

**COOKEVILLE PLANNING COMMISSION
MINUTES
JULY 28, 2014**

The Cookeville Planning Commission met on Monday, July 28, 2014 at 5:30 p.m., in the Council Chambers, 45 E. Broad Street, Cookeville, Tennessee.

MEMBERS PRESENT: Jim Stafne, Judy Jennings, Chris Wakefield, David Webb, Jim Woodford, Kay Starkweather, Leslie Sullins, and Adam Ryan.

MEMBERS ABSENT: Dr. Roy Loutzenheiser.

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

STAFF MEMBERS ABSENT: Jim Shipley.

OTHERS PRESENT: Helen Masters Burgess, David Bilbrey, Aaron Bernhardt, Andy Hammock, and Boyd Kline.

CONSIDER FOR APPROVAL THE AGENDA AS SUBMITTED. Kay Starkweather made the motion to approve the agenda as submitted. Jim Woodford seconded the motion and the motion carried unanimously. **APPROVED.**

CONSIDER FOR APPROVAL THE MINUTES OF JUNE 23, 2014. Jim Woodford made the motion to approve the minutes of June 23, 2014. Judy Jennings seconded the motion and the motion carried unanimously. **APPROVED.**

CONSIDER FOR ACTION REQUEST FOR ANNEXATION OF PROPERTIES LOCATED ON BENNETT ROAD AND IDENTIFIED AS PARCELS 72.00, 73.00, 73.01 AND 74.01 ON TAX MAP #64. REQUEST SUBMITTED BY THE PROPERTY OWNERS DANIEL AND MARTHA HALL. James Mills stated Mr. Daniel Hall and Mrs. Martha Hall have submitted a petition requesting the annexation of their properties identified as Parcels 72.00, 73.00, 73.01 and 74.01 on Tax Map 64. These parcels are located off Bennett Road on the southwestern fringe of the current Cookeville corporate limits. The Planning Department has completed a feasibility study on the annexation of these properties. The petition for annexation also included a request for the establishment of CI, Commercial-Industrial Mixed Use zoning for the four (4) properties.

A Plan of Services for the proposed annexation area has also been prepared. It should be reviewed on a point by point basis. A written report from the Planning Commission to the City Council regarding the Plan of Services is required.

The study area consists of four (4) parcels of land located within the Cookeville Urban Growth Boundary along the west side of Bennett Road. It is bounded completely by the existing city limits on the north, south and west and partially on the east. It contains four (4) parcels in their entirety consisting of approximately 48.2 acres of land. The proposed annexation also includes approximately .81 acres of Bennett Road right-of-way. Combining parcel and right-of-way acreage, the annexation area contains approximately

49 acres. Located on the properties are four (4) single family dwellings in good condition and one (1) private service (riding stables). The approximately 1,172 feet of Bennett Road included in the proposed annexation has an asphalt surface in fair to good condition with a width of between 18 and 19 feet.

Water service is provided to the properties by the Cookeville Boat Dock Utility District and will continue to be provided by the district until such time as the city is able to acquire the service area. By contract, the utility district must update any lines within five (5) years so that the lines will support fire hydrants if the city does not acquire the service area. Sanitary sewer service will have to be extended to the properties by the City of Cookeville. The estimated cost for the provision of sewer is \$100,000. Natural gas service is and will continue to be provided by the Middle Tennessee Natural Gas System. Electric service is and will continue to be provided by UCEMC. The City of Cookeville will pay UCEMC for the provision of street lighting in the area.

Based on current property tax assessments total annual revenue to the city as a result of annexation is estimated at \$1,357.20.

As noted the property owners have requested CI, Commercial-Industrial Mixed Use Zoning for their properties. The area petitioned for annexation is bordered entirely on three (3) sides and partially on the fourth by properties zoned as CI.

Staff recommended approval of Plan of Services and approval of the Annexation with recommendation to the City Council for CI, Commercial-Industrial Mixed Use Zoning.

Jim Woodford made the motion to approve the Annexation and Plan of Services with recommendation to City Council for CI, Commercial-Industrial Mixed Use Zoning. Kay Starkweather seconded the motion and the motion carried unanimously. **APPROVED ANNEXATION, PLAN OF SERVICES, AND CI ZONING.**

CONSIDER FOR ACTION PRELIMINARY PLAT OF RIVER'S EDGE, 47 LOTS LOCATED OFF OLD SPARTA HIGHWAY. REQUEST SUBMITTED BY DAVID BILBREY OF ADVANCED INC. James Mills stated that Mr. David Bilbrey, of Advanced Inc., has submitted for approval a Preliminary Plat of River's Edge Subdivision, a 47 lot single family detached residential development of property located at the southern terminus of Old Sparta Road, on behalf of property owners Austin Jones and Keith Simmons.

The property proposed for development is identified on Tax Map 96 as Parcels 78.00 and 78.06 and combined contains approximately 44.70 acres. This property is zoned as RS-20, Single Family Residential as is property to the north. Property to the west is zoned CL, Local Commercial. The eastern boundary of the property coincides with the current corporate limits along the western bank of the Falling Water River.

The plat depicts the creation of approximately 3,295 feet of new streets within the proposed subdivision. However, the property proposed for development does not have direct access to Old Sparta Road, which is the closest city street. The southern end of the

city maintained portion of Old Sparta Road terminates at the northwest corner of the subject property at a gate post. At this point continuing south is a private driveway that is located within an undeveloped right-of-way adjacent to the subject property. Within the subdivision, a new looped road is proposed as Rivers Edge Drive that will have two access points of ingress/egress to this undeveloped right-of-way. Public Works Director, Greg Brown, has advised that the developer will be required at his expense to upgrade the approximately 535 feet of this undeveloped right-of-way to city street standards in order to extend Old Sparta Road to the southern intersection with the proposed Rivers Edge Drive. In addition, due to the substandard condition of existing streets that must be utilized to connect to the proposed subdivision, the developer will also be required to improve to city standards River Bluff Road from the intersection of South Jefferson Avenue to the intersection of Old Sparta Road a length of approximately 285 feet, continuing south approximately 302 feet along the remainder of Old Sparta Road. Article V Section F of the Subdivision Regulations is entitled "Substandard Existing Streets" and states that "the subdivision of property abutting existing streets that do not meet the minimum construction standards of these regulations shall generally be prohibited. Should improvements to the existing streets be required in order to meet the demands of the proposed subdivision, the costs of said improvements shall be borne by the developer unless determined otherwise by the City of Cookeville". One new cul-de-sac is proposed as River View Lane with a length of approximately 1150 feet, which is less than the 1200 feet maximum length allowed by the Subdivision Regulations.

New four (4) foot wide sidewalks will be installed along one side of all new streets. The developer has stated his intention to construct storm sewers for drainage. The developer will be required to submit engineered plans for the provision of water, fire hydrants and sewer to the Water Quality Control Department. The sewer will be a low pressure system that will coincide with the current plans of the department to expand sewer capacity in the area. The developer states that he plans to install natural gas in the development which is available according to the City of Cookeville Gas Department. The property boundary along the Falling Water River is in a Special Flood Hazard Area (SFHA) as shown on the FEMA Flood Insurance Rate Maps. The SFHA areas are on Lots 3-14 and 18-25. However, there is sufficient land area remaining outside of the SFHA for a buildable site on each of the impacted lots. The final plat will show the estimated base flood elevations for each lot to facilitate completion of the required FEMA Elevation Certificates at the time of construction. In addition to the SFHA, Public Works Engineer, Tracy Meggs, has determined that a 60' riparian buffer measured from the top of the bank on all lots adjacent to the Falling Water River is required due to the fact that this is listed by the EPA as a 303.D impaired stream.

Staff recommended approval of Preliminary Plat subject to the following:

- Developer must schedule and attend a pre-construction meeting with all the appropriate city departments,
- Developer understands and agrees that all right-of-ways must be cleared prior to any installation of utilities,

- Developer must submit a street plan and profile with storm sewer and sidewalk details to the Department of Public Works for all new streets. Plan shall include typical road section, subgrade, base width, asphalt width and 2:1 slopes,
- Developer will coordinate improvements to be made to existing substandard streets with the Department of Public Works,
- Developer shall submit a TDEC approved Storm Water Pollution Prevention Plan (SWPPP) to the Department of Public Works,
- Developer must provide a 15' utility easement along all road frontage on both sides of the new streets,
- Developer must submit water (including fire hydrants) and low pressure sewer plans to the Water Quality Control Department,
- Developer shall submit plans for the installation of underground electric per the Electric Department design requirements,
- Developer to submit plans for the installation of natural gas to the Gas Department,
- Developer to provide all conduit for underground communications facilities, CAD files and electrical layout plan to Frontier Communications, and
- Completion of corrections or additions to the plat as determined necessary by the Planning Department and/or other appropriate city departments.

David Bilbrey stated that he would like for the Planning Commission to approve financial assistance from the Public Works Department for the road improvements that he is required to make for this Subdivision.

Jim Stafne replied to the Developer that he is required to follow the rules & regulations of the Subdivision Regulations, and that it is not the role of the Planning Commission to speak on behalf of the Public Works Department or the City Council, or to recommend financial assistance.

Jim Woodford made the motion grant conditional Preliminary Plat approval according to staff's recommendation. Kay Starkweather seconded the motion and the motion carried unanimously. **CONDITIONAL PRELIMINARY PLAT APPROVAL.**

CONSIDER FOR ACTION PRELIMINARY PLAT OF DOWNTON SQUARE, PHASE II, 22 LOTS LOCATED ON EAST SPRING STREET. REQUEST SUBMITTED BY JERRY GAW. James Mills stated that Jerry Gaw and Aaron Bernhardt have submitted for approval a Preliminary Plat of Downton Square Phase II, a 22 lot single family attached residential development of their property located on East Spring Street.

The property proposed for development is identified on Tax Map 53M Group B as Parcel 2.00 and consists of approximately 9.18 total acres. Phase II contains approximately .78 acres. The lots in Phase II will front the proposed Downton Avenue. All of the streets and infrastructure are to be private and maintenance will be covered under a Home Owner Association Agreement to be submitted in tandem with final development approval. The required pre-construction meeting has been held with the developer and all the appropriate city departments and construction of the development is proceeding.

Staff recommended approval of the Preliminary Plat as submitted, subject to additions and corrections as requested by the Planning Department and/or other appropriate city departments.

Jim Stafne asked Mr. Bernhardt if they were having a separate homeowner's association with each phase of development.

Aaron Bernhardt replied that there will be only one (1) homeowner's association.

Jim Woodford made the motion to grant approval of the Preliminary Plat as submitted, subject to additions and corrections as requested by the Planning Department and/or other appropriate city departments. Adam Ryan seconded the motion and the motion carried unanimously. **APPROVED PRELIMINARY PLAT SUBJECT TO ADDITIONS AND CORRECTIONS.**

CONSIDER FOR ACTION FINAL PLAT OF THE REDIVISION OF LOT #1 OF THE REDIVISION OF PORTIONS OF LOTS 3-6 OF THE MESSENGER HEIRS SUBDIVISION, 3 LOTS LOCATED ON WHITE ROAD. REQUEST SUBMITTED BY ANDY HAMMOCK. James Mills stated that property owner Andy Hammock has submitted for approval a Final Plat of the Re-division of Lot 1 of the Re-division of Portion of Lots 3-6 of the Messenger Heirs Division, a three (3) lot single family detached residential development of his property located on White Road.

The property proposed for development is identified on Tax Map 83G Group D as Parcel 1.03, consists of approximately 1.37 total acres and contains no structures. The parcel is zoned RS-10, single family residential, as are adjacent properties to the north, south and west. The rear of the parcel is bounded by property zoned as CG, general commercial. As per the Subdivision Regulations, the proposal did not require prior preliminary plat approval due to the fact it contains less than 10 lots and all infrastructure is existing. There is a six-inch waterline and an eight-inch gravity sewer line located in the right-of-way of White Road that will serve the lots. There is an existing fire hydrant located in the right-of-way of White Road adjacent to the proposed Lot 3 that will provide adequate coverage for fire protection. Sufficient right-of-way dedication was provided by the previous subdivision, so no further dedication is required for future road improvements. There are no natural geographic constraints on the property, such as sinkholes, wetlands or special flood hazard areas.

Staff recommended approval of the Final Plat as submitted, subject to additions and corrections as requested by the Planning Department and/or other appropriate city departments.

Kay Starkweather made the motion to approve the Final Plat as submitted, subject to additions and corrections as requested by the Planning Department and/or other appropriate city departments. Judy Jennings seconded the motion and the motion carried unanimously. **APPROVED FINAL PLAT SUBJECT TO ADDITIONS AND CORRECTIONS.**

Jim Stafne wanted to thank Dr. Roy Loutzenheiser for acting as Chairman of the Planning Commission at last month's meeting and he also want to thank everyone for their calls of concern and for the cards that were sent during his recent illness.

Kay Starkweather 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 REZONING 1937 NORTH DIXIE AVENUE FROM RS10 (SINGLE-FAMILY RESIDENTIAL) TO RD (SINGLE-FAMILY AND DUPLEX RESIDENTIAL). REQUEST SUBMITTED BY RANDALL KING AND ROSEMARY O'DANIEL.**

- (2) CONSIDER FOR STUDY REZONING 2082 NORTH WILLOW AVENUE FROM RS15 (SINGLE FAMILY RESIDENTIAL) TO CL (LOCAL COMMERCIAL). REQUEST SUBMITTED BY HELEN MASTERS BURGESS AND DAVID MASTERS.**

STAFF REPORTS:

(1) MINOR PLAT APPROVALS:

- PATRICIA HALL PROPERTY SUBDIVISION - 1 LOT LOCATED ON BUFFALO VALLEY ROAD – PATRICIA HALL.
- W.W. STOCKSTILL PROPERTY - 2 LOTS LOCATED ON PROFFITT HILL DRIVE – EVA STOCKSTILL.
- CLYDE ALLEN PROPERTY – 2 LOTS LOCATED ON PROFFITT HILL DRIVE – CLYDE ALLEN.
- CRAVENS & GILBERT LOT LINE ADJUSTMENT – 2 LOTS LOCATED ON TERRACE HILL ROAD – WAYNE & NICOLE CRAVENS AND CHAD & ANNA GILBERT.

ADJOURNMENT: 6:00 P.M.

SUBMITTED FOR APPROVAL

SUBMITTED FOR RECORDING

**JAYNE BARNES CPS
PLANNING ASSISTANT**

**JIM STAFNE, CHAIRMAN
COOKEVILLE PLANNING
COMMISSION**