

City of Crossville

392 N. Main
Crossville, TN 38555



Minutes

Thursday, February 15, 2018

12:00 PM

City Hall

Planning Commission

Regular Meeting

- Present** 6 - Kevin Poore, Gordon Atchley, Rob Harrison, Mayor James Mayberry, Greg Tabor, and Chairman Mike Moser
- Absent** 1 - Council Member Pamala Harris

Others present: Karen Cole, Greg Wood, Kevin Dean, and Malena Fisher

Call to Order

The meeting was called to order by Kevin Poore at 12:01 p.m. Chairman Moser arrived at 12:02 p.m.

Agenda Items

1. Approval of minutes

A motion was made by Gordon Atchley, seconded by Greg Tabor, to approve the 01/18/2018 minutes. The motion carried by the following vote:

Aye: 6 - Poore, Atchley, Harrison, Mayor Mayberry, Tabor and Chairman Moser

Absent: 1 - Council Member Harris

2. Outside City Sewer Request or Annexation (Findley/Myrtle Ave)

The owner of Tax Map 112E D 30.00 is requesting outside city sewer and should that be denied, he is requesting annexation for sewer connection. Staff recommended to the owner, Mr. Anthony Findley, that he request it in that manner, to prevent having to come back should one of his requests be denied. A low pressure sewer line is already located in front of the property so that no extension would be required, just payment of the sewer tap fee.

Staff recommends denial of the annexation and approval of the outside city sewer. Annexing the property would require a corridor annexation, which is not illegal, but greatly discouraged for multiple reasons. First, it can cause confusion for emergency personnel and first responders. Second, a 1994 decision by the Supreme Court of Tennessee ruled that consent of adjoining property owners would be required if their deed descriptions described property that is under the city's right-of-way. This was not an issue until a couple years ago, when the state changed the law on annexations without referendum and required owner's consent for ALL annexations. Third, often the costs of maintaining the road (snow removal, first responder visits, repaving, etc.) are far greater than the amount of property tax collected from a single resident acquired by the corridor annexation.

This Planning Item was denied

Aye: 6 - Poore, Atchley, Harrison, Mayor Mayberry, Tabor and Chairman Moser

Absent: 1 - Council Member Harris

A motion was made by Gordon Atchley, seconded by Kevin Poore, to recommend to City Council the approval of Mr. Findley's request for city sewer at outside city rates. The motion carried by the following vote:

Aye: 6 - Poore, Atchley, Harrison, Mayor Mayberry, Tabor and Chairman Moser

Absent: 1 - Council Member Harris

3. Dave's Pawn Shop HWY127N Division

The current owner of the property, Progressive Savings, is proposing a resubdivision of the property, creating a zero lot line between the lots. This would have been a simple in-house plat; however, the existing utilities for lot 1 crosses lot 2. A utility easement is required and a variance allowing the accessibility and availability of utilities for lot 1.

Staff recommends approval of the variance and the plat. Water and sewer is along HWY 127N, but is located on the far side of the 4-lane divided highway. For utilities to be both accessible and available from the far side, a massive road bore would have to be performed. City utility staff advised against a bore that size. Staff then recommended the developer to seek a variance. Staff recommends approval of the plat and variance.

A motion was made by Rob Harrison, seconded by Gordon Atchley, to approve the plat and variance. The motion carried by the following vote:

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

Absent: 1 - Council Member Harris

Abstain: 1 - Poore

4. Matters relative the Letter of Credit for Blackberry Ridge Phase 4

This Planning Item was withdrawn from agenda.

5. Staff Reports and Other Business - Kevin Dean, Local Planner

- *In House Plats (In Progress)*
 - o *None*

- *In House Plats (Completed)*
 - o *20.14 acre tract, Interchange Business Park, The City of Crossville recorded a boundary survey for the 20+ acre site for official Site Certification. The boundary survey / plat was recorded at the Register of Deed's office as Plat Book 12 page 73. A copy is on file in the planning office.*

- *Regular Plats (In Progress)*
 - o *The Gardens Phase 8 Plat 2 has been submitted for review. This phase has not been annexed into the City yet, and would be required to do so, before approval of the plat by the Planning Commission. We expect a request for a special call meeting for the Planning Commission to review the Plan of Services for the annexation in the near future.*

- *Regular Plats (Completed)*
 - o *Bingham Property, a plat submitted and approved by the Planning Commission in January 2018, has been recorded at the Register of Deed's office as Plat Book 12 Page 68. A copy is on file in the planning office.*
 - o *Wiley Smith Property, a plat submitted and approved by the Planning Commission in January 2018, has been recorded and the Register of Deed's office as Deed Book 1518 page 760. A copy is on file in the planning office.*

- *Other*
 - o *Staff is moving forward with the requests for right-of-way closures and another request for outside city sewer that we expect to have presented next month.*

Monthly Planning Report: July 1, 2017 to February 8, 2018

- *Planning Items reviewed: 37*
- *Number of Preliminary Lots: 6*
- *Number of Final Lots: 84*
- *Number of New Lots Created: 57*
- *Fees Collected: \$2,400.00*
- *Acres Subdivided: 102.165*
- *New Roads: 1221 feet*

The Planning Commission will have a special-called meeting on Thursday, February 22, at 7:30 a.m. to approve the Plan of Services for the Gardens.

Adjournment

A motion was made by Gordon Atchley, seconded by Kevin Poore, that this Adjournment. The motion carried by the following vote:

Aye: 6 - Poore, Atchley, Harrison, Mayor Mayberry, Tabor and Chairman Moser

Absent: 1 - Council Member Harris