CLARKSVILLE CITY COUNCIL
REGULAR SESSION
DECEMBER 3, 2015, 7:00 P.M.

COUNCIL CHAMBERS
106 PUBLIC SQUARE
CLARKSVILLE, TENNESSEE

AGENDA

1) CALL TO ORDER

2) PRAYER AND PLEDGE OF ALLEGIANCE

3) ATTENDANCE

4) PLANNING COMMISSION

PUBLIC HEARING

1. **ORDINANCE 56-2015-16** (First Reading) Amending Zoning Ordinance and the Official Code to establish the Downtown Urban Design Overlay District *(RPC: Approval/Approval)*

2. **ORDINANCE 57-2015-16** (First Reading) Amending the Zoning Ordinance and the Official Code to establish the Downtown Urban Design Overlay District standards and guidelines *(RPC: Approval/Approval)*

3. **ORDINANCE 58-2015-16** (First Reading) Amending the Zoning Ordinance and the Official Code to establish Central Business District and Downtown sidewalk sign regulations *(RPC: Approval/Approval)*

4. **ORDINANCE 61-2015-16** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of J & N Enterprises, Inc., for zone change on property south of the Tennessee-Kentucky state line, east of Barkers Mill Road and Torrington Lane, and north of Hattington Drive from R-1A Single Family Residential District to R-2 Single Family Residential District *(RPC: Approval/Approval)*

5. **ORDINANCE 62-2015-16** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Sunil Kumar Arunagiri for zone change on property south and west of Providence Boulevard and north of B Street from C-2 General Commercial District to C-5 Highway & Arterial Commercial District *(RPC: Disapproval/Approval)*

5) CONSENT AGENDA

All items in this portion of the agenda are considered to be routine and non-controversial by the Council and may be approved by one motion; however, a member of the Council may request that an item be removed for separate consideration under the appropriate committee report:

1. **ORDINANCE 37-2015-16** (Second Reading) Amending the Official Code to dissolve the Madison Street Design Review Board and the Two Rivers Company Design Review Board

2. **ORDINANCE 38-2015-16** (Second Reading) Amending the Official Code to create a common design review board

3. **ORDINANCE 39-2015-16** (Second Reading) Amending the FY16 Traffic Camera Parks Special Revenue Fund for Heritage Park Greenway

4. **ORDINANCE 40-2015-16** (Second Reading) Amending the FY16 Internal Audit budget for salary and benefit costs for the incoming director

5. **ORDINANCE 43-2015-16** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Thomas Sallee, Jr. for zone change on property at the intersection of College Street and Sallee Drive from M-1 Light Industrial District to C-5 Highway &Arterial Commercial District

6. **ORDINANCE 44-2015-16** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Mike Shelby, Bill Roberts-Agent, for zone change on property at the intersection of Alfred Thun Road and International Boulevard from M-2 General Industrial District to C-5 Highway & Arterial Commercial District

7. Adoption of Minutes: Regular Session November 5th

8. Approval of Board Appointments:

   Adult Oriented Establishment Board: Mike Biggs – December 2015 through December 2016

   Arts & Heritage Development Council: Rubye Patch – November 2015 through June 2018

   E-911 Board of Directors: Mark Wojnarek – December 2015 through November 2019

   Ethics Commission: Barbara Johnson – December 2015 through June 2016

Museum Board: Brad Martin, Charles Booth, Bill Wyatt – January 2016 through December 2018

Natural Gas Acquisition Board: Bob Yates – January 2016 through December 2021

Public Building Authority: Len Stolz – January 2016 through December 2019; Mark Holleman, Ronnie Hunter, Ben Howard, John Wallace, Jr. – January 2016 through December 2021

Board of Zoning Appeals: Tracy Knight – January 2016 through December 2020

6) HOUSING & COMMUNITY DEVELOPMENT COMMITTEE
David Allen, Chair

7) FINANCE COMMITTEE
Joel Wallace, Chair

1. **ORDINANCE 36-2015-16** (First Reading) Amending the FY16 General Fund Budget to transfer funds to Clarksville Transit System to provide matching funds for a paratransit vehicle grant *(Finance Committee: Approval)*

2. **ORDINANCE 45-2015-16** (First Reading) Authorizing purchase and/or condemnation of Gordon Seay property located on Tylertown Road for an electric substation *(Finance Committee: Approval)*

3. **ORDINANCE 46-2015-16** (First Reading) Authorizing purchase and/or condemnation of Vanessa Hollis property located on Kraft Street for the Clarksville Greenway *(Finance Committee: Approval)*

4. **ORDINANCE 47-2015-16** (First Reading) Authorizing purchase and/or condemnation of Randall Arthur property located on Kraft Street for the Clarksville Greenway *(Finance Committee: Approval)*

5. **ORDINANCE 50-2015-16** (First Reading) Amending the Official Code relative to General Rules of Order, items previously denied *(Finance Committee: Approval)*

6. **ORDINANCE 54-2015-16** (First Reading) Amending the FY16 Budget for the Customs House Museum for costs associated with the resignation of the current director and securing a replacement *(Finance Committee: No Recommendation)*

7. **ORDINANCE 55-2015-16** (First Reading) Amending the FY16 Parks & Recreation budget for additional lighting of the Heritage Park Soccer Complex *(Parks & Recreation Committee and Finance Committee: Approval)*

8) GAS & WATER COMMITTEE
Wallace Redd, Chair

9) PARKS, RECREATION, GENERAL SERVICES
Valerie Guzman, Chair

1. **RESOLUTION 17-2015-16** Directing the Parks & Recreation Department to allow the Clarksville Soccer Club to use the Heritage Park Soccer Complex game fields for practice eighty (80) days during the calendar year 2016 as a test period *(Parks & Recreation Committee: No Recommendation)*

10)PUBLIC SAFETY COMMITTEE
(Building & Codes, Fire & Rescue, Police)
Geno Grubbs, Chair

11)STREET COMMITTEE
James Lewis, Chair

12)TRANSPORTATION COMMITTEE
Deanna McLaughlin, Chair

13) NEW BUSINESS

1. **ORDINANCE 51-2015-16** (First Reading) Amending the Official Code relative to duties of the City Court Clerk *(Mayor McMillan)*

2. **ORDINANCE 52-2015-16** (First Reading) Amending the Official Code relative to city departments *(Mayor McMillan)*

3. **ORDINANCE 53-2015-16** (First Reading) Amending the Official Code relative to composition of standing committees *(Mayor McMillan)*

4. **ORDINANCE 59-2015-16** (First Reading) Amending the Official Code relative to the Gas, Water, & Sewer Committee *(Mayor McMillan)*

5. **ORDINANCE 60-2015-16** (First Reading) Amending the Official Code relative to the Parks & Recreation Committee *(Mayor McMillan)*

6a. Approval to consider **ORDINANCE 48-2015-16** on first reading - *3/4 majority approval required (Councilman Redd)*

6b. **ORDINANCE 48-2015-16** (First Reading) Authorizing exercise of right of eminent domain to acquire easements and rights of way for utility improvements required to facilitate design and construction of various projects *(Councilman Redd)*

14) MAYOR AND STAFF REPORTS

15) ADJOURNMENT

ORDINANCE 56-2015-16

AN ORDINANCE AMENDING THE CITY ZONING ORDINANCE OF THE CITY OF CLARKSVILLE, TENNESSEE, TO CREATE THE DOWNTOWN URBAN DESIGN OVERLAY DISTRICT, TO ADOPT DESIGN REVIEW GUIDELINES FOR THE DOWNTOWN URBAN DESIGN OVERLAY, AND TO DELEGATE THE RESPONSIBILITY FOR DESIGN REVIEW IN THE MADISON STREET CORRIDOR URBAN DESIGN OVERLAY AND THE DOWNTOWN URBAN DESIGN OVERLAY DISTRICT TO THE COMMON DESIGN REVIEW BOARD

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE THAT THE FOLLOWING AMENDMENTS ARE HEREBY MADE TO THE CLARKSVILLE CITY ZONING ORDINANCE:

1. Under Chapter 5 "Land Use Development Standards and Procedures", Section 10 "Site Plan Requirements", Subsection 5.10.1 "Applicability", Article A, the first paragraph, the second sentence is hereby amended by **deleting** the introductory phrase:

> With the exception of properties located in the CBD Central Business District,

2. Under Chapter 7 "Landscaping, Buffering and Screening Requirements", Section 2 "Applicability", the first paragraph is hereby amended by **deleting** the second sentence:

> Properties within the Central Business Improvement District (CBID) shall not be required to submit and have approved by the Regional Planning Commission landscape and tree preservation plans prior to the issuance of a building permit, as long as the CBID Design Review Board is in existence and is performing this review and approval process.

3. Under Chapter 9 "Overlay Districts", Section 4 "Madison Street Corridor Design Overlay District", Subsection 9.4.2 "Design Standards and Guidelines", Article H "Project Approval Process", the first paragraph, the first sentence is hereby amended by deleting the first sentence in its entirety and by substituting instead the following sentence:

> To ensure consistency with these standards and guidelines, the Common Design Review Board (acting as the Design Review Board for the Madison Street Corridor Urban Design Overlay District) and the Clarksville-Montgomery Regional Planning Commission staff will review all projects in the urban design overlay district that require demolition, building and sign permits and that make modifications to the exterior appearance of buildings, signing, landscaping and parking.

4. Under Chapter 9 "Overlay Districts", Section 4 "Madison Street Corridor Design Overlay District", Subsection 9.4.1 "Purpose", add the following paragraph "Scope of Review" at the end:

Scope of Review

Design review shall apply to all sides of a building. Any discernable changes will require approval from the Design Review Board (* indicates Administrative rather than Board function):

a. Demolition of Contributing Structures
b. Proposed New Construction/Exterior Remodeling/Modifications
c. Relocation of Buildings
d. Exterior Repair or Repainting*
e. Window Changes In-Kind*
f. Landscaping meeting the minimum requirements of Chapter 7 of the Zoning Ordinance*
g. Signage and Awnings*
h. Sidewalk Changes or Improvements on private property
i. Exterior Lighting Changes or Improvements
j. Parking Lot Construction, Changes or Improvements that modify parking locations, number of parking spaces or circulation patterns

The functions above marked with an asterisk (*) are considered administrative in nature, and may be approved at the Staff Level if all objective standards are met. However, the staff will forward the application for action by the full Design Review Board for review and approval if there is a question about meeting the standards or if the applicant is requesting a variance from the standards.

5. Under Chapter 9 "Overlay Districts", Section 4 "Madison Street Corridor Design Overlay District", Subsection 9.4.2 "Design Standards and Guidelines", Article H "Project Approval Process", Item "1.5 Appeals Process", Sub-Item 1.5.1, the first sentence is hereby amended by substituting the "Planning Commission" for the "Board of Zoning Appeals".

6. Under Chapter 9 "Overlay Districts "is hereby amended by adding Section 5 "Downtown Urban Design Overlay District" as follows:

9.5 Downtown Urban Design Overlay District

9.5.1 General Description and Purpose

1. Purpose. The purpose of the Downtown Urban Design Overlay District is to enhance the quality, image, and economic vitality of Downtown Clarksville. Accordingly, to that ends, the Overlay District imposes urban design guidelines to coordinate the physical improvements that will be made to this important geographic area by private entities.

2. Overlay District Relation To Base Zoning. This overlay zoning district is placed "over" the base zoning in an area in order to modify the base zoning's regulatory standards. The overlay district alters such standards as building placement, size and height, parking and access, and landscaping and buffering, but does not determine the use of the property. The use of property (both land and structures) is governed by the underlying base zoning.

3. Scope of Review. Government officials, property owners, developers, design consultants and other stakeholders will use this section to prepare improvement plans that are consistent with the Downtown Design Standards and Guidelines. The standards and guidelines apply to private nonresidential and multiple-family residential (excluding single-family and duplex structures) new construction, exterior remodeling or repainting; window and awning changes or improvements; signing changes and improvements; sidewalk changes and improvements; exterior lighting changes and improvements; and landscaping and parking lot construction, changes and improvements. Nothing in this section shall be construed to prevent the ordinary maintenance and repair of any exterior elements of any building or structure; nor shall anything in this section be construed to prevent the construction, reconstruction, alteration or demolition of any such elements, which authorized City officials shall certify as required for public safety.

9.5.2 Downtown Overlay District Geographic Boundaries

1. Designation of Boundaries. The geographic boundaries of the Downtown Overlay District shall coincide with those of the Central Business Improvement District (CBID) as set forth in Code of the City of Clarksville Title 12, Chapter 9, Section 12-902 "Boundaries", but exclude those geographic areas within the Historic District Overlay.

2. Modification of Boundaries. Any modifications of the boundaries of the Downtown Overlay District by the City Council or other Department of City of Clarksville will involve referral to the Regional Planning Commission for public hearing, public notice and recommendation to the City Council to amendment this Zoning Ordinance.

9.5.3 Downtown Urban Design Standards and Guidelines

1. Source of Guidelines. The urban design review standards and guidelines to be used by the Common Design Review Board for determining the appropriateness of physical improvements within the Downtown Overlay District shall be those adopted into or by reference into this Section.

2. Precedence of Regional Historic Zoning Commission Review Guidelines. The Review Guidelines adopted by the Regional Historic Zoning Commission and this Ordinance for locally designated historic districts within the Downtown Boundaries shall take precedence within the H-1 Historic District Overlay, in the event of a conflict between the two sets of guidelines.

9.5.4. Project Approval Process

1. Overview. To ensure consistency with the Downtown Urban Design Standards and Guidelines, the Common Design Review Board and the Clarksville-Montgomery Regional Planning Commission staff will review all private projects in the Downtown Urban Design Overlay District that require demolition and building permits and that make modifications to the exterior appearance of buildings, signing, landscaping and parking. Existing nonconforming structures, unforeseen physical conditions and

subsequent architectural programmatic constraints may warrant exceptions to the guidelines. In such cases, the Common Design Review Board and planning staff will review alternative design solutions as they relate to the intent of the standards and guidelines, and will accept alternatives that present the best urban design solution. Where a single use or structure spans more than one sub-district (i.e., Central Commercial District, River District, Residential or Historic), the Common Design Review Board and planning staff will explore with the developer alternative solutions that achieve the design intent of the standards and guidelines. The Clarksville-Montgomery County Regional Planning Commission will continue to review site plans as required by Chapter 5.10 "Site Plan Requirements" and landscape plans as required by Chapter 7 "Landscape, Buffering and Screening Requirements" of this Zoning Ordinance.

2. General Directions:

A. The authority of the Common Design Review Board to uphold the Downtown Urban Design Overlay guidelines is limited to the standards and guidelines referenced in Subsection 9.5.3.1 of this ordinance.

B. Any approval by the Common Design Review Board is contingent on zoning and building permits issued by the Building and Codes Department, and cannot be interpreted as taking precedence over the building code or zoning ordinance except where the zoning standards set forth in the Downtown Overlay Standards and Guidelines are more stringent than other Sections of this Ordinance.

C. Other ordinances or parts thereof which are inconsistent with or are in conflict with the specific provisions of this ordinance are expressly superseded by this ordinance and are to be controlled by the provisions of this Ordinance.
D. Existing base zoning district standards that are not varied by this Section as set forth in this Ordinance shall apply within the Downtown Urban Design Overlay.

3. Step One/Application

A. The first step in undertaking a project in the Downtown Urban Design Overlay is to contact and request an application from the Regional Planning Commission.

B. Regional Planning Commission staff will provide the applicant with the published guidelines and standards (this document and any future amendments) for projects within the various sub-districts of the Downtown Urban Design Overlay. It is recommended that the applicant become familiar with the guidelines and standards prior to planning the project and before the development of any working drawings.

C. The applicant must submit one set of the following documents signed by the applicant that will be retained by the Planning Commission:

I. Copies of the proposed site plan (to an engineering scale) showing all site improvements such as buildings, walls, walks, parking, signs, plant materials, and lighting.

II. Completed color exterior elevations (1/8th" = 1' architectural scale minimum).

III. Exterior painting schedule (Color name/brand).

IV. Samples of exterior materials including brick, stone, metals, glass, roofing.

V. Detailed scale drawings of awnings and canopies, indicating proposed colors.

VI. Color photographs of all sides of the existing exterior for remodeling, rehabilitation, or demolition. For demolition, remodeling, and new construction, photographs shall show contiguous properties.

4. Step Two/Common Design Review Board

A. Should the application indicate alterations, remodeling, or repairs that are not governed by this Ordinance, the Common Design Review Board may exempt the application from the provisions of this urban design overlay district.

5. Step Three/Approval or Redirection

A. After a careful review of the presentation, the Common Design Review Board will act to approve, conditionally approve or disapprove the application. The Clarksville Building and Codes Department will then review the approved project for zoning and codes compliance when the drawings and specifications are competed and submitted to the department.

B. If the project is disapproved, the Common Design Review Board and Planning Commission staff will strive to assist the applicant by providing guidance and redirection of the project. It will then be necessary to present the project to the Board at another regularly scheduled meeting. A building permit shall not be issued until such time as the proposed project receives final approval from the Common Design Review Board.

C. Under extreme circumstances, the Common Design Review Board shall have the right to approve projects which do not absolutely meet the guidelines, but that follow the intent and spirit of the urban design guidelines.

D. Upon project approval, the project must be executed as presented and approved. Any substantial departure from the plans as presented will require another review by the Common Design Review Board.

9.5.5 Appeals Process

A. The Planning Commission shall hear and decide appeals from any order, requirement, decision or determination made by the Common Design Review Board or Planning Commission staff where it is alleged by the applicant in writing that Common Design Review Board or Planning Commission staff is in error or acted arbitrarily. Such appeal shall be made within sixty (60) calendar days of said order, requirement, decision or determination.

BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

The effective date of this ordinance shall be January7, 2016, deviating from the normal effective date of ordinances as set forth in the Clarksville City Code Part 1 "Charter and Related Laws", Article III "Ordinances and Resolutions", Section 6 "Effective Date of Ordinances, Resolutions and Franchises" so that all related ordinances amending the Clarksville City Code and Clarksville Zoning Ordinance to create the Common Design Review Board may become effective on the same date.

FIRST READING:
SECOND READING:
EFFECTIVE DATE:

AN ORDINANCE AMENDING THE CITY ZONING ORDINANCE OF THE CITY OF CLARKSVILLE, TENNESSEE, TO INCORPORATE THE DOWNTOWN URBAN DESIGN OVERLAY DISTRICT STANDARDS AND GUIDELINES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE THAT THE FOLLOWING AMENDMENTS ARE HEREBY MADE TO THE CLARKSVILLE CITY ZONING ORDINANCE:

Under Chapter 9 "Overlay Districts", Section 5 "Downtown Urban Design Overlay District", Subsection 9.5.3 "Downtown Urban Design Standards and Guidelines, Item 1 "Source of Guidelines", the following guidelines are hereby incorporated by reference:

A. Districts and Sub-Districts and Use of Guidelines

1. These guidelines will be used by property owners, developers, architects, builders, business owners, public officials, and interested citizens when considering rehabilitation or new construction in the Downtown Overlay District involving private non-residential and multiple-family residential (excluding single-family and duplex structures). They will be informational only in the case of publically owned lands and structures, and in geographic areas also designated as Local Historic District Overlays (where design review by the Historic Zoning Commission encompasses all private uses including single-family and duplex structures). The guidelines will also be consulted (but are not binding on the public entities) with respect to proposed infrastructure and streetscape improvement projects. While the base land use zoning districts continue to govern land use, these guidelines will supersede other provisions of this zoning ordinance only when more stringent and geographically specific standards are set forth on design and physical planning issues relative to massing, landscaping, parking, and signage. The appropriate City departments will review all new projects in the Downtown Overlay District that require building permits to ensure consistency with these guidelines. The word "shall" indicates those design standards that are mandated; whereas, terms such as "should", "encouraged", and "discouraged" indicate design principles which are more flexible and advisory in nature.

2. These guidelines are intended to preserve and enhance the special character of the Downtown Overlay District by encouraging rehabilitation and new construction that is sensitive to the existing urban form and historic character. The guidelines recognize that no single architectural style predominates, and the guidelines allow for creativity in the design of individual buildings. However, there are certain established urban design and architectural principles shared by most properties within the district that give it a cohesive character and strong sense of place.

3. These guidelines address both architectural design and urban design. Architectural design is addressed in terms of building type. Building types include:

   a. commercial/mixed-use
   b. single-family residential
   c. townhouses
   d. multi-family apartments
   e. institutional

4. Not all building types are permitted in all areas of the Downtown Overlay District. The map on page 3 is color-coded and keyed to a corresponding chart to note permitted building types in specific areas of the Downtown Overlay District. The following guidelines that relate to architectural design apply to the particular building type, regardless of location. If exceptions exist in any given area, they will be noted in the guidelines. **Land use is determined by the underlying land use zoning districts, and should not be confused with building type.**

5. Additionally, the guidelines address specific urban design regulations to include:
   a. building height
   b. setback
   c. massing
   d. driveways
   e. sidewalks

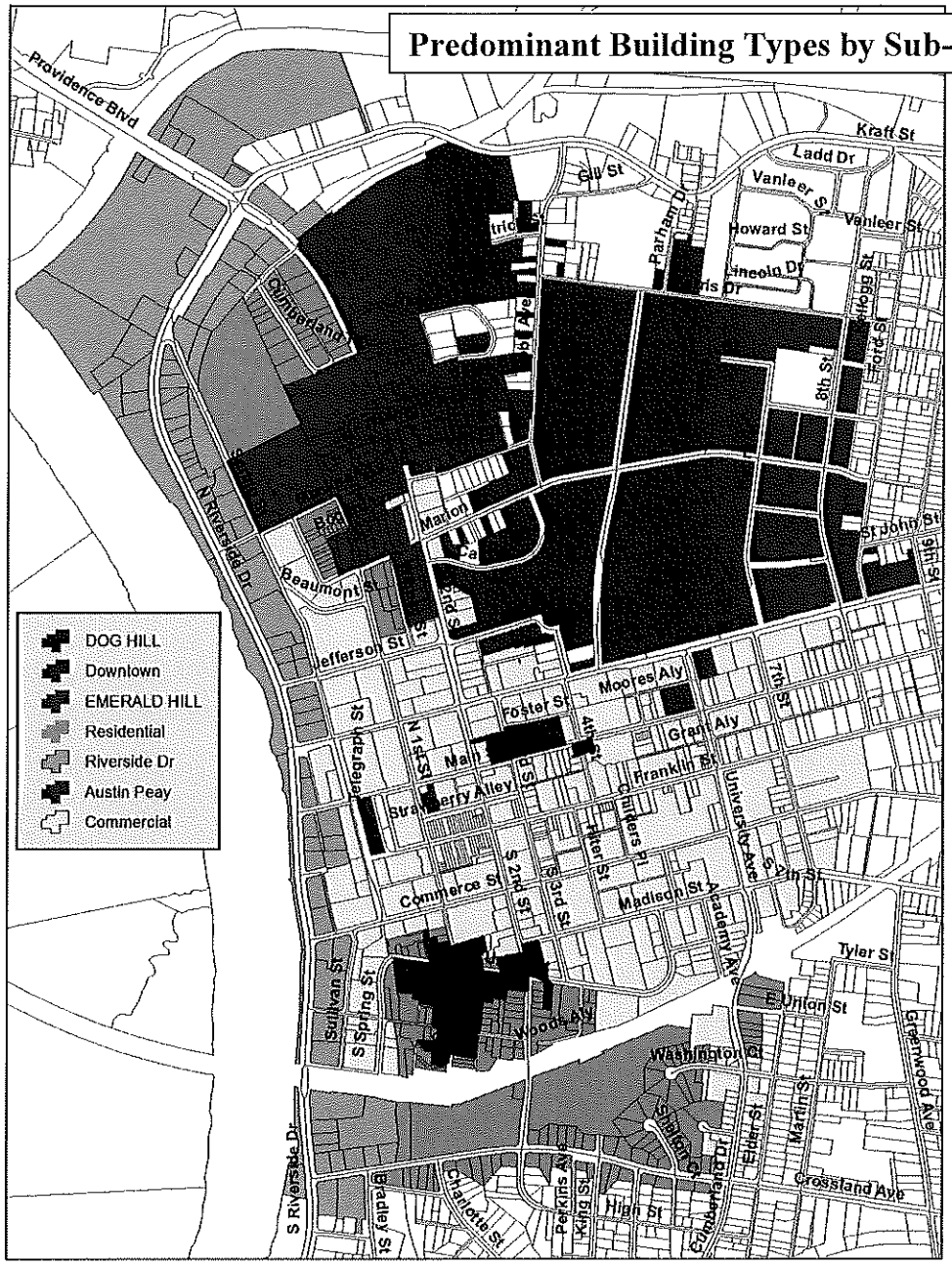
6. These urban design specifications can vary based on the building type and/or location. The guidelines clearly explain where or on what building type these requirements apply. Graphics are included as necessary to help convey the design guidelines.

7. **Design review shall apply to all sides of a building.** Any discernable changes will require approval from the Design Review Board (* indicates Administrative rather than Board function):
   a. Demolition of Contributing Structures
   b. Proposed New Construction/Exterior Remodeling/Modifications
   c. Relocation of Buildings
   d. Exterior Repair or Repainting*
   e. Window Changes In-Kind*
   f. Landscaping meeting the minimum requirements of Chapter 7 of the Zoning Ordinance*
   g. Signage and Awnings*
   h. Sidewalk Changes or Improvements on private property
   i. Exterior Lighting Changes or Improvements
   j. Parking Lot Construction, Changes or Improvements that modify parking locations, number of parking spaces or circulation patterns

   The functions above marked with an asterisk (*) are considered administrative in nature, and may be approved at the Staff Level if all objective standards are met. However, the staff will forward the application for action by the full Design Review Board for review and approval if there is a question about meeting the standards or if the applicant is requesting a variance from the standards.

Predominant Building Types by Sub-Districts

03-2015



Map & Chart Intent

It is the intent of this map and chart to illustrate the building types that, in general, tend to predominate within each of the delineated districts. However, it is important to understand that there are many exceptions to the rule. For example, the very northeast corner of the Central Commercial district features a few older single-family houses, yet the chart reflects Single Family Residential building types as not being a predominant building type within that district. Consequently, the determination of whether a particular building type is appropriate for a particular property as new infill development should be made based upon the predominate older existing building types on the block face under consideration. Also, this map and chart are unrelated to land uses, but instead address building types.

Sub-Districts	Building Types				
	commercial and mixed use	residential			institutional
		single-family	townhouse	multi-family	
C-Central Commercial	YES	NO	YES	YES	YES
RD-Riverside Drive	YES	NO	YES	YES	YES
R-Residential	NO	YES	YES	NO	YES
H1-Downtown Historic*	YES	YES	YES	YES	YES
DH-Dog Hill*	NO	YES	NO	NO	NO
EH-Emerald Hill*	NO	YES	NO	NO	YES

Note: *These are local Historic District Overlays governed by Section 9.3 of this Zoning Ordinance.

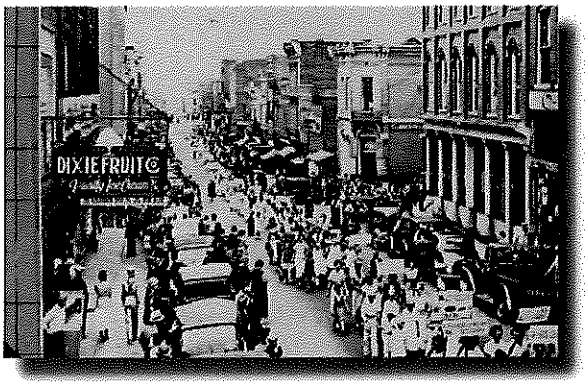
B. Building Forms, Style & Character

1. **Founding:** The Downtown Overlay District is composed of buildings reflecting a variety of uses, styles, materials, and several periods of development. The district consists primarily of one- to three-story, masonry commercial buildings and one- and two-story, frame residences. Its physical development began at the time of Clarksville's incorporation in 1785. Helping to define the boundaries of the district are a number of natural and man-made features, some of which historically served as logical margins to the downtown area. These include the Cumberland and Red Rivers, turnpikes, and rail lines.

2. **Name Sake:** With a population of 132,929 according to the 2010 census data, Clarksville currently stands as the fifth largest city in the state of Tennessee. Clarksville is a city rich in history and tradition dating back to its founding in 1785. The city is named for General George Rogers Clark, frontier fighter and Revolutionary War hero, brother of William Clark of the Lewis and Clark Expedition.

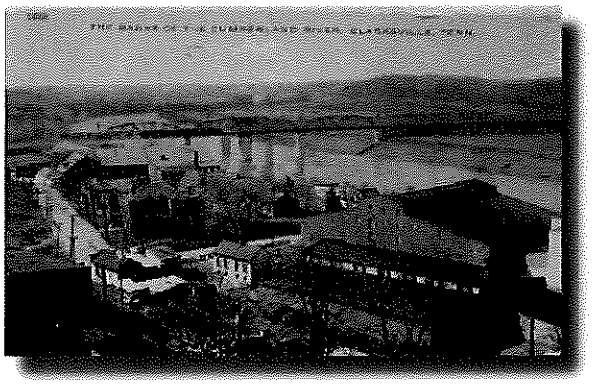
3. **19th Century History:** Coming into the 19th century, Clarksville grew at a rapid pace. In 1820, steamboats began to navigate the Cumberland River, bringing hardware, coffee, sugar, fabric, and glass. The boats also exported flour, tobacco, cotton, and corn to ports like New Orleans and Pittsburgh along the Ohio and Mississippi Rivers. Trade via land also grew as four main dirt roads were established; two to Nashville, one crossing the Red River via ferry called the Kentucky Road, and Russellville Road. By 1819 the newly-established town had 22 stores, including a bakery and silversmith. In 1829, the first bridge connecting Clarksville to New Providence was built over the Red River. Nine years later, the Clarksville-Hopkinsville Turnpike was built. Railroad service came to the town on October 1, 1859 in the form of the Memphis, Clarksville and Louisville Railroad.

   Civil War: During the Civil War, Clarksville was first fortified by the

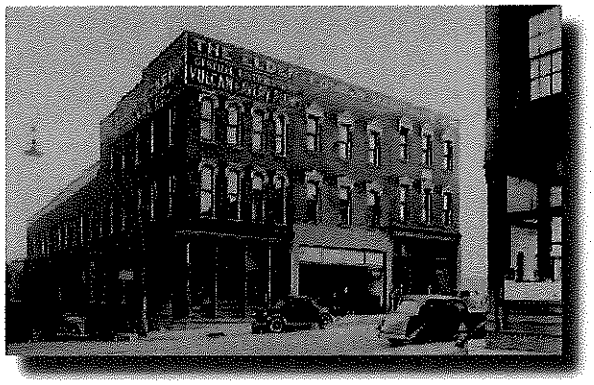


Historic Franklin Street.

Odd Fellows Home.

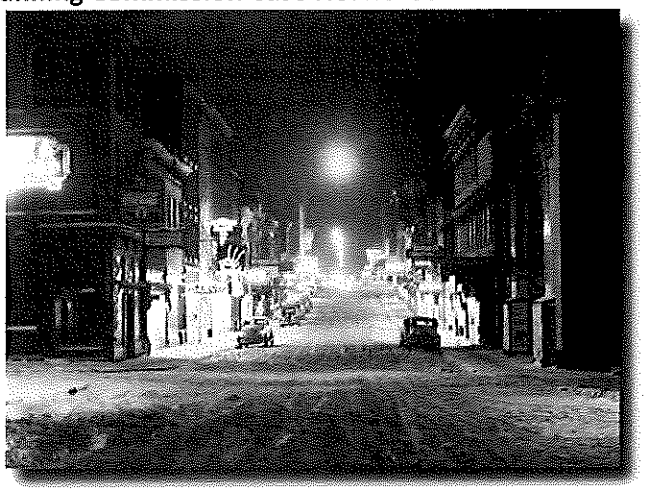


Historic Cumberland Riverfront.



Elders Hardware Store.

Confederacy which built Fort Sevier (also known as Fort Defiance) on a prominent hill north of downtown. In February of 1862, Fort Sevier and the city were surrendered to federal forces and it remained in Union hands during most of the rest of the conflict. Clarksville slowly recovered its prosperity after the war when it became a center of the tobacco industry with a thriving riverboat and rail traffic. This prosperity was illustrated by dozens of brick warehouses and commercial buildings built along the Cumberland River and adjacent to the courthouse on the hill above. To the north and south of downtown prosperous merchants built dwellings on what became known as Emerald Hill and Dog Hill. A fire in 1878 destroyed much of downtown, but it was soon rebuilt with new brick commercial buildings and a new courthouse. By the early 20th century, Clarksville was a regional commercial center boasting numerous industries such as flour mills and cigar factories.



Downtown Clarksville winter scene on Franklin Street, ca. 1940.

4. **20th Century History:** The largest change to the city came in 1942, as construction of Camp Campbell (now known as Fort Campbell) began. The new army base was built ten miles northwest of the city. It gave an immediate boost to the population and economy of Clarksville, and is capable of holding 30,000 troops.

Franklin Street in the 1950s.

Tornado of 1999: On the morning of January 22, 1999, the downtown area of Clarksville was devastated by an F3 tornado, damaging many buildings including the county courthouse. Clarksville has since recovered, and has rebuilt much of the damage as a reflection of the city's resilience. Clarksville is presently the home of Austin Peay State University, the Leaf-Chronicle newspaper, and neighbor to the Fort Campbell, Kentucky, United States Army post.

5. **Today's Surviving Architecture:** There are a number of architectural styles and building traditions in the district. The most prevalent is wood frame vernacular; however, there are excellent examples of high style architecture. The architecture of the late Victorian period was characterized by flamboyant use of decoration, irregular form, multiple roof types, and a variety of materials and colors. Commercial buildings favored the Italianate style in particular and included the use of cast iron. In general, the period witnessed a flowering of a variety of materials, methods of construction, and architectural styles and types. Around the turn of the twentieth century, flamboyant Revival styles yielded to Classically-influenced architecture in both commercial and residential structures.

6. Architectural Glossary: Commercial Buildings

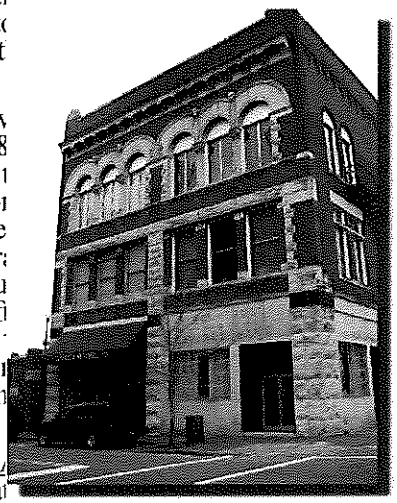
Commercial Building

7. Commercial Architecture Styles

1. The Italianate style (1870-1890) derives from the country vil of Italy, though the style was popular in U.S. commercial, well as residential, architecture of the mid to late ninetee century. As applied to commercial building, the Italian style's characteristic decorative features include window hc moldings, elongated windows, string courses, large ea brackets, corbelled brick work, bracketed parapets, and c iron pilasters. A good example is at 131 Franklin Street.

Italianate - 131 Franklin St.

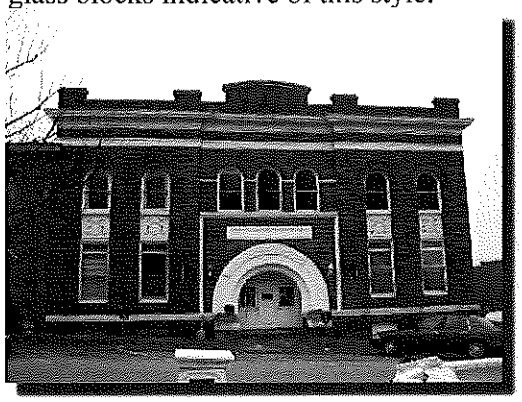
2. The Victorian Romanesque style (1880-1900) was popular the same time as the Italianate style for downtown commerc buildings. These two styles share a number of similarities l the Victorian Romanesque style is distinguished by its la arches on window and door openings. These buildings often feature exteriors with a mixture of brick, stone and otl materials such as sheet metal and terra cotta. The multi-st building at 215-217 Franklin Street is a notable example of t style in the downtown area.



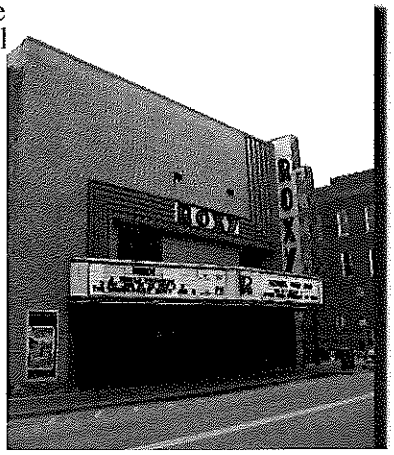
Victorian Romanesque - 215 Franklin St.

c. Around the turn of the twentieth century, there was a renew interest in Classical architecture. The buildings of the 18 World's Columbian Exposition held in Chicago influenced rise of the Colonial Revival style (1895-1930), which favo classical ideals of order and balance. Such sensibilities were stark contrast to the flamboyance and asymmetry that char terized Victorian styles. The Colonial Revival style was popu for commercial, residential, and religious architecture. It of features full-height porticos and classical columns on primary facades. The style is also characterized by a cente entrance and symmetry. In downtown Clarksville, the Colon Revival style is exemplified in the old City Hall Building.

d. In the early 20th century there was also the interest in the Deco/Art Moderne styles (1920-1950). These styles origina in Europe and were used in a variety of downtown commercial buildings. Storefronts were often updated in these years with sleek tinted glass in the Art Moderne or Deco styles. Theaters were also popular for these styles, and the notable Roxy The built in 1947 features vertical and horizontal banding as wel structural glass blocks indicative of this style.

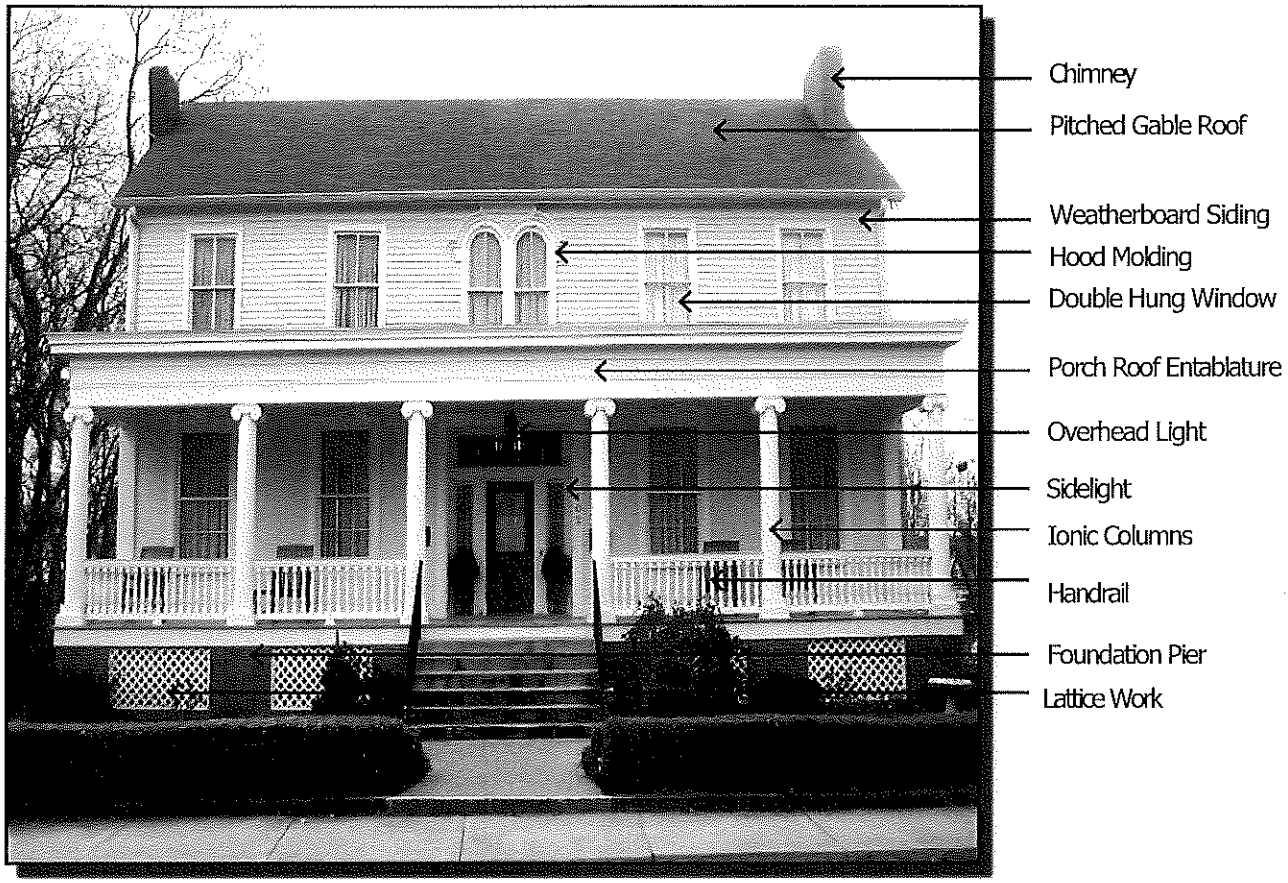


Colonial Revival with Romanesque influence - City Hall, which is characterized by a symmetrical facade with a central entrance of a Romanesque arch.



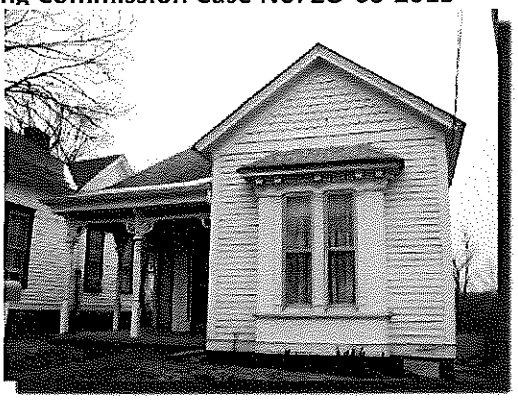
Art/Dec/Art Moderne – Roxy Theater

8. Architectural Glossary: Residential Buildings



9. Residential Architecture Styles

a. The streetscape of a residential district also has a unity that is in part influenced by common traits. While neighboring houses may have very different architectural styles and building dates, there is an overall conformity to setback, height, orientation to the street, massing, and other characteristics that relate the buildings to their sites. Even modest vernacular building forms will blend harmoniously with dwellings which express a high style of architecture when these site characteristics are upheld.

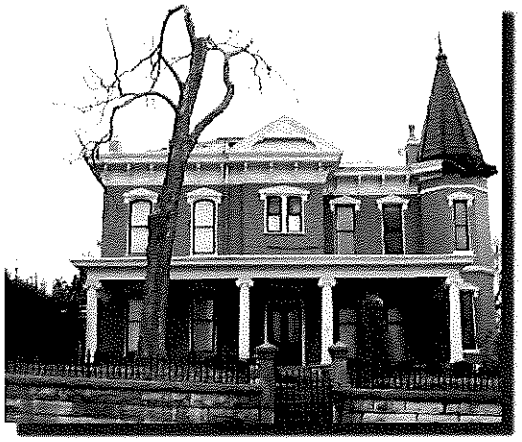


Folk Victorian - 415 S. First St.

b. The Frame Vernacular or Folk Victorian style (1870-1910) is a modest version of more elaborate late nineteenth century styles. These frame dwellings are modest in scale and decoration, but may contain spindle-work porch details or milled wood posts. They are, to some extent, defined by their forms. The forms include gabled ell, front gable, and the pyramidal square with a hip roof. Typically, they are one or one-and-one-half-stories in height.

Italianate - 103 Union St.

c. The Italianate style (1870-1890) derives from the country villas of Italy. The nineteenth-century landscape designer Andrew Jackson Downing believed that beautiful homes promoted morality, which he found embodied in these rural dwellings. The Italianate style that he promoted in his pattern books featured such embellishments as window hood moldings, string courses, large eave brackets, cupolas, and corbelled brick work. This picturesque ideal was meant to uplift standards in architecture and social mores and inspire new home ownership. The style may feature characteristic towers or cupolas as focal points of their designs. They also have low-pitched roofs and elongated windows, eave brackets, and bay windows.



Queen Anne - 625 Madison St.

d. The emergence of the Queen Anne style (1880-1905) coincided with the rise of balloon framing and mass production of wood ornamental features. These developments allowed for extravagant architectural designs with asymmetrical floor plans and irregular roof planes. These houses often feature porches that wrap around from the main façade to a side elevation. More exuberant examples may also have a corner tower, highly detailed spindling, oriole or stained glass windows, roof cresting, wood shingle siding, corbelled brick chimneys with chimney pots, and irregular roof planes. Queen Anne style houses are often painted in rich, contrasting color schemes. Its popularity through the state expanded rapidly, as rail lines transported the mass-produced millwork and other stylistic elements.

Colonial Revival - 609 Anderson Dr.

e. By the end of the nineteenth century, American architects began to look towards the country's own architectural roots.

f. The Colonial Revival style (1895-1955) reflects the nation's embrace of its colonial past. The style is characterized by simplicity, symmetry, and unadorned order, as a movement away from asymmetrical, highly embellished styles of the Victorian era. Colonial Revival dwellings typically have rectangular plans and symmetrical facades. The roof may be gabled or hipped. Windows are multi-paned double sashes. Doorways may contain sidelights, fanlights, pediments, and columns or pilasters. The details are classically inspired, and entry porticos are common.

Craftsman - 99 Union St.

g. The Craftsman/Bungalow style (1905-1930) represents a movement away from mass-produced architectural design of the balloon-frame period. The Bungalow plan has roots in British India during the eighteenth and nineteenth centuries. The house type melded with Japanese building techniques exhibited at late nineteenth-century American expositions. Craftsman bungalow buildings typically have low-pitched gabled roofs with a wide eave overhang, exposed rafters, decorative beams or braces, full- or partial-width porches, and tapered posts on brick piers. Designers often used the Craftsman style for bungalows, which were generally one-and-one-half story houses with large porches and open interior floor plans. The Bungalow first emerged as a house type in American residential architecture in California and quickly spread across the country as a popular design choice for small houses. While the bungalow can take the form of a modest gable-front example, elaborate bungalow design can include a multi-plane roof shape, known as an Airplane bungalow, and can feature extensive Craftsman detail on the interior.

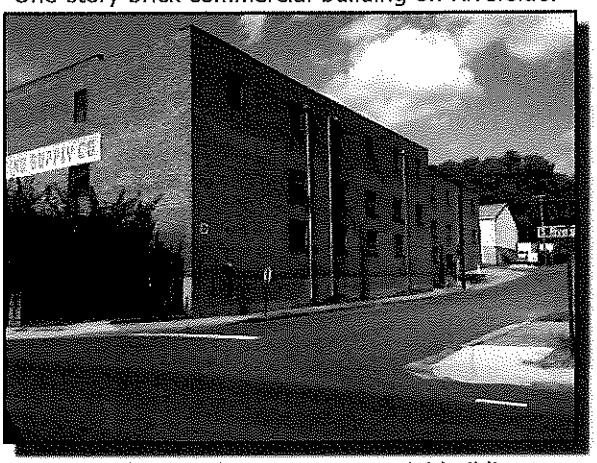
Tudor Revival - 611 Anderson Dr.

h. The Tudor Revival style (1910-1940) is based loosely on Medieval architecture. Peaking in popularity during the 1920s, the style was fashionable for single-family dwellings as well as small apartment buildings. The plans often feature cross gable, high-pitched roofs. Exteriors can be of stone, stucco with false half-timbering, brick veneer, or weatherboard siding. A Tudor Revival dwelling may feature a gable-front projecting bay with an arched entrance, an exterior, façade wall chimney, and even an entrance tower. Windows may be double-hung wood sash or multi-light styles. The Tudor Revival style was used almost solely on residential architecture.

10. Twentieth-Century Commercial Buildings of Riverside Drive

a. Riverside Drive was created in the mid-20th century as a four-lane artery along the Cumberland River. At that time, many of the existing buildings were removed for the construction of the highway, though a few remain. While warehouses historically dominated the riverfront, commercial structures are the predominant building type today.

One-story brick commercial building on Riverside.


Example of multi-story commercial building.

b. The development of Riverside Drive was intended to increase vehicular access through the downtown and to stimulate new commercial development. The buildings that have since been constructed here are primarily one- to three- story buildings constructed from the 1950s to present. These buildings are generally rectangular by design, of brick or concrete construction and are functional in form with minimal detailing. Generally, the area was oriented for automobile traffic rather than pedestrians, with most of the buildings recessed from the street with paved parking in front. Along the highway are numerous examples of retail "chain" designs used across the country by restaurants and other businesses.

c. Recent plans have proposed re-designing this strip commercial corridor into an urban boulevard that is pedestrian-friendly, and has buildings that relate more strongly with the street. This plan would be achieved with a median, buildings closer to the street, specialty pavers, side and rear parking lots, minimized signage and curb cuts, street trees, and more landscaping. These features would promote a unified streetscape more in keeping with the balance of the downtown core. Future development should consider the character of relationship to existing riverfront development. This can include non-commercial buildings, especially housing.

d. The goal of these sub-district guidelines is to provide for regulated development that promotes a safe, attractive, unified streetscape that recognizes the value of the adjacent Historic Downtown and related neighborhoods, the river and developing Riverwalk Park system, and promotes a mix of future development to include retail, housing, entertainment and recreation in a district of increasing value and aesthetic appeal.

C. General Design Principles

1. **Overview:** These guidelines have been developed for specific application in the Downtown Overlay District to provide detailed assistance to building owners and the Design Review Board. These guidelines are used for the review of improvements to buildings in National Historic Districts and on the National Register outside the local Historic District Overlays, and may be consulted for design review within the local Historic District Overlays. The guidelines are based on The Secretary of the Interior's Standards for Rehabilitation, a document created in 1977 and revised in 1990.

2. **Secretary of the Interior's Standards for Rehabilitation:** The Department of the Interior describes the standards as ten basic principles created to help preserve the individual quality of a historic building and its site, while allowing for its evolution through reasonable changes to meet new needs. The Secretary of the Interior uses the Standards when reviewing projects involving federal funding or requiring federal licenses or permits. The Design Review Board uses principles of the Secretary's Standards on a local level as the basis for reviewing historic building rehabilitation and new infill construction. The Secretary of the Interior's Standards for Rehabilitation are:

   a. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

   b. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

   c. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

   d. Most properties change over time; those changes that have acquired significance in their own right shall be retained and preserved.

   e. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

   f. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

   g. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

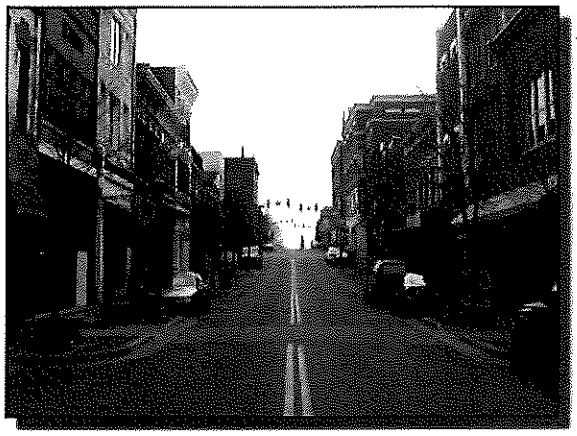
   h. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

   i. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

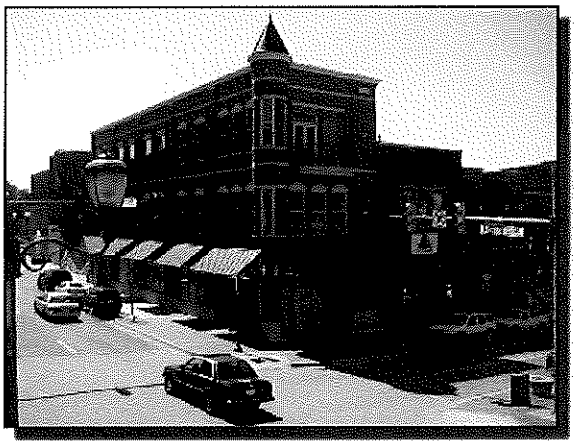
   j. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

D. Design Guidelines for Existing Commercial and Mixed-Use Buildings

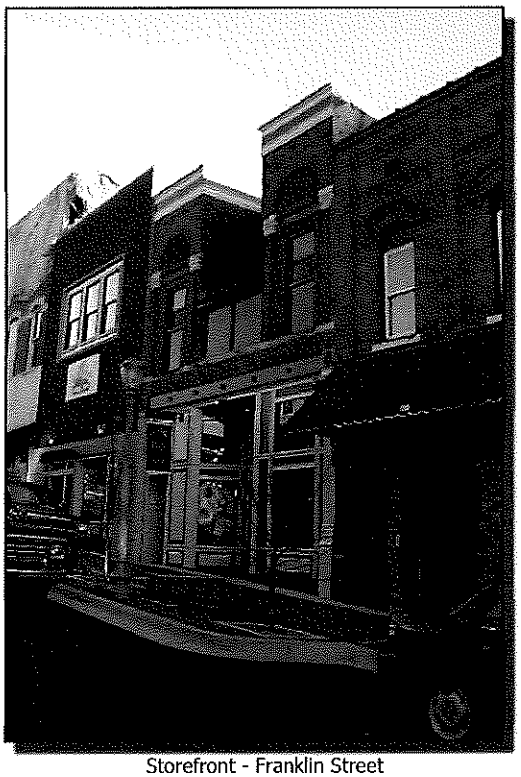
These guidelines are targeted for design standards that preserve the existing historic character and include a wide variety of building types. Development should consider the relationship to surrounding structures currently found in the immediate area. Examples of commercial and mixed-use buildings are illustrated below.



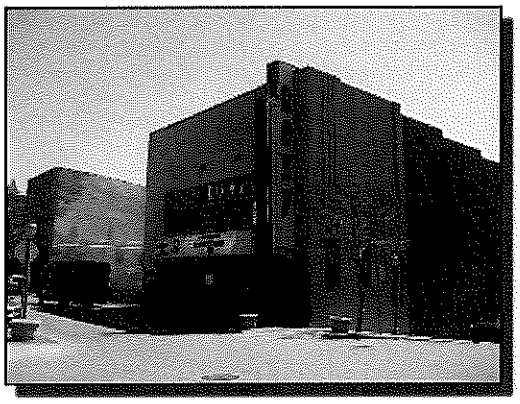
Franklin Street



Recent example of compatible infill - Franklin Street.



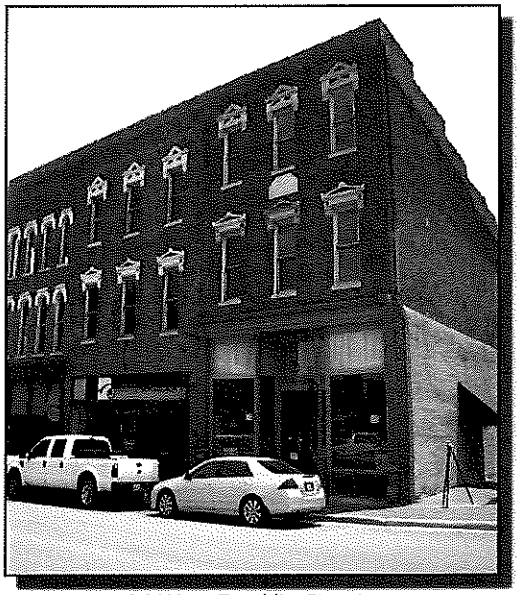
Storefront - Franklin Street



Theatre - Franklin Street

1. Storefronts

a. Storefronts are often the most visible feature of historic commercial buildings. Maintain storefront components, including display windows, bulkheads, transoms, doors, cornices, pillars and pilasters, with proper care and treatment. Do not cover or conceal these historic storefront components with modern materials. If historic storefronts or their components are missing, replace them so that they replicate the historic storefront. Match replacement components to the original in size, material, texture, and detail. Use historical photographic evidence to help determine the design and style of missing components.

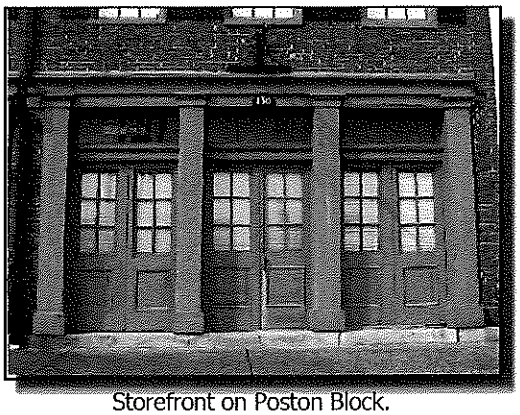


94 West Franklin Street

b. Display windows and bulkheads are essential elements of traditional storefronts and contribute significantly to a commercial property's historic character and appearance. If at all possible, it is better to repair rather than replace original features. If original display windows or bulkheads are missing or deteriorated beyond repair, they may be replaced with new ones to match the original. If the original is unknown, select replacement windows are traditionally scaled with large glass lights and with as few structural divisions as possible to maintain the traditional transparent storefront look. If the original bulkhead material is unknown, replacement may be of wood, brick, metal, or other material that is appropriate with the façade. When historical photographic evidence is not available, comparable buildings should be considered as models for design.

Side elevations of corner buildings should be treated the same as facade elevations.

c. Balconies are acceptable features on infill building design. They are not, however, appropriate additions to historic buildings. The only exception is when there is evidence that a balcony has been removed. Evidence can be in the form of historic photographs, ghost traces of a balcony attachment to the façade exterior, or building design, such as an exterior door on an upper floor.



Storefront on Poston Block.

2. **Entrances**

   a. New entrance openings shall not be added to historic storefronts. If an additional entrance is required by code, it shall be placed in the rear or on the side of the building. If it is not possible to place the opening in the rear or side, the new opening must be of the same design as the existing historic openings.

   b. Existing doors shall be retained. If the design is known, new doors shall match the original in design and materials. If not, the missing door shall be replaced with a new door in a design and materials to match the character and style of the building as much as possible. Traditional designs such as single-light glass and wood doors are encouraged.

Storefront awning on West Franklin Street.

3. **Transoms:** Transoms shall be maintained with historic materials. Where missing or damaged transoms are being replaced, the original design shall be replicated based upon physical or pictorial evidence. If neither exists, use similar historic buildings from the same period as examples.

4. **Awnings and Canopies**: While awnings and canopies have a similar purpose in providing cover, they differ in design. An awning is made of fabric (usually canvas) and mounted on a framework extending from the facade. A canopy is a rigid wooden or metal plane that is parallel or somewhat parallel to the ground and perpendicular to the facade. It can be supported by a series of chains or rods (approximately 45 degree angle) extending from the facade just above it. Guidelines for awnings and canopies are the same for historic and new commercial/mixed use buildings.

An example of an acceptable ground floor awning.

   a. **Awnings:** Awnings may be used on storefronts as well as upper levels. Shed awnings shall be used for rectangular openings, and arched awnings shall be used for arched openings. Continuous rows of awnings along the same building shall generally be restricted to the same type awning and application with consistent color.

   b. **Canopies:** Canopies function only at the ground-floor level. Canopies that are sloped must be open on the ends and shall have no greater than a 45 degree angle (preferably less). Faux shingled Colonial-type canopies are not allowed. Canopies are relatively permanent, while awnings should be designed at least to appear to be retractable, though do not have to be. Conforming existing awnings and canopies shall be maintained or restored where they occurred. New awnings and canopies can be added to historic buildings for functional purposes. Either may be appropriate provided it complements a building's architectural style and does not irreparably conceal significant architectural features. Awnings or canopies shall be positioned individually within major structural bays of the building and designed

to fit the opening in which they occur. New canopies and awnings shall maintain a clear height of seven (7) feet above the sidewalk, shall not extend more than six (6) feet over the sidewalk. Columns are not allowed on sidewalks. Canvas or other durable material is preferred, but plastic, fabric or other material which is glossy in nature is not permitted. Awnings or canopies may not be internally lit to function as signs. However, signage graphics and text are permitted on awnings as set forth in Subsection J.

5. **Storefront Windows:** Existing historic display windows shall not be reduced, covered, or altered. Missing or damaged windows shall be replaced with windows that match the originals in location, design, and materials. If the original design is unknown, the replacement windows shall maintain the original scale, shall be largely glass with wood or aluminum mullions, and shall have as few subdivisions as practical to maintain the traditional display window appearance. The glass shall be clear or lightly tinted, and decorative glass or glass block shall not be used. On the interior, should the ceiling height be lower than the display window or transom, the ceiling space shall be recessed away from the interior side of the glass.

6. **Upper Windows:** Upper windows shall be maintained with the original size, materials, detailing, and number and arrangement of lights. If the design of the window is unknown, the window type and detailing shall be that of the architectural style or period of the building. Wood mullions with a painted finish or aluminum mullions with a white painted or bronze anodized finish shall be used.

Proper Upper Story Windows.

7. **Shutters:** Shutters shall not be added to upper floor windows unless physical or pictorial evidence can be provided that they existed. Shutters shall be of a size and scale that fit the window and shall appear functional. Also, shutter design should be appropriate to the era of the building.

8. **Storm Windows:** Excluding local and national historic districts and structures, storm windows may be added to upper floor windows. They shall be full sash or sash proportionate with minimum mullions.

Upper floor windows at 199 Franklin Street.

9. **Cornices:** Existing cornices shall be maintained or restored and shall not be concealed or obscured. Replacement of missing or damaged cornices shall be based on historic physical or pictorial evidence using materials and details which match the existing building. If historic evidence is not available, use similar historic buildings from the same period as examples.

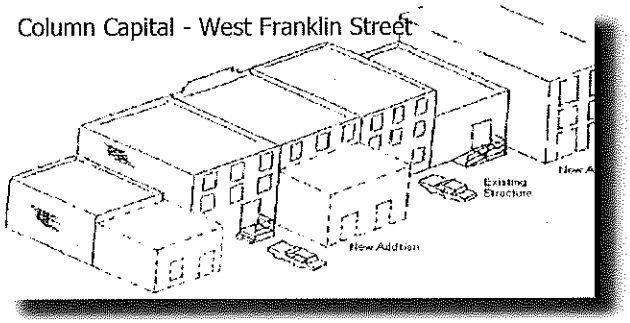
10. **Architectural Features:** Architectural features shall be maintained or restored. Examples of these features such as columns, pilaster, brick detailing, lintels and window hoods are shown here. Replacement of missing or damaged features shall be based upon original materials, design, and detail. Excluding local and national historic districts and structures, alternative materials may be used if they look identical to the original and do not have maintenance issues that would cause them to not look like the original material over time. Decorative features shall not be added where none existed originally.

11. **Building Relocation**: Historic buildings within the downtown area should be relocated only under the following circumstances:
    - if the only alternative is demolition,
    - if the loss of a historic building is not required to create space for the relocation,
    - if the building to be relocated will be architecturally compatible with the adjacent buildings in height, scale, massing, materials, design, and setback.

Cornice Detail - Franklin Street

Column Capital - West Franklin Street

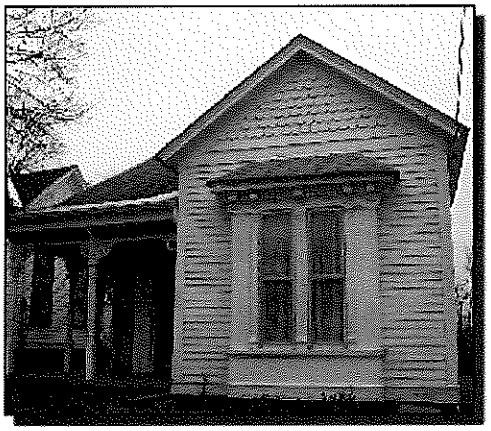
12. **New Additions**: Additions shall be compatible in design and complementary to the existing structure. Additions must be visually subordinate to the main building. They shall have a lower roof, a compatible design, similar proportions and rhythm of openings, and shall be secondary in importance to the existing building. Additions should have exterior materials which are comparable to the original structure. These materials should also help differentiate between the original and the new. The use of sustainable materials such as cementitious siding should be considered for new additions. Additions should be placed at rear facades or adjacent to existing structures in a scale and proportion similar to the existing buildings. Rear additions should be smaller and lower than, or be of similar size to the existing structure. Side additions must be set back slightly from the main building. Additions similar in size should have a distinct break from the original structure.

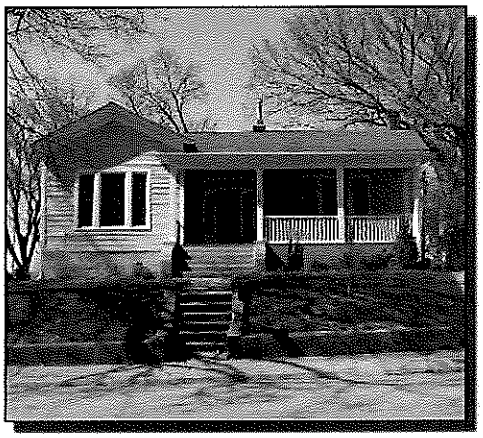


Dashed lines represent appropriate additions.

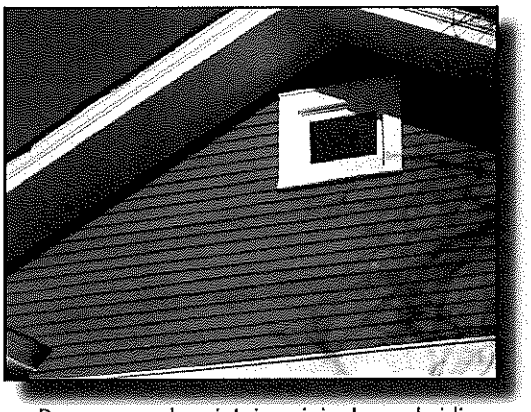
E. Design Guidelines for Existing Residential Buildings

1. **Residential Overview:** These guidelines are for use outside the local Historic District Overlays for only townhouse and multiple-family structures because single-family homes and duplexes are excluded from design review outside the local Historic District Overlays, but may be consulted for guidance for improvement review within the local Historic District Overlays. While not all residential neighborhoods are necessarily historically significant, some, such as Emerald Hill and Dog Hill, are historic. The residential character of these areas should be preserved and maintained. Examples of buildings in this area are illustrated below.





2. **Foundations:** Do not cover or conceal historically visible foundations. Follow the guidelines for masonry to maintain or repair foundations. If infill is desired for pier foundations, the installation of lattice sections between the piers is appropriate. Solid fill is not encouraged.



Preserve and maintain original wood siding materials (99 Union Street).

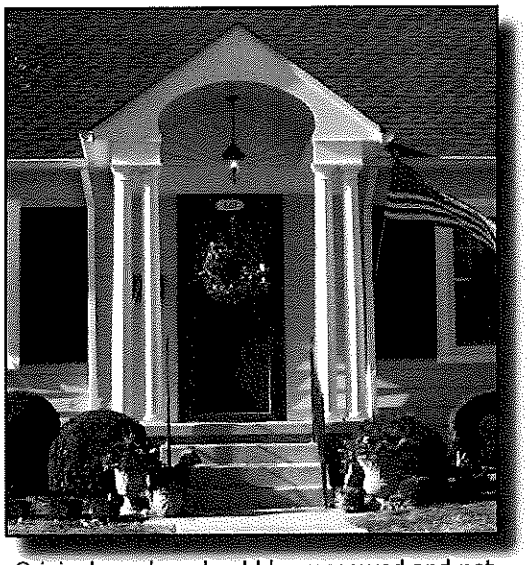
3. **Siding:** Wood siding is an important character defining feature of a building and preservation of original siding is recommended. Wood siding original to a building should be repaired rather than replaced. Original wood siding should be replaced only where necessary. Repair of original wood siding should be with wood siding to match the original. On a rear elevation, a non-wood siding may be acceptable if done in whole part, not in small pieces or sections.

   Non-original siding alternatives:
   - cementitious siding that matches the dimensions, non-grained texture, and color of the original wood
   - do not allow replacement siding to cover or conceal original architectural details
   - removal of asbestos, aluminum, and vinyl siding and restoration of the original wood siding is recommended
   - do not cover venting on a façade
   - match new siding width to the existing

4. **Porches:**

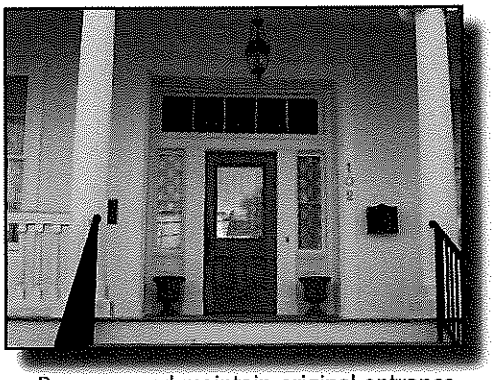
   a. Original porch elements such as columns, railings, valances, balusters and eave decoration should be preserved and maintained. If these features are deteriorated, they should be repaired with like materials and styles as closely as possible. If repair is not possible, they should be replaced with materials to match the original or with the most appropriate and sustainable material.

   b. Appropriate porch step materials include reconstructed wooden steps for wood porches and concrete steps for concrete porches. Brick is not a traditional material for porch steps and is not recommended. Porches on front facades should not be enclosed, as this type of addition alters the character of the façade. If screening is permitted, follow the recommendation below (see 11).



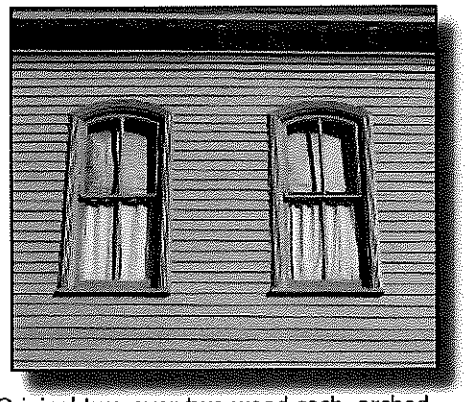
Original porches should be preserved and not removed or enclosed (610 Anderson Drive).

5. **Entrances:** Original doors and door elements such as sidelights and transoms should be preserved and maintained. The removal of original doors is not appropriate. If storm doors are added, they should be full-view design to allow the original door to be visible.



Preserve and maintain original entrance elements including doors, transoms and sidelights (102 Union Street).

6. **Windows:** Original wood or metal windows should be preserved and maintained. Replacement windows should be with materials and forms to match the original as closely as possible. The installation of anodized aluminum or baked enamel aluminum windows is appropriate if they match the original light configuration, color and profile of the original windows. The installation of vinyl windows is discouraged as well as the use of snap-in mullions. Many brands of vinyl windows do not successfully imitate wood windows in their dimensions and profile, and may also discolor due to ultra-violet rays.



Original two-over-two wood sash, arched windows.

7. **Security Doors and Windows:** The installation of security doors and windows is appropriate within some parameters. Statistically, intruders primarily enter through rear or side doors or windows which are not visible from the street. The installation of security doors and window bars on these facades may be appropriate. Although less appropriate on main facades, security doors may be installed if they are full view design or have minimal structural framing which allow the viewing of the historic door behind it. Ornate security doors with extensive grillwork or decorative detailing are not appropriate for entrances on the primary facade. Bars on windows may be placed on side or rear elevations, but never on facades.
8. **Storm Windows and Doors:** The installation of storm windows and doors can help in lowering energy costs and are appropriate for older dwellings. Storm windows should be full-view design or have the central meeting rail (the horizontal element where the top and bottom panes meet) at the same location as the historic window behind it. Storm doors should be of full-view design. Windows and doors of dark anodized aluminum or baked enamel are preferred to those of "raw" or shiny aluminum.
9. **Awnings:** Canvas awnings for windows and porches were common features of buildings in the early 20th century. With the widespread use of air conditioning after World War II, the use of awnings declined. In recent years, the use of awnings has increased because they are attractive and save energy costs. Canvas and similar material awnings are appropriate for many of Clarksville's dwellings.

Storm windows should be full view design or match the meeting rail of the window.

Installing full-view storm doors for energy conservation is appropriate (410 S. First Street).

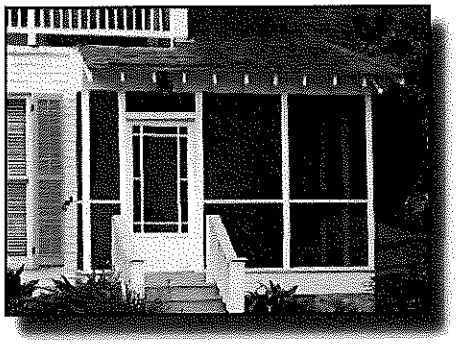
Canvas awnings are appropriate for shading porches and windows.

Appropriate door awning at 612 Anderson Drive.

10. **Architectural Features:** Original architectural features should be preserved and retained. These may include design elements such as wood shingles, eave verge-board and trim, window cornices, and eave brackets. If these features are deteriorated they should be repaired with like materials as closely as possible. If repair is not possible, they should be replaced with materials to match the original or with the most appropriate and sustainable material.

Preserve and maintain original architectural detailing such as eave brackets (422 S. First Street).

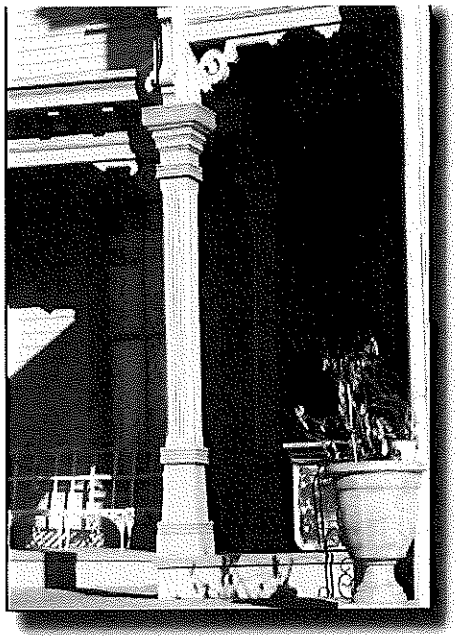
11. **Screens:** While screening in porches is discouraged, this action is permitted and should follow certain guidelines so as to not compromise the architectural integrity of the façade. Visibility of architectural features such as porch columns and any decorative work is essential. Screen panels for porches and screen doors for entrances are appropriate if the structural framework is kept to a minimum to retain the open appearance of the porch and the visibility of the original door behind the screen door.



The enclosure of porches with screen panels is acceptable if guidelines in section 11 are followed.

12. **Lighting:** Many dwellings retain original exterior light fixtures at the porch ceiling or adjacent to the main entrance. Distinctive tinted globes and the "box" shaped fixtures for Craftsman/ Bungalows are part of a building's character and should be preserved and maintained. If the original light fixtures are missing, light fixtures with simple designs and detailing are preferred to large, ornate colonial or "Williamsburg" style fixtures. Avoid lighting styles that are inconsistent with the architectural style. Many companies now provide light fixtures based upon historic designs and the addition of these types of period fixtures is appropriate and encouraged.

13. **Mechanical Systems:** Modern air conditioning and heating units often require condensers and other units to be placed on the exterior. These units are typically located adjacent to, or within a few feet of, the building. Heating and cooling units should be placed at rear or sides of buildings not visible from the street. The placement of these units at the front of buildings is not appropriate and should be avoided. Screening of these units through shrubbery, fencing, or lattice panels is highly recommended.



Preserve and maintain original porch elements such as porch columns, eave decoration and lighting (103 Union Street).

14. **Gutters and Downspouts:** Retain existing boxed or built-in gutters. Repair deteriorated or damaged boxed or built-in gutters if possible, rather than replacing them with new gutters. If new gutters are needed, the most appropriate design for hanging gutters is half round. Ogee gutters (that taper outward and are flat on the bottom and back), however, are also appropriate on buildings dating from or influenced by designs from the 1940s or later. Locate downspouts away from architectural features and on the least public building elevation.

15. **Roofs**

    a. Original roof designs should not be changed or altered on the primary and readily visible side elevations through the addition of new dormers or raised roof lines. Original materials such as metal, clay tile and slate should be preserved and maintained. If these features are deteriorated, they should be repaired with like materials as closely as possible. If repair is not possible, they should be replaced with materials to match the original or with the most appropriate and sustainable material. Synthetic materials can be acceptable if they accurately depict such roof materials, such as slate or clay tile. If new metal roofs are added they should match the original in crimping and spacing. New roof penetrations (pipes, vents) should be located on slopes of the roof that are not in view from the street.

    b. The addition of skylights can make the use of upper floor space or attic space more practical. The installation of skylights is appropriate as long as they are placed on rear roof lines, behind gables or dormers, or otherwise not visible from the street. Skylights which are flush with the roofline or lay flat are more appropriate than those with convex or "bubble" designs.

    c. Solar energy collectors or panels are available which can be either freestanding or attached directly to the building. Solar collectors are appropriate as long as freestanding panels are sited in rear yards and the roof panels are on rear facades or side facades not visible from the street.

Half-round gutters and downspouts are recommended for Clarksville's historic dwellings (424 S. First Street).

Preserve and maintain original metal roofs (422 S. First Street).

New roof materials should be compatible with the original roof materials such as this imitative tile roof at 611 Anderson Drive.

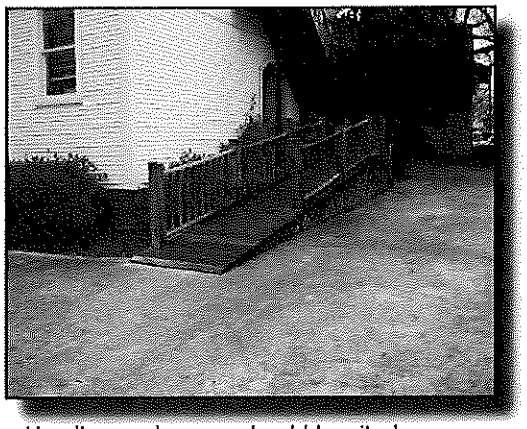
16. **Decks:** Outdoor wood decks are popular additions and can usually work well with older buildings. As in the case of adding rooms, wood decks should be only built at the rear of buildings. Decks may be added to side elevations; however, their design will be reviewed. A review is required of a rear deck that is not visible from the street. A deck should not take visual priority away from the building; it should not extend beyond the sides of the building's walls. Its design should be simple with simple, square posts of 3-4 feet in height, spindles spaced 3-4 inches apart, and with a flat top railing.

Decks are appropriate at rear facades.

17. **Handicap Ramps**

    a. Handicapped ramps, also known as accessible ramps, are sometimes needed to provide access for those with disabilities. Handicapped ramps are best at the rear or sides of buildings so as not to be visible from the street. Ramps of wood construction are most appropriate for Clarksville's historic residential areas, and the railings should be with simple designs or match the original porch railing in design and detailing. If the ramp must be on the building front, it should be architecturally compatible with the building and/or screened with landscaping.

    b. For properties which have high visitation such as physician offices, consider the installation of a chair lift on a side or rear elevation.



Handicapped ramps should be sited on the side or rear rather than on the front of dwellings.

Example of an appropriate chair life on a front porch.

An example of new building construction that adopts an appropriate building mass.

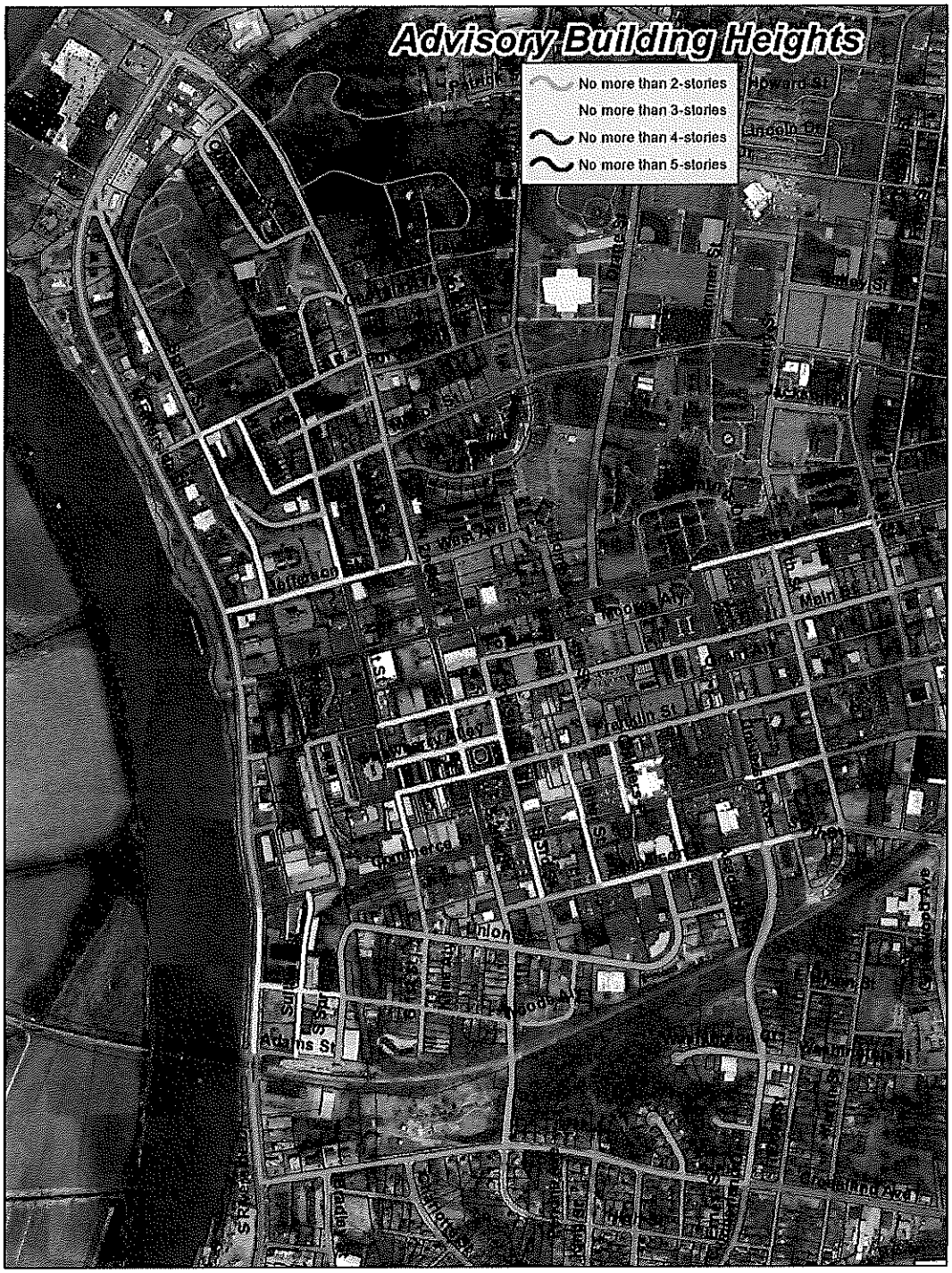
F. Design Guidelines for New Commercial and Mixed-Use Buildings

1. New Building Approach

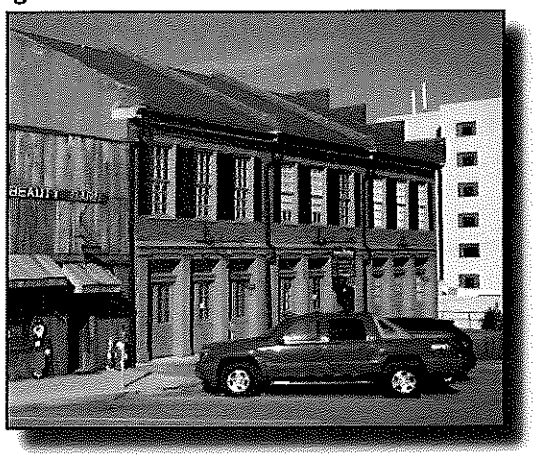
a. New commercial building design shall reflect the period of its construction and shall not attempt a reproduction of a historic style unless it is reproducing a documented previously-existing building. It shall be compatible with the existing adjacent building, given the adjacent building is historic or exemplifies appropriate infill design in scale, setback, height, width, materials, massing, and rhythm and proportion of openings.

b. While warehouses historically dominated the riverfront, commercial structures are the predominant building type along Riverside Drive today. The area has evolved into a strip commercial corridor, but needs to be transformed into an urban boulevard, including a median with landscaping and/or specialty pavers, street trees, sidewalks, fewer and narrower curb cuts, buildings closer to the street, and off-street parking to the rear or side of the buildings. These features would promote a unified streetscape more in keeping with the balance of the downtown core. Future development should consider the character of and relationship to existing riverfront development. This can include non-commercial buildings, especially housing (townhouses and other multiple-family structures). While the Riverside Drive Corridor should not be as urban as areas such as Franklin Street, it should be much less suburban than its current condition.

2. **Height:** Currently, building heights are from one to five-story in the downtown core. Residential neighborhoods in the district have one- and two-story single-family dwellings. Townhouses and apartments are two and three-story. The height of new buildings in the historic commercial district will vary from street to street and shall consider the height of adjacent buildings, as well as the entire block face and those of the block face on the opposite side of the street. Taller buildings may be appropriate at key intersections. Based on existing development, the figure on the following page is advisory only for building heights because the height restrictions of the underlying zoning district apply unless varied by the Board of Zoning Appeal. For reasons of financial viability and to encourage greater property values per acre Downtown, building heights greater than the advisory height may be necessary outside of the local and national historic districts. The height of any new structure should not block the view shed of the cupola of the Old Historic Court House, the upper floor of the new City Hall and the spires of churches on the National Register of Historic Places. Consideration should also be given to avoiding the obstruction of views of the Cumberland River from structures on the bluff.

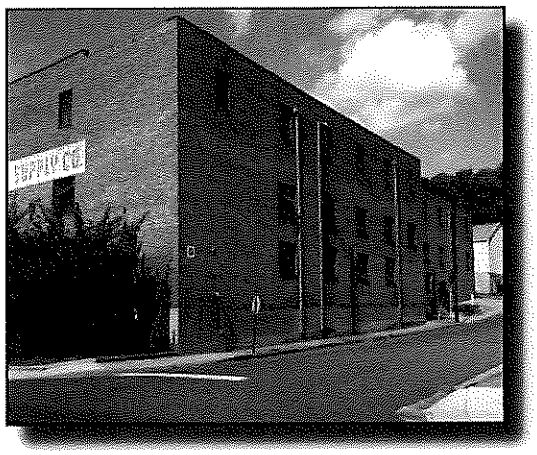

Advisory Building Heights
No more than 2-stories
No more than 3-stories
No more than 4-stories
No more than 5-stories
Franklin St
Lincoln Dr
Jefferson St
Main St
Franklin St
Union St
Adams St

3. **Massing**
   a. No uninterrupted front façade plane shall extend more than thirty feet. Pilasters, variations in the roof line or parapet wall, or building wall recesses shall be used to break up the mass of a single building into distinct bays no wider than thirty feet. Variations in materials and colors can also help achieve this massing standard. The length of the street wall for all buildings shall be at least seventy-five percent (75%) of the lot frontage along downtown blocks.
   b. A minimum of fifty percent (50%) of the building wall shall be built to the building setback line. Taller buildings shall be carefully designed with a narrow profile towards Riverside Drive to maintain views of the river from the downtown core.



The façade of the Poston Building is divided by pilasters on the first floor. Additionally, the roofline has ridges that have a similar visual effect of breaking a long building into bays.

4. **Building Setback Lines:** Buildings shall be located in a manner compatible with the existing structures; incompatible or inappropriate adjacent buildings shall not be used as a contextual reference point.
   a. Central Commercial Sub-District. The front yard setback should be based on the predominant setback of existing structures on the blockface or across the street. If adjacent buildings are zero lot line, then the front facade shall be zero lot line with the street right-of-way line.
   b. Riverside Drive Sub-District: The front yard setback along Riverside Drive should not be less than twenty (20) feet to accommodate public utility easements and landscaping outside the street right-of-way, should encourage off-street parking to be located to the rear and side of structures, and should enable the building pad to be raised above the one percent (1%) storm elevation. In addition, building massing will provide guidance on desirable building setbacks.
   c. An exception to setback guidelines would occur where outdoor seating/dining is planned into the design. In this case, the building's façade wall may be located behind the adjacent setback line between twenty (25) to thirty (30) feet if a low and/or pierced brick wall delineates the patio area and constitutes the setback line. The wall shall be between 2 ½ and 3 ½ feet in height. If decorative ironwork is included atop the wall, the entire structure shall not exceed 3 ½ feet in total height.



Another exception to using adjacent building setbacks as a determinant is when such neighboring buildings are inappropriate infill, such as many of the post-1950s buildings existing along Riverside Drive.

5. **Roofs**

   a. Roof forms should be appropriate to the building's architecture and surrounding context. Most flat roofs in the downtown area are not readily visible from the street. Parapet walls along the façade roofline are used to conceal the roof, as well as any mechanical systems located on rooftops. This is an appropriate design for new buildings. However, there is historical precedence for a gable roof on commercial buildings, as seen on the Poston Building from the 1840s. A gable roof design may be appropriate on a new commercial building provided it is adjacent to a commercial building with a gable roof or dominates the blockface. Metal roofs should have crimping and spacing to be consistent with historic metal roofs. Corrugated metal roofs are not allowed in place of standing-seam metal roofs.

   b. Parapet walls should be used on flat roofs for buildings in the Riverside Drive Sub-District, as well. Buildings there should have simple roof forms free of "sculptural or sign-like visual qualities.

Buildings should have vertical divisions to maintain streetscape rhythm.

6. **Facades**

   a. In order for infill buildings to blend into the existing streetscape, their design should complement that of historic buildings. To achieve the desired results, new buildings should incorporate design elements of historic facades. A new building should have a street-level storefront consisting of a primary entrance and large, clear display windows. A transom can be included over the entrance, and display windows can rest on bulkheads, as in traditional commercial design. There should be a distinct transition between the storefront and upper façade, which can be achieved by use of decorative means such as corbelled brick. The following points are also essential to appropriate infill design:

   b. **Facade Articulation:** Building facades shall emphasize clearly articulated main entrances using awnings, canopies, columns, pilasters and recessed entrances. Provide entrances that are distinct and visible from the street. Avoid long expanses of uninterrupted storefronts. Divide with architectural elements.

   c. **Doors and Windows:** Infill buildings shall have their primary entrance on the primary facade fronting the street. Window and door openings should have a

vertical orientation and alignment. Upper floor windows also need to be vertically oriented in proportions close to those of existing.

d. Glazing: A minimum of sixty-five percent (65%) of the front facade's ground floor shall be glazed (consisting of glass in the form of doors and/ or windows). The ground floor is considered the area between grade and the first floor's ceiling. Glass anywhere on the front façade may not be reflective or heavily tinted.

e. Side and Rear Facades: Rear and side facades do not need to be designed to the extent of primary facades. However, side and rear facades within and adjacent to local Historic District Overlays and the National Historic Districts and Structures are subject to review as well as other new structures visible from the public right of way.

7. Materials

a. Materials and their texture should be appropriate for the building's architecture and surrounding context. Exterior insulation finish systems and metal panels shall be considered for use only by careful review by the Design Review Board. Vinyl and aluminum siding are not allowed in any sub-district.

b. The primary exterior wall materials should be brick and natural or artificial stone, split-faced concrete masonry, smooth surface stucco, historically correct painted wood siding or painted cement composite sidings. Additionally, cementitious siding and Exterior Insulation Finishing System (EIFS) are acceptable; however, the latter is not encouraged due to concerns about its longevity. Brick shall not be painted unless it is extremely mismatched or so deteriorated that it cannot resist moisture penetration. If painting is necessary, the natural color of the brick shall be used. Stone shall not be painted.

c. Wall materials that are discouraged:

- Unfinished or rough natural wood siding
- Aluminum or other large sheet painted metal
- Heavy textured stucco

(Note: Many of the above materials may be used as accents or trim in small amounts)

d. Wall materials that are prohibited:

- Plywood
- Vinyl siding
- Wood shakes
- Plastic or fiberglass
- Asphalt shingles
- Reflective, opaque or mirrored glass
- Unfinished concrete
- Illuminated plastic elements
- Unsurfaced or unpainted precision face concrete blocks (on street or public fencing facades)

8. **Colors**

   a. Colors shall be complimentary to the dominant neutral building material colors such as dark red or red brown for brick and buff, taupe or gray for natural stone. Softer muted hues with gray or white added to the basic color shall be used to highlight architectural features such as window frames, sills, cornices, and details.

   b. Avoid large areas of intense bright or very dark colors. Medium or subtle colors are encouraged. **Fluorescent or "day-bright" colors are prohibited.** Minimize the number of colors on an exterior to three except where accent colors may reflect a particular historic character.

9. **Awnings and Canopies:** Guidelines for awnings and canopies are the same for infill buildings as for historic buildings. Please see these guidelines in Section D.4.

10. **Balconies:** On infill buildings, balconies shall be metal or wood. If balconies have supporting columns, they should not impede pedestrian traffic. If covered, the roofs shall follow the standards for canopies. Permanent screens are prohibited, but roll-down screens and wood (or simulated wood) shutters are acceptable.

11. **Retractable Storefront Windows:** Façade windows that retract for an open-air design may be acceptable in some areas of downtown. Hinged bi-fold windows open laterally and are the best option visually as they least detract from the building design. The use of full-glass garage-style doors may also be appropriate.

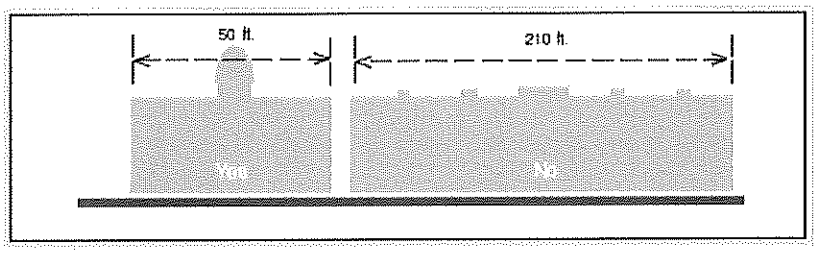
Side-hinged retractable windows on infill building.

G. Design Guidelines for New Institutional Buildings

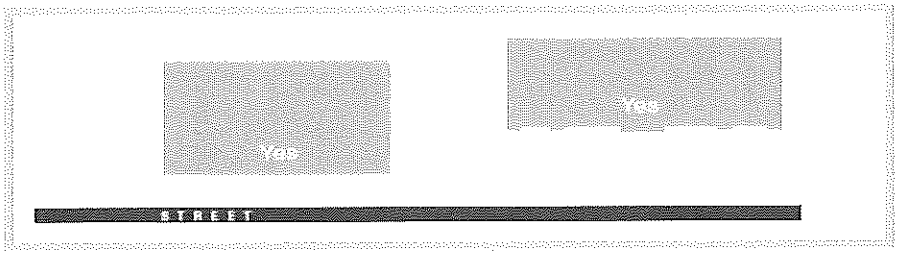
1. **General Approach:** Institutional buildings include a broad range of structures that are publicly or privately developed for governmental, religious, educational, and similar purposes. They include churches, schools, post offices, and municipal buildings. Institutional buildings are geographic landmarks in the sense that they are readily identifiable, and their designs clearly express their function. Therefore, unlike other types of development, it is understood that an institutional building should accentuate its design differences from other downtown buildings, in order to underscore its significance. For this reason the standards for institutional design are minimal relative to other building types. Nevertheless, these guidelines will be used to review the design of private buildings, and may be consulted in the case of publically owned lands and structures.

2. **Height:** The height of an institutional building should be comparable to that of commercial/mixed use buildings on the same block or street. Height varies through the Downtown Overlay District according to building type and location. See suggestions for maximum height in Section F. The vertical architectural elements which are not habitable, such as spires, steeples and cupolas, shall not count toward height measurements. The height restrictions of the underlying zoning district shall govern.

3. **Width:** The maximum width for new institutional buildings shall not exceed 200 feet. The examples of an exception to this limit are conference centers and similar large-footprint buildings. These may exceed the width if the facade massing can be visually broken up.



4. **Setback:** There are no building setback requirements for new institutional buildings, although no parking shall exist within the front yard. Also, where appropriate, a generous setback is encouraged as a means of lending the building prominence and underscoring its significance.



5. **Roofs:** In the case of institutional buildings with flat or only slightly sloped roofs, a parapet wall shall serve as the front facade to mask the roof. Mechanical systems placed on the roof top shall be screened or obscured from public streets by either a parapet wall or by its location. Decorative, vertically-oriented architectural features, such as steeples and cupolas, are encouraged.

6. **Ground Floor Façade Massing:** The ground-floor level of a primary facade plane shall not exceed a width of 50 ft. without an interruption. Ground-floor façades shall be broken into a series of vertical bays using any of the following elements: wall off-sets of at least 4 inches in depth, pilasters (engaged pillars) with a minimum depth of 4 inches, columns/posts, projecting bays, and porches. These means of achieving massing may be accompanied by other approaches such as material changes, roofline changes and front steps.

7. **Front Façades and Entrances:** A building's primary façade and its entrance shall front onto the building's associated street. For corner lots, the front façade and primary entrance shall face the "primary" street rather than the side street. The design of the primary entrance should be most prominent, clearly indicating it as the main point of entry. Its design may be echoed at secondary entrances, on a lesser scale or with lesser degree decorative embellishment, to identify them as subordinate.

8. **Glazing:** Glass on any facade fronting a street may not be reflective or heavily tinted, but colored glass in the form of leaded "stained glass" is permitted.

H. New Residential Buildings: These guidelines are advisory only for single-family and duplex structures outside of the local Historic District Overlays, and may be consulted (but are informational only) for the review of new residential housing of all types within the local Historic District Overlays.

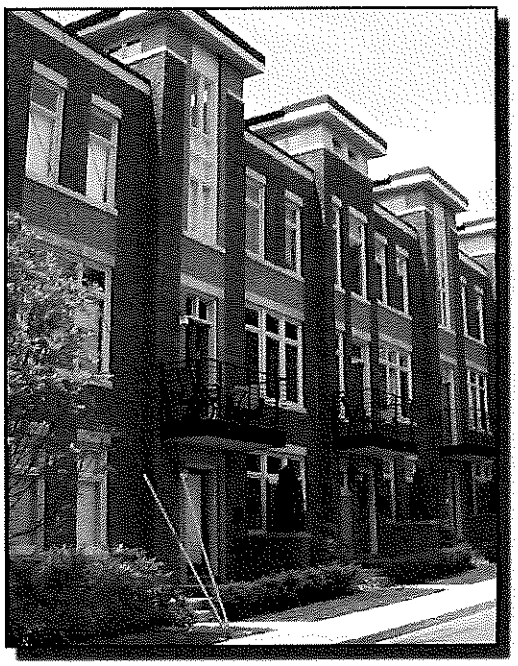
1. **Height:** The building height of a single-family dwelling shall not exceed 2 stories and 25 feet to the eave line. Multifamily apartment buildings can vary in height between one and four stories depending on their location, as depicted on the map in Section F. The height restrictions of the underlying zoning district shall govern provided the building height does not exceed the predominant building height of existing structures on the blockface and across the street.

2. **Setbacks:** All residential dwellings shall have a setback equal to or greater than that of the adjacent buildings' setbacks, given that the adjacent buildings represent compatible models.

   a. In residential neighborhoods of the Downtown Overlay District, front yard setbacks need to be within five (5) feet of the average of the block face. (Consult Chapter 4 for setback standards and Section 4.1.1 for setback exceptions in this zoning ordinance.) An exception from the front setback standards is permitted for a front courtyard design in which at least one third of the building's frontage adheres to the required setback. The courtyard depth shall not exceed fifty (50) feet as measured from the public right-of-way line and no parking is permitted within the courtyard area. Street side yard setbacks can vary and should be an average of existing examples on the block face. (Street side yard setbacks follow the same standards as front yard setbacks in this zoning ordinance.)

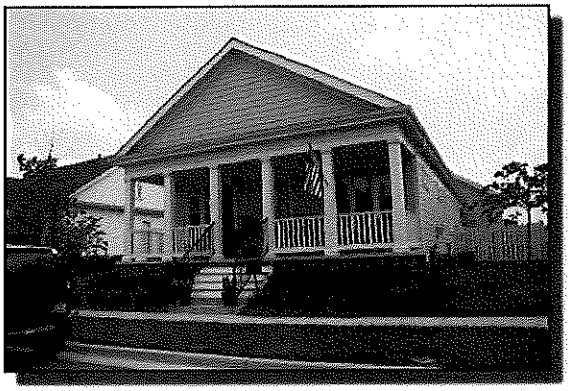
High-pitched roof.

Low-pitched roof.



Appropriate setback for townhouse.

3. **Roofs:** For single-family dwellings, pitched roofs with a slope between 6:12 and 12:12 are required excluding porch roofs. Roofing materials shall include slate, heavy textured asphalt shingles, wood shakes, or standing seam metal compatible with the construction period of the area. Roof penetrations (pipes, vents) should be located on slopes of the roof that are not in view from the street. Synthetic materials that accurately depict materials such as slate and wood shakes may be permitted if they are appropriate to the style of the house. Single-family attached and detached houses shall have sloped roofs. Townhouses and apartment buildings can have either sloped or flat roofs with a parapet wall.
4. **Façades:** In order for infill buildings to blend into the existing streetscape, their design should complement that of historic buildings. To achieve the desired results, new buildings should incorporate design elements of historic facades. Facades shall reflect the residential building types in the area. For all new single-family dwellings, porches shall be a minimum depth of six (6) feet and extend across a minimum of sixty percent (60%) of the front façade. The following points are also essential to appropriate infill design:
   a. **Façade Articulation:** Building façades shall emphasize clearly articulated main entrances that are distinct and visible from the street. This applies to apartment buildings as well. In the case of courtyard apartments, the ends of the buildings face the street and would not need to meet this requirement. However, their front facades (the ends) would need to meet the requirement for build-to range for front setbacks.
   b. **Doors and Windows:** Infill buildings shall have their primary entrance on the primary facade fronting the street. Window and door openings should have a vertical orientation and alignment.
   c. **Glazing:** Glass anywhere on the front façade may not be reflective or heavily tinted.
   d. **Side and Rear Facades:** Side and rear facades do not need to be designed to the extent of primary facades. However, side and rear elevations are reviewed when within or adjacent to local Historic District Overlays, the National Register Historic Districts and Structures, and all other new multiple-family (townhouses and apartments) residential visible from the public way.



Appropriate porch depth and width.

5. **Raised Foundations:** Buildings shall have a foundation height (measured from finished grade to finished first floor) of at least 24 inches. Foundation materials should be of poured concrete, stone, brick or split faced concrete masonry unit (CMU).

6. **Door and Window Design**

   a. The building's primary entrance shall face the associated street.

   b. All windows shall have a vertical orientation. However, individual vertically oriented windows may be "ganged" to collectively have a horizontal orientation. Door and window mullions shall be true divided lights or simulated divided lights on both sides of the glass.

   c. Shutters, if provided, shall be sized to fit the window and appear to be operable.

7. **Materials**

   a. Appropriate materials shall include:

      - Brick (foundations and siding)
      - Weatherboard or wood shingle siding (not on townhouse or apartments in the downtown core)
      - Stone (foundations)
      - Lattice panels (foundations)
      - Cast stone (siding and foundations)
      - Split-face concrete masonry unit (foundations)

   b. Additionally, cementitious siding and Exterior Insulation Finishing System (EIFS) are acceptable for siding; however, the latter is not encouraged due to concerns about its longevity.

8. **Garages and Accessory Buildings**

   a. Garages for new single-family residential construction shall be detached in the local Historic District Overlays, the National Register Historic Districts and Structures, and abutting such historic properties. Garages may be attached to the rear of residential structures not in or adjacent to historic structures. Garages and other accessory buildings shall occur in the rear of a lot, and shall meet the minimum side and rear yard requirements unless a variance is approved by the Board of Zoning Appeals.

   b. Multi-vehicle garages visible from the street shall have one bay door per vehicle.

   c. Parking garages are addressed in Section I.7.

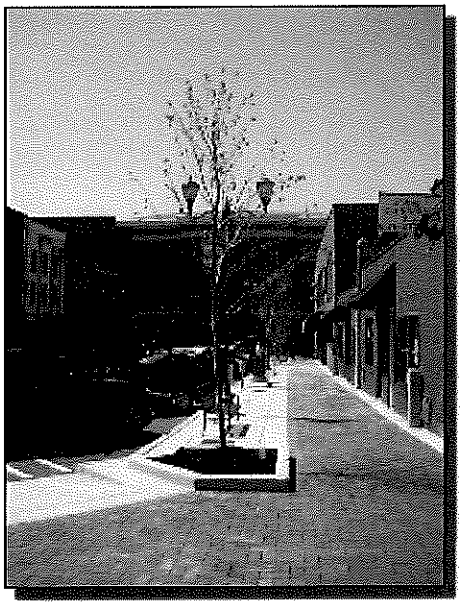
I. Streetscape and Site Planning

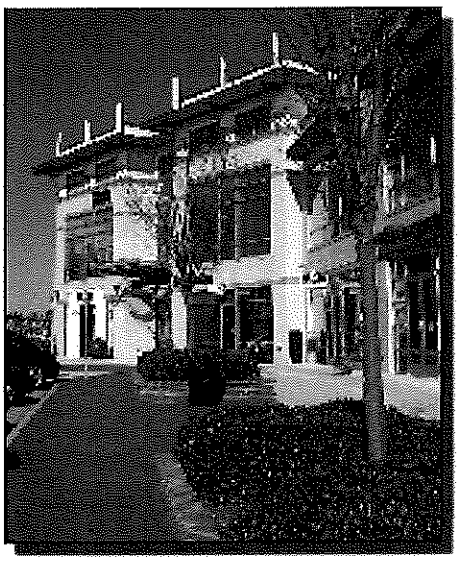
1. **Streetscape and Site Planning:** Clarksville has undertaken several projects involving streetscapes and other improvements to the downtown area. Future work planned for downtown should be in accordance with the following guidelines. However, these streetscape guidelines are not mandatory for any public entity.

2. **Sidewalks**

   a. The repair, construction, or modification of sidewalks within the District will require a Certificate of Appropriateness and a building permit from the City of Clarksville. Sidewalks along street right-of-ways shall be well maintained and provided where not already present.

   b. **Design:** Continuous formed curb and gutter shall be used on both sides of the public streets. Walkways should be raised above the street level and curbed, but should have depressed curbs at intersections for ADA accessibility. Accessibility for wheelchairs should be at least a minimum of thirty-six inches in width. In the Riverside Drive Subdistrict, the sidewalk should be a minimum of six (6) feet wide or maintain the existing building face. In residential areas, the sidewalks should be a minimum of four (4) feet wide; for multiple-family developments, wider sidewalk widths may be required. In the Central Commercial Subdistrict, sidewalks should be at least six (6) feet in width and wider sidewalks may be appropriate to match predominant sidewalk widths in the immediate area. Sidewalks shall be expanded at street corners to include "bulb-outs," which protect parked end vehicles and decrease the distance for pedestrians to cross the street.





The above examples illustrate appropriate sidewalks and cross walks.

   c. **Materials:** Sidewalks along Commerce Street from Third Street to Second Street, Franklin Street from Third Street to Public Square, Strawberry Alley/Legion Street from Third Street to First Street, First Street from Franklin to Main Street, Second Street from Commerce Street to Main Street, and Third Street from Commerce Street to Main Street, and the Public Square should contain brick elements with concrete curb and gutter.

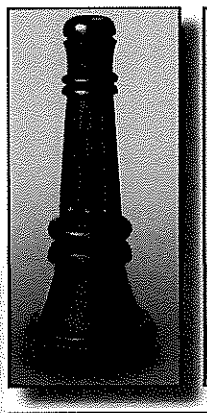
   d. Other sidewalks are recommended to be of a combination of brick pavers, brick pavers with concrete bands, or broom finish concrete paving with brick bands. Pedestrian street crossings should be clearly delineated with paving materials that stand out from the street surface.

New light standards in the downtown area should be consistent with standards added in previous

3. **Lighting**
   a. New light standards should be consistent with those introduced into the downtown area during recent streetscape improvements. Metal halide lighting is preferred and should be used in locations where it complements the lighting design. The use of LED and high-pressure sodium lights may also be appropriate. In particular, all parking lot lighting shall have low cut-off fixtures which do not throw lighting on adjacent properties. 'Box' or 'cobra' style lighting is prohibited.
   b. Pedestrian lighting in residential areas shall use lamp-post fixtures fourteen (14) feet in height. Fixtures shall use high-pressure sodium luminaire lighting. The street lighting for major streets shall be standard fixtures from the utility company painted to be compatible with pedestrian street lighting.

4 **Street Trees**: Street trees shall be used along the street right-of-ways to create a sense of place. Trees shall be Willow Oaks and Littleleaf Lindens, "Village Green" Zelkovas or other approved species compatible with the existing landscaping.

5. **Street Furniture**: Street furniture shall include benches, trash receptacles, bollards, planters, bicycle racks and kiosks. Benches and trash receptacles are appropriate in carefully selected locations. Newspaper boxes also contribute to the convenience of an area, but should be grouped to avoid visual clutter. The color of street furniture shall blend harmoniously into the streetscape.



6. **Parking and Egress**

   a. Parking shall be provided in accordance with the requirements of the zoning ordinance. Shared parking facilities are encouraged. Parking lots should be sited on rear or side elevations, and screened with appropriate fencing or landscaping. Surface parking located on the side elevation of building shall be limited to one double loaded aisle. The layout and screening of lots should minimize direct views of parked vehicles from streets and sidewalks, and should provide a reasonable amount of shade.

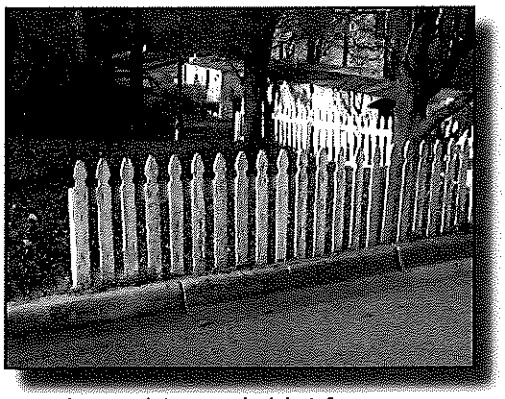
An example of appropriate screening of parking lots includes vegetation and fencing, two acceptable elements for this purpose.

   b. Parking lots shall be screened from the streets by landscaping or a wall a minimum of three (3) feet in height. Evergreen hedges and walls shall be used. Screening should be compatible with the style, materials, and colors of the principal building on the same lot. The parking areas for the car dealerships shall use street trees and planting strips along the street frontage to improve the quality of the streetscape and the image of the downtown. On residential streets, parking shall be to the rear of the primary dwelling. Front parking pads are not permitted in residential areas. On-street parking is acceptable throughout the downtown and residential areas, but parking lots and structures are not permitted in front of the primary building. Side parking lots between buildings may be permitted with screening. Neither parking structures nor spaces shall be located in front of the primary building.

7. **Parking Structures:** Parking structure entrances and exits should be located on side streets if available. Walls fronting streets shall utilize materials, colors, and a pattern of openings consistent with surrounding buildings. Commercial business space shall be placed along the ground floor of new parking structures to maximize activity along the street frontage, and shall have direct access to the street and sidewalk. This is not a requirement on non-retail streets. A minimum of seventy-five percent (75%) of that commercial space wall area shall be transparent. Louvers and other open screening devices shall be used on upper level openings to hide the automobiles, screen garage lighting, and allow the garages to blend with the urban design fabric.

8. Fences

a. Wood fences were widely used in Clarksville to separate lots and outline front yards, but are no longer appropriate in the front yards of properties in the H-1 local Historic District Overlays. Cast iron, brick, stone, and wire fences were also used. In recent decades, chain link fences have been popular, but are no longer appropriate. Historic (pre-1960) fences should be preserved and maintained.



Appropriate wood picket fence at 616 Anderson Drive

b. Appropriate front yard fences:

- historic wrought iron fences or black, steel fences that replicate wrought iron, not to exceed 3-½ feet in height
- historic stone walls
- wood picket fences, not to exceed 3-½ feet in height.

c. Appropriate side yard (not along a street):

- wood picket fences
- wood privacy fences, not to exceed six (6) feet in height
- No chain link or wire fence is appropriate.

Appropriate design and location of a privacy fence at 103 Marion Street.

d. Appropriate rear yards:

- privacy fences
- chain link and wire fences are prohibited
- landscape screening.

J. Sign Standards

1. **General Principles:** The following principles are broad concepts that are addressed below with more specific standards.

   a. Signs may NOT be erected or altered without obtaining a permit from the Clarksville Building and Codes Department. Signs meeting the objective standards of Chapter 8 may be approved at the Staff Level without going to the Design Review Board; however, within the H-1 local Historic District Overlays, a Certificate of Appropriateness will require Historic Zoning Commission approval.

   b. Commercial signage shall be designed primarily for the purpose of identifying a business rather than serving as advertising.

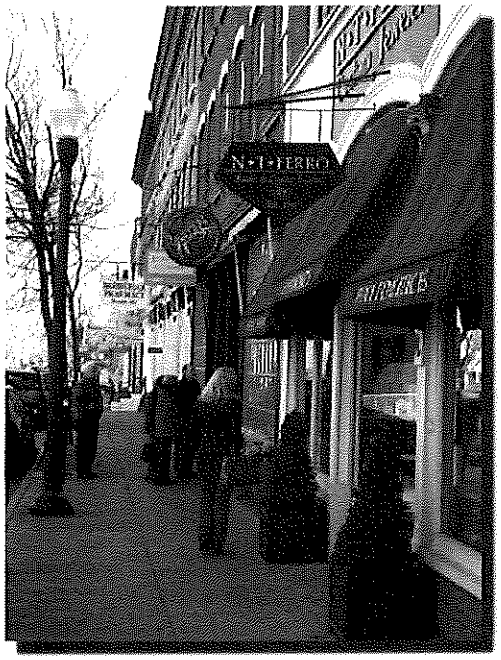
   c. Signage should balance the need for businesses to be identified with the objective of avoiding visual clutter.

   d. Signage should not visually obscure significant architectural elements of a building (windows, opening trim, architectural detailing, etc.).

   e. In the case of wall-mounted signs, channel letter signs are preferred over cabinet signs.

   f. Sign materials should reflect a high level of quality and a historic character by utilizing traditional, non-synthetic materials (wood, metal, etc.). Material exceptions may be granted in the Riverside Drive Sub-District on a case-by-case basis.

   g. Refer to Chapter 8 of this ordinance for additional sign regulations. In particular, Section 8.2 of this ordinance establishes sign regulations applicable to all land use zoning districts and all zoning overlay districts. When more stringent sign regulations are established below, they shall prevail for the Downtown Overlay District.



Mixed use urban districts can utilize a broad range of sign types to identify businesses in a visually appealing manner.

2. **Sign Standards:** Within the Downtown Overlay District and including the local Historic Overlays encompassed therein, the following sign standards shall apply:

   a. For land uses in the Residential Zoning Districts, the residential Planned Unit Development (PUD) District and residential uses in the CBD and C-2 Districts, the sign provisions of Section 8.3 "Residential Districts" shall apply.

   b. For land uses in the Office, Commercial, Industrial and Mixed Land Use District (MLUD) Districts, the sign provisions of Section 8.8 "Central Business District" and Section 8.9 "Downtown Sidewalk Signs" shall apply.

BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

The effective date of this ordinance shall be January,7 2016, deviating from the normal effective date of ordinances as set forth in the Clarksville City Code Part 1 "Charter and Related Laws", Article III "Ordinances and Resolutions", Section 6 "Effective Date of Ordinances, Resolutions and Franchises" so that all related ordinances amending the Clarksville City Code and Clarksville Zoning Ordinance to create the Common Design Review Board may become effective on the same date.

FIRST READING:
SECOND READING:
EFFECTIVE DATE:

AN ORDINANCE AMENDING THE CITY ZONING ORDINANCE OF THE CITY OF CLARKSVILLE, TENNESSEE, FOR CENTRAL BUSINESS DISTRICT AND DOWNTOWN SIDEWALK SIGNS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE THAT THE FOLLOWING AMENDMENTS ARE HEREBY MADE TO THE CLARKSVILLE CITY ZONING ORDINANCE:

1. **Under Chapter 8 "Sign Regulations", Section 8 "CBD Central Business District" is hereby amended by deleting Section in its entirety and by replacing it instead as follows:**

In the CBD District, the following regulations shall apply, and if the same subject matter is regulated elsewhere in the title, the more restrictive regulation shall apply:

Attached Signs:

1. The maximum total square footage for all wall and awning signs is one (1) square foot per linear foot of the structure's primary entrance frontage, and shall not exceed ten (10) percent of the surface (excluding windows and doors) to which it is affixed, whichever is the lesser.
2. The surface area includes walls, awnings, canopies, and awning valances.
3. Attached signs include business/entity identification signs, bulletin signs (limited to religious, educational, governmental and institutional uses), and multiple-tenant directory signs, as individual signs or in combination with one another.
4. For corner lots with frontage on two or more public streets, Item 1 shall also apply to the structure's secondary frontage.
5. All awnings shall maintain a clear height of seven (7) feet above the finish elevation of the sidewalk and shall not project over any sidewalk more than six (6) feet, and shall not extend over a public street.
6. The copy on the valance or vertical face of the awning or canopy shall be no greater than fifty (50) percent of the height or twelve (12) inches, whichever is less; and shall be no greater than fifty (50) percent of the horizontal width of the awning.
7. Attached signs shall not extend above the building's cornice along the top of the front façade or the roofline in the case of one (1) story buildings, and shall not extend above the bottom of the window sills in the case of two (2) or more story buildings.

Projecting Signs:

8. In addition to any attached signs, a projecting sign may be attached to the structure provided the structure abuts the sidewalk or property line and there is NO freestanding sign on the parcel.
9. All projecting signs shall maintain a clear height of at least seven (7) feet above the finished elevation of the sidewalk.
10. Such sign shall not project upon or over any sidewalk for more than four (4) feet, and shall not extend over a public street.

11. For signs within (7) seven to ten (10) feet of the finished elevation of the sidewalk, the size of the projecting sign shall not exceed six (6) square feet in area per sign face. For signs within ten (10) to twelve (12) feet of the finished elevation of the sidewalk, the size of the projecting sign shall not exceed twelve (12) square feet in area per sign face. For signs twelve (12) feet and above the finished elevation of the sidewalk, the size of the projecting sign shall not exceed sixteen (16) square feet in area per sign face. No sign shall have more than two back-to-back sign faces; vee-type signs and three or more sided signs are prohibited.

Window Signs:

12. In addition to all wall and awning signs, all window signs shall not exceed more than twenty-five (25) percent of the total window area of the primary entrance frontage.
13. Any window signs on the secondary frontage on a side street shall not exceed more than twenty-five (25) per cent of the total window area of the secondary street frontage.

Freestanding Signs:

14. Provided no projecting sign is provided, only one free-standing sign per parcel or platted lot shall be permitted, unless the parcel is a corner lot in which case two (2) signs shall be allowed.
15. Except for sidewalk (sandwich board) signs as permitted in Section 8.9 of this Chapter, all freestanding signs shall not exceed thirty-two (32) square feet per sign face, and shall not encroach upon any public right-of-way. No sign shall have more than two back-to-back sign faces; vee-type signs and three or more sided signs are prohibited.
16. The free-standing sign may be a pole-mounted (pylon) or ground-mounted (monument) sign.
    A. A pole-mounted sign shall not exceed a height of twenty (20) feet measured above the average grade of the parcel. Within fifteen (15) feet of a driveway or street, a clear zone of vision shall be established between three and one-half (3 ½) feet and ten (10) above the grade level of the driveway or nearest travel lane of the street.
    B. A ground-mounted sign (excluding the support foundation) may not be more than three and one-half (3 ½) feet in height within fifteen (15) feet of a driveway or street, or more than five (5) feet in height beyond fifteen (15) feet.
17. Free-standing signs include business/entity identification signs, bulletin signs (limited to religious, educational, governmental and institution uses), multiple-tenant directory signs, or real estate for sale or lease signs, in combination with one another.

Directional (entrance and exit signs):

18. Entrance and exit signs, for parking or directions for vehicle circulation, shall be four (4) square feet or less, and shall not exceed three and one-half (3 ½) feet in height above the ground level. Directional signs shall contain directional information only, corporate logos are prohibited.

Construction Signs:

19. One construction sign with one sign face per street front is permitted not to exceed forty (40) square feet in area, indicating the name of the contractors, engineers, and/or architects of a project, during a construction period for which a building permit is required, is allowed.

Address Signs:

20. Address signs, not more than one for each lot frontage or one for each principal entrance of the building and not exceeding seventy-two (72) square inches in surface area, showing only the numerical address designations of the premises upon which they are situated, are required. The area of such signs shall not be used in calculating any maximum area limitations on signage contained herein.

Nameplate Signs:

21. One nameplate sign is permitted for each tenant not to exceed an area of two (2) square feet. The area of such signs shall not be used in calculating any maximum area limitations on signage contained herein.
22. Upper floor tenants having a ground floor outside entrance may provide a single sign for identification.
23. The rear outside entrance of any building may have a sign with the same size limitations to identify each tenant to assist in rear access.
24. The sign may be a projecting/hanging sign over the sidewalk or an attached sign.

Restaurant Menu Signs:

25. Restaurants may have one menu sign not to exceed six (6) square feet in area.
26. The menu sign shall be located on the ground floor and within ten (10) feet of the restaurant's primary entrance.
27. The menu shall be housed in a glass-fronted framed box which shall be mounted so as not to extend beyond the façade plane on which it is mounted.

Drive-Through Restaurant Menu Boards:

28. Menu boards in conjunction with a restaurant with drive-through or curb side service shall not exceed thirty (30) square per bay in total size for drive-through service, six (6) square feet per bay in total size for curb service, and six (6) feet in height for drive-through or curb service.

Flags and Banners:

29. Constitutional flags (official flags of the Nation, State, County or City) shall have a seven-foot clearance from the finish elevation of the sidewalk and shall not exceed more than fifteen (15) square feet in area for each flag. No principal structure shall be allowed more than two (2) flags.
30. Banners shall be allowed only when attached at all corners to the principal structure and shall obtain a temporary sign permit, which shall authorize the use of such a banner for a specified ten (10) day period. Banners shall provide for a ten (10) foot clearance and shall have only one such permit issued to the same business license holder per calendar quarter. The fee for a temporary permit shall be established by the Building Official.

Illumination:

31. Signs must be illuminated in a manner that does not impair the visibility of motorists or pedestrians. Light sources shall be shielded to minimize the visibility of lamps and prevent overspray beyond the sign perimeter.

Prohibited Signs and Sign Features:

32. Off-premises signs (billboards or outdoor advertising signs) are prohibited in accordance with Subsection 8.2.15.
33. Exposed bulb signs are prohibited. No flashing, chasing, running or sequential lighting is permitted except for signs depicting time, temperature and fuel prices. Light emitting diode (LED) and digital message boards are prohibited with the exception of the display of time, temperature and fuel price information.

34. Except as provided in Section 8.9 of this Chapter, all portable signs are prohibited.
35. With the exception of projecting signs and awnings as described in this section, and except as provided in Section 8.9 of this Chapter, no private advertising signs shall be placed on or overhanging the public right-of-way.
36. No private sign shall be attached to a utility pole.
37. All pennants/streamers are prohibited. Provided, however, that any business use continuously displaying pennants or streamers on or before July 1, 2001, may continue to display such pennants/streamers in accordance with Chapter 8 of this Ordinance on all parcels employed for such business use.
38. Signs identifying or advertising relocated, permanently closed or non-existent businesses shall not be permitted. Owners may maintain legally permitted sign boards, enclosures and supports by removing or "painting out" obsolete lettering and logos to match the sign background for a uniform "blank" appearance. Open sign enclosures shall not be permitted. The copy shall be removed or painted out within thirty (30) days of the termination of the associated tenant's operation at that location.
39. Signs that are not properly maintained, deteriorated signs and abandoned signs shall be removed in their entirety.

Historical Signs:

40. Preservation of the cultural and historic character of downtown Clarksville is a valid object of zoning by the Clarksville City Council. Therefore, for the purpose of maintaining the historical character of the Clarksville Central Business District, the following signs shall be exempt from the regulations contained herein:
    A. Signs which are a part of the original construction of any building constructed before 1970;
    B. Signs which have been displayed continuously before 1970 at a location within the Central Business District.
41. The modification or alteration of any historic sign (sign constructed before 1970) is subject to review and approval of the Clarksville-Montgomery County Regional Historic Zoning Commission per Section 9.3 of this Zoning Ordinance.

2. Under Chapter 8 "Sign Regulations", Section 9 "Downtown Sidewalk Signs" is hereby amended by deleting Section in its entirety and by replacing it instead as follows:

In the CBD District, non-residential properties may display sidewalk signs under the following provisions:

1. One sidewalk (sandwich board) sign is permitted for each business. Multiple signs are allowed for multi-tenant buildings.
2. Sidewalk signs may be displayed only during the business hours of operation.
3. Sidewalk signs must be placed outside of required Americans with Disabilities Act (ADA) walkways, outside of any required exits and/or entrances, and outside driveways.
4. The maximum size of each display face of a sidewalk sign is six (6) square feet.
5. The maximum height of a sidewalk sign is three (3) feet (36 inches), as measured above the sidewalk, and the maximum width is two (2) feet (24 inches).
6. The sign must be located to leave at least five (5) feet of unobstructed sidewalk area for the movement of pedestrians.

7. The owner shall propose methods to care for signs during windy weather to ensure the sign does not blow over, block walkways, and/or interfere with pedestrian or vehicular traffic. Measures may include approved weighting material or removal during such conditions.
8. Sidewalk signs may be allowed in the public right-of-way if the proposed location does not inhibit the free flow of pedestrian or vehicular traffic and meets the provisions of Subsection 3 above.
9. Prior to placement of any sidewalk sign, a sign permit shall first be obtained through the City Department of Building and Codes.

HEREBY FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

The effective date of this ordinance shall be January,7 2016, deviating from the normal effective date of ordinances as set forth in the Clarksville City Code Part 1 "Charter and Related Laws", Article III "Ordinances and Resolutions", Section 6 "Effective Date of Ordinances, Resolutions and Franchises" so that all related ordinances amending the Clarksville City Code and Clarksville Zoning Ordinance to create the Common Design Review Board may become effective on the same date.

FIRST READING:
SECOND READING:
EFFECTIVE DATE:

ORDINANCE 61-2015-16

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF J & N ENTERPRISES FOR ZONE CHANGE ON PROPERTY SOUTH OF THE TENNESSEE-KENTUCKY STATE LINE, EAST OF BARKERS MILL ROAD AND TORRINGTON LANE, AND NORTH OF HATTINGTON DRIVE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned R-1A Single Family Residential District, as R-2 Single Family Residential District.

PUBLIC HEARING:
FIRST READING:
SECOND READING:
EFFECTIVE DATE:

EXHIBIT A

Beginning at an existing iron pin in the west margin of Barkers Mille Road, said iron pin being the northwest corner of Lot 20, Hartford Heights, Section 2; thence along margin of said road North 07 Degrees 47 Minutes 53 Seconds East 436.48 feet to an existing iron pin; thence with a curve turning to the right with an arc length of 85.44 ,with a radius of 60.00 and with a chord of North 48 Degrees 35 Minutes 40 Seconds East 78.40 feet to an existing iron pin; thence North 89 Degrees 23 Minutes 27 Seconds East 815.98 feet to a point; thence leaving margin of said road South 08 Degrees 27 Minutes 10 Seconds West 2587.57 feet to a point; thence North 80 Degrees 15 Minutes 01 Seconds West 330.33 feet to an existing iron pin; thence North 09 Degrees 44 Minutes 59 Seconds East 165.00 feet to an existing iron pin; thence South 80 Degrees 15 Minutes 01 Seconds East 26.52 feet to an existing iron pin; thence North 08 Degrees 27 Minutes 10 Seconds East 1519.21 feet to an existing iron pin; thence North 81 Degrees 32 Minutes 50 Seconds West 381.24 feet to an existing iron pin; thence North 07 Degrees 47 Minutes 53 Seconds East 298.55 feet to an existing iron pin; thence North 82 Degrees 12 Minutes 07 Seconds West 142.00 feet to an existing iron pin; thence with a curve turning to the left with an arc length of 39.27, with a radius of 25.00 and with a chord of South 52 Degrees 47 Minutes 53 Seconds West 35.36 feet to the point of beginning and containing an area of 26.80 +/- acres.

ORDINANCE 62-2015-16

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF SUNIL KUMAR ARUNAGIRI FOR ZONE CHANGE ON PROPERTY SOUTH AND WEST OF PROVIDENCE BOULEVARD AND NORTH OF B STREET

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned C-2 General Commercial District, as C-5 Highway & Arterial Commercial District.

PUBLIC HEARING:
FIRST READING:
SECOND READING:
EFFECTIVE DATE:

EXHIBIT A

Beginning at a point said point being the northwest corner of the B Street & Walker St. Intersection also the southeast corner of the herein described tract, thence in a northerly direction 136 +/- feet with the western ROW of Walker Street to a point said point being the southwest corner of the Keith Lowry property thence in a westerly direction 106 +/- feet with the southern boundary of the Lowry property to a point said point being in the eastern boundary of the Helen White Butler property thence in a southerly direction 95 +/- feet to a point said point being in the northern ROW of B Street, thence in a easterly direction 149 +/- feet with the northern ROW boundary of B Street to the point of beginning said tract containing 0.33 +/- acres.

CITY ZONING ACTIONS

The following case(s) will be considered for action at the formal session of the Clarksville City Council on: December 3, 2015. The public hearing will be held on: December 3, 2015.

CITY ORD. #: 61-2015-16 RPC CASE NUMBER: Z-31-2015
Applicant: J & N ENTERPRISES INC
Location: south of the TN & KY state line, east of Barkers Mill Rd. & Torrington Ln., north of Hattington Dr.
Ward #: 8
Request: R-1A Single-Family Residential District
to
R-2 Single-Family Residential District

STAFF RECOMMENDATION: APPROVAL
PLANNING COMMISSION RECOMMENDATION: APPROVAL

****

CITY ORD. #: 62-2015-16 RPC CASE NUMBER: Z-32-2015
Applicant: SUNIL KUMAR ARUNAGIRI
Agent: Michael Dean, N A I Clarksville
Location: south & west of Providence Blvd. & north of B Street. (Property address 200 Providence Blvd.)
Ward #: 6
Request: C-2 General Commercial District
to
C-5 Highway & Arterial Commercial District

STAFF RECOMMENDATION: DISAPPROVAL
PLANNING COMMISSION RECOMMENDATION: APPROVAL

****

CITY ORD. #: 56-2015-16 RPC CASE NUMBER: ZO-2-2015
Applicant: REGIONAL PLANNING COMMISSION
Request: To create the Downtown Overlay District

STAFF RECOMMENDATION: APPROVAL
PLANNING COMMISSION RECOMMENDATION: APPROVAL

****

CITY ORD. #: 57-2015-16 RPC CASE NUMBER: ZO-3-2015
Applicant: REGIONAL PLANNING COMMISSION
Request: To Establish Downtown Overlay Guidelines

STAFF RECOMMENDATION: APPROVAL
PLANNING COMMISSION RECOMMENDATION: APPROVAL

****

CITY ORD. #: 58-2015-16 RPC CASE NUMBER: ZO-4-2015
Applicant: REGIONAL PLANNING COMMISSION
Request: To Establish The Downtown Sign Regulations

STAFF RECOMMENDATION: APPROVAL
PLANNING COMMISSION RECOMMENDATION: APPROVAL

****

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

RPC MEETING DATE: 11/24/2015 **CASE NUMBER:** Z - 31 -2015

NAME OF APPLICANT: J & N Enterprises Inc

AGENT:

GENERAL INFORMATION

PRESENT ZONING: R-1A

PROPOSED ZONING: R-2

EXTENSION OF ZONE CLASSIFICATION: YES TO THE EAST

APPLICANT'S STATEMENT FOR PROPOSED USE: Residential development.

PROPERTY LOCATION: south of the TN & KY state line, east of Barkers Mill Rd. & Torrington Ln., north of Hattington Dr.

ACREAGE TO BE REZONED: 26.80 +/-

DESCRIPTION OF PROPERTY AND SURROUNDING USES: Farmland with rolling hills.

GROWTH PLAN AREA: CITY **TAX PLAT:** 007 **PARCEL(S):** 004.00 p/o

CIVIL DISTRICT: 2nd

CITY COUNCIL WARD: 8 **COUNTY COMMISSION DISTRICT:** 18

PREVIOUS ZONING HISTORY: (to include zoning, acreage and action by legislative body)
CZ-71-1996 AG/R-1 to R-1A, R-4 & C-5 (Staff -; RPC +; Commission -)
Z-36-1998 AG to R-1 & R-1A (Staff +; RPC+ Council +)
Z-45-2005 AG to R-1A & R-1 (Staff +; RPC+ Council +)

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

- ☒ GAS AND WATER ENG. SUPPORT MGR.
- ☒ GAS AND WATER ENG. SUPPORT COOR.
- ☐ UTILITY DISTRICT
- ☒ JACK FRAZIER
- ☒ CITY STREET DEPT.
- ☒ TRAFFIC ENG. - ST. DEPT.
- ☐ COUNTY HIGHWAY DEPT.
- ☐ CEMC
- ☒ DEPT. OF ELECTRICITY (CDE)
- ☐ ATT
- ☒ FIRE DEPARMENT
- ☐ EMERGENCY MANAGEMENT
- ☒ POLICE DEPARTMENT
- ☐ SHERIFF'S DEPARTMENT
- ☒ CITY BUILDING DEPT.
- ☐ COUNTY BUILDING DEPT.
- ☒ SCHOOL SYSTEM OPERATIONS
- ☐ FT. CAMPBELL
- ☐ DIV. OF GROUND WATER
- ☐ HOUSING AUTHORITY
- ☐ INDUSTRIAL DEV BOARD
- ☐ CHARTER COMM.
- ☐ Other...

1. CITY ENGINEER/UTILITY DISTRICT:

1. Comments Received From Department And They Had No Concerns.

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

Comments Received From Department And They Had No Concerns.

3.

2a. COST TO STREET/HIGHWAY DEPT.:

3. DRAINAGE COMMENTS:

Comments Received From Department And They Had No Concerns.

4.

3a. DRAINAGE COST:

5.

4. CDE/CEMC:

4a. COST TO CDE/CEMC:

6.

5. CHARTER COMM./BELL SOUTH:

5a. COST TO CHARTER AND/OR BELLSOUTH:

7. Comments Received From Department And They Had No Concerns.

6. FIRE DEPT/EMERGENCY MGT.:

6a. COST FIRE DEPT/EMERGENCY MGT.:

8.

7. POLICE DEPT/SHERIFF'S OFFICE:

7a. COST TO POLICE DEPT./SHERIFF'S DEPT:

Comments Received From Department And They Had No Concerns.

8. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

9.

8a. COST TO CITY/COUNTY BLDG. & CODES:

9. SCHOOL SYSTEM:

ELEMENTARY: HAZELWOOD

MIDDLE SCHOOL: WEST CREEK

HIGH SCHOOL: WEST CREEK

This Development Has The Potential To Generate Numerous Students In The Fastest Growing Region In The County. Hazelwood Elementary Is Currently At Capacity. Housing Development Is Outpacing School Capacity In This Region.

0.

9a. COST TO SCHOOL SYSTEM:

10. FT. CAMPBELL:

10a. COST TO FT. CAMPBELL:

11. OTHER COMMENTS:

11.

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

IMPACT OF PROPOSED USE ON SURROUNDING DEVELOPMENT: Minimal

INFRASTRUCTURE:

WATER SOURCE: CITY **PIPE SIZE:**

SEWER SOURCE: CITY

ACCESSIBILITY: TORRINGTON LN., DANBURY DR., BARKERS MILL RD.

DRAINAGE: VARIES

DEVELOPMENT ESTIMATES:	APPLICANT'S ESTIMATES	HISTORICAL ESTIMATES
LOTS/UNITS:		
ROAD MILES:		
POPULATION:		
ELEMENTARY SCHOOL STUDENTS:		
MIDDLE SCHOOL STUDENTS:		
HIGH SCHOOL STUDENTS:		

APPLICABLE COMPREHENSIVE PLAN ELEMENTS:

Trenton Road Planning Area: The dominant transportation corridor in the area is I-24, strongly supported by Wilma Rudolph Blvd. & 101st Airborne Parkway. Exit 4 I-24 interchange with Trenton Road has seen tremendous growth since 2000.

STAFF RECOMMENDATION: **APPROVAL**

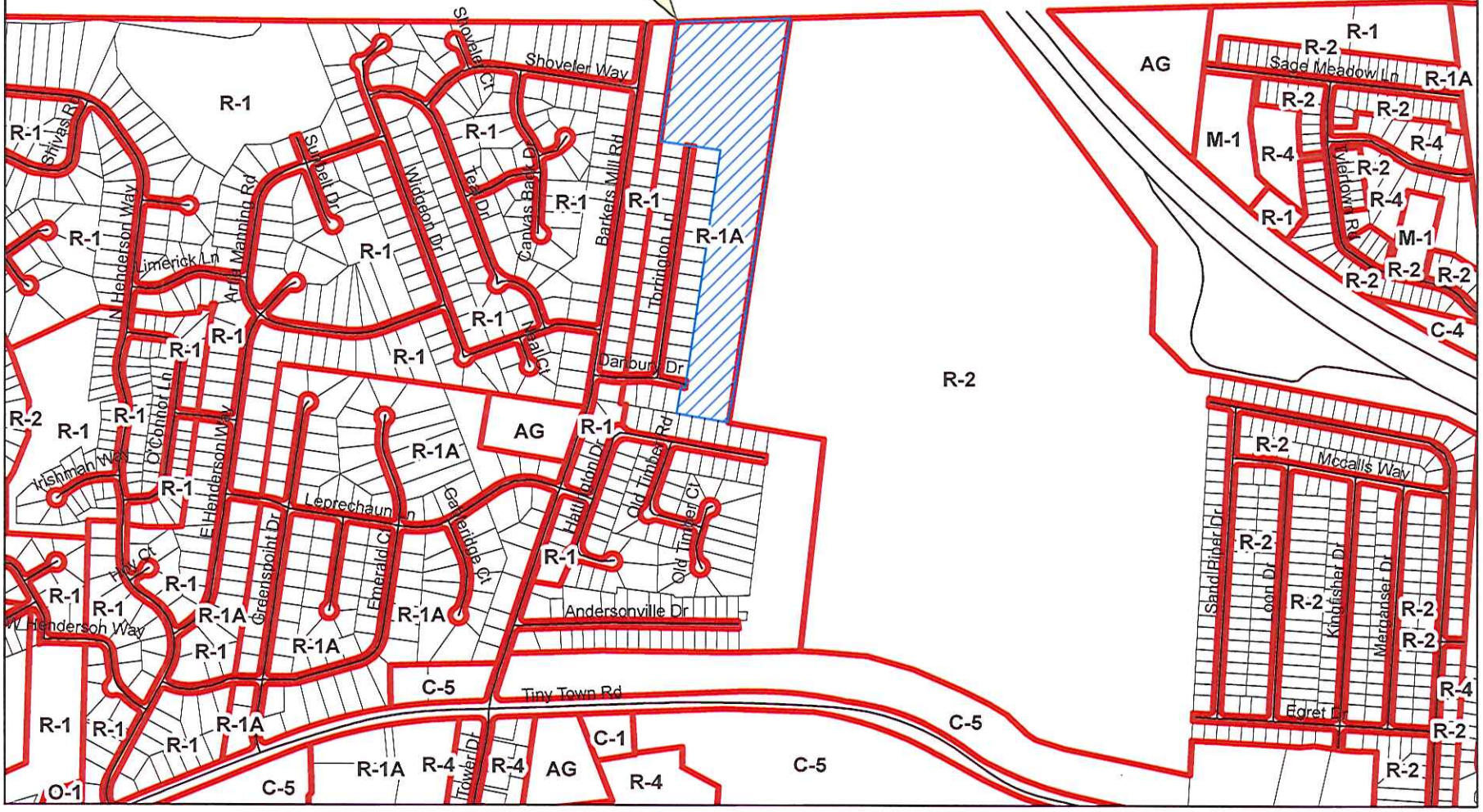
1. The proposed zoning request is consistent with Growth Plan (as in the City) and adopted Land Use Plan.
2. No adverse environmental issues were identified relative to this request & adequate infrastructure serves the site.
3. R-2 request is an extension of the existing R-2 zoning to the east.
4.
5.

Z-31-2015

APPLICANT: J & N ENTERPRISES

REQUEST: R-1A to R-2

MAP 007 PACREL 004.00(p) ACREAGE 26.80+/-



F

CASE NUMBER: Z 31 2015 **MEETING DATE** 11/24/2015

APPLICANT: J & N Enterprises Inc

PRESENT ZONING R-1A **PROPOSED ZONING** R-2

TAX PLAT # 007 **PARCEL** 004.00 p/o

GEN. LOCATION south of the TN & KY state line, east of Barkers Mill Rd. & Torrington Ln., north of Hattington Dr.

****

PUBLIC COMMENTS

None received as of 10:00 a.m. on 11/24/2015 (jhb).

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

RPC MEETING DATE: 11/24/2015 **CASE NUMBER:** Z - 32 - 2015

NAME OF APPLICANT: Sunil Kumar Arunagiri

AGENT: Michael Dean, N A I Clarksville

GENERAL INFORMATION

PRESENT ZONING: C-2

PROPOSED ZONING: C-5

EXTENSION OF ZONE CLASSIFICATION: NO

APPLICANT'S STATEMENT FOR PROPOSED USE: Rezoning request to C-5, to allow automotive repair service, major.

PROPERTY LOCATION: south & west of Providence Blvd. & north of B Street. (Property address 200 Providence Blvd.)

ACREAGE TO BE REZONED: 0.33

DESCRIPTION OF PROPERTY AND SURROUNDING USES: Existing commercial structure on parcel.

GROWTH PLAN AREA: CITY **TAX PLAT:** 055-I-E **PARCEL(S):** 011.00

CIVIL DISTRICT: 6

CITY COUNCIL WARD: 6 **COUNTY COMMISSION DISTRICT:** 13

PREVIOUS ZONING HISTORY:
(to include zoning, acreage and action by legislative body)

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

- ☒ GAS AND WATER ENG. SUPPORT MGR.
- ☒ GAS AND WATER ENG. SUPPORT COOR.
- ☐ UTILITY DISTRICT
- ☒ JACK FRAZIER
- ☒ CITY STREET DEPT.
- ☒ TRAFFIC ENG. - ST. DEPT.
- ☐ COUNTY HIGHWAY DEPT.
- ☐ CEMC
- ☒ DEPT. OF ELECTRICITY (CDE)
- ☐ ATT
- ☒ FIRE DEPARMENT
- ☐ EMERGENCY MANAGEMENT
- ☒ POLICE DEPARTMENT
- ☐ SHERIFF'S DEPARTMENT
- ☒ CITY BUILDING DEPT.
- ☐ COUNTY BUILDING DEPT.
- ☐ SCHOOL SYSTEM OPERATIONS
- ☐ FT. CAMPBELL
- ☐ DIV. OF GROUND WATER
- ☐ HOUSING AUTHORITY
- ☐ INDUSTRIAL DEV BOARD
- ☐ CHARTER COMM.
- ☐ Other...

1. CITY ENGINEER/UTILITY DISTRICT:

1. Comments Received From Department And They Had No Concerns.

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

Comments Received From Department And They Had No Concerns.

3.

2a. COST TO STREET/HIGHWAY DEPT.:

3. DRAINAGE COMMENTS:

Comments Received From Department And They Had No Concerns.

4.

3a. DRAINAGE COST:

5.

4. CDE/CEMC:

4a. COST TO CDE/CEMC:

6.

5. CHARTER COMM./BELL SOUTH:

5a. COST TO CHARTER AND/OR BELLSOUTH:

7. Comments Received From Department And They Had No Concerns.

6. FIRE DEPT/EMERGENCY MGT.:

6a. COST FIRE DEPT/EMERGENCY MGT.:

8.

7. POLICE DEPT/SHERIFF'S OFFICE:

7a. COST TO POLICE DEPT./SHERIFF'S DEPT:

Comments Received From Department And They Had No Concerns.

8. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

9.

8a. COST TO CITY/COUNTY BLDG. & CODES:

9. SCHOOL SYSTEM:

ELEMENTARY: BYRNS DARDEN

MIDDLE SCHOOL: KENWOOD

HIGH SCHOOL: KENWOOD

0.

9a. COST TO SCHOOL SYSTEM:

10. FT. CAMPBELL:

10a. COST TO FT. CAMPBELL:

11. OTHER COMMENTS:

11.

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

IMPACT OF PROPOSED USE ON SURROUNDING DEVELOPMENT: Minimal

INFRASTRUCTURE:

WATER SOURCE: CITY **PIPE SIZE:**

SEWER SOURCE: CITY

ACCESSIBILITY: B STREET

DRAINAGE: VARIES

DEVELOPMENT ESTIMATES:	APPLICANT'S ESTIMATES	HISTORICAL ESTIMATES
LOTS/UNITS:		
ROAD MILES:		
POPULATION:		
ELEMENTARY SCHOOL STUDENTS:		
MIDDLE SCHOOL STUDENTS:		
HIGH SCHOOL STUDENTS:		

APPLICABLE COMPREHENSIVE PLAN ELEMENTS:

New Providence Planning Area- made up of a series of mature neighborhoods that center upon U.S. 41A / Ft. Campbell Blvd.

STAFF RECOMMENDATION: **DISAPPROVAL**

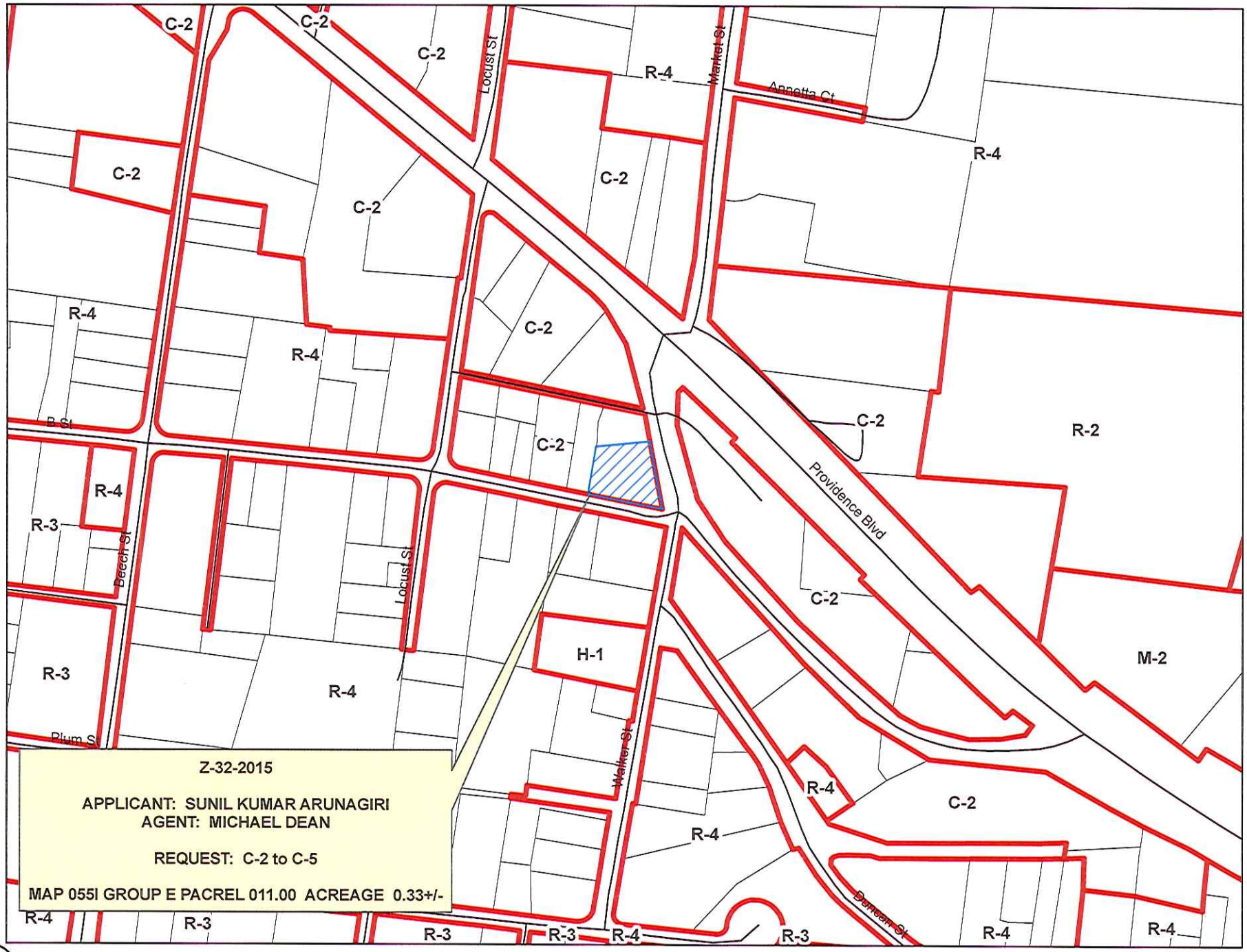
1. The proposed zoning request is consistent with Growth Plan (as in the City), but inconsistent the adopted Land Use Plan.

2. The adopted Land Use Plan indicates that the present C-2 zoning classification is assumed to be correct unless the proposed zone is more consistent with the land use plan, the parcel was incorrectly zoned in the first place, or major changes of an economic, physical or social nature were not considered in the present plan which have substantially altered the character of the area.

3. Adjacent properties to the north, east & west are zoned C-2 General Commercial District

4. No adverse environmental issues were identified relative to this request.

5.


Z-32-2015
APPLICANT: SUNIL KUMAR ARUNAGIRI
AGENT: MICHAEL DEAN
REQUEST: C-2 to C-5
MAP 055I GROUP E PACREL 011.00 ACREAGE 0.33+/-
C-2
R-4
R-3
R-2
M-2
H-1
Locust St
Market St
Annetta Ct
Providence Blvd
B St
Beech St
Plum St
Walker St
Duncan St

5

CASE NUMBER: Z 32 2015 **MEETING DATE** 11/24/2015

APPLICANT: Sunil Kumar Arunagiri

PRESENT ZONING C-2 **PROPOSED ZONING** C-5

TAX PLAT # 055-I-E **PARCEL** 011.00

GEN. LOCATION south & west of Providence Blvd. & north of B Street. (Property address 200 Providence Blvd.)

****

PUBLIC COMMENTS

None received as of 10:00 a.m. on 11/24/2015 (jhb).

ORDINANCE 37-2015-16

AN ORDINANCE AMENDING THE CLARKSVILLE CITY CODE TO DISSOLVE THE TWO RIVERS COMPANY DESIGN REVIEW BOARD AND THE MADISON STREET COORIDOR DESIGN REVIEW BOARD

WHEREAS, in order to streamline the development review process, the Mayor's Design Review Task Force recommended the creation of a consolidated design review board to exercise urban design review approval for physical improvements within the Historic District Overlay, the Madison Street Corridor Urban Design Overlay District, the Central Business Improvement District, and any subsequent design review overlay districts created within the City of Clarksville; and

WHEREAS, the Clarksville-Montgomery County Regional Historic Zoning Commission retains its authority to approve Certificates of Appropriateness for constructing, altering, repairing, rehabilitating, relocating or demolishing any building or structure within locally designed historic districts of the Historic District Overlay with the City of Clarksville, and further retains all other powers and duties including the authority to adopt, modify and update design review guidelines for individual locally-designed historic districts; and

WHEREAS, the Two Rivers Company, as the successor to the Downtown District Partnership and the River District Commission, approved the delegation of its authority for urban design review for improvement projects within the boundary of the Central Business Improvement District and dissolved its Design Review Committee performing such function, but retained all other powers and duties; and

WHEREAS, the Madison Street Corridor Design Review has agreed to its dissolution so that its design review approval authority may be taken over by the Common Design Review Board for the Madison Street Corridor Urban Design Overlay District; and

WHEREAS, the Clarksville-Montgomery County Regional Planning Commission has recommended the creation of the Downtown Urban Design Overlay District (coinciding with the boundaries of the Central Business Improvement District), the creation of a Common Design Review Board to review and to approve improvement projects within the Historic District Overlay, the Madison Street Corridor Urban Design Overlay District, the Downtown Urban Design Overlay District (coinciding with the boundaries of the Central Business Improvement District), and any other design overlay districts that may be subsequently created in the City of Clarksville; and

WHEREAS, the Clarksville-Montgomery County Regional Planning Commission has agreed to provide staff support to the Common Design Review Board; and

WHEREAS, the City Council of the City of Clarksville is creating the Common Design Review Board under a coincident Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE THAT:

1. Dissolution of Two Rivers Company Design Review Board. The Two Rivers Company Design Review Board was created by the Downtown District Partnership (now the Two Rivers Company) under the authority creating the Central Business Improvement District per Ordinance 41-1998-1999 effective on April 13, 1999, and found in the Clarksville City Code Part 2 "Code of Ordinances" Title 12, "Streets and Other Public Ways and Places" – Chapter 9 "Central Improvement District. Section 12-906 "Scope of Authority" is hereby amended by deleting the entirety of Item 13 concerning exterior design review authority.

2. Dissolution of Madison Street Corridor Design Review Board. The Madison Street Corridor Design Review Board, codified in the Clarksville City Code Part 2 "Code of Ordinances" Title 11 "Planning and Zoning" – Chapter 9 "Madison Street Corridor Design Review Board" Section 11-902 Madison Street Design Review Board" (created under Ordinance 85-2007-08 and its membership modified under Ordinance 43-2012-2013), is hereby dissolved and its powers transferred to the Common Design Review Board being created under a separate ordinance. Sections 11-901 and 11-903 of the Clarksville City Code will remain in effect.

3. Effective Date. The effective date of this ordinance shall be January 7, 2016, deviating from the normal effective date of ordinances as set forth in the Clarksville City Code Part 1 "Charter and Related Laws", Article III "Ordinances and Resolutions", Section 6 "Effective Date of Ordinances, Resolutions and Franchises" so that all related ordinances amending the Clarksville City Code and Clarksville Zoning Ordinance to create the Common Design Review Board may become effective on the same date.

FIRST READING: November 5, 2015
SECOND READING:
EFFECTIVE DATE:

ORDINANCE 38-2015-16

AN ORDINANCE CREATING THE COMMON DESIGN REVIEW BOARD FOR THE CITY OF CLARKSVILLE, TENNESSEE

WHEREAS, in order to streamline the development review process, the Mayor's Design Review Task Force recommended the creation of a consolidated design review board to exercise urban design review approval for physical improvements within the Historic District Overlay, the Madison Street Corridor Urban Design Overlay District, the Downtown Urban Design Overlay District (defined as the boundaries of the Central Business Improvement District), and any subsequent design review overlay districts created within the City of Clarksville; and

WHEREAS, the Clarksville-Montgomery County Regional Historic Zoning Commission retains its authority to approve Certificates of Appropriateness for constructing, altering, repairing, rehabilitating, relocating or demolishing any building or structure within locally designed historic districts with the Historic District Overlay with the City of Clarksville, and further retains all other powers and duties including the authority to adopt, modify and update design review guidelines for individual locally-designed historic districts; and

WHEREAS, the Two Rivers Company, as the successor to the Downtown District Partnership and the River District Commission, approved the delegation of its authority for urban design review for improvement projects within the boundary of the Central Business Improvement District and dissolved its Design Review Committee performing such function, but retained all other powers and duties; and

WHEREAS, the Madison Street Corridor Design Review has agreed to its dissolution so that its design review approval authority may be taken over by the Common Design Review Board for the Madison Street Corridor Urban Design Overlay District; and

WHEREAS, the Clarksville-Montgomery County Regional Planning Commission has recommended the creation of the Downtown Urban Design Overlay District, the creation of a Common Design Review Board to review and to approve improvement projects within the Historic District Overlay, the Madison Street Corridor Urban Design Overlay District, the Downtown Urban Design Overlay District, and any other design overlay districts subsequently created in the City of Clarksville; and

WHEREAS, the Clarksville-Montgomery County Regional Planning Commission has agreed to provide staff support to the Common Design Review Board.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE THAT:

1. Creation and Authority. In accordance with Tennessee Annotated Code 6-54-133, there is hereby created a Common Design Review Board which will be responsible for reviewing and approving nonresidential and multiple family (excluding single-family and two-family structures) improvement projects within the City of Clarksville Madison Street Corridor Urban Design Overlay District, the Downtown Urban Design Overlay District (known as the geographic area of the Central Business Improvement District) and any other design overlays subsequently created by the City Council, that require demolition, building and sign permits, and that make modifications to the exterior appearance of buildings, signing, landscaping and parking, in order to insure compliance with the design standards and guideless adopted for design overlay districts established in the City of Clarksville Zoning Ordinance. Within the Historic District Overlay, the Clarksville-Montgomery County Regional Historic Zoning Commission retains its authority to review and approve both nonresidential and residential (including single-family, two-family and multiple-family structures) improvement projects. Only the Clarksville-Montgomery County Regional Historic Zoning Commission members may participate in discussion and take action on improvements within the Historic District Overlay.

2. Board Membership. The Board shall consist of eleven (11) members who shall have been bona fide residents of the area of jurisdiction of Montgomery County, being at least twenty-one years of age, for not less than three (3) years immediately prior to appointment and who shall continue to be so eligible as long as they serve. The Board shall be made up of the following:

   A. The seven members of the Clarksville-Montgomery County Regional Historic Zoning Commission (per the City Zoning Ordinance and County Zoning Resolution) consisting of:

      - A representative of a local patriotic or historical organization;
      - An architect, if available;
      - One representative of the Clarksville City Council;
      - One representative of the County Commission;
      - One representative of the Clarksville-Montgomery County Regional Planning Commission; and
      - Two members from the general public.

   B. Plus, four members who are not members of the Clarksville-Montgomery County Regional Historic Zoning Commission or the Clarksville-Montgomery County Regional Planning Commission.

3. Appointment.

A. The appointment of the membership of the Clarksville-Montgomery County Historic Zoning Commission is governed by the City Zoning Ordinance and the County Zoning Resolution:

- The Mayor of the City of Clarksville shall appoint the representative of the local patriotic or historical organization, the member of the City Council; and one member from the general public; and all appointments of the Mayor shall be subject to confirmation of the City Council.

- The Mayor of Montgomery County shall appoint the architect, the member of the Board of County Commissions, and one member from the general public; and all appointments of the Mayor shall be subject to confirmation of the Board of County Commissioners.

- The Clarksville-Montgomery County Regional Planning Commission shall nominate the member of that Commission, and that member shall be confirmed by both the City Council and the Board of County Commissioners.

B. The appointment of the members of the Common Design Review Board who are not also members of the Clarksville-Montgomery County Regional Historic Zoning Commission is as follows:

- The Mayor of the City of Clarksville shall appoint the four members of the general public who reside or conduct business in the City of Clarksville; and the appointments of the Mayor shall be subject to confirmation of the City Council.
-

4. Term of Appointment, Removal and Vacancies.

A. The members of the Common Design Review Board (including members of the Regional Historic Zoning Commission) shall serve for five-year terms, except that the members appointed initially shall be appointed for staggered terms so that the terms of at least one (1) member, but not more than three (3) members shall expire each year. The term of the member nominated from the Clarksville-Montgomery County Regional Planning Commission shall be concurrent with their term on the Regional Planning Commission, and the term of the members from the City Council and the Board of County Commissioner shall be concurrent with their term of office on the City Council or the Board of County Commissioners. Members are eligible for reappointment, but shall serve no more than two terms not to exceed ten (10) years.

B. All members shall serve with compensation and may be removed from membership by the appointing authority for just causes. Any member being so removed shall be provided, upon request, a public hearing on the removal decision before the City Council and/or Board of County Commissioners, as applicable.

C. Vacancies on the Common Design Review Body (including members of the Historic Zoning Commission) shall be filled for the unexpired term of those members whose position has become vacant in the manner herein provided for the appointment of such member. Vacancies shall be filled within a period of sixty (60) days following their occurrence. However, a member shall continue to serve after the expiration of their term until replaced. The Common Design Review Board may adopt rules and regulations consistent with the provisions of this ordinance, the City Zoning Ordinance and the County Zoning Resolution.

5. Election of Officers, Rules and Meetings. The Common Design Review Board shall elect from its members its own chairman, vice chairman and other officers deemed appropriate to carry out its purposes. However, only members of the Common Design Review Board who are also members of the Regional Historic Zoning Commission are eligible for election to the position of chairman and vice chairman. The election of the chairman, vice chairman and any other officers shall occur at the first regular meeting in January each year, and the newly elected officers shall take office at the end of the meeting. The Board shall adopt rules of order for conducting meetings and establish regular meeting dates. The Clarksville-Montgomery County Regional Planning Commission staff shall establish application deadlines for matters coming before the Common Design Review Board.

6. Conflict of Interest. Any member of the Common Design Review Board (including members of the Regional Historic Zoning Commission) who shall have a direct or indirect interest in any property which is the subject matter of, or affected by, a decision of said Board shall be disqualified from participating in the discussion, decision, or proceedings of the Common Design Review Board in connection therewith. The Code of Ethics of the City of Clarksville and the Code of Ethics of Montgomery County shall govern.

BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

The effective date of this ordinance shall be January 7, 2016, deviating from the normal effective date of ordinances as set forth in the Clarksville City Code Part 1 “Charter and Related Laws”, Article III “Ordinances and Resolutions”, Section 6 “Effective Date of Ordinances, Resolutions and Franchises” so that all related ordinances amending the Clarksville City Code and Clarksville Zoning Ordinance to create the Common Design Review Board may become effective on the same date.

FIRST READING: November 5, 2015
SECOND READING:
EFFECTIVE DATE:

ORDINANCE 39-2015-16

AN ORDINANCE AMENDING THE 2015-16 TRAFFIC CAMERA PARKS SPECIAL REVENUE FUND BUDGET AND THE CAPITAL PROJECTS BUDGET(ORDINANCE 10-2015-16) AUTHORIZING THE CITY OF CLARKSVILLE TO AMEND THE SCOPE, INCREASE THE BUDGET, AND EXTEND THE 2013 STATE OF TENNESSEE RECREATION TRAILS PROGRAM GRANT FOR THE HERITAGE PARK GREENWAY CONNECTION

WHEREAS, the City Council of the City of Clarksville, Tennessee desires to provide enhanced grenway and trail development, which leads to increased levels of fitness, opportunities for outdoor recreation, provides a vital community service along with alternative transportation potential, and;

WHEREAS, the City sought and the State of Tennessee awarded a 2013 Recreation Trail Program (RTP) Grant in the amount of $120,000 to be matched by $30,000 City funds for the Heritage Park Greenway Connection, and;

WHEREAS, the City and the State of Tennessee are seeking to amend, increase and extend the current grant in the amount of $40,000 state funds with a $10,000 City match to provide seating benches, trash cans, signage, safety barrier post and cable, and landscaping to fully finish the project no later than July 31, 2016, and:

WHEREAS, the City match will be derived from the Greenway/Blueway Redflex account so as not to expend dollars from the City general fund account.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the following Traffic Camera Parks Special Revenue Fund budget amendment be made:

35450003 4914 Transfer out to Capital Projects Fund	Increase:	$10,000

BE IT FURTHER ORDAINED;

That the following Capital Projects Fund budget amendments be made:

Revenue:	4041000 33130 14505 Federal Grants Revenue	Increase:	$40,000
	4041000 39190 Transfer in from Other City Fund	Increase:	$10,000
Expenditures:	40450003 4610 14505 Heritage Park Greenway Connection	Increase:	$50,000

FIRST READING: November 5, 2015
SECOND READING:
EFFECTIVE DATE:

ORDINANCE 40-2015-16

AN ORDINANCE AMENDING THE 2015-16 GENERALFUND BUDGET(ORDINANCE 10-2015-16) AUTHORIZING THE CITY OF CLARKSVILLE TO INCREASE THE OPERATING BUDGET OF INTERNAL AUDIT TO FUND RELATED SALARY AND BENEFIT COSTS FOR THE INCOMING DIRECTOR OF INTERNAL AUDIT

WHEREAS, the current Director of Internal Audit is retiring effective December 31, 2015, and;

WHEREAS, the discretionary portions of the Internal Audit Department budget are very small allowing very little budget flexibility, and;

WHEREAS, $14,493 in additional funds will be required to transition to a new Director of Internal Audit.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the following General Fund budget amendments be made:

104152131	4111	Full time salary	Increase:	$ 9,003
(leave pay-out for retiring director plus increase for incoming director)				
104152131	4211	Health Insurance	Increase:	$ 4,800
104152131	4221	Social Security	Increase:	$ 690

BE IT FURTHER ORDAINED

That the $14,493 will be taken from the fund balance of the general fund, and if this entire amount is not needed for this transition, the unused portion will be returned to the general fund.

FIRST READING: November 5, 2015
SECOND READING:
EFFECTIVE DATE:

ORDINANCE 43-2015-16

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF THOMAS SALLEE, JR. FOR ZONE CHANGE ON PROPERTY AT THE INTERSECTION OF COLLEGE STREET AND SALLEE DRIVE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned M-1 Light Industrial District, as C-5 Highway & Arterial Commercial District.

PUBLIC HEARING: November 5, 2015
FIRST READING: November 5, 2015
SECOND READING:
EFFECTIVE DATE:

EXHIBIT A

Beginning at a point said point being located at the northeast corner of the College St. & Sallee Dr. intersection, said point also being the southwest corner of the Thomas R. Sallee property thence in a northerly direction with the eastern ROW of College St. 98 +/- feet to a point, said point being the southwest corner of the Johnny R. Meeks property, thence in a easterly direction with the southern boundary of the Meeks property 98 +/- feet to a point thence in a northerly direction 81 +/- feet with the Meeks boundary to a point, thence in a easterly direction 66 +/- feet with the Meeks boundary to a point, said point being the southwest corner of the Earl Scott Denney property, thence in a easterly direction with the southern boundary of the Denney property 179 +/- feet to a point, said point being in the western boundary of the Railroad ROW thence in a southerly direction with the Railroad ROW 240 +/- feet to a point said point being in the northern boundary of the William G. Ogles, Jr. property, thence in a westerly direction with the Ogles property 50 +/- feet to a point, said point being at the eastern terminus of Sallee Dr. thence following the terminus width north 24 +/- feet, thence in a westerly direction with the northern ROW of Sallee Dr. 240 +/- feet to the point of beginning, said tract containing 1.24 +/- acres, further identified as (Tax Map 55-M-C, Parcel(s) 3.00 & 4.00)

ORDINANCE 44-2015-16

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF MIKE SHELBY, BILL ROBERTS-AGENT, FOR ZONE CHANGE ON PROPERTY AT THE INTERSECTION OF ALFRED THUN ROAD AND INTERNATIONAL BOULEVARD

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned M-2 General Industrial District, as C-5 Highway & Arterial Commercial District.

PUBLIC HEARING: November 5, 2015
FIRST READING: November 5, 2015
SECOND READING:
EFFECTIVE DATE:

EXHIBIT A

Beginning at a point, said point being 833 +/- feet southwest of the International Blvd. & Alfred Thun Rd. intersection, said point also being in the southern ROW of Alfred Thun Rd. further identified as the northwest corner of the adjoining Michael A. Shelby property, thence in a westerly direction with the south ROW of Alfred Thun Rd. along the curve 704 +/- feet said point being in the eastern ROW of Interstate I-24 thence in a southeasterly direction along the eastern ROW of Interstate I-24 425 +/- feet to a point, said point being in the northern ROW of Dunlop Lane, thence in a easterly direction with the northern ROW of Dunlop Ln. 386 +/- to a point said point being the southwest corner of the Michael A. Shelby property, the in a northerly direction with the Shelby boundary 140 +/- feet to the point of beginning, said tract containing 1.54 +/- acres, further identified as (Tax Map 40, Parcel 5.11)

CLARKSVILLE CITY COUNCIL
REGULAR SESSION
NOVEMBER 5, 2015

MINUTES

PUBLIC COMMENTS

Prior to the meeting, David Blevins encouraged the City Council to resolve the issue regarding local soccer teams' use of city-owned soccer fields. Cindy Griffy asked the City Council to expedite an agreement with Woodlawn Utility District to provide water and sewer services to that area.

CALL TO ORDER

The regular session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, November 5, 2015, at 7:03 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A moment of silence was held in honor of Police Detective Tyler Barrett who suddenly passed away on November 3rd.

A prayer was offered by Councilwoman Wanda Smith; the Pledge of Allegiance was led by Councilman Bill Powers.

ATTENDANCE

PRESENT: Richard Garrett (Ward 1), James Lewis (Ward 3), Wallace Redd (Ward 4), Valerie Guzman (Ward 5), Wanda Smith (Ward 6), Geno Grubbs (Ward 7), David Allen (Ward 8), Joel Wallace, Mayor Pro Tem (Ward 9), Mike Alexander (Ward 10), Bill Powers (Ward 11), Jeff Burkhart (Ward 12)

ABSENT: Deanna McLaughlin (Ward 2)

SPECIAL RECOGNITIONS

Mayor McMillan welcomed members of the Mayor's Youth Council.

Mayor McMillan proclaimed November 14, 2014, as "Combat Hunger Day" in the City of Clarksville and expressed appreciation to Kenny York, founder of Manna Café, for his efforts and dedication to feeding the hungry.

Mayor McMillan noted the November 7th breakfast and parade that would be held in conjunction with Veterans Day and thanked all Americans who have served.

PUBLIC HEARING

Councilman Grubbs made a motion to conduct a public hearing to receive comments regarding requests for zone change and abandonment of property. The motion was seconded by Councilman Redd. There was no objection.

ORDINANCE 41-2015-16 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of William E. and Ruth Maynard, Michelle Lalande-Agent, for zone change on property located at Red Coat Run and Dr. Martin Luther King, Jr. Parkway from R-1 Single Family Residential District to C-5 Highway & Arterial Commercial District

No one spoke in favor of this request. Kenneth Head and Paul Miller said a commercial operation would increase traffic in 76 Estates.

ORDINANCE 42-2015-16 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of David L. Merrill and Un Chu Jenkins for zone change on property at the intersection of Tiny Town Road and Tobacco Road from R-2 Single Family Residential District and R-1A Single Family Residential District to C-1 Neighborhood Commercial District

Rob Shrom said the owners planned to develop a small strip mall which would increase sales and property taxes and provide convenient shopping to the area. Misha Paul said the recently constructed retaining wall did not appear to be safe and a commercial operation would increase traffic on Iris Lane which did not have sidewalks. Gavin Alton said the retaining wall had already caused drainage problems.

ORDINANCE 43-2015-16 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Thomas Sallee, Jr. for zone change on property at the intersection of College Street and Sallee Drive from M-1 Light Industrial District to C-5 Highway &Arterial Commercial District

Thomas Sallee said he planned to establish a car dealership on this property. No one expressed opposition to this request.

ORDINANCE 44-2015-16 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Mike Shelby, Bill Roberts-Agent, for zone change on property at the intersection of Alfred Thun Road and International Boulevard from M-2 General Industrial District to C-5 Highway & Arterial Commercial District

Bill Roberts said he was transitioning his current boat facility to an auto dealership which would require the commercial zoning. There was no expressed opposition.

RESOLUTION 14-2015-16 Approving abandonment of two unimproved rights-of-way north of Franklin Street, South of Main Street, East of 8th Street, and west of 9th Street; request of Clarksville Fire & Rescue

No one expressed support for or opposition to this request.

Councilman Grubbs made a motion to revert to regular session. The motion was seconded by Councilman Alexander. There was no objection.

ADOPTION OF ZONING

The recommendations of the Regional Planning Staff and Commission were for disapproval of **ORDINANCE 41-2015-16**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Lewis. Councilman Alexander considered this change as spot zoning. The following vote was recorded:

NAY: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, Powers, Redd, Smith, Wallace

The motion to adopt this ordinance on first reading failed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 42-2015-16**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Lewis. Councilman Garett, Councilman Alexander, and Councilman Allen opposed commercial intrusion into the residential area. Councilman Burkhart and Councilman Powers felt a commercial zone would be appropriate. The following vote was recorded:

AYE: Burkhart, Powers, Redd

NAY: Alexander, Allen, Garrett, Grubbs, Guzman, Leis, Smith, Wallace

The motion to adopt this ordinance on first reading failed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 43-2015-16**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Redd. The following vote was recorded:

AYE: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, Powers, Redd, Smith, Wallace

The motion to adopt this ordinance on first reading passed.

The recommendation of the Regional Planning Staff was for disapproval of **ORDINANCE 44-2015-16**; recommendation of the Regional Planning Commission was for approval. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Lewis. Councilman Allen and Councilman Alexander felt a commercial zone would be appropriate for this property. The following vote was recorded:

AYE: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, Powers, Redd, Smith, Wallace

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **RESOLUTION 14-2015-16**. Councilman Grubbs made a motion to adopt this resolution. The motion was seconded by Councilman Lewis. The following vote was recorded:

AYE: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, Powers, Redd, Smith, Wallace

The motion to adopt this resolution passed.

DESIGN REVIEW BOARD

ORDINANCE 37-2015-16 (First Reading) Amending the Official Code to dissolve the Madison Street Design Review Board and the Two Rivers Company Design Review Board

Mayor McMillan made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Lewis. The following vote was recorded:

AYE: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, McMillan, Powers, Redd, Smith, Wallace

The motion to adopt this ordinance on first reading passed.

ORDINANCE 38-2015-16 (First Reading) Amending the Official Code to create a common design review board

Mayor McMillan made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Lewis. The following vote was recorded:

AYE: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, McMillan, Powers, Redd, Smith, Wallace

The motion to adopt this ordinance on first reading passed.

CONSENT AGENDA

All items in this portion of the agenda are considered to be routine and non-controversial by the Council and may be approved by one motion; however, a member of the Council may request that an item be removed for separate consideration under the appropriate committee report:

1. **ORDINANCE 29-2015-16** (Second Reading) Amending the FY16 Capital Projects Budget to increase funding for the Bank of America property purchase

2. **ORDINANCE 33-2015-16** (Second Reading) Authorizing extension of utilities to property on McAdoo Creek Road; request of Frank Parcells

3. **ORDINANCE 34-2015-16** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Hunter S. Winn, Christine Wenrick-Agent, for zone change on property at Merritt Drive and Memorial Drive from R-1 Single Family Residential District to O-1 Office District

4. **ORDINANCE 35-2015-16** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Tamay Ozari, Robert Jarrett-Agent, for zone change on property at the intersection of Providence Boulevard and Beech Street from C-2 General Commercial District to C-5 Highway & Arterial Commercial District

5. **RESOLUTION 16-2015-16** Approving a retail liquor store Certificate of Compliance for Clarksville Liquor Hospitality (Jayesh and Shveta Patel) for operation of Caddy's Discount Liquors (2206-B Madison Street) *(CPD: No Local Criminal History)*

6. Adoption of Minutes: Regular Session October 1st, Special Session October 20th

7. Approval of Board Appointments:

   Audit Committee: Joyce Norris (replace Tim Hurst-term expired), Jerry Weatherspoon (replace Al Irby-term expired) – January 2016 through December 2017

Councilman Alexander made a motion to adopt the Consent Agenda. The motion was seconded by Councilwoman Guzman. Councilman Burkhart did not vote on **ORDINANCE 29-2015-16**; Councilman Redd voted "nay" on **ORDINANCE 29-2015-16.** The following vote was recorded:

AYE: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, Powers, Redd, Smith, Wallace

The motion to adopt the Consent Agenda, with the abstention and nay vote noted, passed.

HOUSING & COMMUNITY DEVELOPMENT COMMITTEE
David Allen, Chair

Councilman Allen said a handicap ramp had been built for an elderly family in Ward 2 with the department's HUD funds and labor donated by the Church of Christ at Trenton Crossing.

FINANCE COMMITTEE
Joel Wallace, Chair

ORDINANCE 39-2015-16 (First Reading) Amending the FY16 Traffic Camera Parks Special Revenue Fund for Heritage Park Greenway

The recommendation of the Finance Committee was for approval of this ordinance. Councilman Wallace made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Lewis. The following vote was recorded:

AYE: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, Powers, Redd, Smith, Wallace

The motion to adopt this ordinance on first reading passed.

ORDINANCE 40-2015-16 (First Reading) Amending the FY16 Internal Audit budget for salary and benefit costs for the incoming director

The recommendation of the Finance Committee was for approval of this ordinance. Councilman Wallace made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Lewis. The following vote was recorded:

AYE: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, Powers, Redd, Smith, Wallace

The motion to adopt this ordinance on first reading passed.

GAS & WATER COMMITTEE
Wallace Redd, Chair

Councilman Redd said the Clarksville Gas & Water Department had receive $3,500,000 of the approximately $40,000,000 in tentatively approved claims for damages following the 2010 flood. Councilman Allen said the ratepayers should be reimbursed for the current debt fee when the appropriate time comes.

PARKS, RECREATION, GENERAL SERVICES
Valerie Guzman, Chair

Councilwoman Guzman said 93 special needs students attended the department's first "Adaptive Swimming Day" on October 30th. She mentioned various upcoming events including "Homemade Holidays" on November 14th and 15th and "Christmas on the Cumberland" at McGregor Park beginning November 24th.

PUBLIC SAFETY COMMITTEE
(Building & Codes, Fire & Rescue, Police)
Geno Grubbs, Chair

Councilman Grubbs shared the following department statistics for October: Building & Codes Construction Division – 1,613 inspections; Building & Codes Enforcement Division – 269 cases; Building & Codes Abatement Division – 74 work orders; Clarksville Fire & Rescue – 1,042 responses; Clarksville Police Department – 12,524 calls.

STREET COMMITTEE
James Lewis, Chair

Councilman Lewis said the Street Department completed 150 work orders during October and announced they were currently providing debris pickup.

TRANSPORTATION COMMITTEE
David Allen

Councilman Allen congratulated Clarksville Transit System for placing first in the 30' Bus Division and third in the Cutaway Van Division at recent the Tennessee Public Transportation Association Bus Rodeo in Chattanooga.

Councilman Allen announced the "Basket of Thankfulness" effort during which citizens may donate three canned goods for a free bus ride every Saturday in November and said CTS will provide free transportation on "Black Friday," November 27th.

Mayor McMillan recognized and congratulated Clarksville Transit Director Arthur Bing for being elected President of the Tennessee Public Transportation Association.

MAYOR AND STAFF REPORTS

There were no mayor or staff reports.

ADJOURNMENT

The meeting was adjourned at 7:56 p.m.

ORDINANCE 36-2015-2016

AN ORDINANCE AMENDING THE 2015-2016 GENERAL FUND BUDGET (ORDINANCE 10-2015-16) AUTHORIZING THE CITY OF CLARKSVILLE TO INCREASE FUNDING OF THE GENERAL FUND BUDGET IN THE AMOUNT OF $36,731.10 TO BE TRANSFERRED TO THE CLARKSVILLE TRANSIT SYSTEM AND ACCEPTANCE OF FEDERAL AND STATE GRANT IN THE AMOUNT OF $330,579.90 FOR PARATRANSIT VEHICLES

WHEREAS, the Clarksville Transit System has been selected for funding under the Federal Transit Administration (FTA) Section 5310 Program, codified by 49 U.S.C. 5310 to provide transportation service for enhanced mobility of seniors and individuals with disabilities to receive funding to purchase nine Lift Equipped Paratransit Vehicles at an estimated cost of $367,311.00; and

WHEREAS, the Clarksville Transit System has been awarded $293,848.80 in federal funds, and $36,731.10 in state funds; and

WHEREAS, the Clarksville Transit System will be required to provide 10% local match in the amount of $36,731.10.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the following Budget Amendments be made:

General Fund:

Transfer to Transit	10491004-4740	Increase:	$36,731.10

BE IT FURTHER ORDAINED that the source of funding for this $36,731.10 shall be from the fund balance of the General Fund.

FIRST READING:
SECOND READING:
EFFECTIVE DATE:

ORDINANCE 45-2015-16

AN ORDINANCE AUTHORIZING THE MAYOR, THROUGH THE CITY ATTORNEY OR HIS DESIGNEE, TO CONDUCT NEGOTIATIONS AND TO ENTER INTO AN AGREEMENT FOR PURCHASE OF PROPERTY AND/OR RIGHTS OF WAY, OR SHOULD NEGOTIATIONS FAIL, TO PURSUE CONDEMNATION THROUGH EXERCISE OF RIGHT OF EMINENT DOMAIN FOR ACQUISITION OF PROPERTY FOR AN ELECTRIC SUBSTATION

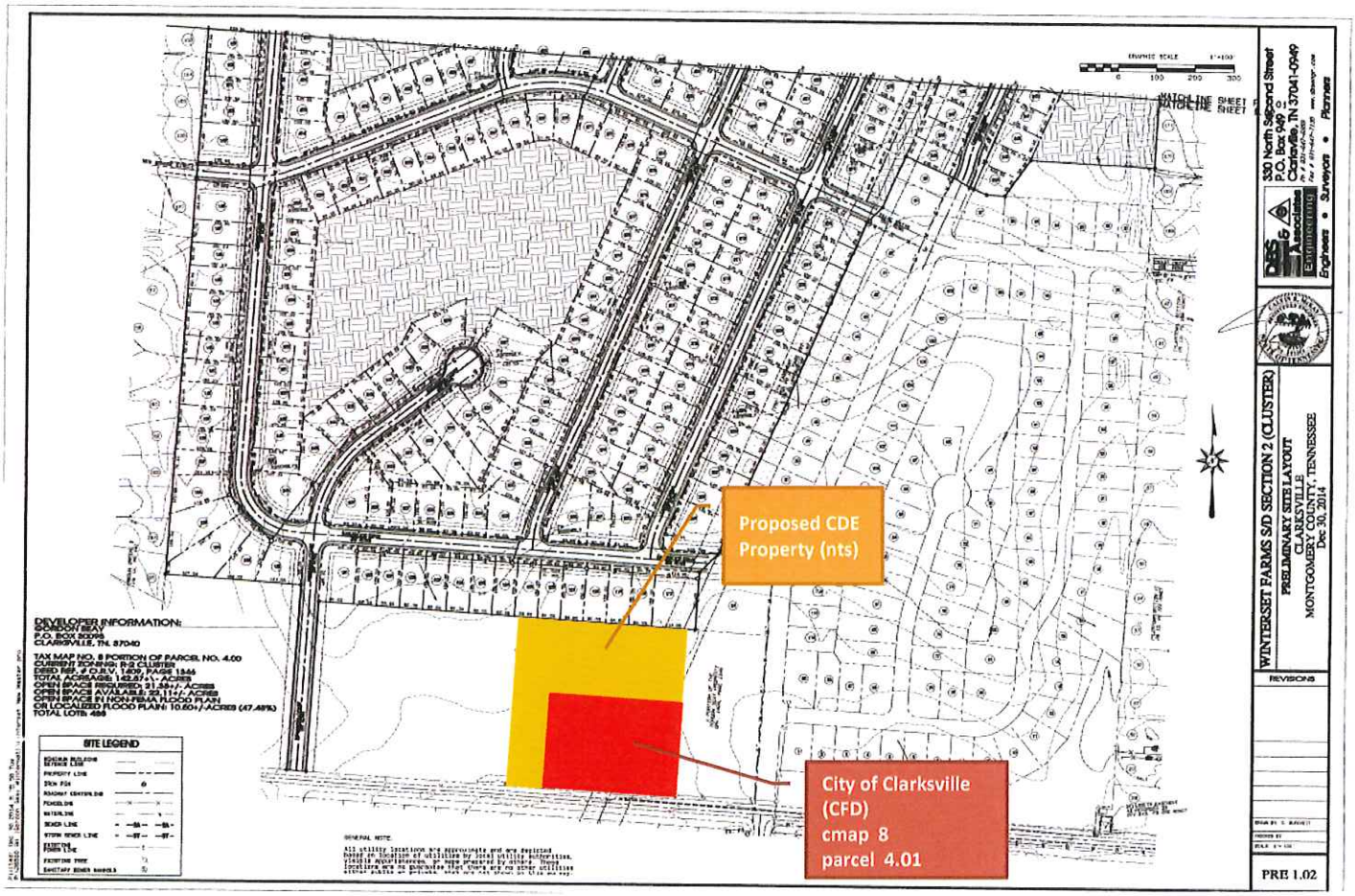
WHEREAS, the Clarksville City Council finds it to be in the public interest to acquire property and/or rights of way for the purpose of constructing an electric substation to provide adequate electric service to residents in the area of Tylertown Road.

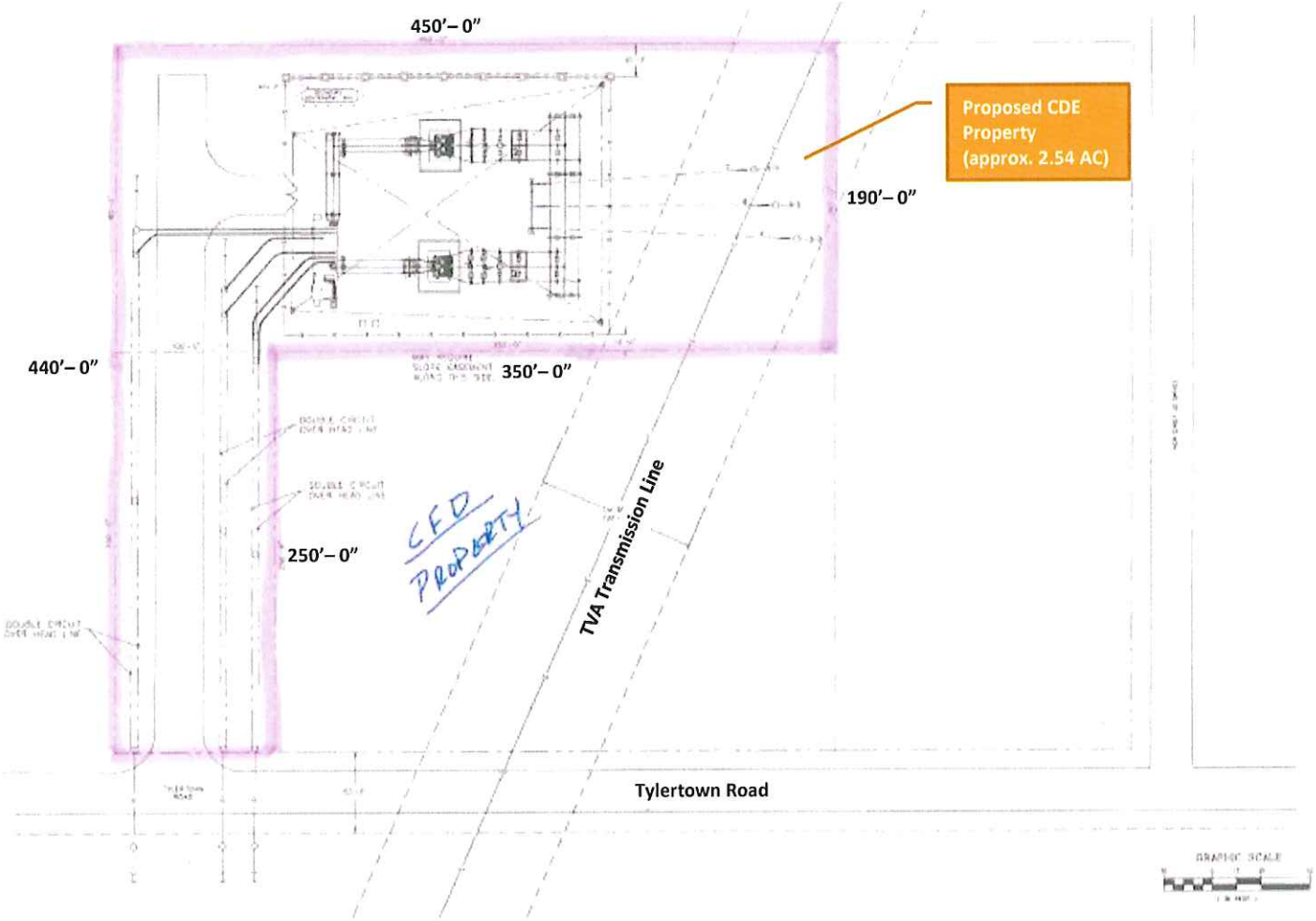
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Mayor, acting through the City Attorney or his designee, may negotiate and enter into an agreement for purchase of property and/or rights of way on Tylertown Road, as described in the attached Exhibit A, from Gordon Seay, and further, that if agreements cannot be reached on the City appraised purchase price in a timely manner, then the Mayor, acting through the City Attorney or his designee, and on behalf of the City of Clarksville, is hereby authorized to exercise the right of eminent domain and institute condemnation action in the appropriate court for acquisition of any necessary property rights from the affected property owner.

FIRST READING:
SECOND READING:
EFFECTIVE DATE:

EXHIBIT A


Proposed CDE Property (nts)
City of Clarksville (CFD) cmap 8 parcel 4.01
WINTERSET FARMS S/D SECTION 2 (CLUSTER)
PRELIMINARY SITE LAYOUT
CLARKSVILLE
MONTGOMERY COUNTY, TENNESSEE
Dec 30, 2014
PRE 1.02
REVISIONS
SITE LEGEND
DEVELOPER INFORMATION:
GORDON BEAN
P.O. BOX 3009
CLARKSVILLE, TN. 37040
TAX MAP NO. 8 PORTION OF PARCEL NO. 4.00
CURRENT ZONING: R-2 CLUSTER
DEED REF. F.D.R.V. 1409, PAGE 1846
TOTAL ACREAGE: 142.87+/- ACRES
OPEN SPACE REQUIRED 31.44+/- ACRES
OPEN SPACE AVAILABLE: 32.11+/- ACRES
OPEN SPACE IN NON-FEMA FLOOD PLAIN OR LOCALIZED FLOOD PLAIN: 10.60+/-ACRES (47.49%)
TOTAL LOTS: 488
GENERAL NOTE
330 North Second Street
P.O. Box 449
Clarksville, TN 37041-0449
Engineers • Surveyors • Planners


450'– 0"
Proposed CDE Property (approx. 2.54 AC)
190'– 0"
440'– 0"
350'– 0"
250'– 0"
CFD PROPERTY
TVA Transmission Line
Tylertown Road

ORDINANCE 46-2015-16

AN ORDINANCE AUTHORIZING THE MAYOR, THROUGH THE CITY ATTORNEY OR HIS DESIGNEE, TO CONDUCT NEGOTIATIONS AND TO ENTER INTO AN AGREEMENT FOR PURCHASE OF PROPERTY AND/OR RIGHTS OF WAY, OR SHOULD NEGOTIATIONS FAIL, TO PURSUE CONDEMNATION THROUGH USE OF EMINENT DOMAIN FOR ACQUISITION OF THE VANESSA HOLLIS PROPERTY ON KRAFT STREET FOR EXTENSION OF THE CLARKSVILLE GREENWAY

WHEREAS, the Clarksville City Council finds that improvements to certain recreational developments within the City are a vital component to the residents' quality of life; and

WHEREAS, the Clarksville City Council finds it to be in the public interest to acquire the Vanessa Hollis property on Kraft Street for the purpose of extending the Clarksville Greenway.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Mayor, acting through the City Attorney or his designee, may negotiate and enter into an agreement for the purchase of property on Kraft Street from Vanessa Hollis, identified as Parcels 0550-A-003.00 and 7.01, for extension of the Clarksville Greenway, not to exceed $250,000.00, and further, that if an agreement cannot be reached on a reasonable purchase price, not to exceed said amount, in a timely manner, then the Mayor, acting through the City Attorney or his designee, and on behalf of the City of Clarksville, is hereby authorized to exercise the right of eminent domain and institute condemnation action in the appropriate court for acquisition of any necessary property rights from the affected property owner.

FIRST READING:
SECOND READING:
EFFECTIVE DATE:

Property Purchase Resolution Request

Resolution between parties (Ms. Vanessa Hollis and City of Clarksville)

Kraft Street Property
Tract#: Parcels #0550-A-003.00 and 7.01
7.50 Total Acres
1.50 Useable Acres

Owner Information:
Ms. Vanessa Hollis
2703 Trelawny Dr.
Clarksville, Tennessee 37043

Appraisal By Mark Young dated July 30, 2014 -- $198,750

A verbal discussion occurred with Ms. Hollis and City Project Managers on 5-14-15 discussing appraisal results.

Offer Sent to Ms. Hollis by City Project Manager on 6-01-2015 for property purchase in the amount of $198,750.00

City offer verbally denied by Ms. Hollis, counter requesting $300,000.00.

Summary of Requested Resolution: The City requests a counter offer be approved in the amount of **$250,000** based upon the appraisal value and current property condition to avoid further delay and court costs. If offer is not accepted by property owner, the City requests Eminent Domain actions be initiated in support of City needs for greenway extension and recreation development through the subject property. There is also a grant timeline that states the property must be aquired by 2016 or potentially loose grant funding.

ORDINANCE 47-2015-16

AN ORDINANCE AUTHORIZING THE MAYOR, THROUGH THE CITY ATTORNEY OR HIS DESIGNEE, TO CONDUCT NEGOTIATIONS AND TO ENTER INTO AN AGREEMENT FOR PURCHASE OF PROPERTY AND/OR RIGHTS OF WAY, OR SHOULD NEGOTIATIONS FAIL, TO PURSUE CONDEMNATION THROUGH USE OF EMINENT DOMAIN FOR ACQUISITION OF THE RANDALL ARTHUR PROPERTY ON KRAFT STREET FOR EXTENSION OF THE CLARKSVILLE GREENWAY

WHEREAS, the Clarksville City Council finds that improvements to certain recreational developments within the City are a vital component to the residents' quality of life; and

WHEREAS, the Clarksville City Council finds it to be in the public interest to acquire the Randall Arthur property on Kraft Street for the purpose of extending the Clarksville Greenway.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Mayor, acting through the City Attorney or his designee, may negotiate and enter into an agreement for the purchase of property on Kraft Street from Randall Arthur, identified as Parcel 0550-A-007.00, for extension of the Clarksville Greenway, not to exceed $160,000, and further, that if an agreement cannot be reached on a reasonable purchase price, not to exceed said amount, in a timely manner, then the Mayor, acting through the City Attorney or his designee, and on behalf of the City of Clarksville, is hereby authorized to exercise the right of eminent domain and institute condemnation action in the appropriate court for acquisition of any necessary property rights from the affected property owner.

FIRST READING:
SECOND READING:
EFFECTIVE DATE:

Property Purchase Resolution Request

Resolution between parties (Randall L. Arthur and City of Clarksville)

830 Kraft Street Property
Tract#: Parcel #0550-A-007.00
13.650 Acres

Owner Information:
Harry L. and Jean A. Arthur; Randall L. Arthur
1591 Brinkley Branch Road
Hendersonville, Tennessee 37075

Appraisal By BG Jones and Company January 2015 -- $102,750

A verbal discussion occurred with Mr. Arthur and City Project Managers on 3-17-15 discussing appraisal results.

Offer Sent to Randal Arthur by City Project Managers on 6-01-2015 for property purchase in the amount of $102,375.00

City offer verbally denied by Mr. Arthur, counter requesting $250,000.00.

Mr. Arthur has since listed the property. **MLS listing 1640767 - Listed Price $319,900.**

Mr. Arthurs Realtor has sent email to City Project Manager advising a low price counter offer of $250,000 firm.

Summary of Requested Resolution: The City requests a counter offer be approved in the amount of **$160,000** based upon the appraisal value and current property condition to avoid further delay and court costs. If offer is not accepted by property owner, the City requests Eminent Domain actions be initiated in support of City needs for greenway extension and recreation development through the subject property. There is also a grant timeline that states the property must be aquired by 2016 or potentially loose grant funding.

ORDINANCE 50-2015-16

AN ORDINANCE AMENDING TITLE 1 (ADMINISTRATION, OFFICERS, AND PERSONNEL), CHAPTER 2 (CITY COUNCIL) OF THE OFFICIAL CODE OF THE CITY OF CLARKSVILLE, TENNESSEE RELATING TO THE GENERAL RULES OF ORDER.

WHEREAS, the Clarksville City Council desires to amend the Official Code of the City of Clarksville relative to items previously denied.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

1. That Title 1, "Administration, Officers, and Personnel," Chapter 2, "City Council," Section 204, "General Rules of Order," is hereby deleted in its entirety and the following is substituted therefore:

Section 1- 204. General Rules of Order.

(a) The rules of order and parliamentary procedure contained in Robert's Rules of Order, Revised, shall govern the transaction of business by and before the city council at its meetings in all cases to which they are applicable and in which they are not inconsistent with special rules in the City's Charter or adopted by the council and set out in this Code.

(b) During public hearings concerning zoning amendments, no more than two (2) people shall speak for or against a proposed amendment. Each speaker shall be allowed a maximum of five (5) minutes to speak, and one proponent and one opponent of the amendment shall be allowed an additional three (3) minute rebuttal if requested.
No request by an owner of property to postpone council action on a zoning amendment shall be honored if such request is made less than seventy-two (72) hours prior to the meeting of the city council at which such amendment is to be considered. Any request for postponement of a zoning case must be made in writing to the office of the city clerk. Requests meeting the above deadline will be granted one automatic one-month postponement of the scheduled public hearing and scheduled council vote. If a request for postponement is not received prior to the above deadline, the scheduled public hearing will be held and appropriate action will be taken by the city council.

(c) A public comment period shall be conducted before the regular session of the city council from 6:30 p.m. to 7:00 p.m. Any person wishing to address the council shall make such request to the city clerk by noon on Wednesday prior to the regular session and shall submit their name and the topic of said comments. Each person shall be allowed a maximum of

five (5) minutes to speak during the comment period. No public comments concerning any zoning amendment to be considered by the city council at such regular session shall be received during this period. The city clerk shall notify council members of beginning time for public comments.

(d) The mayor and city council members shall submit items for inclusion on any regular session agenda to the city clerk at least forty-eight (48) hours prior to the meeting of any standing committee which will review such items. The city clerk shall forward all such items to the standing committee or committees which, in the opinion of the city clerk and sponsor(s), should appropriately review such items and make recommendations thereon to the full city council. Upon such review, all items shall be placed on the regular session agenda, regardless of whether a favorable recommendation for adoption is made by any committee.

Alternatively, a member (or mayor) submitting an item may direct the city clerk that the item be placed directly on an executive session agenda, without referral to a standing committee.

Department heads may place items pertaining to that department directly on a standing committee agenda, with notice to the city clerk no later than forty-eight (48) hours prior to a committee meeting. In order for such items to be included on a regular session agenda, they must receive the favorable recommendation of a majority of the committee and, in the case of items requiring budget adjustments by the council, the favorable recommendation of the finance and administration committee. In the event that an item does not receive the necessary favorable committee recommendations, such an item may be subsequently requested for inclusion on the executive and regular session agendas by a member of the council or the mayor.

All agendas for all meetings shall be available to the public twenty-four (24) hours prior to the meeting.

The provisions of this section shall not apply to an agenda item which is required to originate with an application or similar filing with the Clarksville-Montgomery County Regional Planning Commission.

A member of the council (or the mayor) may place items on the regular session agenda that have not been considered by a standing committee or by the full city council at its executive session. However, such items may only be considered as new business upon a three-fourths majority vote of the council members in attendance to do so. A public comment period shall be conducted during committee meetings and during the executive

session of the city council, not to exceed fifteen (15) minutes unless waived by the chairman. Each person shall be allowed a maximum of five (5) minutes to speak during the comment period.

No public comments concerning any zoning amendment to be considered by the city council at its next regular session shall be received during the public comment period held after executive sessions.

(e) The executive session of the city council shall be held on the Thursday preceding the Thursday on which the regular session is to be held. Executive sessions may be rescheduled with sufficient notice to the city council. Effective November 2003, all executive sessions of the city council shall be held in City Council Chambers, 108 Public Square, Clarksville, Tennessee. The mayor may schedule the executive sessions at a location other than the city council chambers by designating such an alternative location no less than forty-eight (48) hours prior to that meeting.

(f) Any proposed ordinance or resolution reviewed by any committee shall be presented to the full council with a recommendation by the appropriate committee no more than forty-five (45) days after such ordinance or resolution is presented to the committee.

FIRST READING:
SECOND READING:
EFFECTIVE DATE:

CURRENT LANGUAGE:

Title 1, “Administrative, Officers, and Personnel,” Chapter 2, “City Council,” Section 204, “General Rules of Order,”

Sec. 1-204. – General Rules of Order.

(a) The rules of order and parliamentary procedure contained in Robert's Rules of Order, Revised, shall govern the transaction of business by and before the city council at its meetings in all cases to which they are applicable and in which they are not inconsistent with special rules in the City's Charter or adopted by the council and set out in this Code.

(b) During public hearings concerning zoning amendments, no more than two (2) people shall speak for or against a proposed amendment. Each speaker shall be allowed a maximum of five (5) minutes to speak, and one proponent and one opponent of the amendment shall be allowed an additional three (3) minute rebuttal if requested.

No request by an owner of property to postpone council action on a zoning amendment shall be honored if such request is made less than seventy-two (72) hours prior to the meeting of the city council at which such amendment is to be considered. Any request for postponement of a zoning case must be made in writing to the office of the city clerk. Requests meeting the above deadline will be granted one automatic one-month postponement of the scheduled public hearing and scheduled council vote. If a request for postponement is not received prior to the above deadline, the scheduled public hearing will be held and appropriate action will be taken by the city council.

(c) A public comment period shall be conducted before the regular session of the city council from 6:30 p.m. to 7:00 p.m. Any person wishing to address the council shall make such request to the city clerk by noon on Wednesday prior to the regular session and shall submit their name and the topic of said comments. Each person shall be allowed a maximum of five (5) minutes to speak during the comment period. No public comments concerning any zoning amendment to be considered by the city council at such regular session shall be received during this period. The city clerk shall notify council members of beginning time for public comments.

(d) The mayor and city council members shall submit items for inclusion on any regular session agenda to the city clerk at least forty-eight (48) hours prior to the meeting of any standing committee which will review such items. The city clerk shall forward all such items to the standing committee or committees which, in the opinion of the city clerk and sponsor(s), should appropriately review such items and make recommendations thereon to the full city council. Upon such review, all items shall be placed on the regular session agenda, regardless of whether a favorable recommendation for adoption is made by any committee.

Alternatively, a member (or mayor) submitting an item may direct the city clerk that the item be placed directly on an executive session agenda, without referral to a standing committee.

Department heads may place items pertaining to that department directly on a standing committee agenda, with notice to the city clerk no later than forty-eight (48) hours prior to a committee meeting. In order for such items to be included on a regular session agenda, they must receive the favorable recommendation of a majority of the committee and, in the case of items requiring budget adjustments by the council, the favorable recommendation of the finance and administration committee. In the event that an item does not receive the necessary favorable committee recommendations, such an item may be subsequently requested for inclusion on the executive and regular session agendas by a member of the council or the mayor.

All agendas for all meetings shall be available to the public twenty-four (24) hours prior to the meeting.

The provisions of this section shall not apply to an agenda item which is required to originate with an application or similar filing with the Clarksville-Montgomery County Regional Planning Commission.

A member of the council (or the mayor) may place items on the regular session agenda that have not been considered by a standing committee or by the full city council at its executive session. However, such items may only be considered as new business upon a three-fourths majority vote of the council members in attendance to do so. A public comment period shall be conducted during committee meetings and during the executive session of the city council, not to exceed fifteen (15) minutes unless waived by the chairman. Each person shall be allowed a maximum of five (5) minutes to speak during the comment period.

No public comments concerning any zoning amendment to be considered by the city council at its next regular session shall be received during the public comment period held after executive sessions.

~~No item previously denied upon a vote of the city council shall be reintroduced within a period of one year; however, such item may be reintroduced as new business upon a ¾ majority vote of the council members in attendance.~~

(e) The executive session of the city council shall be held on the Thursday preceding the Thursday on which the regular session is to be held. Executive sessions may be rescheduled with sufficient notice to the city council. Effective November 2003, all executive sessions of the city council shall be held in City Council Chambers, 108 Public Square, Clarksville, Tennessee. The mayor may schedule the executive sessions at a location other than the city council chambers by designating such an alternative location no less than forty-eight (48) hours prior to that meeting.

(f) Any proposed ordinance or resolution reviewed by any committee shall be presented to the full council with a recommendation by the appropriate committee no more than forty-five (45) days after such ordinance or resolution is presented to the committee.

ORDINANCE 54-2015-16

AN ORDINANCE AMENDING THE 2015-16 GENERAL FUND BUDGET (ORDINANCE 10-2015-16) AUTHORIZING THE CITY OF CLARKSVILLE TO INCREASE THE OPERATING BUDGET OF THE CUSTOMS HOUSE MUSEUM TO ALLOW FOR ADDITIONAL COSTS ASSOCIATED WITH THE RESIGNATION OF THE CURRENT DIRECTOR AND SECURING A REPLACEMENT

WHEREAS, the most recent Director of The Customs House Museum resigned effective October 15, 2015; and

WHEREAS, the departing director has accumulated vacation pay that was not budgeted; and

WHEREAS, there are additional and unbudgeted costs associated with a search for and relocation of a new Director; and

WHEREAS, $13,700 in additional funds will be required to transition to a new Director.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the following General Fund budget amendments be made:

10492003 4868	Museum Operating	Increase:	$ 13,700
	Posting for position	$1,000	
	Travel for 4 candidates	2,000	
	Lodging for 4 candidates	650	
	Candidate reception	1,500	
	Vacation pay-out for outgoing Director	6,050	
	Moving expenses for incoming Director	2,500	

BE IT FURTHER ORDAINED

That the $13,700 will be taken from the fund balance of the general fund.

FIRST READING:
SECOND READING:
EFFECTIVE DATE:

Customs House™ MUSEUM & CULTURAL CENTER
30 years

November 13, 2015

Debbie Frazier
Finance Director
City of Clarksville, TN
One Public Square, 3rd Floor
Clarksville, TN 37040

Dear Debbie;

The Board of trust of the Clarksville-Montgomery County Museum has requested that we ask for a budget amendment to the fiscal year 2016 operating budget for the Museum. As you know, our Director resigned in October and we have begun a search for his replacement. This is proving to be an expensive undertaking.

I have attached a copy of the proposed budget for the expenses related to this search. Is it possible to submit this proposal to the Council for approval?

Please let me know what the process is and if this is a feasible plan.

Thank you for all your help and support.

Sincerely,

Linda P. Maki
Interim Director

200 South 2nd Street Clarksville, TN *37040* *931.648.5780* Fax *931.553.5719* TTY *931.553.5101* www.customshousemuseum.org

Budget for the Clarksville-Montgomery County Director Search

	A	B	C
1	Item		Cost
2	Postings for Position		$1,000
3	Travel for 4 candidates		$2,000
4	Lodging for 4 candidates		$650
5	Candidate Reception		$1,500
6	Vacation pay-out for outgoing Director		6,050.00
7	Moving Expenses for in-coming Director		2,500
8	Total		$13,700

ORDINANCE 55-2015-16

AN ORDINANCE AMENDING THE 2015-16 CAPITAL PROJECTS FUND BUDGET (ORDINANCE 10-2015-16) AUTHORIZING THE CITY OF CLARKSVILLE TO CREATE A CAPITAL PROJECT TO ALLOW FOR COSTS ASSOCIATED WITH THE PURCHASE AND INSTALLATION OF ADDITIONAL LIGHTING AT HERITAGE PARK SOCCER COMPLEX

WHEREAS, two sets of additional lighting are necessary to promote safety and security at Heritage Park Soccer Complex, and;

WHEREAS, the two sets of lighting will be installed spring of 2016, and;

WHEREAS, the cost of purchase and installation of these two sets of lighting will not exceed the total amount of $200,000.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the following Capital Projects Fund budget amendments be made:

40450004 4730 16506		
Heritage Park Lighting Improvements	Increase:	$ 200,000

BE IT FURTHER ORDAINED:

Funding will be available from various completed capital projects as per City Code 6-508 and/or grant revenues.

FIRST READING:
SECOND READING:
EFFECTIVE DATE:

RESOLUTION 17-2015-16

A RESOLUTION DIRECTING THE PARKS AND RECREATION DEPARTMENT TO ALLOW THE CLARKSVILLE SOCCER CLUB TO PRACTICE ON THE HERITAGE SOCCER COMPLEX GAME FIELDS EIGHTY (80) CALENDAR DAYS IN THE YEAR 2016

WHEREAS, the Clarksville Soccer complex has never been used for the purposes of soccer practice; and

WHEREAS, the Clarksville Soccer Club makes annual payments to Parks and Recreation department for the use of the Clarksville Soccer Complex.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENENSSEE:

That the Clarksville Soccer Club will be permitted eighty (80) days in the calendar year 2016 for soccer practice, excluding the months of June and July to allow for recovery of Heritage Soccer complex game fields, and also excluding the last week in September to allow for seeding and maintenance of the fields.

BE IT FURTHER RESOLVED that the Clarksville Soccer Club will be permitted to make up a practice day at Heritage Soccer complex should a scheduled practice day become rained out.

BE IT FURTHER RESOLVED that the Director of the Parks and Recreation Department will report the condition of the Heritage Soccer complex game fields to the Parks and Recreation Committee members at monthly meetings.

BE IT FURTHER RESOLVED that any forms of malice directed toward any member of the Clarksville Soccer Club in the 2016 season will be grounds for disciplinary action to include a formal written reprimand and/or termination from the Parks and Recreation Director.

ADOPTED:

ORDINANCE 51-2015-16

AN ORDINANCE AMENDING TITLE 1 (ADMINISTRATION, OFFICERS, AND PERSONNEL), CHAPTER 9 (CITY COURT) OF THE OFFICIAL CODE OF THE CITY OF CLARKSVILLE, TENNESSEE RELATING TO THE CITY COURT CLERK

WHEREAS, the Clarksville City Council desires to establish and implement duties and responsibilities of the City Court Clerk.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

1. That Title 1, "Administration, Officers, and Personnel," Chapter 9, "City Court," is hereby amended by adding new sections, which shall be Sections 1-910, 1-911, and 1-912 and which shall provide as follows:

Chapter 9: City Court.

Section 1-910. City Court Clerk Established.

a. The shall be a department of the Clerk's Office of the City Court which shall consist of a director known as the City Court Clerk and such other positions and/or employees as may be provided herein or established by the director. The City Court Clerk shall be appointed by the Mayor, subject to the approval of the City Council.

Section 1-911. Department Head.

a. The City Court Clerk shall report directly to the Mayor and shall be treated as a department head and afforded the same due process in terms of discipline as any other department head of the City.

Section 1-912. Duties and Responsibilities.

a. The Director of Finance shall have oversight into the accounting of all funds, and the City Court Judge shall have oversight as to the duties and responsibilities of the City Court Clerk.

b. The City Court Clerk shall have the following duties and responsibilities:

1. Supervises administrative and support staff to include: prioritizing and assigning work; conducting performance

evaluations; ensuring staff are trained; ensuring employees follow policies and procedures; maintain a healthy and safe working environment; and making hiring, termination, and disciplinary recommendations;

2. Performs record management duties, which includes: processing court paperwork; ensuring cases are properly processed in accordance with law, and/or performing related duties;

3. Collects and processes fines and related citation fees; performs account balancing; issues receipts for payments; and prepares reports for the Court;

4. Determines schedules for trials and court cases; updates schedule as necessary;

5. Provides customer service to the general public and other agencies by responding to inquiries and requests for information, explaining policies and procedures, communicating fines, and/or providing other applicable information;

6. Performs basic legal research;

7. Prepares and maintains a variety of operations and financial records and reports; and

8. Performs other duties of a similar nature or level.

FIRST READING:
SECOND READING:
EFFECTIVE DATE:

ORDINANCE 52-2015-16

AN ORDINANCE AMENDING TITLE 1 (ADMINISTRATION, OFFICERS, AND PERSONNEL), CHAPTER 1 (IN GENERAL) OF THE OFFICIAL CODE OF THE CITY OF CLARKSVILLE, TENNESSEE RELATING TO CITY DEPARTMENTS

WHEREAS, the Clarksville City Council desires to establish City departments.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

1. That Title 1, "Administration, Officers, and Personnel," is hereby amended by adding a new Chapter 10, "City Departments and Organization," providing as follows:

Chapter 10: City Departments and Organization.

Section 10-101. Police Department.

There is hereby established a Police Department which shall be headed by a Chief of Police.

Section 10-102. Fire Department.

There is hereby established Fire Department which shall be headed by a Fire Chief.

Section 10-103. Department of Finance and Revenue.

There is hereby established a Department of Finance and Revenue which shall be headed by a Director of Finance and Revenue (Chief Financial Officer) who shall be the City Treasurer.

Section 10-104. Legal Department.

There is hereby established a Legal Department which shall be headed by a City Attorney.

Section 10-105. Department of Human Resources.

There is hereby established a Department of Human Resources which shall be headed by a Director of Human Resources.

Section 10-106. Department of Building and Codes.

There is hereby established a Department of Building and Codes which shall be headed by a Director of Building and Codes (Building Official).

Section 10-107. City Court Clerk.

There is hereby established a Department of the City Court Clerk which shall be headed by a City Court Clerk.

Section 10-108. Department of Electricity.

There is hereby established a Department of Electricity which shall be headed by a Superintendent of the Clarksville Department of Electricity.

Section 10-109. Department of Gas and Water.

There is hereby established a Department of Gas and Water which shall be headed by a Director of Gas and Water (General Manager).

Section 10-110. City Garage.

There is hereby established a department known as the City Garage which shall be headed by a Fleet Manager.

Section 10-111. Department of Housing and Community Development.

There is hereby established a Department of Housing and Community Development which shall be headed by a Director of Housing and Community Development.

Section 10-112. Department of Information and Technology.

There is hereby established a Department of Information and Technology which shall be headed by a Director of Information and Technology.

Section 10-113. Department of Internal Audit.

There is hereby established a Department of Internal Audit which shall be headed by a Director of Internal Audit.

Section 10-114. Department of Parks and Recreation.

There is hereby established a Department of Parks and Recreation which shall be headed by a Director of Parks and Recreation.

Section 10-115. Department of Purchasing.

There is hereby established a Department of Purchasing which shall be headed by a Director of Purchasing.

Section 10-116. Street Department.

There is hereby established a Street Department which shall be headed by a Director of the Street Department.

Section 10-117. Transportation Department.

There is hereby established a Transportation Department which shall be headed by a Director of Transportation.

FIRST READING:
SECOND READING:
EFFECTIVE DATE:

ORDINANCE 53-2015-16

AN ORDINANCE AMENDING THE OFFICIAL CODE OF THE CITY OF CLARKSVILLE, TENNESSEE, TITLE 1, CHAPTER 2, SECTION 1-205, RELATIVE TO COMPOSITION OF STANDING COMMITEES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Official Code of the City of Clarksville, Tennessee, Title 1, "Administration, Officers, and Personnel," Chapter 2, "City Council," Section 1-205, "Standing Committees," Paragraph (1), "Composition and appointment," is hereby amended by deleting "four (4)" and substituting instead "five (5)."

FIRST READING:
SECOND READING:
EFFECTIVE DATE:

CURRENT LANGUAGE:

- **Sec. 1-205. - Standing committees.**

(1)

Composition and appointment. Standing committees of the city council, each composed of not more than ~~four (4)~~ five (5) council members, shall be designated by the mayor and shall include such duties and responsibilities as the mayor may from time to time prescribe and as the welfare of the community may require. The mayor will give each council member an opportunity to serve on at least two (2) standing committees.

(1963 Code, § 2-6; Ord. No. 19-2002-03, 10-3-02)

ORDINANCE 59-2015-16

AN ORDINANCE AMENDING THE OFFICIAL CODE OF THE CITY OF CLARKSVILLE, TENNESSEE, TITLE 13, CHAPTER 2, RELATIVE TO THE GAS, WATER AND SEWER COMMITTEE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKVILLE, TENNESSEE:

That the Official Code of the City of Clarksville, Tennessee, Title 13, "Utilities and Services," Chapter 2, "Gas, Water, and Sewer Committee," is hereby amended by deleting Chapter 2 in its entirety.

FIRST READING:
SECOND READING:
EFFECTIVE DATE:

CURRENT LANGUAGE:

- ~~**Sec. 13-201. - Creation; function.**~~

~~There is hereby established a gas, water, and sewer committee to consist of three (3) members who are also members of the city council. The mayor shall appoint all three (3) members and shall designate which member is to serve as chairman. The committee, with the advice and consent of the city council, shall have general supervision, management, and control of the construction, maintenance, and operation of the gas, water, and sewer plants, systems, lines, additions, extensions, and improvements thereto, and the purchase, distribution, sales, and resale of gas and water to the extent and in the manner set forth in this chapter, and shall likewise control sewage rates to this extent.~~

~~The committee, in addition to the above, and with the advice and consent of the city council, shall have general supervision, management, and control of the construction, maintenance, and operation of the city's water pumping plant, distribution system, water and sewer lines and additions, extensions, and improvements thereto, and the purchase, pumping, distribution, and sale of water and the furnishing of sewer services to the extent and in the manner set forth in this chapter.~~

~~(1963 Code, § 28-16)~~

- ~~**Sec. 13-202. - Reserved.**~~

~~**Editor's note** — Ord. No. 86-2009-10, adopted May 12, 2010, repealed the former section 13-202 in its entirety, which pertained to membership; compensation, and derived from the Code of 1963, § 28-17, and Ord. No. 92-2003-04, adopted May 6, 2004.~~

- ~~**Sec. 13-203. - Organization and procedure.**~~

~~(1)~~

~~*Meeting place*. Meetings of the committee shall be held at the city hall or at such other places as the members thereof may determine.~~

~~(2)~~

~~*Time of meetings*. Meetings of this committee shall be whenever called by the chairman or, in his absence, by either of the other members. In any event, the two (2) members of the committee other than the chairman may call a meeting if the chairman refuses. Meetings other than those called by the chairman must be preceded by written notice delivered to each member of the committee at least twelve (12) hours in advance of the meeting, or mailed to each member at least thirty-six (36) hours in advance of such meeting, stating the time, place, and purpose of the meeting.~~

~~(3)~~

~~*Necessary votes to act*. All acts of the committee shall be by majority of those present.~~

~~(1963 Code, § 28-18; Ord. No. 92-2003-04, 5-6-04; Ord. No. 86-2009-10, 5-12-10)~~

- ~~**Sec. 13-204. - General powers enumerated.**~~

~~(1)~~

~~*Subject to contracts of city*. The gas, water, and sewer system shall be operated for the benefit of the city subject to the contract heretofore or hereafter made by the city with the people to whom the gas, water, and revenue bonds were sold and subject to such other contracts to which the city has or may lawfully become a party.~~

~~(2)~~

~~*System of operation*. Subject to such contracts, to the city charter, and to ordinances heretofore or hereafter enacted, the board shall recommend the method of operating the systems and the business pertaining thereto, may change their recommendations form [from] time to time, and may recommend the imposing of such duties upon and the delegation of such authority to the employees of the departments and to the city attorney as it deems advisable, but to have effect, the recommendations must be approved by the city council. The city council shall authorize the hiring of employees from time to time to carry out the duties and functions of the departments.~~

~~(1963 Code, § 28-19)~~

- ~~**Sec. 13-205. - Reserved.**~~

~~**Editor's note** — Ord. No. 86-2009-10, adopted May 12, 2010, repealed the former section 13-205 in its entirety, which pertained to duties of city attorney, and derived from the Code of 1963, § 28-20.~~

- ~~**Sec. 13-206. - Rates for gas, water and sewer service.**~~

~~The committee shall recommend to the city council such rates for the sale of gas and water and for furnishing sewer services as it may from time to time deem advisable, but the rates are to be fixed by the city council.~~

~~(1963 Code, § 28-21)~~

- ~~**Sec. 13-207. - Financial affairs and fiscal administration.**~~

~~(1)~~

~~*Monthly reports to city council*. Each month the department head shall file with the commission of finance and revenue a copy of each department's latest trial balance, a copy of each department's monthly statistical report, and a summary of the financial operation of each department.~~

~~(2)~~

~~*Audits*. At least once each year the department head shall have a certified public accountant make a thorough audit of the financial affairs and records of each department. When this audit has been completed, the department head shall file with the commissioner of finance and revenue a copy of the report of audits signed by the accountant who made it, and shall also file with such commissioner a complete report of the operations of each department for the preceding year.~~

~~(3)~~

~~*Insurance*. Each department shall advise the city council at its June meeting of each as to the amounts and kinds of insurance carried by the city and in any way connected with the operations and/or maintenance of the department. This report shall be in writing and should include recommendations for requirements.~~

~~(4)~~

~~*Depositing collections.* All collections made by the gas department shall be deposited each day in a bank designated by the city, deposited to the credit of the city in a special account as follows: "Clarksville Gas Department". All collections made by the water and sewer department shall be deposited each day in a bank designated by the city council to the credit of the city in a special account, or accounts, as follows: "Department of Water and Sewers of the City of Clarksville" or some similar designation; or it may separate the funds and deposits, the revenues from the sale of water in one account and the revenues from furnishing sewer services in another account, but any deposit shall show that the funds belong to the city.~~

~~(1963 Code, § 28-22)~~

- ~~**Sec. 13-208. - Maintenance of capital, materials, and equipment.**~~

~~(1)~~

~~*Gas.* The gas department shall at all times maintain an adequate supply of materials, supplies, tools, equipment, and other things reasonably necessary for the proper maintenance, repair, operations, and needed extensions. The gas department shall maintain adequate working capital as considered reasonably necessary, and shall maintain other funds as are required by the city's contract with the Equitable Securities Corporation.~~

~~(2)~~

~~*Water and sewers.* The water and sewer department shall maintain an adequate supply of materials, tools, equipment, and other things reasonably necessary for the proper maintenance, repair, and operation of that department and for such extensions as the city council may authorize, shall maintain such working capital as it may consider reasonably necessary, and shall maintain such other accounts and funds as are now or hereafter required in accordance with any contract or agreement by the city with bond purchasers or other parties. All these things may be kept in separate places and accounts so as to show for which department they were acquired and for which department such funds are maintained.~~

~~(1963 Code, § 28-23; Ord. No. 7-1997-98, 8-7-97)~~

ORDINANCE 60-2015-16

AN ORDINANCE AMENDING THE OFFICIAL CODE OF THE CITY OF CLARKSVILLE, TENNESSEE, TITLE 12, "STREETS AND OTHER PUBLIC WAYS AND PLACES," CHAPTER 5, "PARKS & RECREATION," RELATIVE TO THE PARKS & RECREATION COMMITTEE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Official Code of the City of Clarksville, Tennessee, Title 12, "Streets and Other Public Ways and Places," Chapter 5, Parks & Recreation," is hereby amended by deleting the following sections in their entirety:

Sec. 12-501. Recreation committee-Established; membership.

Sec. 12-502. Same-Organization; rules and regulations.

Sec. 12-503. Same-Function.

Sec. 12-504. Same-Finances.

FIRST READING:
SECOND READING:
EFFECTIVE DATE:

CURRENT LANGUAGE:

- ~~**Sec. 12-501. - Recreation committee—Established; membership.**~~

~~There is hereby established a recreation committee to consist of three (3) members who are also members of the city council. The mayor shall appoint all three (3) members, and shall designate which member is to serve as chairman.~~

~~(Code 1963, § 20-1)~~

- ~~**Sec. 12-502. - Same—Organization; rules and regulations.**~~

~~The recreation committee shall meet within a reasonable time after its appointment. The committee may appoint or designate, with the advice and consent of the city council, some properly qualified person as superintendent of parks and director of recreation and may employ such other personnel as it considers reasonably necessary. The committee shall adopt by-laws and promulgate rules and regulations for the orderly performance and discharge of its duties.~~

~~(Code 1963, § 20-2)~~

- ~~**Sec. 12-503. - Same—Function.**~~

~~The recreation committee shall provide, conduct, and supervise public playgrounds, athletic fields, recreation centers, and any other recreational facilities and activities on properties that the city may own or private property owners may provide or make available for such uses. The committee may conduct any form of recreation or cultural activity that it deems advisable to employ the leisure time of the people in a constructive and wholesome manner.~~

~~(Code 1963, § 20-3)~~

- ~~**Sec. 12-504. - Same—Finances.**~~

~~Annually, at a time designated by the city council, the recreation committee shall submit to the city council for its approval, a proposed budget. The committee may also solicit gifts, bequests of money, donations, and other personal properties from anyone for the expenditure by or use of the committee for the purposes authorized and prescribed.~~

~~Otherwise, the committee expenditures shall not exceed the appropriations made by the city for its use.~~

~~The committee shall make full and complete monthly and annual record reports to the city council for all its receipts and expenditures. The committee shall make such other reports as the council may from time to time request.~~

~~(Code 1963, § 20-4)~~

- **Sec. 12-505. - McGregor Park closing hour.**

McGregor Park shall be closed to the public at 12:00 midnight.

(Code 1963, § 20-5)

- **Sec. 12-506. - Opening and closing hours for city parks.**

  Any park owned and/or operated by the City of Clarksville will be opened to the public (to include vehicles) at such times as the director of parks and recreation deems fit and opening hours, although they may change from time to time, will be posted at or near the entrance or entrances of the various parks. Any vehicles left in the park after closing will be towed away at owner's expense.

(Code 1963, § 20-6; Ord. No. 102-1986-87, 7-2-87)

- **Sec. 12-507. - Schedule of fees.**

  The director of parks and recreation is hereby authorized to promulgate a schedule of fees for parks and recreation services subject to the approval of the parks and recreation committee of the city council. The chair of the parks and recreation committee will report changes or addition in fees to the full city council at the city council executive session prior to the changes or additions in fees going into effect.

(Ord. No. 103-2010-11, 9-1-11)

ORDINANCE 48-2015-16

AN ORDINANCE AUTHORIZING THE EXERCISE OF RIGHT OF EMINENT DOMAIN TO ACQUIRE EASEMENTS AND RIGHTS OF WAY FOR UTILITY IMPROVEMENTS REQUIRED TO FACILITATE DESIGN AND CONSTRUCTION OF VARIOUS PROJECTS

WHEREAS, the City of Clarksville is in the process of designing and ultimately constructing various utility improvement projects and/or relocation projects, as part of various roadway widening/intersection improvement projects, throughout the city;

WHEREAS, it may not be possible to effectively negotiate timely easements and property acquisition with the affected property owners for the required construction activities.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That if negotiation efforts are not timely or effective, the Mayor is hereby authorized to exercise the right of eminent domain to acquire easements and rights of way for utility improvements required to facilitate design and construction of the following projects:

- Trenton Road At Tylertown Road Intersection Improvement Project
- Needmore Road At Trenton Road Intersection Improvement Project
- Edmondson Ferry Road Intersection Improvement Project
- Oriole Circle Gravity Sewer Project
- Wilma Rudolph Gravity Sewer Project
- 1404 Ft. Campbell Boulevard Sewer Project
- Oakland Road Widening/Intersection Improvement Project
- Guthrie Highway Road Widening/Intersection Improvement Project
- Rossview Road (S.R. 237) Widening/Intersection Improvement Project (West of I-24 To Cardinal Lane)
- Rossview Road (S.R. 237) Widening/Intersection Improvement Project (Hankook Project)
- Golfview Place/McCan Drive Gravity Sewer Project
- Colonial Court/Robert S. Brown Drive Gravity Sewer Project
- Kraft Street/North Second Street Gravity Sewer Project
- Walnut Street/Power Street Gravity Sewer Project
- South Riverside Drive (Near Edgehill Drive) Gravity Sewer Project
- Cave Springs/Danko Lane Gravity Sewer Project
- Kelly Lane/Bagwell Drive Gravity Sewer Project
- Main Lift Station Gravity Sewer Project
- Shelby Street Gravity Sewer Project
- Cardinal Lane (Rossview Elementary) Force Main Project
- S.R. 374 From Stokes Road To Dunbar Cave Road Widening/Intersection Improvement Project

FIRST READING:
SECOND READING:
EFFECTIVE DATE: