

# City of Crossville

392 N. Main  
Crossville, TN 38555



## Minutes

Thursday, November 19, 2020

12:00 PM

City Hall

**Planning Commission**

## Regular Meeting

### Call to Order

*Chairman Moser called the meeting to order at 12:03 p.m.*

**Present** 5 - Gordon Atchley, Greg Tabor, Chairman Mike Moser, Mayor James Mayberry, and Landon Headrick

**Absent** 2 - Vice Chair Kevin Poore, and Council Member Rob Harrison

*Others present were Mickey Nail, Ronald Nail, Melinda Hendricks, Frank Howard, David Brenner, Mike Dalton, Tim Wilson, George Marlow, Randy York, Casey Dillon, Roy McClanahan, Greg Wood, Kevin Dean, and Malena Fisher.*

### Agenda Items

#### 1. Approval of 10/15 minutes

**A motion was made by Gordon Atchley, seconded by Greg Tabor, to approve the minutes of the October 15 meeting. The motion carried by the following vote:**

**Aye:** 5 - Atchley, Tabor, Chairman Moser, Mayor Mayberry and Headrick

**Absent:** 2 - Vice Chair Poore and Council Member Harrison

#### 2. Cell Tower Upgrade for 1011 Old Mail Road

*Per the requirements of the City of Crossville Telecommunication Ordinance, Planning Commission must review and make a recommendation to the Codes Department for the issuance of a building permit for any changes to existing cell towers or the construction of new ones. T-Mobile is proposing an upgrade to an existing tower located at 1011 Old Mail Road. The plans and other documents are available in the Planning Office or Codes office, should any commissioner wish to view them. City Manager Greg Wood recommended that the information on upgraded or construction of new cell towers be forwarded to the Tax Assessor's office for proper appraisal of the properties.*

**A motion was made by Greg Tabor, seconded by Gordon Atchley, to make a recommendation to issue the requested building permit. The motion carried by the following vote:**

**Aye:** 5 - Atchley, Tabor, Chairman Moser, Mayor Mayberry and Headrick

**Absent:** 2 - Vice Chair Poore and Council Member Harrison

*Vice-Chair Kevin Poore and Councilmember Rob Harrison arrived at 12:06 p.m.*

**Present** 7 - Vice Chair Kevin Poore, Gordon Atchley, Council Member Rob Harrison, Greg Tabor, Chairman Mike Moser, Mayor James Mayberry, and Landon Headrick

#### 3. Correction to a Variance granted to Sam Baisley

*At the August 26, 2020 meeting of the Crossville Regional Planning Commission, a variance was granted to Mr. Sam Baisley for his property located on Highway 70 North that backs up to a section of the County's Recycle Center. There was a typographical error, by staff, in the agenda legislative text. It read, "Mr. Baisley is requesting an 8-foot setback..." That sentence SHOULD have said, "Mr. Baisley is requesting an 8-foot setback variance..." His request was to have a 2-foot setback from the portion that backs up to the Recycle Center. As the legislative text was written, a 2-foot variance was granted. It was the full intent of staff to recommend the*

*approval of the 8-foot variance to allow a 2-foot setback. Staff recommends the amendment or correction to the August 26th action and to grant an 8-foot variance as originally requested by Mr. Baisley.*

**A motion was made by Landon Headrick, seconded by Council Member Rob Harrison to approve the variance. The motion carried by the following vote:**

**Aye:** 7 - Vice Chair Poore, Atchley, Council Member Harrison, Tabor, Chairman Moser, Mayor Mayberry and Headrick

**4. Release of Financial Guarantee for Riverchase Ph IV**

*The City has been holding a financial guarantee for a service line road bore since 2006 in the amount of \$1,000. The agreement with Mr. Mitchell was the City would hold the money till a tap was needed for lot 54 of Phase IV of his development. The lot has sold or is pending sale and Mr. Mitchell has paid an additional \$1,000 for the service line to be installed. A normal water tap will still be required by the new owner. Since the fee has been paid, the financial guarantee can be released and a check can be issued to Mr. Mitchell in the amount of \$1,000. The financial guarantee was a cashier's check and has been deposited. Staff recommends the release of the financial guarantee and the issuance of a check in the amount of \$1,000 to Jim Mitchell.*

**A motion was made by Landon Headrick, seconded by Council Member Rob Harrison, to release the financial guarantee. The motion carried by the following vote:**

**Aye:** 7 - Vice Chair Poore, Atchley, Council Member Harrison, Tabor, Chairman Moser, Mayor Mayberry and Headrick

**5. Carl Nail Division - Ronald Nail**

*Mr. Ronald Nail is proposing a subdivision, cutting off a small portion of a lot he owns that fronts on Highway 68 and joining it to his parcel at the end of Carl Nail Lane. He is requesting two variances in regard to his proposed subdivision. The first one is for sub-surface soils and the State Environmentalist signature. The property from which he is cutting the portion has an existing and working septic system, and the portion he is cutting off to join to his other parcel is located at the rear of the property, is wooded and rocky and would not be suitable for a backup system. The second variance is for the dedication of ROW for Carl Nail Rd. The existing width of Carl Nail Lane is listed at 30 feet per the County Road Department's road list. By deed description, Mr. Nail's property actually extends beneath the ROW for the lane. This is a dead-end road with very little chance for any other future developments to occur at the end. City staff does not foresee any need to expand the road to the minimum of 50 feet.*

**A motion was made by Vice Chair Kevin Poore, seconded by Council Member Rob Harrison, to approve the plat and variances. The motion carried by the following vote:**

**Aye:** 7 - Vice Chair Poore, Atchley, Council Member Harrison, Tabor, Chairman Moser, Mayor Mayberry and Headrick

**6. Approval of annexation and Plan of Services for 3.50 acres on Sparta Hwy.**

*Wilma C. Marlow has requested that her residence at 1848 Sparta Highway be annexed into the City. Ms. Marlow is interested in City services, specifically police protection, fire protection, and trash removal.*

**A motion was made by Mayor James Mayberry, seconded by Council Member Rob Harrison, to recommend to City Council to approve the annexation and Plan of Services for 1848 Sparta Highway. The motion carried by the following vote:**

**Aye:** 7 - Vice Chair Poore, Atchley, Council Member Harrison, Tabor, Chairman Moser, Mayor Mayberry and Headrick

**7.** Approval of annexation and Plan of Services for approximately 7.0 acres on Sparta Hwy.

*Joan P. Marlow has requested that her residence and 7 acres at 1684 Sparta Highway be annexed into the City. Ms. Marlow is interested in City services, specifically police protection, fire protection, and trash removal.*

**A motion was made by Mayor James Mayberry, seconded by Council Member Rob Harrison, to recommend to City Council to approve the annexation and Plan of Services for 1684 Sparta Highway. The motion carried by the following vote:**

**Aye:** 7 - Vice Chair Poore, Atchley, Council Member Harrison, Tabor, Chairman Moser, Mayor Mayberry and Headrick

**8.** Maple Glen Phase 2 - Final

*Habitat for Humanity is proposing the second phase of their development off Iris Circle. This phase consists of 19 lots. All infrastructure has been installed, inspected, and approved by City staff. There is significant change from the approved Preliminary plat. The developer is proposing a change in road name at the intersection of the new road and the existing two roads, East Fuller and Carol. The new road, which would be in alignment with East Fuller Drive, is proposed to be Dewey Drive. Staff is recommending that the developer install a three-way stop at the intersection of the three roads to better differentiate the name changes and prevent a road name change in "mid-stream." The installation of the additional road signage would be the responsibility of the developer. E-911 has been notified of the proposed road names but has not officially recognized them.*

*Also, there is a temporary cul-de-sac that has been constructed at the current "end" of Dewey Drive. A Letter of Credit has been provided to the City for the amount to finish the cul-de-sac in the event the developer fails to move forward and not finish the paving of the cul-de-sac. The LOC is in the amount of \$13,309. This estimate was generated by the City engineer and the amount was approved by staff.*

**A motion was made by Mayor James Mayberry, seconded by Vice Chair Kevin Poore, to approve the plat, pending E-911 acceptance of the road names, and accept the letter of credit. The motion carried by the following vote:**

**Aye:** 7 - Vice Chair Poore, Atchley, Council Member Harrison, Tabor, Chairman Moser, Mayor Mayberry and Headrick

**9.** The Gardens Phase IX - Preliminary

*Tim Wilson is wishing to amend his Master Concept Plan for the next phases of The Gardens. His original plan was to work through multiple "plats" of Phase 8, but due to a change in demand from his clients and potential clients, he is wishing to move forward with a Phase 9 before continuing with Phase 8. When the City approved his Master Plan for Phase 8, there was an agreement made with Mr. Wilson in regard to the order in which Phase 8 would be completed. This was to give a loop in the roadways for alternate ingress/egress as well as a needed loop in the water system. Attached is a new letter explaining the need and desire to shift to a multi-platted development of Phase 9. In moving forward with Phase 9, it would meet the requirement of an additional access point and it will provide a shorter loop in the water system. Phase 9 is proposing two new entrances that will front on Northside Drive (Northwest Connector). One of those access points has already been approved by TDOT. The second one is still under review. Staff feels confident that the second access point will be approved and if for any reason it does not, then the plat could be*

*easily modified to remove the second access point and put in a curve instead of a throughway. This preliminary plat is proposing an additional 50 lots with 3735 feet of 6-inch waterline, 3382 feet of 4-inch low pressure sewer, and 3717 feet of new roadway. The lots vary in size and is a mix of single-family stand alone and zero-lot line duplex style.*

**A motion was made by Council Member Rob Harrison, seconded by Gordon Atchley, to approve the preliminary plat. The motion carried by the following vote:**

**Aye:** 7 - Vice Chair Poore, Atchley, Council Member Harrison, Tabor, Chairman Moser, Mayor Mayberry and Headrick

*Landon Headrick left at 12:42 p.m.*

**10.**

### **Right-of-Way Closure for Lillian Court and adjoining alleyway**

*Mr. Page is requesting the City of Crossville close the unimproved right-of-way of Lillian Court and an adjacent 16-foot alleyway. Staff has heard from all adjoining property owners prior to the meeting with the exception of Mr. Dalton, who was present and said that he had no objection to the closing of Lillian Court and the abandoned 16-foot alleyway. The City closed a portion of Lillian Court several years ago at the request of Mr. McClanahan. The entire ROW was looked at for closure, but at the time, there was concern over creating a landlocked parcel which is owned by Mr. Flynn, and a desire for the ROW to be left open by Mr. Cole. An agreement has been reached with Mr. Page, Mr. Cole, and Mr. Flynn, all agreeing to the closure of the ROW. Mr. Flynn has agreed to combine his two parcels into one to eliminate the land-locked parcel. At the time of this write up, the deed has not been created and recorded combining Mr. Flynn's property. However, staff has been informed that the deeds would be combined and recorded before the matter is presented to City Council. Staff is comfortable moving forward with the recommendation of closure, pending the combining of Mr. Flynn's parcels into one.*

*One property owner has voiced opposition to the closure of the 16-foot alleyway, or "farm lane." Mr. McClanahan is not opposed to closing the remaining portion of Lillian Court, but he desires the 16-foot alleyway to remain open. Staff did inform Mr. McClanahan that a TDOT driveway permit would be required to make use of the alleyway, which would be difficult. The alleyway falls short of the minimum 25 feet for residential and 50 feet for commercial for the parcel in question to be deemed a flag lot by the City, which would only be considered if TDOT granted the driveway permit. Mr. McClanahan said the alleyway had always been there and he sees no benefit to closing it, but closure would not create an undue hardship for him unless he sells the property to someone who would want access to Highway 127 North.*

*A surveyor provided a drawing of how the unimproved ROW and "farm lane" will be divided. As long as Mr. Flynn's parcels are combined and proper legal descriptions for the division of the unimproved ROW and alleyway, then Staff has no objections to the closure of them and adding that acreage back to the tax rolls.*

**A motion was made by Vice Chair Kevin Poore, seconded by Greg Tabor, to make a recommendation to City Council to close Lillian Court and the 16-foot alleyway, with the recommendation that the Flynn parcels be joined into one and that proper legal descriptions for how property will be divided be provided to Council for both the right-of-way and the alleyway. The motion carried by the following vote:**

**Aye:** 6 - Vice Chair Poore, Atchley, Council Member Harrison, Tabor, Chairman Moser and Mayor Mayberry

**Absent:** 1 - Headrick

11.

## Staff Reports & Other Business

**A motion was made by Vice-Chair Kevin Poore and seconded by Gordon Atchley to accept the Staff Reports as presented. The motion carried by the following vote:**

**Aye:** 6 - Vice Chair Poore, Atchley, Council Member Harrison, Tabor, Chairman Moser and Mayor Mayberry

**Absent:** 1 - Headrick

*City Manager Greg Wood recognized City GIS Planner Kevin Dean for his efforts and diligence on providing continual, updated COVID-19 maps that are used by numerous entities in the community.*

## Adjournment

*The meeting was adjourned at 12:45 p.m.*

**A motion was made by Vice-Chair Kevin Poore, seconded by Greg Tabor, to adjourn. The motion carried by the following vote:**

**Aye:** 6 - Vice Chair Poore, Atchley, Council Member Harrison, Tabor, Chairman Moser and Mayor Mayberry

**Absent:** 1 - Headrick