

Cookeville Planning Commission

Minutes

March 27th, 2023

The Cookeville Planning Commission met on Monday, March 27th, 2023, at 5:30 p.m., in the Council Chambers, 45 E. Broad Street, Cookeville, Tennessee.

Members Present: Councilman Ali Bagci, Jim Cobb, Bob Faulhaber, Lauren Metts, Judy Jennings, Jim Stafne, Kay Starkweather & Jim Woodford.

Members Absent: None.

Staff Members Present: Christopher Phillips, Jon Ward, Ken Young & Haley Dickson.

Staff Members Absent: James Mills.

Others Present: Richard & Linda Thornton, Cecil Essex, Tyler Atkinson, Stephen Raper, Susan Dickson, Deborah Johnson, Katelyn Steakley, Sabrina Hoskins & Mark Dudney.

Establishment of Quorum: Chairman Woodford announced that a quorum was present for the meeting.

Consider for Approval the Agenda as Submitted. Jim Stafne made the motion to approve the agenda as submitted. Kay Starkweather seconded the motion and the motion carried unanimously. **Approved.**

Consider for Approval the Minutes of February 27th, 2023. Kay Starkweather made the motion to approve the minutes of February 27th, 2023. Jim Stafne seconded the motion and the motion carried unanimously. **Approved.**

Consider for action a second six (6) month extension of the preliminary plat of Magnolia East, 21 lots located on East 10th Street (Tax Map 040-M, Group B, Parcel 004.18). Request submitted by Jerry Gaw. Mr. Jon Ward stated that Mr. Jerry Gaw has submitted for approval a second six (6) month extension of the preliminary plat of Magnolia East, a 21-lot single-family attached development located on East 10th Street. This proposal was originally granted preliminary plat approval at the September 27, 2021 Planning Commission meeting. A six (6) month extension was granted at the September 26, 2022 Planning Commission meeting.

Analysis: Article II, Section D, Subsection 9 of the Subdivision Regulations allows for up to two (2) six (6) month preliminary plat extensions. No changes have been made to the plat since the prior approvals and no work has begun on the site.

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 September 27, 2021.

Councilman Ali Bagci made the motion to approve the request recommended by staff. Kay Starkweather seconded the motion and the motion carried unanimously. **Approved.**

Consider for action the resubmission of the preliminary plat of Kacie Avenue Division, six (6) lots located at 621 West Stevens Street (Tax Map 053-I, Group A, Parcel 012.00). Request submitted by Andy Milton on behalf of Bobby & Joy Cunningham. Mr. Jon Ward stated that Mr. Andy Milton, on behalf of Bobby and Joy Cunningham, has resubmitted the preliminary plat of Kacie Avenue Division, a six (6) lot single-family attached development located at 621 West Stevens Street. The Subdivision Regulations provide that up to two (2) six (6) month extensions of the preliminary plat may be requested by the developer. The initial preliminary plat was conditionally approved by the Planning Commission on June 22, 2020. A six (6) month extension request was granted on Jun 28, 2021. The second six (6) month extension was not requested, and the

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preliminary plat expired. The preliminary plat was resubmitted at the February 28, 2022, Planning Commission meeting and was conditionally approved subject to the original terms and conditions specified at the June 22, 2020 meeting. No six (6) month extensions were requested, and the preliminary plat subsequently expired.

Analysis: No changes have been made to the previously approved plat. Significant progress has been made on the development site.

Recommendation: Conditional approval of the preliminary plat resubmission subject to the original terms and conditions specified at the June 22, 2020, Planning Commission meeting. Resubmission approval is valid for a period of one (1) year.

Jim Cobb made the motion to approve the request recommended by staff. Lauren Metts seconded the motion and the motion carried unanimously. **Approved.**

Consider for action the resubmission of the preliminary plat of Michael Cunningham South Jefferson Avenue Division, eight (8) lots located at South Jefferson Avenue and Old Sparta Road (Tax Map 096, Parcel 078.05). Request submitted by Andy Milton. Mr. Jon Ward stated that Mr. Andy Milton has resubmitted the preliminary plat of Michael Cunningham South Jefferson Avenue Division, an eight (8) lot single-family attached development located at South Jefferson Avenue and Old Sparta Road. The Subdivision Regulations provide that up to two (2) six (6) month extensions of a preliminary plat may be requested by the developer. The initial preliminary plat was conditionally approved at the July 26, 2021, Planning Commission meeting. A six (6) month extension was approved at the July 25, 2022 meeting. No second six (6) month extension was requested, and the preliminary plat subsequently expired.

Analysis: No changes have been made to the previously approved plat. All conditions established on the previously approved preliminary plat remain. A limited amount of grading work has been done on the site.

Recommendation: Conditional approval of the preliminary plat resubmission subject to the original terms and conditions specified at the July 26, 2021 Planning Commission meeting. Resubmission approval is valid for a period of one (1) year.

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

Consider for action the resubmission of the preliminary plat of Westfield Court, six (6) lots located at 461 West Stevens Street (Tax Map 053-I, Group A, Parcel 019.00). Request submitted by Andy Milton. Mr. Jon Ward stated that Mr. Andy Milton has resubmitted the preliminary plat of Westfield Court, a six (6) lot single-family attached development located at 461 West Stevens Street. The Subdivision Regulations provide that up to two (2) six (6) month extensions of the preliminary plat may be requested by the developer. The initial preliminary plat was conditionally approved at the October 26, 2020 Planning Commission meeting. A six (6) month extension was granted at the October 25, 2021 meeting and a second six (6) month extension was granted at the July 21, 2022 meeting.

Analysis: No changes have been made to the previously approved plat. Significant progress has been made on the project.

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Recommendation: Conditional approval of the preliminary plat resubmission subject to the original terms and conditions specified at the October 26, 2020 Planning Commission meeting. Resubmission approval is valid for a period of one (1) year.

Bob Faulhaber made the motion to approve the request recommended by staff. Jim Cobb seconded the motion and the motion carried unanimously. **Approved.**

Consider for action the preliminary plat of Callie Square, five (5) lots located on South Jefferson Avenue (Tax Map 083-J, Group E, Parcel 012.08). Request submitted by Thomas Clark and G & C Properties. Mr. Jon Ward stated that Mr. Thomas Clark, on behalf of G&C Properties, has submitted for approval a preliminary plat of Callie Square, a five (5) lot single-family attached development located on South Jefferson Avenue. The proposed development consists of four (4) single-family building lots and Lot 5 is the remaining common area.

Analysis: The subject property is identified as Parcel 012.08 on Tax Map 083J, Group E, and contains approximately 0.40 acres. The property is zoned CG, “General Commercial” as are all adjacent properties. Townhomes are allowed in the CG districts as a use upon review by the Planning Commission. There are no indications of topographic constraints on the property. Water and sewer will be connected to the existing mains located in the right-of-way of S. Jefferson Avenue. Water Quality Control has approved the sewer service availability request. There is an existing fire hydrant within the right-of-way that has been deemed acceptable by the Fire Chief. In addition, all units will have residential sprinkler systems installed. Water will be public and all other infrastructure components will be private and covered under a Homeowner Association Agreement that will be required at the time of final plat approval. Gas service was not requested.

Recommendation: Staff recommends conditional preliminary plat approval subject to the following conditions as stipulated by all reviewing departments:

- Proposed water courses, existing and proposed right-of-way, and all applicable easements shall be shown on the plat
- Consult with Public Works regarding adjacent property drainage and revise plat per their instructions
- Depict width of existing drive entrance on the plat
- Public Works will require core testing of existing driveway to determine suitability for proposed project
- Developer to submit a grading plan and stormwater calculations for pre/post development and first flush treatment to Public Works and obtain a grading permit before beginning site disturbance
- Developer shall submit a roadway construction plan and profile with storm sewer and sidewalk details to Public Works, which shall include typical cross section, subgrade, base width and asphalt width
- Developer to coordinate solid waste management with Public Works
- Proposed utilities shall be shown on the plat
- Developer must coordinate water and sewer plans with Water Quality Control
- Developer shall submit plans for the installation of underground utilities per the Electric Department design requirements

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- After submission of all required plans, developer must request that the Planning Department schedule a pre-construction meeting with all the appropriate city departments and other related agencies. Developer and contractor(s) are required to attend the meeting
- Completion of corrections and/or additions to the plat as determined necessary by the Planning Department and/or other departments or agencies

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

Consider for action the preliminary plat of Putnam County Bus Garage and Road Maintenance Department Street Dedication, one (1) lot located on Tennessee Avenue (Tax Map 055, portion of Parcel 108.05). Request submitted by Putnam County. This item was postponed at the February 27th Planning Commission meeting. The developer has requested this item be postponed until the April 24th, 2023 meeting.

Jim Cobb made the motion to postpone the request. Kay Starkweather seconded the motion and the motion carried unanimously. **Approved.**

Consider for action the final plat of Randolph Lot Line Adjustment, three (3) lots located on Brookdale Avenue & Winston Drive (Tax Map 066 & 066-P, Parcels 001.01, 030.00 & 073.03). Request submitted by Carol Randolph & Cecil Essex. Mr. Jon Ward stated that property owner Carol Randolph and Mr. Cecil Essex have submitted for approval the final plat of Randolph Lot Line Adjustment, a lot line adjustment impacting three (3) parcels located on Brookdale Avenue and Winston Drive. Although no new building lots are being created by the plat, as there are three (3) properties involved, consideration by the Planning Commission is required by the Subdivision Regulations.

Analysis: The subject properties are identified as Tax Map 066, Parcel 073.03, Tax Map 066P, Group A, Parcel 001.01, and Tax Map 066P, Group B, Parcel 030.00 and contain approximately 10.57 acres total. The subject properties are zoned RS-15, "Single-Family Residential" as are all adjacent properties to the north, east, and south and substantially to the west. Parcel 001.01 on Tax Map 066P Group A is bordered by RS-10, "Single-Family Residential" to the west adjacent to Lot 153 of the Honeybrook Subdivision. As noted on the plat, the purpose of the plat is to adjust the lot lines between Parcel 001.01 on Tax Map 066P Group A, Parcel 030.00 on Tax Map 066P Group B and Parcel 073.03 on Tax Map 066. This proposed adjustment will remedy an existing encroachment by locating the existing house addressed as 1526 Winston Drive completely on Parcel 073.03 on Tax Map 066P Group B.

Recommendation: Staff recommends conditional final plat approval of the plat subject to any additions and/or corrections as required by the Planning Department or any other city department.

Jim Stafne made the motion to approve the request recommended by staff. Jim Cobb seconded the motion and the motion carried unanimously. **Approved.**

Consider for action the final plat of Encore Subdivision, six (6) lots located on East 10th Street (Tax Map 040-N, Group C, Parcel 006.00). Request submitted by Capital Communities, LLC. Mr. Jon Ward stated that Mr. Donnie Suits with Capital Communities, LLC, has submitted for approval the final plat of Encore Subdivision, a six (6) lot single-family attached development located on East 10th Street. Lots 1-5 are building lots and Lot 6 is the remaining common area. Other

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than water, all other infrastructure is private and will be maintained under a recorded Homeowner Association Agreement.

Analysis: The subject property is identified on Tax Map 040N, Group C as Parcel 006.00 and contains approximately 0.68 acres and is zoned CN, Neighborhood Commercial. The current preliminary plat was approved by the Planning Commission on January 24, 2022 and a six (6) month extension was granted on January 23, 2023.

A plat review meeting was held on March 14, 2023, and all relevant city departments were present and reviewed the submitted plat and provided comments and conditions for approval.

Recommendation: Staff recommends conditional final plat approval for a period of 90 days as allowed by the Subdivision Regulations, subject to the following conditions as stipulated by the city departments at the plat review meeting:

- Submit \$200 to Public Works for signage
- Construct stormwater pond and filtration system
- Clean out storm drains and pond; ensure that pond is draining properly; ensure that filtration device is releasing within 24-72 hours per design
- Complete base stone and asphalt
- Complete sidewalks and curbs
- Replace existing sidewalk where utilities crossed
- Complete trash cart pad
- Water Quality Control stated no water system warranty is required
- Submit the recorded Homeowner Association agreement as soon as possible after the final plat is recorded. *HOA agreement must reference Stormwater Maintenance Agreement as required by Public Works AND a Stormwater Maintenance Agreement must be executed and recorded upon approval by Public Works*
- Completion of additions and/or corrections to the plat as required by any city department

Jim Stafne made the motion to approve the request recommended by staff. Jim Cobb seconded the motion and the motion carried unanimously. **Approved.**

Consider for action the final plat of North Ridge Phase I, 10 lots located at North Dixie Avenue and Kenway Street (Tax Map 027-O, Group A, Parcel 002.00). Request submitted by Aaron Bernhardt.

Mr. Jon Ward stated that Mr. Aaron Bernhardt with Bernhardt Construction, has submitted for approval the final plat of North Ridge Phase I, a 10-lot single-family attached development located on North Dixie Avenue and Kenway Street. Lots 1-9 are building lots and Lot 10 is the remaining common area. Other than water, all other infrastructure is private and will be maintained under a recorded Homeowner Association Agreement.

Analysis: The subject property is identified on Tax Map 027O, Group A as Parcel 002.00 and contains approximately 1.26 acres and is zoned CL, Local Commercial. The current preliminary plat was approved by the Planning Commission on February 21, 2021 and two (2) subsequent six (6) month extensions were granted. The resubmitted preliminary plat was approved by the Planning Commission on February 27, 2023.

A plat review meeting was held on March 14, 2023, and all relevant city departments were present and reviewed the submitted plat and provided comments and conditions for approval.

Recommendation: Staff recommends conditional final plat approval for a period of 90 days as allowed by the Subdivision Regulations, subject to the following conditions as stipulated by the city departments at the plat review meeting:

- Submit \$200 to Public Works for signage
- Construct stormwater pond and filtration system
- Clean out storm drains and pond; ensure that pond is draining properly; ensure that filtration device is releasing within 24-72 hours per design
- Complete base stone and asphalt
- Complete sidewalks and curbs
- Complete dumpster pad and enclosure
- Show final utility plan on plat and submit “as-builts” to Water Quality Control
- Submit an irrevocable letter of credit to the Planning Department for a period of one (1) year in the amount of \$4,000.00 as a warranty of all water system improvements
- Submit the recorded Homeowner Association agreement as soon as possible after the final plat is recorded; *HOA agreement must reference Stormwater Maintenance Agreement as required by Public Works AND a Stormwater Maintenance Agreement must be executed and recorded upon approval by Public Works*
- Completion of additions and/or corrections to the plat as required by any city department

Councilman Bagci made the motion to approve the request recommended by staff. Kay Starkweather seconded the motion and the motion carried unanimously. **Approved.**

Consider for action the final plat of Glenview Division, 11 lots located on Lone Oak Drive (Tax Map 066-A, Group A, Parcel 009.00). Request submitted by Bernhardt Construction. Mr. Jon Ward stated that Mr. Aaron Bernhardt with Bernhardt Construction, has submitted for approval the final plat of Glenview Division, a 14-lot single-family attached development located on Lone Oak Drive. Lots 1-13 are building lots and Lot 14 is the remaining common area. Other than water, all other infrastructure is private and will be maintained under a recorded Homeowner Association Agreement.

Analysis: The subject property is identified on Tax Map 066A, Group A as Parcel 009.00 and contains approximately .81 acres and is zoned CG, General Commercial. The preliminary plat was approved by the Planning Commission on November 22, 2021 and a subsequent six (6) month extension was granted on November 28, 2022.

A plat review meeting was held on March 14, 2023, and all relevant city departments were present and reviewed the submitted plat and provided comments and conditions for approval.

Recommendation: Staff recommends conditional final plat approval for a period of 90 days as allowed by the Subdivision Regulations, subject to the following conditions as stipulated by the city departments at the plat review meeting:

- Submit \$200 to Public Works for signage
- Show outfall pipe where stormwater leaves private property and connects to public system

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- Clean out storm drains and pond; ensure that pond is draining properly; ensure that filtration device is releasing within 24-72 hours per design
- Show final utility plan on plat and submit “as-builts” to Water Quality Control (WQC advised no warranty guarantee is required)
- Submit the recorded Homeowner Association agreement as soon as possible after the final plat is recorded; *HOA agreement must reference Stormwater Maintenance Agreement as required by Public Works AND a Stormwater Maintenance Agreement must be executed and recorded upon approval by Public Works*
- Completion of additions and/or corrections to the plat as required by any city department.

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

Consider for action abandoning and declaring as surplus property a parcel located on Hunter Avenue (Tax Map 053-A, Group G, Parcel 008.00). Request submitted by staff. Staff requests this item be postponed until the April 24th, 2023 meeting.

Jim Stafne made the motion to postpone the request. Kay Starkweather seconded the motion and the motion carried unanimously. **Approved.**

Consider for action rezoning property located on Old Sparta Road (Tax Map 096, Parcel 057.01) from RS-20 (Single-Family Residential) to CL (Local Commercial). Request submitted by Katelyn Steakley. Mr. Jon Ward stated that Ms. Katelyn Steakley has submitted a request to rezone from RS-20, “Single-Family Residential” to CL, “Local Commercial” property located on Old Sparta Road.

Analysis: The subject property is identified as Parcel 057.01 on Tax Map 096 and contains approximately 10.44 acres. The property is currently zoned RS-20, “Single-Family Residential” as are the adjacent properties to the east, south, and west. The property is bordered by CI, “Commercial-Industrial Mixed Use” to the north. The request was submitted for the purposes of attaining the highest and best use of the property.

The RS-20 District is intended to provide a low-density single-family residential environment in areas where public wastewater services are or are not available. The CL District is intended for small and moderate sized offices, personal and business services, and general retail businesses serving the general population of the city. The maximum square footage of individual developments is restricted and is determined by street classification.

The Future Land Use Plan designates this area as best suited for Mixed Use Commercial-Industrial use. The CL District would comply with this designation. The property has approximately 1,500 linear feet of street frontage along South Jefferson Avenue and Old Sparta Road. Both South Jefferson Avenue and Old Sparta Road are classified as a Minor Collector streets. The CL Zoning District permits a residential density of 3,000 square feet per dwelling unit. At 10.44 acres this would permit up to 145 units on the property. A Sewer Capacity Form was submitted with the request with approval for up to 100 residential units on the property. Existing development in the CI, Commercial Industrial District to the north includes an XPO logistics/trucking operation and an auto repair business. A townhome development has been approved on the property located to the

south in the existing CL Zoning District. No limiting natural factors are present on the property according to available GIS data.

The rezoning request is compliant with the Future Land Use Plan.

Recommendation: Approval of the rezoning request.

Mr. Richard Thornton, of 4720 Old Sparta Road, stated that he owns the property behind River Bend Drive. Mr. Thornton is concerned about Old Sparta Road deteriorating because of the existing trucking operation. He fears that more road frontage and new development will use Old Sparta Road and cause more deterioration. He stated that the 240 permitted uses allowed in the CL Zoning District could be just as damaging. Mr. Thornton recommends not rezoning the property.

Ms. Sabrina Hoskins, of 1074 River Bend Drive, submitted a petition against the rezoning request. She stated that besides the trucking operation and heavy traffic on Old Sparta Road, the reason she moved to the River Bend neighborhood is because it is safe. Ms. Hoskins stated that there are children constantly playing and any new development would cause noise pollution. When she moved to the area, all of the property was zoning residential so she didn't think there would be a risk of unwanted businesses going next to the neighborhood. She believes that the best use of the property is residential. She stated that any new development could cause even more drainage issues on Old Sparta Road.

Mr. Ward stated that the drainage issues would be addressed with any site plans. He stated that sewer is extended to the lot and would only allow 100 units if it is used as residential.

Ms. Katelyn Steakley, petitioner, stated that the intent is to rezone the property to its best use in order to sell because of an interested buyer.

Mr. Jim Cobb asked if access could be limited to South Jefferson instead of Old Sparta Road.

Mr. Ward stated that the zoning code stipulates the access point is on the higher classification road but both roads are classified as minor collectors.

Mr. Thornton stated that he is worried about the quality of life if the property is rezoned. He stated that mixing residential and industrial would cause the quality of life to decrease.

Mr. Mark Dudley, of 1070 River Bend Drive, stated that XPO Logistics already has issues with exiting on Old Sparta Road and the existing elbow curve represents a safety issue.

Ms. Hoskins stated that the elbow curve on Old Sparta Road is extremely dangerous and the area is a major traffic concern and that there have been 3 wrecks at the intersection of Old Sparta Road and South Jefferson Avenue.

Debbie Johnson, of 1058 River Bend Drive, stated that the neighborhood is a family area which is all zoned for Prescott School which already has bad traffic. Any new development could add even more traffic to the road.

Bob Faulhaber made the motion to approve the request recommended by staff. Lauren Metts seconded the motion and the motion carried unanimously. **Approved.**

Consider for action allowing Oil Change as a permitted use within the CR (Regional Commercial) District. Request submitted by Alterman Commercial Real Estate. Mr. Jon Ward stated that Alterman Commercial Real Estate has submitted a request to amend the Cookeville

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Zoning Code to allow oil change as a permitted use within the CR, “Regional Commercial” District. This item was taken for Study at the February 27, 2023, Planning Commission meeting.

Analysis: Planning Staff have prepared for consideration amendments to the Zoning Code pertaining to oil change businesses being permitted within the CR districts.

The CR District is intended for medium to large-scale commercial operations of a predominantly regional nature. These districts are located on streets of Major Collector or higher classification. All uses are to be developed within the district so as to offer convenient ingress and egress to such streets.

The American Planning Association (APA) Planner’s Dictionary includes oil change facilities as synonymous with automobile repair services. Currently oil change businesses (Auto Repair – Mechanical) are permitted within the CL “Local Commercial,” CG “General Commercial,” CI “Commercial-Industrial Mixed Use,” LM “Light Manufacturing,” and HM “Heavy Manufacturing” Districts. In the opinion of the Planning Division, a quick lube oil change use is distinguished from auto repair. Quick lube oil change businesses provide on demand services service, and no vehicles are stored overnight. These uses pursue convenient, high traffic locations to serve the general public.

Auto repair businesses differ in that some vehicles are unable to be moved on their own power and vehicles are stored on site for a period while undergoing repairs or receiving service. Auto repair – mechanical is currently a permitted use in the CL, CG, CI, LM and HM Zoning Districts.

All new development is required to meet architectural design standards and landscaping standards.

The Planning Division has prepared an amendment to Section 223 under Section 223.2 Permitted Uses and Structures as follows and adding the use to the Chart of Permitted Uses:

Section 223.2R Oil Change Facility that provides lubrication and/or checking, changing or addition of those fluids and filters necessary to the maintenance of a vehicle. It is intended that these services will be provided while customers wait, generally withing a 15-to-20-minute time period.

Recommendation: Approval of the amendment

Jim Cobb made a motion to add the overnight parking of vehicles is prohibited. Councilman Bagci seconded the motion and the motion carried unanimously.

Jim Stafne made the motion to approve the request as amended. Councilman Bagci seconded the motion and the motion carried unanimously. **Approved.**

Study Items:

- (1) Consider for study, review and recommendation for annexation, zoning and Plan of Services for the TT of HCP, Hawkins Crawford Road area, one (1) parcel consisting of approximately 74 total acres located off Tennessee Avenue, on Hawkins Crawford Road. Request submitted by staff.
- (2) Consider for study amending the Zoning Code to allow medical clinics in the CR (Regional Commercial) Zoning District as a use permitted by right. Request submitted by staff.

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- (3) Consider for study amending the City of Cookeville Municipal Planning Commission Bylaws to incorporate “Consent Agenda” provisions in order to streamline and improve the efficiency of the public meeting process. Request submitted by staff.

Kay Starkweather made the motion to accept the above items for study. Councilman Bagci seconded the motion and the motion carried unanimously. **Approved.**

Staff Reports:

(1) Minor Plats Approved and Recorded:

- Spears Subdivision Lot Line Adjustment Lots 20-24, 35-.0, P/O 25 & 40, two (2) lots located at 1039 & 1047 Brown Avenue – Nahidiah Lamale
- Smith, B. V. Block A Lots 16-20 Revised Plats, two (2) lots located on Missouri Avenue & Free Hill Road – Greg Deweese

Adjournment: 6:17 P.M.

Submitted for Approval

Submitted for Recording

Haley Dickson
Planning Assistant

Jim Woodford, Chairman
Cookeville Planning Commission