors.
6. Information, estimates, and opinions furnished to the Appraiser, and contained in the report, were obtained from sources considered reliable and believed to be true and correct. However, the Appraiser for accuracy of such items furnished the Appraiser can assume no responsibility.
7. Disclosure of the contents of the appraisal report is governed by the By-Laws and Regulations of the professional appraisal organizations with which Joseph Mark Young is affiliated; specifically, the Tennessee Real Estate Appraiser's Board.
8. Possession of this report, or copies hereof, does not carry the right of publication nor may it be used for any purposes by any but the owner without the previous written consent of the Appraiser and, in any event, only with proper qualifications.

9. In this appraisal assignment, the existence of potentially hazardous material used in the construction or maintenance of the building, such as the presence of asbestos, urea-formaldehyde foam insulation, and/or the existence of toxic waste, which may or may not be present on the property, was not observed by the Appraiser; nor do I have any knowledge of the existence of such materials on or in the property. To the best of our knowledge, the presence of Radon or other gases has not been detected on this property or, if Radon or other gases have been detected, it has been determined that the level of Radon or other gases is considered safe according to the standards established by the Environmental Protection Agency. The Appraiser, however, is not qualified to detect such substances and does not make any guarantees or warranties that the property has been tested for the presence of asbestos, urea-formaldehyde foam insulation, Radon or any potentially hazardous waste or building material or gases or, if tested, that the tests were conducted pursuant to EPA approved procedures. The existence of any potentially hazardous waste or building material or gases may have an effect on the value of the property. The client is urged to retain an expert in this field if desired.
10. Competent ownership and management are assumed.

RESOLUTION 17-2013-14

A RESOLUTION AUTHORIZING THE CITY OF CLARKSVILLE TO TRANSITION FROM
A FULLY-INSURED HEALTH AND VISION BENEFITS PLAN TO A SELF-INSURED
HEALTH AND VISION BENEFITS PLAN

- WHEREAS*, the City of Clarksville is fully-insured, maintaining its employee health and vision benefits plan through an independent insurance carrier;
- WHEREAS*, the City has, through a request for proposals and through insurance data analysis, evaluated the possibility and effects of transitioning from a fully-insured health and vision benefits plan to a self-insured health and vision benefits plan; and
- WHEREAS*, the City has determined that, due to the advantages arising from such a plan, it is in the City's best interests to transition to a self-insured health and vision benefits plan.

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

That the Clarksville City Council hereby authorizes the City of Clarksville to transition from a fully-insured health and vision benefits plan to a self-insured health and vision benefits plan.

ADOPTED:

**2013-2014
City of Clarksville
Summary**

Third Party Administrator		Meritain Health
\$75,000 Specific Stop Loss		YES
TOTAL ANNUAL TPA COST:		\$250,262
Specific Stop Loss Annual Premium:Medical/Rx		\$1,047,883
Aggregate Annual Premium:Medical		\$16,852
Three Year Rate Guarantee:		TPA-Yes for 2 years; 7% Cap in 3rd year; Others- No
Rates Firm/ No Lasers		Yes/No Lasers
TOTAL ANNUAL FIXED COST:		\$1,314,997
Maximum Annual Aggregate Cap:		\$6,963,457
TOTAL ANNUAL FULLY-FUNDED COST:		\$8,278,454
TOTAL ANNUAL FIXED COST:		\$1,314,997
Expected Claims with a 7% Trend:		\$6,284,856
TOTAL ANNUAL COST With Expected Claims plus 7%:		\$7,599,853
Estimated Current Premium Cost for 2013:		\$8,335,241
2014 Renewal IF an 8% increase:		\$9,002,060
Estimate to be Retained by Aetna 2014:		\$2,717,205
Re-Insurance Company:		Aetna
A.M. Best Rating:		A+
Utilization Review Company:		AHH
Preferred Provider Network for TN:		Aetna Choice POS II
Disruption:		None

Medical Plan Claims Re-Pricing Summary from Third Party Actuary

	Total Claims:	Net Re-Price Claims:
Baseline Claims Data - Current Plan	\$15,424,648	\$5,873,697
Meritain/ Aetna	\$15,424,648	\$5,782,293
North American Administrators - CIGNA	\$15,424,648	\$6,197,488
North American Administrators - PHCS	\$17,536,072	\$11,306,563
Health Care Solutions - CIGNA	\$15,424,648	\$6,197,488
MSC Insurance Agency/CoreSource/CIGNA	\$15,424,648	\$6,197,488

Aetna Statistics 2011-2012		
Premium paid by City 2011:	\$7,879,048.49	
Claims processed by Aetna 2011:	\$6,110,144.00	
Surplus retained by Aetna	\$1,768,904.49	
Premium paid by City 2012:	\$8,014,654.93	
Claims processed by Aetna 2012:	\$5,508,322.00	
Surplus retained by Aetna	\$2,506,332.93	

ORDINANCE 24-2013-14

AN ORDINANCE AMENDING THE OFFICIAL CODE PERTAINING TO THE FILLING OF VACANCIES ON THE CITY COUNCIL OTHER THAN THE MAYOR

WHEREAS, the City Council finds it to be in the best interest of the City of Clarksville to establish and codify a process for the filling of a vacancy occurring on the City Council, other than for the office of Mayor as addressed elsewhere.

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

1. That the Official Code of the City of Clarksville, Tennessee, Title 1 (Administration, Officers, and Personnel), Chapter 2 (City Council), Section 1-210 (Procedure to fill vacancy in office of city council), is hereby amended by deleting the current language of said section entirely and substituting therefore the following:

Section 1-210. Procedure to fill vacancy in office of City Council other than Mayor.

a. Candidates applying to fill a vacancy on the City Council, other than Mayor, shall be qualified in accordance with the Official Charter of the City of Clarksville and general state law.

b. The City Clerk shall publish notice of the vacancy, and within sixty (60) days of a vacancy occurring, all qualified applicants shall appear before the City Council at a regularly scheduled meeting to make known their intention to apply to fill the vacancy, and may make a brief statement to the City Council at such meeting concerning: the reasons for their desire to serve on the City Council, their background, education, training, employment, military service, volunteer work, and such other matters as may be appropriate to an evaluation of their application, and may answer questions from City Council members.

c. Within fourteen (14) days of the regularly scheduled meeting of the City Council at which applicants appear to make known their intention to apply for the vacancy, the Mayor, or Mayor Pro Tem in the absence of the Mayor, shall hold a special called meeting of the City Council for the purpose of appointing an applicant to fill the unexpired term of the City Council member whose office is vacant. Only those applicants who appeared at the previous regularly scheduled meeting and made known their intention to apply to fill the vacancy may be considered at the special called meeting for voting on the appointment.

d. During the special called meeting of the City Council, the following voting procedure shall be used to appoint an applicant to fill the unexpired term of the City Council member whose office is vacant:

(1) The appointed applicant shall be appointed only upon receiving a majority vote of the entire membership of the City Council.

(2) Each applicant's name shall be announced by the City Clerk, and thereafter each City Council member may vote for only one applicant by roll call voice vote by stating the name of the applicant they vote for. If any applicant receives a majority vote or more of the entire membership of the City Council, that applicant shall be approved and appointed to fill the vacancy for the unexpired term of the vacant member.

(3) If no applicant receives a majority vote or more of the entire membership of the City Council during the first vote, then a second round of voting shall commence following the same procedure set forth above. At the conclusion of the second round of voting, any applicant who receives a majority vote or more of the entire membership of the City Council shall be approved and appointed to fill the vacancy for the unexpired term of the vacant member.

(4) If no applicant receives a majority vote or more of the entire membership of the City Council during the second vote, then a third round of voting shall commence. During the third round of voting, the City Council shall not consider and no member of the City Council may vote for the applicant having the lowest vote total during the preceding vote.

(a) If after the second round of voting, two or more applicants are tied with the lowest vote totals from the preceding vote, then a separate run-off vote shall first be conducted, prior to the third round vote, between only the tied applicants with the lowest vote totals from the preceding second round vote, or between all applicants if all applicants received an equal number of votes. During this separate run-off vote, all City Council members may vote, but only for one of the tied applicants, except for the Mayor, or the Mayor Pro Tem in the absence of the Mayor, who shall not have a vote in the run-off vote. The applicant with the highest total number of votes in the run-off vote shall continue to the third round of voting for consideration by the City Council. In case of a tie vote during the run-off vote, the Mayor, or the Mayor Pro Tem in the absence of the Mayor, shall break the tie by selecting from among those tied which applicant shall continue to the third round of voting by the City Council.

(b) At the conclusion of the third round of voting, any applicant who receives a majority vote or more of the entire membership of the City Council shall be approved and appointed to fill the vacancy for the unexpired term of the vacant member.

(5) Subsequent voting rounds, to include run-off votes, if necessary, shall be conducted in accordance with the provisions above until such time as an applicant shall have received a majority vote of the entire membership of the City Council.

e. Upon approval and appointment by the City Council, the applicant shall immediately thereafter be sworn by the Mayor, or Mayor Pro Tem in the absence of the Mayor, and shall take their seat and hold office thereafter filling the unexpired term of the vacant member.

2. This ordinance shall be effective immediately upon passage by the City Council.

FIRST READING:

SECOND READING:

EFFECTIVE DATE: