

**COOKEVILLE PLANNING COMMISSION
MINUTES
JUNE 27, 2016**

The Cookeville Planning Commission met on Monday, June 27, 2016 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, Tracy Cody, and Jim Cobb.

MEMBERS ABSENT: Leslie Sullins Draper.

STAFF MEMBERS PRESENT: James Mills, Jayne Barns, Ken Young, Mike Davidson and Officer Chuck Teeters.

OTHERS PRESENT: Chad Gilbert, Ali Gilbert, Tony Gammon, Wayne Russell, Taylor Dillehay, John Donnelly and Laura Militana.

CONSIDER FOR APPROVAL AMENDING THE AGENDA TO POSTPONE ACTION ITEM #5 UNTIL THE JULY 25, 2016 MEETING. Kay Starkweather made the motion to amend the agenda to postpone Action Item #5 until the July 25, 2016 meeting. Jim Woodford seconded the motion and the motion carried unanimously. **APPROVED AMENDING THE AGENDA TO POSTPONE ACTION #5 UNTIL THE JULY 25, 2016 MEETING.**

CONSIDER FOR APPROVAL THE AGENDA AS AMENDED. Chris Wakefield made the motion to approve the agenda as amended. Judy Jennings seconded the motion and the motion carried unanimously. **APPROVED THE AGENDA AS AMENDED.**

CONSIDER FOR APPROVAL THE MINUTES OF MAY 23, 2016. Kay Starkweather made the motion to approve the minutes of May 23, 2016. Jim Cobb seconded the motion and the motion carried unanimously. **APPROVED.**

CONSIDER FOR ACTION REQUEST FOR RAO (REDEVELOPMENT AREA OVERLAY) ZONING FOR 127 & 135 NORTH FRANKLIN AVENUE. REQUEST SUBMITTED BY CHAD GILBERT OF PUTNAM CONTRACTING SERVICES, LLC ON BEHALF OF TONY GAMMON. James Mills stated that Mr. Chad Gilbert of Putnam Contracting Services, on behalf of property owner Mr. Tony Gammon, has submitted a request for RAO (Redevelopment Area Overlay) zoning of property located at 127 and 135 North Franklin Avenue. The properties are located adjacent to an existing RAO District located on West Broad Street and Chestnut Avenue.

The RAO District was created in 2013 as a mechanism for the redevelopment, revitalization, rehabilitation, and general improvement of areas within the City of Cookeville as identified within the Cookeville 2030 Plan as being in need of such action, or other areas within the city as may be determined to be in need of such action. Within RAO districts, the city may waive or modify certain development requirements to provide incentives for redevelopment, including

increases in density, reduction of setbacks, and reductions of lot sizes. Specific criteria must be met for properties to qualify for RAO zoning and a detailed process for approval must be followed. Only those uses permitted in the underlying zoning may be permitted in a RAO district. To qualify for RAO zoning the site must contain a minimum of one (1) acre when located within an area identified in the Cookeville 2030 Plan as being in need of revitalization/redevelopment. The minimize area requirement may be waived when a proposed RAO is an extension of an existing RAO District. The developer must submit and adhere to an approved development plan.

The process for the approval of RAO zoning involves several steps. First the developer is required to meet with the Planning Director to determine whether the RAO zoning is appropriate for the proposed property. If it is determined that the property is appropriate for RAO zoning, then the developer must submit a request for overlay zoning, a written statement describing the proposed development and how it meets the objectives of the 2030 Plan, and a Preliminary RAO Concept Plan. The Concept Plan must include site, floor and elevation plans. The Planning Commission, after reviewing the overlay zoning request and required submittals, must submit a recommendation to the City Council for approval, modification, or denial of the request. Upon receipt of the Planning Commission recommendation the City Council then considers enactment of the overlay.

Once the overlay is enacted, a Final RAO Plan must be submitted to and approved by the Planning Commission. The Final RAO Plan must be submitted within six (6) months after the effective date of the enactment of the overlay by the City Council or the overlay zoning action shall become null and void. Extension of no more than 18 months may be granted by the Planning Commission. The Final RAO Plan must substantially conform to the Preliminary RAO Concept Plan. Any substantial modifications to the approved Final RAO Plan must be resubmitted to the Planning Commission.

The property proposed for RAO zoning is identified as Parcels 21.00 and 22.00 on Tax Map 53A, Group D. Combined the parcels consist of approximately 0.6 acres, or 26,080 square feet. The site is located entirely within an area identified in the Cookeville 2030 Plan as being in need of redevelopment/revitalization. The underlying or existing zoning classification of the property is RD, Single Family and Duplex Residential. Under this classification the parcels are limited to a maximum of one (1) duplex per parcel. The minimum lot area requirement in the RD District is 5,000 square feet per dwelling unit. If the property could be subdivided, the combined land area would indicate that five (5) dwelling units could be developed.

The primary uses of the subject properties are single family residential and multi-family residential. Located on Parcel 21.00 is a single family dwelling and on 22.00 is a triplex. The triplex is a legal nonconforming use. All the structures appear to be in sound condition.

Mr. Gilbert has submitted a Preliminary RAO Concept Plan, written statement, site plan, floor plans, elevation plans, photos and other materials required for RAO zoning consideration. The application indicates that six (6) single family detached dwellings would be constructed if the requested RAO zoning is approved. According to the submitted development schedule all construction would be completed within twelve (12) months of approval of the RAO.

The floor plans for the detached dwellings depict the construction of two (2) story dwellings with a two (2) bedroom/two (2) bath configuration. The elevation plans indicate that the structures' exterior finishes will consist primarily of brick and Hardie Plank construction.

Sidewalks along Franklin Avenue will be installed. The off-street parking area is to be provided to the rear of the proposed dwellings and no direct vehicle access from public streets to any dwelling will be provided. Canopy trees are to be planted along all street frontages.

As noted the developer wishes to construct single family detached dwellings. Under the provisions of the RAO district, the city may allow a density bonus of up to 20 units per acre, which is approximately 2,178 square feet per dwelling unit. For an area containing 26,080 square feet, up to 11 dwelling units could be approved. The petitioner is asking for a minimum density bonus of one (1) partial dwelling unit for a total of six (6) dwellings. No other special considerations are requested.

Staff recommended approval of Preliminary RAO Concept Plan for the development of six (6) detached dwelling units.

Jim Woodford made the motion to approve the Preliminary RAO Concept Plan for the development of six (6) detached dwelling units. Jim Cobb seconded the motion and the motion carried unanimously. **APPROVED.**

CONSIDER FOR ACTION PRELIMINARY PLAT OF WASHINGTON STATION TOWNHOMES, 21 LOTS LOCATED ON NORTH WASHINGTON AVENUE. REQUEST SUBMITTED BY CHAD GILBERT OF PUTNAM CONTRACTING SERVICES LLC. James Mills stated that Chad Gilbert with Putnam Properties has submitted for approval a Preliminary Plat of Washington Station Townhomes, a 22 lot single family attached development on North Washington Avenue.

The subject property is identified on Tax Map 40F Group B as Parcels 5.00 and 6.00. The parcels were combined by the Washington Station Combination Plat which was recorded on June 14th. The two (2) existing single-family structures on the property will be scheduled for demolition and include notification to the Gas Department that the existing service lines need to be disconnected. The property is zoned CL, "Local Commercial" and the development site consists of approximately 1.39 acres or 60,550 square feet. The adjacent parcel to the southeast is also zoned CL, but all six (6) of the remaining parcels are zoned RS-10 "Single-family Residential".

Section 221.3 of the Zoning Code stipulates that single family attached dwellings (townhouses) are allowed in the CL zone as a use permitted on review, subject to the submission of a plat in accordance with the Cookeville Subdivision Regulations. The property is proposed to be developed as 21 single family attached dwellings. It should be noted that Lot 22 is the remaining common area and is not a building lot. The minimum lot area requirement in the CL zoning district is 3,000 square feet per dwelling unit. Based on a total land area of approximately 60,550 square feet only 20 dwelling units can be located on the subject property, one (1) less than currently depicted on the plat.

One new private street is proposed with the name Allison Way. There is an existing sidewalk along the right-of-way of North Washington Avenue and the plat depicts a proposed four (4) foot wide sidewalk along the interior perimeter in front of the dwelling units. The developers must submit drainage, grading and street construction plans to the Public Works Department before construction will be authorized. Water service will connect to the existing eight (8) inch water line located in the right-of-way of North Washington Avenue and the lots will be served by a master meter. Sewer will connect to the existing eight (8) inch gravity sewer line also located within the North Washington Avenue right-of-way. The developers must submit water and sewer plans to the Department of Water Quality Control for review and approval prior to construction. There is one (1) existing hydrant located at the northeast corner of North Washington Avenue and East Jere Whitson Street and the dwelling units are required to have sprinkler systems. Fire Chief, Roger Fuqua, has determined that one (1) additional hydrant is needed to properly serve the development.

A Type I screen/buffer is required along the property perimeter that borders the parcels zoned as RS-10. All common areas, utilities, streets and other infrastructure improvements are private and will be maintained via a Homeowner Association Agreement that will be required upon final plat recording. No portion of the subject property is located in a Special Flood Hazard Area according to the Flood Insurance Rate Maps for the area, nor are there indications of Sinkhole Retention Areas according to the available GIS data.

Staff recommended conditional approval of the Preliminary Plat subject to the following:

- Reduction of total dwelling units to a maximum of 20 units,
- Developer shall schedule and attend a pre-construction meeting with all the appropriate city departments,
- 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 and asphalt width,
- Developer shall submit a Storm Water Pollution Prevention Plan (SWPPP) to the Department of Public Works,
- Developer must submit water (including one (1) new fire hydrant as required by the Fire Chief) and 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 if gas service is desired,
- Developer to provide all conduit for underground communications facilities, CAD files and electrical layout plan to Frontier Communications,
- Developer shall provide all utility easements as required by the Electric and Water Quality Control Departments, and
- Completion of corrections or additions to the plat as determined necessary by the Planning Department and/or other appropriate city departments.

Chad Gilbert stated that the 22 lots calculation was a mathematical error on their part.

Jim Woodford made the motion to grant conditional Preliminary Plat approval of Washington Station Townhomes, subject to staff's recommendation. Chris Wakefield seconded the motion and the motion carried unanimously. **CONDITIONAL APPROVAL OF THE PRELIMINARY PLAT.**

CONSIDER FOR ACTION PRELIMINARY PLAT OF STEVENS SQUARE, 10 LOTS LOCATED ON WEST STEVENS STREET. REQUEST SUBMITTED BY CHAD GILBERT OF PUTNAM CONTRACTING SERVICES LLC AND TONY GAMMON ON BEHALF OF WILLIAM A. MCDONALD. CHAD GILBERT HAS REQUESTED THAT THIS ITEM BE POSTPONED UNTIL THE JULY 25, 2016 MEETING.

The motion to postpone this item until the July 25, 2016 meeting was approved at the beginning of the meeting.

CONSIDER FOR ACTION VARIANCE FOR A FLAG LOT ON THE PROPERTY LOCATED AT 2580 MINE LICK CREEK ROAD AND FINAL PLAT OF THE REVISION OF LOT 2 OF TOMMY RANDOLPH DIVISION, 2 LOTS LOCATED ON MINE LICK CREEK ROAD. REQUEST SUBMITTED BY THOMAS RANDOLPH.

Ken Young stated that property owner Thomas Randolph has submitted a request for a variance to allow the creation of one flag lot and final plat approval of the Revision of Lot 2 of the Tommy Randolph Division, a proposed two (2) lot single family residential development of his property located on Mine Lick Creek Road.

The property proposed for this development is identified as Parcel 84.03 on Tax Map 6 and consists of approximately 3.41 acres. The site is zoned RS-20, "Single-family Residential" as are all adjacent properties. The parcel contains one (1) existing single family residential structure and a barn.

As previously stated, the owners have requested that the Planning Commission consider granting a variance to allow one flag lot. A flag lot is defined in the Subdivision Regulations as "a lot which is accessed by a strip of land of a width less than the required street frontage and which is located behind another lot which meets the required street frontage." Article X Section G of the Subdivision Regulations specifies that flag lots shall be permitted only for existing lots of record and upon the approval of a variance by the Planning Commission subject to the following conditions:

- a. The parcel of land proposed for subdivision to include a flag lot shall have depth to width ratio exceeding 2:1.
- b. No access strip shall be less than 25 feet in width for its entire length.
- c. The access strip shall provide access for only one lot and shall be deeded and platted as a part of the building site. No building or structure shall be located in the access strip.
- d. The access strip shall not exceed 500 feet in length and no more than two access strips shall be located side-by-side.
- e. The point where the access strip abuts the public street shall be safe for vehicular ingress and egress as far as visibility and grade are concerned since, unlike conventional lots, flag lots have no other alternatives for driveway locations.
- f. All required building setbacks shall apply and be measured from the boundaries of the portion of the lot excluding the access strip.

- g. The developer shall restrict the flag lot from further subdivision unless a street meeting all requirements, including right-of-way, is constructed. Said restriction shall be placed on the Final Plat.

In no case shall a flag lot be used to avoid constructing a street to the required standards.

The parcel is currently served by the Double Springs Utility District with the existing four (4) inch waterline located in the road right-of-way and there is an existing hydrant located at the intersection of Mine Lick Creek Road and Fiesta Drive. There is no current access to public sewer and the existing house has a subsurface septic systems. Approval of the plat is contingent upon TDEC approval of Lot 1 for s subsurface waste disposal system. The subject property boundary is 25 feet from the road centerline so no right-of-way dedication is required. The plat certificate states that no portion of the subject property is located in a Special Flood Hazard Area. No area of the property is indicated as being in a sinkhole retention area according to the Sinkhole Floodplain Report prepared by TTU and adopted by the City.

Staff recommended that the variance as requested be granted, since the petitioner has met the criteria for a flag lot.

Staff also recommended conditional approval of the final plat, subject to the following:

- TDEC approval for a septic system on Lot 1,
- The addition of a note to the plat restricting the flag lot from further subdivision, and
- Any additions and/or corrections to the final plat, as required by the Planning Department and/or other city departments.

Jim Cobb made the motion to approve the variance for a flag lot and granted conditional approval of the Final Plat subject the staff's recommendation. Jim Woodford seconded the motion and the motion carried unanimously. **APPROVED VARIANCE FOR A FLAG LOT AND GRANTED CONDITIONAL FINAL PLAT APPROVAL.**

Kay Starkweather made the motion to take the following item for study. Jim Woodford seconded the motion and the motion carried unanimously. **STUDY ITEM.**

(1) CONSIDER FOR STUDY RENAMING DESIGN DRIVE TO RICH FRONING WAY. REQUEST SUBMITTED BY THE COOKEVILLE CITY COUNCIL.

STAFF REPORTS:

(1) MINOR PLAT APPROVALS:

- CP PROPERTIES ADDITION – 1 LOT LOCATED AT 75 EAST VETERANS DRIVE – ERIC CHERRY OF CP PROPERTIES AND MIKE PALK OF PUTNAM FARM SUPPLY, INC.
- BROADWAY APARTMENTS PHASE I – 2 LOTS LOCATED ON WEST BROAD STREET – LARRY BURGESS, DAVID BURNETT & DONNIE ELKINS.
- TENNESSEE VALLEY AUTHORITY WEST COOKEVILLE – 2 LOTS LOCATED AT 200 & 210 CC CAMP ROAD – TENNESSEE VALLEY AUTHORITY.

- DUSTY GENTRY DIVISION – 2 LOTS LOCATED AT 432 & 442 SULLIVAN STREET – DUSTY GENTRY.
- DONNA & RICHARD HERBERT DIVISION – 1 LOT LOCATED AT 5225 LOVELADY ROAD – DONNA & RICHARD HERBERT.
- PAUL HENRY JACKSON DIVISION – 1 LOT LOCATED AT 560 RUBY LANE – PAUL HENRY JACKSON.
- H. S. BOUTON RESUBDIVISION OF LOTS 5 & 6 – 2 LOTS LOCATED AT 825 & 837 NORTH PICKARD AVENUE – BONNIE HYDER AND ERICA HEINRICH.
- RESUBDIVISION OF A M JOHNSON LOTS 7 & 8, AND LOT 1 OF DEALMAKERS – 4 LOTS LOCATED AT 398, 410 & 420 LONE OAK DRIVE AND VACANT TRACT ADJACENT TO COUNTY SERVICES ROAD – DEALMARKER PARTNERSHIP.
- BIRDWELL-JUDD ADJUSTMENT – RESUBDIVISION OF LOTS 1, 2, & 3 OF ARFIE FLATT ESTATE - 2 LOTS LOCATED AT 903 GOODWIN ROAD AND 1191 CRESCENT DRIVE – KENNETH & JUDY JUDD AND SHANNON BIRDWELL.
- COMBINATION PLAT OF WASHINGTON STATION – 1 LOT LOCATED AT 1918 & 1928 NORTH WASHINGTON AVENUE – PUTNAM PROPERTIES.
- BLACKWELL PARK EASEMENT REMOVAL FOR LOT 12 – 3 LOTS LOCATED ON THE CORNER OF BLACKWELL PARK AND BLACKWELL ROAD – GARRY RODGERS & TIMOTHY BATES.
- RESUBDIVISION OF LOTS 1, 2 & 3 OF THE LYNN, SMITH, NEWSOM, & PEILA DIVISION – 2 LOTS LOCATED AT 500 & 580 EAST VETERANS DRIVE – JAMES L. SMITH TRUSTEE.

(2) RECEIVED AMENDED HOME OWNERS AGREEMENT FOR DOWNTON SQUARE TO INCLUDE PHASE V.

James Mills gave an update on the 2016 Downtown Parking Study that was presented at last month's meeting. Mr. Mills reported that the Planning Department has started analysis on the uses of each parking lot. They will be reviewing each parking lot on three separate days during the week starting at 9:00 a.m., 12:00 noon, 3:00 p.m. and 6:00 p.m. and when the analysis is finished Mr. Mills will report the findings back to the Planning Commission.

ADJOURNMENT: 5:52 P.M.

SUBMITTED FOR APPROVAL

SUBMITTED FOR RECORDING

JAYNE BARNS CPS
PLANNING ASSISTANT

JIM STAFNE, CHAIRMAN
COOKEVILLE PLANNING
COMMISSION