

Regular Minutes of the
Ashland City Planning Commission
February 5, 2007

The Ashland City Planning Commission met in regular session on February 5, 2007 at 5:30 p.m. in the Municipal Building.

Chairman Joe Macha called the meeting to order.

Commissioners present: Eddie Nichols, Dwayne Noe, Mayor Gary Norwood, Yvonne Stinnett, and Hadley Williams.

Commissioners absent: Jim Yates.

Others present: Zach McCarver, Franklin Wilkinson, Mike Armstrong, Angela Hernandez, Penny Brooks, Mike Rutherford, Lisa Keylon, Sharon Caton, and Phyllis Schaeffer.

Chairman Macha called the meeting to order.

Mr. Nichols said he had a comment to make about the minutes. On the second page he did not understand two of the sentences "Tall Tree Estates is not happy with Mr. Adcock" and "You would want to conform to their actual use".

Ms Stinnett said there was a spelling error on the bottom of the 1st page it says "are" instead of "area".

A motion was made by Noe, seconded by Nichols, to strike both sentences in question from the minutes. Motion passed unanimously by voice vote.

Old Business:

A motion was made by Noe, seconded by Nichols, to rezone the industrial property phase II on Hwy 12S. Chairman Macha asked if a compromise had been reached with Mr. Adcock.

Ms. Noe said it is the policy to have everything reviewed and then go from there. She didn't want to talk for Ms. Caton but the rules say 20 days in advance for review. Ms. Caton would like to defer to give her time to look over the paperwork.

The second and motion were withdrawn. A motion was made by Williams, seconded by Nichols, to defer rezoning to next month. Motion passed with a roll call vote of: Williams-yes, Nichols-yes, Stinnett-yes, Mayor-no, Noe-no, and Macha-yes.

Ms Keylon said she was with the State planning assistance office and would like to go over a FEMA issue on floodway development. Ms. Keylon discussed floodplains and floodways. Floodways allow for 1 (one) family dwellings but they don't advise this due to congesting channel of water. This increases the damage to community and puts people and rescuers in danger. A proposed plan must be submitted to the state for approval. You need to provide no rise certificates. It is a cost of \$25,000 for this service. They also allow a city to strengthen the ordinance. Ms. Keylon has looked over Ashland City's

ordinance and we have strengthened it. An official comment from the state is not to allow development. Mr. Nichols asked what was the difference between a floodway and a floodplain. Floodway is the direct course that water would take. Flood plain is the back water like puddles of water.

Mr. Williams asked about peaks being in the floodway. Ms Keylon said a peak probably wouldn't be in a floodway. Ms. Caton said but the bottom of the peak would still be included on the map.

Ms Caton reiterated what Ms. Keylon said about floodway and floodplain. Also, Ms. Caton said there were stringent requirements in a floodway and below. Mayor said but mitigation can be done. Ms. Caton said yes, but it would be very expensive. Mr. Armstrong said 2 studies would have to be done.

Like with Wal-Mart and the Marina once in place are they responsible? Yes. Engineers are responsible for the mitigation agreements.

Ms. Caton said the larger projects should have someone checking to make sure it is constructed properly.

Mr. Armstrong said TDEC was down there a lot when building Wal-Mart.

Mayor asked if the city was liable. Ultimately failure goes back to the permitting entity. Routinely TDEC comes down and inspects unless it is Corp property. The only point of liability will be without the proper approval before hand. The city would lose significant subsidy on insurance if not done properly.

Mr. Nichols asked if this applies to all new developments and are the old grandfathered in?

Mayor Norwood said they should have followed the guidelines. These rules have been in effect for many years and have not changed that much.

It is out of our jurisdiction to give approval.

Mitigation would have to show and demonstrate that a project can handle any water and submit a rise certificate that it will not increase the level of water. Water is displaced by a building you have to show where the water will go. It has to seek an alternate path. You are altering a path when a building is placed. The goal is to take care of this displaced water.

Mr. Williams asked What if you build a dike around the water stream. If you take a barrier to divert the flow of water you have to ensure you are not causing a problem downstream. You are required to deal with all water displacement.

The 3rd element in Ashland City is that no dams or dike building is allowed.

Ms. Caton conducted a training session and had a slide show.

Mr. Nichols said he sees where Mr. Adcock has come in to the meeting and doesn't want him to wait on rezoning the property. Mr. Nichols told Mr. Adcock that matter has been deferred to next month.

Ms. Caton continued with the training. There are 4 important parts:

1. She will give the history surrounding the property.
2. Owners will appeal to the commission giving their reasoning.

3. Consideration of Action. This part has 4 questions that code book dictates you should ask
4. Technical support and summary

Ms. Caton asked if this format would be useful to the commission. Ms. Caton asked if they wanted pictures and parcels.

The Mayor said pictures would be great he would like a power point presentation.

Ms. Caton also said they should receive their packet about 12 days before a meeting.

Ms. Caton was asked where in the zoning book were the 4 questions. Reply was page 7-22.

They went over the 4 questions and discussed changing the wording on a couple of them.

Ms. Caton said ethical agreements needed to be signed by June 07.

Ms. Caton asked if the commission had any topics for training she is taking a list and then will bring it to a study session.

Mr. Nichols said he would like an in depth knowledge on how decisions have a ripple effect on the city and county, infrastructure schools, roads etc.

Chairman Macha asked for a top 10 list of things they should know.

Other:

Mr. Armstrong was asked the status of the Rankin property by the National Guard. Mr. Armstrong replied they are calling TDEC inspector ever day.

Also noticed several areas of dirt being moved are there any grading plans. Mr.

Armstrong replied TDEC is looking at the Higher's site.

The Reigle property has a grading plan; the Industrial park has a grading plan; Higher's hasn't shown where he has gotten anything approved.

Ms Caton would like to see additional classes in all zoning and is working on this and will present a model next month.

Ms. Caton would like to add a section in the Ordinance forbidding closing in a structure that has been elevated in the floodway.

Mr. Nichols thinks the church parking lot behind City Hall should be used by employees and open up spaces.

A motion was made by Williams, seconded by Stinnett, to adjourn. There was one nay vote by Noe. Meeting adjourned.

Joe Macha, Chairman