



**CLARKSVILLE CITY COUNCIL
REGULAR SESSION
NOVEMBER 5, 2015, 7:00 P.M.**

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

AGENDA

PUBLIC COMMENTS

- 6:50 p.m. David Blevins
- 6:55 p.m. Cindy Griffy

- 1) CALL TO ORDER
- 2) PRAYER AND PLEDGE OF ALLEGIANCE
- 3) ATTENDANCE
- 4) SPECIAL RECOGNITIONS
- 5) PLANNING COMMISSION

ZONING: PUBLIC HEARING

1. **ORDINANCE 41-2015-16** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of William E. and Ruth Maynard, Michelle Lalande-Agent, for zone change on property located at Red Coat Run and Dr. Martin Luther King, Jr. Parkway from R-1 Single Family Residential District to C-5 Highway & Arterial Commercial District (*RPC: Disapproval/Disapproval*)
2. **ORDINANCE 42-2015-16** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of David L. Merrill and Un Chu Jenkins for zone change on property at the intersection of Tiny Town Road and Tobacco Road from R-2 Single Family Residential District and R-1A Single Family Residential District to C-1 Neighborhood Commercial District (*RPC: Approval/Approval*)

3. **ORDINANCE 43-2015-16** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Thomas Sallee, Jr. for zone change on property at the intersection of College Street and Sallee Drive from M-1 Light Industrial District to C-5 Highway & Arterial Commercial District *(RPC: Approval/Approval)*
4. **ORDINANCE 44-2015-16** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Mike Shelby, Bill Roberts-Agent, for zone change on property at the intersection of Alfred Thun Road and International Boulevard from M-2 General Industrial District to C-5 Highway & Arterial Commercial District *(RPC: Disapproval/Approval)*
5. **RESOLUTION 14-2015-16** Approving abandonment of two unimproved rights-of-way north of Franklin Street, South of Main Street, East of 8th Street, and west of 9th Street; request of Clarksville Fire & Rescue *(RPC: Approval/Approval)*

DESIGN REVIEW BOARD

1. **ORDINANCE 37-2015-16** (First Reading) Amending the Official Code to dissolve the Madison Street Design Review Board and the Two Rivers Company Design Review Board *(Mayor McMillan)*
2. **ORDINANCE 38-2015-16** (First Reading) Amending the Official Code to create a common design review board *(Mayor McMillan)*

6) 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 29-2015-16** (Second Reading) Amending the FY16 Capital Projects Budget to increase funding for the Bank of America property purchase
2. **ORDINANCE 33-2015-16** (Second Reading) Authorizing extension of utilities to property on McAdoo Creek Road; request of Frank Parcels
3. **ORDINANCE 34-2015-16** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Hunter S. Winn, Christine Wenrick-Agent, for zone change on property at Merritt Drive and Memorial Drive from R-1 Single Family Residential District to O-1 Office District
4. **ORDINANCE 35-2015-16** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Tamay Ozari, Robert Jarrett-Agent, for zone change on property at the intersection of Providence Boulevard and Beech Street from C-2 General Commercial District to C-5 Highway & Arterial Commercial District

5. **RESOLUTION 16-2015-16** Approving a retail liquor store Certificate of Compliance for Clarksville Liquor Hospitality (Jayesh and Shveta Patel) for operation of Caddy's Discount Liquors (2206-B Madison Street) (*CPD: No Local Criminal History*)
6. Adoption of Minutes: Regular Session October 1st, Special Session October 20th
7. Approval of Board Appointments:

Audit Committee: Joyce Norris (replace Tim Hurst-term expired), Jerry Weatherspoon (replace Al Irby-term expired) – January 2016 through December 2017

7) HOUSING & COMMUNITY DEVELOPMENT COMMITTEE
David Allen, Chair

8) FINANCE COMMITTEE
Joel Wallace, Chair

1. **ORDINANCE 39-2015-16** (First Reading) Amending the FY16 Traffic Camera Parks Special Revenue Fund for Heritage Park Greenway (*Finance Committee: Approval*)
2. **ORDINANCE 40-2015-16** (First Reading) Amending the FY16 Internal Audit budget for salary and benefit costs for the incoming director (*Finance Committee: Approval*)

9) GAS & WATER COMMITTEE
Wallace Redd, Chair

10) PARKS, RECREATION, GENERAL SERVICES
Valerie Guzman, Chair

11) PUBLIC SAFETY COMMITTEE
(Building & Codes, Fire & Rescue, Police)
Geno Grubbs, Chair

12) STREET COMMITTEE
James Lewis, Chair

13) TRANSPORTATION COMMITTEE

Deanna McLaughlin, Chair

14) MAYOR AND STAFF REPORTS

15) ADJOURNMENT

CITY ZONING ACTIONS

The following case(s) will be considered for action at the formal session of the Clarksville City Council on: November 5, 2015. The public hearing will be held on: November 5, 2015.

CITY ORD. #: 41-2015-16 RPC CASE NUMBER: Z-27-2015

Applicant: WILLIAM E & RUTH MAYNARD

Agent: Michelle Lalande

Location: at the northeast corner of the Red Coat Run & Martin Luther King Jr. Parkway.

Ward #: 10

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

STAFF RECOMMENDATION: DISAPPROVAL

PLANNING COMMISSION RECOMMENDATION: DISAPPROVAL

CITY ORD. #: 42-2015-16 RPC CASE NUMBER: Z-28-2015

Applicant: DAVID L. MERRILL / UN CHU JENKINS

Location: at the northeast corner of the Tiny Town Rd. & Tobacco Rd. intersection & fronting on the north
frontage of Tiny Town Rd. 375 +/- feet east of the centerline of the Tiny Town Rd. & Tobacco Rd. intersection.

Ward #: 1

Request: R-2 Single-Family Residential District / R-1A Single-Family Residential District
 to
 C-1 Neighborhood Commercial District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ORD. #: 43-2015-16 RPC CASE NUMBER: Z-29-2015

Applicant: THOMAS SALLEE JR.

Location: Properties located at the northeast corner of the College St. & Sallee Dr. intersection.

Ward #: 6

Request: M-1 Light Industrial District
 to
 C-5 Highway & Arterial Commercial District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ORD. #: 44-2015-16 RPC CASE NUMBER: Z-30-2015

Applicant: MIKE SHELBY

Agent: Bill Roberts

Location: fronting on the south frontage of Alfred Thun Rd. 1,100 +/- feet west of the centerline of the
International Blvd. & Alfred Thun Rd. intersection.

Ward #: 12

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

STAFF RECOMMENDATION: DISAPPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

RPC MEETING DATE: 10/28/2015

CASE NUMBER: Z - 27 - 2015

NAME OF APPLICANT: William E & Ruth Maynard

AGENT: Michelle Lalande

GENERAL INFORMATION

PRESENT ZONING: R-1

PROPOSED ZONING: C-5

EXTENSION OF ZONE
CLASSIFICATION: NO

APPLICANT'S STATEMENT Doggy daycare - single tenant use.
FOR PROPOSED USE:

PROPERTY LOCATION: Properties located at the northeast corner of the Red Coat Run & Martin Luther King Jr. Parkway.

ACREAGE TO BE REZONED: 3.58 +/-

DESCRIPTION OF PROPERTY Single family Residential Home on a large sloped lot.
AND SURROUNDING USES:

GROWTH PLAN AREA: CITY **TAX PLAT:** 64-N-A **PARCEL(S):** 45.00
CIVIL DISTRICT: 11th 64 43.00 p/o

CITY COUNCIL WARD: 10 **COUNTY COMMISSION DISTRICT:** 20

PREVIOUS ZONING HISTORY: SR-16-2015
(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:

Traffic Assessment Required. Traffic Assessment Submitted & Reviewed By
The Clarksville Street Dept.

3.

2a. COST TO STREET/HIGHWAY DEPT.:

3. DRAINAGE COMMENTS:

Comments Received From Department And They Had No Concerns.

4.

3a. DRAINAGE COST:

5.

4. CDE/CEMC:

4a. COST TO CDE/CEMC:

6.

5. CHARTER COMM./BELL SOUTH:

5a. COST TO CHARTER AND/OR BELLSOUTH:

7.

6. FIRE DEPT/EMERGENCY MGT.:

Comments Received From Department And They Had No Concerns.

6a. COST FIRE DEPT/EMERGENCY MGT.:

8.

7. POLICE DEPT/SHERIFF'S OFFICE:

No Comment(s) Received

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

8. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

Comments Received From Department And They Had No Concerns.

9.

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

9. SCHOOL SYSTEM:

ELEMENTARY: BARKSDALE

MIDDLE SCHOOL: RICHVIEW

HIGH SCHOOL: CLARKSVILLE

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: RED COAT RUN

DRAINAGE:
SOUTH TO NORTH

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:

Sango Planning Area: Growth rate for this area is well above the overall county average.

STAFF RECOMMENDATION: **DISAPPROVAL**

1. The proposed zoning request is consistent with Growth Plan (as in the City), but inconsistent the adopted Land Use Plan.
2. The C-5 Commercial district permits uses that are incompatible with single family residential uses that are adjacent to the request and is an intrusion into the residential neighborhood.
3. No adverse environmental issues were identified relative to this request.
4. Adequate infrastructure serves the site.
- 5.

Z-27-2015

APPLICANT: WILLIAM MAYNARD
AGENT: MICHELLE LALANDE

REQUEST: R-1 to C-5

MAP 064 PARCELS 043.00(p) + 045.00(P) ACREAGE 3.58+/-

R-1

C-2

C-5

M-1

M-1

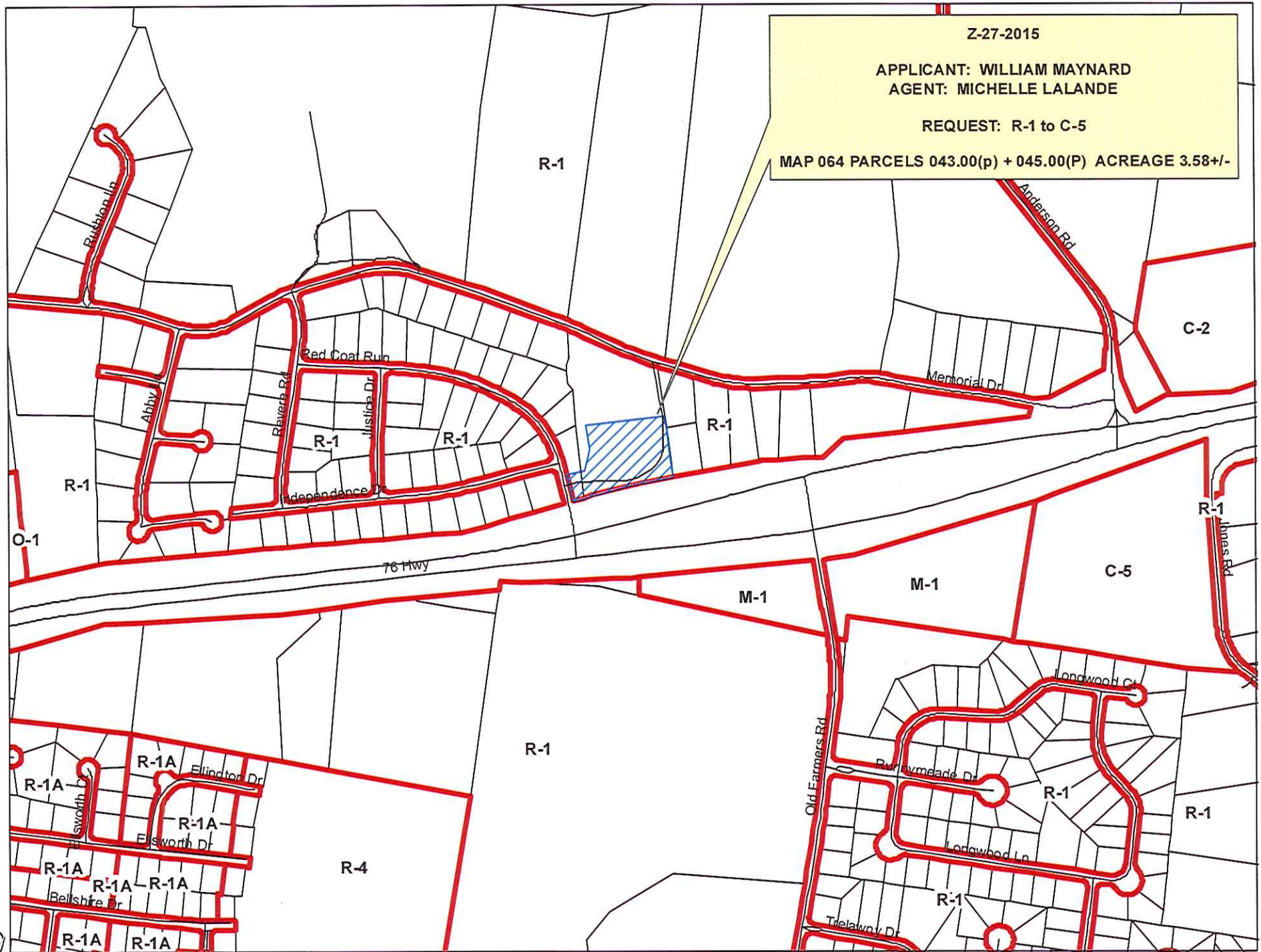
R-1

R-1

R-4

R-1

(F)



CASE NUMBER: Z 27 2015 MEETING DATE 10/28/2015

APPLICANT: William E & Ruth Maynard

PRESENT ZONING R-1 PROPOSED ZONING C-5

TAX PLAT # 64-N-A PARCEL 45.00

GEN. LOCATION Properties located at the northeast corner of the Red Coat Run & Martin Luther King Jr. Parkway.

PUBLIC COMMENTS

None received as of 10:30 a.m. on 10/28/2015 (jhb).

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

RPC MEETING DATE: 10/28/2015

CASE NUMBER: Z - 28 - 2015

NAME OF APPLICANT: David L. Merrill/
Un Chu Jenkins

AGENT:

GENERAL INFORMATION

PRESENT ZONING: R-2 R-1A

PROPOSED ZONING: C-1

EXTENSION OF ZONE
CLASSIFICATION: NO

APPLICANT'S STATEMENT To sell it to an investor/developer for small strip mall or single business or drug
FOR PROPOSED USE: store/clinic for the convenience of the residents in the area.

PROPERTY LOCATION: at the northeast corner of the Tiny Town Rd. & Tobacco Rd. intersection &
fronting on the north frontage of Tiny Town Rd. 375 +/- feet east of the centerline
of the Tiny Town Rd. & Tobacco Rd. intersection.

ACREAGE TO BE REZONED: 1.92

DESCRIPTION OF PROPERTY Cleared rectangular tract with recent fill dirt placed on the property & adjoining
AND SURROUNDING USES: lot with single family residence.

GROWTH PLAN AREA: CITY **TAX PLAT:** 6-J-B **PARCEL(S):** 17.00 & 21.00

CIVIL DISTRICT: 3rd

CITY COUNCIL WARD: 1 **COUNTY COMMISSION DISTRICT:** 18

PREVIOUS ZONING HISTORY: Z-21-2013 R-1A to C-2 Staff Rec.-Disapproval RPC-Approval City Council-
(to include zoning, acreage and Disapproval
action by legislative body) Z-33-2014 R-2/R-1A to C-1 Staff Rec.-Approval RPC-Approval City Council-
Disapproval

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:

No Gravity Sewer On Parcel 21.00

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

Comments Received From Department And They Had No Concerns.
Previously Submitted Traffic Assessment.

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.

No Comment(s) Received

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.

No Comment(s) Received

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

9. SCHOOL SYSTEM:

ELEMENTARY: BARKERS MILL

MIDDLE SCHOOL: WEST CREEK

HIGH SCHOOL: WEST CREEK

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: TINY TOWN RD. (SR 236), TOBACCO RD. & IRIS LANE

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

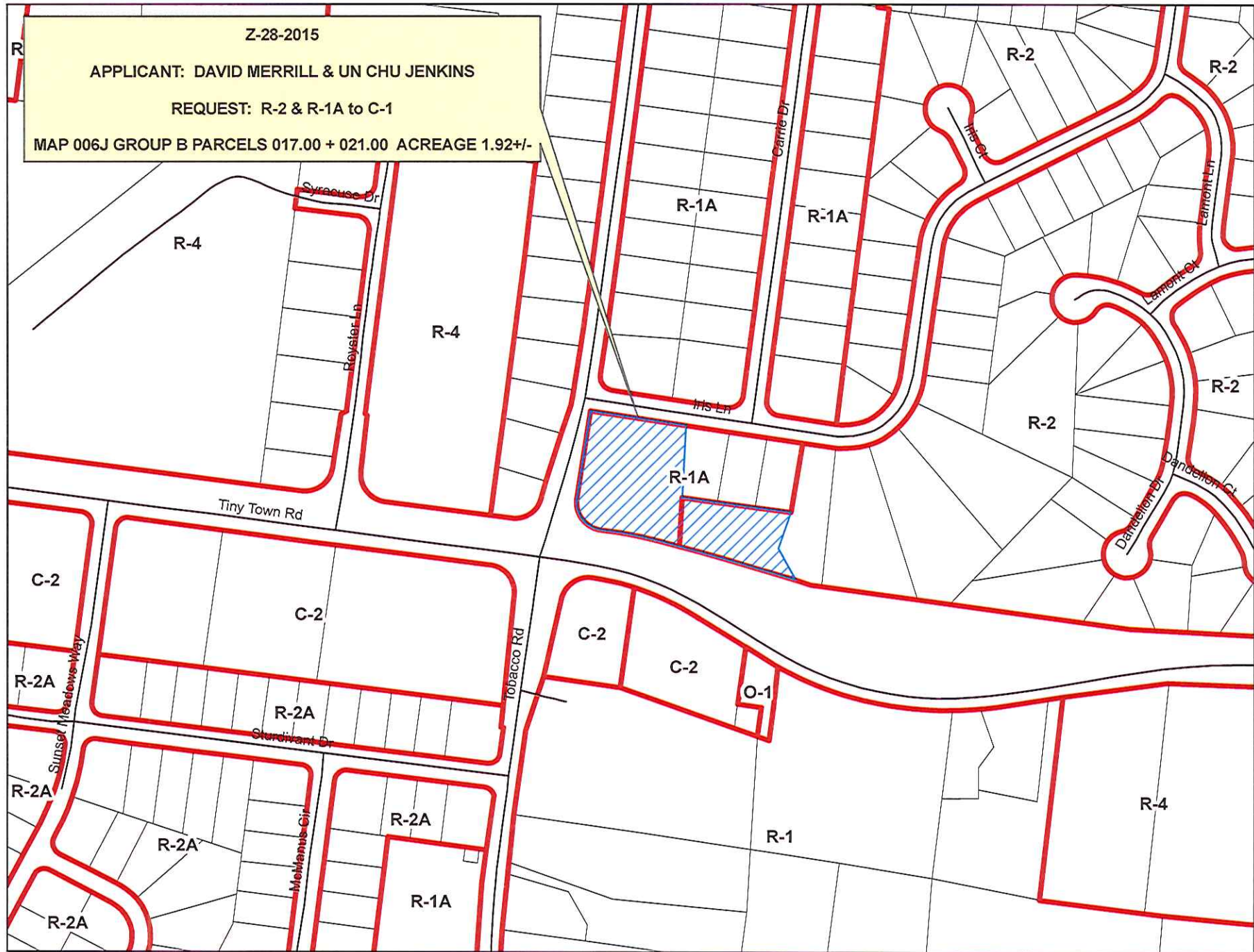
1. The proposed zoning request is consistent with the Growth Plan (as in the City) and adopted Land Use Plan by providing the opportunity for neighborhood commercial establishments to provide convenience and reduce trips for neighboring residences.
2. The west parcel included in the request has triple road frontage. The parcel will be subjected to 3 front yard setback requirements and a 25 foot side yard setback where adjacent to residential. These setback requirements will provide a distance separation from surrounding residences in addition to required landscaping buffering.
3. The rezoning application combines the adjacent parcels into the same request. Doing so provides the opportunity to mitigate the intrusion of traffic within the single family subdivision by providing the potential for shared access to Tiny Town Rd.
4. Property fronts on corner lot on an arterial highway at a signalized intersection. Signalized intersections are conducive to commercial development.
5. Proposed C-1 Neighborhood Commercial District provides opportunity for small groups of establishments intended to serve the frequent trade or service needs of residents within a convenient traveling distance.

Z-28-2015

APPLICANT: DAVID MERRILL & UN CHU JENKINS

REQUEST: R-2 & R-1A to C-1

MAP 006J GROUP B PARCELS 017.00 + 021.00 ACREAGE 1.92+/-



CASE NUMBER: Z 28 2015 MEETING DATE 10/28/2015

APPLICANT: David L.

Merrill /

PRESENT ZONING R-2

PROPOSED ZONING C-1

TAX PLAT # 6-J-B

PARCEL 17.00 & 21.00

GEN. LOCATION at the northeast corner of the Tiny Town Rd. & Tobacco Rd. intersection & fronting
on the north frontage of Tiny Town Rd. 375 +/- feet east of the centerline of the Tiny

PUBLIC COMMENTS

See attached email and petition received 10/27/2015.



myong alton <myongalton@gmail.com>

ZONING CASE Z-28-2015, ON AGENDA FOR OCTOBER 28, 2015, AT 2:00 PM

2 messages

myong alton <myongalton@gmail.com>

Mon, Oct 26, 2015 at 9:00 AM

To: rpc@cityofclarksville.com

October 26, 2015

Clarksville-Montgomery County Regional Planning Commission
329 Main Street
Clarksville, Tennessee 37040-3258

Mr. Chairman and Members of the Commission:

We urge you to recommend disapproval of a proposed zoning change in a residential neighborhood at the northeasterly corner of Tiny Town and Tobacco Roads. We are two of more than 115 of our neighbors who signed and/or circulated a petition opposing the change from residential to commercial.

The application to change says it is "for the convenience of the residents in the area." We know of no residents in the area who are in favor of the change.

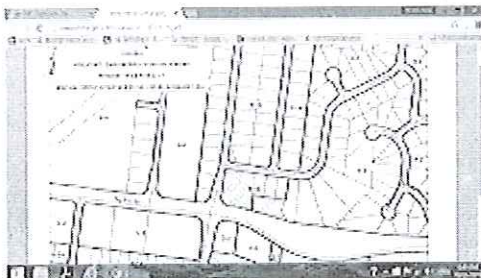
Congestion, noise, light, and drainage problems will result from any change. The easternmost parcel of the property sought to be rezoned is part of a wetland/drainage area, but the area was partially filled in by the current owner in 2014. The fill is held in place by a retaining wall which appears inadequate in design and construction.

For your reference, the following are attached: the four-page petition in opposition to the proposed change [Petition.pdf], a planning commission map [RPC Map.png], and a current Google map which showing the approximate location of the wetland/drainage area in blue [Google Map.png].

Thank you for your time.

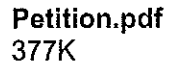
Gavin and Myong Alton
812 Iris Lane
Clarksville, Tennessee 37042-5851

Home Telephone 931-431-5958
Email myongalton@gmail.com

3 attachments

RPC Map.png
567K

Gmail - ZONING CASE Z-28-2015, ON AGENDA FOR OCTOBER 28, 2015, AT 2:00 PM



Petition Summary

This petition is in reference to proposed zone changes on the corner of Tiny Town Road and Tobacco Road. The change would be from R2 residential to C1 neighborhood business.

Action Petitioned For

We, the undersigned, are concerned residents of Pembroke Place. We are not interested in adding any businesses on the corner of Tiny Town Road and Tobacco Road.

Printed Name	Signature	Address	Date
Elisa Ruiz	[Signature]	814 Elisha	10-21-15
MYONG ALTON	[Signature]	812 IRIS LN	10-21-15
THERESA WHITE	[Signature]	1104 Tobacco Rd.	10-21-15
Daniel Hernandez	[Signature]	1105 Tobacco Rd	10-21-15
CAMPBELL	[Signature]	1100 Tobacco	21 OCT 15
Rebecca Murphy	[Signature]	1122 Tobacco Rd	21 OCT 15
Wendy Cole	[Signature]	1124 Tobacco Rd	21 OCT 15
Kristen Benton	[Signature]	1123 Tobacco Rd	21 OCT 15
Robert BIRCH	[Signature]	1126 Tobacco Rd	21 OCT 15
W. O'HILL	[Signature]	1130 Tobacco Rd	10-21-15
Barnett Ken	[Signature]	1200 Tobacco Rd	21 OCT 15
FRED TOLLEY	[Signature]	1204 Tobacco Rd	21 OCT 15
ILYAN	[Signature]	802 Pembroke	10/21/15
Spring Poe	[Signature]	1208 Tobacco Rd	10/21/15
JAVIER ALLEN	[Signature]	800 Pembroke	10/21/15
David Gonzalez	[Signature]	800 Chancery Ln	10/21/15
JORGE H-CRIST	[Signature]	1210 Tobacco Rd	10/21/15
DELIA CRIST	[Signature]	1210 Tobacco Rd	10/21/15
Stacey Wilson	[Signature]	1212 Tobacco Rd	10-21-15
Heather Pemberton	[Signature]	1301 Wannon Rd	10/21/15
Laura A. Tilly	[Signature]	3389 MALLARD Dr	10/21/15
Ann Jones	[Signature]	3390 MALLARD	10/21/15
Ashley BICE	[Signature]	606 Pembroke Pl	10/21/15
Linda Wright	[Signature]	604 Pembroke Pl	10/21/15
Erika Dobb	[Signature]	600 Pembroke Place	10/21/15
Sam Porlynn	[Signature]	3403 Albion Dr	10-21-15
Travis Shedd	[Signature]	3407 Albert Dr	10/21/15
Antoinette Williams	[Signature]	3411 Albert Dr	10/21/15
LENA A Newbill	[Signature]	1109 Tobacco Rd.	10/21/15
Kyndall Buehelt	[Signature]	1411 Addison Dr.	10/22/15
Melissa Moore	[Signature]	3311 Carrie Dr.	10/22/15

PETITION FOR:

WE, THE UNDERSIGNED, ARE NOT INTERESTED IN ADDING ANY BUSINESS TO THE CORNER OF TINY TOWN RD AND TOBACCO RD.

Lance Maass	Julians	3410 Albert DR	10-22-15.
Alex Benick	Ann Ru	3405 Mallard Pl.	10-22-15
Oliver Clifford	Aly	3413 Mallard Dr	10-21-2015
Cathy (b/k)	Cathy	3410 Mall DR	10/21/15
Boyle	Boyle	3418 Walkers	10-21-15
Wes Miller	Wes Miller	1314 WALKER DR	10-21-15
Min Patterson	Min Patterson	1315 WARRONA DR	10/21-15
Crystal Scott	Crystal Scott	1202 Tobacco RD	10-21-15
Chad Peebles	Chad Peebles	1102 tobacco rd	10/21/15
Parryl Nurb	Parryl Nurb	1109 tobacco rd	10/21/15
Hyon S. Warren	Hyon S. Warren	Bob Iris Lane	10/21/15
HEMAN G. Gorman	HEMAN G. Gorman	808 IRIS LN	10/21/15
Kim Pettitt	Kim Pettitt	822 Iris Ln.	10/22/15
Andrew Pettitt	Andrew Pettitt	819 Iris Ln	10/22/15
Matt Pettitt	Matt Pettitt	1225 Lamont Ct	10/22/15
Sashita Pettitt	Sashita Pettitt	1225 Lamont Ct	10/22/15
Juette Bosdo	Juette Bosdo	830 Iris Lane	10/22/15
Edward F. McLaughlin	Edward F. McLaughlin	105 Iris Ct	10/22/15
Johnson Daniel	Johnson Daniel	103 Iris Ct	10/22/15
Charles Jackson	Charles Jackson	102 IRIS CT	10/22/15
Daniel R. Ryan	Daniel R. Ryan	833 Iris Lane	10/22/15
DAN BOWMAN	DAN BOWMAN	833 IRIS LANE	10/22/15
C. L. Whittington	C. L. Whittington	937-431-737	10/22/15
Charles E. Vance	Charles E. Vance	903 Lamont Ln.	10-22-15
Richard L. Rainey	Richard L. Rainey	905 Lamont Ln	10-22-15
Kyle Gotschel	Kyle Gotschel	844 IRIS LN	10-22-15
James Gotschel	James Gotschel	844 Iris Ln	10-22-15
Nicole Wheat	Nicole Wheat	844 iris LN	10-22-15
Ringa Williams	Ringa Williams	844 iris LN	10-22-15
Enzo St. Louis	Enzo St. Louis	835 Iris Ln	10/22/15
Karen Kim	Karen Kim	3211 Mallard Dr	10-22-2015
Hernandez Jose	Hernandez Jose	1202 Parkview Dr.	10-22-2015
Manuela Grubbs	Manuela Grubbs	3327 Mallard Dr	10-22-2015
Justin Grubbs	Justin Grubbs	3324 Mallard Dr	10-22-2015
Michelle Hall	Michelle Hall	3330 Mallard Dr	10-22-15
Donald Hall	Donald Hall	3328 Mallard Dr	22 Oct 2015
Dionne Laramore	Dionne Laramore	3332 Mallard	10-22-15
Dawn Laramore	Dawn Laramore	3332 Mallard	10-22-15
Marisa Hazel	Marisa Hazel	3329 mallard	10-22-15
Debra Grant	Debra Grant	3341 Mallard	10-22-15
Charles Peppers	Charles Peppers	3333 Mallard DR.	10-22-15
Mesha Paul	Mesha Paul	810 iris Ln	10-22-15
Ladwill DeBos	Ladwill DeBos	814 Iris Ln	10-22-15

Petition Summary

This petition is in reference to proposed zone changes on the corner of Tiny Town Road and Tobacco Road. The change would be from R2 residential to C1 neighborhood business.

Action Petitioned For

We, the undersigned, are concerned residents of Pembroke Place. We are not interested in adding any businesses on the corner of Tiny Town Road and Tobacco Road.

Printed Name	Signature	Address	Date
James Bodley	James Bodley	3405 Minor Dr	10-22-15
Judy Bodley	Judy Bodley	602 Pembroke Place	10-22-15
Renee Reneau	Renee Reneau	3380 Mallard Dr	931-206-0047
Melanie Green	Melanie Green	3380 Mallard Dr	931-444-9764
Kevin Jeffcoat	Kevin Jeffcoat	3374 Mallard	10/22/2015
E. Vanderhoof	E. Vanderhoof	3397 Minor Dr	10/22/2015
R. Vanderhoof	R. Vanderhoof	3398 Minor Dr	10/22/2015
Shani Simms	Shani Simms	3398 Minor Dr	10/22/2015
Mary McNabb	Mary McNabb	701 Pembroke Pl	10/22/2015
Luke Norman	Luke Norman	701 Pembroke Pl	10/22/15
Herbert Williams	Herbert Williams	621 Pembroke Pl	10/22/15
Steve Cline	Steve Cline	622 Pembroke Pl	10-23-15
Peggy McFarlane	Peggy McFarlane	3396 Polly Dr	10-23-15
Drew Reynolds	Drew Reynolds	811 Iris Ln	10-23-15
Max Hardin	Max Hardin	3315 Currie Dr	10-23-15
Walter Kincaid	Walter Kincaid	3313 Currie Dr	10-23-15
Tucker Kincaid	Tucker Kincaid	609 Pembroke Pl	10-24-15
Dave Tilley	Dave Tilley	609 Pembroke Pl	10-24-15
Billy Marade	Billy Marade	3387 Mallard Dr	10-23-15
Reata Marade	Reata Marade	3416 Chaney Ln	10-23-15
Clayton McQuinn	Clayton McQuinn	3416 Chaney Ln	10-22-15
Margaret Cruz	Margaret Cruz	3376 Mallard Dr	10-23-15
Daniel Cruz	Daniel Cruz	3424 Chaney Lane	10-23-15
Nicholas Ehler	Nicholas Ehler	3421 Chaney Lane	10-23-15
Stephen L Volz	Stephen L Volz	3415 Polly Dr	10-23-15
Sharon J Volz	Sharon J Volz	3361 Mallard Dr	10-23-15

Action Petitioned For

16

www.cmcrpc.com/cases/Z-28-2015.pdf

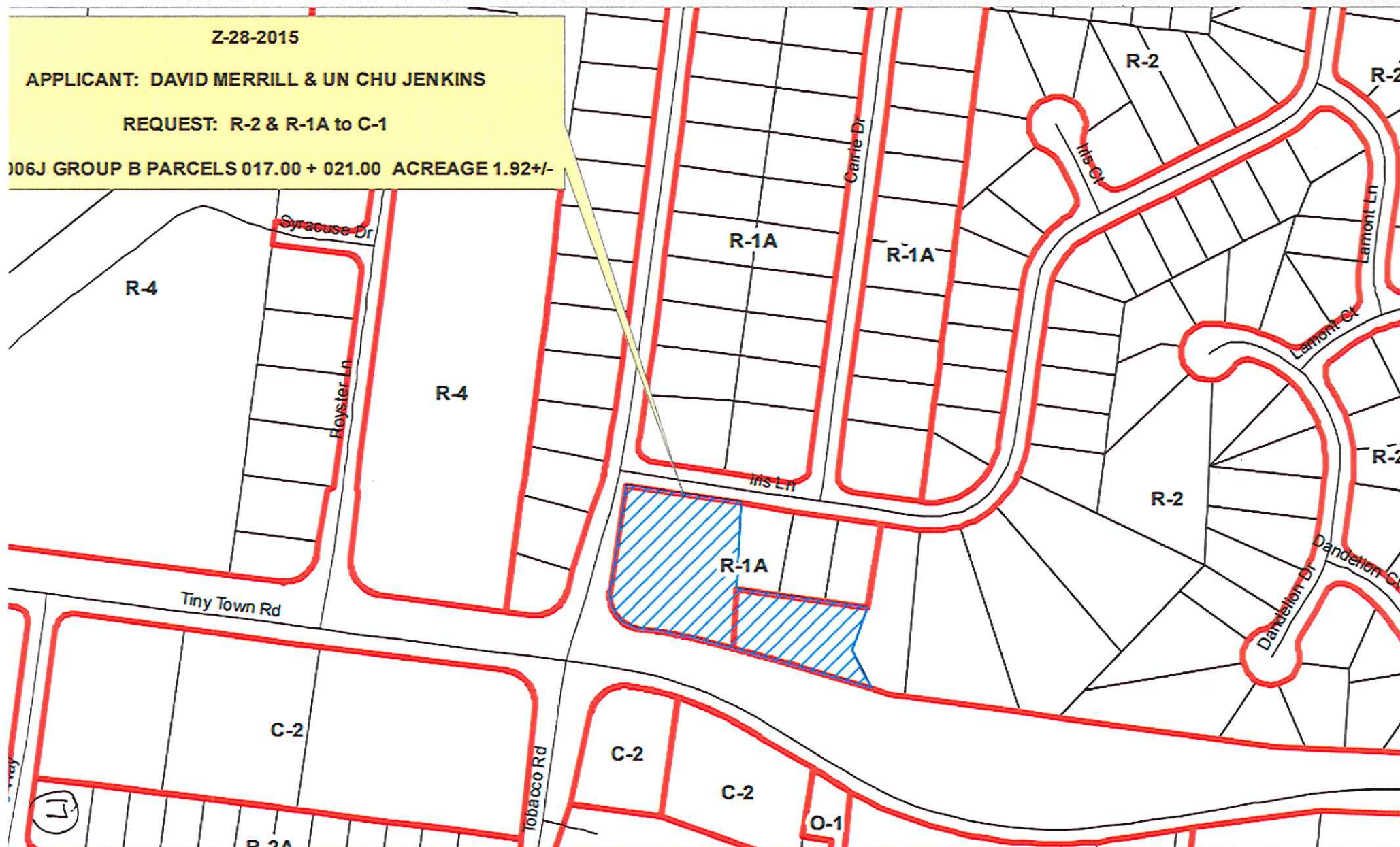
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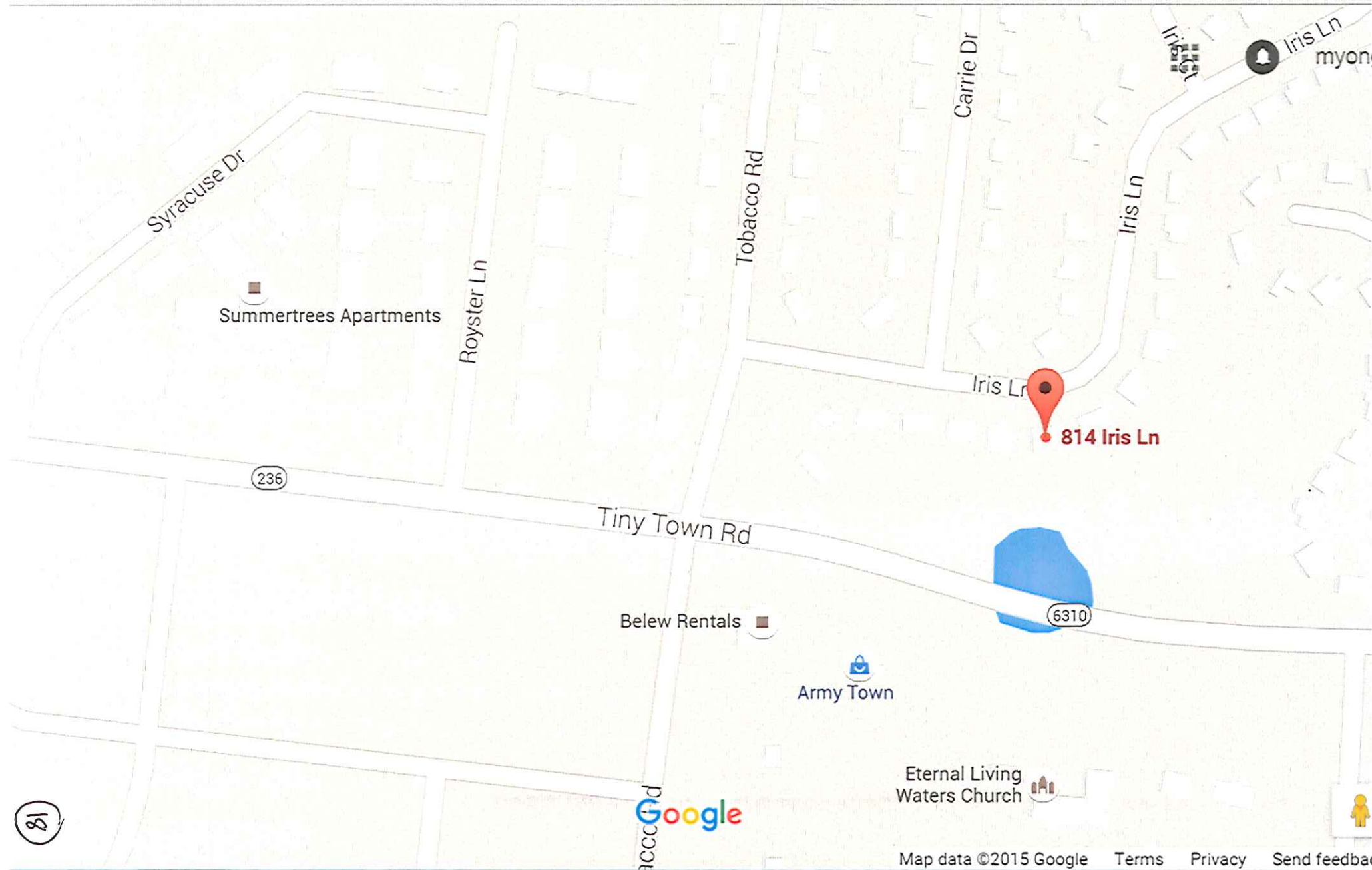
Z-28-2015

APPLICANT: DAVID MERRILL & UN CHU JENKINS

REQUEST: R-2 & R-1A to C-1

006J GROUP B PARCELS 017.00 + 021.00 ACREAGE 1.92+/-





CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

RPC MEETING DATE: 10/28/2015

CASE NUMBER: Z - 29 - 2015

NAME OF APPLICANT: Thomas

Sallee Jr.

AGENT:

GENERAL INFORMATION

PRESENT ZONING: M-1

PROPOSED ZONING: C-5

**EXTENSION OF ZONE
CLASSIFICATION:**

APPLICANT'S STATEMENT Car lot,
FOR PROPOSED USE:

PROPERTY LOCATION: Properties located at the northeast corner of the College St. & Sallee Dr.
intersection.

ACREAGE TO BE REZONED: 1.24

DESCRIPTION OF PROPERTY 2 properties with 1 commercial structure on each parcel.
AND SURROUNDING USES:

GROWTH PLAN AREA:

CITY **TAX PLAT:** 55-M-C

PARCEL(S): 3.00 & 4.00

CIVIL DISTRICT: 12th

CITY COUNCIL WARD: 6

COUNTY COMMISSION DISTRICT: 17

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:

Comments Received From Department And They Had No Concerns.

2. STREET DEPARTMENT/

COUNTY HIGHWAY DEPARTMENT:

3.

2a. COST TO STREET/HIGHWAY DEPT.:

Comments Received From Department And They Had No Concerns.

3. DRAINAGE COMMENTS:

4.

3a. DRAINAGE COST:

5.

4. CDE/CEMC:

4a. COST TO CDE/CEMC:

6.

5. CHARTER COMM./BELL SOUTH:

5a. COST TO CHARTER AND/OR BELLSOUTH:

7.

Comments Received From Department And They Had No Concerns.

6. FIRE DEPT/EMERGENCY MGT.:

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:

No Comment(s) Received

8. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

9.

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

9. SCHOOL SYSTEM:

ELEMENTARY:

MIDDLE SCHOOL:

HIGH SCHOOL:

10.

9a. COST TO SCHOOL SYSTEM:

10. FT. CAMPBELL:

10a. COST TO FT. CAMPBELL:

11. OTHER COMMENTS:

11.

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

IMPACT OF PROPOSED USE ON Minimal
SURROUNDING DEVELOPMENT:

INFRASTRUCTURE:

WATER SOURCE: CITY

PIPE SIZE:

SEWER SOURCE: CITY

ACCESSIBILITY: COLLEGE ST. & SALLEE DR.

DRAINAGE:
NORTH

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:

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

STAFF RECOMMENDATION: **APPROVAL**

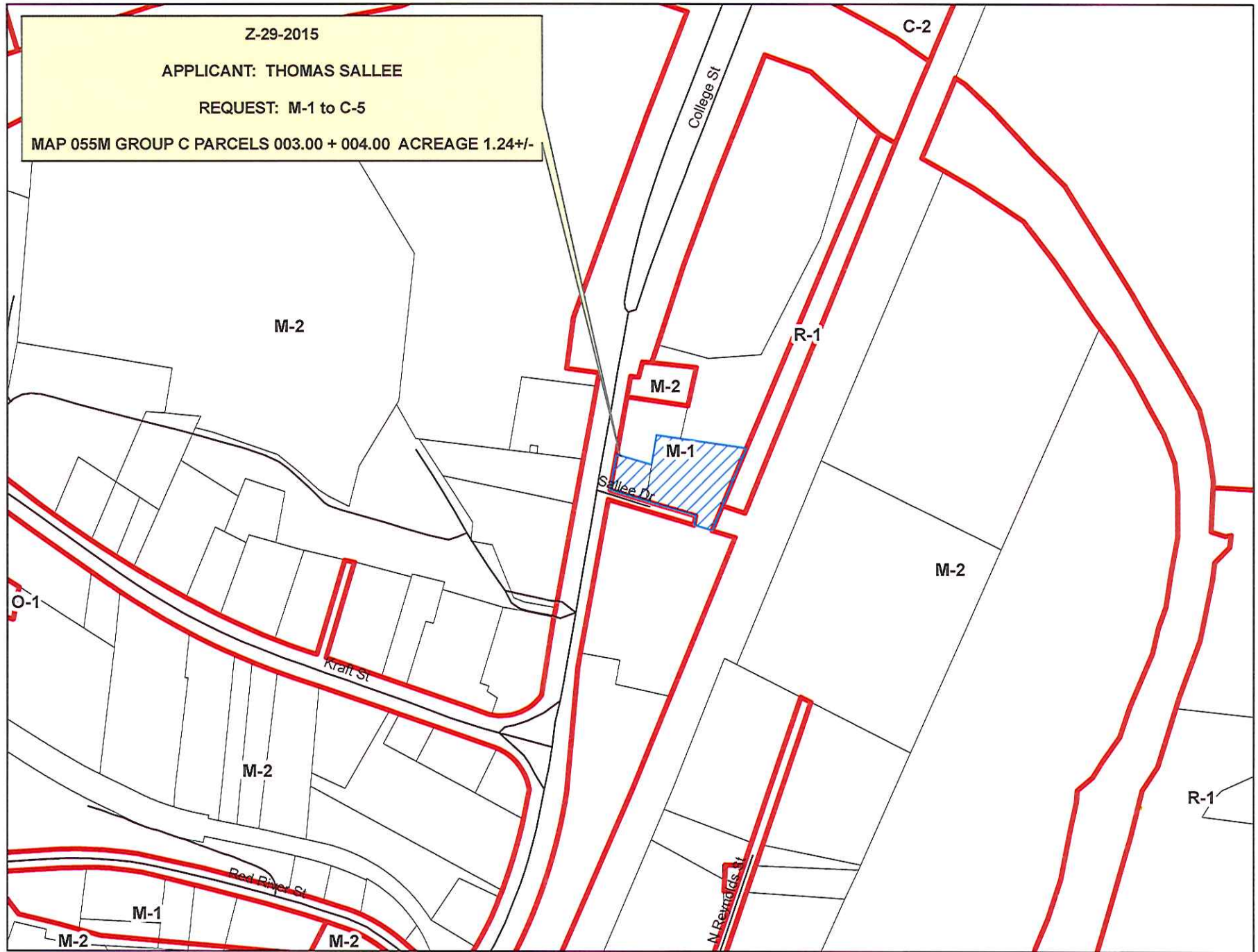
- 1.** The proposed zoning request is consistent with Growth Plan (as in the City) and adopted Land Use Plan.
- 2.** No adverse environmental issues were identified relative to this request & adequate infrastructure serves the site.
- 3.** Proposed C-5 zoning brings existing use (BBO Stand) into compliance with zoning ordinance use requirements.
- 4.** The east frontage of college St. includes many commercial uses that would be more appropriately zoning commercial than industrial.
- 5.**

Z-29-2015

APPLICANT: THOMAS SALLEE

REQUEST: M-1 to C-5

MAP 055M GROUP C PARCELS 003.00 + 004.00 ACREAGE 1.24+/-



CASE NUMBER: Z 29 2015 MEETING DATE 10/28/2015

APPLICANT: Thomas Sallee Jr.

PRESENT ZONING M-1 PROPOSED ZONING C-5

TAX PLAT # 55-M-C PARCEL 3.00 & 4.00

GEN. LOCATION Properties located at the northeast corner of the College St. & Sallee Dr. intersection.

PUBLIC COMMENTS

None received as of 10:30 a.m. on 10/28/2015 (jhb).

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

RPC MEETING DATE: 10/28/2015

CASE NUMBER: Z - 30 - 2015

NAME OF APPLICANT: Mike

Shelby

AGENT: Bill

Roberts

GENERAL INFORMATION

PRESENT ZONING: M-2

PROPOSED ZONING: C-5

EXTENSION OF ZONE
CLASSIFICATION: NO

APPLICANT'S STATEMENT Property needs to be rezoned in order to open a retail car sales business.
FOR PROPOSED USE:

PROPERTY LOCATION: Property fronting on the south frontage of Alfred Thun Rd. 1,100 +/- feet west of the centerline of the International Blvd. & Alfred Thun Rd. intersection.

ACREAGE TO BE REZONED: 1.54

DESCRIPTION OF PROPERTY Irregular shaped parcel with warehouse & gravel parking lot.
AND SURROUNDING USES:

GROWTH PLAN AREA:

CITY **TAX PLAT:** 40

PARCEL(S): 5.11

CIVIL DISTRICT: 6th

CITY COUNCIL WARD: 12

COUNTY COMMISSION DISTRICT: 1

PREVIOUS ZONING HISTORY: SR-11-2002

(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:

Comments Received From Department And They Had No Concerns.

3.

2. STREET DEPARTMENT/

COUNTY HIGHWAY DEPARTMENT:

2a. COST TO STREET/HIGHWAY DEPT.:

Comments Received From Department And They Had No Concerns.

4.

3. DRAINAGE COMMENTS:

3a. DRAINAGE COST:

5. No Comment(s) Received

4. CDE/CEMC:

4a. COST TO CDE/CEMC:

6.

5. CHARTER COMM./BELL SOUTH:

5a. COST TO CHARTER AND/OR BELLSOUTH:

7. Comments Received From Department And They Had No Concerns.

6. FIRE DEPT/EMERGENCY MGT.:

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:

No Comment(s) Received

8. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

9.

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

9. SCHOOL SYSTEM:

ELEMENTARY:

MIDDLE SCHOOL:

HIGH SCHOOL:

10.

9a. COST TO SCHOOL SYSTEM:

10. FT. CAMPBELL:

10a. COST TO FT. CAMPBELL:

11. OTHER COMMENTS:

11.

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

IMPACT OF PROPOSED USE ON Minimal
SURROUNDING DEVELOPMENT:

INFRASTRUCTURE:

WATER SOURCE: CITY

PIPE SIZE:

SEWER SOURCE: CITY

ACCESSIBILITY: ALFRED THUN RD.

DRAINAGE:
VARIES

DEVELOPMENT ESTIMATES:

APPLICANT'S ESTIMATES

HISTORICAL ESTIMATES

LOTS/UNITS:

ROAD MILES:

POPULATION:

ELEMENTARY SCHOOL STUDENTS:

MIDDLE SCHOOL STUDENTS:

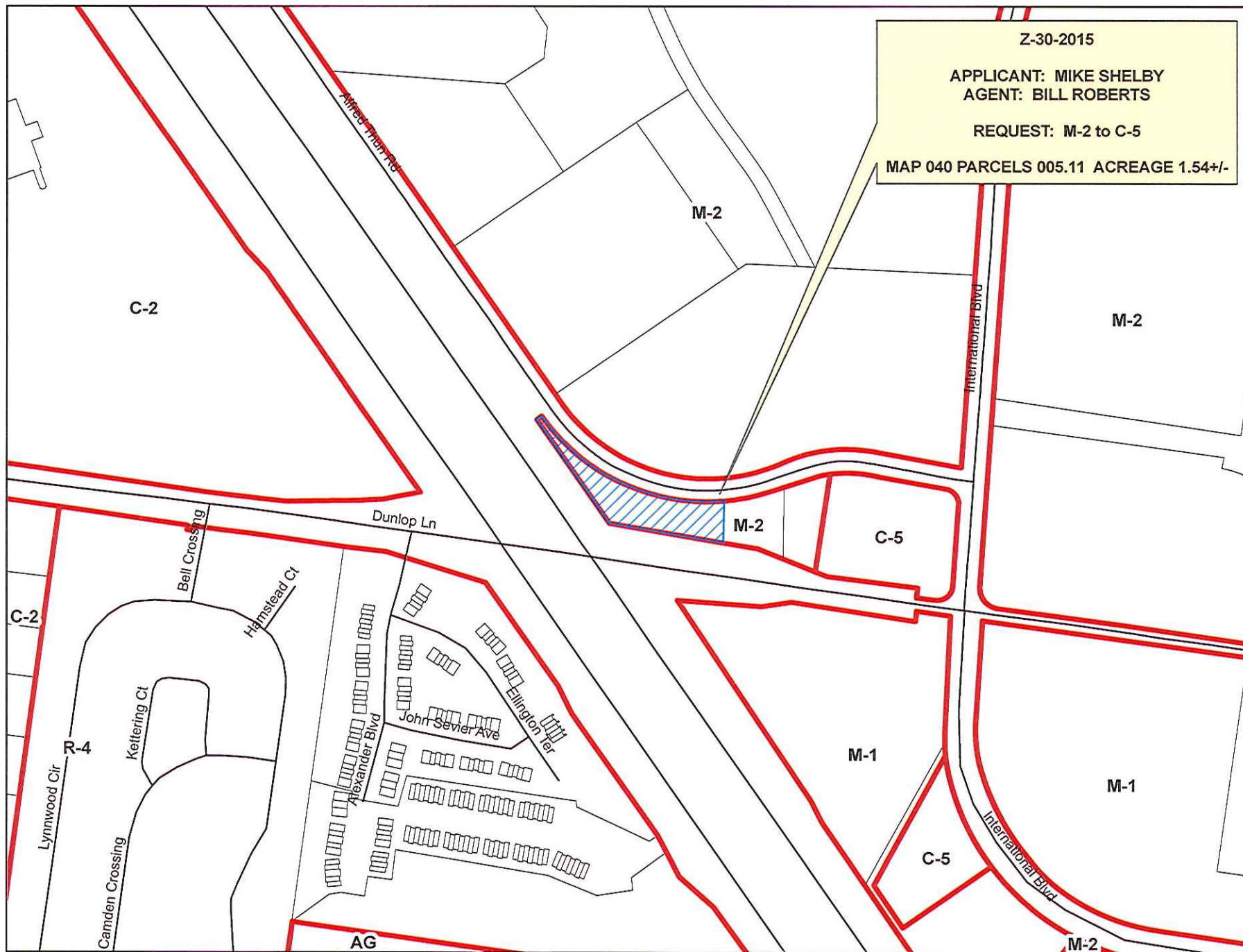
HIGH SCHOOL STUDENTS:

APPLICABLE COMPREHENSIVE PLAN ELEMENTS:

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

STAFF RECOMMENDATION: **DISAPPROVAL**

1. The proposed zoning request is consistent with Growth Plan (as in the City), but inconsistent the adopted Land Use Plan.
2. No adverse environmental issues were identified relative to this request.
3. Existing Industrial zoning is viewed to be the appropriate zoning for the property and does not warrant the proposed C-5 request.
4. Adequate infrastructure serves the site.
- 5.



CASE NUMBER: Z 30 2015 MEETING DATE 10/28/2015

APPLICANT: Mike

Shelby

PRESENT ZONING M-2

PROPOSED ZONING C-5

TAX PLAT # 40

PARCEL 5.11

GEN. LOCATION Property fronting on the south frontage of Alfred Thun Rd. 1,100 +/- feet west of the centerline of the International Blvd. & Alfred Thun Rd. intersection.

PUBLIC COMMENTS

None received as of 10:30 a.m. on 10/28/2015 (jhb).

ORDINANCE 41-2015-16

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF WILLIAM E. AND RUTH MAYNARD, MICHELLE LALANDE-AGENT, FOR ZONE CHANGE ON PROPERTY AT RED COAT RUN AND DR. MARTIN LUTHER KING, JR. PARKWAY

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 an iron pin found in the intersection of the eastern ROW of Red Coat Run and the northern ROW of Highway 76/US 41-A Bypass, said iron pin being the southwest corner of the William E. Maynard, ETUX property, thence leaving the northern ROW of Highway 76/US 41-A Bypass and following the eastern ROW of Red Coat Run North 15 degrees 47 minutes 15 seconds West for a distance of 129.41 feet to a 1/2" iron pin set, thence leaving the eastern ROW of Red Coat Run and on a new division line North 74 degrees 12 minutes 45 seconds East for a distance of 100.54 feet to a 1/2" iron pin set, thence on another new division line North 04 degrees 19 minutes 57 seconds East for a distance of 143.77 feet to a 1/2" iron pin set, thence on another new division line North 15 degrees 47 minutes 15 seconds West for a distance of 109.03 to a 1/2" iron pin set, thence on another new division line South 89 degrees 41 minutes 10 seconds East for a distance of 433.51 feet to an 1/2" iron pin set in the eastern boundary line of said Maynard property, said pin being the northwest corner of the John P. Sawyer, Jr. ETAL property and the southwest corner of the Norman R. Ramsey, II ETUX property, thence following the west boundary of said Sawyer property South 10 degrees 29 minutes 18 seconds East for a distance of 281.08 feet to an iron pin old found in the northern ROW of Highway 76/US 41-A Bypass, thence leaving said Sawyer property and following the northern ROW of Highway 76/US 41-A Bypass South 78 degrees 06 minutes 25 seconds West for a distance of 310.56 feet to a 1/2" iron pin set, thence continuing with the northern ROW of Highway 76/US 41-A Bypass South 75 degrees 35 minutes 48 seconds West for a distance of 230.77 feet to the point of beginning, containing 3.58 +/- acres, further identified as (Tax Map 64- Parcel 43 p/o & Tax Map 64-N-A, Parcel 45.00)

ORDINANCE 42-2015-16

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF DAVID L. MERRILL AND UN CHU JENKINS FOR ZONE CHANGE ON PROPERTY AT THE INTERSECTION OF TINY TOWN ROAD AND TOBACCO ROAD

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

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

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point in the southern ROW of Iris Lane said point being 29 +/- feet southeast of the Tobacco Rd & Iris Lane intersection further identified as the northwest corner of the Merrill Property thence in a southerly 217 +/- feet direction with the Tobacco Rd. ROW to a point said point being in the northern ROW of Tiny Town Rd. further identified as the southwest corner of the Merrill property, thence in an easterly direction 480 +/- feet with the northern ROW of Tiny Town Rd. to a point said point being the southwest corner of the Gavin Alan Alton property, thence in a northerly direction 157 +/- feet with the west boundary of the Alton property to a point said point being the southeast corner of the Sarah Maguire property thence in a westerly direction 231 +/- with the southern boundary of the Maguire property to a point said point being the southwest corner of the Donald W. Warren property thence in a northerly direction 153 +/- feet with the western boundary of the Warren property to a point, said point being in the southern ROW of Iris Lane, thence in a westerly direction 203 +/- feet with the southern ROW of Iris Lane to the point of beginning, containing 1.92 +/- acres further identified as (Tax Map 6-J, Group B, Parcel 17.00 & 21.00)

ORDINANCE 43-2015-16

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF THOMAS SALLEE, JR. FOR ZONE CHANGE ON PROPERTY AT THE INTERSECTION OF COLLEGE STREET AND SALLEE DRIVE

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

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

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point said point being located at the northeast corner of the College St. & Sallee Dr. intersection, said point also being the southwest corner of the Thomas R. Sallee property thence in a northerly direction with the eastern ROW of College St. 98 +/- feet to a point, said point being the southwest corner of the Johnny R. Meeks property, thence in a easterly direction with the southern boundary of the Meeks property 98 +/- feet to a point thence in a northerly direction 81 +/- feet with the Meeks boundary to a point, thence in a easterly direction 66 +/- feet with the Meeks boundary to a point, said point being the southwest corner of the Earl Scott Denney property, thence in a easterly direction with the southern boundary of the Denney property 179 +/- feet to a point, said point being in the western boundary of the Railroad ROW thence in a southerly direction with the Railroad ROW 240 +/- feet to a point said point being in the northern boundary of the William G. Ogles, Jr. property, thence in a westerly direction with the Ogles property 50 +/- feet to a point, said point being at the eastern terminus of Sallee Dr. thence following the terminus width north 24 +/- feet, thence in a westerly direction with the northern ROW of Sallee Dr. 240 +/- feet to the point of beginning, said tract containing 1.24 +/- acres, further identified as (Tax Map 55-M-C, Parcel(s) 3.00 & 4.00)

ORDINANCE 44-2015-16

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF MIKE SHELBY, BILL ROBERTS-AGENT, FOR ZONE CHANGE ON PROPERTY AT THE INTERSECTION OF ALFRED THUN ROAD AND INTERNATIONAL BOULEVARD

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 point, said point being 833 +/- feet southwest of the International Blvd. & Alfred Thun Rd. intersection, said point also being in the southern ROW of Alfred Thun Rd. further identified as the northwest corner of the adjoining Michael A. Shelby property, thence in a westerly direction with the south ROW of Alfred Thun Rd. along the curve 704 +/- feet said point being in the eastern ROW of Interstate I-24 thence in a southeasterly direction along the eastern ROW of Interstate I-24 425 +/- feet to a point, said point being in the northern ROW of Dunlop Lane, thence in a easterly direction with the northern ROW of Dunlop Ln. 386 +/- to a point said point being the southwest corner of the Michael A. Shelby property, the in a northerly direction with the Shelby boundary 140 +/- feet to the point of beginning, said tract containing 1.54 +/- acres, further identified as (Tax Map 40, Parcel 5.11)

RESOLUTION 14-2015-16

A RESOLUTION APPROVING THE ABANDONMENT OF TWO UNIMPROVED RIGHTS-OF-WAY, LOCATED NORTH OF FRANKLIN STREET, SOUTH OF MAIN STREET, EAST OF 8TH STREET, AND WEST OF 9TH STREET

WHEREAS, application was made by the City of Clarksville Fire Rescue Department (Chief Michael Roberts, agent) for abandonment of two unimproved rights-of-way; located north of Franklin Street, south of Main Street, east of 8th Street, and west of 9th Street; portion 'A' being approximately 15.6 +/- feet wide and 113.70 +/- feet long, containing approximately 1,773.72 +/- sq. ft., shown on Montgomery County tax map 66-F, group D, north of parcels 14.00 and 16.00, and south of parcel 17.00; and portion 'B' being approximately 15 +/- feet wide and 83 +/- feet long, containing approximately 1,245 +/- sq. ft., shown on Montgomery County tax map 66-F, group D, running through parcel 004.01; also shown on the attachment; and

WHEREAS, the application was reviewed according to established procedures by the Regional Planning Commission on October 28th, 2015, and was recommended for approval to the Clarksville City Council, with retention of an easement for storm water and surface drainage, and for public utilities;

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

That the above-described portion of a public alleyway is hereby abandoned, with retention of an easement for storm water and surface drainage, and for public utilities.

PUBLIC HEARING:

ADOPTED:



ORDINANCE 37-2015-16

AN ORDINANCE AMENDING THE CLARKSVILLE CITY CODE TO DISSOLVE THE TWO RIVERS COMPANY DESIGN REVIEW BOARD AND THE MADISON STREET COORIDOR DESIGN REVIEW BOARD

- WHEREAS*, in order to streamline the development review process, the Mayor's Design Review Task Force recommended the creation of a consolidated design review board to exercise urban design review approval for physical improvements within the Historic District Overlay, the Madison Street Corridor Urban Design Overlay District, the Central Business Improvement District, and any subsequent design review overlay districts created within the City of Clarksville; and
- WHEREAS*, the Clarksville-Montgomery County Regional Historic Zoning Commission retains its authority to approve Certificates of Appropriateness for constructing, altering, repairing, rehabilitating, relocating or demolishing any building or structure within locally designed historic districts of the Historic District Overlay with the City of Clarksville, and further retains all other powers and duties including the authority to adopt, modify and update design review guidelines for individual locally-designed historic districts; and
- WHEREAS*, the Two Rivers Company, as the successor to the Downtown District Partnership and the River District Commission, approved the delegation of its authority for urban design review for improvement projects within the boundary of the Central Business Improvement District and dissolved its Design Review Committee performing such function, but retained all other powers and duties; and
- WHEREAS*, the Madison Street Corridor Design Review has agreed to its dissolution so that its design review approval authority may be taken over by the Common Design Review Board for the Madison Street Corridor Urban Design Overlay District; and
- WHEREAS*, the Clarksville-Montgomery County Regional Planning Commission has recommended the creation of the Downtown Urban Design Overlay District (coinciding with the boundaries of the Central Business Improvement District), the creation of a Common Design Review Board to review and to approve improvement projects within the Historic District Overlay, the Madison Street Corridor Urban Design Overlay District, the Downtown Urban Design Overlay District (coinciding with the boundaries of the Central Business Improvement District), and any other design overlay districts that may be subsequently created in the City of Clarksville; and
- WHEREAS*, the Clarksville-Montgomery County Regional Planning Commission has agreed to provide staff support to the Common Design Review Board; and

WHEREAS, the City Council of the City of Clarksville is creating the Common Design Review Board under a coincident Ordinance.

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

1. Dissolution of Two Rivers Company Design Review Board. The Two Rivers Company Design Review Board was created by the Downtown District Partnership (now the Two Rivers Company) under the authority creating the Central Business Improvement District per Ordinance 41-1998-1999 effective on April 13, 1999, and found in the Clarksville City Code Part 2 “Code of Ordinances” Title 12, “Streets and Other Public Ways and Places” – Chapter 9 “Central Improvement District. Section 12-906 “Scope of Authority” is hereby amended by deleting the entirety of Item 13 concerning exterior design review authority.
2. Dissolution of Madison Street Corridor Design Review Board. The Madison Street Corridor Design Review Board, codified in the Clarksville City Code Part 2 “Code of Ordinances” Title 11 “Planning and Zoning” – Chapter 9 “Madison Street Corridor Design Review Board” Section 11-902 Madison Street Design Review Board” (created under Ordinance 85-2007-08 and its membership modified under Ordinance 43-2012-2013), is hereby dissolved and its powers transferred to the Common Design Review Board being created under a separate ordinance. Sections 11-901 and 11-903 of the Clarksville City Code will remain in effect.
3. Effective Date. The effective date of this ordinance shall be January 7, 2016, deviating from the normal effective date of ordinances as set forth in the Clarksville City Code Part 1 “Charter and Related Laws”, Article III “Ordinances and Resolutions”, Section 6 “Effective Date of Ordinances, Resolutions and Franchises” so that all related ordinances amending the Clarksville City Code and Clarksville Zoning Ordinance to create the Common Design Review Board may become effective on the same date.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 38-2015-16

AN ORDINANCE CREATING THE COMMON DESIGN REVIEW BOARD FOR THE CITY OF CLARKSVILLE, TENNESSEE

- WHEREAS,* in order to streamline the development review process, the Mayor's Design Review Task Force recommended the creation of a consolidated design review board to exercise urban design review approval for physical improvements within the Historic District Overlay, the Madison Street Corridor Urban Design Overlay District, the Downtown Urban Design Overlay District (defined as the boundaries of the Central Business Improvement District), and any subsequent design review overlay districts created within the City of Clarksville; and
- WHEREAS,* the Clarksville-Montgomery County Regional Historic Zoning Commission retains its authority to approve Certificates of Appropriateness for constructing, altering, repairing, rehabilitating, relocating or demolishing any building or structure within locally designed historic districts with the Historic District Overlay with the City of Clarksville, and further retains all other powers and duties including the authority to adopt, modify and update design review guidelines for individual locally-designed historic districts; and
- WHEREAS,* the Two Rivers Company, as the successor to the Downtown District Partnership and the River District Commission, approved the delegation of its authority for urban design review for improvement projects within the boundary of the Central Business Improvement District and dissolved its Design Review Committee performing such function, but retained all other powers and duties; and
- WHEREAS,* the Madison Street Corridor Design Review has agreed to its dissolution so that its design review approval authority may be taken over by the Common Design Review Board for the Madison Street Corridor Urban Design Overlay District; and
- WHEREAS,* the Clarksville-Montgomery County Regional Planning Commission has recommended the creation of the Downtown Urban Design Overlay District, the creation of a Common Design Review Board to review and to approve improvement projects within the Historic District Overlay, the Madison Street Corridor Urban Design Overlay District, the Downtown Urban Design Overlay District, and any other design overlay districts subsequently created in the City of Clarksville; and
- WHEREAS,* the Clarksville-Montgomery County Regional Planning Commission has agreed to provide staff support to the Common Design Review Board.

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

1. Creation and Authority. In accordance with Tennessee Annotated Code 6-54-133, there is hereby created a Common Design Review Board which will be responsible for reviewing and approving nonresidential and multiple family (excluding single-family and two-family structures) improvement projects within the City of Clarksville Madison Street Corridor Urban Design Overlay District, the Downtown Urban Design Overlay District (known as the geographic area of the Central Business Improvement District) and any other design overlays subsequently created by the City Council, that require demolition, building and sign permits, and that make modifications to the exterior appearance of buildings, signing, landscaping and parking, in order to insure compliance with the design standards and guideless adopted for design overlay districts established in the City of Clarksville Zoning Ordinance. Within the Historic District Overlay, the Clarksville-Montgomery County Regional Historic Zoning Commission retains its authority to review and approve both nonresidential and residential (including single-family, two-family and multiple-family structures) improvement projects. Only the Clarksville-Montgomery County Regional Historic Zoning Commission members may participate in discussion and take action on improvements within the Historic District Overlay.
2. Board Membership. The Board shall consist of eleven (11) members who shall have been bona fide residents of the area of jurisdiction of Montgomery County, being at least twenty-one years of age, for not less than three (3) years immediately prior to appointment and who shall continue to be so eligible as long as they serve. The Board shall be made up of the following:
 - A. The seven members of the Clarksville-Montgomery County Regional Historic Zoning Commission (per the City Zoning Ordinance and County Zoning Resolution) consisting of:
 - A representative of a local patriotic or historical organization;
 - An architect, if available;
 - One representative of the Clarksville City Council;
 - One representative of the County Commission;
 - One representative of the Clarksville-Montgomery County Regional Planning Commission; and
 - Two members from the general public.
 - B. Plus, four members who are not members of the Clarksville-Montgomery County Regional Historic Zoning Commission or the Clarksville-Montgomery County Regional Planning Commission.

3. Appointment.

A. The appointment of the membership of the Clarksville-Montgomery County Historic Zoning Commission is governed by the City Zoning Ordinance and the County Zoning Resolution:

- The Mayor of the City of Clarksville shall appoint the representative of the local patriotic or historical organization, the member of the City Council; and one member from the general public; and all appointments of the Mayor shall be subject to confirmation of the City Council.
- The Mayor of Montgomery County shall appoint the architect, the member of the Board of County Commissions, and one member from the general public; and all appointments of the Mayor shall be subject to confirmation of the Board of County Commissioners.
- The Clarksville-Montgomery County Regional Planning Commission shall nominate the member of that Commission, and that member shall be confirmed by both the City Council and the Board of County Commissioners.

B. The appointment of the members of the Common Design Review Board who are not also members of the Clarksville-Montgomery County Regional Historic Zoning Commission is as follows:

- The Mayor of the City of Clarksville shall appoint the four members of the general public who reside or conduct business in the City of Clarksville; and the appointments of the Mayor shall be subject to confirmation of the City Council.

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4. Term of Appointment, Removal and Vacancies.

A. The members of the Common Design Review Board (including members of the Regional Historic Zoning Commission) shall serve for five-year terms, except that the members appointed initially shall be appointed for staggered terms so that the terms of at least one (1) member, but not more than three (3) members shall expire each year. The term of the member nominated from the Clarksville-Montgomery County Regional Planning Commission shall be concurrent with their term on the Regional Planning Commission, and the term of the members from the City Council and the Board of County Commissioner shall be concurrent with their term of office on the City Council or the Board of County Commissioners. Members are eligible for reappointment, but shall serve no more than two terms not to exceed ten (10) years.

B. All members shall serve with compensation and may be removed from membership by the appointing authority for just causes. Any member being so removed shall be provided, upon request, a public hearing on the removal decision before the City Council and/or Board of County Commissioners, as applicable.

C. Vacancies on the Common Design Review Body (including members of the Historic Zoning Commission) shall be filled for the unexpired term of those members whose position has become vacant in the manner herein provided for the appointment of such member. Vacancies shall be filled within a period of sixty (60) days following their occurrence. However, a member shall continue to serve after the expiration of their term until replaced. The Common Design Review Board may adopt rules and regulations consistent with the provisions of this ordinance, the City Zoning Ordinance and the County Zoning Resolution.

5. Election of Officers, Rules and Meetings. The Common Design Review Board shall elect from its members its own chairman, vice chairman and other officers deemed appropriate to carry out its purposes. However, only members of the Common Design Review Board who are also members of the Regional Historic Zoning Commission are eligible for election to the position of chairman and vice chairman. The election of the chairman, vice chairman and any other officers shall occur at the first regular meeting in January each year, and the newly elected officers shall take office at the end of the meeting. The Board shall adopt rules of order for conducting meetings and establish regular meeting dates. The Clarksville-Montgomery County Regional Planning Commission staff shall establish application deadlines for matters coming before the Common Design Review Board.
6. Conflict of Interest. Any member of the Common Design Review Board (including members of the Regional Historic Zoning Commission) who shall have a direct or indirect interest in any property which is the subject matter of, or affected by, a decision of said Board shall be disqualified from participating in the discussion, decision, or proceedings of the Common Design Review Board in connection therewith. The Code of Ethics of the City of Clarksville and the Code of Ethics of Montgomery County shall govern.

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

The effective date of this ordinance shall be January 7, 2016, deviating from the normal effective date of ordinances as set forth in the Clarksville City Code Part 1 "Charter and Related Laws", Article III "Ordinances and Resolutions", Section 6 "Effective Date of Ordinances, Resolutions and Franchises" so that all related ordinances amending the Clarksville City Code and Clarksville Zoning Ordinance to create the Common Design Review Board may become effective on the same date.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 29-2015-16

AN ORDINANCE AMENDING THE 2015-16 CAPITAL PROJECTS FUND BUDGET (ORDINANCE 10-2015-16) AUTHORIZING THE CITY OF CLARKSVILLE TO INCREASE THE BUDGET OF THE BANK OF AMERICA PROPERTY PURCHASE CAPITAL PROJECT

WHEREAS, a capital project has been established during fiscal year 2014-15 with a budget amount of \$995,000 for the purchase of real property commonly known as the Bank of America site in downtown Clarksville; and

WHEREAS, the City of Clarksville desires to support the creation of a civic plaza upon said site by providing certain funding for the purchase of said real property; and

WHEREAS, an additional \$5,000 is necessary to increase the total project budget to \$1,000,000.

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

That the following Capital Projects Fund budget amendment be made:

40410004 4710 15101 Bank of America (Property Purchase) Land Increase: \$5,000

BE IT FURTHER ORDAINED that the \$5,000 will be included as part of a general obligation debt issue that will be used to fund the initial budget for this project.

FIRST READING: October 1, 2015

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 33-2015-16

AN ORDINANCE AUTHORIZING EXTENSION OF CITY OF CLARKSVILLE UTILITY SERVICES OUTSIDE THE CLARKSVILLE CITY LIMITS; REQUEST OF FRANK PARCELLS FOR PROPERTY LOCATED AT 293 MCADOO CREEK ROAD

WHEREAS, proper application has been made by Frank Parcels for extensions of City utility service to property located at Cmap 87, Parcel 93.01 with the property address of 293 McAdoo Creek Road outside the corporate boundary of the City, said property and the extension of service thereto, which is more particularly described in Exhibit A attached hereto and incorporated herein; and

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

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

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

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

That the City of Clarksville Gas, Water and Sewer Department is hereby authorized to extend utility service to property located at Cmap 87, Parcel 93.01 with the property address of McAdoo Creek Road outside the City corporate limits as described in Exhibit A attached hereto and incorporated herein and subject to and in accordance with the provisions of the City Code and Ordinance 37-2009-10.

FIRST READING: October 1, 2015

SECOND READING:

EFFECTIVE DATE

EXHIBIT A



ORDINANCE 34-2015-16

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF HUNTER S. WINN, CHRISTINE WENRICK-AGENT, FOR ZONE CHANGE ON PROPERTY AT MERRITT DRIVE AND MEMORIAL 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-1 Single Family Residential District, as O-1 Office District.

PUBLIC HEARING: October 1, 2015

FIRST READING: October 1, 2015

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point in the northerly margin of Merritt Drive in the dividing line between Lot Nos. 12 and 13, said point being 98 feet northwest from an iron pin also set in the northerly margin of Merritt Drive at the beginning of a curve to Memorial Drive; thence in a northeastwardly direction, along the dividing line between Lot Nos. 12 and 13, 145 feet to an iron pin, said point being north 53 degrees 30 minutes west 120.10 feet from an iron pin set in the westerly margin of Memorial Drive; thence south 53 degrees 30 minutes east 120.10 feet to an iron pin in the westerly margin of Memorial Drive as widened; thence south 36 degrees 30 minutes west, along the westerly margin of Memorial Drive 80.30 feet; thence continuing along the westerly margin of Memorial Drive, south 33 degrees 36 minutes west 38.50 feet to an iron pin at the beginning of a curve to Merritt Drive; thence around said curve in a southwesterly direction a distance of 40.50 feet to an iron pin in the northerly margin of Merritt Drive; thence along the northerly margin of Merritt Drive 98 feet to the point of beginning. Said Parcel contains 0.39 +/- acres (Tax Map 65-O Group F Parcel 17.00)

ORDINANCE 35-2015-16

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF TAMAY OZARI, ROBERT JARRETT-AGENT, FOR ZONE CHANGE ON PROPERTY AT THE INTERSECTION OF PROVIDENCE BOULEVARD AND BEECH 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 C-2 General Commercial District, as C-5 Highway & Arterial Commercial District.

PUBLIC HEARING: October 1, 2015

FIRST READING: October 1, 2015

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point, said point being 190 +/- feet northwest of the centerline of the Providence Blvd. & Locust St. intersection, said point being in the northern ROW of Providence Blvd. and the southeast corner of the herein described parcel, and the southwest corner of the Pantry Inc. property, thence in a northwesterly direction 229+/- feet with the northern ROW margin of Providence Blvd. to a point, said point being along a public alley, thence in a northerly direction 178+/- feet with the eastern margin of the public alley to a point, said point being the southwest corner of the Leo Millan property, thence in a easterly direction 197+/- feet with the southern boundary(s) of the Millan property and Dennis property to a point, said point being in the western boundary of the Christopher Cook property, thence in a southerly direction 423 +/- feet with the western boundary(s) of the Christopher Cook property & the western boundary of the Pantry Inc. property to the point of beginning, said parcel containing 1.66 +/- acres, further identified as (Tax Map 55-I Group C Parcel 22.00)

RESOLUTION 16-2015-16

A RESOLUTION APPROVING A RETAIL LIQUOR STORE CERTIFICATE OF COMPLIANCE FOR CLARKSVILLE LIQUOR HOSPITALITY (JAYESH R. PATEL AND SHVETA B. PATEL) FOR OPERATION OF CADDY'S DISCOUNT LIQUORS

WHEREAS, Jayesh R. Patel and Shveta B. Patel, have applied for a Certificate of Compliance from the City of Clarksville according to regulations of the Tennessee Alcoholic Beverage Commission, for Clarksville Liquor Hospitality, a Tennessee General Partnership composed of Jayesh R. Patel and Shveta B. Patel, to operate Caddy's Discount Liquors located at 2206-B Madison Street; and

WHEREAS, the applicant(s) who is/are to be in actual charge of said business has/have 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*;

WHEREAS, the applicant(s) has/have secured a location which complies with all restrictions of the laws, ordinances, or resolutions;

WHEREAS, the applicant(s) has/have complied with the residency provision;

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

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 Clarksville Liquor Hospitality (Jayesh R. Patel and Shveta B. Patel) for operation of Caddy's Discount Liquors located at 2206-B Madison Street, Clarksville, Tennessee.

ADOPTED:



CLARKSVILLE CITY COUNCIL REGULAR SESSION OCTOBER 1, 2015

MINUTES

CALL TO ORDER

The regular session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, October 1, 2015, at 7:00 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Councilman Wallace Redd; the Pledge of Allegiance was led by Councilman Alexander.

ATTENDANCE

PRESENT: Richard Garrett (Ward 1), Deanna McLaughlin (Ward 2), James Lewis (Ward 3), Wallace Redd (Ward 4), Valerie Guzman (Ward 5), Wanda Smith (Ward 6), Geno Grubbs (Ward 7), David Allen (Ward 8), Joel Wallace, Mayor Pro Tem (Ward 9), Mike Alexander (Ward 10), Bill Powers (Ward 11), Jeff Burkhart (Ward 12)

CLARKSVILLE-MONTGOMERY COUNTY SCHOOL SYSTEM

Dr. B. J. Worthington gave an annual update on the Clarksville-Montgomery County School System to the City Council. Dr. Worthington said the local district was the eighth largest in Tennessee with 32,604 students, and was currently 1st of 140 districts in academic growth.

PUBLIC HEARING

Councilman Grubbs made a motion to conduct a public hearing to receive comments regarding requests for zone change and abandonment of property. The motion was seconded by Councilman Lewis. There was no objection.

ORDINANCE 34-2015-16 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Hunter S. Winn, Christine Wenrick-Agent, for zone change on property at Merritt Drive and Memorial Drive from R-1 Single Family Residential District to O-1 Office District

Attorney Joel Ragland said if rezoned, the intended use would be a dental lab. No one expressed opposition to this request.

ORDINANCE 35-2015-16 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Tamay Ozari, Robert Jarrett-Agent, for zone change on property at the intersection of Providence Boulevard and Beech Street from C-2 General Commercial District to C-5 Highway & Arterial Commercial District

David Risner said if rezoned, the intended use would be a used car dealership. No one expressed opposition to this request.

RESOLUTION 10-2015-16 Approving abandonment of an unimproved right-of-way north of Cumberland Drive; application of the City of Clarksville (Jack Frazier)

No one expressed support for or opposition to this request.

RESOLUTION 11-2015-16 Approving abandonment of the western portion of Eldo's Trace Circle; application of James Durrett, Cal McKay-Agent

No one expressed support for or opposition to this request.

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

ZONING

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 34-2015-16**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Burkhart. Councilman Wallace expressed concern about the property's ingress and egress. Councilwoman McLaughlin she objected to commercial intrusion into the adjacent residential areas. Councilman Burkhart said the existing traffic already warrants a commercial development. The following vote was recorded:

AYE: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Powers, Redd, Smith

NAY: Lewis, McLaughlin, Wallace

The motion to adopt this ordinance on first reading passed.

The recommendation of the Regional Planning Staff was for disapproval of **ORDINANCE 35-2014-15**; the recommendation of the Regional Planning Commission was for approval. 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: Alexander, Allen, Burkhart, Garrett, Guzman, Lewis, Powers, Redd, Smith, Wallace

NAY: Grubbs, McLaughlin

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **RESOLUTION 10-2015-16**. Councilman Grubbs made a motion to adopt this resolution. The motion was seconded by Councilman Lewis. The following vote was recorded:

AYE: Alexander, Allen, Burkhardt, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Powers, Redd, Smith, Wallace

The motion to adopt this resolution passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **RESOLUTION 11-2015-16**. Councilman Grubbs made a motion to adopt this resolution. The motion was seconded by Councilman Lewis. The following vote was recorded:

AYE: Alexander, Allen, Burkhardt, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Powers, Redd, Smith, Wallace

The motion to adopt this resolution passed.

CONSENT AGENDA

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

1. **ORDINANCE 21-2015-16** (Second Reading) Authorizing donation of property on Providence Court to Buffalo Valley for Community Development
2. **ORDINANCE 22-2015-16** (Second Reading) Amending the Official Code relative to utility connection fees
3. **ORDINANCE 23-2015-16** (Second Reading) Authorizing an interlocal agreement with Montgomery County and authorizing purchase of property for creation of a civic square plaza *[removed; see below]*
4. **ORDINANCE 24-2015-16** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Steve Slate and Bill Blackwell for zone change on property at the intersection of Tiny Town Road and Sand Piper Drive from R-2 Single Family Residential District to C-5 Highway & Arterial Commercial District
5. **ORDINANCE 25-2015-16** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Purvis & Beck Partnership for zone change on property at the intersection of Union Hall Road and Needmore Road from M-3 Planned Industrial District to M-1 Light Industrial District
6. **RESOLUTION 13-2015-16** Repealing RESOLUTION 38-2012-14 approving a retail liquor store Certificate of Compliance for Jack Miller and approving a Certificate of Compliance for Michael Miller (Sango Wine & Spirits, 1049 Highway 76) *(CPD: No Criminal History)*

7. Adoption of Minutes: September 3rd

8. Approval of board appointments:

Housing Authority: Gary Ellis – October 2015 through September 2020

Senior Citizens Board: Doris Allen-Reynolds – October 2015 through April 2016

Councilman Redd requested separate consideration of **ORDINANCE 23-2015-16**. Councilman Burkhart made a motion to adopt the Consent Agenda as amended. The motion was seconded by Councilman Powers. Councilwoman McLaughlin voted “nay” on **ORDINANCE 24-2014-16**. The following vote on the motion was recorded:

AYE: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Powers, Redd, Smith, Wallace

The motion to adopt the Consent Agenda as amended passed.

CIVIC SQUARE PLAZA

ORDINANCE 23-2015-16 (Second Reading) Authorizing an interlocal agreement with Montgomery County and authorizing purchase of property for creation of a civic square plaza

This ordinance was removed from the original Consent Agenda. Councilman Wallace made a motion to adopt this ordinance on second reading. The motion was seconded by Councilwoman McLaughlin. Councilman Redd made a motion to postpone second reading indefinitely. The motion was seconded by Councilman Lewis. Councilman Redd said there was a petition circulating for voter signatures to place this issue on the ballot for a public vote. The following vote was recorded:

AYE: Grubbs, Lewis, Redd

NAY: Alexander, Allen, Garrett, Guzman, McLaughlin, Powers, Smith, Wallace

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

AYE: Alexander, Allen, Garrett, Guzman, McLaughlin, Powers, Smith, Wallace

NAY: Grubbs, Leis, Redd.

The motion to adopt this ordinance on second reading passed.

HOUSING & COMMUNITY DEVELOPMENT COMMITTEE

David Allen, Chair

Councilman Allen said the \$21,400 L&N Train Station renovation project, along with three home rehabilitation projects, was underway. He announced the Governor's Housing Conference, hosted by Tennessee Housing Development Agency, would take place in Nashville, Tennessee on October 7th and 8th.

FINANCE COMMITTEE

Joel Wallace, Chair

ORDINANCE 26-2015-16 (First Reading) Amending the FY16 Legislative Budget to restore funding for the National League of Cities dues and meetings

The recommendation of the Finance Committee was for approval of this ordinance. Councilman Wallace made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Lewis. Councilwoman McLaughlin reminded the Council that this appropriation was cut from the FY16 budget in an effort to save money. Councilman Burkhart opposed this amendment in light of the recent property tax increase. Councilman Wallace and Councilman Lewis expressed support for this amendment. The following vote was recorded:

AYE: Grubbs, Guzman, Lewis, Powers, Wallace

NAY: Alexander, Allen, Burkhart, Garrett, McLaughlin, Redd, Smith

The motion to adopt this ordinance on first reading failed.

ORDINANCE 29-2015-16 (First Reading) Amending the FY16 Capital Projects Budget to increase funding for the Bank of America property purchase

The Finance Committee vote on this ordinance was 2 aye and 2 nay. Councilman Wallace made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Alexander. Councilman Wallace offered an amendment to change the language from "Bank of America property" to "Civic Plaza reimbursement." The amendment was seconded by Councilman Alexander. The following vote was recorded:

AYE: Alexander, Allen, Garrett, Guzman, McLaughlin, Powers, Smith, Wallace

NAY: Grubbs, Lewis, Redd

ABSTAIN: Burkhart

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

AYE: Alexander, Allen, Garrett, Guzman, McLaughlin, Powers, Smith, Wallace

NAY: Grubbs, Lewis, Redd

ABSTAIN: Burkhart

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

RESOLUTION 12-2015-16 Authorizing a Memorandum of Agreement with the Fort Campbell Warrior Transition Battalion

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

AYE: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Powers, Redd, Smith, Wallace

The motion to adopt this resolution passed.

GAS & WATER COMMITTEE

Wallace Redd, Chair

ORDINANCE 33-2015-16 (First Reading) Authorizing extension of utilities to property on McAdoo Creek Road; request of Frank Parcels

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

AYE: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Powers, Redd, Smith, Wallace

The motion to adopt this ordinance on first reading passed.

RESOLUTION 2-2015-16 Authorizing an interlocal contract with Montgomery County for Oakland Road Utility relocations

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

AYE: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Powers, Redd, Smith, Wallace

The motion to adopt this resolution passed.

PARKS, RECREATION, GENERAL SERVICES

Valerie Guzman, Chair

Councilwoman Guzman said the Parks & Recreation Committee approved fees for the B-Cycle stations. She announced upcoming events including Fun with Fido, Movies in the Park, Downtown Market, recently voted “Best Market in Tennessee,” and Fright Night.

PUBLIC SAFETY COMMITTEE
(Building & Codes, Fire & Rescue, Police)
Geno Grubbs, Chair

Councilman Grubbs shared the following monthly department statistics: Building & Codes Construction Division – 1,549 inspections; Building & Codes Code Enforcement – 384 cases; Building & Codes Abatement Division – 78 work orders; Building & Codes Administration – 78 single-family permits; Fire & Rescue – 1,030 emergency runs; Police – 12,711 calls.

STREET COMMITTEE
James Lewis, Chair

Councilman Lewis said the Street Department completed 150 work orders during the month of September.

TRANSPORTATION COMMITTEE
Deanna McLaughlin, Chair

Councilwoman McLaughlin reported 62,136 passengers transported by Clarksville Transit System during August and said the “Seniors Ride Free” program, sponsored by AARP, showed an 81% increase during September. She said the Clarksville-Nashville Commuter transported 5,553 passengers during August. The City Garage completed 348 work orders.

Councilwoman McLaughlin said Shaun Serber and Joseph Rodriquez would represent CTS at the state bus rodeo competition.

MAYOR AND STAFF REPORTS

There were no Mayor or Staff reports.

ADJOURNMENT

The meeting was adjourned at 7:51 p.m.



**CLARKSVILLE CITY COUNCIL
SPECIAL SESSION
OCTOBER 20, 2015**

MINUTES

CALL TO ORDER

A special session of the Clarksville City Council was called to order by Mayor Kim McMillan on Tuesday, October 20, 2015, at 4:35 p.m. in the meeting room of the Clarksville-Montgomery County Regional Planning Commission, 329 Main Street, Clarksville, Tennessee.

A prayer was offered by Councilman David Allen; the Pledge of Allegiance was led by Councilwoman Wanda Smith

ATTENDANCE

PRESENT: Richard Garrett (Ward 1), Deanna McLaughlin (Ward 2), James Lewis (Ward 3), Wanda Smith (Ward 6), Geno Grubbs (Ward 7), David Allen (Ward 8), Mike Alexander (Ward 10; arrived 4:40 p.m.), Bill Powers (Ward 11), Jeff Burkhart (Ward 12)

ABSENT: Wallace Redd (Ward 4), Valerie Guzman (Ward 5), Joel Wallace, Mayor Pro Tem (Ward 9)

PROPOSED COMMON DESIGN REVIEW BOARD

Dr. David Ripple, Director of the Clarksville-Montgomery County Regional Planning Commission, presented the City Council with a proposal for creation of a common design review board to streamline the development review process for the current Historic Overlay District, the Madison Street Corridor Urban Design Overlay District, a proposed Downtown Urban Design Overlay District, and any subsequent design review overlay districts. Dr. Ripple said the Regional Historic Zoning Commission would retain its authority as provided by state law while the Two Rivers Company Design Review Board and Madison Street Design Review Board would be dissolved. He said a full-time Regional Planning Commission staff position would be created to manage and coordinate the activities of the board.

Ordinances would be presented to the City Council for consideration during its regular session on November 5th to create the common design review board and to dissolve the Madison Street Design Review Board and the Two Rivers Company Design Review Board; no official action was taken during this meeting.

ADJOURNMENT

The meeting adjourned at 5:42 p.m.

ORDINANCE 39-2014-15

AN ORDINANCE AMENDING THE 2015-16 TRAFFIC CAMERA PARKS SPECIAL REVENUE FUND BUDGET AND THE CAPITAL PROJECTS BUDGET(ORDINANCE 10-2015-16) AUTHORIZING THE CITY OF CLARKSVILLE TO AMEND THE SCOPE, INCREASE THE BUDGET, AND EXTEND THE 2013 STATE OF TENNESSEE RECREATION TRAILS PROGRAM GRANT FOR THE HERITAGE PARK GREENWAY CONNECTION

WHEREAS, the City Council of the City of Clarksville, Tennessee desires to provide enhanced grenway and trail development, which leads to increased levels of fitness, opportunities for outdoor recreation, provides a vital community service along with alternative transportation potential, and;

WHEREAS, the City sought and the State of Tennessee awarded a 2013 Recreation Trail Program (RTP) Grant in the amount of \$120,000 to be matched by \$30,000 City funds for the Heritage Park Greenway Connection, and;

WHEREAS, the City and the State of Tennessee are seeking to amend, increase and extend the current grant in the amount of \$40,000 state funds with a \$10,000 City match to provide seating benches, trash cans, signage, safety barrier post and cable, and landscaping to fully finish the project no later than July 31, 2016, and:

WHEREAS, the City match will be derived from the Greenway/Blueway Redflex account so as not to expend dollars from the City general fund account.

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

That the following Traffic Camera Parks Special Revenue Fund budget amendment be made:

35450003 4914 Transfer out to Capital Projects Fund	Increase:	\$10,000
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BE IT FURTHER ORDAINED;

That the following Capital Projects Fund budget amendments be made:

Revenue: 4041000 33130 14505 Federal Grants Revenue	Increase:	\$40,000
4041000 39190 Transfer in from Other City Fund	Increase:	\$10,000

Expenditures: 40450003 4610 14505 Heritage Park Greenway Connection	Increase:	\$50,000
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FIRST READING:

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 40-2015-16

AN ORDINANCE AMENDING THE 2015-16 GENERAL FUND BUDGET (ORDINANCE 10-2015-16) AUTHORIZING THE CITY OF CLARKSVILLE TO INCREASE THE OPERATING BUDGET OF INTERNAL AUDIT TO FUND RELATED SALARY AND BENEFIT COSTS FOR THE INCOMING DIRECTOR OF INTERNAL AUDIT

WHEREAS, the current Director of Internal Audit is retiring effective December 31, 2015, and;

WHEREAS, the discretionary portions of the Internal Audit Department budget are very small allowing very little budget flexibility, and;

WHEREAS, \$14,493 in additional funds will be required to transition to a new Director of Internal Audit.

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

That the following General Fund budget amendments be made:

104152131 4111 Full time salary (leave pay-out for retiring director plus increase for incoming director)	Increase:	\$ 9,003
104152131 4211 Health Insurance	Increase:	\$ 4,800
104152131 4221 Social Security	Increase:	\$ 690

BE IT FURTHER ORDAINED

That the \$14,493 will be taken from the fund balance of the general fund, and if this entire amount is not needed for this transition, the unused portion will be returned to the general fund.

FIRST READING:

SECOND READING:

EFFECTIVE DATE: