

Cookeville Planning Commission

Minutes

May 22nd, 2023

The Cookeville Planning Commission met on Monday, May 22nd, 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 & Jim Woodford.

Members Absent: Kay Starkweather.

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

Staff Members Absent: James Mills.

Others Present: Donna Long, Teresa & Lanny Dunn, Donnita Hill, Bill Grogan, Freddy Duncan, Evon Hicks, Seth Gilbert, Patsy House, Karen Tarr, Tom DeBerry, Elsa Gamaunt, Helen Redding, Allison King, Alda Levendosky, Donnie Suits, Clarissa & Herbert Williams, Dianne Gill, Sonja Brown, Walter Hill Carlen, Mindy Lloyd, Ann Breeding, Robert Breeding, Debbie Wolf, Gary M. Ray, Amber Flynn Jared, Jake Reel, Phillip Moore, Debbie Fletcher, Brittany Elmore, Dan Farris, Jack Gill, Lauren Shibakov, Ingeborg Williams, Robin Carlile, John Bates, Jeff Jones, Wanda Wirt, Tony Beasley, Marilyn Gray, Thomas & Jeanne Robinson, Jon Jonakin, Daniel & Janet Coonce, John Hudson, Barbara Thomas, Elizabeth Cameron, Bill Cameron, Lindsay Cameron Gross, Jill & Jed Delk, Wendy Smith, Richard Williams, Stephen Raper, Laura Wolf, Amanda Carlen, and Sid Gilbreath.

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. Councilman Ali Bagci seconded the motion and the motion carried unanimously. **Approved.**

Consider for Approval the Minutes of April 24th, 2023. Jim Cobb made the motion to approve the minutes of April 24th, 2023. Jim Stafne seconded the motion and the motion carried unanimously. **Approved.**

Consent Agenda:

- a. Consider a second six (6) month extension of the preliminary plat of Highbury Subdivision, 140 lots located on Neal Street and East Veterans Drive (Tax Map 066, Parcel 032.09). Request submitted by Chad Gilbert.
- b. Consider a second six (6) month extension of the preliminary plat of Churchview Division, seven (7) lots located on West Stevens Street & Scott Avenue (Tax Map 053G, Group H, Parcel 011.02). Request submitted by Bernhardt Construction.
- c. Consider a second six (6) month extension of the preliminary plat of Liberty Subdivision, 67 lots located on Salem Church Road (Tax Map 066, portion of Parcel 036.00). Request submitted by Bernhardt Construction.
- d. Consider a second six (6) month extension of the preliminary plat of Pemberton Subdivision, 27 lots located on England Drive & Highway 111 (Tax Map 066, portion of Parcel 036.00). Request submitted by Bernhardt Construction.
- e. Consider the Final Plat of Pearl Street and Arnold's Addition Lot Line Adjustment, three (3) lots located on North Jefferson Avenue and East 7th Street (Tax Map 053C, Group B, Parcels 001.00, 013.01, and 014.00). Request submitted by Byron Phillips and Patrick Shea Callahan. **The developer has requested this item be postponed until the June 26th Planning Commission meeting.**

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Recommendation: Approval of the Consent Agenda Items a, b, c, and d as submitted subject to all previously established conditions and approval of Item e subject to completion of corrections and/or additions to the plat as determined by the Planning Division and/or other appropriate city departments.

Bob Faulhaber 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 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, March 27th & April 24th Planning Commission meeting. Mr. Jon Ward stated that Mr. Taylor Dillehay, on behalf of Putnam County, has submitted for approval a preliminary plat of Putnam County Bus Garage and Maintenance Department Street Dedication, one (1) lot located on Tennessee Avenue. This item was postponed at the February 27th, March 27th, and April 24th Planning Commission meetings.

Analysis: The subject property is identified as a portion of Parcel 108.05 on Tax Map 055 and total right-of-way and street dedication contains approximately 2.23 acres. The property is zoned CI, “Commercial-Industrial Mixed Use” as are the adjacent properties to the north, east, west, and south. The property is also bordered by RS-20, “Single-Family Residential” to the southeast. The plat depicts construction of a new street proposed as Putnam Parkway that will end in a temporary cul-de-sac. A future extension providing a second connection to Tennessee Avenue is also shown on the plat. Putnam County has elected to execute sovereign immunity on sidewalk installation. The street cross section will be graded for sidewalks at construction.

The plat has been reviewed by all applicable city departments who provided comments and conditions for approval.

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

- Proposed water courses, existing and proposed right-of-way, and all applicable easements to be shown on the plat.
- Proposed water and sewer to be shown on the plat.
- A new fire hydrant installation along the access street is to be shown on the plat.
- Completion of corrections and/or additions to the plat as determined necessary by the Planning Division and/or other appropriate city departments.

Jim Cobb 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 preliminary plat of Emerald Forest Estates, 73 lots located on Bowser Road (Tax Map 041, Parcel 012.00). Request submitted by Navin Jain. Mr. Jon Ward stated that owner/developer Navin Jain has submitted for approval a preliminary plat of Emerald Forest Estates Subdivision, a 73-lot single family detached development located on Bowser Road and Shag Rag Road adjacent to The Reserve at the Country Club Subdivision.

Analysis: The subject property is identified as Parcel 012.00 on Tax Map 041 and contains approximately 17.143 acres. The property is zoned RS-5, “Single Family Residential” as are the adjacent properties to the east. Properties to the south are zoned RS-5, “Single Family Residential” and CI, “Commercial Industrial”. The northern and western property boundary is the corporate limits. The plat depicts construction of a new through street proposed as Sapphire Boulevard, which will connect Bowser Road to Shag Rag Road. A new cul-de-sac is also depicted on the plat with the name proposed as Topaz Court. An existing structure on Lot 69 is to be removed during development as noted on the plat. In addition, there is a note pertaining

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to Lot 57 stating it is under consideration for use as a common area and possible location for the required USPS centralized mailbox unit.

New six (6) inch water lines are proposed to serve the development and sewer is to be connected via a 15-foot utility easement as shown following the common lot line of Lots 23 and 24 crossing Lot 129 of The Reserve at the Country Club Phase III to an existing manhole. There are three (3) proposed hydrants shown to serve the development and one (1) existing hydrant located on Shag Rag Road. Natural gas is available if requested by the developer, provided there is a place to locate a regulator station. The Cookeville Gas Department advises if the developer decides to install natural gas, the department will furnish the main line and meters shall be located on the front corner of the houses.

A plat review meeting was held on May 9, 2023, and all relevant city departments were present and reviewed the submitted plat and provided comments and conditions for approval.

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

- Proposed water courses (drainage swales, culverts, detention ponds, etc.) shall be shown on the plat
- Provide storm drainage system plan showing existing and proposed features, culverts, drainpipes, structures, filtration, detention ponds, etc.
- Show and hatch Permanent Storm Water Areas on the plat (i.e., ponds, underground detention, etc.)
- Show and hatch Waters of the State (streams, wetlands, ponds, etc.) and provide permanent buffers with an average of 30 feet wide
- Developer is advised that any disturbance to Waters of the State requires an ARAP permit
- Submit Hydrologic Determination showing all Waters of the State onsite and submit concurrence letter from TDEC showing acceptance of the Hydrologic Determination to Public Works
- Provide centerline profiles for all streets when civil plans are submitted to Public Works; dimensions of curves, cul-de-sac, etc. shall be per City of Cookeville requirements
- Sidewalk and curb details are to be provided with five (5) foot bump outs every 200 feet per ADA requirements if four (4) foot wide sidewalks are proposed; 2% cross slope is required and must be shown on sidewalk detail
- Curb ramps with truncated domes are required at street crossings
- Prior to start of work, developer shall submit a NOI with SWPP for approval to Public Works
- The grading Permit fee is \$1000.00 for greater than five (5) acres of disturbance. Warranty required is \$3000 per acre of disturbance in the form of a Cashier's Check or Letter of Credit from a local bank to be submitted to Public Works
- Developer to consult with Public Works regarding location of proposed detention/treatment areas and discharge of storm water from the site. Details are required if connection is to be made to City infrastructure and calculations and designs are to be submitted to Public Works
- A stormwater maintenance agreement will be required to be filed per Public Works requirements. The following "Stormwater Maintenance Agreement" note must be added to the plat: "The City of Cookeville Public Works Department requires a Stormwater Maintenance Agreement to be recorded for the permanent stormwater system on this property. The filed agreement must reference the final recorded plat and a recorded copy must be provided to the Public Works Department"
- The 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
- 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 shall submit state approved water and sewer plans to Water Quality Control

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- Developer shall submit plans for the installation of underground utilities per the Electric Department design requirements
- 15-foot utility easements along all roadways within the subdivision and a 25-foot utility easement along Shag Rag Road are required and shall be depicted on the plat
- After submission of all required plans, developers shall 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. Lauren Metts seconded the motion and the motion carried unanimously. **Approved.**

Consider for action the preliminary PRD (Planned Residential Development) Plan for Ellington Subdivision, 45 lots located at 1327 East 10th Street (Tax Map 041P, Group B, Parcel 007.00). Request submitted by Capital Communities, LLC. Mr. Jon Ward stated that Mr. Donnie Suits, on behalf of Capital Communities, LLC, has submitted a preliminary PRD Plan and request to rezone from RS-10, “Single-Family Residential” to PRD, “Planned Residential Development” for Ellington Subdivision, a 45-lot single-family development located at 1327 East 10th Street. Mr. Suits has made revisions to the previously submitted PRD Plan that was denied by the Planning Commission at the December 12, 2022 meeting.

Analysis: The subject property is identified as Parcel 027.00 on Tax Map 041P, Group B, and contains approximately 5.88 acres. Approximately 7,197 square feet of the subject property was acquired by the City of Cookeville as right-of-way for the East 10th Street Phase 2 improvement project. The property owner is held harmless to density and setback requirements from this acquisition of property. The property is currently zoned RS-10, “Single-Family Residential” as are the adjacent properties to the east, south, and west. The property is bordered by RS-15, “Single-Family Residential” to the north.

The Cookeville 2030 Plan depicts the subject property as best suited for Lower-Density Residential. PRD zoning is considered appropriate for any area identified in the plan as being suitable for residential development, provided the specific conditions can be met.

The PRD District is intended to encourage flexibility and innovation in land use in residential developments. Through careful planning, such districts can provide for the best use of a site consistent with the goals of protecting and embracing the natural environment. Establishing a PRD District requires that special procedures and provisions be followed that are unique from most other zoning districts. To establish a PRD District, a site must contain a minimum of five (5) acres. A density of up to 21 units per acre (approximately 2,075 square feet per dwelling unit) may be permitted in the district; however, one quarter of the site must be maintained and preserved as common open space. Significant perimeter setback and screening requirements are mandatory while interior yard setbacks can be greatly reduced.

The process for the approval of a PRD involves several steps. First, the developer is required to meet with the Planning Director to determine whether PRD Zoning is appropriate for the proposed property. If it is determined that the property is appropriate for PRD zoning, then the developer must submit a Preliminary PRD Plan which must include a Schematic Map Plan and a Written Statement. The Planning Commission, after reviewing the request and required submittals must submit a recommendation to the City Council for approval, modification, or denial of the request. Upon receipt of the Planning Commission recommendation, the City Council then considers enactment of the PRD District.

Once the PRD Zone is enacted, a Final PRD Plan and preliminary subdivision plat, if necessary, must be submitted to and approved by the Planning Commission. The Final PRD Plan must be submitted and approved within 18 months after the effective date of the enactment of the PRD district by the City Council or the rezoning action shall be repealed. Approval of the Final PRD Plan and preliminary plat is required before construction can begin. The Final PRD Plan must substantially conform to the Preliminary PRD Plan. It must contain detailed information on the proposed development including circulation diagrams for vehicles and pedestrians, areas to be preserved as open space, each building site including height and bulk of all buildings, floor plans of all structures to be built, all utilities including storm water facilities, and final drafts of all covenants. Additionally, a development schedule must be submitted indicating when each phase of the development is to begin and be completed.

The petitioner has submitted the required materials to consider PRD rezoning. The proposed development consists of six (6) single-family detached dwelling units and 38 single-family detached (cluster) dwelling units. Lot 45 as shown on the plat is the remaining common area and is not a building lot. Based on the acreage of the site prior to right-of-way acquisition, this represents an overall density of approximately 5,980 square feet per dwelling unit. Under the current RS-10 zoning, which allows a density of 10,000 square feet per dwelling unit, approximately 26 single-family detached dwelling units could be constructed on the property. The Water Quality Control Department has approved the submitted Capacity Assurance Program (CAP) Sewer System Availability Request indicating that there is adequate sewer system capacity to serve the proposed development.

The Preliminary PRD Plan depicts 38 single-family detached cluster dwelling units sited within the interior of the property with a private street proposed as Ellington Square to provide access from Wall Avenue. No ingress/egress access to East 10th Street is proposed. The proposed cluster units consist of 28 three-bedroom and 10 two-bedroom units with square footages ranging from approximately 1,000 square feet to 1,500 square feet, all with one-car garages.

The Preliminary PRD Plan depicts six (6) lots for single-family detached homes located along the southern boundary of the property, fronting Inglewood Drive. Lot sizes for these single-family detached homes range from 8,273 square feet to 10,135 square feet. The lot widths range from approximately 65 linear feet to 83 linear feet along Inglewood Drive. Setbacks for the single-family lots are 30 feet from the Inglewood Drive and Wall Avenue right-of-ways and 25 feet for the eastern side yard boundary of Lot #6.

PRD zoning requires a minimum of 25 percent of the land area to be preserved as open space. The submitted plan shows approximately 29 percent of the common area remains as open space. Additional open space is included on each individual lot.

The previously submitted PRD Plan proposed 53 lots, consisting of six (6) single-family homes along Inglewood Drive and 46 single-family attached (townhome) dwelling units. The previous plan proposed 20 overflow parking spaces. The current plan provides eight (8) fewer units and five (5) more overflow parking spaces with a total of 25 overflow parking spaces being proposed.

Within PRD districts, perimeter front yard setbacks are required to be 75 feet unless a Type 2 Screen is provided, in which case the setbacks may be reduced to 50 feet and the perimeter side and rear yard setbacks are required to be 50 feet unless a Type 3 Screen is provided. If a Type 3 Screen is provided the setbacks may be reduced to a minimum of 30 feet. The submitted plan indicates that a Type 2 Screen, and the required 50-foot front setback would be established along East 10th Street and Wall Avenue. The developer is held harmless for right-of-way dedication on East 10th Street. Type 3 Screening is depicted on the submitted plan, along the eastern boundary and the required 30-foot rear/side yard setback will be met according to the PRD requirements. The single-family detached lots along Inglewood Drive depict the minimum required building setbacks.

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Two (2) points of access, both from Wall Avenue, are proposed for the interior cluster development. The single-family detached lots will have individual driveway access along Inglewood Drive. Both Wall Avenue and Inglewood Drive are classified as Local Streets. East 10th Street is classified as a Major Arterial Street. Traffic counts on East 10th Street west of the proposed development indicate an average annual daily traffic count of 16,999 in April of 2023, 17,159 in May of 2021 and 16,460 in September 2020. The Old Kentucky Commons Development initiated the East 10th Street widening project. Phase One of this project included widening East 10th Street from three (3) to five (5) lanes from Chocolate Drive to Wilson Avenue. Phase One of the project is complete. Phase Two of the project will continue these street improvements from the terminus of Phase One to Fisk Road. The project to widen East 10th Street will include new sidewalks on both sides of the street. Phase Two of the project is currently in the ROW acquisition phase, with plans to bid for construction in late spring/summer 2023. Right-of-way for the East 10th Street project of approximately 7,197 square feet, consisting of approximate 15.82 feet by 435.18 feet with additional area at the intersection of East 10th Street and Wall Avenue has been acquired for the subject property, which reduced the development site area from 6.04 acres to 5.88 acres. Traffic counts have been collected on Inglewood Drive, east of Wall Avenue. The AADT in January of 2023 was 301, and 362 in April 2023 . New sidewalks are proposed along Wall Avenue and Inglewood Drive perimeters, as well as within the interior of the development.

As noted previously, PRD zoning is appropriate to be considered wherever residential development is projected to occur, provided that the specific standards of the district can be met. Advantages of PRD zoning include flexibility in design with assurance that a property will be developed as proposed. PRD zoning also allows the opportunity to negotiate higher standards of design to help mitigate potential impacts on nearby properties. The revised Ellington Development has reduced density. The higher density residential units are proposed as detached cluster units versus the previously proposed attached townhomes. Additional parking has also been included on the plan. At prior consideration, the Planning Division recommended approval of the PRD plan. The Planning Commission denied the development, citing density, traffic and infrastructure as the reasons for denial. The Planning Commission should determine if the proposed changes to the development have satisfied previous concerns for denial.

Recommendation: No recommendation.

Chairman Woodford opened the meeting for public discussion concerning the PRD Plan.

Developer Donnie Suits stated that he listened to the concerns from the PRD Plan submitted in December 2022. He removed the attached developments and removed the dumpster to allow for individual trash cans for the units. He noted that he exceeds the requirements for parking and for greenspace. He stated that a PRD allows for more control by the city. Stated that this development was geared toward seniors with single-story units for downsizing options.

Mr. Jack Gill thanked the Planning Commission for their service. He stated that at the last meeting, numerous neighbors came out in opposition to this development due to density, infrastructure, and traffic flow. Stated that citizens submitted a petition of over 600 signatures, and that the Commission voted in favor of the citizens and denied the request. Now, six (6) months later, Mr. Gill joins his neighbors again in opposing this rezoning. States he is concerned about keeping the integrity of the neighborhood intact. States that the neighborhood is a pleasant community. He is concerned about when the property sells, will they become rental units? Requests the commission rejects this request.

Mr. Jeff Jones of Winterhill Drive stated that the PRD District is intended to be compatible with surrounding houses, and this proposal does not meet that. States that Winterhill Drive is at the bottom of Wall Avenue, and he is concerned about the traffic created by the density of this new development. States that people will use the arterial roads to dodge traffic on 10th Street. States there is a safety concern for

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people walking or pulling out of a driveway. States that density will change the character of the neighborhood and that 90 new cars would create a traffic headache for the neighborhood.

Ms. Donna Long at 1262 Creekwood Drive stated that the proposed development does not fit the character of the current neighborhood. Requests the commission deny the proposal.

Ms. Marilyn Gray, of 601 North Ferguson Avenue, states that she is not in the immediate vicinity of this proposal but is going to be affected by all the people avoiding 10th Street traffic. States that several people speed along her street and the increased traffic will only increase this problem. States that the current streets do not have shoulders and little to no sidewalks. States the streets are already unsafe and this development will make them even less safe.

Ms. Amanda Carlen, of 1490 East 10th Street, states that this rezoning will set the precedent for other properties in the area to be rezoned to higher density developments. States that she moved from Nashville because Cookeville has more spaced-out homes. She doesn't understand why we need to rezone everything when the lot will already hold over 20 houses. She states that whatever is decided today, other properties will follow the precedent.

Mr. John Bates, of 1261 Creekwood Drive, stated that this area of town has always been cut off from high density development. States that this side of 10th Street does not have apartment buildings. States that high-density creates a lot of traffic. He recommended widening 10th Street all the way to Washington Avenue before this development could happen.

Ms. Mindy Lloyd, on behalf of her daughter, states that her daughter bought a house directly across from this proposed development on Wall Avenue. States that 40 plus houses, with two (2) cars per house, leaving at least twice a day, will cause a major impact to the safety of her grandbabies. She stressed thinking about the impact on safety when voting on this proposal.

Ms. Lindsay Grove, of Country Club Road, echoed the comments of her neighbors made tonight. She appreciates the city is growing but wants to make her opposition known to this development. States that many families go on family walks and the increased traffic will make this dangerous.

Scott stated that if the Planning Commission is going to be consistent, then why was traffic not a concern with the Timberwalk Development on Lovelady Road? Asked how can Lovelady sustain the extra traffic, but a five-lane 10th Street cannot? States that precedent was already set and should be continued with approving this development.

Mr. Herbert Williams of Ivy Lane stated that the commission must do what is right. States that the City must look at infrastructure before allowing the high-density of this proposal. States that Mr. Suits does great work, but that this development will be out of place in this neighborhood.

Mr. Sid Gilbreath, of 1370 Inglewood Drive, offered one observation: This neighborhood has many characteristics of a city park. States that many people walk in this area. States the streets are too narrow for walkers and the increased traffic will make walking more dangerous. States that the ditches are very deep and unsafe. Also notes that flooding is an issue in the area.

Ms. Helen Redding, of 811 Wall Avenue, states she has lived in her home for over 30 years. States that current standing water does not drain quickly. States there is a huge water problem in this neighborhood. States she is worried that houses are going to flood in this new development.

Mr. Jon Jonakin, of 1345 Inglewood, can only echo what has been said tonight from his neighbors. States traffic is bad and only set to get worse. States he is very concerned with rainfall and flooding.

Ms. Elsa Gamaunt, of 816 Wall Avenue, echoes concern regarding traffic. States there are water flow issues and that there is standing water in the area after any rains. States high-density development will

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make water issues worse. States that this rezoning will only benefit one person to the detriment of the entire neighborhood.

Ms. Janet Coonce, of 610 Jamestown Road, urged the commission to deny the rezoning. States the neighborhood does not need more concrete and more water runoff.

Mr. Tom Robinson, of 1335 Inglewood, stated that he and his wife located to Cookeville. Their property looks directly across the street at this development. States the area has well-maintained properties and he is worried about how it will look in the future. States this proposal does not meet the Future Land Use Plan. States this development does not add to the uniqueness of the neighborhood. States the developer has shown little regard for the neighbors.

Ms. Lauren Shibakov states that she is the engineer for the proposed development and that they are required to address stormwater retention by the City's Regulations.

Ms. Deborah Wolf, of 821 Breeding, states that she canvassed the neighborhood and that everyone was eager to sign a petition to deny this rezoning. She stated that traffic was a major concern. Recommends denying the request to rezone.

Ms. Donnita Hill notes that she is a property owner in the area, and her business office is also near this proposed rezoning. She states that yes, the City needs new homes, but that the neighborhood will be better off if the developer uses the property as it is currently zoned.

Ms. Clarissa Williams, of 1372 Ivy Lane, stated that her property backs up to this proposed development. States that this neighborhood has houses with 2000+ square feet and the homes proposed in this development are out of character with the neighborhood. Requests the commission say no to this development.

Ms. Ann Murphy, of 1260 East 10th Street, states her family has lived in this neighborhood for over 100 years. Asks why builders do not check the zoning before buying a property. Requests this proposal be denied.

Ms. Amber Flynn Jared, of 830 Enclave Point, states she is a realtor in the area. States she is empathetic with neighbors but states that Cookeville needs housing. States we need more inventory within the price point this development can bring.

Ms. Inga Williams, of Inglewood Drive, states that 700 Broad pulls out onto a three-lane street and that Wall Avenue is not wide enough for this development. Asks the commission to please deny the rezoning.

Ms. Jill Delk, of 1351 East 10th Street, read the letter from the previous owner of the property in opposition to the rezoning. States the property would not have been sold if the previous owner knew it was going to be rezoned.

Ms. Teresa Dunn, of Wall Avenue, states she loves her neighbors in Cookeville. States the Cookeville 2030 Plan made her appreciate the commission more. States this zoning change is inconsistent with the 2030 Plan. States there is sufficient land elsewhere in the city for this development. States the developer knew what the property was zoned when he purchased it. States this proposal would devalue the properties in the neighborhood.

Chairman Woodford tried to explain why he votes for or against a proposal. States that the act of rezoning can help or destroy a neighborhood. States this is a controversial request. Notes that there is high traffic along East 10th Street and future construction will continue along East 10th. States that the Commission wants to be fair and respect both the neighborhood and the developer. In his opinion, he thinks this rezoning should be denied.

Commissioner Bob Faulhaber noted that he lives on Robin Lane and also has concerns about increased traffic. But he believes that PRD rezoning provides protections to make the development better than what

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is currently allowed. States that stormwater controls and more engineering will be required with PRD zoning rather than the current single-family zoning.

Commissioner Jim Stafne noted that this is the best audience he has heard in his time on the commission. He also thanked the Cookeville City Police Department for being at the meeting.

Judy Jennings made the motion to deny the rezoning request. Jim Cobb seconded the motion, and the votes are as follows: Councilman Ali Bagci – aye, Jim Cobb – aye, Bob Faulhaber – nay, Lauren Metts – aye, Judy Jennings – aye, Mallie Rogers – nay, Jim Stafne – aye & Jim Woodford – aye. **Denied.**

Consider for action a request to close, abandon and declare as surplus property a portion of an undeveloped right-of-way located off Holly Avenue. Request submitted by Peter Metts. Mr. Jon Ward stated that Mr. Peter Metts has submitted a request to close, abandon, and declare as surplus a portion of an undeveloped right-of-way located off Holly Avenue.

Analysis: Mr. Metts requests that an undeveloped right-of-way located off Holly Avenue be closed, abandoned, and declared as surplus property for purchase. As depicted on the submitted survey, this segment of Holly Avenue right-of-way consists of approximately 0.04 acres, or 1,908 square feet. The right-of-way is contiguous with property owned by Mr. Metts and Mr. Walter Jermakowicz.

The procedure for the closure and abandonment of streets or rights-of-way is specified in Title 16, Chapter 4, of the Cookeville Municipal Code. The procedure includes the following:

- Submittal of written request and payment of fee
- Submittal of survey
- Confirmation that all affected property owners have been contacted and concur with the closure and abandonment (it is city policy that all adjoining property owners have the right to purchase, if closure and abandonment are approved, one-half the right-of-way along which the property is contiguous)
- Review by applicable city departments
- Review and approval of Planning Commission
- Approval of City Council
- Purchase of property based on a value established by the City Manager (any appraisal and/or recording costs to be paid for by the petitioner)

All applicable city departments have reviewed the closure and abandonment request. Water lines and gas lines are located within this segment of the Holly Avenue right-of-way. Water Quality Control requests that the existing manhole be shown on the survey along with the sewer line and existing easement. The existing water meter will be moved, and a new meter will be set up by WQC. The Cookeville Gas Department notes that the existing service lane serves two (2) single-family homes at the end of Holly Avenue.

The petitioner indicated the request has been submitted to accommodate installation of a new swimming pool at 125 East 4th Street. The request to close, abandon, and declare as surplus property was submitted to provide the required property for the project. Mr. Metts and Mr. Jermakowicz are the only property owners affected by the request. An analysis of the surrounding property value provides a value of \$2.77 per square foot. This value is determined by the land market value as included in the real estate assessment data. The total costs of acquisition is \$5,285.16. The petitioner does have the option to provide a market appraisal of the property to establish the value.

Recommendation: Approval of the request for closure and abandonment and declaration as surplus property the portion of the right-of-way identified on the provided survey.

Lauren Metts recused herself from the vote.

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Councilman Bagci made the motion to approve the request recommended by staff. Jim Cobb seconded the motion, and the votes are as follows: Councilman Ali Bagci – aye, Jim Cobb – aye, Bob Faulhaber – aye, Lauren Metts –recused, Judy Jennings – aye, Jim Stafne – aye & Jim Woodford – aye. **Approved.**

Consider for action the reclassification of England Drive and South Maple from a Local Street and a Minor Collector Street to Major Collector Streets. Request submitted by Staff. Mr. Jon Ward stated that the Planning Division requests Planning Commission consideration to reclassify England Drive and a portion of South Maple Avenue from a Local Street and a Minor Collector Street to Major Collector Streets.

Analysis: England Drive provides a through street connection from South Maple Avenue to Highway 111. South Maple Avenue provides a through street connection from East Broad Street to Highway 111. England Drive is a three-lane facility that is 35 feet in width, 2,873 feet in length, and has 75 feet of right-of-way and is classified as a Local Street. The segment of South Maple Avenue from Neal Street to Interstate 40 is a three-lane facility that has a width of 39 feet, is 10,609 feet in length, and has varying rights-of-way of 50 feet to 200 feet and is classified as a Minor Collector Street.

Annual Average Daily Traffic (AADT) counts for England Drive in January 2023 were 1,291 vehicles per day. South Maple Avenue at England Drive had an AADT of 5,259 in January 2023.

Highlands Rim Academy has acquired property at 1000 England (Tax Map 066, Parcel 039.01) to relocate their school from North Washington Avenue. The property is zoned CR, “Regional Commercial”. Private and parochial schools are permitted in the CR Zoning District subject to additional standards, one of which is that that shall not be located on streets with a classification of no less than major collector status. CR Zoning areas are required to be located on streets classified as Major Collector Status. Additional areas zoned as CR are located on South Maple Avenue and England Drive.

The Cookeville Subdivision Regulations, Article V – Streets – Design Standards and Specifications, C. Minimum Street Right-of-Way Widths notes that Collector Streets require a minimum of 50-80 feet of right-of-way. England Drive has a 75-foot right-of-way and South Maple Avenue right-of-way that varies from 50 feet to 200 feet between Neal Street and England Drive. Section D. Minimum Street Surfacing Widths require Major Collector streets to have a width of 36 feet with curb and gutter. England Drive has a width of 35 feet and South Maple Avenue has a width of 39 feet.

The facilities appear to meet most standards of a Major Collector Street as per the requirements of the Minimum Street Construction Cross-Sections by Functional Classification of Street included in the Cookeville Subdivision Regulations. The Public Works Department concurs that reclassification is acceptable.

Recommendation: Approval of reclassifying South Maple Avenue from Minor Collector Street to a Major Collector Street from Interstate 40 to Neal Street, reclassifying England Drive from a Local Street to a Major Collector from Highway 111 to South Maple Avenue.

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

Consider for action rezoning a portion of property located at 802 & 803 Crescent Drive (Tax Map 053-A, Group A, Parcel 019.00) and a portion of property located on West Broad Street (Tax Map 053-A, Group A, Parcels 021.00 & 022.00) from RS-10 (Single-Family Residential) to CL (Local Commercial). Request submitted by Bill Grogan & Chad Crouch. Mr. Jon Ward stated that Mr. Bill Grogan and Mr. Chad Crouch have submitted a request to rezone from RS-10, “Single-Family Residential” to CL, “Local Commercial” a portion of properties located at 802 and 803 Crescent Drive and a portion of property located on West Broad Street.

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Analysis: The subject properties are identified as Tax Map 053A, Group A, Parcel 019.00, 021.00, and 022.00 and contain approximately 5.86 acres. The total area requested for rezoning contains approximately 3.67 acres including street right-of-way. The properties are currently split-zoned CL, “Local Commercial” and RS-10, “Single-Family Residential”. The properties are bordered by RM-8, “Multi-Family Residential” to the east, RS-10, “Single-Family Residential” to the north and west, and CL, “Local Commercial” to the west and south. The request was submitted to allow consistent zoning for the subject parcels.

The RS-10 District is intended to provide a low to moderate density single-family residential environment in areas where public wastewater services are 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 both Local Commercial and Lower Density Residential. The CL District would comply with this designation. The property has approximately 387 linear feet of street frontage along West Broad Street and approximately 445 linear feet of street frontage along Crescent Drive. West Broad Street is classified as a Major Arterial Street and Crescent Drive is classified as a Local Street. The CL Zoning District permits a residential density of 3,000 square feet per dwelling unit. At 5.86 acres, this would permit up to 85 units on the properties. The Water Quality Control Department has issued a Capacity Assurance Program notice for up to 70 units on the subject property. No limiting natural factors are present on the property according to the available GIS data.

Recommendation: Approval of the request.

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

Study Items:

- (1) Consider for study rezoning property located at 706 North Jefferson Avenue (Tax Map 040N, Group H, Parcel 013.00) from RS-15 (Single-Family Residential) to UNV (University). Request submitted by Debbie Fletcher.
- (2) Consider for study rezoning a portion of the properties located on West Broad (Tax Map 039, a portion of Parcel 154.00 & Tax Map 039, a portion of Parcel 157.03) from RS-20 (Single-Family Residential) & RS-5 (Single-Family Residential) to CL (Local Commercial). Request submitted by Aaron Bernhardt.
- (3) Consider for study the preliminary plat of Ashbury Farms Subdivision Phase I, 49 lots located on West Broad Street (Tax Map 039, a portion of Parcel 157.00). Request submitted by Aaron Bernhardt.
- (4) Consider for study the preliminary plat of Creek Side, 9 lots located on Holder Avenue (Tax Map 054-D, Group A, Parcels 023.00 & 007.01). Request submitted by Josh Stites.

Jim Stafne 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

- Village Green Lots 5 & 6 Re-Division, two (2) lots located on Inglewood Drive & Old Kentucky Road (Tax Map 041-P, Group D, Parcels 001.04 & 001.51) – Donnita Hill
- Highlands Business Park Revision II Tract 3 Re-division, two (2) lots located on Highlands Park Blvd & Venture Drive (Tax Map 065 Parcel 114.11) – Putnam County & City of Cookeville

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- Sycamore Church of Christ Crescent Drive Division, Lots 1 & 2 Combination Plat. One (1) lot located on Crescent Drive (Tax Map 039-M, Group B, Parcels 012.01 & 012.04) – Gronendyke & Moldenhauer
- Sparrow Ventures – CC Camp Road Combination, one (1) lot located on CC Camp Road (Tax Map 054-d, Group A, Parcels 033.01, 033.02, 033.03, & 034.03) – Sparrow Ventures Group

Adjournment: 7:26 P.M.

Submitted for Approval

Submitted for Recording

Haley Dickson
Planning Assistant

Jim Woodford, *Chairman*
Cookeville Planning Commission