

**COOKEVILLE PLANNING COMMISSION  
MINUTES  
SEPTEMBER 24, 2012**

The Cookeville Planning Commission met on Monday, September 24, 2012 at 5:30 p.m., in the Council Chambers, 45 E. Broad Street, Cookeville, Tennessee.

**MEMBERS PRESENT:** Jim Stafne, Dr. Angelo Volpe, Dr. Roy Loutzenheiser, Judy Jennings, Chris Wakefield, Randy Dalton, David Webb, and Jim Woodford.

**MEMBERS ABSENT:** Aaron Bernhardt.

**STAFF MEMBERS PRESENT:** James Mills, Jayne Barns, Ken Young, and Jim Shipley.

**OTHERS PRESENT:** Carolyn Olson, Tom Mabry, Richard Mabry, Jim & Danna Hoffmaster, William & Ruth Halpin, Roy Spurlock, Gary Brewington, Amy Dyer, Danny Dyer, Jackie Dyer, David Long, Jim & Patricia Grimes, Mark Grimes, Jerry Parris, Lynn Hayes, and Amy Wright.

**CONSIDER FOR APPROVAL THE AGENDA AS SUBMITTED.** Dr. Roy Loutzenheiser made the motion to approve the agenda as submitted. Dr. Angelo Volpe seconded the motion and the motion carried unanimously. **APPROVED.**

**CONSIDER FOR APPROVAL THE MINUTES OF AUGUST 27, 2012.** Dr. Angelo Volpe made the motion to approve the minutes of August 27, 2012. Jim Woodford seconded the motion and the motion carried unanimously. **APPROVED.**

Chairman Jim Stafne stated the Commission had received information from C.A.R.A. (Cookeville Area Residents Association) and that the information did not relate to the annexation.

**HOLD A PUBLIC HEARING AND CONSIDER FOR ACTION ANNEXATION AND PLAN OF SERVICES FOR BENNETT ROAD ANNEXATION AREA. REQUEST SUBMITTED BY STAFF.** James Mills stated that the Planning Department has completed a feasibility study on the annexation of approximately 1,362 acres or 2.13 square miles of property located west of the current corporate limits between US Highway 70N and Interstate 40. The study was initiated due to the pending 2.8 mile extension of Bennett Road from a planned I-40 interchange north to Highway 70N. When completed Bennett Road will be a city street and as such needs to be located within the corporate limits. The area proposed for annexation is located entirely within the City of Cookeville Urban Growth Boundary. It includes the West Haven, Cane Creek Estates and Speck Subdivisions. Property owners in the proposed annexation area have been notified by mail and provided an information package on the proposed annexation.

The study area consists of 289 parcels in their entirety and the portions of 11 others. Located on 226 of these 300 parcels are 243 residential housing units, of which 239 are occupied. The estimated population of the area is 538 persons. 28 nonresidential uses, located primarily along Highway 70N, have been identified. There are approximately 6.1 miles of streets in the area, most of which are in good condition with an asphalt surface. This includes approximately 0.85

miles of U.S. Highway 70N. The Nashville and Eastern railroad also bisects the area for a distance of approximately 0.9 miles

At the present time, the proposed annexation area can be generally characterized as low density residential, with some commercial and industrial uses located in the north along Highway 70N. The area has a significant amount of undeveloped land located primarily between the railroad and Interstate 40. Topographically the area can be described as level to gently rolling. The Federal Emergency Management Agency has identified a 100-year floodplain along Cane Creek which is located along the eastern edge of the area.

With the exception of an area along Highway 70N already served by the City of Cookeville, water service in the proposed annexation area is currently provided by the Double Springs Utility District. The city's contract with the utility district includes provisions for acquisition of annexation areas. The entire area is located within the service boundary of the Cookeville Natural Gas Department. The Upper Cumberland Electric Membership Cooperative provides electric service to the area and will continue to do so if it is annexed. The area is located within the 5 mile fire service boundaries of the city's main station located at city hall and the substation located on Gould Drive.

Residents of the area proposed for annexation would receive numerous benefits as a result of annexation. These include police and fire protection provided by the city, reduction of ISO fire insurance rating from Class 6 and 9 to Class 2 which can result in a savings on homeowners insurance of up to 25 percent, reduction of water rates for existing city customers by 30 percent and for customers served by the utility district by 50 percent, reduction of gas rates by over 30 percent, zoning protection, street lighting, brush and bulk item pick up, and weekly garbage pick-up.

Property owners would be required to pay city property tax. The current city property tax rate is \$0.90 per \$100 of assessed value. For a \$150,000 home the annual city property tax would be \$337.50. Based on current tax appraisals the average annual city property tax for a homeowner in the area would be \$297.75. A proposed time schedule would place the effective date of annexation in January 2013. Property owners would not be required to pay property tax until 2014.

The estimated cost for the provision of all services to the proposed annexation area is \$10.9 million of which the provision of sewer service is \$7 million. The provision of sewer to the annexation area is depicted on the Master Sewer Plan of the Department of Water Quality Controls. The estimated cost also includes \$2.2 million to construct, equip and man a fifth fire station, and \$725,000 to purchase the water service area from the utility district. The estimated annual revenue to the city from property and state shared taxes is \$145,000.

Zoning for the area would closely conform to the recommendations of the Cookeville 2030 Plan as amended earlier this year. CI, Commercial-Industrial Mixed Use zoning is recommended for an area north of the new interchange along the extension of Bennett Road and along portions of the railroad right-of-way; CL, Local Commercial zoning is proposed for several properties along U. S. Highway 70N; and RS-20, Single Family Residential zoning is recommended for the remaining majority of the area.

Staff reviewed the Plan of Services on a point by point basis.

Staff recommended approval of Plan of Services and approval of Annexation with recommendation to City Council for RS-20, Single Family Residential, CI, Commercial-Industrial Mixed Use and CL, Local Commercial zoning.

Jerry Parris stated that he had a saw mill and wanted to know if it would be grandfathered when annexed into the City.

Mr. Mills replied that the saw mill could stay there forever as a legal nonconforming use.

Mark Grimes stated that his family has farmed their property for 5 generations and that his family is opposed to the annexation because their only benefit would be garbage pickup.

Jim Grimes and Patricia Grimes stated that the Bennett Road extension would be going thru the middle of their farm rendering it useless and that they would be losing income from the farm.

Roy Spurlock, property owner at 2051 West Broad Street and William Halpin, property owner at 2071 West Broad Street, requested that their properties to be changed from RS20 to CL.

Carol Olson, property owner at 2240 West Broad Street, questioned how long before sewer would be extended.

James Mills replied that sewer will be extended when economical feasible or sooner depending on development in the area or if septic tanks start to fail.

Lynn Hayes was opposed to annexation.

Gary Brewington, property owner at 2414 and 2415 Buffalo Valley Road asked if a sign for future commercial use was posted on the property could it still be used as commercial after annexation if the property is zoned single family.

James Mills replied that the property has to have a business that is in operation before it is annexed.

Monte Gaw asked why there was a 200' strip of land zoned RS20 Residential on his parent's property.

James Mills replied that since Mr. Gaw's parents lived across the street from the 200' strip of land zoned residential that it would give them a buffer between their house and the commercial-industrial mixed use zoning.

Danny Dyer, property owner at 3082 Buffalo Valley Road, asked why the City was annexing areas to the west of the Bennett Road Extension.

James Mills stated that the area was necessary so that the Police Department and the garbage trucks & other City Departments could make a loop and not go outside the City Limits to turn around.

Amy Dyer, property owner at 2740 Buffalo Valley Road, asked why there was CI zoning on the Oscar Gaw's property.

James Mills stated that the property owner requested CI.

The Grimes family requested that all of their property be zoned to CL instead of having part of it CL and part RS20.

Dr. Roy Loutzenheiser made the motion to approve the Annexation for the Bennett Road Extension Area and zoning as recommended by Staff with the exception of two locations: (1) Change from RS20 to CL properties located at 2051 and 2071 West Broad Street (Roy Spurlock and William Halpin properties) and to include 1995, 2035 and 2093 West Broad Street in the CL Zone and to notify the 3 additional property owners before the City Council holds their Public Hearing, and (2) Change a portion of 2120 West Broad Street (Grimes Family Farm) from RS20 to CL. Dr. Angelo Volpe seconded the motion and the motion carried unanimously. **APPROVED ANNEXATION AND ZONING.**

Chris Wakefield made the motion to approve the Plan of Services for the Annexation of Bennett Road Extension Area. Randy Dalton seconded the motion and the motion carried unanimously. **APPROVED PLAN OF SERVICES.**

Dr. Roy Loutzenheiser made the motion to take the following item for study. Chris Wakefield seconded the motion and the motion carried unanimously. **STUDY ITEM.**

**(1) CONSIDER FOR STUDY REVISIONS TO THE ZONING CODE SECTION 231, SRA (SINKHOLE RETENTION AREA). REQUEST SUBMITTED BY STAFF.**

**STAFF REPORTS:**

**(1) MINOR PLAT APPROVALS:**

- CLARKSON DIVISION – 2 LOTS LOCATED ON SOUTH JEFFERSON AVENUE AND WILLIAMS ENTERPRISE DRIVE - PAMELA CLARKSON.
- JAMES ELROD DIVISION – REDIVISION OF LOT #2 – 2 LOTS LOCATED ON CROWNE WAY – DONALD ALLISON.

**ADJOURNMENT: 6:55 P.M.**

**SUBMITTED FOR APPROVAL**

**SUBMITTED FOR RECORDING**

---

**JAYNE BARNS CPS  
PLANNING ASSISTANT**

---

**JIM STAFNE, CHAIRMAN  
COOKEVILLE PLANNING  
COMMISSION**