

**COOKEVILLE PLANNING COMMISSION  
MINUTES  
FEBRUARY 24, 2020**

The Cookeville Planning Commission met on Monday, February 24, 2020 at 5:30 p.m., in the Council Chambers, 45 E. Broad Street, Cookeville, Tennessee.

**MEMBERS PRESENT:** Jim Cobb, Tracy Cody, Judy Jennings, Daniel Odom, James Stafne, Kay Starkweather, Leslie Sullins Draper, Chris Wakefield and Eric Walker

**MEMBERS ABSENT:** None.

**STAFF MEMBERS PRESENT:** Jon Ward, Ken Young, and Haley Dickson

**STAFF MEMBERS ABSENT:** James Mills.

**OTHERS PRESENT:** Rafferty Cleary, Aaron Bernhardt, Jason Jennings, Judy Phillips, Jimmy Phillips, Ben Wheeler, Matt Davidson, Charles Whittenburg, Ron Henry, Chad Gilbert, Taylor Dillehay, Rusty Norrod

**ESTABLISHMENT OF QUORUM:** Chairman Stafne announced that a quorum was present for the meeting.

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

**CONSIDER FOR APPROVAL THE MINUTES OF JANUARY 27, 2020.** Eric Walker made the motion to approve the minutes of January 27, 2020. Daniel Odom seconded the motion and the motion carried unanimously. **APPROVED.**

**CONSIDER FOR ACTION REZONING OF 1901, 1913 & 1919 N WASHINGTON AVE FROM CL (LOCAL COMMERCIAL) AND 420, 430, 502, 512 & 518 E JERE WHITSON ROAD FROM RS-10 (SINGLE FAMILY RESIDENTIAL) TO RM-14 (MULTI-FAMILY RESIDENTIAL). REQUEST SUBMITTED BY AARON BERNHARDT.** Jon Ward stated that Mr. Aaron Bernhardt has submitted a request on behalf of property owner Larry Burgess to rezone properties zoned CL, Local Commercial located at 1901, 1913 and 1919 North Washington Avenue and properties zoned RS-10, Single Family Residential located at 420, 430, 502, 512, and 518 East Jere Whitson Avenue to RM-14, Multi-Family Residential

**Analysis:** Properties located at 1901, 1913 and 1919 North Washington Avenue and zoned CL Local Commercial are identified as parcels 006.01, 007.00, and 008.00 on Tax Map 040F, Group C. The properties located at 420, 430, 502, 512, and 518 East Jere Whitson Avenue and zoned RS-10 Single Family Residential are identified as parcels 008.01, 009.00, 010.00, 011.00, and 012.00 on Tax Map 040F, Group C. The combined area is bordered by CL and RS-10 to the south, RS-10 to the east, CL and RS-10 to the north and CL to the west. The area proposed for rezoning consists of approximately 4.8 total acres (including North Washington Avenue and East Jere Whitson Road right-of-way).

Mr. Bernhardt previously submitted a request for a Redevelopment Area Overlay (RAO) District to construct 60 townhomes on the subject property. However, this request was withdrawn from consideration from the October 28, 2019 Planning Commission meeting due to the underlying RS-10 Zoning not allowing for townhome development.

The RM-14 District is intended to provide a high-density multi-family residential environment in areas where public sewer is available. Multi-family residential development is a use permitted by right in the District. Single-family attached dwellings (townhouses) are a use permitted on review

by the Planning Commission. A density of 3,000 square feet per dwelling unit is allowed in the district.

Mr. Bernhardt indicated on the application that the zoning change is requested to construct single-family townhomes on the property. Since the application was submitted, Mr. Bernhardt provided a conceptual preliminary plat/site plan that shows a mixture of multi-family apartments and single-family attached townhomes. The conceptual plan provided depicts 44 multi-family units and 17 townhome units. According to a submitted survey, the subject property proposed for redevelopment consists of approximately 4.28 acres or approximately 186,436.8 square feet. At the density allowed by the RM-14 Zoning District, a total of 62 units could be constructed on the property. The conceptual plan maintains single family detached dwellings along East Jere Whitson Avenue and along the northeastern boundary, near an existing single family detached home in the RS-10 Zone.

The property to the north located in the CL, Local Commercial Zoning District is currently occupied by a multi-family development. Property in the CL, Local Commercial Zoning District adjacent to the proposed rezoning to the west is the site of Washington Station, a twenty (20) unit townhome development. The area at the opposite corner at the southwestern intersection of East Jere Whitson Avenue and North Washington Avenue is the location of Washington Commons, a four (4) unit townhome development. The proposed rezoning is consistent with surrounding land uses.

The developers had approached the property owner to the north east, Mr. John Hickey regarding including his property with the rezoning request. Mr. Hickey had submitted a letter to include his property in the rezoning. The Planning Department would not recommend rezoning any property along North Maple Avenue to a higher density. Even while maintaining the RS-10 Zoning District along North Maple Avenue, the Planning Department has concerns with including the Hickey property, as this would be a landlocked area of higher density zoning accessed off North Maple Avenue.

The Future Land Use Concept Plan Element of the Cookeville 2030 Plan depicts this area as best suited for lower density residential development. This includes both sides of North Washington Avenue from just north of the intersection of East 16th Street to East 22nd Street. It is important to note that this area includes a number of higher density residential developments, including townhomes, apartments, and mobile home parks, and a number of various commercial uses. While this area is not compliant with the Future Land Use Plan, neither are many other existing uses along North Washington Avenue and various side streets within the area. The Planning Department plans to reassess this area in the Cookeville 2030 Plan Update, with a majority of the work scheduled for this year.

The concept plan provided by the developer depicts two (2) points of ingress/egress onto East Jere Whitson Avenue and no access onto North Washington Avenue. East Jere Whitson Avenue is classified as a Minor Collector Street and North Washington Avenue is classified as Major Arterial. A traffic signal is located at the intersection of East Jere Whitson Road and North Washington Avenue. The existing streets are classified sufficiently to serve the proposed zoning change. The Water Quality Control Department has confirmed they have sufficient capacity to serve the proposed zoning change.

The initial RAO Plan application submitted by Mr. Bernhardt indicated that the structures located on the property were in less than sound condition. The current request includes downzoning approximately 2.6 acres (54 percent of the area) and up zoning approximately 2.2 acres (46 percent of the area). A zoning change to downzone the commercial portion to residential will eliminate any

future commercial uses within the area, which should lessen impacts. The existing homes located within the proposed area do appear to be in less than sound condition and in need of redevelopment.

**Recommendation:** Approval of the request

Aaron Bernhardt handed out packets that included pictures of the proposed apartments and townhomes.

Leslie Sullins Draper asked how many apartments are being constructed.

Aaron Bernhardt responded with 11 4-plexes for a total of 44 dwelling units.

Leslie Sullins Draper asked if they can construct all townhomes.

Aaron Bernhardt responded that if they constructed all townhomes that he would lose 30 units and the project would not recuperate the cost.

Ron Henry, of 538 East Jere Whitson Road, says his property backs up to the proposed rezoning area and is concerned with there being too much traffic brought in by this. He stated that the road already sees high traffic due to the side roads and high school traffic using East Jere Whitson to access the red light.

Jimmy Phillips of 513 East Jere Whitson Road stated that he was also concerned with the traffic increase and asked what the drainage area for the project will be.

Jon Ward stated that all storm water drainage has to follow the City of Cookeville's storm water management guidelines and that Cookeville has some of the strictest guidelines in the state.

Aaron Bernhardt stated that all drainage has to be retained on site and cannot drain to other lots.

Jim Stafne stated that all plans have to be signed off by an engineer and TDEC before construction can begin.

Kay Starkweather asked if there is a need for apartments in Cookeville.

Aaron Bernhardt responded that all of his units are 100% occupied and guesses that other rental agencies in town are operating at 90-100% occupancy. Mr. Bernhardt also mentioned that the typical demographic that he is renting to is younger and retirement age and states that both prefer less upkeep and prefer apartments and townhomes over single-family detached units.

Jon Ward stated that the proposed layout showing the lots is just a concept and is not binding. Mr. Ward stated that the zoning allows for 62 units and Mr. Bernhardt has proposed 61.

Eric Walker made the motion to approve the request as submitted. Daniel Odom seconded the motion. Votes: Jim Stafne – aye, Judy Jennings – aye, Jim Cobb – aye, Tracy Cody – aye, Daniel Odom – aye, Kay Starkweather – aye, Leslie Sullins Draper – nay, Chris Wakefield – aye, Eric Walker – aye. Motion Carried. **APPROVED.**

**CONSIDER FOR ACTION SIX (6) MONTH EXTENSION OF THE PRELIMINARY PLAT OF BRIGHTON PARK, 14 LOTS LOCATED AT 625 EAST 10TH STREET. REQUEST SUBMITTED BY DONNIE SUITS OF CAPITAL COMMUNITIES, LLC.**

Ken Young stated that Mr. Donnie Suits with Capital Communities, LLC has submitted a request for a six (6) month extension of the Brighton Park Preliminary Plat, which is a 14 lot single family attached subdivision located off of East 10<sup>th</sup> Street. The Preliminary Plat was approved by the Planning Commission on February 25, 2019 for a period of one (1) year.

**Analysis:** As provided in Article II, Section D, Subsection 9 of the Subdivision Regulations, a six (6) month extension can be applied for by the developer and granted by the Planning

Commission provided a \$50.00 fee is submitted with the request. Mr. Suits has submitted the fee along with his request for an extension. Other than the placement of fill material on the site, no construction has begun on the development, nor have any changes been made to the plat since the preliminary plat was approved.

**Recommendation:** Approval of the request for a six (6) month extension of the Preliminary Plat subject to all conditions as established by the Planning Commission on February 25, 2019.

Leslie Sullins Draper made the motion to approve the request recommended by staff. Kay Starkweather seconded the motion and the motion carried unanimously. **APPROVED.**

**CONSIDER FOR ACTION SIX (6) MONTH EXTENSION OF THE PRELIMINARY PLAT OF RAEALYN COURT SUBDIVISION, 13 LOTS LOCATED OFF BAY VIEW DRIVE. REQUEST SUBMITTED BY TYLER BROWN.**

Ken Young stated that Mr. & Mrs. Tyler Brown have submitted a request for a six (6) month extension of their Raelyn Court Preliminary Plat, which is a 13 lot single family detached subdivision located off of Bay View Drive. The Preliminary Plat was approved by the Planning Commission on February 25, 2019 for a period of one (1) year.

**Analysis:** As provided in Article II, Section D, Subsection 9 of the Subdivision Regulations, a six (6) month extension can be applied for by the developer and granted by the Planning Commission provided a \$50.00 fee is submitted with the request. Mr. and Mrs. Brown have submitted the fee along with their request for an extension. Other than the installation of some erosion control barriers, no construction has begun on the development, nor have any changes been made to the plat since the preliminary plat was approved.

**Recommendation:** Approval of the request for a six (6) month extension of the Preliminary Plat subject to all conditions as established by the Planning Commission on February 25, 2019.

Jim Cobb made the motion to approve the request submitted by staff. Kay Starkweather seconded the motion and the motion carried unanimously. **APPROVED.**

**CONSIDER FOR ACTION THE FINAL PLAT OF MAGNOLIA CREEK, PHASE II, 31 LOTS LOCATED OFF FREEHILL ROAD. REQUEST SUBMITTED BY KMJ PROPERTIES.**

Jon Ward stated that Mr. Michael Petty, on behalf of property owner KMJ Properties, LLC, has submitted the Final Plat of Magnolia Creek Phase II located off of Freehill Road. The Preliminary Plat/Final RAO Plan was initially approved by the Planning Commission on July 24, 2017. A Revised Preliminary Plat/RAO Plan was approved by the Planning Commission on December 16, 2019 and was subsequently recorded with the Putnam County Register of Deeds on January 31, 2020.

**Analysis:** The underlying or existing zoning classification of the property is RM-8, Multi-Family Residential. The overall development site is identified as Parcel 12.00 on Tax Map 27N, Group B and Phase II consists of approximately 3.83 acres containing 31 single family detached residential lots.

Phase II involved the construction of two (2) new public streets which have been completed through the binder stage. Fenbrook Way is a new street that connects Juniper Drive with Freehill Road. Hemlock Circle is a new interior street connecting Juniper Drive with Fenbrook Way. The new streets have been constructed with curb and gutter and have a 40' right-of-way which was previously approved by the Planning Commission. Sidewalks, four (4) feet in width, are to be constructed on both sides of the new streets. Public Works has stipulated that a letter of credit in

the amount of \$30,000 may be submitted to guarantee the completion of the sidewalks for a maximum term of five (5) years. Also in lieu of completion, a certified check in the amount of \$21,000 is acceptable to pay for the final surfacing of the two (2) new streets. In addition, the developer must submit payment in the amount of \$600 to Public Works for street signage.

Water, sanitary sewer and underground electric service have been installed but several components require relocation due to changes to the original Preliminary Plat/ Final RAO Plan. WQC requires that the developer submit “as-built” plans for water and sewer which include both phases of the development.

A bio-retention area (i.e., rain garden) remains to be constructed on Lot 53 as shown on the plat. A note must be added to the plat stating the owner of this lot will be responsible for maintenance of the rain garden. There are no FEMA identified Special Flood Hazard Areas indicated on the property, however, there is a 30 foot wide stream buffer that slightly encroaches on the southwest corner of Lot 34 as depicted on the plat.

As the new streets and other improvements are to be dedicated to the public, the developer must also submit a \$10,000 letter of credit for a two (2) year period payable to the City of Cookeville as a Warranty of Improvements.

**Recommendation:** The Planning Department recommends conditional final plat approval subject to the following conditions:

- A plat note must specify that the owner of Lot 53 is solely responsible for maintenance of the rain garden located on the lot
- A letter of credit (period up to 60 months) payable to the City of Cookeville in the amount of \$30,000 may be submitted to guarantee sidewalk construction in lieu of completion
- A certified check payable to the City of Cookeville in the amount of \$21,000 to pay for final street surfacing may be submitted by the developer in lieu of completion
- Developer shall pay \$600 to the Public Works Department for street signage
- Developer shall submit “as-built” plans for water and sewer improvements for the entire development to Water Quality Control for review and approval
- Developer shall submit a Warranty of Improvements two (2) year letter of credit in the amount of \$10,000 payable to the City of Cookeville, with submission timing coordinated with Planning Department staff
- Completion of corrections or additions to the plat as determined necessary by the Planning Department and/or other appropriate city departments

Leslie Sullins Draper made the motion to approve the request submitted by staff. Jim Cobb seconded the motion and the motion passed unanimously. **CONDITIONAL APPROVAL.**

**CONSIDER FOR ACTION THE FINAL PLAT FOR THE COTTAGES, 49 LOTS LOCATED ON MCCULLY ROAD AND SPRINGBORO ROAD. REQUEST SUBMITTED BY MATT DAVIDSON, FISK DEVELOPMENT GROUP.** Ken Young stated that Mr. Matt Davidson with the Fisk Development Group has submitted for approval the Final Plat of The Cottages, a 49 lot single family residential development of their property situated north of Springboro Road and south of McCulley Road. This development was originally granted preliminary approval in July 2010 and has been subsequently extended and renewed multiple times. Fisk Development purchased the property in early 2019 and a re-submitted Preliminary Plat was approved by the Planning Commission on July 22, 2019. There have been no changes to the Subdivision Regulations during the entire period this development has been under consideration by the Planning Commission.

**Analysis:** The development property is identified on Tax Map 052 as Parcel 049.00 and consists of approximately 15.50 acres. This parcel was rezoned from RS-20 to RS-10 (both single family residential) in 2010. All of the adjacent properties are zoned RS-20. One (1) new road named “Cottage Way” connects with Springboro Road in the south and with McCulley Road in the north in order to provide two (2) points of ingress and egress. (The former developer expanded the existing pavement to 22’ wide from the McCulley Road entrance approximately 400’ to Rockwell Drive). In addition, the plat depicts a new cul-de-sac named “Bishop Lane” that will serve the lots in the western portion of the property. The new streets have integral extruded mountable curbing and gutter on both sides and have been completed through the base stage. (At the time of the original preliminary approval in July 2010 the prior developer was granted a variance to reduce the required right-of-way of the new streets from 45’ to 40’. At the same meeting the developer also was granted a variance to reduce the diameter of the new cul-de-sac from 100’ to 90’ with a pavement diameter of 80’). A new four (4) foot wide sidewalk is proposed for construction along the front of all the interior lots that will meet current ADA requirements. Public Works has stipulated that a letter of credit in the amount of \$38,000 may be submitted to guarantee the completion of the sidewalks for a maximum term of five (5) years. Also in lieu of completion, a certified check in the amount of \$54,000 is acceptable to pay for the final surfacing of the two (2) new streets. In addition, the developer must submit payment in the amount of \$450 to Public Works for street signage.

A new six (6) inch waterline has been installed that connects to the existing six (6) inch waterlines located in the right-of-ways of Springboro and McCulley. Three (3) new hydrants have been installed in the development to meet the fire protection coverage as required by the Subdivision Regulations. New eight (8) inch gravity sewer lines have been installed that also connect to the existing mains located in the Springboro and McCulley right-of-ways. Water and sewer “as-built” plans must be submitted to the Water Quality Control Department for review and final approval.

No portion of the subject property is located in a Special Flood Hazard Area according to the Flood Insurance Rate Maps for the area. However, a portion of Lot 37 and the area of the intersection of Springboro Road and “Cottage Way” are indicated as being in a Sinkhole Retention Area (SRA). The elevation of this area is shown on the plat as 1122 feet and is labeled as an unbuildable area. The plat also depicts storm water retention and detention areas along the western and eastern boundaries of the subject property. The developer has advised their intention to construct swales for storm water during the construction of the houses to divert water down the property lines to the rear rain gardens. Public Works requires that a Storm Water Maintenance Agreement be submitted for review and approval before the plat is endorsed for recording. Finally, as shown on the plat, the developer has dedicated right-of-way along both existing roads measuring 25’ from the centerlines to the property boundary to provide room for future road improvements.

As the new streets and other improvements are to be dedicated to the public, the developer must also submit a \$10,000 letter of credit for a two (2) year period payable to the City of Cookeville as a Warranty of Improvements.

**Recommendation:** The Planning Department recommends conditional final plat approval subject to the following conditions:

- Developer to coordinate final street construction and storm water stabilization with the Department of Public Works
- A letter of credit (period up to 60 months) payable to the City of Cookeville in the amount of \$38,000 may be submitted to guarantee sidewalk construction in lieu of completion
- A certified check payable to the City of Cookeville in the amount of \$54,000 to pay for final street surfacing may be submitted by the developer in lieu of completion

- Developer shall pay \$450 to the Public Works Department for street signage
- Developer shall submit a “Storm Water Maintenance Agreement” to the Department of Public Works for review and approval
- Developer shall submit “as-built” plans for water and sewer improvements for the entire development to Water Quality Control for review and approval
- Developer shall submit a Warranty of Improvements two (2) year letter of credit in the amount of \$10,000 payable to the City of Cookeville, with submission timing coordinated with Planning Department staff
- Completion of corrections or additions to the plat as determined necessary by the Planning Department and/or other appropriate city departments

Leslie Sullins Draper made the motion to approve the request submitted by staff. Daniel Odom seconded the motion and the motion passed unanimously. **CONDITIONAL APPROVAL.**

**CONSIDER FOR ACTION THE FINAL PLAT OF WASHINGTON COURT SUBDIVISION, 9 LOTS LOCATED ON TANSI DRIVE. REQUEST SUBMITTED BY TITAN DEVELOPMENT**

Ken Young stated that Mr. Justin Cumby with Titan Development has submitted a Final Plat of Washington Court, a nine (9) lot single family attached development of their property located at the northeast corner of Vickers Lane and North Washington Avenue. The Preliminary Plat was conditionally approved by the Planning Commission on February 25, 2019.

**Analysis:** The subject property is identified on Tax Map 040C, Group E, as Parcel 003.00 and consists of approximately 0.64 acres. The property is zoned CL, Local Commercial, and is bordered by CL zoning on the east, south and west, and CI, Commercial Industrial Mixed Use to the north. 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 development consists of eight (8) single family attached building lots and the construction of a new private street and the installation of utilities. The development has only one (1) point of access located on Vickers Lane. An existing curb cut on North Washington Avenue is to be closed off with the installation of bollards. Truncated domes are to be installed on the sidewalk ramps at Vickers Lane.

Lot nine (9) is the remaining common area and is not a building lot. A new private street named Tansi Drive has been constructed to provide interior access to the townhouses. Two (2) bio-retention areas for storm water management are shown on the plat, with the northern one contained within the common area and the southern one partly within the common area and the remainder encroaching on the rear of Lots 1 and 2. Maintenance easements for the bio-retention areas are depicted on the plat and the developer is also required to submit a “Storm Water and Maintenance Agreement” to the Public Works Department.

Water service has been connected to the existing water line located in the right-of-way of Vickers Lane and the lots are to be served by individual meters that are set near the street right-of-way. Private sewer has been connected to the existing eight (8) inch gravity sewer line also located within the street right-of-way. All water service is private behind the water meters and all sewer service is private inside the property boundary. There is one (1) existing hydrant located at the northeast corner of Vickers Lane and North Washington Avenue that provides adequate coverage for fire protection. In addition, all of the dwelling units have been outfitted with 13D sprinkler systems. Individual receptacles will be utilized for trash management and the developer is to consult with Public Works for cart placement for pickup. All electric has been installed

underground per CED specifications and utility and maintenance easements are shown universally on the plat outside of the building footprints. 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.

All common areas, streets, sewer and other infrastructure improvements are private and will be maintained via a Homeowner Association Agreement that must be submitted in a timely manner after final plat recording. Due to the private nature of the development, no Warranty of Improvements is required. The developer is required to submit \$150 to the Department of Public Works for all required street signage.

**Recommendation:** Conditional approval of the Final Plat subject to the following:

- Bollards to be installed at the existing N. Washington curb cut and truncated domes are to be installed on the sidewalk ramps at Vickers Lane
- Developer must consult with Public Works to make arrangements for trash pickup
- Developer shall submit a “Storm Water Maintenance Agreement” to Public Works for review and approval
- Developer shall submit \$150 to Public Works for signage
- Completion of corrections or additions to the plat as determined necessary by the Planning Department and/or other appropriate city departments
- Developer to submit recorded Home Owner’s Association Agreement to the Planning Department in a timely manner after the final plat is recorded

Chris Wakefield made the motion to approve the request submitted by staff. Jim Cobb seconded the motion and the motion passed unanimously. **CONDITIONAL APPROVAL.**

**CONSIDER FOR ACTION THE FINAL PLAT OF 700 BROAD PHASE I (LOTS 14-22), TEN (10) LOTS LOCATED AT 731 EAST BROAD STREET. REQUEST SUBMITTED BY PUTNAM PROPERTIES.**

Jon Ward stated that Chad Gilbert, on behalf of Putnam Properties, has submitted for approval a Final Plat of 700 Broad Phase I (Lots 14-22), a 10 lot single family detached residential development on East Broad Street with secondary access to East Spring Street. This phase consists of nine (9) cluster type dwelling units and the remainder is shown as common area (portion of Lot 63) outside of the building lots.

**Analysis:** The development property is identified on Tax Map 053L Group C as Parcel 016.00. A plat titled the Burgess Family Partnership Lot Line Revision was recorded in March that provides an ingress/egress access easement to East Spring Street. Lots 14-22 are zoned RM-14 (Multi-family Residential) as is the remainder of the property to the west. The adjacent Wright parcel to the east is zoned RS-15 (Single-family Residential). Lots 23 and 24 are zoned CL (Local Commercial) as are adjacent properties to the east and west. Phase I contains approximately .70 acres of the approximately 5.45 acre development site which is planned to contain 62 dwelling units in its entirety. It should be noted that Lot 63 is the remaining common area and is not a building lot.

Sections 216.3 and 221.3 of the Zoning Code stipulate that single family attached dwellings (townhouses) and detached single-family cluster developments are allowed in the RM-14 and 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 lots in Phase I front a new private street named Allison Way that is under construction up to the base stage. A new five (5) foot wide sidewalk is to be constructed along the right-of-way of East Broad Street adjacent to Phase I. Public Works requires that trees are to be installed in this area as a

condition of plat approval. The plat also depicts a new four (4) foot wide sidewalk along portions of the interior perimeter in front of the dwelling units.

Public water service connects to the existing six (6) inch water line located in the right-of-way of East Broad and the lots will be served by a master meter. Water line easements are to be shown on the plat to include portions of the lines that are depicted on the plat as outside of the boundaries of Phase I. Private sewer connects to the existing eight (8) inch gravity sewer line also located within the East Broad right-of-way. There is one (1) existing hydrant located at the northeast corner of East Broad and Terry Avenue and one (1) new hydrant has been installed less than 60 feet from the southeast corner of Phase I. These hydrants provide adequate fire protection coverage as required by the Subdivision Regulations. In addition, all the dwelling units have 13D residential sprinkler systems installed.

All common areas, streets and infrastructure improvements with the exception of water are private and will be maintained via a Homeowner Association Agreement that will be required upon final plat recording. Developer shall incorporate specific language on the plat as well as the HOA agreement pertaining to the water system as directed by Water Quality Control. In addition, the developer is required to submit a two (2) year Warranty of Improvements letter of credit payable to the City of Cookeville in the amount of \$10,000 as a condition of final plat recording. This warranty must be extended as subsequent phases of the development are considered for final approval as directed by the Planning Department.

**Recommendation:** Conditional approval of the Phase I Final Plat subject to the following:

- Developer to complete construction of the new five (5) foot wide sidewalk along the East Broad Street frontage adjacent to Phase I and install street trees in the area as required by Public Works
- Developer shall coordinate street subgrade proof rolling, base stone and final surfacing with Public Works
- Developer must complete the detention pond as directed by Public Works
- Developer shall submit “as-built” water plans to the Water Quality Control Department
- Water Quality Control recommends that sewer “as-built” plans be prepared for the entire development upon completion to benefit the homeowner’s association
- Developer shall incorporate specific language on the plat as well as in the HOA agreement pertaining to the water system as directed by the Department of Water Quality Control
- Developer shall submit a two (2) year \$10,000 Warranty of Improvements letter of credit payable to the City of Cookeville, with submission timing and subsequent renewal to be coordinated with Planning Department staff
- Developer shall provide all utility easements as required by the Electric and Water Quality Control Departments
- Developer shall submit a copy of the recorded Homeowner’s Association agreement to the Planning Department as soon as possible after the plat is recorded
- Completion of corrections or additions to the plat as determined necessary by the Planning Department and/or other appropriate city departments

Chris Wakefield made the motion to approve the request submitted by staff. Tracy Cody seconded the motion and the motion passed unanimously. **CONDITIONAL APPROVAL.**

**CONSIDER FOR ACTION VARIANCE FOR A FLAG LOT AND THE FINAL PLAT OF SYCAMORE CHURCH OF CHRIST CRESCENT DRIVE DIVISION, TWO (2) LOTS LOCATED AT 1070 CRESCENT DRIVE. REQUEST SUBMITTED BY ROBIN MEADOWS.**

Ken Young stated that Property owner Robin Meadows has submitted a request for a variance to allow the creation of one (1) flag lot and final plat approval of the Sycamore Church of Christ Drive Division at 1070 Crescent Drive.

**Analysis:** The property is identified as Parcel 012.01 on Tax Map 039M Group B and consists of approximately 1.31 acres. The site is zoned RS-10 (Single Family Residential) as are all the adjacent properties. The parcel contains one (1) existing single family residential structure. Mr. Meadows is purchasing a nearby structure from the church with the intention of relocating it to this property subject to approval of the request for a flag lot variance and the final plat.

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 property is served by an existing six (6) inch water line located in the street right-of-way and there is an existing hydrant located at the northwest corner of the parcel. Sewer is available to connect to the existing eight (8) inch gravity main also located in the street right-of-way. The subject property is 25' from the street centerline so no additional right-of-way dedication is required. Current GIS data indicates that no portion of the subject property is located in a Special Flood Hazard Area and no area of the property is in a Sinkhole Retention Area.

**Recommendation:** It is the opinion of the Planning Staff that the petitioner has met the criteria for a flag lot and therefore recommends that the variance be granted. Planning Staff recommends conditional final plat approval subject to any additions and/or corrections as required by the Planning Department and/or other city departments.

Chris Wakefield made the motion to approve the request submitted by staff. Kay Starkweather seconded the motion and the motion passed unanimously. **APPROVED.**

**CONSIDER FOR ACTION THE RENAMING OF FOUNDATION DRIVE TO JAKE HOOT DRIVE. REQUEST SUBMITTED BY PAM EALEY, HABITAT FOR HUMANITY.**

Jon Ward stated that Ms. Pam Ealey, Executive Director for Upper Cumberland Habitat for Humanity submitted a request to rename Foundation Drive to Jake Hoot Drive.

**Analysis:** Foundation Drive is an existing City Street located in the West End Neighborhood development. Upper Cumberland Habitat for Humanity is the developer of West End Neighborhood. Foundation Drive was accepted as a city street on the final plat of West End Neighborhood Phase III, approved by the Planning Commission on March 27, 2017. A revised plat for West End Neighborhood Phase III was approved on January 22, 2018. At its March 26, 2018, the Planning Commission approved Amendments to the Official Street Map that added Foundation Drive as an official city street.

As depicted on the West End Neighborhood, Phase III final plat, Foundation Drive currently serves 17 total lots, 15 of these are for single family detached development with two (2) common areas. The Codes Department has issued permits for five (5) on the existing street, two (2) of which are complete and occupied and three (3) others under construction.

The procedure for street naming/renaming is provided in Title 16, Chapter 2 of the Cookeville Municipal Code. Chapter 2 provides as follows:

- The Planning Commission shall approve all street naming/renaming
- The City may initiate street naming/renaming provided all property owners located on the street are notified (All property owners have been notified by the Planning Department)
- E-911 review is required (Putnam County E-911 has been notified by the Planning Department)
- A Public Hearing must be held by the Planning Commission
- Naming/renaming of a street becomes effective 30 days following the approval of the Planning Commission unless otherwise specified at the time of approval
- Decisions of Planning Commission may be appealed to the City Council within 30 days of the approval of a street naming/renaming

**Recommendation:** Approval of renaming Foundation Drive to Jake Hoot Drive.

Tracy Cody made the motion to approve the request submitted by staff. Eric Walker seconded the motion and the motion passed unanimously. **APPROVED.**

**CONSIDER FOR ACTION AN AMENDMENT TO THE ZONING CODE TO INCLUDE MICROBREWERIES AND BREWPUBS AS A PERMITTED USE IN THE CI, COMMERCIAL-INDUSTRIAL MIXED USE DISTRICT. REQUEST SUBMITTED BY MANNY EDWARDS.**

Jon Ward stated that Mr. Manny Edwards with Jig Head Brewery submitted an application for a Zoning Coded Amendment to include microbreweries and brewpubs in the CI, Commercial Industrial Mixed Use District.

**Analysis:** Jig Head Brewing Company is located at 310 Newman Drive, in the CG, General Commercial Zoning District. Mr. Edwards is considering opening additional locations and met with Staff from the Planning Department and Codes Departments to inquire about zoning compliance. Microbreweries and Brewpubs are defined in the Zoning Code as follows:

**BREW PUB.** A restaurant that prepares handcrafted beer, and/or other malt beverages, as an accessory use intended for consumption on the premises or sold for consumption off premises in hand-capped or sealed containers in quantities up to one-half barrel (15.5 gallons), up to a maximum total of 5,000 barrels (31 gallons per barrel) per year. No more than 25 percent of the total floor area shall be utilized for brewing, including bottling and kegging. (As amended by Ordinance No. O14-04-05)

**MICRO-BREWERY.** A facility for the production and packaging of beer, and/or other malt beverages, for distribution, retail or wholesale, on or off premises, with a maximum capacity of not more than 15,000 barrels (31 gallons per barrel) per year. A micro-brewery may include, as an accessory use, a restaurant or tasting room not to exceed 25 percent of the total floor area. (As amended by Ordinance No. O14-04-05)

Both uses are permitted in the CBD, CL, CG, and CR commercial zones. Neither are permitted in the CI, Commercial Industrial Mixed Use Zone. Mr. Edwards had inquired specifically about a property located in the CI zoning district. The CI District is intended to accommodate a mixture of compatible commercial and light industrial developments, and is generally located along streets of at least Major Collector classification. The CI District, along with the CBD, CL, CG and CR Districts all allow private recreational facilities including taverns and nightclubs as a use permitted by right. Also, restaurants that serve alcoholic beverages are permitted in the CBD, CN, CL, CG, PCD, MS, UNV and CI zoning districts.

Mr. Matt Phillips, with Rise Partners, owners of Jackson Plaza met with the Planning Department to discuss the possibility of allowing brewpubs in the existing commercial development, and submitted a letter to the Planning Department requesting consideration. Jackson Plaza is zoned PCD, Planned Commercial Development. The PCD District does not allow microbreweries or brewpubs, but does permit private recreational facilities including taverns and nightclubs, along with restaurants that may serve alcoholic beverages. In the opinion of the Planning Department, microbreweries produce products on a scale that may not be suitable for the PCD District, but brewpubs would be an appropriate use.

In recent years, the City of Cookeville has had multiple microbreweries and brewpubs begin operation. With the growing popularity of microbreweries and brewpubs and to remain consistent with permitted restaurants and recreational uses, the Planning Department would recommend the following amendments to the Zoning Code:

Amend Section 227, CI, Commercial-Industrial Mixed Use District, Section 227.2, Permitted Uses and Structures by adding a new Section 227.2U Microbreweries and brewpubs.

Amend Section 224, PCD, Planned Commercial Development, Section 224.2, Permitted Uses and Structures, by adding new Section 224.2J Brewpubs.

Amend the Chart of Permitted Uses accordingly.

**Recommendation:** Approval of Zoning Code Amendment to allow Microbreweries and Brewpubs as a permitted use in the CI, Commercial Industrial Mixed Use District, and to allow Brewpubs as a permitted use in the PCD, Planned Commercial District.

Leslie Sullins Draper made the motion to approve the request submitted by staff. Daniel Odom seconded the motion and the motion passed unanimously. **APPROVED.**

**CONSIDER FOR ACTION 2020 ANNUAL REPORT & PROGRAM DESIGN. REQUEST SUBMITTED BY STAFF.**

Jon Ward stated that The Planning Department has completed the 2019 Annual Report and Program Design. The purpose of this report is to review the activities of 2018 and to outline proposed activities for 2019.

**Analysis:** Some of the major tasks completed in 2019 included:

- Assisted with completion and approved the Cookeville Bicycle and Pedestrian Circulation Plan Update funded with 2018 TDOT Transportation Planning Grant
- Served on Putnam County Multi-Jurisdictional Transportation Committee, submitted ten (10) Community Transportation Planning Request (CTPRs) to TDOT for road/street improvement projects in Cookeville, Putnam County, Algood and Baxter
- Collected data and prepared priority matrix and priority list for local street improvement projects
- Continued to monitor downtown parking demand
- Assisted with acquisition of property on North Cedar Avenue to construct additional downtown public parking
- Continued to assist with implementation of 2015 TDOT Multimodal Access Grant for installing sidewalks along East Spring Street
- Approved Resolution to increase sidewalk in lieu of construction fee
- Reviewed and approved preliminary design concept plan for improvements to North Dixie Avenue and North Mahler Avenue
- Awarded TDOT Multimodal Access Grant application for installing sidewalks along West 12<sup>th</sup> Street and North Willow Avenue, continued to assist with project
- Reviewed and approved Final PRD Plan on West 9<sup>th</sup> Street
- Approved 16 preliminary plats containing 227 lots, 13 final subdivision plats containing a total of 81 lots and 40 minor plats containing 69 lots

Some of the major work activities proposed for 2020 include:

- Significant work will focus on the 2030 Plan Update
- Continue implementation of 2030 Plan
- Prepare potential amendments to Future Land Use Plan element of the 2030 Plan to identify additional areas in need of redevelopment/revitalization and other amendments as determined appropriate
- Continue collection of data for update of Land Use Plan in 2020/2021
- Monitor progress of PRD for West 9<sup>th</sup> Street
- Monitor approval of Final PCD Plan for East 10<sup>th</sup> Street
- Monitor and assist with East 10<sup>th</sup> Street improvements relating to East 10<sup>th</sup> Street PCD completion
- Continue to assist with implementation of 2015 TDOT Multimodal Access Grant for installing sidewalks along East Spring Street
- Continue assistance with implementation of 2018 TDOT Multimodal Access Grant application for installing sidewalks along West 12<sup>th</sup> Street and North Willow Avenue
- Continue assistance with implementation the Cookeville Pedestrian and Bicycle Circulation Plan
- Assist as necessary with activities for local street improvement projects
- Assist as necessary with Municipal Code amendments relating to residential parking districts, regulation of electric scooters, wireless support structures in the public right-of-way, and others as needed

Jim Cobb made the motion to approve the request submitted by staff. Kay Starkweather seconded the motion and the motion passed unanimously. **APPROVED.**

**STUDY ITEMS:**

(1) CONSIDER FOR STUDY REQUEST FOR CLOSURE OF THE ALLEY LOCATED BETWEEN EAST 10<sup>TH</sup> STREET AND TIMBER LANE. REQUEST SUBMITTED BY CHRIS VICK.

Eric Walker made the motion to accept the items for study. Jim Cobb seconded the motion and the motion carried unanimously. **APPROVED.**

**STAFF REPORTS:**

(1) MINOR PLATS APPROVED & RECORDED:

- COOK HOUSE PROPERTIES, INC COMBINATION PLAT – 1 LOT LOCATED ON EAST 4<sup>TH</sup> STREET – PETER METTS
- MARRERO COMBINATION PLAT – 2 LOTS LOCATED ON RIDGEDALE DRIVE & SHERRILL DRIVE – ELIAS MARRERO
- TONY DEASON COMBINATION PLAT – 1 LOT LOCATED ON 2090 FOUNTAIN CIRCLE & SHAG RAG ROAD
- JAMES CATES PROPERTY SUBDIVISION REVISION – 2 LOTS LOCATED ON SAMS STREET & BUNKER HILL ROAD

**ADJOURNMENT: 6:41 P.M.**

**SUBMITTED FOR APPROVAL**

**SUBMITTED FOR RECORDING**

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**HALEY DICKSON  
PLANNING ASSISTANT**

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**JIM STAFNE, CHAIRMAN  
COOKEVILLE PLANNING  
COMMISSION**