



**City of Millersville Planning Commission
Regular Meeting Agenda
Tuesday, June 12, 2018 5:00 pm
Commission Chambers**

- 1) Call to Order
- 2) Pledge of Allegiance
- 3) Roll Call
- 4) Disclosure of Ex-parte Communications
- 5) Approve the Minutes of the Planning Commission Meeting(s):
 - a) May 8, 2018
- 6) Public Comments (Limited to 3 minutes per speaker for items on this agenda)
- 7) Action Item(s):
 - a) Rezone 1246 Louisville Hwy (SC Map 121 parcel 062.01) from Residential R-2 to Commercial C-1
 - b) Commercial Site Plan & Front Elevation & Material Review – 1246 Louisville Hwy
 - c) Rezone 1389 & 1391 Louisville Hwy (SC Map 118 Parcel 142.00) from Commercial C-1 to Residential R-4
 - d) Amend Code of Ordinances Chapter 90 Section 90-8 Use classification system and Section 90-332 Adult entertainment district
- 8) Development Services Department Report
 - a) Board of Zoning Appeals Meeting Summary – June 5, 2018
 - b) Planning & Zoning Activities
- 9) Commissioners Comments & General Discussion
- 10) Public Comments (Limited to 3 minutes per speaker for only items not on this agenda)
- 11) Next Planning Commission Meeting is scheduled for July 10, 2018.
- 12) Adjournment

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Recorder at 615-859-0880 at least 72 hours prior to the meeting.



**City of Millersville Planning Commission
Meeting Minutes
Tuesday, May 8, 2018 5:00 pm
Commission Chambers**

- 1) **Call to Order:** Chairman Fox called the May Meeting of Planning Commission to order at 5:05 pm.
- 2) **Pledge of Allegiance:** Lead by Chairman Fox
- 3) **Roll Call:** Secretary Gregory called the roll of the Commission; a quorum was present and included the following:

Commission Present:

**Mr. Frank Fox
Mr. Larry Petty
Mr. David Gregory
Mr. Lee Smith
Mr. Brent Uldrich
Mrs. Deborah Wade**

Absent:

Mr. Keith Bell

Staff Present:

**Mr. Michael Barr
Mrs. Michelle Bernard**

- 4) **Disclosure of Ex-parte Communications:** Chairman Fox asks the Commission members if anyone has anything to disclose. No comments were made.
- 5) **Approve the Minutes of the Planning Commission Meeting(s):**
 - a) **March 13, 2018**

Chairman Fox requests the Commission to approve March 13, 2018 minutes. Vice Chairman Petty made the motion to “approve the March 13, 2018 meeting minutes as presented”. Secretary Gregory seconded the motion.
Motion by Unanimous Vote. (6-aye, 0-nay)
 - b) **April 10, 2018**

Chairman Fox requests the Commission to approve April 10, 2018 minutes. Secretary Gregory made the motion to “approve the April 10, 2018 meeting minutes as presented”. Mr. Uldrich seconded the motion.
Motion by Unanimous Vote. (6-aye, 0-nay)

6) **Public Comments (Limited to 3 minutes per speaker for items on this agenda):**

No comments were made.

7) **Action Item(s):**

a) **Minor Subdivision Plats – Replat Portions of Cimarron Trace Section 5**

i. **Lots 200, 201, 202 & 203 replat to lots 201, 202 & 203**

ii. **Lots 212, 213, 214, 215 & 216 replat to lots 212, 213, 214 & 215**

iii. **Lots 220 & 221 replat to lot 220:**

Mr. Barr stated that the owner/applicant of the subject parcels is requesting to replat multiple lots within the Cimarron Trace Section 5 Subdivision. These proposed replats are intended to create larger lots by eliminating at least one lot per area and realigning shared lot lines. These larger lots will provide for more reasonable building areas that are currently restricted by topographic conditions and lot dimension constraints in the development. The applicant is also requesting to reduce the front yard setbacks from the Residential R-5 30 ft to 20 ft similarly to a number of other homes constructed on this street.

Mr. Barr is recommending approval by the Planning Commission to separately replat each of the 3 proposed portions of the Cimarron Trace Section 5 Subdivision.

i. **Lots 200, 201, 202 & 203 replat to lots 201, 202 & 203:** Vice Chairman Petty made the motion to approve each lots separately. Mrs. Wade seconded the motion. **Motion by Unanimous Vote. (6-aye, 0-nay)**

ii. **Lots 212, 213, 214, 215 & 216 replat to lots 212, 213, 214 & 215:** Secretary Gregory made the motion to approve the replat of lots 212, 213, 214, 215 & 216 to lots 212, 213, 214 & 215. Mr. Uldrich seconded the motion. **Motion by Unanimous Vote. (6-aye, 0-nay)**

iii. **Lots 220 & 221 replat to lot 220:** Secretary Gregory made the motion to approve the replat of lots 220 & 221 to lot 220. Vice Chairman Petty seconded the motion. **Motion by Unanimous Vote. (6-aye, 0-nay).**

Secretary Gregory asks Mr. Barr questions regarding the tension pond in wondering if this would be left up to the builder or the City to clean. Mr. Barr stated that he is currently looking into this.

b) **Rezone Portions of 7541 Darby Road (SC Map 118 Parcel 3.05) from Residential R-1 to R-3 & R-5:**

Mr. Barr stated the owner's manager/applicant of the subject parcel is requesting to rezone this 5.38 ac parcel from Residential R-1 to Residential R-3 and R-5. This is very irregularly shaped parcel that has some challenging topographical conditions. Separately, the applicant is proposing to subdivide the parcel into 3 smaller lots. He is currently completing a new home on a small portion of the parcel fronting Darby

Rd that leaves over 5 acres undeveloped. The applicant desires to utilize the remaining lands. The planned front 0.25 ac +/- lot is proposed to be rezoned to R-5 and the balance (1.42 ac +/- and 2.68 ac +/- lots) to be rezoned to R-3. A shared access and utility easement is proposed over a portion of the proposed Lot #2 for Lot #3. The proposed zoning designations are complimentary or transitional to the area.

Mr. Barr is recommending approval by the Planning Commission to amend the City's Zoning Map designation for this parcel to Residential R-5 & R-3 by the City Commission.

Mrs. Wade makes the motion to approve the Rezone Portions of 7541 Darby Road (SC Map 118 Parcel 3.05) from Residential R-1 to R-3 & R-5. Vice Chairman Petty seconded the motion. **Motion by Unanimous Vote (6-aye, 0-nay).**

Mr. Smith asks Mr. Barr if the road for the two lots are they up to standard. Mr. Barr stated this will be a private driveway.

c) Minor Subdivision Plat of 7541 Darby Road (SC Map 118 Parcel 3.05)

Mr. Barr asks Chairman Fox that this item be withdrawn from the agenda.

8) Review & Discussion of portions of Subdivision Regulations Minimum Standards & Requirements:

Secretary Gregory mentions to the board that in reading the regulations that it is a requirement made by the City to have Fire hydrants and feels we should stick to this going forward. Secretary Gregory also asked Mr. Barr regarding a water tower in Bethel Rd. Secretary Gregory also mentions how reading the regulations that the Planning Commission has the authority to change at any time. Mr. Smith mentions regarding South Williams development and how we don't have adequate fire suppression. Secretary Gregory makes a comment with the builder from last meeting with adding sidewalks. Secretary Gregory stated he had marked up their drawings to show where they needed to be added. Nothing was said, but the builder did take the drawing with them.

9) Development Services Department Report

a) Board of Zoning Appeals Meeting Summary:

Mr. Barr has no updated news to share with the board.

b) Planning & Zoning Activities:

Mr. Barr stated that they have prepared a new job description for a Building & Codes official, which was approved at the City Commission workshop. Hoping to have the new job listed that will entail overseeing Codes and Stormwater. Mr. Barr stated that we've also updated the job details/description for City Manager and hoping to have someone hired by mid-July. Things continue to move forward for the City. Secretary Gregory asked Mr. Barr to mention about the sidewalk project. Mr. Barr stated that they are looking to readjust the sidewalk project and things have been delayed by at least a year. This however will help defer the City's costs by a year as well.

10) Commissioners Comments & General Discussion:

No comments were made.

11) Public Comments (Limited to 3 minutes per speaker for only items not on this agenda):

No comments were made.

12) Next Planning Commission Meeting is scheduled for June 12, 2018.

13) Adjournment:

Vice Chairman Petty made the motion to adjourn, seconded by Mr. Uldrich.

Motion carried by Unanimous Vote. (6-aye, 0-nay)

Meeting adjourned at 6:30pm

Chairman Frank Fox

Board of Secretary David Gregory

Recording Secretary Michelle Bernard

Approval Date



City of Millersville Development Services

Planning Commission Item #7a

Summary & Recommendation

Date: June 12, 2018

Reviewer: Michael Barr, Development Services Director

Subject: Rezone 1246 Louisville Hwy (SC Map 121 Parcel 062.01) from Residential R-2 to Commercial C-1

Background: The City of Millersville is requesting to rezone this 3.98 ac parcel from Residential R-2 to Commercial C-1. This parcel is currently being utilized as City Hall and the Public Works facility. This parcel, along with most other parcels in the city, has a **Non-profit/government/religious land use overlay district NP-1** designation. Unfortunately, this Residentially zoned parcel is restricted by the following: Sec. 90-216 *"Municipal, county, state, or federal buildings to be located only upon commercially or industrially zoned lots with review by the planning commission."* City Hall was constructed before the current zoning map was adopted in 1999, creating an existing non-conforming use. While expanding an existing non-conforming use is allowed by the Code of Ordinances, the City Commission desires this parcel to be brought into conformity for its proposed expansions.

The proposed rezoning is complimentary to other parcels in this area and along Louisville Hwy.

Attachments: Legal Description
Area map with zoning designations

Public Notice Sign Posted: yes

Recommendation: Approval by the Planning Commission to recommend approval to amend the City's Zoning Map designation for this parcel to from Residential R-2 to Commercial C-1 by the City Commission.

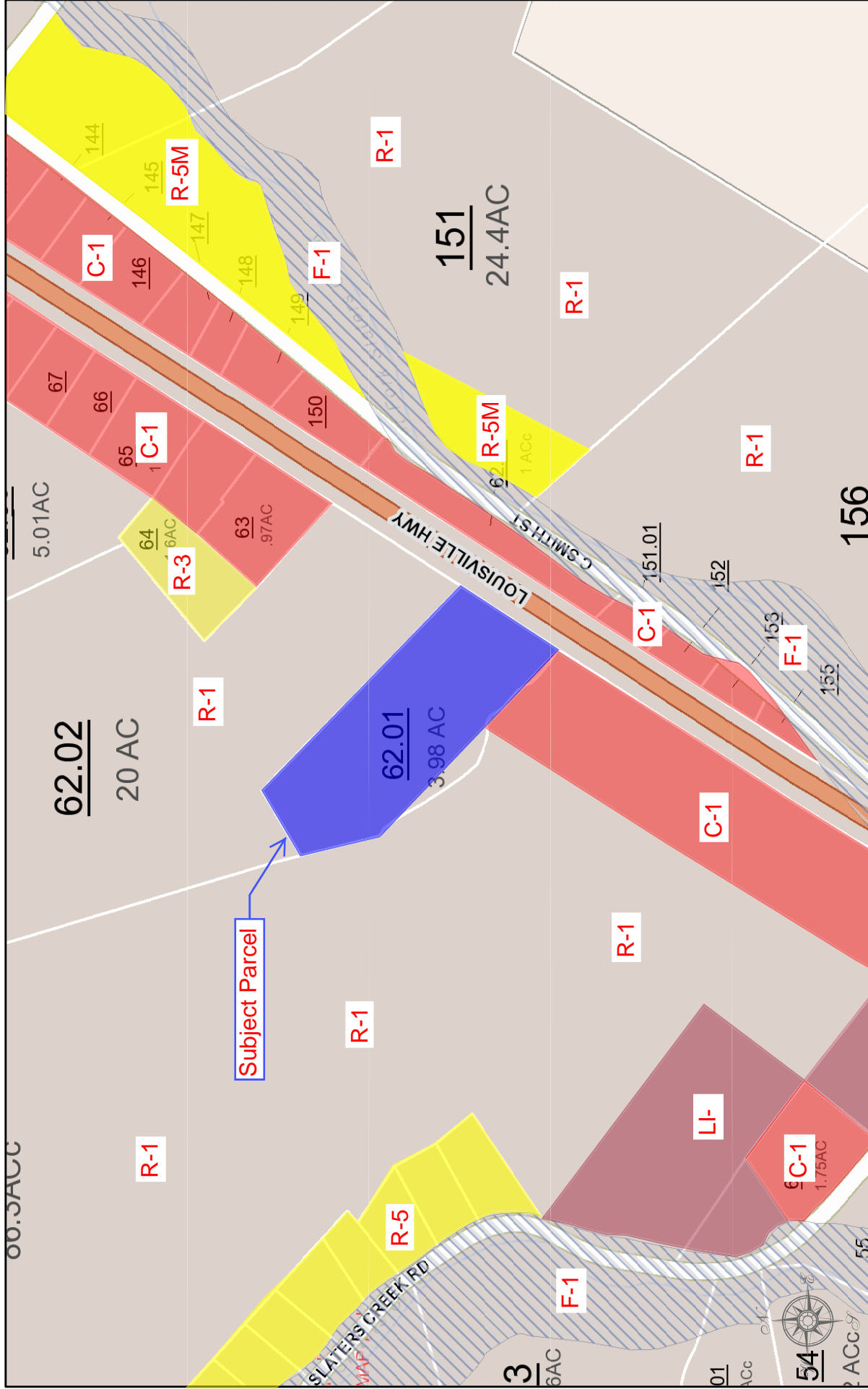
Conditions, if any: None.

Legal Description for 1246 Louisville Hwy Millersville, TN
Sumner County Map 121 Parcel 62.05
As recorded in SC Record Book 730 Page 763

BEGINNING at the concrete monument in the westerly margin of the right-of-way of U.S. Highway 31-W, being the northeast corner of J.L. Reynolds property as recorded in Deed Book 122, Page 330, Register's Office of Sumner County, Tennessee; thence with Reynolds northerly boundary north 470 43' west 529.33 feet to an iron pin; thence north 270 00' west 190.75 feet to an iron pin; then north 580 28' east 216.55 feet to an iron pin; thence south 470 34' east 584.21 feet to an iron pin in the right-of-way of U.S. 31-W; thence south 290 18' west 281.24 feet to the point of beginning, containing 3.98 acres, more or less, according to survey by Donald W. Former, Tennessee Registered Land Surveyor No. 1072.

BEING a part of the same land devised to Clifford J. Fisher, Sr. (the same person as C.J. Fisher, Sr.) for and during his lifetime and at his death to his son, Clifford J. Fisher, Jr. (the same person as C.J. Fisher, Jr.) under the terms and provisions of the Last Will and Testament of Robert Fisher of record in Will Book 13 Page 371, in the office of the Clerk of Probate Court of Sumner County, Tennessee.

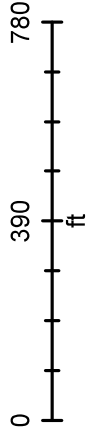
1246 Louisville Hwy Parcel Map



SUMNER COUNTY, TENNESSEE

DISCLAIMER: THIS MAP IS FOR PROPERTY TAX ASSESSMENT PURPOSES ONLY. IT WAS CONSTRUCTED FROM PROPERTY INFORMATION RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS AND IS NOT CONCLUSIVE AS TO LOCATION OF PROPERTY OR LEGAL OWNERSHIP.

MAP DATE: June 7, 2018





City of Millersville Development Services

Planning Commission Item #7b

Summary & Recommendation

Date: June 12, 2018

Reviewer: Michael Barr, Development Services Director

Subject: Commercial Site Plan and Front Elevation & Material Review for 1246 Louisville Hwy (SC Map 121 Parcel 062.01)

Background: The City of Millersville is expanding its City Hall to provide better services to its residents and for the security of and the working space for its employees including a larger Commission Chamber and Court Room. The proposed two story addition adds approximately 10,000 sf to the facility. Modifications to parking and accessibility are included to provide for better functionality. This addition meets all minimum Standards and Restrictions for both its current Residential R-2 and proposed Commercial C-1 zoning designations.

The proposed addition's exterior materials and finishes will be colored cement stucco above a partial brick waist-high wall. The elevation and finishes are complimentary to the City's Community Center and Library. While these finishes meet the minimum standards of the Code of Ordinances, the Planning Commission has requested to review each commercial building for conformity.

City Staff and the City Commission have reviewed the plans & elevations and recommend approval.

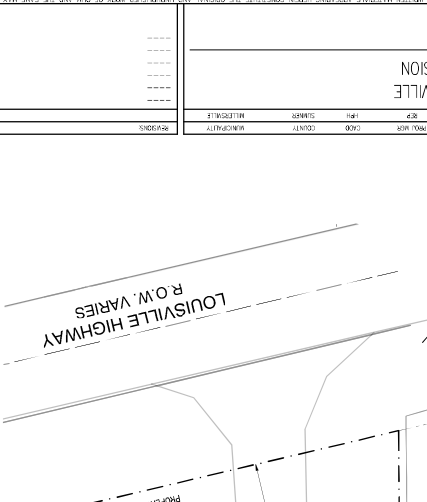
Attachments: Site Plan
Building Elevation

Recommendation: Approval by the Planning Commission of the subject Commercial Site Plan and Building Elevation & Exterior Materials.

Conditions, if any: None.

LAYOUT AND PAVING GENERAL NOTES:

1. THE CONTRACTOR SHALL CORRAL ALL LOCAL LOGS AND STAKE MARKS, OBEY ALL NECESSARY NOTIFICATIONS, CORRAL ALL PERMITS, AND PAY ALL FEES PRIOR TO BEGINNING WORK.
2. THE CONTRACTOR SHALL CHECK EXISTING GRADINGS, UNDERDRAINS, AND WATERS IN THE FIELD AND REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO BEGINNING WORK.
3. THE CONTRACTOR SHALL VERIFY THE EXIST LOCATION OF ALL EXISTING UTILITIES, INCLUDING BUT NOT LIMITED TO, WATER, GAS, ELECTRIC, AND TELEPHONE LINES, PRIOR TO BEGINNING WORK.
4. THE CONTRACTOR SHALL VERIFY THE EXIST LOCATION OF ALL EXISTING UTILITIES, INCLUDING BUT NOT LIMITED TO, WATER, GAS, ELECTRIC, AND TELEPHONE LINES, PRIOR TO BEGINNING WORK.
5. THE CONTRACTOR SHALL COORDINATE ALL CONSTRUCTION WITH THE APPROPRIATE UTILITY OWNERS AND OBTAIN ALL NECESSARY PERMITS AND AGREEMENTS PRIOR TO BEGINNING WORK.
6. ALL DAMAGE TO EXISTING INFRASTRUCTURE SHALL BE REPAIRED TO ORIGINAL CONDITION OR BETTER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COST OF REPAIRS.
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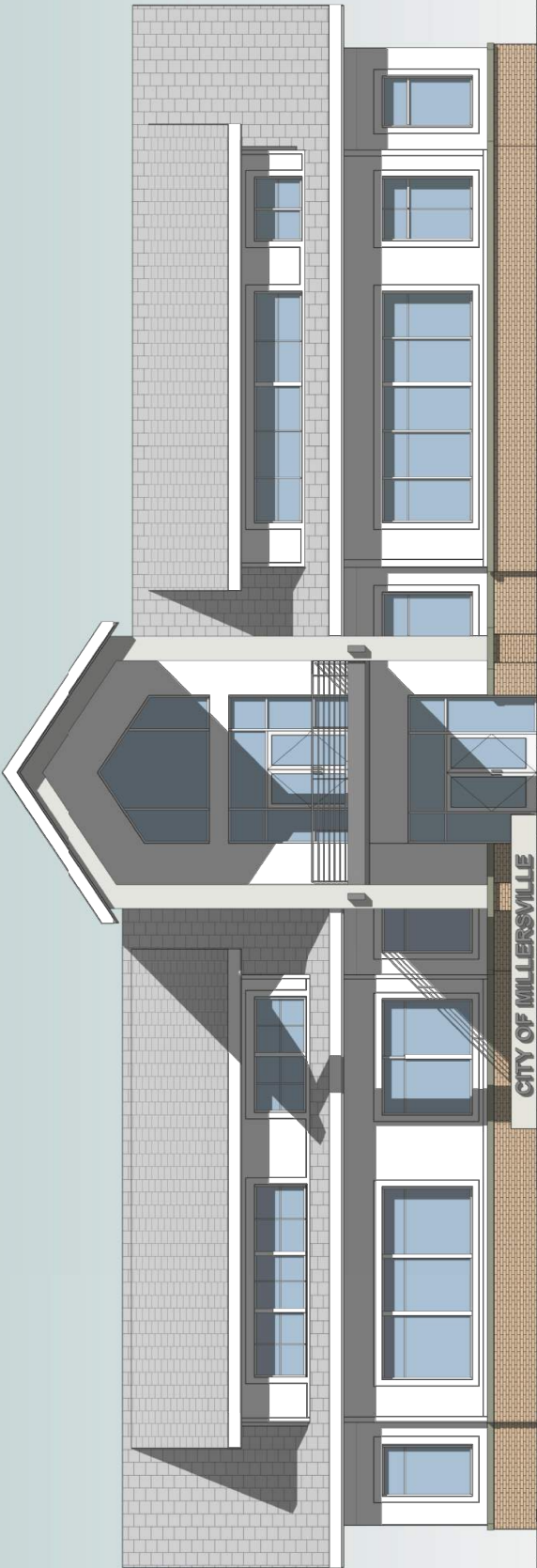
PROPOSED PARKING TABLE	LEGEND
PROPOSED PARKING DATA 70 - REGULAR SPACES (31 - EMPLOYEE ONLY) 7 - HANDICAP SPACES (2 - VAN ACCESSIBLE) 3 - MOTORCYCLE SPACES REQUIRED PARKING 1,750 PER 300 SF 1,750 SF - 60 PARKING SPACES	 PROPOSED PARKING SPACES



**Know what's below.
Call before you dig.**

DATE	08/09/2018	PROJ. NUMBER	018-11-0018	ENG.	BP	PROJ. NAME	CITY OF MILLERSVILLE
LOCALITY	MILLERSVILLE	COUNTY	DAKOTA	STATE	NEBRASKA	CITY	MILLERSVILLE

CITY OF MILLERSVILLE
CITY HALL EXPANSION
ARCHITECTURAL ELEVATION





City of Millersville Development Services

Planning Commission Item #7c

Summary & Recommendation

Date: June 12, 2018

Reviewer: Michael Barr, Development Services Director

Subject: Rezone 1389 & 1391 Louisville Hwy (SC Map 118 Parcel 142.00)

Background: The subject parcel's owner is requesting to rezone this 1.5 ac parcel from Commercial C-1 to Residential R-4. This single parcel currently has two homes located on it. This parcel is located at the base of the "Ridge" and has very limited access from Louisville Hwy due to roadway conditions and steep slopes. This lot along with others in this immediate area were designated as Commercial in 1999. I believe there may not have been adequate accessibility and topo, as well as visibility, information at the time to justify Commercial uses in this area. These Commercial development restrictions are unlikely to be overcome. Additionally, this area is predominately utilized as Residential with most homes being accessed from Radar Rd. There are also a number of other parcels in this area that are currently zoned Residential. The proposed Residential R-4 zoning is complimentary to others in this area.

Separately, the applicant is proposing to subdivide or split the parcel in half lengthwise. This rezoning will bring these proposed lots into conformity.

Attachments: Area map with zoning designations

Public Notice Sign Posted: yes

Recommendation: Approval by the Planning Commission to recommend approval to amend the City's Zoning Map designation for this parcel to from Commercial C-1 to Residential R-4 by the City Commission.

Conditions, if any: None.

L. STEVEN BRIDGES, JR.
Land Surveying and Consulting

Updated boundary description of the property in Deed Book 189, page 393, Register's Office Sumner County, Tennessee, excluding the portion of the property included in state or local right-of-ways. Described as follows;

Beginning at an existing iron rod on the northern right-of-way of Rader Road (Old Louisville-Nashville Highway), said point being southwest corner of the subdivision of Patterson Lots, as of record in Plat Book 16, page 357, Register's Office Sumner County, Tennessee and being the southeast corner of this description;

Thence, with the northern right-of-way of Rader Road (Old Louisville-Nashville Highway) and a curve to the right, delta of $08^{\circ}33'36''$, radius of 1402.39 feet, length of 209.52 feet and a chord bearing of $S46^{\circ}23'51''W$ 209.33 feet to an existing iron rod at the southeast corner of the Henson Property Subdivision, as of record in Plat Book 18, page 261, Register's Office Sumner County, Tennessee;

Thence, leaving the right-of-way of Rader Road (Old Louisville-Nashville Highway) with the line of the Henson Property Subdivision, $N40^{\circ}49'05''W$ 310.85 feet to an existing iron rod on the southeast right-of-way of U.S. Highway 31-W (Louisville Highway);

Thence, with the right-of-way of U.S. Highway 31-W (Louisville Highway), $N45^{\circ}54'30''E$ 216.94 feet to an existing iron rod at the northwest corner of the subdivision of Patterson Lots, as of record in Plat Book 16, page 357, Register's Office Sumner County, Tennessee;

Thence, with the line of the subdivision of Patterson Lots, $S39^{\circ}26'41''E$ 313.16 feet to the point of beginning;

Containing 1.535 Acres, more or Less.

Surveyed February 06, 2018 by L. Steven Bridges, Jr., RLS1740 of Bridges Land Surveying and Consulting, 205 Shivel Drive, Hendersonville, Tennessee 37075. Phone: 615-822-5394.



A vertical number line with tick marks at 0, 390, and 780. The unit "ft" is written next to the 390 mark.

MAP DATE: June 7, 2018



City of Millersville Development Services

Planning Commission Item #7d

Summary & Recommendation

Date: June 12, 2018

Reviewer: Michael Barr, Development Services Director

Subject: Amend Chapter 90 Section 90-8 Use classification system and Section 90-332 Adult entertainment district

Background: The City has been requested to review Commercial or Business Use Classifications regarding Tattoo and Piercing activities. Currently, the only zoning district that allows these activities is Adult Entertainment as described in Section 90-332.

City Staff has discussed these business activity limitations and believe they should be allowed in Commercial districts similarly as other personal service businesses like barbers and hair salons. Other municipalities in the area allow for tattoo and piercing businesses in general commercial districts.

Attachments: Proposed amendment in underline & strikethrough format

Public Notice Sign Posted: n/a

Recommendation: Approval by the Planning Commission to recommend approval by the City Commission to amend Chapter 90 Sections 90-8 and 90-332.

Conditions, if any: None

Sec. 90-8. - Use classification system.

The provisions of this section shall be known as the use classifications. The purpose of the provisions of this section is to classify land uses into a number of specifically defined types on the basis of common functional characteristics and similar compatibility with other uses, thereby with criteria which are directly relevant to the public interest. The provisions of this section shall apply throughout the zoning regulations of this chapter. Where there is a question concerning the appropriate activity classification for any use not listed in this section, the board of zoning appeals shall make the determination based upon the characteristics of the unlisted use.

(1) *Listing of activity classifications.* All activities are hereby classified into the following activity types:

a. *Residential activities.*

1. *Permanent.*

Dwelling, duplex

Dwelling, mobile home

Dwelling, multifamily

Dwelling, single detached

Mobile home park

2. *Semipermanent.*

Boardinghouse

Roominghouse

b. *Community facility activities.*

Administrative

Community assembly

Community education

Cultural and recreation services

Essential services

Extensive impact facilities

Health care facilities

Intermediate impact facilities

Personal and group care facilities

Religious facilities

c. *Commercial activities.*

Animal care and veterinarian services

Automotive parking

Automotive services and repair
Building materials and farm equipment
Consumer repair services
Construction sales and services
Convenience commercial
Entertainment and amusement services
Financial, consulting, and administrative services
Food and beverage services
Food service drive-in
General business and communication services
General personal service
General retail trade
Group assembly
Medical and professional services
Transient habitation
Transport and warehousing
Undertaking services
Vehicular, craft, and related equipment sales, retail and delivery
Wholesale sales

d. *Manufacturing activities.*

Extensive

Intermediate

Limited

e. *Agricultural, resources production, and extractive activities.*

Agricultural services

Commercial feed lots and stockyards

Crops, animal and poultry raising

Mining, drilling, and quarrying

Plant and forest nurseries

(5) *Commercial activities.*

- g. *Convenience commercial.* Convenience commercial includes the retail sale, from the premises, of groceries, drugs, and other frequently needed personal convenience items, as well as the provision of personal convenience services which are typically needed frequently or recurrently, provided that no establishment shall exceed 5,000 square feet of gross floor area.

Barbershops

Beauty shops

Drugstores

Fruit and vegetable markets

Grocery stores

Hardware store (no outside storage)

Laundry and dry cleaning pickup stations

Liquor stores

Newsstands

Self-service gasoline pumps

Tobacco shops

Body piercing parlors

Tattoo establishments

- v. *Adult entertainment/sexually oriented businesses.*

1. *Intent and limitations.* This grouping is intended to include all adult-oriented business and activities defined by this chapter. This grouping includes all facilities wherein material is presented or exhibited which is distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.

2. *Use listing.*

Adult arcade

Adult bookstore

Adult minimotion picture theater

Adult motion picture theater

Adult escort services

~~Body piercing parlors~~

Nontherapeutic massage parlors

~~Tattoo establishments~~

Sec. 90-332. - Adult entertainment district.

(a) *Description.* This adult entertainment district is designed for the provision and control of certain businesses classified in this section as adult entertainment/sexually oriented business. This adult entertainment district attempts to buffer any surrounding districts from the possible adverse impacts from these uses. All residential development is excluded from this adult entertainment district to protect residences from an undesirable environment. Community facilities which provide needed services to special industrial development are permitted. This adult entertainment district requires a public hearing for rezoning.

(b) *Uses permitted.* In the adult entertainment district, the following uses and their accessory uses are permitted:

Adult arcade

Adult bookstore

Adult minimotion picture theater

Adult motion picture theater

Adult escort services

~~Body piercing parlors~~

The editing and/or distribution operations for media depicting "specified sexual activities" or "specified anatomical areas," defined in section 90-7

Nontherapeutic massage services

(c) *Uses permitted as special exceptions.* In the adult entertainment district, the following uses and their accessory uses may be permitted as special exception after a public hearing, review and approval in accordance with section 90-58: None.

(d) *Uses prohibited.* Prohibited uses in the adult entertainment district are uses not specifically permitted or uses not permitted upon approval as a special exception.

(e) *Dimensional regulations.* All uses permitted in the adult entertainment district shall comply with the following requirements, except as provided in division 2 of this article:

(1) *Minimum lot size.* A minimum lot size of 40,000 square feet is required in the adult entertainment district.

(2) *Minimum yard requirements.*

Front yard setback	45 feet
Side yard setback	20 feet
Rear setback	20 feet

(3) *Minimum lot coverage.* On any lot or parcel of land in the adult entertainment district, the area occupied by all buildings, including accessory buildings, may not exceed 50 percent of the total area of such lot or parcel.

(4) *Height requirement.* No building in the adult entertainment district shall exceed 35 feet in height, except as provided in section 90-84.

- (5) *Parking space requirements.* Parking space requirements in the adult entertainment district shall be as regulated in subdivision II, division 11, article III of this chapter.
- (6) *Distance from certain other uses.* The boundary line of the lot upon which such building in the adult entertainment district exists or is to be built shall be at least 1,500 feet away from the property line of schools, churches, and public gathering places.