

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

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

Chairman Joe Macha called the meeting to order at 5:30p.m.

Commissioners present: Ed Nichols, Dwayne Noe, Gary Norwood, Yvonne Stinnett,
Hadley Williams, Joe Macha, and Jim Yates.

Commissioners Absent: None

Others Present: Michael Armstrong, Franklin Wilkinson, Angela Fernandez, Zachery
McCarver, David Schlundt, Zada Law, Penny Brooks, Holly Hatchett, John Rankin,
Jennifer Noe, Sharon Caton, Lisa Nicole Keylon, Chris LaCross, Henry Miklich.

Macha requested a motion to approve the minutes from February 5, 2007. A motion was
made by Williams and 2nd by Nichols to approve the minutes as typed. Minutes were
approved by unanimous voice vote.

Public Forum: None

Old Business:

Nichols brought for discussion the subdivision of the Adcock property. Nichols asked
why the rezoning of the industrial property was first on the agenda instead of the
subdivision. Nichols made a motion to Subdivide the Adcock property. 2nd by Yates.
Macha opened the floor for discussion. Mayor Norwood said he spoke to Mike
Armstrong and Franklin Wilkinson and under the advisement of our City Planner the
rezone should come first. Sharon Caton responded that one issue is that the subdivision
would have to be based on a set-back variance for the new structure. The variance should
come before the subdivision. Jennifer Noe confirmed Sharon Caton's comments on
variance requirements. Macha asked for a vote on the subdivision of the Adcock
property. A roll call vote was as follows: Nichols-yes, Noe-yes, Norwood-yes, Stinnett-
yes, Williams-yes, Macha-yes, Yates-yes. A motion to subdivide the Adcock property
passed by a unanimous vote. Macha asked for a motion to Rezone the Industrial property.
Nichols made a motion to rezone the Industrial property including the 14.59 acres of
Adcock property and leaving the remaining 7.9 acres of Adcock property R-1 and 2nd by
Yates. Macha opened the floor for discussion. Nichols asked for clarification of the
parcels up for rezoning. Jennifer Noe responded it included two parcels that the Glass
plant occupies, the Cheatham County property used as the Roads Department, Vehicle
Maintenance and Solid Waste, and Franklin Adcock's property. Sharon Caton explained
that when the Town of Ashland City annexed the property it did so under section 5.040 of

the Zoning Ordinances. It came in under R-1. A land use plan was done and the use was defined as Industrial. The city is seeking rezoning to fit the use of the parcels. Jennifer Noe said before annexation the properties were Zoned I-1 by Cheatham Co. Lisa Keylon stated that section 5.054 Floodway District of our Zoning Ordinances applies to the properties. Penalties for violations could be the revocation of \$8,500,000.00 worth of FEMA Flood Insurance. Mayor Norwood asked if the other Industrial properties have been rezoned. Jennifer responded yes. David Slunt approached the Commission requesting considering the Adcock property separate from this rezoning process. David Slunt described the property as a Junkyard and produced pictures of Adcock property and said he is storing and building in the Floodway. Lisa Keylon said the Flood Plain and Flood Way are different designations and treated differently from each other. Macha asked if our FEMA Insurance was in jeopardy. Lisa Keylon said not at this time but FEMA can audit and revoke FEMA insurance if requirements are not practiced and in place. Building in the Flood Plain is allowed with proper engineering and documentation. An extensive review of the Adcock property reveals very little is in the Flood Way. Implying a Residential use in Flood Way areas are bad practice. Sharon Caton said our goal should be to keep FEMA insurance in place by managing Flood Zones as required by FEMA. Sharon Caton confirmed through the latest FEMA Flood maps as viewed by Planning Commission and audience members that very little of the Adcock property was in the Flood Way. Brooks approached the Council and asked to consider the Adcock property separately and leave it R-1 and that it would be in the best interest of the City to do so. Sharon Caton said the Town of Ashland City is asking for the rezone and not the property owner based on Annexation and Land Use Plan. We can not exclude individual owners and parcels, R-1 is inconsistent with the use and R-1 zoning is bad practice in a Flood Plain or Flood Way. The definition of use applies to what the current use is. There is no distinction of the property between Residential and Industrial. Lisa Keylon said that I-2 Zoning does not allow junkyards. Junkyard is allowed in I-3 as a Special Exception. Nichols asked if Adcock's residential permit issued in 1997 was still valid. Sharon Caton asked if the work had commenced in timely manner since issuance of the permit, have inspection been done and documented and is the use of used materials allowed under the building code? Jennifer stated that the City must abide by the current law regardless of what was allowed in the past and regardless of money spent on a project. Mayor Norwood asked if Flood Insurance is mandatory through FEMA? Sharon said that FEMA subsidies flood insurance and makes it affordable. Private flood insurance would be extremely expensive. Yates requested to rescind his 2nd for the motion to rezone the Industrial property including the 14.59 acres of Adcock property and leaving the remaining 7.9 acres of Adcock property R-1. Nichols requested to rescind his motion to rezone the Industrial property including the 14.59 acres of Adcock property and leaving the remaining 7.9 acres of Adcock property R-1. Macha confirmed the previous motions to Rezone had been completely rescinded. Motion made by Yates and 2nd by Macha to rezone the Industrial Property from R-1 to I-2 including all acreage of the Adcock tract and not excluding any subdivision on said tract.

Penny Brooks approached the Council to postpone the Rezoning until the Adcock property was cleaned up. Lisa Keylon reminded the City Council that a "junkyard" is only allowed in the I-3 Zoning. Sharon Caton reminded the Council that this rezoning does not condone or make legal any violations of Zoning Ordinances or Building Codes.

Motion to Rezone the Industrial Property from R-1 to I-2 passes by majority vote as follows: Nichols-No, Noe-Yes, Mayor-No, Stinnett-Abstain, Williams-Yes, Yates-Yes, Macha-Yes.

New Business:

A. Review new R-4 Zoning

Sharon said due to recent inquiries of the Planning Commission a review and creation of Zoning subsections is desired particularly in the R-4 Zoning. The new R-4 Zoning is designed for mixed density residential. Mixed Density Residential Zone allows single family, duplex, multifamily that co-exist on the same parcel. Multi-family use is restricted to 30% of the parcel and come in as a PUD to allow the Planning Commission some form of control regarding planning and design. Sharon requested the Commission focus on Section E. Conditional and Dimensional Regulations for now. This section addresses the concentration of high density in small areas. Sharon will provide pictures of a sample of the particular zoning in use. The zoning encourages use of green space. Nichols asked about section F. 1.b. and the requirements of the key map drawn to a 1" =1000' scale and if that would be too small for review. Sharon Caton said it is indeed a small scale and the review process is to make changes if desired. Sometimes the requirements of this PUD may be in phases. This document is a model so please review and comment on the zoning for later discussion.

Motion was made by Williams and 2nd by Stinnett to adjourn.

Meeting was adjourned at **8:23 P.M.**

Chairman Joe Macha