



**CLARKSVILLE CITY COUNCIL
EXECUTIVE SESSION
AUGUST 28, 2014, 4:30 P.M.**

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

AGENDA

1) PRESENTATION OF PROCLAMATION

2) PLANNING COMMISSION

PUBLIC HEARING

1. **ORDINANCE 16-2014-15** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Safeplace Storage c/o Powers & Means for zone change on property at Peachers Mill Road and Allen Griffey Road from C-2 General Commercial District to C-5 Highway & Arterial Commercial District (*RPC: Approval/Approval*)
2. **ORDINANCE 17-2014-15** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Three B Sac Self Storage, LP, John H. Comperry-Agent, for zone change on property at Wilma Rudolph Boulevard and South Hampton Place from M-2 General Industrial District to C-5 Highway & Arterial Commercial District (*RPC: Approval/Approval*)
3. **ORDINANCE 18-2014-15** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Wilson and Norma Kirby, Carlson Consulting Engineers, Inc.- Agent , for zone change on property at 101st Parkway & Whitfield Road from R-1 Single Family Residential District to C-5 Highway & Arterial Commercial District (*RPC: Approval/Approval*)
4. **ORDINANCE 19-2014-15** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Caudill, Maynard, and Robert E. Durrett, III, Robert E. Durrett, III-Agent, for zone change on property at the terminus of West Allen Griffey Road and south of the terminus of Bandera Drive from R-4 Multiple Family Residential District to R-2 Single-Family Residential District (*RPC: Approval/Approval*)

5. **ORDINANCE 20-2014-15** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of the Regional Planning Commission for zone change on portions of Belle Forest Subdivision from R-3 Three Family Residential District to R-2 Single Family Residential District and R-2D Two Family Residential District (*RPC: Approval/Approval*)

3) 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 2-2014-15** (Second Reading) Authorizing purchase of property on Edmondson Ferry Road for Community Development
2. **ORDINANCE 3-2014-15** (Second Reading) Authorizing purchase of property at 912 Richardson Street for Community Development
3. **ORDINANCE 7-2014-15** (Second Reading) Amending the Zoning Ordinance and the Official Code relative to homeless shelter residential separation distance
4. **ORDINANCE 9-2014-15** (Second Reading) Amending the 2014-15 Special Revenue Budget for Roadscape Project Phase I and Phase II
5. **ORDINANCE 11-2014-15** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of the Regional Planning Commission for zone change on portions of Lafayette Point Subdivision from R-3 Three Family Residential District and R-4 Multiple Family Residential District to R-2A Single Family Residential District
6. **ORDINANCE 12-2014-15** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Eddie Burchett for zone change on property at Woodhaven Drive and Terrier Way from R-1 Single Family Residential District to R-2 Single Family Residential District
7. **ORDINANCE 13-2014-15** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Highpoint Row/Jeff Robinson for zone change on property at Marion Street and North First Street from R-4 Multiple Family Residential District and H-1 Historical District to R-4 Multiple Family Residential District
8. **RESOLUTION 5-2014-15** Repealing the Certificate of Compliance for CRM Liquors, LLC (Calvin R. McKay) for operation of Elite Wine & Spirits and approving a Certificate of Compliance for Todd Morris for operation of Elite Wine & Spirits (1820 Madison Street) (*CPD: No Criminal History*)
9. **RESOLUTION 6-2014-15** Approving a Certificate of Compliance for Peter Martin for operation of Ebenezer's (2896 Wilma Rudolph Boulevard) (*CPD: No Criminal History*)

10. Approval of Minutes: July 31, August 7

11. Approval of Board Appointments:

Beer Board: Mary Rives (replace Monte Mitchell-resigned) – September 2014 through March 2016

4) COMMUNITY DEVELOPMENT COMMITTEE

David Allen, Chair

5) FINANCE COMMITTEE

Joel Wallace, Chair

1. **ORDINANCE 14-2014-15** (First Reading) Amending the FY15 Operating Budget for Burchwood Park redevelopment (*Parks & Recreation Committee and Finance Committee: Approval*)
2. **ORDINANCE 15-2014-15** (First Reading) Amending the FY15 Parking Authority budget for parking meter sleeves and cleaning the Cumberland Garage (*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

1. **RESOLUTION 7-2014-15** Authorizing a Memorandum of Understanding between the Clarksville Police Department and the Bureau of Alcohol, Tobacco, Firearms, and Explosives (*Public Safety Committee: Approval*)

9) STREET COMMITTEE

James Lewis, Chair

10) TRANSPORTATION COMMITTEE

Marc Harris, Chair

11) MAYOR AND STAFF REPORTS

12) ADJOURNMENT

13) PUBLIC COMMENTS

ORDINANCE 16-2014-15

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF SAFEPLACE STORAGE, C/O POWERS AND MEANS, 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 C-2 General Commercial District, as C-5 Highway & Arterial Commercial District.

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point in the western right of way of Peachers Mill Road, said iron pin also being north 02 degrees 23 minutes 37 seconds east 453.47 feet from the intersection of Peachers Mill Road and Allen-Griffey Road, thence leaving the right of way of Peachers Mill Road, north 80 degrees 39 minutes, 16 seconds west 236.02 feet to an iron pin; thence north 88 degrees 59 minutes 52 seconds west 91.10 feet to an iron pin located in the eastern boundary line of the Durrett Investment Company, L.P.; thence along said boundary line of the Durrett Investment Company, L.P on the following 2 calls: north 00 degrees 44 minutes 20 seconds west 14.94 feet to an iron pin; thence north 00 degrees 44 minutes 20 seconds west 332.71 feet to a point; thence along southern boundary line of the Durrett Investment Company, L.P. north 89 degrees 16 minutes 24 seconds east 377.45 feet to a point in the western right of way of Peachers Mill Road; thence along the right of way of Peachers Mill Road south 07 degrees 25 minutes 16 seconds west 380.58 feet to an iron pin; thence 07 degrees 25 minutes 16 seconds west 15.01 feet to the point of beginning. Containing 3.0 +/- acres. Further identified as (Tax Map 18, Parcel 35.01)

ORDINANCE 17-2014-15

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF THREE B SAC SELF STORAGE, LP, JOHN H. COMPERRY-AGENT, FOR ZONE CHANGE ON PROPERTY AT WILMA RUDOLPH BOULEVARD AND SOUTH HAMPTON PLACE

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

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

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a concrete monument in the south property line of Page, which is situated 681.50 feet from an iron pin in the west right of way line of U.S. Highway 79; thence with Page's property line, south 86 degrees 52 minutes east, 681.50 which is situated 681.50 feet in the west right of way line of U.S. Highway 79; Thence with the west right of way line of U.S. Highway 79, south 24 degrees 36 minutes 56 seconds west, 198.91 feet to an iron pin in said right of way; Thence north 86 degrees 52 minutes west, 608.69 feet to an iron pin; Thence north 3 degrees 8 minutes east, 185 feet to the concrete monument at the point of beginning containing 2,737 +/- acres. further identified as (Tax Map 32-L-C, Parcel 17.00)

ORDINANCE 18-2014-15

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF WILSON AND NORMA KIRBY FOR ZONE CHANGE ON PROPERTY AT 101ST PARKWAY AND WHITFIELD 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:
FIRST READING:
SECOND READING:
EFFECTIVE DATE:

EXHIBIT A

Beginning at a concrete right-of-way line north 01 55' 28" East a distance of 245.72 feet to a capped 5/8" iron rebar set at an angle point therein; thence continuing along said easterly right-of-way line north 08 47' 48" east a distance of 115.00 feet to a capped 5/8" iron rebar set at an angle point therein; thence continuing along said easterly right-of-way line north 08 06' 35" east a distance of 292.43 feet to an iron rebar found in the southerly line of a gravel road (30 feet wide); thence along said southerly right-of-way line south 81 18' 31" east a distance of 421.37 feet to a capped 5/8" iron rebar set at the northwesterly corner of land conveyed to William M. and Mary W. Devers by deed recorded in deed book 355, page 2466 in the Montgomery County Register of Deeds Office; thence along the westerly line of land so conveyed to Devers south 07 27' 42" west a distance of 392.92 feet to an iron rebar found at the southwesterly corner thereof; thence along the southerly line of land so conveyed to Devers, and the southerly line of land conveyed to emery J. and Caroline J. Hendrickson, trustees by deed recorded in deed book 1459, Page 1443 in the Montgomery County Register of Deeds Office; south 80 23' 17" east a distance of 267.12 feet to an iron rebar found at a southeasterly corner thereof lying in a westerly line of land conveyed to Sherman, Jr. and Annie Mae Martin by deed recorded in deed book 128, Page 215 in the Montgomery County Register of Deeds Office; thence along said westerly line south 08 34' 57" west a distance of 212.60 feet to a concrete monument found at the southwesterly corner thereof lying in said northerly right-of-way of 101st Airborne Division Parkway; thence along said northerly right-of-way of 101st Airborne Division Parkway; thence along said northerly right-of-way line north 83 53' 40" west a distance of 666.88 feet to the place of beginning containing 328,032 square feet or 7.53 acres of land, more or less.

ORDINANCE 19-2014-15

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF CAUDILL, MAYNARD AND ROBERT E. DURRETT, III, ROBERT E. DURRETT, III-AGENT, FOR ZONE CHANGE ON PROPERTY AT THE TERMIUS OF WEST ALLEN GRIFFEY ROAD AND SOUTH OF THE TERMINUS OF BANDERA 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 R-2 Single Family Residential District.

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Being a parcel of land located in the 3rd Civil District in the City of Clarksville, in the County of Montgomery, TN, being a portion of the Robert E. Durrett, III property as recorded in ORV 1556, Page 2220 ROMCT, portion of tax map 31, parcel 1.00 and a portion of Courtney Maynard Caudill property as recorded in ORV 1473, Page 1642 ROMCT, portion of map 31, parcel 1.00, said parcel being more fully described as being located south of Tiny Town Road, south of Allen Griffey Road, west of and adjacent to Peachers Mill Road, said tract being more particularly described as follows;

Beginning at an iron pin in the south right of way of Bandera Drive, lying South 48 degrees 55 minutes 07 seconds East for 36.73 feet from the centerline intersection of Bandera Drive and Silo Drive, also being the northwest corner of lot 130 of West Creek Farms 2B not yet recorded;

Thence along the west property line of lot 130, South 04 degrees 55 minutes 10 seconds West for 174.48 feet to the north boundary line of the Renaissance at Peacher's Mill complex as recorded in ORV 1347, Page 1624 ROMCT;

Thence continuing along Renaissance property line, South 83 degrees 11 minutes 52 seconds West for 54.79 feet;

Thence along Renaissance west property line, South 00 degrees 01 minutes 39 seconds East for 507.79 feet to the north property line of the Robert Durrett III property, also being the southwest corner of Renaissance property;

Thence leaving Renaissance property on a new severance line, South 37 degrees 24 minutes 58 seconds East for 53.41 feet;

Thence South 14 degrees 58 minutes 01 seconds East for 279.64 feet to a point in the north property line of the Courtney Maynard Caudill property as recorded in ORV 1473, Page 1642 ROMCT;

Thence along the Caudill north property line, South 77 degrees 18 minutes 43 seconds East for 158.15 feet;

Thence continuing along the Caudill north property line, South 40 degrees 50 minutes 50 seconds East for 124.97 feet to a point in the gully;

Thence continuing along Caudill property and with the centerline of a gulley for the next 27 calls:

South 71 degrees 31 minutes 37 seconds West for 35.51 feet;
South 57 degrees 17 minutes 00 seconds West for 44.35 feet;
South 64 degrees 25 minutes 21 seconds West for 96.77 feet;
South 34 degrees 29 minutes 25 seconds West for 43.69 feet;
South 30 degrees 39 minutes 55 seconds West for 38.33 feet;
South 52 degrees 05 minutes 07 seconds West for 95.85 feet;
South 53 degrees 58 minutes 55 seconds West for 142.00 feet;
South 67 degrees 15 minutes 41 seconds West for 71.63 feet;
South 26 degrees 33 minutes 54 seconds West for 13.69 feet;
South 28 degrees 37 minutes 49 seconds West for 29.23 feet;
South 01 degrees 02 minutes 34 seconds West for 50.92 feet;
South 32 degrees 26 minutes 08 seconds West for 30.30 feet;
South 08 degrees 58 minutes 21 seconds West for 36.82 feet;
South 09 degrees 03 minutes 10 seconds West for 49.94 feet;
South 07 degrees 18 minutes 55 seconds West for 14.34 feet;
South 26 degrees 43 minutes 01 seconds West for 21.11 feet;
South 59 degrees 34 minutes 27 seconds West for 68.84 feet;
South 48 degrees 56 minutes 43 seconds West for 19.37 feet;
South 17 degrees 09 minutes 43 seconds East for 33.53 feet;
South 19 degrees 39 minutes 14 seconds West for 21.01 feet;
South 16 degrees 20 minutes 10 seconds West for 28.47 feet;
South 03 degrees 56 minutes 35 seconds West for 25.58 feet;
South 29 degrees 29 minutes 11 seconds West for 19.40 feet;
South 55 degrees 58 minutes 04 seconds West for 43.77 feet;
South 15 degrees 36 minutes 40 seconds West for 33.26 feet;
South 45 degrees 27 minutes 30 seconds West for 41.64 feet;
South 40 degrees 06 minutes 25 seconds West for 40.58 feet, being the southwest corner of herein described parcel, lying in the west property line of herein described parcel, also lying in the Little West Fork Creek;

Leaving a gulley, along Little West Fork Creek centerline, North 54 degrees 31 minutes 42 seconds West for 417.54 feet to an iron pin;

Thence continuing along centerline, North 43 degrees 16 minutes 41 seconds West for 267.56 feet;

Thence continuing along centerline, North 16 degrees 16 minutes 44 seconds West for 184.22 feet to a point;

Thence North 77 degrees 19 minutes 00 seconds West for 70.55 feet to the center of Little West Fork Creek;

Thence along the approximate centerline of Little West Fork Creek for the next 6 calls:

On a curve to the right having a radius of 100.00 feet, an arc length of 127.61 feet, a delta of 73 degrees 06 minutes 46 seconds, chord bearing of North 09 degrees 07 minutes 58 seconds East for 119.12 feet, being the southeast corner of herein described parcel; North 45 degrees 41 minutes 22 seconds East for 293.21 feet;

On a curve to the left having a radius of 100.00 feet, an arc length of 124.76 feet, a delta of 71 degrees 29 minutes 04 seconds, chord bearing of North 09 degrees 56 minutes 50 seconds East for 116.83 feet; North 25 degrees 47 minutes 42 seconds West for 337.36 feet;

On a curve to the right having a radius of 150.00 feet, an arc length of 151.94 feet, a delta of 58 degrees 02 minutes 11 seconds, chord bearing of North 03 degrees 13 minutes 23 seconds East for 145.53 feet;

On a curve to the right having a radius of 100.00 feet, an arc length of 99.14 feet, a delta of 56 degrees 48 minutes 19 seconds, chord bearing of North 03 degrees 50 minutes 19 seconds East for 95.13 feet;

Thence leaving centerline, along the south property line of the Durrett Investment property as recorded in ORV 1046, Page 663 ROMCT, North 73 degrees 54 minutes 18 seconds East for 380.25 feet;

Thence North 74 degrees 43 minutes 32 seconds East for 14.92 feet to the south corner of lot 71 of West Creek Farms Section 1C as recorded in PB G, Page 127-128 ROMCT;

Thence along the south and ease boundary of Section 1C for the next eight calls;

North 73 degrees 50 minutes 17 seconds East for 182.88 feet;

South 73 degrees 39 minutes 43 seconds East for 78.00 feet;

North 82 degrees 34 minutes 50 seconds East for 99.22 feet;

North 06 degrees 02 minutes 59 seconds East for 6.98 feet;

On a curve to the right having a radius of 175.00 feet, an arc length of 76.26 feet, a delta of 24 degrees 58 minutes 05 seconds, chord bearing of North 18 degrees 32 minutes 01 seconds East for 75.66 feet; North 31 degrees 01 minutes 04 seconds East for 5.04 feet;

On a curve to the left having a radius of 100.00 feet, an arc length of 32.12 feet, a delta of 18 degrees 24 minutes 17 seconds, chord bearing of North 21 degrees 48 minutes 55 seconds East for 31.98 feet;

On a curve to the left having a radius of 25.00 feet, an arc length of 43.82 feet, a delta of 100 degrees 25 minutes 48 seconds, chord bearing of North 37 degrees 36 minutes 07 seconds West for 38.42 feet to a point in the south right of way of Bandera Drive;

Thence along Bandera Drive for the next 5 calls;

South 87 degrees 49 minutes 01 seconds East for 20.71 feet;

On a curve to the left having a radius of 145.00 feet, an arc length of 80.70 feet, a delta of 31 degrees 53 minutes 15 seconds, chord bearing of North 76 degrees 14 minutes 21 seconds East for 79.66 feet; North 60 degrees 17 minutes 44 seconds East for 51.80 feet;

On a curve to the right having a radius of 130.00 feet, an arc length of 78.56 feet, a delta of 34 degrees 37 minutes 25 seconds, chord bearing of North 77 degrees 36 minutes 27 seconds East for 77.37 feet; South 85 degrees 04 minutes 50 seconds East for 5.48 feet to the point of beginning.

Said parcel containing 32.95+/- acres further identified as (Tax Map 31, Parcel(s) portions of 1.00 & 2.00)

ORDINANCE 20-2014-15

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF THE REGIONAL PLANNING COMMISSION FOR ZONE CHANGE ON PORTIONS OF BELLE FOREST SUBDIVISION

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

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

*PUBLIC HEARING:
FIRST READING:
SECOND READING:
EFFECTIVE DATE:*

EXHIBIT A

Properties located South of Lafayette Road and Ryder Avenue, north of Donna Drive, and east and west of Cunningham Lane (properties located in Belle Forest Subdivision), 38.72 +/- acres, properties further identified as Montgomery County Tax Map and Parcel(s):

Tax Map 043H – G parcels, 001.00 – 004.00,
Tax Map 043H – H parcels, 004.00 – 040.00
Tax Map 043I – E parcels, 001.00 – 004.00, 006.00 – 024.00, 028.00 – 036.00, 038.00 – 042.00
Tax Map 043I – F parcels, 001.00 – 017.00, 026.00 – 038.00
Tax Map 044E – D parcels, 034.00 - 041.00
Tax Map 044E – E parcels, 001.00 – 012.00, 012.01, 013.00, 013.01, 014.00 – 026.00

Properties located South of Lafayette Road and Ryder Avenue, north of Donna Drive, and east and west of Cunningham Lane (properties located in Belle Forest Subdivision), 6.80 +/- acres, properties further identified as Montgomery County Tax Map and Parcel(s):

Tax Map 043 H – G parcels, 007.00 – 016.00
Tax Map 043H – H parcel 001.00
Tax Map 043I – E parcels, 005.00, 025.00 – 027.00, 037.00
Tax Map 043I – F parcels, 018.00 – 024.00

CITY ZONING ACTIONS

The following case(s) will be considered for action at the formal session of the Clarksville City Council on: September 4, 2014. The public hearing will be held on: September 4, 2014.

CITY ORD. #: 16-2014-15 RPC CASE NUMBER: Z-27-2014

Applicant: SAFEPLACE STORAGE - POWERS / MEANS

Location: fronting on the west side of Peachers Mill Rd. 600 +/- feet north of the Allen Griffey Rd. & Peachers Mill Rd. intersection.

Ward #: 5

Request: C-2 General Commercial District
to
C-5 Highway & Arterial Commercial District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ORD. #: 17-2014-15 RPC CASE NUMBER: Z-28-2014

Applicant: THREE B SAC SELF STORAGE L P

Agent: John H Comperry

Location: fronting on the west side of Wilma Rudolph Blvd. 165 +/- feet south of the Wilma Rudolph Blvd. & South Hampton Place intersection.

Ward #: 12/11

Request: M-2 General Industrial District
to
C-5 Highway & Arterial Commercial District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ORD. #: 18-2014-15 RPC CASE NUMBER: Z-29-2014

Applicant: WILSON & NORMA KIRBY

Agent: Carlson Consulting Engineers Inc

Location: in the northeast quadrant of the 101st Parkway (SR374) & Whitfield Rd. intersection.

Ward #: 8/11

Request: R-1 Single Family Residential District
to
C-5 Highway & Arterial Commercial District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ORD. #: 19-2014-15 RPC CASE NUMBER: Z-30-2014
Applicant: CAUDILL, MAYNARD & ROBERT E. DURRETT I I I
Agent: Robert E Durrett I I I
Location: 1,000 +/- feet west of the terminus of the West Allen-Griffey Rd., also located 200 +/- feet south of the terminus of Bandera Dr.
Ward #: 5
Request: R-4 Multiple Family Residential District
 to
 R-2 Single-Family Residential District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ORD. #: 20-2014-15 RPC CASE NUMBER: Z-31-2014
Applicant: REGIONAL PLANNING COMMISSION (BELLE FOREST)
Location: South of Lafayette Road and Ryder Avenue, north of Donna Drive, and east and west of Cunningham Lane
Ward #: 4/2
Request: R-3 Two & Three Family Residential District
 to
 R-2 Single-Family Residential District / R-2D Two-Family Residential District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

RPC MEETING DATE: 8/27/2014

CASE NUMBER: Z - 27 - 2014

NAME OF APPLICANT: Safeplace Storage

Powers / Means

AGENT:

GENERAL INFORMATION

PRESENT ZONING: C-2

PROPOSED ZONING: C-5

EXTENSION OF ZONE

CLASSIFICATION: NO

APPLICANT'S STATEMENT For self storage facility C-2 to C-5.
FOR PROPOSED USE:

PROPERTY LOCATION: fronting on the west side of Peachers Mill Rd. 600 +/- feet north of the Allen
Griffey Rd. & Peachers Mill Rd. intersection.

ACREAGE TO BE REZONED: 3.0 +/-

DESCRIPTION OF PROPERTY Cleared Building Pad
AND SURROUNDING USES:

GROWTH PLAN AREA:

CITY **TAX PLAT:** 18

PARCEL(S): 35.01

CIVIL DISTRICT: 3

CITY COUNCIL WARD: 5

COUNTY COMMISSION DISTRICT: 9

PREVIOUS ZONING HISTORY: Z-1-2011

(to include zoning, acreage and SR-9-2014
action by legislative body)

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

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

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

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

1. CITY ENGINEER/UTILITY DISTRICT:

Comments Received From Department And They Had No Concerns.

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

Comments Received From Department And They Had No Concerns.

3.

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.

Comments Received From Department And They Had No Concerns.

4a. COST TO CDE/CEMC:

6.

5. CHARTER COMM./BELL SOUTH:

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.:

8.

No Comment(s) Received

7. POLICE DEPT/SHERIFF'S OFFICE:

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

8. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

9.

Comments Received From Department And They Had No Concerns.

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: Increased intensity of permitted uses.

INFRASTRUCTURE:

WATER SOURCE: CITY

PIPE SIZE:

SEWER SOURCE: CITY

ACCESSIBILITY: PEACHERS MILL RD.

DRAINAGE:
NORTH TO SOUTH

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.

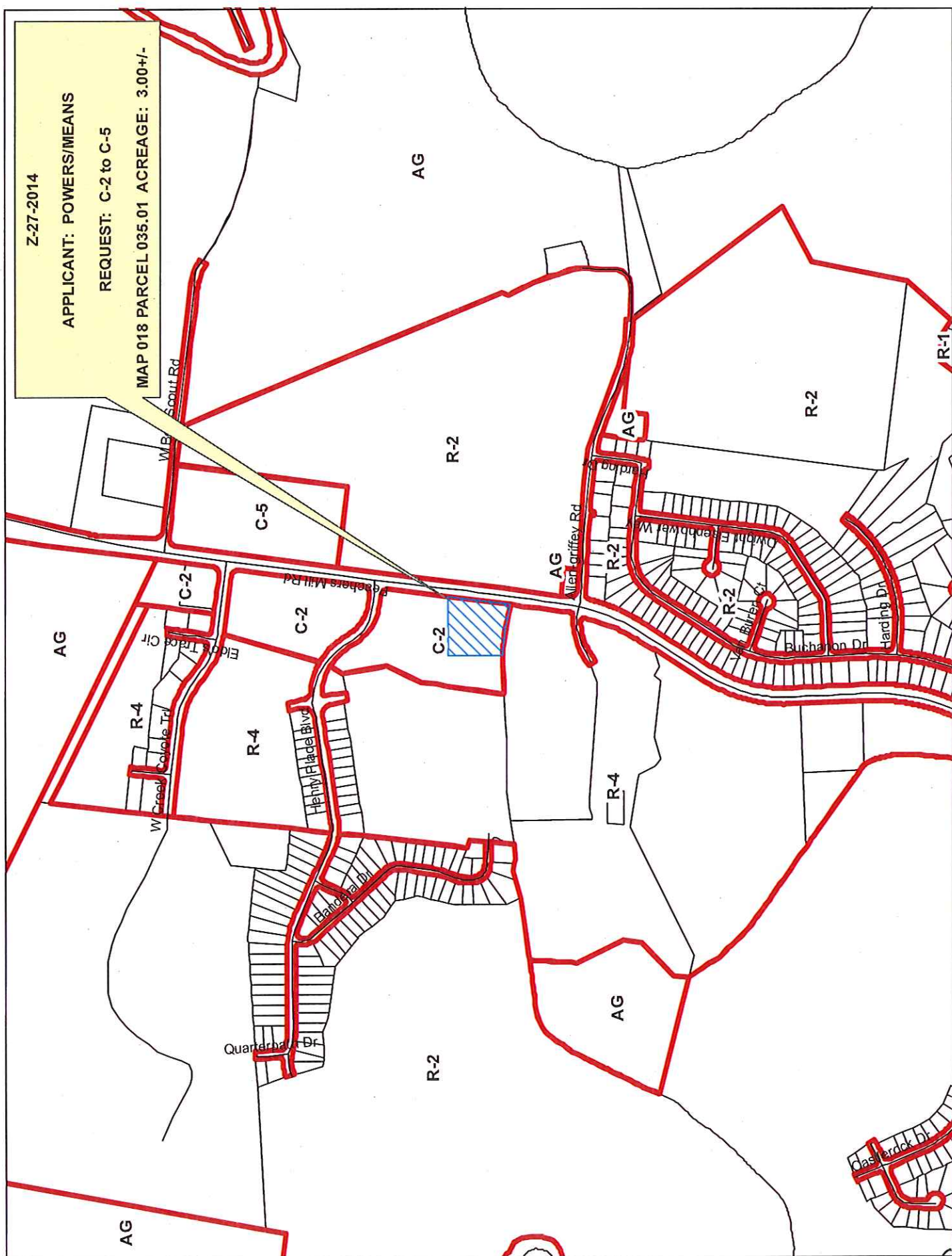
STAFF RECOMMENDATION: **APPROVAL**

1. The proposed zoning request is consistent with Growth Plan (as in the City) and adopted Land Use Plan.
2. Request brings proposed Self Storage Facility use into conformance with Zoning Ordinance.
3. Adequate infrastructure serves the site.
4. No adverse environmental issues were identified relative to this request.
- 5.

APPLICANT: POWERS/MEANS

REQUEST: C-2 to C-5

MAP 018 PARCEL 035.01 ACREAGE: 3.00+/-



CASE NUMBER: Z 27 2014 MEETING DATE 8/27/2014

APPLICANT: Safeplace Storage Powers / Means

PRESENT ZONING C-2

PROPOSED ZONING C-5

TAX PLAT # 18

PARCEL 35.01

GEN. LOCATION fronting on the west side of Peachers Mill Rd. 600 +/- feet north of the Allen Griffey Rd. & Peachers Mill Rd. intersection.

PUBLIC COMMENTS

None received as of 10:00 a.m. on 8/27/2014 (jhb).

4a

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

RPC MEETING DATE: 8/27/2014

CASE NUMBER: Z - 28 - 2014

NAME OF APPLICANT: Three B Sac

Self Storage L P

AGENT: John H

Comperry

GENERAL INFORMATION

PRESENT ZONING: M-2

PROPOSED ZONING: C-5

EXTENSION OF ZONE

CLASSIFICATION: YES

APPLICANT'S STATEMENT Adjacent properties are currently zoned C-5. Rezoning will correct current
FOR PROPOSED USE: setback violations and allow for additional building to be constructed.

PROPERTY LOCATION: fronting on the west side of Wilma Rudolph Blvd. 165 +/- feet south of the
Wilma Rudolph Blvd. & South Hampton Place intersection.

ACREAGE TO BE REZONED: 2.8

DESCRIPTION OF PROPERTY Existing U-Haul Self Storage Facility.
AND SURROUNDING USES:

GROWTH PLAN AREA:

CITY TAX PLAT: 32-L-C

PARCEL(S): 17.00

CIVIL DISTRICT: 2

CITY COUNCIL WARD: 12/11

COUNTY COMMISSION DISTRICT: 1

PREVIOUS ZONING HISTORY:

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

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

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

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

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

1. CITY ENGINEER/UTILITY DISTRICT:

Comments Received From Department And They Had No Concerns.

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

Comments Received From Department And They Had No Concerns.

3.

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 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.

No Comment(s) Received

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

8. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

9.

Comments Received From Department And They Had No Concerns.

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:** Minimal

INFRASTRUCTURE:

WATER SOURCE: CITY

PIPE SIZE:

SEWER SOURCE: CITY

ACCESSIBILITY: WILMA RUDOLPH BLVD.

DRAINAGE:
EAST TO WEST

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:

Trenton Road Planning Area: The dominant transportation corridor in the area is I-24, strongly supported by Wilma Rudolph Blvd. & 101st Airborne Parkway. Exit 4 I-24 interchange with Trenton Road has seen tremendous growth since 2000.

STAFF RECOMMENDATION: **APPROVAL**

1. The proposed zoning request is consistent with Growth Plan (as in the City) and adopted Land Use Plan.
2. Request reduces existing Self Storage Facility non-conformities with Zoning Ordinance & is an extension of the C-5 zoning classification to the north & south.
3. Adequate infrastructure serves the site.
4. No adverse environmental issues were identified relative to this request.

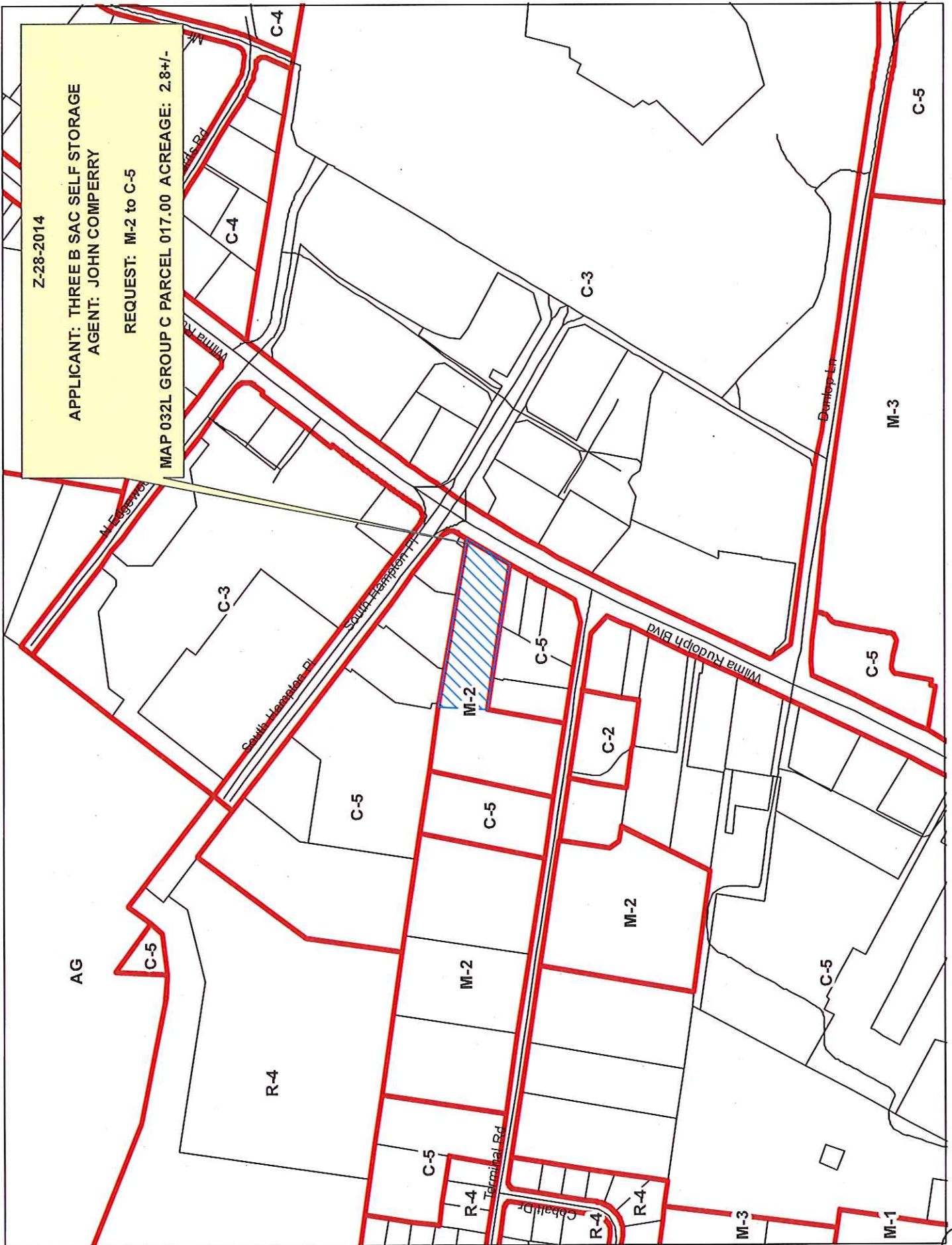
5.

Z-28-2014

APPLICANT: THREE B SAC SELF STORAGE
AGENT: JOHN COMPERY

REQUEST: M-2 to C-5

MAP 032L GROUP C PARCEL 017.00 ACREAGE: 2.8+/-



CASE NUMBER: Z 28 2014

MEETING DATE 8/27/2014

APPLICANT: Three B Sac

Self Storage L P

PRESENT ZONING M-2

PROPOSED ZONING C-5

TAX PLAT # 32-L-C

PARCEL 17.00

GEN. LOCATION fronting on the west side of Wilma Rudolph Blvd. 165 +/- feet south of the Wilma Rudolph Blvd. & South Hampton Place intersection.

PUBLIC COMMENTS

None received as of 10:00 a.m. on 8/27/2014 (jhb).

8a

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

RPC MEETING DATE: 8/27/2014

CASE NUMBER: Z - 29 - 2014

NAME OF APPLICANT: Wilson & Norma Kirby

AGENT: Carlson Consulting Engineers Inc

GENERAL INFORMATION

PRESENT ZONING: R-1

PROPOSED ZONING: C-5

**EXTENSION OF ZONE
CLASSIFICATION:** YES

**APPLICANT'S STATEMENT
FOR PROPOSED USE:** The subject property will be used for a grocery store and pharmacy with a fueling station.

PROPERTY LOCATION: in the northeast quadrant of the 101st Parkway (SR374) & Whitfield Rd.
intersection.

ACREAGE TO BE REZONED: 7.53

**DESCRIPTION OF PROPERTY
AND SURROUNDING USES:** Wooded Single Family Tract

GROWTH PLAN AREA: CITY **TAX PLAT:** 42 **PARCEL(S):** 5.04
CIVIL DISTRICT: 6th

CITY COUNCIL WARD: 8/11 **COUNTY COMMISSION DISTRICT:** 14

PREVIOUS ZONING HISTORY: Z-37-1989 R-M2 to R-1
**(to include zoning, acreage and
action by legislative body)**

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

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

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

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

1. CITY ENGINEER/UTILITY DISTRICT:

Sewer Extension Required

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

Traffic Assessment Required. Access Appeal Granted 8/21/2014 Traffic Assessment Submitted

3.

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.

No Comment(s) Received

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

8. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

9.

Comments Received From Department And They Had No Concerns.

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: Increased traffic, light & noise

INFRASTRUCTURE:

WATER SOURCE: CITY

PIPE SIZE:

SEWER SOURCE: CITY

ACCESSIBILITY: WHITFIELD ROAD

DRAINAGE:
NORTH TO SOUTH

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:

Trenton Road Planning Area: The dominant transportation corridor in the area is I-24, strongly supported by Wilma Rudolph Blvd. & 101st Airborne Parkway. Exit 4 I-24 interchange with Trenton Road has seen tremendous growth since 2000.

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. C-5 Zoning is a Highway & Arterial Commercial District and the property fronts on an arterial highway, (SR 374 / 101st Parkway.) at a signalized intersection. Request is also an extension of C-5 Zoning to the west and south.
4. No adverse environmental issues were identified relative to this request.
- 5.

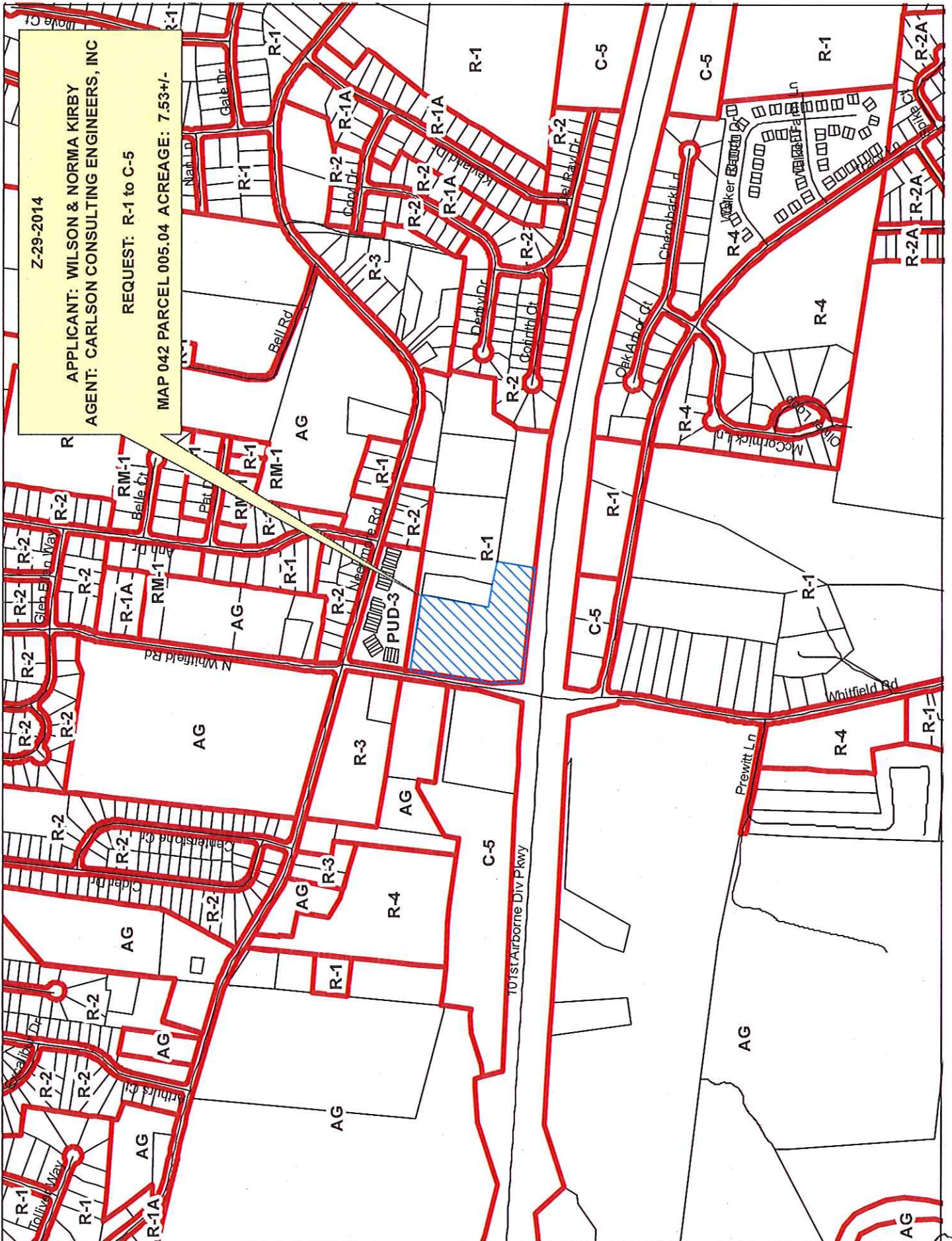
Z-29-2014

APPLICANT: WILSON & NORMA KIRBY

AGENT: CARLSON CONSULTING ENGINEERS, INC

REQUEST: R-1 to C-5

MAP 042 PARCEL 005.04 ACREAGE: 7.53+/-



CASE NUMBER: Z 29 2014 MEETING DATE 8/27/2014

APPLICANT: Wilson & Norma Kirby

PRESENT ZONING R-1

PROPOSED ZONING C-5

TAX PLAT # 42

PARCEL 5.04

GEN. LOCATION in the northeast quadrant of the 101st Parkway (SR374) & Whitfield Rd.
intersection.

PUBLIC COMMENTS

None received as of 10:00 a.m. on 8/27/2014 (jhb).

12a

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

RPC MEETING DATE: 8/27/2014

CASE NUMBER: Z - 30 - 2014

NAME OF APPLICANT: Caudill, Maynard & Robert E. Durrett III

AGENT: Robert E

Durrett III

GENERAL INFORMATION

PRESENT ZONING: R-4

PROPOSED ZONING: R-2

EXTENSION OF ZONE

CLASSIFICATION: YES

APPLICANT'S STATEMENT Single Family
FOR PROPOSED USE:

PROPERTY LOCATION: 1,000 +/- feet west of the terminus of the West Allen-Griffey Rd., also located 200
+/- feet south of the terminus of Bandera Dr.

ACREAGE TO BE REZONED: 32.95 +/-

DESCRIPTION OF PROPERTY Farmland with Rolling Hills
AND SURROUNDING USES:

GROWTH PLAN AREA:

CITY TAX PLAT: 31

PARCEL(S): portions of 1.00,
2.00

CIVIL DISTRICT: 3

CITY COUNCIL WARD: 5

COUNTY COMMISSION DISTRICT: 9

PREVIOUS ZONING HISTORY:
(to include zoning, acreage and
action by legislative body)

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

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

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

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

1. CITY ENGINEER/UTILITY DISTRICT:

Comments Received From Department And They Had No Concerns.

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

Comments Received From Department And They Had No Concerns.

3.

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 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.

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. Historical #s R-4= 392 Units R-2= 94 Lots

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

IMPACT OF PROPOSED USE ON Minimal
SURROUNDING DEVELOPMENT:

INFRASTRUCTURE:

WATER SOURCE: CITY

PIPE SIZE:

SEWER SOURCE: CITY

ACCESSIBILITY: WEST ALLEN-GRIFFEY 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**

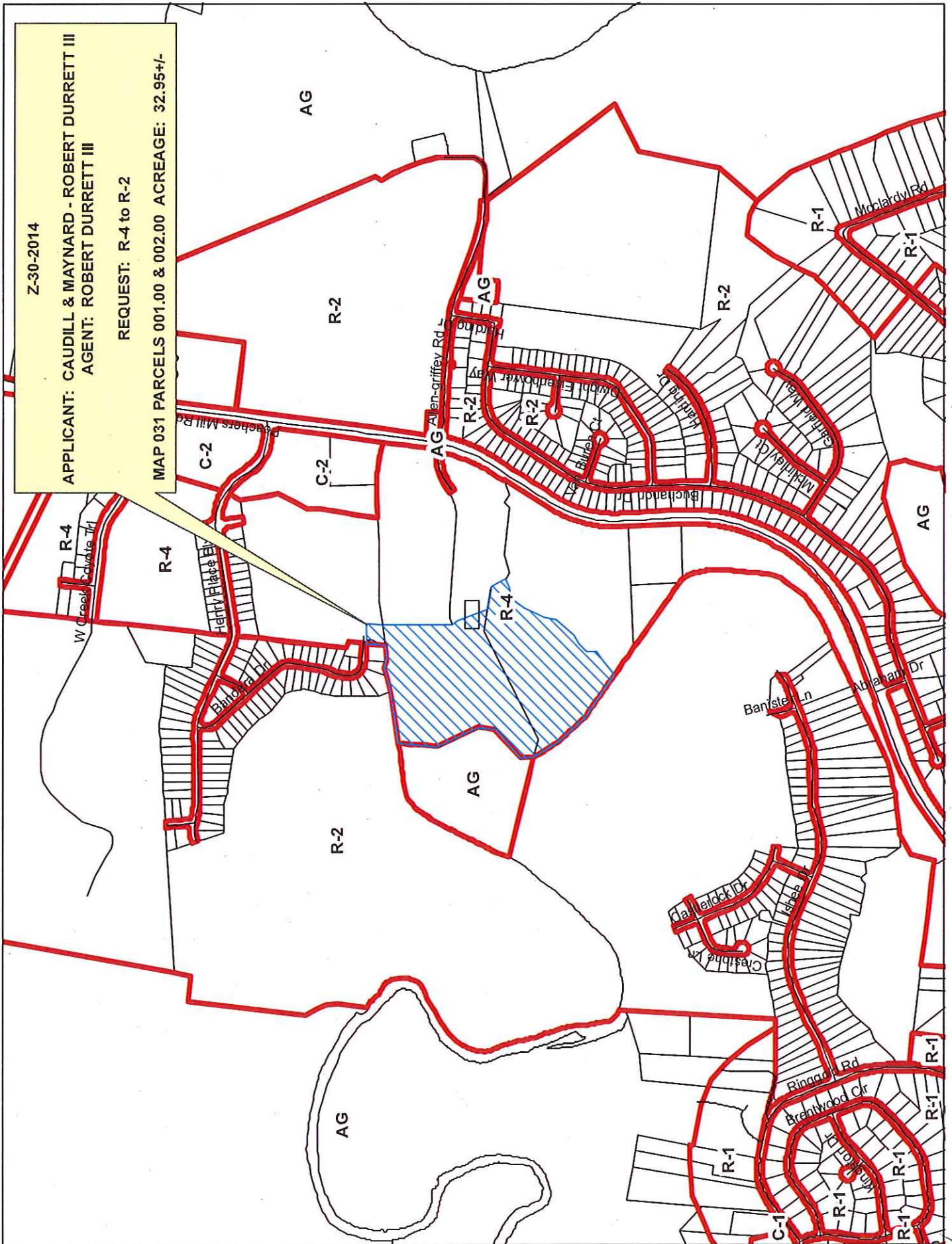
1. The proposed zoning request is consistent with Growth Plan (as in the City) and adopted Land Use Plan.
2. Adequate infrastructure serves the site.
3. No adverse environmental issues were identified relative to this request.
4. Request in an extension of the existing R-2 Single Family zoning to the North.
- 5.

Z-30-2014

APPLICANT: CAUDILL & MAYNARD - ROBERT DURRETT III
AGENT: ROBERT DURRETT III

REQUEST: R-4 to R-2

MAP 031 PARCELS 001.00 & 002.00 ACREAGE: 32.95+/-



CASE NUMBER: Z 30 2014

MEETING DATE 8/27/2014

APPLICANT: Caudill, Maynard &

Robert E. Durrett III

PRESENT ZONING R-4

PROPOSED ZONING R-2

TAX PLAT # 31

PARCEL portions of 1.00 & 2.00

GEN. LOCATION 1,000 +/- feet west of the terminus of the West Allen-Griffey Rd., also located 200
+/- feet south of the terminus of Bandera Dr.

PUBLIC COMMENTS

None received as of 10:00 a.m. on 8/27/2014 (jhb).

16a

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

RPC MEETING DATE: 8/27/2014

CASE NUMBER: Z - 31 - 2014

NAME OF APPLICANT: Regional Planning Commission (Belle Forest)

AGENT:

GENERAL INFORMATION

PRESENT ZONING: R-3

PROPOSED ZONING: R-2 R-2D

EXTENSION OF ZONE

CLASSIFICATION: YES/NO

APPLICANT'S STATEMENT Bring non-conforming zoning into compliance (due to new R-3 and R-4
FOR PROPOSED USE: regulations).

PROPERTY LOCATION: South of Lafayette Road and Ryder Avenue, north of Donna Drive, and east and
west of Cunningham Lane

ACREAGE TO BE REZONED: R-2 - 38.72; R-2D - 6.8

DESCRIPTION OF PROPERTY Existing Residential Subdivision with Single Family Homes & Duplexes,
AND SURROUNDING USES:

GROWTH PLAN AREA: CITY **TAX PLAT:** See Attached **PARCEL(S):**

CIVIL DISTRICT: 3/7/8

CITY COUNCIL WARD: 4/2

COUNTY COMMISSION DISTRICT: 11

PREVIOUS ZONING HISTORY:

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

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

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

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

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

1. CITY ENGINEER/UTILITY DISTRICT:

Comments Received From Department And They Had No Concerns.

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

Comments Received From Department And They Had No Concerns.

3.

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.

No Comment(s) Received

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: Minimal

INFRASTRUCTURE:

WATER SOURCE: CITY

PIPE SIZE:

SEWER SOURCE: CITY

ACCESSIBILITY: SEE ATTACHED MAP

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:

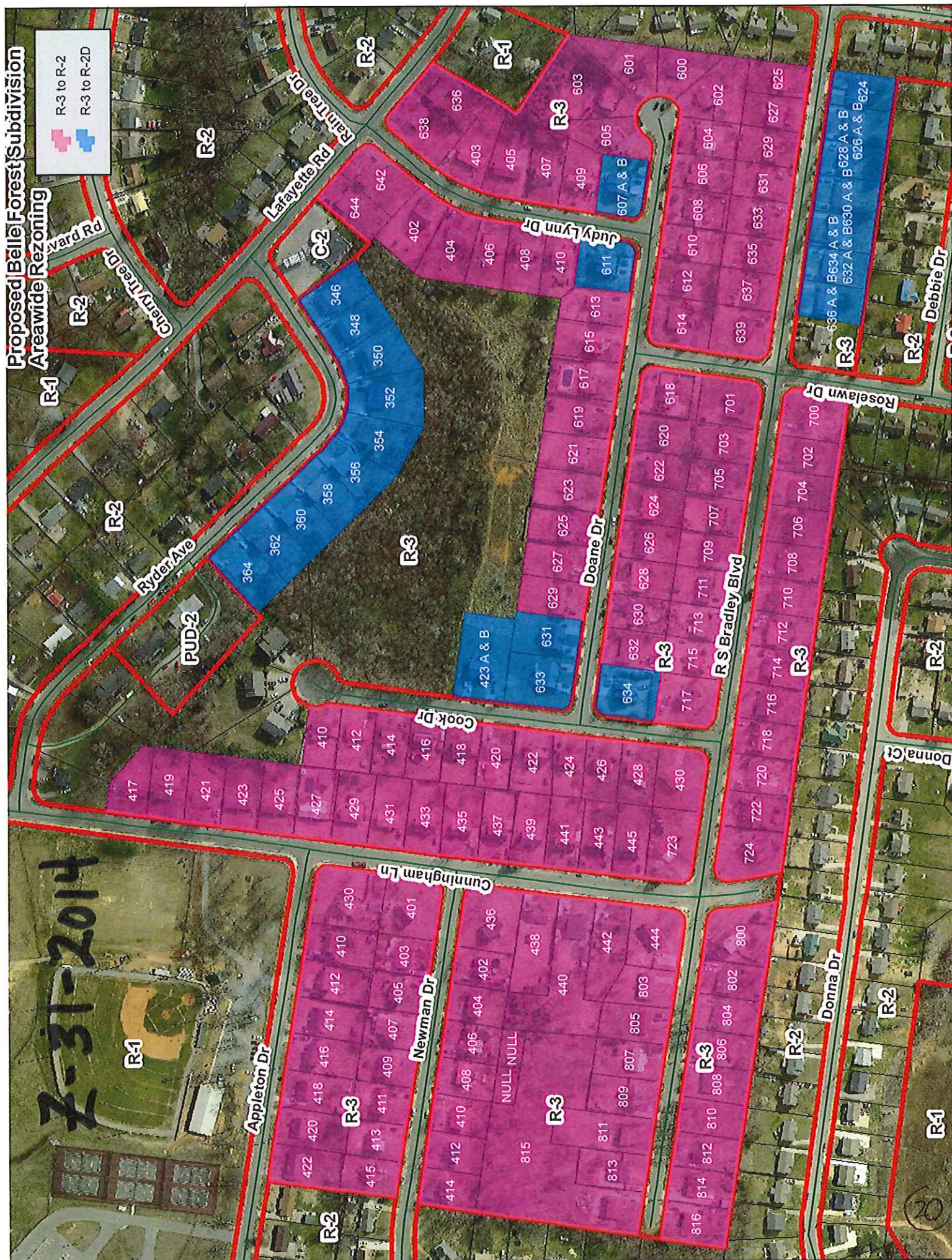
Lafayette Road Planning Area - There is considerable room for expansion here with SR 374 (Purple Heart Highway) as a target for residential growth

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. Proposed area wide rezoning protects property investments for both the short-term and long-term by verifying that conforming uses fall under the correct zoning classification

5.

R-3 to R-2
R-3 to R-2D



CASE NUMBER: Z 31 2014

MEETING DATE 8/27/2014

APPLICANT: Regional Planning

Commission (Belle Forest)

PRESENT ZONING R-3

PROPOSED ZONING R-2

TAX PLAT # See Attached

PARCEL

GEN. LOCATION South of Lafayette Road and Ryder Avenue, north of Donna Drive, and east and west of Cunningham Lane

PUBLIC COMMENTS

None received as of 10:00 a.m. on 8/27/2014 (jhb).

20a

ORDINANCE 2-2014-15

AN ORDINANCE AUTHORIZING PURCHASE OF PROPERTY ON EDMONDSON FERRY ROAD FOR COMMUNITY DEVELOPMENT

WHEREAS, Community Development Block Grants help communities provide decent housing, a suitable living environment, expanded economic opportunities, principally for persons of low and moderate income; and

WHEREAS, Housing and Urban Development awards grants to entitlement community grantees to carry out a wide range of community development activities directed toward revitalizing neighborhoods, economic development and providing improved community facilities and services; and

WHEREAS, the Office of Housing and Community Development proposes to purchase property located at Edmondson Ferry Rd. (Map, Group and Parcel 079L, A 007.00) for the purpose of donating it to Habitat for Humanity; and

WHEREAS, providing housing for low-income families is consistent with the goals and objectives of the Community Development Block Grant program.

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

That the Office of Housing & Community Development is hereby authorized to purchase the proper known as Edmondson Ferry Rd., for the purpose of donating it to Habitat for Humanity.

FIRST READING: July 1, 2014

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a stone on the east side of the Edmondson Ferry road at Fletcher's Northwest corner, and runs thence with the east margin of said road North 6 degrees 53 minutes East 100 feet to an iron pin at Reed's Southwest corner; thence with Reed's south line and fence South 75 degrees 20 minutes East 149.41 feet to an iron pin, Reed's Southeast corner; thence along a fence row south 3 degrees 45 minutes west 68.15 feet to an iron pin; Fletcher's Northeast corner; thence with Fletcher's north line North 87 degrees 34 minutes West 152.22 feet to the beginning and being Tract Two of the property conveyed to Pamela Beatrice Ramey Halford and Myrle Denise Ramey watts subject to the life estate of Rufus H. Ramey by deed of record in ORBV 226, Page 243, ROMCT.

This legal description being taken from ORBV 1333, Page 2543, ROMCT.

ORDINANCE 3-2014-15

AN ORDINANCE AUTHORIZING PURCHASE OF PROPERTY ON RICHARDSON STREET FOR COMMUNITY DEVELOPMENT

WHEREAS, Community Development Block Grants help communities provide decent housing, a suitable living environment, expanded economic opportunities, principally for persons of low and moderate income; and

WHEREAS, Housing and Urban Development awards grants to entitlement community grantees to carry out a wide range of community development activities directed toward revitalizing neighborhoods, economic development and providing improved community facilities and services; and

WHEREAS, the Office of Housing and Community Development proposes to purchase property located at 912 Richardson Street (Map, Group and Parcel 079D, K 003.00) for the purpose of donating it to Habitat for Humanity; and

WHEREAS, providing housing for low-income families is consistent with the goals and objectives of the Community Development Block Grant program.

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

That the Office of Housing & Community Development is hereby authorized to purchase the property known as 912 Richardson Street for the purpose of donating it to Habitat for Humanity.

FIRST READING: July 1, 2014

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

BEING LOT NOS. 4, 5, 6, 7 AND 8 ON THE PLAN OF CLARKSVILLE LAND IMPROVEMENT COMPANY SUBDIVISION, SECTION 13, of record in Plat Book 1, page 49, plat 45, Register's Office for Montgomery County, Tennessee, and being more particularly described as follows:

Beginning at a point located in the easterly right of way margin of Wall Street, said point being south 06 degrees 24' 50" east 172.19 feet from the intersection of Wall Street and Daniel Street; thence north 89 degrees 15' 09" east 86.68 feet to a point; thence south 88 degrees 56' 54" east 99.70 feet to a point; thence south 00 degrees 18' 33" west 254.77 feet to an iron pin; thence north 88 degrees 42' 19" west 173.91 feet to a point located in the easterly right of way margin of Wall Street; thence north 02 degrees 31' 50" west 251.78 feet to the point of beginning according to the survey of David N. Young, Tennessee Land Surveyor No. 1562 of Young & Associates, P.O. Box 1463, 1532 New Ashland City Road, Clarksville, TN 37040, dated May 13, 1998.

This legal description was taken from previous deed of record at ORBV 663, Page 2417, ROMCT.

ORDINANCE 7-2014-15

AN ORDINANCE AMENDING THE CITY CODE AND THE CITY ZONING ORDINANCE OF THE CITY OF CLARKSVILLE, TENNESEE, CONCERNING HOMELESS SHELTERS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE THAT THE FOLLOWING TEXT AMENDMENT IS HEARBY MADE TO THE CLARKSVILLE CITY ZONING ORDINANCE

Chapter 5 "Land Use Development Standards and Procedures", Section 2 "Procedure and Standards for Uses Permitted on Review (PR)", Subsection 5 "Standards for Institutional Uses Permitted on Review (PR)", "Homeless Shelter" Item 2.B. is hereby amended by deleting one thousand (1,000) feet and substituting five hundred (500) feet.

PUBLIC HEARING: July 1, 2014; August 7, 2014
POSTPONED: July 1, 2014
FIRST READING: August 7, 2014
SECOND READING:
EFFECTIVE DATE:

ORDINANCE 9 -2014-15

AN ORDINANCE AMENDING THE 2014-15 SPECIAL REVENUE BUDGET (ORDINANCE 81-2013-14) AUTHORIZING THE CITY OF CLARKSVILLE TO ADJUST THE FUNDING AND EXPENDITURES FOR CLARKSVILLE ROADSCAPES PHASE I AND PHASE II PROJECTS

WHEREAS, there are two roadscares projects that were established several years ago within the Special Revenue Fund that are funded with Federal Grant Revenue as well as general fund contributions; and

WHEREAS, we now have contracts and grant agreements with final amounts needed for funding; and

WHEREAS, the adjustments below will allow accurate revenue and expenditure allocation for the Clarksville Roadscares Phase I and Clarksville Roadscares Phase II projects which total \$34,112 and \$104,544, respectively.

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

That the following Budget Amendments be made:

Special Revenue Fund:

Federal Grants Rev	3341000-33110-ST004	Increase:	\$ 7,022
Transfer in From GenFund	3341000-39150-ST004	Increase:	4,087
Const.Services Exp.	33410003-4450-ST004	Increase	19,680
Federal Grants Rev	3341000-33410-ST009	Increase:	\$ 58,824
Transfer in From GenFund	3341000-39150-ST009	Increase:	6,815
Const.Services Exp.	33410003-4450-ST009	Increase	71,334

BE IT FURTHER ORDAINED that the source of funding for this \$10,902 General Fund Transfer In shall be from the fund balance of the General Fund.

FIRST READING: August 7, 2014

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 11-2014-15

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF THE REGIONAL PLANNING COMMISSION FOR ZONE CHANGE ON PORTIONS OF LAFAYETTE POINT SUBDIVISION

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

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned R-3 Three Family Residential District and R-4 Multiple Family Residential District to R-2A Single Family Residential District.

PUBLIC HEARING: August 7, 2014

FIRST READING: August 7, 2014

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

R-3 to R2A:

Properties located south of Lafayette Road, west of Woodale Drive and east of Buckeye Lane (properties located in Lafayette Pointe Subdivision), 8.61 +/- acres, properties further identified as Montgomery County Tax Map and Parcel(s):

Tax Map 043I-P, parcels 001.00– 011.00, 018.00 – 040.00, 050.00 – 054.00

R-4 to R2A:

Properties located south of Lafayette Road, west of Woodale Drive and east of Buckeye Lane (properties located in Lafayette Pointe Subdivision), 2.99 +/- acres, properties further identified as Montgomery County Tax Map and Parcel(s):

Tax Map 043I-P, parcels 012.00- 017.00, 041.00- 049.00

ORDINANCE 12-2014-15

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF EDDIE BURCHETT FOR ZONE CHANGE ON PROPERTY AT WOODHAVEN DRIVE AND TERRIER WAY

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 to R-2 Single Family Residential District.

PUBLIC HEARING: August 7, 2014
FIRST READING: August 7, 2014
SECOND READING:
EFFECTIVE DATE:

EXHIBIT A

Beginning at a point, said point being located at the centerline of the Woodhaven Dr. & Terrier Way intersection South 84 degrees 14 minutes 11 seconds West 382.96 feet, thence with the following calls with the Burchett Property North 67 degrees 20 minutes 9 seconds West 34.46 feet to a point, North 9 degrees 4 minutes 56 seconds East 129.81 feet to a point, South 88 degrees 43 minutes 32 seconds East 29.21 feet to a point, said point being in the western boundary of the Jay Karvaski property thence South 7 degrees 14 minutes 29 degrees West 141.94 feet to the point of beginning. Described area containing 0.10 +/- acres. further identified as Tax Map 43, Parcel 33.01

ORDINANCE 13-2014-15

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF HIGHPOINT ROW/JEFF ROBINSON FOR ZONE CHANGE ON PROPERTY AT MARION STREET AND NORTH FIRST STREET

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

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

PUBLIC HEARING: August 7, 2014
FIRST READING: August 7, 2014
SECOND READING:
EFFECTIVE DATE:

EXHIBIT A

Beginning at a point, said point being in the south ROW of Bogard lane, said point 128 +/- feet south west of the centerline of the Bogard Lane & North First St. intersection thence in a southerly direction with the Riverview Baptist Church west property line 74 +/- feet to a point, said point being the northeast corner of the Chester Little property, thence in a westerly direction with the Little property line 54 +/- feet to a point, said point being in the eastern boundary of the David E. Smith property, thence in a northerly direction with the Smith property line and others. 74 +/- feet, to a point in the southern ROW of Bogard Lane, thence in an easterly direction with the southern boundary of the Bogard Lane ROW 63 +/- feet to the point of beginning. Sais tract containing 0.10 +/- acres. Further identified as Tax Map 66-B-B Parcel 48 (portion of).

RESOLUTION 5-2014-15

A RESOLUTION REPEALING RESOLUTION 16-2013-14 APPROVING A RETAIL LIQUOR STORE CERTIFICATE OF COMPLIANCE TO CRM LIQUORS, LLC (CALVIN R. MCKAY) AND APPROVING A CERTIFICATE OF COMPLIANCE TO TODD MORRIS FOR OPERATION OF A RETAIL LIQUOR STORE AT THE SAME LOCATION

WHEREAS, CRM Liquors, LLC (Calvin R. McKay) has previously been granted a Certificate of Compliance for the operation of a retail liquor store by the City of Clarksville, through Resolution 16-2013-14 of the City Council, in accordance with state statutory law and regulations of the Tennessee Alcoholic Beverage Commission, the City Charter and the City Code, said liquor store being located at 1820 Madison Street, Clarksville, Tennessee; and

WHEREAS, CRM Liquors, LLC (Calvin R. McKay) will ceased operation of his liquor store, and will surrendered his liquor license to the Tennessee ABC, and he desires to surrender, terminate and have repealed and revoked his Certificate of Compliance to operate a liquor store as previously granted by the City; and

WHEREAS, Todd Morris has made proper application for a Certificate of Compliance from the City of Clarksville for the operation of a retail liquor store and appears to be in compliance with all requirements for same pursuant to state statutory law and regulations of the Tennessee Alcoholic Beverage Commission, the City Charter and the City Code; and

WHEREAS, the issuance of the Certificate will not exceed the numerical limit on such retail liquor stores established by City Code, Section 2-205.

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

That Resolution 16-2013-14 is hereby repealed and the Certificate of Compliance for CRM Liquors, LLC (Calvin R. McKay) for operation of Elite Wine & Spirits, 1820 Madison Street, Clarksville, Tennessee, is hereby revoked; and

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

That Todd Morris is hereby approved for and granted a Certificate of Compliance for the operation of Elite Wine & Spirits located at 1820 Madison Street, Clarksville, Tennessee.

ADOPTED:

RESOLUTION 16-2013-14

A RESOLUTION REPEALING PRIOR RESOLUTIONS GRANTING APPROVAL FOR CERTIFICATE OF COMPLIANCE FOR LIQUOR STORE OPERATION TO JAMES HORACE HEGGIE AND AMBER HEGGIE, AND TO CRM LIQUORS, LLC (CALVIN R. MCKAY), AND APPROVING A NEW CERTIFICATE OF COMPLIANCE TO CRM LIQUORS, LLC (CALVIN R. MCKAY) FOR A SEPARATE LOCATION

WHEREAS, James Horace Heggie has previously been granted a Certificate of Compliance for the operation of a retail liquor store by the City of Clarksville, through Resolution 44-2012-13 of the City Council, in accordance with state statutory law and regulations of the Tennessee Alcoholic Beverage Commission, the City Charter and the City Code, said liquor store being located at 1820 Madison Street, Clarksville, Tennessee; and

WHEREAS, Amber Heggie has also previously been granted a Certificate of Compliance for the operation of a retail liquor store by the City of Clarksville, through Resolution 53-2012-13 of the City Council, in accordance with state statutory law and regulations of the Tennessee Alcoholic Beverage Commission, the City Charter and the City Code, said liquor store being located at 1820 Madison Street, Clarksville, Tennessee, and being the same liquor store referred to with regard to Mr. James Horace Heggie above; and

WHEREAS, both Mr. James Horace Heggie and Ms. Amber Heggie have ceased operation of their liquor store, and have surrendered their liquor license to the Tennessee ABC, and desire to surrender, terminate and have repealed and revoked their Certificate of Compliance to operate a liquor store as previously granted by the City; and

WHEREAS, CRM Liquors, LLC (Calvin R. McKay) has also previously been granted a Certificate of Compliance for the operation of a retail liquor store by the City of Clarksville, through Resolution 57-2012-13 of the City Council, in accordance with state statutory law and regulations of the Tennessee Alcoholic Beverage Commission, the City Charter and the City Code, which said liquor store was to be located at 1849 Madison Street, Clarksville, Tennessee; and

WHEREAS, CRM Liquors, LLC (Calvin R. McKay) now desires to surrender, terminate and have repealed and revoked its Certificate of Compliance to operate a liquor store at 1849 Madison Street, Clarksville, Tennessee, as previously granted by the City, and to have approved and granted a new Certificate of Compliance to operate a liquor store to be located at 1820 Madison Street, Clarksville, Tennessee; and

WHEREAS, CRM Liquors, LLC (Calvin R. McKay) has made proper application for a Certificate of Compliance for the operation of a retail liquor store from the City of Clarksville and appears to be in compliance with all requirements for same pursuant to state statutory law and regulations of the Tennessee Alcoholic Beverage Commission, the City Charter and the City Code; and

WHEREAS, the issuance of the Certificate will not exceed the numerical limit on such retail liquor stores established by City Code, Section 2-205.

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

That Resolution 44-2012-13 and Resolution 53-2012-13 are hereby repealed, and the approval of a Certificate of Compliance for operation of a retail liquor store by James Horace Heggie and / or Amber Heggie is revoked; and

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

That Resolution 57-2012-13 is hereby repealed, and the approval of a Certificate of Compliance for operation of a retail liquor store by CRM Liquors, LLC (Calvin R. McKay), which was to be located at 1849 Madison Street, is revoked; and

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

That CRM Liquors, LLC (Calvin R. McKay) is hereby approved for and granted a Certificate of Compliance for the operation of a retail liquor store to be located at 1820 Madison Street, Clarksville, Tennessee.

ADOPTED: September 5, 2013

RESOLUTION 6-2014-15

A RESOLUTION APPROVING A RETAIL LIQUOR STORE CERTIFICATE OF COMPLIANCE FOR PETER H. MARTIN FOR OPERATION OF EBENEZER'S DISCOUNT LIQUORS & WINES

WHEREAS, Peter H. Martin has applied for a renewal of a Certificate of Compliance from the City of Clarksville according to regulations of the Tennessee Alcoholic Beverage Commission, for operation of Ebenezer's Discount Liquors & Wines, 2896 Wilma Rudolph Boulevard; and

WHEREAS, according to a local criminal history check, the applicant who is to be in actual charge of said business has not been convicted of a felony within a ten year period immediately preceding the date of the application and, if a corporation, that the executive officers, or those in control, have not been convicted of a felony within a ten year period immediately preceding the date of the application; and further that it is the undersigned's opinion that the applicant will not violate any provisions of *Tennessee Code Annotated, Title 57, Chapter 3*; and

WHEREAS, the applicant has secured a location which complies with all restrictions of the laws, ordinances, or resolutions; and

WHEREAS, the applicant has complied with the residency provision; and

WHEREAS, the issuance of this license will not exceed the numerical limit established in City Code Sec. 2-205.

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

That the Clarksville City Council hereby approves a Certificate of Compliance for Peter H. Martin for operation of Ebenezer's Discount Liquors & Wines, 2896 Wilma Rudolph Boulevard, Clarksville, Tennessee.

ADOPTED:



**CLARKSVILLE CITY COUNCIL
SPECIAL SESSION
JULY 31, 2014**

MINUTES

CALL TO ORDER

A special session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, July 31, 2014, at 4:30 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

ATTENDANCE

PRESENT: Kip McNeill (1), 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), Bill Summers (10), Kaye Jones (11; arrived 4:33 p.m.), Jeff Burkhart (12)

PROPERTY TAX RATE

ORDINANCE 10-2014-15 (First Reading) Establishing the 2014 property tax rate

Councilman Lewis made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Harris. Mayor McMillan said this ordinance would establish the 2014 property tax rate at \$1.1832. She said the Montgomery County Trustee and the State of Tennessee had accepted and approved the rate. The following vote was recorded:

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

NOTE: Councilwoman Jones was not present for this vote.

The motion to adopt this ordinance on first reading passed.

ADJOURNMENT

The meeting was adjourned at 4:34 p.m.



**CLARKSVILLE CITY COUNCIL
REGULAR SESSION
AUGUST 7, 2014**

MINUTES

CALL TO ORDER

The regular session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, August 8, 2014, at 7:00 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Councilman David Allen; the Pledge of Allegiance was led by Councilwoman Deanna McLaughlin.

ATTENDANCE

PRESENT: Kip McNeill (1), 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), Bill Summers (10), Kaye Jones (11), Jeff Burkhart (12)

SPECIAL RECOGNITIONS

Mayor McMillan recognized Gas & Water General Manager Pat Hickey who introduced Chris Cherry, Chris Lambert, Shane Davenport, Randall Gillum, and Phillip Whittinghill, members of the department's water quality leadership team. Mike Bernard of the Kentucky-Tennessee Section of the American Water Works Association presented Mayor McMillan with an award for the City's excellence in providing safe drinking water for residents.

PUBLIC HEARING

Councilman Grubbs made a motion to conduct a public hearing receive comments regarding requests for zone change and an annexation progress report. The motion was seconded by Councilman Harris. A voice vote was taken; the motion passed without objection.

ORDINANCE 7-2014-15 (First Reading; Postponed July 1st) Amending the Zoning Ordinance and the Official Code relative to homeless shelter residential separation distance

Eddie Burchett and Coy Baggett, Jr., encouraged support of this amendment. Merle Denise Ramey Watts expressed concern for the safety of her father who was a resident of the area. Donna Boisseau, co-owner of Bill's Wholesale, mentioned their problems with loitering, property damage, theft of property, dumpster vandalism, and parking lot litter since the opening of an emergency warming shelter on an adjacent property earlier in the year. Carlos Sorono, Manna Café board member, said there was no record of increased criminal activity in the area since the establishment of the emergency shelter. Joyce Bradley said she had experienced theft of property at her residence.

ORDINANCE 11-2014-15 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of the Regional Planning Commission for zone change on portions of Lafayette Point Subdivision from R-3 Three Family Residential District and R-4 Multiple Family Residential District to R-2A Single Family Residential District

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

ORDINANCE 12-2014-15 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Eddie Burchett for zone change on property at Woodhaven Drive and Terrier Way from R-1 Single Family Residential District to R-2 Single Family Residential District

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

ORDINANCE 13-2014-15 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Highpoint Row/Jeff Robinson for zone change on property at Marion Street and North First Street from R-4 Multiple Family Residential District and H-1 Historical District to R-4 Multiple Family Residential District

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

RESOLUTION 4-2014-15 Adopting the First Plan of Services Progress Report for annexed territory east of Red River, south of Passenger Creek, and north and east of Deertrail Subdivision (requested by D.W. Howard)

There were no comments regarding this report.

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

ZONING

The recommendation of the Regional Planning Commission was for disapproval of **ORDINANCE 7-2014-15**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Harris.

At the request of Councilman Harris, City Attorney Lance Baker read the proposed ordinance. Councilman Harris reminded the Council that the amendment would not authorize Manna Café to establish a homeless shelter on

Kraft Street, but it would allow shelters to be operated 500 feet instead of 1,000 feet from a residential zone throughout the city. Councilman Allen said the residents of the area should be represented and heard. Councilman Wallace felt the amendment would benefit one party; he and Councilman Redd opposed the operation of three shelters on the same area. Councilwoman Jones said the City should provide an avenue for agencies who wish to offer humanitarian services to do so. Councilwoman Jones called for the question. The question was seconded by Councilman Lewis. The following vote was recorded:

AYE: Jones, Lewis, Redd, Summers

NAY: Allen, Burkhardt, Grubbs, Guzman, Harris, McLaughlin, McNeill, Wallace

The motion to cease discussion failed. Councilwoman McLaughlin said residents who attended her recent community meeting were in favor of this amendment. Councilman McNeill and Councilwoman Guzman said the distance change would increase the location possibilities for any agency to offer assistance to homeless citizens. Councilman Burkhardt expressed support for this amendment.

Councilman Harris objected to Councilman Allen's request to hear from Regional Planning Commission Director David Ripple regarding potential shelter location options if the distance was reduced. Councilman Allen made a motion to go out of regular session. The motion was seconded by Councilwoman McLaughlin. The following vote was recorded:

AYE: Allen, Grubbs, Guzman, Jones, Lewis, McLaughlin, McNeill, Redd, Summers, Wallace

NAY: Burkhardt, Harris

The motion to go out of regular session passed. In response to Councilman Allen's question, Dr. Ripple said four areas, Downtown (Main Street between Fourth & Sixth), Kraft Street at Wilma Rudolph Boulevard, Dunbar Cave Road at Wilma Rudolph Boulevard, and Wilma Rudolph Boulevard from Needmore Road to Interstate 24, had eligible locations for a homeless shelter under the current 1,000 foot restriction. He said under a 500 foot restriction, no new areas would become eligible, but the existing areas would be expanded. Councilman Allen made a motion to revert to regular session. The motion was seconded by Councilman Lewis. A voice vote was taken; the motion passed without objection.

Councilwoman McLaughlin said additional shelters could be considered on some commercial properties upon review by the Board of Zoning Appeals. The following vote on the original motion was recorded:

AYE: Burkhardt, Grubbs, Guzman, Harris, Joes, McLaughlin, McNeill, Summers

NAY: Allen, Lewis, 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 11-2014-15**. 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, McNeill, Redd, Summers, 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 12-2014-15**. 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, McNeill, Redd, Summers, Wallace

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission and the Regional Historic Zoning Commission were for approval of **ORDINANCE 13-2014-15**. Councilman Grubbs 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, Harris, Jones, Lewis, McLaughlin, McNeill, Redd, Summers, Wallace

NAY: Guzman

The motion to adopt this ordinance on first reading passed.

Councilman Grubbs made a motion to adopt **RESOLUTION 4-2014-15**. The motion was seconded by Councilman Redd. The following vote was recorded:

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

The motion to adopt this resolution passed.

NOTE: Councilman Wallace was a candidate for Montgomery County District Attorney and left the meeting at 8:08 p.m. to hear election results.

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 4-2014-15** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Clear Sky, LLC, for zone change on property at Warfield Boulevard and Ted A. Crozier Boulevard from C-2 General Commercial District and R-1 Single Family Residential District to C-5 Highway & Arterial Commercial District
2. **ORDINANCE 5-2014-15** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Third Generation LLC c/o Polestar Development/Tim Mitch/Evan Condor for zone change on property at Tiny Town Road and Outlaw Field Road from M-2 General Industrial District to C-5 Highway & Arterial Commercial District
3. **ORDINANCE 6-2014-15** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of the Regional Planning Commission for zone change on portions of Ranch Hill Subdivision from R-3 Three Family Residential District to R-2 Single Family Residential District and R-2D Two Family Residential District
4. **ORDINANCE 8-2014-15** (Second Reading) Amending the Zoning Ordinance and the Official Code relative to beekeeping *[Removed; See below]*
5. **RESOLUTION 3-2014-15** Renewing the retail liquor store Certificate of Compliance for Billy G. Brown (Bill's Package Store, 1651 Ft. Campbell Boulevard)
6. Adoption of Minutes: Special Session June 26th, Special Session June 30th and Regular Session July 1st
7. Approval of Board Appointments:

Human Relations Commission: Michael Dale [corrected to August 2014 through June 2015], Maria Jimenez, Joann Latz, Rebecca Hines – August 2014 through June 2017

Councilman Summers requested separate consideration of **ORDINANCE 8-2014-15**. Councilman Redd made a motion to adopt the Consent Agenda with the exception of Item #4. The motion was seconded by Councilman Harris. Councilwoman Guzman abstained from voting on **ORDINANCE 5-2014-15**. The following vote was recorded:

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

The motion to adopt the Consent Agenda as amended passed.

BEEKEEPING CODE AMENDMENT

ORDINANCE 8-2014-15 (Second Reading) Amending the Zoning Ordinance and the Official Code relative to beekeeping

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

seconded by Councilman Summers. City Attorney Lance Baker read proposed revised language which clarified the amendment adopted on first reading and did not change the substance of the ordinance. Councilman Summers made a motion to adopt the revised language as recommended by the City Attorney. The motion was seconded by Councilwoman McLaughlin. A voice vote was taken; the motion passed without objection. The following vote on the original motion was recorded:

AYE: Allen, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, McNeill, Redd, Summers

NAY: Burkhart

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

COMMUNITY DEVELOPMENT COMMITTEE

David Allen, Chair

Councilman Allen said the Community Development Department had submitted a grant to the Environmental Protection Agency for access to the Frost Morn property to perform an environmental study. He said two pedestrian crosswalk lights had been installed on Kraft Street.

FINANCE COMMITTEE

Geno Grubbs

ORDINANCE 9-2014-15 (First Reading) Amending the 2014-15 Special Revenue Budget for Roadscape Project Phase I and Phase II

The Finance Committee did not submit a recommendation on this amendment. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Redd. Councilwoman Jones asked to see the proposed signage prior to second reading. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

ORDINANCE 10-2014-15 (Second Reading) Establishing the 2014 property tax rate [\$1.1832 per \$100 assessed value]

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

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

The motion to adopt this ordinance on second reading passed.

GAS & WATER COMMITTEE

Jeff Burkhart, Chair

Councilman Burkhart said the department would have some changes to present to the Council the following month.

PARKS, RECREATION, GENERAL SERVICES

Wallace Redd, Chair

Councilman Redd said the committee recently addressed user fees.

PUBLIC SAFETY COMMITTEE

(Building & Codes, Fire, Police)

Geno Grubbs, Chair

Councilman Grubbs reported the following July department statistics: Clarksville Police – 14,779 calls; Clarksville Fire & Rescue – 953 emergency responses; Building & Codes Construction Division – 2,206 inspections; Building & Codes Enforcement Division – 501 cases.

STREET COMMITTEE

James Lewis, Chair

Councilman Lewis reported 200+ work orders completed by the Street Department during July.

TRANSPORTATION COMMITTEE

Marc Harris, Chair

Councilman Harris reported the following July department statistics: Clarksville Transit System – 64,585 passengers; Nashville-Clarksville Express – 5,503 passengers; Garage – 325 work orders with unleaded fuel at a cost of \$3.00 per gallon and diesel fuel at a cost of \$2.93 per gallon.

MAYOR AND STAFF REPORTS

There were no reports.

ADJOURNMENT

The meeting was adjourned at 8:23 p.m.

ORDINANCE 14-2014-15

AN ORDINANCE AMENDING THE 2014-15 OPERATING BUDGET (ORDINANCE 81-2013-14) AUTHORIZING THE CITY OF CLARKSVILLE PARKS AND RECREATION DEPARTMENT TO INCREASE FUNDING FOR BURCHWOOD PARK REDEVELOPMENT

WHEREAS, the Parks and Recreation Department proposes upgrades to Burchwood Park, located in North Clarksville at 2608 Burch Street; and

WHEREAS, the cost of playground equipment is estimated to cost \$35,000; and

WHEREAS, the cost site development to include installation of a security light, park signage, and a parking lot is estimated at \$25,000.

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

That the following Budget Amendments be made:

Parks and Recreation Expenditures:

Improvements-Non Building	10451004-4730	Increase:	\$25,000
Equipment	10451004-4740	Increase:	\$35,000

BE IT FURTHER ORDAINED that the source of funding for this \$60,000 shall be from the fund balance of the General Fund.

ADOPTED:

ORDINANCE 15-2014-15

AN ORDINANCE AMENDING THE 2014-15 CLARKSVILLE GENERAL FUND OPERATING BUDGET (ORDINANCE 81-2013-14) AND THE CLARKSVILLE PARKING AUTHORITY FUND BUDGET (ORDINANCE 76-2013-14) AUTHORIZING THE PARKING AUTHORITY TO INCREASE THE PARKING AUTHORITY BUDGET BY \$14,000 FOR THE PURCHASE OF PARKING METER SLEEVES AND CLEANING THE CUMBERLAND GARAGE

WHEREAS, the Parking Authority Board recommends the purchase of decorative parking meter sleeves to enhance aesthetics of downtown Clarksville; and

WHEREAS, cleaning of the Cumberland Garage by contracting services to pressure-wash twice during the fiscal year.

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

That the following General Fund adjustment be made:

100390-39140	Transfer in from Parking Authority	Increase \$ 14,000
10415103-4610	Operating Expense	Increase \$ 10,000
10415103-4423	Custodial Services	Increase \$ 4,000

That the following Parking Authority Fund adjustments be made:

11410003-4150	Management Fee	Increase \$ 14,000
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BE IT FURTHER ORDAINED:

That the \$14,000 funding for the decorative parking meter sleeves and pressure-washing of the Cumberland Garage come from the Parking Authority Fund balance.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

RESOLUTION 7-2014-15

A RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CLARKSVILLE POLICE DEPARTMENT AND THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES

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

That the Clarksville City Council hereby authorizes a Memorandum of Understanding between the City of Clarksville Police Department and the Bureau of Alcohol, Tobacco, Firearms, and Explosives, attached hereto as Exhibit A.

ADOPTED:

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES (ATF),

AND

THE CLARKSVILLE POLICE DEPARTMENT

This Memorandum of Understanding ("MOU") is entered into by and between the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") and the Clarksville Police Department as it relates to the Frontline Task Force (herein referred to as the "Task force").

AUTHORITIES

Offenses investigated and enforced pursuant to this MOU are those falling within ATF's jurisdiction 28 U.S.C. sec 599A; 27 CFR sec. 0.130. Specifically, the Gun Control Act of 1968, 18 U.S.C. §§ 921 et. seq. and the National Firearms Act, 26 U.S.C. §§ 5861 et. seq.

PURPOSE

The Task Force will perform the activities and duties described below:

- a. Investigate Gang related crime
- b. Investigate firearms related violent crime
- c. Conduct undercover operations where appropriate and engage in other traditional methods of investigation in order that the Task Force's activities will result in effective prosecution before the courts of the United States, the State of Tennessee, and the City of Clarksville.

MEASUREMENT OF SUCCESS

The success of this initiative will be measured by the participating agencies willingness to share certain information, (i.e crime statistics) for the purpose of measuring the success of the Task Force as well as its performance. The Task Force will work diligently to reduce the risk to public safety caused by criminal organizations and gangs, illegal firearms trafficking, and the criminal possession and use of firearms. The reduction of crime in the listed areas can be evaluated during the existence of the Task Force through the sharing of crime statistics in order to measure success.

COPY

PHYSICAL LOCATION

Officers/investigators/agents assigned to this Task Force by their employer shall be referred to as Task Force Officers (TFOs). TFOs will be assigned to the ATF Nashville Group I Field Office located at 5300 Maryland Avenue, Brentwood, TN 37064. The TFO(s) will continue to work from his/her designated local office as well.

SUPERVISION AND CONTROL

The day-to-day supervision and administrative control of TFOs will be the mutual responsibility of the participants, with the ATF Special Agent in Charge or his/her designee having operational control over all operations related to this Task Force.

Each TFO shall remain subject to their respective agencies' policies, and shall report to their respective agencies regarding matters unrelated to this agreement task force. With regard to matters related to the Task Force, TFOs will be subject to Federal law and Department of Justice (DOJ) and ATF orders, regulations and policy, including those related to standards of conduct, sexual harassment, equal opportunity issues and Federal disclosure laws.

Failure to comply with this paragraph could result in a TFO's dismissal from the Task Force.

PERSONNEL, RESOURCES AND SUPERVISION

To accomplish the objectives of the Task Force, ATF will assign 8 Special Agents to the Task Force. ATF will also, subject to the availability of funds, provide necessary funds and equipment to support the activities of the ATF Special Agents and TFOs. This support may include: office space, office supplies, travel funds, funds for the purchase of evidence and information, investigative equipment, training, and other support items.

The participating agency agrees to make available to their assigned Task Force members any equipment ordinarily assigned for use by that agency. In the event ATF supplies equipment (which may include vehicles, weapons or radios), TFOs must abide by any applicable ATF property orders or policy, and may be required to enter into a separate agreement for their use.

To accomplish the objectives of the Task Force, the Clarksville Police Department agrees to detail selected employees to the Task Force for a period of not less than two (2) years.

All TFOs shall qualify with their respective firearms by complying with ATF's Firearms and Weapons Policy.

SECURITY CLEARANCES

All TFOs will undergo a security clearance and background investigation, and ATF shall bear the costs associated with those investigations. TFOs must not be the subject of any ongoing investigation by their department or any other law enforcement agency, and past behavior or punishment, disciplinary, punitive or otherwise, may disqualify one from eligibility to join the

Task Force. ATF has final authority as to the suitability of TFOs for inclusion on the Task Force.

DEPUTATIONS

ATF, as the sponsoring Federal law enforcement agency, may request at its sole discretion that the participating agency's TFOs be deputized by the U.S. Marshals Service to extend their jurisdiction, to include applying for and executing Federal search and arrest warrants, and requesting and executing Federal grand jury subpoenas for records and evidence involving violations of Federal laws. Such requests will be made on an individual basis as determined by ATF.

The participating agency agrees that any Federal authority that may be conferred by a deputation is limited to activities supervised by ATF and will terminate when this MOU¹ is terminated or when the deputized TFOs leave the Task Force, or at the discretion of ATF.

ASSIGNMENTS, REPORTS AND INFORMATION SHARING

An ATF supervisor or designee will be empowered with designated oversight for investigative and personnel matters related to the Task Force and will be responsible for opening, monitoring, directing and closing Task Force investigations in accordance with ATF policy and the applicable United States Attorney General's Guidelines.

Assignments will be based on, but not limited to, experience, training and performance, in addition to the discretion of the ATF supervisor.

All investigative reports will be prepared utilizing ATF's investigative case management system, (N-Force) utilizing ATF case report numbers. The participating agency will share investigative reports, findings, intelligence, etc., in furtherance of the mission of this agreement, to the fullest extent allowed by law. For the purposes of uniformity, there will be no duplication of reports, but rather a single report prepared by a designated individual which can be duplicated as necessary. Every effort should be made to document investigative activity on ATF Reports of Investigation (ROI), unless otherwise agreed to by ATF and the participating agency. This section does not preclude the necessity of individual TFOs to complete forms required by their employing agency.

Information will be freely shared among the TFO and ATF personnel with the understanding that all investigative information will be kept strictly confidential and will only be used in furtherance of criminal investigations. No information gathered during the course of the Task Force, to include informal communications between the TFO and ATF personnel, may be disseminated to any third party, non-task force member by any task force member without the express permission of the ATF Special Agent in Charge or his/her designee.

Any public requests for access to the records or any disclosures of information obtained by task force members during Task Force investigations will be handled in accordance with applicable

statutes, regulations, and policies pursuant to the Freedom of Information Act and the Privacy Act and other applicable federal and or state statutes and regulations.

INVESTIGATIVE METHODS

The parties agree to utilize Federal standards pertaining to evidence handling and electronic surveillance activities to the greatest extent possible. However, in situations where state or local laws are more restrictive than comparable Federal law, investigative methods employed by state and local law enforcement agencies shall conform to those requirements, pending a decision as to a venue for prosecution.

The use of other investigative methods (search warrants, interceptions of oral communications, etc.) and reporting procedures in connection therewith will be consistent with the policy and procedures of ATF. All Task Force operations will be conducted and reviewed in accordance with applicable ATF and Department of Justice policy and guidelines.

None of the parties to this MOU will knowingly seek investigations under this MOU that would cause a conflict with any ongoing investigation of an agency not party to this MOU. It is incumbent upon each participating agency to notify its personnel regarding the Task Force's areas of concern and jurisdiction. All law enforcement actions will be coordinated and cooperatively carried out by all parties to this MOU.

INFORMANTS

ATF guidelines and policy regarding the operation of informants and cooperating witnesses will apply to all informants and cooperating witnesses directed by TFOs.

Informants developed by TFOs may be registered as informants of their respective agencies for administrative purposes and handling. The policies and procedures of the participating agency with regard to handling informants will apply to all informants that the participating agency registers. In addition, it will be incumbent upon the registering participating agency to maintain a file with respect to the performance of all informants or witnesses it registers. All information obtained from an informant and relevant to matters within the jurisdiction of this MOU will be shared with all parties to this MOU. The registering agency will pay all reasonable and necessary informant expenses for each informant that a participating agency registers.

DECONFLICTION

The participating agency agrees that the deconfliction process requires the sharing of certain operational information with the Task Force, which, if disclosed to unauthorized persons, could endanger law enforcement personnel and the public. As a result of this concern, each participating agency agrees to adopt security measures set forth herein:

- a. The participating agency will assign primary and secondary points of contact.
- b. The participating agency agrees to keep its points of contact list updated.

The points of contact for this Task Force are:

ATF: Frank Hacra, Group Supervisor, Nashville Group I

Participating Agency: Gregory Beebe, Sergeant, CPD Gang Unit

EVIDENCE

Evidence shall be maintained by the lead agency having jurisdiction in the court system intended for prosecution. Evidence generated from investigations initiated by a TFO or ATF Special Agent intended for Federal prosecution will be placed in the ATF designated vault, using the procedures found in ATF orders.

All firearms seized by a TFO must be submitted for fingerprint analysis and for a National Integrated Ballistics Information Network (NIBIN) examination. Once all analyses are completed, all firearms seized under Federal law shall be placed into the ATF designated vault for proper storage. All firearms information/descriptions taken into ATF custody must be submitted to ATF's National Tracing Center.

JURISDICTION/PROSECUTIONS

Cases will be reviewed by the ATF Special Agent in Charge or his/her designee in consultation with the participating agency and the United States Attorney's Office and appropriate State's attorney offices, to determine whether cases will be referred for prosecution to the U.S. Attorney's Office or to the relevant State's attorney's office. This determination will be based upon which level of prosecution will best serve the interests of justice and the greatest overall benefit to the public. Any question that arises pertaining to prosecution will be resolved through discussion among the investigative agencies and prosecuting entities having an interest in the matter.

In the event that a state or local matter is developed that is outside the jurisdiction of ATF or it is decided that a case will be prosecuted on the state or local level, ATF will provide all relevant information to state and local authorities, subject to Federal law. Whether to continue investigation of state and local crimes is at the sole discretion of the state or local participating agency.

USE OF FORCE

All fulltime TFOs will comply with ATF and the Department of Justice's (DOJ's) use of force policies, unless a TFO's agency's Use of Force policy is more restrictive, in which case the TFO may use their respective agency's use of force policy. TFOs must be briefed on ATF's and DOJ's use of force policy by an ATF official, and will be provided with a copy of such policy.

MEDIA

Media relations will be handled by ATF and the U.S. Attorney's Office's public information officers in coordination with each participating agency. Information for press releases will be reviewed and mutually agreed upon by all participating agencies, who will take part in press conferences. Assigned personnel will be informed not to give statements to the media concerning any ongoing investigation or prosecution under this MOU without the concurrence of the other participants and, when appropriate, the relevant prosecutor's office.

All personnel from the participating agencies shall strictly adhere to the requirements of Title 26, United States Code, § 6103. Disclosure of tax return information and tax information acquired during the course of investigations involving National Firearms Act (NFA) firearms as defined in 26 U.S.C., Chapter 53 shall not be made except as provided by law.

SALARY/OVERTIME COMPENSATION

During the period of the MOU, participating agencies will provide for the salary and employment benefits of their respective employees. All participating agencies will retain control over their employees' work hours, including the approval of overtime.

ATF may have funds available to reimburse overtime to the State and Local TFO's agency, subject to the guidelines of the Department of Justice Asset Forfeiture Fund. This funding would be available under the terms of a memorandum of agreement (MOA) established pursuant to the provisions of 28 U.S.C. section 524. The participating agency agrees to abide by the applicable Federal law and policy with regard to the payment of overtime from the Department of Justice Asset Forfeiture Fund. The participating agency must be recognized under State law as a law enforcement agency and their officers, troopers/investigators as sworn law enforcement officers. If required or requested, the participating agency shall be responsible for demonstrating to the Department of Justice that its personnel are law enforcement officers for the purpose of overtime payment from the Department of Justice Asset Forfeiture Fund. **This MOU is not a funding document.** Currently, ATF and CPD have an existing MOA covering the reimbursement of overtime worked by CPD officers in furtherance of an ATF investigation.

In accordance with these provisions and any MOA on asset forfeiture, the ATF Special Agent in Charge or designee shall be responsible for certifying reimbursement requests for overtime expenses incurred as a result of this agreement.

AUDIT INFORMATION

Operations under this MOU are subject to audit by ATF, the Department of Justice's Office of the Inspector General, the Government Accountability Office, and other Government-designated auditors. Participating agencies agree to permit such audits and to maintain all records relating to Department of Justice Asset Forfeiture Fund payments for expenses either incurred during the course of this Task Force or for a period of not less than three (3) years and, if an audit is being conducted, until such time that the audit is officially completed, whichever is greater.

FORFEITURES/SEIZURES

All assets seized for administrative forfeiture will be seized and forfeited in compliance with the rules and regulations set forth by the U.S. Department of Justice Asset Forfeiture guidelines. When the size or composition of the item(s) seized make it impossible for ATF to store it, any of the participating agencies having the storage facilities to handle the seized property agree to store the property at no charge and to maintain the property in the same condition as when it was first taken into custody. The agency storing said seized property agrees not to dispose of the property until authorized to do so by ATF.

The MOU provides that proceeds from forfeitures will be shared, with sharing percentages based upon the U.S. Department of Justice Asset Forfeiture policies on equitable sharing of assets, such as determining the level of involvement by each participating agency. Task Force assets seized through administrative forfeiture will be distributed in equitable amounts based upon the number of full-time persons committed by each participating agency. Should it become impossible to separate the assets into equal shares, it will be the responsibility of all the participating agencies to come to an equitable decision. If this process fails and an impasse results, ATF will become the final arbitrator of the distributive shares for the participating agencies.

DISPUTE RESOLUTION

In cases of overlapping jurisdiction, the participating agencies agree to work in concert to achieve the Task Force's goals and objectives. The parties to this MOU agree to attempt to resolve any disputes regarding jurisdiction, case assignments and workload at the lowest level possible.

LIABILITY

ATF acknowledges that the United States is liable for the wrongful or negligent acts or omissions of its officers and employees, including TFOs, while on duty and acting within the scope of their federal employment, to the extent permitted by the Federal Tort Claims Act.

Claims against the United States for injury or loss of property, personal injury, or death arising or resulting from the negligent or wrongful act or omission of any Federal employee while acting within the scope of his or her office or employment are governed by the Federal Tort Claims Act, 28 U.S.C. sections 1346(b), 2672-2680 (unless the claim arises from a violation of the Constitution of the United States, or a violation of a statute of the United States under which other recovery is authorized).

Except as otherwise provided, the parties agree to be solely responsible for the negligent or wrongful acts or omissions of their respective employees and will not seek financial contributions from the other for such acts or omissions. Legal representation by the United States is determined by the United States Department of Justice on a case-by-case basis. ATF cannot guarantee the United States will provide legal representation to any State or local law enforcement officer.

Liability for any negligent or willful acts of any agent or officer undertaken outside the terms of this MOU will be the sole responsibility of the respective agent or officer and agency involved.

DURATION


This MOU shall remain in effect until it is terminated in writing (to include electronic mail and facsimile). All participating agencies agree that no agency shall withdraw from the Task Force without providing ninety (90) days written notice to other participating agencies. If any participating agency withdraws from the Task Force prior to its termination, the remaining participating agencies shall determine the distributive share of assets for the withdrawing agency, in accordance with Department of Justice guidelines and directives.

The MOU shall be deemed terminated at the time all participating agencies withdraw and ATF elects not to replace such members, or in the event ATF unilaterally terminates the MOU upon 90 days written notice to all the remaining participating agencies.

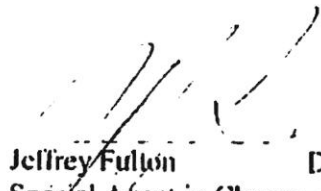
MODIFICATIONS

This agreement may be modified at any time by written consent of all participating agencies. Modifications shall have no force and effect unless such modifications are reduced to writing and signed by an authorized representative of each participating agency.

SIGNATURES


Al Rivers Ansley
Chief of Police
Clarksville Police Department

07-11-2014
Date


Jeffrey Fulton
Special Agent in Charge, ATF
Nashville Field Division

7-14-14
Date