

**COOKEVILLE PLANNING COMMISSION
MINUTES
JUNE 22, 2015**

The Cookeville Planning Commission met on Monday, June 22, 2015 at 5:30 p.m., in the Council Chambers, 45 E. Broad Street, Cookeville, Tennessee.

MEMBERS PRESENT: Jim Stafne, Dr. Roy Loutzenheiser, Judy Jennings, Chris Wakefield, David Webb, Jim Woodford, Kay Starkweather, Leslie Sullins, and Tracy Cody.

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

STAFF MEMBERS ABSENT: Mike Davidson.

OTHERS PRESENT: Deborah Sam, Eric Stone, Charlene Stone, Dave Allmon, John Donnelly, Nick Davis, Bob Jett, Jerry Gaw, Jill Bernhardt, Aaron Bernhardt, and Laura Militana.

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 22, 2015. Leslie Sullins made the motion to approve the minutes of June 22, 2015. Judy Jennings seconded the motion and the motion carried unanimously. **APPROVED.**

CONSIDER FOR ACTION REZONING FROM RS-20 (SINGLE FAMILY RESIDENTIAL) TO RS-5 (SINGLE FAMILY RESIDENTIAL) PROPERTY CONSISTING OF 10.48 ACRES LOCATED ON THE CORNER OF OLD SPARTA ROAD AND BOB BULLOCK ROAD IDENTIFIED AS PARCEL 24.02 ON TAX MAP 96. REQUEST SUBMITTED BY BERNHARDT, LLC. James Mills stated that Mr. Aaron Bernhardt has submitted a request to rezone from RS-20, Single Family Residential to RS-5, Single Family Residential property located at the northeast intersection of Old Sparta and Bob Bullock Roads.

The subject property is identified as Parcel 24.02 on Tax Map 96 A and consists of approximately 10.48 acres, or 456,508 square feet. It is contiguous with properties zoned as RS-20, Single Family Residential on all sides. Located to the north, south and east are single family dwellings, and to the west is a seven (7) unit modular home development, a church and a single family dwelling. The modular home development is a legal nonconforming use existing prior to the property being annexed. The eastern portion of the parcel is encumbered by steep slopes and a small stream which limit its development potential.

The RS-20 District is intended to provide a low density residential environment in areas where public wastewater services area or are not available. A minimum land area of 20,000 square feet per dwelling unit is required in this district. The RS-5 District is intended to provide a moderate density single-family residential environment where public wastewater services are available. A minimum land area of 5,000 square feet per dwelling unit is required. Public wastewater services have recently been made available to the subject property.

The Cookeville 2030 Plan primarily depicts the property as being suitable for lower density residential development. At the time the plan was prepared public wastewater service was not available to the subject parcel. The property is located in an area annexed by the city in 2000. It is noted in the 2030 Plan that to accommodate anticipated growth, significant portions of the land area annexed since 2000 will have to be rezoned when the appropriate infrastructure is provided.

The petitioner has submitted a proposed subdivision plan for the property, should it be rezoned. A total of 41 lots for single family detached dwellings are depicted on the plan. On a 10.48 acre parcel this represents an average density of approximately 11,130 square feet per dwelling unit. The depicted lot sizes for the 41 lots range from 5,040 square feet to 29,112 square feet. The petitioner also indicates that all but five (5) of the 41 lots would be accessed from interior streets, not from Old Sparta or Bob Bullock Roads.

Staff recommended approval of the rezoning request.

Dr. Roy Loutzenheiser made the motion to approve rezoning 10.48 acres located on the corner of Old Sparta Road and Bob Bullock Road and identified as Parcel 24.02 on Tax Map 96 from RS-20 (Single Family Residential) to RS-5 (Single Family Residential). Kay Starkweather seconded the motion and the motion carried unanimously. **APPROVED REZONING FROM RS-20 TO RS-5.**

CONSIDER FOR ACTION AMENDMENT TO THE ZONING CODE RELATING TO INCREASING THE DENSITY FOR TOWNHOUSES, CONDOMINIUMS, AND MULTI-FAMILY RESIDENTIAL USES IN CBD (CENTRAL BUSINESS DEVELOPMENT). REQUEST SUBMITTED BY JERRY C. GAW. James Mills stated that Mr. Jerry C. Gaw has submitted a request for amendments to the provisions of the CBD, Central Business District regarding multi-family residential, condominium, and townhouses developments.

Mr. Gaw, with Mr. Paul Gaw has recently purchased property at 9 South Cedar Street. This property, which consists of approximately 1.09 acres, is zoned as CBD, Central Business District. Mr. Gaw has discussed with the Planning Department the possibility of developing the property for multi-family, condominium or townhouse purposes. In the CBD townhouses and condominiums are currently uses permitted on review and approval by the Planning Commission subject to specific conditions. Multi-family residential uses in the CBD are uses permitted on appeal to the Board of Zoning Appeals and subject to the requirements of the RM-14, Multi-family Residential District. Under the current

provisions of the CBD the maximum number of multi-family units that could be constructed on the 1.09 acre tract is 15 (3,000 square feet per dwelling unit). The maximum number of condominiums or townhouses that could be constructed is 22 (21 dwelling units per acre). For all three housing types a minimum of 1.25 off-street parking spaces is required per bedroom for the first 50 dwelling units and 2 spaces per dwelling unit for every dwelling unit exceeding 50.

Mr. Gaw is requesting that in the CBD the density for multi-family, condominium and townhouse developments be based on the number of off-street parking requirements that can be provided. He is also requesting that the minimum off-street parking requirement be reduced to 1.1 parking spaces per bedroom. The City of Murfreesboro is offered as an example.

In the Cookeville 2030 Plan two (2) policies were adopted relative to housing in the downtown area. Under the objective of providing for a variety of housing types and densities for a wide range of family incomes, sizes and life-styles while protecting and maintaining existing neighborhoods, Policy 4 states as follows: "Encourage and concentrate higher-density housing development in the central city area and along major traffic corridors with access to retail business, pedestrian amenities, cultural activities, schools and parks." Additionally Policy 13 states as follows: "Encourage the development of housing in and near the downtown area."

Higher density residential development is commonly located in the downtown areas of most mid-size and larger cities. The Planning Department has examined the zoning provisions from a number of cities in Tennessee similar in size to Cookeville regarding the regulation of high density residential developments in central business districts. As can be seen on the chart in your notebooks, the regulation of such uses varies significantly. While several of the cities listed appear to allow multi-family uses in their downtowns, most are intended to allow residential use in the upper floors of existing commercial structures.

While the Planning Department is of the opinion that higher density residential development should be encouraged in the downtown, there are certain concerns that should be addressed:

- **Parking.** The availability of off-street parking in downtown areas is typically an issue in most cities and Cookeville is no exception. Most of the cities reviewed require significantly less off-street parking than the City of Cookeville, with two (2) per dwelling unit the most common.
- **Building Height.** Cookeville currently has no maximum building height requirements other than to meet building codes. The Cookeville Fire Chief indicates that the maximum height the Fire Department can reach is seven (7) stories. Few of the cities reviewed have high rise structures. Those that do have set height limits.
- **Adequate Utilities.** Water and sewer systems in the downtowns of many cities are often some of the oldest with significant limitations on capacity. Specific requirements for verification of adequate utilities were not found in the provisions of the cities reviewed.

Staff recommended the following amendments to Section 219, Central Business District:

- Amend Section 219.3 Uses Permitted on Review to read as follows:

SECTION 219.3 USES PERMITTED ON REVIEW

The following uses are permitted upon approval by the Planning Commission of a site plan meeting the requirements of Section 233.5 of this Zoning Code and, if applicable, a subdivision plat submitted in accordance with the Cookeville Subdivision Regulations:

219.3A Multi-family residential, efficiency apartments, single-family attached dwellings (townhouses) and condominiums subject to the following:

1. The maximum building height shall be five (5) stories or 60 feet, whichever is less. For each story over three (3), or for every ten (10) feet in height over 35 feet, a building setback of five (5) feet from all property lines shall be provided.
2. Verification from the Department of Water Quality Control shall be provided that existing water and sewer capacities are adequate to serve the proposed development.
3. On site off-street parking shall be provided at a ratio of one (1) space per efficiency apartment, 1.1 space per bedroom for multi-family residential dwellings, and two (2) spaces per dwelling unit for townhouses and condominiums.
4. Dwelling units shall be limited to a maximum of three (3) bedrooms.
5. A minimum square footage per dwelling unit of 650 square feet for a one-bedroom unit, 800 square feet for a two-bedroom unit, and 1000 square feet for a three bedroom unit shall be provided.
6. The Architectural Design Requirements of Section 208A of this Zoning Code shall apply.

- Amend Section 219.4 Uses Permitted on Appeal to delete Section 219.4B which reads as follows:

219.4B Multi-family residential uses and efficiency apartments meeting the requirements of Section 216 of this Zoning Code

- Amend Section 219.6 Minimum Lot Requirements (Area and Width) to read as follows:

SECTION 219.6 MINIMUM LOT REQUIREMENTS (AREA AND WIDTH)

219.6A Minimum lot area:

1. Multi-family residential, efficiency apartments, single family attached and condominiums:.....5,000 square feet plus 1,500 square feet per dwelling unit
2. All other uses and structuresNONE, except as necessary to meet all other requirements of this Zoning Code.

219.6B Minimum lot width at right-of-way.....25 feet

219.6C Minimum width at setback line.....25 feet

- Amend Section 234, Chart of Permitted Land Uses to depict multi-family residential, efficiency apartments, single family attached and condominiums as uses permitted upon review by the Planning Commission.

Kay Starkweather stated that since the Board has not had time to review the amendments to the Zoning Code, she would prefer to postpone action until next month's meeting. Other Board members agreed.

Kay Starkweather made the motion to postpone this item until the July 27, 2015 meeting. Leslie Sullins seconded the motion and the motion carried unanimously. **POSTPONED UNTIL JULY 27, 2015 MEETING.**

CONSIDER FOR ACTION FINAL PLAT OF WEST END NEIGHBORHOOD PHASE 1, 7 LOTS LOCATED ON WEST END STREET. REQUEST SUBMITTED BY HABITAT FOR HUMANITY. James Mills stated that Pam Ealey of Habitat for Humanity has submitted for approval a Final Plat of West End Neighborhood, Phase I, a seven (7) lot subdivision of a portion of their property located on West End Street.

The subject property is identified on Tax Map 53H Group A as Parcel 42.00 and contains approximately 16.27 total acres and is zoned RD, Single-family and Duplex Residential. Phase I of the development will occupy .92 acres of the parcel and the lots have frontage on West End Street. Adjacent properties to the north, northwest and east are zoned as RS-10, Single Family Residential. All other contiguous properties (across the railroad right-of-way) are zoned CI, Commercial-Industrial Mixed Use. As per the Subdivision Regulations, the proposal does not require prior preliminary plat approval due to the fact it contains less than ten (10) lots with frontage on an existing public street and water, sewer and electric are available. An existing hydrant is located in the right-of-way of McClellan Avenue near the intersection of West End Street and a determination will be made by the Fire Chief if will provide adequate coverage. The plat depicts a new sidewalk five (5) feet in width that will be constructed on the subject property instead of the right-of way due to the existing slope conditions. This will be constructed per the standards specified by the Subdivision Regulations with an easement approved by Public Works Director Greg Brown. The current available GIS data does not indicate that there are any sinkholes, wetlands or waterways on the property. In addition, the parcel is not located in a FEMA NFIP Special Flood Hazard Area.

Staff recommended conditional approval of the final plat, subject to a decision regarding fire protection and additions and or corrections as requested by the Planning Department and/or other appropriate city departments.

Jim Woodford made the motion to grant conditional final plat approval of West End Neighborhood Phase I, 7 lots located on West End Street. Chris Wakefield seconded the

motion and the motion carried unanimously. **CONDITIONAL FINAL PLAT APPROVAL.**

Dr. Roy Loutzenheiser made the motion to take the following items for study. Kay Starkweather seconded the motion and the motion carried unanimously. **STUDY ITEMS.**

- (1) CONSIDER FOR STUDY PRELIMINARY PLAT OF JOHNNY HAMMOCK DIVISION, 15 LOTS LOCATED OFF HUDDLESTON DRIVE. REQUEST SUBMITTED BY JOHNNY HAMMOCK.**
- (2) CONSIDER FOR STUDY PRELIMINARY PLAT OF WEST END NEIGHBORHOOD PHASE II, 14 LOTS LOCATED ON WEST END STREET. REQUEST SUBMITTED BY HABITAT FOR HUMANITY.**

STAFF REPORTS:

(1) MINOR PLAT APPROVALS:

- G & H PARTNERSHIP, CAROLINA AVENUE COMBINATION PLAT – 1 LOT LOCATED AT 1358 & 1370 CAROLINA AVENUE – JIM HAWKINS.
- COPPER SPRINGS SUBDIVISION PHASE 1 – 2 LOTS LOCATED ON EAST SPRING STREET – MEADOWS PROPERTIES.

ADJOURNMENT: 6:02 P.M.

SUBMITTED FOR APPROVAL

SUBMITTED FOR RECORDING

**JAYNE BARNS CPS
PLANNING ASSISTANT**

**JIM STAFNE, CHAIRMAN
COOKEVILLE PLANNING
COMMISSION**