

Cookeville Planning Commission
Minutes
January 24th, 2022

The Cookeville Planning Commission met on Monday, January 24th, 2022, at 5:30 p.m., in the Council Chambers, 45 E. Broad Street, Cookeville, Tennessee.

MEMBERS PRESENT: Jim Cobb, Chad Gilbert, Judy Jennings, Lauren Metts, Jim Stafne, Kay Starkweather, Eric Walker & Jim Woodford.

MEMBERS ABSENT: Leslie Sullins.

STAFF MEMBERS PRESENT: Jon Ward, Christopher Phillips, Ken Young & Haley Dickson.

STAFF MEMBERS ABSENT: James Mills.

OTHERS PRESENT: Daniel Humphreys, Harold Brown, Garry McNabb, Curtis & Ellen Williams, Aaron Bernhardt, Betsy Scarsisbrick, Lindsay Pride, Justin Sliger, Lindsay Neil Williams

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

ELECTION OF CHAIRMAN & VICE-CHAIRMAN. Jim Stafne made the motion to elect Jim Woodford as Chairman and Judy Jennings as Vice Chairman. The motion carried unanimously. **ELECTED JIM WOODFORD AS CHAIRMAN AND JUDY JENNINGS AS VICE CHAIRMAN.**

CONSIDER FOR APPROVAL THE AGENDA AS SUBMITTED. Jim Cobb made the motion to approve the agenda as submitted. Eric Walker seconded the motion and the motion carried unanimously. **APPROVED.**

CONSIDER FOR APPROVAL THE MINUTES OF DECEMBER 13TH, 2021. Kay Starkweather made the motion to approve the minutes of December 13th, 2021. Jim Stafne seconded the motion and the motion carried unanimously. **APPROVED.**

CONSIDER FOR ACTION SIX (6) MONTH EXTENSION OF THE PRELIMINARY PLAT OF PRESCOTT HEIGHTS DIVISION, SEVEN (7) LOTS LOCATED AT WEST CEMETERY ROAD AND WHITE ROAD (TAX MAP 083J, GROUP C, PARCEL 005.00). REQUEST SUBMITTED BY FOWLER & SONS CONSTRUCTION, LLC. Jon Ward stated that Fowler & Sons Construction, LLC has submitted for approval a second six (6) month extension of the preliminary plat of Prescott Heights Division, a seven (7) lot single-family detached development located at West Cemetery Road and White Road. This proposal was taken for study by the Planning Commission at the June 22, 2020, meeting and was conditionally approved at the July 27, 2020 meeting. A six (6) month extension was approved at the July 27, 2021, Planning Commission meeting.

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. The developer has submitted the fee along with a written request for an extension. Clearing and grading is occurring on the site and sewer has been installed. There have been no changes made to the plat since the preliminary plat was approved.

Recommendation: Approval of the request for a second six (6) month extension of the preliminary plat subject to all conditions established by the Planning Commission on July 27, 2021.

Jim Stafne 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 PRELIMINARY PLAT OF ENCORE SUBDIVISION, SIX (6) LOTS LOCATED ON EAST 10th STREET. REQUEST SUBMITTED BY CAPITAL COMMUNITIES, LLC.

Jon Ward stated that Mr. Donnie Suits with Capital Communities, LLC, has submitted for approval a revised preliminary plat of Encore Subdivision, a six (6) lot single-family attached development located on East 10th Street. The plat was originally submitted to the Planning Commission for study on June 28, 2021 but was subsequently withdrawn as the developer did not have the minimum land area required to achieve the density he desired. Recently Mr. Suits acquired additional property from the adjacent landowner and combined it with his property by the “Holland – Capital Communities Lot Line Revision Plat” which was recorded on January 10, 2022.

Analysis: The subject property is identified as Tax Map 040N, Group C, Parcel 006.00 and contains approximately 0.68 acres. The property is zoned CN, “Neighborhood Commercial” as are the adjacent properties to the east, south, and west. The adjacent property to the north is zoned RS-10, “Single-Family Residential.” Section 220.3A of the Zoning Code stipulates single-family attached dwellings (townhomes) are allowed in the CG 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 five (5) single-family attached building lots and the construction of a private street and installation of utilities. The remaining lot consists of common area and is not a building lot. Existing sidewalks are located along East 10th Street. The plat depicts 22 feet for right-of-way from centerline of East 10th Street and the development will require additional right-of-way dedication. East 10th Street is classified as a major arterial street and is currently a three-lane facility. The city typically requires dedication of 30 feet of right-of-way from the centerline of the street for developments along collector or higher classified streets. The plat depicts features within an area east of the proposed entrance that conflict with dedication. The Planning Department recognizes that dedication may be reduced on the west side of the entrance due to conflicts.

A new private street is proposed as Encore Drive to provide access off East 10th Street. Public water will connect to the existing eight (8) inch water line located in the East 10th Street right-of-way. Private sewer will connect to the existing eight (8) inch gravity sewer main also located in the East 10th Street right-of-way. State approved water plans must be submitted to the Water Quality Control Department. An existing fire hydrant is located to the south of the property across East 10th Street. All dwellings will have 13D residential sprinkler systems.

The northern boundary of the proposed development contains a stream and a Special Flood Hazard Area according to the Flood Insurance Rate Maps, and this area is depicted on the plat. No portion of the proposed structures are located within the Flood Hazard Area. A required stream buffer is shown on the plat. Public Works has asked for clarification of the stream buffer as depicted on the plat. Public Works also has concerns with maintaining a 2:1 slope on the northern fill slope while staying out the buffer area. The engineer for the developer has responded that they plan to provide a retaining wall within the area of encroachment to satisfy the buffer requirements. No portion of the subject property has any indication of Sinkhole Retention Areas according to the available GIS Data.

The developer has advised that Lauren Engineering Services is in the process of preparing all required engineering plans for the development including storm water drainage features after the plat is considered by the Planning Commission. Trash collection will consist of individual cans for the development. All common areas, sewer, and other infrastructure improvements will be maintained by a Homeowner Association Agreement that will be required upon final plat recording.

Recommendation: Conditional approval of the plat subject to the following:

- Developer must coordinate right-of-way dedication with the Planning Department and Public Works Department

- Developer must show stormwater infrastructure on the plat
- Developer must maintain a stream buffer (minimum of fifteen (15) with an average of thirty (30) feet in width and must remove fill that has encroached into the buffer area
- Developer must provide state approved water plans to the Water Quality Control Department
- Developer shall schedule a pre-construction review with the Planning Department in tandem with a site plan review with the Codes Department
- Developer must submit a street plan and profile with storm sewer and sidewalk details to the Department of Public Works. Plan shall include a typical street 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 work with WQC to determine gang meter vault location
- Developer must work with Public Works to plan for trash pick-up
- Developer shall submit plans for the installation of underground electric per the Electric Department design requirements
- Developer shall provide all conduit for underground communications, 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
- Additions and/or corrections to the plat as requested by the Planning Department and/or other city departments

Jim Stafne made the motion to approve the request submitted by staff. Eric Walker seconded the motion and the motion carried unanimously. **CONDITIONAL APPROVAL.**

CONSIDER FOR ACTION THE PRELIMINARY PLAT OF DOLLAR GENERAL – COOKEVILLE BROAD STREET, ONE (1) LOT LOCATED ON WEST BROAD STREET (TAX MAP 039, PARCEL 157.00). REQUEST SUBMITTED BY JMB INVESTMENT COMPANY. Jon Ward stated that JMB Investment Company has submitted for approval a preliminary plat of Dollar General – Cookeville Broad Street, a one (1) lot commercial development located on West Broad Street.

Analysis: The subject property is identified as Tax Map 039, Parcel 157.00 and contains approximately 1.45 acres and the remainder is over five (5) acres. The property is zoned CL, “Local Commercial” as are all adjacent properties to the north, south, east, and west.

Although the plat consists of only one (1) lot on an existing street, a preliminary plat had to be considered by the Planning Commission because the development requires the extension of sewer to serve the proposed building lot. The Water Quality Control Department offered the developer the option of either installing the sewer before the plat was approved or submitting a financial guarantee in the amount of \$25,000. On December 8, 2022, the developer submitted a one (1) year \$25,000 irrevocable letter of credit drawn on Mountain Commerce Bank to guarantee the sewer installation. No other infrastructure improvements are required for the development.

Recommendation: Conditional approval of the preliminary plat subject to completion of revisions and/or corrections as determined necessary by the Planning Department or other appropriate city departments.

Chad Gilbert made the motion to approve the request submitted by staff. Kay Starkweather seconded the motion and the motion carried unanimously. **CONDITIONAL APPROVAL.**

CONSIDER FOR ACTION THE FINAL PLAT OF DOLLAR GENERAL – COOKEVILLE BROAD STREET, ONE (1) LOT LOCATED ON WEST BROAD STREET (TAX MAP 039, PARCEL 157.00). REQUEST SUBMITTED BY JMB INVESTMENT COMPANY.

Jon Ward stated that JMB Investment Company has submitted for approval a final plat of Dollar General – Cookeville Broad Street, a one (1) lot commercial development located on West Broad Street.

Analysis: The subject property is identified as Tax Map 039, Parcel 157.00 and contains approximately 1.45 acres and the remainder is over five (5) acres. The property is zoned CL, “Local Commercial” as are all adjacent properties to the north, south, east, and west.

As stated previously, although the plat consists of only one (1) lot on an existing street, a preliminary plat had to be considered by the Planning Commission because the development requires the extension of sewer to serve the proposed building lot. As previously stated, the developer has submitted a one (1) year \$25,000 irrevocable letter of credit to guarantee the sewer installation. No other infrastructure improvements are required for the development.

Recommendation: Conditional approval of the final plat subject to completion of revisions and/or corrections as determined necessary by the Planning Department or other appropriate city departments.

Jim Stafne made the motion to approve the request submitted by staff. Jim Cobb seconded the motion and the motion carried unanimously. **CONDITIONAL APPROVAL.**

CONSIDER FOR ACTION THE FINAL PLAT OF WESTBROOK FARMS, PHASE II, 30 LOTS LOCATED ON CORA ROAD (TAX MAP 039, PARCEL 063.00). REQUEST SUBMITTED BY HAROLD BROWN.

Jon Ward stated that Mr. Harold Brown has submitted for approval the final plat of Westbrook Farms Phase II, a 30-lot single-family detached development located on Cora Road. A preliminary plat for the development was initially named Laurel Hill (Phase II) and was granted conditional preliminary plat approval in November 2010. It was subsequently allowed to expire by the prior developer in November 2012. A preliminary plat for Westbrook Farms Phase II was conditionally approved at the July 27, 2019, Planning Commission meeting. A six (6) month extension was granted at the July 27, 2020, Planning Commission meeting and second six (6) month extension was granted at the January 25, 2021, Planning Commission meeting. The preliminary plat was resubmitted and approved at the August 23, 2021, Planning Commission meeting.

Analysis: The subject property is identified as a portion of Tax Map 039, Parcel 063.00 and contains approximately 17.46 acres. The property is zoned RS-15, “Single-Family Residential” as is the adjacent property to the south. The property is bordered by the corporate city limits to the west, and the properties to the north and east are both zoned RD, “Single-Family and Duplex Residential.”

Phase II consists of 30 single-family detached building lots numbered 11-40. Phase I consisted of Lots 1-10. Two (2) new streets (Westbrook Circle and Creekview Lane) have been constructed within the development through the binder stage. Public Works has advised that the binder profile is not uniform on the new streets. These must be repaired, or the developer can submit extra money for final road surfacing to cover the extra asphalt needed to make the profile uniform. New five (5) foot wide ADA compliant sidewalks are required on one (1) side of the new streets. The sidewalks have not been completed at this time and Public Works has advised that the amount required to financially guarantee the construction is \$62,000. Public Works also notes that sidewalks constructed to Cora Road must be shown on the plat. Public Works requests that the rain garden locations be included on the plat and that a note stating that lots containing rain gardens must be maintained by the property owner also be included on the plat. In addition, the storm sewer crossing Creekview Lane must be

shown on the plat. The developer must submit \$600.00 to Public Works for the installation of all street signs and stop signs within the development.

Water Quality Control states that water and sewer installation must be completed and tested. In addition to the previously existing fire hydrant near the Cora Road and Westbrook Circle intersection, new hydrants have been installed in front of Lots 27 and 35 to provide adequate fire protection coverage as required by the Subdivision Regulations. As-builts for water and sewer must also be submitted to Water Quality Control.

All electric has been installed underground per CED specifications and the developer will be responsible for the cost of upgrading any poles for street lighting. The developer made the decision not to install natural gas in the subdivision even though it is available.

As the new streets and other infrastructure are to be dedicated to the City, a two (2) year financial guarantee in the amount of \$10,000 will be required as a Warranty of Improvements.

Recommendation: Conditional approval of the final plat subject to the following:

- Plat to be revised to show location of rain gardens and note added that lots containing rain gardens are to be maintained by the property owner
- Developer to consult with Public Works regarding the decision to either repair the non-uniform binder on the streets or pay additional money to cover the cost to correct at the time of final paving in an amount to be determined by Public Works
- Plat to be revised to show storm sewer crossing Creekview Lane
- Plat revised to show sidewalk construction to Cora Road
- Developer to submit a financial guarantee to the Planning Department to assure the construction of sidewalks in the amount of \$62,000 for a minimum period of one (1) year up to a maximum of five (5) years
- Developer to pay Public Works \$600 for signage
- Developer to coordinate testing of water and sewer with Water Quality Control after installation is completed
- Developer to submit water and sewer “as-built” plans to the Water Quality Control Department
- Developer to submit a two (2) year irrevocable letter of credit or cashier’s check in the amount of \$10,000 as a Warranty of Improvements to the Planning Department
- Additions and/or corrections to the plat as requested by the Planning Department and/or other city departments

Mr. Jim Cobb asked how the Planning Commission can ensure that the property installs a rain garden.

Mr. Jon Ward stated that rain gardens are sometimes done by a homeowner’s association and the garden is located on an easement on private property so it cannot be built upon.

Chad Gilbert made the motion to approve the request submitted by staff. Jim Cobb seconded the motion and the motion carried unanimously. **CONDITIONAL APPROVAL.**

CONSIDER FOR ACTION THE FINAL PLAT OF THE VILLAGES ON BROAD PHASE III, 26 LOTS LOCATED ON BROADWAY AVENUE (TAX MAP 039, PARCEL 157.03). REQUEST SUBMITTED BY BERNHARDT CONSTRUCTION. Jon Ward stated that Mr.

Aaron Bernhardt has submitted for approval a final plat of The Villages on Broad Phase III; a 26-lot single-family attached development located on Broadway Avenue. A preliminary plat for the development was initially approved as a 50-lot development named West Towne Village at the September 23, 2019, Planning Commission meeting. A six (6) month extension was granted at the

September 28, 2020, Planning Commission meeting and a second six (6) month extension was granted at the March 22, 2021, Planning Commission meeting. Putnam County E911 then notified the Planning Department that they objected to the development name due to conflicts with an existing subdivision in the county with the same name. Subsequently, the development was renamed The Villages on Broad. Phase I of the development consisted of lots 34 and 35 which have been platted separately, managed administratively, and recorded. Phase II of the development consisted of 22-lots and a Final Plat for Phase II was approved at the July 26, 2021, Planning Commission meeting.

Analysis: The subject property is identified as Tax Map 039, Parcel 157.03 and Phase III contains approximately 3.51 acres. The property was rezoned from RS-20 to RS-5 per Ordinance #O190709 effective as of 9/20/2019. Adjacent property to the west is zoned RS-20, property to the south is zoned CL, "Local Commercial," and the remaining adjoining properties to the east and north are zoned RS-15, "Single-Family Residential."

Phase III consists of 26 building lots with the remaining area depicted on the plat for future development. Phase III completes the new street (Village Loop) and one (1) new interior street (Brook Hill Drive) both to be dedicated to the city. The developer requested to reduce the right-of-way to 40 feet with curb and gutter and storm sewer to be installed on both sides (the Planning Commission approved this request in conjunction with the preliminary plat in September 2019). Public Works has stated that \$26,000 must be paid for final street surfacing. New five (5) foot wide sidewalks are to be constructed along one side of the new streets as depicted on the plat. Sidewalks have not currently been completed within the development. Public Works has determined the amount required to financially guarantee completion of the sidewalks in this Phase is \$35,000. The developer must also submit payment in the amount of \$450.00 to Public Works for the installation of street and stop signs at the three locations. Public Works also requires Broadway Avenue at Oak Grove Drive and Village Loop to be repaired within the development and all mud be cleared from the roadways and stormwater basins. In addition, Public Works requires the developer to verify if the street flooding in the northwest corner has been corrected. The developer must also submit a signed Stormwater Maintenance Agreement to Public Works.

Water Quality Control has requested as-builts for water and sewer within the development. The Planning Department has requested that the surveyor verify and depict the location of the new fire hydrants.

All electric has been installed underground per CED specifications and the developer will be responsible for the cost of upgrading any poles for street lighting. The developer made the decision not to install natural gas in the subdivision even though it is available. Natural gas is available, but the developer did not request gas services for the development.

The currently held two (2) year \$10,000 Warranty of Improvements letter of credit drawn on One Bank of Tennessee must be updated to include Phase III of the development with a new start date to coincide with the finalization of the Phase III final plat.

Recommendation: Conditional approval of the final plat subject to the following:

- Developer to repair Broadway Avenue at Oak Grove Drive and Village Loop as required by Public Works
- Developer to clean mud from roadway and stormwater basins and correct mud erosion into the streets
- Developer to consult with Public Works concerning street flooding in the northwest corner
- Developer to submit a signed Stormwater Maintenance Agreement to Public Works
- Plat to be revised to depict the location of new fire hydrants

- Developer to submit a financial guarantee to the Planning Department in the amount of \$35,000 to assure the construction of sidewalks for a minimum period of one (1) year up to a maximum of five (5) years
- Developer to submit payment to the Planning Department for final street surfacing in the amount of \$26,000
- Developer to pay Public Works \$450 for signage
- Developer to submit water and sewer “as-built” plans to the Water Quality Control Department
- Developer to update the current two (2) year irrevocable letter of credit or cashier’s check in the amount of \$10,000 as a Warranty of Improvements to the Planning Department
- Additions and/or corrections to the plat as requested by the Planning Department and/or other city departments

Mr. Cobb asked what the future developments are as denoted on the plat.

Mr. Aaron Bernhardt stated that he is waiting on the city to respond to his inquiry regarding sewer capacity.

Mr. Ward stated that the city is evaluating scenarios for future development.

Eric Walker made the motion to approve the request submitted by staff. Jim Stafne seconded the motion and the motion carried unanimously. **CONDITIONAL APPROVAL.**

CONSIDER FOR ACTION THE FINAL PLAT OF CLAREMONT, 11 LOTS LOCATED ON WEST STEVENS STREET (TAX MAP 053-I, GROUP A, PARCEL 015.00). REQUEST SUBMITTED BY BERNHARDT CONSTRUCTION. Jon Ward stated that Mr. Aaron Bernhardt has submitted for approval a final plat of Claremont; an 11-lot single-family attached development located on West Stevens Street. A preliminary plat for the development was initially approved at the January 27, 2019, Planning Commission meeting. A six (6) month extension was granted at the January 27, 2020, Planning Commission meeting and another six (6) month extension was granted at the July 27, 2020, Planning Commission meeting. A preliminary plat was resubmitted and approved at the January 25, 2021, Planning Commission Meeting.

Analysis: The subject property is identified as Tax Map 053I, Group A, Parcel 015.00 and contains approximately 0.88 acres. The property is zoned RM-14, “Multi-Family Residential” as are the adjacent properties to the east, west, and north. The property is also bordered by CL, “Local Commercial” to the north. Section 216.3 of the Zoning Code stipulates single-family attached dwellings (townhouses) are allowed in the RM-14 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 ten (10) single-family attached building lots and the construction of a private street (Claremont Court) providing access off West Stevens Street. Lot 11 is common area and is not a building lot. The plat depicts the four (4) foot wide sidewalks that have been constructed internally on the site. In addition, Public Works confirmed a new five (5) wide sidewalk has been constructed along the West Stevens Street frontage so the plat should be revised to reflect same. (Public Works requests the developer remove the sidewalk forms and pins). All street and utility infrastructure are in place. The development is served by a six (6) inch water line located in the West Stevens Street right-of-way. Private sewer is connected to the existing eight (8) inch gravity main also located in the West Stevens Street right-of-way. An existing hydrant approximately 235 feet to the east at the intersection of West Stevens Street and Carr Avenue is within the required coverage area for fire protection. In addition, all dwelling units have a 13.D residential sprinkler system installed.

Public Works requests that all raingarden locations be added to the plat along with a note stating that all lots containing raingardens will be maintained by the property owner. The developer must submit \$150.00 to Public Works for the installation of all street signs and stop signs. Natural gas service was not requested for this development.

As the development is private, no Warranty of Improvements is required. However, the developer must submit the recorded Homeowner Association Agreement to the Planning Department as soon as possible after the final plat is recorded.

Recommendation: Conditional approval of the final plat subject to the following:

- Developer to remove sidewalk forms and pins as requested by Public Works
- Plat to be revised to depict sidewalk on West Stevens instead of “proposed”
- Plat to be revised to show raingarden locations
- Note to be added to plat that the raingardens will be maintained by the HOA/property owner
- Developer to pay Public Works \$150 for signage
- Developer to submit the recorded Homeowner Association Agreement to the Planning Department in a timely manner after the final plat is recorded
- Additions and/or corrections to the plat as requested by the Planning Department and/or other city departments

Chad Gilbert made the motion to approve the request submitted by staff. Jim Stafne seconded the motion and the motion carried unanimously. **CONDITIONAL APPROVAL.**

CONSIDER FOR ACTION THE FINAL PLAT OF COMBINATION OF LOTS 1-3 OF HAWKINS SUBDIVISION & LOT 3 OF BATES DIVISION, THREE (3) LOTS LOCATED ON BATES DRIVE & RAIDER DRIVE (TAX MAP 053L, GROUP C, PARCELS 021.02, 021.12, 021.13 & 003.00. REQUEST SUBMITTED BY JIM HAWKINS.

Jon Ward stated that Mr. Jim Hawkins has submitted for approval a final plat of Combination of Lots 1-3 and Lot 3 of Bates Division, a three (3) lot combination located on Bates Drive and Raider Drive.

Analysis: The subject properties are identified as Tax Map 053L, Group A, Parcels 021.02, 021.12, 021.13, and 003.00 and contain approximately 1.56 acres. Parcel 003.00 is zoned RS-15, “Single-Family Residential” as are the adjacent properties to the north, east, and south. Parcels 021.02, 002.12, and 021.13 are all zoned RD, “Single-Family and Duplex Residential” as are the adjacent properties to the north and west. The adjacent property to the south is zoned RS-15.

The proposed plat will combine Parcels 003.00 and 021.13 while adding portions of Parcels 021.02 and 021.12 to the combined parcels. Parcel 003.00 contains a single-family residential structure and Parcel 021.13 contains an accessory structure that encroaches upon Parcel 021.12. The property owner has elected to purchase portions of the adjacent parcels to increase the overall size of his property and to correct the encroachment of the accessory structure.

Recommendation: Approval of the plat as submitted.

Mr. Cobb stated that he drove out to the proposed property and respectfully disagrees that a turnaround was constructed as there is a gate across the road in which one cannot turn around. He asked what happens if Mr. Hawkins is required to put in a turn around.

Mr. Ward stated that there is no record of the release of letter of credit. He stated that the developer submitted the letter of credit as they were supposed to, but there is no record. He stated that Bates Drive is a private drive which was annexed into the city in 1966. The original plat proposed to allow for an additional lot to construct a house. A hammerhead turn around was not constructed as originally supposed to.

Mr. Ken Young stated that the proposed plat corrects two minor violations where it is not compliant with the zoning code. He stated that the owner has proposed to divide the lot and this effort helps to correct the issue that has existed since 2002.

Lauren Metts stated that it appears to be that Mr. Hawkins owns the property surrounding the proposed lot.

Mr. Ward stated that the property currently has two violations, and this request improves the situation but does not correct it.

Chad Gilbert made the motion to approve the request submitted by staff. Eric Walker seconded the motion and the motion carried unanimously. **CONDITIONAL APPROVAL.**

CONSIDER FOR ACTION, USE PERMITTED BY SPECIAL REVIEW OF THE PLANNING COMMISSION. STORESMART, BOAT AND RV STORAGE SHEDS PROPOSED IN A SINKHOLE RETENTION AREA LOCATED AT 401 JOFF DRIVE. REQUEST SUBMITTED BY GARRY MCNABB. Jon Ward stated that Mr. Gary McNabb has submitted a request for a special review to allow a boat and RV storage structure to be sited within a Sinkhole Retention Area overlay zone.

Analysis: The subject property is located at 401 Joff Drive, further identified as Tax Map 066, Parcel 030.02. The parcel consists of approximately 6.84 acres. The property is zoned CG, “General Commercial”, and is bordered by CG, “General Commercial” zoning on all sides. This site also includes an area of SRA, “Sinkhole Retention Area” overlay zoning. Specifically, the SRA located on the subject property is identified as Hydro ID 31 located within the Pigeon Roost Creek watershed. The SRA area consists of approximately 3.07 acres, with an elevation of 1,086 feet.

The SRA District is intended to regulate the use of lands considered vital to the natural drainage system of the city. The SRA District is an overlay district and may be located within the limits of any other zoning district. This district does not change the original zoning of the affected properties, but rather adds restrictions and limitations designed to promote public health, safety, and the general welfare. Specifically, the prevention of sinkholes and natural drainage ways from malfunction helps mitigate potential health and safety hazards, property loss and/or damage, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief and impairment of the tax base.

In December of 2021, Mr. McNabb submitted a site plan for Store Smart, Phase II on the subject property. The proposed development consists of renovating two (2) existing structures for climate-controlled storage and includes construction of proposed covered shed structures for boat and RV storage. The site plan depicts a 90’ x 200’ shed storage structure (Proposed Building D) located within the western boundary of the SRA. This structure is sited approximately 22’ within the overlay zone, tapering from north to south. The site plan also depicts two (2) smaller shed structures (Proposed Buildings E and F) located on the northern area of the property (Proposed Building E, 50’ x 60’ and Proposed Building F, 40’ x 50’) both almost entirely located within the SRA. An additional proposed shed structure (Proposed Building C) is sited outside of the SRA boundary.

In an SRA overlay zone, within commercial and industrial districts, uses such as loading areas, parking areas and open space or landscaped areas are permitted by right (Cookeville Zoning Code, Section 231.12B). Uses and structures permitted in the underlying zone may be permitted in a sinkhole retention area as shown on the City of Cookeville Zoning Map only upon application to the Planning Commission and subject to the following conditions (Section 231.14):

231.14A The applicant shall submit to the Department of Public Works and the Planning Commission evidence that the proposed use can be protected from inundation by retaining wall, levee, or

other means without undue interference either with the flow of any water course or with any necessary retention basin.

231.14B The Public Works Department shall review the evidence submitted by the applicant and make a written evaluation and recommendation of same to the Planning Commission.

231.14C Upon consideration of said evidence by the Planning Commission, the applicant may be granted a permit with protective measures stipulated as being conditional to approval of the permit.

231.14D No building permit and no use and occupancy permits shall be issued until and unless the above conditions have been met to the satisfaction of the Building Official.

231.14E All subdivision proposals and other new development plans are required to record the boundaries of the sinkhole retention area buffer. This boundary may differ from the established sinkhole retention area buffer only on approval of the Department of Public Works which shall be noted on said plat or plans.

The site plan for Store Smart Phase II provides proposed modifications to the existing sinkhole that will increase storage volumes and maintain existing drainage. All modifications will be included as an injection well permit and must be approved by TDEC. The existing structures located at 401, 410 and 420 Joff Drive were constructed prior to the SRA requirements. The proposed new structures within the SRA boundary are open walled shed structures that should not have impacts on drainage flow. The Director of Public Works has reviewed the proposal and has submitted a recommendation to approve construction of open sided sheds within the SRA boundary on the Joff Drive site.

Recommendation: Approval of the request.

Mr. Jim Woodford stated that this looks like an improvement to the property.

Mr. Garry McNabb stated that he has requested permission from the State of Tennessee to make the sinkhole as big as possible to hold as much water as possible to prevent any future flooding.

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 REZONING OF 5250 TENNESSEE AVENUE (TAX MAP 064, PARCEL 032.00) FROM RS-20 (SINGLE-FAMILY RESIDENTIAL) TO CI (COMMERCIAL-INDUSTRIAL MIXED USE). REQUEST SUBMITTED BY CURTIS WILLIAMS.

Jon Ward stated that Mr. Curtis Williams has submitted a request to rezone from RS-20, "Single-Family Residential" to CI, "Commercial-Industrial Mixed Use" a portion of the property located at 5250 Tennessee Avenue.

Analysis: The subject property is identified as Tax Map 065, Parcel 032.00 and contains approximately 86.41 acres. The parcel is split by Academy Road. The property is split zoned RS-20, "Single-Family Residential" and CI, "Commercial-Industrial Mixed Use." The property is bordered by the corporate city limits to the west, CI to the south, north, and east; and by RS-20 to the east.

The rezoning area includes rights-of-way of Academy Road, Tennessee Avenue, and Old Stewart Road. The total rezoning area consists of approximately 86.55 acres, including approximately 73.04 acres of the parcel and 13.51 acres of right-of-way.

The Future Land Use Concept Plan of the Cookeville 2030 Plan depicts the property as best suited for commercial-industrial mixed-use development. The Future Land Use Plan is similar for the properties to the east, north, and west that are zoned CI, Commercial-Industrial Mixed Use. The

property to the south is the location of Academy Sports and Outdoors Distribution Center, and is also zoned CI, Commercial-Industrial Mixed Use.

The rezoning application was submitted to create contiguous zoning across the entirety of the property to allow for future commercial and industrial development along Tennessee Avenue. Tennessee Avenue is classified as a Major Arterial Street, Academy Road has been approved through the State Industrial Access Program to provide access for Academy Sports. The property is adjacent to the Interstate 40 interchange.

Recommendation: Approval of the rezoning request.

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

Study Items:

- (1) Consider for study 2022 Annual Report & Program Design. Request submitted by staff.
- (2) Consider for study amendments to the Official Street Map. Request submitted by staff.
- (3) Consider for study the preliminary plat for Vickery Square, 12 lots located at East Spring Street, Crockett Avenue & Elizabeth Avenue (Tax Map 053-L, Group A, Parcels 008.00, 009.00, 010.00 & 011.01). Request submitted by Capital Communities, LLC.
- (4) Consider for study the rezoning of a portion of a parcel located on East Spring Street (Tax Map 053L, Group C, Parcel 017.01) from RM-14 (Multi-Family Residential) to CL (Local Commercial). Request submitted by Garry McNabb.
- (5) Consider for study the rezoning of 5411 Lovelady Road (Tax Map 096, Parcel 069.00) from RS-20 (Single-Family Residential) to RS-5 (Single-Family Residential). Request submitted by Titan Development on behalf of James Wright.

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

Staff Reports:

- (1) Minor Plats Approved & Recorded:
 - West Cookeville Subdivision, two (2) lots located at 555 & 559 West Broad Street – Gregory Cooper
 - Walter Whitson Carlen Jr. Combination Plat, one (1) lot located at 357 & 369 Hughes Street – Walter Whitson Carlen, Jr.

ADJOURNMENT: 6:32 P.M.

SUBMITTED FOR APPROVAL

SUBMITTED FOR RECORDING

Haley Dickson
Planning Assistant

Jim Woodford, Chairman
Cookeville Planning Commission