

**COOKEVILLE PLANNING COMMISSION
MINUTES
OCTOBER 22, 2012**

The Cookeville Planning Commission met on Monday, October, 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, Aaron Bernhardt, Randy Dalton, David Webb, and Jim Woodford.

MEMBERS ABSENT: Chris Wakefield.

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

STAFF ABSENT: Jim Shipley.

OTHERS PRESENT: Steve Nunley and Amye Wright.

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

CONSIDER FOR APPROVAL THE MINUTES OF SEPTEMBER 24, 2012. Jim Woodford made the motion to approve the minutes of September 24, 2012. Aaron Bernhardt seconded the motion and the motion carried unanimously. **APPROVED.**

CONSIDER FOR ACTION REVISIONS TO THE ZONING CODE SECTION 231, SRA (SINKHOLE RETENTION AREA). REQUEST SUBMITTED BY STAFF. Kenneth Young stated that the Planning Department has prepared and submitted a revision of Zoning Code Section 231 entitled SRA Sinkhole Retention Area that is intended to replace the current Section 231 in its entirety.

Chapter III of the Cookeville 2030 Plan states that the 2009 TTU study identified sinkhole floodplains with elevations for 219 major sinkholes scattered throughout the City and Urban Growth Boundary (UGB). Within the corporate boundaries, these are depicted on the City of Cookeville Zoning Map as sinkhole retention areas. In addition, approximately two (2) percent or an estimated 461 acres, of the total land area in Cookeville is located in sinkhole floodplains. An additional 149 acres of land in the unincorporated UGB is located in sinkhole floodplains. Approximately 37 acres of the sinkhole floodplain areas are also designated as FEMA floodplains. The Plan further states in the Findings section of Chapter III that as the availability of land not susceptible to flooding decreases, future pressure for development in the FEMA identified flood hazard areas and sinkhole floodplains can be expected. The chapter concludes that the determination of base flood elevations for FEMA identified flood hazard areas and improved standards for development within sinkhole drainage basins are needed to reduce future damage from flooding and to protect the area's storm water system.

The implementation section of the Cookeville 2030 Plan states that in order to enact the policies and strategies recommended in the plan, one of the revisions to the Zoning Code should be to establish standards to limit development in sinkhole areas. The adopted 2009 sinkhole floodplain study completed by the Department of Earth Sciences from Tennessee Tech University identifies sinkhole floodplain areas in the City of Cookeville and Urban Growth Boundary to a much greater degree of accuracy than was previously available. Therefore, the purpose of the proposed Zoning Code revision is to utilize this new data to more effectively manage sinkhole floodplain areas in harmony with the 2030 Plan.

The proposed revision to the Zoning Code addresses several elements that are not in the current code. These include findings of fact, statement of purpose, statement of objectives, definitions, sinkhole terrain survey, sinkhole retention area buffer and the discovery of sinkhole features during development. The technical aspects of the code are further enhanced by the data derived from the TTU study and the additional requirement of professional site evaluation. As stated in Section 231.9 of the revision, proposed development activity on land indicated as a sinkhole retention area on the City of Cookeville Zoning Map will require the applicant to submit a survey conducted and certified by a geologist or geotechnical engineer in the State of Tennessee with the qualifications to review and analyze karst geological features. Section 231.10 will require that a State licensed geotechnical engineer determine and certify the appropriate sinkhole retention area buffer based on their analysis, subject to review and approval by the Department of Public Works.

Staff recommended approval of revised Section 231 of the Zoning Code as submitted.

Dr. Roy Loutzenheiser asked about violations concerning new sinkholes and how are they addressed.

Ken Young replied that during the building permit process he reviews floodplains and sinkholes and if there is a violation, then a stop work order could be issued, and the developer would assume liability for any violations.

James Mills added that there will be more pressure in the future from developers to build in areas that have sinkholes. These regulations will protect the sinkholes and development around them.

Steve Nunley, property owner at 931 Byrne Avenue, stated he has had property damage from the last 3 floods due to all the development around Tech from all of the asphalt. Mr. Nunley added that the sinkholes in the area need to be cleaned out more often.

James Mills stated that the City doesn't maintain sinkholes on private property, but there are codes that the property owner has to maintain and keep the area clean out. Mr. Mills added that Tracy Meggs, City Engineer and some Tech students cleaned out some of the sinkholes a few years ago.

Randy Dalton made the motion to approve the revisions to the Zoning Code Section 231, SRA (Sinkhole Retention Area). Aaron Bernhardt seconded the motion and the motion carried unanimously. **APPROVED.**

Dr. Angelo Volpe made the motion to take the following items for study. Jim Woodford seconded the motion and the motion carried unanimously. **STUDY ITEMS.**

- (1) CONSIDER FOR STUDY REQUEST FOR DECLARATION AS SURPLUS PROPERTY AND FOR SALE OR LEASE CITY OWNED PROPERTY IDENTIFIED AS PARCEL 10.00 ON TAX MAP 53I, GROUP F, CONTROL MAP 53H LOCATED AT THE NORTHWEST INTERSECTION OF BUFFALO VALLEY ROAD AND WEST JACKSON STREET. REQUEST SUBMITTED BY BRYANT K. PRESLEY.**
- (2) CONSIDER FOR STUDY AMENDMENTS TO ZONING CODE RELATIVE TO ASSISTED LIVING/RESIDENTIAL CARE FACILITIES AS PERMITTED USES IN THE PRD, CN & CL DISTRICTS. REQUEST SUBMITTED BY STAFF.**
- (3) CONSIDER FOR STUDY AMENDMENTS TO ZONING CODE SECTION 205, PARKING REQUIREMENTS, RELATIVE TO MODIFYING THE MINIMUM PARKING REQUIREMENTS FOR CERTAIN USES AND INSERTING PROVISIONS FOR DEFERRED PARKING. REQUEST SUBMITTED BY STAFF.**

STAFF REPORTS:

(1) MINOR PLAT APPROVALS:

- STEVE GARRETT DIVISION – 1 LOT LOCATED ON PIGEON ROOST ROAD – STEVE GARRETT.

ADJOURNMENT: 5:54 P.M.

SUBMITTED FOR APPROVAL

SUBMITTED FOR RECORDING

**JAYNE BARNS CPS
PLANNING ASSISTANT**

**JIM STAFNE, CHAIRMAN
COOKEVILLE PLANNING
COMMISSION**