



**City of Millersville Planning Commission
Regular Meeting Agenda
Tuesday, July 10, 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) June 12, 2018
- 6) Public Comments (Limited to 3 minutes per speaker for items on this agenda)
- 7) Action Item(s):
 - a) Rezone 7721 South Swift Rd (RC Map 126 Parcel 054.00) from Residential R-1 to R-5
 - b) Minor Subdivision Plat 7721 South Swift Rd (RC Map 126 Parcel 054.00)
 - c) Rezone a portion of a parcel on Bethel Rd (RC Map 126 Parcel 079.00) from Residential R-1 to R-5
 - d) Amend Code of Ordinances Chapter 90 Section 90-7 Definitions regarding body piercing parlors and tattoo establishments
 - e) Amend Code of Ordinance Chapter 90 Section 90-174 Design review standards for residential fences
- 8) Development Services Department Report
 - a) Board of Zoning Appeals Meeting Summary – None
 - 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 August 14, 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, June 12, 2018 5:00 pm
Commission Chambers**

- 1) **Call to Order:** Chairman Fox called the June Meeting of Planning Commission to order at 5:00 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. Keith Bell
Mr. Lee Smith
Mr. Brent Uldrich
Mrs. Deborah Wade**

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) **May 8, 2018**
Chairman Fox requests the Commission to approve May 8, 2018 minutes. Secretary Gregory made the motion to “approve the May 8, 2018 meeting minutes as presented”. Mrs. Wade seconded the motion.
Motion carried. (6-aye, 0-nay, 1-abstained; Mr. Keith Bell as he was absent)
- 6) **Public Comments (Limited to 3 minutes per speaker for items on this agenda):**
No comments were made.
- 7) **Action Item(s):**
 - a) **Rezone 1246 Louisville Hwy (SC Map 121 parcel 062.01) from Residential R-2 to Commercial C-1:**

Mr. Barr stated that 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.

Mr. Barr is recommending approval by the Planning Commission to amend the City’s Zoning Map designation for this parcel to from Residential R-2 to Commercial C-1 by the City Commission. Mr. Bell made the motion to Rezone 1246 Louisville Hwy (SC Map 121 parcel 062.01) from Residential R-2 to Commercial C-1. Vice Chairman Petty seconded the motion. **Motion carried by Unanimous Vote (7-aye, 0-nay).**

b) Commercial Site Plan & Front Elevation & Material Review – 1246 Louisville Hwy

Mr. Barr stated that 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.

Mr. Barr is recommending approval by the Planning Commission of the subject Commercial Site Plan and Building Elevation & Exterior Materials. Secretary Gregory made the motion to approve the Commercial Site Plan & Front Elevation & Material Review on 1246 Louisville Hwy. Mr. Uldrich seconded the motion. **Motion carried by Unanimous Vote (7-aye, 0-nay).**

c) Rezone 1389 & 1391 Louisville Hwy (SC Map 118 Parcel 142.00) from Commercial C-1 to Residential R-4:

Mr. Barr stated that 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 accessibility and topo, as well as visibility, information at this 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 complementary 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.

Mr. Barr is recommending approval by the Planning Commission to amend the City's Zoning Map designation for this parcel to from Commercial C-1 to Residential R-4 by the City Commission. Vice Chairman Petty made the motion to Rezone 1389 & 1391 Louisville Hwy (SC Map 118 Parcel 142.00) from Commercial C-1 to Residential R-4. Secretary Gregory seconded the motion.

Motion carried by Unanimous Vote (7-aye, 0-nay).

d) Amend Code of Ordinances Chapter 90 Section 90-8 Use classification system and Section 90-332 Adult entertainment district:

Mr. Barr stated that 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.

Mr. Barr is recommending approval by the Planning Commission to recommend approval by the City Commission to amend Chapter 90 Sections 90-8 and 90-332. Vice Chairman Petty made the motion to Amend Code of Ordinances Chapter 90 Section 90-8 Use classification system and Section 90-332 Adult entertainment district. Mr. Smith seconded the motion.

Discussion: Secretary Gregory expresses concern regarding the allowance of any type of Adult Entertainment related businesses coming into the City. Mr. Bell asks Mr. Barr for the definitions of Body Piercing Facility/Tattoo Parlors to bring back to the members for more discussion. **Motion made was withdrawn for lack of a motion.**

e) Minor Subdivision Plat 1212-1228 Louisville Hwy (SC Map 121 Parcel 061.00):

Mr. Barr stated that the applicant is proposing to subdivide a 1.58 ac portion from the approximate 80 ac parent parcel. The proposed new lot currently has the commercial

strip center with parking located on it. The proposed new lot is zoned Commercial C-2 while portions of the remaining lands are a combination of Commercial C-1, Light Industrial LI-1, and Residential R-1. This resulting subdivided parcels conform to their respective zoning designations' permitted uses. However, the existing building on the proposed 1.58 ac parcel does not conform to the minimum setbacks. And depending on future occupancies, there may not be adequate parking. The City acknowledges the existing non-conformity as a "grandfathered" condition.

Mr. Barr is recommending "conditional" approval by the Planning Commission to subdivide the subject parcel into 2 parcels per the Subdivision Plat pending verification of any required easements. Surveyor needs to verify any utilities and any required easements. Mr. Bell made the motion that we approve the Minor Subdivision Plat 1212-1228 Louisville Hwy (SC Map 121 Parcel 061.00). Secretary Gregory seconded the motion. **Motion carried by Unanimous Vote (7-aye, 0-nay).**

f) Minor Subdivision Plat 7541 Darby Rd (SC Map 118 Parcel 003.05):

Mr. Barr stated the owner of the subject parcel is requesting to subdivide the 5.38 ac subject parcel into 3 parcels per the Subdivision Plat Sketch. This is an irregularly shaped lot that has limited options for maximum utilization. The proposed resulting parcels are 0.27 ac (R-5), 2.43 ac (R-3), and 2.68 (R-3) are complimentary and/or transitional in size and zoning with other parcels in this area. A Shared Access and Utility Easement is proposed to service lots 2 and 3. This easement includes a future private road to the lots.

Mr. Barr is recommending "conditional" approval by the Planning Commission to subdivide the 5.38 ac subject parcel into 3 parcels per the Subdivision Plat Sketch. Approval is conditioned on the City Commission's approval of the parcel's rezoning application and final review and acceptance of the Subdivision Plat document. The Zoning Map Amendment Ordinance has passed its First Reading.

Secretary Gregory made the motion to approve the Minor Subdivision Plat 7541 Darby Rd (SC Map 118 Parcel 003.05). Mr. Uldrich seconded the motion.

Motion carried by Unanimous Vote (7-aye, 0-nay).

8) Development Services Department Report

a) Board of Zoning Appeals Meeting Summary – June 5, 2018:

Mr. Barr stated that the last Board of Zoning Appeals action was Granting a Variance Request for Reduction of the Minimum Side Yard Setback for 100 Morningview Court RC Map 126P Group B Parcel 025.00, which was passed by a Unanimous vote.

b) Planning & Zoning Activities:

Mr. Barr stated that the Jones parcel across from Station #2 is moving forward. Mr. Barr stated that the City is still looking for a Building Inspector, City Manager as well as a new Codes Enforcer/Building Permit Tech.

- 9) **Commissioners Comments & General Discussion:**
Secretary Gregory asks Mr. Barr regarding M.R. Stokes and the stormwater pond, to which Mr. Barr stated he is still researching this.
- 10) **Public Comments (Limited to 3 minutes per speaker for only items not on this agenda):**
No comments were made.
- 11) **Next Planning Commission Meeting is scheduled for July 10, 2018.**
- 12) **Adjournment:**
Mr. Keith Bell made the motion to adjourn, seconded by Mr. Uldrich
Motion carried by Unanimous Vote. (7-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: July 10, 2018

Reviewer: Michael Barr, Development Services Director

Subject: Rezoning of the parcel known as 7721 South Swift Rd (RC Map 126 Parcel 054.00) from Commercial C-1 and Residential R-1 to R-5

Background: The applicant is requesting to rezone the subject parcel from Commercial C-1 and Residential District R-1 to Residential R-5 in conjunction with a Minor Subdivision Plat. This rezoning will allow for the platting and development of a total of three single family homes on this approximately one acre parcel. The parcel is currently vacant. This proposed zoning is complimentary with other residential parcels in the immediate area.

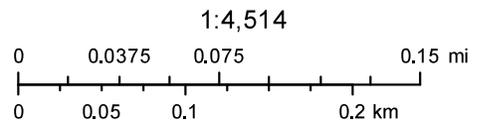
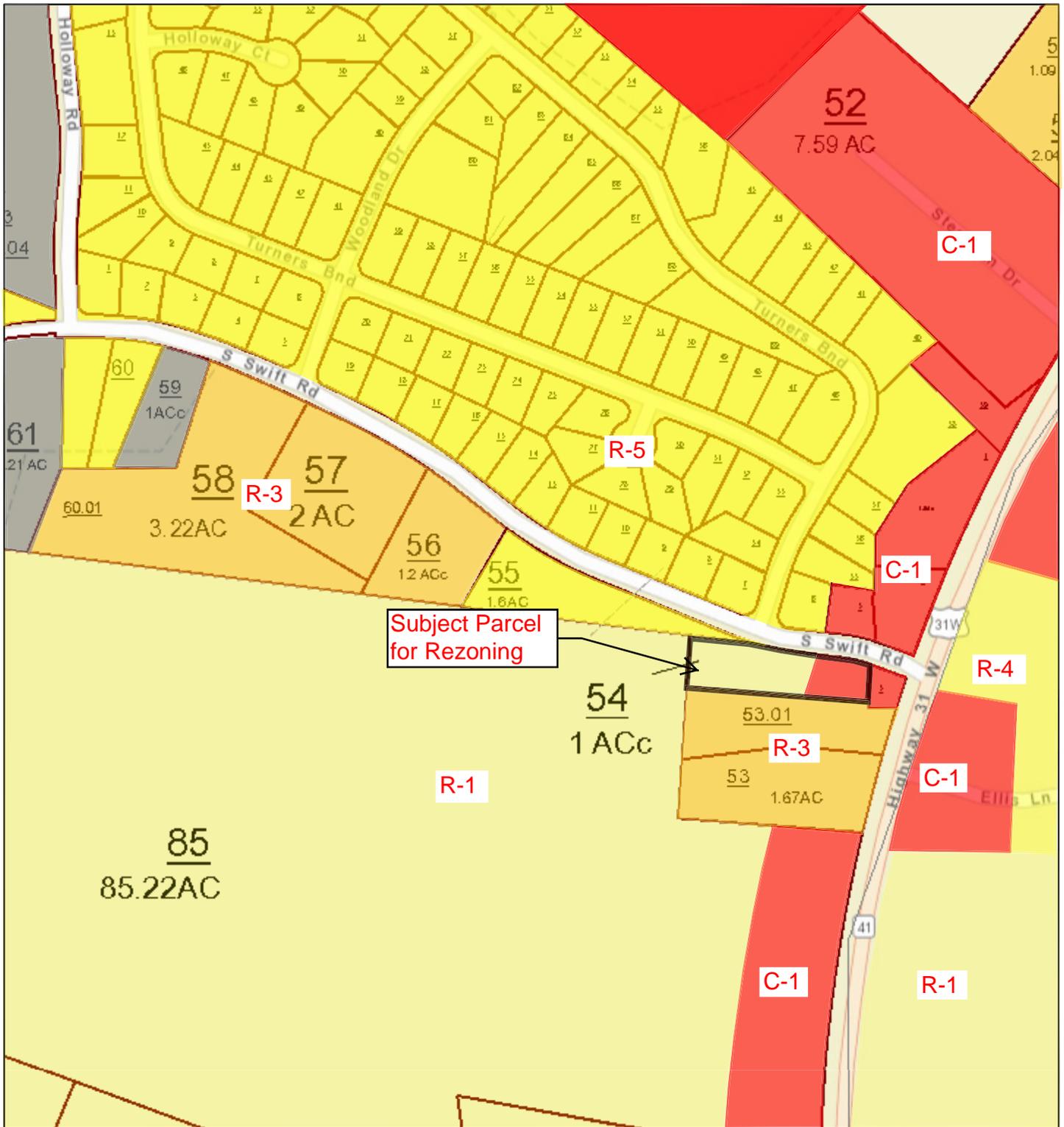
Attachments: Legal Description
Parcel Map with Zoning Overlay

Public Notice Sign Posted: Yes

Recommendation: Approval by the Planning Commission to recommend approval to amend the City's Zoning Map for this parcel to Residential R-5 by the City Commission.

Conditions, if any: None

Robertson County - Parcel: 126 054.00





City of Millersville Development Services

Planning Commission Item #7b

Summary & Recommendation

Date: July 10, 2018

Reviewer: Michael Barr, Development Services Director

Subject: Minor Subdivision Plat of the parcel known as 7721 South Swift Rd (RC Map 126 Parcel 054.00).

Background: The owner of the subject parcel is requesting to divide the approximately 0.91 acre parcel into three parcels. The parcel is currently vacant. This proposed subdivision with resulting lot sizes will conform to the Residential R-5 Zoning Standards. The proposed lot sizes are complimentary to the parcels across the street in the Turner's Point Subdivision, as well as other residential parcels in the vicinity.

Attachments: Proposed Final Subdivision Plat – Showalter Construction Property

Public Notice Sign Posted: yes

Recommendation: "Conditional" Approval by the Planning Commission to subdivide the parcel per the attached Final Plat drawing pending final Survey review and acceptance as well as City Commission approval of the associated rezoning to Residential R-5.

Conditions, if any: Above.

TOTAL CONTAINS: 0.91 ACRES ±

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	485.36'	59.24'	57.77'	S 77° 50' 45" E	65° 57' 03"
C2	521.16'	85.73'	85.16'	N 78° 39' 24" W	97° 19' 09"

LINE TABLE

LINE BEARING	DISTANCE
N 29° 02' 37" E	35.21'

SITE



LOCATION MAP

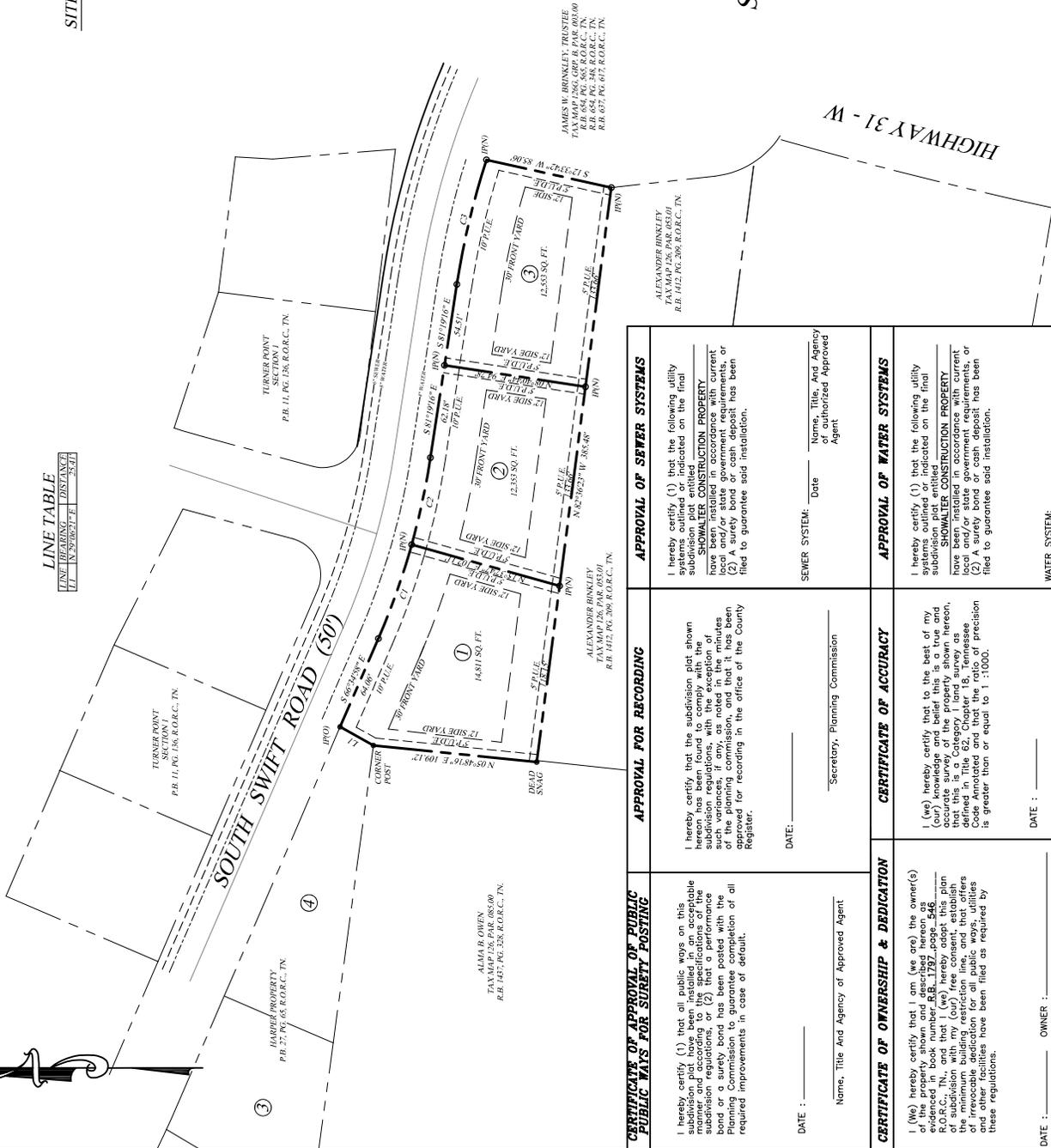
- NOTES:**
1. THE PURPOSE OF THIS PLAT IS TO CREATE 4 NEW BUILDING LOTS AS SHOWN HEREIN.
 2. THIS IS A SUBDIVISION OF THE PLAT AND IS SUBJECT TO THE RULES AND REGULATIONS OF THE TENNESSEE STATE PLANNING AND ZONING COMMISSION AND THE ROBERTSON COUNTY, TENNESSEE, TAX ASSESSOR'S OFFICE.
 3. BEING THE SAME PROPERTY CONVEYED TO SHOWALTER CONSTRUCTION, INC. BY DEED OF RECORD IN R.R. 1792 PG. 586, R.O.R.C. TN.
 4. ALL UTILITIES SHOWN ON THIS PLAT ARE BASED ON THE RECORDS OF THE ROBERTSON COUNTY, TENNESSEE, PUBLIC UTILITY COMMISSION. THE UTILITY LOCATIONS ARE APPROXIMATE AND OTHER OUTSIDE SOURCES. OTHER UTILITIES MAY EXIST AND LOCATIONS ARE APPROXIMATE. NO GUARANTEE IS MADE AS TO THE LOCATION OF THE UTILITIES SHOWN HEREON.
 5. PROPERTY DOES NOT LIE IN A FLOOD HAZARD.
 6. SETBACKS: FRONT: 30' REAR: 25'
 7. THE UTILITY INFORMATION SHOWN HEREON WAS TAKEN FROM FIELD OBSERVATION AND OTHER OTHER OUTSIDE SOURCES. OTHER UTILITIES MAY EXIST AND LOCATIONS ARE APPROXIMATE. NO GUARANTEE IS MADE AS TO THE LOCATION OF THE UTILITIES SHOWN HEREON.

FINAL PLAT OF SHOWALTER CONSTRUCTION PROPERTY
 BEING PROPERTY SITUATED ALONG THE SOUTHERLY MARGIN OF SOUTH SWIFT ROAD IN THE 11TH CIVIL DISTRICT OF ROBERTSON COUNTY, TENNESSEE.

DATE: JUNE 25, 2018
 OWNER: SHOWALTER CONSTRUCTION, INC.
 3027 HWY. 31W
 WHITEHOUSE, TN. 37188



294 BRATTON TOWN CIRCLE
 LAFAYETTE, TN. 37083
 tdv_landsurvey@yahoo.com
 615 - 633 - 1476



<p>CERTIFICATE OF OWNERSHIP & DEDICATION</p> <p>I (We) hereby certify that I am (we are) the owner(s) of the property shown and described hereon as shown and located on the above plat, and that I (we) hereby dedicate this plan of subdivision with my (our) free consent, establish the minimum building restriction line, and that offers the same to the public use and that all easements and other facilities have been filed as required by these regulations.</p> <p>DATE: _____ OWNER: _____</p> <p>DATE: _____ OWNER: _____</p> <p>NAME, TITLE AND AGENCY OF APPROVED AGENT: _____ Secretary, Planning Commission</p>	<p>CERTIFICATE OF ACCURACY</p> <p>I (we) hereby certify that to the best of my (our) knowledge and belief this is a true and correct copy of the original subdivision plat hereon, that this is a Category I land survey as defined in Title 62, Chapter 18, Tennessee Code Annotated and that the ratio of precision is greater than or equal to 1:1000.</p> <p>DATE: _____</p> <p>REGISTERED SURVEYOR: _____</p>	<p>APPROVAL OF SEWER SYSTEMS</p> <p>I hereby certify (1) that the following utility systems outlined or indicated on the final subdivision plat entitled SHOWALTER CONSTRUCTION PROPERTY has been installed in accordance with current local and/or state government requirements, or (2) A surety bond or cash deposit has been filed to guarantee said installation.</p> <p>SEWER SYSTEM: _____ Name, Title, And Agency of authorized Approved Agent: _____ Date: _____</p>	<p>APPROVAL OF WATER SYSTEMS</p> <p>I hereby certify (1) that the following utility systems outlined or indicated on the final subdivision plat entitled SHOWALTER CONSTRUCTION PROPERTY has been installed in accordance with current local and/or state government requirements, or (2) A surety bond or cash deposit has been filed to guarantee said installation.</p> <p>WATER SYSTEM: _____ Name, Title, And Agency of authorized Approved Agent: _____ Date: _____</p>
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**City of Millersville
Development Services**

Planning Commission Item #7a

Summary & Recommendation

Date: July 10, 2018

Reviewer: Michael Barr, Development Services Director

Subject: Rezone a portion of RC Map 126 Parcel 079.00 located on Bethel Road

Background: The subject parcel's owner is requesting to rezone a 127 acre portion of the subject parcel from Residential R-1 to R-5. The current Commercial C-3 zoning (28 acres) along Bethel Road will remain. The applicant is preparing to develop the parcel into a mixed use and mixed residential density project. Plans have not been provided as of this date. The proposed Residential R-5 zoning is complimentary and transitional to other parcels in this area.

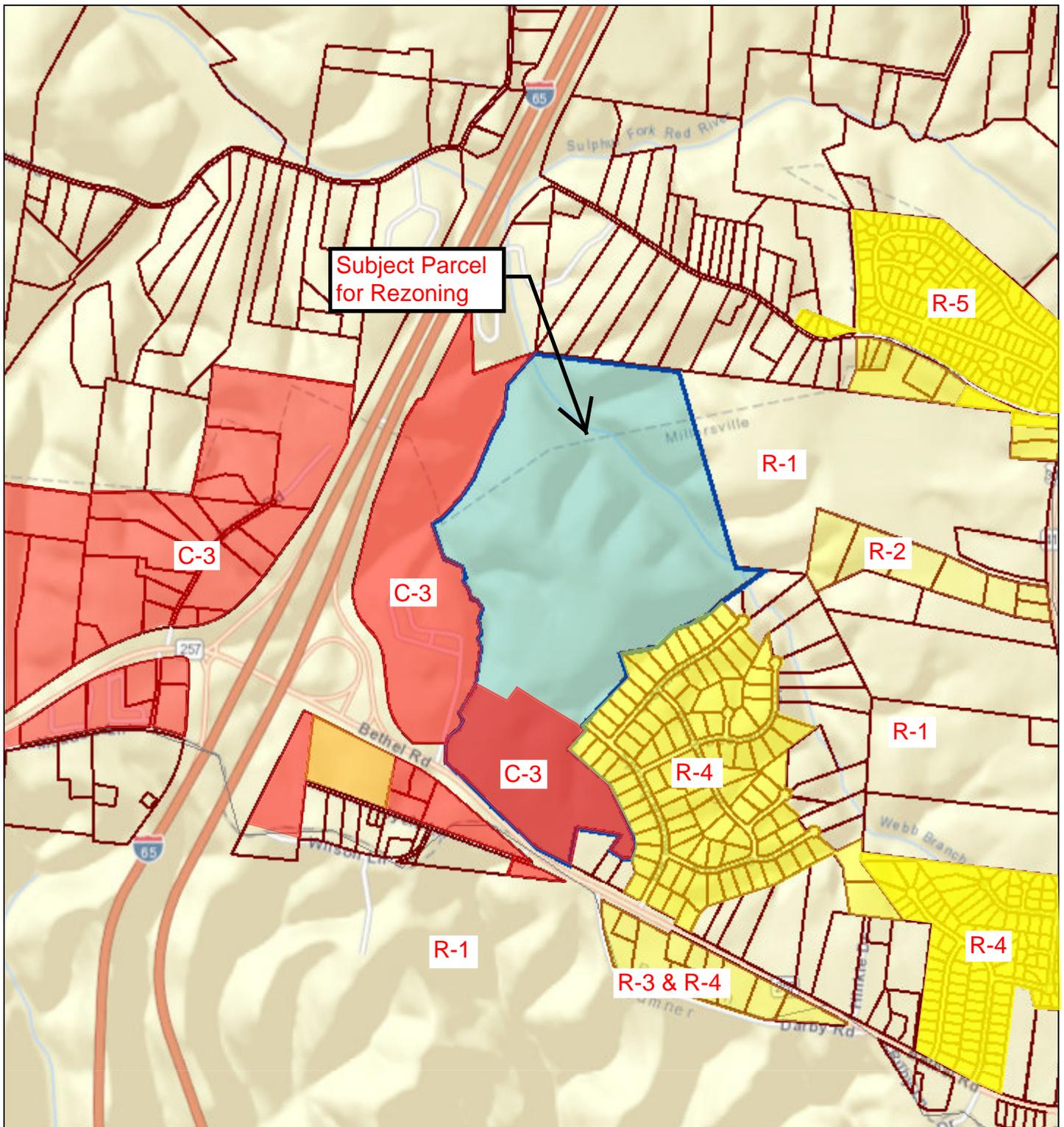
Attachments: Area map with zoning designations
Boundary Survey with Commercial C-3 zoning shaded

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 from Residential R-1 to R-5 by the City Commission.

Conditions, if any: None.

Robertson County - Parcel: 126 079.00



Date: July 5, 2018
County: Robertson
Owner: DOUBLE JJ LIMITED PTNRSP
Address: BETHEL RD
Parcel Number: 126 079.00
Deeded Acreage: 155.14
Calculated Acreage: 0
Date of Imagery: 2013

TN Comptroller - OLG
State of Tennessee, Comptroller of the Treasury, Office of Local Government (OLG)
Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),

The property lines are compiled from information maintained by your local county Assessor's office but are not conclusive evidence of property ownership in any court of law.



**City of Millersville
Development Services**

Planning Commission Item #7d

Summary & Recommendation

Date: July 10, 2018

Reviewer: Michael Barr, Development Services Director

Subject: Amend Chapter 90 Section 90-7 Definitions

Background: At the direction of the Planning Commission, staff has reviewed portions of the Code of Ordinances including Chapter 90 Zoning regarding body piercing and tattoo related businesses. Currently these business activities are only permitted in the Adult Entertainment Zoning District.

The Planning Commission requested staff to define body piercing and tattoo businesses and in particular address allowing piercings and tattoo activities accessory or secondary to other primary or principle businesses. In the case of body piercing, the proposed definition allows for piercing associated with jewelry sales. And for tattooing, the proposed definition allows for tattoos associated with medical purposes including reconstructive procedures.

Attachments: Proposed Sec 90-7 Definitions 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 Section 90-7.

Conditions, if any: None

CODE OF ORDINANCES CITY OF MILLERSVILLE, TENNESSEE

Chapter 90 - ZONING

ARTICLE I. - IN GENERAL

Sec. 90-7. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Terms not defined in this section shall have their standard dictionary definition or such as the context may imply.

Body piercing parlors mean any commercial establishment which as one of its principal business purposes offers greater than 20 percent of its services and products for any type of human body piercing. Body piercing activities accessory to a business' principle purposes including jewelry and department stores are not considered body piercing parlors.

Tattoo establishments mean any commercial establishment which as one of its principal business purposes offers greater than 20 percent of its services for any type of human body modification where a design is made by inserting ink, dyes, or pigments, either indelible or temporary, into the dermis layer of the skin to change the pigment. Tattooing activities accessory to a business' principle purposes including those by state licensed medical doctors or facilities providing cosmetic and reconstructive services are not considered tattoo establishments.



**City of Millersville
Development Services**

Planning Commission Item #7e

Summary & Recommendation

Date: July 10, 2018

Reviewer: Michael Barr, Development Services Director

Subject: Amend Chapter 90 Section 90-174 Design review standards

Background: City staff have recently encountered multiple issues regarding fences in residential districts. Currently there are very minimal standards for fences. Staff has reviewed other municipalities' codes and have developed minimal standards that can be reasonably followed. In particular, fences are proposed to be prohibited in public right-of-ways and front yard utility & drainage easements.

Attachments: Proposed Sec 90-174 Residential design standards 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 Section 90-174.

Conditions, if any: None

Sec. 90-174. - Design review standards.

(a) All applicable dwellings subject to residential design review shall:

- (1) Maintain a foundation constructed and/or veneered with stone, brick, or stucco in R-4 and R-5 Zoning.
- (2) Incorporate all attached structures and home-additions, including those affixed with a breezeway, with similar exterior construction materials as the pre-existing residence.
- (3) Fences:

- a. On property zoned R-3, R-4, and R-5, fences placed in the front yard or in any area between the principle structure and a public road shall not be constructed principally of wire, including chain link, barbed wire, razor wire, and electrified wire. Fences placed in this area shall not exceed 4 feet in height. No fence shall exceed 6 feet in any residential district. Underground wire fences, such as invisible pet fences, are permitted.
- b. No fences in any zoning district may be placed in any right-of-way and any public utility and/or drainage easement abutting a public road.