

Regular Minutes of the
Ashland City Planning Commission
April 6, 2009

The Ashland City Planning Commission met in regular session on April 6, 2009
At 5:30 p.m. in the Municipal Building.

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

Commissioners present: Chris LaCrosse, Hadley Williams, Joe Macha, Jim Yates, Ed Nichols

Commissioners Absent: Gary Norwood, Yvonne Stinnett

Others Present: Michael W. Armstrong, Franklin Wilkinson, A. M. Armstrong, Sharon Caton, Lee Batson, Susie Hawkins, Jerry Hamlin, Tony Reasons, Jason Cannon, Steve Smiley.

Approval of Minutes

A motion was made by Yates and 2nd by LaCrosse to approve the minutes as written. A motion to approve the minutes passed by unanimous voice vote.

Public Forum: None

Old Business:

A. Set next Land Use meeting date.

The Commission decided that the next Land Use Committee meeting will be held on Wednesday, April 29, 2009 at 5:30 PM at City Hall.

Caton requested to move discussion of the Mixed-Use Zoning District Ordinance to last place on the agenda and proceed with item C. Preliminary Plat & Final Plat for Lot #124 of the R-1 PUD – Lealand Station – Highway 12 South – Map 55, Parcel 18 – Lee Batson.

C. Preliminary Plat & Final Plat for Lot #124 of the R-1 PUD – Lealand Station – Highway 12 South – Map 55, Parcel 18 – Lee Batson

Caton stated that Mr. Batson is proposing to develop the property as an R-1 PUD, all single family homes. In addition there is a request for approval of lot #124 that contains an existing structure. Caton stated that the R-1 PUD was somewhat in progress when an R-3 PUD was proposed. That particular project went through several metamorphosis. The developer on that project is no longer involved. Mr. Batson is now developing the property. It reverted back to an R-1 PUD, single family development, when the R-3 expired. The Preliminary Master Plan is the first step in that process. In addition there is a request to approve for sale, one lot contained within the PUD. I have check the original drawing of the first preliminary plan submitted and Lot #124 is included in the old

preliminary plan that was submitted as a concept and is also contained in the larger preliminary master plat that is now being presented. For the purposes of consideration to keep them in order we will need to look at the larger master plan first because without that approval you can not consider the second request for Lot #124. Mr. Reasons confirmed that there are the same number of lots presented on the master Plan concept as there is now presented on the Preliminary Master Plan. Macha stated that he remembers discussion about adding a water tank to service the PUD. Caton asked Mr. Batson if he realizes there is not efficient water supply to service the PUD. Mr. Batson said he is aware that a water tank would have to be installed to service this development. Caton stated that at this point the Commission is not granting permission to break ground. That will be accomplished after the PUD agreement is reached. What is before the Commission is a review of the lot layout and roads? If the Commission wants to make changes to the layout now is the time to do that. LaCrosse asked about the slope on some of the lots and are the lots as presented build able regarding the slope? Caton reminded the Commission that we have a steep slope ordinance in place and anything built on a 15% slope or greater would have to be engineered. After further discussion a motion was made by Yates and 2nd by Williams to approve the Preliminary Master Plan for the R-1 PUD contingent upon successful completion of the PUD agreement. Motion passed by roll call vote. Chris LaCrosse-yes, Hadley Williams-yes, Joe Macha-yes, Jim Yates-yes, Ed Nichols-yes.

A motion was made by Nichols and 2nd by LaCrosse to approve Lot #124 of R-1 PUD Preliminary Master plan. After further discussion the motion passed by roll call vote. Chris LaCrosse-yes, Hadley Williams-yes, Joe Macha-yes, Jim Yates-yes, Ed Nichols-yes.

A. Request to reduce minimum lot size in a C-2 Zoning from 20,000 Square Feet to 18,000 Square Ft. – Stephen Smiley

Caton stated that the applicant approached the Planning office with this request. The property is located along highway 49 at Sycamore Square in front of the Food Lion. There is a carwash currently on the property. The minimum lot size in C-2 Zoning is 20,000 square feet. The size of this parcel is approximately 38,700 square feet. The property owner wanted to subdivide the lot but could not due to minimum lot size in the C-2 Zoning. The applicant could not apply for a variance based on the nature and conditions for granting a variance. The property owner was advised to seek an amendment to the Zoning Ordinances to reduce the minimum lot size in a C-2 Zoning. Caton explained that the Commission is a recommending body. Any recommendation to amend the Zoning Ordinances would be forwarded to the City Council for further action. After further discussion the Commission decided to further review and discuss the minimum lot size standards for the C-2 Zoning. The Commission requested that Caton draft and ordinance for minimum lot standards in the C-2 Zoning for review for next month's meeting.

B. Site Plan Approval - Java Jack – 1212 Highway 12 South – Jason & Sandy Cannon

Caton stated that a temporary permit was granted for 18 months to Mr. Cannon for the operation of the site. After that time a site plan review would be required to address plans for making the site permanent and to review any concerns for the site. Caton stated that the property does contain some flood area. The site plan includes the finished floor elevation at 409.6 along with an elevation certificate. The finished floor elevation exceeds the current requirements for the City to be above the base flood elevation. Armstrong stated that he has monitored the site since its installation and he meets all the requirements from TDOT and there have been no traffic issues or complaints on the site. Macha asked if the site meets the design standards. Caton stated that there are no violations of the design standards. There are no specific design standards that prevent the materials used to construct the building. The colors are earth-tone and the site is landscaped and well maintained. Armstrong stated that the building is on a permanent foundation and permanently connected to utilities, has required plumbing facilities, is fully sprinkled and has TDOT approval for a driveway connection. Caton stated that what is before the Commission is to approve the site making it a permanent structure or extend the review period for a length of time. After further discussion a motion was made by Yates and 2nd by LaCrosse to approve the site contingent on adding dust free parking at the employee parking area of the site and the site plan approval expires on transfer of property. The motion passed by roll call vote. Chris LaCrosse-yes, Hadley Williams-yes, Joe Macha-yes, Jim Yates-yes, Ed Nichols-yes.

D. Plat Approval for Property Transfer - Map 62, Parcel 13.03 – Ashland GP, LLC

Caton stated that this is the site on Marrowbone creek next to Sycamore Place Apartments. The original developers have formally formed Ashland GP, LLC. The original PUD presented included apartments, single family and two commercial pods. The request is to review the boundary survey, which is required for the bank transfer title. None of the perimeters of the project have changed. The PUD agreement was not executed. The owner of the property failed to execute the deed to Mr. Wilkinson at the closing date. The bank is now in possession of the property. The PUD agreement consisted of a number of components regarding a single water meter, connection of utilities, interaction with Public Works, etc. There were some discussions as to whether or not to work with this PUD on a build-out phase plan. What is in place now is an agreement to allow the apartments with no mechanism to force the commercial build out in the future. The commercial and single family overlays will remain but there is no compunction for that build-out. The PUD agreement is back on the table and if there are any changes to the phased build-out now would be the time to make the changes. Williams asked about the property behind this site and if an easement was ever obtained? Caton stated no easement was obtained. The previous owner was to make a good faith effort for the easement but it never happened. After further discussion a motion was made by Nichols and 2nd by Williams to approve the plat for property transfer. Motion passed by roll call vote. Chris LaCrosse-yes, Hadley Williams-yes, Jim Yates-yes, Ed Nichols-yes. Joe Macha-yes

E. PUD Agreement-Ashland GP, LLC

A motion was made by Nichols and 2nd by Williams to approve the PUD agreement for Ashland GP, LLC. Motion passed by roll call vote. Chris LaCrosse-yes, Hadley Williams-yes, Jim Yates-yes, Ed Nichols-yes. Joe Macha-no.

B. Discussion of Mixed-Use Zoning District Ordinance

Caton stated she is asking for some direction from the Planning Commission as to what to draft for a true mixed-use zone. What we have done so far is to assign commercial overlays with a portion of a property. After further discussion the Commission decided that Caton should draft a mixed-use zoning for review and consideration.

New Business: None

Other: None

A motion to adjourn was made by Williams and 2nd by LaCrosse. Adjournment passed by unanimous voice vote.

Meeting was adjourned at 7:25 P.M.

Chairman Joe Macha